

## Starbucks Faces Legal Setback: Workers Illegally Fired for Union Activities



In a recent ruling, a National Labor Relations Board (NLRB) judge found that Starbucks Corp. unlawfully terminated two employees from its Portland, Oregon, store due to their involvement in union activities. Administrative Law Judge Sharon Steckler, who presided over the case, also determined that the coffee giant engaged in additional unfair labor practices. These included discriminatory enforcement of the company's dress code against union supporters and the suppression of union-related information on a community bulletin board at the store.

### Violations of Federal Labor Law Pile Up

This decision marks another instance where Starbucks has been found violating federal labor law. The NLRB has ruled against the company in approximately three dozen cases, with around 70 pending complaints before agency judges. The Portland store in question unionized following an election in July 2022.

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### Sanctions Imposed But Limited by Appellate Jurisdiction

Judge Steckler imposed sanctions against Starbucks for failing to comply with information requests, including the production of company manuals and details about a disciplinary system known as the "barista approach." However, she stopped short of granting all the sanctions sought by NLRB prosecutors. Notably, the judge considered the jurisdiction of the US Court of Appeals for the Ninth Circuit, which has a skeptical view of sanctions imposed by Administrative Law Judges (ALJs). According to Steckler, ordering all requested sanctions might result in a "pyrrhic victory" for the agency.

### Adverse Inferences and Starbucks' Response

The judge made adverse inferences against the company on specific factual issues to address Starbucks' failure to provide requested information. Starbucks spokesperson Andrew Trull expressed disagreement with the ALJ's decision, asserting that the actions taken were in line with lawful store and partner policies. Trull emphasized that the company's actions did not respond to employees' participation in concerted union activities.

Starbucks plans to appeal the decision to the NLRB, indicating its commitment to challenging the ruling.

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### Looking Ahead

As Starbucks navigates this legal setback, the case highlights ongoing tensions between the company and its workforce regarding labor practices and unionization efforts. The appeal process will likely shed further light on the intricacies of the allegations and the company's defense against them.

The case is officially documented as Starbucks Corp., N.L.R.B. A.L.J., Case 19-CA-296765, dated 11/27/23.

**Don't be a silent ninja! Let us know your thoughts in the comment section below.**