

What Employers Can Do When a Union Knocks on Their Door



STEPS EMPLOYERS SHOULD TAKE WHEN A UNION APPROACHES THEM:

Determine the reason for the union's interest -- Is it due to a specific issue or part of a broader organizing campaign?

Review your legal obligations -- Employers must not interfere with employees' right to unions or retaliate against employees who engage in protected union activity.

Consult with a labor attorney -- An attorney can help you understand your legal obligations and potential risks associated with unionization.

Communicate with employees -- Provide employees with factual information about the union and the potential consequences of unionization.

Develop a strategy -- This can help you navigate the unionization process and ensure you are prepared for any potential outcomes..

Train supervisors -- It is critically important for your management team to understand the do's and don'ts when talking with employees during a union campaign.

DO'S

Respect employees' rights: Do not interfere with employees' union activities

Provide accurate information: Providing inaccurate information about the union campaign and activities may be considered an unfair labor practice

Encourage open communication: Listening to and addressing employees' concerns may help prevent the formation of a union

Train supervisors: Supervisors should be trained to avoid making promises or threats that could be seen as coercion

Be proactive: Address employee concerns before they become union issues

DON'TS ("TIPS")

(T)hreaten or intimidate employees: Includes making threats to employees' jobs, benefits, or working conditions

(I)nterrogate: Don't interrogate employees about their support for a union, activities on behalf of the union, etc.

(P)romise benefits: Promising benefits to employees to discourage participation in union activities can be seen as an unfair labor practice and can result in legal action

(S)py on employees: Includes monitoring employee emails, phone calls, or social media accounts



✉ kcarr@spilmanlaw.com

📍 Jacksonville, FL

🌐 www.spilmanlaw.com

☎ 304.340.3877

spilman
thomas & battle