

FOR IMMEDIATE RELEASE

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ACLU OF KANSAS RETALIATES AGAINST WORKERS, FORCES LEAVE OF UNION CHAIR

- ACLU of Kansas has forced leave of one of its employees, who is the elected unit chair of the unionized workers, immediately before the first union contract negotiations are to begin.
- The workers and union, United Media Guild, Local 36047, stand united with the unit chair in asserting that this is retaliation against the employee's role in union organizing and there has been no wrong-doing from the suspended worker.
- Since the workers requested union recognition on June 12, the ACLU of Kansas has engaged in a ruthless union busting campaign which has included challenging the workers' federal right to unionize, misclassifying half the workforce as management with the goal of excluding them from the union, and failing to negotiate- which is currently being investigated as an unfair labor practice section 7 violation by the National Labor Relations Board.

KANSAS CITY, KAN. - The ACLU of Kansas is engaging in an unprecedented union busting campaign against their workers, who recently won union recognition with unanimous worker support. Most recently, the ACLU of Kansas Executive Director, Nadine Johnson, and its Board of Directors have suspended one of their workers - the same worker who was elected by their peers as the staff union representative, also known as the "unit chair." The workers assert that this suspension is unfounded and solely an act of worker intimidation. This targeted retaliation is just the newest tactic in ACLU management's anti-union campaign.

The ACLU of Kansas' workers requested voluntary union recognition from Executive Director, Nadine Johnson, on June 12, which she denied. Johnson instead hired notorious union busting legal giant, Ogletree Deakins, as the organization's representative. When the workers filed for an election with the National Labor Relations Board, management denied their federal right to unionize. While representing the ACLU of Kansas, Ogletree Deakins filed an unprecedented jurisdictional challenge which claimed that since the ACLU of Kansas only operates in Kansas, their workers weren't protected under the National Labor Relations Act in unionizing. After public pressure, the ACLU of Kansas dropped this challenge and fired Ogletree Deakins. When the ACLU hired their current legal representative, Jeffrey Hirsch of Boston,

they continued fighting unionization by incorrectly classifying half of the workers as “management.” If the Trump administration’s NLRB agreed, these workers would have been deemed ineligible for union representation. The day before the NLRB representation hearing and after thousands of dollars in legal fees were spent on the baseless and dangerous challenge, the ACLU dropped this challenge and agreed to union recognition via card check. Every single ACLU worker voted to unionize - predominantly due to the toxic work environment created and perpetuated over the last year under the direction of Nadine Johnson.

Shortly after union recognition, ACLU management initiated a “performance improvement plan” which threatened termination for one worker (an elected steward). Management refused to bargain over this plan, despite the fact that disciplinary procedure is a mandatory subject of bargaining. The union filed an unfair labor practice with the National Labor Relations Board (NLRB) to protect ACLU employees from such a blatant violation of labor law. This matter is currently being investigated by the NLRB as a Section 7 violation of the National Labor Relations Act (NLRA).

The unionized workers remained anonymous due to fear of retaliation until after union recognition and elections. Since the workers have shared their union leadership roles with ACLU management, targeted individual retaliation has occurred against those who were elected to office. The unit chair has been in discussions with management to defend her fellow workers from this retaliation until she herself became the victim of false accusations from ACLU management last week. Their United Media Guild Representative, Shannon Duffy, finds this suspension an especially egregious action, even amidst the events of the past several months.

“I am amazed and appalled that an organization with a reputation for protecting people’s constitutional rights and free speech is attempting to suppress workers’ rights and deliberately misrepresenting the truth in order to harass elected union leaders in their workplace. The hypocrisy is staggering,” said Duffy, who has represented workers at UMG for 15 years.

While initial anti-union actions appeared to be based on naivety, it is now clear that ACLU Executive Director, Nadine Johnson, is intent on using any tactic imaginable to undermine her workers’ rights to dignity and respect, and in doing so undermine civil rights in the state of Kansas.

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The NewsGuild-CWA represents more than 20,000 journalists and other workers in the United States, Canada and Puerto Rico at social justice organizations and publications and digital sites that include The New York Times, The Washington Post, Chicago Tribune, Chicago Sun-Times, The Los Angeles Times and Consumer Reports. Formerly known as The Newspaper Guild, the union was founded by journalists in 1933. The Guild merged with the 700,000-member Communications Workers of America in 1995.