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Local 3 vindicated by Nevada Gold Mines settlement agreement

ELKO, NEVADA – To settle claims of unfair labor practices brought by Operating Engineers Local 3, Nevada Gold Mines (NGM) has agreed to recognize the International Union Operating Engineers (IUOE) Local 3 and honor Local 3’s collective bargaining agreement covering more than 1,300 NGM workers who were formerly employed by Newmont Mining Corp. The settlement ends a contentious legal battle ignited when NGM, a joint venture formed in 2019 by Newmont and Barrick Gold Corp., repudiated the Union’s existing contract with Newmont.

Local 3 has represented operations, production, and maintenance workers at the former Newmont mines and related facilities near Elko since 1965. In late 2019, NGM withdrew recognition from the Union and repudiated the collective bargaining agreement. In response, Local 3 filed unfair labor practice charges with the National Labor Relations Board (NLRB). Finding merit to Local 3’s charges, the NLRB issued its own complaint alleging that NGM unlawfully withdrew recognition of the Union, blocked the Union from representing the bargaining unit employees, changed employees’ working terms and conditions without bargaining with the Union, and discouraged Union membership. On June 3, 2020, the NLRB sought an injunction in the U.S. District Court in Reno to compel NGM to recognize the Union while the unfair labor practices were being litigated. Faced with the prospect of a federal court injunction and unfair labor practice litigation before the NLRB, NGM has reversed course and agreed to settle the pending unfair labor practice charges.

The settlement requires NGM to recognize Local 3 as the collective bargaining representative of the historic bargaining unit of former Newmont workers, honor the terms of Local 3’s collective bargaining agreement with Newmont, and compensate bargaining unit employees for lost wages and benefits caused by NGM’s changes to their working conditions. NGM will also be required to restore working conditions and benefits promised in the collective bargaining agreement, including a pension plan, grievance procedure, and just cause protections for employees. NGM must also refrain from intervening in its workers’ rights to join a union.

“This settlement is a major victory for our members and the employees we represent,” said Local 3 Nevada District Rep. Scott Fullerton. “These workers were living in fear of unjustly losing their jobs without the protections of the collective bargaining agreement. They were threatened with retaliation for supporting the Union. We’ve never stopped fighting for these workers, and now they will have the protections of union representation again. We are very pleased with this settlement and we look forward to representing these hard-working employees and seeing their craftsmanship honored in their pay, their safety, and their protections.”