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Subject: Testimony on S.102

First of all, thank you for giving me the opportunity to speak here today. I'd like to share my experience as a key member of a union organizing committee at my former employer and how it pertains to the VT PRO Act, and hopefully it will help exemplify the need to pass this bill.

I'd like to focus specifically on the power dynamic between worker and employer, and how employers have a disproportionate amount of control over their workers' ability to obtain collective bargaining rights.

The company I attempted to help unionize has nearly a 90% turnover rate, and so many workers' comp cases that few health insurance providers are unwilling to offer plans to them. They push their employees to the breaking point, and give them the cold shoulder once they inevitably hurt themselves on the job. It's hard to tell if this is due to neglect or a deliberate tactic to keep workers from making too much money (they had a tactic of evaluating a worker's efficiency at their four or five year mark, which often resulted in a layoff or some excuse to fire them). Our union push attempted to fix this.

Once the campaign went public, the owner cornered me after every union meeting and told me how ungrateful I was to the company, how I took advantage of their generosity, how he was monitoring my bathroom breaks, and told me cryptically to "be careful." We were forced to attend numerous captive meetings, some being run by a "neutral arbitrator" who was actually an attorney who specialized in union busting and cost \$500/hour. This attorney is known nationwide for her union-busting firm, and has been convicted of breaking numerous labor laws, most notably lying during her captive audience meetings.

The captive audience meetings successfully terrified many employees. The owner also approached many workers one-on-one, cornering them and playing the victim. The company also sent spies into our meetings.

The tactics worked quickly, and the number of supporters we had dropped drastically. Defect workers made rounds to co-workers to feed them lies and half-truths, and assurances of how the new HR manager would make things better. He was later fired almost immediately after the company removed most of the pro-union workers.

After the vote, they made few changes to the company, most being punitive towards pro-union members. This included disciplining those who don't "push the company culture" and workers who were several minutes late to morning stretch sessions. I was fired under the auspices of the latter. This was an obvious attempt to remove me from the company due to my organizing. It was open knowledge amongst the workers and management, several of whom told me very obviously that I "have a target on my back." The company immediately laid off all the workers in the department that was the most pro-union and shut the department down entirely. The owner went on the record saying he "could never forgive anyone involved" with the union drive, and went on and on about how personally he took it.

He had to leave the state during the union vote, and the day he returned he left a note saying "COCKROACH" on it in my locker. It was his handwriting, and the timing and the power dynamic left few wondering who actually wrote this note. Management did nothing about this, and what could they even do in the first place? They just denied it and told me that "they are sorry that they don't view reality the way I do."

Employers and anti-union consultants can get away with overt law-breaking because federal laws that cover these issues are effectively toothless. I myself have outstanding cases from this campaign that are currently pending with the NLRB. The campaign was last summer. The NLRB is typically pretty swamped, and the rulings they do make are often extremely limited in scope, so swift justice is basically nonexistent.

If the VT PRO Act was in place, we could have stood up for ourselves when cornered by the boss or brought into captive audience meetings. We also would have been able to approach the farm crew, many of whom are underpaid and live in company housing that is not well maintained at all. It truly undercuts the entire concept of a union if the most poorly paid and mistreated of workers cannot join a union effectively because of last century's racism.