

DISCHARGE

A RESOLUTION SUBMITTED BY LEGISLATORS BURKE, BRUSO AND SAVAGE

Re: Fairness and Safety for Wendt Corporation Employees

WHEREAS, the Wendt Corporation on Walden Avenue in Cheektowaga is a scrap metal recycling facility that manufactures shredders and recycling equipment for junkyards and scrap metal facilities; and

WHEREAS, on June 9, 2017, fabrication workers at Wendt overwhelmingly won their worker rights election with the National Labor Relations Board and chose to affiliate and be represented by the Ironworkers International union (Ironworkers International Local 576); and

WHEREAS, more than one year later, the Wendt Corporation refuses to acknowledge the union's concerns about health and safety issues at Wendt and negotiate a fair contract for the employees; and

WHEREAS, the workers are seeking Dignity and Respect and want to have strong health and safety language and protection enshrined in their union contract with Wendt; and

WHEREAS, in April 2018, the Buffalo News reported that Wendt Corporation president and owner Thomas Wendt, Jr. purchased a home in East Amherst for \$1.5 million; and

WHEREAS, in September 2018, union leaders presented a report titled, "Wendt Corporation, Don't Shred Your Workers' Rights! A report on workers at Wendt Corporation" which noted major safety deficiencies at the facility; and

WHEREAS, the 24-page report was authored by the Western New York Worker's Rights Board, sponsored by the Buffalo Coalition for Economic Justice, and it documents how and why the union organized, employee testimonies about workplace conditions, recommendations from the union, and union accusations of delay tactics used by Wendt concerning contract negotiations; and

WHEREAS, the report is a corollary to the WNYCOSH "Risky Business Report," released in July 2018, in which WNYCOSH conducted a walkthrough assessment of the Wendt facility, coupled with safety reports from OSHA and found that of the 31 areas inspected during that walkthrough, 17 had "Major Hazards" and four areas were identified as having "Fatal Hazards"; and

WHEREAS, according to the Cheektowaga Chronicle, ten years ago the company faced \$169,500 in fines from the U.S. Department of Labor's Occupational Safety and Health Administration for failing to fully correct hazards cited during a prior OSHA inspection and recently, two people in separate incidents on the same day required medical attention from Forks firefighters according to Cheektowaga Police records; and

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WHEREAS, the National Labor Relations Board held a hearing in September 2018 concerning the union's concerns and allegations about Wendt's treatment of its employees; and

WHEREAS, the workers held an informational picket in February 2018, claiming the company has been "dragging its feet" in negotiating a union contract, held another picket on October 17, 2018 and will hold another on October 24, 2018.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature expresses its strong support for the Ironworkers 576 members at the Wendt Corporation and urges the company to offer a fair and equitable contract with appropriate health and safety provisions for employees; and be it further

RESOLVED, that certified copies of this resolution shall be transmitted to Thomas Wendt, Jr. of the Wendt Corporation, Iron Workers District Council President James Mahoney, James Wagner of the Ironworkers International Union, and National Labor Relations Board Regional Director Paul J. Murphy.

Fiscal Impact: None for this resolution.