



## UNION AVOIDANCE

### ON YOUR TEAM

A union flyer was posted on one of your facility's employee bulletin board last night. What should you do next?

Fortunately, you don't have to know the answer – because we do. We have the experience, depth and understanding to deal with any situation at a moment's notice. We will get you through this – our professionals have worked with employers from coast-to-coast, across most industries and with most of the major unions. Our passion is to preserve a client's freedom to manage and to assist our clients in helping them remain union-free.

Our goal is to engage clients in union avoidance activities prior to an actual campaign – to avoid campaigns altogether. Part of that strategy involves training of key supervisors. Employers can demonstrate their commitment to providing employees a voice in three key ways:

- Creating an environment where employees are comfortable speaking to management about issues and concerns
- Engaging a management team that is willing and able to listen to these concerns
- Providing a culture and operational structure that allows the management team to follow up and act effectively to correct these issues when necessary

### Experience and Innovation

We have an extensive team of legal professionals that offer creative solutions and innovation, aimed at engaging clients in union avoidance activities prior to the formation of an actual campaign. We estimate our team has helped manage hundreds of union organizing attempts and/or campaigns, and our clients have obtained favorable results in more than

## Labor and Employment Blog

Our labor and employment blog aims to be a source for news, analysis, and commentary on employment law developments across the country and on traditional labor legal issues, including news related to the National Labor Relations Board.

[Visit the blog](#)

### RELATED PRACTICES

Labor and Employment

96% of the campaigns in which we have been involved. Our team has also helped companies avoid hundreds of campaigns across the country, including UAW, Steelworkers, Teamsters, CWA, IBEW, UFCW, UNITE-HERE, IAM, AFTRA, SEIU, The Laborers, GMPP, Sheet Metal Workers, 1199, just to name a few.

## Training and Strategy

The key to any union avoidance plan lies with front-line supervisors and their ability to deal with issues immediately and constructively. A major component of our union avoidance strategy is to train supervisors and alert them to the skills necessary to avoid unions, skills they can use each day in their interaction with employees.

An effective union avoidance strategy involves a number of other components, including:

- **Assessing Vulnerabilities.** We regularly help our clients assess their vulnerabilities to union organizing through audits, surveys, supervisor inquiries and employee forums.
- **Application Screening Process.** Unions often try to plant their members into a company's workforce to assist with union organizing efforts. We have developed an applicant screening process.
- **Monitoring the NLRB and Other Pro-Labor Legislation and Regulations.** Barnes & Thornburg is involved in the U.S. Chamber of Commerce's executive legislative committee in Washington, D.C. We monitor what's happening on the legislative and regulatory front, and we communicate these developments to our clients regularly.
- **Rapid Response Capabilities.** We have been called in by clients to manage rapid responses to organizing activities and have prepared our entire team with campaign management tools that allow us to quickly address union organizing activities in the event of any card-signing or other union activity.

## Practice Leaders



**David J. Pryzbylski**  
Partner

P 317-231-6464  
F 317-231-7433



**Donald P. Lawless**  
Partner

P 616-742-3994  
F 616-742-3999



**Gerald F. Lutkus**  
Of Counsel  
(Retired)

P 574-237-1118



**Janilyn Brouwer Daub**  
Partner

P 574-237-1139  
F 574-237-1125



**Jason T. Clagg**  
Partner

P 260-425-4646  
F 260-424-8316



**Jeanine M. Gozdecki**  
Partner

P 574-237-1277  
F 574-237-1125



**John T.L. Koenig**  
Partner

P 404-264-4018  
F 404-264-4033



**John F. Kuenstler**  
Partner

P 312-338-5924  
F 312-759-5646



**Keith J. Brodie**  
Partner

P 616-742-3958  
F 616-742-3999



**Keith E. White**  
Of Counsel  
(Retired)

P 317-231-6496



**Kenneth J. Yerkes**  
Partner

P 317-231-7513  
F 317-231-7433



**Kyle Kirwan**  
Partner



**Mark S. Kittaka**  
Partner

P 260-425-4616  
F 260-424-8316



**Michael Palmer**  
Partner

P 574-237-1135  
F 574-237-1125



**Michael A. Snapper**  
Of Counsel  
(Retired)

P 616-742-3947



**Nathan A. Baker**  
Partner

P 317-231-7806  
F 317-231-7433



**Peter A. Morse, Jr.**  
Partner

P 317-231-7794



**Richard P. Winegardner**  
Partner

P 317-231-7512



**Robert W.  
Sikkel**

Of Counsel  
(Retired)

P 616-742-3978



**Roger W.  
Benko**

Of Counsel  
(Retired)

P 574-237-1122



**Scott J.  
Witlin**

Partner

P 310-284-3777

F 310-284-3894



**Terry W.  
Dawson**

Partner

P 317-231-7269

F 317-231-7433



**William T.  
Hopkins, Jr.**

Of Counsel  
(Retired)

P 260-425-4644



**William A.  
Nolan**

Partner

P 614-628-1401

F 614-628-1433