



California Federation of Teachers

American Federation of Teachers, AFL-CIO

FOR IMMEDIATE RELEASE: Thursday, June 30, 2011

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The California Federation of Teachers Applauds NLRB Action to Streamline Union Elections

Encourages Swift Adoption of New Procedures to Protect Workers' Right to Vote

The California Federation of Teachers (CFT) applauds the National Labor Relations Board (NLRB) for proposing changes to the union election process that will remove barriers and ensure workers can effectively exercise their basic right to vote on whether to form a union.

“We’re delighted that the NLRB is putting in place a more equitable process by which workers can form or join labor organizations,” said CFT President Josh Pechthalt.

The current NLRB election process allows significant delays in the vote creating inequalities and unfairness over the timing of elections, while allowing the process to be plagued with unfair labor practices. “Too often employers harass, threaten and intimidate California workers who are trying to gain union representation. The system has got to be fixed,” Pechthalt added.

One recent example involving the Los Angeles Film School (LAFS) faculty is particularly illustrative of the problem. Last year, LAFS teachers interested in unionizing quickly signed CFT union authorization cards. The NLRB notified LAFS management that the CFT had filed an election petition and management instantly contested the petition for an election and LAFS workers were immediately confronted with intimidation, employer delays and a concerted disinformation campaign.

LAFS workers, their elected officials and community allies fought back. A mountain of evidence was amassed detailing LA Film School management violations of workers’ basic rights. Numerous unfair labor practice (ULP) charges

were filed by the CFT regarding the firing and disciplining of workers for union-related activities.

It took months, however, before the NLRB ruled in favor of the CFT on all matters and found that LAFS administration's campaign of intimidation of workers and attacks on organizing committee members violated the law. It ordered the worker activist, Brandii Grace, rehired with full compensation restored, and the LA Film School to cease and desist from threatening, suspending or terminating employees if they engage in union activities. But by then it was too late. Management's efforts had succeeded in demoralizing faculty and in eroding union support. The CFT withdrew its petition for an election. The next week the NLRB finally issued complaints on all ULPs filed against the employer, too late to preserve the integrity of the election process.

“We need to close the loopholes that unscrupulous employers abuse as stall tactics. People hear about anti-union campaign tactics like 'one-on-one meetings' and 'captive audience meetings',” said Grace. “These terms don't express the true severity of what employees are subjected to: interrogation, manipulation, and harassment. It's unfair, underhanded, and utterly un-American. We can do better.”

The intent of the National Labor Relations Act is to address the inequality in bargaining power between employers and employees by guaranteeing workers the right to self-organization, to take part in a wide range of union and collective activities including grievances, on-the-job protests, picketing, and strikes, and to bargain collectively through union representation without fear of management reprisal.

As the LAFS and untold numbers of other cases indicate, it hasn't always worked out that way as tactical decisions by employers to buy time before an election created a system paralyzed by bureaucracy and delays. Modernizing the system will help level the playing field for workers, ensuring they have a fair chance to vote for representation by a union, as the law intended.

The CFT represents 120,000 education professionals working at every level of the education system from ECE to the University. The AFT has more than 3,000 local affiliates nationwide, 43 state affiliates, and more than 1.4 million members.

For more information please visit www.cft.org.