

FACILITATING FIRST CONTRACTS BETWEEN NEWLY-UNIONIZED WORKERS AND THEIR EMPLOYERS

- The Task Force report encourages the National Labor Relations Board (NLRB), the Federal Mediation and Conciliation Service (FMCS) and the Federal Labor Relations Authority (FLRA) – three independent agencies with responsibilities for enforcing laws governing worker representation and collective bargaining – to facilitate the collective bargaining process when workers first organize a union at their workplace.
- The report recommends that the NLRB provide regular updates to FMCS on newly-recognized unions, and provide labor and management representatives with information about FMCS’s mediation services – which include providing neutral, third-party experts to help employers and unions reach an agreement. FMCS will promptly reach out to union and employer negotiators to offer its services and will track the use of their services and outcomes. The FLRA and FMCS will similarly collaborate for newly-recognized unions in the federal government.
- In addition, the Federal Acquisition Regulatory (FAR) Council – the government agency charged with coordinating the federal contracting process – will adopt rules requiring federal contractors to notify their contracting agency when workers at federal contractors organize. If the contracting agency determines that mediation is in the government’s procurement interest, it can require the contractor to participate in FMCS-led mediation.

Why It Matters

- Workers form unions with their co-workers to have a collective voice and get a legally-binding contract – a collective bargaining agreement – with their employer covering issues like worker pay, benefits, vacation, sick and parental leave, safety measures, and other policies. By negotiating these conditions, workers and employers can ensure that these policies can’t be changed unilaterally or arbitrarily during the length of the contract.
- Delays in reaching an agreement can frustrate workers and undermine the union. A year after forming new unions, more than half of all workers **still** do not yet **have** an initial bargaining agreement with their employer. Delay undermines the bargaining process and denies workers their federally-protected rights.
- Proactively urging the parties to engage in mediation will help the bargaining process and lead to more timely first agreements.

How It Will Help Workers

- As the Task Force report describes, workers with a collective bargaining agreement generally earn higher wages and better benefits than other workers. Both union and non-union workers benefit when more workers are unionized, because unions raise wage and benefit standards for all workers. Women workers and workers of color particularly benefit from unionization and collective bargaining through higher overall wages and a smaller wage gap. Boosting the likelihood that unions and employers reach agreements will thus raise standards and improve working conditions for all workers.

