

Before the House Committee on Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions

“Big Labor Lies: Exposing Union Tactics to Undermine Free and Fair Elections”

May 22, 2024

My name is Michael Alcorn. I have been a crew member at Trader Joe's for nearly 10 years. Thank you for allowing me to share my experiences with the Trader Joe's United union at my store in Hadley, Massachusetts.

Prior to the campaign, I had no first-hand experience with unions. My only thought on unions was that they looked like a positive, unifying force. The realities I experienced both during and since the union campaign, were not positive nor unifying. From the beginning of the campaign, everything was very one-sided. The organizers used “with us or against us” tactics that did not promote all voices, but only the union position.

I first heard about the unionization efforts from a co-worker in May 2022. They told me our conversation must be kept confidential or people might get fired. I responded that I didn't think we needed a union but I'd be willing to talk about it. The organizer then told me that all “we” need to initiate a union election was for 30% of the store to say they'd be willing to have a union election and then we could further discuss it with our co-workers. I stated that I would support an election because I thought that there would be some sort of a meeting where we would all get together as a crew and discuss this. That never happened. A few days later, the organizers petitioned for an election. They claimed that they had majority support and that Trader Joe's should recognize them without a vote. This would have forced many of my co-workers into a unionized environment without any prior knowledge or the ability to be a part of making that decision.

I was lied to by the organizer. They misrepresented what was really needed in order to have a union election, which is 30% support for a UNION, not an election. To this day I wonder how many of my co-workers might have gotten the same deceiving pitch, and might have been deceived into signing union cards.

The day the petition was filed, organizers made inaccurate and incomplete press releases, creating false narratives about our workplace to promote their own agenda and personal vendettas. We did not appreciate these few coworkers portraying our workplace in a negative light. It was extremely disheartening and embarrassing. Our customers who had always seen our smiling faces and positive attitudes were surprised and horrified to hear claims that we were being mistreated. They were supportive of our rights to organize which I appreciated, but I wanted them to know that the union campaign was not representative of all of us.

I asked an organizer why they didn't come speak to all of us about our experiences before putting out a one-sided video. They said that they had to do it this way and that you have to “surprise the boss” when organizing a union. This really upsets me because, up to this point, I worked in a positive, inclusive, civil and respectful workplace. It wasn't just “surprise the boss”, it was “organize in secret and then surprise your co-workers and then make them feel like if they don't vote for the union then they must not care about their co-workers.” When some of us attended an informational gathering hosted by the organizers to ask questions we were very promptly called “anti-union”. Some co-workers were told that they might be racist if they don't vote for the union.

It became clear that not only was the union going to attack Trader Joe's, they were attacking the credibility of any member of the collective in opposition to unionization. Anyone speaking up

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was smeared by the organizers as moles for the company incapable of having any credible concerns or independent agency. After an organizer realized I wasn't on board, they told me that they couldn't answer any more questions and were going to devote their attention to those who would help them “win”. I called the NLRB expecting them to be able to offer some advice and to see if the organizers had any duty to disclose information that would be relevant to their representing me should they “win” the election. The NLRB agent told me it makes sense that the organizers would only talk to people who already support the union. Anyone voicing any concern or doubts about the union was accused of being anti-union and was essentially excommunicated. We were made to feel as if we would not be represented if we were not “on board” before the vote.

Many of us were devastated when the union won. People who were against this union were harassed in the parking lot after the results were announced. Shortly thereafter, with only selective notification, the union held an officer election. Only a quarter of the collective were present. Of those few, a handful voiced concerns over having an election without notifying everyone. The union proceeded anyway. This was before there was a union constitution with a full description of the officer's duties. I was later told by a co-worker that one of the organizers told them they purposefully didn't advertise the election so that they could get the “right” people in the officer positions without resistance.

When I spoke to the Department of Labor, I was told that while they do have strict rules to guarantee fairness in union elections, they could not guarantee fairness in this election because it was a “new union.” In my research I couldn't find any oversight as to how a union creates a constitution. So, it seems as if the union can elect whomever they want, however they want and create the law and power-structure of the union without the consent, or even knowledge, of the collective.

All of the intimidation and pressure is a lot for many of us in our store to take. We have begun to collect signatures to decertify this union. They've done nothing but be adversarial, misleading, exclusive, and discriminate against anyone who challenges or disagrees with them. It seems that their only tactic is to paint Trader Joe's as a bad company, while also seeking to silence those of us who don't agree.

Supporting workers should mean supporting ALL workers, not just pro-union workers. Workers should never have representation imposed upon them. Not all unions are good and not all workplaces need a union. We STAND by the fact that we didn't vote for this union. We're not dumb, and Trader Joe's didn't ‘union bust’ us to not vote for this union. This was a bad faith union to start and it's still a bad faith union.

Thank you for your time today.