

## Microsoft Outlook

---

**From:** BNA Highlights [bhighlig@bna.com]  
**Sent:** Thursday, June 16, 2011 6:02 PM  
**To:** Harvey, Rachel  
**Subject:** Jun. 16 -- BNA, Inc. Daily Labor Report - Latest Developments

E-mail not displaying correctly? View publication in your browser: <http://news.bna.com/dlIn>

[PUBLICATION HOME](#) [ABOUT](#) [CONTACT US](#)



**Daily Labor**  
REPORT®

[LATEST NEWS](#) [BNA INSIGHTS](#)

[SEARCH FULL PUBLICATION](#)

### Latest Developments

#### Democrats Miller, Cummings Call for Delay or Limits on House Panel's Boeing Hearing

*Posted June 16, 2011, 5:52 P.M. ET*

The ranking Democrats on two House committees told Rep. Darrell Issa (R-Calif.), chairman of the Committee on Oversight and Government Reform, in a [letter](#) today that Issa should either delay a June 17 hearing on the National Labor Relations Board complaint against Boeing Co. or instruct committee members to avoid questioning NLRB Acting General Counsel Lafe E. Solomon on the particulars of the cases, which is now being heard by an administrative law judge.

Rep. George Miller (D-Calif.), ranking member on the House Education and the Workforce Committee, and Elijah E. Cummings (D-Md.), ranking Democrat on the Oversight committee, said that Issa has disclosed plans to question Solomon about the pending case at the June 17 field hearing the committee will hold in North Charleston, S.C.

Miller and Cummings said Issa's plans for questioning Solomon about an active case involving private litigants "indicate a serious potential for improper interference" with the unfair labor practice case, and "a disturbing regard for what that interference could mean for the due process rights" of the parties involved.

The Oversight and Government Reform Committee has announced that the subject of the June 17 hearing is to be "Unionization Through Regulation: The NLRB's Holding Pattern on Free Enterprise," but Issa has been pressing for several weeks to have Solomon appear at the hearing to discuss the unfair labor practice complaint against Boeing that was issued April 20 with Solomon's authorization.

A spokesman for Issa told BNA today that the committee chairman will respond to the letter from Miller and Cummings, but said their comments "largely mirror" arguments that Issa had already addressed in correspondence to Solomon.

A full report will appear in the next issue of Daily Labor Report. Click [here](#) for the latest issue.

## **Arbitrator Must Decide Arbitrability of Sheen's Claims, California Court Rules**

*Posted June 16, 2011, 5:48 P.M. ET*

LOS ANGELES—Actor Charlie Sheen's breach of contract and wrongful termination lawsuit filed against a producer and a studio after he was fired from the hit television sitcom Two and a Half Men must be submitted to an arbitrator to decide whether the dispute must be resolved through arbitration rather than in court, a California Superior Court judge [ruled](#) (Sheen v. Lorre, Cal. Super. Ct., No. SC111794, 6/15/11).

Judge Allan J. Goodman of the Los Angeles County Superior Court June 15 did hold that Sheen's Private Attorney General's Act (PAGA) claim is not subject to arbitration. But the judge stayed further court proceedings on the PAGA claim pending the arbitrator's decision on whether Sheen's nine other claims must be arbitrated.

Goodman's rulings came on Sheen's motion to stay arbitration; WB Studio Enterprises Inc.'s petition to compel submission of the arbitrability of the disputes to arbitration; and a petition to compel arbitration on the merits, brought by producer Chuck Lorre. Sheen asked the court to stay all proceedings before the arbitrator pending a court trial on his claims, which include breach of contract, retaliation, and violation of the California Fair Employment and Housing Act. Sheen filed suit in March.

A full report will appear in the next issue of Daily Labor Report. Click [here](#) for the latest issue.

## **House Republicans Revive NLRA Proposal to Eliminate Protection for Union 'Salting'**

*Posted June 16, 2011, 5:45 P.M. ET*

Six Republican House members have introduced legislation ([H.R. 2153](#)) that would amend the National Labor Relations Act to eliminate protection for employees and job applicants who seek or obtain employment as part of a campaign to "salt" an employer's workforce with professional union organizers or other individuals who are really applying for jobs "in furtherance of other employment or agency status."

Rep. Steve King (R-Iowa) introduced the proposed Truth in Employment Act, which is identical to bills (H.R. 2808/S. 1227) that Republicans offered in June 2009 (112 DLR A-16, 6/15/09). The earlier proposals died in House and Senate committees.

The new House bill is co-sponsored by Reps. John J. Duncan (R-Tenn.), Dennis A. Ross (R-Fla.), Gary G. Miller (R-Calif.), Dan Burton (R-Ind.), and Lynn Jenkins (R-Kan.).

A full report will appear in the next issue of Daily Labor Report. Click [here](#) for the latest issue.

## **RWDSU, Macy's Reach Tentative Agreement Covering 4,000 Workers at New York Stores**

*Posted June 16, 2011, 4:27 P.M. ET*

Macy's and Retail, Wholesale and Department Store Union Local 1-S announced today they have reached a tentative five-year collective bargaining agreement covering more than 4,000 workers at four Macy's department stores in the New York City area.

Union members employed at Macy's flagship store in Manhattan's Herald Square will begin the ratification vote today, while members working at Macy's stores in Queens, Parkchester, and Westchester will vote June 20-22 on the proposed settlement praised by union leaders. The union negotiating committee is recommending that members vote to approve the proposal, a union spokesman told BNA.

"This is a solid contract and it reflects the fact that our workers are the true magic of Macy's," Local 1-S President Ken Bordieri said in the union's announcement.

RWDSU President Stuart Appelbaum said the deal contains impressive gains for Macy's employees. "The workers at Macy's today are sending a clear message to working people throughout this country: when people join together in strong unions, they can fight back and win," Appelbaum said in a statement. "While working people throughout this state and country have been under assault, the unionized workers at Macy's have been able to make impressive gains. It is a lesson that working people everywhere need to understand."

A full report will appear in the next issue of Daily Labor Report. Click [here](#) for the latest issue.

### **ILO Adopts New Convention on Protection of Domestic Workers**

*Posted June 16, 2011, 5:27 P.M. ET*

GENEVA—Representatives from governments, labor unions, and employer groups attending the International Labor Organization's annual general assembly meeting in Geneva voted today to adopt a new [global convention](#) on the protection of domestic workers.

The United States voted with a large majority of ILO member governments in approving the new convention and accompanying recommendations, the first international instrument of its kind aimed at improving the rights and protection of household workers. Swaziland was the only government voting against the convention, while the governments of the Czech Republic, El Salvador, Malaysia, Panama, Singapore, Sudan, Thailand, and the United Kingdom abstained from the vote.

Employer groups from 15 ILO member states voted against the convention, while labor unions from all ILO member states in attendance, with the exception of Egypt, voted in favor. Under the ILO's "tripartite" system, each of the organization's 183 member states is represented by two government delegates, one employer delegate, and one worker delegate.

ILO director-general Juan Somavia said there were at least 53 million domestic workers around the globe, with some estimates putting the figure at up to 100 million. The great majority of these workers are women, and many are migrant workers, he noted.

Among other things, the new convention offers guidance on limiting the practice of payment in kind to domestic workers, addresses food and accommodation for live-in workers, and calls on ILO member states to ensure reasonable hours of work and sufficient hours of rest, he said.

A full report will appear in the next issue of Daily Labor Report. Click [here](#) for the latest issue.

Affairs, Inc., 1801 S. Bell Street, Arlington, VA 22202. Full reports on the contents of this e-mail will appear in the next regular edition of Daily Labor Report®.

To change your e-mail preferences, click on the "Sign-Up For or Modify E-Mail Preferences" under the Getting Started heading on your product's [home page](#).

Request a [FREE Web trial](#). For subscription information, customer assistance, and other inquiries, contact your local BNA Representative or call BNA Customer Relations at 800-372-1033, Mon. - Fri. 8:30 am - 7:00 pm (ET), excluding most federal holidays.

[Copyright](#) (c) 2011 by The Bureau of National Affairs, Inc., 1801 S. Bell Street, Arlington, VA 22202. Use of this service is subject to the [terms and conditions of the license agreement](#) with BNA. Unauthorized access or distribution is prohibited.