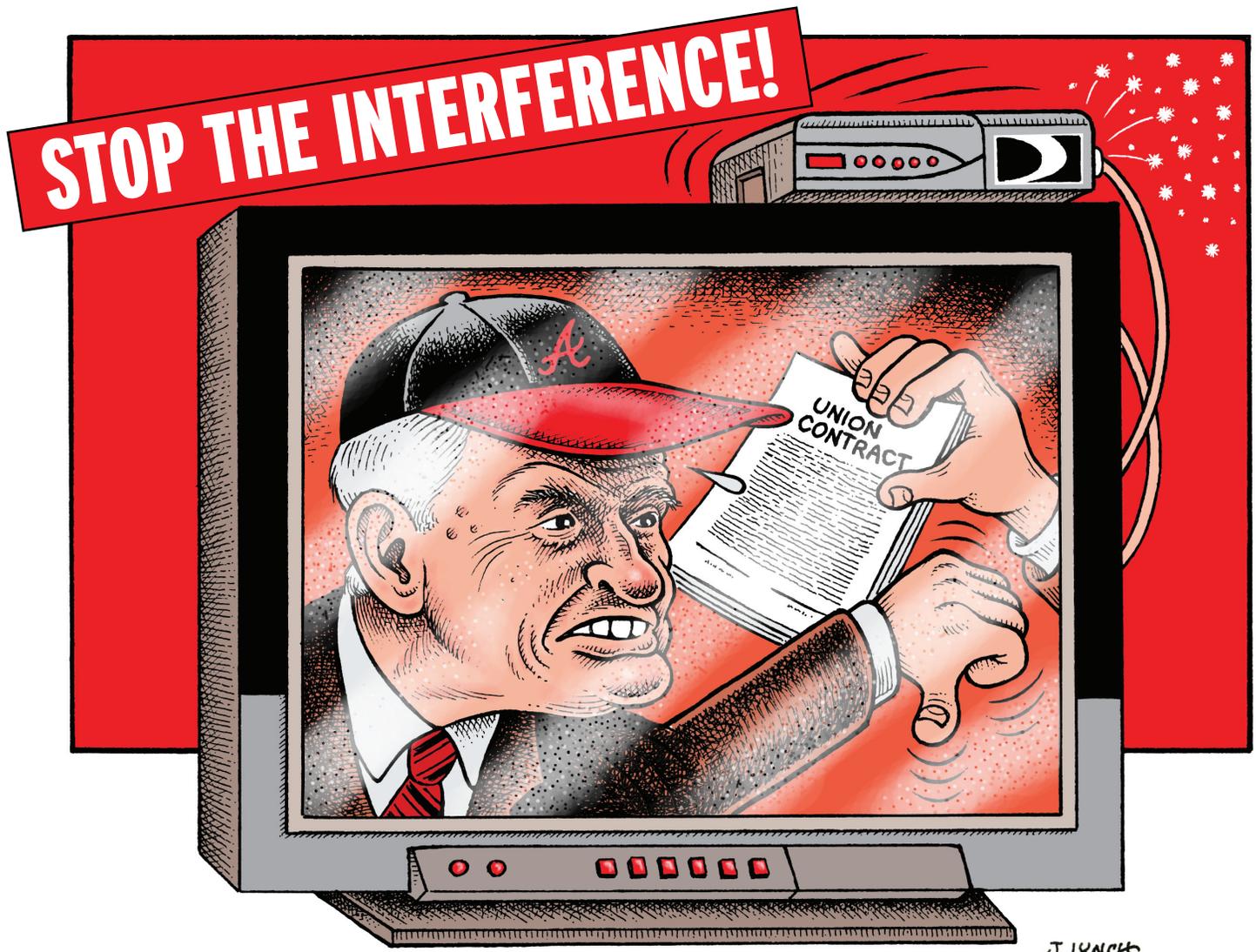


# A Massachusetts Union vs. John Malone and DirecTV:



**T**he billionaire owner and chairman of DirecTV, John Malone, probably won't show his face on your TV screen anytime soon. One of his "personal goals and objectives," according to his biography *Cable Cowboy*, is to "reduce government, media and legal exposure by taking myself out of the public eye."

Unfortunately for the reclusive wheeler-dealer, members of **Local 103 of the International Brotherhood of Electrical Workers**, including skilled technicians who install and service

satellite dishes in homes throughout Massachusetts, won't let Malone keep his mug or his terrible reputation under wraps.

That's why our union has launched the **Campaign to Stop Satellite Sweatshops**: to expose the ugly realities about Malone, DirecTV, and DirecTECH (now Multiband NE). We want you to know the facts about numerous complaints of lousy customer "service" and constant interference with the rights of workers to have decent wages, working conditions and enforceable contract protections.

[www.StopSatelliteSweatshops.org](http://www.StopSatelliteSweatshops.org)

# Malone's DirecTV: A Direct Threat to

**A**re you considering having a satellite dish installed in order to enjoy a wider range of viewing choices, better reception and more value for your hard-earned money?

First, you'd better consider whether you want to direct your dollars to billionaire dealmaker John Malone, whom many regard as a con artist.

Travis Van, a six-year DirecTV customer who wanted a sports subscription package (and had no choice due to DirecTV's monopoly in that market), wrote on Business Network's blog "Catching Flack" in 2007: "DirecTV intentionally ramrods its customers into devious recurring billing systems that they know they will not realistically remember to opt-out of... You have to agree to their Three Card Monte billing practices if you want [access to major sports]."

In 2005, DirecTV had to pay \$5.3 million to settle Federal Trade Commission charges that the company and "partners" it hired violated the Do Not Call provisions of the commission's Telemarketing Sales Rule – the largest civil penalty ever in a consumer protection enforcement case.

In 2006, nearly 40 non-union DirecTV installers were reportedly fired after giving on-camera interviews to a Florida TV station. And in 2007,

West Virginia's attorney general announced a settlement of a "long-standing dispute" with DirecTV that provided credits or refunds for 1,215 consumers who reported having been misled and mistreated.

In spite of DirecTV's claims to be "#1 in customer satisfaction," blogs and websites devoted to actual customer experiences reveal countless personal stories that are anything but complimentary. Complaints range from false promises, "bait-and switch" offers, faulty equipment and improper billing to unprofessional staffing at "call centers" and encounters with people who demand cash "tips."

In Massachusetts, "bait-and-switch" may also be an apt description of how Multiband NE treats employees. Workers attracted by promises of a "dream" job paying \$1,500 to \$2,000 a week instead report being thrown into a nightmarish and arbitrary piecework system in which 60-hour weeks and minimum wages are the rule while the company dangles "incentives" that are almost impossible to achieve. Many union supporters report getting undesirable assignments – or none at all – and some charge they have been fired without cause.

## Who is John Malone?

**W**hen Mark Robichaux's unauthorized biography, *Cable Cowboy*, came out in 2002, the *Publishers Weekly* reviewer detailed how John Malone "built his empire largely through clever, complicated financing deals that sidestepped bank rules and taxes and enriched an inside group of shareholders. In the spirit of 'charge as much as you can for a product . . . and spend as little as you can get away with,'



TCI [a cable outfit he took over in 1973] provided shoddy service and bought out potential competitors to keep the cable industry an insular cartel. When local governments protested, Malone cut off service."

*The Wall Street Journal* (9/8/08), reporting on Malone's latest "round of deal-making," refers to his "history of being tax-averse" and quotes a Merrill Lynch analyst's observation that

# Massachusetts Consumers, Workers

"to avoid ... taxes" is a primary concern of his.

*Library Journal's* review of Robichaux's book pointed out that stock swaps and tax avoidance allowed Malone to acquire hundreds of companies and a reputation as a "monopolist, creating a political backlash in Washington that caused him

to be called Darth Vader, Genghis Khan and the Godfather rolled into one."

Like many right-wing ideologues, he calls himself a libertarian and serves as a director of the Cato Institute, an influential think tank with union-bashing high on its agenda.

## Who Are Malone's Lawbreaking Allies?

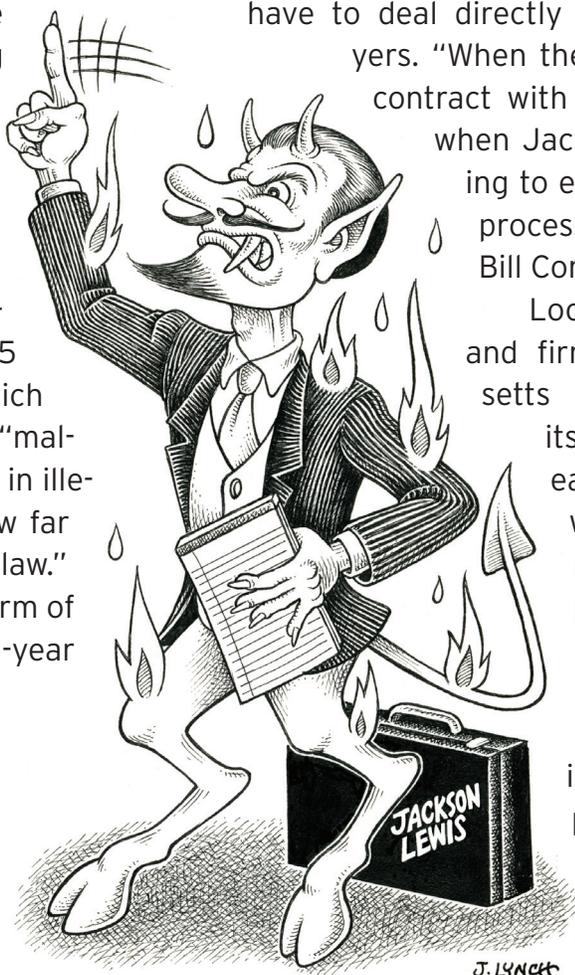
**F**or five decades, **Jackson Lewis** has been one of the world's largest law firms "specializing in union avoidance," currently employing about 570 attorneys.

In 2004 a *New York Times* article described the "bare-knuckled tactics" used by a South Carolina firm, EnerSys, at the behest of Jackson Lewis: "firing the top seven union leaders, spying on workers, refusing to bargain and ultimately closing the 500-worker plant to retaliate against the union."

*Times* reporter Steven Greenhouse cited the law firm's \$7.75 million settlement of a suit in which EnerSys accused Jackson Lewis of "malpractice and advising it to engage in illegal behavior" as "evidence of how far [Jackson Lewis] strayed from the law." Federal officials accused the law firm of 120 labor law violations in a "seven-year effort to eliminate the union."

After IBEW Local 103 won representation rights for employees at John Malone's "satellite sweatshops" in Massachusetts, management immediately signaled its intention to resist good-faith bargaining for a first contract. Management made it clear to union leaders that they would have to deal directly with Jackson Lewis lawyers. "When the chickens obtain a union contract with Colonel Sanders – that's when Jackson Lewis would be willing to engage in a fair bargaining process," says union organizer Bill Corley.

Local 103, founded in 1900 and firmly rooted in Massachusetts towns and cities since its members installed the earliest street lamps and wiring for homes and businesses, today actively participates in Habitat for Humanity and other charitable activities. In contrast, John Malone is an invader who seeks to exploit consumers by pairing 21st century technology and 19th century labor relations.



**Described by one AFL-CIO official as the "devil incarnate," Jackson Lewis is considered one of the giants of the "union avoidance" industry.**

# Send a Message to DirecTV Boss Malone

1. Sign and mail the letter below to DirecTV owner and chairman John Malone.
2. Fill out the coupon below and return it to the Campaign to Stop Satellite Sweatshops.

John Malone, Chairman  
The DirecTV Group, Inc.  
2230 East Imperial Highway  
El Segundo, CA 90245

Dear Mr. Malone:

Informed consumers in Massachusetts will not tolerate abusive treatment of employees who wear DirecTV uniforms and drive DirecTV vehicles. I urge you to acknowledge Multiband NE's responsibility to bargain in good faith with IBEW Local 103 and stop taking cues from the notorious union-busting law firm, Jackson Lewis.

The public is growing more aware of consumer complaints about shoddy service and inflated "bait-and-switch" billing procedures and other questionable practices in several states. As one irate customer complained, "I have never dealt with a company as unethical and unscrupulous as DirecTV."

We know, for example, that in 2007 your satellite dish installer DirecTECH had to pay \$1.9 million to union workers, by order of the National Labor Relations Board, to provide back pay and settle a lawsuit involving charges of massive unfair labor practices. Management's next move was to shut down DirecTECH's Columbus, Ohio operations in order to stay "union-free," according to officials of the United Electrical Workers.

We know that on June 24, 2008, the federal court in Eastern Louisiana granted class action certification for a lawsuit charging DirecTECH with cheating workers out of overtime pay and stated, "The record overwhelms defendants' arguments." Even Bush's Dept. of Labor filed a complaint in Massachusetts against DirecTECH in 2008 for violating the overtime wage provisions of the Fair Labor Standards Act.

These are only some recent examples of the high-handed, low-balling practices that you, the owner of the Atlanta Braves baseball team, won't get away with here in Red Sox Country. Please let me know what you intend to do.

Sincerely,

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip



## I SUPPORT THE CAMPAIGN TO STOP SATELLITE SWEATSHOPS

- I want to help promote the Campaign. Please contact me.
- I've sent John Malone a copy of the letter at left, or a personal letter (please enclose a copy).
- Send me \_\_\_\_ copies of this brochure to give to friends, neighbors and co-workers.
- I've sent the Massachusetts Attorney General a complaint regarding DirecTV's poor service and/or its workplace abuses.

Please mail this coupon to:

**Campaign to Stop Satellite Sweatshops**  
**IBEW Local 103, 256 Freeport St.**  
**Dorchester, MA 02122**

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Union or Organization (if any)

**For more information, go to [www.StopSatelliteSweatshops.org](http://www.StopSatelliteSweatshops.org) • E-mail: [info@StopSatelliteSweatshops.org](mailto:info@StopSatelliteSweatshops.org)**

**You may file consumer complaints and complaints about workplace rights violations by calling the  
Massachusetts Attorney General's hotline, 617 727-8400.**

**You may also file a complaint by completing a simple form available on the internet at  
<http://www.mass.gov/Cago/docs/Consumer/consumercomplaintform.pdf>**