

NLRB backs union charges in immigration interpreter organizing drive



Pacific Media Workers Guild — April 27, 2017

SAN FRANCISCO — After a lengthy investigation into more than a dozen charges of anti-union activity, the National Labor Relations Board is preparing to issue a formal complaint against SOS International, a federal contractor that provides language-interpreting services for the immigration courts, The NewsGuild-Communications Workers of America announced today.

The NLRB's Los Angeles region said it will issue the unfair labor practice complaint in early May. The board is expected to demand full reinstatement with back pay for several of the interpreters SOSi targeted for retaliation during the early stages of an organizing campaign.

SOSi workers continue their organizing effort with support from the Pacific Media Workers Guild, Local 39521 of TNG-CWA. Hundreds of immigration interpreters may be eligible to collectively bargain their own terms and conditions if the campaign succeeds.



Hilda Estrada is a Spanish interpreter in the immigration courts.

Hilda Estrada, a Los Angeles-based Spanish interpreter, said the complaint validates the right of workers to organize. “Nothing feels more patriotic than to collectively seek workplace improvements and win,” she said.



Ismail Charania is a languages of India and Pakistan interpreter.

Ismail Charania, an Atlanta-based interpreter of languages of India and Pakistan said: “This long struggle of ours for immigration interpreters has brought justifiable results through the help from CWA. I’m ecstatic that we have finally won the first step to be treated as employees.”

“This company’s strategy of using reprisals against its own talented workforce to deny them their legal rights has been one of the worst we’ve seen, and it’s particularly offensive for a federal contractor in the justice system,” Local 39521 executive officer Carl Hall said. “And guess what? We fought back and proved this kind of anti-union strategy doesn’t succeed when working people stand together.”

The NLRB agreed with the union’s fundamental theory that SOSi had misclassified the interpreters as “independent contractors” in order to deprive them of their labor rights. SOSi even tried to block the workers it fired from receiving unemployment benefits, although California officials saw through that ruse.

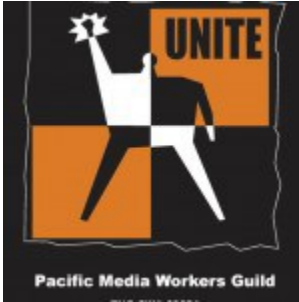
The misclassification was itself an unfair labor practice, the NLRB’s LA region determined, having first consulted with the agency’s own legal staff in Washington, D.C.

Union attorneys said that this finding is a development with wide implications for the labor movement. Employers in many industries have been misusing freelancers and other non-employee contractors to avoid the cost of hiring regular workers.

Other violations by SOSi management include improper interrogation of employees about their organizing activities, surveillance of union activists, threats of legal action, cancellation or threats of cancelling work assignments, and rules against union communications and other activities in support of organizing.

The NLRB in Los Angeles is expected to issue the formal complaint documents as early as May 8, when a hearing will be scheduled. It will then be up to the company to decide whether to change its ways or continue to fight its employees through legal appeals.

The Pacific Media Workers Guild and TNG-CWA made it clear the union will not let up until justice is served and the individuals who suffered the discrimination get their pay and jobs restored.



Pacific Media Workers Guild

We are the Pacific Media Workers Guild, Local 39521 of The Newspaper Guild-Communications Workers of America. We represent more than 1,200 journalists and other media workers, interpreters, translators, union staffs and freelancers.

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