

Rogue Ales puts chill on Teamsters Union campaign

By **DON McINTOSH**
Associate Editor

Workers at the Rogue Ales brewery have plenty of reasons to unionize, says Chris Muhs, secretary-treasurer of Teamsters Local 324.

For starters: Base pay for most of the 29 workers who produce and bottle beer at Rogue's Newport, Oregon, craft brewery is Oregon's \$8.50-an-hour minimum wage. Bonuses of a dollar or more an hour are added, but are unpredictable and irregular, and workers don't know how the bonuses are calculated. Minimum wage pay makes the company's 401(k) match not very meaningful, and it makes it hard for workers to afford what even the company admits — on its website's jobs page — is "bad health insurance." Employees can pay over \$800 a month for family coverage. To top it off, Muhs says, Rogue Ales has a habit of firing and rehiring workers, and posting and changing schedules with little or no notice.

Muhs learned all this spending time with brewery workers after he got a call from bottling line worker Rodrigo Alruiz.

Alruiz had his own complaint: He says when he agreed to serve as crew leader, he was promised a \$1-an-hour raise, but didn't receive it. But what provoked him to call the Teamsters was a January 2011 company meeting at which a brewer was fired in front of everyone else for having made sophomore comments on a "letter of accountability." Employees had been

made to write the letter after some production mistakes. Alruiz says he remembers the boss's exact words: "F*** off. You're fired."

"It was the most disrespectful thing I ever saw," Alruiz told the Labor Press.

Word among co-workers, Alruiz says, was that two employees had tried to unionize several years before, and were fired by the company. Alruiz, who is 37 with a wife and two kids, knew he was taking a risk to call the Teamsters.

But his brother-in-law had been a Teamster at UPS. When he was sidelined by a life-threatening ailment and UPS tried to cancel his health coverage, the Teamsters fought and won continuation of the benefits. Alruiz called his brother-in-law's union local, and they referred him to Muhs at Local 324.

Alruiz talked with co-workers during breaks. After two months, 17 Rogue workers had signed union authorization cards. Muhs held meetings with workers in late February and early March. On April 25, Local 324 filed a request for a union election to be supervised by the National Labor Relations Board (NLRB).

A week after filing the petition, Rogue Ales suspended Alruiz for two days, ostensibly for arguing with a co-worker. A week after that, it fired two of his friends, also union supporters.

By now, Rogue Ales was represented by attorney Todd A. Lyon, from the Lake Oswego-based management-

side labor law firm Williams Zografos & Peck. Lyon formerly represented Teamsters at a worker-side labor law firm in Seattle. Now he represented Rogue, leading mandatory anti-union meetings.

Local 324 protested the firings, and filed a charge that's being investigated by the NLRB.

Meanwhile, deploying a standard legal tactic by employers, Rogue Ales objected to Local 324's idea of who should be in the union, and proposed that drivers and receiving department workers be added to the bargaining unit. The union consented, and an election was scheduled for June 6.

In mandatory workplace meetings, workers were subjected to all manner of anti-union arguments. Teamsters know trucking, but not beer, Lyon argued. [That's ridiculous, Muhs says: Though Salem-headquartered Local 324 is a general local representing 1,500 workers from warehouses to municipal governments, the Teamsters union represents brewery workers in other locales.]

But the anti-union meetings had an effect. The week before the scheduled election, Muhs received a petition, signed by 21 workers, saying they don't want to be represented at this time. After verifying the signatures, Muhs respected their wish, withdrawing the election petition.

One factor in the change of heart, Muhs says: Much of the union's initial support came from less senior workers on the bottling line. Some well-re-

spected better-paid and more senior workers felt blindsided on learning of the union campaign, and appealed to younger co-workers to give the company six months to show it can be a better employer. Now it will get that chance.

The week after the election was canceled, Alruiz says, Rogue Ales served birthday cake for a brewery employee, something he had never seen before.

By all accounts, Rogue is a successful enterprise, with a spreading empire of pubs, micro-distilleries, tasting rooms, and a B&B: Besides three locations in Newport, it has pubs in San Francisco, California; Issaquah, Washington; Astoria and Eugene, Oregon; and four sites in Portland — in the Pearl District, at Portland International Airport, "Rogue Hall" adjacent to Portland State University, and the Green Dragon in Southeast Portland.

As it has grown, the company has

staked its brand on the "rogue" image. Though Merriam-Webster says a rogue is a "dishonest or worthless person," Rogue Ales' web site offers its own definition — an honest, hard-working risk-taker and rebel. But when its minimum wage brewery workers took risks to rebel and seek out a union, Rogue lawyered up and fired two of them.

"Rogue is not for everyone," says the jobs page on Rogue Ales' web site, which adds the company's opinion that "job security is a myth," and "seniority is not fair."

The Labor Press wanted to know: Is there something about the proud tradition of trade unionism that clashes with the company's "rogue" ethos? Seeing "absence of bullshit" among the "unalienable rights" enumerated in the company's "Rogue Nation" fan club manifesto, the Labor Press contacted Brett Joyce for some straight talk about the company's campaign against the union. Joyce did not respond.

Rogue: To buy or not to buy

When the Labor Press reported June 3 that an unfair labor practice charge had been filed — alleging that Rogue Ales fired two workers for supporting a union campaign — it came to the attention of International Brotherhood of Electrical Workers Local 48 Business Manager Clif Davis.

The news put Local 48 in a tricky spot. Davis was getting ready to finalize a large order with Rogue for a custom-brewed beer to be served July 10 at Local 48's 100th anniversary celebration. Davis called Teamsters Local 324 Secretary Treasurer Chris Muhs to ask if Local 48 should cancel the order.

Rogue workers need a union, Muhs said, but that decision, as well as any call for a boycott, would be up to the workers themselves. Consequently, Local 324 is not boycotting Rogue Ales at this time.

Davis went ahead with the order, but sent a letter to Rogue putting the company on notice that Local 48 would have honored a boycott if the Teamsters had requested it, and that future union business could depend on the company's conduct.

As a result, Local 48 members can toast their union for 100 years of maintaining the honor and dignity of working people, while the workers who made the beer can know that if they decide to unionize, their brothers and sisters in the union movement will have their back.



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