

## 5 KEY POINTS ON LABOR ACTIVITY IN 2015

---

*Originally Published - December 3, 2015 by Becker's Hospital Review*

Union activity in healthcare has spiked in 2015, partly due to recent decisions from the National Labor Relations Board, according to a recent report released by IRI Consultants and the American Society for Healthcare Human Resources Administration of the American Hospital Association.

The organizations' "45th Semi-Annual Labor Activity in Health Care Report", released this week, contains information to help healthcare organizations better understand where unions are focusing efforts and how to be prepared to address them. Data in the report is taken from the NLRB database and supplemented with articles from labor attorneys.

"Employers need to take steps to prepare their organizations for a union organizing effort, not just react. With these new rules in place, there simply isn't enough time to react unless the employer has taken steps to think through a comprehensive, detailed prevention strategy and counter campaign," Jim Trivisonno, president of IRI Consultants and co-author of the report, said in a news release. "When the union begins to solicit employees, executive management will look to human resources for leadership and guidance. Our advice: don't be caught unprepared."

### **Here are five key points from the report.**

1. In April, the NLRB's newly amended rules and procedures for union representation elections took effect. Under the final rules, the minimum 25-day waiting period between a Direction of Election and the election is gone. Rather, the regional director could schedule a union election as early as 14 days after the petition is filed. Since expedited union elections commenced in April, there was a 9.6 percent increase compared to 2014 in the number of petitions filed; 365 elections were conducted in all industries under the new rules. The vast majority of elections are held within 24 days, surpassing the NLRB's previous average timetable of 38 days.
2. In the first six months of 2015, there were 153 union elections held in the healthcare sector. Unions were elected as a result of 76 percent of these. If the rate of organizing continues, unions are on pace to file a record number of union election petitions in the healthcare industry this year.
3. The vast majority of organizing activity in the first six months of 2015 occurred in New York, California and Michigan, with these three states experiencing nearly half of all petitions filed in the U.S.
4. The Service Employees International Union filed more petitions and held more elections than any other union in the healthcare industry so far in 2015. SEIU accounted for half of all petitions filed and 45 percent of elections held.
5. The NLRB's general counsel also adopted a policy that permits employees to electronically authorize union representation. Some unions have been quick to adopt electronic employee signature collection on union authorization cards. Pursuant to the new policy, e-cards are valid if they include the employee's name, email address or social media account; phone number; authorization language to which the employee agreed; date; employer name; and employee signature.