



Lessons Learned from Union Corporate Campaign Against Tesla Using Worker Safety - Part I of II.

Insights

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Employers rarely realize how devastatingly Unions and other third parties can use Safety to attack a Company's reputation – and by Unions failure to not more regularly use Safety as a club.

I prefer to use the risk of Corporate Campaigns based on Employee Safety to be another motivator for executives to dig deeper and ensure that their safety culture is really working. We achieve more when we are motivated by both positive and negative (fear) factors. That's just human nature.

UNITE-HERE's Safety Campaign against Hyatt.

We wrote extensively about UNITE-HERE's multilevel attacks on Hyatt using housekeeper safety as an issue both to organize nonunion properties and to compel contractual concessions. To recap, UNITE-HERE obtained Hyatt OSHA 300 Injury Logs or comparable documents, enlisted sympathetic experts to analyze the numbers, and used the data to attack Hyatt for alleged ergonomic and other injuries experienced by housekeeping and related employees. The union coordinated widespread publicity attacks and filed OSHA complaints in dozens of locations, as well as seeking local ordinances addressing the number of rooms per day to be cleaned and the types of bed sheets.

Surveys show that unions win the highest percentage of elections when their primary attack issue against the employer was safety. Nothing drives more of a wedge between management and employees than a perception that the employer does not care about their safety.

And such attacks are not limited to unions as shown by corporate campaigns against Amazon, Fast Food Restaurants, Poultry Processors, Distribution, various airports, and other employers.

Attacks on Tesla over Employee Safety.

I have long admired Elon Musk and Tesla. Musk's JFK inspirational approach to mass producing electric cars and traveling to Mars appeals to me. It's refreshing to see an insanely rich guy who enjoys his wealth but would risk it all to create a legacy. Musk is imperfect, as was Steve Jobs, Edison and pretty much every genius innovator over the last five centuries.

Labor Lawyers live in the real and very imperfect world where we've seen unions and other groups use legitimate safety issues for unrelated goals.

Given Tesla's challenges in meeting near impossible production goals and the fact that Tesla is creating a new production model, I'd expect growth issues involving safety. Some of the safety issues

are undoubtedly valid. However, my point is how the union is using and arguably misusing safety as an issue for its own ends.

Escalating Press Coverage.

I'll begin by quoting excerpts from a April 10, 2018 Fox Business article, *Tesla corporate campaign costs UAW hundreds of thousands.*

*"The UAW is clearly doing what's known as a **corporate campaign** against Tesla," Vinnie Vernuccio, a senior fellow at the Mackinac Center for Public Policy, told FOX Business. "You see that by the organizing drives out West, but you also see that by their attempts to harm Tesla's business model out East."*

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Vernuccio, who worked at the Department of Labor under President George W. Bush, said the UAW is following a traditional strategy of attempting to tarnish a company's reputation and taking legislative action to harm its bottom line.

The goal, according to Vernuccio, is to get the company to cave to certain provisions, including signing a neutrality agreement, giving the union contact information for employees and eliminating its secret ballot, by which employees vote to recognize the union. Instead of a secret ballot, the union favors what is known as a card check, in which workers sign union membership forms in the presence of organizers.

"These cards are not the best indication of employee choice," Vernuccio said. "[The UAW is] doing whatever they can to get membership."

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"Their [unions] entire business model is still turn-of-the-last-century, Industrial Revolution, one-size-fits-all," Vernuccio said. "Today's workers aren't responding to that, so that's why the UAW is stuck resorting to these tactics. If they were smart, they would adapt to today's workforce."

PLEASE CONTINUE READING AT PART II.