

Union Busting 101

Union-busting is an attempt by management to prevent or discourage employees from exercising their legal right to unionize and/or collectively bargain. During bargaining, these tactics are usually esigned to destroy solidarity among workers and between workers and their union reps.



1 DELAY TACTICS

Management will try to delay getting to final agreement on any proposal that is going to cost them more money. Recent Bureau delay tactics include:



- Putting insufficient resources into the pay reset process both at the outset and when they became aware that there were serious problems with the data;
- Trying to pit various topics for bargaining against each other and shift focus to the one they think will be easiest/make them look best/less costly;
- Refusing or waiting long periods of time to respond to union proposals

2 MISREPRESENTING THE NEGOTIATION PROCESS/UNION POSITIONS



Management falsely claims they can unilaterally impose a policy if they can't come to an agreement with the union by a certain date; blames the union for any delays or standstills; etc.

3 CAPTIVE AUDIENCE MEETINGS



Management will hold mandatory workplace meetings (like an All-Hands call) and uses some or all of the time during the meeting to present its bargaining positions, sow doubt about the union's bargaining positions, discuss and/or announce workplace changes that are subject to bargaining prior to reaching an agreement with union representatives. Only management speaks at these meetings and questions are either not allowed or not answered during the meeting.

4 GUILT & SHAME



“You already have higher pay and better benefits than most Federal Employees”, “Other Agencies have already finalized and are implementing their return to work plans”, “We have been so generous in taking care of and looking out for employees during the pandemic,” etc.

Union Busting 101 (continued)

5 DIVIDE AND CONQUER

Management will attempt to drive a wedge between employees and their union representatives and/or sow division among different groups of workers (e.g., HQ workers & Examiners, Employees in lower pay bands & those in higher pay bands; parents & those without kids, etc):

- Implying that the union is an unnecessary barrier between employees and Leadership, instead reassuring people that they maintain open lines of communication with everyone (“My door is always open”, “We’re listening”, meeting with ERGs);
- Pointing to flexibilities or perks that the agency has voluntarily made available to convince workers that the union is unnecessary because Leadership already acts in their best interests;
- Using terms to suggest that Management and bargaining unit employees are all part of the “CFPB Family” or part of the same “Team” and should trust one another;
- Implying "the Union" it is an outsider or third party rather than a bargaining unit made up of agency employees.
- Pushing bargaining one an issue that is a priority of one group of employees to delay bargaining on an issue is a priority to a different group of employees (pay bands v. remote work v. health & safety).



6 FEAR & COERCION

Management takes actions intended to sow fear among employees or coerce them into supporting Management's position:

- Threatening to take away benefits or perks;
- using loopholes or technicalities to avoid or delay bargaining and/or get out of prior agreements with the union;
- Taking action that breaks labor laws;
- Taking action that makes employees think Management can or will break labor laws.



7 WEARING DOWN WORKERS

Leadership seeks not just to scare people, but confuse and tire them out. They convey messages (by email, in meetings, etc.) intended to make the union’s position seem unreasonable, scary, or hopeless so that workers either turn against the union or get so sick of constant messages from all sides that they become apathetic.



**Don't let management's union busting break our solidarity!
Print out the CFPB Solidarity Busting Bingo Card
and see how many tactics you can spot!**