

Congress of the United States
Washington, DC 20515

September 15, 2009

Mr. Gary Goldberg
President & CEO
8051 East Maple Wood Avenue, Building 4
Greenwood Village, Colorado 80111

Dear Mr. Goldberg:

As members of the Congressional Labor and Working Families Caucus, we write regarding the upcoming contract negotiations between your U.S. Borax division and the 600 members of the International Longshore and Warehouse Union (ILWU) Local 30. In this time of economic crisis, we are hopeful that the negotiations will conclude quickly with a fair and just contract for the hard working employees of U.S. Borax.

Unfortunately, we have heard reports that recent actions taken by U.S. Borax management have strained the collective bargaining relationship. Cooperative and positive collective bargaining relationships are the key to minimizing labor disputes and producing successful outcomes for employers, employees, and the broader community. Yet we understand that the parties have been unable to resolve grievances prior to arbitration as they have in the past—with a significant increase in the number of grievances being arbitrated or settled on the day of arbitration and a recent union win rate of 99% of these arbitrations. We understand that workers have been reassigned to job duties under circumstances that at least give the appearance the reassignments are in retaliation for speaking out on work issues—if they are not in fact retaliatory. Moreover, we understand that the more adversarial posture has affected workers' sense of job security. These alleged practices are not the hallmark of employee-employer cooperation that represents the best of the American workplace.

The Congressional Labor and Working Families Caucus firmly believes that all American workers deserve fair compensation, adequate healthcare benefits, a safe workplace, and a secure retirement. As President Franklin Delano Roosevelt, who signed the National Labor Relations Act into law, said, "It is now beyond partisan controversy that it is a fundamental individual right of a worker to associate himself with other workers and to bargain collectively with his employer." America certainly prospers most when both labor and business prosper together.

We encourage you to make every effort to conclude negotiations swiftly and avoid the inevitable pain to both sides that a strike or lock-out would cause. As elected officials, we are deeply committed to a strong economy that works for everyone, without sacrificing dignity, self-respect, or the right to organize for improved wages, benefits, and working conditions. We will be

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Mr. Dave Libengood
President
International Longshore and Warehouse Union, Local 30
24001 Chaparral
Boron, CA 93516

Dear Mr. Libengood:

As members of the Congressional Labor and Working Families Caucus, we write to offer our support and encouragement to you and the 600 members of the International Longshore and Warehouse Union (ILWU) Local 30 as you enter into collective bargaining discussions with U.S. Borax. We stand behind your efforts to achieve a fair and just contract for the hard working members of Local 30.

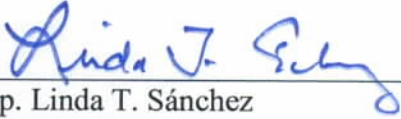
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actively monitoring the progress of negotiations and would be pleased to offer any appropriate assistance.

Sincerely,



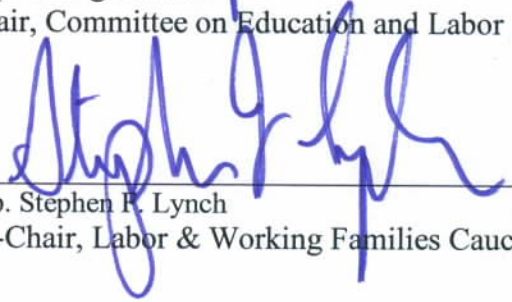
Rep. Linda T. Sánchez
Co-Chair, Labor & Working Families Caucus



Rep. George Miller
Chair, Committee on Education and Labor



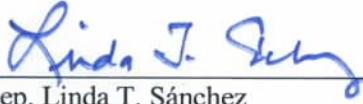
Rep. Michael H. Michaud
Co-Chair, Labor & Working Families Caucus



Rep. Stephen F. Lynch
Co-Chair, Labor & Working Families Caucus

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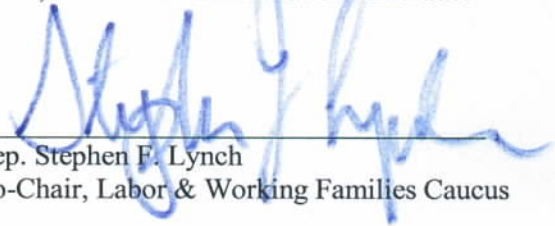
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