

Nonunion Dave's Killer Bread contracts work to union baker

By **DON McINTOSH**
Associate Editor

Dave's Killer Bread is now made by union workers ... just not at the company's own bakery. To meet rapidly rising demand, Milwaukie, Oregon-based Dave's Killer Bread now produces at least two varieties of its \$5-a-loaf organic bread under contract with unionized Safeway bakeries in Clackamas, Oregon, and Richmond, Calif.

Northwest Labor Press readers may remember the April 6, 2012, story about Dave's Killer Bread, which described how workplace changes — and as many as two dozen firings — led some workers to seek out Bakery Confectionery Tobacco Grain Millers Local 114. Local 114 had tried to unionize parent company Naturebake six years before that, but union President Georgene Barragan — who got a job there in order to promote the union — was fired on the spot by co-owner Glenn Dahl when her cover was blown the first day on the job.

This time, workers at Dave's Killer Bread were being fired at such a rate that Local 114 Secretary-Treasurer Terry Lansing tried an unusual strategy to protect union supporters: He outed them in letters to Glenn Dahl, so that the workers might have the feeble-but-better-than-nothing protection of the National Labor Relations Board (NLRB). Though it's unlawful to fire workers for supporting a union, the NLRB dismisses most cases for lack of evidence. For Lansing to publicly re-

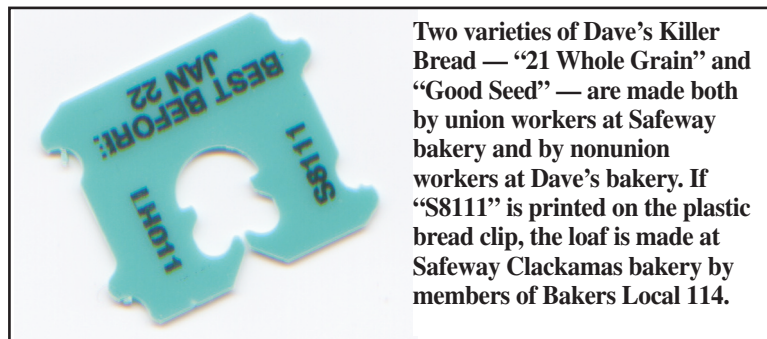
veal some union supporters meant Dave's Killer Bread couldn't say it didn't know those workers were pro-union.

But Lansing's plan didn't work. One of the union's most outspoken supporters, Dan Turner, was fired four weeks after Lansing's Feb. 2, 2012, letter identified him as a union supporter. Like the brand's founder, Dave Dahl, Turner was an ex-con. Company managers said Turner stole something from a loading dock, but never specified what, and didn't file charges with police over the alleged theft.

After the Labor Press article appeared, dozens of workers and customers commented online, and company owners Glenn, Dave, and Shobi Dahl e-mailed a response to the newspaper: "Recently," they wrote, "some of our employees have expressed interest in forming a union at our facility, as is their right. These employees remain highly valuable members of our team."

But when Lansing and several fired workers showed up outside the bakery the following week with union leaflets, Glenn Dahl confronted Lansing, telling him some of the workers he was helping were terrible people.

Dave's Killer Bread gets a lot of public good will for its employment of ex-cons (and up to \$2,400 per hire in federal tax credits). Ex-cons make up about a third of the company's workforce. Lansing says they're a uniquely vulnerable population, because they know their records make it harder to



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find employment if they're terminated. More than one ex-con fired by Dave's has returned to crime, and to jail.

Turner's loss of employment played a part in a downward spiral. When he filed for unemployment, Dave's Killer Bread employed one of the nation's most prominent employer-side labor law firms to oppose it. Defending Turner were Lansing and the union's legal counsel. Turner's claim was denied by a judge, but granted on appeal. But by then, Turner was behind bars.

Turner's marriage ended in May, and he returned to using drugs. On July 3, he was arrested in Clark County, Washington, on charges of harassment, possession of stolen property, check forgery, and being a felon in possession of a firearm.

Though Shobi Dahl had told the Labor Press he wouldn't comment on personnel issues with specific employees, he e-mailed the newspaper a week after Turner's arrest to divulge details of the police report.

After his sentencing, Turner wrote a letter to Lansing and agreed to share it with this newspaper. In it, he copped to

having made bad decisions, but said he continued to be grateful to the union for standing by him.

Meanwhile, at Dave's Killer Bread, the rapid growth which had produced so much upheaval continued. But firings slowed after workers were told at an employee meeting that Shobi Dahl would have to personally approve each termination. In November, the manager who workers said had begun the wave of firings, was himself terminated.

In December, the home-grown family-owned firm announced a deal with New York-based Goode Partners LLC, which will provide investment and help the company to expand outside the Western United States.

Local 114 filed six NLRB charges alleging that Turner and six other workers were fired unlawfully for union or "concerted" activity, but all of the charges were dismissed, and so was a seventh charge that when Dave's Killer Bread installed cameras in the employee lunch room, that constituted illegal surveillance.

But Dave's Killer Bread did settle one NLRB charge on May 31, 2012.

The company had told workers they couldn't talk about the union at work, and that they needed permission from Human Resources before posting documents on the employee bulletin board. In the settlement, the company agreed to post a notice pledging not to say those things. Lansing isn't allowed on the property, but believes the company kept its word: Union authorization cards remained up on the bulletin board after pro-union workers put them there.

Lansing said the union would like to represent workers at Dave's, but that's for the workers to decide. For now, there's not sufficient support. And that puts him in a Catch-22: On the one hand, he wants to help Dave's Killer Bread employees win better conditions; on the other, he also feels obliged to treat the company as a nonunion competitor that's fighting for market share against unionized companies that pay workers \$3 more an hour and offer better benefits and job security.

Dave's makes great bread, but consumers have a choice, Lansing said. Two varieties of Dave's Killer Bread — "21 Whole Grain" and "Good Seed" — are made both by union workers at Safeway bakery and by nonunion workers at Dave's bakery. If "S8111" is printed on the plastic bread clip, the loaf is made at Safeway Clackamas bakery by members of Local 114. In addition, unionized Franz Bakery has come out with "Great Seed," that's very similar to Dave's "Good Seed," but at a lower price point.

"We think the public needs to support the good employers," Lansing said.

U.S. Labor Secretary Hilda Solis resigns

WASHINGTON, D.C. (PAI) — Labor Secretary Hilda Solis, who repeatedly declared herself "the new sheriff in town" on behalf of workers the last four years, resigned her position on Jan. 9, after talks with her family over the holiday break about her future.



lies at the center of everything she did. We hope her successor will continue to be a powerful voice both within the Obama Administration and across the country for all of America's workers," Trumka concluded.

"Leaving the department is one of the most difficult decisions I have ever made, because I have taken our mission to heart," said Solis. "As the daughter of parents who worked in factories, paid their union dues, and achieved their goal of a middle class life, and as the first Latina to head a major federal agency, it has been an incredible honor to serve."

AFL-CIO President Richard Trumka praised Solis for standing up for workers' and for coming down hard on corporate violators, especially in the job safety and health field.

"Hilda Solis brought urgently needed change to the Department, putting the U.S. government firmly on the side of working families," he said. "Secretary Solis never lost sight of her own working-class roots, and she always put the values of working fami-

lies at the center of everything she did. We hope her successor will continue to be a powerful voice both within the Obama Administration and across the country for all of America's workers," Trumka concluded.

There was no immediate word on whom President Barack Obama would nominate to succeed Solis. The National Journal, a weekly newspaper covering the Executive Branch, said Steelworkers President Leo Gerard was labor's favorite for the job. Another story on the Solis resignation called veteran Rep. Rosa DeLauro, (D-Conn.) — the runner-up for the Labor Secretary's post when Solis got it four years ago. DeLauro is the top Democrat on the House appropriations subcommittee.

In her resignation message, Solis thanked the department's workers. She added that together they helped implement the Obama Administration's recovery from the Great Recession and stepped up job retraining and labor law enforcement in safety, health and wage and hour areas.

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