

## Labor Relations Glossary of Terms

The following glossary consists of commonly used terms and definitions that are significant to the Labor Relations function. Every effort will be made to continuously monitor and update the glossary to ensure that new labor relations terms are incorporated as they emerge.

This glossary is not meant to be an all-inclusive listing of labor relations terminology, only a listing of most commonly used terms. A more comprehensive guide, titled *Industrial and Labor Relations Terms: A Glossary*, by Robert E. Doherty, is available from Cornell University Publishers.

We invite you to submit any term(s) that should be added to the glossary along with a working definition to [Naomi Cossack](#), Content Manager, for placement consideration.

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<b><i>Accretion</i></b>	When some employees are transferred to another employing entity whose employees are already represented by a union, the FLRA will often find that those employees have "accredit" to (i.e., become part of) the existing unit of the new employer, with the result that the transferred employees have a new exclusive representative along with a new employer.
<b><i>Actions during emergencies</i></b>	Management's right "to take whatever actions may be necessary to carry out the agency mission during emergencies".
<b><i>Ad hoc arbitration</i></b>	A proceeding whereby the union and the employer jointly make their own arrangements for selecting arbitrators as well as designating rules, applicable laws, procedures and administrative support
<b><i>Administrative law judge</i></b>	An official who presides at administrative trial proceedings to hear facts and issue decisions regarding unfair labor practice cases.
<b><i>Advisory arbitration</i></b>	A form of arbitration often referred to as fact finding where the decision of the arbitrator is not binding.
<b><i>Affirmative Action (AA)</i></b>	Any program, policy or procedure that an employer implements in order to correct past discrimination and prevent current and future discrimination within the workplace.
<b><i>Affirmative Action Plan (AAP)</i></b>	A written set of specific, results-oriented procedures to be followed by all federal contractors holding contracts of \$50,000 or more and employing 50 or more people and intended to remedy the effects of past discrimination against or underutilization of women and minorities. The effectiveness of the plan is measured by the results it actually achieves rather than by the results intended and by the good faith efforts undertaken by the contractor to increase the pool of qualified women and minorities in all parts of the organization.
<b><i>Advisory arbitration</i></b>	A process similar to arbitration in which the parties jointly agree to submit a dispute to an arbitrator, with the understanding that the award is purely advisory. The parties are not required to follow it and each party is free to engage in an independent action, such as a lawsuit in a court of law.
<b><i>Agency head review</i></b>	A statutory requirement that negotiated agreements be reviewed for legal sufficiency by the head of the agency (or his/her designee).
<b><i>Agency shop</i></b>	Contract clause that requires unit employees to pay dues and initiation fees to the union as a condition of employment, but not attaining full membership in the union.
<b><i>Agreement negotiated</i></b>	A collective bargaining agreement between the employer and the exclusive representative.
<b><i>Alter ego employer</i></b>	An employer who changes the name and outward appearance of a business but is in fact the same employer.

<b><i>American Arbitration Association (AAA)</i></b>	A private enterprise that administers arbitration proceedings. The AAA also administers mediation and other forms of alternative dispute resolution.
<b><i>American Federation of Labor Congress of Industrial Organizations (AFL-CIO)</i></b>	A voluntary federation of 55 national and international labor unions. The AFL-CIO was created in 1955 by the merger of the American Federation of Labor and the Congress of Industrial Organizations. Since its founding, the AFL-CIO and its affiliate unions have been the single most effective force in America for enabling working people to build better lives and futures for our families.
<b><i>Amendment of certification petition</i></b>	That portion of the FLRA's multipurpose petition not involving a question concerning representation that may be filed at any time in which the petitioner asks the FLRA to amend the certification or recognition.
<b><i>Annual improvement factor</i></b>	A yearly adjustment rate used in collective bargaining agreements whereby wage increases are granted to workers' based on their share of increased productivity gains.
<b><i>Apprenticeship training</i></b>	A system used to train a person in a recognized trade or craft in accordance with specific standards. The apprenticed individual obtains his or her skills by performing the related duties for a specified period of time under the tutelage of an experienced craft or tradesman.
<b><i>Appropriate arrangement</i></b>	A group of employees which a labor union seeks to represent.
<b><i>Area standards picketing</i></b>	A form of picketing with the purpose of encouraging an employer to observe the standards in a particular industry or locality.
<b><i>Arbitrability</i></b>	A term used to describe the potential of a dispute to be appropriate for or subject to settlement by arbitration.
<b><i>Arbitration</i></b>	An alternative dispute resolution method that uses a neutral third party (i.e. arbitrator) to resolve individual, group or labor-management conflicts and issue a binding decision.
<b><i>Areawide bargaining</i></b>	A type of multiemployer bargaining whereby the bargaining process takes place between union and employer representatives on a local level.
<b><i>Arbitration Dispute</i></b>	Use of a neutral party, often obtained through lists maintained by the American Arbitration Association (AAA) or Federal Mediation and Conciliation Service (FMCS), to decide disputes between a union and employer occurring under a collective bargaining agreement. Such decisions are made in accordance with the collective bargaining agreement. Negotiations over the definition of grievances and the procedure to be used in dealing with grievances including a proposal to have all such disputes ultimately decided by arbitration are mandatory subjects for bargaining.
<b><i>Arbitration Interest</i></b>	Use of a neutral party to settle disputes between a union or employer about what the terms of a collective bargaining agreement should be. Employers covered by the NLRA are not required to agree to interest arbitration and may, in fact, refuse to discuss the issue, as it is a

permissive subject for bargaining.

***Assign employees***

A management right relating to the assignment of employees to positions, shifts, and locations.

***Assign work***

A management right relating to the assignment of work to employees or positions.

***Association agreements***

A collective bargaining agreement governing a group of employers who ban together for shared support when bargaining with labor organizations.

***Authorization card***

A card signed by an employee to authorize the union to act as his/her bargaining representative. It is necessary for establishment of a sufficient showing of interest to request an election from the NLRB.

***Automatic renewal clause***

A collective bargaining agreements provision in the Federal sector stating that if neither party gives notice during the agreement's 105-60 day open period of its intent to reopen and renegotiate the agreement, the agreement will automatically renew itself for a period of a specified number of years.

***Automation***

A term used to describe the use of control systems such as computers machinery and processes, often replacing human operators. Where mechanization provided human operators with machinery to assist them with physical work requirements, automation reduces the need for human sensory and mental requirements.

***Award***

The final decision imparted by an arbitrator that is binding to the parties involved in the dispute.

<b><i>Back-loaded</i></b>	A term used to describe a labor contract that provides for higher wage increases during the later part of a multiyear agreement.
<b><i>Back Pay</i></b>	Refers to the wages an employee is required to pay an employee due to the employers violation of the provisions of the Fair Labor Standards Act overtime or minimum wage requirements.
<b><i>Back-to- work movement</i></b>	A term used to describe workers who return to their jobs prior to the union having declared an end to the strike.
<b><i>Bar rules</i></b>	Procedural barriers, established by law to promote labor stability by providing continuity for the bargaining agent and bargaining unit.
<b><i>Bargaining</i></b>	The formal or informal process of offer and counteroffer whereby parties to the bargaining process try to reach agreement on the terms of exchange.
<b><i>Bargaining agent</i></b>	An individual or union who has been certified through a secret ballot election process to serve as the sole representative of all employees in a particular bargaining unit or group.
<b><i>Bargaining order</i></b>	Extreme remedy in the case of an unfair labor practice case against an employee, which compels the employer to recognize and bargain with a union without an election or in the case where a union has lost an election.
<b><i>Bargaining Rights</i></b>	The legally recognized right of a labor union to represent employees in negotiations with employers.
<b><i>Bargaining Unit</i></b>	A group of individuals who are recognized by both the employer and an organized labor union to negotiate matters involving employment issues.
<b><i>Bill of Rights</i></b>	The stipulation under the Landrum-Griffin Act that provides union members with the explicit right to meet with other union members to discuss or express views on union business as well as safeguarding their rights to a fair trial and representation in matters regarding company disciplinary proceedings.
<b><i>Binding arbitration</i></b>	The law requires that collective bargaining agreements contain a negotiated grievance procedure that terminates in binding arbitration of unresolved grievances.
<b><i>Blacklist</i></b>	Refers to a list consisting of the names of employees who are considered problematic which is circulated among other employers. Employees whose names appear on such a list are often denied employment or fired from existing jobs. Blacklisting has been long ago deemed an unfair labor practice under the NLRA.
<b><i>Blocking</i></b>	An National Labor Relations Board decision not to continue with an election in a bargaining unit when there are unresolved unfair labor practice charges.

<b><i>Blue-collar worker</i></b>	Hourly paid workers employed in occupations that require physical or manual labor.
<b><i>Blue flu</i></b>	The practice of a large group of uniformed law enforcement employees calling in sick on the same day(s) as an attempt to gain certain concessions from their employer without reverting to a formal labor strike.
<b><i>Bona fide occupational qualification (BFOQ)</i></b>	A very narrowly interpreted exception to EEO laws that allows employers to base employment decisions for a particular job on such factors as sex, religion or national origin, if they are able to demonstrate that such factors are an essential qualification for performing a particular job.
<b><i>Boulwareism</i></b>	Named after the former Vice President of General Electric, Boulwareism is a term used to describe a bargaining strategy whereby an employer attempts to persuade employees that an offer or counter-offer is in their best interest and is not meant to be negotiated.
<b><i>Boycott</i></b>	Used by employees and their union to gain certain concessions from an employer, a boycott is an organized refusal by employees and their labor union to deal with the employer.
<b><i>Bumping</i></b>	The practice of allowing more senior level employees whose positions have been slotted for elimination or downsizing the option of accepting an alternative position within the organization, for which they may be qualified to perform and which is currently occupied by another employee with less seniority.
<b><i>Bureau of Labor Statistics (BLS)</i></b>	The principal fact-finding agency for the federal government in the broad field of labor economics and statistics. The BLS is an independent national statistical agency that collects, processes, analyzes and disseminates essential statistical data to the American public, the U.S. Congress, other federal agencies, state and local governments, business and labor. BLS also serves as a statistical resource to the Department of Labor.
<b><i>Business Agent</i></b>	An officer of a local union whose job is to handle grievances, enforce contracts and perform other union related tasks.
<b><i>Bypass</i></b>	Dealing directly with employees rather than with the exclusive representative regarding negotiable conditions of employment of bargaining unit employees.
<b><i>Bus code</i></b>	A “bargaining unit status” code which is part of the six-digit number known to labor relations specialists as the LAIRS or OLMR number.

<b><i>Call-in pay</i></b>	Describes the compensation that is guaranteed to an employee who reports to work and finds there is not enough work for him or her to perform resulting in their being sent home.
<b><i>Call-back pay</i></b>	Describes the payment of higher than normal pay for those employees who are called back into work after the end of their scheduled work day or shift.
<b><i>Canvass</i></b>	The process of talking to individual members of a bargaining unit to convey information, gather information on a survey, or plan for joint action.
<b><i>Canvass coordinator</i></b>	A term used to refer to the person at the "top" of a member-to-member action network.
<b><i>Captive audience meeting</i></b>	A union term for meetings of workers called by management and held on company time and premises.
<b><i>Card check</i></b>	A procedure whereby signed employee authorization cards are checked against an acceptable list of employees in a prospective bargaining unit to determine if the organization has majority status.
<b><i>Carve out</i></b>	An attempt under the Federal Service Labor-Management Relations Statute because it fosters unit fragmentation, to carve out or sever a subgroup of employees in an existing bargaining unit in order to establish a separate, more homogenous unit with a different union as exclusive representative
<b><i>Caucus</i></b>	In collective bargaining, when either party requests a recess from the at-the-table deliberations with the other party, for the purpose of discussing any bargaining issue without the other party's bargaining representative present.
<b><i>Cease and desist order</i></b>	An order to stop an action, to not repeat the action, and to take action to undo the wrong.
<b><i>Certification</i></b>	Procedure under the NLRA where an election is held to determine whether or not employees in a given unit wish to be represented for the purposes of collective bargaining by a union.
<b><i>Certification bar</i></b>	A one-year period after a union is certified as the exclusive representative for a unit during which petitions by rival unions or employees seeking to replace or remove the incumbent union will be considered untimely.
<b><i>Certified union</i></b>	A union designated by federal or state labor relations boards as the exclusive bargaining agent of a group of employees.
<b><i>Challenged ballots</i></b>	Ballots that are challenged by election observers on the ground that the person casting the ballot isn't eligible to vote.
<b><i>Checkoff</i></b>	The process of deducting all union dues and initiation fees, from an employees paycheck which the employer then submits to the union.

<b><i>Chief steward</i></b>	A union official who assists and guides shop stewards.
<b><i>Civil Service Reform Act of 1978 (CSRA)</i></b>	The Civil Service Reform Act of 1978 (CSRA) applies to labor organizations which represents employees in most agencies of the executive branch of the Federal Government. The regulations implementing the standards of conduct provisions of the CSRA incorporate many LMRDA provisions, including those related to labor organization reporting requirements.
<b><i>Civil Service</i></b>	A central bureau within a government unit that advises, formulates policy and regulates employment procedures.
<b><i>Clarification of union petitions</i></b>	That portion of the FLRA's multipurpose petition <i>not</i> involving a question concerning representation that may be filed at any time in which the petitioner asks the FLRA to determine the bargaining unit status of various employees.
<b><i>Classification act employees</i></b>	Federal employees--typically professional, administrative, technical, and clerical employees.
<b><i>Clayton Act</i></b>	The act prohibits price discrimination, sales based on an exclusive dealing contract requirement that may have the effect of lessening competition and mergers where the effect of such an acquisition substantially lessens competition, or tends to create a monopoly in any area of commerce.
<b><i>Closed shop</i></b>	A type of collective bargaining agreement between an employer and the union, that requires non-union workers to join the union prior to being hired.
<b><i>Coalition bargaining</i></b>	A practice in which either several employers or several unions form a committee to develop common bargaining objectives to be obtained during negotiations.
<b><i>Code of ethical practice</i></b>	A code of union ethics that sets the standards of trade union integrity.
<b><i>Collective bargaining</i></b>	Formal name for negotiations process for a union contract. Under the NLRA, the parties to an agreement are required to bargain in good faith, but cannot be compelled to agree to make a concession or agree to a proposal they do not want to agree to.
<b><i>Collective bargaining agreement</i></b>	A written document setting forth the terms and conditions of employment, grievance procedures, and any other matters resulting from collective bargaining.
<b><i>Collective negotiations</i></b>	The method used to determine the terms and conditions of employment for public sector employees.
<b><i>Collusion</i></b>	A scheme between the employer and the certified employee representative intended to defraud employees while giving the appearance of a legitimate bargaining relationship.

<b><i>Committee on Political Education (COPE)</i></b>	Committees existing at both the state and local levels whereby only dues paying members in good standing may serve. These Committees at the local level are responsible for running information and mobilization campaigns on local district related issues, school board candidates, and screening and recommending endorsed state legislative candidates in their respective areas.
<b><i>Compelling need</i></b>	The only basis upon which regulations issued by an agency or a primary national subdivision of an agency may serve as a bar to negotiations with a union.
<b><i>Common site picketing</i></b>	A form of picketing that prohibits employees of a struck employer who shares a common worksite with at least one other neutral employer from being able to picket at the entrance of the neutral employer(s) worksite.
<b><i>Company union</i></b>	Refers to a union which is located within and run by a company, and is not affiliated with an independent trade union.
<b><i>Comparable worth</i></b>	A reform effort to pay different job titles the same based on their value to their employer regardless of the gender predominance of those working in such titles.
<b><i>Community of interest</i></b>	The factors to be considered when determining whether employees should be grouped together as a suitable bargaining unit
<b><i>Concerted activity</i></b>	A term used to describe any kind of job action by an employee group or groups of employees intended to put pressure on the employer to reach a settlement quickly or address a particular employment issue.
<b><i>Concession bargaining</i></b>	Typically refers to the practice whereby a union agrees to modify the terms of an existing contract in exchange for other benefits.
<b><i>Conciliation</i></b>	A process in which the parties to a dispute, with the assistance of a neutral third party, identify the disputed issues, develop options, consider alternatives and attempt to reach an agreement.
<b><i>Conciliation agreement</i></b>	A binding written agreement between a contractor and OFCCP that details specific contractor commitments to resolve major or substantive violations of Executive Order 11246, the Rehabilitation Act or the Vietnam Era Veterans' Readjustment Assistance Act.
<b><i>Consent election</i></b>	An election for union representation agreed to by management, employees, and the union.
<b><i>Conditions of employment</i></b>	Under title 5, United States Code, section 7103(a)(14), conditions of employment "means personnel policies, practices, and matters, whether established by rule, regulation, or otherwise, affecting working conditions, except that such term does not include policies, practices, and matters--(A) relating to political activities prohibited under subchapter III of chapter 73 of this title; (B) relating to the classification of any positions; or (C) to the extent such matters are specifically provided for by Federal statute."
<b><i>Confidential employee</i></b>	An employee whose functional responsibilities or knowledge in

connection with the issues involved in the collective bargaining process which makes their membership in a bargaining unit conflict with their official responsibilities.

***Conspiracy doctrine***

A doctrine developed under English common law, which states that certain acts that are legal when performed by a single individual become unlawful when performed by a group (i.e. an organization of wage earners formed for the purpose of serving the members' interests with respect to wages and working conditions).

***Consultation***

Consultation between qualifying unions and agencies concerning agency-wide regulations and qualifying unions and those agencies issuing government wide regulations.

***Consumer picketing***

Picketing of a retail establishment that is legal if directed toward getting consumers not to buy a particular product of a supplier or of a producer with whom a labor dispute exists.

***Contract***

Also known as a collective bargaining agreement, it is a written document setting forth the terms and conditions of employment, grievance procedures, and any other matters resulting from collective bargaining.

***Contract administration***

Living under, interpreting, and applying the terms of the collective bargaining agreement.

***Contract bar***

Procedural barriers, established by law to promote labor stability by providing continuity for the bargaining agent and bargaining unit

***Contracting out***

A right reserved to management that includes the right to determine what criteria management will use to determine whether or not to contract out agency work

***Cooling-off period***

A required period of time where a strike or lock-out is prohibited by injunction from a federal court.

***Coordinated bargaining***

A cooperative effort by several unions in dealing with an employer that has employees represented by each of the unions.

***Corporate campaign***

The use of strategic pressure on an employer's weaknesses to gain leverage during a contract campaign or union organizing campaign.

***Cost-of-living adjustment (COLA)***

An annual adjustment in wages to offset a change in purchasing power, as measured by the Consumer Price Index. The Consumer Price Index is used rather than the Producer Price Index because the purpose is to offset inflation as experienced by the consumer, not the producer.

***Cost of living***

The amount of money needed to buy the goods and services required to maintain a specific standard of living. The cost of living is closely tied to rates of inflation and deflation. In estimating such costs, food, clothing, rent, fuel, lighting, and furnishings as well as expenses for communication, education, recreation, transportation, and medical services are generally included. The Consumer Price Index (CPI), a measurement of the cost of living prepared by the U.S. Bureau of

Labor Statistics, tracks changes in retail prices of an average "market basket." Changes are compared to prices in a previously selected base year, from which figures the percentage increase or decrease in the cost of living can be calculated.

***Cost-of-living index***

A cost-of-living index measures changes over time in the amount that consumers need to spend to reach a certain "utility level" or "standard of living." Both the consumer price index and a cost-of-living index reflect changes in the prices of goods and services, such as food and clothing, that are directly purchased in the marketplace; but a complete cost-of-living index goes beyond this to also take into account changes in other governmental or environmental factors that affect consumers' well-being.

***Counterproposal***

An offer made by either party during collective bargaining negotiations that is in response to a proposal set forth by the other party.

***Covered by doctrine***

A doctrine under which an agency does not have to engage in midterm bargaining on particular matters because those matters are already "covered by" the existing agreement.

***Craft***

Refers to manual occupations that require extensive training and a high degree of skill.

***Craft union***

Refers to an approach to union organizing that seeks to unify workers in a particular industry along the lines of the particular craft or trade that they work in.

***Cyclical unemployment***

Occurs when the unemployment rate moves in the opposite direction as the Gross Domestic Product growth rate.

<b><i>Deauthorization</i></b>	The termination of union representation over a specific bargaining unit following a decertification election.
<b><i>Decertification</i></b>	Allows members of a particular bargaining unit to terminate their union representation through a voting process.
<b><i>Decertification petition</i></b>	A petition filed by employees in an existing unit asking that an election be held to give unit employees an opportunity to end the existing union's exclusive recognition.
<b><i>Deferral</i></b>	A policy of the National Labor Relations Board (NLRB) not to process unfair labor practice charges if the charge can be filed as a grievance and taken up through an arbitration procedure.
<b><i>Demand-deficiency unemployment</i></b>	Refers to unemployment resulting from fluctuations in the total spending of the economy.
<b><i>Demand for Recognition</i></b>	Demand made by a union when the union has sufficient authorization cards to assert that they represent a majority of employees in an appropriate bargaining unit. The demand is often made in writing but may be made orally. Often the demand is made even though the union does not have sufficient cards for majority representation. Extreme caution must be taken in responding to such demand.
<b><i>Department of Labor (DOL)</i></b>	The federal agency responsible for administering and enforcing a large quantity of federal labor laws, including, but not limited to, overtime pay, child labor, wages and hours, workplace health and safety, FMLA, and various other employee rights.
<b><i>Depression</i></b>	A period when the economy is at a low productive level and unemployment is extremely high.
<b><i>Direct dealing</i></b>	Occurs when an employer and represented employee discuss and take action, without the union's knowledge or presence, in matters that fall within the scope of mandatory subjects of bargaining.
<b><i>Discouraged worker</i></b>	Persons not in the labor force who want and are available for a job and who have looked for work sometime in the past 12 months (or since the end of their last job if they held one within the past 12 months), but who are not currently looking because they believe there are no jobs available or there are none for which they would qualify.
<b><i>Double breasting</i></b>	The use by a company of its non-unionized shops, factories, or subsidiaries for the same work contracted to its unionized facilities.
<b><i>Distribution</i></b>	As used in labor relations, the handing out of materials in or about the workplace.
<b><i>Dual unionism</i></b>	Refers to union members' activities on behalf of or membership in a rival union .
<b><i>Dues allotment</i></b>	Dues withholding services provided by the agency to unions that win exclusive recognition or dues withholding recognition.
<b><i>Dues checkoff</i></b>	Clause in an agreement that requires the employer to deduct dues

directly from the payroll checks of employees who have voluntarily requested such deductions. This is a mandatory subject for bargaining.

***Dues withholding recognition***

A limited form of recognition, under which a union that can show that it has ten per cent of employees in an appropriate unit as members can qualify for the right only to negotiate a dues deduction arrangement.

***Due process***

The substantive protections that the Constitution and statutes afford public employees.

***Duration clause***

A clause in a collective bargaining agreement which specifies the time period in which the agreement is in effect.

***Duty of fair representation***

Requirement for unions in the representation of employee members of a unit. Failure to properly represent an employee may result in the filing of an ULP charge or a lawsuit against the union.

***Duty to bargain***

Refers to the circumstances under which there is a duty to give notice and, upon request, engage in bargaining and the negotiability of specific proposals.

<b><i>Economic recourse</i></b>	A strike, picket, or boycott by a union, or a lockout by an employer.
<b><i>Economic strike</i></b>	Work stoppage called to protest the refusal of the employer to agree to the union's demands in negotiations. Although most often called as a result of disputes over economic matters, this can also include disputes over language clauses in a contract (i.e., seniority definition and application, union security, dues check off, etc.).
<b><i>Effects bargaining</i></b>	Decisions that are within management's right to make and which management is not obligated to bargain with the union regarding but may impact mandatory subjects of bargaining.
<b><i>Electromation</i></b>	Used to refer to a NLRB ruling declaring that, in nonunion companies, labor management cooperation (i.e., quality circles, employee involvement programs, etc.) is illegal because the committees through which such cooperation takes place are equal to a labor organization, as defined by the NLRA.
<b><i>Election</i></b>	A proceeding in which members of a bargaining unit cast secret ballots to determine which, if any, employee organization is desired to become the unit's exclusive bargaining representative.
<b><i>Election agreement</i></b>	Agreement entered into by the agency and the union(s) competing for exclusive recognition dealing with campaign procedures, election observers, date and hours of election, challenge ballot procedures, mail balloting, position on the ballot, payroll period for voter eligibility, and the like.
<b><i>Election bar</i></b>	A one year period following a representation election in which there can be no other elections to challenge an exclusive representative's status.
<b><i>Emergency dispute</i></b>	Refers to a labor-management dispute that is believe to endanger the health or safety of the general public.
<b><i>Employment at will</i></b>	A legal doctrine that states that an employment relationship may be terminated by the employer or employee at any time and for any or no reason.
<b><i>End run</i></b>	An approach whereby a bargaining agent circumvents one level of management or authority and approaches a higher level with the objective of negotiating a more advantageous agreement.
<b><i>Equal employment opportunity (EEO)</i></b>	A policy statement that equal consideration for a job is applicable to all individuals and that the employer does not discriminate based on race, color, religion, age, marital status, national origin, disability or sex.
<b><i>Equal Employment Opportunity Commission (EEOC)</i></b>	The federal agency responsible for publishing guidelines, enforcing EEO laws and investigating complaints of job discrimination based on race, color, religion, sex (including pregnancy), national origin, age or disability.
<b><i>Equivalent status</i></b>	Status given a union challenging the existing union that entitles it to equivalent access during the period preceding an election to facilities and services as that enjoyed by the existing union.

<b><i>Escalator clause</i></b>	A provision of a contract which calls for an increase in price in the event of an increase in certain costs.
<b><i>Escape clause</i></b>	A clause in a contract that specifies the conditions under which the guarantor is relieved of liability for failure to meet the terms of the contract.
<b><i>Ethical Practices Committee</i></b>	A body within the AFL-CIO charged with the task of keeping the AFL-CIO “free from any taint of corruption or communism”.
<b><i>Evergreen clause</i></b>	Clause in a collective bargaining agreement that automatically extends a contract for a set period of time if the procedures for terminating or modifying an agreement are not initiated.
<b><i>Excelsior list</i></b>	The list of names and addresses of employees eligible to vote in a union election.
<b><i>Exception to arbitration</i></b>	Either party to arbitration may file with the Federal Labor relations Authority an appeal to an arbitrator’s award because the award is contrary to any law, rule or regulation or on other grounds similar to those applied by Federal courts in private sector labor-management relations.
<b><i>Exclusive bargaining rights</i></b>	The right of a union which has been certified by the National Labor Relations Board or other government agency to be the only union representing a particular bargaining unit.
<b><i>Exclusive representative</i></b>	Nature of a union’s relationship to employees in a bargaining unit.
<b><i>Excessive interference</i></b>	A balancing test that the FLRA applies to proposals that are arrangements for employees adversely affected by the exercise of management’s rights in order to determine whether they are negotiable appropriate arrangements.
<b><i>Exclusive recognition</i></b>	The rights a union is accorded as a result of being certified as the exclusive representative of the employees in a bargaining unit include, among other things, the right to negotiate bargainable aspects of the conditions of employment of bargaining unit employees, to be afforded an opportunity to be present at formal discussions, to free checkoff arrangements and, at the request of the employee, to be present at Weingarten examinations.
<b><i>Exclusive representative</i></b>	The union that is certified as the exclusive representative of a unit of employees either by virtue of having won a representation election or because it had been recognized as the exclusive representative before passage of the CSRA.
<b><i>Exclusivity</i></b>	Refers to the right of an employee organization to be the sole representative for all employees in a particular bargaining unit.
<b><i>Executive Committee, AFL-CIO</i></b>	An advisory and policy-making body of the AFL-CIO comprised of the president and secretary-treasurer and six vice presidents selected by the Executive Council to carry on the work of the AFL-CIO in between meetings.

***Executive Council, AFL-CIO***

A body within the AFL-CIO comprised of the president and secretary-treasurer and twenty-seven vice presidents designated as the governing body of the organization.

***Executive Order 11491***

Labor-management relations in the Federal Service are governed by Executive Order 11491. The essence of the Order is for representatives of an agency and representatives of labor organization representing employees of the agency to meet, and confer in good faith with respect to personnel policies and practices and matters affecting working conditions.

***Exempt employees***

Employees who meet one of the FLSA exemption tests and who are paid on a fixed salary basis and not entitled to overtime.

***Expedited arbitration***

An effort to streamline the arbitration hearing by reducing both time and cost. Transcripts and post-arbitration hearing briefs are usually eliminated.

<b><i>Factfinding</i></b>	The process of utilizing an impartial third party, not employed by the organization, to examine all pertinent facts surrounding a complaint.
<b><i>Fair Employment Practice laws (FEP)</i></b>	Federal, state and municipal laws designed to bar discrimination in conditions of employment.
<b><i>Fair Labor Standards Act (FLSA)</i></b>	An act that covers public agencies and businesses engaged in interstate commerce or providing goods and services for commerce. The FLSA provides guidelines on employment status, child labor, minimum wage, overtime pay and record-keeping requirements. It determines which employees are exempt from the Act (not covered by it) and which are nonexempt (covered by the Act). It establishes wage and time requirements when minors can work. It sets the minimum wage that must be paid and mandates when overtime must be paid.
<b><i>Fair representation</i></b>	This term means that a trade union, so long as it continues to be entitled to represent employees in a bargaining unit, may not act in a manner that is arbitrary, discriminatory or in bad faith in the representation of any employees in the unit.
<b><i>Fair share</i></b>	The sum a nonmember is obligated by a provision in a collective bargaining agreement to give to a union in order to support the union's collective bargaining activities.
<b><i>Featherbedding</i></b>	An unfair labor practice occurring when a union requires an employer to pay an employee for services he or she did not perform.
<b><i>Federal labor union</i></b>	A local union chartered by the AFL-CIO over which no affiliated national or international union has claimed jurisdiction.
<b><i>Federal Mediation and Conciliation Service (FMCS)</i></b>	Federal Mediation and Conciliation Service
<b><i>Federal Services Impasse Panel (FSIP)</i></b>	An entity within the FLRA that resolves bargaining impasses, chiefly by ordering the parties to adopt certain contractual provisions relating to the conditions of employment of unit employees.
<b><i>Field Advisory Services (FAS)</i></b>	The FAS Labor and Employee Relations Branch provides technical advisory service to operational civilian personnel offices on clarification of laws, government-wide regulations, case law, and Department of Defense policy on labor and employee relations matters.
<b><i>Field examiner</i></b>	An individual employed by the NLRB who has the responsibility to conduct certification elections and carry out investigations of unfair labor practice claims.
<b><i>Final- offer interest arbitration</i></b>	A technique for resolving bargaining impasses in which the arbitrator is forced to choose among the final positions of the parties--rather than order adoption of some intermediate position.
<b><i>Financial core membership</i></b>	Ultimate requirement of a union security clause. Employees may be required to pay dues and initiation fees to a union but cannot be compelled to actually join the union and be subject to the union's constitution, bylaws, rules, and trial procedures. The member may be

charged a fee based on the union's cost of representation of the member, such as a prorated share of the cost of contract negotiations, cost of grievance and arbitration representation.

***Formal discussion***

A discussion between an agency representative(s) and a bargaining unit employee(s) concerning any grievance or any personnel policy or practice or other condition of employment which affects bargaining unit employees.

***Fractional bargaining***

Bargaining that takes place at a department or unit level which may lead to an unwritten consensus to ignore certain provisions of a collective bargaining agreement.

***Free rider***

Refers to an employee who is eligible for union membership but chooses not to join the union.

***Free Speech***

As set forth in the NLRA, "The expressing of any views, argument, or opinion, or the dissemination thereof, whether in written, printed, graphic, or visual form, shall not constitute or be evidence of an ULP under any of the provisions of this Act, if such expression contains no threat of reprisal or force or promise of benefit."

***Frictional unemployment***

Refers to unemployment that is always present in the economy, resulting from temporary transitions made by workers and employers or from workers and employers having inconsistent or incomplete information.

***Fringe benefits***

Employment benefits granted to employees in addition to their current base salary or wages (i.e., cash, merchandise, services, health insurance, pension plans, holidays, paid vacations, etc.).

***Front-loaded***

A term used to describe a labor contract that provides for higher wage increases during the early part of a multiyear agreement.

***Full crew rule***

A regulation that sets forth the minimum number of workers that are required to perform a given operation.

***Full employment***

A term that basically means "zero unemployment" or an employment level which any individual who is willing to work is able to find gainful employment.

<b><i>Garrity Rights</i></b>	The rights available to any public employee, under the 5 <sup>th</sup> Amendment against self-incrimination in a criminal context.
<b><i>General counsel</i></b>	An individual appointed by the President to the FLRA. The General Counsel is responsible for investigating Unfair Labor Practice (ULP) allegations, filing and prosecuting ULP complaints and exercising other powers prescribed by the FLRA.
<b><i>General strike</i></b>	A strike action by all or most of the employees in a specific community, city, region or country.
<b><i>Good faith bargaining</i></b>	The principles applied to conducting negotiations where two parties meet and confer at reasonable times with open minds and the intention of reaching an agreement.
<b><i>Government-wide regulations</i></b>	Regulations issued by an agency bearing on conditions of employment that must be complied with by other agencies.
<b><i>Grandfather clause</i></b>	A provision of a contract exempting employees who are on the employer's payroll prior to a specified date will not be subject to the terms of the new contract.
<b><i>Grievance</i></b>	A formal complaint or allegation by an employee or group of employees made to unfair treatment or violation of a union contract.
<b><i>Grievance arbitration</i></b>	Also referred to as grievance mediation, it is a proactive, voluntary process, which utilizes an arbitrator to assist and issue a binding resolution of grievances over the application or interpretation of a collective bargaining agreement.
<b><i>Grievance procedure</i></b>	The process and guidelines to be followed by employees, management or the union when resolving differences or conflicts.
<b><i>Gross national product (GNP)</i></b>	The total dollar value of all final goods and services produced for consumption in society during a particular time period. Its rise or fall measures economic activity based on the labor and production output within a country.
<b><i>Group grievance</i></b>	A grievance signed by many people in a workplace in order to show management that members are collectively opposed to a management's action.
<b><i>Guaranteed annual wage plan (GAW)</i></b>	A formal arrangement whereby an employer agrees to provide employees with a guaranteed minimum of income for a particular year.

<b><i>Handbilling</i></b>	The distribution of literature on or about an employer's premises, usually by a union.
<b><i>Health care institutions</i></b>	Any hospital, convalescent hospital, health maintenance organization, health clinic, nursing home, extended care facility, or other institution devoted to the care of the sick, infirm, or aged persons.
<b><i>Hearing examiner</i></b>	An individual hired by an employer to take testimony and issue recommendations to the Commission in unfair practice claims.
<b><i>Hidden unemployment</i></b>	The unemployment or underemployment of workers that is not reflected in official unemployment statistics because of the way they are compiled.
<b><i>Hiring hall</i></b>	A union-operated placement office where jobs are allotted to applicants according to seniority or rotation.
<b><i>Horizontal union</i></b>	Also referred to as a craft union, refers to an approach to union organizing that seeks to unify workers in a particular industry along the lines of the particular craft or trade that they work in.
<b><i>Hot cargo clause</i></b>	A clause in union contract that allows employees to refuse to handle or work on goods shipped from a struck employer or to provide services to an employer listed on a union unfair practices list.

<b><i>Illegal subject of bargaining</i></b>	Proposal that is illegal, such as for wage rates that are below the minimum wage law or for overtime provisions contrary to the Fair Labor Standards Act, or for a closed shop, etc..
<b><i>Illegal strike</i></b>	A strike that is called in violation of the law, such as a strike that ignores "cooling off" restrictions, or a strike that disregards a "no strike" agreement signed by the union or imposed by a court of law.
<b><i>Impact and implementation bargaining</i></b>	A statutory right of the union under 5 U.S.C. 7106(b)(2) to negotiate on the procedures use to implement management decisions made under 5 U.S.C. 7106(a).
<b><i>Impact bargaining</i></b>	Refers to labor-management negotiations over the particular effects of an employers decisions.
<b><i>Impartial umpire</i></b>	A term applied to a permanent arbitrator who has been mutually chosen by management and the union to serve for the life of the contract.
<b><i>Impasse</i></b>	Deadlock in good faith negotiations. Where one party engages in bad faith bargaining, a true impasse cannot be reached.
<b><i>Implementation</i></b>	A very rare procedure in which an employer imposes its last offer on all terms and conditions of employment.
<b><i>Improper practice</i></b>	The term used to describe an unfair labor practice in the public sector.
<b><i>Independent union</i></b>	Independent unions represent the employees of a single employer and are not affiliated with an international union or the AFL-CIO. They may be more effective in representing local interests of the employees, but may have less bargaining power than affiliated locals who may act in concert with other locals.
<b><i>Industrial union</i></b>	An industrial union is one which, for organizational purposes, includes all workers in a particular industry regardless of whether they are skilled or unskilled.
<b><i>Industry wide bargaining</i></b>	Multiemployer bargaining that results in the negotiation of one master contract for all employees within a particular industry by one or more unions representing workers throughout the entire industry..
<b><i>Inflation</i></b>	An increase in the price of goods and services that is representative of the economy in its entirety.
<b><i>Information picketing</i></b>	A type of picketing done with the express intent not to cause a work stoppage, but to publicize either the existence of a labor dispute or information concerning the dispute.
<b><i>Injunction</i></b>	A court-issued order requiring a party to either do or refrain from doing a certain act.
<b><i>Initiation fees</i></b>	The fees an employee is required to pay a union upon becoming a member of the union.
<b><i>Interest</i></b>	In interest-based negotiations, refers to the concerns, needs, or desires

behind a particular issue.

***Interest arbitration***

An adjudication process used to resolve impasses in contract negotiations.

***Interest-based negotiations***

A bargaining technique in which the parties start with interests rather than proposals; agree on criteria of acceptability that will be used to evaluate alternatives; generate several alternatives that are consistent with their interests, and apply the agreed-upon acceptability criteria to the alternatives so generated in order to arrive at mutually acceptable contract provisions.

***Internal disputes plan***

A plan implemented by the AFL-CIO for resolving disputes among its affiliated members.

***Internal security practices***

A right reserved to management by title 5, United States Code, section 7106(a)(1). The right to determine the internal security practices of an agency isn't limited to establishing "those policies and actions which are part of the Agency's plan to secure or safeguard its physical property against internal and external risks, to prevent improper or unauthorized disclosure of information, or to prevent the disruption of the Agency's activities."

***International Labor Organization (ILO)***

A specialized agency of the United Nations that deals with labor issues.

***International representative***

An officer of an international union who has been appointed by the union's executive board to serve as a liaison between the national or international level of the union and locals.

***International union***

The national organization of a labor union.

***Intervention***

The action taken by a competing labor union to place itself as a contender on the ballot for a recognition election originally initiated by another union.

***Investigatory examination***

An examination conducted by an agency representative in which an employee is questioned as part of an inquiry to get facts.

<b><i>Job action</i></b>	Concerted activities by employees on the job designed to exert pressure on the employer in order to avert resorting to a strike.
<b><i>Job enlargement</i></b>	A method used to keep workers motivated, the process in new tasks which are of the same level of skill and respon: job.
<b><i>Job enrichment</i></b>	The practice of adding tasks to a job as a means of increasing the amount of employee control or responsibility.
<b><i>Joint committee</i></b>	A committee of equal numbers of union and management representatives established by a contract to hear grievances arising under the contract.
<b><i>Journeyman</i></b>	A craft worker who has completed apprenticeship training and has been admitted to full membership in a craft.
<b><i>Judicial Review</i></b>	A court procedure to determine the legality of decisions issued by an arbitrator.
<b><i>Jurisdiction</i></b>	The area of occupations or industries within which a union organizes and engages in collective bargaining.
<b><i>Jurisdictional dispute</i></b>	A dispute between two or more rival unions over the right to perform certain work or represent workers.
<b><i>Jurisdictional strike</i></b>	A strike resulting from a dispute between two rival unions over the representation rights of workers.
<b><i>Just Cause</i></b>	A legal term used as the guiding principle utilized by employers whenever engaging in some form of corrective action or discipline for employees. Just cause is determined by examining the reasonableness of the discipline according to a set of guiding principles (i.e. was the employee adequately forewarned that the particular behavior would result in discipline or termination; management conducted a fair and objective investigation of the facts prior to administering any discipline; rules, orders, and disciplinary action must be applied in a consistent and non-discriminatory manner; discipline must be reasonably related to the seriousness of the offense and the employee's past work record, etc.)

<b><i>Labor certification</i></b>	Labor certification is a statement from the U.S. Department of Labor (DOL) that a particular position at a particular company is "open" because no U.S. workers who satisfy the minimum requirements for the job are available. Alien labor certification programs are generally designed to assure that the admission of aliens to work in the United States on a permanent or temporary basis will not adversely affect the job opportunities, wages and working conditions of U.S. workers.
<b><i>Labor dispute</i></b>	As defined by the NLRA, "any controversy concerning the terms, tenure or conditions of employment, or concerning the association or representation of persons negotiating, fixing, maintaining, changing, or seeking to arrange terms or conditions or employment whether or not the disputants stand in the proximate relation of employer and employee."
<b><i>Labor force</i></b>	The number of employed individuals in the civilian workforce and armed services.
<b><i>Labor-Management Relations Act (LMRA)</i></b>	Also referred to as the Taft-Hartley act, establishes control of labor disputes on a new basis by enlarging the National Labor Relations Board and providing that the union or the employer must, before terminating a collective-bargaining agreement, serve notice on the other party and on a government mediation service.
<b><i>Labor-Management Reporting and Disclosure Act of 1959</i></b>	An act that provides for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.
<b><i>Labor organization</i></b>	As defined by the NLRA, "any organization, of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work."
<b><i>Labor peace agreements (see also Neutrality Agreements)</i></b>	The public relations term the AFL-CIO has coined for neutrality agreements. They often contain clauses waiving rights under the NLRB regarding employer's right to free speech, access to the premises by unions, waiving secret ballot elections, etc. Such agreements are being required by municipal governments, pursuant to AFL-CIO political pressure, as a condition for private businesses to bid on public contracts, zoning variances, building permits, etc.
<b><i>Landrum-Griffin Act of 1955</i></b>	Also know as the Labor Management Reporting and Disclosure Act, it provides for the reporting and disclosure of certain financial transactions and administrative practices of labor organizations and employers, to prevent abuses in the administration of trusteeships by labor organizations, to provide standards with respect to the election of officers of labor organizations, and for other purposes.
<b><i>Layoff</i></b>	A term used to describe a temporary or indefinite separation from

employment.

***Living wage***

A wage rate that is sufficient for a worker and his or her family to exist comfortably

***Living wage ordinance***

Such laws are generally passed at the municipal or county level, setting a minimum wage rate to be paid within the jurisdiction of the governmental unit. Employers subject to the living wage are generally those who have or seek contracts with the governmental unit above a certain dollar amount and may apply to for-profit or nonprofit companies with a certain number of employees. The wage is linked to any number of indicators such as national poverty threshold, rise in consumer prices, consumer price indices or a multiple of federal, state or local Minimum Wages. Passage of such ordinances is often assisted and supported by the AFL-CIO and may contain any number of provisions linking such ordinances to unions.

***Local union***

The organization of members of an international union in a particular facility, region, or locality.

***Lockout***

Action taken by management to put pressure on a union to accept its bargaining proposal by not allowing unit employees to come in and work (the flip side of a strike).

<b><i>Made whole</i></b>	A catchall phrase used in grievance and other legal action where a remedy is sought from an employer.
<b><i>Maintenance-of-membership clause</i></b>	A collective bargaining provision stating that no worker be required to join the union as a condition of employment.
<b><i>Maintenance-of-standards clause</i></b>	A contract clause that prohibits an employer from changing any condition of employment regardless of whether or not it is specifically outlined in the collective bargaining agreement without negotiating with the unions bargaining agent.
<b><i>Management official</i></b>	An individual who formulates, determines, or influences the policies of the agency. Such individuals are excluded from appropriate units.
<b><i>Management prerogatives</i></b>	Refers to the rights that management believes are its own and therefore not subject to the collective bargaining process.
<b><i>Management rights</i></b>	Clause in a collective bargaining agreement which, generally, describes those areas in which management retains complete authority to act. NOTE: as set forth below in waiver the standard adopted by the NLRB for an effective waiver of a union's right to demand bargaining over mandatory subjects for bargaining (which is what management rights are), is clear and convincing evidence that the union agreed to waive its right to negotiate, which may be more strict than management rights language.
<b><i>Mandatory subject of bargaining</i></b>	As defined by the NLRA, wages, benefits, hours of work, and other terms and conditions of employment. Parties in a collective bargaining process are required to negotiate in good faith about mandatory subjects, but are not required to make concessions or agree to any proposal and may press their case for or against a mandatory subject to the point of impasse. Also included are union security, dues check off, waiver or zipper clauses, no strike clauses, plant rules, discipline, grievance and dispute arbitration, subcontracting, etc. The general rule is for the proposal to be a mandatory subject it must meet a two-prong test: (1) the subject must "vitally affect" terms and conditions or job security of unit employees, and (2) it must represent a direct frontal attack on a problem thought to threaten the basic wage structure established by the collective bargaining agreement.
<b><i>Mass picketing</i></b>	Picketing by large numbers of people in close formation, typically used as an attempt to prevent access to company premises.
<b><i>Master agreement</i></b>	A collective bargaining agreement which covers a number of employers (or one or more of an employers single facilities) and one or more unions.
<b><i>Med arb</i></b>	A dispute resolution procedure whereby the parties agree to empower a neutral party to render a final and binding decision regarding the dispute if other mediation efforts have failed to result in an agreement between the parties.
<b><i>Mediation</i></b>	A private negotiation and decision-making process in which a mediator assists individuals or groups in finding a resolution to a

particular issue or conflict. .

***Mediation arbitration***

A process in which a neutral with authority to impose a settlement, first resorts to mediation techniques in an attempt to get the parties to voluntarily agree on unsettled matters, but who can later impose a settlement if mediation fails.

***Meet-and-confer negotiations***

A public sector negotiation procedure in which the final decision as to terms and conditions of employment for public employees are determined by a public employer.

***Member in good standing***

Union members who have fulfilled requirements for the organization and who have not voluntarily withdrawn, been expelled, or suspended from membership.

***Members only contract***

Collective bargaining agreement that applies only to those employees who are members of the union. This is an illegal and unenforceable contract.

***Member-to-member network***

A communications technique designed to allow the leaders of a local union to communicate personally and quickly with members.

***Merit system***

A compensation system whereby base pay increases are determined by individual performance.

***Midterm bargaining***

The right, under certain circumstances, to initiate bargaining during the term of a collective bargaining agreement.

***Minimum wage***

The smallest hourly wage that an employee may be paid for all hours worked, as mandated by federal or state law.

***Monopoly***

A persistent market situation where there is only one provider of a particular product or service.

***Moonlighting***

Working one or more full- or part-time jobs in addition to an individual's regular full-time job.

***Multiemployer bargaining***

Collective bargaining between one or more employer in a particular industry which results in one master contract.

<b><i>National emergency strike</i></b>	National emergency strikes are those that can endanger national health or safety. The president may appoint a board of inquiry charged with making a report of the situation. Based upon this report, the president could apply for an injunction restraining the strike for 60 days. If there has been no resolution at the end of 60 days, the injunction can be extended for another 20 days. During this period, employees are polled in a secret ballot to determine their willingness to comply with the terms of their employer's last offer.
<b><i>National consultation rights</i></b>	In the Federal government, a union which has exclusive recognition on an agency-wide basis or is the exclusive representative of a substantial number of agency employees is granted consultation rights.
<b><i>National Labor Relations Act of 1935 (NLRA)</i></b>	The National Labor Relations Act (NLRA), passed in 1935, provides that all employees have the right to form, join and assist labor organizations and to bargain collectively with their employers.
<b><i>National Labor Relations Board (NLRB)</i></b>	The National Labor Relations Act is administered by the NLRB, a five-member board appointed by the president, along with a General Counsel acting through more than 45 regional and other field offices of the board. They investigate and prosecute unfair labor practice cases and conduct elections to determine employee representation.
<b><i>National union</i></b>	The national organization of a labor union.
<b><i>Negotiability</i></b>	Refers to whether a given topic is subject to bargaining between an agency and the union.
<b><i>Negotiability appeal</i></b>	If an agency believes that a union proposal is contrary to law or applicable regulation, or is otherwise nonnegotiable under the statute, it may inform the union of its refusal to negotiate
<b><i>Negotiation</i></b>	A process whereby members of management and the union bargain over terms and conditions of employment during collective bargaining.
<b><i>Negotiated grievance procedure</i></b>	A systematic procedure agreed to by the negotiating parties for the resolution of grievances.
<b><i>Neutral</i></b>	A disinterested third party who acts as a conciliator, mediator, fact finder, or arbitrator in order to facilitate a settlement in dispute.
<b><i>Neutrality agreements (see also Labor Peace Agreements)</i></b>	An agreement between the employer and a union, wherein the employer agrees not to resist the union's organizing attempts. Such agreements may include, among other things: Facility access for the union; card checks for recognition; prohibitions on the employer from making any negative comments regarding the union; providing the employees the address and phone number of the union organizer at hire and a variety of other similar provision. Such agreements are often politically driven.
<b><i>No-man's land</i></b>	Refers to the unclear jurisdiction between federal, state and local governments during labor disputes.
<b><i>Non-exempt employee</i></b>	An employee who does not meet any one of the Fair Labor Standards Act exemption tests and is paid on an hourly basis and covered by

wage and hour laws regarding hours worked, overtime pay, etc.

***No-raiding agreement***

An agreement between individual international unions in which they respectively promise not to engage in the practice of persuading employees to leave one union to join another once the initial bargaining relationship has been established.

***No-strike clause***

A provision in a collective bargaining contract where the union promises that during the life of the contract the employees will not engage in strikes, slowdowns, or other job actions.

***Norris-LaGuardia Act (Anti-Injunction Act)***

One of the first laws to protect the rights of workers so they can engage in activities brought onto by the unions. In addition, the act gave labor unions the right to organize, strike, and use other forms of leverage against management without the interference of the federal court.

<b><i>Objections to elections</i></b>	Charges filed with the FLRA contesting election results because of alleged irregularities in the conduct of a representational election.
<b><i>Occupational Safety and Health Act of 1970 (OSHA)</i></b>	A law setting forth standards that employers must comply with in order to provide working conditions that are safe and free from any health hazards for all employees. Additionally, the law also requires employers to provide employees with protection against workplace hazards that could result in illness, injury or death to an individual, as well as to communicate to employees the information on hazardous materials or chemicals they may be required to handle.
<b><i>Occupational Safety and Health Administration</i></b>	A Department of Labor office responsible for overseeing and assuring the safety and health of America's workers by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual improvement in workplace safety and health.
<b><i>Office of Federal Contract Compliance Programs(OFCCP)</i></b>	Division of the Employment Standards Administration in the Department of Labor responsible for enforcing three statutes for federal contractors and subcontractors: Executive Order No. 11246, the Rehabilitation Act, and the Vietnam Era Veterans' Readjustment Assistance Act. OFCCP enforces the three laws through the use of compliance reviews, complaint investigations, administrative procedures and judicial procedures.
<b><i>Office of Personnel Management (OPM)</i></b>	An agency that issues government-wide regulations on personnel matters that may have a substantial impact on the scope of bargaining; consults with labor unions on those regulations; provides technical advice and assistance on labor-management relations matters to Federal agencies.
<b><i>Open period</i></b>	Refers to the specific period prior to the expiration of contract where petitions for exclusive representative status are considered timely.
<b><i>Open shop</i></b>	An organization that hires workers without regard to their membership in a labor union.
<b><i>Opposition to exception to arbitration award</i></b>	If a party files an exception to an arbitrator's award, the other party may oppose the exception to the Authority in accordance with 5 CFR 2425.1. 23.
<b><i>Organization</i></b>	A right reserved to management. According to the FLRA, this right encompasses an agency's authority to determine its administrative and functional structure, including the relationship of personnel through lines of control and the distribution of responsibilities for delegated and assigned duties.
<b><i>Organizing committee</i></b>	The employees in a non-union shop who are designated to represent their co-workers during the representation campaign.
<b><i>Organizing model of unions</i></b>	The concept that the primary function of a union's officers and staff is to organize members to exert collective power to solve problems.
<b><i>Outlaw strike</i></b>	Also know as a wildcat strike, it is an unauthorized work stoppage while a labor contract is still in effect.

***Overtime***

In accordance with the Fair Labor Standards Act (FLSA), it is the term used to define work that is performed in excess of 40 hours per week.

<b><i>Package bargaining</i></b>	A negotiating technique whereby contract proposals are grouped into a “package” usually offering substantial concessions by one party, in exchange for substantial gains.
<b><i>Paper locals</i></b>	A term used to describe a local union that has no members.
<b><i>Parity</i></b>	A term used in the public sector to describe the ratio an employer maintains between the salaries for specific jobs.
<b><i>Parole evidence</i></b>	A guideline governing the admission of evidence during an arbitration hearing.
<b><i>Particularized need</i></b>	The Authority’s analytical approach in dealing with union requests for information under title 5, United States Code, section 7114(b)(4).
<b><i>Partnership</i></b>	A form of employee participation established pursuant to Executive Order 12871 in which the parties are expected to deal with matters relating to improving the performance of the agency in a non-adversarial, non-litigious manner.
<b><i>Past practice</i></b>	A consistent action or behavior with respect to an issue that over time employees, the union and the employer have come to recognize the standard.
<b><i>Pattern bargaining</i></b>	A form of negotiation in which the terms reached in a particular company’s settlement agreement are closely adopted by other companies.
<b><i>Permanent injunction</i></b>	A court-issued order requiring a party to either do or refrain from doing a certain act.
<b><i>Permanent replacements</i></b>	Individuals hired to permanently replace an employee engaged in a strike. At the end of the strike, permanent replacements are not taken off the job but rather continue to work. Returning strikers are recalled to work as vacancies for which they are qualified, are created due to attrition, growth, or other means. Unions refer to all replacement employees as “scabs.”
<b><i>Permanent umpire</i></b>	An arbitrator who has been chosen by both management and the union to serve for a specified period of time or the duration of the contract.
<b><i>Permissive subject of bargaining</i></b>	Subjects that are not mandatory nor illegal. These subjects may be proposed in the negotiations, but neither side may insist that they be included in the agreement (another way of stating this is to say the other side has no obligation even to discuss them if they do not wish to). Included as permissive topics are: interest arbitration, benefits for non-employees (such as retirees), changes in the composition of the certified or recognized bargaining unit, selection of bargaining representative, internal union affairs, inclusion of supervisors, settlement of an unfair labor practice charge, etc.
<b><i>Phone banking</i></b>	Refers to the practice of telephoning large numbers of members to inform them of a union policy or action or to gather information.

<b><i>Phone tree</i></b>	Refers to the network of volunteer members in which one member calls a list of members, each of whom calls another list of members, so on so forth.
<b><i>Picketing</i></b>	Generally, activity at the location of a labor dispute that involves patrolling and the carrying of placards. This definition has been expanded to include activities where persons did not carry signs but rather had signs posted nearby and to situations where persons were not sitting in their cars keeping warm. A key element is that a “signal” is sent to others whether the substance of the dispute is known or not and regardless of whether the message on the placards is read. Generally, hand billing without the carrying of placards or patrolling is not “picketing” and is protected by the First Amendment of the Constitution.
<b><i>Portable pension plan</i></b>	A pension plan designed to allow employees the ability to transfer accrued pension benefit credits earned with one employer to another.
<b><i>Portal-to-Portal pay</i></b>	Compensation for all expenses incurred while traveling from door to door. Portal-to-portal pay is used in business organizations for business-related purposes, such as business travel where all expenses including transportation are covered.
<b><i>Poverty index</i></b>	A measurement that establishes the minimum income required to provide an adequate standard of living.
<b><i>Preferential hiring</i></b>	A hiring tactic in which employers agree that when hiring new employees, they will give preferential treatment to union members.
<b><i>Premium pay</i></b>	Additional compensation paid for work performed outside of regularly scheduled work hours.
<b><i>Primary boycott</i></b>	Used by employees and their union to gain certain concessions from an employer, a boycott is an organized refusal by employees and their labor union to deal with the employer.
<b><i>Production worker</i></b>	An employee who is directly involved with the manufacture of a particular product.
<b><i>Productivity</i></b>	The measurement of output to input used to gauge production efficiency.
<b><i>Productivity bargaining</i></b>	A collective bargaining agreement that provides employees with increases based on the employers realized productivity gains.
<b><i>Professional employee</i></b>	An employee who has undergone advanced or specialized training in a particular field of learning and whose work is predominantly intellectual in nature.
<b><i>Profit sharing</i></b>	A qualified retirement plan established and maintained by an employer which enables employees and their beneficiaries to participate in the profits of the employer's business.
<b><i>Protected concerted activities</i></b>	The basic activity protected by the NLRA. Activities by more than one person (concerted, although there are cases where the NLRB or

courts have found that the activities of one person are “deemed” to be concerted) for the purposes of collective bargaining or other mutual aid or protection (protected activities). Activities that are generally protected include engaging in work stoppages, honoring picket lines, filing or processing grievances, safety related protests, protests of employment discrimination, appeals to regulatory agencies or courts (it is not necessary that the basis of the protest be meritorious). Discipline and/or discharge of employee(s) for participation in such activities may be a violation of the NLRB. Activities that are not protected include, but are not limited to, sit down strikes, some breaches in confidentiality, some forms of disloyalty.

***Public employment relations board  
or commission (PERB or PERC)***

An administrative agency that is responsible for providing impartial, efficient and expert resolution of labor-management disputes and interpretation of state labor laws for public employers.

*Questions concerning representation*

Refers to a petition in which a union seeks to be the exclusive representative of an appropriate unit of employees, or in which employees in an existing unit want to decertify the incumbent union.

*Quickie strike*

A term used to describe a strike that has not been authorized by the union, typically occurring on a spontaneous basis as a result of a particular job incident on the job and of short duration.

<b><i>Raiding</i></b>	A union's attempt to enroll workers belonging to, or represented by, another union.
<b><i>Railway Labor Act of 1926 (RLA)</i></b>	A law that regulates labor relations in the railway and airlines industries, guaranteeing workers in these industries the right to form a union and bargain collectively.
<b><i>Ratification</i></b>	The formal approval of a newly negotiated agreement by vote of affected union members.
<b><i>Real wages</i></b>	A term referring to the value of current wages as compared to the value of the same wages during a specific period of time in the past.
<b><i>Recognition</i></b>	The written acceptance by a public employer of an employee organization as the majority representative of employees in an appropriate unit.
<b><i>Recognition picketing</i></b>	The process of picketing as a means to assert pressure or coerce an employer to recognize a union as a bargaining agent for the employees.
<b><i>Regional bargaining</i></b>	A form of multiemployer bargaining whereby bargaining takes place between a union and the representatives of several employers in a particular industry and region.
<b><i>Remedial order</i></b>	An order of an administrative agency, court, or arbitrator to correct a defect; relief or cure.
<b><i>Reopening clause</i></b>	A provision in a collective bargaining agreement stating the time or the circumstances under which negotiations can be requested prior to the expiration of the contract.
<b><i>Representation election</i></b>	A secret-ballot election to determine whether the employees in an appropriate unit shall have a union as their exclusive representative.
<b><i>Representation proceeding</i></b>	A procedure for the purpose of determining the majority representative of employees in an appropriate collective bargaining unit.
<b><i>Representational functions</i></b>	Activities performed by union representatives on behalf of the employees for whom the union is the exclusive representative regarding conditions and terms of employment.
<b><i>Representation issues</i></b>	Refers to the issues related to how a union gains or loses exclusive recognition for a bargaining unit, the unit status of employees and determining whether a proposed unit of employees is appropriate for exclusive recognition.
<b><i>Repudiation of agreement</i></b>	The framework developed by the FLRA to determine whether a breach of the agreement was clear and patent and whether the provision breached went to the heart of the agreement.

<b><i>Retroactive pay</i></b>	Refers to a deferred wage payment for work done previously at a lower rate of pay.
<b><i>Rights arbitration</i></b>	Also referred to as grievance arbitration or mediation, it is a proactive, voluntary process, which utilizes an arbitrator to assist and issue a binding resolution of grievances over the application or interpretation of a collective bargaining agreement.
<b><i>Rights dispute</i></b>	A disagreement regarding the application or understanding of the terms of a collective bargaining agreement.
<b><i>Right- to- work law</i></b>	A state law preventing labor-management agreements requiring an individual to join a union as a condition of employment.
<b><i>Runaway shop</i></b>	The tactic of transferring a plant to an alternative location, usually another city, in order to damage union effectiveness and escape bargaining duties.

<b><i>Salting</i></b>	Refers to paid union organizers who apply for jobs with an employer for the purpose of organizing the employer's workforce.
<b><i>Scab</i></b>	A term used to describe either workers who refuse to participate in a strike with fellow co-workers or workers who have been hired to replace workers on strike.
<b><i>Scope of bargaining</i></b>	Refers to Matters about which management and the union can negotiate.
<b><i>Seasonal employment</i></b>	A term used to refer to joblessness that occurs due to seasonal requirements for labor.
<b><i>Secondary activities</i></b>	Refers to strikes, picketing or boycotts against a neutral employer for the purposes of bringing pressure on another employer.
<b><i>Seniority</i></b>	Status determined by the length of time an employee has worked for a specific employer, department or position within the organization.
<b><i>Service Model of unions</i></b>	The concept that the primary function of a union, its staff, and its officers is to service the members or solve the members' problems for them.
<b><i>Service worker</i></b>	A worker whose job is primarily to provide personal, protective or maintenance services for an employer.
<b><i>Severance pay</i></b>	A form of short-term salary continuation awarded to employees who are being terminated. Severance payments often equal one week's pay for each year of service.
<b><i>Sheltered workshop</i></b>	Refers to a work-oriented rehabilitation facility for disabled individuals consisting of a controlled environment that accentuates the attainment of individual vocational goals.
<b><i>Sherman Antitrust Act of 1980</i></b>	A federal law prohibiting trusts and conspiracies that restrain interstate commerce and forbids parties to monopolize trade or commerce among states.
<b><i>Shop committee</i></b>	A body of employees who are appointed by the union or elected by fellow employees to represent the bargaining unit, considering grievances, etc.
<b><i>Shop steward</i></b>	A local union's representative in a company designated to carry out union duties, represent employees in presenting grievances, collect dues and solicit new members.
<b><i>Showing of interest</i></b>	The required evidence of employee interest supporting a representation petition.
<b><i>Side bar</i></b>	An off-the-record discussion or discussion away from the bargaining table.
<b><i>Sit down strike</i></b>	Work stoppage where employees stop working but remain at their work places thus preventing the employer from using the machinery, etc., to perform the work. Sit down strikes are illegal.

<i>Sixty day notice</i>	The notice that must be given by either party to a collective bargaining agreement when desiring to reopen or terminate the contract.
<i>Slowdown</i>	A deliberate attempt by employees to reduce productivity outputs as a means to gain a particular concession from the employer.
<i>solicitation</i>	Employers may prohibit solicitation by any organization on company property or on company time. Before implementation counsel should review solicitation policies.
<i>Speedup</i>	Any system designed to increase worker productivity without an increase in wages
<i>Staffing patterns</i>	Refers to title 5, United States Code, section 7106(b)(1)'s reference to "the numbers, types, and grades of employees or positions assigned to any organizational subdivision, work project, or tour of duty."
<i>Stagflation</i>	A term used to refer to particularly high rates in price increases occurring simultaneously with high rates of unemployment.
<i>Standards of conduct for labor organizations</i>	Standards regarding internal democratic practices, fiscal responsibility, and procedures to which a union must adhere to qualify for recognition.
<i>Stewards council</i>	An organization of the stewards within a local. Stewards councils take some of the workload from the paid staff of the local and give the stewards an opportunity to compare their experiences and be more involved in the affairs of the union.
<i>Stretch-out</i>	A term used to describe a situation in which employees are required to take on additional work without additional compensation.
<i>Strike</i>	Occurs when employees deliberately refuse to perform their jobs and/or form picket lines outside the employer's premises to prevent or discourage others from working in their place or conducting business with the employer.
<i>Strike benefits</i>	Payments made by the union to members who are on strike.
<i>Strikebreaker</i>	A term used to refer to an individual who is hired by a struck employer to temporarily fill the position of a striking worker.
<i>Strike force</i>	Volunteer members who have agreed to help picket or leaflet in support of a union organizing campaign, strike, or other effort initiated by a local union.
<i>Strike fund</i>	Funds held by an international or local union that have been allocated to pay for costs associated with a labor strike (i.e. legal fees, strike benefits, etc.).
<i>Strike notice</i>	The notice which is filed with a state agency or the Federal Mediation and Conciliation Service informing them that the union has rejected an employer's latest offer and a strike is imminent.
<i>Strike sanction</i>	In order for a local union to receive strike benefits from the union's

national treasury, the strike must be sanctioned by the union's national executive board.

***Struck work***

A term to define a product which is produced by an employer during the period of a labor dispute with his employees. An employee who refuses to handle struck work is engaged in a sympathy work action.

***Structural unemployment***

A term used to describe joblessness that is a result of major economical changes or sociological factors.

***Successorship***

Where, as the result of a reorganization, a portion of an existing unit is transferred to a gaining employer, the latter will be found to be the successor employer (thus inheriting, along with the employees, the exclusive representative of those employees and the collective bargaining agreement that applied to those employees) if: (a) the post-transfer unit is appropriate, (b) the transferred bargaining unit employees are a majority in the post-transfer unit, (c) the gaining employer has "substantially" the same mission as the losing employer, (d) the transferred employees perform "substantially" the same duties under "substantially" similar working conditions in the gaining entity, and (e) it is not demonstrated that an election is necessary to determine representation.

***Sunshine bargaining***

A form of collective bargaining whereby the general public is allowed to attend bargaining sessions.

***Supervisor***

As defined by the NLRA, "any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment." This definition is read in the disjunctive, the authority to do any one of these functions is sufficient to establish supervisory authority.

***Supplemental unemployment benefits***

Typically found in collective bargaining agreements. SUB pay benefits are taxable payments from a fund which can be combined with state unemployment insurance benefits during periods of temporary layoff to provide a higher level of unemployment benefits during the term of layoff.

***Surface bargaining***

Often referred to as a perfunctory tactic whereby an employer meets with the union, but only goes through the motions of bargaining.

***Sweatshop***

Refers to workplaces where working conditions (i.e. environment, pay, etc.) are significantly below adequate standards.

***Sweetheart contract***

Term of disdain for an agreement negotiated by an employer and a union with terms favorable to the employer.

***Sympathy strike***

Work stoppage by a group of employees as an act of sympathy for or solidarity with another group of employees who are on strike. Sympathy strikers do not themselves have to be represented by a labor organization.

<b><i>Taft-Hartley Act of 1947</i></b>	Also known as the Labor-Management Relations Act (LMRA), the act establishes control of labor disputes on a new basis by enlarging the National Labor Relations Board and providing that the union or the employer must, before terminating a collective-bargaining agreement, serve notice on the other party and on a government mediation service.
<b><i>Team concept plans</i></b>	Methods of reorganizing work in ways which blur the traditional lines of distinction between union work and management work.
<b><i>Technological unemployment</i></b>	A term used to refer to joblessness that occurs as a result of the introduction of labor saving technology devices.
<b><i>Temporary replacement</i></b>	Individual hired to temporarily replace an employee engaged in a strike. At the end of the strike, temporary replacements are released from work to permit strikers to return to their jobs. Unions refer to all replacement employees as “scabs.”
<b><i>Temporary restraining order</i></b>	Restraining and/or protective orders are examples of orders issued by a court restraining the conduct of an individual and protecting a victim from the activities of an abusive person.
<b><i>Tenure</i></b>	A form of job security typically limited to employees of educational institutions.
<b><i>Title VII of the Civil Rights Act of 1964</i></b>	Title VII is a provision of the Civil Rights Act of 1964 that prohibits discrimination in virtually every employment circumstance on the basis of race, color, religion, gender, pregnancy or national origin. In general, Title VII applies to employers with 15 or more employees. The purpose of Title VII's protections is to "level the playing field" by forcing employers to consider only objective, job-related criteria in making employment decisions. Title VII must be considered when reviewing applications or resumes, when interviewing candidates, when testing job applicants and when considering employees for promotions, transfers or any other employment-related benefit or condition.
<b><i>Trial examiner</i></b>	An official who presides at administrative trial proceedings to hear facts and issue decisions regarding unfair labor practice cases (also known as an Administrative Law Judge).
<b><i>Trustee</i></b>	An elected union official whose duty is to monitor the finances of a local union, joint council, conference, or international union.
<b><i>Trusteeship</i></b>	The assumption of control over a local union by an international union, or by the federal government under the RICO Act.
<b><i>Turnover</i></b>	Describes changes in the work force resulting from voluntary or involuntary resignations.
<b><i>Two-tier wages</i></b>	A type of compensation arrangement whereby wages paid to newly hired employers is significantly lower than wages being paid to other employees performing the same or similar jobs.

***Underemployed***

***Unemployment***

***Unemployment insurance***

A statutory benefit. Unemployment insurance is designed to provide workers who have been laid off a weekly income during short periods of unemployment. The system is run and funded by state and federal taxes paid by employers.

***Unfair list***

The basis for placement of an employer on an Unfair List is anti-labor conduct including, but not limited to, the following: failure to sign a labor agreement; commission of an unfair labor practice; violations of state or federal laws or rules; utilization of non-union labor; utilization or promotion of non-union goods or services; anti-union practices; or failure to provide workers with fair and equitable wages and benefits, decent hours and working conditions.

***Unfair labor practice (ULP)***

An unfair labor practice (ULP) is a violation of a right protected by the Federal Service Labor-Management Relations Statute. The ULP procedures provided by the Statute are part of the basic mechanisms by which the parties are protected in the exercise of their rights.

***Unfair labor practice strike***

Work stoppage called by a union to protest the unfair labor practices of an employer. In order for a strike to be an unfair labor practice strike, the NLRB must agree that the work stoppage was caused by or prolonged by the unfair labor practices of the employer. Unfair labor practice strikers cannot be permanently replaced.

***Uniformed services***

A term used to refer to public service employees (i.e. police officers, firefighters, etc.)

***Unilateral changes***

Actions taken directly by management, without discussions with the union, during labor organizing situations or where a union is recognized or certified. These actions may or may not constitute unfair labor practices.

***Union***

A formal organization certified by the National Labor Relations Board and authorized to act on behalf of employees regarding wages, benefits, working conditions, conditions of employment and job security.

***Union buster***

A professional consultant which provides tactics and strategies for employers trying to avoid unionization or decertify unions.

***Union label***

A stamp or tag on a product or card in a store or shop to show that the work is performed by members of a labor union.

***Union organizer***

An individual who is a member of a local or international union's staff whose primary job responsibility is to recruit new members.

***Union security clause***

Clause in a collective bargaining agreement compelling a unit employee to become and retain membership in the union (which is ultimately restricted to the payment of dues and initiation fees) as a condition of employment. This is a mandatory subject of bargaining.

<b><i>Union shop</i></b>	A form of union security provided in the collective bargaining agreement which requires employees to belong to or pay dues to the union as a condition of retaining employment.
<b><i>Unit clarification</i></b>	NLRA procedure to determine whether or not new employee classifications should be covered under a collective bargaining agreement.
<b><i>Union consolidation</i></b>	A no-risk procedure for combining existing units into one or more larger appropriate units.
<b><i>Union shop</i></b>	A form of union security that requires employees to join the union, within a certain time after they are hired or after a compulsory-unionism contract is executed, and to maintain their membership as a condition of employment.
<b><i>Unit, or bargaining unit</i></b>	Grouping of employees being sought for union representation. NLRB looks at community of interest factors when determining unit questions, including: rates of pay, benefits, work areas, working conditions, skill levels, work interactions, supervision, nature of work being performed, etc.
<b><i>Unit determination</i></b>	A procedure by which a labor relations agency makes a finding as to the appropriateness of including certain employees within a group for collective bargaining purposes.

<b><i>Vertical union organization</i></b>	An industrial union is one which, for organizational purposes, includes all workers in a particular industry regardless of whether they are skilled or unskilled (also known as an industrial union).
<b><i>Vesting</i></b>	An employee's right to receive present or future pension benefits, even if the employee does not remain in the service of the employer.
<b><i>Vitally affects test</i></b>	An agency may be obligated to bargain with a union over matters that directly affect individuals other than unit employees insofar as such matters involve or "vitally affect" the terms and conditions of employment of unit employees.
<b><i>Vocational rehabilitation</i></b>	Refers to the process of rehabilitating and returning disabled individuals to the mainstream of economic and social life activities.
<b><i>Voluntary subject of bargaining</i></b>	Subjects of bargaining other than those considered to be mandatory.
<b><i>Volunteer Organizing Committee</i></b>	A term used to describe union members who volunteer for the union during organizing campaigns.

<b><i>Wagner Act</i></b>	Also known as The National Labor Relations Act (NLRA), passed in 1935, provides that all employees have the right to form, join and assist labor organizations and to bargain collectively with their employers.
<b><i>Waiver</i></b>	An agreement reached between union and management whereby one party voluntarily gives up rights afforded to it.
<b><i>Waiver clause</i></b>	Clause in a contract which, variously, states all issues have been or could have been discussed; all items that were agreed to are in the agreement; and the union has waived its right to bargain over any item not contained in the agreement. NOTE: the standard adopted by the NLRB for an effective waiver of a union's right to demand bargaining, even during the term of an agreement, is clear and convincing evidence that the union agreed to waive its right to negotiate, which may be more strict than waiver language.
<b><i>Walkout</i></b>	A term used to refer to a general, quickie or wildcat strike.
<b><i>Weingarten rights</i></b>	The U.S. Supreme Court upheld a decision by the Labor Board that employees have a right, protected by Section 7 of the National Labor Relations Act, to insist upon union representation during an investigatory interview by the employer, provided the employee "reasonably believes" the interview "might result in disciplinary action." This right arises from Section 7's "guarantee of the right of employees to act in concert for mutual aid and protection." The right applies to unionized employees and is limited to situations where the employee specifically requests representation. The employer is not legally required to advise the employee of this right, and it applies only to investigatory meetings.
<b><i>Welfare fund</i></b>	A fund developed through the collective bargaining process that provides employees for several employers with particular welfare benefits.
<b><i>Welfare plan</i></b>	A plan designed to provide employees with coverage for medical or hospital care and surgical procedures. May also include other benefits, such as vacation or scholarship programs.
<b><i>Whipsaw bargaining</i></b>	A union bargaining strategy whereby the union bargains with a succession of individual employers using each negotiated gain as leverage against another employer in order to secure even greater concessions.
<b><i>Whipsaw strike</i></b>	A work stoppage against a single member of a bargaining unit composed of several employers.
<b><i>White-collar worker</i></b>	Employees who are paid on a salaried basis and whose jobs do not require the performance of work of a manual nature. Such individuals are normally employed in the capacity of managers, supervisors, salespeople, clerical or technical workers and meet the criteria of the FLSA white collar exemption test.
<b><i>Wildcat strike</i></b>	Also known as an outlaw strike, it is an unauthorized work stoppage while a labor contract is still in effect.

***Work- to-rule***

A form of labor dispute where employees continue to work, but do only what the rules or their orders require them to do. The purpose is to make work so difficult, that the employer will accede to the union's demands in negotiations.

***Workers' compensation programs***

State laws enacted to provide workers with protection and income replacement benefits due to an illness or injury suffered on the job. Employers must carry appropriate workers' compensation insurance, as required by state law, or have a sufficient source of funding for claims incurred.

***Work stoppage***

A work stoppage occurs when employees cease to perform their jobs as a means of showing their support for a specific cause or as a way of voicing a grievance.

***Yellow-dog contract***

An employment contract or agreement, either oral or in writing, that forbids employees from joining or continuing membership in any labor union as a condition for continuing or obtaining employment.

*Zipper clause*

A provision in a collective bargaining agreement that specifically states that the written agreement is the complete agreement of the parties and that anything not contained therein is not agreed to unless put into writing and signed by both parties following the date of the agreement.