Resolution in Support of Employee Involvement

Summary

The Resolution in Support of Employee Involvement recognizes that employee involvement structures, such as safety committees, quality circles and self-managed work teams can be beneficial to a workplace. However, such structures are threatened by the United States Supreme Court’s Electromation case, where the Court held that such work teams may be illegal in non-union shops because the National Labor Relations Act (NLRA), Section 8(a)(2) prohibits employer “domination, interference or support” of a “labor organization,” i.e., “company unions.” Congress is considering legislation known as the TEAM Act that would prevent employee involvement structures from being interpreted as company-dominated unions.

Model Resolution

WHEREAS, the Electromation decision threatens to undermine a very positive and important development in United States’ labor-management relations; and

WHEREAS, employee-management cooperative programs, sometimes called quality circles, labor-management cooperative teams, or employee involvement teams, share the objective of improving communication, morale, productivity, and product quality by giving workers a greater, more direct voice in decision making; and

WHEREAS, the TEAM Act would protect legitimate employee involvement structures and allow such structures to continue to evolve and proliferate; and

WHEREAS, the TEAM Act would allow employers to give their employees a genuine voice in workplace matters through some mechanism other than collective bargaining; and

WHEREAS, under the Electromation case, every employee involvement structure is vulnerable to a charge being filed with the National Labor Relations Board (NLRB) by a union attempting to organize the company, a disgruntled employee or anyone else;

NOW THEREFORE BE IT RESOLVED, that the State/Commonwealth of (insert state) affirms the principle that employee involvement structures are a positive and important development in United States’ labor-management relations and urges Congress to pass legislation so that such structures can continue to exist and evolve.

1996 Sourcebook of American State Legislation