

TESTIMONY OF MRS. GRACIE HELDMAN

BEFORE THE SENATE HEALTH, EDUCATION, LABOR AND PENSIONS COMMITTEE

“The Right to Organize: Empowering American Workers in a 21st Century
Economy”

WASHINGTON, DC

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Thank you, Madam Chairwoman. My name is Gracie Heldman and I live in Pandora, Ohio.

I would like to thank the Committee for inviting me here today to tell my story. This is a story about a company that has broken the law for 20 years to stop its workforce from joining a union.

I am a long-time employee at Hearthside Food Solutions in McComb, Ohio. The company has huge bakeries all across the country that make cookies, crackers, bars and other baked goods for companies like Kellogg, Nabisco and General Mills.

There are over one-thousand of us in the McComb plant that runs 24 hours, 7 days a week.

I have been working at Hearthside for over 33 years, and I can tell you working in a huge industrial bakery is hard work. The hours are long and the pain can be really bad, especially in your wrists, shoulders and back.

The Company doesn't take health & safety seriously so it's not really surprising the McComb bakery has been cited by OSHA many times and is one of the worst offenders in Ohio.

That was one of the main reasons so many of us have wanted to join the Bakery Workers union since the late '90's. We have been overworked, we've been injured on the job, disrespected by supervisors, and forced to work in bad conditions. We wanted a union to help protect us while we were at work, to give us a say about the conditions we had to work under, and to help us get just a little bit of respect from our bosses.

In the early 2000's there was a lot of support for the union. Most of us were completely fed up by the way we were being treated. In 2002, over 65 percent of us signed BCTGM union cards so that we could have an election to vote on the union.

That seems simple enough but instead of having the election soon after we filed the petition, the company was able to stall and delay the date of the election for over two months. This gave the company plenty of time to run an anti-union campaign and scare the workers. Which is what they did.

First off, the company hired union busters that walked the floor of the bakery, spied on us, and held mandatory anti-union meetings. They told us the plant could close, that we'd lose our wages and benefits, and that we'd be forced to go on strike.

If we didn't go to these meetings we'd be fired.

Then the company actually fired seven people that supported the union. That really scared people. Many of those people that wanted to join the union, and had signed union cards, were now too scared to support it.

When we finally had the union election, after the company's months of delays, many of these union supporters voted NO and we lost the election. They were scared and felt unprotected by the law.

The law was just not on our side.

If the Pro Act had been in place, we would have had the election earlier. The company would not have been able to hire union busters and lie about the union. And the company would have suffered a major penalty for firing union supporters.

We would have won that first election almost 20 years ago!

After that election in 2002, the Union filed charges with the NLRB. It seemed to me this was an open and shut case. But the case took more than eight years to be decided.

The Federal Court of Appeals finally found the company guilty, but only brought back two of the seven workers!

For firing workers, breaking federal labor law, and dragging the NLRB case through the courts for eight years, the Company only received a slap on the wrist.

And we still didn't have the protection of a union.

The Federal Court of Appeals did order a re-run election.

Once again, the company stalled and delayed the date of the election. Then the company ran a vicious anti-union campaign. Just like the first campaign, we were forced to attend mandatory meetings where we heard the lies all over again.

Hispanic workers like me were targeted. Many were told they'd be deported if they supported the union.

We finally had a re-run election in 2010, but the company had scared the workers so bad they voted against the union. Again, the Union filed charges against the company but it didn't make any difference.

This was a really tough time for many of us that had been supporting the union for so long.

I had co-workers that I was close with who committed suicide.

Many others got severely depressed.

But leaving wasn't really an option for a lot of folks. We needed to work to put food on the table and there's not a lot of jobs in and around McComb.

From a personal standpoint, things went from bad to worse.

A couple of years ago the company found bed bugs in some of the flour and other products. Of course, they blamed us workers for this.

The supervisors made a whole line of women march into their offices where we were told to strip so a nurse could examine us for bed bugs.

If we refused, we would be punished, sent home without pay and possibly fired. So, we stayed in line and were strip searched. It was humiliating.

The next day rumors about women in their "granny panties" were going around the plant. It could only have come from the supervisors.

This was such a degrading experience that I will never forget.

Last year we had our third attempt in 20 years to join the BCTGM. We had more than 60 percent of 1,200 workers sign union cards. Conditions at the plant kept getting worse. And everyone's stress levels were high because of the threat of Covid-19. More than thirty workers contracted the corona virus during the spring and summer of 2020, so we were all worried.

Just like the previous elections, the company hired union busters who spent three months trying to put fear into the workforce.

This time, they really focused on my Hispanic co-workers. Again, many were threatened with deportation if the union was voted in.

Even at the height of the pandemic the company forced us to attend mandatory meetings. They set up a big tent outside the plant to make it look like we would be safe. Then they squeezed more than 150 of us inside the tent seating us side by side less than 2 feet apart.

Once again, they threatened loss of wages and benefits if we voted for the union.

Even though people were scared I really thought we had a shot to win this election. But the company had scared the workers so bad that we were never really given a fair chance to make a decision about joining the BCTGM.

We got closer than ever before in this election but it was not enough against the company's actions.

For over 20 years we have fought to join the BCTGM. For over 20 years I have seen the law look the other way. Nothing protected our right to join a union. And the worst part of it all, is that the company knew that. They knew they could do whatever they wanted and at worst, they'd get a slap on the wrist.

I'm just one worker who wants to join a union. But there are millions more like me. We just want a fair chance.

Thank you.