

## Oregon Law Restricts Anti-Union Communication to Employees

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Companies may soon face a disturbing new difficulty in the ever-constant battle against union organizers—an inability to effectively share information with your employees about the advantages of a non-union workforce. A new law was recently passed in Oregon that restricts employers from communicating certain kinds of anti-union messages to their workforces, and union organizers are already pushing for this same law to be spread into other states across the country.

The new law seems somewhat innocent on its face. The statute prohibits employers from taking any adverse action against those employees who decline to attend or participate in an employer-sponsored meeting or communication with the employer if the primary purpose of the meeting or communication is to share the employer's opinion on religious or political matters. The devil, of course, is in the details, and when the language of the statute is unpacked further, it makes clear that "political matters" include the decision to join or support any labor organization. There is no doubt that this statute was drafted with the intent of preventing employers from holding mandatory meetings to discuss whether employees should join a union.

Although the statute was challenged by the U.S. Chamber of Commerce on the grounds that it is pre-empted by the National Labor Relations Act and violates the First Amendment, a federal district court judge dismissed that lawsuit May 6 because it was found not be a ripe challenge. The Chamber will challenge the legitimacy of this legislation once a true controversy arises. But until then, you can be sure that union advocates will attempt to use this victory as a springboard to other campaigns in other states.

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