

Subcommittee on Health, Employment, Labor, and Pensions

“Worker-Management Relations: Examining the Need to Modernize
Federal Labor Law”

April 26, 2018

Testimony of Tommy Jackson

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Workforce Ed subcommittee HELP Chairman Tim Walberg

Chairman Walberg members of the committee thank you for allowing me a few minutes to tell my story one of which is ongoing, it is my hope this testimony will bring awareness to a flawed system. My story will show the need to change labor laws to benefit employees and not special interests. Today we are here to talk about how we can improve our current labor system and insure union's are accountable to the employees they say they represent. All of you have been voted by your constituents to represent them here. Every two years they decide how you are doing in an election and if you satisfy them you come back. I am asking that labor unions be held to the same standard by making them have recertification elections. There should not be this ridiculous process that make it nearly impossible to bring an election. It should be automatic, like yours. It is further my hope that my testimony here today

will call attention to the injustice that I and my co-workers are enduring at the hands of the National Labor Relations Board Region 19.

My name is Tommy Jackson and for the last 14 years I have been a truck driver for Selland Auto Transport. We specialize in moving new cars from the west coast ports to market. On December 20, 2014 by a very narrow margin the Teamsters were voted in to represent us. After a year and a half we became disillusioned with Teamsters and began the process to bring forward a decertification election. This is not an easy process, because its against the law for the company help us and the Teamsters say we would be in violation of their constitution.¹ Remember as truck drivers we don't really congregate in one place and the National Labor Relations Board requires a 30% minimum of my fellow drivers signatures as a showing of interest.

Even still we got the required signatures and filed for a decertification election on March 2, 2016. That was more than two years ago. The reasons for the delay, starting that very same day March 2, 2016 the Teamster's began filing Unfair Labor Practices or ULP commonly known as "Blocking Charges. By filing these blocking charges the Teamster's can

¹ Teamsters Constitution

delay an election indefinitely. Which is contrary to a representational election where a union is trying to represent an employee group. I think they call those Ambush Elections as they take place on average 24 days after the petition is filed. It's like the National Labor Relation Board is set up to force unions onto employees, but not to let the same employees get the unions out.

Case in point going back to the blocking charges the National Labor Relations Board Region 19 has jurisdiction of our case. The Director of that region Ronald Hooks continually allows the union to rehash old blocking charges or file new ones that have no merit. We have sent the region multiple letters begging the National Labor Relations Board to give us our election.²

Chairman Walberg and committee members did you know that as Region 19 processes the Blocking Charges that they hear the unions arguments and they hear from the company. However, the region will not hear me who is the actual petitioner for this decertification as the board says I am not a recognized party therefore, I have no standing, me the petitioner, the one that took the risk.

Furthermore, these delays are allowing the union to wage a campaign

² Region 19 Letter

designed to browbeat my company into submission. The Teamsters called a one day strike on November 21, 2016, that in turn resulted in my company losing its largest contract in California, Honda. I think it is the Teamsters goal to put my company out of business.

It is my understanding that this committee is considering legislation that requires unions to have recertification elections. That would mean that unions would actually have to do their jobs and represent the real employees instead of looking out for their own interests. Because if they don't we would simply vote them out. Considering the runaround my company and colleagues have endured an automatic election sounds like the American way to me.

Thank you again to the committee for inviting me here to tell my story. I look forward to answering any questions you may have.