

JacksonLewis

A COUNTER-ORGANIZING SIMULATION

Remaining Union Free

Preparing Your Team in 2020

With the November presidential election months away, the current Labor Board is acting with a sense of urgency in reversing and modifying prior administration rulings and initiatives. The Board has shifted to the right, and as a result, organized labor has reinvigorated organizing efforts to protect its market share. The uptick in union petition filing and the win rate for unions in representation elections continue to be historically high. Is your organization prepared?

During our unique simulation, the Jackson Lewis team will walk attendees through a realistic organizing campaign, from initial card signing to election day. As part of the program, we will assist attendees in developing a “break the glass” kit, with lawful and effective card-signing communications ready to be utilized in the event of actual organizing activity.

This new program, which is designed to equip even the most experienced labor practitioners with new and innovative strategies, will enable attendees to develop and implement a labor relations plan that addresses the various organizing challenges employers may face in 2020. With a focus on pre-petition organizing and card signing, this simulation will provide a new experience for those who have attended previously.

This dynamic, interactive workshop will prepare your team to accomplish these things:

- Capitalize on current National Labor Relations Board initiatives that strengthen a company’s ability to combat organizing;
- Draft and implement a detailed and effective labor relations plan to counter current organizing strategies;
- Create a workplace environment which renders union and other third party interference an unnecessary risk and expense;
- Use various tools, including electronic resources, to effectively communicate your message during a campaign;
- Strategically align job classifications to argue for the most appropriate bargaining unit for the company;
- Act preemptively in dealing with anticipated changes from a reconstituted NLRB;
- Identify and develop policy language that does not infringe upon employees’ rights to discuss terms and conditions of employment under Section 7 of the NLRA;
- Respond to difficult and challenging employment issues in the middle of a union organizing drive;
- Effectively fend off national and international corporate campaigns, including union requests for card check/neutrality;
- Lawfully respond to hand billing and picketing on or near your property; and
- Address employees’ social media use, including blogs, podcasts and YouTube to broadcast messages in support of a union using your organization’s computers.

Labor Update

Jackson Lewis will provide a labor update summarizing recent changes and preventive strategies, including the following:

- The abolishment of the “quickie” election rule effective April 2020;
- The significant decisions recently issued reversing prior administration policies and initiatives and recommended strategies in light of these changes, including the below:
 - *Boeing Company*, Developing a New Approach When Analyzing Workplace Rules and Policies;
 - *Hy-Brand Industrial Contractors, Ltd.*, Adopting a New Joint Employer Standard of “Direct and Immediate Control;”
 - *PCC Structurals, Inc.*, Reversing the Prior Board’s Standard on Determining the Size and Scope of a Bargaining Unit and Reviving the Traditional Community of Interest Standard;
 - *Caesars Entertainment d/b/a Rio All-Suites Hotel and Casino* overruling *Purple Communications*, with respect to employees’ rights to use a company’s email system;
 - *Raytheon Network Centric Systems*, Changing the Standard on an Employer’s Duty to Bargain; and
 - *Kroger Limited Partnership* reversing precedent by strengthening a company’s right to eject union organizers from its property.
- The Board’s direction to NLRB regional offices to issue unfair labor practice complaints against unions accused of certain negligent behavior towards members;
- Where things stand with the joint employer standard and how the Board’s stance can impact your relationships with temporary staffing companies, vendors and contractors moving forward;
- Labor strategies with regard to various state law initiatives (i.e., right-to-work legislation, public sector collective bargaining, etc.);
- The Board’s position on whether interns or student workers are employees within the meaning of the Act; and
- Enforceability of class action waivers contained in arbitration agreements.

Labor Simulation

This fast-paced, intense and challenging exercise will aid you in developing a keen understanding and awareness of how you might lawfully respond the first moment you receive notice of union organizing. This exercise will also show you how to strategically structure your organization to avoid the likelihood of smaller micro-bargaining units.

Attendees will learn through thought-provoking scenarios that raise some of the most challenging labor issues that employers will face during a labor organizing drive in 2020. You will create and draft material, direct management teams and react to employee relations issues, all of which have both a practical and legal impact on the organizing attempt. We will provide you with the tools to prepare for a shortened election cycle, tips on how to use social media and technology to your advantage and a “break the glass” kit you can quickly implement at your workplace.

Whether you have extensive experience in labor organizing or have never experienced a union campaign, this conference will be beneficial for you and your team.

Registering Five or More Attendees?

Registration is limited to four attendees per company for all 2020 programs. You may wish to consider a cost-effective in-house program specifically tailored for your group.

Who Should Attend?

In-house counsel, managers, labor relations and human resource directors, senior executives, and business owners. Attendance is limited to high-level, experienced attendees. Regardless of your experience with union organizing and elections, this workshop will provide the strategies and tools you need to determine how to respond effectively and aggressively to labor organizing.

Did you Know?

- Union win rates in elections have been at historically high levels over the past several years
- More targeted counter-strategies yield results
- Trends suggest the continuation of a more highly focused labor movement

Day One	Time
Registration	12:00 – 1:00 p.m.
Labor Update	1:00 – 3:00 p.m.
Labor Simulation	3:00 – 6:00 p.m.
Cocktail Party	6:00–7:30 p.m.

Day Two	Time
Breakfast	7:30 – 8:30 a.m.
Labor Simulation	8:30 a.m. – 4:00 p.m.

Cost: \$795 per individual attendee

The fees must be paid in full at registration. Jackson Lewis reserves the right to limit attendance or deny registration at its discretion.

Registrants seeking financial aid should contact Adrienne Reiff at Adrienne.Reiff@jacksonlewis.com.

Questions about Union Free? Please contact Ramlah Bari at Ramlah.Bari@jacksonlewis.com.

A Counter-Organizing Simulation

This workshop will be presented by EDWARD CHEROF, CHAD RICHTER, JONATHAN SPITZ, and MICHAEL STIEF, principals with Jackson Lewis, who together have presented hundreds of programs over the years to advise organizations like yours that seek to remain union free.

Dates and Locations



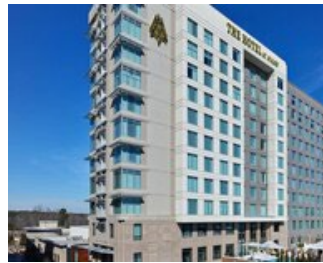
March 25–26 | Austin

JW Marriott Austin
110 East 2nd Street
Austin, TX 78701

Phone: 512-474-4777

Reduced Jackson Lewis rate:
\$309 per night.*

[Book](#) a room



May 12–13 | Atlanta

The Hotel at Avalon
9000 Avalon Blvd.
Alpharetta, GA 30009

Phone: 678-722-3600

Reduced Jackson Lewis rate:
\$289 per night.*

[Book](#) a room



September 17–18 | Las Vegas

The Mirage Hotel and Casino
3400 S. Las Vegas Blvd.
Las Vegas, NV 89109

Phone: 702-791-7444

Reduced Jackson Lewis rate:
\$159 per night.*

[Book](#) a room

**Room reservations are the responsibility of registrants. If the Jackson Lewis room block is full, you can often still book a room outside of the block, but please be sure to ask.*

About the Jackson Lewis Labor Practice

Jackson Lewis is a workplace law firm that offers legal advice to employers on the many laws which impact an employer's decision and ability to develop and implement a comprehensive preventive labor relations program.

- Jackson Lewis has been retained to offer legal advice to countless employers who have succeeded in winning NLRB elections or in averting union elections altogether.
- Our labor attorneys have represented clients in thousands of matters before arbitrators, mediators, the National Labor Relations Board, state labor boards, government agencies, and state and federal courts.
- On a daily basis, we offer legal advice and counsel to employers regarding corporate campaigns, neutrality agreements, union organizing, protected concerted activity, social media, NLRB elections, contract negotiations, grievance and arbitration proceedings, unfair labor practices, traditional and third-party economic activity pressures (such as picketing, bannering or hand billing), public appeals, work stoppages, purchase/sales, reductions and reorganizations, and the entire range of pre-and post-hire employee relations issues.

CLE for Attorneys

This program may qualify for up to 12.75 hours of Continuing Legal Education (CLE) credits, depending on jurisdiction. Jackson Lewis is an accredited provider of CLE in California, Missouri, Nevada, New York, Pennsylvania and Texas.

The information presented is intended only as recommendations regarding decisions or a course of conduct that employers may consider adopting and implementing. The information should be reviewed by the attendees and may be accepted, rejected or modified for use with respect to the attendees' supervisors and employees.

The programs are intended to be informational and educational in nature. We will not provide legal advice. Attendees are cautioned to consult with counsel of their choosing.

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