



Vol. XLI, No. 3  
MAY-JUNE 2016

# Label Letter

Union Label & Service Trades Department, AFL-CIO



## Divided Supreme Court Narrowly Rejects Anti-Worker Attack

When the U.S. Supreme Court decision in *Friedrichs v. the California Teacher Association*, ended in a 4-4 tie, public-sector unions breathed a collective sigh of relief. Since its initial filing in 2013, labor activists feared the case could deal a crippling blow to public-sector unions throughout the country.

"The judgement is affirmed by an equally divided court," the justices wrote in a brief, unsigned ruling.

The suit, filed by Rebecca Friedrichs and nine other California teachers, argued that the state's agency-fee system violated their First Amendment rights by forcing them to subsidize "political activities they don't support."

Under California labor law, public employees vote to designate a union as their exclusive collective bargaining representative. The employees cannot be forced to join the union, and those who choose

not to are required to pay a lesser "agency fee," also known as a fair share fee, to help fund the administrative costs incurred by the union in support of collective bargaining activities. The lesser fee helps avoid a free-rider problem where employees benefit from the union's representation without paying to support it.

The split vote left in place the 1977 decision in *Abood v. Detroit Board of Education* that set the basis for public employee contracts.

In a statement issued about the ruling

CONTINUED ON PAGE 2

## Bakery Workers Double Down on Nabisco Consumer Boycott



On March 23, the BCTGM — which represents nearly 4,000 members at Mondelez International, maker of Nabisco snack products — escalated its efforts to promote its

"Check the Label" campaign. The action is in response to the layoff of the first 277 workers at the Southside Nabisco Chicago Bakery. The campaign encourages American consumers to reject Nabisco products made in Mexico and instead, buy those that are produced in America in support of American jobs. BCTGM will send teams of the laid off workers around the country, focusing on large urban areas, to meet with unions, social organizations, churches, state labor federations, and others to enhance support for the efforts and continue to expand its coalition.

"Today's layoff of the first 277 employees from the Nabisco Chicago Bakery should not be seen as the end of the Union's effort to save these American jobs, but rather the launch of an intensified effort to educate the American consumer on the transfer of this work from the hard working employees of Chicago to low wage jobs at Nabisco's production facility in Salinas Victoria, Mexico," said David B. Durkee, International President of the BCTGM. "We will send teams of these laid off workers to talk to thousands in multiple communities across America to tell their story, redoubling our efforts on their behalf to educate the American consumer regarding the importance of withholding their consumer dollars from the purchase of Nabisco's Mexican-made products."

Mondelez, the owner of the Nabisco brand, told workers at the Chicago bakery

CONTINUED ON PAGE 6

## SUPREME COURT

Continued from page 1

from the AFL-CIO, President Rich Trumka said: “[T]oday, working people have persevered in the face of another attack on our rights. All over the country working people are showing that we won’t allow wealthy special interests or their politicians to stand in our way to join collectively and make workplaces better all across

America. In the face of these attacks we are more committed than ever to ensuring that everyone has the right to speak up together for a better life.”

This likely won’t be the end of this case for public-sector unions however. Court watchers agree that once the court is back to a full bench, that the plaintiffs will likely ask for the case to be reheard. ■

## Treasury Dept. Makes Corporate Inversion Less Profitable

In early April, the U.S. Treasury Department and the Internal Revenue Service announced temporary restrictions aimed at curbing corporate inversions. Inversion is when corporations move their tax headquarters overseas by buying a company in a lower tax foreign jurisdiction and relocating the combined entity’s headquarters to that country. The Obama administration and Treasury Secretary Lew, have been working on ways to try to end the practice that slashes federal tax collection. President Obama has previously said that firms that utilize the tax-saving

tactic were unfairly “gaming the system.”

These new temporary regulations seek to slow down inversions by closing a loophole that allowed foreign companies to make a number of smaller purchases of U.S. companies to avoid the inversion thresholds that triggered more rules.

Additional rules are expected to follow. They would be aimed at preventing the practice of a U.S. subsidiary shifting debt to a foreign parent company, as a way to maximize deductions. ■

## Two CWA Members Elected to Public Offices in Wisconsin

Communications Workers of America (CWA), Local 4622 President Rob Boelk and CWA Local 4603 member Jens Jorgensen were each elected to serve in local public offices in Wisconsin in April.

Boelk was elected Mayor of Mayville winning 65 percent of the vote in a hotly contested race.

Boelk has served as local union president for the past eight years. Previously, he was elected as Ward 5 Alderman for the City of Mayville, and has been serving as president of the Common Council.

In a letter to CWA supporters, Rob wrote, “Not many union members or officers run for these political races,

however I am stepping up and taking on the challenge not only for working people, but for the elderly, poor, and young.”

Jorgensen, an AT&T Mobility member, was elected to the Janesville City Council. At just 19-years-old, he is the youngest person on record to be elected to the City Council. Of the seven candidates vying for three seats, Jorgensen won the greatest number of votes. He is the son of Wisconsin State Representative Andy Jorgensen.

CWA District 4 Vice President Linda Hinton said that both Boelk and Jorgensen will be effective champions for working families in their communities. ■

## New Rule Requires Employers to Disclose Use of Anti-Union Consultants

A new Department of Labor (DOL) rule set to go into effect on July 1, will require employers to disclose their use of any consultant they hire to help persuade workers not to form or join a union.

The rule, deemed the “union persuader” rule, will require employers to disclose in government filings any consultant they hire to develop plans or policies for supervisors involved in attempting to dissuade workers from forming unions or bargaining collectively.

In addition to disclosing the hiring of a consultant, the employers will have to disclose the fees involved. The consultant will also have to disclose the relationships and fees in filings of their own.

The rule seeks to expand on the 1959 law that required employers to disclose the hiring of such consultants. But in drafting this rule the DOL argued that previous administrations had allowed an enormous loophole that effectively exempted consultants who coach supervisors on how to influence employees so long as the consultants didn’t interact with the employees directly.

DOL Secretary Perez said, the rule was about restoring a measure of balance between labor and management. The use of consultants has become commonplace since the practice became widespread in the 1970s, and the techniques they use to discourage workers has become progressively more sophisticated.

There are consultants “scripting what managers and supervisors say to workers,” Secretary Perez said.

“Labor unions must disclose spending related to workplace organizing campaigns,” said Union Label and Service Trades Department President, Rich Kline. “Employers should be held to the same standard when they are trying to dissuade employees from joining a union.”

Kline went on to say that the “deck has been stacked against employees for too long and this rule will help level the playing field.” ■

## WALK IN MY SHOES

### Meet AFGE’s Mr. 300,000 Matthew McDearmon, AFGE BOP

When Matthew McDearmon sat down at his new employee orientation at the Bureau of Prisons, he wasn’t expecting to become an official in his local union – much less the 300,000th member of the American Federation of Government Employees (AFGE).

McDearmon, an Air Force veteran and correctional officer at Administrative U.S. Penitentiary Thomson, knows the power of teamwork and the value of speaking up together. To him, joining the union with his colleagues was just the beginning of making a better workplace for current employees and creating a brighter future for the next generation of public servants.

“I think it’s good to be a part of something that’s bigger than yourself,” he said. “You can learn the issues that are going on within the institution and the area. Hopefully you can help solve any disconnects between yourself and the management.”

At the orientation, McDearmon heard his coworkers’ plan to make the worksite more safe, and he liked their ideas. Then, he got involved. ■



“I think it’s good to be a part of something that’s bigger than yourself.”



## Put a Union Label On It

### EQUAL PAY AND THE UNION ADVANTAGE

Women make up nearly half of the American workforce. Despite their strong presence in the workforce, women overall earn 79 cents for every dollar a man earns. Union membership can help close that gap. Union women earn 33 percent more than women working without the support of union representation.

According to the U.S. Bureau of Labor Statistics, in 2015, women who were union members typically made \$231 more in median weekly earnings than those who were not. A recent AFL-CIO national survey of nearly 25,000 working women in the U.S. found that nonunion respondents were more than twice as likely to earn poverty-level wages (under \$25,000 a year) as union women. The survey also showed that nearly 68 percent of union member respondents earned middle class wages, compared to only 58 percent of nonunion women workers.

Access to benefit packages also shows the advantage of union membership. Union members are almost twice as likely to receive overtime or comp time than non-union working women.

The union advantage is also clear when it comes to health benefits, retirement security and work-family policies. Union members in the AFL-CIO survey were more likely to have access to paid family leave, paid sick leave and domestic partner benefits. ■

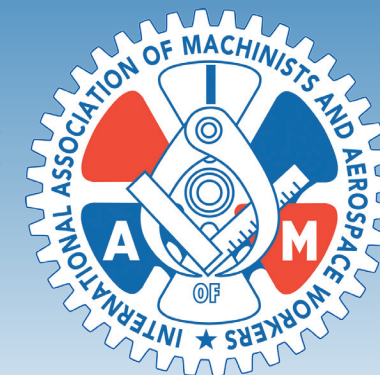
## SPOTLIGHT THE LABEL

### INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS (IAMAW)

The International Association of Machinists and Aerospace Workers (IAMAW) is a large and diverse organization, representing 720,000 members across North America. Newly sworn in President, Robert Martinez, Jr., is the 14th International President in the union’s 128 year history.

Formed in 1888 in Atlanta, GA, the IAM represents workers in more than 200 industries with most of its membership located in the U.S. and Canada.

Originally called the Order of United Machinists and Mechanical Engineers, the organizational name was changed in 1891 to the International Association of Machinists and again changed adding Aerospace Workers in 1964. The IAM is now headquartered in Upper Marlboro, MD. ■





# UNION MADE DO BUY

As the unofficial start of summer, Memorial Day celebrations often include a backyard barbeque for friends and family. Celebrate this Memorial Day with these union-made products from our friends at the BCTGM, UFCW, IBB, UAW and the Novelty Workers.

#### FIRE UP A UNION-MADE GRILL:

- Weber
- Thermador

#### ON A BUN:

- Butterball burgers and franks
- Wenzel's sausage
- Smithfield sausage
- Oscar Meyer hot dogs
- Boars Head hot dogs
- Ball Park Franks
- Hebrew National franks
- Foster Farms fresh chicken
- Hormel Red Franks
- Nathan's Ball Park hot dogs

#### THE BUN TO PUT 'EM ON:

- Alfred Nickles Bakery
- Sunbeam
- Maier's
- Stroehmann
- Arnold
- Francisco

#### TOP 'EM OFF:

- Heinz Ketchup
- Open Pit
- French's
- Gulden's Mustard
- Frank's Red Hot
- Vlasic brand pickles

#### ON THE SIDE:

- Burnham and Morrill Baked Beans
- Suddenly Salad
- Pace Salsa
- Rold Gold
- Frito-Lay
- Doritos
- Chex Mixes
- Lays Chips and French Onion Dip
- Sun Chips
- UTZ Pretzels
- Pirate Booty
- Bugles
- Cheez-It

# MEMORIAL DAY

#### BEER:

- American Lager
- Camo Black Ice
- Hamm's
- Miller beer
- Shock Top
- Budweiser/ Bud Light
- Alexander Keiths
- Coors/ Coors Light
- Genesee Cream Ale
- Moosehead

- Micky's Malt
- Red Stripe
- Iron City
- Mad River
- Michelob
- Leinenkugel's
- Icehouse
- Red Dog
- Steelhead Fine Ale
- Stegmaier
- Lionshead

#### WINE

- Andre Champagne
- Chateau Ste. Michelle
- Columbia Crest
- Saddle Mountain
- Farron Ridge
- Scheid Vineyards Inc.
- Balletto
- Charles Krug
- C.K. Mondavi
- C.R. Cellars

- Gallo of Sonoma
- Gallo Estate
- Turning Leaf
- Arbor Mist
- St. Supery
- Tott's Champagne
- Almaden
- Berelli Creel
- Bartles & James
- Black Box
- Carlo Rossi

#### NON-ALCOHOLIC BEVERAGES:

- Welch's Juices
- Minute Maid
- Hawaiian Punch
- Mott's
- V8
- Sprite
- Mountain Dew
- Pepsi, Diet Pepsi

- Coke, Diet Coke
- Canada Dry
- 7-UP
- A&W Root Beer
- Orange Crush
- RC Cola
- Barq's
- Blumers
- Old Philadelphia

#### TOAST SOME S'MORES:

- Keebler Graham Crackers
- Hershey's Chocolate Bars
- Campfire Marshmallows

#### CAKES:

- Tastykake
- Entenmann's
- Sara Lee (frozen)

“They made an offer that was so ridiculous they knew it could never be accepted, American workers cannot compete with workers in Mexico making \$60 per week with little or no benefits.”  
—David Durkee, BCTGM President

**BCTGM**

*Continued from page 1*

back in May of 2015 that they would consider putting new technology in Chicago if the workers would take a 60 percent reduction in wages and benefits or 46 million dollars per year every year into the future to secure a \$130,000,000 investment.

“They made an offer that was so ridiculous they knew it could never be accepted,” Durkee added. “American workers cannot compete with workers in Mexico making \$60 per week with little or no benefits. Nabisco’s plans to lay off American workers, put their jobs in Mexico and then return the products to the United States to sell is the ultimate insult to both the American worker and consumer. They want the American consumer to support them by purchasing their products, but they have no loyalty to any country, community, or worker that has contributed to their billions in profits in the past. By

dispatching boycott education teams to inform consumers that every dollar denied to the purchase of these products supports American jobs, we’ll send a loud and clear message to this company via their balance sheet, effectively making no benefit for Nabisco to run those plants in Mexico. This is not over, and will not be over, as long as this company continues to destroy families and communities by moving work from the United States to these low wage countries.”

The National contract between Mondelez International and over 2,000 of its 4,000 workers represented by the BCTGM, expired on February 29, 2016. BCTGM continues to be resolute in its commitment to securing a quality contract for its members – one that is in the very best interests of all members and their families today and into the future.

For more information about announced job losses in Chicago, visit: <http://www.fightforamericanjobs.org/>. ■

net has helped on that front a great deal. The group successfully uses a Facebook page named UAW Region 1D Union Label to promote its message as well as recruit volunteers for events.

But face-to-face events have made the greatest impact. The committee holds several pancake fundraisers throughout the year to support its biggest activity which is renting booth space at county fairs, RV, tractor, and car shows, and charity events. It puts union-made products purchased at the grocery store on display to show the public how easy it is to buy union. To keep it fresh, committee members change the display according to the season to show just how much union-made Easter and Halloween candy and Christmas gifts are available. This year they plan to showcase union-made sporting goods. “People always stop to check it out,” says Welch, “we put it in perspective for people—instead of just a list of stuff, they see a whole bunch of goods purchased at the store right there in front of them.”

“Supporting the union label is as important today as it ever was. If we buy into the mindset that American-made or union-made is a thing of the past, then we’ve given up. And our committee is not about to let that happen,” Welch says. ■

## Promoting the UNION LABEL

*Reprinted with permission from UAW Solidarity Magazine*

Some might think that a group that promotes the union label is quaint and a relic of the past. In an age of massive internet commerce and cheap overseas goods, it can feel like finding American-made, let alone union-made, products is like looking for a needle in a haystack.

“That’s why the work of the Union Label Committee is more important than ever,” says Mike Welch who is currently Union Label Chair at UAW Local 598 and also chair of Region 1D Union Label and active member of that committee for the last 18 years. “Our job is to remind people that union-made goods are here, are of the highest quality and buying them supports outstanding jobs in our communities.”

In the past, the Union Label Committee was represented by a council in the region. That group was small and had representatives from locals, but most of the people who do the work of Union Label every day were not part of the council. Over the years, participation in the council dwindled to the point that they decided to change the by-laws so the Regional Council became a Regional Committee, open to all members of any union. The

“Our job is to remind people that union-made goods are here, are of the highest quality and buying them supports outstanding jobs in our communities.”

change was dramatic: back then only a handful participated; now they regularly have 25 or more at their meetings.

“Early on we had to figure out how to get our activists across Region 1D engaged because the region is so geographically huge. We decided to move our meetings from city to city to get the most coverage,” says Welch. The committee now meets seven times a year with meetings grouped around their biggest events so they get the most business accomplished when together.

Enthusiasm for the union label has grown because of how easy it is to get information out to the public. The inter-

# AFL-CIO NATIONAL BOYCOTTS MAY-JUNE



## HOSPITALITY, TRANSPORTATION & TRAVEL

### SUBMITTED BY UNITE HERE!

Please support the workers in these hotels by continuing to boycott the following properties:

- ANCHORAGE, AK: Hilton; Sheraton
- CALIFORNIA: Hilton LAX, Hyatt Regency Santa Clara, Hyatt Regency Sacramento, Hyatt Fisherman’s Wharf San Francisco, Hilton Long Beach, Embassy Suites Irvine, Le Meridien San Diego
- RHODE ISLAND: Renaissance Providence Downtown Hotel
- SEATTLE: Grand Hyatt Seattle and Hyatt at Olive 8 Seattle

### SUBMITTED BY United Steelworkers (USW)

- PALERMO PIZZA

## LEGAL

### SUBMITTED BY American Federation of State, County & Municipal Employees

- GLEASON, DUNN, WALSH & O’SHEA
- HARDIN, LAZARUS AND LEWIS, LLC
- MCDONALD, LAMOND, CANZONERI AND HICKERNELL

## OTHERS

### SUBMITTED BY American Postal Workers Union

- STAPLES retail stores



The global Hyatt boycott has ended. However, there are a number of local Hyatts with continuing labor disputes.

To avoid current or future strikes, boycotts, and other labor disputes at Hyatts or any other venues, use the UNITE HERE Union Hotel Guide at [unionhotelguide.com](http://unionhotelguide.com) or download their iPhone App, which lists which hotels to patronize or avoid.

To avoid the prospect of labor conflict during your stay at a hotel, insist on protective contractual language when you make a reservation or organize an event. Suggested model protection language can be found on UNITE HERE!’s website at [www.hotelworkersrising.org/media/modelprotectivelanguage.pdf](http://www.hotelworkersrising.org/media/modelprotectivelanguage.pdf)

## POLICY GUIDELINE FOR ENDORSEMENT OF AFFILIATES’ BOYCOTTS

The AFL-CIO Executive Council has developed policy guidelines that regulate how the federation endorses boycotts undertaken by its affiliates. To get AFL-CIO sanction, boycotts should be directed at primary employers.

### THE GUIDELINES INCLUDE THESE PROVISIONS:

- All requests to the national AFL-CIO for endorsement must be made by a national or international union.
- Any affiliated union with a contract in force with the same primary employer will be contacted by the AFL-CIO to determine whether there is an objection to the federation’s endorsement.
- Affiliates will be asked to provide the AFL-CIO with background information on the dispute in a confidential information survey. Prior to endorsement of the boycott, the executive officers, or their designees, will meet with the national union’s officers, or their designees, to discuss the union’s strategic plan and timetable for the boycott, or other appropriate tactics, and to discuss the federation’s role.
- The national or international union initiating the boycott is primarily responsible for all boycott activities; the AFL-CIO will provide supplemental support.
- Boycotts will be carried on the AFL-CIO national boycott list for a period of one year, and the endorsement will expire automatically at the end of that time. National and international unions may request one-year extensions of the listings for actions where an organizing or bargaining campaign is actively in place.

*(These guidelines were adopted by the AFL-CIO Executive Council in April 2011.)*

PERIODICALS  
POSTAGE PAID  
WASHINGTON, D.C.

TIME VALUE

## In This Issue...

<b>Bakery Workers Double Down on Nabisco Consumer Boycott . . . . .</b>	<b>1</b>
<b>New Rule Requires Employers to Disclose Use of Anti-Union Consultants . . . . .</b>	<b>2</b>
<b>Walk in My Shoes . . . . .</b>	<b>3</b>
<b>Do Buy . . . . .</b>	<b>4</b>
<b>AFL-CIO National Boycotts . . . . .</b>	<b>7</b>

Downloadable versions of *Label Letter* are posted on our website: [www.unionlabel.org](http://www.unionlabel.org). With the exception of copyrighted material, permission to reprint is hereby granted, but credit to source will be appreciated.

# EndNotes

By Rich Kline, *President, UL&STD*



## Label Letter

Union Label & Service Trades Dept., AFL-CIO  
815 16th St. N.W. • Washington, D.C. 20006

[www.unionlabel.org](http://www.unionlabel.org)

E-mail: [ULSTD@unionlabel.org](mailto:ULSTD@unionlabel.org)

Vol. XLI, No. 3 • ISSN 0161-9365



*Label Letter* is published bimonthly by the Union Label & Service Trades Department, AFL-CIO. Subscriptions to members only. USPS #424-530. Periodicals postage paid at Washington, D.C. Postmaster: Send corrections of address to Room 209, 815 16th Street, N.W., Washington, D.C. 20006. Phone: 202-508-3700.

**RICH KLINE**, President and Editor • **TIM TUTTLE**, Secretary-Treasurer

**VICE PRESIDENTS:** Bernie Evers, James B. Wood, George Galis, Nicole Rhine, Bruce R. Smith, Otis Ducker, Joe Sellers, Dora Cervantes, Mike Linderer, Lorretta Johnson, Patrick Kellett, Salvatore J. Chilia, Steve Bertelli, Roy Houseman, Thomas Miller, Debby Szerezy.

## Recent Labor News Confirms Importance of 2016 Presidential Elections for Unions



The split decision in the Friedrich's case, an unveiled attack on public unions by rightwing opponents to collective bargaining, produced a stalemate which leaves those rights as they were. In the event that the Supreme Court cannot reach a decision, the lower court ruling stands. Therefore, public unions can continue to represent their members and to collect

dues to meet union expenses.

The absence of the late Justice Antonin Scalia from the Supreme Court was the key to this quasi-victory. To maintain public employee bargaining rights and to keep public employee unions strong, a progressive replacement for Scalia on the Supreme Court is needed. Undoubtedly, the anti-union element will try again to reverse earlier decisions affirming these rights. To make the victory secure, a more progressive Supreme Court is

needed.

Hence, the importance of November's presidential election. The next president will name judges to federal courts at every level. And who knows, maybe President Obama's nominee to replace Scalia will eventually be seated. If not, the Supreme Court seat and all it implies for union rights will be hugely important in 2017.

Finally, kudos to Secretary of Labor Tom Perez and the Obama administration for the new union persuader rule that requires the identification of consultants hired by companies to defeat union organizing campaigns. Such activities should be known to employees.

The Obama administration, friendly to unions, their members and potential members, produced the persuader rule. An unfriendly administration could reverse it. One more indication of the presidential election's importance. ■