



URGENT ITEM AGENDA MATERIAL

Government Code Section 54954.2(b)
Rules of Procedure Chapter III.C.5

THIS ITEM IS NOT YET AGENDIZED AND MAY OR MAY NOT BE ACCEPTED FOR THE AGENDA AS A LATE ITEM, SUBJECT TO THE CITY COUNCIL'S DISCRETION ACCORDING TO BROWN ACT RULES

Meeting Date: June 28, 2022

Item Description: Resolution Supporting Unionization Efforts by REI Workers

This item is submitted pursuant to the provision checked below:

- Emergency Situation (54954.2(b)(1) - majority vote required)
Determination by a majority vote of the legislative body that an emergency situation exists, as defined in Section 54956.5.
- Immediate Action Required (54954.2(b)(2) - two-thirds vote required)
There is a need to take immediate action and the need for action came to the attention of the local agency subsequent to the agenda for this meeting being posted.

Once the item is added to the agenda (Consent or Action) it must be passed by the standard required vote threshold (majority, two-thirds, or 7/9).

Facts supporting the addition of the item to the agenda under Section 54954.2(b) and Chapter III.C.5 of the Rules of Procedure:

The first National Labor Relations Board (NLRB) hearing for the REI workers and their prospective union representatives at UFCW Local 5 is scheduled for July 12, 2022. This office did not receive information about the scheduled hearing until after the agenda submission deadline for June 28, 2022. Due to the critical importance of the first NLRB hearing, the City Council would need to submit a resolution prior to the scheduled hearing in order to have a material impact.



CONSENT CALENDAR
June 28, 2022

To: Honorable Mayor and Members of the City Council
From: Councilmember Taplin, Councilmember Kesarwani (co-sponsor), Mayor Arreguín (co-sponsor)
Subject: Resolution Supporting Unionization Efforts by REI Workers

RECOMMENDATION

Adopt a Resolution in support of workers at REI unionizing under representation by United Food and Commercial Workers (UFCW) Local 5.

FINANCIAL IMPLICATIONS

None.

BACKGROUND

On June 17, 2022, workers at the Recreational Equipment, Inc. (REI) retail store in Berkeley filed for a labor union representation election with the National Labor Relations Board (NLRB), asking to be represented by United Food and Commercial Workers (UFCW) Local 5. To date, REI management has not yet recognized the unionization effort. The NLRB recommends that workers obtain recognition from their employers to maintain the democratic spirit of union elections.

In the recovery following the COVID-19 recession, tight labor markets have led to a resurgence in labor organizing and union activity. The NLRB has reported that union representation petitions increased by 57% in the first half of Fiscal Year 2022. Workers at major corporations like Amazon and Starbucks have recently seen major victories in obtaining union representation. While the overall amount of unionized workers declined amid pandemic-related job losses in 2020 and 2021, the share of unionized workers in the workforce increased, in part because unionized jobs were more resilient.¹ Union representation has helped improve working conditions and provide more stable benefits² while closing wage gaps for women and racial minorities in the workforce.³

¹ Shierholz, H., et al. (2022). Latest data release on unionization is a wake-up call to lawmakers. *Economic Policy Institute*. Retrieved from <https://www.epi.org/publication/latest-data-release-on-unionization-is-a-wake-up-call-to-lawmakers/>

² Zoorob, M. (2018). Does 'Right to Work' Imperil the Right to Health? The Effect of Labour Unions on Workplace Fatalities. *Occupational and Environmental Medicine*, 75(10), 736–738, <https://dx.doi.org/10.1136/oemed-2017-104747>.

³ Farber, H.S., et al. (2021). Unions and Inequality Over the Twentieth Century: New Evidence from Survey Data. *Quarterly Journal of Economics*, 136(3), 1325–1385, <https://doi.org/10.1093/qje/qjab012>.

REI workers and UFCW Local 5 will have their first NLRB hearing on July 12, 2022.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

None.

CONTACT PERSON

Councilmember Taplin Council District 2 510-981-7120

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

RESOLUTION SUPPORTING UNIONIZATION OF REI WORKERS

WHEREAS, workers at Recreation Equipment, Inc. (REI) in Berkeley filed a union representation petition with the National Labor Relations Board (NLRB) on June 17, 2022; and

WHEREAS, the National Labor Relations Act of 1935 enables workers to petition for union representation by obtaining signatures of at least 30% of the potential bargaining unit; and

WHEREAS, union representation has been consistently shown in empirical studies to improve working conditions; access to healthcare and sick pay; and wage parity for women, Black and Latinx workers, and other disadvantaged groups; and

WHEREAS, workers in major corporations such as Amazon and Starbucks have recently won major victories in obtaining union representation; and

WHEREAS, the NLRB reports that union representation petitions increased by 22% in the first half of Fiscal Year 2022, representing major potential for a stronger labor movement in the United States;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that REI management is hereby urged to recognize the union representation petition by its employees seeking to unionize under United Food and Commercial Workers (UFCW) Local 5.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley supports the labor movement in the United States, and welcomes the significant wave of unionization efforts across the country.