

**MECHANICS  
FORCHANGE**  
DEMOCRACY IN UNION REPRESENTATION



mechanicsforchange.com

# It's an American right.

## Know Your Rights Under The Law

Your right to form a union, to organize your workplace, is protected by Federal Law. The Railway Labor Act is the law governing labor relations in the airline and railroad industries. Under the law, employees have the right to determine who their representative will be, without influence, interference or coercion from their carrier, its officers or agents.

Rule § 1205.2 The Employees' Bill of Rights, of the National Mediation Board says, "The provisions of the third, fourth, and fifth paragraphs of section 2 are by law made a part of the contract of employment between the carrier and each employee and shall be binding upon the parties regardless of any other express or implied agreements between them. **Under these provisions the employees are guaranteed the right to organize without interference of management, the right to determine who shall represent them, and the right to bargain collectively through such representatives.** This section makes it unlawful for any carrier to require any person seeking employment to sign any contract promising to join or not to join a labor organization. Violation of the foregoing provisions is a misdemeanor under the law and subjects the offender to punishment." (*bold added*)

- You have the right to join the union and to ask others to join. You have the right to attend union meetings and to ask others to attend.
- You have the right to wear a union pin on the job so long as it does not carry a controversial slogan or violate company policy or uniform requirements.
- You have the right to hand out union leaflets on your own time.
- You have the right to assist in, and encourage others to support, the union, so long as such efforts do not interfere with your work or violate posted company policy.

These guidelines are intended to assist you in understanding your rights, and to ensure that you stay within the legal bounds for such protected activity.

While at work you can discuss the union just the same as you can talk about family, the weather, the latest sports scores or industry news. Like any other conversation, it should not interfere with work duties.

Organizing activity, like soliciting your co-workers to sign an IAM representation card, must be limited to non-work times and in non-work areas. In other words, before and after work, crew lounges, break rooms, and other non-work areas at the airport are okay for such activity, unless the company has specific, non-discriminatory rules in place that prohibit such activity. Any other location away from work is fine.

Supervisors must not intimidate, coerce or interfere with you in any way for conducting such organizing activity. If this happens to you please report it to an IAM representative. Do not be confrontational or insubordinate, if you are given a direct order by a supervisor or company representative to cease certain union organizing activity, comply with that order and inform the IAM immediately.

It is illegal for the company to favor one union over another, or for one union to be given greater access or fewer restrictions for organizing activity. Again, report any such favoritism to an IAM representative.

While you are engaged in organizing activity never interfere with another employee in the performance of her or his work duties or cause a disruption in the work place. If someone does not want to talk about the union simply end the conversation politely and walk away.

## What Employers and Supervisors Cannot Do During an Organizing Drive

Your rights in a union organizing drive are protected by the Railway Labor Act, the federal law that governs labor relations in the airline and rail industries. Management must respect your rights.

- They cannot tell employees that they will fire or punish them if they engage in union activity. They cannot lay-off or discharge any employee for union activity.
- They cannot bar employee union representatives from soliciting cards or membership during non-work time, in non-work areas.
- They cannot ask employees about confidential union matters, for example, whether you have signed a card, etc.
- They cannot ask the employees about whether they support the union or a union representation election. They cannot ask employees how they intend to vote.
- They cannot threaten employees or coerce them in an attempt to influence their vote, or to prevent them from voting.
- They cannot tell employees that existing benefits will be discontinued if the employees vote for a union. They cannot promise or give employees promotions, raises or other benefits if they vote against the union.
- They cannot prevent you from casting your vote.
- They cannot know how you voted.

If you feel that your rights are violated at any time during the IAM organizing campaign, contact your IAM representative immediately.