

## Labor Relations

Management of unionized workplaces requires deft negotiating skill and practical experience building working relationships with organized labor. Many employers rely on our sound advice to manage relations with their unionized workforces or to implement employee relations strategies that reduce the likelihood of employees unionizing. Because new rules have shortened the timeframes for employers to react to union organizing efforts, our lawyers help employers develop proactive strategies for handling such efforts.

For clients with unionized workforces, we handle the full range of labor relations needs, including collective bargaining, contract administration, work stoppages, and arbitrations and grievance procedures.

### Labor Negotiations

We tailor all labor negotiations to match your business goals and priorities. Whether that means serving in negotiations as your company's chief spokesperson or acting as a behind-the-scenes strategist, we help you negotiate a path that serves your company's best interests long-term. To accomplish these goals, we help employers plan for and structure important organizational changes—from introductions of labor-saving technologies, to layoffs and reductions of employee classes, to mergers and acquisitions. This may involve us bargaining individually or collectively or coordinating multi-location, multi-union agreements to accomplish your goals.

### Labor Contract Administration

The day-to-day operation of an organization under a collective bargaining agreement is a critical part of the overall bargaining relationship. Properly managed, contract administration builds predictability and trust that serves the parties well during periodic negotiations for new agreements. Unanticipated problems can be addressed as they arise and can set the stage for updates to the collective bargaining agreement during periodic negotiations.

We regularly collaborate with clients that have collective bargaining agreements, helping the client identify its goals and best implement those goals through the collective bargaining agreement and external law.

### Labor Arbitrations and Prohibited Practices Claims

Arbitration is a lynchpin of most collective bargaining agreements for a good reason. The process provides a quick, efficient, and final resolution to disputes between parties based on the parties' own agreements. Properly used, arbitration can help fine-tune a collective bargaining agreement over time; as arbitration decisions inform bargaining, new agreements in turn impact future arbitration decisions.

Our lawyers address at arbitration almost every issue that can arise under collective bargaining agreements—from simple discipline cases to broad-reaching employee benefit issues. Because arbitrations can be more effective than other forums or negotiations for working through certain operational changes, our attorneys can help you identify which changes likely present opportunities for better results through arbitration.

As with arbitration, our approach to handling prohibited practice complaints is to recognize that these claims are part of the bargaining relationship and to either pursue or defend such claims with an eye towards the larger goals of the organization.

## Representative Matters

### Heavy construction—Labor litigation

Defeated NLRB charges of labor discrimination; resolved work jurisdiction disputes, arbitrations.

### Beverage clients—Union decertification, union organizing, contract negotiations

Secured a union decertification and defeated a union organizing campaign.

### Media company—Benefit claim

Obtained dismissal of a state statutory benefit claim due to labor contract preemption.

### Hospital system—Union decertification

Obtained a New York Court of Appeals affirmance of a union decertification due to institutional involvement in management affairs.

### Commercial office building—Injunction

Obtained, in a case of first impression in New York, an injunction of union noise-making under a theory of private nuisance tort.

### Connecticut city—Interim director of labor relations

Served as interim director of labor relations for a Connecticut city for more than 14 months, handling collective bargaining, addressing grievances, and conducting and directing internal investigations. We also negotiated a favorable settlement of federal court wage and hour collective action brought by nearly 200 city firefighters that alleged improper overtime pay calculations.

## Alerts

Win for Motor Carriers in Battle in California over Employment Classification of Owner-Operators, Transportation, Logistics & Supply Chain Management and Labor & Employment Law Alert, 1.17.2020

NLRB Expands Employer Rights to Limit Activities of Non-Employee Union Organizers, Labor & Employment Alert, 5.25.2019

Dealing With a Divided Workforce: NLRB Clarifies Standard for Treating Union and Nonunion Workers Differently, Labor & Employment Alert, 5.15.2019

Two Days, Four Decisions: NLRB Begins Dismantling Obama-Era Rules, Labor & Employment Alert, 12.18.2017

NLRB General Counsel: There's a New Sheriff in Town, Labor & Employment Alert, 12.8.2017

Union Organizing Update: Quickie Union Election Rules Combined with New Persuader Regulations Emphasize Need for Advance Planning, Labor & Employment Law Alert, 4.14.2016

Just in Time for Labor Day – Employees You Didn't Know Were Yours, M&E Labor & Employment Law Alert, 9.1.2015

## Articles

Is Your Company Ready for PA's New Employee Verification Law?, Construction Today Magazine, 2.5.2020

How College Athletes Will Be Paid Under California's Fair Pay to Play Act, Best Lawyers, 10.30.2019

Wage and Hour Laws: New Jersey, Thomson Reuters Practical Law, 7.22.2019

## Quoted

Back to Basics: An OSHA Overview, HR Drive, 4.2.2020

National Grid Union Workers OK Contract, Ending Lockout, The Boston Globe, 1.4.2019