

Dispute between workers union and employer

[Business](#), [Human Resources](#)



Case study

The case involves a dispute between workers union and their employer over election results for union representations. During one of the union meetings and prior to the elections, one of the organization's supervisors passed by the meeting point, repeatedly, and the union eventually lost in the elections. The union claims threat of reprisal but the management defends itself from the supervisor's acts, claiming that the supervisor was just curious about the size of the crowd and attendants' identities. The management further maintains that the supervisor acted on his own capacity and not as an agent of the organization. The Union has appealed to the NLRB to set aside the election results.

If I were on NLRB, I would set aside the elections because of the provisions of Taft-Hartley labor act. While the act allows employers the right to interact with employees with the aim of influencing union activities and actions, expressions into the interactions must not pose threats of reprisal. The case however identifies potential threats of reprisal, from the management, which could have intimidated union members and led to restraint from participation in the elections. From the supervisor's repeated appearance at the vicinity, the union members had all the reasons to fear intimidation and harsh treatment from the management if the union won in the elections. It was also normal for the union members to believe that the supervisor was acting on his normal capacity as an agent of the management because that is his regular position. These arguments identify implied threat of reprisal and mean that the employer, through its supervisor, breached provisions of the Taft-Hartley act (Kaps, Hamilton and Bliss, 2012).

I would therefore set aside the election because the supervisor's action identifies breach of Taft-Hartley act that could have intimidated union members and influenced outcomes of the election.

Reference

Kaps, R., Hamilton, J. and Bliss, T. (2012). Labor relations in the aviation and aerospace industries. Carbondale, IL: SIU Press.