



PAID ADVERTISEMENT

June 12, 2009

The Executive Committee of the Associated General Contractors-New Mexico Building Branch, has issued the following statement with respect to the tactics used by the Southwest Regional Council of Carpenters during a public demonstration against a building contractor (Lone Sun Builders, Inc.) on Wednesday, June 3 and Thursday, June 4 at a construction site at the Hotel St. Francis in Santa Fe.

The 200-member association represents general contractors and specialty contractors who perform a majority of the commercial and institutional building construction in New Mexico. Within AGC's membership are union-signatory and open shop contractors. The chapter provides employee relations services for both.

"AGC-New Mexico Building Branch recognizes the right of employees to seek recognition by a union when they believe that the terms and conditions of their employment do not meet acceptable standards.

"When the employees of an employer (who is targeted by the union as being "unfair") are not seeking such recognition through a legal election through the National Labor Relations Board, the question is raised as to why the union is targeting the employer through signs, placards, banners, demonstrations, and letters to customers urging them not to use that contractor.

"Employees' right to seek union recognition is protected by law. The law further requires employers not to retaliate against employees for engaging in union activities, which activities include seeking union recognition.

"Given these requirements why would the union choose to target an employer whose employees are not seeking to recognize the union through the proper channels? This is particularly disturbing when that employer has a reputation of treating his employees well and holds a position of respect in the construction profession and community.

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"A possible explanation is that the union wishes to expand its market share through changing customer attitudes and creating a negative-media event for Lone Sun Builders, Inc. If every competing interest in the free market chose to expand its share of the market by publicly disparaging its competition, harassing its customers and negatively affecting surrounding businesses instead of competing to provide the best product at the best price, the principles of free enterprise and quality, which built this country, would be severely compromised.

"A public demonstration where signs, placards, and shouting of broad accusations against an employer is conducted goes beyond the available remedies which employees can use by law if, in fact, there is evidence of unfair treatment and that is presented. Such public demonstrations are also disruptive and, by their nature intimidating to members of the public and patrons of local businesses who are not involved in the demonstration, but are affected (perhaps irrevocably) by the event.

"There are more civil and effective ways to settle any differences between labor and management other than outright demonstrations which tend to debase the whole construction profession, without the opportunity for the employer being targeted to prove it pays living wages, provides an employee benefit program, which includes health insurance and pension, and has an outstanding jobsite safety record.

"In the interests of preserving harmony in the construction industry and protecting the integrity of both employers and employees, AGC-New Mexico Building Branch, requests that all parties cease unfair picketing, bannering, placarding, demonstrating, and other disparaging methods of communication which will only result in impugning the reputations of employers who respect the interests and needs of their employees."

Signed



Vicki Mora,

Chief Executive Officer

Associated General Contractors-NM Building Branch

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