

# More signatures needed on petition to save Post Office

A “We the People” petition to the White House to “Save the Postal Service — Save American Jobs” has collected only 22,903 signatures (as of press time).

The petition must obtain 100,000 signatures by May 24 in order to be reviewed by officials in the Obama Administration and have an official response issued.

The petition was spearheaded by Oregon Congressman Peter DeFazio in conjunction with a bill — H.R. 630 — he introduced to save the Post Office.

Similar legislation (S. 316) has been filed in the U.S. Senate by Sen. Bernie Sanders (I-Vermont).

The petition states that roughly 80 percent of USPS financial losses since 2007 are due to a Congressional man-

date to prefund 75 years of future retiree health benefits in a 10-year period. In 2012, USPS lost a record \$15.9 billion, but \$11.1 billion of that loss went to prefund health care.

The petition calls on USPS to maintain six-day delivery, to re-establish overnight delivery standards to ensure the timely delivery of mail and prevent the closure of mail plants (and jobs), and to end a 2006 ban prohibiting USPS from offering new products and services.

The petition asks: “Does the (Obama) Administration support HR 630 and S 316 to make these changes, save American jobs, and allow USPS to remain competitive?”

Go to <http://wh.gov/t95i> and follow the instructions to sign the petition.



(PHOTO LEFT) MDA Ambassador Emily Gallagher with her brother Caleb and mother Nina. (PHOTO RIGHT) Retired firefighter Cal Eddy and Linda Alexander pose for photo during a break in the action. Eddy was the top fundraiser. Alexander, a member of NALC Branch 82, helped coordinate the event.



## Union members bowl, raise cash for MDA

Union members raised \$12,000 at the 24th annual Muscular Dystrophy Labor Bowl. Since its inception in 1989, union members have donated \$351,025.75 to MDA.

Money is raised through pledges and from a silent auction and goes to buy wheelchairs and braces for chil-

dren, as well as for research and summer camps. Muscular dystrophy is a hereditary condition marked by a progressive weakening and wasting of the muscles over time.

This year’s event, held on Sunday, April 28, at Sunset Lanes in Beaverton, attracted bowlers from 11 union locals, as well as from Northwest Priority Credit Union and American Income Life Insurance Company.

The top individual fundraiser was Cal Eddy, a retired Portland firefighter and member of Local 43.

Rick Brandt of Machinists Lodge 1005 captured the men’s high series trophy, and Megan Rivas of United Food and Commercial Workers

(UFCW) Local 555 took home women’s high series hardware.

A low score trophy went to Lizzeth Gongora of Northwest Priority Credit Union.

Score totals were not available.

Union locals represented at the MDA Bowl were National Association of Letter Carriers Branches 82 and 1104; the Northwest Oregon Labor Council; Fire Fighters Local 43; Machinists Lodges 63, 1005, and 1432; UFCW Local 555; American Federation of State, County, Municipal Employees Local 2505; Roofers Local 49; and Bakery, Confectionery, Tobacco Workers and Grain Millers Union Local 114.

## NW Oregon Labor Council awards dinner June 8

The Northwest Oregon Labor Council will host the 16th annual Labor Appreciation and Recognition Night Saturday, June 8, at Milwaukie Elks Lodge, 13121 SE McLoughlin Blvd. Dinner tickets are \$20 per per-

son. Raffle tickets also will be sold for \$1 each or seven for \$5.

The dinner and awards ceremony serves as a fundraiser for Labor’s Community Service Agency.

The labor council is still accepting

cash and prize donations for the raffle. Donations can be sent to: Northwest Oregon Labor Council, 3645 SE 32nd Avenue, Portland, Oregon, 97202-3019. For more information or to order tickets, call 503-235-9444.

# Appeals court tosses NLRB’s workers’ rights poster rule

WASHINGTON, D.C. (PAI) — A federal appeals court has struck down a National Labor Relations Board (NLRB) rule requiring businesses to display an 11-by-17-inch poster that informs employees of their rights in the workplace, including the right to form a union. (See poster right.)

The NLRB finalized the regulation in August 2011, with an effective date of April 30, 2012. But implementation was delayed by lawsuits filed by the U.S. Chamber of Commerce, Associated Builders and Contractors, and other business associations.

A federal district court in Washington, D.C., ruled that the NLRB had the authority to require the workplace poster, but struck some of its provisions. However, a federal judge in South Carolina ruled the NLRB did not have the legal right to require the workplace poster. That case is still under appeal in the 4th Circuit.

On April 17, 2012, a three-judge panel of the U. S. Court of Appeals for the District of Columbia Circuit (all of them conservative judges appointed by a Republican president) enjoined the NLRB from enforcing the rule until it issued a decision. It finally did so May 7, 2013, determining the poster violated employer free speech rights in place since the Taft-Hartley Act.

Judge A. Raymond Randolph said the NLRB should never have tried writing the rule, much less proposing it. “The board’s action departs from its historic practice. From its inception in 1935, the board has exhibited a ‘nega-

## Employee Rights

### Under the National Labor Relations Act

The National Labor Relations Act (NLRA) guarantees the right of employees to organize and bargain collectively with their employers, and to engage in other protected concerted activity or to refrain from engaging in any of the above activity. Employees covered by the NLRA are protected from certain types of employer and union misconduct. This Notice gives you general information about your rights, and about the obligations of employers and unions under the NLRA. Contact the National Labor Relations Board (NLRB), the Federal agency that investigates and resolves complaints under the NLRA, using the contact information supplied below, if you have any questions about specific rights that may apply in your particular workplace.

**Under the NLRA, you have the right to:**

- Organize a union to negotiate with your employer concerning your wages, hours, and other terms and conditions of employment.
- Form, join or assist a union.
- Bargain collectively through representatives of employees’ own choosing for a contract with your employer setting your wages, benefits, hours, and other working conditions.
- Discuss your wages and benefits and other terms and conditions of employment or union organizing with your co-workers or a union.
- Take action with one or more co-workers to improve your working conditions by, among other means, raising work-related complaints directly with your employer or with a government agency, and seeking help from a union.
- Strike and picket, depending on the purpose or means of the strike or the picketing.
- Choose not to do any of these activities, including joining or remaining a member of a union.

**Under the NLRA, it is illegal for your employer to:**

- Prohibit you from talking about or soliciting for a union during non-work time, such as before or after work or during break times; or from distributing union literature during non-work time, in non-work areas, such as parking lots or break rooms.
- Question you about your union support or activities in a manner that discourages you from engaging in that activity.
- Fire, demote, or transfer you, or reduce your hours or change your shift, or otherwise take adverse action against you, or threaten to take any of these actions, because you join or support a union, or because you engage in concerted activity for mutual aid and protection, or because you choose not to engage in any such activity.
- Threaten to close your workplace if workers choose a union to represent them.
- Promise or grant promotions, pay raises, or other benefits to discourage or encourage union support.
- Prohibit you from wearing union hats, buttons, t-shirts, and pins in the workplace except under special circumstances.
- Spy on or videotape peaceful union activities and gatherings or pretend to do so.

**Under the NLRA, it is illegal for a union or for the union that represents you in bargaining with your employer to:**

- Threaten or coerce you in order to gain your support for the union.
- Refuse to process a grievance because you have criticized union officials or because you are not a member of the union.
- Use or maintain discriminatory standards or procedures in making job referrals from a hiring hall.
- Cause or attempt to cause an employer to discriminate against you because of your union-related activity.
- Take adverse action against you because you have not joined or do not support the union.

**If you and your co-workers select a union to act as your collective bargaining representative, your employer and the union are required to bargain in good faith in a genuine effort to reach a written, binding agreement setting your terms and conditions of employment. The union is required to fairly represent you in bargaining and enforcing the agreement.**

**Illegal conduct will not be permitted.** If you believe your rights or the rights of others have been violated, you should contact the NLRB promptly to protect your rights, generally within six months of the unlawful activity. You may inquire about possible violations without your employer or anyone else being informed of the inquiry. Charges may be filed by any person and need not be filed by the employee directly affected by the violation. The NLRB may order an employer to rehire a worker fired in violation of the law and to pay lost wages and benefits, and may order an employer or union to cease violating the law. Employees should seek assistance from the nearest regional NLRB office, which can be found on the Agency’s Web site: <http://www.nlrb.gov>.

You can also contact the NLRB by calling toll-free: 1-866-667-NLRB (6572) or (TTY) 1-866-315-NLRB (1-866-315-6572) for hearing impaired.

If you do not speak or understand English well, you may obtain a translation of this notice from the NLRB’s Web site or by calling the toll-free numbers listed above.

\*The National Labor Relations Act covers most private-sector employers. Excluded from coverage under the NLRA are public-sector employees, agricultural and domestic workers, independent contractors, workers employed by a parent or spouse, employees of air and rail carriers covered by the Railway Labor Act, and supervisors (although supervisors that have been discriminated against for refusing to violate the NLRA may be covered).

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tive attitude’ towards setting down principles in rulemaking, rather than adjudication,” he said.

The judges also slammed the NLRB’s rule as too broad. “Although section 8(c)” of the 1947 Taft Hartley Act, which rewrote labor law, “precludes the board from finding non-coercive employer speech to be an unfair labor practice, or evidence of an unfair labor practice, the board’s rule does both,” Randolph’s ruling says.

The Republican-controlled 80th Congress passed the Taft-Hartley Act, essentially gutting the National Labor Relations Act, over Democratic President Harry S. Truman’s veto, in 1947.

But the judges went beyond the NLRB’s specific rule in their decision. “We are not faced with a regulation forbidding employers from disseminating information someone else has created,” they declared. “Instead, the board’s rule requires employers to disseminate such information, upon pain of being held to have committed an unfair labor practice.

“That difference hardly ends the matter. The right to disseminate another’s speech necessarily includes the right to decide not to disseminate it,” the judges said. “First Amendment law acknowledges this apparent truth: ‘All speech inherently involves choices of what to say and what to leave unsaid.’”

The ruling is the second major defeat in five months for the NLRB in the D.C. court, often called the second-most-powerful court in the nation, because it rules on the legality of agency

decisions.

The prior loss was when the D.C. Circuit ruled that President Barack Obama’s 2012 recess appointments to the NLRB — and the decisions they voted on — are illegal. That leaves the board without a quorum to act and could bring it to a halt.

AFL-CIO President Richard Trumka called the rulings “radical.” “Republican judges of the D.C. Circuit continue to wreak havoc on workers’ rights. After attempting to render the NLRB inoperable, the D.C. Circuit once again undermined workers’ rights, this time by striking down a common-sense rule requiring employers to inform workers of their rights under federal labor law,” he said.

“In today’s workplace, employers are required to display posters explaining wage and hour rights, health and safety and discrimination laws, even emergency escape routes. The ruling suggests courts should strike down hundreds of notice requirements, not only those that inform workers about their rights and warn them of hazards, but also those on cigarette packages, in home mortgages and many other areas.

“The court’s twisted logic finds that ‘freedom of speech’ precludes the government from requiring employers to provide certain information to employees. This is absurd. When workers know their rights, the laws work as intended,” Trumka said.

The NLRB is considering whether to appeal it to the full D.C. Circuit Court or to the U.S. Supreme Court.