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To: NBCU Content Producers Working at WNBC, WRC, WMAQ, and KNBC

We are writing to update you on the recent decision by the National Labor Relations Board concerning the Unit Clarification petitions filed by the Sector and Locals 11, 31, 41, and 53 regarding the job title “Content Producers”. As you may have heard, on September 25, 2013, the NLRB denied NBC Universal’s request for review, upholding a 2011 decision by the Board’s Region 2 office in New York City, which found that Content Producers are represented by NABET-CWA in New York, Chicago and Los Angeles, and that neither NABET-CWA nor AFTRA lawfully represent Content Producers in Washington, D.C. at this time.

As way of background, in early 2009 NABET-CWA Locals in New York, Washington, D.C., Chicago, and Los Angeles filed formal papers with the NLRB claiming that NBCU workers performing assignments under the job title “Content Producers”, were really performing NABET-CWA-represented functions and that all such workers should be covered by the Union’s Master Agreement with NBCU. Content Producers were being assigned to perform shooting, editing, and news writing duties, and all three functions were NABET-CWA covered work in New York, Chicago, and Los Angeles. In Washington, D.C., NABET-CWA was the certified representative for shooters and editors, and AFTRA was the certified representative of news writers and both unions filed for representation of Content Producers in that city. The Sector subsequently filed a national petition for clarification at all offices of the Company.

In December of 2010, the National Labor Relations Board finally processed the Unit Clarification petitions and ordered a consolidated hearing to encompass each Local’s claim within their cities and to encompass the Sector’s national claim that Content Producers belonged in the NABET-CWA bargaining unit at each of the O & O TV stations covered by the Master Agreement.

On October 26, 2011, NLRB Region 2 ruled that “Content producers at NBC’s New York, Los Angeles, and Chicago local news operations are part of the NABET-CWA bargaining unit because they perform the same basic functions previously performed by NABET unit employees.” The Region also dismissed both NABET-CWA’s and AFTRA’s petitions for unit clarification in Washington, D.C., stating that, “the appropriate vehicle for resolving such a question is a Board election and not a Unit Clarification proceeding.”

On September 25, 2013, the NLRB in Washington, D.C. issued a decision which stated NBC Universal’s request for review, “...is denied as it raises no substantial issues warranting review.” The net result of the NLRB decision is that NABET-CWA represents all Content Producers at WNBC, WMAQ, and KNBC whether or not those workers previously had been represented by NABET-CWA before becoming Content Producers. At WRC, neither AFTRA nor NABET-CWA represents Content Producers until a representation election is held.

Further, on October 10, 2013 NABET-CWA sent a letter to NBC's Labor Relations Department requesting that negotiations be scheduled immediately on relevant matters concerning terms and conditions for Content Producers employed in New York, Chicago, and Los Angeles¹.

While the Union awaits a response from the Company on scheduling negotiations, we realize that many of you have questions regarding your current status, as well as questions regarding any retroactive impact of the NLRB's decision. We will be providing you with as much information as possible, as soon as further clarity on this situation emerges. You should also make every effort to attend any informational meetings held by your Local.

In the meantime, you should continue to perform your duties as assigned by Company management. However, due to the pending and separate proceedings regarding unfair labor practices charges against NBC Universal still before the NLRB, we are reminding you to continue to maintain accurate records, as you have since this saga began in 2009, including but not limited to your total number of daily and weekly hours worked, the shifts during which you worked (e.g. 4AM to 12 Noon, 9AM to 5PM, etc.), missed meal periods, the holidays during which you worked, and vacation which you took as paid time off.

You should also immediately report to your NABET-CWA Local any changes imposed by NBC in any of your current working conditions, including pay rate increases or decreases, changes to your benefits or workload increases and decreases. We have also received reports that NBC Universal has offered buyouts to some Content Producers. You should call your Local immediately if the Company attempts to negotiate any severance offer to you directly or attempts to have you sign a general release. In the event that you believe that the Company is attempting to discipline you, you have the right to request that a Union Shop Steward or other duly authorized Union representative be present during any investigatory interview.

While we all wish that this process had moved more quickly since 2009, the timetable for justice in this matter was delayed by the political gridlock in Washington, D.C. Now that the NLRB has been restored to functioning with the full complement of five Board members, important decisions are finally being issued again. The recent decision in this matter ranks as one of the most significant cases to be adjudicated in that light. Your perseverance and professionalism is not only recognized and appreciated by each of us, but were contributing factors in this important victory.

In Solidarity,

Jim Joyce, President
NABET-CWA

Thomas Cappelletti, President
Local 11, New York City

Charlie Braico, President
Local 41, Chicago

Richard McDermott, President
Local 31, Washington, DC

Steve Ross, President
Local 53, Burbank

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¹ The situation at WRC in Washington, D.C. requires a different process and more information will be provided in the future.