
**UNFORTUNATELY,
CARPENTERS
LOCAL #46
IS IGNORING SOME IMPORTANT FACTS:**

Carpenters Local Union # 46 (CLU #46) has targeted the Co-op in their effort to force West Fork Construction (the General Contractor that the developer of our relocation project has chosen to work with) to unionize. CLU #46 has been on the sidewalk adjacent to the store with large signs and leaflets that claim that the Co-op is “Hurting Workers, Hurting Families, and Hurting Our Community”. CLU#46 expects the Co-op to require West Fork “or their sub-contractors to pay wages & benefits established by Carpenters on all of their projects all of the time.” This tactic – pressuring a third party and framing the issues around “area standard wages and benefits”– is a familiar one that the union often uses in its attempts to get contractors to unionize.

IGNORING SOME IMPORTANT FACTS:

– The project’s developer chose a General Contractor (GC) that he has worked with on many other projects (often employing unionized labor). Given that the properties will be owned by the developer and leased to the Co-op, we did not have the ability to choose the GC.

– The chosen GC has in fact used Local #46 members on other projects and has solicited bids from them on this project. The one bid that has been received so far from a unionized carpenter shop was more than 30% higher than other carpenter bids and well beyond the project’s budget. The GC will continue to solicit bids from other unionized carpenters and may choose to use them if their bids meet the project’s budget..

– Both the Plumbing and Heating/Ventilation/Air Conditioning work on our project will be done

by unionized contractors that submitted bids that met the project's budget. Bids from three other unionized subcontractors in other trades whose numbers meet the project budget are also likely to be accepted.

– The Co-op had no authority to dictate the selection of the GC, much less the nature of the GC's relationship with the Carpenters Union or any other union. The developer is the entity with the right of control over the selection of the GC for the build-out of our store.

– Even if we could somehow exercise some influence over such determinations, we feel it would be contrary to the federal labor laws to try to impose on any contractor's employees the obligation to be union. The National Labor Relations Act (29 US Code section 157) guarantees to employees the right to form, join and assist unions, and also states that employees "have the right to refrain from any or all such activities." Therefore, if we were to try to act in such a way as to compel a contractor's employees to join a union, we would be violating the fundamental federal labor policy of employee freedom of choice.

– The Co-op's employees are represented by Teamsters Local 150 (TL 150), with whom we have an excellent working relationship. Therefore we have a long history of working with and supporting unions.

– TL 150 has spoken with CLU #46 and expressed their disappointment that the latter is targeting a union employer to further their aims. TL 150 believes that CLU #46 is out of line in the way that they are conducting their campaign.

The answer to CLU #46's issue is not to compel employee support of the Carpenters Union, but to be sure that employees are free to make their own choice without interference by an outsider like the Co-op. The Carpenters Union is free to seek to organize the employees of any GC selected by the developer, but it will ultimately come down to the free choice exercised by the employees, not top-down coercion by an unrelated third party like the Co-op which will dictate the result.

The Co-op has no stated policy that requires the hundreds of growers, manufacturers, distributors, service vendors, financial institutions etc. that it deals with to unionize. If this were the case we would have cut off dealings with more than 90% of the cooperatives in the country

as few of them are (like us) unionized. While there are certainly cases in which non-organized workers are exploited by employers, it is inaccurate to assume that every open-shop employer is guilty of those practices. We do not want to be using a GC or subs that are exploiting their workers and we have made this clear to the GC. If we became aware that a businesses we deal with is in fact abusing or exploiting its employees we would address that particular situation. Unlike projects that receive public subsidies and are therefore required to use unionized labor, the Co-op's relocation will not be subsidized by any public funds. Therefore we are under no obligation to obey any demands from CLU# 46 or to submit to their intimidation.

Paul Cultrera
General Manager
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