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ONE SMALL VICTORY

NLRB Judge Rules That Walmart Illegally Punished California Workers For Participating In Protests



([Nicholas Eckhart](#))

In recent years, some Walmart workers have staged public protests about inadequate wages and unfair treatment. A number of these employees claim that management has retaliated against them for expressing their views. Now a court has ordered Walmart to reverse disciplinary action taken against protesting workers and put a stop to future retaliation.

[The New York Times reports](#) that a National Labor Relations Board judge found that managers at Walmart stores in Richmond and Placerville, CA, acted illegally by penalizing employees for going on strike, threatening to close a store if many of its employees joined a group demanding higher wages and telling employees that co-workers returning from a one-day strike would be looking for a new job.

Wednesday's ruling is a response to a complaint filed by Our Walmart, a union-backed group of employees, that accused managers at the California Walmart stores of illegally intimidating workers following protests in 2012.

The [National Labor Relations Act prohibits](#) employers from retaliating against workers for supporting a union and from making intimidating statements that discourage workers from backing a union.

In two specific instances, N.L.R.B. judge Geoffrey Carter ruled that managers at the California stores purposefully and illegally intimidated workers who support Our Walmart.

One event included a manager telling protesting workers, "If it were up to me, I'd shoot the union." The other incident involved a manager telling an Our Walmart supported who had a rope tied around his waist, "If it was up to me, I would put that rope around your neck."

Additionally, Carter found that Walmart unlawfully disciplined six Richmond employees for engaging in a one-day strike in 2012, the Times reports.

As part of the ruling, Walmart was ordered to stop intimidating workers in Richmond and to remove any reference to disciplinary write-ups ordered because the six employees had gone on strike.

“Walmart cannot continue its abuse of power any longer,” one of the affected workers says in a statement released by Our Walmart [PDF]. “Our families and our communities cannot thrive when companies like Walmart create an economy of low pay, erratic scheduling and illegal threats.”

The Times reports that Wednesday’s ruling is separate from a case in which the N.L.R.B.’s general counsel charged [Walmart with illegal activities with regards to disciplining 60 workers – allegedly firing 19 of them – for participating in protests and strikes in 14 states.](#)

Since 2012, Walmart has become a target for employees and wage advocates that claim the company doesn’t pay workers a living wage.

For the past three years, employees who support Our Walmart have [staged a number of protests](#) against the store, including [several on the company’s biggest day of business, Black Friday.](#)

And just last month, workers [chained a massive food donation bin](#) outside the home of Alice Walton, the daughter of Walmart founder Sam Walton. The bin, which read “Walmart Owner Alice Walton: We don’t want charity. We want decent pay. Love, Walmart Workers,” was a response to the company’s efforts to [hold food drives for employees.](#)

[Walmart Illegally Punished Workers, Judge Rules](#) [The New York Times]

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12.11.14 By [Ashlee Kieler](#)  [@akieler](#)

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