



Written by [Bruce Walker](#) on September 3, 2011

Gov. Haley Calls on Obama to Stand Up to NLRB

Governor Haley pulled no punches with her remarks:

This president works for us. This president owes us an answer. This president owes Boeing an answer. This president owes every business in this country an answer on what he thinks of the NLRB. If he is supportive of them, say he is supportive of them. If he thinks what they are doing is wrong, say what you think is wrong. But to be silent is cowardly and is just something that is unacceptable for the president of our country.



The Governor also said what she thought of the NLRB: "It's a rogue agency that has a bully mentality that is absolutely un-American. I don't know any other way to say it." Congressman Darrel Issa of California, Chairman of the House Oversight and Governmental Reform Committee, has issued subpoenas to the agency, but the NLRB had refused to provide any of the information requested. So, as Governor Haley put it,

You have an agency now that is ignoring Congress. They're saying they're not going to respond. Congressman Issa has made it very clear that they need certain information. And they are just ignoring it. And that's what shows they are above the law. And the only time you act like you are above the law is when you've got a president there to protect you. That's the part that bothers me.

Governor Haley called on the President to accept responsibility for the NLRB and to begin to act to reign it in:

I respect our president. I want him to do well. I want him to succeed. I just don't know how we as a country can have faith in someone who continues to protect these unions, continues to protect an agency that doesn't even respond to Congress and continues to protect the fact that we're sending jobs overseas and be OK with it. There is something very wrong with all of this. We have to demand that he speak out. We have to demand that he respond to the actions of the NLRB. He at least has to respond to the actions of the people he appointed. That's something he continues not to do and I think we need to be in his face every day of the week until he decides to answer it.

The move by Boeing could mean 1,000 good-paying jobs for South Carolina. The pretext of the NLRB complaint is that the move to South Carolina was an inducement to undermine collective bargaining. Boeing has filed a motion to get an administrative law judge to dismiss the action. [William Kilberg](#), an outside attorney for Boeing, observed:

Frankly, we have a hard time understanding the elements. We would argue that Boeing's statements are truthful statements of economic realities. Customers don't want production delays caused by strikes. A company can certainly establish new facilities in other locations.

In a June 29 [press conference](#), President Obama tried to separate his administration from the NLRB



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decision:

Essentially, the NLRB made a finding that Boeing had not followed the law in making a decision to move a plant. And it's an independent agency. It's going before a judge. So I don't want to get into the details of the case. I don't know all the facts. That's going to be up to a judge to decide.

What I do know is this — that as a general proposition, companies need to have the freedom to relocate. They have to follow the law, but that's part of our system. And if they're choosing to relocate here in the United States, that's a good thing. And what it doesn't make — what I think defies common sense would be a notion that we would be shutting down a plant or laying off workers because labor and management can't come to a sensible agreement.

So my hope is, is that even as this thing is working its way through, everybody steps back for a second and says, look, if jobs are being created here in the United States, let's make sure that we're encouraging that. And we can't afford to have labor and management fighting all the time, at a time when we're competing against Germany and China and other countries that want to sell goods all around the world. And obviously, the airplane industry is an area where we still have a huge advantage, and I want to make sure that we keep it.

What might the President do, if he wanted to? Obama could ask the Justice Department to intervene on the side of South Carolina. He could ask Congress to pass special remedial legislation that would prohibit the NLRB from preventing the relocation of companies to a right-to-work state. President Obama could publicly call for the NLRB to honor the congressional subpoena and issue an executive order stating that all the federal independent regulatory agencies are obliged to answer when Congress demands information. There are a number of things the President could do, both to show sympathy for South Carolina and frustration with the insulated appointees at the NLRB. Or, of course, President Obama could do what he has done so far — nothing at all.

If Obama does nothing, and allows unions in Washington State to obstruct the movement of production operations to a friendlier environment in South Carolina, then he ought to expect to be faced with this very real option: Next time production operations will not be to South Carolina but rather to South America, far from the reach of the NLRB, rendering any plans President Obama has for creating jobs in America gutted by NLRB members that he appointed.

Photo of Gov. Nikki Haley: AP Images



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