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## CIO Success + Violation of Confidentiality + Labor Issues

**Part A:**

The Knight of Labor was one of the most prominent and important American Labor Organization during 1880's. Formed during 1869, Knights were the first labor organization to organize both skilled and unskilled labor and also reached African American and women workers. However, the primary demand of Knights was eight hours of working in a day and their support for legislation to end the child labor. The organization believed in unit of the interest of all the producing groups, and this led to explosive growth in their membership which once reached 600000, coordinating 1400 strikes.

However, Knights of Labor had a history of inclusiveness and exclusiveness in American History. After the huge success of the railroad workers strike against Jay Gould and his entire southwestern railway system during 1885, the organization started to weaken. Their membership decline significantly because of their autocratic structure, mismanagement and unsuccessful strikes. Most importantly the dispute between the skilled trade unionist and industrial unionists weakened the organization and the Knights failed significantly in the Missouri Strike during 1886.

However, of all the reasons, it was the Haymarket riot of 1886 that tarnished Knight's image around the nation. The bomb explosion during the McCormick Plant strike where several policemen were killed and the anarchists were trialed, the Knights of Labor, although with the false accusation, were blamed for igniting violence and soon their membership started declining and the organization ended in their failure by the end of 1890.

In Contrast, Congress of Industrial Organization (CIO), after separating from

American Federation of Labor (AFL), rose rapidly. The CIO group was more radical, militant and inclusive. After breaking with the AFL policy and with the rash of sit-down strikes in 1936-37, CIO-affiliated unions such as the United Auto Workers and United Steelworkers managed to win recognition, bargain national contracts, and break the open shop throughout heavy industry. Their biggest surge in their membership was the expel of the industrial unions from the AFL in 1930's which increased the membership of CIO by four million. CIO was also more inclusive than the Knights as it included black workers, women and immigrants into their ranks and this allowed period of hyper growth for the American Unions.

Thus, it was a more liberal and wide inclusion of the labor force into the union that led to the success of CIO. On the other hand, Knights was more conservative and an unfortunate incidence at Haymarket Riot was the primary reason that leads to their demise.

## **Part B:**

Answer 1)

The Company, ReadyPro and the employee, Ms. Martinez was under the Confidentiality Agreement, which the employee had duly signed at the time of her employment. As per this agreement, the employee agreed not to disclose any of the terms of her employment, including compensation to any third party and if she does, she will create grounds for her dismissal. The agreement so signed was for a legitimate business purpose as this was designed to ensure confidentiality of employment information between the employer (ReadyPro) and the employee (Martinez)

Here, despite understanding all the legal consequences of the breach of

contract of agreement, Ms. Martinez on October 2nd, in her reply to an email received from ReadyPro's Human resource Manager, Mr. Brown, copied the reply to the San Antonia's project manager(third party) stating the monetary compensations she expects to receive as part of reimbursement rate. An extract from her reply to San Antonia's Project Manager is as follows:

“If the company could offset the reduction in the reimbursement rate imposed by ReadyPro so she could continue to receive a reimbursement rate of \$15 per day. “

Please note that the contract of employment assured that she will be provided with the reimbursement of her personal computer use, but the amount was never disclosed. The third party had agreed upon(no contractual obligation relating to the amount) \$15 per day but due to tax considerations, the cost of reimbursement has increased and thus, the company paid only \$12 per day, which also was a reasonable amount for use of personal computer.

Although, Martinez did not disclose the complete agreement to the other party, but she introduced a third party into the agreement, which itself was the breach of the confidentiality agreement. Thus, her termination was lawful.

## **Answer 2)**

Martinez view was supported by her reasoning that the confidentially agreement was broadly worded and restricted her labor rights.

At first, she was experiencing delays in receiving her payments and on request to ReadyPro's management to interfere, she was notified that the Gasline Company had refused to make any alteration to the payment

schedules. Later, she received only \$12 per day as reimbursement expenses for her personal computer use as against agreed an amount of \$15 per day. Thus, under non-friendly work environment and continued harassment, it was now detrimental for her to include the Gasline Company into the agreement so as to protect her labor rights.

### **Answer 3)**

National Labor Relations Board(NLRB) has consistently scrutinized the employer's personal policies and Confidentiality Agreement rules that unlawfully prohibit the employees from exercising their legal rights under National Labor Relations Act.

Here, the confidentiality agreement between ReadyPro and Martinez was broadly worded and restricted Martinez from exercising her legal rights as she was not getting appropriate reply for delay in lodging expenses and lower reimbursement of personal computer use from ReadyPro. Hence, not allowing her to contact the Project Manager would be restricting her labor rights.

### **Hence, both the confidentiality agreement and her termination was unlawful.**

Part C:

On 17th April, 2013, the Grocery Retailers, Wholesalers and Food Industry State executive from 30 states held a meet in Washington DC to promote the Congress to launch reforms that will impact the bottom lines of supermarket retailers and wholesalers. The core agenda of the meeting was to the issues important to the supermarket industry as healthcare, tax reform, FDA menu labeling, and swipe fees.

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As for the effect of such reforms on labor, regarding health care, the supermarket industry supports changes to the Affordable Care Act. This will increase the ability of the supermarket industry to maintain health coverage for their labor and thus comply with the law. This will also include amending the Affordable Care Act's 30 hours per week full-time employee definition to be in-line with the current workforce and fair labor standards.

## **Works Cited**

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