



Human Resources

Committee

Las Vegas, NV

October 30, 2007

Special Guest



Joseph P. Sbuttoni, Esq.

- ◆ Senior Attorney at Fine, Boggs & Perkins
- ◆ Former counsel for the NLRB
- ◆ Veteran of many union organizing campaigns, including many involving the automobile industry (dealerships and collision repair shops)



UNION ORGANIZING,
FEDERAL LABOR LAWS,
AND
THE COLLISION INDUSTRY:
A PRACTICAL GUIDE



WHERE CAN UNION ORGANIZING HAPPEN?

- Anywhere!
- Small, Medium, and Large shops are all subject to Union Organizing
- East, West North and South- the same basic rules apply
- Consolidator or Franchise Shop? So much they better -- may actually be more attractive to Union
- Organizers



HOW DOES IT WORK?

- Traditional Union Organizing is done from the “Bottom Up”:
 - ◆ Election Petition (30% Rule & 42 days)
 - ◆ Ballot Count (50% rule)
 - ◆ Which Union is allowed to organize?
 - ◆ IBEW, IAM, Teamsters, SEIU, Independent Unaffiliated Union

HOW AND WHY CAN UNION ORGANIZING BEGIN?



- **Is it Always More Money?**
- **Employee Dissatisfaction**
- **Communication/Perception Issues**
- **Union-Employee Communication . . .**
 - ◆ **Form?**
 - ◆ **Substance?**



HOW WILL WE KNOW IF OUR EMPLOYEES ARE IN CONTACT WITH A UNION REP.?

- **Typically, You Won't!**
- **Signs of union activity**
- **R-Case Petition Filing (i.e. playing some serious catch-up)**



WHAT CAN WE DO NOW?

- Is it Personal?
- **GET HELP!** Because the NLRB is watching!!
- **Limits on Employer Free Speech**
Beware of the PITS: Promise, Interrogate, Threaten, and Surveillance.

REACT, BUT DON'T OVER- REACT!!!



- **What is in the Union's playbook at this point?**
- **What are effective communications strategies?**
- **Building & Re-Building Credibility with Employees**



WHAT'S A BETTER WAY?

- **PREVENTATIVE (& PROACTIVE!) LABOR RELATIONS**
- **SOUND HIRING, DISCIPLINE, AND COMMUNICATIONS POLICIES**
- **GOOD EMPLOYEE RELATIONS PRACTICES**