

Judge rules against Ashley

Furniture company committed an unfair labor practice

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Ashley Furniture Industries Inc. committed an unfair labor practice when it prohibited workers from speaking with anyone about their employment, including disciplinary actions that might be taken regarding Social Security no-match letters, a federal administrative law judge has ruled.

Company spokeswoman Paulette Rippley said Ashley reviewed the ruling and will appeal the decision. She said there would be no further comment.

The case was brought by Voces de La Frontera, a Milwaukee immigrant rights group, last year after Ashley started warning workers that they would be fired if they did not resolve Social Security no-match letters within a certain amount of time. They were told not to share this information with anyone, according to the 12-page ruling by Judge James Kennedy, an administrative law judge.

Ashley is one of the nation's largest furniture manufacturers. It's based in Arcadia in western Wisconsin. It employs more than 3,500 workers, most of them Latinos.

Last year, the Department of Homeland Security proposed new rules that would have required employers to take action when they received a no-match Social Security letter for an employee.

The rule was scheduled to go into effect Sept. 14, 2007, but Aug. 31, the American Civil Liberties Union Immigrants' Rights Project won a temporary injunction that kept Homeland Security from enforcing the no-match rule.

Social Security no-match letters do not imply that a worker is an illegal immigrant, said Christine Neumann-Ortiz, director of Voces. Part of the reason the use of no-match letters was halted is because often such letters can be triggered by typing or database errors, she said.

She said Ashley rushed and prematurely tried to implement the proposed federal rules that were halted by the courts.

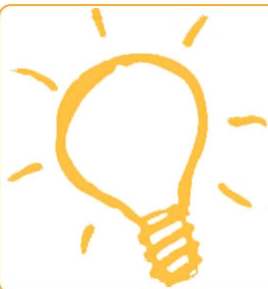
One worker testified she was called in and advised that her name and Social Security number did not match. She said she was given a letter that gave her the first of two 30-day periods to get the matter resolved.

She said she was told by a company human resource official: "This is confidential. You cannot talk about this to your co-workers or your supervisor."

An executive vice president of the company, James Dotta, said the company was concerned about the impact any public revelation about the no-match letter might have. The company did not want misinformation of false rumors, which might scare its Latino workers into leaving the area, the ruling states.

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