

NLRB says painting contractor broke federal labor law

Nonunion Edwards Painting of Oregon City will go before a judge May 6

By DON McINTOSH
Associate Editor

The owners of family-run Edwards Painting, based in Oregon City, may not want a union, but federal law says workers have the right to unionize whether an employer likes it or not. Judging by an 11-page complaint issued by the National Labor Relations Board (NLRB) Feb. 27, the Edwards clan ran right over that law.

As outlined in the complaint, owners Gene and Connie Edwards and their son Grant, a foreman, repeatedly interrogated employees about their union activities during the summer of 2013. Workers were ordered not to “stir up union stuff,” were told that Edwards is not and will never be a union shop, and were threatened with termination if they attended a union meeting or were found to be union members. Grant Edwards told workers the company would have work for them through the winter — if they stopped talking about and trying to organize a union. He also told

employees their working conditions would improve if they removed their union T-shirts. The union is mafia, he told workers, and it’s trying to steal their work.

Edwards did some hiring, but refused to consider four pro-union applicants, including one who had decades of experience as a painter. Connie Edwards told applicants Edwards doesn’t hire union painters.

Gene Edwards promised wage increases if workers would stop supporting the union. He also threatened to fire them if they signed a pro-union petition, ordered them not to hand out union fliers on the job site, and called the police when some employees distributed union fliers to coworkers at the office. By the end of the year, Edwards had fired four pro-union workers.

The company failed to respond to the NLRB’s complaint before a March 13 deadline, but company owner Gene Edwards did file a response two weeks later, categorically denying most of the allegations. One exception: Edwards admitted he called the police, but said it was “because of the altercation that appeared to be about to take place.”

Over 20,000 charges a year are filed alleging violations of the National Labor Relations Act, the federal labor law that protects workers rights to unionize,

but only about 6 percent of those charges — known as “unfair labor practice” charges — result in a formal “complaint.” In part, that’s because the NLRB (the agency responsible for enforcing the act) doesn’t issue a complaint unless it finds enough evidence to think it can win a case before a federal administrative law judge. It wasn’t hard to find evidence at Edwards Painting — a contractor with about 20 employees that does a fair amount of commercial painting work for general contractor Walsh Construction.

It helped that workers there knew the law, and took notes. Some of them, in fact, were “salts,” — union activists who applied for jobs at Edwards in order to organize a union.

One of them was Scott Oldham — a veteran painter who became a staff organizer with Painters District Council 5 in 2010. Oldham says union painters had watched as Edwards underbid their employers — paying inexperienced workers far below the union scale, and not providing much training.

“We felt this was the bottom of the barrel,” Oldham said. “These are the workers who are most exploited.”

So District Council 5 sent in “salts,” as the underground organizers are referred to in union parlance. As far as the NLRB is concerned, salts have the



Painters District Council 5 organizer Scott Oldham says an Oregon City painting contractor called police when he showed up to pass out fliers.

same rights as other employees.

Oldham said some Edwards workers, as they got to know the experienced union painters, decided that union pay, benefits, and apprenticeship training were pretty appealing. Just over half signed a union petition. Oth-

ers were leery. But employer tactics — including the terminations — put a chill on support for unionizing, Oldham said, and it’s not clear there’s majority support for a union now.

A federal administrative law judge is scheduled to hear the case May 6.

Unionists to bowl for Muscular Dystrophy Association on April 13

The 25th annual Labor Bowl Challenge for the Muscular Dystrophy Association will be held Sunday, April 13, at Sunset Lanes in Beaverton.

The Labor Bowl Challenge consists of four-person teams that compete for prizes. Money is raised through pledges and from a silent auction, and goes to buy wheelchairs and braces for children, as well as for research and summer camps. Since the Labor Bowl began in 1989, union members have donated \$351,025 to MDA.

Muscular dystrophy is a hereditary condition marked by a progressive weakening and wasting of the muscles over time.

The event is coordinated by the National Association of Letter Carriers (NALC) Branch 82 and the Northwest Oregon Labor Council.

For more information, or to sign up and receive fundraising packets and instructions, call Jim Falvey, president of Letter Carriers Branch 82 at 503-493-5903. To donate silent auction items, call NALC’s MDA Coordinator Debby Burbank at 971-404-5384.

Credit union to celebrate 60th anniversary April 15

Mark your calendars for Tuesday, April 15, to attend the IBEW & United Workers Federal Credit Union’s 60th anniversary annual meeting.

The meeting will be held at the IBEW Local 48 Hall, 15937 NE Airport Way, Portland, starting at 7 p.m.

For more information, call the credit union at 503-253-8193.

...Strike averted

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since it answers most objections members had to the earlier versions.

DCTU bargaining team members were unified in supporting this agreement, whereas last time, the ratification process was complicated by the fact that Laborers Local 483 representatives on the bargaining team didn’t vote for the tentative agreement, yet felt constrained by the democratic nature of coalition work not to speak against it. Public sector bargaining team members are also obliged by state law to recommend passage if they sign a tentative agreement.

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