

Here is the law

Your protection

SECTION 8. (a) *It shall be an unfair labor practice for an employer*

- (1) *to interfere with, restrain or coerce employees in the exercise of the rights guaranteed in section 7.*
- (2) *by discrimination in regard to hire or tenure of employment to encourage or discourage membership in any labor organization.*

What this means

- ★ It means that employees are supposed to have a FREE CHOICE in deciding whether or not they want to use their right to organize. Anything that an employer does to interfere with this free choice is against the law.
- ★ It means that employers who get 'nose trouble' during an organizing campaign are breaking the law. An employer is not supposed to question employees, or even to find out, about how employees feel, who signed cards, which employees are pushing the union, who attended meetings, what went on at meetings, etc. It is none of their business.
- ★ It means that an employer is not supposed to make any promises of raises, promotions or other benefits in order to influence employees in the exercise of their rights.
- ★ It means that an employer cannot take away, or threaten to take away, any benefits which you already have because of your union activity.
- ★ It means that it is illegal for an employer to penalize an employee in any manner because of his union activity or belief. This includes such things as cutting out overtime, transferring to a less desirable job, suspension or discharge. (If an employer does any of these things, and it is proven that it was done because of union activity, he must reinstate the employee to his former position without loss of seniority and pay him for all lost wages, plus interest).

Here is the law

Your rights

SECTION 7. *Employees shall have the right to self-organize, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or the mutual aid or protection . . .*

What this means

- ★ It means that employees have the legal right to help organize, to join and to support a union of their own choosing. This includes such activities as signing a union card, getting others to sign cards, attending union meetings, wearing union buttons, passing out union literature and talking union to other employees.
- ★ It states that employees have the legal right to join together and work as a team in order to help each other.
- ★ It says that employees have the legal right to deal with their employer as a group, rather than individually.
- ★ It gives employees the legal right to take such group action as they feel necessary in order to gain their desired goals so long as these actions violate no other laws.
- ★ It does not mean that employees have the right to carry on union activity during working hours or to allow their union activity to interfere with their jobs. (For this purpose, break time and lunch time are not considered as working hours.)

**The National
Pharmacists Association**

630-961-2200

1730 Park Street, Suite 209
Naperville, Illinois 60563-2689

Fax: 630-961-2202

www.npha.com



35 THINGS YOUR EMPLOYER CANNOT DO!

Any of the acts listed inside this folder 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 the union.**

DO YOU KNOW

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 constitutes a violation of the National Labor Relations Act, as Amended.

THE EMPLOYER CANNOT

1. Attend any union meeting, park across the street from the hall or engage in any undercover activity which would indicate that the employees are being kept under surveillance to determine who is and who is not participating in the union program;
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 employee-union representatives from soliciting employees' memberships on or off the company property during nonworking hours;
6. Ask employees about union matters, meetings, etc. (Some employees may, of their own accord, walk up and tell of 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 once the employee refuses to discuss it;
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 operations or reduce employees' benefits;

10. Promise benefits to employees if they reject the union;
11. Give financial support or other assistance to a union;
12. Announce that the company will not deal with the union;
13. Threaten to close, in fact close, or move plant in order to avoid dealing with a union;
14. Ask employees whether or not they belong to a union, or have signed up for union representation;
15. Ask an employee, during the hiring interview, about affiliation with a labor organization or feelings about unions;
16. Make anti-union statements or act in a way that might show preference for a non-union person;
17. Make distinctions between union and nonunion employees when assigning overtime work or desirable work;
18. Purposely team up non-union persons and keep them apart from those supporting the union;
19. Transfer workers on the basis of union affiliations 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 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 employee's job or pay rate because of union activity;
26. Threaten workers or coerce them in an attempt to influence their vote;
27. Threaten a union member through a third party;
28. Promise employees a reward or a future benefit if they decide "no union";
29. Tell employees overtime work (and premium pay) will be discontinued if the plant is unionized;
30. Say unionization will force the company to lay off employees;
31. Say unionization will do away with vacation 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 or encourage or take part in its circulation if started by employees;
34. Urge employees to try to induce others to oppose the union or keep out of it;
35. Visit the homes of employees to urge them to reject the union.

JOIN NOW!

The National Pharmacists Association