

# Point/Counterpoint: Why two labor posters are better than one

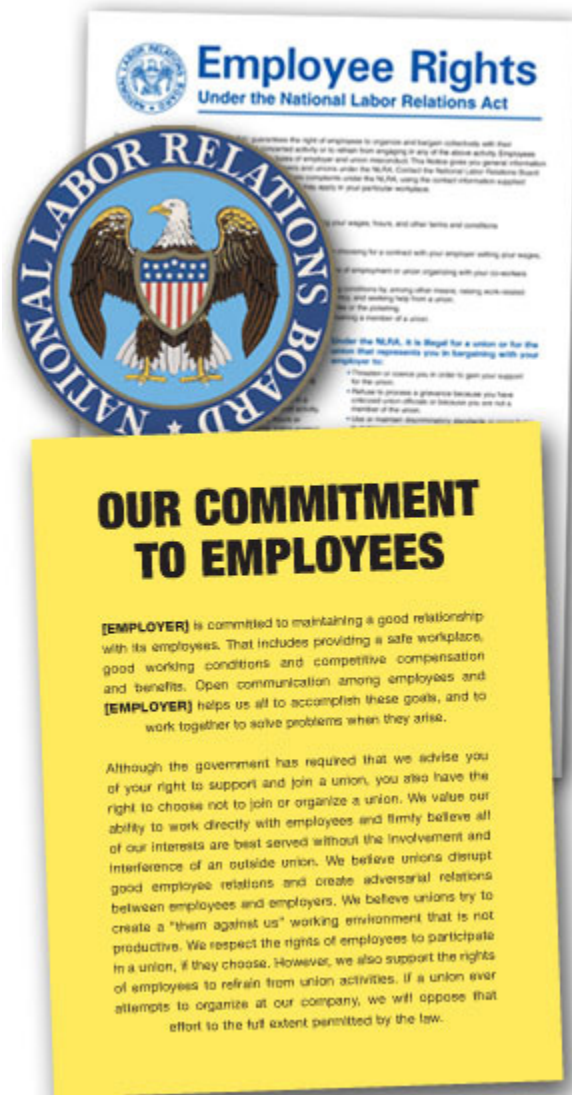
McAfee & Taft EmployerLINC Employment Law Update - April 5, 2012

By **Charlie Plumb**

As a follow-up to our **EmployerLINC employment law update** from October 17, 2011, as things stand right now, beginning on April 30, 2012, most private employers will be required to display **pro-union posters** in their workplace issued by the **National Labor Relations Board**, advising employees of certain rights, including their right to organize their workplace and join a union. This does not apply to public sector employees, employees of air and rail services who are covered under the Railway Labor Act, independent contractors, and some others.

Although the specific language mandated by the Labor Board for its poster is accurate, it does not clearly explain to employees their right to refrain from union activities. At the same time the poster requirement goes into effect, the Labor Board will be updating its website and disseminating information emphasizing the steps for employees to follow in order to unionize. We should anticipate that these activities may increase employees' interest in considering unionization this spring and summer.

Now is not the time to wait and see what happens. Employers are entitled to lawfully explain to the workforce why they think bringing a union into a company is counter-productive. There is no sense in remaining silent and not explaining to employees where their employer stands on the issue. **Here is an example** of an employer poster which employers may post along with the poster ordered by the Labor Board. Consistent with the law, the poster lawfully explains why the employer does not want a union in the workplace.



## OUR SUGGESTION

Don't sit idly by and let events unfold without speaking your mind. Consider using **this poster** as a way to clearly communicate to your employees where the employer stands when it comes to unions.

## LINKS

- [Notice of Employee Rights under the National Labor Relations Act \(Downloadable PDF\)](#)
- [National Labor Relations Board](#)
- [Sample employer "counterpoint" poster that can be posted with the NLRA "Employee Rights" notice](#)
- [McAfee & Taft's Labor and Employment Group](#)
- [Charles Plumb's Bio](#)

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