



Smithfield says Food Processors union defunct

[By Peter Frost](#)

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SMITHFIELD — Smithfield Foods Inc. is denying claims that it engaged in unfair labor practices with the union that represents workers at the company's soon-to-close South packing plant.

In a formal response to charges filed by the National Labor Relations Board, Smithfield asserts that the union — Food Processors Local 1046 — is defunct and no longer the bargaining unit for South Plant workers who will transfer to the adjacent North Plant.

Further, the company states, the union's "bad faith excuses any duty on the part of (Smithfield) to bargain.

"Smithfield's response comes after the labor board's decision to issue an official complaint against the company for engaging in a handful of unfair labor practices.

The board's charges stem from a 2 1/2 -month investigation into a series of charges filed by the union in the wake of the company's announcement that it would shutter the South Plant and transfer some of its 1,300 workers to other sites.

As part of Smithfield's plant closure plan, nearly 750 South Plant employees will be offered transfers to the North Plant, where workers are represented by the International Brotherhood of Teamsters. Some workers already have made the transition.

Smithfield originally proposed that the Food Processors join the Teamsters Local 822 with their seniority rights intact, an agreement the company worked with the Teamsters to craft. That proposal would have effectively eliminated the Food Processors union.

In the NLRB's complaint, the board alleged that Smithfield was wrong in bargaining with the Teamsters on behalf of the bulk of the Food Processors members who will transfer.

The board has argued that because a large number of the South Plant workers' jobs will not change as part of the transfer, they will "not lose their separate identity.

"But Smithfield stood by its original proposal in its response. The company "affirmatively states that employees relocating to the North Plant would be covered by a collective bargaining agreement between Teamsters Local 822 and Smithfield Packing Co.

"The dispute over that key factor of the case could lead to a showdown in court.

The case is scheduled to be heard Dec. 7 by an administrative law judge in Newport News, but company and union representatives have said they plan to continue efforts to reach an agreement before then.

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