



PRESS RELEASE

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Glacier Supreme Court Decision will Backfire on Those Fighting Against Workers

The Washington State Labor Community stands shoulder-to-shoulder with Teamsters 174 in condemning this attack on workers

Decision will be a wakeup call to millions of workers across America that it is more important than ever to organize a union

On Thursday, June 1, the United States Supreme Court issued a ruling in Glacier NW v Teamsters Local 174.

Following the ruling, Darin M. Dalmat, Senior Partner at Barnard Iglitzin & Lavitt LLP issued the following statement:

“Although we’re disappointed in today’s result, the Court’s opinion leaves intact both the federally protected right to strike and the basic framework for determining when labor disputes should be decided by the National Labor Relations Board instead of state courts. First, the Court rejected Glacier’s attempt to effectively overturn the 1959 decision in Garmon, which says that federal labor law preempts state lawsuits that challenge conduct even arguably protected by the NLRA. Second, the Court rejected Glacier’s attempt to adopt a novel subjective test that would have stripped strikes of protections whenever strikers intend to cause employers economic harm; it instead maintained current law, which strips federal protections for strikers only when they stop work without taking objectively reasonable precautions to avoid foreseeable,

aggravated, and imminent harm to employer property. Third, the National Labor Relations Board maintains its primary role in deciding the actual facts of labor disputes and whether, under the actual facts, federal labor law protects strikers and their strikes.

At the end of the day, nothing in this decision will stop workers from exercising their federally protected rights to strike when necessary to achieve better wages, benefits, and working conditions. In this particular case, Glacier has found a way to prolong its meritless lawsuit by artfully pleading allegations the Court today found sufficient to get past a motion to dismiss. But we're confident, based on the extensive record developed in this case by the Labor Board from January through March 2023, that the Board will find Teamsters Local 174's strike in this case was protected based on the actual facts, not just Glacier's allegations."

Additional statements from Washington State and King County labor leaders:

"The Glacier NW decision changes nothing. The momentum of our labor movement cannot be stopped," said **April Sims, President of the Washington State Labor Council, AFL-CIO**. "As organized workers, we control when and whether we labor. Opinions of the Court will not stop workers striking for better pay and working conditions, exercising our right to make our own choices on pregnancy, or fighting for better jobs and stronger communities for all working people. Worker power is on the rise."

"The decision by the Supreme Court today is disappointing, but not surprising. There is no doubt this attack on our right to strike will backfire on those who want to destroy unions. This court decision will be a wakeup call to millions of workers across America that it is more important than ever to organize a union and fight for a better life," said **Katie Garrow, Executive Secretary-Treasurer of MLK Labor**.

CalPortland driver Mark Hislop was among those whose 2017 strike triggered the initial lawsuit that led to this decision. Hislop had this to say about the ruling: "Six years ago, this company forced us out on strike by refusing to bargain in good faith, and they've been coming after us in court ever since. As far as I'm concerned, today's decision changes nothing for us Teamsters, and it will not stop us from fighting as hard as we can for strong contracts."

"Teamsters Local 174 has never shied away from taking our fight to the street when corporations refuse to do right by the people who work for them," said **Teamsters Local 174 Secretary-Treasurer Rick Hicks**. "Our members have never backed down, and nothing will ever take that fight out of us."

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