CASE STUDY 1-1: Was "a Troublemaker" Laid off for Sharing Wage Information? Or for Business Reasons?

The Administrative Law Judge and the three-member panel of the National Labor Relations Board (NLRB) agreed that the American Restoration Contractors (ARC) violated federal labor law when managers forbade Potts from discussing wages with his co-workers. What is your take? As manager and as a union professional? Why?

The NLRB has long held that employees have the right to discuss wages among themselves as such discussion is a part of "concerted action" and "mutual aid and protection." What do you think of this as an employee? As a manager is this the precursor of union formation and/or collective bargaining? Even if no mention is made of and forming a union, it is still protected activity?

The Administrative Law Judge and the three-member panel of the NLRB agreed that ARC did not violate the law when it released Mr. Potts. They said that the General Counsel did not prove that ARC was retaliating against Mr. Potts. Instead, the judge noted that he had been given several pay raises and ARC kept him on the payroll until near the end of the restoration project, even though management was aware of his activities. He was terminated for discussing his salary. What is your take on such matter? Do you agree and why?

Questions: Pick any three (3) from below to answer:

1.Compare and discussion what the steps companies may take to implement a positive human resources management program with principles of effective management. Refer to the reasons employees become members of unions to assess the means used by union organizers to meet these needs.

2. What are some situations in which management or the union would prefer centralized bargaining? In what situations might both prefer centralized bargaining? Discussion should take in to account specific legal considerations affecting centralized bargaining.

3. List the main factors that may help to explain the wage differential between two different jobs in an organization with which you are familiar.

4. The text outlines basic assumptions underlying the labor relations process in the United States. To what extent do you agree or disagree with these assumptions? Does your response differ depending on whether you think about the question from the perspective of an employer or an employee?

5. Can an individual be both pro-union and pro-employer, or does being pro-union mean one has to be anti-employer? Why? Can an individual be anti-union and still legitimately claim to support pro-employee interests? Tell what have you learned in this course that helps you with this?

6. Exhibit 1.1 illustrates the focal point of the labor relations process and many variables that affect the process. Select an academic discipline such as political science, economics, or sociology, and indicate three specific ways the discipline could add insights into the labor relations process.

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