

## Beware Nonunion Employers: NLRB May Knock At Your Door

News

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*HR.BLR.com* interviewed Steve Bernstein for the November 12 article "Beware Nonunion Employers: NLRB May Knock At Your Door." The article reported on how the National Labor Relations Board (NLRB) is now focusing on non-union workers, as well as union members. Steve noted: "Employers, both unionized and not, need to understand that union membership is at its lowest level nationwide since the National Labor Relations Act was enacted in 1935. Now, just 6.8 percent of U.S. workers are union members. So the NLRB is fighting to preserve its role and its budget." It's reinventing itself, looking deep into the law for reasons to act. He said the Board examined the very heart of the law, Section 7, which protects employees rights to form, join, or assist a union." That language refers to all employees, not just those who already belong to a union. Section 7 also describes "concerted, protected activities" that apply to all employees. The "concerted" part means that at least two employees must participate in the activity, while the "protected" part refers to discussion about wages, benefits, and any other working conditions. "So the NLRB is combing through employers' policies and handbooks to find places where it appears that an employer is curtailing such activities."

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