National Guides



Littler on Union Organizing

Scope of Discussion. This publication explains union election procedures and the role of the National Labor Relations Board (NLRB) in overseeing elections. It explores NLRB precedent on objectionable conduct by different parties that may result in election results being overturned. Also included is information concerning actions employers are permitted to take and are prohibited from taking in advance of and in response to union organizing drives.

The focus of this publication is federal law.

1. OVERVIEW OF UNIONS & THE ELECTION PROCESS

- 1.1 Introduction
- 1.2 Brief History of Unions
- 1.3 Recent Board Activity on Union Organizing & Elections
- 1.4 Election Procedures
- 1.5 Eligibility to Vote in Union Election & Appropriate Bargaining Unit
- 1.6 Overturning an Election Because of Objectionable Conduct by an Employer or Union
- 1.7 Overturning an Election Because of Objectionable Conduct by a Third Party
- 1.8 Overturning an Election Because of Board Conduct

2. OVERVIEW OF UNION ORGANIZING

- 2.1 Traditional Union Organizing Tactics & Strategies
- 2.2 Other Union Organizing Tactics & Strategies
- 2.3 Union Organizing Without a Board-Conducted Election
- 2.4 Decertification Process: Transition to Nonunion Status

3. PRACTICAL GUIDELINES FOR EMPLOYERS

- 3.1 Lawful Management Practices
- 3.2 Lawful Employer Conduct Applicable to Organizing Drives
- 3.3 Lawful & Unlawful Activity During a Union Organizing Drive

