

Foundation Cases—SC (Roach & Ivey)
Neutrality Agreements
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2 sue Freightliner to fight union

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Two employees at Gaffney's Freightliner Custom Chassis filed a federal lawsuit Monday against Freightliner, parent Daimler-Chrysler and the United Auto Workers union. David Roach and Mike Ivey filed the lawsuit, with the help of the National Right to Work Legal Defense Foundation, alleging the company withheld pay raises to coerce employees into unionizing.

The unfair labor practice charges, which seek an injunction against the UAW and Freightliner, were filed with the National Labor Relations Board after pay increases that the employees said were scheduled and promised were not made as part of a neutrality agreement between Freightliner and the UAW.

Neutrality agreements generally mean that a company supports the union's attempt to organize, and allows access to personal information and company facilities.

"Basically, the employer is laying down with the union's demands," said National Right to Work Legal Defense Foundation spokesman Jason Hakes, who said the union could make things difficult at other Freightliner plants if the company did not go along.

A release from the foundation said Freightliner management at the Gaffney plant continues to negotiate wages and terms of employment with the union, despite the fact that almost 70 percent of the plant's employees have signed petitions to reject union affiliation.

"UAW operatives are holding the wage increase hostage to force workers into union ranks," said Stefan Gleason, vice president of the defense foundation. "The employees simply don't want the union around -- but Freightliner and the UAW are refusing to get the message," he said.

Officials with Freightliner, both in Gaffney and company headquarters in Portland, Ore., did not return calls seeking comment.

UAW President Ron Gettelfinger, however, said in a release that the charges were "without merit" because it is illegal to alter terms of employment during a union-organizing campaign. He said it was just another attempt by the National Right to Work Defense Foundation to interfere with agreements reached. "It is a well-settled principle of labor law that it is an unfair labor practice for an employer to alter the terms and conditions of employment during the course of a union organizing campaign," Gettelfinger said.

"To argue that it is somehow 'illegal' for Freightliner to comply with the law shows the kind of Alice-in-Wonderland logic that die-hard opponents of collective bargaining will resort to in order to deny workers their right to organize a union."

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