

What Employers Need to Know about Union Organizing in 2024

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David Barron, Kelly Kindig, and Steven Millman were quoted in an Automotive Dive, HR Dive, Manufacturing Dive article discussing the labor landscape transformation in the past year, with increased worker enthusiasm and a landmark decision from the National Labor Relations Board (NLRB) reshaping the dynamics of union organizing. With growing activism among younger generations, there has been a resurgence in support for unions. David shared, “Coming out of COVID, we had a lot of younger workers who were very involved in activism [and] social justice issues. A lot of that enthusiasm has carried over into the workplace and we’ve seen unions really take advantage of building on that to increase the level of organizing.” Additionally, the pivotal NLRB decision, *Cemex Construction Materials Pacific, LLC*, has streamlined the organizing process for unions, introducing new pathways to recognition without requiring a traditional secret ballot election. Steve emphasized, “It is really a new world we’re living in.”

Employers now face heightened scrutiny and must navigate carefully during labor organizing efforts to avoid unlawful practices. David, Kelly, and Steve advised against threatening, interrogating, promising, or spying on employees, providing the "TIPS" rule as a guideline. Instead, they proposed the "LOGS" approach: listen, observe, gather, and speak up. Employers are encouraged to engage with employees openly, address their concerns, and provide factual information about the organizing process. Kelly shared, “A message that employers often try to deliver to employees is to say, ‘Hey, we want to be able to deal directly with you right now.’ And it’s okay to do that.” However, proactive measures are essential, as waiting until signs of union activity emerge may be too late for effective intervention.

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