

Union Sabotages Its Own Request For Information, Says NLRB

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The National Labor Relations Board (NLRB) generally places few limits on unions' ability to request and receive information from employers related to members' terms and conditions of employment, but a recent case demonstrates there are limits. On Jan. 9, the NLRB issued a [decision](#) in a case against IronTiger Logistics, Inc. in which the Machinists union alleged the company failed to timely and adequately respond to an extensive information request related to work assignments of employees. In fact, the union was requesting detailed information about more than 10,000 different work assignments. The company argued the burdensome information request amounted to harassment and sought irrelevant information. In support of that argument, the employer noted the day after the union made the request, the union representative making the request conceded that all of the information requested was "bulls**t." Based on that statement – which amounted to an admission by the union the information was not relevant – the board decided to dismiss the complaint in its entirety. That is, the union effectively sabotaged its own request by making the statement. This case serves as a reminder that while unions enjoy broad latitude to request information, the information sought must be relevant to a legitimate purpose. In addition, taking notes and memorializing statements made by union representatives like the one made in this case is a best practice.

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