



New Health Care Law Poses New Union Organizing Threat

A New Orleans-based labor union has begun using the new federal health insurance exchanges created by the Affordable Care Act in an effort to unionize workers over a three-state territory, including Arkansas, Louisiana, and Texas. That's according to an alert issued on October 24, 2013, by the Louisiana Association of Business and Industry ("LABI"). [Click here](#) to read the full text of the alert and learn who's behind the new union organizing scheme and how it works.

How serious is the new union organizing threat? With an unabashedly pro-union National Labor Relations Board pushing pro-union measures like quickie-elections, the climate for union organizing hasn't been this favorable in years. In fact, unions have been lying in wait for a time such as this; and it's precisely because unions have been dormant in their organizing efforts for so long that the current threat is so dangerous. Many employers today have forgotten what it's like to battle active union organizing, or perhaps they never lived through it. They've let their guards down as a result; and that's exactly what the unions are counting on.

What it means for employers. The best defense against union organizing is making your workforce unattractive to union organizers. That starts with fostering a positive work environment through a well-trained, responsible, and responsive team of managers and supervisors. Your managers and supervisors need to know the "keys" to being a good supervisor who their employees respect and trust. They also need to know how to detect the telltale signs of union organizing and what they can and can't say and do when they confront it. What you see when a union organizing campaign surfaces is often the "tip of the iceberg." So if you fail to take proactive steps to combat unionization, including making sure your supervisors are properly trained, it may be too late for you to mount an effective opposition by the time you receive a petition for a union election.

To learn more about how you can make your workforce unattractive to union organizers and reduce your exposure to a union organizing campaign, contact one of the labor and employment lawyers on Jones Walker's team.

— [H. Mark Adams](#) and [Sidney F. Lewis, V](#)

Remember that these legal principles may change and vary widely in their application to specific factual circumstances. You should consult with counsel about your individual circumstances. For further information regarding these issues, contact:

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