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**NATIONAL ASSOCIATION OF BROADCAST  
EMPLOYEES & TECHNICIANS –  
COMMUNICATIONS WORKERS OF AMERICA,  
LOCAL 31, AFL-CIO**

**APPELLATE COURT UPHOLDS FINDING THAT CNN AMERICA, INC.  
DISCRIMINATED AGAINST UNION-REPRESENTED EMPLOYEES**

**Washington, D.C. (August 4, 2017)** – The United States Court of Appeals for the District of Columbia Circuit issued its decision in *National Labor Relations Board v. CNN America Inc.*, Case No. 15-1112. The decision represents a significant victory in the fourteen year struggle by employees represented by the National Association of Broadcast Employees & Technicians – Communications Workers of America (NABET-CWA), as well as NABET-CWA’s local unions in the District of Columbia (Local 31) and in New York City (Local 11).

This struggle began in December 2003 and January 2004 when CNN terminated its subcontracts with Team Video Services (TVS), which had provided technical services at CNN’s studios in Washington, D.C. and New York City. The TVS employees played a vital role in the production of the video and audio broadcast by CNN in those two cities. They were also represented by NABET-CWA, Local 31 (in D.C.) and Local 11 (in New York City). CNN’s termination of its subcontracts with TVS led to the layoff of the union-represented TVS employees. CNN thereafter implemented the “Bureau Staffing Project” (BSP) to hire its own non-union workforce to perform the work previously performed by the TVS employees.

Local 31 and Local 11 filed unfair labor practice charges with the National Labor Relations Board in 2004 against CNN alleging, among other things, that the network violated the National Labor Relations Act by discriminating against the union-represented TVS employees during the BSP process. The NLRB’s General Counsel issued a complaint in 2007, which was litigated before an Administrative Law Judge (ALJ). The ALJ issued his decision in 2008, finding in favor of the TVS employees. CNN appealed that decision to the NLRB itself, which upheld the ALJ’s decision in 2014. CNN then appealed to the D.C. Circuit.

In the majority decision, Chief Judge Merrick Garland and Judge Cornelia T.L. Pillard upheld the NLRB’s decision that CNN discriminated against the TVS employees during the BSP process. The majority also found that the network was a successor employer and obligated to recognize Local 31 as the representative of CNN’s newly-hired technical employees in Washington, D.C., and Local 11 as the representative of the network’s newly-hired technical employees in New York City. The majority further enforced the Board’s remedy of reinstatement for those employees who were not hired by CNN, as well as backpay for all of the employees (with some modifications). It also enforced the NLRB’s order requiring CNN to cease and desist from refusing to recognize and bargain with Locals 31 and 11.

NABET-CWA is a sector of the Communications Workers of America representing over 10,000 workers in the broadcasting and related industries. Local 31 represents over 1,000 of those workers in the Washington, D.C. area as well as across the southeastern United States.

Any questions should be referred to Local 31’s counsel, Keith R. Bolek, who may be reached at (202) 362-0041 or kbolek@odonoghuelaw.com.