

Labor Management Relations

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Related Services

Employment, Labor & Benefits

We provide the following labor management services to employers:

Union Organizing Campaigns

- Coordinate strategies to avoid and/or win elections conducted by the National Labor Relations Board (NLRB).
- Represent employers in legal proceedings involving NLRB elections, such as disputes as to the unit description, eligibility of voters, and objections to the conduct of the election.
- Advise employers on union avoidance issues.

Unfair Labor Practice Charges

- Advise employers on strategies involved in responding to or prosecuting unfair labor practices (ULP).
- Participate in and represent employers during ULP investigations.
- Defend employers in ULP hearings and subsequent appeals to the appropriate Circuit Court of Appeals and possible appeals before the U.S. Supreme Court.

Collective Bargaining Negotiations

- Formulate strategies for initial and/or renewal negotiations.
- Draft and revise provisions for collective bargaining agreements.
- Act as spokesperson at the bargaining table.
- Assist employers in interpreting collective bargaining agreement provisions.

Grievance & Arbitration Proceedings

- Advise employers on appropriate discipline and other terms under the collective bargaining agreement.
- Assist employers in responding to grievances through the grievance procedure.
- Participate in the selection of the arbitrator.
- Prepare for and defend employers at arbitration hearings.
- Prepare and submit post-hearing briefs in the arbitration process.
- Represent employers in court proceedings in connection with arbitrations (petitions to compel arbitration or petitions to enforce arbitration awards).

Labor Disputes

- Advise employers with regard to picketing, boycotting, hand-billing, and other strike tactics in connection with labor disputes.

Experience

Our Labor team consists of Bryan Morben, Beverley Adams, Bridget Penick and Karen Schanfield, who collectively have more than 75 years of traditional labor law experience.

Representative Cases

- Our team has represented both public and private employers in all aspects of traditional labor law. They have handled several successful organizing campaigns on behalf of employers, including union attempts to organize nurses, university faculty, research and teaching assistants, clerical employees, and service/hospitality employees.
- Our team has tried numerous Unfair Labor Practice (ULP) cases, including appeals to federal circuit courts of appeals. Team attorneys have also participated in and represented employers during ULP investigations and hearings.
- We have vast experience negotiating collective bargaining agreements, including formulating strategies for initial and/or renewal negotiations, drafting and revising specific provisions for collective bargaining agreements, acting as spokespersons at the negotiation bargaining table, and assisting employers in interpreting collective bargaining agreement provisions. Bryan just recently represented and negotiated the first CBA for two non-profit journalism industry employers with the Minnesota Newspaper & Communications Guild—CWA.
- The Labor team has represented employers in hundreds of grievance and arbitration proceedings. We have advised employers on appropriate discipline under the collective bargaining agreement, assisted employers in responding to grievances through the grievance procedure, participated in the selection of the arbitrator where appropriate, prepared for and defended employers at the arbitration hearing, prepared and submitted pre- and post-hearing briefs in the arbitration process, and represented the employer in appropriate court proceedings in connection with arbitrations (i.e., petitions to compel arbitration or petitions to enforce arbitration awards).
- We have advised employers regarding strikes, picketing, boycotting and hand-billing in connection with labor disputes, and have successfully sought injunctions on behalf of employers faced with unfair tactics by unions.
- The Labor team members have represented numerous employers in organizing campaigns and representation elections in an effort to avoid unionization. This includes coordinating strategies to avoid and/or win elections conducted by the National Labor Relations Board; representing employers in legal proceedings involving NLRB elections, such as disputes as to the unit description, eligibility of

voters and objections to the conduct of the election; and advising employers on union avoidance issues.

- We have counseled numerous large employers on matters related to discipline, termination, and hiring in union and non-union environments.
- We help clients prepare for potential union organizing efforts by giving on-site training sessions for managers and supervisors, helping employers identify and address potential areas of concern within their organizations, and drafting and assisting with implementation of policies related to solicitation, distribution of literature, and the use of electronic resources.