

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

Date Filed

INSTRUCTIONS:

File an original with NLRB Regional Director for the Region in which the alleged unfair labor practice occurred or is occurring

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer Walmart Stores, Inc.	b. Tel. No. 4792734000 c. Cell No. f. Fax No.
d. Address (Street, city, state, and ZIP code) 702 SW 8 th Street Bentonville AR 72716	e. Employer Representative Doug Mcmillon g. e-Mail h. Number of workers employed 1,000,000 plus
i. Type of Establishment (factory, mine, wholesaler, etc.) retail stores	j. Identify principal product or service sales
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (3) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See Attachment	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) United Food and Commercial Workers International Union, AFL-CIO	
4a. Address (Street and number, city, state, and ZIP code) 1775 K Street NW, Washington D.C. 20006	4b. Tel. No. 202 2233111 4c. Cell No. 4d. Fax No. 4e. e-Mail
2. 5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) United Food and Commercial Workers International Union, AFL-CIO	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	Tel. No. 510 3377304 Office, if any, Cell No. 510 715 4218 Fax No. 510 3371023
By <u>David A Rosenfeld</u> David A Rosenfeld, Attorney for Charging Party (signature of representative or person making charge) (Print/type name and title or office, if any)	e-Mail drosenfeld@unioncoun sel.net
Address: 1001 Marina Village Parkway, Suite 200, Alameda California April 19, 2015 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Attachment

Statement of Basis of Charge and Request for Injunctive Relief

Within the last week Walmart has suddenly closed the Pico Rivera store throwing over 500 Associates out of work. The Pico Rivera store has been the center of concerted action by Associates to improve the wages and working conditions of all Walmart Associates around the country. The Pico Rivera store is where members of OUR Walmart first went on strike in 2012 against the company's illegal threats and retaliation. Associates from this store have participated in strikes, civil disobedience, worker delegations and talking to other Walmart Associates to improve the workplace. They have raised issues of scheduling, pay, benefits, part time work, unfair treatment and discrimination through out the country.

Walmart has claimed that there is a "plumbing issue" which caused it to suddenly close the store without warning. City officials in Pico Rivera say that nothing has been brought to their attention and no permits at all have been sought for any work. Walmart has targeted this store because the Associates have been among the most active Associates around the country to improve working conditions

In order to mask this, Walmart has closed 4 other stores making the same "plumbing" claim. Other local government officials have raised similar concerns that this is all pretextual. It is unheard of in the retail industry to close stores which are profitable just to fix "plumbing." Walmart has refused to disclose the nature of the "plumbing" issue or to explain why it was necessary to close the store to fix "plumbing."

This unprecedented "closure" to fix "plumbing" is part of Walmart's overall national strategy to punish Associates who stand up and speak out for better working conditions. The General Counsel has already issued complaint in many other cases which are in various stages of litigation. One Administrative law Judge has recently issued a decision finding many violations. This is just another blatant example of unlawful retaliation which affects not only the over 500 Associates at Pico Rivera but the approximately 1700 more affected in other stores.

Walmart has previously closed a store in retaliation for worker organizing: last year the Canadian Supreme Court ruled that Walmart had broken the law by closing a store where workers had voted to form a union.

The Charging Party request the Board seek immediate injunctive relief under Section 10(j) of the Act. The Board should seek injunctive relief compelling Walmart to rehire every one of the 2200 Associates who have been terminated in all 5 stores. Each one of the Associates should be reinstated to their own stores, alternatively transferred to other stores without loss of pay and paid by Walmart until reinstated in their own stores.