

Union Organizing on UCD Campus Leadership Do's and Don'ts

UC neither supports nor discourages unionization. UC supports employees' rights to determine for themselves whether or not they think unionization is beneficial. This is one of the reasons it is so important that employees facing possible unionization educate themselves about what it means to be exclusively represented by a union.

As a UC leader, it is important that you are able to talk with your staff about labor matters, including union organizing. Because some people find it difficult to discuss collective bargaining and unionization with their staff, the following guidelines have been designed to help make that task easier.

DO

- Encourage your staff to look at all the facts about unionization – pro and con – and then make an informed decision for themselves. Encourage them to ask questions now and in the weeks ahead. Assure them that no question is too trivial. If you don't know the answer to a question, tell them that you'll get accurate, factual answers and report to them. Contact the Employee Labor Relations office for information. Then be sure you do get back to them within a day or two.
- You may speak freely in discussions as long as what you say:
 - Is honest and factual;
 - Does not threaten or suggest reprisal for an employee's support of a union;
 - Makes no promise in exchange for voting one way or another.

If you talk about your personal experiences, whether solicited or not, be sure the employee understand it is just that, ***your opinion***. In addition, you may discuss unions and collective bargaining generally, and address any union misrepresentation of facts. Whatever your personal opinion is, make sure you let employees know that the University is taking no position on whether or not employees should vote for union representation. Our interest is to help employees consider all the facts, make an informed choice and vote.

Remember the law does not make a distinction between when you are at work and when you are not at work. Your words and activities must conform to the law on all occasions. This means that you must not deliver your statements and opinions in an inflammatory or coercive manner.

- Listen to everything your employees have to say. Always remain calm and show no anger or emotion in response to arguments from a pro-union employee. Create an atmosphere that will encourage dialogue.
- Review UCD Policy and Procedure 380-21: Employee Organization Access Regulations (<http://manuals.ucdavis.edu/ppm/380/380-21.htm>) to familiarize yourself with the University's regulations regarding a union's access to employees in the workplace.
- Contact the Employee & Labor Relations Department at (530) 754-8892 if you have any questions or concerns.

DON'T

- Do not threaten employees for exercising rights under HEERA; make promises for supporting or not supporting union; support or oppose one union in preference for another.
- Interrogate employees about union activities; conduct surveillance of union activities; attend union organizing rallies or meetings; display supportive buttons, emblems, etc.
- There is no need to provide time in your meetings for union communication. Unions have their mechanisms for putting out information. HEERA provides unions with use of University facilities consistent with out Time, Place, and Manner regulations.

WHAT YOU MAY DISCUSS WITH EMPLOYEES

As employees exercise their rights under the Higher Education Employer-Employee Relations (HEERA), management should follow the general rules: management may speak freely but factually, and may not threaten, discriminate, make promises to, practice surveillance, visit homes of employees for the purpose of urging them to vote against the unions, or interrogate employees about union activities or sentiments.

Here are some illustrations of things that you may do as a member of management:

You May:

- Inform employees what exclusive representation will mean, so long as you stick to the facts, including:
 - The union will have the right to act for all employees in the bargaining unit whether or not employees support the union
 - Employees will be required to pay regular fees to the union even if they do not belong to or support the union. These fees are called “agency fees.”
 - Wage increases and conditions of employment will be subject to bargaining with the union.
- Respond to any false or misleading statements that are being made by the union to correct the record or make sure employees are aware of the facts.
- Advise them that they may speak to union organizers at work on non-work time, or they may choose not to speak to union organizers.
- Distribute University literature and talk to employees at the employee’s workstation or in other areas where employees are accustomed to being.
- Advise employees that their involvement in union organizing activity or campaigning will not subject them to retaliation. At the same time, you may inform employees of the access rules and they may speak with union organizers during their non-work time in non-work areas.