



## **LABOR UNION MATTERS**

In the traditional labor law arena, Conner & Winters attorneys have extensive experience representing management in all aspects of labor relations, including union organizing campaigns, collective bargaining negotiations, preparation and implementation of strike strategies, grievance arbitrations, defense of unfair labor practice charges (ULP's), and counseling concerning labor issues arising from changes in corporate structure. Our attorneys are well-versed in the workings of both the National Labor Relations Act (NRLA) and the Railway Labor Act (RLA), and we routinely represent clients in proceedings before both the National Labor Relations Board (NLRB) and the National Mediation Board (NMB). Conner & Winters also represents public employers who operate under state collective bargaining statutes.

### Union Organizing Campaigns

We have extensive experience representing management in union organizing campaigns and representation elections. Our attorneys are also frequently asked to conduct vulnerability assessments and management training in order to assist clients with early identification and resolution of key issues and maintenance of positive employee relations.

### Collective Bargaining Negotiations

Whether taking the lead in negotiations as the chief spokesperson or simply providing advice during the negotiation process, we routinely represent clients in contract negotiations with virtually all major unions representing bargaining units of all shapes and sizes across industry lines.

### Strike Strategies

### **RELATED PRACTICES**

Bankruptcy and Business Reorganization

Corporate and Securities

Employee Concern Resolution and Whistleblower Defense

Employment Litigation and Counseling

Labor and Employment

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Preparing for a strike is an essential part of the collective bargaining process. We work closely with clients to make the detailed preparations that are necessary in advance of a possible strike and to assist with execution of the strike plan when necessary.

### Labor Grievance Arbitrations

When conflicts arise under collective bargaining agreements, we are skilled at defending the resulting grievances and arbitrations. Our experience includes defense and arbitration of:

- Discipline and discharge decisions
- Contract interpretation disputes
- Management rights disputes (such as work jurisdiction matters, subcontracting, reductions in force, and plant relocations)
- Benefits disputes
- Interest arbitration

### Proceedings before the NLRB

We routinely represent employers in defense of unfair labor practice charges (ULP's), including those alleging:

- Interference with protected concerted activity
- Discrimination
- Unlawful discipline
- Discharge
- Failure to bargain in good faith

Our attorneys regularly appear before the NLRB in representation proceedings on other matters including bargaining unit determination and election proceedings, objections hearings, and other unit and representation disputes.

### Corporate Changes

In collaboration with our corporate and securities and bankruptcy and business reorganization practice groups, we are frequently called upon to advise clients on labor issues that arise in the context of corporate mergers, acquisitions, and restructuring involving businesses with unionized workforces. Chief among these are the possibility of successor liability under collective bargaining agreements and union health and welfare benefit plans and the existence of legitimate "double-breasted" or "dual-shop" operations with union and non-union workforces performing similar work within the same corporate structure.