

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION TEN

VOLKSWAGEN GROUP OF AMERICA, INC.,

Petitioner-Employer,

and

Case 10-RM-121704

INTERNATIONAL UNION, UNITED AUTOMOBILE,
AEROSPACE AND AGRICULTURAL IMPLEMENT
WORKERS OF AMERICA (UAW),

Labor Organization.

OBJECTIONS TO CONDUCT AFFECTING ELECTION

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) (the “UAW”) objects to conduct affecting the election held in this matter on February 12, 13 and 14, 2014 among the production and maintenance employees of Volkswagen Group of America, Inc. (“VWGOA”) at its facility in Chattanooga, Tennessee (“the Election”). In support, the UAW states as follows, reserving its right to fully document the basis for its Objections through such investigations and evidentiary hearings as the Board determines to conduct.

1.

In the days between the filing of the Petition in this matter (hereafter “the Petition”) and the conclusion of the Election, and at other times, senior officials of the State of Tennessee (the “State”), including Governor William Haslam, State House

Speaker Beth Harwell, State House Majority Leader Gerald McCormick, Senate Speaker Pro Tem Bo Watson, Chairman of the State Senate Commerce and Labor Committee Jack Johnson, and Vice-Chairman of the State Senate Commerce and Labor Committee Mark Green (collectively, the “State Officials”), conducted what appears to have been a coordinated and widely-publicized coercive campaign, in concert with their staffs and others, to deprive VWGOA workers of their federally-protected right, through the Election, to support and select the UAW as their exclusive representative under Section 9(a) of the National Labor Relations Act (the “Act”), free of coercion, intimidation, threats and interference. The State Officials’ campaign included, without limitation, publicly-announced and widely disseminated threats by the State Officials that State-financed tax and other incentives and financial benefits would be withheld from VWGOA, to the detriment of VWGOA and VWGOA workers, and that other harm would come to such workers and their employer if the VWGOA workers exercised their protected right to select the UAW as their representative pursuant to Section 9(a) of the Act. Most of the statements made by the State Officials as part of this campaign centered on a threatened loss of State financial incentives for VWGOA expansion in Chattanooga if the UAW was elected. And these threats were clearly designed to influence the votes of VWGOA workers in the Election and to deprive them of their Section 7 right to vote in an atmosphere free of coercion, intimidation and interference. Thus, campaign leader State Senate Speaker Pro Tem Bo Watson explained his threats on the eve of the Election by stating that “[t]he workers that will be voting, need to know all of the potential consequences, intended and unintended, should they choose

to be represented by the United Auto Workers." Those "consequences" of UAW representation, as Watson made clear, included their employer's loss of State financial support seen by all as critical to make the Chattanooga plant viable through the introduction of a second product line (the B-SUV) in order to bring the plant to full, secure and profitable capacity utilization.

Summarizing the State Officials' threats, State Senate Speaker Pro Tem Watson sent this message to VWGOA workers: "I believe the members of the Tennessee Senate will not view unionization as in the best interest of Tennessee. The Governor, the Department of Economic and Community Development, as well as the members of this delegation, will have a difficult time convincing our colleagues to support any Volkswagen incentive package." These threats are very significant, for State financial incentives were a key component in VWGOA's decision to locate in the State and are necessarily a key component to any future VWGOA decisions regarding future expansion and full capacity utilization in Chattanooga, and to the heightened job security that would accompany such an expansion. In the Board investigation that will follow the filing of these Objections, the UAW will present the Board with a full collection of the threats against VWGOA and its workers made by the State Officials, as well as the dissemination of these threats both in the public media and directly to the VWGOA workforce. The State Officials' threats include, but are not limited to, those described in the following, selected from scores of local and national media reports in the days before and during the Election:

- "Tenn. Politicians threaten to kill VW incentives if UAW wins

election” Reported at:

<http://www.autonews.com/article/20140210/OEM01/140219986/tenn-politicians-threaten-to-kill-vw-incentives-if-uaw-wins-election#>

(Statements of Governor Haslam and House Majority Leaders Gerald McCormick re loss of VW incentives if VWGOA workers elect UAW) (See Exhibit UX1 attached hereto);

- “Tenn. Lawmakers: VW incentives threatened by UAW” Reported at <http://www.businessweek.com/ap/2014-02-10/tenn-dot-lawmakers-vw-incentives-threatened-by-uaw> (repeating Watson threat and quoting House Speaker Harwell regarding the effect of UAW being elected on State incentives: “It would definitely put those [incentives] in jeopardy ... That would jeopardize a very good arrangement for Volkswagen to locate here.” (See Exhibit UX2 attached hereto);
- “Union Drive Doesn’t Bother Management, but GOP Fumes” reported at http://www.nytimes.com/2014/02/12/business/automaker-gives-its-blessings-and-gop-its-warnings.html?_r=0 (containing more threats including Bo Watson’s statement that “The members of the Tennessee Senate will not view unionization as in the best interest of Tennessee”) (Exhibit UX3 attached hereto);
- “Bo Watson Says VW May Lose State Help If The UAW Is Voted In At Chattanooga Plant; McCormick Urges Workers To Reject Union” reported at <http://www.chattanooga.com/2014/2/10/269310/Bo-Watson-Says-VW-May-Lose-State-Help.aspx>; (containing more threats, including Bo Watson’s statement that “[t]he workers that will be voting need to know all the potential consequences, intended and unintended, should they choose to be represented by the UAW”) (Exhibit UX4 attached hereto).¹

These and similar threats by State officials were widely disseminated in broadcast, print and social media, including on various campaign websites managed and paid for by business-supported and other groups such as “Southern Momentum,” “workerfreedom.org,” and “Americans for Tax Reform” and directed at VWGOA

¹ These threats by State Officials were published in scores of broadcast, print and social media outlets, including virtually all Chattanooga-area media. The UAW will provide the details of this republication to the Board during the investigation of these objections.

voters. For example, Mike Burton, a sponsor of the “No2UAW” website, speaking to his fellow VWGOA workers, promptly and publicly republished the State Officials’ threats and truthfully described them for what they were: shortly after these threats were made, Burton quickly issued a press release stating: “This confirms exactly what we have been telling people ... A vote for the UAW is a vote against expansion of the plant, plain and simple.” (Burton quote appears in UX1 (attached hereto).) Moreover, Burton and his supporters broadly distributed the *Chattanooga* article entitled “Bo Watson Says VW May Lose State Help If the UAW Is Voted In At Chattanooga Plant” (Exhibit UX4) as a leaflet in the VWGOA facility immediately after its February 10 publication, two days before the Election.

The State Officials’ threats were a constant presence in the minds of VWGOA voters in the period immediately before and during the Election, and were a blatant attempt to create an atmosphere of fear of harm to VWGOA employees, their jobs and the viability of their employer, all in order to influence the outcome of the election and cause VWGOA employees to vote against UAW representation out of fear. As described by a dissenting State official, the threats were “an outrageous and unprecedented effort by state officials to violate the rights of employers and workers [by] basically threatening to kill jobs if workers exercise their federally protected rights to organize.” http://www.nytimes.com/2014/02/12/business/automaker-gives-its-blessings-and-gop-its-warnings.html?_r=0 (See UX3 (attached hereto).)

2.

Within hours of the February 10, 2014 press conference at which State Official

Bo Watson delivered his particular threats referenced above, and in apparent coordination with those threats, a newly-registered Tennessee corporation known as “Southern Momentum,” represented by Chattanooga management attorney Maurice Nicely² and purporting to be an organization representing VWGOA workers, publicly repeated Watson’s threat by stating in the press, through Nicely, that “[f]urther financial incentives — which are absolutely necessary for the expansion of the VW facility here in Chattanooga — *simply will not exist if the UAW wins this election.*” See UX6, a February 10, 2014 nationally syndicated article quoting Nicely and referring to the remarks of the State Officials that Nicely echoed as a “threat.” The view that the State Officials’ statements were a “threat” was echoed by Nashville management partner Zan Blue of Costangy, Brooks and Smith, who saw the statements in just that way. See February 12, 2014 9:09 a.m. audio interview at beginning at 7 minute 14 second mark at <http://wutc.org/post/reality-check-uaw-ate-detroit-and-chattanooga-s-menu> (“UAW Ate Detroit and Chattanooga’s on the Menu?”) (“They do sound like threats and threats are never useful”).

3.

Also on February 10, 2014, the “Southern Momentum” No2UAW website published the State Officials’ threats of loss of State financial incentives for VWGOA under the then-banner headline “VW May Lose State Help if the UAW is Voted in at the Chattanooga Plant.” See archive in Exhibit UX7 (attached hereto). Other anti-UAW

² Southern Momentum, Inc. was incorporated on January 31, 2014. Its office address and its registered agent are Mr. Nicely’s management-side law firm, Evans Harrison Hackett PLLC, in Chattanooga. See UX5 (attached hereto).

campaign websites also published these State Officials' threats, which were well known among the VWGOA worker electorate.

4.

On February 12, 2014, during the first day of the Election, United States Senator Bob Corker escalated the campaign threats made by the State Officials, stating that he had been "assured" by VWGOA that if the VWGOA workers voted against the UAW, they would be rewarded with a new product line at Chattanooga. Corker issued his dual threat and promise of benefit in the middle of the Election itself to coerce the VWGOA workforce into voting against UAW representation. Senator Corker's threat was made using United States Government resources, and was published and republished on the Senator's official Senate website, as well as very broadly disseminated in all media. Moreover, we believe that Senator Corker used government travel funds specifically to fly to Chattanooga to make his threat in the most open and notorious manner. During the press conference convened by Senator Corker to threaten VWGOA workers, he stated "I've had conversations today and based on those am *assured* that should the workers vote against the UAW, Volkswagen will announce in the coming weeks that it will manufacture its new mid-size SUV here in Chattanooga." (Emphasis supplied – of course, the only entity that can assure where a product is manufactured is Volkswagen itself.) See, e.g.,

<http://www.corker.senate.gov/public/index.cfm/2014/2/corker-conversations-today-indicate-a-vote-against-uaw-is-a-vote-for-suv-production> (see also Exhibit UX8 with multiple pages from Senator Corker's official United States Senate website). Senator

Corker's statement and his press conference were widely reported and well-known to VWGOA workers. Moreover, we submit that Senator Corker's statement appears by its timing, if nothing else, to have been part of a coordinated effort along with the above-referenced State officials and anti-union groups to coerce a no vote. It was widely published under banner headlines in the media and played repeatedly on broadcast media in Chattanooga. It promptly appeared on the No2UAW website, the Southern Momentum Facebook page, and on the Grover Norquist "Worker Freedom" campaign website. In fact, the Reuters article reporting Senator Corker's statement, entitled "Senator drops bombshell during VW plant union vote,"³ was almost immediately linked with a "Bombshell" banner headline on the No2UAW and "Worker Freedom" Norquist websites and widely distributed as a handbill in the VWGOA plant during the Election. Moreover, when VWGOA official Frank Fischer denied a link between a vote against UAW and the placement of the new SUV in Chattanooga, Senator Corker repeated and in fact amplified his threat, saying: "Believe me, the decisions regarding the Volkswagen expansion are not being made by anyone in management at the Chattanooga plant and we are also very aware Frank Fischer is having to use old talking points when he responds to press inquiries."⁴ In a widely-disseminated statement to the Associated Press, Corker also said "There is no way I'd put out a statement like I put out unless I was 1,000 percent [**"1,000 percent" in original**] that it

³ UX9 (attached hereto): <http://www.reuters.com/article/2014/02/13/us-volkswagen-corker-idUSBREA1C04H20140213> .

⁴ UX10 (attached hereto): <http://www.corker.senate.gov/public/index.cfm/2014/2/corker-statement-on-expansion-conversations> .

was accurate in every way.”⁵ Senator Corker, who was the mayor of Chattanooga at the time that VWGOA decided to locate its facility there, has repeatedly and publicly emphasized his close connection to company officials. He told Nooga.com, in an article posted on February 13, that much of the negotiation that led to Volkswagen choosing Chattanooga occurred around the dining room table of Corker’s Chattanooga home.⁶ In yet another local newspaper article published during the Election, Senator Corker claimed that “[t]here’s not a week that goes by when we don’t talk to someone at VW USA or VW in Germany.” See

<http://www.timesfreepress.com/news/2014/feb/14/for-sen-corker-the-uaw-vote-is-personal-passions> . All these statements were clearly intended to convey as fact that Senator Corker knew the company’s plans and that his repeated threat and promise of benefit was the truth.⁷ Senator Corker’s conduct was clearly timed and intended to coerce employees to vote against UAW by causing them to fear loss of new work for the Chattanooga plant, and thus a diminishment of job security, if they exercised their

⁵ UX11 (attached hereto) http://www.washingtonpost.com/business/corker-stands-by-claim-vw-will-expand-if-uaw-loses/2014/02/13/931cd628-94ff-11e3-9e13-770265cf4962_story.html .

⁶ UX12 (attached hereto) <http://www.chattanooga.com/2014/2/13/269538/VW-Chattanooga-President-Disputes.aspx> .

⁷ Senator Corker repeatedly told the media, for public consumption, that he was the ultimate insider when it came to VWGOA’s plans, including his statement during the Election that he knew more about the Company’s plans than its CEO in America. Media reports concerning Senator Corker’s involvement with the VWGOA facility and its leadership going back to 2008 can be found at the Volkswagen Group of America website at http://199.5.47.214/newsroom/news_2008.htm, and at related web archives on the VWGOA “Newsroom” site. Senator Corker’s point in asserting a direct link between VWGOA’s assignment of the B-SUV line to Chattanooga to a vote by VWGOA workers against the UAW was that he was the most credible and reliable source of information on this issue.

federally protected right to organize. Senator Corker's conduct was shameful and undertaken with utter disregard for the rights of the citizens of Tennessee and surrounding states that work at VWGOA Chattanooga. Standing alone, it is a more than adequate basis for sustaining these Objections.

5.

The cumulative effect⁸ of conduct such as that summarized above created a situation strikingly similar “to that existing when third parties conduct massive campaigns to convey the message that choosing the union would cause the employer to move or shut down and thereby deprive employees of job opportunities,” *Frates, Inc.*, 230 NLRB 952 (1977). It is well-established that such campaigns, even when they are “spontaneous, motivated solely by self-interest and what it deemed best for” the community, may nonetheless destroy the possibility of a fair election. *Lake Catherine Footwear, Inc.* 133 NLRB 443, 449-450 (1961). The clear message of the campaign was that voting for the union would result in stagnation for the Chattanooga plant, with no new product, no job security, and withholding of State support for its expansion. State Senate Speaker Pro Tem Watson threatened that harm to VWGOA and its workers would come from the denial of tax and other state incentives if UAW was elected; while U.S. Senator Corker announced that he *knew from the employer* that a vote to reject the UAW would mean a vitally important new product line would be awarded to Chattanooga, and that the opposite would result if the VWGOA workers dared to

⁸ See *Picoma Industries, Inc.*, 296 NLRB 498, 499 (1989) (cumulative effect of individual incidents of third-party misconduct must be considered in evaluating fairness of election).

exercise their right to vote for the UAW. Each part of this heavy-handed campaign magnified the other. *See Picoma Industries, supra*, and *Universal Mfg. Corp.*, 156 NLRB 1459 (1966). Whether spontaneous or coordinated, whether motivated by genuine concern for the community or paid from the war-chests of outside employers – the *effect* of this campaign is clear. No VWGOA employee could cast a vote without a well-founded fear that the exercise of the franchise could mean both that their job security at VWGOA and the financial health of their plant were in serious jeopardy. Such an environment, foisted on VWGOA workers by politicians who have no regard for the workers' rights under federal law, is completely contrary to the environment that the National Labor Relations Act demands for union certification elections.

CONCLUSION

The Board will set aside an election based on third-party misconduct when the misconduct created "a general atmosphere of fear or reprisal rendering a free election impossible." *Westwood Horizons Hotel*, 270 NLRB 802, 803 (1984). The five factors the Board considers in making this determination all favor setting this Election aside. The nature of the threat – the diminishment of job security if the workers vote for the union – is, like the threat of a plant closing, among the most serious that can occur. The threat was directed at the entire bargaining unit and was known to every potential voter in this extremely high visibility campaign. Moreover, the threat to eliminate state incentives was made by powerful political leaders who, in fact and in the reasonable perception of the employees, were quite capable of putting their threat into effect. Even worse, the "fist" of the State Officials' threats about tax incentives for a new product

line was in fact amplified by the “velvet glove”⁹ of a United States Senator who claimed to have “assurance” from the Company that the new product line would be a reward for a “No” vote. In these circumstances, employees undoubtedly treated this information with utmost seriousness and accepted it as true. In fact, the “No2UAW” Facebook page, a center of debate on the campaign, placed beyond doubt how the Corker threats were to be read by the VWGOA workforce: The website’s hosts linked to media reports of Corker’s statements in “*The Chattanooga*” with this host comment: **“Our choices just became clearer ... UAW or B-SUV... Chattanooga Will Get New Line of SUVs if UAW Is Not Approved.”** (UX13 – attached hereto, emphasis supplied). This resonates as a classic “fist inside the velvet glove” threat: if you vote against the Union, you will be rewarded, but if you go the other way you will be punished. Senator Corker knew exactly what he was doing: he was purporting to deliver from the Employer, in the midst of the Election, a promise of benefit if workers voted against the UAW, and a threat to withhold that benefit if VWGOA workers exercised their protected right to vote for the Union. Such shameful conduct, by itself, and especially when considered together with the related conduct of the State Officials, amply supports the Board granting these Objections to prevent VWGOA workers from being deprived of a free and uncoerced choice.

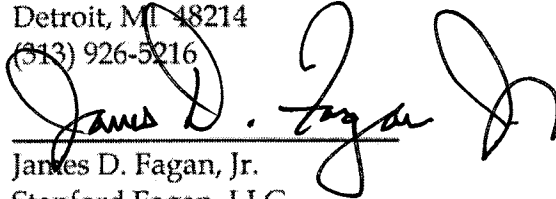
Because of these and other related pre-Election events, acts and conduct, the Board should set aside the Election and order that a new election be held.

⁹ See *NLRB v. Exchange Parts Co.*, 375 U.S. 405, 409 (1964).

Respectfully submitted,

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Dated: February 21, 2014

UNION EXHIBIT:

UX 1

Automotive News

Tenn. politicians threaten to kill VW incentives if UAW wins election

Gabe Nelson  

Automotive News | February 10, 2014 - 4:23 pm EST

-- **UPDATED: 2/10/14 7:21 pm ET - adds new Corker-UAW dispute**

WASHINGTON -- Volkswagen AG has been soliciting subsidies from Tennessee and Mexico, hoping to pick a production site this year for a mid-sized SUV due to go on sale in 2016.

And it seems that this week's UAW election at the VW assembly plant in Chattanooga could tilt the competition in Mexico's favor.

The reason? Republican lawmakers in Tennessee might no longer want to double down on the \$580 million in state and local incentives that they offered VW in 2008.

If the workers opt for UAW representation, VW would have a "very tough time" securing more incentives from the state legislature, Bo Watson, a state senator from suburban Chattanooga, said during a press conference this morning. He was flanked by House Majority Leader Gerald McCormick, a powerful figure in Tennessee politics, who said the "heavy hand" of the UAW is unwelcome in the state.

"The taxpayers of Tennessee reached out to Volkswagen and welcomed them to our state and our community," McCormick, a Republican from Chattanooga, said in an e-mail to Automotive News. "We are glad they are here. But that is not a green light to help force a union into the workplace. That was not part of the deal."

A spokesman for Tennessee Gov. Bill Haslam said in an e-mail to *Automotive News* that state lawmakers would play a big role in approving incentives for the VW plant because the project would be too large to approve with existing funding for the state's "FastTrack" incentive program.

"The governor has been clear about the impact of the UAW on the state's ability to recruit other companies to Tennessee," the Haslam spokesman said. "Any discussions of incentives are part of additional and continued talks with VW, which we look forward to."

Last-minute lobbying

UAW critics jumped on the lawmakers' claim to persuade workers to vote against union representation. A group called Southern Momentum quickly put out a statement that quoted Mike Burton, a paint-shop employee who leads a coalition of workers opposed to the union.

"This confirms exactly what we have been telling people," he was quoted as saying. "A vote for the UAW is a vote against the expansion of the plant, plain and simple."

Watson and McCormick were not just critical of the UAW. They were also critical of VW, saying that the company has given union supporters an unfair advantage by allowing them to enter the plant and speak with workers.

Volkswagen denies that charge. In a statement this weekend, the company said both UAW supporters and opponents are free to hand out leaflets and speak with their fellow employees about the union drive.

The statement also said VW could have recognized the UAW with a "card check," in which signed cards of support take the place of a secret-ballot election. The company insisted on an election, said Sebastian Patta, vice president of human resources, to reflect its belief that "democracy is an American ideal."

Patta added: "Outside political groups won't divert us from the work at hand: innovating, creating jobs, growing, and producing great automobiles."

Site decision coming soon

About 1,500 workers are eligible to vote in the UAW election, which will take place Wednesday to Friday under the supervision of the National Labor Relations Board.

It is unclear whether Tennessee politicians' subsidy threat would last beyond the election or whether the promise of a plant expansion, with the thousands of jobs it would bring, would outweigh their dislike of the UAW.

Volkswagen CEO Martin Winterkorn announced last month that VW will launch a mid-sized SUV in 2016, modeled after the CrossBlue concept that was unveiled at the Detroit auto show in 2012.

Michael Macht, the board member for production at VW, told *Automotive News* at the time that a decision on a production site would follow within six months. He said VW was still asking about incentives.

Corker vs. UAW

Some top lawmakers in Tennessee have refrained from commenting ahead of the UAW election, including Republican U.S. Sen. Bob Corker, who said last year that inviting the union into its plant would make VW the "laughingstock" of the industry.

Corker has often drawn the UAW's ire for his criticism of the union, particularly during the government bailout discussions for General Motors and Chrysler in 2009.

"During the next week and a half, while the decision is in the hands of the employees, I do not think it is appropriate for me to make additional public comment," Corker told news outlets last week.

That stance drew praise from the UAW.

"Other politicians," UAW Region 8 Director Gary Casteel said, "should follow the lead of Senator Corker and respect these workers' right to make up their own minds."

But Corker, the former mayor of Chattanooga, subsequently announced later Monday that he would hold a press conference Tuesday to weigh in on the UAW election.

"I am very disappointed the UAW is misusing my comments to try to stifle others from weighing in on an issue that is so important to our community," Corker said in a statement.

"While I had not planned to make additional public remarks in advance of this week's vote, after comments the UAW made this weekend, I feel strongly that it is important to return home and ensure my position is clear."

Then, in response to Corker, Casteel issued this statement later Monday:

"It's unfortunate that Bob Corker has been swayed by special interests from outside Tennessee to flip-flop on his position on what's best for Chattanooga's working families.

"While outside interests and other politicians have been trying to impact the results of this vote, which would give Volkswagen workers a voice to make VW stronger in safety, job security and efficiency, improving the quality of life for everyone in Chattanooga. We believe Corker was right in his original statement that this vote should be left to the workers."





Photo credit: Reuters

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UNION EXHIBIT:

UX 2

Bloomberg Businessweek**News**<http://www.businessweek.com/ap/2014-02-10/tenn-dot-lawmakers-vw-incentives-threatened-by-uaw>

Tenn. lawmakers: VW incentives threatened by UAW

By By Erik Schelzig February 10, 2014

NASHVILLE, Tenn. (AP) — Republican lawmakers in Tennessee on Monday threatened that the state could turn off the spigot of incentives for Volkswagen if workers at the German automaker's plant decide this week to approve union representation.

State Senate Speaker Pro Tem Bo Watson told a news conference in Chattanooga that the United Auto Workers campaign at the plant is "un-American."

"Should the workers at Volkswagen choose to be represented by the United Auto Workers, any additional incentives from the citizens of the state of Tennessee for expansion or otherwise will have a very tough time passing the Tennessee Senate," he said.

About 1,500 out of the 2,500 employees at the plant are eligible to vote in the three-day union election that begins Wednesday. Volkswagen announced earlier this year that a new SUV model will be built either in Chattanooga or in Mexico.

Republican Gov. Bill Haslam last year insisted that state incentives are not contingent on the union being rejected at the plant. Spokesman David Smith said Monday that the governor's position hasn't changed.

"Any discussions of incentives are part of additional and continued talks with VW, which we look forward to," Smith said in an email.

But state House Speaker Beth Harwell, a Nashville Republican and close Haslam ally, told The Associated Press on Monday that she shares concerns about a UAW victory at the plant.

"It would definitely put those (incentives) in jeopardy," she said. "That would jeopardize a very good arrangement for Volkswagen to locate here."

"And I hate that, because I want Volkswagen here, we're so proud and honored to have them here," she said. "But unionization is a huge setback for our state economically."

Volkswagen received a more than \$500 million incentive package as part of its decision to build the plant in Chattanooga in 2008.

The UAW vote would be the first step toward creating a German-style "works council" at the plant, which would represent both blue- and white-collar employees on issues such as working conditions and plant efficiency, but not wages or benefits.

Under Tennessee law, workers would not have to join the union to be represented.

German law gives labor representatives half the seats on the Volkswagen's supervisory board, where some powerful members have raised concerns about the Chattanooga plant being alone among the company's large factories without formal labor representation.

Republican U.S. Sen. Bob Corker, who last year said Volkswagen would become a "laughingstock" for entering negotiations with the UAW, had announced last week that he would withhold public commentary on the process while the election was underway.

But in response to what he called the UAW's attempts to use his position to try to silence other critics, the former Chattanooga mayor said he will hold a news conference Tuesday to "ensure my position is clear."

UAW regional director Gary Casteel said in an email that Corker's decision to change course was driven by "special interests from outside Tennessee."

"We believe Corker was right in his original statement that this vote should be left to the workers," Casteel said.

Democratic lawmakers in the state condemned their Republican colleagues for trying to tie incentives to a rejection of the union vote at Volkswagen.

"Instead of telling them to expand, we're talking about bringing sanctions against them if they do this," said House Democratic Caucus Chairman Mike Turner of Nashville. "It's very disturbing."

Turner said that stance could have a negative impact on attracting other European businesses to Tennessee.

Labor lawyer George Barrett said the GOP move could run afoul of the national labor act, possibly giving rise to litigation.

"You're threatening to withhold a benefit you're offering to other people on the basis of membership in the unions, which is discriminatory," Barrett said.

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UNION EXHIBIT:

UX 3



BUSINESS DAY

Union Drive Doesn't Bother Management, but G.O.P. Fumes

By STEVEN GREENHOUSE FEB. 11, 2014

As workers at the Volkswagen plant in Chattanooga, Tenn., prepare to vote this week on whether to join the United Automobile Workers, they are facing unusual pressure from the state's Republican legislators to reject the union.

State Senator Bo Watson, who represents a suburb of Chattanooga, warned on Monday that if VW's workers voted to embrace the U.A.W., the Republican-controlled Legislature might vote against approving future incentives to help the plant expand.

"The members of the Tennessee Senate will not view unionization as in the best interest of Tennessee," Mr. Watson said at a news conference. He added that a pro-U.A.W. vote would make it "exponentially more challenging" for the legislature to approve future subsidies.

A loss of such incentives, industry analysts say, could persuade Volkswagen to award production of a new S.U.V. to its plant in Mexico instead of to the Chattanooga plant, which currently assembles the Passat.

At a news conference on Tuesday, United States Senator Bob Corker, a former mayor of Chattanooga and a Republican, also called on VW employees to reject the union. He called it "a Detroit-based organization" whose key to survival was to organize plants in the South.

"We're concerned about the impact," Mr. Corker said. "Look at Detroit."

This week's vote, which will run for three days beginning on Wednesday, is being closely watched because it could make the Volkswagen factory the first foreign-owned auto assembly plant to be unionized in the traditionally anti-union South. Some industry experts say the U.A.W.'s prospects of succeeding

have been buoyed by Volkswagen's decision not to oppose the unionization drive and even to hint support for the union.

Volkswagen is eager to have a German-style works council at the Chattanooga plant. The council would bring together managers and white- and blue-collar workers to help set factory policies and foster collaboration. Many labor experts say that to have a works council, employees first need to vote for a labor union to represent them. If the Chattanooga plant establishes a works council, it would be the first factory in the United States to do so.

"Our works councils are key to our success and productivity," said Frank Fischer, Volkswagen Chattanooga's chief executive and chairman. "It is a business model that helped to make Volkswagen the second-largest car company in the world. Our plant in Chattanooga has the opportunity to create a uniquely American works council, in which the company would be able to work cooperatively with our employees and ultimately their union representatives, if the employees decide they wish to be represented by a union."

Labor experts say a U.A.W. victory could create momentum to unionize the Mercedes-Benz plant in Vance, Ala., and the BMW plant in Spartanburg, S.C.

Concerned that a U.A.W. victory would hurt Tennessee's business climate, Gov. Bill Haslam has warned that auto parts suppliers might decide against locating in Chattanooga because they might not want to set up near a unionized VW plant.

"I think that there are some ramifications to the vote in terms of our ability to attract other suppliers," the Republican governor told the editorial board of The Tennessean last week. "When we recruit other companies, that comes up every time."

The Republican pressure has had the U.A.W. and Democratic lawmakers crying foul.

"This is an outrageous and unprecedented effort by state officials to violate the rights of employers and workers," said Mike Turner, chairman of Tennessee's House Democratic Caucus. "Republicans are basically threatening to kill jobs if workers exercise their federally protected rights to organize. When the company says they don't have a problem with it, what right does the state have to come in and say they can't do it?"

Gary Casteel, the U.A.W.'s director for the South, voiced dismay with lawmakers' threats to end future subsidies to VW.

“It’s sad that when workers exercise their legal right to form a union, some Tennessee politicians are threatening the economic well-being of communities and businesses just because workers want to have a voice in the future of Volkswagen in Chattanooga,” Mr. Casteel said.

U.A.W. officials say that numerous auto parts suppliers have set up shop near G.M.’s unionized auto plant in Spring Hill, Tenn.

The nation’s leading anti-tax activist, Grover Norquist, and his group, Americans for Tax Reform, have joined the anti-union campaign, warning that a U.A.W. victory would help bring big government to Tennessee. The group’s new affiliate, the Center for Worker Freedom, has put up 13 billboards in Chattanooga, with some calling the U.A.W. “United Obama Workers” and saying, “The UAW spends millions to elect liberal politicians” — misspelling “politicians.” Another billboard says, “Detroit: Brought to you by the U.A.W.,” and shows a photo of a Packard plant that was shuttered 55 years ago.

Chris Brown, a pro-union Volkswagen worker, objects to the Republicans’ pressure. “This decision should be between the workers, VW and the U.A.W.,” he said. “We’re the parties involved. Governor Haslam is elected to run the state. This is our workplace and our decision.”

While Republicans argue that having a union would make the plant less competitive, Mr. Brown said that having a union and works council would make it more competitive by increasing employee-management cooperation.

Volkswagen, saying it was concerned about employees’ privacy, persuaded the U.A.W. not to have organizers visit workers at home to urge them to vote for the union. In return, VW has let organizers into break rooms to answer questions about unionizing.

Mike Burton, a VW worker who is opposed to the U.A.W., says that has given the union an unfair advantage, although VW officials say anti-union and pro-union workers are free to campaign and talk to one another during breaks.

Though hit hard by the Republicans’ attacks, U.A.W. officials are predicting victory, noting that most of the plant’s workers signed cards favoring a union.

But Matt Patterson, executive director of Mr. Norquist’s Center for Worker Freedom, said: “I’m not predicting victory at all. As long as people are informed and know the facts, then I consider our job done. If workers learn all the facts and want a union, that’s their right.”

headline: Automaker Gives Its Blessings, and G.O.P. Its Warnings.

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Bo Watson Says VW May Lose State Help If The UAW Is Voted In At Chattanooga Plant; McCormick Urges Workers To Reject Union; Corker To Hold Press Conference; Democrats Respond

Monday, February 10, 2014 - by Hollie Webb



State Senator Bo Watson speaks at press conference

- photo by Hollie Webb

In a press conference to address the potential unionization of the Volkswagen plant, State Senator Bo Watson said, "Should the workers at Volkswagen choose to be represented by the United Auto Workers, then I believe any additional incentives from the citizens of the state of Tennessee for expansion or otherwise will have a very tough time passing the Tennessee Senate."

He said, "I do not see the members of the Senate having a positive view of Volkswagen because of the manner in which this campaign has been conducted."

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He stated, "The workers that will be voting, need to know all of the potential consequences, intended and unintended, should they choose to be represented by the United Auto

Workers."

He said, "Einstein said doing the same thing over and over again and expecting a different result is truly the definition of insanity." He told the audience that the union might start out well, but said history showed it would not end that way.

He reiterated that Tennessee was a "Right to Work" state and "pro-business."

Senator Watson said, "I believe the members of the Tennessee Senate will not view unionization as in the best interest of Tennessee. The Governor, the Department of Economic and Community Development, as well as, the members of this delegation, will have a difficult time convincing our colleagues to support any Volkswagen incentive package."

He also said the unionization would make their job "exponentially more challenging."

He continued, saying, "I encourage the workers at Volkswagen to carefully consider the decision they will make this Wednesday, Thursday, and Friday. I ask that they consider the effects, not just within Volkswagen, but within our community, our state, and our region."

House Majority Leader Gerald McCormick said, "I encourage the employees of Volkswagen to reject bringing the United Auto Workers Union into the Plant and into our community. As you consider your vote, ask yourself this question - Will I be better off with the UAW? When you consider that question, I believe the answer will be NO! I wish the UAW had been willing to have an open and fair debate within the workplace. The fact that the UAW refused to allow all points of view to be heard and discussed demonstrates how they are unwilling to have an open, honest representation to ALL employees."

"The taxpayers of Tennessee reached out to Volkswagen and welcomed them to our state and our community. We are glad they are here. But that is not a green light to help force a union into the workplace. That was not part of the deal."

"To the employees of Volkswagen: You are leaders, and you are setting the course for the future of our community and our region. You have performed well. You have built the Car-of-the-Year. You have good wages and benefits. All of this happened without the heavy hand of the United Auto Workers. I urge you to keep your voice and vote NO."

A protest group in support of the union, calling themselves "Millionaires for Wealthcare," also showed up for the press conference. After Senator Watson finished, their members applauded and said, "Thank you for being champions of the 1 percent."

They held signs that read, "Bonuses for CEOs, not workers!"

The group also handed out a satirical press release. They said, "Millionaires for Wealthcare supports cheap labor, taxes on labor to support subsidies for our big corporations, no democracy in the work place, high CEO bonuses, and unlimited campaign contributions and the politicians that support those policies."

Senator Bob Corker set a press conference on the VW vote on Tuesday at 12:30 p.m. at the EPB Building.

He said Monday, "I am very disappointed the UAW is misusing my comments to try to stifle others from weighing in on an issue that is so important to our community. While I had not planned to make additional public remarks in advance of this week's vote, after comments the UAW made this weekend, I feel strongly that it is important to return home and ensure my position is clear."

The Chairman and Vice-Chairman of Tennessee's Senate Commerce and Labor Committee "expressed concern regarding the United Auto Workers (UAW) upcoming vote in Chattanooga, saying a vote for organized labor would harm Tennessee's reputation as a business-friendly state and reverse the state's recent progress in automobile-related job growth. Chairman Jack Johnson (R-Franklin) and Vice-Chairman Mark Green (R-Clarksville) said the General Assembly has worked in concert with Governors Phil Bredesen and Bill Haslam for the past several years to move forward policies to support Tennessee's competitive standing in growing and expanding new and better paying jobs in the state. The lawmakers said that pending decisions of VW employees are of statewide interest at a pivotal time when Tennessee stands currently as a national leader in job creation."

"We greatly value our auto workers, both in Middle Tennessee and in Southeast Tennessee," said Senator Johnson, a businessman whose legislative district is home to the General Motors Spring Hill plant and Nissan's North America headquarters. "Our communities are very similar with great neighborhoods, schools that focus on achievement and a local



economy that is envied by many. The automotive industry is a very important part of the quality of life we enjoy."

"As Chattanooga workers vote on the United Auto Workers presence, it is a decision that transcends just one community," he added. "There is tremendous competition for job growth among states. A vote for organized labor would impede our daily efforts to benefit Tennessee families as we compete nationally in job growth. I ask that Chattanooga lead to honor Tennessee's competitive spirit so we can continue moving our state's job growth forward. Chattanooga workers, we don't need the UAW in our state."

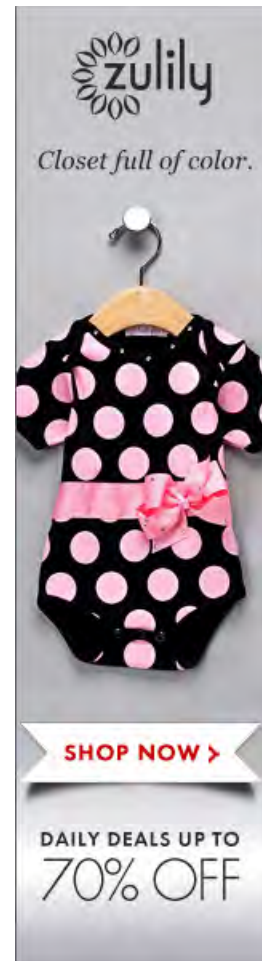
"In business, reputation means a lot," added Senator Green, who is a practicing physician and businessman who represents the more rural Clarksville region that competes with industry across the state-line of Kentucky. "Tennessee has developed a reputation of a top location for families and businesses because of the lower cost of living, commitment to an educated workforce and folks keeping more of our wages by holding taxes low."

"Volkswagen chose our state and your community for important reasons: Chattanooga workers have a great reputation of a great work ethic and make an excellent product. That reputation has been yours without the United Auto Workers," he continued. "The free market that VW chose in our state produces competition, empowers employees far more than a labor union, and keeps bringing jobs to Tennessee."

"In my 20 years on the hill, I've never seen such a massive intrusion into the affairs of a private company," said House Democratic Leader Craig Fitzhugh. "When management and workers agree—as they do at Volkswagen—the state has no business interfering. Words have consequences and these type of threats could have a ruinous effect on our state's relationships with not just Volkswagen, but all employers."

"This is an outrageous and unprecedented effort by state officials to violate the rights of employers and workers," said House Democratic Caucus Chairman Mike Turner. "Republicans are basically threatening to kill jobs if workers exercise their federally protected rights to organize. When the company says they don't have a problem with it, what right does the state have to come in and say they can't do it?"

Voting will take place at Volkswagen starting on Wednesday and ending on Friday on whether to allow the United Auto Workers to represent workers at the plant.



Protestors

- Photo2 by Hollie Webb

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Status: Active

Formed in: TENNESSEE

Fiscal Year Close: December

Term of Duration: Perpetual

Principal Office: ONE CENTRAL PLAZA
835 GEORGIA AVE STE 800
CHATTANOOGA, TN 37402-2225 USA
Phone: (423) 648-7894

Mailing Address: ONE CENTRAL PLAZA
835 GEORGIA AVE STE 800
CHATTANOOGA, TN 37402-2225 USA

AR Exempt: No

Public Benefit Corporation: Yes

Initial Filing Date: 01/31/2014

Delayed Effective Date:

AR Due Date: 04/01/2015

Inactive Date:

Obligated Member Entity: No

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Agent Name: EVANS HARRISON HACKETT PLLC

Agent Address: 835 GEORGIA AVE
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VW union vote could halt state incentives

Brent Snively, Detroit Free Press

2:52 p.m. EST February 10, 2014



(Photo: Erik Schelzig AP)

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A crusade by anti-union forces in Tennessee, including the state's governor and a senior senator, now is as much a fight with Volkswagen management as with the United Auto Workers union.

Volkswagen's neutrality has been challenged by opposition groups. They charge that the German automaker is, in fact, carefully orchestrating a plan to help the UAW win the election.

Some 1,500 VW workers at the plant vote Wednesday through Friday on UAW representation. The secret balloting will be overseen by the National Labor Relations Board.

On Monday, state Republican leaders accused Volkswagen of supporting the UAW and they threatened to withhold any tax incentives for future expansion of the three-year-old assembly plant in Chattanooga if workers vote to join the UAW.

"Should the workers at Volkswagen choose to be represented by the United Auto Workers, then I believe any additional incentives from the citizens of the State of Tennessee for expansion or otherwise will have a very tough time passing the Tennessee Senate," State Sen. Bo Watson, R-Chattanooga, said in a statement sent to the *Free Press*.

A worker opposition group called Southern Momentum echoed that position in a statement.

"Further financial incentives — which are absolutely necessary for the expansion of the VW facility here in Chattanooga — simply will not exist if the UAW wins this election," Maury Nicely, a Chattanooga labor lawyer representing Southern Momentum said.

Today's threat comes less than 48 hours after Volkswagen said it favors a German-style works council with union representation.

"Outside political groups won't divert us from the work at hand: innovating, creating jobs, growing, and producing great automobiles," said Sebastian Patta, Volkswagen Chattanooga vice president of human resources.

The anti-union forces now are countering that VW isn't neutral, it is pro-union.

Volkswagen said workers in favor of and opposed to UAW representation have had opportunities to distribute information and talk to other workers.

"U.S. labor law requires VW to have a union in order for the works councils to be legal. If Volkswagen workers vote for the union it is expected to have a ripple effect on other auto manufacturers in the southern United States and their suppliers," according to Art Wheaton, automotive industry expert and senior extension associate at Cornell University.

"UAW International President Bob King has staked his legacy and reputation on the ability to organize a foreign automaker in the South. Volkswagen's global corporate philosophy and strategic advantage is having 'works councils' represent the plant workers and management in major decisions including locating new vehicle production," Wheaton noted.

In January, Volkswagen said it will invest \$7 billion in North America over the next five years in its quest to sell more than 1 million Volkswagen and Audi vehicles in the U.S. by 2018.

A new SUV is seen as key to reaching that goal.

Martin Winterkorn, Volkswagen's global CEO, would not say where the SUV would be built, but Chattanooga is a likely site. Winterkorn said the decision would not be influenced by whether workers vote to join the UAW.

Volkswagen also has a plant in Puebla, Mex.

If workers at the Volkswagen plant in Tennessee vote for UAW representation the union and company will form a German-style works council at the plant.

A 20-page legal agreement for a union election between the UAW and Volkswagen says that the UAW has agreed to delegate to the works council many of the functions and responsibilities ordinarily performed by unions.

"Our works councils are key to our success and productivity. It is a business model that helped to make Volkswagen the second largest car company in the world," Frank Fischer, chairman and CEO of Volkswagen Chattanooga said in a statement.

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NO TO UNINFORMED AUTO WORKERS

Chattanooga, Tennessee

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Election results are in.

**Thank you to everyone for your hard work and realization
that we don't need the UAW to have a voice.**

712 - 626 against the UAW.

[Losing Volkswagen Was Nothing Compared With Next UAW Fear](#)

[Analysis: How UAW Bosses Rode Into Chattanooga And Promptly Fell Off Their Trojan Horse](#)

"What few, including the UAW, realize is that the union's defeat in Chattanooga is more of a David vs. Goliath story and how Goliath (the UAW) handed David (the employees) the stones."

Wall Street Journal by Neal Boudette

[VW Workers in Chattanooga Reject Auto Workers Union](#)

Wall Street Journal - Market Watch

[Union Suffers Big Loss at Tennessee VW Plant](#)

Nooga.com By Chloé Morrison

[UAW loses representation vote at Volkswagen Chattanooga](#)

[Wall Street Journal: Volkswagen's Union Gamble](#)

An interesting quote from the Wall Street Journal:

*"Volkswagen's un-neutral **'neutrality agreement'** with the UAW is arguably a violation of Taft-Hartley's prohibition on employers giving a **'thing of value'** to a union seeking to organize its employees. The Supreme Court last year dismissed as improvidently granted *Mulhall v. Unite Here Local 355*, which challenged the legality of such business-labor collusion. **The Chattanooga campaign could provide the judiciary an opportunity to revisit the issue.**"*

UAW President Bob King:

["We're not really giving up control \[at VW\]."](#)

[VW NEUTRALITY AGREEMENT EXPOSES UAW'S SECRET SELLOUT OF VOLKSWAGEN TEAM MEMBERS](#)

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RIGHT-TO-WORK? [UNION PUBLISHES NAMES OF MEMBERS WHO OPTED-OUT IN 'FREELoadERS LIST'](#)

**Three videos the
UAW does not
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[Why VW Team Members are Opposed to the UAW](#) from Otto Worker on Vimeo.

[Volkswagen Team Member Testimonials](#) from Otto Worker on Vimeo.

[Victim of UAW's Influence at Westmoreland](#) from Otto Worker on Vimeo.

VW TEAM MEMBERS SPEAK OUT ON WHY THE UAW IS WRONG FOR CHATTANOOGA

[Video] The UAW Is 'Mortally Wounded' And 'Desperate'

VW May Lose State Help If The UAW Is Voted In At Chattanooga Plant

The UAW Was Opposed To VW Jobs In Chattanooga Before It Was For Them

Poll: Majority of Hamilton County voters think UAW will hurt economic development

State officials call on outside special interests to let VW workers decide - HEY! THIS WEBSITE IS DONE BY A VOLKSWAGEN EMPLOYEE ON HIS OWN DIME AND HIS OWN TIME. OVER 600 OTHER VOLKSWAGEN EMPLOYEES AGREE WITH THE VIEWS ON THIS SITE. NO OUTSIDERS, **EMPLOYEES. THE THUGS IN OUR CAFETERIAS ARE THE OUTSIDERS.**

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February 13, 2014 Reuters by Bernie Woodall

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February 13, 2014 Reuters by Bernie Woodall

UPDATE 2-VW: Union vote has nothing to do with adding vehicle line

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Feb. 12, 2014 7:08 p.m. ET

Wall Street Journal (Editorial): Volkswagen's Union Gamble

February 9, 2014 by Roy Exum

Roy Exum: VW's Dance With The Devil

February 9, 2014 by Neal Boudette Wall Street Journal

UAW, Auto Industry Hold Breath on VW Vote

Balloting This Week Will Determine if Chattanooga Plant Unionizes

February 9, 2014 Chattanooga Times Free Press

Pro-, anti-UAW activity gears up ahead of VW election

February 9, 2014 Detroit Free Press

High-stakes UAW vote at Tennessee Volkswagen plant is this week

February 8, 2014 WRCB

VW Chattanooga releases statement on upcoming representation election -

February 7, 2014 National Right to Work Committee

Workers Should Be Given All the Facts Before the Election So That They Can Make an Informed Choice

February 6, 2014

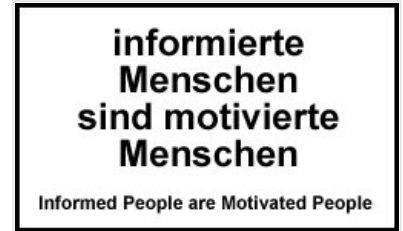
When Union Officials 'Won't Answer Any Public Questions' or Even 'Allow Questions to Be Asked — Something Stinks'

February 7, 2014 Wall Street Journal by Neal Boudette

**VW and UAW 'Coordinating' Behavior During and After Union Vote
Auto Maker and Union Set Road Map on Conduct During, After Election**

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February 7, 2014 Wall Street Journal

[UAW to To Stop Chattanooga Organizing Drive If VW Workers Vote Against Union](#)

[Tenn. VW workers to vote on German-style union](#)

[Auto Workers Try a New Angle at Volkswagen](#) - Good thought piece. Sidebars will raise your eyebrows!

February 5, 2014 Times Free Press by Mike Pare

[Anti-union group hits VW meetings](#)

February 6, 2014 The Washington Times

[EDITORIAL: VW workers face a choice in Chattanooga](#) - The union that destroyed Detroit invades the South

February 6, 2014 Times Free Press

[Tennessee Gov. Bill Haslam says UAW could hurt recruitment of VW suppliers](#)

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CORKER IN THE NEWS

CORKER STATEMENT ON VOLKSWAGEN ELECTION RESULTS

February 14, 2014

CHATTANOOGA, Tenn. – U.S. Senator Bob Corker, R-Tenn., today released the following statement. “Needless to say, I am thrilled for the employees at Volkswagen and for our community and its future,” said Corker. As mayor of Chattanooga from 2001-2005, Corker worked with officials and community leaders to develop the 1,200 acre Enterprise South Industrial Park, which is now home to Volkswagen's North American manufacturing headquarters. Much of the negotiation that led to Volkswagen choosing Chattanooga occurred around the dining room table of Corker's Chattanooga hom... [\[continue\]](#)

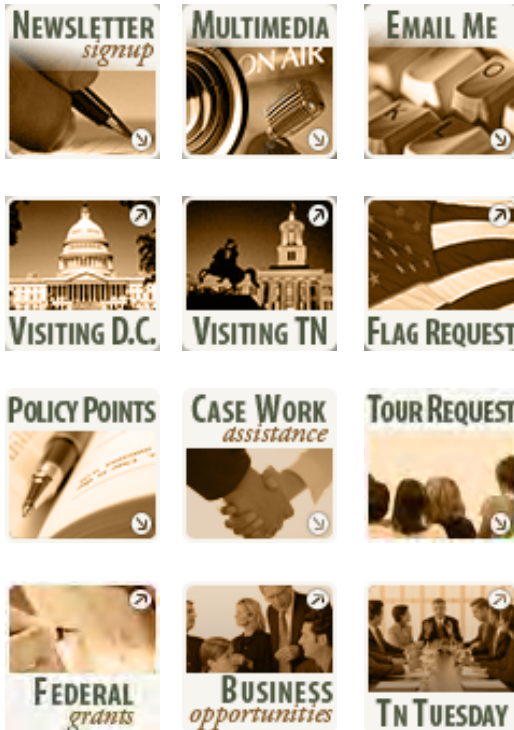
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December 5, 2013 – Senator Bob Corker, R-Tenn., meets with Tennessee sailors and marines deployed to Bahrain with the U.S. Fifth Fleet.

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Feb 12 2014

CORKER: CONVERSATIONS TODAY INDICATE A VOTE AGAINST UAW IS A VOTE FOR SUV PRODUCTION

CHATTANOOGA, Tenn. – U.S. Senator Bob Corker, R-Tenn., today released the following statement regarding the ongoing vote at the Volkswagen plant.

"I've had conversations today and based on those am assured that should the workers vote against the UAW, Volkswagen will announce in the coming weeks that it will manufacture its new mid-size SUV here in Chattanooga," said Corker.

As mayor of Chattanooga from 2001-2005, Corker worked with officials and community leaders to develop the 1,200 acre Enterprise South Industrial Park, which is now home to Volkswagen's North American manufacturing headquarters. Much of the negotiation that led to Volkswagen choosing Chattanooga occurred around the dining room table of Corker's Chattanooga home.

###

Permalink: <http://www.corker.senate.gov/public/index.cfm/2014/2/corker-conversations-today-indicate-a-vote-against-uaw-is-a-vote-for-suv-production>



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U.S. senator drops bombshell during VW plant union vote

Thu, Feb 13 2014

By [Bernie Woodall](#)

CHATTANOOGA, Tennessee (Reuters) - U.S. Senator Bob Corker of Tennessee said on Wednesday he has been "assured" that if workers at the Volkswagen AG plant in his hometown of Chattanooga reject United Auto Worker representation, the company will reward the plant with a new product to build.

Corker's bombshell, which runs counter to public statements by Volkswagen, was dropped on the first of a three-day secret ballot election of blue-collar workers at the Chattanooga plant whether to allow the UAW to represent them.

Corker has long been an opponent of the union which he says hurts economic and job growth in Tennessee, a charge that UAW officials say is untrue.

"I've had conversations today and based on those am assured that should the workers vote against the UAW, Volkswagen will announce in the coming weeks that it will manufacture its new mid-size SUV here in Chattanooga," said Corker, without saying with whom he had the conversations.

In the past few weeks, Volkswagen officials have made several statements that the vote will have no bearing on whether the SUV will be made at the Chattanooga plant or at a plant in Puebla, Mexico.

National Labor Relations Board expert Kenneth G. Dau-Schmidt, who is professor of labor at the University of Indiana-Bloomington, said Corker was trying to intimidate workers into voting against the union.

"I'm really kind of shocked at Corker's statement," said Dau-Schmidt. "It's so inconsistent with what VW has been saying and VW's labor relations policy in general."

The Indiana professor also said Corker's comments "would be grounds to set the election aside and have to run it all over again at a later date" because it could be ruled to be interfering to the point that it is against federal labor law.

A spokeswoman for Corker did not respond when asked whether the senator also meant that a vote for the UAW would mean that the plant would not get the new product, which could create an estimated 1,500 new jobs.

Volkswagen officials did not return calls and emails for comment on Corker's statement.

Mike Burton of Southern Momentum, an anti-UAW group of plant workers, said Corker's statement makes sense.

"We are in a battle with Mexico on where this new product goes," said Burton, "and it stands to reason that the union will add costs. We need to keep costs down to fight for that new product."

Another labor expert, Harley Shaiken of the University of California-Berkeley, said, "The senator's comments amount to economic intimidation that undermines the whole nature of union representation elections."

Shaiken often advises UAW officials.

"If the senator's statement doesn't violate the letter of the law, it certainly violates the spirit of the law," Shaiken said.

UAW REACTION

Gary Casteel, UAW regional director for a 12-state area that includes Tennessee, said on Wednesday night, "Corker's statement is in direct contradiction to Volkswagen's statements.

"They have specifically said that this vote will have no bearing on the decision of where to place the new product."

In the past, Casteel has said that Volkswagen's Chattanooga plant, opened in 2011, needs a second product to survive. It has built the compact Passat sedan since it opened.

The plant has about 1,550 Volkswagen workers eligible to vote in the election, which is supervised by the National Labor Relations Board.

Pro- and anti-UAW workers said they were not sure if snowy weather will affect turnout for the vote, which ends on Friday when the plant does not produce cars.

On Wednesday - day one of the vote - the night shift was canceled after only one car was produced because snow prevented



workers reaching the plant, said two VW employees who wished to remain anonymous.

A source familiar with the plans of the Volkswagen supervisory board which makes decisions on product placement said that the board has not yet made a decision on the issue, and that it will take it up in a meeting on February 22.

Corker on Tuesday returned from Washington to hold a Tuesday press conference at his downtown Chattanooga senate office in order to speak against the UAW in time for the worker vote at the plant.

(Reporting by Bernie Woodall; Editing by Christopher Cushing)

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UNION EXHIBIT:

UX 10



News Room

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Feb 13 2014

CORKER STATEMENT ON EXPANSION CONVERSATIONS

CHATTANOOGA, Tenn. – U.S. Senator Bob Corker, R-Tenn., today released the following statement.

"Believe me, the decisions regarding the Volkswagen expansion are not being made by anyone in management at the Chattanooga plant and we are also very aware Frank Fischer is having to use old talking points when he responds to press inquiries," said Corker. "After all these years and my involvement with Volkswagen, I would not have made the statement I made yesterday without being confident it was true and factual."

As mayor of Chattanooga from 2001-2005, Corker worked with officials and community leaders to develop the 1,200 acre Enterprise South Industrial Park, which is now home to Volkswagen's North American manufacturing headquarters. Much of the negotiation that led to Volkswagen choosing Chattanooga occurred around the dining room table of Corker's Chattanooga home.

###

Permalink: <http://www.corker.senate.gov/public/index.cfm/2014/2/corker-statement-on-expansion-conversations>



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UX 11



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Corker stands by claim VW will expand if UAW loses

By Associated Press, Published: February 13

NASHVILLE, Tenn. — U.S. Sen. Bob Corker on Thursday stood by his statements that Volkswagen is ready to announce it will expand its lone U.S. plant in Chattanooga if workers there reject the United Auto Workers.

But the Tennessee Republican said in a phone interview with The Associated Press that he didn't inquire whether the German automaker would scrap plans to build a new midsize SUV at the plant if the UAW wins.

About 1,500 workers at the plant are eligible to cast votes in the three-day union election that ends Friday.

Corker declined to say whom at Volkswagen he had spoken to and how they were in a position to know what the German automaker's decision would be.

While the claimed link between the union vote and the expansion decision has long been denied by company officials, Corker said his sources weren't concerned about the release of a potentially conflicting information.

"I don't think there's any question that a public statement was expected to be made," he said. "What I did was very, very appropriate."

Corker's comments could raise questions about interference in a union vote.

John Logan, a labor and employment studies professor at San Francisco State University, said politicians are usually not included in rules governing the behavior of the company, unions and workers during an election.

"But here it could make a difference that he is attributing these comments to VW, even though they appear to be untrue," Logan said in an email.

Corker first made his unattributed claim in a news release on Wednesday night, which promoted Frank Fischer, the CEO of the Volkswagen plant in Chattanooga, to issue a statement that the company's position remains unchanged.

"There is no connection between our Chattanooga employees' decision about whether to be represented by a union and the decision about where to build a new product for the U.S. market," he said.

That didn't dissuade Corker, who issued another statement reiterating his original claim Thursday morning. He defended the move in the phone interview.

"There is no way I'd put out statement like I put out unless I was 1,000 percent that it was accurate in every way," Corker said. "Not only from the standpoint of my own credibility, but also knowing the stakes that are

here, and not wanting to say something that in any way would be off the point.”

UAW supporters at the plant said Corker’s comments would not turn the vote against the union.

“It’s more of an insult than anything,” David Gleeson, a team leader on the plant’s door line, said in a phone interview.

“He’s trying to threaten us with future expansion, and he’s actually making workers angry at the plant,” he said.

Volkswagen has said a new SUV for the U.S. market will be built either in Chattanooga or in Mexico. The Chattanooga plant makes the midsize Passat sedan, and increased production is seen as crucial to improving efficiency at the facility.

Republican politicians have argued that the introduction of the UAW at the plant would hurt the region’s ability to attract manufacturing jobs to the state and region.

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UX 12



Friday, February 21, 2014

51.0°F  Partly Cloudy

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BY JOHN WILSON

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CURTIS ADAMS
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VW Chattanooga President Disputes Corker Statement On New Line Of SUVs And Union Vote; Corker Retorts

Thursday, February 13, 2014

Frank Fischer, CEO and chairman of Volkswagen Chattanooga, on Thursday disputed a statement made by Senator Bob Corker at a press conference on Wednesday.

Mr. Fischer said, "There is no connection between our Chattanooga employees' decision about whether to be represented by a union and the decision about where to build a new product for the U.S. market."

Later in the morning, Senator Corker replied, "Believe me, the decisions regarding the Volkswagen expansion are not being made by anyone in management at the Chattanooga plant and we are also very aware Frank Fischer is having to use old talking points when he responds to press inquiries."



"After all these years and my involvement with Volkswagen, I would not have made the statement I made yesterday without being confident it was true and factual."

Senator Corker said Wednesday that Chattanooga will be getting the production of a second line of vehicles as long as the UAW is not voted in by employees.

He said, "I've had conversations today and based on those am assured that should the workers vote against the UAW, Volkswagen will announce in the coming weeks that it will manufacture its new mid-size SUV here in Chattanooga."

His staff said, "As mayor of Chattanooga from 2001-2005, worked with officials and community leaders to develop the 1,200 acre Enterprise South Industrial Park, which is now home to Volkswagen's North American manufacturing headquarters."

"Much of the negotiation that led to Volkswagen choosing Chattanooga occurred around the dining room table of Corker's Chattanooga home."

The voting began Wednesday and continues through Friday.

VW officials said, "Volkswagen has invested \$1 billion in the local economy for the Chattanooga plant and has created more than 5,000 jobs in the region. According to independent studies, the Volkswagen plant is expected to generate \$12 billion in income growth and an additional 9,500 jobs related to its investment."

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Interesting statement here...

"A source familiar with the plans of the Volkswagen supervisory board which makes decisions on product placement said that the board has not yet made a decision on the issue, and that it will take it up in a m... See More

Tennessee senator says new VW product on way if UAW union rejected | Reuters
reuters.com

CHATTANOOGA, Tenn., Feb. 12 (Reuters) - U.S. Senator Bob Corker of Tennessee said on Wednesday that if workers at Volkswagen All plant in his hometown of Chattanooga reject United Auto Worker...

Like · Comment · Share

9 people like this. Top Comments +

Write a comment...

Jeffrey Jacobs

I'm proud to say that this has been a union show... and I have never worked with a more professional group of people in my life. They get paid good money and they do a good job. When the staff is not that show would show me their new car or home. I let I played a big role in their success, so they did more. That was just a great feeling. Jay Leno

people are on payroll when the vote occurs, they are to be allowed to vote. Often people change their minds if another job help through.
Like · Reply · 🌐 5 · February 13 at 11:54pm

Jonathan Holder The vote is in but it is in a challenged envelope
Like · Reply · 🌐 5 · February 13 at 4:12pm

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No2uaw
February 13 · 🌐

Well, VW's entire Global Works Council is at our plant today.

No word whether the outsider Bob King is coming to town too.

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2 people like this.

Write a comment...

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February 13 · 🌐

Corker Statement on Expansion Conversations - News - News Room - United States Senator Bob...
www.corker.senate.gov

"Tell me, the decisions regarding the Volkswagen expansion are not being made by anyone in management at the Chattanooga plant and we are also very aware Frank Ickert is having to use old talking points..."

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2 people like this.

Robert Polkowski commented on Benjamin Davis's link: "What less..."

Hichelle Belaskie likes Scotty Brown's status.

Bruce Giffin likes Harvey Oshinsky's link.

Emily Everett likes Grosse Pointe Animal Adoption Society (GPAAS)'s link.

Janice Taube commented on Melody Billings's link: "Have to admit this is funny even though I am a liberal"

Emilio Leslie listened to Knifeman by The Bronx on Spotify.

Robert Polkowski likes Bonazewicz Domazewski's link.

Lisa Hilyard shared a Beautiful Mess Inside's photo.

Janice Taube likes Harleys For Heroes's photo.

Emilio Leslie listened to Bullhead's Puddin by Bonares on Spotify.

Elona Hernandez and Bill Johnson are now friends.

Roger Kerson likes Kase Michigan.

Tracy Romero Getting some loving from our man!

Turn on chat to see who's available.

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Our choices just became even clearer...

UAW or B-SUV...

Chattanooga Will Get New Line Of SUVs If UAW Is Not Approved
www.chattanooga.com

Senator Bob Corker said Wednesday that Chattanooga will be getting the production of a second line of vehicles as long as the UAW is not voted in by employees.

Like · Comment · Share

35 people like this. Top Comments +

Write a comment...

Hank Hoxen I don't know if Corker's comments are right or not. I do know that 15 years from now either the UAW will be gone or the Volkswagen Chattanooga plant will be gone. There won't be big taxpayer subsidies for VW like GM gets.
Like · Reply · February 13 at 9:23am

Byron Spencer Sounds like Bob Corker is caught lying at the point.
Like · Reply · February 13 at 1:13pm

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No2uaw
February 12 · 🌐

We're hearing that there's going to be some sort of an announcement regarding the B-SUV on the news tonight...

No2uaw shared a link.
February 12 · 🌐

Due to the early hour, some of our fellow Team Members may have missed what we were handing out this morning.

Here it is...

An Open Letter To UAW President Bob King (We're Not Outsiders)
www.no2uaw.com

Like · Comment · Share

33 people like this. Top Comments +

Write a comment...

Hank Hoxen I love the nonsensical crap. Divided we beg?? What UAW contract comes even close to the package at VW? Or are you too mathematically challenged to look at anything except your hourly wage - which is already as good as the UAWs. They're promising you... See More
Like · Reply · 🌐 3 · February 13 at 11:28am

Charles Thomas Work union! United we bargain, divided we beg. If the Republican party don't want you to go union that should tell you they don't want you to live better. Because then they lose control over you.
Like · Reply · 🌐 5 · February 13 at 10:03am

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No2uaw shared a link.
February 12 · 🌐

If you haven't voted, make sure you get out to vote!

Robert Polkowski commented on Benjamin Davis's link: "What less..."

Hichelle Belaskie likes Scotty Brown's status.

Bruce Giffin likes Harvey Oshinsky's link.

Emily Everett likes Grosse Pointe Animal Adoption Society (GPAAS)'s link.

Janice Taube commented on Melody Billings's link: "Have to admit this is funny even though I am a liberal"

Emilio Leslie listened to Knifeman by The Bronx on Spotify.

Robert Polkowski likes Bonazewicz Domazewski's link.

Lisa Hilyard shared a Beautiful Mess Inside's photo.

Janice Taube likes Harleys For Heroes's photo.

Emilio Leslie listened to Bullhead's Puddin by Bonares on Spotify.

Elona Hernandez and Bill Johnson are now friends.

Roger Kerson likes Kase Michigan.

Tracy Romero Getting some loving from our man!

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No2uaw February 12 · 1h

We're hearing that there's going to be some sort of an announcement regarding the 8-SUV on the news tonight...

Not sure what channel. If anyone sees something, please post it here.

Like · Comment · Share
5 people like this.
Write a comment...

No2uaw February 12 · 1h

If the UAW wins, this is where 30% of VW Team Members does will be sent...and spent.


No2uaw shared a link. February 12 · 1h

If you haven't voted, make sure you get out to vote!

Vote No On UAW - and response [Chattanooga]
www.chattanoogan.com

Recently, many pro-UAW voters have stated that a "majority of workers at the VW plant... have cards with the union." As most realize, if this had were been the case, given the UAW's desperation to get into any foreign auto plant in the South, there would have been an audible sonic boom.

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23 people like this.
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Top Comments ·
Rob Berger I got my NO vote in.
Like · Reply · x2 · February 12 at 11:23pm
Jonathan Holder Wish I could of voted.
Like · Reply · x2 · February 12 at 11:23am
View 6 more comments

No2uaw February 12 · 1h

FELLOW TEAM MEMBERS:

In a few hours, we finally get the right to vote!

This is OUR election. We had to fight the UAW in order to have the right to vote when they tried to unionize us behind our backs.
... See More

Robert Pakowski commented on Benjamin Davis's link: "What does..."

Michele Belaskie likes Scotty Brown's status.

Bruce Giffin likes Harvey Oshinsky's link.

Emily Everett likes Grosse Pointe Animal Adoption Society (GPAAS)'s link.

Janice Taube commented on Melody Billings's link: "Have to admit this is funny even though I am a Werewolf"

Emilio Leake listened to Keffman by The Bronx on Spotify.

Robert Pakowski likes Benjamin Davis's link.

Lisa Millard shared a Beautiful Mess Bride's photo.

Janice Taube likes Harleys For Herpet's photo.

Emilio Leake listened to Bullhead's Psalm by Bareness on Spotify.

Uena Herrada and Bill Johnson are now friends.

Roger Kenson likes Rase Michigan.

Tracy Romero Getting some loving from our man!

Yanna Cusack-Tennille!

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council Reached end of page, continued from top