



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1393

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ROBERT C. FOX
Business Manager
Financial Secretary

February 7, 2024

Via E-mail Only

Kevin P. Moran, Executive Director
American Line Builders, NECA
8044 Montgomery Road, Ste. 522
Cincinnati, OH 45236

Subject: Mandatory Subject Bargaining: Driver-Facing Cameras (DFC)

Dear Mr. Moran:

It is beyond debate that the installation of "cameras that observe employees at work" is a mandatory subject of bargaining. NLRB, ALJ Decision, *Endurance Environmental Solutions, LLC*, No. CA-273873 (February 8, 2022). The ALJ in *Endurance Environmental Solutions* recently summarized several of the Board's decisions on the issue in holding that the installation of cameras in work vehicles is a mandatory subject of bargaining:

The Respondent's decision to install cameras that observe employees at work was a mandatory subject of bargaining. The Board has repeatedly affirmed that this is the case, especially where, as here, such observation may be used to discipline unit employees. *Roemer Industries*, 367 NLRB No. 133, slip op. at 8 (2019), enfd. 824 Fed. Appx. 396 (6th Cir. 2020); *National Steel Corporation*, 335 NLRB 747, 747-748 (2001), enfd. 324 F.3d 928 (7th Cir. 2003); *Nortech*, 336 NLRB 554, 568 (2001); *Colgate-Palmolive Company*, 323 NLRB 515, 515 (1997), *Genesee Family Restaurant*, 322 NLRB 219, 225 (1996).

The Union has not waived its right to bargain over this subject. Accordingly, we will move forward with unfair labor practice charges since Service Electric Company has installed cameras without first bargaining with the Union.

Sincerely,

Robert C. Fox

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Business Manager
Financial Secretary

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