

## AVOIDING UNION ORGANIZATION

### SUMMARY

Reports from all over the country show increasing interest among various unions in organizing contract tooling and machining plants. Being a small company offers no protection. Instances of organization efforts in plants employing less than ten employees are not uncommon. So far, the unions' success has been spotty. Unions have been winning only slightly under half (48%) of elections. An employer should by no means give up hope if organizing efforts are started in his or her plant. At once, however, the best qualified labor relations expertise available should be retained.

Instead of waiting for something to happen, the wise plant owner will study the situation to see where there is the greatest amount of vulnerability to organized labor's claims that the employees need a union. The unions will take action if weaknesses in wage levels and working conditions are discovered. But improvements in these areas must be made before a union begins an organizing campaign. Improvements made afterward may be held unlawful by the National Labor Relations Board.

Methods of avoiding union organization are outlined in this BMA.

### WHY WAIT FOR UNION INFILTRATION

There are certain benefits that any employee wants, and often—but not inevitably—a union is turned to for help in getting these benefits. Yet the employer has a unique advantage; he or she can maintain such conditions in the plant so that the promises of union leaders have little attraction.

The employee thinks first of the pay. NTMA provides a variety of services, such as the Wage and Fringe Benefit Survey, and the Operating Costs and Executive Compensation (OCEC) Report, which can assist the plant owner in determining the prevailing rates in his or her area. To pay less is inviting trouble. Similarly, paid vacations, call-in pay, overtime, shift premiums, holidays, etc. must reflect prevailing economic conditions in the employer's immediate locale.

Along with the pay check, the employee is thinking of job security. Normally, this individual has a family and wants to feel that there is security in the job as long as his or her work is satisfactory. If good supervision is experienced, and there is insistence on efficient workmanship, the employee is reassured. A person wants to work for a firm that can be respected.

### GIVE FAIR JOB PROTECTION

Work slackens-off at times, and when it does, the employee is anxious to know that he or she won't be laid off while the foreman's second cousin is kept on despite less ability and

shorter service. And the employee wants a fair chance at a better job when one turns up. This person feels that there would be such job protection if there were a union in the plant. But, why force the employee to go to a union to get it? Isn't it sensible—and fair—to develop a seniority policy that fits your organization, and post it?

### DO SOMETHING ABOUT GRIEVANCES

Even in a plant of only 25 employees or less, there are sure to be grievances. The foreman may not always be able to handle such grievances satisfactorily. The union representative, on the other hand, says he or she can get to the head of the firm, and this is true.

Don't make it necessary for the employee to think about a union so that the grievances can be taken to top management. Develop and use an "open door policy." Let the employees know that they are always free to come to you if they are not treated fairly, or if they think they are not. Let the employees know that they are always free to come to you if they are not treated fairly, or if they think they are not. **The wise plant owner will also develop an "open floor" policy, which gets the Employer out on the floor to meet with employees. Employees want and need access to the "boss."** Develop and announce a procedure that will make it clear that their complaints and suggestions will receive friendly attention. Let your foreman know that you expect to have grievances given a fair, honest and considerate hearing. At the start, you can put out a fire with a cup of water. Let it burn, and it may take a lake.

## **OPINION SURVEYS**

Many employers have found that an annual opinion survey can be a very effective means of determining employee attitudes and sentiments on a wide variety of subject areas such as: wages; benefits; work conditions; quality of supervision; and many others. This practice is recommended and encouraged — providing management is willing and committed to evaluating and responding to the survey results quickly.

A copy of the Opinion Survey questionnaire prepared and recommended by Alan Berger, Attorney and NTMA Labor Relations Consultant, is a part of this BMA (appears at end). Seven (7) specific questions are of particular significance: Numbers 23; 27; 33; 37; 43; 47; and 53. When responding to the employees in a group assembly, following evaluation of the survey, the answers to these seven questions, plus any other points of complaint or recommendation, should be specifically addressed. Do not ignore these points — to do so could be more damaging than not having conducted the survey.

## **KEEP EMPLOYEES INFORMED**

Bear in mind that the employee is the center of his or her own little universe. At home this individual likes to describe how things are going at the plant, what was said to the foreman, and what the boss said and so on. Let the employee know that his or her good work is appreciated. Then see that this person is informed as to the company's progress. The employee will find out a lot anyway, but it may be so mixed with rumors that there will be unnecessary alarm, and a possible slowing down of productive accomplishments to make the work last as long as possible. Treat the employee with respect.

Even further emphasis is called for in keeping your employees informed. How well this is done can easily spell the difference between a union's success or failure in efforts to organize a plant.

The workers are sure to be interested in the work ahead, any unusual jobs that are coming in, plans for expansion, new equipment ordered and its expected effect, changes in operating policy, and the general business outlook.

## **CHANNELS OF COMMUNICATION**

How this information should be given to workers will, of course, vary with the size of the plant, management personalities and policies, and day-to-day conditions in the business. In the smaller plants, personal contacts may be such that little formal communication is needed. Meetings of employees, letters sent to their homes, bulletin board announcements, employer publications, personal talks by management with individual employees all have their place.

Some of the larger non-unionized companies have found that a Shop Committee provides an effective channel for communicating with their employees.

## **REMIND EMPLOYEES OF BENEFITS**

Experience has shown that it is not enough to treat employees fairly, and to keep up with area practice in granting wage increases and fringe benefits. While all these things may be appreciated at the time, they are soon forgotten. So once or twice a year, it is suggested that the employer remind employees of the benefits granted during the past year, and also point out what has been done for them over past years.

## **EMPLOYEE'S HANDBOOK**

Many employers have found an Employee's Handbook to be a very helpful tool in reminding employees of their benefits as well as their obligations (plant rules, holidays, etc.). These handbooks can be as lavish or as simple as desired. If you feel preparation of a handbook is too extensive an undertaking, posting a list of benefits and rules on the bulletin board under glass or plastic (so that it cannot be defaced) will suffice. NTMA can supply sample employee handbooks for your use upon request. For further information, see the BMA entitled, "Guidelines for An Employee Handbook."

## **WORKER PARTICIPATION**

Worker participation, teams, employee empowerment - whatever name they go by - it is strongly recommended that the employer consider using this tool. First, your employees know more about their own jobs than anyone else and can bring informed information and judgment to the workplace. Second, when employees actually participate in solving workplace problems, they begin to feel "ownership" of the job and are more likely to perform at a higher level. Finally, they don't need the participation that a union promises if they already have it without paying the price of a union. If handled properly, this is a worthwhile tool.

## **GROUP INSURANCE DESERVES CONSIDERATION**

Perhaps one fringe benefit deserves special mention - group insurance and hospital coverage. Nowadays it is one of the benefits regularly promised by a union organizer. And this individual can usually deliver on this promise if the employees vote for the union. To make it possible for members to provide such protection at reasonable cost, and thus prevent the organizer from building up discontent about lack of insurance, NTMA has developed its Group Insurance Plan (information and quotes available upon request to NTMA).

Tool and diemakers are individualists - just as most plant owners are - and don't take kindly to regimentation by unions or anyone else. If their employer will keep them satisfied on important matters, the path of the union organizer will not be smooth.

### OPINION SURVEY

Please read each of the following statements carefully. There are four possible ways of answering: Definitely Yes; Generally Yes; Generally No; and Definitely No. Select the answer which expresses your *frank opinion* and place a cross-mark (X) in the proper box.

For example: In answering statement No. 1, if you feel that the Company *is* a good place to work, place an X under "Definitely Yes." If you feel that it is usually a good place to

work, place an X under "Generally Yes." On the other hand, if you feel most of the time it is not a good place to work, place an X under "Generally No." However, if you feel it is just simply not a good place to work, mark an X in the space marked "Definitely No."

Please feel free to write in any special comments you may wish to make. DO NOT SIGN YOUR NAME

Question	Definitely Yes	Generally Yes	Generally No	Definitely No
1. Our plant is a good place to work.				
2. The people I work with usually do their job well.				
3. There are plenty of opportunities here for those who want to get ahead.				
4. My supervisor knows his or her job and does it well.				
5. Employees are usually told what is going on.				
6. I have been looking for other employment.				
7. I feel free to discuss my problems with my boss.				
8. My supervisor has a good attitude toward the Company.				
9. I know what is expected of me to advance in the Company.				
10. There is a lot of "team spirit" around here.				
11. When you need help, you can get it from the Personnel or Front Office.				
12. I am praised when I do a particularly good job.				
13. I have confidence in the future of the Company.				
14. I'm proud to tell people where I work.				
15. My skills and efficiencies have increased during the past year.				
16. I feel my abilities are being fully utilized.				
17. There is too much pressure on me to get out more work.				
18. Management is helping me to better understand the Company.				
19. My supervisor has a good attitude toward the workers.				
20. I am hindered in doing my job because of too close supervision.				
21. The temperature in the plant is well regulated.				

Question	Definitely Yes	Generally Yes	Generally No	Definitely No
22. The attitude of top management towards employees is good.				
23. The work in the plant is too hard.				
24. Employees are properly trained to do their job.				
25. I think the starting rate of pay should be a little higher.				
26. I can usually find my supervisor when needed.				
27. Promotions are given to people who deserve them.				
28. I have all the necessary supplies and equipment to do my job.				
29. Safety conditions are good in our area.				
30. Employees in other parts of the Company are kept better informed than we are.				
31. Cooperation between departments is generally good.				
32. I have not heard many complaints about top management.				
33. I'm being paid a fair wage for my present job.				
34. My supervisor shows little interest in how I do my work.				
35. I know what is expected of me on my job.				
36. I recommend this plant to my friends as a good place to work.				
37. My supervisor is fair with the employees.				
38. I have a great deal of interest in the Company and its future.				
39. I feel free to talk to my supervisor when a problem comes up.				
40. My supervisor has a real interest in me and in my progress.				
41. Management listens to employees' comments, opinions, and suggestions.				
42. I receive enough information to do my job properly.				
43. My supervisor plays favorites.				
44. I feel confident about my job security.				
45. Things are better around here than they used to be.				

Question	Definitely Yes	Generally Yes	Generally No	Definitely No
46. My family is happy with my present job.				
47. The wage increases we have received are fair.				
48. I am satisfied with the benefits listed below:				
Hospital and Medical				
Life Insurance				
Holidays				
Vacation				

49. I have made a serious effort in the last few months to obtain a job with another company: YES NO

50. I think the problems at our Company which need the most attention are:

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51. I would handle these problems in the following ways:

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52. My suggestions for improving employee relations are:

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53. If I was the owner of this plant, the most important thing I would do is:

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**This BMA was prepared by NTMA Labor Relations Counsel, Alan Berger, Partner; McMahan, Berger, Hanna, Linihan, Cody & McCarthy, St. Louis, MO.**