

U.S. judge says Starbucks must offer to rehire fired activists

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Starbucks Corp. has to offer reinstatement to seven fired pro-union employees in Memphis, Tennessee, and must not retaliate against employees who support union organizing, a federal judge ruled.

New York, August 19 (RHC)-- Starbucks Corp. has to offer reinstatement to seven fired pro-union employees in Memphis, Tennessee, and must not retaliate against employees who support union organizing, a federal judge ruled.

The firings appear to be illegal in light of evidence the company acted in a discriminatory manner, U.S. District Judge Sheryl Lipman said in an order Thursday.

The decision is a victory for the National Labor Relations Board, the NLRB, which has been confronting a crackdown by Starbucks on a nationwide unionization push by its workers. Starbucks, which didn't immediately respond to an inquiry, has denied wrongdoing.

"A partner's right to organize does not exempt them from adhering to our policies," spokesperson Reggie Borges said in May when the NLRB took the company to court. The company has said that the Memphis employees weren't punished for their involvement with the union or for talking to the media, but rather because they let off-duty staff and non-employees, including reporters, into their store when it was closed, and violated numerous safety rules.

Since being fired, the workers who call themselves the "Memphis Seven" have taken part in local protests and in Starbucks' Seattle hometown, spoken at the South By Southwest festival, and met with lawmakers.

"We're beyond thankful the federal court ruled in our favor, and this just goes to show that Starbucks will do everything in their power to silence us," Nabretta Hardin, one of the fired pro-union employees in Memphis.

U.S. labor law prohibits companies from retaliating against workers for taking collective action to improve their working conditions, including union organizing. But the labor board, which prosecutes alleged violations of that law, has no authority to make companies pay punitive damages. Disputes over alleged retaliatory firings can drag on for years, hampering organizing efforts even if the employee eventually prevails.

NLRB regional offices investigate claims. If they find merit in the claims and can't reach a settlement, the offices issue complaints which are then considered by agency judges. The judges' rulings can be appealed to NLRB members in Washington and from there to federal court. The NLRB's top prosecutor in the Biden administration, General Counsel Jennifer Abruzzo, has said she plans to "aggressively" seek federal court injunctions to get wrongly fired employees back to work more quickly.

Abruzzo called Thursday's ruling a "crucial step" in protecting employee rights. "Starbucks, and other employers, should take note that the NLRB will continue to vigorously protect workers' right to organize without interference from their employer," she said in an e-mailed statement.

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