

Injunction Bargaining

Our office represents _____ union. It is our understanding that you may be seeking injunctive relief to limit the union's right to engage in protected concerted activity.

We believe that any effort to restricting picketing, leafleting or any other protected concerted activity is a mandatory subject of bargaining. It is a mandatory subject of bargaining because you are seeking to restrict protected concerted activity of our members you are also seeking to modify existing terms and conditions and conditions of employment.. This would unilaterally modify terms and conditions in violation of Section 8(a)(5) and 8)d).

We are prepared to meet immediately because of the alleged urgency of the situation. Be advised that we will be asking for restrictions on your personnel who are harassing and intimidating our members engaged in protected concerted activity.

For purposes of such bargaining please provide us the following immediately:

- (1) A list of all your locations where you will be seeking any restrictions including street address. For each location provide a copy of the lease or other documents showing your property interest. Please also provide a diagram of the location.
- (2) Copies of all incident reports, photographs, video tapes showing any conduct by your members since the strike began;
- (3) Any proposed restrictions on our activity;
- (4) A list of all customers who may have shopped or traded who may have been affected by the incidents.

We look forward to an early meeting to resolve these issues. If you fail to meet we reserve the right to file NLRB charges.

If you seek or obtain any relief which is unlawful or overbroad we will file a charge under *Bill Johnson's Restaurants v. NLRB*, 461 U.S. 731 (1983).