

# Battista jumps NLRB ship to join largest union-busting law firm

WASHINGTON, D.C. — It's long been an open secret in the labor movement that the National Labor Relations Board (NLRB) under President Bush has been staffed by people intent on destroying unions and workers' right to form unions.

Now there's proof that at least one member of the Board has been waiting for the right moment to join forces with those who openly oppose unions. NLRB Chair Robert Battista has left to work for Littler Mendelson, a notorious union-busting law firm headquartered in Washington, D.C. (with offices in 45 major metropolitan markets.)

Battista has served on the NLRB since 2002. During his tenure, the Republican-dominated Board has taken away the rights of so-called supervisory workers to be represented by unions (Oakwood Health Care case); banned unions from using workplace e-mail to communicate with their members (Eugene-Register Guard); made it harder to form unions through majority sign-up; limited the ability of illegally-fired workers to recover back pay; and allowed employers to discriminate against union supporters in the hiring process.

Battista's term expired in December. When he was re-nominated by President Bush in January, Sen. Edward Kennedy (D-Mass.), chairman of the Senate Health, Education, Labor and Pensions Committee, blasted the move.

"It's unbelievable that President Bush would renominate Mr. Battista to the Board after he led the most anti-worker, anti-labor, anti-union Board in its history," Kennedy said.

The nomination requires Senate confirmation. Democrats control the Senate, and the national AFL-CIO has

been urging Democratic leaders not to confirm any NLRB nominations until 2009 — when a new president is in office.

With confirmation going nowhere, Battista asked Bush to withdraw his nomination.

Shortly thereafter, Littler Mendelson announced that Battista was joining its law firm. They praised Battista for his influence in "several important labor law decisions," listing the Oakwood Health Care and Eugene Register-Guard cases.

"Now Battista can make money telling employers how to exploit the law he helped to weaken in order to prevent their workers from organizing," wrote Erin Johansson on the blog American Rights At Work.

To illustrate Littler Mendelson's disdain for unions, the blog posted a five-page "Do's and Don'ts" list the law firm gives to clients. The International Labor Communications Association, AFL-CIO, went over that list and selected its favorite recommendations. They are:

- "Tell employees that there will be no automatic pay increases, no automatic improvements in fringe benefits, and no automatic union contract if the union wins an election. Everything will depend on what happens in collective bargaining negotiations."

- "Explain to employees that they will be required as union members to follow the orders of union officials; they will effectively have another 'boss.'"

- "Remind employees that every person put between you and the person you are trying to talk to makes it more difficult to get your point across. Why not dispense with the middleman and

talk directly with each other?"

- "Point out the indirect costs of unionization that you want to avoid: executive time spent in bargaining sessions; work time of employees spent on union business; costs of hiring lawyers and other labor relations experts; Money spent on such costs obviously cannot go to the employees in higher wages."

- "Emphasize that your employees are free to vote either for or against the union. The company will not retaliate in any way against union supporters; thus, there is no reason to vote for the union simply to protect the jobs of open union adherents."

The ILCA noted that the union-backed Employee Free Choice Act (House Resolution 800 and Senate Bill 1041), supported by a bipartisan coalition in Congress, would require that employers and unions agree on a first contract within a specific time-frame or else go to arbitration. And it would establish stronger penalties for violation of employee rights when workers seek to form a union and during first-contract negotiations.

## Tell AFL-CIO what you think: Take the 2008 'Working Woman Survey'

If you are a working woman, are you worried about finding a job that pays your bills and provides benefits? Or concerned about the rising cost of health care? Maybe you're frustrated you can't find time to do your job and spend time with your family. Or are you tired of working as hard as your male counterparts and not getting paid as much?

The AFL-CIO and Working America's just-launched online 2008 "Ask a Working Woman" survey enables you to share workplace concerns about issues such as equal pay and stronger family and medical leave laws.

Go to [aaww.questionpro.com/](http://aaww.questionpro.com/) to take the survey.

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## Helping to stamp out hunger

Retired letter carrier Pat Horne unloads bags of food at the Troutdale Post Office May 10, part of the National Association of Letter Carriers one-day "Stamp Out Hunger" national food drive. For the 16th year in a row, members of Letter Carriers Branch 82 picked up sacks of non-perishable food while delivering the mail on Saturday, May 10. The sacks, delivered earlier in the week, were paid for partly by donations from two dozen labor organizations. Letter carriers returned the bags of food to their home stations, where more volunteers separated the donations and loaded them onto trucks headed for the Oregon Food Bank. As of press time, 700,000 pounds of food had been collected in the Portland metropolitan area. The goal this year is 2 million pounds of food statewide. Last year's food drive brought in 1.6 million pounds of food throughout Oregon and Southwest Washington. Among those volunteering to load and unload mail trucks in Troutdale was Cody Howlan, son of Delores Howlan, a NALC Branch 82 shop steward.

## IN MEMORIAM

**Cliff Puckett**, a longtime member of Cement Masons Local 555, died of a heart attack at his Salem home on Thursday, April 17. He was 66.

Puckett was a 30-year member of the union. He served as president of the local from May 1987 through April 1990; as business agent/financial secretary from January 1992 through April 1993; and as apprentice coordinator from April 1990 through September 1994. He retired Oct. 1, 1994.

Born in Egypt, Ark., on April 9, 1942, he was the son of Cliff and Dolie (Jones) Puckett. He moved with his family to Dinuba, Calif., when he was 14.

He married Debbie Paine on Aug. 15, 1975, in Reno.

He enjoyed golfing, fishing, camping, beachcombing and spending time with family.

In addition to his wife, Puckett is survived by a son, Cliff of Salem, a member of the Carpenters Union; a daughter, Angela Nyseth of Salem; his mother; a brother, Lee of Florida; a sister, Linda Garrison of Dinuba, Calif.; and five grandchildren.

To leave online condolences, visit [www.macyandson.com](http://www.macyandson.com).

A memorial service for **Margaret Ulrika 'Peggy' Dereli** will be held at 10:30 a.m. Friday, May 30 at St. Michael The Archangel Church, 424 SW Mill St. Portland.

Dereli passed away on Mother's Day, May 13, 2007, due to complications related to Alzheimer's disease. She was 70.

In the early '70s Dereli was a three-term Democratic state legislator from Salem's District 32. After leaving the Legislature she moved to Portland and worked as a consultant and lobbyist representing several building trades unions and Amalgamated Transit Union Local 757. She later went to work for Kaiser Permanente, where she remained until her retirement in 2000.

Her companion of nearly 20 years was Lloyd Knudsen, a retired political and legislative director of the Oregon AFL-CIO.

Former State Sen. Dick Springer will speak at the memorial.

Dereli is survived by her daughter, Suzan Dereli, son-in-law, Donald Meservey, and grandsons, Aaron and Simon Eskenazi, all of Mercer Island, Wash.

Dereli's family encourages donations in her name to the Alzheimer's Association of America.

## We support Mike Delman for Multnomah County Commissioner District 3



GENE PRONOVOST, JOE DEVLAE MINCK, DICK SPRINGER, GARY HANSEN, LORI RICE, R.N., UFCW LOCAL 555, OREGON NURSES ASSOCIATION

And Congratulations, Mike, on your endorsement by the Multnomah County Corrections Officers Association

**Vote for Real Change. Vote for Mike Delman**

[www.mikedelman.com](http://www.mikedelman.com)