



NLRB Regulation Requiring Notification of Employee Right to Organize

October 6, 2011

Dear Client:

UPDATE

The National Labor Relations Board (NLR) has postponed the new posting requirement rule until *January 31, 2012*. SCI will continue to monitor this requirement and will communicate with our Clients regarding any additional changes that may occur.

The new National Labor Relations Board (NLRB) regulation states private sector employers (including Labor Unions) can post notices in their workplace detailing an employee's right to organize. The NLRB's intent for implementing this federal statute is to increase interest in Union activity. This presents an opportunity for employers to inform employees about their rights and strengthen their resolution process so that employees feel comfortable approaching management with issues without third party involvement. Employers can publicly display the notice in areas visible to all employees, regardless of whether the workplace is unionized or union-free. Additionally, employers may distribute the notice through electronic channels including email, intranet postings, and internet message boards.

The notice may be posted in English and in any other languages spoken proficiently by 20% of the employee population (if employees are not fluent in English). The NLRB will provide translations of the notice in the appropriate languages via its website. Copies of the notice are available online at <http://www.nlr.gov/> and at the NLRB regional offices.

Failure to comply with this federal statute is considered an "unfair labor practice" and may lead to an investigation by the Board if reported.

Ways to prevent NLRB Investigation

Although a record of compliance is not mandatory, *SCI Best Practices* recommends employers to document when, where, and how the notice was posted along with a digital photograph.

Employers can request employees to sign documentation verifying the receipt notification.

Employers can discuss the notice with management to develop a strategy on how to respond to employee questions and comments about unionization. All employee concerns brought forth should be handled in a fair and consistent manner that illustrates every employee is governed under the same policies.

Management can participate in periodic training about what is considered to be unfair labor practices and be briefed on the procedure of employee unionization.

SCI Operations Centers

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Employers can implement an open door policy to improve communication between management and employees.

Summary of Employee Rights under NLRB

- Right to self-organization;
- Right to form, join, or assist labor organizations;
- Right to organize a union to negotiate with the employer on wages, hours, and other terms and conditions of employment;
- Right to bargain collectively through employee-chosen representatives;
- Right to discuss wages, benefits, and other terms and conditions of employment;
- Right to act with one or more co-workers to, among other things, raise work-related complaints to employers or a government agency;
- Right to mutual aid or protection;
- Right to file NLRB charges.

SCI Resources

Client Members have access to the SCI Professional Resolution Process (PRPSM), an alternative resolution program to resolve workplace issues and disagreements. The PRP program strengthens the traditional Open Door Policy by fostering open communication, promotes fair treatment of all Members by offering a procedure to address their concerns in a timely manner, and helps Clients avoid excessive financial and emotional expenses involved in legal disputes and Agency claims. For more information, email PRP@scicompanies.com or contact your assigned SCI professional.

Click to download posters

Employee Rights under NLRB (Size 11x 17):

http://www.nlr.gov/sites/default/files/documents/1562/employee_rights_nlra.pdf

Employee Rights under NLRB (Size 8.5 x 11):

http://www.nlr.gov/sites/default/files/documents/1562/employee_rights_nlra_8_5x11.pdf

All content in this notice is based on current information and supersedes previous communications regarding this topic. If you have any questions or concerns, please contact your assigned SCI Professional.

Sincerely,

SCI Companies