

CASE STUDIES

Chicken processing plant rejects union after campaign featuring dancing chicken

Labor

A team of Baker Donelson attorneys and staff assisted a national chicken producer in a unionization attempt by the United Food and Commercial Workers Union (UFCW).

The UFCW was attempting to organize more than 500 workers at the company's Ohio plant. Our team repeatedly met with and instructed supervisors, developed campaign posters and other campaign materials, responded to unfair labor practice charges and prepared four major presentations to the employees on each shift. The team coordinated preparing and presenting those presentations in six different languages: English, Spanish, French, Vietnamese, Cambodian and the African dialect of Twi. Nearly every campaign meeting was conducted in at least English and Spanish, and all campaign materials were printed in at least English and Spanish. One team member in particular proved to be an invaluable translator during the entire campaign and provided critical insight into strategies that would reach the diverse workforce.

A highlight of the election involved creating a chicken mascot. High-spirited supervisors would put on the chicken suit from time to time and dance around the break areas and entrances to the plant while wearing a "Vote No" sign. At one point, the chicken mascot confronted a group of union supporters who were campaigning at the entrance of the plant. The chicken danced and crowed at the union supporters. Many employees lined up to have their pictures made with the chicken.

Both parties campaigned intensively for weeks in an election that was very important to the company and the UFCW. The final vote tally of those voting was 302 to 178 in favor of the company, a 63 percent to 37 percent victory. When the vote came in at 2:30 a.m., the cafeteria erupted in cheers and the chicken mascot jumped on a table to dance.

During the course of the union campaign, the same union filed separate election petitions with the NLRB for the machine shop, research and development, and quality assurance departments. After we won the election with the larger group, the union withdrew the petitions for the three smaller groups.