

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case	Date Filed

File an original and 4 copies of this charge with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Freightliner Custom Chassis Corp., a subsidiary of Freightliner LLC, a subsidiary of Daimler-Chrysler Corporation, Inc.	b. Number of workers employed Thousands; 540 in plant	
c. Address (street, city, state, ZIP code) Corp: Auburn Hills, MI 48326-2766 Plant: 552 Hyatt Street, Gaffney, SC 29341	d. Employer Representative Corp: Jurgen Schrempp Plant: Jack Conlan, Rainer E. Schmueckle	e. Telephone No. Corp.: (248) 576 5741 Plant: (864) 487-1700
f. Type of establishment (factory, mine, wholesaler, etc.) Factory	g. Identify principal product or service Large vehicle manufacture	
h. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) <u>(2) and (3)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

This ULP charge is designed to supplement the ones already filed in Case Nos. 11-CA-20070-1, 11-CA-20071-1, 11-CB-3386-1 and 11-CB-3387-1

- Charging Party is employed by Freightliner Custom Chassis Corporation ("FCCC"), an indirect subsidiary of Daimler-Chrysler Corporation, Inc., within a proposed bargaining unit of approximately 540 employees.
- The UAW union has been attempting to organize this unit, without success. The UAW does not represent a majority of the employees in this unit, and has never done so.
- At some unknown time, Freightliner and the UAW entered into a "neutrality agreement," the actual terms of which were never disclosed to the Charging Party or other employees.
- Within the past six months, the Charging Party became aware of the terms of an additional secret agreement between Freightliner and the UAW, entitled an "Agreement on Preconditions to a Card Check Procedure Between Freightliner and the UAW." This newly discovered secret agreement negotiates substantive terms and conditions of employment for the Charging Party and other employees, even though the UAW is not and has never been the majority representative. Such negotiations by and with a minority union violates Majestic Weaving, 147 NLRB 859 (1964) and related cases.
- These and related actions restrain and coerce all Freightliner employees in the exercise of their § 7 rights, and in the exercise of their fundamental right under the Act to freely choose -- or reject -- their representative. Injunctive relief under § 10(j) is sought to restrain this and similar conduct by the UAW and Freightliner/Daimler-Chrysler, including stopping them from maintaining or enforcing any secret agreements which cover substantive terms and conditions of employment.

By the above and other acts, the above-named employer has interfered with, restrained, and coerced employees in the exercise of the

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

David Roach

4a. Address (street and number, city, state and ZIP code)

[REDACTED]

4b. Telephone No.

[REDACTED]

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Glenn M. Taubman
(signature of representative or person making charge)
Address National Right to Work Legal Def. Fdn.
Suite 600, 8001 Braddock Rd., Springfield, VA 22160

Glenn M. Taubman Attorney
(title or office, if any)
(703) 321-8510 09/30/04
(Telephone No.) (date)