



Labor Update

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Agenda

- State of union organizing
- Current NLRB
- What you need to know about organizing
- What you can do about it

The pendulum swung to organized labor

In my White House . . . Labor will always be welcome. You know, you've heard me say it many times: I intend to be the most pro-union President leading the most pro-union administration in American history.

Former President Joe Biden
September 8, 2021



The National Labor Relations Board

- Activist agenda from General Counsel Jennifer Abruzzo
- Flurry of pro-labor decisions from Biden NLRB



Impact

- Made it easier for unions to organize
- Harder for employers to address employee concerns
- Harder for employers to communicate with employees



U.S. EEOC
@USEEOC

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Sending a huge [#GovLove](#) shoutout to our partner in employment protections, [@NLRB](#) and [@NLRBGC](#).



11:22 AM · 2/15/24 From Earth · 47 Views



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Fertile environment for organizing

- Pandemic
- Unions and younger workers alignment with social justice movements
- Inflation
- Aftermath of Biden Administration's pro-union stance



Increase in organizing activity and press

Business Wire
Health care unions propose five priority measures to turn ...
Health care unions propose five priority measures to turn around dire front-line staffing crisis, hospital closures: Media conference

The New York Times
Why Union Drives Are Succeeding
How Amazon fought back after workers organized a Staten Island warehouse. But a similar effort to unionize a nearby Amazon facility failed. NEWS.

The Union Surge: Workers Are Winning at an Unprecedented Rate

Approval of labor unions nears record high: Gallup

The New York Times
Medieval Times Employees Vote to Unionize in New Jersey
The Knights of Medieval Times Will Carry Union Cards With Their Lances ... After news of the unionization effort went public,...

The Washington Post
Hotel unions push for better wages – or no new hotels – in ...

The G ...
US sees union boom despite big companies' aggressive opposition
...ly institution for whom Americans' approval did ... After the first in the US won its union...

Union Petitions Filed with NLRB Double Since FY 2021, Up 27% Since FY 2023

Office of Public Affairs

Los Angeles Times



Star Garden dancers protested outside the club last year, urging customers to boycott. (Francine Orr / Los Angeles Times)

"Unionizing strip club is

— Frankie Butler, 1

AMERICAN BANKER.

BankThink Unions are coming for bank branches. Yours could be next on the list.

By Amber M. Rogers, Rachel Roney | March 20, 2024, 10:00 a.m. EDT | 4 Min Read



Unions are on the march and have banks in their sights, write Amber Rogers and Rachel Roney. WPC/Pics - stock.adobe.com

momentum in the banking industry over the past year, and they have not shown

proprietary and

Polygon

GAMING

The game studios changing the industry by unionizing

Union interest continues to grow

By Nicole Carpenter | @sweetpotatoes | Updated Dec 12, 2023, 12:52pm EST

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Dartmouth Men's Basketball Players Vote to Unionize

Vote could contribute to undermining of amateur model in college athletics.

By Doug Lederman



Members of Dartmouth's men's basketball team after a 13-to-2 vote to join a local union.

The Daily Free Press

Workers demand wage increase at Arnold Arboretum

by Megan Amato



LABOR

UAW promises more pain for Big Three: 'We're not messing around'

The new strategy UAW President Shawn Fain announced Friday signaled the strike could start having broader implications for the economy.



UAW local 862 members strike outside of Ford's Kentucky Truck Plant in Louisville, Ky. on Thursday. | Michael Clevenger/Courier Journal via AP

including in the South

Operation Dixie failed 78 years ago. Are today's Southern workers about to change all that?

SEIU Commits \$50 Million to Organizing Workers in the South as Working People, Allies Prepare to Elect Worker Champions

New service union seeks to inspire labor movement in South

Bus Tour Joins South Carolina AFL-CIO Convention to Highlight New Initiative on Union Rights



Gov. Beshear makes stop in South Carolina to speak at pro-union convention

THE FIFTY

Unions seek gains in hostile territory: 'If you change the South, you change America'

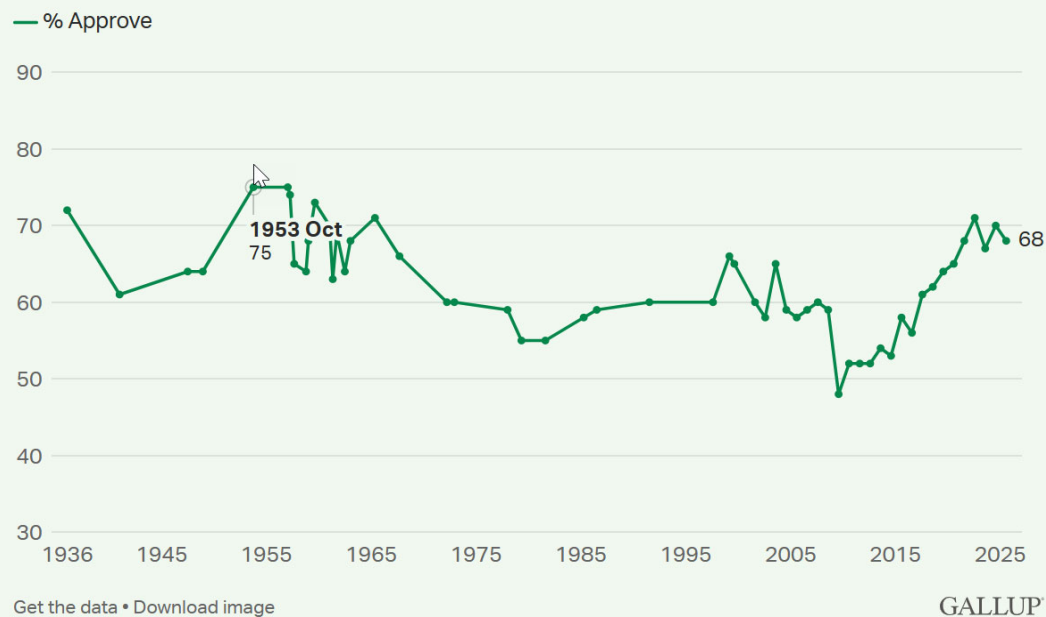
They're wielding new tactics with low-wage workers after decades of failed organizing efforts.



Public support for unions at historic levels

Americans' Approval of Labor Unions, 1936-2025

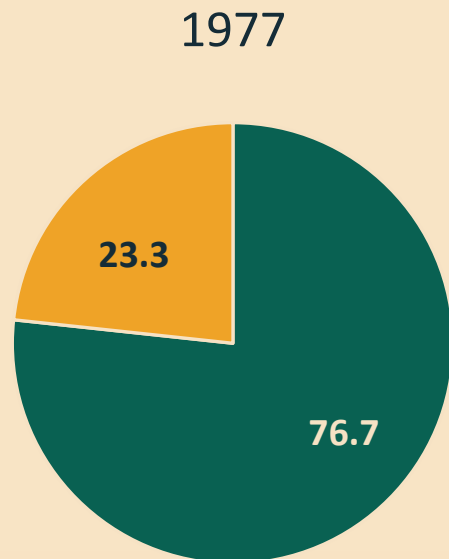
Do you approve or disapprove of labor unions?



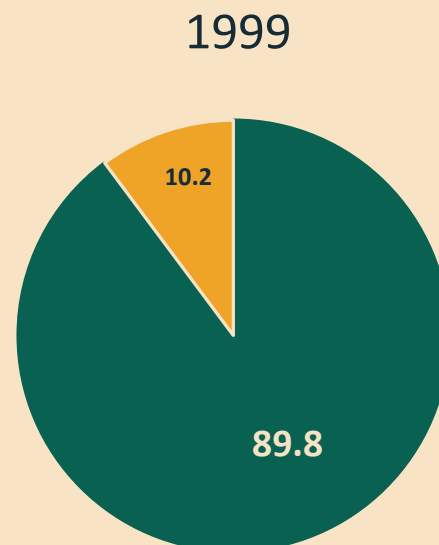
- 2025 Gallup poll, 68% said approved of labor unions, down from 70% in 2024

Source: <https://news.gallup.com/poll/12751/labor-unions.aspx>;
<https://news.gallup.com/poll/510281/unions-strengthening.aspx>;
<https://news.gallup.com/poll/694472/labor-union-approval-relatively-steady.aspx>

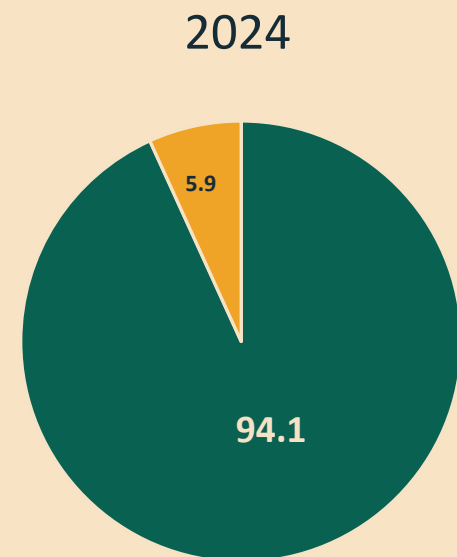
Union Membership Continues to Decline



■ Non-Union ■ Union



■ Non-Union ■ Union



■ Non-Union ■ Union

*showing private sector figures

New political landscape

- January 27, 2025, terminated Jennifer Abruzzo, GC, and Gwynne Wilcox, Member
- January 7, 2026, Crystal Carey sworn in General Counsel
- Government shutdown
- Tremendous backlog
- But Biden Board decisions remain



Mandatory Meetings About Unionization

- In *Amazon.com*, NLRB overruled 76 years of precedent and held an employer commits ULP when it “compel[s] its employees, on pain of discharge or discipline, to attend a meeting during which it expresses its views concerning unionization.”
- “Safe Harbor” – advance notice: **voluntary, no discipline or retaliation, no attendance**

NLRB: Captive Audience - GC 22-04

Prior Position

- Employers violate the Act by compelling employees to attend meetings in which employers urge employees to reject union representation where: (1) employees were forced to meet on paid time OR (2) cornered by management while performing job duties

What to Expect

- Restoration of employer First Amendment rights under Section 8(c) of the Act

Employee Bill of Rights

National Labor Relations Act

- Gives team members right to:
 - Engage in protected, concerted activity for mutual aid and protection
 - Form or attempt to form a union
 - Go on strike to secure better working conditions
 - Refrain from any of the above activities
- Doesn't cover supervisors
- Applies to union and non-union employees



What is PCA?

- Involves terms and conditions of employment

AND

- Acting in concert with co-workers OR acting on behalf of co-workers OR to engage co-workers

- Discussing pay with co-workers
- Complaining about a manager
- Requesting new safety protocols
- Advocating for pay increases
- Demanding different schedules

What's a union?

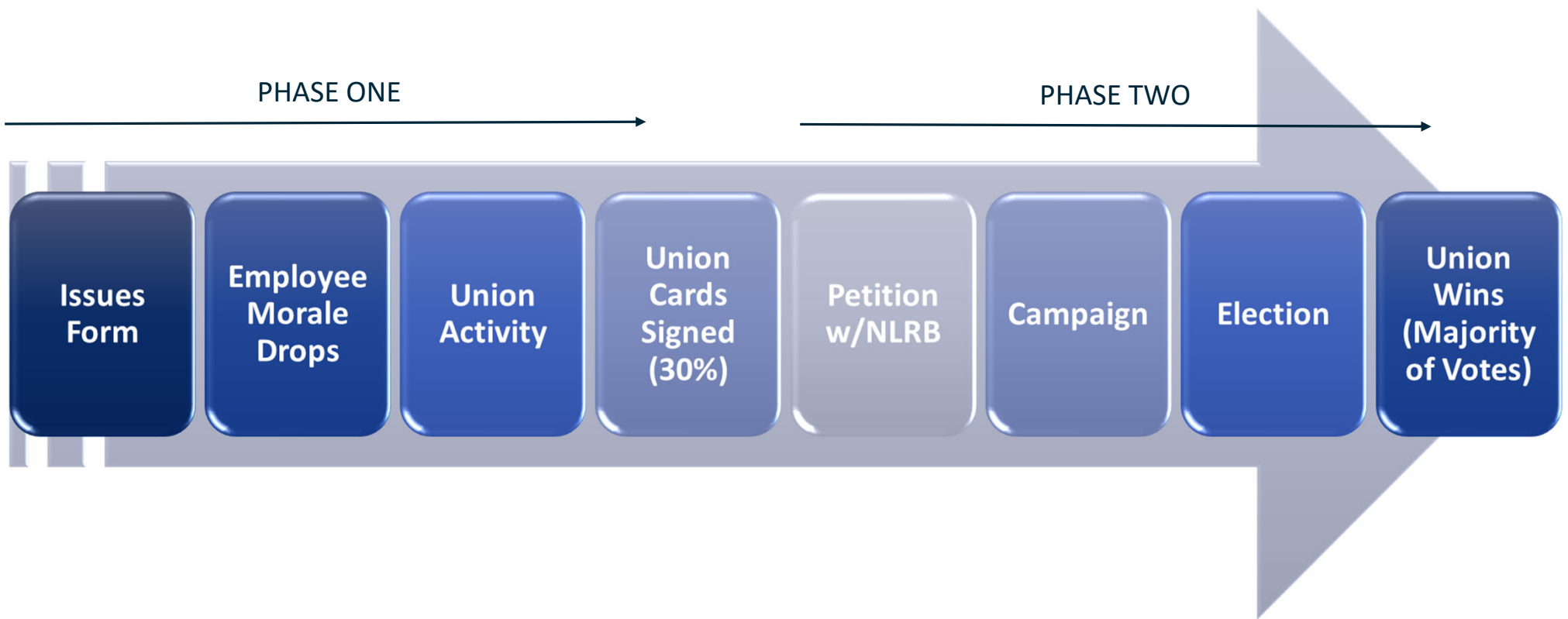
- *Not* a 501(c)(3) or charity
- Requires dues payments from employees
- Pays its organizers to collect authorization cards and forms
- Governed by constitution and bylaws, and can assess fees and fines
- Drives wedge into the workplace



Warning Signs of Union Activity

- Union representatives show up, cards and flyers are left out
- Lanyards, insignia worn
- “If we had a union . . .” comments
- Complaints about same issues
- Argumentative questions, sound “coached”
- Use of words “grievance,” “rights,” “unfair labor practice”
- Collective or group action
- Odd inquiries about policies, pay
- Former employees show up
- Strange pairings of employees
- New spokespeople emerge
- Employees get quiet when you approach

Roadmap to an election



How does a union get an election?

- If **30% of a potential bargaining unit** sign authorization cards, a union can file a request for election with NLRB
- If **50% + 1 of a potential bargaining unit sign authorization cards**, a union can demand voluntary recognition and request to bargain

Authorization Cards

- Legal documents authorizing the union to speak for nurses
- Unions not required to inform nurses of significance of signing a card or online form
- Nurses have the right to sign or refuse to sign
- Can be used to seek an election or demand union recognition
- Typically have no expiration date
- Becomes property of union, and union has no obligation to return a signed card if a nurse changes her or his mind

Common tactics to get team members to sign

- Peer pressure
 - “It’s no big deal”
 - “Everybody has signed except you”
- “It’s just to get more information”
- Intimidation
- Promises

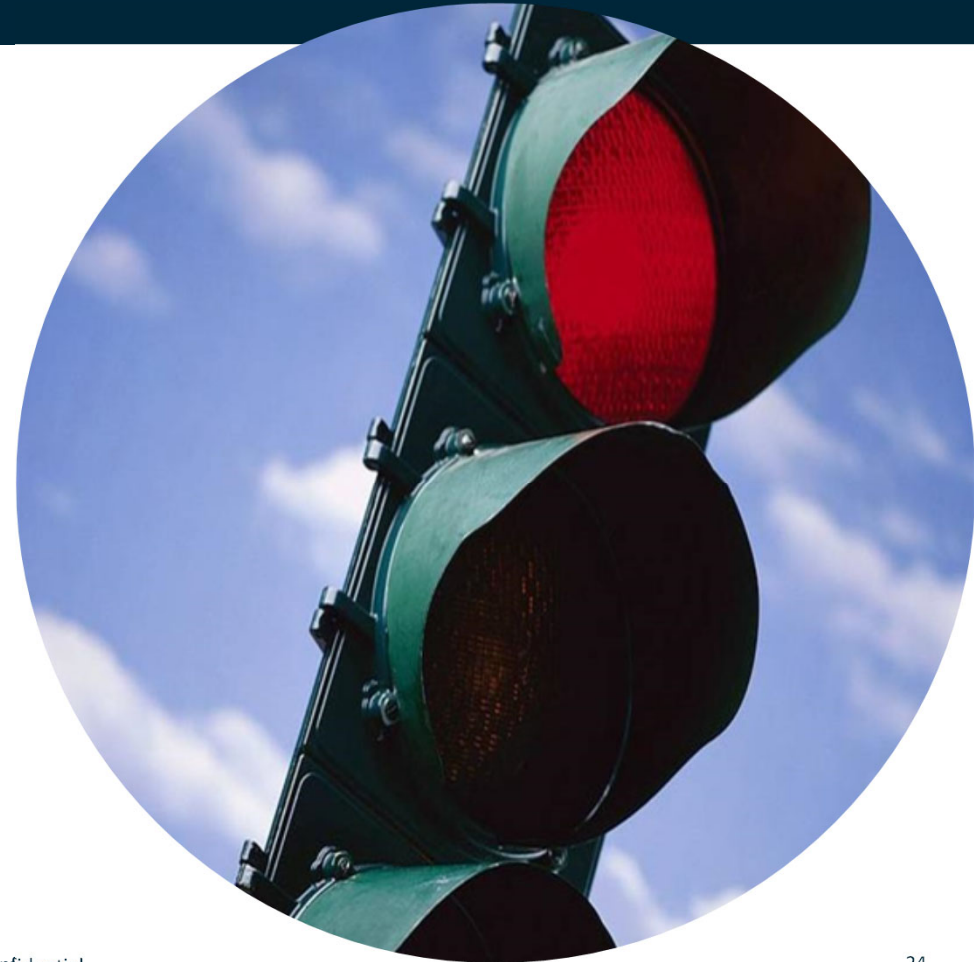


Demand for voluntary recognition

- We **DO NOT** want to voluntarily recognize any union
- We **DO** want to ensure our team members have the right to vote in a secret-ballot election
- **DO NOT** accept cards, review them, agree to meet with team members as a group to listen to their complaints or demands
- **Say:** “I’m not authorized to accept this. And I’m not authorized to recognize the union.”
- Immediately report it

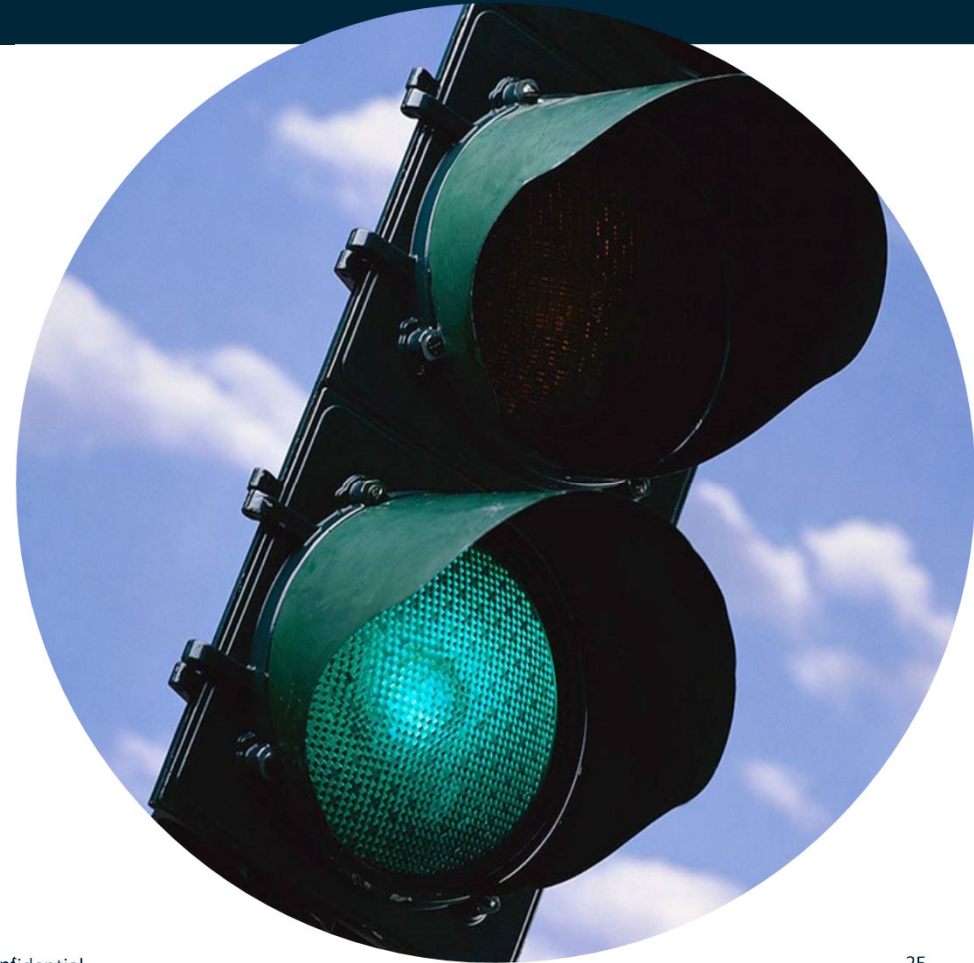
TIPPS

- T** Threats
- I** Interrogation
- P** Promises
- S** Solicitation of
grievances
- S** Surveillance



FOE

F Facts
O Opinions
E Experience



Next steps

Thank You



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