

NABET-CWA LOCAL 31

CNN Update

D.C. Circuit Issues the Final Judgment

On November 9, 2017, the D.C. Circuit issued a per curiam order and a final judgment in the case between the National Labor Relations Board (“NLRB”) and CNN America, Inc. (“CNN”). The final judgment is exactly what the D.C. Circuit ordered back on October 12, 2017.

Back in October, the court adopted a draft judgment prepared by the NLRB, with certain modifications. The NLRB complied with the court’s order and filed a modified judgment. Thereafter, CNN sought additional changes to the modified judgment. These changes would have further weakened the judgment as part of CNN’s continued efforts to deprive the discriminatees of the remedy to which they are entitled under the National Labor Relations Act (“Act”). The D.C. Circuit rejected each and every additional change sought by CNN. The final judgment and the court’s per curiam order rejecting CNN’s arguments are posted on the Local 31 website.

The case will now be remanded back to the NLRB for further proceedings on the issues of the joint employer relationship between CNN and Team Video Services, the modification of the backpay remedy to conform to the D.C. Circuit’s decision in *Capital Cleaning Contractors* and the appropriateness of an affirmative bargaining order. CNN has already asked the Executive Secretary of the NLRB for the opportunity to submit a brief on these issues and others.

It is still difficult to say how long the case will take on remand or how CNN will continue in its efforts to prolong this case and deny justice to the discriminatees. Nevertheless, NABET-CWA Local 31 remains committed to vindicating the rights of employees under the Act and holding CNN accountable to all employees for its now established unfair labor practices.

The Union will continue to keep you apprised of further developments as they arise. Stay strong. Stay united.