

X: GLOSSARY OF LABOR TERMS

Agency Shop: A union security contract clause requiring those employees who are covered by the contract, but who decline to join the union, to pay a service fee to the union equal to, or a percentage of, the union dues. This fee (sometimes called “fair share”) is intended to compensate the union, which, by law, must give full and equal representation to all bargaining unit members, regardless of membership status.

AFL-CIO: The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), the voluntary federation of America’s unions, representing more than 13 million working men and women nationwide. The AFL-CIO was formed in 1955 by the merger of the American Federation of Labor and the Congress of Industrial Organizations.

Bargaining Unit: A group of employees in a given workplace who have a sufficient similarity of interest to constitute a unit for the purpose of bargaining collectively with their employer. A bargaining unit is usually defined by the National Labor Relations Board or similar federal, state or local agency.

Card Check: A process in which an employer agrees to recognize the union based upon cards signed by a majority of employees, thereby gaining recognition without an election. A third party, such as a member of the clergy or an arbitrator, examines the cards to verify majority support. Once an employer agrees to card check — and a review of the cards indicates that there is majority support — the employer is required by law to bargain with the union.

Certification: Official recognition by a labor relations board that an employee organization is the exclusive representative for all the employees in an appropriate bargaining unit for the purpose of collective bargaining.

Contract or Collective Bargaining Agreement: A formal written agreement over wages, hours and conditions of employment entered into by an employer and the union representing the employees in the bargaining unit.

Employee Assistance Program: A confidential information, support and referral service designed to help employees cope with personal problems that have a negative impact on their lives and, subsequently, on their work productivity. Deteriorating job performance can lead to an employer taking disciplinary action. Such programs often provide assistance in such situations as emotional stress, marital and family problems, financial and legal difficulties, and drug or alcohol abuse.

Free Rider: An employee who chooses not to join the union that has negotiated the contract over his/her wages and working conditions and who reaps the benefits from that contract.

Fringe Benefits: Vacations, holidays, insurance, medical benefits, pensions and other economic benefits that are provided to employees under the union contract; these are in addition to direct wages.

Labor Relations Board: Quasi-judicial agency set up under national or state labor relations acts. Its duties are defining appropriate bargaining units; holding elections to determine if workers want union representation; certifying unions to represent employees; and applying legal provisions prohibiting certain employer or union unfair labor practices.

Pay Equity: A term referring to the concept that female-dominated jobs or professions have been traditionally undervalued, based on levels of responsibility and required education, and that pay for these jobs should be raised to levels of comparable jobs that are traditionally held by men.

Picketing: The carrying of signs or the passing out of literature protesting working conditions or actions taken by the employer. Picketing occurs during a strike or in the form of an informational picket. In this tactic, designed to put pressure on the employer, union members inform the public and other workers about the conditions they feel are unfair.

Representation Election: A vote conducted by an appropriate labor board or agency to determine whether a majority of the workers in a previously established bargaining unit want to be represented by a given union.

Scab: Someone who takes a striking worker's job or refuses to go on strike with co-workers. By filling the jobs of striking workers and keeping the employer operational, scabs may weaken or help break the strike.

Seniority: Length of service with an employer. Preference can be accorded to employees, based on their seniority, in such areas as promotion, transfer, shift assignment, scheduling, vacation accrual, layoff, recall, etc.

Service Fee: A monetary assessment of non-members in a bargaining unit to help defray the union's costs in negotiating and administering the contract (see Agency Shop).

Strike: A concerted act by a group of employees who withhold their labor for the purpose of bringing about a change in wages, hours or working conditions.

Unfair Labor Practice: An employer or union practice forbidden by the National Labor Relations Act, the Civil Service Reform Act (for federal workers) or state and local laws, subject to court appeal. It often involves the employer's efforts to avoid bargaining a contract in good faith. Other examples may include management's failure to provide information the union has requested and needs to process a grievance or management's repeated failure to implement grievance settlements or arbitration awards. (Note: Some state laws may use the term "prohibited practice.")

