



News Release

ABC CRITICIZES NATIONAL LABOR BOARD FOR DISMISSING THREE CASES OF UNION INTIMIDATION

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WASHINGTON, D.C. – Associated Builders and Contractors (ABC) today criticized a Sept. 2 ruling by the Democrat-appointed majority of the National Labor Relations Board (NLRB) on the practice of union “bannering” at secondary employers’ business sites. In consolidated cases known as *United Brotherhood of Carpenters Local No. 1506* (Aug. 27, 2010), the NLRB determined in a 3-2 split decision that bannering is protected speech under federal labor law.

“Those who engage in bannering routinely use secondary pressure against neutral customers to coerce them into hiring only unionized contractors, regardless of merit. The NLRB failed to apply longstanding laws against secondary union activity that are supposed to prohibit confrontational union conduct aimed at neutral parties,” said 2010 ABC National Chairman Jim Elmer, founder and president of James W. Elmer Construction Co., Spokane, Wash. “The board’s action ignores the reality of the construction workplace and will no doubt embolden and encourage more unions to incorporate this practice into aggressive and irresponsible ‘corporate campaigns.’”

“For decades, the ranks of construction industry unions have been dwindling, which is reflected in the fact that today, only 15 percent of construction workers belong to a union,” Elmer said. “As ABC’s members know all too well, bannering is a desperate attempt to regain market share by unfairly targeting nonunion construction companies, regardless of the wishes of their employees, and seeking to drive these firms out of certain markets by coercing their neutral customers. With a current unemployment rate of 17 percent, there is simply no place for this disruptive and destructive practice in the construction industry.”

“At this time of economic challenges, it is unfortunate that the new pro-union appointees to the NLRB have chosen to turn the clock back 60 years, to a time when secondary boycotts threatened to paralyze the industry and stifle job growth,” said Elmer. “Regardless of the board’s decision, ABC members will not be deterred from their dedication to the merit shop philosophy of full and open competition, regardless of labor affiliation.”

Bannering, or the display of large signs often contain misleading claims at sites belonging to neutral parties or secondary employers, is a tactic used by unions across the country to threaten or coerce these firms into hiring unionized contractors.

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Associated Builders and Contractors (ABC) is a national association with 77 chapters representing 25,000 merit shop construction and construction-related firms with two million employees. To find out more about ABC, visit www.abc.org.