



## Union Avoidance Strategic Planning Guide

Employers that desire to remain union free should consider taking preventive action. Unless an employer has established a strong proactive employee relations foundation, educated its workforce about the company's position on unions, and taken other preventive labor relations actions, the company is at risk that its workforce will become unionized, particularly if the voting time frame is shortened. Moreover, once an employer is aware of union activity within its workforce it may be precluded from taking certain actions which would negatively impact a union's chance for success. While each company's situation is unique, the list below includes several key strategic planning components.

- Evaluate the company's vulnerability to a union organizing drive, both internally and externally.
- Train supervisors/managers about the advantages and disadvantages of unionization and its impact on the company's customers, managers and employees.
- Develop and maintain "best" employment policies and procedures.
- Train supervisors/managers in "best" human resources practices.
- Educate supervisors/managers about the "warning signs" of union activity.
- Educate employees about the significance of signing a union authorization card.
- Establish and maintain a lawful no solicitation/no distribution rule.
- Establish and maintain lawful electronic communication, social media and blog policies.
- Compare the company's wages and benefits to similar employers from both a geographic and industry perspective.
- Maintain good working conditions, equipment and facilities.
- Promote employee involvement and active participation.
- Establish and maintain effective "two-way" communication programs and methods.
- Listen to and address employee concerns.
- Carefully screen and hire new employees.
- Discipline and discharge employees fairly and consistently.
- Publicize internally the company's employee relations and union free philosophy.
- Survey employees' perceptions about all facets of their job and company.
- Instill trust and credibility.
- Conduct periodic union free audits.
- Prepare quick response materials for distribution at the first sign of union activity.

If you would like to prepare a union avoidance plan for your company, or otherwise discuss this guide in greater detail, please contact a member of the [Labor and Employment Practice Group](#) at [Flaster/Greenberg PC](#).