



# MANAGING IN A NON-UNIONIZED ENVIRONMENT

## Chapter 14





A company choosing the path of non-unionization, should not commit “unfair labor practices (which) violate the constitutional rights of workers and employees to self-organization x x x”





# UNION DECLINE

- Unions have declined in all parts of the world except perhaps in some parts of Europe.
- There are many causes that are attributed to this decline.
- The major causes of union decline:
  - Global competition
  - The shift to a service economy and the subsequent decline in the blue collar work



# THE PHILIPPINE LABOR SITUATION

- Labor movement in the Philippine has been established since the American regime and flourished from the Commonwealth days until the present day.
- There are big, medium or small-sized companies that are unionized, yet the bigger portion of business enterprises remain union-free.



# REASONS FOR MAINTAINING NO-UNION STATUS

Freedom to manage the business

Maintain competitive posture in the industry

Maintain a non-adversarial relations with the employees

Promote a culture of meritocracy in its wage policy

The fear of jurisdictional disputes

Divided loyalty among employees

No work slowdown, work stoppage or strikes







# PROACTIVE LABOR RELATIONS

- A set of principles, practices and systems that enable an organization to manage its human resources without the interference of a third party.
- Proactive labor relations foster and develop a positive work environment that is beneficial to both management and employees.





# NON-UNION VERSUS ANTI-UNION

- Anti-union is immoral and illegal while non-union efforts are not.
- To elucidate further the difference, here are typical instances of anti-union postures:
  - Firing suspected organizers
  - Closing the business when there is no loss or danger of losses
  - The closure is because a union is being organized



- Transferring or re-assigning elsewhere a suspected union organizer
- Discriminating against leaders/organizers in pay, promotion, or other career opportunities
- Threatening or coercing union sympathizers or organizers
- Threatening closure of operations if a union is organized
- Requiring verbally or in writing any employee not to join a union
- Other unfair labor practice acts enumerated under Art. 248 of the Labor Code.







# UNION AVOIDANCE STRATEGIES

Communication

Management Policies and Rules Consistently Enforced

Job Security and Due Process

Competitive Pay and Benefits

Participatory Employee Involvement (EI) Programs

Management Credibility

Supervision

Recruitment Selection and Process

Training and Development

Coping with the Malcontents

Handle Self-appointed Leaders



# COMPANY EARLY WARNING SYSTEMS

Exit Interview

Graffiti

Argumentative questions being asked during departmental or company meetings

Unusual gathering of employees who do not belong to the same group





# WHEN THE UNION KNOCKS AT THE DOOR

- The new law RA9481 makes it doubly difficult to avoid the union once it shows that it is affiliated with a national union or federation and demands recognition
- Company must be extra careful that it does not violate unfair labor practice