Microsoft Outlook

From: Cleeland, Nancy
Sent: Wednesday, April 27, 2011 8:58 PM
To: Solomon, Lafe E.
Subject: Re: Fwd: Chief Organizer Blog

Friends like these...

From: Solomon, Lafe E.
To: Liebman, Wilma B.; Cleeland, Nancy
Sent: Wed Apr 27 18:36:21 2011
Subject: Fwd: Chief Organizer Blog

Sent from my mobile

Begin forwarded message:

> **From:** [redacted] NLRB Employee
> **Date:** April 27, 2011 11:49:25 AM PDT
> **To:** "Solomon, Lafe E." <Lafe.Solomon@nlrb.gov>
> **Subject: FW: Chief Organizer Blog**
>
> *Lafe: don't know if you might get this otherwise but thought I would pass on Wade Rathke's thoughts...he was the former head of Acorn. Also spoke with a labor friend to day (atty with a union) who unsolicited spoke about how impressed everyone is with all you have been attempting to do and accomplishing.* NLRB Employee
>
> ---
>
> **From:** [redacted] NLRB Employee
> **Sent:** Wednesday, April 27, 2011 2:44 PM
> **To:** NLRB Employee
> **Subject:** Fwd: Chief Organizer Blog
>
> ---------- Forwarded message ----------
> From: **Wade Rathke: Chief Organizer Blog** <acorncanada@gmail.com>
> Date: Wed, Apr 27, 2011 at 2:13 PM
> Subject: Chief Organizer Blog
> To: NLRB Employee
>
> Chief Organizer Blog
>
> Google

Labor Board Grows a Set

Posted: 27 Apr 2011 05:54 AM PDT

Seattle As union membership falls to record lows and seems now headed to only 5% of private sector density and with recent assaults on public sector unionization may be pushed below 20% density there soon as well, it is worth remembering that collective bargaining remains a clearly articulated, foundational purpose of labor law ensconced directly in the language and purpose of the National Labor Relations Act almost 70 years ago. *(For more on this see Bruce Boccardy's on-line piece for Social Policy at: http://bit.ly/gP6wUg)*

It almost seems that the NLRB and its General Counsel may have been reading the news from Wisconsin, Ohio, New Hampshire and so many elsewheres, shaken themselves out of their slumber and realized that if they didn't get on the stick there was no future for that bastion of labor bureaucracy and white collar legalisms. I'm not sure this is a development that will make the new "business first" White House happy, but the Board may have grown a set.

In a matter of days they have first issued a dramatic complaint arguing that Seattle-based Boeing was so blatant in relocating production of one of its new planes to company friendly and union baiting South Carolina, that they committed such severe unfair labor practices that the impact of the complaint could force the company to spend hundreds of millions to repatriate the work back to union workers and a union contract in Seattle. This case is all the talk here, and despite the company'sunion membership, private sector, Bruce Boccardy, collective bar protestations, the case is more solid that the business community would like to have the biscuit cookers believe. The NLRB for a refreshing change is staking out a position that pissing all over the union and its legitimate section 7 rights to strike and maintain its side of the bargain in collective agreements should not give a company a green light to run away to greener, anti-union pastures.

Days later the NLRB announced that they are suing state governments in Arizona and North Dakota (what's wrong with our brothers and sisters of the South here?!?) for promoting ballot propositions that would make "card check" (voluntary, non-election procedures where majority support for unions is determined by showing the authorization cards to employers or neutral third parties) illegal. Clearly state efforts to mess with long established recognition procedures protected by federal law are preempted, but more usually the NLRB might have pussyfooted around and waited until such measures were introduced and actually approved by voters before entering the lists and waging their part of the fight. This one is a slam dunk it would see, though why the NLRB claimed it was not suing Utah and South Dakota, which are trying to create the same card check bars, because they "didn't have enough money," seems odd.

I would also bet that another shoe is about to drop and that they will also issue a complaint in favor of the NFL Players Association and against the owners in this marquee labor lockout and bargaining struggle, but no sense in getting ahead of myself.

NLRB-FOIA-00004020

The NLRB actually fulfilling it's legal mandate and protecting collective bargaining and workers' rights would be a novel and refreshing change in the early days of the 21st Century during this dark night for all of us and our unions.

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