

## Threats

Section 8 (a) (1) of the NLRA makes it an unfair labor practice for an employer "to interfere with, restrain, or coerce" employees in the exercise of the rights guaranteed under the Act. An employer may not threaten employees with adverse consequences if they participate in protected, concerted activity. Company threats, such as telling employees the business location will close or that all current workers who vote to strike will be fired, are also prohibited.

\*Section (a) 3 Prohibits Employers from discriminating against employees regarding any condition of employment for the purpose of encouraging or discouraging union activity. Action taken by the Employer such as disciplining individuals or reducing employees' pay for supporting the Union are prohibited.

### TIPS :

is an acronym used to determine if your rights as an employee have been violated under the National Labor Relations Act. TIPS stands for threats, interrogation, promises, and surveillance. It is a violation for Employers to engage in such conduct during a campaign.

T - Threats of reprisals relating to union activity.

I - Interrogation concerning union activity.

P - Promises of benefits relating to union activity.

S - Surveillance or creating the impression of surveillance.

If a manager attempts to prohibit union activity please document  
and call your Union Representative  
253-589-0367



## Interrogation

Section 8 (a) (1) Your Employer may not interrogate you about your support for the Union. They may not ask you to provide names of coworkers who have attended union organizing meetings or who is a company supporter vs. a union backer. Similarly, asking employees if they have signed strike authorization cards or how they plan to vote on a contract is prohibited.

## Promises

Section 8 (a) (5) Your Employer may not make promises of future benefits to interfere with the negotiation efforts. Examples of promises would include agreeing to address employees' grievances that came up during the campaign, offering pay increases or better benefits, and providing promotions to those who don't support the union.

\* Bypassing the Union to deal directly with members over terms and conditions of their employment, even if they result in improvements are better known as direct dealing and illegal under the Act.

## Examples of Concerted Protected Activity

- Wear a Union button, sticker, or other items on the job.
- Read, distribute, and discuss Union literature in non-work areas during not work times.
- Talk about the Union and union activities if you are allowed to talk about other non-related work subjects.
- Sign petitions, pledge cards, or file grievances related to working conditions.
- Ask other employees to support the Union as well.
- Participate in a leaflet or informational picket.

## Examples of Unlawful Employer Activities

- Fire, lay off, discipline, harass, transfer, or take any adverse action because you support the Union.
- Favor employees who don't support the Union in promotions, job assignments, wages, hours enforcement of rules, or any other working conditions.
- Shut down the work site or take away any benefits or privileges employees already enjoy in order to discourage union activity.
- Make unilateral changes to your working conditions including improvements.
- Surveil, spy or create the impression of surveillance.

## Surveillance

Section 8 (a) 1 Surveilling or spying means doing something out of the ordinary to observe activity, listening to conversations, photographing or videotaping employees engaged in peaceful union or other protected activities are prohibited. Creating the impression of spying on employees' union activities is also illegal.



Union Rep \_\_\_\_\_  
Grievance Rep \_\_\_\_\_  
Date \_\_\_\_\_

### Unfair Labor Practice Investigation Form

\*This document should be used as an investigatory tool and can be filled out by Reps. or Stewards. This document is property of UFCW 367 and should not be submitted to any employer.

NAME OF COMPANY	NAME OF EMPLOYER REPRESENTATIVE
ADDRESS	EMPLOYER REPRESENTATIVE NUMBER & EMAIL
TYPE OF ESTABLISHMENT	NUMBER OF WORKERS

Which section of the NLRA was violated?  
(See "It's the Law, Unfair Labor Practice" for more info)

- Section 8(a)(1) The Employer interfered with, restrained or coerced employees engaged in concerted activities
- Section 8(a)(3) The Employer discriminated against employees in regard to their terms and conditions of employment
- Section 8(a)(5) The Employer violated the duty to bargain

What happened? Write a clear and concise statement of the facts constituting the unfair labor practices: Please attach all relevant documents

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Who was involved? Include names and titles of all witnesses:

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When did the incident occur and where? Include date and time:

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Name all witnesses that will provide an affidavit:

Name _____ / Contact # _____	Name _____ / Contact # _____
Name _____ / Contact # _____	Name _____ / Contact # _____