

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 150798)

## RESOLUTION

Calling on Au Bon Pain to resolve its ongoing labor dispute quickly and peacefully with workers at the Philadelphia International Airport.

WHEREAS, Au Bon Pain is a concessions operator at Philadelphia International Airport, and operates under subleases with Marketplace Development, which expires on December 31, 2018 and October 31, 2020; and

WHEREAS, Au Bon Pain has been in an ongoing labor dispute with its employees at Philadelphia International Airport since September 2014, which has resulted in protests, delegations and regular leafleting at the Philadelphia Airport; and

WHEREAS, Au Bon Pain entered into a settlement agreement on July 1, 2015 with the General Counsel of the National Labor Relations Board (NLRB) over charges of violations of federal labor law. Since the settlement, UNITE HERE Local 274 filed additional labor board charges after Au Bon Pain held an additional round of “captive audience meetings”. The charges are currently being investigated; and

WHEREAS, Since September 2014, a majority of Au Bon Pain workers have presented petitions asking for a fair process to organize on four different occasions, most recently on October 17, 2015. Au Bon Pain has refused to even accept any of these petitions; and

WHEREAS, Au Bon Pain has held six mandatory anti-union captive audience meetings since workers began asking for a fair process to organize the union. The CEO of Boston-based Au Bon Pain attended 3 of the meetings; and

WHEREAS, The City of Philadelphia depends on concession services to serve the traveling public and to provide critical non-aeronautical revenue; and

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WHEREAS, The lease between the City of Philadelphia and Marketplace Development contains a “labor peace” provision which is intended to prevent disruptions in services and revenue due to labor unrest, but does not apply to Au Bon Pain’s existing lease; and

WHEREAS, PCE and OTG, two other large concessions employers at PHL entered into labor peace agreements with UNITE HERE Local 274 even though they were not yet required to do so by the City’s labor peace policy; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council does hereby call on Au Bon Pain to resolve its ongoing labor dispute quickly and peacefully.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-ninth of October, 2015.

Darrell L. Clarke  
PRESIDENT OF THE COUNCIL

Michael A. Decker  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Reynolds Brown

Sponsored by: Councilmembers Reynolds Brown, Goode, Quiñones Sánchez,  
Bass and Johnson