

Strategic Priorities in Bargaining and Employer Relations

This is a document to help busy union leaders prioritize certain negotiating and employer-relations goals that efficiently and effectively make our union stronger. In the sections below, we have collected simple descriptions of the best practices used by other union leaders to ensure that they have the access and information they need to engage new employees and get them started as active union members. These can be bargaining priorities, or where relationships permit, these can be less formal agreements with employers. Regardless, these are goals to shoot for.

Access to Workers at Orientations and Trainings

- Secure the right of the Union to provide a 30-minute to 1-hour presentation within the first hour of every new employee orientation during regular worker hours and onsite. Employer representatives should not be present during the Union's presentation.
- Request that the employer provide electronic notification of the name, job title, department, work location, phone number, home address, and personal work and email addresses within 7 days of the date of hire.
- Request that the employer provide at least 10 days' notice of any orientation, along with an electronic list of expected participants at least 48 hours in advance of the orientation.
- Reserve the right to distribute materials (e.g. the CBA, a membership/COPE card, a list of stewards) at the orientation.
- Retain the right to provide presentations at alternatives to in-person orientations.
- Secure the right of the Union to hold an annual, or more frequent, training/discussion session to familiarize attendees with the terms of the CBA and/or discuss other labor relations issues.

Regular Receipt of Member Lists and Bargaining Lists

- Request that the employer provide a bi-weekly (or monthly) electronic transmission of bargaining unit lists with every worker's name, job title, department, work location, phone number, home address, personal and work e-mail addresses, and membership status.

Pre-Disclosure Notification of Third Party Requests for Information

- Secure the employer's agreement to immediately notify the Union of any third party request for information about the bargaining unit to protect members from harassment and invasion of privacy. The employer should provide a copy of the request and any materials submitted with the request.
- Request that the employer provide the Union with 14 days (or more) to review and challenge the scope of the request prior to the employer's response to the disclosure request.

Recognition of Maintenance of Check-off Agreements

- Explain the Local's maintenance of check-off arrangement.
- Secure the employer's agreement to enforce the maintenance of check-off agreement between the Union and the worker.

Employer Recognition of Electronic Signatures

- Notify the employer that the union will be presenting electronic authorizations for membership and COPE sign-up (i.e. online and eJoin sign-ups).
- Notify the employer that the union will be presenting electronically-recorded telephone authorizations for membership and COPE sign-up (i.e. telephone sign-ups).
- Present the employer with a description of the legal consensus on this matter and codify the understanding between the employer and the union in a side letter, if necessary: "The Union may use electronic records to verify Union membership, authorization for voluntary deduction of union dues and fees from wages or payments for remittance to the Union, and authorization for voluntary deductions from wages or payments for remittance to COPE funds, subject to the requirements of state and federal law. The employer shall accept confirmations from the Union that the Union possesses such electronic records, which may include a written membership application form, an electronically-recorded phone call, an online deduction authorization, or any other means of indicating agreement allowable under state and federal law. Such electronic records shall be given full force and effect."

Audit of Membership Rolls

- Provide a membership list to the employer in advance of the ruling.
- Obtain confirmation from the employer that the membership list is accurate for purposes of dues and fee deduction.

Fee Termination Contingency Plan

- Explain to the employer that, in the event of an adverse change in the laws supporting fair-share, the employer will need to immediately cease deducting fair share fees from non-members and cease remitting them to the union.
- Identify the steps required to implement a rapid response plan to cease fair share fee collection, if necessary.
- Identify a contact person with whom the Union can communicate on the day, or the day after, the decision about fee collection.