

## Unions

### What is a union?

Labor unions, sometimes called trade unions, are organizations that represent employees in a particular workplace. Unions are formed when groups of employees seek to negotiate the terms of their employment as a group, rather than individually. While it is not always the case, a group of employees will typically elect a union that also represents other workplaces with employees who perform similar work (e.g., nurses, autoworkers, etc.).

### What do unions do?

Unions are legally certified to act as the employees' official representative to a company's management, and they help negotiate the terms and conditions of employment—which includes issues such as grievances, labor disputes, wages, rates of pay, vacation time, sick leave, hours of employment, or work conditions—into a legally binding contract.

Unions also take an active role in politics, lobbying Congress for legislation establishing new workplace requirements and mobilizing their members to campaign for candidates they support.

### Who can join a union?

Most workers in the United States have the right to join or form a union. While there are a number of laws and statutes governing who can organize, as well as when and how a union can be formed, the National Labor Relations Act of 1935 is the legislation that applies to most American workers.

Unions represent employees at companies of all sizes, and in a number of industries and professions, both blue-collar and white-collar. In the United States, there are hundreds of unions representing a variety of industries and skills, including those for construction workers, professional baseball players, pilots, police officers, nurses, actors, miners and postal workers.

Most states allow "union shops," which require represented employees to pay union dues or fees within a set time after being hired. However, 22 states have legal restrictions, called "right-to-work laws," that prohibit requiring payment of union dues or fees as a condition of employment.

### How are unions formed?

A federal government agency called the National Labor Relations Board (NLRB) oversees union organizing in the United States for all private-sector and U.S. Postal Service employees. In addition to investigating unfair labor practices, one of the NLRB's chief duties is holding elections to determine whether employees want to form a union or be represented by an existing one.

Currently, in order to be certified by the NLRB as the representative of employees at a company, a union must first file a petition with the NLRB showing support from at least 30 percent of the employees they wish to represent. Usually, the union will present authorization cards, or individual forms each employee signs to state that he or she wishes to be represented by the union. Almost always, the union will wait to file the petition until well over 50 percent of the employees have signed cards. This is because, up to that point, employees typically have only heard the union's side and, after the election process is triggered, both sides of the question will be aired.

Once the NLRB has confirmed that at least 30 percent of employees support the petition, it will organize a secret-ballot election in which all employees vote on whether or not to be represented by the union. If a majority of employees vote in favor of the union in this election, the NLRB certifies the union to represent the employees to management. The election process does not occur if the employer agrees to recognize the union based on a majority of the employees signing union authorization cards. In those instances, the union is not certified by the NLRB but the employer is required to bargain with the union and treat it as the exclusive representative of its employees.

According to the Bureau of National Affairs, unions won 67 percent of private-ballot representation elections in the first six months of 2008.

## **How are unions organized?**

Larger unions typically have a national leadership that sets the policy and administrative direction for the union nationally. These unions usually are divided further into "locals," or chapters in a state or city.

Many unions also are united into national federations, which affiliate with their international counterparts. Most unions in America are affiliated with one of two federations, the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) or the Change to Win Federation, although many remain independent.

## **How long have there been unions in the United States?**

While unions have been around in some form for hundreds of years, the first national union in the United States, the National Labor Union, was created in 1866, followed closely by the American Federation of Labor (AFL), in 1886.

By the mid-1950s, approximately 36 percent of American workers were represented by unions. Today, about 15.4 million Americans (or 12.4 percent of the workforce) are members of a labor union.