

THE LABOR BEACON

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NLRB: STRIKE GUIDELINES CHALLENGE



Jennifer Abruzzo

In a surprising move, National Labor Relations Board General Counsel Jennifer Abruzzo took to Twitter and posted a thread of tweets discussing National Labor Relations Act Sec. 13. Why is that section important? And why does it matter that Abruzzo wants to look at it? A controversial Supreme Court decision, *NLRB v. Mackay*, has clashed with that section since 1938 and allowed for permanent replacement of striking workers by scabs in strikes.

That decision was poorly constructed and decided in the first place, but it allows employers the right to permanently replace strikers through the hiring of scabs. The National Labor Relations Act very clearly states, "Nothing in this Act...shall be construed so as either to interfere with or impede or diminish in any way the right to strike, or to affect the limitations or qualifications on that right."

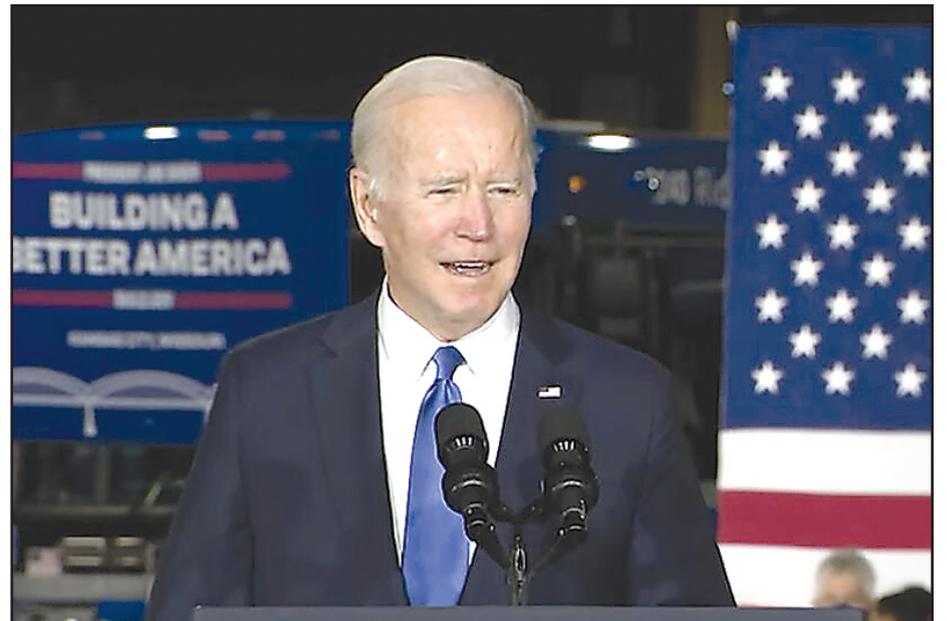
The Supreme Court decision in *Mackay* itself upheld the right to strike, but the judge who wrote the majority decision included entirely unneeded protections for businesses. That judge, Justice Owen Roberts, wrote that a boss can allow scabs to continue their positions after a strike

See *NLRB* Page 13

BIDEN VISITS KC WITH FOCUS ON UNIONS

President Biden visited Kansas City, Missouri December 8th, to promote the massive bipartisan infrastructure bill he signed into law in November. The bill is easily the largest investment into the nation's sprawling infrastructure in decades and is sure to be a massive boom for union workers. President Biden tweeted, "I'm on my way to Missouri to lay out how the Bipartisan Infrastructure Law will transform our nation's infrastructure and create good-paying, union jobs."

The president visited the Kansas City Area Transport Authority to provide infrastructure remarks, stating, "It will drive the creation of good-paying union jobs and grow the economy sustainably and equitably so that everyone gets ahead for decades to come. Combined with the Build Back Framework, it will add on average 1.5 million jobs per year for the next 10 years."



Union members and leaders were on hand listening intently as President Biden spoke. "This bill is a blue collar blueprint for working Americans,

95% of the jobs created in the infrastructure bill don't require a college education.." Biden declared.

PHONY 'RIGHT-TO-WORK' (FOR LESS) BALLOT WORDING REJECTED BY JUDGE

New anti-worker group wants to circulate petitions to get RTW into Missouri's constitution, defying the will of voters

An effort to put the phony so-called "right-to-work" (for less) issue into the Missouri Constitution in a future election received a setback in a court ruling last week.

A new anti-worker right-wing group from Washington, D.C, the Liberty Alliance, wants to come into Missouri to circulate an initiative petition to get enough voter signatures to put an RTW issue on a future ballot as an amendment to the Missouri Constitution. A Cole County judge rejected Republican Secretary of State Jay Ashcroft proposed wording for that ballot as "insufficient"



Missouri voters overwhelmingly defeated "right-to-work" (for less) by 67 percent in 2018. Proponents of the anti-worker, anti-union law are trying to sneak it through now as an amendment to the Missouri Constitution.

and instead crafted wording of his own.

The ruling came as a result of a lawsuit filed by the Missouri AFL-CIO,

which sees this ruling as a "victory" of sorts.

See *Defying* Page 5

A New Day for Teamsters, O'Brien to Lead

See Page 10



Spotlight on 101 The FOX MVP

See Page 4