



Press Release

National Labor Relations Board

Office of the General Counsel

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NLRB Seeks Back Pay for Underpaid Security Guards in Texas

The General Counsel's Office of the National Labor Relations Board is seeking \$214,000 in back pay for 111 employees who allegedly were paid far less than their union contract specified during training. An Administrative Law Judge will hear the back pay case (16-CA-23864) on June 14, 2010, in Fort Worth, Texas.

The employees are represented by the International Union of United Government Security Officers of America, Local 203. The case dates back to 2004, when the Employer, Coastal International Security, Inc., paid trainees \$5.15 per hour rather than the contractual wage rate of \$18.50 and higher. After an initial effort by the parties to resolve the case through their grievance procedure, the NLRB Regional Office in Fort Worth conducted an investigation and issued a complaint in 2007 alleging that Coastal unilaterally changed terms and conditions of employment for bargaining unit members without negotiating with the Union. Those findings were upheld by an NLRB Administrative Law Judge and, later, by the National Labor Relations Board.

In 2008, the Board directed Coastal to pay employees for their lost wages (352 NLRB 289). The Employer appealed the Order to the United States Court of Appeals for the Fifth Circuit, which found in favor of the Board in 2009. Attempts to broker a settlement between the Employer and the Union were unsuccessful, and on March 31, Regional Director Martha Kinard issued a Compliance Specification and Notice of Hearing seeking the \$214,000. Individual awards would vary from about \$100 to nearly \$3,000.

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions. The NLRB's Office of the General Counsel has independent prosecutorial discretion under the National Labor Relations Act to issue complaints alleging such unfair labor practices.

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