

16 Attorney Generals Weigh In On Boeing V. NLRB Case

Meg Kinnard, Associated Press

COLUMBIA, S.C. (AP) — Attorneys general in 16 states weighed in Thursday on a federal lawsuit filed by the National Labor Relations Board, alleging that its complaint against Boeing Co. for building a South Carolina assembly plant hurts states' abilities to keep manufacturing jobs.

The 16 attorneys general — all but one of whom are Republicans — oppose the lawsuit filed in April by the NLRB claiming that Boeing located a new 787 passenger aircraft assembly line in South Carolina to retaliate against Washington state union workers who went on strike in 2008.

The board wants that work returned to Washington state, even though the company has already built the new South Carolina plant and hired 1,000 workers.

"The NLRB's proposed action will harm the interests of the very unionized workers whom the general counsel's Complaint seeks to protect," says a brief written by two attorneys general, South Carolina's Alan Wilson and Texas' Greg Abbott, and signed by the other 14.

"State policymakers should be free to choose to enact right-to-work laws — or to choose not to enact them — without worrying about retaliation from the NLRB," the brief says. "It is logical that some employers will simply avoid creating new jobs or facilities in non-right-to-work States in the first place."

A spokeswoman for the NLRB declined to comment.

Union advocates argue that the board, where Democratic appointees now have a majority, is merely doing its job of enforcing the nation's labor laws.

The filing represents the latest effort by Republicans to take aim at the NLRB over its action against Boeing. South Carolina Gov. Nikki Haley has been hammering away at the issue and insisting GOP presidential candidates do the same, and a California congressman said Wednesday he would bring a House oversight committee to South Carolina this month to focus on how the NLRB's "actions against Boeing could impact the thousands of Boeing employees at a non-union worksite in South Carolina."

South Carolina is a right-to-work state where individual employees can join unions voluntarily, but unions cannot force membership across entire worksites.

Chicago-based Boeing disputes the board's allegations that it violated labor laws and says that stopping work on 787s in South Carolina would be impermissibly

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punitive because it would effectively shut it down. Three employees sought permission to participate in the case, saying they'd surely lose their jobs if the NLRB won its action, but their request was turned down this week.

The company has also taken issue with the labor board's claim that the company removed or transferred any work from its Puget Sound facility, saying all the work in South Carolina will be new and that no union member has lost a job over the action. Since the decision to open the South Carolina plant, the attorneys general wrote, Boeing has actually added more than 2,000 union jobs in Washington state.

An administrative law judge in Seattle is set to hear the case next week.

The brief filed Thursday was also signed by attorneys general in Alabama, Arizona, Colorado, Florida, Georgia, Idaho, Kansas, Michigan, Nebraska, Oklahoma, South Dakota, Utah, Virginia and Wyoming. The brief points out that the attorneys represent both right-to-work and unionized states, although only two of the signers — Colorado and Michigan — fall into the latter category.

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