

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**CHARGE AGAINST LABOR ORGANIZATION
OR ITS AGENTS**

DO NOT WRITE IN THIS SPACE	
Case 25-CB-9177	Date Filed 2/1/08

INSTRUCTIONS: File an original and 4 copies of this charge and an additional copy for each organization, each local, and each individual named in Item 1 with the NLRB Regional Director of the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT		
a. Name District Lodge 34, International Ass'n. of Machinists & Aerospace Workers		b. Union Representative to contact Carl Ashman
c. Telephone No. (513) 772-8310	d. Address (street, city, state and ZIP code) Executive Plaza III, 135 Merchant St., Suite 265, Cincinnati, OH. 45246	
e. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) <u>(1)(A)</u> of the National Labor Relations Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)		
<p>1. Charging Party (along with other similarly situated discriminatees) is employed by New Process Steel, LP.</p> <p>2. In August 2007, District Lodge 34, International Association of Machinists & Aerospace Workers ("IAM"), agreed to a tentative contract which gave concessions to the employer, in order to entrench itself as the incumbent union, stave off a decertification effort and gain the advantage of a "contract bar." The IAM's desperation is demonstrated by the fact that the union was willing to give up on its primary demand – a union security clause – in order to get a contract.</p> <p>3. The IAM conducted an employee "ratification vote" on this concessionary tentative agreement, and the employees voted it down. The employees also refused to go on strike, whereupon the IAM declared that the contract was deemed "ratified," notwithstanding the employees' vote against the contract.</p> <p>4. These falsehoods, misrepresentations and underhanded dealings, and similar acts and omissions, threaten, restrain and coerce the Charging Party and similarly situated employees in the exercise of their §7 right to refrain from collective activities. These actions also violate the IAM's duty of fair representation, since they force an unpopular union and an unpopular contract on employees who have already voted against it. These actions also violate the employees' right to refrain from engaging in strikes or other work stoppages against their will.</p>		
3. Name of Employer New Process Steel, L.P.		4. Telephone No.
5. Location of plant involved (street, city, state and ZIP code) 4248 CR 61 Butler, IN. 46721		6. Employer representative to contact Steven Hartz
7. Type of establishment (factory, mine, wholesaler, etc.) steel processing	8. Identify principal product or service steel	9. Number of workers employed approx. 24
10. Full name of party filing charge Cecil Freeburn		
11. Address of party filing charge (street, city, state and ZIP code) 3462 CO 56, Auburn, IN. 46706		12. Telephone No. 260-925-2977
13. DECLARATION		
I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief.		
By <u>Glenn M. Taubman</u> (signature of representative or person making charge)		<u>Attorney</u> (title or office, if any)
Address <u>National Right to Work Legal Def. Fdtn.</u>		<u>(703) 321-8510</u> <u>1/29/08</u>