

## *Trucking*

### **Intermodal Bridge Transport Drivers Strike In California, Alleging Unfair Labor Practices**

**D**ozens of short-haul drivers for a company that transports cargo in California at the ports of Long Beach and Los Angeles went on strike April 20 for the third time in 12 months, seeking to be classified as employees instead of independent contractors, the International Brotherhood of Teamsters said.

The drivers, who work for Intermodal Bridge Transport, also were protesting “misclassification-related harassment, favoritism, and retaliation,” the union said, describing the company’s alleged actions as unfair labor practices that violate the National Labor Relations Act.

The drivers are not represented by the Teamsters or other unions for purposes of collective bargaining.

**NLRB Complaint Issued.** On a related matter, Olivia Garcia, the Los Angeles-based regional director of the National Labor Relations Board, April 18 issued a complaint against Intermodal Bridge Transport.

It alleges that Marlo Quevedo, a dispatcher at the company’s facility in Wilmington, Calif., interrogated employees about their support for the Teamsters, promised more work to employees if they refrained from union-organizing activities and threatened a worker with job loss for engaging in such activities.

Garcia also alleged in the complaint that since at least March 24, 2015, the company “has misclassified its employee-drivers as independent contractors, thereby inhibiting them from engaging in Section 7 activity and depriving them of the protections of the Act.”

Section 7 of the National Labor Relations Act in part grants employees the right to form, join or assist labor organizations and bargain collectively through representatives they choose.

Julie Gutman Dickinson, local counsel in California for the union’s port division, told Bloomberg BNA April 20 that the NLRB complaint “will send the message loud and clear to the trucking industry that misclassification carries a high price, and that companies can no longer violate the law with impunity without multimillion dollar liability, recurring labor unrest, and contempt of court, including fines and imprisonment.”

Officials at Intermodal Bridge Transport’s Long Beach facility didn’t respond to Bloomberg BNA requests for comment.

The company must file an answer to the board’s complaint on or before May 2. A hearing is scheduled to be conducted June 13 before an NLRB administrative law judge.

**Picket Lines at Two Locations.** On the morning of April 20, the short-haul drivers erected picket lines at Intermodal Bridge Transport’s yard in Wilmington and at customer warehouses in Carson, Calif., Teamsters officials said.

Intermodal Bridge Transport and other drayage firms the union and short-haul drivers in California are targeting transport containers with cargo out of the ports to warehouses, rail yards and distribution centers throughout Southern California.

The cargo is then forwarded to retail clients such as Michael Kors, Sony, Toyota, General Electric and Target, the union said.

The Teamsters April 20 filed an unfair labor practice charge with the NLRB against Intermodal Bridge Transport, alleging that the company “interfered with, restrained, and coerced employees” in violation of their NLRA rights.

**Strikes Part of Ongoing Campaign.** The latest work stoppage at the two neighboring ports is part of an ongoing labor effort targeting various drayage firms and led by the Teamsters’ Justice for Port Truck Drivers campaign.

The campaign’s goal is to convince the companies to classify the short-haul drivers as employees instead of as independent contractors. The drivers also are seeking representation by the Teamsters.

Last April, short-haul drivers participated in their first strike against Intermodal Bridge Transport (80 DLR A-9, 4/27/15).

In late October, Intermodal Bridge Transport drivers went on strike a second time, again seeking to be classified as employees instead of as independent contractors (210 DLR A-11, 10/30/15).

The striking short-haul drivers are participants in various individual lawsuits and class actions involving allegations of employee misclassification and wage theft, the Teamsters said.

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*Text of the NLRB complaint and charge is available at <http://src.bna.com/ehy> and <http://src.bna.com/ehA>, respectively.*

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