

Majority Sign-up for Public Workers

Expanding Collective Bargaining Rights

In many states in which public workers are allowed to organize, public employers are not required to honor their workers' decision to form a union even if 100 percent of employees demonstrate they want to have a union. Instead, state law imposes a time-consuming and costly representation process on workers and the public employer. Majority sign-up is a streamlined procedure for public employers to recognize unions when a majority of workers has clearly and validly demonstrated support for union representation.

Why majority sign-up?

- When a majority of workers has signed authorizations indicating their decision to form a union to be able to bargain with their employer for better wages and working conditions, this decision should be respected.
- Under the current system, even where employees clearly have demonstrated their choice for union representation, the state still is mandated to undertake a time-consuming and expensive process that simply duplicates workers' already-expressed support for forming a union.
- Majority sign-up provides a streamlined, less-costly path for the state to verify workers' choice for union representation.

What is the current law?

- Current law already *allows* employers to recognize a union if a majority of employees demonstrates they desire union representation.
- But under current law, an employer is *not required* to recognize the union—even if 100 percent of the workers choose to form a union. And even if the employer recognizes the union, the state is not authorized to certify the union as the workers' collective bargaining representative.
- Instead, under current law, the state must undertake the administrative and personnel costs inherent in its mandated representation and certification process.

What does the statute do?

- Under the proposed statute, when a majority of employees signs authorizations demonstrating support for unionization, the union can file a petition for certification with the state labor relations board.
- If the board verifies the union's majority support, it must certify the union as the employees' collective bargaining representative.

Is it democratic?

- Yes. It encourages participation by all workers because it requires that a majority of all employees in a bargaining unit support union representation.
- The union only can be certified as the workers' representative after the union's majority support is verified through a state-supervised process.
- Employee free choice is protected because the decision about union representation is up to the employees, who should get to make this decision.

Does it work?

- Yes, choosing union representation by signing authorizations is a procedure that works. It is the law in 14 states, several cities and many other countries.
- It has been a voluntary procedure in the private sector under the National Labor Relations Act since its passage in 1935.
- Majority sign-up has been endorsed and validated by Congress and the courts, including the U.S. Supreme Court.