

# 35 Things The Employer Can't Do During a Union Campaign

*It is unlawful for your employer, supervisor or foreman to interfere with, restrain or coerce employees seeking to organize or join a union.*

*Any of the acts listed below may constitute a violation of most provincial and federal labour relations acts.*

## **DID YOU KNOW THAT THE EMPLOYER CANNOT:**

1. Engage in open or undercover surveillance of employees' union organizing activities, or give the impression that the employees are under surveillance (such as by sending supervisors to spy on union meetings, watching the union hall, encouraging other employees to engage in surveillance);
2. Tell employees that the company will fire or punish them if they engage in union activity;
3. Lay off, discharge, discipline any employee for union activity;
4. Grant employees wage increases, special concessions or benefits in order to keep the union out;
5. Bar employees serving as union representatives from soliciting employees for membership on or off the company property during non-working hours;
6. Ask employees about union matters, meetings, etc. (Some employees may, of their own accord, discuss such matters. It is not an unfair labor practice to listen, but to ask questions to obtain additional information is illegal);
7. Ask employees what they think about the union or a union representative;
8. Ask employees how they intend to vote;

9. Threaten employees with reprisal for participating in union activities. For example, threaten to move the plant or close the business, curtail operation or reduce employee benefits;
10. Promise benefits to employees if they reject the union;
11. Form a "company union," dominate, or give financial support or other assistance to a union;
12. Announce that the company will not negotiate with the union;
13. Threaten to close, in fact close, or move the business in order to avoid dealing with a union;
14. Ask employees whether or not they belong to a union, or have signed a card or petition for union representation;
15. Ask an applicant, during the hiring interview, about his/her affiliation with a labor organization or how he/she feels about unions;
16. Make antiunion statements or act in a way that might show preference for a nonunion worker;
17. Make distinctions between union and nonunion employees when assigning overtime work or desirable work;
18. Purposely team up nonunion workers and keep them apart from those supporting the union;
19. Transfer workers on the basis of union affiliation or activities;
20. Choose employees to be laid off in order to weaken the union's strength or discourage membership in the union;
21. Discriminate against union people when disciplining employees;
22. By nature of work assignments, create conditions intended to get rid of an employee because of his/her union activity;

23. Fail to grant a scheduled benefit or wage increase because of union activity;
24. Deviate from company policy for the purpose of getting rid of a union supporter;
25. Take action that adversely affects an employees' job or pay because of union activity;
26. Threaten workers or coerce them in an attempt to influence their vote;
27. Threaten a union member or union supporter through a third party;
28. Promise employees a reward if the business is not unionized;
29. Tell employees overtime work and premium pay will be discontinued if the business is unionized;
30. Say unionization will force the company to lay off employees;
31. Say unionization will do away with vacations, or other benefits and privileges presently in effect;
32. Promise employees promotions, raises, or other benefits if they get out of the union or refrain from joining the union;
33. Start a petition or circular against the union. Encourage or take part in its circulation if started by employees;
34. Urge employees to try to induce others to oppose the union or stay out of it;
35. Visit the homes of the employees to urge them to reject the union.

*Any of the acts listed above constitutes a violation. If your employer does any of these things, make a note of it, including names of those involved, time, place, etc. AND REPORT SUCH INCIDENTS TO YOUR UNION.*