



**RESOLUTION IN SUPPORT OF PLACING THE LAW FIRM OF
MASTAGNI HOLSTEDT, APC ON THE “DO NOT PATRONIZE/DO NOT
HIRE” LIST MAINTAINED BY THE CALIFORNIA LABOR FEDERATION**

WHEREAS, the Operating Engineers Local Union No. 3 is a long-time member of the San Mateo County Central Labor Council; and

WHEREAS, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) has long-recognized that the practice of raiding creates, “disunity and is disruptive to labor relations and collective bargaining” and as such should be discouraged in the interest of labor peace and harmony; and

WHEREAS, the Lawyers Coordinating Committee of the AFL-CIO has adopted a policy discouraging affiliates from engaging law firms that represent labor organizations that engage in dual unionism or otherwise undermine affiliates of the AFL-CIO; and

WHEREAS, the law firm of Mastagni Holstedt, APC markets itself as a labor law firm that advocates for working people, but in reality has engaged in actions that have caused significant harm to multiple labor organizations including the Operating Engineers Local Union No. 3; and

WHEREAS, the law firm of Mastagni Holstedt, APC has engaged in the practice of raiding – actively soliciting members of Operating Engineers Local Union No. 3 to disaffiliate from OE3 and to retain that firm to represent them; and

WHEREAS, the law firm of Mastagni Holstedt, APC has made false and disparaging statements about the Operating Engineers Local Union No. 3 and has engaged in a pattern and practice designed to smear the union’s good name and reputation; and

WHEREAS, Mastagni Holstedt APC recently has solicited and encouraged the Alameda County Management Employees Association’s (“ACMEA”) Board of Directors to terminate the long-standing affiliation with Local 3; without first permitting members of ACMEA to express their preference as to representation by Local 3 - an AFL-CIO affiliated union - rather than a non-affiliated association all in violation of the AFL-CIO no-raid pact; and

WHEREAS, Mastagni Holstedt APC has thereby encouraged ACMEA Board of Directors to disaffiliate from OE3 without permitting their members to vote on such disaffiliation and to therefore lose the protections, resources and support of the AFL-CIO; and

WHEREAS, the aforesaid actions of Mastagni, Holstedt APC are in violation of the admonitions and obligations set forth in the attached policy statement applicable to LCC law firms representing AFL- CIO affiliates; (Attachment No.1)

WHEREFORE:

BE IT RESOLVED that the San Mateo County Central Labor Council stands in solidarity with the Operating Engineers Local Union No. 3 in their dispute with the law firm of Mastagni Holstedt, APC; and

BE IT FURTHER RESOLVED that the San Mateo County Central Labor Council calls on the California Labor Federation to add the law firm of Mastagni Holstedt, APC to the “Do Not Patronize/Do Not Hire” list until such time as Mastagni Holstedt, APC agrees to renounce the practice of raiding, sign the AFL-CIO “No Raid” Agreement, and to admit to every unit that they have raided a free and fair election so that the members of those units can choose the organization that they wish to be represented by.

Respectfully Submitted by the Operating Engineers Local Union No. 3

Adopted by the San Mateo County Central Labor Council on May 11, 2020