RESOLUTION IN SUPPORT OF PLACING THE LAW FIRM OF
MASTAGNI HOLSTEDT, APC ON THE “DO NOT PATRONIZE/DO NOT
HIRE” LIST MAINTAINED BY THE CALIFORNIA LABOR FEDERATION

WHEREAS, the Operating Engineers Local Union No. 3 is a long-time member of the
San Mateo County Central Labor Council; and

WHEREAS, the American Federation of Labor and Congress of Industrial Organizations
(AFL-CIO) has long-recognized that the practice of raiding creates, “disunity and is
disruptive to labor relations and collective bargaining” and as such should be discouraged
in the interest of labor peace and harmony; and

WHEREAS, the Lawyers Coordinating Committee of the AFL-CIO has adopted a policy
discouraging affiliates from engaging law firms that represent labor organizations that
engage in dual unionism or otherwise undermine affiliates of the AFL-CIO; and

WHEREAS, the law firm of Mastagni Holstedt, APC markets itself as a labor law firm
that advocates for working people, but in reality has engaged in actions that have caused
significant harm to multiple labor organizations including the Operating Engineers Local
Union No. 3; and

WHEREAS, the law firm of Mastagni Holstedt, APC has engaged in the practice of
raiding – actively soliciting members of Operating Engineers Local Union No. 3 to
disaffiliate from OE3 and to retain that firm to represent them; and

WHEREAS, the law firm of Mastagni Holstedt, APC has made false and disparaging
statements about the Operating Engineers Local Union No. 3 and has engaged in a
pattern and practice designed to smear the union’s good name and reputation; and

WHEREAS, Mastagni Holstedt APC recently has solicited and encouraged the Alameda
County Management Employees Association’s (“ACMEA”) Board of Directors to
terminate the long-standing affiliation with Local 3; without first permitting members of
ACMEA to express their preference as to representation by Local 3 - an AFL-CIO
affiliated union - rather than a non-affiliated association all in violation of the AFL-CIO
no-raid pact; and

WHEREAS, Mastagni Holstedt APC has thereby encouraged ACMEA Board of
Directors to disaffiliate from OE3 without permitting their members to vote on such
disaffiliation and to therefore lose the protections, resources and support of the AFL-CIO;
and

WHEREAS, the aforesaid actions of Mastagni, Holstedt APC are in violation of the
admonitions and obligations set forth in the attached policy statement applicable to
LCC law firms representing AFL-CIO affiliates; (Attachment No.1)
WHEREFORE:

BE IT RESOLVED that the San Mateo County Central Labor Council stands in solidarity with the Operating Engineers Local Union No. 3 in their dispute with the law firm of Mastagni Holstedt, APC; and

BE IT FURTHER RESOLVED that the San Mateo County Central Labor Council calls on the California Labor Federation to add the law firm of Mastagni Holstedt, APC to the “Do Not Patronize/Do Not Hire” list until such time as Mastagni Holstedt, APC agrees to renounce the practice of raiding, sign the AFL-CIO “No Raid” Agreement, and to admit to every unit that they have raided a free and fair election so that the members of those units can choose the organization that they wish to be represented by.

Respectfully Submitted by the Operating Engineers Local Union No. 3

Adopted by the San Mateo County Central Labor Council on May 11, 2020