

## **DO'S AND DON'TS FOR SUPERVISORS**

Here are some of the things that you can and cannot do under existing law. Such a list cannot obviously cover every conceivable contingency but is primarily designed to alert you to some of the more important do's and don'ts. Keep in mind that your conduct as a supervisor binds the Company. Should you have any doubts about any particular situation, you should consult with Dan Cohen at 248-409-1920.

### **You should NOT:**

1. Threaten an employee with discharge or other discipline because of his union activities or sentiment.
2. Promise an employee a pay increase, promotion, better working conditions, etc. if he opposes the union.
3. Ask an employee or applicant about his/her or other employee's union sentiments or intentions, or question employees about the internal affairs of a union (e.g. what occurs at the meetings, who the pro-union employees are, etc.).
4. Discuss union matters in your office alone with an employee.
5. Urge an employee to persuade others to oppose the union.
6. Solicit or encourage employees to request the return of their authorization cards.
7. Tell an employee that the Company does not intend to deal with the union.
8. Indicate to an employee that the Company will close down or move if the union prevails.
9. Address mass assemblies of employees on Company time within a twenty-four hour period before the opening of the polls in a representation election.
10. Use anti-racial appeals.
11. Distribute or exhibit inflammatory material.
12. Discriminate against any employee because of his/her union activities or sentiments. This includes discriminatory discipline, layoffs, transfers, work assignments, etc.

13. Spy, or give the impression of spying, on union meetings and other union activity except that you may observe all of your employees' activities during their working hours.
14. Engage in any activity which indicates that you support the union, by word or deed.
15. Prevent an employee from soliciting union membership during their free time on Company premises or outside of normal working hours.
16. Interfere with employees who distribute union literature in non-work areas during non-work time. You may ban the distribution of union literature during working time or in work areas.
17. Prevent off duty employees from soliciting union membership or distributing union literature in outside non-work areas (e.g. parking lots or entrance gates).
18. Interfere with the rights of employees to wear union buttons, hats, t-shirts, or other union insignia.

### **You CAN and should:**

1. Say and do whatever is not forbidden above.
2. Listen to an employee who strikes up a conversation about unions and answer employee's questions about unions so long as your answer does not contain any promises, threats or interrogations. Careful notes should be kept of any conversation regarding union matters you have with an employee.
3. Campaign vigorously against the union. Supervisors should counter and debunk any falsehood and exaggerations disseminated by unions. Supervisors can express their personal opinions and experiences with unions and refer to other employees who have had bad experiences with unions. Supervisors may request employees to vote against the union. Supervisors may communicate to the employees by leaflet, by letter or by addressing them individually or in groups. If you speak to them in mass assembly on Company time and Company property, your speech must absolutely be completed in not less than twenty-four (24) full hours before the scheduled opening of the polls. If you address the employees at a place other than on Company property and compensation is not given for their voluntary attendance, the twenty-four hour rule does not apply. In no event does the twenty-four hour rule apply to letters, leaflets, or other written material.

4. Advise employees that the law gives them the right to refrain from joining the union and that they may not be threatened or coerced into joining.
5. Advise employees that they do not have to sign authorization cards and that they should be careful about union authorization cards because they may be bound to follow union rules, even though they are not now represented by the union.
6. Advise employees that they do not have to speak to union organizers at their homes or anywhere else if they do not desire to do so.
7. Inform employees that although they may have signed a union card, that does not obligate them to vote for, or in any way otherwise support, for the union.
8. Advise employees of the disadvantages of belonging to a union, such as:
  - a. Payment of dues, initiation fees, and assessments.
  - b. Loss of income if a strike occurs.
  - c. Possibility of picket line duty.
  - d. Employees in an economic strike may be permanently replaced and need be reinstated only if an opening occurs.
  - e. Strikes often engender hostility and ill will in the community.
  - f. While the employees are striking and possibly tormented by financial hardship, the organizers and business agents as well as the other officers of the union will be drawing their full salaries and other benefits of employment simply because, in large measure, strikes are their business.
  - g. Most unions will not permit an employer to disturb contract wage scales by giving raises, bonuses or other rewards for good work performance unless the union first consents that the employees may receive this wage increase, bonus or reward.
  - h. Giving up the right to speak for themselves in matters pertaining to wages, hours and working conditions.
9. Advise employees that with the union they may have to bring their problems to a union steward instead of dealing directly with the supervisor.

10. Advise employees that unions can always out-promise the Company but can guarantee nothing.
11. Tell employees your opinion about union policies and union leaders, even though in uncomplimentary terms. Supervisors may criticize union officials and cite their arrest records. Supervisors may also tell employees about known racketeering, or other undesirable activities by the union, if these facts are established.
12. Advise employees of the benefits which they enjoy and make favorable comparisons with the benefits available in other organizations, both union and non-union.
13. Advise employees that the Company's policy with respect to pay adjustments, benefits and other conditions will be continued as before.
14. Advise the employees that the Company is founded upon the individual skill and effort of its employees and it is the Company's policy to deal fairly and honestly with employees and to respect and recognize each employee as an individual; that it is the opinion of the Company that unionization would interfere with this principal of individual treatment, respect and recognition and for this reason, the Company is opposed to unionization as being against the best interests of the Company and its employees.
15. Continue to operate normally. Supervisors need not tolerate insubordination or any other offenses on the job, to the extent that discipline is issued for this purpose and not in retaliation for participation in union activities. Typically, a good rule to follow is to follow the Company's past practices in handling similar disciplines.
16. Discharge or discipline any employee for any reason that is not considered unlawfully discriminating (e.g. because of his/her age, race, religion, national origin, sex or other protected classification), so long as it is not because of the employee's union activities and is in compliance with Company contractual obligations.
17. Enforce previously established rules against union activity during employees' working time. However, as noted in the first section, you cannot inhibit an employee's union activity (such as talking up the union or soliciting members) outside of working hours or during lunch and coffee breaks or rest periods.
18. Bar outside solicitors from Company property where the plant is not isolated and there is no other reasonable means of access, provided that the Company has not previously permitted other types of solicitors on Company property.