

FOR IMMEDIATE RELEASE

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The National Labor Relations Board today confirmed a thorough determination by a federal Administrative Law Judge, Clifford Anderson, finding in May, 2010 that the Santa Barbara News-Press had bargained in bad faith with the collective bargaining representative of its newsroom employees, the Graphics Communications Conference of the International Brotherhood of Teamsters, since the day bargaining began, in November, 2007. The Board's decision, which also affirmed that the News-Press had committed many other unfair labor practices, adds yet more support for the notion that the News-Press is a major labor relations outlaw operating outside the ordinary constraints of reputable businesses in California, and indeed, the nation.

The finding of bad faith bargaining means that the News-Press feigned a sincere interest in bargaining, when in fact its conduct at and away from the bargaining table betrayed a disinterest in reaching a fair agreement, since it made and insisted on proposals that were intended to deny newsroom employees the voice in the workplace they voted for, and rejected the standard collective bargaining practice of having a neutral arbitrator determine whether the parties violated the contract; Ampersand insisted instead on being able to change wages and other economic terms even during the duration of the contract, and on having the last word on management's potential violations, demanding that they be decided by co-publishers Wendy McCaw and Arthur von Wiesenberger. As the Board put it, "[Ampersand's bad faith bargaining was . . . aggravated, . . . and its proposals were so extreme that they would leave employees and the Union with fewer rights and protections than they would have without any contract at all."

In addition to the bad faith bargaining finding, the NLRB found that the News-Press violated federal labor law by, among other violations:

- Scott Steepleton terminating bargaining committee member Dennis Moran based on trumped-charges;
- Using temporary employees to undermine the newsroom bargaining unit;
- Failing to give annual merit raises to newsroom workers as it had done in every year until the union won an NLRB election;
- Encouraging employees not to cooperate with NLRB investigations of its wrongdoing;
- Don Katich unilaterally announcing a change in productivity standards for the newsroom;
- Katich warning employees not to share information about employment conditions and the content of internal employee meetings with non-SBNP employees;
- Laying off writer Richard Mineards;

Once again – for the third time – the NLRB has found News-Press management witness Scott Steepleton to be not credible; in this case he literally fabricated conversations with employees that did not happen at all.

As remedies for the unfair labor practices, the Board ordered the News-Press to:

- Cease and desist its bad faith bargaining;

- Pay the union's costs of bargaining, since the News-Press' bad faith bargaining forced the union to waste considerable time and resources in trying to engage the News-Press at the table;
- Reinstatement and make Dennis Moran and Richard Mineards whole for all lost wages and benefits;
- Extend the bargaining certification year by an additional 12 months;
- Reinstatement of annual merit pay practice and policy;
- Have a high company official read, or attend the reading to employees of, a Board Remedial Notice.

Indeed, the Board declared that Ampersand has "demonstrated its proclivity to violate the Act", noting that this is the second time within a short period in which the News-Press committed numerous serious violations against the same unit of newsroom employees.

"We are pleased and vindicated by this outcome, which was a long time in coming," said Nick Caruso, the union's chief negotiator. "We have not really had a genuine give and take at the table in nearly five years, and it has been extremely frustrating. We hope that this decision will give the News-Press reason to pause and reconsider its rigid anti-union bad faith stance, and finally begin a process that will lead to fairness and a more democratic workplace."

"It has been a long, hard road for these employees," echoed lead organizer Marty Keegan, "and they have endured a difficult time just because they wanted to have a more equitable experience to look forward to when they performed their newsroom work. We hope the intransigence we've protested for all these years will finally come to an end now. We are prepared to continue the fight, however, if that is still what's needed", he added.

In a separate related decision, the NLRB also found that the News-Press, through its lawyers representing it before Judge Anderson, had violated the NLRA by issuing subpoenas to employees seeking their affidavits provided to the NLRB General Counsel in confidence.