

Employment Law

Unions Commit to Step Up Organizing

Labor organizers met last year in Washington, D.C. to brainstorm new ways to win organizing campaigns. This is the first occasion in half a century in which various labor organizations came together in order to put together a game plan for organizing.

Tom Woodruff, the Executive Vice-President for the Services Employees International Union, the largest AFL-CIO Union, announced plans to commit a total of \$150 million to organizing. The Union will have some 1,000 full-time organizers and 5,000 member organizers.

We should anticipate that a pro-active agenda will endeavor to attract new members by advocating:

- National healthcare for all;
- Pro-family 32-hour work week;
- Pro-family paid family leave and day care act.

New Tactics In Union Organizing

Within many businesses today, unions are seeking to increase membership by organizing professional, clerical, and technical employees. Union campaigns now employ a skillful combination of marketing techniques delivered on the web, in video, in print and in person as well as the traditional tactics of the corporate campaign.

• **Internet:** All of the major unions utilize the Internet for soliciting new members in a union organizing campaign. Attractive web sites and e-mail action alerts deliver the union message effectively.

• **Videos:** Union videos are used by organizers in their attempt to solicit union members during a campaign. Many of these videos are very persuasive and provide testimonials by current union members to address favorable results negotiated by the union. In addition, the union organizers will use employee testimonials to address diversity issues within its efforts to organize Hispanics, African-Americans, etc.

• **Local Commercials:** As with videos, there are many compelling commercials which feature the testimony of members.

• **Mass Media Advertisement:** Unions place full page ads in newspapers which offer a toll free number for workers wanting help with regard to off-the-clock claims.

• **Sophisticated Union Organizers:** Union organizers recruit an organizing staff that represents the demographics of the workers targeted, including organizers who can speak the native tongue of immigrants and minorities. Likewise, in campaigns where there are heavy female/racial compositions, the unions will now draw upon union organizers of the same sex/race.

• **Successfully Identify Family Issues:** Many successful unions identify family issues which appeal to the single parent, and to working parents - for instance, the elimination of mandatory overtime which provides for a balanced lifestyle. Issues which resonate in the workplace focus on dignity, fairness, quality of service, or collective representation.

• **Placement Of Females Within Union Leadership Positions:** Previous efforts were led by middle age men whose demeanor was not acceptable to the female workforce. Unions have now placed qualified females into key union leadership positions.

• **Soliciting Community/Religious Support:** In organizing campaigns, union organizers in many cases solicit the support of top religious and community leaders in order to obtain authorization cards. We also observe unions soliciting similar support in order to obtain more favorable collective bargaining agreements.

Corporate Campaigns

• **Picketing:** Within industries which have direct access to the public, unions picket and leave piles of fliers and other propaganda in public areas for customers and employees.

• **Threats:** For instance, union officials threaten unionized employers with the destruction of their current operations if they do not permit unionization or other non-union facilities to become unionized.

• **Litigation:** Union officials have referred employees to lawyers for discrimination suits. They have assisted employees in the pending class action race discrimination suit in Publix's retail stores in Florida and Georgia, and the gender suit that Publix settled for \$81.5 million in 1997. UNITE has filed a \$100 million lawsuit against Cintas Corporation, the country's leading commercial uniform laundry company. The UFCW will try to instigate claims with government agencies such as the EPA, OSHA and the NLRB.

• **Salting:** Unions will plant people in the workplace so as to spread rumors about a company that may not be true.

• **Handbilling:** Leaflets are distributed asking customers to go elsewhere until the Company signs a contract with the union.

Strike and Wage Settlements

The table below highlights some of the strikes that have occurred in 2003:

Date/City	Strike	Outcome
January 2003: Toledo, OH	United Steelworkers end 7 month strike against Metropolitan Distributing, distributors of Miller and other beers.	3.6% wage increase first year. New hires start at reduced wage of \$12/hour.
January 2003: Baltimore, MD	300 UFCW workers at Domino Sugar end a 35 day strike.	2% wage increase each of next 3 years. Employees must now contribute \$40/month to health benefits.
February 2003: Jefferson, WI	470 UFCW meat packers went out on strike on 2/28/03 against Tyson Foods. Still on strike.	Tyson wants a wage freeze and \$2-an-hour wage cut for new hires. Replacement workers keep the plant open.
June 2003: Milwaukee, WI	250 Teamsters end a two week strike against concrete companies.	4.5% -5% annual wage increase.
June 2003: Louisville, KY	1200-1500 carpenters went on strike for a week.	Use of non-union subcontractors prohibited.
August 2003: Ashville, NC	150 Communication Workers of America end a 12 week strike at Verizon.	12% wage increase over 3 years and 4% pension increase.
October 2003: St. Louis, MO	10,000 UFCW clerks went on strike for 27 days.	5% wage increase over 4 year agreement; Union concessions on employer's ability to perform bargaining must work with vendors and store management.
October 2003: Southern California	70,000 UFCW grocery workers continue to strike Kroger, Safeway and Albertson.	Healthcare benefits are the main issue. This settlement should set a trend for supermarket settlements in other regions of the United States.

For additional information, please contact Dennis Collins, Mary Beth Ortvals, or Mark Rubinelli at (314) 241-9090. These attorneys have expertise in preventive labor measures aimed at ensuring the non-union status of employers' work forces and in directing campaigns in the event that a union files a petition.

This document offers opinions of an informative nature and should not be considered as legal advice to any specific matter.