

## Laws That Increased Worker Protections



- Federal Minimum Wage (1938)
- Occupational Health and Safety Act (OSHA, 1970)
- American Disabilities Act (1990)
- Federal Medical Leave Act (1993)

## Perspectives on organizing

↓ TOP-DOWN: the employer enters into a *neutrality agreement* - the union is allowed free access to employees and the employer agrees to remain silent regarding its view of unionization or its effect on the workplace

+ Proponents say:

- Reduces employer advantage of unlimited access
- Reduces cost of union campaign for both employer and union

- Opponents say:

- Denies employee right to select union (the employer is coerced to respond)
- Denies employee opportunity to hear both sides of issue

## How is a union selected?

The times they are a changin'...

**THEN**

"Retail Organizing":  
Bottom-Up



NLRB Elections:  
*Workers Decide*

**NOW**

"Wholesale Organizing":  
Top-Down



Corporate Campaigns,  
Neutrality Agreements:  
*Employer Decides*

Adapted from Mannheim, J. B. (2005). *Trends in corporate campaigns: A briefing book*. The George Washington University, The U.S. Chamber of Commerce.

## Wholesale organizing

*"Employees are complex and unpredictable.  
Employers are simple and predictable."*

*Organize EMPLOYERS,  
not employees."*

Joe Crump, UFCW



## Perspectives on organizing

↑ BOTTOM-UP: dissatisfied employees form their own union or invite an outside union in to represent them in collective bargaining

+ Proponents say:

- Allows employees to choose *IF* they will be represented and *WHO* will represent them
- Allows employees to hear views of both the employer and the union

- Opponents say:

- The employer has an unfair advantage of unlimited access to employees and union avoidance strategies
- Organizing in this manner is expensive for unions and successful only 55% of the time

## Why would an employer agree to be organized by a union?

*The CORPORATE CAMPAIGN functions to generate sufficient pressure on a company, from the top down, to alter its assessment of the relative costs and benefits of yielding to the demands of the union.*

