

February 2020

## Update on Labor Board Proceedings on the Union Vote at Kumho

Following the union election on September 5-6, 2019, there were 141 votes for the union, 137 against and 13 challenged ballots that have not been opened. A Hearing Officer was assigned by the National Labor Relations Board (NLRB) to investigate the challenged ballots and determine if they should be counted.

### Union Successful in Challenging Ballots

- On Dec. 30, the Hearing Officer issued her decision denying all of Kumho's challenges and upholding several of the union's challenges.
- If the company had chosen to abide by the initial decision, then the final votes would have been counted already.
- Unfortunately, Kumho management decided to appeal the Hearing Officer's decision.

### Kumho Appeals Decision

- On Jan. 15, both Kumho and the union filed exceptions to the Hearing Officer's decision.
- The union decided to appeal certain parts of the decision once it became clear that Kumho was going to delay the vote count by extending the legal process.

### Waiting on NLRB Regional Director Decision

- **Now, the Regional Director of Region 10 of the NLRB is reviewing the case and will issue their own decision.**
- Once that decision is issued, it is likely that the company will appeal again. At that point, the decision will go to the full National Labor Relations Board for review. The USW is preparing for all possible scenarios.

### The Union Fighting Back at Every Step

The company is using every delay tactic available to try to slow down the union and intimidate workers. We are fighting back at every step and working to build our union. Look for info on upcoming union training opportunities.