

## Communicating During Labor Negotiations: Control Your Message

Many employers have experienced the tarnishing of hard-won reputations and erosion of public goodwill when labor unions launch corporate campaign tactics during contract negotiations. Others have suffered financial setbacks as customers steer clear of difficult labor situations or when ratings agencies grow concerned about how union strife could affect the organization's bottom-line.

Strikes and other job actions, of course, also put tremendous financial strain on employers. And unions revived the use of strikes in 2018. According to the U.S. Bureau of Labor Statistics, 2018 saw the most major work stoppages in almost a decade, and the number of employees involved was the highest since 1986.

Organizations with union representation can better mitigate union corporate campaigns by proactively sharing a positive narrative about their organization and the need for changes in the labor contract. Of course, the message delivery needs to be done in a way that does not violate federal labor law.

## CASE STUDY: HOW TO SURVIVE BEING THE TARGET OF A CORPORATE CAMPAIGN

By anticipating the union's actions early and developing a strategy and core messaging in advance, a large, growing Mid-Atlantic healthcare system successfully truncated a union's well-coordinated corporate campaign.

Because the union represented a small number of employees across the health system (less than eight percent of the employer's 33,000 employees), the union had two clear objectives for its campaign: 1) Frame the employer as a bad actor that needed to be kept in check by the union; and 2) Publicly pressure management into acceding to union demands in negotiations – that included so-called “fair election” language in which the employer would remain neutral during the union's organizing campaign.

The union's attacks came in various forms, including:

- Directly confronting executives and board members and ambushing organizational events with leaf-letting and heckling;
- Outreach to federal, state and local politicians complaining about the alleged employer's anti-union animus;
- Attempting to get the non-profit employer's tax-exemption from municipal real estate taxes overturned;
- Filing anonymous, unfounded reports with regulatory agencies prompting investigations;
- Running a digital campaign that included social media posts to Facebook, YouTube, Twitter, Instagram and websites; and
- Using public relations tactics like yard signs, a mobile billboard and aerial banners.

## 1. PREP YOUR ORGANIZATION & YOUR LEADERS

Months prior to the start of negotiations, consultants worked with executives, the legal, communications and government relations teams and human resources professionals to assess the health system's strengths and identify vulnerabilities the union might try to exploit during collective bargaining. A list of strengths and vulnerabilities helped prepare communications in advance of any union action and materials were researched, drafted, approved and ready to go should the need arise.

The consultants also engaged with managers throughout the organization to learn from them about the issues of importance to employees and share with them messages that responded to these issues.

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**Studies show that face-to-face conversations between supervisors and employees are the most effective communications channel in the workplace. Supervisors were not only equipped with the “what” of responding to employees but were also coached on the “how” of responding through role-playing exercises and practice sessions.**

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Consultants, in concert with HR professionals and communications team members, provided this training to mid-level managers, ensuring that even after a new contract had been ratified, they would possess the communications skills needed to discuss change initiatives and other work-related topics.

## 2. GO PUBLIC WITH YOUR INTERNAL PRIDE

Contract negotiations no longer take place behind closed doors and out of the public eye. Unions are increasingly using social media to provide real-time updates to members and to share potentially damaging messages about employers.

During negotiations for the healthcare system, the union produced YouTube videos that included footage of members working in what it described as “unsafe” conditions. The union’s other campaign collateral carried consistent – albeit factually erroneous – messaging about patient care.

In addition to a potential challenge to the legality of the videos, communications professionals were faced with the challenge of addressing this potentially damaging messaging. Through early preparation and deep knowledge of the health system’s employees and priorities, a counter campaign was created highlighting the health system’s commitment to patient care and being a great place to work.

Videos highlighting employees talking about the incredible pride they felt in working at the individual hospitals were quickly produced and distributed via texting and social media. The videos were targeted to the communities served by the individual hospitals and even targeted to legislative districts where state senators, representatives and their staff were sure to see them.

**This messaging provided a counter-balance to the negative union messaging and received overwhelmingly positive response from internal and external stakeholders. Overall, Facebook and Google display advertising during the 20-week campaign generated more than 6.4 million impressions and more than 31,000 clicks to a specially-created campaign website.**

The most popular video from the campaign, which featured a registered nurse talking about her experience working at one system hospital, received more than 11,500 video views and had the lowest cost per view of roughly \$0.01. The top performing Google display ad, which featured information about how the healthcare system reinvested in medical research, had a click-through rate that was almost two times the industry benchmark.

Static Facebook ads focused on the number of births that had occurred at health system hospitals, the opening of a private medical school and investments in health screenings and prevention services. These ads generated more than 3 million impressions and drove roughly 20,000 clicks to the specially-created campaign website.



 Over 6,370,000 impressions  
*Number of times our ads were seen*

 65,237 video views

 28,200 ad clicks, in state,  
to the campaign website

## PROVIDE TIMELY, FACT-BASED INFORMATION

The consultants also supported the negotiations team by researching, drafting and distributing materials, including negotiations updates, talking points, media holding statements, fact sheets and FAQs to explain the rationale behind the organization's proposals and respond to anticipated questions from employees and external stakeholders. Communicators drew upon publicly available information from third parties, such as trade associations and nonpartisan foundations, to further strengthen materials.

Employees also were encouraged to seek information from other sources beyond the employer or the union during negotiations. This further demonstrated a commitment to transparent, fact-based communications.

**By being open and committing to a strategic flow of information through traditional and new, innovative channels, organizations can diffuse negative rhetoric and shape a more positive narrative during a corporate campaign. It requires early coordination and thoughtful conversations, but in the end, you will be the one telling your story.**

**RESULTS: 6 contracts ratified in 6 months**

## OTHER NEGOTIATIONS SUPPORT SERVICES

Negotiations Strategy

Contract Comparisons

Competitive Research

Media Relations Training

Security Training

Corporate Campaign Tactic Scenario  
Training

Manager Coaching/Support