

The Detroit News

Factory workers sue DCX, union – UAW yielded on contract with Freightliner in exchange for company’s organizing help, federal lawsuit claims

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January 25, 2006

Five employees at DaimlerChrysler AG's Freightliner unit filed a federal lawsuit Tuesday against the company and the United Auto Workers union, alleging the union illegally agreed to concessions in exchange for the heavy-duty truck manufacturer's help in organizing workers. The suit, filed in the U.S District Court for the Western District of North Carolina, accuses Freightliner of denying workers the right to hold secret ballot elections to decide whether to join the UAW.

The union has instead relied on card checks to win the right to represent workers. Under a card check, companies agree to recognize a union when organizers obtain authorization cards signed by a majority of workers.

The suit, which seeks class-action status, also charges the UAW and Portland, Ore.-based Freightliner with violating racketeering laws that bar employers from delivering "things of value" to unions, according to the National Right to Work Legal Defense Foundation, which is supporting the suit.

According to court papers, workers from Freightliner's Gastonia, Mount Holly and Cleveland, N.C.-based plants allege the union agreed to freeze wages of represented employees, increase employee health care benefit costs, and limit employee representation during collective bargaining.

"UAW officials, who are more concerned with increasing the number of employees paying union dues than making changes for workers, struck a secret deal with my employer -- at our expense," said Katherine Ivey, a worker at Freightliner's Gastonia plant. "Freightliner agreed to help UAW bosses organize workers, and UAW union officials agreed to limit our wages and increase our health care costs."

William Messenger, an attorney with the Springfield, Va.-based legal defense foundation, said workers are seeking lost wages and benefits, and union dues paid after contracts were signed in 2003.

Last year, the foundation represented a Freightliner worker who filed unfair labor practices against the UAW with the National Labor Relations Board.

Union officials said the NLRB settled or dismissed recent allegations made in the lawsuit. "Every time workers have a chance to speak, they speak loud and clear in favor of having

a union and a good contract," said Gary Casteel, director of UAW Region 8, which represents members at the plants.

Freightliner spokesman Christoph Hofmann said the company has not yet been served with the complaint but added that a card-check agreement was made, which isn't unlawful. "It's a very legal way to organize a plant from a union's point of view and also from our point of view," Hofmann said.

Charges at a glance

- The UAW traded wage and benefit concessions for Freightliner's help in recruiting workers to join the union.
- Union and company managers agreed to wage and benefit cuts at nonunion plants in North Carolina in 2002 "in exchange for valuable company assistance in organizing those workers."
- Freightliner held mandatory meetings on company time, where "union organizers could propagandize employees."
- The lawsuit seeks financial restitution for employees.

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