

Labor Codes Licensing Compliance Committee Meeting Minutes

May 3, 2013 • 67 Bascom • 11:00 a.m. - Noon

<http://www.news.wisc.edu/laborlicensing/>

**Committee members attending:**

Lydia Zepeda—Chair, Diane Michalski Turner, Kayla Martin, Lingran Kong, Coreen Williams, John Sharpless, Rolf Rodefled, Kimberly Nolet

Committee members absent: John Newton, Jane Collins, Emily Baer

**Others attending:**

Everett Mitchell, Cindy Van Matre, Lisa Hull

1. Meeting called to order at 11:07 a.m.
2. Chair recognized Darrell Bazzell, Vice Chancellor for Finance and Administration. Mr. Bazzell expressed “outrage” at the comments attributed to Chair Zepeda in a [Capital Times article](#) written by Pat Schneider. Chair Zepeda sent a [letter to the editor](#) to the paper explaining the comments were taken out of context by the reporter. Chancellor Ward also sent a [letter to the editor](#) regarding the story.
3. **Minutes.** Approved from April 3 meeting.
4. **Adidas.** A settlement was announced between adidas and PT Kizone workers. An e-mail to Chancellor Ward on May 15, 2013 from Peter D. Nussbaum, a lawyer representing the ex PT Kizone workers confirmed that the workers were satisfied with the settlement they reached with adidas.
5. **Annual Report.** First draft of the committee’s Annual Report was distributed for review. Lydia asked people to send her comments or changes. John Sharpless suggested some of the information was outdated regarding Palermo’s, and asked that the information be reworked. (The committee has completed revisions to the document.)
6. **Palermo’s.** Evan Zeppos and Bob Simandl, representing Palermo’s appeared before the committee to give an update on the NLRB action. The national NLRB upheld the regional NLRB findings on Palermo’s, which found that the company acted lawfully when it terminated 75 workers as part of an immigration audit and did not use the audit as retaliation for the workers’ efforts to form a union. The NLRB also found that 10 (actual number is still unclear) workers were wrongfully fired and should be reinstated with back pay. Zeppos said the company is now working with NLRB to resolve that issue and if the workers are properly documented, they will be re-hired.

Zeppos said the NLRB is going to set an election date so that workers will be able to decide which union, if either, they want to join. Two unions, United Food and Commercial Workers International Union (UFCW) and the Voces de la Frontera’s Palermo’s Workers Union have offered the workers unionization. Zeppos said whichever union the workers voted to join would be supported by Palermo’s.

Zeppos said Palermo’s believes they are in compliance with the University’s Code of Conduct. He said there have not been OSHA issues that he knows of in the last 3-4 years, but will check. Lingran Kong said there were two amputation accidents and OSHA fines, one from 2008, and one from 2010.

The committee referred to these two OSHA cases during the meeting.

OSHA Case 311397129, 2008, amputation, resulting in a \$2000 fine:

[http://www.osha.gov/pls/imis/establishment.inspection\\_detail?id=311397129](http://www.osha.gov/pls/imis/establishment.inspection_detail?id=311397129)

OSHA Case 313530669, amputation, 2010, resulting in a \$5000 fine:

[http://www.osha.gov/pls/imis/establishment.inspection\\_detail?id=313530669](http://www.osha.gov/pls/imis/establishment.inspection_detail?id=313530669)

Zeppos said he'd verify there were no other outstanding OSHA issues. He also said he would look into whether there are any initiatives that have been put in place to improve the safety of the working environment, and send that information to the committee.

Simandl said since the NLRB had dismissed most of the charges against Palermo's, they were now focused on resolving the remaining issue, which is the approximately ten workers whose employment status is in question. He said six of these employees are under discussion with the NLRB, leaving four to still be addressed. He said Palermo's is eager to resolve these remaining issues so a unionization vote can be finally taken.

7. **RFP Update.** The RFP's for men's t-shirts and men's fleece went out March 8. Cindy Van Matre reported about half of the responses are strong. She hopes to have finalized in June.
8. **Membership and next meeting.** This was the last meeting for the semester, John Sharpless will not be serving on the committee in the fall, Kayla Martin is graduating, and Coreen Williams is also not returning, as she is leaving the UW-Madison. Next meeting was set for Friday, September 6 at noon.
9. Meeting adjourned 12:10 p.m.