

# Introducing **BUSTED!** a new regular feature

Every month for the last 11 years, the Northwest Labor Press has requested and received two sets of documents from National Labor Re-

lations Board Subregion 36. That office is supposed to protect the union rights of workers in Oregon and Southwest Washington.

Information in documents about union elections mostly ends up in our monthly "Local Motion" feature. And information from documents about unfair labor practices — as violations of the National Labor Relations Act are called — sometimes tips us off to workplace conflicts that end up reported in this paper.

But most of the unfair labor practice charges have gone unreported. Our small staff and limited space are not up to the task of reporting the nearly 200 charges a year that are being filed by workers and unions in Oregon and Southwest Washington.

So we've decided to publish a sampler of the more interesting and

outrageous cases, in order that our readers may see what we see: rampant day-to-day employer violations of labor law, workers fired for exercising their rights, and managers threatening, spying on, and punishing pro-union employees. Our hope

is that this will give Labor Press readers a fuller picture of what's going on — and that they will sometimes reach out to help their fellow workers — and let employers know they can't operate in the dark forever.

## BUSTED!

A sampler of recent charges of employer labor law violations filed with the local office of the National Labor Relations Board (NLRB).

### Best Buy fires pro-union workers, one by one

At **Best Buy** stores in Oregon, a group of 24 home theater system installers tried in late 2009 to join **International Brotherhood of Electrical Workers Local 48**. But the big-box electronics retailer brought in anti-union lawyers and consultants. The result: A day before the scheduled union vote, Local 48 acknowledged it had lost the majority, and withdrew its election request. Seven months later, on June 6, 2010, Best Buy fired Joseph Van Hoosen, an installer who had actively campaigned for the union. Sean Ellis was next, fired on June 22. Brian Sullivan was the third, fired Sept. 3. All three supported the union, and were fired for what they say are phony reasons. Last month they filed charges against Best Buy, and are represented by Lake Oswego trial lawyer Roger Hennagin.

### Union members need not apply

Why spend money crushing a union campaign when you can just avoid hiring pro-union workers in the first place? **Johnson Crushers International**, a nonunion Eugene mining equipment manufacturer with about 200 workers, is accused by **United Steelworkers** of breaking the law by refusing to hire or consider hiring two welders because of their union past.

### Boss grabs contract out of steward's hands

**UNITE HERE Local 9** shop steward Melissa Goff works room service at the **Portland Hilton Hotel & Executive Tower**. On Nov. 1, she saw Sonny Superana, a steward from another union, in the employee break room reading his **Operating Engineers Local 701** contract. He lent it to her so she could compare it to her Local 9 contract. Later, manager Florian Kunkel saw the Local 701 contract and demanded to know where she got it. That's confidential information, he told her, and she had no business reading it. When she refused to hand it over, he grabbed it out of her hands. "I was in shock," Goff tells the Labor Press. "He's twice as big as me, and he's the boss. I knew it wasn't right, but wasn't 100 percent sure." The NLRB should have an easy time with this one. Workers have the right under federal law to talk, compare notes, and share contracts if they want to, and no manager can order them to stay divided.

### Managers panic: Stewards talking to members!

**Avamere** nursing home in Hillsboro has ordered stewards not to post materials or talk with employees in the break room, only in the conference room. They would need to negotiate that change with **Service Employees International Union Local 503**, the union charges.

### Vacation any time ... except most of the year

**Oregon Child Development Coalition**, a network of child care centers, announced a new vacation policy: Nobody can take any for nine months — from September to June. Previously, the "black-out" dates were two months. But they didn't bargain the new policy with **Laborers Local 320**, and thus broke the law, the union charges.

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