



MICHIGAN EMPLOYMENT RELATIONS COMMISSION

Date: 03-15-2019

Party	Type/Role	Name/Address	Party ID	Phone	County	Start Date	End Date
Pinckney, Village of	Employer	Pinckney, Village of 220 S. Howell Pinckney, Michigan 48169	A-05665	(734) 878-6202		03-14-2019	
Michigan Association of Police	Labor Organization	Michigan Association of Police 667 E. Big Beaver Ste 109 Troy, Michigan 48083	A-03518	248-509-7158		03-14-2019	
Police Officers Labor Council	Labor Organization	Police Officers Labor Council 667 E. Big Beaver Road, Suite 205 Troy, Michigan 48083	A-03485	2485243200		03-14-2019	

Case Name: Pinckney, Village of and Michigan Association of Police and Police Officers Labor Council

MERC Case No: 19-C-0495-RC **Case Initiation Date:** 03-14-2019

To All Parties:

Attached are materials related to the above referenced matter recently initiated with the Michigan Employment Relations Commission pursuant to the Labor Mediation Act (LMA) and/or the Public Employment Relations Act (PERA). Please review the materials and contact us immediately should there be any necessary corrections or additions to the party and/or party representative information.

A telephone conference call will be initiated by MERC on March 27 at 11:30 A.M, please notify this office of contact person(s) and phone number(s) prior to the date of the call.

At least 5 days prior to the scheduled telephone conference, the employer must submit the following information to MERC ONLY at hinneburgd@michigan.gov :

- The name and contact information of any other interested party (labor organization and/ or employer) who should be apprised of this proceeding due to a claim of representation and/or employer status over the employees that are subject to the petition;
- Copy of the Recognition Clause contained in the current (or recently expired) collective bargaining agreement, if applicable.
- A list of the employees and their respective classifications as of the date of the petition filing date (not applicable if UC petition).
- If UC petition also add: Copies of any correspondence, current or expired contracts or other documents that may impact the unit placement question.

Very truly yours,
Denise Hinneburg, Elections Officer
hinneburgd@michigan.gov

MERC also offers the following services at no cost: Mediation of Contract & Grievance Disputes; Grievance Arbitrator Appointments; Collaborative Bargaining Training; Interest Based Problem Solving Training; Establishing Labor/ Management Committees and more. Access the MERC website at www.michigan.gov/merc for a complete description of agency services and case related information.



MICHIGAN EMPLOYMENT RELATIONS COMMISSION
CASE INFORMATION SUMMARY

CASE HEADING:

Case Name: Pinckney, Village of and Michigan Association of Police and Police Officers Labor Council				
MERC Case No.: 19-C-0495-RC	Dispute Category: Elections	Case Type: Certification of Representation (RC)	Case System ID.: 00001553	Case Stage: Initiation Case Status: Approved
Employer Type: Public	Business/Service Type:	County:	County Code:	Process Category: Representation
MAHS No.:	Appeal No.:	Related Case No.:	Consolidated With:	Parent Case No.:
Dispute Description:				

PARTY DETAILS:

Type	Role	Name/Address	Name ID	Phone	County	Start	End
Employer		Pinckney, Village of 220 S. Howell Pinckney, Michigan 48169	A-05665	(734) 878-6202		03-14-2019	
Labor Org		Michigan Association of Police 667 E. Big Beaver Ste 109 Troy, Michigan 48083	A-03518	248-509-7158		03-14-2019	
Labor Org		Police Officers Labor Council 667 E. Big Beaver Road, Suite 205 Troy, Michigan 48083	A-03485	2485243200		03-14-2019	

REPRESENTATIVE DETAILS:

Type	Role	Rep Name/Rep Address	Name ID	Phone/Email	Start	End
Filing Party	Union Representative	Nancy Ciccone 667 E. Big Beaver Road Troy, Michigan 48083	A-00002	(248) 524-3200	03-14-2019	

CONTRACT DETAILS:

Contract Type:	Effective Date:	Expiration Date: 06-30-2019
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BARGAINING UNIT DETAILS:

Bargaining Unit Type: Law Enforcement (Patrol)	Bargaining Unit Code:	Total Unit Employees: 3	Eligibility Date:
Affected Location:			
Total Affected Employees:			
Unit Description:			

CASE DETAILS:

Event Date	Event Type	Event Subtype	Result	Notes/Other Details	Filed By
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MICHIGAN EMPLOYMENT RELATIONS COMMISSION
CASE INFORMATION SUMMARY

03-14-2019	Petition Filed		
03-14-2019	Case Initiation		
03-27-2019	Telephone Conference	11:30 AM	

CASE TEAM:

Name/ID	Role	Start	End
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Authority: PA 380 of 1965,
as amended

PETITION FOR REPRESENTATION PROCEEDINGS
MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
EMPLOYMENT RELATIONS COMMISSION (MERC) LABOR RELATIONS DIVISION

Completion: Mandatory
Penalty: Case will not be opened
if this form is not used.

INSTRUCTIONS: Submit an original and 4 copies of this Petition to: Employment Relations Commission, Cadillac Place, 3026 W. Grand Boulevard, Suite 2-750, PO Box 02988 Detroit MI 48202-2988. (Use additional sheets if necessary)	DO NOT WRITE IN THIS SPACE	
	Case Number: <i>19-C-0495-RC</i>	Date Filed: <i>MAR 14 PM 2:46</i>

1. Purpose of this Petition: (Check only the one box which is appropriate.)

- A. **RC — CERTIFICATION OF REPRESENTATIVE** — A majority of the employees in the unit wish to be represented for purposes of collective bargaining by Petitioner, and Petitioner desires to be certified as representative of the employees for purposes of collective bargaining. (An original showing of interest by 30% or more of the employees in the unit must accompany this form or be submitted within 48 hours of filing.)
- B. **RM — REPRESENTATION (EMPLOYER)** — One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.
- C. **RD — DECERTIFICATION** — A majority of the employees in the unit claim that the certified or currently recognized bargaining representative is no longer their representative. (An original showing of interest by 30% or more of the employees in the unit must accompany this form or be submitted within 48 hours of filing.)
- D. **SD — SELF-DETERMINATION** — Multiple units represented by the same labor organization and same employer seek to be represented in one unit. (No showing of interest required.)
- E. **UC — UNIT CLARIFICATION** — A labor organization is currently recognized by the employer, but Petitioner seeks clarification of placement of certain positions. (A petition for unit clarification does not raise a question concerning representation and cannot be used where an RC or RM petition is appropriate.)

2. Name and Address of Employer: Linda Lavey, Village of Pinckney President
220 S. Howell
Pinckney, MI 48169

3. Type of Employer: (Check appropriate box) Governmental Private Telephone No. (734) 878-6202

4. Description of Claimed Bargaining Unit Involved: (Attach additional sheets if necessary.) For UC petition, describe current bargaining unit and attach specific description of proposed clarification. INCLUDED: All full-time police officers of the Pinckney Police Department EXCLUDED: Police Chief, Sergeant, and all other employees	5. Approximate Number of Employees in Unit: 3
	6. Date of Demand for Recognition: Date Employer Declined Recognition:

7. Name and Address of any Other Labor Organizations or Parties that May Claim an Interest in Representing the Employees Described in Item 4 Above (If NONE, so state): Michigan Association of Police 667 E. Big Beaver, Ste. 109 Troy, MI 48083	Date of Recognition or Certification: Date of Claim: (Required only if RM Petition)
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8. Date of Expiration of Current Contract, if any: Month: June Day: 30 Year: 2019

I HAVE READ THE ABOVE PETITION AND IT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Petitioner and Affiliation: Police Officers Labor Council (Nancy Ciccone)	Title: Research Analyst
Name of Representative or Person Filing Petition	Email: nandfciccone@aol.com
Signature: <i>Nancy Ciccone</i> Printed: Nancy Ciccone	Telephone No.: (248) 524-3200
Address: 667 E. Big Beaver, Ste. 205 Troy, MI 48083	Fax No.: (248) 524-2752

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BER____ (9/11)

QUESTIONS AND ANSWERS RELATING TO LABOR UNION REPRESENTATION

This question and answer sheet has been prepared to provide you with the answers to questions that have been brought to the Village Council's attention. It is our belief that employees should be aware of correct and factual information prior to the election. Questions concerning the election procedure are included, along with general information concerning the possible effects of unionization. If you have any additional questions, or would like any additional clarification, please feel free to contact the Village President.

1. Q. **IS IT IMPORTANT THAT I VOTE?**

A. **YES.** The outcome of an election is determined by the **majority of those actually voting**, and not by the majority of those who have the right to vote. For example, assume there are 2 employees eligible to vote in an election in a proposed unit. If only 1 votes and he votes for unionization, that means the union wins and will have the right to exclusively represent all employees, even though only 1 employee voted for the union. You must vote "No" if you do not want a union or if you do not want Michigan Association of Police to be the Union.

2. Q. **IF I SIGN A CARD, DOES THAT MEAN I HAVE TO VOTE FOR THE UNION?**

A. No. The fact that you signed a Union card does not require you to vote for the Union. An election by **secret ballot** will be held. No one will ever know how you voted unless you tell them. You are completely free to vote as your conscience and your reasoning dictate.

3. Q. **HOW WILL THE ELECTION BE CONDUCTED?**

A. The election will be conducted pursuant to the Michigan Employment Relations Commission's procedures and will be by a mail ballot. The ballots will be mailed to you on February 21, 2012, and must be filled out and returned. The returned ballots must be received by the State by March 7, 2012, to be counted. The actual count will be on March 8, 2012.

4. Q. **HOW WILL I ACTUALLY CAST MY VOTE?**

A. You will be mailed a ballot from the State. The voting procedure requires that you fill out the ballot and have it returned to the State by March 7, 2012. The material from the State will also include voting instructions. As you may have noted in looking at the posted Notice of Election, the ballot, which will be provided by the State, clearly gives you two choices. You are to choose between "No" Union or the Union by placing an "X" in the appropriate box. **THE VILLAGE URGES YOU TO PLACE YOUR "X" IN THE BOX MARKED "NO."**

NO

Do not mark your ballot with a checkmark. Do not sign your name to the ballot. Do not place other marks on the ballot. If you do so, it may not be counted. Place your "X" squarely within the box indicating your choice. If you should accidentally spoil your ballot, contact the State.

5. Q. **I HAVE HEARD THAT WITH THE UNION WE WILL AUTOMATICALLY GET EVERYTHING WE HAVE NOW, PLUS MORE. ISN'T THAT TRUE?**

A. No. Bargaining a Union contract does not necessarily start from the present benefits. The Union may trade present benefits for Union security, such as an "Agency Shop" or automatic deduction of dues and fees from your paycheck. Employees may be sacrificed to Union principles and end up with less in terms of wages and benefits, in addition to being required to pay dues and perhaps fines and assessments. It will all be negotiable.

6. Q. **HOW WILL RELATIONS WITH MANAGEMENT BE AFFECTED BY A UNION?**

A. Presently, any problem you may have can be brought directly to a supervisor. Under a typical union contract, a strict procedure must be followed in resolving problems between a supervisor and employee. This procedure usually involves the presence of a third party such as a union representative who may be another employee. The representative usually does all the talking for the employee. For example, if you want a change in your working or vacation schedule, which is covered by a contract, the Village cannot make any such arrangements unless the Union representative agrees to it. What if the Union will not agree? Then there can be no change. What if you don't want to involve the Union representative? You and the Village have no choice. Your individual rights to deal directly with the Village are terminated if the MAP is selected to represent you.

Your right to privacy at the workplace may also be diminished if you are represented by the MAP. The reason is because the law gives a union the right to be present at any meetings between the employer and the employee where a grievance may be "adjusted." You cannot require that the union representative not be present while you discuss the matter with your employer.

The secret ballot election is scheduled to be mailed by the State to you on February 21, 2012. The Ballots must be returned and received by the State by March 7, 2012, to be counted.

COHL, STOKER & TOSKEY, P.C.
ATTORNEYS AND COUNSELORS
601 NORTH CAPITOL
LANSING, MICHIGAN 48933

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(517) 372-9000
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January 20, 2012

Attorney/Client Privilege

Rebecca Foster, Village President
Village of Pinckney
220 South Howell Street
Pinckney, Michigan 48169

Re: MAP Petition to Represent Village Police Officers

Dear Ms. Foster:

I am writing regarding the Village's responsibilities while the police officer's election for a collective bargaining representative is pending. Upon a finding by MERC that there is a sufficient "showing of interest" of "eligible" employees, then the employer can voluntarily agree to a confidential election. I have attached a summary of this process, as well as some guidelines for "supervisors" during this process for your review. Generally, Michigan law prohibits an employer from interfering with an election. This does not mean that an employer, such as the Village, may not discuss the election. However, it must carefully avoid saying anything unlawful. Perhaps the easiest way to remember what types of statements are unlawful is through the acronym "TIPS."

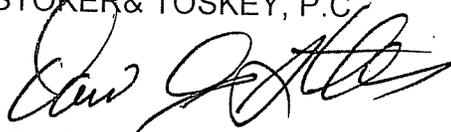
- T - Threats if the employees support or vote for a union
- I - Interrogation of employees about their feelings concerning unionization
- P - Promises of benefits if employees do not support the union
- S - Soliciting grievances for resolution which would obviate the need for a union

This list is not all inclusive, but it does cover common mistakes an employer may make when speaking to or about employees voting in a union election. There are other unlawful actions an employer can take during the pending of an election, such as changing present terms and benefits of employees.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

COHL, STOKER & TOSKEY, P.C.



David G. Stoker

DGS/gmk
Enclosure

cc w/enc: Pinckney Village Council

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GUIDE FOR SUPERVISORS DURING AN NLRB ELECTION CAMPAIGN

Communication of Do's and Don'ts -- What You Can and Can't Say to Employees about Unions

The Labor Management Relations Act of 1947, better known as the Taft-Hartley Law, specifically gives employers the right of *free speech* on labor matters. Section 8(c) reads, "The expression of any views, arguments, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an unfair labor practice under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefits."

So long as you don't threaten employees, either directly or by implication, that you will take reprisals in the event they organize, so long as you don't promise them any benefits for rejecting a union, you have a pretty free hand in telling the hospital's story. You can give your opinion on unions in general or in particular. You can present your arguments on why a union is not necessary at your hospital.

While this section of the Act is clear and specific, it is important that all management representatives, particularly supervisors, understand how it applies to what they can and can't say. The following suggestions should help clarify matters:

YOU CAN TELL EMPLOYEES THE TRUTH --

1. The experience you have had with unions.
2. Things you know about particular union representatives.
3. Your opinion about unions and union activities.
4. What unions have done elsewhere in the nation.
5. What certain union representatives have done.
6. What you think of a union position on any issue; whether it's fair or unfair.
7. Whether you think representatives of a union are doing the proper thing.
8. How you think employees should vote in a union election.
9. How employees may be affected by what unions are doing or demanding.
10. Why the hospital is doing a particular thing.
11. That any employee may present a grievance to management.
12. About the hospital's record of fair dealing.
13. Inform the employees that the hospital is not required to automatically sign a contract or agree to any benefits that are not in its best interests.
14. Let the employee know that the hospital is not required to continue its present benefits if a union gets in. Whatever benefits the employees receive after the union gets in will have to be negotiated with the hospital. The benefits employees receive after the

union gets in could be less than they now receive, or they could be more. No law requires the hospital to continue its present benefits in any contract negotiated with the union.

15. Inform the employees that you and the hospital prefer to deal with them rather than with the union, or any other outsider.
16. Inform the employees of any untrue or misleading statements made by the union and answer union arguments or charges.
17. Let the employees know how you think they should vote.
18. You can tell employees frankly that you think both they and the hospital benefit when you deal with them directly.
19. You can add that there is nothing a union can do for them that they can't do for themselves.
20. You can point out the disadvantages of unionism -- wage losses from strikes, picket line duties, monthly dues, fines, assessments. You can further say that a union is expensive . . . to join, to remain a member. You can observe that unions are supported by fines, dues, fees and assessments, which pay the salaries and expense accounts of professional labor leaders.
21. You can explain to employees how their wages and fringe benefits stack up against unionized companies.
22. You can say that a union -- regardless of its promises -- cannot compel the hospital to agree to anything against its will -- to pay wages or fringe benefits that would unduly raise the cost of its products or services.
23. You can discuss seniority provisions of union contracts which handicap ambitious or skillful employees in advancing to higher positions according to their abilities.
24. You can say flat out that you oppose the principle of compulsory unionism; but that unions always try to win a union shop (or a maintenance of membership agreement) which forces workers to belong to the union and pay dues, and that under such agreements discharge is the penalty for failing to do so.
25. If the union makes any untrue or misleading propaganda statements, you can give the employees the actual facts.
26. You can tell employees that they do not have to sign any authorization cards union organizers may have passed out.
27. You can add that employees don't have to talk to union organizers unless they wish to.
28. You can explain that as union members, they may not be free to take their troubles directly to supervisors but may have to depend on a union steward to do the talking.
29. You can remind employees that simply because they have signed a union authorization card, they don't have to vote for the union in the election -- that the election will be secret, and that no one will know how they ballot.
30. You can repeat that you think there is no need for a union, and that you believe if employees join one they will be paying dues and assessments for benefits they are already getting.

31. You can say that belonging to a union is not necessary to ensure job security.
32. You can insist that the union restrict its efforts to secure members to nonworking hours and outside of the hospital premises. (However, an employee may discuss the union and try to persuade co-workers to join, even if he is on hospital property, so long as this activity does not interfere with his job.)
33. You can explain to employees that if they are restrained, coerced or threatened by an agent of the union, to tell you and you will see to it that it is stopped.
34. You have the right to enforce all rules and regulations in accordance with past practice, regardless of whether or not an employee is a union member.
35. You may talk to employees in small groups on hospital property and on hospital time, so long as the talk is not made within the *24-hour silence period* before an election.
36. We may mail written material to the homes of our employees, even though it reaches them during the *24-hour silence period* before an election.
37. You may ask your employees whether they have ever visualized themselves on a picket line performing picket duty for the union outside the hospital premises.
38. You may tell the employees that the union has a right to fine them for crossing a picket line if they do not wish to stay out on strike.
39. You may tell the employees that the union has a legal right to go into court and sue its members and collect fines levied by the union on the employee for crossing such a picket line and not staying out on strike.
40. You may tell the employees that union members are always subject to and frequently are taxed with increased union assessments in addition to periodic dues. Very often, people working in union shops find themselves providing strike money for employees in other shops who are out on strike.
41. You may tell the employees that true job security can only come from a well run hospital which is free from the burden of restrictive union rules and regulations. A union can promise job security but has no way of delivering on that promise, as layoffs in companies clearly indicate.
42. You may tell the employees that unions are against overtime as a matter of principle. They would much prefer to have more dues-paying members who work regular work hours than fewer members working on an overtime basis.
43. You may tell the employees that unions are not democratic institutions. They are highly political institutions. Those who help organize the employees and help to bring the union in invariably wind up becoming union stewards and union favorites. These people definitely have something to gain personally from seeing the hospital become unionized.
44. You may tell the employees that the stock in trade of any union is promises, promises, promises. Unions will promise the employee anything in order to persuade them to vote for the union. However, it is only the hospital who can deliver the goods. The only way that a union can force a hospital to do something which the hospital does not want to do is to pull the employees out on strike.

45. You may tell the employees that the hospital intends to oppose the union by each and every legal means at its disposal.
46. You may tell the employees that they can't just *try the union and see if they like it*. Once the union is in the hospital, it is almost impossible to get rid of it.

YOU SHOULD TELL THE EMPLOYEES THE TRUTH --

1. They are free to join or not to join a union, but I would not.
2. They are free to vote as they wish, even though they may have signed an authorization card.
3. The hospital will always continue its policy of paying good wages, providing good benefits, treating employees fairly, and maintaining good working conditions.

In telling any of the foregoing, you are not by voice, gesture or inference to suggest any threat of reprisal or force or promise of benefit.

All corporate officers, managers and supervisors must remember that anything that is said or done by them in connection with union organizational activities may be considered to have been said or done by the hospital itself. All management representatives must therefore steer away from conduct which interferes with the employee's right to a free choice.

THEREFORE, YOU MUST NOT --

1. Tell employees that the hospital will be closed, or that a department will be discontinued or that overtime will be eliminated, or that employees will be given a less favorable job, etc. if employees choose a union.
2. Call individuals into your office to discuss union organization. Discussions should be held at the employee's work station or in the cafeteria, or some other neutral area.
3. Encourage or take part in any way in the passing of a petition, the purpose of which would be *not to have a union*.
4. Openly solicit employees to withdraw from the union. A supervisor may give reasons why employees should not continue their adherence to the union and may give reasons why an employee should vote against the union, but may not solicit an outright withdrawal or tell the employee to return a card or pin.

DO NOT interrogate employees generally or specifically, and especially do not ask employees as to --

1. What they think of a particular union representative, or of a particular union, or unions generally.
2. Whether they or anyone else belongs to a union, or has signed any cards, or attended any union meetings, or will vote for the union in an election.

YOU MUST NOT TELL, INFER OR INDICATE TO EMPLOYEES --

3. That management would punish any employee for union activity.
4. That management would reward any employee for engaging or not engaging in union activity.

5. You must not spy on the employees or give the impression that their meetings off premises are under surveillance by the hospital or its supervisors.
6. You must not say to any of the employees that management will never bargain with the union or never sign a contract. You must not say that a strike is unavoidable or inevitable. However, there is nothing wrong with saying that unreasonable union demands **often** lead to strikes.
7. You must not visit the employees at their homes in order to persuade them to vote against the union.
8. You must not forbid employees to wear union buttons.
9. You must not cut out or discontinue little privileges like coffee breaks, etc. in order to show your displeasure with the union campaign.
10. You must not transfer known union supporters to undesirable jobs they do not ordinarily perform. It should be remembered that it is business as usual.

THIS MATERIAL IS INTENDED AS A **GENERAL** GUIDELINE ONLY. ANY SPECIFIC STATEMENTS OR COMMUNICATIONS SHOULD BE CLEARED WITH THE HOSPITAL'S LABOR RELATIONS COUNSEL IN ADVANCE. THE **WAY** IN WHICH ANY OF THE ABOVE **PERMISSIBLE** TOPICS ARE COMMUNICATED TO EMPLOYEES OR THE MANNER IN WHICH THEY ARE SAID MAY AFFECT THEIR LEGALITY. MOREOVER, THE NLRB HAS TAKEN SEVERAL INNOCENT STATEMENTS, WHICH IN THEMSELVES ARE LEGAL, AND HAS HELD THAT **WHEN VIEWED TOGETHER** THE SUM TOTAL OF THE COMMUNICATIONS ARE ILLEGAL. ALL STATEMENTS AND COMMUNICATIONS SHOULD BE PLANNED IN ADVANCE, AND EXCESSIVE RELIANCE ON THE GENERALITIES OF THIS WRITTEN MATERIAL MAY LEAD TO INADVERTENT VIOLATION OF THE LAW AND A SETTING ASIDE OF AN ELECTION VICTORY.

Summary

The mere fact that you may say certain things does not mean that you should. If someone is worried about job security, it does little good for you to assure him about the hospital's benefit plans. We must be selective. Instead, talk with him about the hospital's freedom from layoffs and your policy of not terminating without just cause. If you do not have an answer to a question, do not argue. Tell the person involved that you will get an answer for him -- and then do so at the earliest reasonable time.

We must find out what is worrying people. You cannot interrogate on union matters, but you can **listen**; you can **encourage questions**; you can **lend a sympathetic ear**; you can **inquire as to how things are going on the job**. If you have the proper relationship with your people, this information will come freely.

Report all complaints and points of dissatisfaction promptly -- to your labor relations counsel. Do not feel that doing so will be a reflection on your operation. It **will**, on the other hand, reflect seriously if problems are not detected and reported.

You should make written records of all conversations which in any way touch upon the union campaign or gripes or working conditions. The notes should not be taken in front of the individual, of course, but as soon thereafter as possible while the events are still fresh in your mind.

TYPICAL QUESTIONS ASKED OF SUPERVISORS BY EMPLOYEES DURING A UNION ORGANIZING CAMPAIGN

I. CARD SIGNING

Q: Do I have to let a union representative into my house?

A: No. A union representative has no more right to enter your house than any other paid salesman.

Q: Do I have to sign an authorization card?

A: No. You don't have to sign anything to work here. Under the law, you have the right not to join a union and no one can threaten or coerce you into joining.

Q: What difference does it make if I sign a card?

A: By signing a card, there is a good chance you may be giving up your right to vote in an election. The government may order the hospital to bargain with the union based on these cards.

Q: If I sign one of these cards, can I get it back?

A: The union never gives the cards back, but you can write to them asking that the card be returned.

Q: But, the union says they need cards for an election. Is this so?

A: They can use cards without or after an election.

II. COST TO EMPLOYEE

Q: Will it cost me anything to belong to this union?

A: Yes. You commit yourself to pay dues, initiation fees and possibly fines and assessments.

Q: What are the initiation fees?

A: The initiation fees of the union in this area are \$_____.

Q: What are the dues?

A: The dues of the union in this area are \$_____.

Q: What can the union fine me for?

A: The union can fine you for almost anything -- for not attending union meetings, for trying to come into work if there is a strike, for talking back to an officer of the union.

Q: How can they force me to pay these fines?

A: They can take you to court.

III. NEGOTIATIONS

Q: Won't it mean more money for me if the union gets in?

A: No, not necessarily. All the union can do is represent employees.

Q: If the union wins an election, will the hospital automatically have to agree to the union's demands?

A: No, the hospital does not have to agree to any demand that it feels is not good for employees and might be harmful to the hospital.

Q: Won't a union ensure my job security?

A: No. The only way any employee's job security can be ensured is if the hospital continues to provide high quality products and/or services at an economical, feasible cost to the consumers we serve.

IV. STRIKES

Q: What happens if the hospital and the union don't agree?

A: The union can call a strike.

Q: If the union calls a strike, will we still get our pay?

A: No. The minute you strike your pay stops.

Q: If the union calls a strike, can I be replaced?

A: Yes. Under the law, the hospital is free to hire new employees to permanently replace economic strikers.

Q: If the union calls me out on strike, will the union pay me anything?

A: The union might give you strike benefits, but these are only token payments. Such payments are nowhere near your normal pay.

V. LOSS OF PERSONAL FREEDOM

Q: If the union gets in, won't I still be able to come to you with my problems?

A: Maybe, but under most contracts there is a formal procedure and you might have to file a grievance with another employee, known as a union steward, instead of dealing with me directly.

Q: Will I have to walk a picket line if another hospital that this union represents goes out on strike?

A: That is definitely a possibility. Many unions require their members to serve picket duty at other companies where they have a strike.

VI. ELECTIONS

Q: If I sign the card, does that mean I have to vote for the union?

A: Definitely not. The election is by secret ballot; no one knows how you will vote.

Q: Is it important that I vote?

A: Yes, because it is a majority of those employees who actually vote who determine whether or not we will have a union.

Q: If the union is voted in and we don't like it, can we get rid of the union?

A: It is very difficult to get a union out once it is in. Most union constitutions provide that any employee who attempts to get the union out will be subject to fines, suspension or expulsion.

FOR SUPERVISORS' INFORMATION

I. THE DISADVANTAGES OF DEALING WITH A UNION

- A. **Formal complaint and discipline rules will make it harder to talk to employees regarding any problems either of you may have.** You will no longer be able to have an "Open Door" policy.
- B. **The performance and productivity of the workers could decline.** Employees who are less productive will feel more secure in a union and will not be as motivated to do good work. See attached article from Newsweek magazine dated September 27, 1993.
- C. **Employees take an "us against them" attitude.** This makes it hard to keep any spirit of teamwork. Employees will feel that you are the enemy, rather than a friend.
- D. **Any decision you make may be challenged by the union.**
- E. **Your time is spent negotiating contracts, processing grievances, and handling other union formalities.**
- F. **A seniority system could give promotions to those who have been with the Township the longest, not those who do the best work.**

II. WHAT YOU SHOULD AND SHOULDN'T SAY

A. WHAT YOU SHOULD SAY

- 1. Feel free to express your opinions about the union. You may share any bad experiences you may have about unions.
- 2. **Point out to the employees that the union may make many promises but will not be able to keep any of them unless the employer agrees.**
- 3. If employees feel they are being fairly treated they have nothing to gain by unionizing. Point out that the Township has treated and will continue to treat employees fairly.
- 4. Emphasize the feeling of teamwork that will be lost if a union is formed. Let employees know that if they have problems under a grievance system they will probably have to let someone else do the talking for them. The union may paint supervisors as the enemy, creating an atmosphere of hostility in the workplace.

B. WHAT YOU SHOULDN'T SAY

- 1. Three main rules **MUST** be followed:

- a. **NEVER THREATEN**
Don't tell employees that there will be layoffs or cuts in wages or benefits if a union is formed. It is proper to tell them that the contract must be negotiated from scratch but this should not be said in a way that could be mistaken as threatening.
 - b. **NEVER INTERROGATE**
Don't ask employees about their opinions on union matters. **If they volunteer information, by all means listen; but do not ask.** Don't ask if they've signed cards or engage in any surveillance of employees.
 - c. **NEVER PROMISE**
You can't promise to reward employees for not forming a union. Any discussions regarding wage or benefit increases should be avoided until the union is gone.
2. **Don't get involved in arguments or debates about the advantages or disadvantages of forming a union.**

Usually about 20% of the employees are very pro-union and will remain that way, regardless of what you tell them. Union organizers often train some of these employees to engage supervisors in debate and to trick you into saying things you shouldn't. There is no point in trying to persuade these people.

Another 20% will have strong anti-union feelings. You obviously don't have to convince these employees.

YOUR TARGET SHOULD BE THE 60% WHO REMAIN UNDECIDED.

3. Don't prevent workers from discussing union matters in ways that don't interfere with their job. As long as work is not affected, employees may talk about union matters.

You may, however, stop any activity that is reasonably interfering with the employee's work. You may prohibit distribution of literature in work areas or on work time, but do not try to restrict union activities in non-work areas or on non-work time.

If you have to step in, make sure that a problem really exists.

4. **TREAT ALL EMPLOYEES THE SAME.** Don't discriminate against employees who are engaged in the organization effort.