The management team of Happy Trails has many options for activities that they can engage in during their battle with unionization. However, not all options are good; some need to be looked at very carefully.

*Countering union exaggerated claims on flyers*

Countering union exaggerated-claims on flyers is a good option because employers have the right to campaign just as the union organizers do. This could be a pamphlet that discusses the pros and cons of unionization and what unionization could mean to Licensed Practical Nurses (LPNs) in the health care industry. This information should try to be as non-biased as possible to show the staff that the organization can be trusted not to provide false claims.

*Telling employees they do not need to talk to union organizers, that they can vote against the union, and that the independent living home does not welcome the union.*

The employer has every right to campaign against the union; however, the organization should not actively discourage employees from talking with the union representatives. The National Labor Relations Board (NLRB) has strict guidelines for conducting campaigns. If followed, these guidelines ensure that the LPNs are not unduly pressured by either side.

*Soliciting Employees to Request the Return of their Authorization Cards*

Happy Trails must not, at any time, suggest a request for the return of employees’ union authorization cards. They can tell LPNs thatwhether or not employees want to be represented by a union is strictly up to employees and that Happy Trails respects and will honor whatever decision employees may make on this issue.

*Telling employees they will be replaced if they vote for the union*

Telling employees they will be replaced if they vote for the union is a bad idea. Discriminating against employees wishing to participate activelyin organizing a union is not only illegal, but also a guaranteed way to increase the union’s strength or position. The NLRB (2007) web site makes it understandable that an employer may not fire or threaten to fire any employee for his or her actions to promote unionization.

*Appealing to the employees to defeat the union*

Appealing to the employees to defeat the union is perhaps the number one option to choose. Employers can educate employees on the business’ vision and the potential impact of unionization. Happy Trails should do this in writing, to give employees an opportunity to think about unionization without pressure. Additionally, it will ensure that no future claims are filed against Happy Trails to suggest that they threatened, intimidated or made promises for employees not to unionize, or interrogated employees about their interest in a union (NLRB, 2007). Happy Trails must also make a strong case against the union and be prepared to follow through with their promised actions. They should be sure to include historical facts on the failure of unions in the health care industry to help the LPNs make informed decisions on whether or not they want to unionize. LPNs should also be reminded that they are health care providers who swore an oath to put their patients’ needs ahead of their own.

Reference

NLRB. (2007). *Unfair Labor Practices*. National Labor Relations Board. Retrieved May 16,

2009, from http://www.nlrb.gov/nlrb/shared\_files/brochures/engulp.pdf