

Making a Campaign Issue of ULPs

There are a number of ways to use the filing of ULP charges as part of the contract campaign.

- Members can go as a group to file the charges and to attend hearings, assuming that conflicts with work schedules are not a problem. (Only workers who are called as witnesses have a legal right to get off work to attend an NLRB hearing.)
- Having workers present may have a psychological effect on the NLRB as well as on management and the members themselves.
- The charges can be publicized to the community and the news media.

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A word of caution, however: Even clear-cut charges of bargaining in bad faith often are not upheld by the NLRB. While ULP charges, if successful, have an important role in making a potential strike less risky, making a high-profile issue out of ULP charges can backfire if the NLRB turns the charges down.

Workers should be told from the beginning that there is no guarantee that the NLRB will rule in the union's favor, or else they will see an unfavorable ruling as a sign of management's power and their own powerlessness.

If you use news releases or advertising to publicize the filing of charges, the employer will have an easier time getting coverage for a decision clearing it of wrongdoing.