

U.S. Gov't Charges Kellogg with Labor Violations

Lindsey Jahn, Associate Editor

The National Labor Relations Board on Thursday charged the [Kellogg Company](#) [1] with multiple violations of the National Labor Relations Act.

The charges stem from a lockout of approximately 225 workers at the company's Memphis, Tenn., cereal production plant that began on Oct. 22, 2013. [The NLRB alleges](#) [2] that Kellogg violated the Act while bargaining with union Bakery, Confectionery, Tobacco Workers and Grain Millers (BCTGM) Local 252-G over a Supplemental Local Agreement at the facility.

The NLRB complaint is based on charges filed by BCTGM, which argued that Kellogg's conduct in supplemental contract negotiations at the Memphis plant was in violation of federal law.

According to the NLRB, the National Labor Relations Act requires that "an employer bargain in good faith with respect to wages, hours, and other terms and conditions of employment." The NLRB holds that Kellogg failed to provide requested information that would assist the union in its ability to represent the workers and that the company insisted on gridlocking bargaining proposals. Kellogg's decision to lock out the Memphis workers furthered "its bad-faith bargaining position," said the NLRB.

BCTGM International Union President David B. Durkee [commended the NLRB](#) [3] for its ruling, stating that the locked out workers 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."

Kellogg defended its actions at the Memphis plant in a [statement](#) [4], calling the situation both "frustrating and disappointing."

Marty Carroll, Senior Vice President for Kellogg North America Supply Chain said, "We are operating in a tough cereal category and the labor costs at our U.S. Ready-To-Eat Cereal plants — including Memphis — put Kellogg at a competitive disadvantage, making it difficult to fund critical efforts such as innovation and brand building."

Kellogg maintained it is hopeful an agreement can be reached.

"We have worked hard at the table to offer fair and competitive proposals that recognize the important work of our employees," Carrol said. "We are confident our Memphis plant could be competitive in our North American manufacturing network and positioned for long-term success."

A hearing before an NLRB Administrative Law Judge is scheduled for May 5 at the

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NLRB Regional Office in Memphis.

Also read: [U.S. Senators Call on Kellogg to End Lockout at Memphis Plant \[5\]](#)

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

[4] <http://newsroom.kelloggcompany.com/index.php?s=27529&item=131475>

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