

Chapter 1 : Office of Labor Relations

It protects union funds and promotes union democracy by requiring labor organizations to file annual financial reports, by requiring union officials, employers, and labor consultants to file reports regarding certain labor relations practices, and by establishing standards for the election of union officers.

Strike wave of Taft-Hartley was one of more than union-related bills pending in both houses of Congress in As a response to the rising union movement and Cold War hostilities, the bill could be seen as a response by business to the post-World War II labor upsurge of During the year after V-J Day , more than five million American workers were involved in strikes, which lasted on average four times longer than those during the war. The amendments enacted in Taft-Hartley added a list of prohibited actions, or unfair labor practices , on the part of unions to the NLRA, which had previously only prohibited unfair labor practices committed by employers. The Taft-Hartley Act prohibited jurisdictional strikes , wildcat strikes , solidarity or political strikes, secondary boycotts , secondary and mass picketing , closed shops , and monetary donations by unions to federal political campaigns. It also required union officers to sign non-communist affidavits with the government. Union shops were heavily restricted, and states were allowed to pass right-to-work laws that ban agency fees. Furthermore, the executive branch of the federal government could obtain legal strikebreaking injunctions if an impending or current strike imperiled the national health or safety. Secondary boycotts and common situs picketing, also outlawed by the act, are actions in which unions picket, strike, or refuse to handle the goods of a business with which they have no primary dispute but which is associated with a targeted business. Campaign expenditures[edit] According to First Amendment scholar Floyd Abrams , the Act "was the first law barring unions and corporations from making independent expenditures in support of or [in] opposition to federal candidates". Closed shop The outlawed closed shops were contractual agreements that required an employer to hire only labor union members. Union shops, still permitted, require new recruits to join the union within a certain amount of time. The National Labor Relations Board and the courts have added other restrictions on the power of unions to enforce union security clauses and have required them to make extensive financial disclosures to all members as part of their duty of fair representation. Union shop The amendments also authorized individual states to outlaw union security clauses such as the union shop entirely in their jurisdictions by passing right-to-work laws. A right-to-work law, under Section 14B of Taft-Hartley, prevents unions from negotiating contracts or legally binding documents requiring companies to fire workers who refuse to join the union. Presidents have used that power less and less frequently in each succeeding decade. Bush invoked the law in connection with the employer lockout of the International Longshore and Warehouse Union during negotiations with West Coast shipping and stevedoring companies in McCarthyism The amendments required union leaders to file affidavits with the United States Department of Labor declaring that they were not supporters of the Communist Party and had no relationship with any organization seeking the "overthrow of the United States government by force or by any illegal or unconstitutional means" as a condition to participating in NLRB proceedings. Just over a year after Taft-Hartley passed, 81, union officers from nearly unions had filed the required affidavits. The amendments also gave employers the right to file a petition asking the Board to determine if a union represents a majority of its employees, and allow employees to petition either to decertify their union, or to invalidate the union security provisions of any existing collective bargaining agreement. National Labor Relations Board[edit] Main article: National Labor Relations Board The amendments gave the General Counsel of the National Labor Relations Board discretionary power to seek injunctions against either employers or unions that violated the Act. Congress also gave employers the right to sue unions for damages caused by a secondary boycott, but gave the General Counsel exclusive power to seek injunctive relief against such activities. Although Congress passed this section to empower federal courts to hold unions liable in damages for strikes violating a no-strike clause, this part of the act has instead served as the springboard for creation of a "federal common law" of collective bargaining agreements, which favored arbitration over litigation or strikes as the preferred means of resolving labor disputes. The Supreme Court nonetheless held several decades later that the

act implicitly gave the courts the power to enjoin such strikes over subjects that would be subject to final and binding arbitration under a collective bargaining agreement. Finally, the act imposed a number of procedural and substantive standards that unions and employers must meet before they may use employer funds to provide pensions and other employee benefit to unionized employees. Opposition to the Act[edit] After spending several days considering how to respond to the bill, Truman vetoed Taft-Hartley with a strong message to Congress. Truman had expressed no opinion on the bill prior to his veto message. The committees considering the bill had requested suggestions from the Truman administration, but did not receive any. A clear majority of House Democrats voted for the bill, while Democrats in the Senate split evenly, 21-21.

Chapter 2 : Taft-Hartley Act - Wikipedia

Congress enacted the National Labor Relations Act ("NLRA") in to protect the rights of employees and employers, to encourage collective bargaining, and to curtail certain private sector labor and management practices, which can harm the general welfare of workers, businesses and the U.S. economy.

Inequality of bargaining power Under section 1 29 U. To achieve this, the central idea is the promotion of collective bargaining between independent trade unions, on behalf of the workforce, and the employer. Various definitions are explained in section 2, 29 U. The Act aims to protect employees as a group, and so is not based on a formal or legal relationship between an employer and employee. Employees and unions may act themselves in support of their rights, however because of collective action problems and the costs of litigation, the National Labor Relations Board is designed to assist and bear some of the costs. Under section 3, 29 U. Those processes are initiated in the regional offices of the NLRB. Sections 4 29 U. Section 6 29 U. This will generally be binding, unless a court deems it to have acted outside its authority. Under section 10 29 U. Under section 11 it can lead investigations, collect evidence, issue subpoenas , and require witnesses to give evidence. Under section 12 29 U. Collective bargaining Section 7 29 U. Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8 a 3. Specific rules in support of collective bargaining are as follows. There can be only one exclusive bargaining representative for a unit of employees. Promotion of the practice and procedure of collective bargaining. Employers are compelled to bargain with the representative of its employees. Employees are allowed to discuss wages. Unfair labor practice "Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all of such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section a 3 of this title. These are, a 1 "to interfere with, restrain, or coerce employees in the exercise of the rights guaranteed in section 7". This includes freedom of association , mutual aid or protection, self-organization, to form, join, or assist labor organizations, to bargain collectively for wages and working conditions through representatives of their own choosing, and to engage in other protected concerted activities with or without a union. In addition, added by the Taft-Hartley Act , there are seven unfair labor practices aimed at unions and employees. Election of bargaining representatives[edit].

Chapter 3 : Labor | Wex Legal Dictionary / Encyclopedia | LII / Legal Information Institute

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Chapter 4 : Labor Relations Law | calendrierdelascience.com

The National Labor Relations Board is an independent federal agency that protects the rights of private sector employees to join together, with or without a union, to improve their wages and working conditions.

Chapter 5 : National Labor Relations Act of - Wikipedia

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Federal labor relations laws are governed by the National Labor Relations Act, which came into force in to encourage collective bargaining, protect the rights of employers and employees and.