



CHAPTER 23

Unions and the Employment Relationship

23-1 Establishment of Unions

23-2 Employment Relations in a Unionized Workplace

Teacher Version

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23-1 Establishment of Unions

■ GOALS

- Discuss the development of labor law
- Understand how a union is formed

HISTORY OF LABOR LAW

■ Early labor law

- Extort higher wages at expense of consumers
- Criminal conspiracies to civil law
- Courts eventually ruled strikes & boycotts were in breach of employment contract
- Companies fired any employee suspected of sympathizing

■ The Depression era

- Unions were more favorable
- Regulatory responsibility
- NLRB 1935

HOW IS A UNION ESTABLISHED?

- Attempting voluntary recognition
- Holding a certification election
 - Certification campaigns
 - Decertification
- Negotiating the employment contract
 - Union and agency shops
 - Open and closed shops

23-2 Employment Relations in a Unionized Workplace

■ GOALS

- Explain how a collective bargaining agreement is negotiated
- Recognize unfair labor practices

HOW IS A LABOR CONTRACT NEGOTIATED WITH A UNION?

- Collective bargaining
- Strike
- Lockout
- Mediation

WHAT ARE UNFAIR LABOR PRACTICES?

- Management's unfair labor practices
 - Interfering with employees' efforts to form, join, or assist unions
 - Dominating a union or giving it financial or other support
 - Discriminating in hiring, firing, and other aspects of employment on the basis of union activity
 - Refusing to bargain in good faith with the union

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WHAT ARE UNFAIR LABOR PRACTICES?

- Unfair labor practices by unions
- Unfair labor practices in strikes and boycotts
 - Strikes
 - Boycotts

PREVENT LEGAL DIFFICULTIES

- In an employment relationship based on collective bargaining, remember....
 - Employees generally have the legal right to organize into unions and bargain collectively with employers.
 - An employer may not legally discharge an employee for engaging in union activities. An employer that does so is guilty of an unfair labor practice.
 - A union member has the right to vote for union officers in secret elections and to see accurate and timely information on union finances and activities.
 - Employers should cooperate with unions that represent their employees in good faith for the common good of all parties involved.
 - Unless there is a legal union shop, employers may not discharge or otherwise discriminate against workers because they join a union or because they refuse to join a union.
 - Employers must bargain collectively in good faith with representatives of any union chosen by a majority of the workers in each bargaining unit.