

NLRB nominees fall in U.S. Senate showdown

By **MARK GRUENBERG**
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WASHINGTON (PAI) — Two of Democratic President Barack Obama's five nominees to seats on the National Labor Relations Board (NLRB), pro-worker board members Richard Griffin and Sharon Block, went down the drain on July 16 (as this issue was going to press), victims of a threatened Senate Republican filibuster. Griffin and Block, who have sat on the board for 18 months as temporary recess appointees, and whom Obama nominated for full regular terms, "were thrown under the bus," Communications Workers President Larry Cohen told a July 16 telephone press conference. He called them "casualties" in the war against obstructionism.

Nominations to the NLRB are important because the board's rulings govern worker-management relations for 85 million workers, union and non-union, and mostly in the private sector. Without at least three members, the NLRB can't function. And the terms of

Griffin, Block and current NLRB Chairman Mark Gaston Pearce were scheduled to end in August. Two other NLRB seats are vacant.

Sacrifice of the two was part of a compromise in which the GOP minority dropped its opposition to Pearce, a Democrat, and GOP-side labor lawyers Harry Johnson and Phillip Miscimarra, plus Obama nominees for other posts. In return, Majority Leader Harry Reid, D-Nev., abandoned his push for a rules change to end all filibusters on nominations. Cohen credited Reid for the hard push and getting as much as he could.

The Republicans and their business allies "want their pound of flesh from working people, and they will get it because four or five (Senate) Democrats are with them" against Griffin and Block, said Cohen, labor's point man in the nominations fight.

The nomination of Thomas Perez, a top Justice Department official nominated to be Labor Secretary, was part of the deal, with the GOP supposedly dropping its opposition to him, too.

But as of mid-afternoon July 16, the compromise wasn't quite set, since votes had yet to occur on any NLRB nominees or Perez. And Sen. Lindsay Graham, R-S.C., tweeted that "In South Carolina, the NLRB is a four-letter word," signaling opposition.

News reports said the deal applies only to the current batch of nominees, including the five for the NLRB, and not to future Obama administration nominees.

The Senate's apparent decision will leave the board, at least right now, with the minimum three members it needs to operate, but with a 2-1 Republican majority, until Obama names replacements for Block, a former Labor Department official, and Griffin, longtime general counsel of the Operating Engineers, and the Senate approves them.

Cohen did not name the defecting Democratic senators who would not vote to shut off GOP talkathons against Griffin and Block, or vote for a rules change to end filibusters against all presidential nominees. He said labor will look forward to Obama's nomination of two more NLRB members and will work hard for quick Senate approval.

"This is a horror show, to give up Griffin and Block so the Republicans can go back to their friends at the Chamber of Commerce, K Street lobbyists, and big corporations and show how they're blocking enforcement of labor law. It's a disgrace," Cohen said.

"It is a compromise. I think we get what we want, and they get what they want," Reid said. He credited Sen. John McCain (R-Ariz.), with brokering the compromise.

Other union leaders preferred to hold off commenting on the NLRB situation, pending a final outcome.

The first nominee caught in the logjam, Richard Cordray, the former Ohio attorney general named to head the new Consumer Finance Protection Bureau,

went through, 71-29, far more than the 60 votes needed to halt filibusters. Sen. Jeff Flake, R-Ariz., cast the 60th vote. The CFPB protects workers and consumers from further predations by financiers, such as those that caused the Great Recession.

Local Motion

June 2013

A list of Oregon and Southwest Washington workplaces deciding whether to be union-represented – as reported by the National Labor Relations Board and the Oregon Employment Relations Board.

Voting in union elections

Date	Workplace (Location) Union	Yes	No	
5/24	ITS Technologies & Logistics (Portland) Teamsters Local 162	9	6	👍
6/5	Rinchem Company (Hillsboro) Teamsters Local 162	11	9	👍
6/7	Precision Castparts (Portland) Int'l Association of Machinists	932	1,258	👎
6/13	Medix Ambulance Service (Astoria) United Steelworkers	21	12	👍
6/13	OCDC (Marion County) Laborers Local 320 DECERT	28	35	👎
6/13	Emergency Com. S. Ore. (Central Point) ECESO vs. Teamsters 223	4	26	0

Requesting a union election

Workplace (Location) Union	Number of workers in unit
Ferguson Transfer (Coos Bay) Teamsters Local 206	4
Coos Bay Transfer (Coos Bay) Teamsters Local 206	4
Pepsi (Corvallis) Teamsters Local 324	44
Insitu propulsion techs (Bingen) Association of Unmanned Operation	3

LEGEND

👍 : workers will be union-represented 👎 : workers will be on their own
DECERT : A decertification election occurs when some union-represented workers declare that the union no longer has majority support. A 'yes' vote is a vote for the union.

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