

What Can YOU Do?

1. Immediately contact your contractor and ABC (if you are a member) when you receive a letter or if banner-ing begins at any of your facilities.

2. Get copies of leaflets and document the banners and activity with photos.

3. If union representatives trespass on private prop-erty, or if the activity im-pedes your access or egress or becomes a public nuisance, call the police to handle the situation.

4. If you wish, your contrac-tor can distribute leaflets at your properties explaining this union tactic.

5. In one case, an owner met with customers and stakeholders and the re-sponse was outstanding. The owner received over-whelming support for their choice of an ABC member contractor.

6. If you are an ABC mem-ber, ABC can help you ex-plore filing a charge with the National Labor Rela-tions Board (NLRB).

Who is ABC?

- ABC is a national organization that advances the principles of free enterprise and merit in the construction industry.
- ABC provides members and their employees with opportunities to succeed by promoting safe, quality, and sustainable construction.
- ABC provides this information in order to pre-pare you should your business be targeted by the union's bannering campaign.
- We hope that, as business owners, you will consider the potentially costly consequences of submitting to union demands.



New Mexico Chapter

Associated Builders and
Contractors

2821 Broadway Blvd NE
Albuquerque, NM 87107

Phone: 505.830.4222
Fax: 505.830.1422



New Mexico Chapter

DEALING with UNION BANNERING

A Guide
from Associated
Builders and
Contractors

The Issue

Business owners working with ABC members who have chosen to be merit shop contractors, are being targeted by unions. In particular, union activity has been orchestrated by the SW Regional Council of Carpenters in Los Angeles for Carpenters Local 1319.

ABC of New Mexico strongly advocates the Merit Shop philosophy which emphasizes construction projects are awarded to the lowest bidder, based solely on merit, regardless of union affiliation.

Because unions have been unsuccessful in organizing merit shop construction employees and employers, the unions have chosen to go directly to the owners and try to manipulate their choice of contractors.

The Carpenters Union bannering campaign claims that merit contractors don't pay "area standard wages" and accuses them of breaking the law. Their claims are not based on fact and are designed to eliminate competition and recover work for union members.

Our goal is to educate owners about the tactics being used, clarify owners' rights and offer suggestions on how to deal with this current activity.



The Tactics

1. The union sends letters to construction project owners and other parties stating that they are in a "Labor dispute" with a merit contractor or subcontractor requesting that the owner use its "managerial discretion" to rectify the situation.
2. If the owner continues to work with the contractor, the union threatens it may begin an "aggressive and highly visible lawful bannering display, distribution of handbills...picketing and demonstrations activity."
3. Banners with "Labor Dispute. Shame on (owner's name) may be displayed at any of the owner's facilities.
4. The union may also ask that the owner sign a letter saying it will not work with the contractor again until the alleged labor dispute is resolved.
5. The NLRB has yet to make a decision about the legality of bannering; however, it is illegal for the people holding the banners to trespass on private property or to block access or egress to a business.
6. It has been alleged that some of the protestors are actually NOT union employees.



The Facts

- The area standard wages dispute is untrue-*merit workers are paid as well, if not better than union workers*. If they weren't, they would join the union!
- Unions have experienced a significant decline in their membership. The US Dept. of Labor's Bureau of Labor Statistics 2009 figures show that unions represent a low 14.5% of the private construction workforce.
- Unions are desperate to gain market share and membership so they are pushing the Employee Free Choice Act, which will rob workers of the fundamental right to a private ballot election when deciding whether to unionize.
- If you give in to this tactic, your costs are likely to increase, due to less competition.
- Several companies have mailed letters to the Carpenters Union requesting documentation to support their labor dispute allegations without any reply.

