

# Laid Off Blackjewel Coal Miners to Get Millions in Back Pay After Train Blockade

## *News*

For two months this summer, out-of-work miners blocked a train full of coal from shipping out of an eastern Kentucky mine.

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# Employers Beware: It's Once Again Time to Review Your Arbitration Agreements

## *Insight*

Even if the language in your arbitration agreement does not expressly prohibit the filing of an NLRB charge (or accessing the Board or its processes), you may not be safe from a determination that your agreement is invalid.

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# In Collective Bargaining Agreement, Longevity Pay

# Increase Clause Can Outlive Contract

## *Insight*

The contract included a clause setting “longevity pay increases” for workers who reached certain tenure milestones with the company.

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# American Airlines Demands Mechanics’ Unions Pay For ‘Enormous Financial Losses’ From Flight Delays, Cancellations

## *News*

American Airlines is demanding that the mechanics’ unions pay for hundreds of flight delays and cancellations over the last two months.

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# When Union Contracts And

# Overtime Law Conflict: Court Provides Balance For Employers

## *Insight*

The case involved an offshore oil worker whose contract called for 12-hour shifts for a week and required him to be on the off platform between shifts.

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# Negotiating a Labor Contract: Finding the Style that Suits You

## *Insight*

In labor contract negotiations, should you be low key? Should you yell and pound the table?

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# United Airlines Loses Challenge to Union Drive

## *News*

Bloomberg reports that a vote on unionization by 2,700 United Airlines in-flight catering workers can proceed over the company's objections, the general counsel of the National

Mediation Board ruled.

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## **3 Ways Trump's Supreme Court Pick Could Transform U.S. Labor Law**

### **News**

Experts contacted by *The Washington Post* said the court's opposition to organized labor's priorities are likely to intensify if Kavanaugh is confirmed,

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## **Supreme Court Deals Big Setback to Public Unions**

### **News**

The 5-to-4 decision overturned a 40-year-old precedent and said that compelling such fees was a violation of workers' free speech rights, reports *The Washington Post*.

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# Supreme Court Poised to Rule on Trump Travel Ban, Union Fees, Other Cases

## *News*

The U.S. Supreme Court is heading toward the end of its current term, and remaining cases include the Trump travel ban, union fees, and regulations on Christian-based anti-abortion centers.

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## Collective Bargaining Agreements Must be Interpreted According to 'Ordinary Principles of Contract Law'

## *News*

Lower courts found in favor of retirees in the dispute over union retiree health benefits, but the U.S. Supreme Court reversed.

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# Ruling on Union Pensions Could Affect Hundreds of Companies

## *News*

The case arose when Just Born announced three years ago that it would no longer enroll new employees in the multi-employer pension it had participated in for decades and would instead divert money into a 401(k) plan for those workers.

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# Trump Labor Board Member Forgot About Conflict of Interest, Watchdog Says

## *News*

National Labor Relations Board Member William Emanuel violated a White House ethics pledge by participating in a closely watched case involving his former law firm, the NLRB's inspector general concluded in a report obtained by Bloomberg Law.

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***Tackett      Redux:      Ordinary***

# Principles of Contract Interpretation Mean No Inference of Vesting

## *News*

The ruling again rejected the Sixth Circuit's inference from silence that CBAs vested retiree benefits for life, reports Proskauer Rose.

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# Conflict of Interest Causes NLRB to Vacate Pro-Corporation Ruling

## *News*

The NLRB threw out its most important ruling of 2017 – a 3-2 victory for major U.S. corporations – following an internal agency report that found that a potential conflict-of-interest had tainted the vote.

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# For the Third Time, Supreme Court to Hear Mandatory Union

# Dues Arguments

## *News*

The case, appealed by an employee of the state of Illinois, comes after the U.S. Court of Appeals for the 7th Circuit rejected his argument that the agency fee violated his rights under the First Amendment.

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## **Attempting to Insert New Term into Collective Bargaining Agreement Not Agreed to in Negotiations Violates the Law**

## *Insight*

A signed agreement serves as an absolute bar to employees filing a decertification petition during the term of the agreement, while an unsigned agreement does not bar such a petition.

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## **Will the Supreme Court Deal a Blow to Trade Unions?**

## *News*

The case asks whether public employees who choose not to join their designated union may nevertheless be charged “agency



fees” to support collective bargaining.

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## **Tech Start-Up Fires Engineers Amid Union Organizing Effort**

### **News**

The move came less than two weeks after the workers filed a petition to join a CWA unit and days before a union election hearing scheduled for Jan 31,” according to Bloomberg.

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## **New Labor Board GC's Restructuring Plan Worries Senior Officials**

### **News**

Senior officials with the National Labor Relations Board have expressed concern over a plan outlined by the board's new general counsel to demote the senior civil servants who resolve most labor cases, reports >i>The New York Times.