

## Federal Law Guarantees You the Right to Organize

From the Railway Labor Act Section 152 (<http://www.nmbfacts.com/RLA-Index.htm>)

### **Third. Designation of representatives**

Representatives, for the purposes of this chapter, shall be designated by the respective parties without interference, influence, or coercion by either party over the designation of representatives by, the other; and neither party shall in any way interfere with, influence, or coerce the other in its choice of representatives. Representatives of employees for the purposes of this chapter need not be persons in the employ of the carrier, and no carrier shall, by interference, influence, or coercion seek in any manner to prevent the designation by its employees as their representatives of those who or which are not employees of the carrier.

### **Fourth. Organization and collective bargaining, freedom from interference by carrier, assistance in organizing or maintaining organization by carrier forbidden; deduction of dues from wages forbidden**

Employees shall have the right to organize and bargain collectively through representatives of their own choosing. The majority of any craft or class of employees shall have the right to determine who shall be the representative of the craft or class for the purposes of this chapter. No carrier, its officers, or agents shall deny or in any way question the right of its employees to join, organize, or assist in organizing the labor organization of their choice, and it shall be unlawful for any carrier to interfere in any way with the organization of its employees, or to use the funds of the carrier in maintaining or assisting or contributing to any labor organization, labor representative, or other agency of collective bargaining, or in performing any work therefore, or to influence or coerce employees in an effort to induce them to join or remain or not to join or remain members of any labor organization, or to deduct from the wages of employees any dues, fees, assessments, or other contributions payable to labor organizations, or to collect or to assist in the collection of any such dues, fees, assessments, or other contributions: Provided, That nothing in this chapter shall be construed to prohibit a carrier from permitting an employee, individually, or local representatives of employees from conferring with management during working hours without loss of time, or to prohibit a carrier from furnishing free transportation to its employees while engaged in the business of a labor organization.

## **Fifth. Agreements to join or not to join labor organizations forbidden**

No carrier, its officers, or agents shall require any person seeking employment to sign any contract or agreement promising to join or not to join a labor organization; and if any such contract has been enforced prior to the effective date of this chapter, then such carrier shall notify the employees by an appropriate order that such contract has been discarded and is no longer binding on them in any way.

### **What does this mean?**

1. No carrier, its officers, or agents shall **deny or in any way question** the right of its employees to join, organize, or assist in organizing the labor organization of their choice.

2. It shall be **unlawful** for any carrier to **interfere in any way** with the organization of its employees.

For example the Company cannot:

1. Lay off, discharge, or discipline any employees for union activity;
2. Grant employees wage increases, special concessions or benefits in order to keep the union out.
3. Ask employees about union matters, meetings, etc.
4. Ask employees what they think about the union or a union representative.
5. Ask employees how they intend to vote.
6. Threaten employees with reprisal for participating in union activities.
7. Imply or promise benefits to employees if they reject the union.
8. Announce that the company will not deal with the union.
9. Ask employees whether or not they belong to a union, or have signed up for union representation.
10. Ask the employee, during the hiring interview, about his affiliation with a labor organization or how he feels about unions
11. Make anti-union statements or act in a way that might show preference for a non-union person.
12. Purposely team up non-union employees and keep them apart from those supporting the union.
13. Transfer workers on the basis of union affiliations or activities.
14. Choose employees to be laid off in order to weaken the union's strength or discourage membership in the union.
15. Discriminate against union supportative people when disciplining employees.
16. By nature of work assignments, create conditions intended to get rid of employees because of his/her union activity.
17. Fail to grant a scheduled benefit or wage increase because of union activity.
18. Deviate from company policy for the purpose of getting rid of a union supporter.
19. Take action that adversely affects an employee's job or pay rate because of union activity.

20. Threaten workers or coerce them in an attempt to Influence their vote.
21. Threaten a union member through a third party.
22. Promise employees a reward or future benefits if they decide no union.
23. Tell employees overtime work (and premium pay) will be discontinued if the business is unionized.
24. Say unionization will force the company to lay off employees.
25. Say unionization will do away with vacations, flight privileges, or other benefits and privileges presently in effect.
26. Promise employees promotions, raises or other benefits if they get out of the union or refrain from joining the union.
27. Start a petition or circular against the union or encourage or take part in its circulation if started by employees.
28. Urge employees to try to induce others to oppose the union or keep out of it.
29. Visit the homes of employees to urge them to reject the union.
30. Bar employee union representatives from soliciting employees' memberships on or off the company property during non-working hours.