

NLRB Files Complaint Against Kellogg over Memphis Lockout

KENSINGTON, Md. (PRNewswire-USNewswire) — On March 27, the U.S. government charged the Kellogg Company with multiple and serious violations of federal law stemming from its October 22, 2013 lockout of more than 220 workers at the company's Memphis cereal production facility.

In filing a Complaint against Kellogg based on charges filed by Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM) Local 252G, the local representing the locked out members, the General Counsel of the National Labor Relations Board (NLRB) — the official charged with prosecuting employers for violating the National Labor Relations Act — determined that the company's conduct in the supplemental contract negotiations in Memphis that led to the lockout was in clear violation of the federal law governing labor and management relations in the U.S.

In the March 27 Complaint, the Board's General Counsel validated the charges filed by BCTGM Local 252G. The Complaint outlines that, during the course of the negotiations that led to the lockout, Kellogg insisted that the union bargain on and agree to changes to a contract that was still in effect – a subject Kellogg had no right to insist on – and in so doing, "threatened to lockout employees" and "locked out all bargaining-unit employees . . . in support of its bargaining demands if the union did not ratify [Kellogg's] last contract offer before October 22, 2013." By doing that, the Complaint asserts, Kellogg "interfer[red] with, restrain[ed], and coerc[ed] employees in the exercise of the rights guaranteed in Section 7 of the Act"; "discriminat[ed] in regard to the hire or tenure or terms or conditions of employment of its employees" and "fail[ed] and refus[ed] to bargain collectively and in good faith with the exclusive collective-bargaining representative of its employees."

Commenting on the NLRB ruling, BCTGM International Union President David B. Durkee stated, "The BCTGM commends the Board's General Counsel on its action. For more than five months, the locked out workers in Memphis have been victimized by a \$14 billion multinational corporation so consumed by greed that it was willing to break U.S. law in order to get what it wanted from its workers.

"Today's action by the Board's General Counsel is the first step in validating all that the BCTGM and our locked out members have consistently said since the beginning of this tragic lock out – that the company violated the law by demanding to negotiate on subjects that are not legally proper for the Memphis negotiations.

"This decision also exposes the disingenuous and misleading public relations campaign Kellogg has been waging for the past five months in which it called on the Union to return to the bargaining table for negotiations. As today's Complaint

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Published on Food Manufacturing (<http://www.foodmanufacturing.com>)

alleges, Kellogg had broken the very law that governs the negotiations the company wanted the local union to resume.

"For more than 155 days and at a tremendous personal and financial cost, these courageous workers have remained steadfast in their belief in the rule of law. Today, the National Labor Relations Board's General Counsel struck the first loud blow for justice.

"All these workers have ever wanted, since the day they were locked out is to return to the jobs they have performed skillfully and with deep dedication for many, many years in order that they can provide for their families.

"The BCTGM urges the Kellogg Company to finally drop its disingenuous public relations campaign, accept its responsibility for breaking the law and end this tragic lockout and immediately return these hard-working men and women to their jobs so they can begin rebuilding their lives shattered by a once-honorable company that has lost its moral compass. This horrendous injustice has gone on far too long," concludes Durkee.

The BCTGM represents more than 4,000 Kellogg employees throughout North America. The BCTGM also represents thousands more workers in the cereal industry at such companies as General Mills, Quaker Oats, and Ralcorp.

Source URL (retrieved on 01/28/2015 - 12:22am):

<http://www.foodmanufacturing.com/news/2014/03/nlr-files-complaint-against-kellogg-over-memphis-lockout>