

FP'S INTERACTIVE UNION ORGANIZING ACTIVITY MAP REVEALS 4 KEY TRENDS

Insights

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While you may think labor unions only impact large corporations or specific industries, FP's new Union Organizing Activity Map actually shows that smaller businesses are more likely to confront an organizing drive. The map also reveals those unions responsible for the most petition filings broken down by region and date, along with the most common geographic hot spots when it comes to such activity. Want to discover more trends? Our complimentary activity map is searchable by region, state, and date, allowing you to stay up to speed on what's happening in your own backyard in real time. Here are four interesting trends revealed by the Union Organizing Activity Map to get you started.

New Era Brings New Trends

Before we delve into key aspects of [Fisher Phillips' Union Organizing Activity Map](#), let's look at the bigger picture:

- [According to the U.S. Bureau of Labor Statistics \(BLS\)](#), just over 11% of all workers in the U.S. were represented by a union in 2023 — including those with a union affiliation and those whose jobs are covered by a union contract. When excluding the public sector, those figures dropped to 6.0%.
- Union membership as a percentage of the total workforce continues to decline, but that's due in part to nonunion jobs growing at a faster rate.
- Once a union petition for an election has been filed, unions are winning upwards of 80% of the elections.

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What does the future hold for labor organizing efforts? Are younger generations more receptive to union membership? Did the pandemic have a lasting change on attitudes about union organizing? Based on the data, labor unions may be more willing to test the waters than in the past.

1. These 3 Unions Account for the Most Organizing Activity

You can stay informed by using [our interactive map](#) to see which unions are involved with the most petition filings. Currently, these three top the list:

- The **International Brotherhood of Teamsters (IBT)** is known for organizing freight drivers and warehouse workers but has been involved in organizing efforts for a wide range of occupations and industries.
- The **Service Employees International Union (SEIU)** is the largest healthcare union in North America, representing doctors and nurses, home care and nursing home workers, lab technicians, and more workers in and outside of the healthcare industry.
- The **United Food and Commercial Workers International Union (UFCW)** also represents workers in a host of industries, including retail, meatpacking, hospitality, food processing, cannabis, healthcare, and manufacturing.

Key Takeaway: As you can see, these unions cover many occupations and industries beyond traditional manufacturing settings. They even have offshoots that focus on specific jobs, like baristas and service roles. This means it's more important than ever to stay on top of the latest trends impacting your workforce.

2. Typical Employer Size May Surprise You

One of the more surprising things our map reveals is the relatively small number of employees on the average petition. Indeed, the large majority of petitions filed over the last three years included no more than 50 employees. Unions may petition for representation election based on supporting signatures from at least 30% of the proposed bargaining unit, and recent legal developments allow them to pursue smaller employee groupings within a larger workforce. This in turn, has given rise to smaller "micro-unit" petitions over the past several months.



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Key Takeaway: In the past, you may have thought that only large manufacturing plants or giant corporations are susceptible to union organizing, but the data tells another story.

3. There's Been a Steep Uptick in Employer-Filed Petitions

The Labor Board is seeing a significant increase in petitions filed by employers in the wake of its decision in [*Cemex Construction Materials Pacific, LLC*](#). This August 2023 ruling drastically changed how employers can respond to union recognition demands by creating a new framework determining when employers are required to bargain with unions without a representation election.

Under *Cemex*, in the absence of a representation petition filed directly by the union with the NLRB, employers confronting union recognition demands no longer have the option of rejecting them outright in favor of secret ballot elections. Now, employers must either recognize the union as the exclusive bargaining representative based on a claim of majority status or file an "RM" petition for a secret-ballot vote within 14 days of receiving the recognition demand. [You can read more about the impact of the *Cemex* decision here.](#)

As expected, the *Cemex* ruling resulted in a sharp uptick in employer-filed RM petitions as of August 2023 — and so far in 2024, the number of these filings has already exceeded the total for all of 2023, according to NLRB data. Indeed, while employers have filed an average of about 46 RM petitions each fiscal year over the last decade, Bloomberg Law [noted](#) that employers are on pace to file about 630 in FY 2024, illustrating the profound impact of the ruling.

Key Takeaway: Consider taking steps to strengthen your employee relations infrastructure.

4. Some Geographic Locations Are Hot Spots

Here's another interesting fact that may catch you off-guard: The recent hotspots for union organizing activity are not the traditional strongholds of the Midwest and Southeast. Instead, we're seeing many petitions in the following areas:

- Pacific Northwest
- Northeast

- Mid-Atlantic

Specifically, these cities are seeing the most activity:

- Boston

- Seattle

- Oakland

Key Takeaway: It's time to shed your assumptions about trade union organizing drives. If you have operations in the areas identified above, you'll also want to keep your finger on the pulse and stay ahead of any trends that may impact your business.

What Should Employers Do?

Employee engagement is the key, as well as ensuring you have a positive work culture where concerns are heard and resolved early. Should you wish to discuss more specific ways to improve your employee relations program, the Fisher Phillips Labor Relations Practice Group can assist.

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