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Staples boycott ends with union win

Postal unions declared victory this month when the United States Post Office notified the American Postal Workers Union (APWU) that the "Approved Shipper" program at roughly 500 Staples stores will be shut down by the end of February 2017. Late in 2013, USPS set up post offices staffed by Staples employees in 82 Staples stores — a move postal unions called a first step in privatizing the Post Office.

APWU launched a Stop Staples campaign, staging protests at Staples stores throughout the country. The demonstrations were followed by a national Staples boycott. That pressure resulted in USPS ending the mini post office idea, but it didn't stop it from expanding postal services with Staples through the already existing "Approved Shipper" program.

The union filed unfair labor practice complaints with the National Labor Relations



Postal workers and supporters demonstrate against postal privatization at a Staples store in Northeast Portland June 20, 2014.

Board (NLRB) arguing USPS was improperly subcontracting bargaining unit work to Staples. The NLRB agreed, and on

Jan. 4 it ordered the Postal Service to discontinue its retail relationship with Staples.

Photo by Jamie Partridge

Instafab hires union-buster Bob Tiernan

Vancouver steel fabricator Instafab, the target of a 23-month strike by ironworkers, is now paying the former head of the Oregon Republican Party for labor relations advice. The adviser is attorney Bob Tiernan, a former GOP legislator from Lake Oswego who now represents companies in labor disputes.



Bob Tiernan

Tiernan is a familiar name to many union members. As a legislator, he worked to cut public employee retirement benefits in the 1990s, and he was chief petitioner on a 1994 ballot measure that would have diverted 6 percent of public employee salaries to the pension system. (It passed narrowly but was struck down in court.) He chaired the Oregon Republican Party from 2009 to 2011.

In 2011, he was hired by Dosha, a chain of Aveda-branded salons, after workers voted to unionize. Tiernan told workers the company would act as if the union wasn't there, and 16 months later, the union was no more: Communications Workers of America Local 7901, unable to get a first union contract, walked away.

Federally-required disclosures also show that Tiernan was paid \$65,000 for advising a successful 2011 effort to decertify United Food and Commercial Workers Local 5 at Berkeley Bowl, a natural foods market in Berkeley, California. And UFCW Local 8 blames Tiernan for a 10-day strike in 2012 at Raley's, a West Sacramento grocery chain.

Instafab is a nonunion steel fabrication and erection company. A handful of workers there walked out Feb. 27, 2015, and were later joined by others. Strikers learned of the Tiernan hire in a Dec. 23 text message

from company owner Bruce Perkins in which he says the company won't be attempting any further negotiations with the strikers:

"Your group has never shown any real interest in settling anything," Perkins wrote. "What you seem to value is conflict, misinformation and negativity. We have come to realize that any harm you and your 'backers' can do to Instafab has, for the most part, already been done. We know we can withstand whatever you send our way. Our workforce is unified, and we intend to keep it that way. Our customers and suppliers have grown numb to your attacks and threats ... We are looking forward to a busy, prosperous and profitable 2017, and we wish you the same. If you have any questions, feel free to email myself or my General Counsel, Bob Tiernan ... with questions. Happy Holidays!"

— Don McIntosh

THE OBAMA YEARS

Obama ignored labor on trade and healthcare, and pro-worker reforms came mostly too late

By Don McIntosh

As Donald Trump takes office, some union true believers may be tempted to look back with rose-colored glasses on the Obama years. Unfortunately, the real record of his administration shows that Barack Obama was no great friend to labor.

American unions lost half a million members while Obama occupied the White House, even as America's workforce grew by more than 9 million workers.

At a rally in 2007, Obama said if American workers were being denied their right to organize and collectively bargain, as president he'd put on comfortable shoes and walk the picket line with them. That never happened. Obama did and said nothing when Wisconsin stripped 175,000 public employees of collective bargaining

rights, when Michigan and three other states passed anti-union right-to-work laws, or when 30,000 teachers went on strike — against Chicago mayor Rahm Emanuel, Obama's former chief of staff.

Obama fought tooth and nail for his NAFTA-style Trans-Pacific trade pact (it failed), but kept his powder dry when it came to raising the federal minimum wage, still at \$7.25 after eight years of his presidency. He never lifted a finger to help with labor's top priority, the game-changing labor legislation known as the Employee Free Choice Act, which would have made it easier for workers to unionize and get a first contract. In fact, Obama aides told labor to cool its heels on the bill until after Congress passed health care legislation. By the time that was done, Democrats had lost their filibuster-proof Senate supermajority.

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Anti-union 'right-to-work' laws spreading quickly

Less than a week after Republicans took control of the Kentucky state House, Senate, and governor's office, Kentucky became the nation's 27th right-to-work state. Missouri is up next: right-to-work legislation is expected to pass there within weeks. Right-to-work also has a chance in New Hampshire this year.

Right-to-work is the rather misleading term for a law that prohibits any union contract that requires union-represented workers to pay union dues or fees. It's intended to keep unions weak and poorly funded.

And it's on the march. Michigan and Indiana went right-to-work in 2012, followed by Wisconsin in 2015 and West Virginia in 2016.

That's not all: On Nov. 18, 2016, the Sixth Circuit Court of Appeals issued a ruling that

could allow county governments in Ohio to pass local right-to-work ordinances. And several dozen test cases are now in federal courts that challenge the Supreme Court's 1977 *Abood* ruling, which allows public employee union contracts to require represented workers to pay, if not union dues, then at least their "fair share" of the costs of representation. If and when a Trump nominee makes it to the U.S. Supreme Court, the court would likely have a 5-4 majority to overturn *Abood*, making America right-to-work nationwide for all public employees.

UNDERSTANDING RIGHT TO WORK

In coming issues of the Northwest Labor Press, we'll take a look at what it means when right-to-work takes effect — and how that changes unions.