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* Admitted in Hawaii
** Also admitted in Nevada
*** Also admitted in Illinois
**** Also admitted in New York and Alaska
***** Also admitted in New York and Michigan
***** Also admitted in Florida

September 14, 2017

VIA EMAIL

Ms. Anna Kanwit
Director, Bureau of Human Resources
City of Portland
1120 SW 5th #404
Portland OR 97204

Ms. Natasha Cavender
Assistant to HR Director
City of Portland
1120 SW 5th #404
Portland OR 97204

Re: Laborers' Local 483

Dear Mms. Kanwit and Cavender:

Our office represents Laborers' Local 483.

It is our understanding that some outside group of some individual has requested private information regarding the names and other information of members of the bargaining unit represented by Local 483. The Union strenuously and vigorously objects to the City providing any such information to any third parties.

First, the City has an obligation to bargain and meet and confer with Local 483 before disclosing any information. The disclosure affects the working conditions of the Union's members and no disclosure should be made without first attempting to bargain over this issue.

Second, the disclosure of any private information would violate the privacy rights of the members.

Third, the disclosure of any such information would violate our agreement with the City of Portland. Because the Union is the exclusive representative and for other reasons, under the terms of our agreement the City cannot disclose any information to third parties. Such information can only be disclosed to the Union acting as the bargaining representative.

Fourth, there is considerable evidence of outside interference with Local 483's representational responsibilities. We believe that if the City provides any assistance to those organizations, it will further interfere with any potential election which may occur in that bargaining unit.

For these reasons, the City should not provide any information to any outside organizations or any employee in the bargaining unit without the agreement of Local 483.

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Exhibit A

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Would you please have your appropriate legal representative contact me about this.

Sincerely,

/s/ David A. Rosenfeld

David A. Rosenfeld

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bcc: Mr. Farrell Richartz
Mr. Greg A. Held
Mr. Bob Abbott

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September 28, 2017

VIA EMAIL

Ms. Heidi K. Brown
Sr. Deputy City Attorney
City Attorney's Office
City of Portland
1221 S.W. 4th Avenue, Suite 430
Portland, OR 97204

Re: Laborer's 483 and the City of Portland

Dear Ms. Brown:

It is the position of Local 483 that the City cannot release names of persons in the bargaining unit and other information without bargaining with the Union because this impacts privacy concerns and work issues regarding the bargaining unit. When someone asks for something regarding a specific bargaining unit, that impacts the bargaining unit and cannot be done without bargaining with the Union over the decision and effects to release the information.

It is reported that an outside group is sponsoring the request. The group is a labor organization because it is organized in part to represent its members with respect to their terms and conditions of employment. Any assistance to that organization (named erroneously the Freedom Foundation) would be unlawful assistance to a labor organization. We believe that assisting an outside organization or another person to interfere with the bargaining relationship is an unfair labor practice. They can do that on their own, but without the assistance of the City

We have not seen the specific request, but understand that there is one pending. As a result, we are only able to state that providing anything beyond the names of the employees, the job classifications and salaries is impermissible. We object to giving out any information. Addresses and contact information are plainly private and subject to heightened and substantial privacy concerns.

The current Agreement between Local 483 and the one which has been tentatively agreed to provides that the Union is the exclusive representative of the employees. As a result, providing any information to others violates that exclusive representation. In effect, it's a form of direct dealing. Moreover, in effect, it is unlawful and improper assistance of other parties. Article I of the Agreement provides Local 483 is

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the exclusive representative of the employees in the bargaining unit. The city cannot deal with any other person or entity with respect to that unit.

Sincerely,

/s/ David A. Rosenfeld

David A. Rosenfeld

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