

# Stella D'oro workers fight for jobs

By SARAH SECUNDA

Stella D'oro workers ended their 11-month strike July 7 after winning a sweeping judgment from the National Labor Relations Board (NLRB). The NLRB ruled that the firm's owner, Brynwood Partners, had engaged in unlawful labor practices and ordered the strikers rehired, with back pay, under the terms of their old contract. But the Bronx bakery workers now find themselves racing to save their jobs after Brynwood, a Greenwich-based private equity firm, announced plans to close the cookie factory by October.

The workers' union has filed a charge with the labor board alleging that Brynwood is illegally closing the plant in order to dodge the union. "Under the law, you can't keep an employer in business if it wants to go completely out of business," said Louie Nikolaidis, the union's attorney. "But they're not allowed to move production to avoid the union."

## MORE SKIRMISHES

The Stella D'oro workers are now focusing their efforts on building the political and community support that will be needed to keep these jobs in New York City. They are pressing Brynwood to sell Stella D'oro to a buyer that would continue production in the Bronx. In late July the union appeared to have won an initial skirmish in that fight by blocking a potential sale to a company that would have closed the plant.

Mike Filippou, a shop steward and strike leader, said the union learned Brynwood was planning to sell the Stella D'oro brand – but not the factory – to Lance, Inc., a Charlotte, NC-based snack food giant. With a non-union workforce of 5,000, Lance posted sales of \$825.5 million for 2008.

Filippou said that the union at Stella D'oro, Local 50 of the Bakery, Confectionary, Tobacco Workers and Grain Millers International Union, also learned that Brynwood had received other offers, from buyers who would keep the landmark cookie plant operating in the Bronx, but the company had refused to consider these proposals.

## PUBLIC PRESSURE

The effort to block a sale to Lance was launched on July 22 with a noisy protest outside the headquarters of one of Lance's largest shareholders, Goldman Sachs, in lower Manhattan. "There's no doubt Lance will move production if they buy that brand," said Micah Landau of the Stella Workers Solidarity Committee. "Lance might get cold feet if they see people going to their investors."

Apparently, that is exactly what happened. The day before a second planned protest at the headquarters of another top Lance shareholder, Barclay's Capital, the *New York Post*

## Support grows for saving Bronx bakery



After a July 13 press conference outside the Stella D'oro factory, longtime employee Eddie Marrero (left) urges NYC Comptroller and mayoral candidate William Thompson Jr. (right) to follow through on his promise to help the workers.

reported that the controversy had caused Lance to back off. The plan to sell the cookie brand "appears to be crumbling," the *Post* reported July 28. The Solidarity Committee had identified more than a dozen large employee pension funds with substantial investments in Lance, including the New York State Teachers' Retirement System and TIAA-CREF, and was preparing to seek their support.

The next day, the New York City Council passed a resolution supporting the union's efforts to keep Stella D'oro operating in the Bronx, and the campaign has attracted support from several high-profile

politicians. City Comptroller William Thompson Jr. jumped on board July 13 with a press conference outside the factory gates.

Calling Brynwood's behavior "disgraceful," the mayoral candidate promised to "squeeze the company" by urging public pension funds invested with Brynwood to divest their holdings. On July 17 Thompson wrote to the head of the Pennsylvania State Employees' Retirement System (SERS), one of the nation's largest public employee pension funds, with more than \$26.2 billion in assets, to urge that it drop Brynwood from its portfolio.

The quarrel between the union and the company began last summer when the two sides met to negotiate a new contract. According to

Local 50, Brynwood claimed it could not operate Stella D'oro profitably without steep concessions from the workforce but refused to provide the union with the financial information necessary to document that claim.

## BACK PAY

The NLRB found that the company's refusal to provide those financial records represented a failure to bargain in good faith. The union said that, contrary to Brynwood's unsubstantiated claim, the company was not running at a loss. The problem, attorney Nikolaidis said July 9 on *Democracy Now*, is that private equity companies like Brynwood promise their investors very high profits, on the order of 30 to 35%. "That is an unreasonable rate of re-

turn for most companies," Nikolaidis said. "So, it is profitable, it's just not as profitable as they would like."

The labor board further found that the company had acted illegally by unilaterally implementing its own contract terms two weeks after the strike began. In addition to immediate reinstatement of the strikers, the NLRB ordered the company to pay the workers back wages dating to May 6, when the company had rejected an offer by the strikers to return to work under the terms of their old contract.

## ANNIVERSARY

Local 50 has petitioned the NLRB to seek an injunction that would keep the factory open while the board investigates the union's charge. "The company's decision to close came immediately after they got an unfavorable decision," said Nikolaidis. "We're saying that's a retaliation for the protected concerted activities of the workers."

The *Post* reported that Senators Schumer and Gillibrand support the union's request for an injunction. If one is granted, it would buy more time to force Brynwood to accept an offer from an owner who will commit to staying in the Bronx. Nikolaidis said the union is also exploring whether it can secure financial backing for an employee buy-out, though he acknowledged that this would be difficult.

As the Stella D'oro workers struggle continues on several fronts, the Solidarity Committee is expanding its outreach to area unionists. As *Clarion* went to press, plans were announced for a rally at the plant at noon on August 15, the one-year anniversary of the start of the strike. "Persistence and solidarity – among the workers and their community supporters – have taken us this far," Landau said, "and it is only by expanding that grassroots support that we can ultimately win this battle."

For more information and further updates, see [stelladorostrike.com](http://stelladorostrike.com).

# New associate editor at Clarion

By CLARION STAFF

Clarion has a new associate editor, John Tarleton. He previously worked for eight years as an editor and general coordinator for *The Independent*, a New York-based alternative newspaper that has won scores of journalism awards for its coverage of community struggles.

Tarleton graduated from the University of Missouri School of Journalism in 1989 and subsequently worked as a reporter for Iowa's *Optumwa Courier*. Dissatisfied with the narrow constraints of corporate journalism, he left the *Courier* and spent 10 years writing and traveling across the US and in Latin America. His website [www.cybertraveler.org](http://www.cybertraveler.org) predated the blogging

revolution by a decade and featured a mix of reporting on grassroots political activism, stories of daily life and profiles of the unique people he met along the way.

Tarleton supported himself teaching English and as a farm laborer – and the latter put him in the middle of a three-day wildcat strike during the Maine wild blueberry harvest.

"A large agribusiness conglomerate was trying to force us to take a pay cut," Tarleton recalled. "People got angry and then they got organized. When 500 workers went on strike and production slowed to a trickle, our employer backed off and even threw in a bonus to get us to return to work."

It was a lesson, he said, in the power of collective action – one that he applied in his participation in the historic 1999 Seattle demonstrations

at the meeting of the World Trade Organization. Tarleton soon began working with Indymedia, a decentralized worldwide network of independent journalists that was born during the Seattle protests.

In 2001 Tarleton joined the New York City chapter of Indymedia and went to work on its fledgling newspaper *The Independent*. Created to cover the everyday struggles of New Yorkers that are too often ignored by the mainstream media, *The Independent* became a magnet for independent journalists, artists and community

activists. Tarleton played a key role as a writer, editor and volunteer coordinator. He established the paper's community reporting workshops, in which he trained hundreds of aspiring citizen journalists.

As an editor, Tarleton helped build *The Independent* to a publication with a readership of more than 40,000. His own articles have twice won the New York Community Media Alliance's award for best feature story, once for coverage of student opposition to military recruiting in Bushwick and once for a profile of a homeless veteran living on the streets of New York.

"John is a thorough reporter, a skilled writer and an experienced editor," said *Clarion's* editor, Peter Hogness. "He's also a master of the practical details required to put out a print publication with high standards and tight deadlines. We're fortunate to have him on our team."