UMWA promotes NLRB diversion as Warrior Met continues strikebreaking

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As the United Mine Workers of America (UNWA) continues to isolate the strike by 1,100 Warrior Met coal miners in Alabama, it is focusing attention on two recent rulings by the National Labor Relations Board (NLRB) in relation to the strike.

While an August 13 ruling by NLRB was hailed by the UMWA as a step forward in the ongoing Warrior Met Coal strike, which is now approaching its sixth month, another ruling on August 25 led UMWA President Cecil Roberts to charge the NLRB had declared "open season" on striking miners.

Around 1,100 miners at Warrior Met have been on strike since April 1, when the miners overwhelmingly rejected the first tentative agreement between the company and the UMWA. Rather than seek to break the isolation of the strike, the UMWA has filed numerous toothless unfair labor practice charges with the NLRB over Warrior Met's provocative tactics.

On August 23, the UMWA proudly posted on its website that the NLRB had found merit in one of the charges. "The NLRB notified Warrior Met on August 13, 2021 that it was prepared to issue a complaint if Warrior Met would not enter into a settlement agreement in which it agreed to cease and desist from this unlawful conduct."

Seeking to bolster its badly tarnished credibility, the UMWA issued a press release to call attention to the ruling. "This is welcome news, but is no great surprise," Cecil Roberts said of the NLRB's decision. "We have seen this company act in ways contrary to American labor law from the outset of this strike."

Warrior Met has capitalized on the abject prostration by the UMWA before its strikebreaking tactics. It has even met with some success in attempting to woo miners to cross the picket line by bargaining with individual miners and promising increases in production bonuses. This, coupled with the company's refusal to negotiate with the UMWA, constitutes bad faith bargaining under US labor law.

If there were any illusions that the NLRB would come down decisively on the side of workers they were soon put to rest, however.

Despite several instances of well-documented vehicular assault on the striking miners by Warrior Met employees, including management personnel, on August 25 the NLRB dismissed all charges related to vehicular assault, claiming that there was "insufficient evidence that any pickets were struck." Yet, in at least two cases, these assaults have been captured on video. One miner was hospitalized after being struck.

It took Roberts nearly two weeks to announce the NLRB's first ruling. When the NLRB dismissed the vehicular assault charges, though, he made a statement on the same day, vowing on the UMWA website that the union would appeal the decision.

Engaging in his trademark bluster Roberts declared, "The NLRB is asking us to disbelieve our own eyes," he said, pointing out that there had been several eyewitness accounts as well as video evidence of Warrior Met employees hitting pickets. "This is an outrageous decision...and we will fight it every step of the way."

"To date, there has been no action taken by the Alabama State Police, the Tuscaloosa or Jefferson County Sherriff's Departments or the city of Brookwood, all of who have some varying level of jurisdiction regarding these assaults," Roberts went on. "Now the federal agency charged with ensuring the right to peacefully strike has refused to act as well. It appears that it is now open season on strikers walking the picket lines anywhere in NLRB Region 10."

Roberts concluded his statement with a rhetorical

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flourish; “We are forced to ask if there is no justice for workers in Alabama.”

If Roberts fights the NLRB the way he has fought the coal companies, Warrior Met need have no fears. The charges against Warrior Met are legitimate; miners reported that human resources representatives attempted to bargain with workers individually before the strike even began. This isolation of workers is, indeed, bad faith bargaining.

However, there is nothing surprising in this. Bad faith is the hallmark of the coal industry for over 100 years from the days of Matewan and Bloody Harlan to Pittston Coal. Yet knowing that Warrior Met enjoys the support of the state and the police, Roberts continues to isolate the strike, upholding the ruinous “selective strike” policy instituted by his predecessor, former UMWA President Richard Trumka.

The UMWA once operated by the motto, “an injury to one is an injury to all.” Yet Trumka and Roberts showed their colors as the toadies of industry by limiting strikes to individual mines, where the whole forces of reaction can concentrate to crush workers’ resistance. This has allowed the coal industry to extract greater and greater cuts from miners’ pay, health benefits, and pensions.

The Warrior Met strike has continued for nearly six months, with miners making just over $300 a week in strike pay. Miners have conjectured that the company is trying to wear them down until the strike reaches the one-year mark—by which time the company will be free to end bargaining with the UMWA and operate as a non-union mine.

Roberts has known—from the outset, as he said—that Warrior Met would leverage both legal and illegal means to break the strike. The company attacked the strike immediately, winning an injunction that only allowed ten pickets at a time on any one line.

For months, state and local law enforcement officers have refused to acknowledge the assaults on pickets, even when officers see them. Roberts was present on one such occasion, witnessing both the assault and the officer’s disregard. Still, with full knowledge of the state’s disregard for the miners, the UMWA has steadfastly refused to call out miners at other union mines.

The promotion of illusions in the graces of the NLRB is a long-discredited tactic that has time and time again led to defeat. Only the independent mobilization of the power of the working class can win back what Warrior Met took from its miners. Like the Wall Street marches and the sit-ins, the filing of NLRB charges is completely unserious and a mere distraction on the part of the union that commands $163 million in assets.

For all of these reasons, the *World Socialist Web Site* continues to encourage Warrior Met miners to form their own rank-and-file committees. It is time to revive the long and proud militant traditions of the miners. The entire working class should take up the miners’ demands—including restoration of their pre-bankruptcy wages, full medical coverage, and safe work conditions with reasonable hours—and stand in solidarity with them.

Warrior Met miners are not alone. Regardless of what the UMWA would have them believe, they are part of an increasingly militant American and international working class. The past several months have seen an upsurge in struggles, including by Volvo workers in Virginia, Frito Lay workers and Nabisco workers as well as nurses in Massachusetts.

Miners worldwide face decreasing wages, low pay, and poor health and have launched struggles, including Vale nickel miners in Canada. These are real allies of Warrior Met miners, not Cecil Roberts and the UMWA. It is to the broader working class that Warrior Met miners must turn, not to the UMWA or to the pro-company NLRB.

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