



# ***Justice at Peabody News***

[www.justiceatpeabody.org](http://www.justiceatpeabody.org)

Volume One. Issue Two. August 2006

## **Miners Urge Immediate Implementation of Peabody's Workers' Rights Pledge**

ST. LOUIS, Mo. --

Approximately 150 United Mine Workers of America (UMWA) members and their supporters rallied outside Peabody Energy's annual shareholder meeting in Clayton Mo., on May 5. At the rally, miners called on Peabody Energy to abide by workers' rights language that Peabody recently added to its Code of Business Conduct and Ethics in response to a UMWA shareholder resolution. The additions to the company's amended Code are based on International Labor Organization (ILO) conventions. The amended Code language states:



**At the Justice at Peabody rally outside Peabody Energy's annual stockholder meeting held on May 5 in Clayton Mo., Jerry Coppage, a miner from Peabody's Somerville Central mine, tells miners and their supporters why he wants a union at his mine.**

## **500 Religious Leaders Call for Justice at Peabody**

ST. LOUIS, Mo. - Ministers from Religious Leaders for Coalfield Justice (RLCJ) presented a statement signed by over 500 religious leaders to senior Peabody Energy executives on April 27, calling on the company to respect workers' rights at its coal mines.

The signatories consist of pastors, priests, deacons, rabbis and other religious leaders from the coalfields and across the nation,

including 62 judicatory heads and five heads of national faith groups.

"We support the efforts of miners who work in Peabody Energy's nonunion mines to gain dignity, respect, fairness and safety on the job by forming a union with the United Mine Workers of America (UMWA)," the religious leaders said in their statement. "Coal mining is dangerous and demanding

(See LEADERS, page 6) \_\_\_\_\_

- Workers have the right to freely choose whether or not to form and join trade unions and bargain collectively.
- Employment shall be freely chosen. There shall be no use of forced labor, including bonded or voluntary prison labor.
- Peabody and its subsidiaries are committed to providing a safe and healthy workplace and shall constantly strive to eliminate or minimize accidents in the workplace, wherever they do business.

After the success of convincing Peabody to change its Code of Conduct, Peabody miners are now redoubling their efforts to make Peabody's pledge a reality.

"We urge Peabody Energy to implement these policies immediately so that its reputation is not damaged by abusing workers' rights," said UMWA International President Cecil Roberts.

"Now Peabody needs to put its words into action," said Jerry Coppage, a miner from the Somerville Central mine. "Stop the harassment and agree to a fair process for us to choose unionization."

(See UMWA page 2) \_\_\_\_\_

(UMWA continued from front)

In January, Peabody Energy attempted to quell a UMWA shareholder resolution that asked the company to abide by the ILO standards for basic labor rights. When the Securities and Exchange Commission denied the company's request to exclude the shareholder proposal from its proxy statement, Peabody Energy capitulated and agreed to the changes if the UMWA would voluntarily withdraw its proposal. The union agreed following negotiations to

**"Workers have the right to freely choose whether or not to form and join trade unions and bargain collectively."**

-- April 20, 2006 amendment to Peabody's Code of Business Conduct and Ethics

ensure the proposed language mirrored the ILO standards.

"The ILO standards are particularly important now that Peabody has announced a partnership with

Shenhua Group, a company wholly owned by the Communist Chinese government," said Barbara Shailor, Executive Director of the American Center for International Labor Solidarity, a non-profit organization that assists workers around the world to build democratic trade unions. "China is notorious for its forced prison labor, ban on free trade unions and horrendous safety record in the coal mines."

## Peabody Miners in U.S., Australia Show Support for the Right to Organize

FAIRFAX, Va. - More than two thousand union and non-union coal miners from Peabody Energy's U.S. and Australian operations participated in a show of support for Peabody's nonunion miners who are demanding the company recognize their right to form a union free from threats, harassment and intimidation. The miners demonstrated their support on all shifts by applying stickers with the Justice at Peabody logo to their hard hats and urging management to respect workers' rights.

Miners at 19 Peabody Energy nonunion mines in the U.S., seven unionized mines in the U.S. and four unionized mines in Australia participated in the week of action. The unionized miners in the U.S. are represented by the United Mine Workers of America (UMWA) and the unionized miners in Australia are represented by the Construction, Forestry, Mining and Energy Union (CFMEU).

"The UMWA and the CFMEU are united to ensure that the non-



**Members of Australia's Construction, Forestry, Mining and Energy Union (CFMEU) wore hardhat stickers with the Justice At Peabody logo to show their support for Peabody's nonunion miners who are demanding the company recognize their right to form a union free from threats, harassment and intimidation.**

union miners at Peabody are given the freedom to join a union free from management threats or interference," said UMWA International President Cecil Roberts. "Today's action shows the level of solidarity that UMWA and CFMEU members feel about this important issue."

"Coal miners, no matter what

country they live in, understand the absolute necessity of having the protection of a union in this industry," said John Maitland, National Secretary of the CFMEU. "Our membership is willing to do whatever it takes to assist our brothers and sisters in the U.S. Our solidarity knows no borders."

# Peabody Shareholders Approve AFL-CIO Corporate Governance Reform Resolution

WASHINGTON, D.C. -- While 150 United Mine Workers of America members and supporters rallied outside Peabody Energy's annual shareholders meeting held on May 5 in Clayton, Mo., shareholders inside the meeting adopted a corporate governance reform proposal offered by the AFL-CIO by a vote of 75 percent. The AFL-CIO resolution urged the annual election of the company's board of directors.

"We are pleased that Peabody Energy shareholders have again expressed their tremendous support for our reform proposal," said AFL-CIO Secretary-



UMWA members and supporters rallied outside Peabody Energy's annual shareholders meeting held on May 5 in Clayton, Mo.

Treasurer Richard Trumka. "We hope that this year, Peabody Energy will respond to the will of the shareholders and implement annual elections for its board of directors."

Under the current framework, the board is divided into three classes, with approximately one-third of all directors elected each year to three-year terms. In July, Peabody Energy nominated John F. Turner to the Board of Directors. Under Peabody Energy's classified board system, shareholders will not have the opportunity to vote on Turner's nomination until his term expires in 2007.

The AFL-CIO also supported two other labor-sponsored resolutions which obtained significant shareholder support: a proposal sponsored by the Sheet Metal Workers' National

Pension Fund urging the board to take necessary steps to require that directors be elected by affirmative vote of the majority of votes cast at an annual shareholders meeting, which won 45 percent of shareholder votes, and a proposal by the Service Employees Master Fund to constitute a committee in response to any shareholder proposal that receives a majority of the votes cast, which garnered 35 percent.

"The significant vote that each of these proposals received demonstrates that shareholders are concerned about the need to improve management accountability at Peabody Energy," said Trumka. "We look forward to Peabody enacting corporate governance reforms that will move the company towards greater accountability."



The Rev. Teresa Mithen, of St. John's Episcopal Church in St. Louis, addresses the rally about the religious basis for the fundamental human right to organize a union free from employer interference.

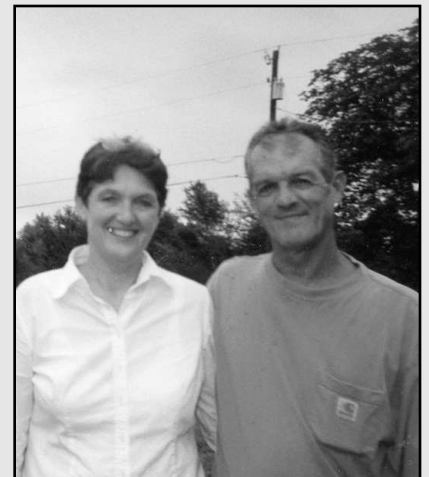
# *Peabody Energy...*



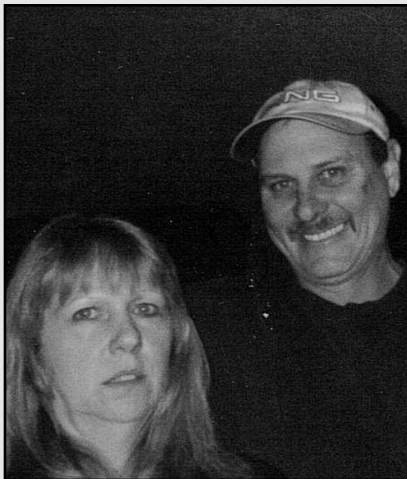
**Darren Hellman**  
Vermilion Grove Mine



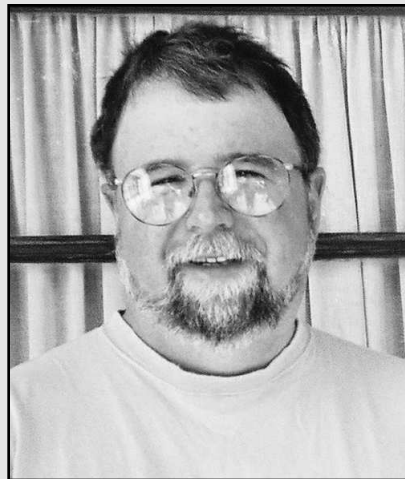
**Dwight Baker**  
Freedom Mine



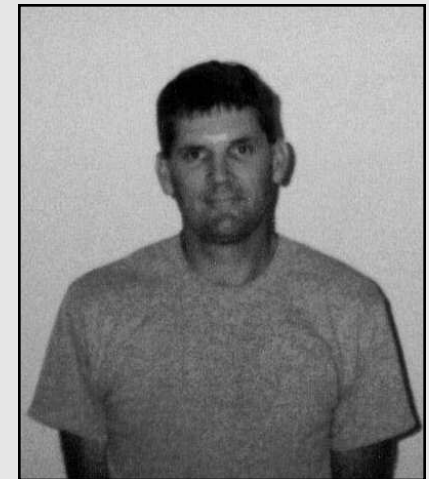
**Larry Doyle**  
Dodge Hill Mine



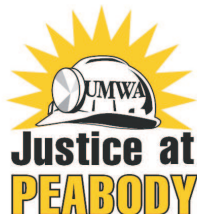
**Allen Smith**  
Gateway Mine



**Rickie Short**  
Farmersburg Mine

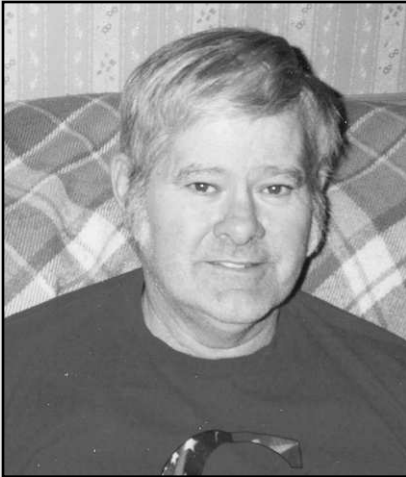


**Greg Arnold**  
Somerville North Mine



# **Justice**

# I Want a Union



**William R. Howard**  
Big Run Mine



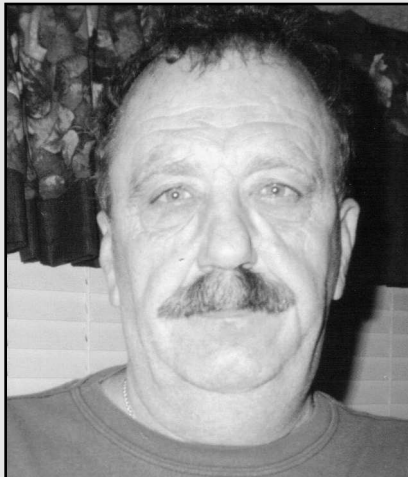
**Jason Courtney**  
Air Quality Mine



**Amanda Capps**  
Freedom Mine



**Dale Pine**  
Riola Mine



**Steve Nantz**  
Wildcat Hills Mine



**Jeffrey Buskirk**  
Air Quality Mine

# at Peabody

(LEADERS continued from front)

work. The workers in this industry endure peril daily to help provide for our nation's energy needs."

The religious leaders' statement, entitled "A Call for Justice at Peabody Energy," urges the nation's largest coal company "to be truly neutral with respect to employees' rights to form or join a union and to voluntarily recognize a union when a majority of their employees sign authorizations." The statement mirrors the endorsement of over 43 religious and community organizations calling for corporations to allow workers to organize through card check (majority verification) neutrality agreements.

"If Peabody will embrace ethical teachings, including respect for the right of workers to form unions without threats, intimidation and harassment, it will serve the long-term interests of the workers, the community and the company," said Tena Willemsma, one of

***"If Peabody will embrace ethical teachings, including respect for the right of workers to form unions without threats, intimidation and harassment, it will serve the long-term interests of the workers, the community and the company."***

**-- Tena Willemsma, RLCJ convener and Executive Director of the Commission on Religion in Appalachia**

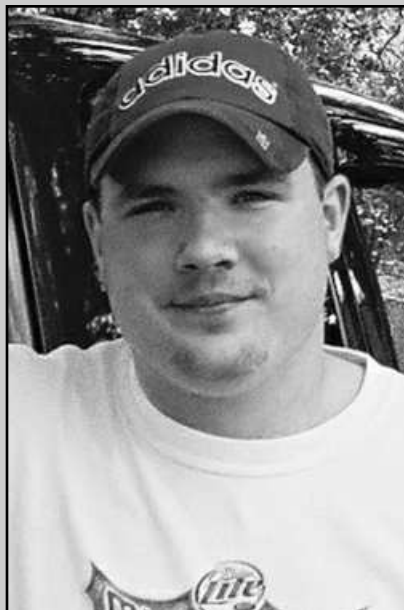
the conveners of RLCJ and Executive Director of the Commission on Religion in Appalachia."

Workers at nonunion Peabody mines and the UMWA launched the Justice at Peabody campaign on Dec. 9, 2005, to call on Peabody Energy to adopt a card-check neutrality agreement so that workers could organize free from threats, intimidation and harassment.

RLCJ leaders delivered the

signed statement and expressed their concerns about mine workers' rights to senior Peabody Energy executives at the company's corporate headquarters.

Religious Leaders for Coalfield Justice is a national organization of religious leaders committed to justice for coal miners and other residents of coalfield communities.



***"Those of us Peabody miners who are fighting for our right to form a union are thankful for the outpouring of support from the religious communities and religious leaders. Their support brings attention to the fact Peabody has a moral obligation to respect its employees' rights by allowing for a fair and democratic process to choose a union."***

**-- Shane O' Herron  
Peabody Vermilion Grove Miner**

# U.S. Rep. Russ Carnahan Supports Peabody Energy Coal Miners' Right to Organize

ST. LOUIS, Mo. -- U.S. Rep. Russ Carnahan (D-Mo.) has pledged his support for coal miners employed at Peabody Energy Corp. who are trying to form a union, and urged the company to remain neutral in the miners' struggle for unionization. Peabody is headquartered in St. Louis near Carnahan's congressional district.

"I support the rights of all Americans to organize in their workplaces," said Carnahan. "I stand with coal miners from Peabody Energy and encourage them in their efforts to organize with the United Mine Workers of America (UMWA). I urge Peabody Energy to remain neutral when it comes to its employees' choice to form a union."

Hundreds of nonunion miners at Peabody Energy's facilities across the country have requested assistance from the UMWA to organize a union. In December 2005, the UMWA responded by launching the Justice at Peabody campaign.

Rep. Carnahan's statement echoed his speech to a crowd of well over 1,100 Peabody Energy workers and community leaders at the UMWA's December organizing campaign kick-off in front of the company's headquarters.

"Provisions in the U.S. labor laws to prevent employer pressure on employees who seek to organize unions are either too weak or non-existent," Carnahan said. "I have consistently advocated in Congress for legislation, like the Employee Free Choice Act, that ensures that American workers

receive the rights and protections that they deserve."

Carnahan is a co-sponsor of the Employee Free Choice Act and is a strong advocate of a workers' right to form a union free from employer threats, harassment and intimidation. The Employee Free Choice Act requires employer neutrality during organizing campaigns and union recognition upon a majority of employees signing

cards stating their desire to be part of a union. The pending legislation, which also establishes stronger penalties for violation of employee rights, has gained bipartisan support with 216 co-sponsors in the U.S. House of Representatives and the 43 co-sponsors in the U.S. Senate.

## Statement from Congressman Russ Carnahan

***"I support the rights of all Americans to organize in their work places. Today I stand with coal miners from Peabody Energy and encourage them in their efforts to organize with the United Mine Workers of America. I urge Peabody Energy to remain neutral when it comes to its employees' choice to form a union.***



U.S. Rep. Russ Carnahan (D-MO)

***Many of America's most successful companies have concluded that a non-adversarial relationship with unions is mutually beneficial.***

***Provisions in the U.S. labor laws to prevent employer pressure on employees who seek to organize unions are either too weak or non-existent. I have consistently advocated in Congress for legislation, like the Employee Free Choice Act, that ensures that American workers receive the rights and protec-***

***tions that they deserve. The Employee Free Choice Act requires employer neutrality during organizing campaigns and union recognition upon a majority of employees signing cards stating their desire to be part of a union.***

***It is just good business when companies protect the basic human and labor rights of their workers and respect their right to organize a union."***

## NLRB\* Elections Don't Meet the Test

	Democratic Election	National Labor Relations Board Election
All parties have equal access to voter list and voters.	Yes	No. Employers have full access; unions have limited access to list and voters.
Voters can be intimidated or threatened.	No	Yes. Although it is unlawful, many employers harass and even fire union supporters.
Voters can be forced to listen to one side only.	No	Yes. Most employers hold mandatory meetings indoctrinating voters to employer message.
One side can delay election and outcome.	No	Yes. Employers can delay both through procedural maneuvers.
Election is conducted at campaign headquarters.	No	Yes. Election occurs on company property.

*\*National Labor Relations Board*

## A Fair Alternative...

Democratic card-check neutrality procedures, sometimes called majority verification, are the most effective way to determine the wishes of a majority of employees. Under current law, employers can recognize a union if a majority of employees demonstrate that they wish to be represented by a union, usually by signing cards designating the union as their collective bargaining representative. This process prohibits employers' campaigns of threats, harassment, intimidation and delay while promoting healthy relationships between employers and employees.

