

March 2, 2009 – Daily Labor Report

Work Stoppages

Teamsters Threaten to Strike Again Following Return to Work at Oak Harbor

A move by Oak Harbor Freight Lines Inc. to give workers returning from a 157-day strike a reduced benefits package and to suspend 13 workers on “suspicious grounds” could incite another strike by members of the International Brotherhood of Teamsters, the union announced Feb. 27.

Union members began returning to work Feb. 25. According to the union, however, company documents show Oak Harbor “is preparing to illegally eliminate” the health care plan of returning workers, switch them to a substandard plan administered by the company, and abolish the workers' retirement fund.

“It was our hope that the company would take our offer to return to work as a positive step toward resolving our differences,” IBT International Vice President Al Hobart said. “But it is now clear that Oak Harbor's owners and their union-busting attorney are willing to sacrifice customers, ruin the lives of hard working union families, and drive this company into the ground to get rid of the Teamsters.”

About 630 truck drivers in Washington, Oregon, and Idaho walked off the job Sept. 22, 2008, claiming that the trucking company, which is headquartered in Auburn, Wash., had engaged in unfair labor practices. The union had been in contract negotiations with the company since August 2007.

In February 2009, the union made an unconditional offer to return to work and end the strike (23 LRW 280, 2/19/09).

Company Returns Striking Employees to Work

In response to the union's offer, the company, in a letter dated Feb. 17, confirmed that it would unconditionally return striking employees to work.

“We have reviewed the situation with our legal counsel and given the fact that the regional director of the [National Labor Relations Board] NLRB has made the decision this strike is a ULP strike, we will comply with the law and accept the union's offer of unconditional return to work,” according to a Feb. 17 memo to employees from David and Ed VanderPol, the co-presidents of the company.

The company said, however, that certain strikers would be laid off as a result of a lack of work and other returning strikers would be suspended pending

investigation into possible discipline for misconduct during the strike.

Additionally, Oak Harbor proposed continuing the status quo for strikers returning to work, meaning the company would hold the wage rate to what it was in the latest collective bargaining agreement, which expired Oct. 31, 2007.

However, the company said it reached an agreement with the union for returning strikers based on a negotiated agreement reached in October 2008 regarding pensions, health, and welfare benefits, and indicated that the union agreed to the following conditions for returning strikers, pending another collective bargaining agreement:

- Oak Harbor would cover the returning strikers under its company health and welfare plans.
- Oak Harbor would place the monthly pension contributions (agreed to in the collective bargaining agreement that expired Oct. 31, 2007) into an escrow account.
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Union Says Company in Violation of 'Status Quo.'

Hobart told BNA that “the company is in violation of the status quo by not making contributions to the prior plan.” Now that workers have returned to work, the workers should receive pay and benefits, including pension and health care they had at the time of the strike, he added.

The workers, based at various company locations in Washington, Oregon, and Idaho, are represented by Teamsters locals 81, 174, 231, 252, 324, 483, 589, 690, 760, 763, 839, and 962.