

UNITED STATES OF AMERICA  
NATIONAL LABOR RELATIONS BOARD  
**CHARGE AGAINST LABOR ORGANIZATION  
OR ITS AGENTS**

FORM EXEMPT UNDER 44 U.S.C. 3612

2nd Amended

DO NOT WRITE IN THIS SPACE	
Case 19-CB-212192	Date Filed: 12-22-2017 1st Amd: 2-13-2018 2nd Amd: 2-21-2018

INSTRUCTIONS: File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. LABOR ORGANIZATION OR ITS AGENTS AGAINST WHICH CHARGE IS BROUGHT			
a. Name  ILWU Local 23		b. Union Representative to contact  Dean McGrath	
c. Address (Street, city, state, and ZIP code)  1306 Alexander Avenue East, Fife, WA 98424		d. Tel. No. 253 272-6600	e. Cell No.
		f. Fax No. 253 383-6812	g. e-Mail
h. The above-named organization(s) or its agents has (have) engaged in and is (are) engaging in unfair labor practices within the meaning of section 8(b), subsection(s) (list subsections) 1(A) and (2) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since about September 2017, the above-named labor organization has restrained and coerced employees in the exercise of rights protected by Section 7 of the Act, by operating a hiring hall in a manner that was arbitrary, discriminatory or in bad faith by issuing a probationary warning letter then later deregistering employee Toby Jackson.  Local 23 is arguably in violation of the 2-6-2018 letter from the GC regarding 19-CB-198325, in that the Union failed to adequately notify employees about the specific nature of the complaint filed against them, in letters citing them to appear before the JPLRC.  Local 23 representatives refused to accept Toby's medical excuses for arbitrary reasons and refused to allow him to correct deficiencies, once they were identified.  Local 23 also refused to provide requested JPLRC Minutes in accordance with past Settlement Agreement reached in Case 19-CB-9269. (See 19-CB-175084 Decision dated 2-9-2018)			
3. Name of Employer  Pacific Maritime Association		4a. Tel. No. 208 298-3434	b. Cell No.
		c. Fax No. 208 298-3489	d. e-Mail
5. Location of plant involved (street, city, state and ZIP code)  301 West Republican, Seattle, WA 98119		6. Employer representative to contact  Doug Stearns	
7. Type of establishment (factory, mine, wholesaler, etc.) Employer Agent	8. Identify principal product or service Longshore Labor	9. Number of workers employed 1000+	
10. Full name of party filing charge. Jim Tessler	11a. Tel. No. 206 351-2742	b. Cell No.	
	c. Fax No. 206 257-4057	d. e-Mail laborrelations@comcast.net	
11. Address of party filing charge (street, city, state and ZIP code.) [REDACTED]			
12. DECLARATION I declare that I have read the above charge and that the statements therein are true to the best of my knowledge and belief. By <u>[Signature]</u> Labor Consultant (signature of representative or person making charge) (Print type name and title or office, if any)  Address <u>[REDACTED]</u> (date) 2-21-2018		Tel. No. 206 351-2742 Cell No. Fax No. 206 257-4057 e-Mail laborrelations@comcast.net	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.