

Labor board probes charges local company blocking union

By Michael Reschke
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The National Labor Relations Board is investigating charges of unfair labor practices filed against Montaplast of North America.

The charges were made Wednesday by the International Association of Machinists and Aerospace Workers and some Montaplast employees.

"Montaplast has interfered with their employees' right to organize," IMAAW organizer Chris Bradley told The State Journal at the Fairfield Inn where a labor official was interviewing company employees about their allegations.

The Fairfield Inn on Versailles Road is near the Montaplast plant at 2011 Hoover Blvd. where 600 employees manufacture parts for the automotive industry, according to the 2005-06 community resource guide for Frankfort.

Any individual or union can file charges against a company, or vice-versa, with the National Labor Relations Board, said NLRB attorney Jon Duffey, the official who was doing the interviews at the Fairfield Inn.

"We are a neutral third party trying to ascertain what happened," Duffey said.

Duffey said his office, in Cincinnati, would decide whether to issue a complaint against Montaplast after the investigation, which can take four to five weeks.

If there's no settlement, an NLRB administrative law judge will hear it as quickly as one month or longer depending on the judge's schedule. That judge can then make a recommendation to an NLRB board of five members in Washington, D.C., who can decide to take the case to federal court, Duffey said.

"Most of the time the charged party will comply with the judge or board's recommendation," Duffey said. "The entire process can take a very long time, but there is tremendous variance."

Montaplast employee Phil Sego, who was also at the Fairfield Inn Wednesday, said he received a written warning from Montaplast officials stating, "Several of your co-workers

and at least two suppliers have complained to the company and requested relief from your aggressive union organization tactics."

Sego said he sat at a lunchroom table in July with three others, two of whom were suppliers, and the third, a Montaplast employee. He said he asked the three if he could talk about unions.

"The employee said he was interested and the suppliers said they didn't care," Sego said in an interview.

The warning also stated "your behavior last night was perceived by your co-workers to be a form of harassment and caused a hostile work environment."

Sego said he attempted to speak with other individuals in the lunchroom.

"If they said they weren't interested I said 'OK' and went on," Sego said. "No sense in pushing it if they're not interested."

Tim Ernst, Montaplast's director of human resources and training, said the company does not typically comment on pending litigation.

Ernst, however, told The State Journal Wednesday, "There's absolutely no merit to any of these charges and we expect to be fully vindicated."

Ernst, in a June interview with The State Journal, said Montaplast was opposed to the organization of a union. "We will fight the union by every legal means available," Ernst said at the time.

Former Montaplast employee Joseph Bennett, who was also at the Fairfield, said Montaplast held a mandatory meeting in which a company lawyer explained why employees should not sign union cards.

"He said if you signed a union card they could start taking money out of your paycheck immediately because they had your Social Security number," Bennett said. "Nowhere on the card says anything about your Social Security number."

Ernst, the human resources director, told The State Journal in the June interview, Montaplast had a campaign providing information to employees about what they could expect from a union and what a union stands for.

"There are things that we can do to inform our employees just as the union can pass out literature," Ernst said. "They can tell their side of the story just as we can tell ours. As far as details, I'd rather not be specific as to what we are doing. It's like a pro football team handing its playbook to the opponent."

Bennett, the former employee, said a human resources assistant asked him if he had been talking about unions.

"I told them I didn't know anything about unions," Bennett said. "That was true."

Bennett said he researched unions on the Internet after he was questioned by the human resources assistant.

"That's the reason I turned to be union in this because the company flipped out," Bennett said. "If they hadn't overreacted, I probably would have ignored it."

Bennett said things began changing for the better when Bradley, the union organizer, appeared.

"If they had been treating their people right all along, they wouldn't have us asking what we can do to bring in a union," Bennett said.