

Employment Law Corner

Monthly Report



FOLEY & FOLEY^{PC}
ATTORNEYS AT LAW

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March Updates

1. [A Provocative Presidential Tweet for Labor](#)
2. [Workplace Spring Cleaning: Mandatory Posters for Free](#)

You Cannot Afford to Ignore Your Workplace Culture!

How well do you know your workforce? Should you care about whether the employees are happy? Yes, you should, but you may not realize why: The number one driver for unionization of a workplace is employee dissatisfaction. Just consider the recent news articles:

This year, a group of employees and contractors formed a union at Google. Union organizing is a very rare step for Silicon Valley, where tech employees are well-paid. Employees reported joining the union because Google did not address the negative workplace culture— even when complaints reached the media—including sexual harassment and discrimination. The Google union organizers now claim that Google is retaliating against employees who spoke out about internal processes and rules, harassment, and pay issues.

The powerhouse Amazon is not immune to union organizing either. Clusters of attempts at unionizing around the country are impacting Amazon. Just this month, drivers at an Amazon warehouse in Alabama are scheduled to vote for a union. The National Labor Relations Board determined employees could vote by mail, over Amazon's strenuous objections. Then President Biden weighed in, taking the extraordinary step in a Twitter video of supporting the Alabama Amazon workers right to unionize.

It's not just large industries that are prone to unionization. Some of the country's largest and most active unions are focusing on organizing retail, service and manufacturing employees. And now the President has their back.

The Political Climate with the New Administration

While campaigning, President Biden proudly held himself out as a "union man." His actions so far have proved that. He recently met with ten national union presidents to discuss rebuilding the economy. Biden's pick to head the Department of Labor is a former union official, Marty Walsh. President Biden fired the General Counsel of the NLRB and plans to appoint labor-friendly members to the Board. Biden's campaign commitment to make union organizing easier is very likely to happen once the new decision makers are in place. There is little doubt that the number of workers seeking to join a union will increase under this Administration.

How to Protect Your Workplace from Organizing

How do you ensure your workplace is insulated from union organizing? The first step is to check the pulse of your workplace. The best means to do this is to survey the workplace, conduct exit interviews, and regularly scrutinize employee complaints. You should be focused on looking for patterns, assessing problem areas, and finding solutions. Work with managers and supervisors to be on the lookout for issues and to enforce policies fairly. Employees may not be aware of the framework that exists to help them at your workplace. Communicate the policies and solutions that address employee concerns clearly and promptly.

If you do not have an employee complaint process in place, develop one now. It is worth the time and effort to discover which issues concern your employees. If you can work with employees directly on issues that matter to them, they will not have an incentive to pay union dues. As you may know, once the union comes in, you cannot speak directly with employees about their terms and conditions of employment. Developing a formalized communications plan will ensure you implement timely communication with your employees.

Finally, educate. Make sure your managers and supervisors are trained to address employee relations concerns and complaints. Even better, in this climate, make sure they are educated on unionization efforts and how to address these organizing efforts before it is too late.

We can help! At Foley & Foley PC, we have developed a comprehensive training for managers and supervisors on this topic. We have guided employers through the union organizing process as well. Contact us today to discuss how we can help.

Who We Are

We want to [introduce ourselves](#) to those we have not met:

- We represent employers exclusively from coast to coast in all facets of employment law and litigation. Our mission is solving problems and anticipating issues so you can concentrate on your business.
- We are constantly searching for the trends and upcoming issues in the law that will impact our clients. We want our clients to be informed and ready. Our familiarity with the workplace and our approach sets us apart from other law firms, making us well equipped to handle your unique needs.
- We are not like other firms: Anyone can tell you what the law states and its limits. That's easy. We find creative solutions within those restrictions that move your business forward. We seek to minimize your risk so you can get back to business. Learn how we can help your business [here](#).

Our Services

Through our decades of representing employers in many industries and sizes, we have crafted fixed fee services to help employers through human resources issues and compliance headaches. This is just a small sampling of the services we offer:

1. [Proactive Employment Advice](#)
2. [Litigation of Employment Disputes](#)
3. [Employment Counsel On-Call](#)
4. [Training](#)
5. [Sexual Harassment Prevention Toolkit](#)

Julayne Lazar

Meet Attorney Julayne Lazar, who has over 20 years of employment and labor law experience. Julayne has worked at several administrative agencies that she continues to practice before, including the Massachusetts Commission Against Discrimination, the Office of the Attorney General, and the Department of Unemployment Assistance. Additionally, Julayne has over 12 years' experience as in-house employment counsel to both private and public employers with unionized workforces. Julayne's broad background has provided her with a full range of employment and labor skills to address issues faced by today's employers. When proactive measures are not successful, Julayne has proven to be a skilled litigator on behalf of her clients.

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