

## NEWS RELEASE



**FOR IMMEDIATE RELEASE**  
November 21, 2011

**Contact:** Jeff Schweitzer  
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### **American Crystal's Good Faith Negotiations Affirmed Again** *National Labor Relations Board denies the BCTGM's appeal*

MOORHEAD, Minn. — American Crystal learned today that the National Labor Relations Board (NLRB) denied an appeal made by the Bakery, Confectionery, Tobacco Workers and Grain Millers (BCTGM) Local 167G of an earlier dismissal of their claim that the Company failed to bargain in good faith.

“As we have stated many times throughout this process, American Crystal has remained committed to bargaining in good faith and to a respectful process to achieve a fair agreement with our employees,” said Brian Ingulsrud, Vice President for Administration at American Crystal Sugar Company. “The NLRB’s ruling in September and today’s denial of the BCTGM’s appeal affirms our position and that commitment.”

In its ruling in September, the NLRB cited a number of examples as evidence of the Company’s good faith negotiations. These included the Company’s clearly stated objectives, significant modifications to the subcontracting provision and “significant movement” by the Company.

“This ruling affirms that it’s not a lack of good faith negotiations by American Crystal that is preventing a resolution to these prolonged negotiations,” said Ingulsrud. “It’s time for union leaders to show their willingness to negotiate in good faith and seriously consider the Company’s proposals. If requested by the mediator and if the union is serious about addressing the Company’s proposals, the Company is prepared to return to the negotiations table.”

The letter from the National Labor Relations Board is on pages two and three of this document and can also be found on the [www.acscontracttalks.com](http://www.acscontracttalks.com) web site.



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
OFFICE OF THE GENERAL COUNSEL  
Washington, D.C. 20570

November 16, 2011

DANIEL E. PHILLIPS, ATTORNEY  
SOLBERG STEWART MILLER TJON  
1129 5TH AVE S  
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Re: American Crystal Sugar Company  
Case 18-CA-061493

Dear Mr. Phillips:

Your appeal from the Acting Regional Director's refusal to issue complaint has been carefully considered. The appeal is denied substantially for the reasons in the Acting Regional Director's letter of September 26, 2011. Further, it was determined that the investigation adduced insufficient evidence to support a finding that either the Employer's conduct away from the bargaining table or its bargaining proposals and the bargaining position it took in support of those proposals constituted surface bargaining or amounted to bad faith bargaining in violation of Section 8(a)(1) or 8(a)(5) of the National Labor Relations Act, as alleged. Accordingly, further proceedings are unwarranted.

Sincerely,

Lafe E. Solomon  
Acting General Counsel

By

A handwritten signature in black ink that reads "Yvonne T. Dixon".

Yvonne T. Dixon, Director  
Office of Appeals

cc: MARLIN OSTHUS  
REGIONAL DIRECTOR  
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American Crystal Sugar Company  
Case 18-CA-061493

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