



HUMAN RESOURCE MANAGEMENT AND THE LABOR UNION

Dr. Dhananjay Mane

Administrative Officer (Higher Education)
Kolhapur Region, Kolhapur

THE LABOR UNION:

A Labor Union is an organization intended to represent the collective interests of workers in negotiations with employers over wages, hours, benefits and working conditions. Labor unions are often industry specific and tend to be more common in manufacturing, mining, construction, transportation and public sector.

The formation of unions has been around since the early 20th Century with the boom of the Industrial industry. Unions were formed with the simple idea that working conditions should be Tolerable and fair for the workers. In the next several pages, you will find the pros and the cons of being a member of a union. You will also find out the pros and cons of being the employer of union. Lastly you will hear my perspective of unions as if I were an actual employee.

In 1920, the only reason one joined a union is because they worked for you to ensure you got your proper hourly wage according to the law. Unions reduced wage inequality because they raised wages more for low- and middle-wage workers. They made sure you had acceptable working conditions. The unions of that time did more for labor relations of today and they would have very benefited from. Those unions created better working conditions for not only union, but non union members with FLSA, OSHA, FMLA, the minimum wage act to name a few. The unions of today, unsure that their members get the entitled breaks during their working shift. Unions also guarantee higher wages, signing bonuses at contract time and hefty payouts for profit sharing each year that the company did well in earnings. Members also receive generous health

plans and better pension plans as well as increased the number of benefits for paid time off, sick time and personal and family time. Unions of today also give members greater job security.

HOW LABOR UNIONS WORK:

In 1935, Congress passed the National Labor Relations Act (NLRA) to “encourage a healthy relationship between private-sector workers and their employers”. Prior to the NLRA, employers were not required by law to recognize a union or to bargain in good faith. By establishing employees’ basic rights to join unions and engage in collective bargaining, Congress hoped to reduce work stoppages, strikes and other conflicts between labor and management that had all too often resulted in violence. The act also created the National Labor Relations Board (NLRB) as the organization to enforce the NLRA.

The NLRA accomplished three significant objectives:

- 1) Allowed workers to have elections to decide if they want to be represented.
- 2) Established laws protecting employees from discrimination based on union- or group-related activity.
- 3) Created the NLRB as an administrative organization to enforce the law.

Perhaps most importantly, the NLRA allowed unions to represent employees under the law. The act’s text states that it covers employees whose employers are involved in interstate commerce, but this is a broad definition, one that is easily applied. The act also outlined the basic rights for workers, something many had been lobbying about for decades. In addition to the right to union representation and participation, the NLRA allowed employees to engage in collective bargaining and protected concerted activities -- with or without a union -- that attempt to improve working conditions. The NLRA also granted employees the right to choose not to take part in any of those activities, hopefully preventing unions or employers from exerting undue pressure on employees. Some workers are specifically excluded from the protections of the NLRA:

- 1) Agricultural laborers
- 2) Domestic service workers
- 3) People employed by a parent or spouse
- 4) Independent contractors
- 5) Supervisors (supervisors who have been discriminated against for refusing to violate the NLRA may be covered)
- 6) Railroad and airline employees
- 7) Federal, state and local government employees
- 8) Employees of any entity that does not fit the NLRA's definition of an employer Confidential employees

HUMAN RESOURCE MANAGEMENT AND LABOR RELATIONS:

Human Resource Management:

Human Resources are a very important sector in an establishment. The HR department or team is charged with finding the right people to work in the company. An HR representative has the pleasure of dealing with any kind of employee or labor issue, such as employee welfare; offering advice on work situations to employees and management; educating the employees on the rules of the company; providing employees clear notice of job descriptions, salary, and benefits; and ensuring the employees are completing the proper training. Training information should be communicated to the employee and manager. HR can be viewed as being a reference for the employees.

The role of today's Human Resource Manager (HRM) is much more involved than in the past. Human Resources (HR) has ordinarily been referred to as Personnel. Formerly, the manager in this field, whether it was referred to Personnel or HR, held a narrow margin of responsibilities. Today's HRM has the unique role of looking out for the interests of both the employee and employer. Technology, globalization and outsourcing have added a challenging twist to HRM responsibilities. Adding further to this unique challenge is the fact that many industrial and skilled labor workers as well as professionals and others belong to labor unions.

Employees are entitled to form and join unions or not. Employees with union memberships have certain protected rights within the workplace. Union representatives engage in a bargaining process on behalf of employees for work rules, wage and salary, job security, benefits etcetera. Employees also have union representation in work investigations and during the grievance process. Employees may express concerns and dissatisfaction through union leadership. Labor contracts further protect employees with seniority. Employees with seniority have better opportunities to promote, select job assignments or positions and have first choice in scheduling vacation time. In a unionized organization, the HRM has a key role in working closely with management and union leadership in the labor relations process.

Labor Relations:

Labor relations are generally defined as relations between management and workers. They are also called industrial relations. Workers or group of workers are represented by trade unions. Labor relations may take place on different levels such as regional, national, international.

The main challenge for such relation is ability to adapt to emerging changes. The world and technology develops very fast, so do relations between workers and management.

Trade unions (also called) labor unions are organizations of workers who united to defend their rights, solving problems in the industry such as wages, working hours, bonuses, Union represent workers and negotiate with the management on behalf of the workers (Jochem, 2000).

Such relations are usually accompanied by tensions and conflicts and company owners usually want to earn more and pay less. Workers are willing to work in better conditions for a better salary. Labor unionism in the United States is an expression of the American democratic spirit working itself out in industry is hardly to be doubted. Its beginnings coincided with the period when the free colonies were establishing state governments, and the principles of the federal Constitution were subjects of great political debate. It developed stretch in Jefferson's administration, and grew to a full-fledged labor movement during

the presidency of Andrew Jackson. Workmen's clubs, unions, were part of the movement of "Republican-Democratic Societies" which marked "the Rise of National Democracy" in the early decades of the nineteenth century.

The American ideal that swept away the vestiges of government by an elite class also freed wage workers of property qualifications for voting, and of court restraints on their freedom of association. The same democratic movements that fashioned the ideas and methods of establishing the nation as a government of, by, and for the people also gave rise to trade unionism as a means by which worker self-government and participation in the government of workplaces might be achieved (Cornell University Industrial and Labor Relations School, 2008).

Unions under economic stress and with dwindling membership rolls have often greatly expanded their political activities, raising more money for campaigns and organizing their members more effectively for political action. Reforms in Congress and the presidential nominating process have created new avenues for the pursuit of political power that many unions have eagerly pursued (though some academics have claimed that these reforms are inherently inimical to the exercise of union power).

THE EMPLOYEE AND LABOR RELATIONS:

The Employee and Labor Relations function of the Human Resources Department is commonly associated with matters such as investigations, counseling and disciplinary actions, but that certainly is not its primary mission. This critical HR component operates as a nexus between staff and management, bridging gaps that oftentimes seem insurmountable to either party. Through various forms of intervention, including problem-solving, mediation, training and counseling, Labor Relations offers balanced advocacy to management and individual employees to protect their respective rights and facilitate a more harmonious work environment.

The Labor Relations Office provides assistance and advice to UCM managers and supervisors in the following areas:

- 1) Performance Management.
- 2) Layoff Planning.
- 3) Discipline & Dismissal.
- 4) Contract interpretation and administration (Union contracts and relevant personnel policies).
- 5) Complaint/Grievance processing (represented and non-represented staff).
- 6) Represents management in employee disputes/grievance proceedings.
- 7) Mediates/negotiates resolution of complaints with employee representatives.
- 8) Responds to union information requests.

REFERENCES:

- 1) "Human Resource Management And Industrial Relations" in (1987) Vol.24 Journal of Management Studies 503 at 518-519.
- 2) Buren, J.H., M. Greenwo and S. Cathy, 2011. Strategic human resource management and decline of employee focus. Human Resource Management Review, 21: 209-219.
- 3) Daley. D.M. Strategic Human Recourse Management. People and performance Management in the Public Sector. Prentice Hall.
- 4) David E. Guest "Human Resource Management And Industrial Relations" in (1987) Vol.24 Journal of Management Studies 503 at 504-505.
- 5) Gomez-Mejia L.R., Balkin D.B., Cardy R.L. Managing Human Resources. New Jersey. Pearson Prentice Hall.
- 6) See John Purcell "The Impact Of Corporate Strategy On Human Resource Management" in New Perspectives On Human Resource Management. op. cit. 67-91.