

Supervisor Training for a Non-Union Environment

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Workshop Goals

- Part 1: Creating a Culture of Management Support
- Part II: Proactive Union Avoidance Training
- Part III: EFCA- A Game Changer!

The Law Gives Associates a Choice . . .

Section 7 of the National Labor Relations Act:

“Employees have the right to form
and join labor organizations ...
and also have the right to refrain
from such activities”



The Stakes are High

Unions drive a wedge between management
and labor

They drive up costs
and
reduce flexibility
making your business less competitive

The Associate's Perspective

- Associates have individual needs and concerns
- From time to time Associates may be dissatisfied about some aspect of their working conditions, or upset about a company policy or decision
- Associates need someone they can turn to for assistance or to whom they can express their views

**In short, Associates
need representation!**

Part I

A Culture of Management Support



A Culture of Management Support

- Communication, communication, communication!
- Open Door Policy / Problem Solving Procedure
- Fairness & Consistency
- Dignity & Respect
- Competitive wages & benefits
- Employee Recognition
- Fostering pride & loyalty to the company



A Culture of Management Support

Communication

- (1) Keeping Associates in the loop
- (2) The art of Listening
- (3) Developing a sense of community



A Culture of Management Support

Open Door Policy & Problem Solving Procedure

- ✓ Associates should be made to understand that they have access to all levels of management, including top management
- ✓ The Associate Handbook should contain a specific procedure for employees who have a problem or complaint with successive steps following the chain of command
- ✓ Associates should be made to understand that Human Resources is an available avenue / resource for obtaining assistance with any problem





Welcome Message



Welcome to Maines

We're glad to have you as a member of the team. We hope that your employment proves mutually satisfying and that you will make an important contribution to the company's future. Every associate has an important role in our operations and we value the abilities, experience, and background that you bring to the company. You will provide the services that our customers rely on and enable us to grow and create new opportunities in the years to come.

Please read this handbook carefully. It gives you some background on Maines, summarizes your benefits, and outlines our policies. In short, we'll explain what the company expects from you and what you can expect from the company. Your supervisor or someone in the human resources department will be glad to answer questions that you may have.

Our "open door policy" to the owners and management is an important part of the company culture. If at any time, you have an unresolved problem or do not feel you have been treated fairly by the normal channels (Supervisor, Manager, Director, Vice President, President) you are invited to discuss it with either of us.

We look forward to a win-win relationship. Again, welcome to Maines!



Presenting the Company's Non-Union Philosophy



Statement on Unions

For more than 80 years, Maines has had an excellent relationship with our associates. We continually strive to foster a relationship of mutual trust and respect. Our open and honest communications and fair handling of associate concerns provides an environment of trust and cooperation. We have an "open door policy" in place, which allows any associate to discuss any issue with management, up to and including the owners. We provide good working conditions in a clean, safe environment that we are all proud of. We have been able to offer excellent career advancement opportunities to our associates. Our organization has a unique "team spirit" which has provided us with unparalleled rapid growth in our industry. This spirit of cooperation and the ability to "change hats rapidly" is directly responsible for our success.

As you can see, Maines is proud of the close working relationship that exists with our associates. We will strive to preserve this relationship because our ability to work together remains the best way to improve our working environment and resolve any issues that may arise. We want to support an environment where associates feel comfortable coming forward to discuss any concerns without feeling the need to seek out third party intervention. For this reason, we believe that labor unions are both unnecessary and undesirable in our workplace. We believe that outside organizations such as labor unions can interfere with direct communications and mutual efforts to resolve issues that may arise.

A Culture of Management Support

Fairness & Consistency

- (1) Insuring evenhanded treatment
- (2) Corrective Action based on Just Cause



A Culture of Management Support

Dignity & Respect

- ✓ Demand professionalism from supervisors at all times!
- ✓ Zero tolerance for abusive behavior by supervisors
- ✓ Yelling / profanity directed at Associates is unacceptable
- ✓ Counseling & corrective action must be handled in private
- ✓ Personal issues & personnel actions must be kept confidential



A Culture of Management Support

Competitive Wages & Benefits

- ✓ Human Resources is responsible for conducting regular wage & benefit surveys
- ✓ Recruitment requires competitiveness in starting wage rates; retention requires annual wage increases that meet or exceed increases in the cost of living (to the extent company finances allow)
- ✓ Non-union employers must pay particular attention to union negotiated terms for similar work in the same industry or labor market



A Culture of Management Support

Employee Recognition

- ✓ As mentioned above, bonuses based on productivity, good attendance, longevity and/or overall profits create positive incentives
- ✓ Performance awards – At Maines, we have a catalog from which employees who achieve certain targets can select awards such as t-shirts, hats, etc.
- ✓ Designations of “Employee of the Month / Year” with associated privileges such as reserved parking space



A Culture of Management Support

Fostering Pride & Loyalty in the Company

- ✓ Trumpet the company's successes
- ✓ Develop a sense of community (via communications programs discussed above)
- ✓ Make merchandise bearing the company's logo available (e.g. shirts, hats, jackets, model trucks)
- ✓ Educate supervisors about the importance of providing Associates with positive feedback on a regular basis



Part II

Proactive Union Avoidance Training



Proactive Union Avoidance Training for All Supervisors

- All supervisors and managers receive training on all elements of the Culture of Management Representation as discussed above
- In addition, we conduct regular supervisory Union Avoidance training on a proactive basis. We don't wait until there is known union organizing activity because we want our supervisors to be prepared in advance and to know what to look out for.
- Reactive supervisory training – if and when we do become aware of union activity, we immediately conduct more intense and focused training on the “Do's & Don'ts”, Lawful Techniques for Eliciting Information, and Management Campaign Talking points



Union Avoidance Training



- Explain the organizing process and the importance of union authorization cards
- Explain the company's position and the disadvantages of unionization
- Identify common triggering events and early warning signs
- Describe common tactics of union organizers
- Explain solicitation and distribution rules
- Explain “Do's & Don'ts”

Elements of Training: Union Authorization Cards

Union needs 30%

Union wants more than 50%



I wish to be represented for purposes of
collective bargaining by the
International Brotherhood of Teamsters:

Employee signature

Date: _____

WARNING > Never accept or examine signed cards!

Elements of Training: How Unions Get Cards Signed



- Union organizers mislead Associates by telling them that signing a card is merely a request for more information
- Union organizers rely on peer pressure to get Associates to sign
- Union organizers rarely explain that the signed cards will be filed with the NLRB in order to force an election
- Advice for Associates who want their card back



Elements of Training Post-Petition Campaign



- Union uses bandwagon psychology, claiming that Associates who don't support the winner will be ostracized after the union gets in
- Union continues to make promises and create a sense of empowerment among the Associates
- Management has the right to express its opinion that unionization is not in the employees' best interests
- Management presents factual information about the risks of bargaining, the union's strike record, the cost of union dues, and onerous union rules



Elements of Training: Restrictions on Management

Effective from management's first awareness of organizing activity:

- ✓ No Threats
- ✓ No Promises
- ✓ No Interrogation
- ✓ No Surveillance
- ✓ No discrimination or retaliation
- ✓ No changes to existing wages, benefits, or working conditions

Don't give the union any TIPS



Elements of Training:

Do's & Don'ts

What you can do:

- ✓ Listen (receive information)
- ✓ Express your point of view
- ✓ Thank & encourage pro-company Associates
- ✓ Distribute & discuss relevant factual information
- ✓ Discuss disadvantages of a unionized workplace
- ✓ Discuss advantages of a union-free workplace



What you can't do:

- ⊘ Extract information by interrogating Associates
- ⊘ Make threats or promises
- ⊘ Discriminate
- ⊘ Spy or eavesdrop

Part III

EFCA-

A GAME CHANGER!!



“Employee Free Choice Act”



- Replaces secret ballot elections with card check recognition
- Drastically alters employer rights during bargaining for an initial labor agreement
- Tilts the playing field heavily in favor of unionization
- Supported by the Democrat Party majority in Congress
- **NOW IS THE TIME TO STEP UP YOUR PROACTIVE UNION AVOIDANCE PROGRAM !!**



Questions / Comments
Thank You!