

**AFL-CIO:** Created by a merger between the AFL (American Federation of Labor) and the CIO (Congress of Industrial Organization) in 1955. Many major unions belong to the AFL-CIO, including the UFCW. AFL-CIO member unions (sometimes called the “Federation” or the “labor federation”) have around 14 million members.

**APPRENTICE WORKER:** Serving a special training period in preparation for admission to full status as a skilled tradesman.

**ARBITRATION:** Where it is available, a method of settling a labor-management dispute by having an impartial third party hold a formal hearing, take testimony and render a decision. The decision is usually binding upon the parties.

**ATTRITION:** Reduction in the labor force of a company through natural causes such as voluntary quits, retirement, or death as opposed to layoffs.

**AUTHORIZATION CARD:** A form voluntarily signed by an employee whereby the employee authorizes a labor organization (Union) to represent him/her for the purpose of collective bargaining. Some cards will also state that the employee desires an election to be held to determine whether or not the Union has the full support of the majority of the employees in the bargaining unit.

**AWARD:** The decision of an arbitrator in a dispute. The arbitrator’s award is based upon the evidence presented, the wording in the collective bargaining agreement and the arguments of both parties. In labor arbitration, the arbitrator’s reasons are generally expressed in the form of a written opinion, which accompanies the award.

**BACKPAY:** Wages due for past services, often the difference between money already received and a higher amount resulting from a change in wage rates. Can also mean wages owed because some provision of the contract was violated.

**BARGAINING AGENT:** Union certified by a government agency, such as the National Labor Relations Board, or recognized voluntarily by the employer, as the exclusive representative of all employees in the bargaining unit for purposes of collective bargaining.

**BARGAINING RIGHTS:** The rights outlined in Section 7 of the National Labor Relations Act. Rights of workers to negotiate the terms and conditions of employment through chosen representatives. The bargaining agent is designated by a majority of the workers in a bargaining unit.

**BARGAINING UNIT:** A group of employees in a given workplace who have a sufficient similarity of interest to constitute a unit for the purpose of bargaining collectively with their employer. A bargaining unit is usually defined by the National Labor Relations Board, or similar federal, state or local agency.

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**BASE RATE:** The straight time rate of pay, excluding premiums and incentive bonuses.

**BOYCOTT:** A concerted refusal to work for, purchase from, or handle the products of an employer. Where the action is directed against the employer directly involved in the labor dispute, it is termed a primary boycott. In a secondary boycott, the action is directed against a neutral employer in an attempt to get him/her to stop doing business with the company with which the union is having a dispute. Secondary boycotts are illegal under the Taft Hartley Act.

**BUMPING:** A contractual right whereby employees scheduled for layoff are permitted to displace less senior employees in other jobs for which they are qualified.

**UNION REPRESENTATIVE: (B.A., Business Agent):** A full-time representative of a local union whose job it is to represent members in the local.

**CALL-IN-PAY:** Compensation to workers who report for work and, for a variety of reasons, the employer decides to send back home. Examples of call in pay include: “show up pay”, when a worker is called into work by error for overtime work and is sent back home; or, wages paid when the worker is required to report and there is insufficient work for a full day.

**CANVASS:** A method of talking individually to every member of a bargaining unit to either convey information, gather information on a survey, or plan for united action.

**CAPTIVE AUDIENCE MEETING:** A union term for meetings of workers called by management and held on company time and property. Usually the purpose of these meetings is to try to persuade workers to vote against joining the Union during an organizing drive.

**CARD CHECK:** Procedure whereby signed authorization cards are checked against a list of employees in a prospective bargaining unit to determine if the union has majority status. The employer may recognize the Union on the basis of this card check without the necessity of a formal election. Often conducted by an outside party.

**CEASE AND DESIST ORDER:** An order to stop an action, to not repeat the action, and to take action to undo the wrong. A cease and desist order issued by the National Labor Relations Board is a final order in an unfair labor practice case. It requires the guilty party to stop any conduct found to be in violation of the law and to take positive action to remedy the situation.

**CERTIFICATION:** Official recognition by a labor relations board that an employee organization is the exclusive representative for all the employees in an appropriate bargaining unit for the purpose of collective bargaining.

**CERTIFIED UNION:** A union designated by federal or state labor relations

boards as the exclusive bargaining agent of a group of workers.

**CHARGE:** A written statement of alleged unfair practices. Filing a charge with the NLRB is the first step in an unfair labor practice proceeding. If the NLRB decides to take up the charge, it will issue a formal complaint to start an unfair labor practice hearing.

**CHECK-OFF:** An arrangement under which an employer deducts from the pay of employees the amount of union dues they owe and turns over the proceeds directly to the treasurer of the union.

**CHILD LABOR LAWS:** Federal child labor laws protect young workers from employment that might interfere with their educational opportunities or be detrimental to their health or well being. These laws stipulate that persons under the age of 18 can't work in jobs deemed hazardous by the Secretary of Labor, and restrict the hours and times employees younger than 16 years old may work. Youths under 14 may only work in jobs that are exempt from child labor standards or not covered by the FLSA. (Exempt work includes: delivery of newspapers to consumers; performing in theatrical, motion picture, or broadcast production and work in a business owned by parents of the minor, except in manufacturing or hazardous occupations.)

**CLASS ACTION OR GRIEVANCE:** A lawsuit in which the plaintiffs or grievants proceed not only on their own behalf, but on behalf of all others similarly situated or affected.

**CLOSED SHOP:** An agreement between an employer and a union that, as a condition of employment, all employees must belong to the Union before being hired. The employer agrees to retain only those employees who belong to a union. Closed shop agreements were declared illegal by the Taft-Hartley Act.

**COERCION:** Economic or other pressure exerted by an employer to prevent the free exercise by employees of their right to self-organization and collective bargaining; also, intimidation by a union or fellow workers to compel affiliation with the union.

**COLLECTIVE BARGAINING:** Negotiations between an Employer and Union, representing a group of employees, that determines the conditions of employment. The result of the Collective Bargaining Procedure is called the contract. Collective Bargaining is governed by Federal and State Statutory Laws, Administration Agency Regulations, and Judicial decisions.

**COMPLAINT:** Formal papers issued by the National Labor Relations Board (NLRB) based on a finding of merit in an Unfair Labor Practice charge to start an unfair labor practice hearing before an Administrative Law Judge. The complaint states the basis for the NLRB's jurisdiction and the alleged unfair labor practice.

**CONCERTED ACTIVITY:** Action taken by an employee or employees

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(generally on behalf of fellow-workers) in order to improve their working conditions or benefits. Bargaining law considers this type of activity protected from retaliation or reprisal.

**CONTRACT:** An Agreement in writing between the Union, acting as bargaining agent and the Employer, covering wages, hours, working conditions, fringe benefits, rights of workers and union, and procedures to be followed in settling disputes and grievances.

**COST-OF-LIVING ADJUSTMENT (COLA):** A provision in a collective bargaining agreement that adjusts wage increases to fluctuations in the cost of living during the term of the contract.

**DECERTIFICATION:** Removal by the National Labor Relations Board of a union's certification as exclusive bargaining representative.

**DEPARTMENT OF LABOR:** Federal agency established in 1913 to further the welfare of wage earners.

**DUTY OF FAIR REPRESENTATIVE:** A union's obligation to represent all people in the bargaining unit as fairly and equally as possible. This requirement applies both in the creation and interpretation of collective bargaining agreements. A union is said to have violated its Duty of Fair Representation when a union's conduct toward a member of a collective bargaining unit is arbitrary, discriminatory, or in bad faith. A Union Steward, for example, may not ignore a grievance which has merit, nor can that grievance be processed in a perfunctory manner. It should be noted, however, that the employee in the bargaining unit has no absolute right to have a grievance taken to arbitration. The union is obligated to give fair representation to all union members, and also to collective bargaining unit members who have not joined the union in "right-to-work" states or in public service units.

**ECONOMIC RECOURSE:** A strike, picket, or boycott by a union, or a lockout by an employer.

**ECONOMIC STRIKE:** A work stoppage by employees seeking economic benefits such as wages, hours, or other working conditions. This differs from a strike which is called based on the employer's unfair labor practices.

**EMPLOYEE ASSISTANCE PROGRAM:** A confidential information, support and referral service designed to help employees cope with personal problems which have a negative impact on their lives and, subsequently, on their work productivity. Such programs often provide assistance in such situations as emotional stress, marital and family problems, financial and legal difficulties, and drug or alcohol abuse.

**EMPLOYEE RETIREMENT INCOME SECURITY ACT (ERISA):** This law requires that persons engaged in the administration and management of private pensions act with the care, skill, prudence and diligence that a prudent person familiar with such matters would use. The law also sets up

an insurance program under the Pension Benefit Guarantee Corporation (PBGC) which guarantees some pension benefits even if a plan becomes bankrupt.

**EQUAL EMPLOYMENT OPPORTUNITIES COMMISSION (EEOC):**

The federal government agency which administers most discrimination lawsuits.

**EXCELSIOR LIST:** The list of current employees whose names and addresses the employer is obligated to provide the labor board after a representation election has been scheduled. [156 NLRB 1236, (1996)].

**EXCLUSIVE BARGAINING RIGHTS:** The right of a union which has been certified by the National Labor Relations Board or other government agency to be the only union representing a particular unit.

**FACT FINDING:** Investigation of labor-management disputes by a board, panel or individual. A report is issued by the panel describing the issue in dispute, and may make recommendations for a solution.

**FAIR LABOR STANDARDS ACT (FLSA):** The 1938 federal wage-hour law which established minimum wage, maximum weekly hours and overtime pay requirements in industries engaged in interstate commerce. The law also prohibited the labor of children under 16 years of age.

**FAMILY AND MEDICAL LEAVE ACT (1993):** In simplest terms, the FMLA allows covered employees to take 12 weeks of unpaid leave during any 12-month period for any of the four following reasons:

- for the birth and care of the newborn child of an employee
- for placement with the employee of a son or daughter for adoption or foster care
- to care for an immediate family member (spouse, child or parent) with a serious health condition
- or to take medical leave when the employee is unable to work because of a serious health condition.

The law and regulations are detailed here: [Compliance Assistance – Family and Medical Leave Act \(FMLA\)](#)

**FRINGE BENEFITS:** Non-wage benefits, such as paid vacations, pensions, health & welfare provisions, life insurance, etc., the cost of which is borne in whole or part by the Employer.

**GOOD FAITH BARGAINING:** A legal requirement arising out of Section 8(d) of the National Labor Relations Act on both the Union and the Employer (where the Union is certified as the exclusive representative). Enforced by the National Labor Relations Board the parties are required: “To bargain collectively, to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment, but such obligation does not compel either party to agree to a proposal or

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require the making of a concession. Applies to any negotiations for a new or successor contract.

**GRANDFATHER CLAUSE:** A contract provision specifying that employees placed on the payroll before a specified time will retain certain rights and benefits even though newer employees are not entitled to these rights.

**GRIEVANCE:** A formal complaint, usually lodged by an employee or the union, alleging a misinterpretation or improper application of one or more terms in a collective bargaining contract. The method for dealing with grievances is through a grievance procedure negotiated in the union contract. If a grievance cannot be settled at the supervisory level, it can be appealed to higher levels of management.

**GRIEVANCE ARBITRATION:** The appeal of grievances to an impartial arbitrator for final and binding determination. Sometimes called arbitration of “rights”. The arbitrator determines the meaning of the contract and clarifies and interprets its terms. Arbitration, where it is available, is usually the last step in the grievance procedure.

**GRIEVANCE PROCEDURE:** The steps established in a collective bargaining contract for the handling of grievances made by or on behalf of employees.

**HOSTILE WORK ENVIRONMENT:** Continuous, low level discriminatory remarks or behaviors that cumulatively ‘poison’ the workplace for the aggrieved victim enough to alter the terms, conditions or privileges of the workplace, and are commonly considered by the courts and the EEOC as equivalently unlawful to more overt forms of discrimination.

**HOUSE VISITS, HOME CALLS AND HOUSE CALLS:** Terms used to describe visits by union staff, union volunteers, or a union organizing committee to the homes of workers they are attempting to organize. Such visits give workers an opportunity to discuss the union and ask questions of the organizers in a relaxed and secure atmosphere.

**IMPASSE:** In general usage, term referring to a situation where two parties cannot agree on a solution to dispute. In legal usage, if impasse is reached, the employer is legally permitted to unilaterally impose its latest offer. The NLRB will determine whether true impasse was reached.

**INFORMATIONAL PICKETING:** A type of picketing done with the express intent not to cause a work stoppage, but to publicize either the existence of a labor dispute or information concerning the dispute.

**INITIATION FEE:** A fee required by many unions of all new members or of employees who have left the union and wish to return. Initiation fees may serve several union purposes, including an additional source of revenue.

**INJUNCTION:** An order of a court or agency requiring a person to do or not do a certain act. Failure to abide by the terms of a court injunction may

result in the court arresting and jailing the person for contempt of court.

**INTERMITTENT LEAVE:** Leave taken in separate periods of time due to a single illness or injury. This is permitted under the Family and Medical Leave Act.

**JURISDICTION:** The specific industry, craft and/or geographical area which a local union is chartered to organize or represent.

**JURISDICTIONAL DISPUTE:** A conflict involving a dispute between two unions over which union shall represent a group of employees in collective bargaining or as to which union's members shall perform a certain type of work.

**JUST CAUSE:** A reason an employer must give for any disciplinary action it takes against an employee. An employer must show just cause only if a contract requires it. Most contracts have just cause requirements which place the burden of proof for just cause on the employer.

**LABOR ORGANIZER:** A person usually employed by a union (often the regional or international union), whose function it is to help the employees of a particular employer through the organizing process and offer guidance on the best ways to go about joining the union.

**LANDRUM-GRIFFIN ACT OF 1955:** Also known as the Labor-Management Reporting and Disclosure Act (LMRDA), it provides safeguards for individual union members, requires periodic reports by unions, and regulates union trusteeships and elections.

**LIQUIDATED DAMAGES:** A court award available under some laws (Equal Pay Act) where the employer's violation was either willful or in reckless disregard of the law or the employee's rights thereunder. Such award generally provides for attorney fees and an amount equal to and in addition to the lost wages and benefits.

**LOCKOUT:** Shutdown of worksite by the employer to discourage union membership or activity or to force employees to meet the demands or economic terms of the employer.

**MADE WHOLE:** A catchall phrase used in grievance and other legal action where a remedy is sought from an employer. Often used in discharge and discipline cases where the union seeks to have a worker, who had been wrongly discharged or disciplined, returned to work and reimbursed all wages, benefits, or other conditions lost due to an employer's unjustified action.

**MANAGEMENT'S RIGHTS:** Certain rights that management maintains as fundamental to the ability to manage and operate the organization. They are not required, negotiable subjects of collective bargaining. These rights are often expressly reserved to management in the management's rights clause of the bargaining agreement. They include the right to hire, promote, suspend

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or discharge employees, to direct the work of employees, and to establish operating policies.

**MANDATORY SUBJECT OF BARGAINING:** Those items included under wages, hours, and other terms and conditions of employment over which an employer must bargain. An employer may not make a change in a mandatory bargaining subject without providing prior notice to the union and an opportunity to bargain.

**MEDIATION:** The attempt by an impartial third party, called a mediator, to bring the parties in a dispute together and assist them in reaching settlement. The mediator, however, has no power to force or award a settlement, but works instead to persuade the parties to reach an agreement.

**MEMBER IN GOOD STANDING:** A union member in good standing is one who has fulfilled requirements for the organization and who has not voluntarily withdrawn from membership, been expelled, or suspended.

**MINIMUM WAGE:** The federal minimum wage as of 2009 was established at \$7.25/hour. States often have their own minimum wages which take precedence when they are higher than the federal minimum. These laws differ slightly when applied to workers who receive tips, workers under the age of 20 and full-time students. For details on these, read the U.S. Department of Labor's Questions and Answers About the Minimum Wage.

**NATIONAL LABOR RELATIONS ACT (NLRA):** Federal law signed in 1935 guaranteeing workers the right to participate in unions without management reprisals. It was modified in 1947 with the passage of the Taft-Hartley Act, and modified again in 1959 by the passage of the Landrum-Griffin Act. The NLRA is also referred to as the Wagner Act.

**NATIONAL LABOR RELATIONS BOARD (NLRB):** Agency created by the National Labor Relations Act of 1935, and continued through subsequent amendment, whose functions are to define the appropriate bargaining units, to hold elections, to determine whether a majority of workers want to be represented by a specific union or no union, to certify unions to represent employees, to interpret and apply the Act's provisions prohibiting certain employer and union unfair practices, and otherwise to administer the provisions of the Act.

**OCCUPATIONAL SAFETY AND HEALTH ACT (OSHA):** The federal law which authorizes the OSHA federal agency to set workplace health and safety standards, obligates employers to provide a safe workplace, and provides for enforcement of the standards. The law encourages states to develop their own safety laws, which can replace the federal law.

**ORGANIZING COMMITTEE:** The employees in a non-union shop who are designated to represent their co-workers during the representation campaign. Organizing committee members, among other things, usually sign up their coworkers on authorization cards or petitions acknowledging



support for union representation, hand out leaflets, attend meetings and visit workers at home to gain support for the union effort.

**OVERTIME:** When the FLSA established the 40-hour workweek in 1938, every hour over forty (40) was defined as overtime, for which an employee must be paid 50 percent more per hour. Note that overtime protection does not apply to all employees – the FLSA exempts certain employees from the overtime pay provisions.

**PAST PRACTICE:** A particular working condition, benefit or custom that has been in existence and deeply ingrained over a period of time such that it is regarded as part of the whole agreement and, therefore, enforceable by arbitrators.

**PAY EQUITY:** A term referring to the concept that female-dominated jobs or professions have been traditionally undervalued, based on levels of responsibility and required education, and that pay for these jobs should be raised to levels of comparable jobs which are traditionally held by men.

**PENSION BENEFIT GUARANTEE CORPORATION (PBGC):** A federal corporation which guarantees that vested participants in private pension plans will receive some pension benefits even if a pension plan becomes bankrupt.

**PERMANENT REPLACEMENTS:** Under current labor law, when employees engage in an economic strike, the employer has the right to hire permanent replacements. After the strike has ended, if there is no back-to-work agreement reached between the union and the employer, employees replaced during the strike are put on a preferential hiring list and must wait for openings to occur.

**PHONE BANKING:** The organized telephoning of large numbers of members to inform them of a union policy or action or to gather information. This is often done by volunteers who come into the union hall and telephone members during a certain time period. Also used as a way to communicate with members during a political campaign.

**PICKETING:** The carrying of signs or the passing out of literature protesting working conditions or actions taken by the employer. Picketing occurs during a strike, or in the form of an informational picket. In this tactic, designed to put pressure on the employer, union members inform the public and other workers about the conditions they feel are unfair.

**PRECEDENT:** An adjudged case or decision of a court of justice, considered as furnishing an example of authority for an identical or similar case arising later. A lower court is expected to follow the precedents set in the higher courts.

**PREMIUM PAY:** An extra amount over the normal hourly time rates, sometimes a flat sum, sometimes a percentage of the wage rates, paid to workers to compensate them for inconvenient hours, overtime, hazardous, or

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unpleasant conditions, or other undesirable circumstances.

**RANK AND FILE:** The members of a union. This term does not apply to the leadership of a union.

**RATIFICATION:** Formal approval of a newly negotiated agreement by vote of the union members affected.

**RECOGNITION:** The employer's acknowledgment of a union as the exclusive bargaining agent for the employees, given either voluntarily upon evidence of an employee petition, or by legal requirement after an election conducted by the government.

**REOPENER CLAUSE:** A clause in a collective bargaining agreement providing for reopening negotiations on wage rates, and other benefits, during the term of the agreement.

**REPLACEMENT:** Workers hired to replace employees on strike. In the case of economic strikers, the strikers retain their employee status while on strike; however, the company may hire permanent replacements, and may legally refuse to reinstate strikers who have been permanently replaced. In this situation, if there are permanent replacements, economic strikers are generally entitled to reinstatement when the replacements leave. In the case of unfair labor practice strikes, the strikers must be reinstated, with a few exceptions.

**REPRESENTATION ELECTION:** A vote conducted by an appropriate labor board or agency to determine whether a majority of the workers in a previously established bargaining unit want to be represented by a given union.

**SCAB:** A person who continues to work, or who accepts employment, while the workers are on strike. By filling the jobs of striking workers, and keeping the employer operational, scabs may weaken or help break the strike.

**SHOP STEWARD/STEWARDS:** The union representative of a group of fellow employees who carries out duties of the union within the workplace. **EXAMPLE:** Handling grievances, recruiting new members and monitoring compliance with the contract. The steward usually is either elected by other union members or appointed by higher union officials. The steward usually remains an employee while handling union business. Some release time (with or without pay) may be available to stewards under specific language in many collective bargaining contracts.

**SEXUAL HARASSMENT:** Any unwanted comments, looks, suggestions, advances or physical contact based on sex. Sexual harassment is against the law when it is so frequent or severe that it creates a hostile or offensive work environment, or when it results in an adverse employment decision, such as firing or demoting the victim.

**SOLICITATION:** Asking; selling. An employer may have a "no solicitation"

rule to prohibit employees from union organizing at work, but the rule may not be valid if the employer allows other forms of solicitation such as fund-raising ticket sales, etc.

**SPLIT SHIFT:** Any form of shift work where there are semi-regular work hours. In some cases, workers may work three different shifts in a work week. In all the various types of shifts, a break of several hours is usually scheduled between the reporting times of the workers.

**STRIKE:** A concerted act by a group of employees who withhold their labor for the purpose of bringing about a change in wages, hours or working conditions or to protest unfair labor practices.

**STRIKE SANCTION:** In order for a local union to receive strike benefits from the union's national treasury, the strike must be sanctioned by the union's national executive board.

**SUBPOENA:** A process document issued out of court requiring a witness to attend to give testimony. A subpoena can also further require a witness to bring relevant books or records. Commonly used in arbitration cases.

**SUCCESSOR EMPLOYER:** An employer which has acquired an already existing operation and which continues those operations in approximately the same manner as the previous employer, including the use of the previous employer's employees.

**SUPERVISOR:** Those employees who have management rights such as the rights to hire, fire or recommend such action. The employees who are defined as supervisors under the National Labor Relations Act are not permitted to become members of the bargaining unit at the work location. In organizing campaigns, most employers will try to enlarge the ranks of their supervisory personnel. The employer will try to keep a certain group of supervisors as its anti-union workforce for future labor disputes.

**SURFACE BARGAINING:** Often referred to as a perfunctory tactic whereby an employer meets with the union, but only goes through the motions of bargaining. Such conduct on the part of the employer is considered a violation of the employer's duty to bargain, Section 8(a)(5) of the National Labor Relations Act.

**TRUSTEE:** An elected union official whose duty is to monitor the finances of a local union, joint council, conference, or international union. Also, an official appointed by the Independent Review Board or General President of the International Union to manage a local union in trusteeship.

**TRUSTEESHIP:** The assumption of control over a local union by an international union, or by the federal government under the RICO Act. Provided for by the Constitutions of most international unions, trusteeships suspend the normal government process of a local union and take over management of the local's assets and the administration of its internal affairs. The Landrum-Griffin Act of 1959 established controls over the establishment

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and administration of trusteeships.

**ULP STRIKE:** A type of strike organized by workers to protest an unfair labor practice, (“ULP”) committed by their employer. As outlined in the National Labor Relations Act (NLRA), ULP strikes have additional protections for striking workers that extend to non-union workers. It is unlawful for workers engaged in a ULP strike to be either discharged or permanently replaced. When the ULP strike ends, unfair labor practice strikers, absent serious misconduct on their part, are entitled to have their jobs back even if replacement employees hired to do their work have to be discharged.

**UNFAIR LABOR PRACTICES:** Those employer or union activities classified as “unfair” by federal or state labor relations acts. Under the National Labor Relations Act (NLRA), employer unfair labor practices include employer threats against protected collective activity, employer domination of unions, discrimination against employees for collective activity, and employer failure to bargain in good faith with union representatives. Union unfair labor practices include failure to represent all members of the bargaining unit, failure to bargain in good faith, and conducting secondary boycotts. The Railway Labor Act and many state public sector labor laws contain definitions of unfair labor practices which are similar to the NLRA definitions.

**UNILATERAL CHANGE:** Any change an employer makes without the union’s consent. The subject of unilateral change is constantly evolving due to National Labor Relations Board (NLRB) and court rulings. However, unilateral change falls into three categories: before a first contract, during bargaining, and during the contract’s terms. The NLRB recognizes that an employer must bargain all changes in regard to hours of work, rate of pay, and other conditions of employment with the employee’s bargaining representatives. Generally, these changes must be bargained to impasse before a change is implemented.

**UNION BUSTER:** A professional consultant or consulting firm which provides tactics and strategies for employers trying to prevent unionization or decertify unions.

**UNION LABEL OR BUG:** A stamp or tag on a product or card in a store or shop to show that the work is performed by union labor. The “bug” is the printer’s symbol.

**UNION SECURITY CLAUSE:** A provision in a collective bargaining agreement designed to protect the institutional life of the union, such as union shop and union dues check-off clauses.

**UNION SHOP:** A form of union security provided in the collective bargaining agreement which requires employees to belong to or pay dues to the union as a condition of retaining employment. It is illegal to have a closed shop which requires workers to be union members before they are

hired. The Union shop is legal, except in so-called “right-to-work” states, because it requires workers to join the union or pay dues within a certain time period after they are hired.

**VERBAL:** Communication using words. Its opposite, “non-verbal”, refers to gestures and grunts. Verbal communication may be oral or written. (NOTE: Do not use “verbal” when you mean “oral” as in an “oral warning”).

**VESTING:** The amount of time that an employee must work to guarantee that his or her accrued pension benefits will not be forfeited even if employment is terminated.

**VOLUNTARY SUBJECT OF BARGAINING:** Subjects of bargaining other than those considered to be mandatory. Either party may propose discussion of such a subject, and the other party may voluntarily bargain on it. Neither party may insist on the point of impasse on the inclusion of a voluntary subject in a contract. For example, the employer may not legally insist on bargaining over the method of selecting stewards or the method of taking a strike vote.

**VOLUNTEER ORGANIZING COMMITTEE (VOC):** Term sometimes used to describe union members who volunteer for the union during organizing campaigns. Volunteers may donate their time and/or be compensated for lost wages while they assist the campaign by visiting workers at their homes, distributing leaflets, and attending meetings, etc.

**WEINGARTEN RIGHTS:** The rights of employees covered by the National Labor Relations Act to request union representation during investigatory interviews if they reasonably believe that the interview could result in their being disciplined. “Weingarten rights” also guarantee the rights of union representatives to assist and counsel employees during interviews which could lead to discipline.

**WILDCAT STRIKE:** A strike undertaken without official union authorization. Although not necessarily illegal, these strikes are not necessarily protected by the National Labor Relations Board.

**WORKING CONDITIONS:** Conditions pertaining to the workers’ job environment, such as hours of work, safety, paid holidays and vacations, rest periods, clothing or uniforms, possibilities of advancement, etc. Many of these are included in the contract and subject to collective bargaining.

**WRONGFUL TERMINATION:** A civil action or lawsuit brought by a discharged employee against the employer, alleging that the termination violated or breached a statutory right, express public policy, or an employment contract.