

Press Release

Local 120 Announces Victory in Harco Asphalt Paving Campaign *Harco Agrees to Settle NLRB Charges on Courthouse Steps*

Indianapolis, January 16, 2008: In a move that stunned many in the courtroom, Harco Asphalt Paving, a locally owned asphalt and paving contractor, on the morning of a trial at the National Labor Relations Board (NLRB) agreed to settle two (2) Unfair Labor Practice (ULP) charges with a full remedy for the plaintiffs.

David Frye, Business Manager of Local 120, said of the victory, "This is the United States of America and workers still have the freedom and a right under the law to organize a union. I'm always glad to see that right upheld by our government."

As part of the settlement agreement, an NLRB notice to the employees must remain posted at Harco's office for sixty (60) days. Additionally, on January 8, 2008 an agent of the NLRB read the notice to all Harco employees. The notice states:

- We will not threaten to call the police on any applicant for employment because of their support for Laborers International Union of North America, Local 120, a/w Laborers International Union of North America ("Local 120"); the International Union of Operating Engineers, Local Union No. 103, a/w International Union of Operating Engineers, AFL-CIO ("Local 103"); or any other union.
- We will not fail and refuse to consider for hire any applicant for employment because of their support for Local 120, Local 103, or any other union.
- We will not in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights guaranteed you by Section 7 of the Act.
- We will accept employment applications from, and will consider for hire, [names of seven (7) discriminatees] for the type of positions for which they apply and any equivalent position using non-discriminatory criteria.

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- We will remove from our files any reference to our unlawful failure and refusal to consider for hire [names of seven (7) discriminatees], and we will notify them in writing that this has been done and that the refusal to consider them for hire will not be used against them in any way.

The trial at Region 25 of the NLRB was the result of a complaint being issued by that federal agency against Harco in September, 2007 concerning seven (7) ULP charges. The ULP charges were filed by Laborers Local 120 during an organizing campaign in 2007. All of the charges concerned alleged violations of federally protected employee rights.

Since a settlement agreement was reached on only two of the seven charges, the trial did continue as expected on the other five (5) charges. A decision from the judge on those alleged violations of federally protected worker rights is expected sometime in the next few months.

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