

# NOTICE

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## UTILITY WORKERS UNION OF AMERICA, AFL-CIO LOCAL 369



**To: All Local 369 Members at SEMASS Covanta**  
**From: The Bargaining Committee**  
**Subject: NLRB to Seek Injunction against Covanta Energy**

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The Union was informed yesterday by NLRB Region 1 that the Board's General Counsel in Washington, D.C. has authorized the Region to pursue an injunction against Covanta in U.S. District Court in Boston. The NLRB invokes the rare procedure only in cases considered egregious enough to warrant federal court intervention.

As you are all aware Covanta's illegal conduct is the subject of a trial already underway before an administrative law judge, which is set to resume on November 30 in Plymouth. The power of the NLRB to seek injunctive relief comes from section 10(j) of the National Labor Relations Act, which authorizes the agency to pursue injunctions in cases where unfair labor practices have been committed, and where real harm will arise for workers before an administrative trial and appeals can be concluded.

The NLRB's decision to seek a federal court injunction is exceedingly rare. For example, during 2008 the Board authorized only eighteen Section 10(j) injunction requests. According to NLRB data, this represented only 0.22% of the 8,036 cases in which the Board found merit in charges filed with the agency and either issued an administrative complaint or negotiated a settlement.

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