

Busted!

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

Dosha fires pro-union worker

On Sept. 14, Mary Christ became the first outright casualty of Dosha's "grind-them-down-and-wait-them-out" anti-union strategy. Portland-based **Dosha** is the five-location salon and spa chain whose hair stylists, nail techs and others voted March 30 to unionize. Since then, the company installed a surveillance camera in an employee break room, told workers it was going to act as if the union wasn't there, and imposed a lower-quality health plan without bargaining with workers, who are members of **Communications Workers of America Local 7901**. Those and other charges are being investigated. Now Christ, a massage therapist, has been terminated, possibly for the crime of wearing red feather earrings, says union President Madelyn Elder. Red is CWA's color, and pro-union employees sometimes wear the earrings in shows of solidarity; CWA alleges in charges filed Sept. 22 that Christ was fired for her participation in such union activity.

Take sticker off hard hats, shipyard workers told

In mid-August, according to charges filed by the **Painters District Council 5**, a manager at **Cascade General** ship repair yard in Portland asked two workers to remove union solidarity stickers from their hard hats. One of them has not been returned to work since. Then Sept. 6, a day-shift shop steward was laid off and told to withdraw his shop steward position if he wanted to return to work.

Vancouver factory workers get \$175,000

Excelsior Packaging Group has agreed to pay \$175,697 to settle charges filed by **United Steelworkers**. The company — a Vancouver factory that prints and cuts plastic films used in packaging — was sold to Mercury Plastics last October, at which point it fired local union president Rick Evans and refused to bargain over the effects of the sale. Under the settlement, Excelsior pays its employees two weeks wages, accrued vacation pay, pension and 401(k) contributions, plus interest. The NLRB says that makes up for having refused to bargain over the effects of the sale. The new owner has been meeting to negotiate an agreement with the union. The NLRB dismissed the charge over the union president's firing, however. Evans is still out of work.

Ports go silent as ILWU President McEllrath surrenders to Cowlitz cops

LONGVIEW — West Coast ports shut down for 15 minutes Sept. 26 as Robert McEllrath, president of the International Longshore and Warehouse Union (ILWU), surrendered himself to authorities in Longview, after being advised by his attorney that there was a warrant for his arrest.

McEllrath was cited on misdemeanor charges of trespassing in the second degree and blocking or delaying a train, both related to a protest Sept. 7 against multi-national corporation EGT, which opened a new grain terminal at the Port of Longview. He was released after being cited.

As McEllrath was being processed at approximately 11 a.m., all machinery and equipment in West Coast ports stopped for 15 minutes. The presidents of ILWU locals at the ports of Seattle, Tacoma, Portland, and Vancouver, along with two representatives from the East Coast's International Longshoremen's Association, including International Vice President Ken Riley, accompanied McEllrath through the front door of the police station.

"Longshore workers stood down in silence (Sept. 26) to express their anger about Cowlitz County law enforcement's unfair treatment of our international president," said Leal Sundet, ILWU Coast committeeman.

That same day, the ILWU also filed a petition to recall Cowlitz County Sheriff Mark Nelson.

Earlier that week, on Sept. 22, the ILWU filed a civil rights lawsuit, alleging harsh tactics and retaliation on

the part of Longview police and the sheriff's department.

"I'm standing with Longview's longshore workers and their supporters who have been harshly punished for standing up to multi-national bully EGT," said McEllrath, a Vancouver longshore worker who was elected as ILWU international president in 2006. "Sheriff Mark Nelson needs to start accepting our offers to process arrests peacefully, and stop sending out multiple squad cars on Sundays to make over-the-top arrests and rack up the overtime costs. The sheriff's current program is totally unnecessary and clearly designed to intimidate and harass union members for exercising their free speech and associational rights."

The ILWU, through its legal counsel, has made several attempts to arrange the orderly and peaceful arrests of anyone who may have an outstanding warrant due to the Sept. 7 protest.

More than 135 people, including several union leaders, have been arrested in connection with protests at the plant, located at the Port of Longview.

The ILWU and Port of Longview allege EGT is violating its lease agreement with the Port, in which the company committed to hire longshore workers at the grain terminal. EGT is a multi-national joint venture owned by

three global companies: Bunge, which operates in more than 30 countries and profited \$2.5 billion in 2010, Itochu from Japan, and STX Pan Ocean from Korea.

LEGAL PROBLEMS?

\$16 a month coverage includes:

- ❖ Unlimited toll-free phone consultation with attorneys.
- ❖ A comprehensive will with yearly updates.
- ❖ Representation for traffic tickets, accidents, criminal, and civil suits.
- ❖ Coverage on IRS tax audits.
- ❖ Divorce, bankruptcy, child custody, and much more.*

THESE LEGAL SERVICES ARE PROVIDED BY THE VERY BEST LAW FIRMS IN OREGON & WASHINGTON.

* Some services not 100% covered

For more information, call toll-free

(888) 252-7930

www.prepaidlegal.com/info/randallnix

U.S. Postal Service Statement of Ownership, Management and Circulation

Required by 39 U.S.C. 3685.

1. Publication Title: Northwest Labor Press. 2. Publication No.: ISSN 0894-444X.
3. Filing Date: Sept. 26, 2011.
4. Issue Frequency: Semi-monthly basis on first and third Fridays of each month.
5. No. of Issues Published Annually: 24. 6. Annual Subscription Price: \$13.75.
7. Complete Mailing Address of Known Office of Publication: 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213.
8. Complete Mailing Address of Headquarters or General Business Offices of Publisher: 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213.
9. Full Names and Complete Mailing Address of Publisher, Editor, and Managing Editor. Publisher: Oregon Labor Press Publishing Co., Inc., 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213. Editor: Michael Gutwig, 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213. Managing Editor: Michael Gutwig, 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213.
10. Owner: Oregon Labor Press Publishing Company, Inc., (a non-profit corporation) 4275 NE Halsey St., P.O. Box 13150, Portland, Multnomah, Oregon 97213. Shareholders owning or holding one percent or more of the total amount of shares are: Musicians Mutual Association No. 99 (Bruce File, trustee); IBEW Local 125 (Travis Eri, trustee); Oregon AFL-CIO (Tom Chamberlain, trustee); United Food & Commercial Workers Local 555 (Jeff Anderson, vice president); Northwest Oregon Labor Council (Bob Tackett, vice president); Label Trades Section, Northwest Oregon Labor Council (Bob Tackett); UNITE HERE Local 9 (Karly Edwards, trustee); Iron Workers Local 29 (Kevin Jensen, trustee); Iron Workers Shopmen's Local 516 (Michael Lappier, trustee); Machinists District W 24 (Bob Petroff, chair); Machinists Lodge 63 (Pat Maloney, trustee); United Association Local 290 (John Endicott, trustee); Sheet Metal Workers Local 16 (Len Phillips, trustee); IBEW Local 48 (Ed Barnes, vice president); Office & Professional Employees Local 11 (Mike Richards, trustee); Communications Workers Local 7901 (Madelyn Elder, trustee); Auto Mechanics Lodge 1005 (Gene McGlothlin, trustee); Columbia-Pacific Building and Construction Trades Council, (Paul Riggs, trustee); Oregon State Building and Construction Trades Council (John Mohlis, treasurer).
11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages or Other Securities: None.
12. Tax Status (For completion by non-profit organizations authorized to mail at non-profit rates): The purpose, function, and non-profit status of this organization and the exempt status for Federal income tax purposes has not changed during preceding 12 months.
13. Publication Title: Northwest Labor Press
14. Issue Date for Circulation Data Below: Sept. 16, 2011

15. Extent and Nature of Circulation	Average No. Copies Each Issue During Preceding 12 Months	Actual No. Copies of Single Issue Published Nearest to Filing Date
A. Total No. Copies (net press run).....	51,963	40,061
B. Paid Circulation (by mail and outside the mail):		
1. Mailed outside-county paid subscriptions stated on PS Form 3541	50,017	39,251
3. Sales through dealers and carriers, street vendors and counter sales.....	507	350
C. Total Paid Distribution (Sum of 15b (1), (2), (3) and (4)).....	50,524	39,601
D. Free or Nominal Rate Distribution		
1. Outside-county copies included on PS form 3541	0	0
2. In-county copies included on PS Form 3541	0	0
3. Mailed at other classes through the USPS	0	0
4. Outside the mail (carriers and other means)	125	125
E. Total Free or Nominal Rate Distribution	125	125
F. Total Distribution.....	50,649	39,726
G. Copies not Distributed.....	1,314	335
H. TOTAL	51,963	40,061
I. Percent Paid	99.70%	99.6%

16. Publication of Statement of OwnershipOct. 7, 2011

17. I certify that the statements made by me above are correct and complete: Michael Gutwig, Editor



James Coon



Raymond Thomas



Cynthia Newton



Chris Frost



Cheryl Coon



Charley Gee

The team at SWANSON, THOMAS & COON can help you:

Get Workers' Compensation benefits for on-the-job injuries or illness.

Get Social Security benefits if you can't work.

Recover damages if you are injured by someone's negligence.

Helping injured people for over 25 years.

Workers Compensation

Construction Injuries

Death Claims

Personal Injury/Product Liability

Social Security Disability

Occupational Disease/Mesothelioma

Call us today at **503-228-5222**

Straight answers. No cost for consultation.



SWANSON, THOMAS & COON ATTORNEYS AT LAW
820 S.W. Second Avenue, Suite 200
Portland, Oregon 97204
www.stc-law.com