



6TH FLOOR, 501 3RD STREET, N.W., WASHINGTON, DC 20001-2797 • 202/434-1254
FAX: 202/434-1426

August 17, 2010

Re: The Current State of NBCU Negotiations

Dear NBCU Member of NABET-CWA:

We write to you today because you deserve an accurate and comprehensive update on the state of negotiations with NBC Universal, and to dispel recent rumors. The Company has communicated to you, both verbally and in writing, clumsily crafted and regrettably incomplete adaptations of the negotiating timeline and the current position of the parties. It is time to set the record straight.

Your NABET-CWA leadership entered these negotiations in September 2008 with the sharply focused goal of reaching an early agreement between the parties - an agreement which would be the foundation of a secure, thriving and enduring relationship with NBCU. The Company did not have the same goal in mind. While there was early optimism that a mutually acceptable deal could be reached, those prospects were dimmed by a package of devastating Company proposals and several disturbing statements made across the bargaining table by representatives from Labor Relations.

Your bargaining committee recognizes the high level of membership frustration over this protracted and challenged process. We share your frustration. This contract negotiation should not be this complicated and should not have exhausted this much time. The prior contract expired on March 31, 2009. The committee's principal goal throughout the bargaining process has been to strengthen job security for our members. The company has taken a very opposite approach, through contract proposals designed to marginalize our participation and erode our long-standing jurisdictional security. Our proposals call for reasonable wage increases, real job security, and enhanced benefits.

Company representatives have attempted to blame the Union for being unresponsive and intentionally delaying the process. This Company-generated 'spin' is utterly inaccurate. The lines of communication between the parties are open and functional. NBC is attempting to blame NABET-CWA for the fact that negotiations have dragged on for nearly two years. NBC is simply trying to deflect attention away from its own misconduct, which is the real cause for the delay. With the creation of the Content Centers, NBC unilaterally removed employees from the bargaining unit, and changed their wages and benefits. NBC engaged in direct dealing with NABET-CWA members, and threatened employees with job loss, a classic violation of the National Labor Relations Act ("NLRA").

NABET-CWA and its Locals 11, 31, 41 and 53 filed a series of unfair labor practice charges with the National Labor Relations Board (NLRB) against NBCU beginning in February 2009. The agency investigated our allegations for over one year and ultimately decided to issue Complaints on many of the allegations set forth in the charges. In fact, Region 13 of the NLRB (Chicago) issued a Complaint on every allegation set forth in Local 41's Charge. We could not have achieved this without your cooperation and support in the investigation!

In addition to the Complaint issued by NLRB Region 13, charging WMAQ with multiple violations of the NLRA, and requesting a "make whole" remedy to the affected employees and Local 41, Region 2 of the NLRB will issue a Complaint on portions of the Sector's Charges, containing multiple allegations against NBC for its conduct at and away from the bargaining table. Significantly, the Region 2 Complaint will allege that NBC has engaged in unlawful "surface bargaining," perhaps the most egregious bad-faith bargaining allegation. Surface bargaining is defined as entering negotiations with no intent to reach an agreement, or bargaining on a "take it or leave it" basis. This allegation is so egregious that the Sector will make every effort to convince the NLRB that NBC should be compelled to pay NABET-CWA's negotiations expenses to remedy its blatant violations of the NLRA. The NLRB trial is scheduled to begin on January 18, 2011, in Chicago.

The dynamics related to the NLRB proceedings have the net effect of separating the Content Producer litigation from the overall contract negotiations. It is important to point out that during a recent meeting between the Company and the Union, NBC Labor Relations recognized this reality and suggested a 'two-track' approach whereby the overall contract negotiations ride on one track while the Content Producer issues proceed on a separate track. When the Union agreed with this approach, the Company quickly reversed its position. Since then, Company proposals to resolve the NLRB litigation have fallen far short of a mutually acceptable resolution, and recently the Company rejected an NLRB proposed settlement of the above-mentioned Region 13 litigation. While the Union is prepared to continue with the litigation before the NLRB, NABET-CWA remains open to discussing a comprehensive global settlement of the Charges and Petitions, but not until we have a ratified Master Agreement in place.

So where do things stand at this point?

Through these twenty-three (23) months of bargaining – and as a result of intense on-the-record and off-the-record talks – the parties are at a point where an overall deal on the open mandatory subjects of collective bargaining is close. The only gap between the parties is ½ % on the general wage increase in the first year of the new contract. On August 6, 2010 the Union delivered an 'On the Record' package proposal to the Company with six (6) enumerated points to bring these negotiations to a close and put the package before you – the membership – for consideration and ratification. As of this date, the Company has written a letter to the Union and conducted one brief face-to-face meeting with Union representatives to discuss the elements of the proposal, but has not formally responded to the proposal. We look forward to a prompt, affirmative response from Labor Relations. You should communicate directly with your managers and supervisors to educate them about the current circumstances. Explain the facts, show them this letter and share the August 6, 2010 proposal with them. The time has come to close the deal!

Remember that although the Master Agreement expired 16 months ago, NBC must continue to maintain your current terms and conditions of employment. Please let us know immediately if you notice any changes at work.

If the merger with Comcast occurs, your wages and benefits will remain the same until we have a new Master Agreement in place. Comcast will simply "step in the shoes" of NBC, and will be responsible for maintaining your terms and conditions of employment, and negotiating with NABET-CWA.

Mobilization activities are being planned for all locations with particular focus on the Prime Time Emmys, Saturday Night Live and the upcoming season of Sunday Night Football. You should monitor mobilization notices from your local so that you can fully participate in assisting your bargaining committee in achieving our goals.

As we have stated previously, "This is your Contract!"

Thank you for your continued support.

In solidarity,

Ed McEwan
Local 11, New York City

Steve Ross
Local 53, Burbank

Rich McDermott
Local 31, Washington, D.C.

Jim Joyce
Sector President

Charlie Braico
Local 41, Chicago
Sector Vice President