

**News**

## **BCLP LAWYER IN 'LAW360' ON CHIPOTLE CLOSURE CHARGE**

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BCLP Senior Counsel Jerry Hunter was quoted July 25 by *Law360* (subscription required) concerning an unfair labor practice charge accusing Chipotle of illegally shuttering a Maine restaurant to stop a union drive. Chipotle's defense will come down to whether it can prove it had trouble staffing the store. Investigators also will likely interview company officials and demand Chipotle turn over internal discussions about the purported staffing issues. Whether other stores under the same management faced similar staffing challenges and how they handled them may also factor into the case, noted Hunter. "They're going to have to try to show that they were being consistent in evaluating the staffing level at these stores," he said. Cases often take years to progress from filing through circuit court ruling, and circumstances may change – workers move on or a new business leases the space – which can compound judges' concerns about meddling, he noted. Hunter is a former NLRB general counsel who served during the administration of President George H.W. Bush.

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