

Cintas: Silencing Workers' Voices, Disregarding Workers' Rights

Every day most U.S. households come into contact with Cintas products. From the U.S. Post Office to Starbucks to NASCAR, Cintas supplies uniforms, first aid supplies and a variety of other services to more than 700,000 businesses throughout North America. While many of us are familiar with the Cintas delivery trucks in our communities, most people do not know about the campaign of coercion Cintas has unleashed to keep workers from having a voice on the job.

Workers have cited unsafe conditions, low wages, skyrocketing health insurance costs, discrimination, unrealistic production goals and a myriad of other reasons for wanting to form a union.

UNITE HERE has filed numerous unfair labor charges based on workers' allegations against the company. Workers say Cintas has repeatedly threatened, intimidated, engaged in unlawful surveillance, illegally disciplined, and even fired workers for standing up to improve their jobs. The company has settled 60 of these charges with the National Labor Relations Board (NLRB) in order to avoid hearings on their merit, including one case where it paid a Maumelle, Arkansas, worker \$25,500 in back pay¹.

Cintas has settled a number these allegations with the NLRB in Charlotte, North Carolina. After UNITE HERE filed on workers behalf another charge alleging new ten violations—just two months after the settlement—the NLRB Regional Director set aside the previous agreement and included all earlier allegations in a new complaint. An Administrative Law Judge from the Board upheld this revocation, given the severity of the company's violations, and upheld the new charge. The judge agreed with the ten violations including threats to fire a worker for wearing union stickers, unlawful confiscations of union materials and arbitrary disciplinary actions against union supporters.²

Cintas management "implicitly threatened" one worker "with discharge if she again displayed a union sticker or wore a union hat," according to the labor board judge. The judge also found the company called the police "simply to intimidate or harass [union supporters]." The effect of this was "to interfere with lawful union activity."

The ruling clearly states the impact of Cintas's actions. These violations in Charlotte, according to the ruling, "**were not isolated or minor. They were intensive . . . they affected a number of employees, and they resulted in the imposition of discipline on five of them . . .**"

“We brought these charges to the NLRB because Cintas violated our right to organize,” said Ana Calles, a Charlotte Cintas worker who was disciplined for wearing a union sticker. “The judge finding Cintas guilty shows us that the law respects our decision to form a union.”³ When Calles was told to remove a union sticker from her uniform, she told her manager that he “didn’t own her body” and stuck it on her arm.⁴

While plant-based allegations like the ones in Charlotte are common, Cintas has also tried to stop workers from organizing with nationwide policies. The company’s handbook contained a rule barring workers from discussing “any information concerning the company, its business plans, its partners,” etc. One Cintas worker from San Leandro, California, said the rule “was a way to keep us separated – if we didn’t talk to each other, we wouldn’t find out how Cintas’ treatment affected us all.”⁵

Fortunately, the NLRB agreed with workers and accepted an administrative law judge’s ruling that:

I find that employees could reasonably construe the confidentiality provision in the manual as restricting their right to discuss their wages and terms and conditions of employment with their fellow employees and the Union. In addition, [Cintas] has not presented a legitimate business purpose for the employee prohibitions contained in the rule.⁶

The rule has been rescinded and Cintas handbooks now have the lawfully worded rule in them. Cintas is appealing this decision.

It is all too common that Board’s remedies to Cintas’s attacks on workers amount to a slap on the wrist. Even the recurring, “intensive” and serious Charlotte charges led to a mere posting stating that federal law gives workers the right to form a union. Plant managers in Charlotte have posted a similar notice in the past but that did not stop their unlawful behavior.

Cintas’s alleged violations of labor law continue. For example, workers in the company’s Vista, California, facility have pending charges that the company threatened to close the plant, threatened loss of benefits, ordered workers to sign an anti-union petition and even fired a worker because of her union activism.⁷ This fired worker could have to wait years before getting her job back or getting back pay.

Because of the slow and weak response of the NLRB to workers attempts to organize, Cintas workers and UNITE HERE are asking management to negotiate a democratic, fair process that effectively enforce the employees’ right to union representation.

¹ For settlements please see National Labor Relations Board case numbers 1-CA-40656, 1-CA-40657, 4-CA-31890, 4-CA-32081, 5-CA-31063, 5-CA-31154, 6-CA-33342, 6-CA-33545, 7-CA-45882, 7-CA-54884, 9-CA-40242, 11-CA-19841, 13-CA-40822, 13-CA-40823, 13-CA-40824, 13-CA-40825, 16-CA-22540, 16-CA-22542, 16-CA-22543, 16-CA-22544, 16-CA-22545, 21-CA-35572, 25-CA-28564, 25-CA-28793, 32-CA-20340, 32-CA-20342, 32-CA-20343, 32-CA-20347, 32-CA-20348, 32-CA-20563, 32-CA-20739, 17-CA-22623, 34-CA-10378, 34-CA-10736, 18-CA-17285, 18-CA-17445, 18-CA-17461, 18-CA-17481, 18-CA-17512, 26-CA-21711, 3-CA-24980, 5-CA-32238, 5-CA-32239, 5-CA-32240, 9-CA-41513, 9-CA-41514, 9-CA-41554, 9-CA-42194, 9-CA-41987, 10-CA-35287, 10-CA-35335, 10-CA-35287, 16-CA-24006, 16-CA-24005, 21-CA-36451, 33-CA-14746

² Cintas Corp., JD-65-06 (ALJ Sandron, 20 September 2006).

³ "Judge Tells Cintas to Roll Back Campaign of Coercion "
<http://www.uniformjustice.org/newsdetail.asp?ID=55>. Viewed 6 February 2006.

⁴ Hall, Kerry, "Charlotte workers fight to join union," Charlotte Observer, 19 October 2005.

⁵ "Cintas can't stop workers from talking," <http://www.uniformjustice.org/newsdetail.asp?ID=28>. Viewed 6 February 2006.

⁶ Cintas Corp., 344 NLRB No. 118 (Chairman Battista and Members Liebman and Schaumber, 30 June 2005).

⁷ See Board cases 21-CA-37458 and 21-CA-37092.