



Michigan Carpenters' Union Constructing a Fake Dispute

By KEN BRAUN | Feb. 2, 2011

As commonly understood, an American labor dispute is a rather simple matter: Employees demanding a change in their pay or working conditions walk off the job and begin to publicly demonstrate against their employer. But the Michigan Regional Council of Carpenters is no longer playing by these rules. Since last summer, the union has been organizing demonstrations against an employer that MRCC members do not work for — supposedly on behalf of construction workers that the union does not represent — and using demonstrators who are not employees of the company being targeted. Indeed, the demonstrators are frequently not MRCC members either, nor even construction workers at all.



Welcome to “bannering,” a new method being deployed by Big Labor bosses who wish to continue exerting their influence over a marketplace where employers, customers and workers have turned sharply against using union labor.

The employer being targeted is Ritsema Associates, a construction contractor headquartered in Grandville, near Grand Rapids. On July 13, MRCC sent a letter to Ritsema Associates, wherein the union claimed that it had done an “investigation” and concluded that the contractor was paying “substandard wages and fringe benefits,” and that this was “undermining the fair construction wage and benefits standards established by the Michigan Regional Council of Carpenters.” The letter makes no mention of how the investigation was conducted, who was spoken to or what documentation supported its claims.

It is also unclear why the union should be considered an authority regarding what the proper compensation should be for construction workers in the region.

The MRCC letter concludes by presenting Ritsema Associates — whose 120 employees are not MRCC members — with two alternatives:

1. Allow the union to examine Ritsema Associates' private payroll data within seven days; or
2. After that point, Ritsema Associates will be considered by the MRCC to be paying “substandard wages and benefits.”

Ritsema Associates declined to turn over its payroll information, and two weeks later more than a dozen of its customers received a “Notice of Labor Dispute” from the MRCC. The notice makes no attempt to claim that there is any dispute between Ritsema Associates and its employees, nor that MRCC is acting directly on behalf of any actual employees of Ritsema Associates. Instead, customers of Ritsema Associates were informed that the company and the MRCC are in a “dispute” because of the MRCC’s “solid commitment” to “protect and preserve area standard

wages.”

“[W]e are asking that you use your managerial discretion to not allow these non area standard contractors to perform any work on any of your projects unless and until they generally meet area labor standards for all their carpentry craft work,” reads the MRCC notice.

Because the MRCC was not alleging to speak for the workers of Ritsema Associates, this effectively means that the carpenters' union is trying to get customers seeking carpentry work to kick carpenters off of jobsites. And while this was couched as a request from the MRCC, the union also informed the customers that there would be consequences if they continued using the employees of Ritsema Associates.

“We want you to be aware that our new and aggressive public information campaign against this company will unfortunately impact all parties associated with projects where they are employed,” the notice warns. The impact is defined as “highly visible” banner displays and “distribution of handbills” at the jobsites of Ritsema Associates' customers.

Shortly thereafter, large banner displays manned by teams of demonstrators did begin to appear outside of several jobsites where employees of Ritsema Associates were working in downtown Grand Rapids, including hospitals and Van Andel Arena. (In some locations, roving lines of demonstrators holding picket signs have also been used.)

A banner being held outside Van Andel Arena during January said “Shame on Van Andel” in bold red letters. The letters were each more than a foot high. And in smaller font, the phrase “Labor Dispute” was noted on either side.

When asked, the banner holders denied being employed by Ritsema Associates, or Van Andel Arena, or any of the other contractors on the jobsite. They said they were not carpenters, and that they were not even members of the MRCC. Despite being the public face of this “new and aggressive public information campaign” by the MRCC, they would say only that they had been hired by the MRCC to “hold the banner.” They would not reveal how much they had been paid to do this, but one revealed that it was better than his previous wage, which he said was “nothing.”

Those asking them about the nature of the so-called “labor dispute,” were handed a flyer from the MRCC. It depicts a rat chewing on an American flag, and is titled, “Shame on Van Andel Arena for Desecration of the American Way of Life.” As with the correspondence leading up to the demonstrations, the text of the flyer repeats the allegation regarding Ritsema Associates' alleged failure to pay “area standard wages,” and makes no effort to assert that any actual workers of Ritsema Associates are involved.

Nonetheless, the flyer provides a phone number and encourages the public to call Van Andel Arena and complain about Ritsema Associates workers on the arena's property.

“That they say they have a dispute with me is a bald-faced lie,” said Bill Ritsema, president of Ritsema Associates, who says he has never spoken with anyone from the MRCC.

“A labor dispute suggests that there are employees who have a grievance against their employer,” said Chris Fisher, president of the Associated Builders and Contractors of Michigan. “There's no such example in this. There's not a single employee of any company that's involved in this quote-unquote labor dispute. The only dispute is a refusal of companies to hand over their payroll data to an outside entity [the MRCC].”

ABC is a trade industry group representing Michigan's merit shop, or non-union contractors.

“They are hired guns,” said Fisher, referring to the demonstrators. “They're hired protesters and who knows if they even make a standard wage.”

He also notes that the whole concept of the MRCC claiming to be the enforcer for the "area standard wage" is absurd because unionized construction workers are such a small (albeit very vocal) portion of the construction trade.

Nationwide, unions now account for just 13.7 percent of the construction workforce, according to a recent news release from the U.S. Bureau of Labor Statistics. Fisher also references a recent report from UnionStats.com showing that unionized construction workers account for just 21.7 percent of Michigan's construction workforce. (UnionStats.com is the work of researchers Barry Hirsh of Georgia State University and David Macpherson of Trinity University.)

"They tell them [contractors such as Ritsema] that they are guilty until proven innocent without any basis of guilt," says Fisher.

"Legally, there is nothing I can do except employ the same tactics," says Ritsema, when questioned about how he is handling the accusations. "That would just escalate [the situation]."

Instead, he has been setting up meetings with his customers to reassure them. He believes that at least one customer has stopped using his employees in order to make the MRCC demonstrations stop.

Ritsema Associates was founded in 1955, and its current president says the employees have never attempted to form a union.

"We have very low turnover," says Ritsema of his staff. "We have a great group."

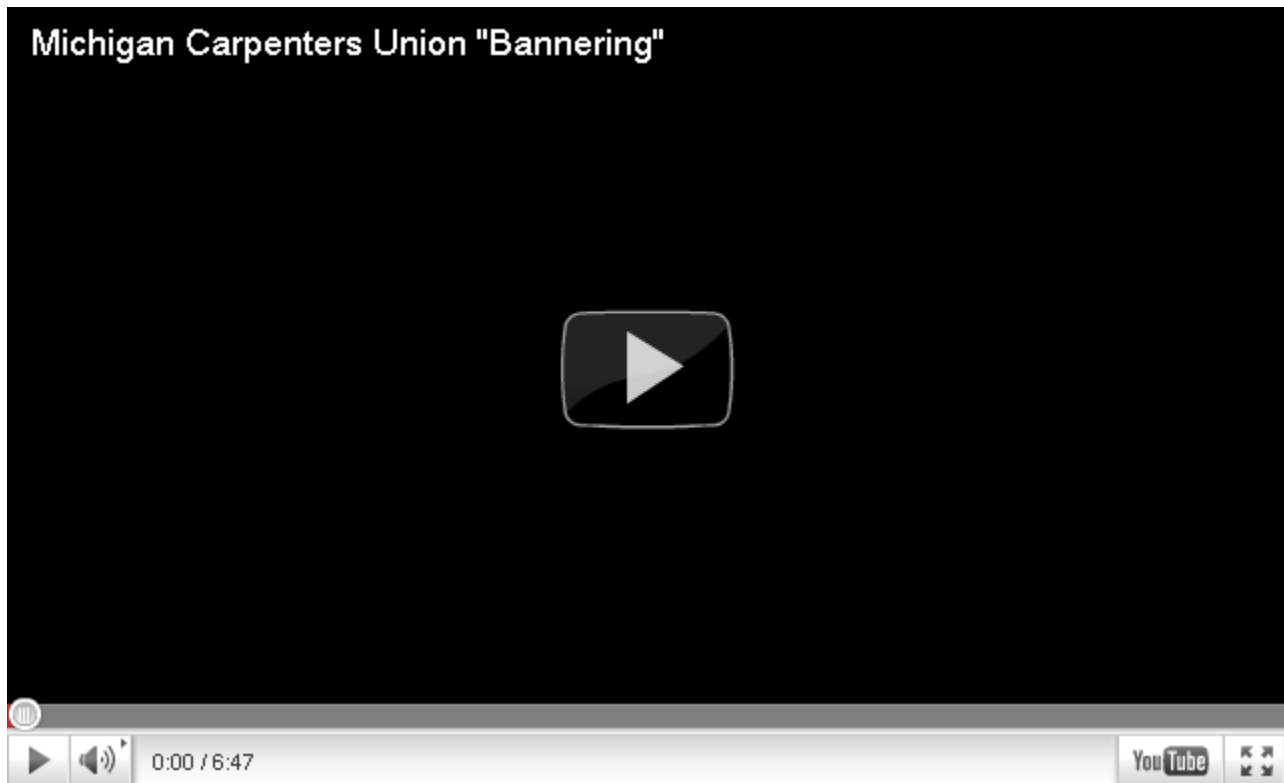
Though the MRCC provides no documentation for their allegations against his company, and has not demonstrated an ability to speak for any of his employees, Ritsema believes he may have a clue as to what their real "dispute" may be with him. Ritsema Associates now has four offices, three in Michigan and one in Indiana. Last year, they submitted a bid on a job in Indiana, and he believes this bid threatened to take even more work away from the already shrinking union market share.

"They were upset because we were bidding against work that they considered their bailiwick."

It was after this that the letter accusing him of violating standard wages arrived.

Fisher accuses the MRCC of "threatening good companies whose employees are happy to be there," and says that the specific campaign against Ritsema Associates is "one of the most disingenuous and blatantly fabricated campaigns we've ever seen."

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