

SUPERVISORS BEWARE

IT IS UNLAWFUL FOR AN EMPLOYER, SUPERVISOR, OR AN AGENT ACTING ON BEHALF OF AN EMPLOYER TO INTERFERE WITH, RESTRAIN, OR COERCE EMPLOYEES SEEKING TO ORGANIZE OR JOIN A UNION.

ANY OF THE FOLLOWING ACTS MAY CONSTITUTE A VIOLATION OF THE NATIONAL LABOR RELATIONS ACT, AS AMENDED.

WHAT SUPERVISORS AND EMPLOYERS CAN NOT DO

1. Attend or spy on union meetings, tap union telephones, or engage in any activity which could create the appearance that employees are being kept under surveillance to determine who is and who is not participating in the union program.
2. Have employees attend or spy on union meetings or otherwise report on union activity.
3. Take still or motion pictures of employees engaging in union activities.
4. Attempt to obtain a list of union activists.
5. Ask employees about confidential union matters or meetings.
6. Ask employees whether they belong to the union, whether they plan to join the union, or other questions about the union or its representatives in circumstances that might tend to restrain employees from engaging in union activities.
7. Threaten or intimidate union members or supporters through third parties.
8. Urge employees to induce other employees not to join the union.
9. Threaten employees with discharge or layoff if they engage in union activity.
10. Discharge or layoff any employee because of his or her union activity.
11. Threaten employees with economic reprisal for participating in union activities. Such illegal threats include threats to close or relocate the plant, to curtail operations or subcontract work, to eliminate overtime or paid rest breaks, or to take away or reduce any other employee benefits.
12. Make statements about the union that reasonably could be understood to contain a threat of reprisal for engaging in union activity.
13. Initiate or encourage a petition against the union.
14. Promise employees promotions, wage increases, or other benefits if they refrain from joining or they quit the union.
15. Give wage or benefit increases to employees during an organizing drive where such increases are not part of an established program of improvements.
16. Tell employees that union activity will be viewed as disloyalty to the Company.
17. Ask a job applicant about his affiliation with or support for a labor organization.
18. Refuse to hire a job applicant because he or she is pro-union.
19. Provide financial support or other assistance to a union or an employee committee.
20. Take an active part in organizing a union or a shop committee or otherwise pressure employees to join a company committee or union.
21. Participate in the internal affairs of the union.
22. Assign work, transfer employees, or allocate overtime on the basis of union affiliation.
23. Discipline union supporters or union officers more severely than other employees or show any other preference for non-union employees hours, or other terms with respect to wages, employment, and conditions of employment.
24. Make work conditions more difficult or onerous for union supporters than for other employees.
25. Exclude supporters of the union from participation in a company sponsored pension, insurance, or other benefit plan.
26. Deviate from an established company policy for the purpose of getting rid of a union supporter.
27. Close down part of the business to discourage effective union activity.
28. Close down one facility to discourage unionism in another.
29. Discharge or discriminate against an employee because he or she has filed a charge with the NLRB, refused to withdraw a charge from the Board, given statements to a Board agent, or testified as a witness at a Board hearing.
30. Deny benefits or other terms and conditions of employment to employees who testify for the union at a Board hearing, if the employer does not deny these benefits to pro-employer witnesses.
31. Ask questions about an employee's cooperation with the Board or its agents investigating an unfair labor practice.
32. Refuse to supply the union's negotiating committee with financial data, statistics, etc., relating to employees' wages, benefits, or other terms and conditions of employment.
33. Bar employee union representatives from soliciting employee membership during non-working hours.

SUPERVISORS REMEMBER: YOU CAN NOT LEGALLY BE FIRED FOR REFUSING TO PERFORM ANY OF THE ABOVE ACTS OR FOR TESTIFYING AGAINST YOUR EMPLOYER AT AN NLRB PROCEEDING.

SUPERVISORS - TAKE NOTE

The IBEW strongly urges all supervisors and other non-unit employees to read the press release reprinted below. Read how a supervisor was fined \$10,000.00 and sentenced to jail for making false statements to the NLRB (National Labor Relations Board).

Don't let your enthusiasm to please the company carry you away to jail. Ask yourself, "If this happens to me will the company pay my fine and will the "boss" or his high-priced lawyers serve my time for me. And whose name will be put on the criminal record?"

A supervisor is fined \$10,000.00 and sentenced to one-year in jail for making false statements to NLRB officials during an election investigation. However, a federal district court then decides to reduce the supervisor's sentence to 30 days in a work-furlough program, plus 500 hours of community service in job training. The supervisor was found guilty of filing an NLRB affidavit in which he falsely denied having offered "to hire employees to vote against the union." In sentencing the supervisor, the court stresses that the case does not involve "a prosecution of a management official for anti-labor activity," but for giving false statements under oath to government investigator. (U.S. v. Barisic, USDC NCal, CR-80-0306-WWS. October 31, 1980)

SUPERVISORS ALSO GAIN

Remember! Any benefits which the IBEW negotiates for bargaining unit employees will probably be given to you. So even though you are instructed to resist any organizing attempt, you know that the IBEW will improve your status too, and give you and your family much more than you now have. **You deserve it!**