

OCTOBER 11, 2024 | TRADITIONAL LABOR RELATIONS

Top Reasons Your Employees Are Unionizing

By [Letitia Silas](#)

When a union election petition suddenly lands on the desk of human resources, or an employer is otherwise confronted with a union's demand for recognition, many employers find themselves caught off guard. It's easy to assume that everything is running smoothly, but the reality might be different. Drawing from my experience as a former NLRB attorney, in-house and outside labor counsel, and organizational leader in both the private and public sectors, this article delves into some of the main reasons employees choose to form unions.

1. **Ideology:** For some employees, unionization is not a sign of dissatisfaction but a principled decision. It's about exercising their right to join or form a union and showing solidarity with fellow workers. While this group may not be the majority, their ideological stance is a significant factor in the decision to unionize.
2. **Workload:** As organizations seek to operate more efficiently and cost effectively, the performance expectations may shift to the ability to perform multiple job functions. As such, organizations may require employees to serve various roles and utilize an array of skills within the organization. With that may come increased job assignments and  scheduling demands. In our current social climate that recognizes and promotes self-care and family time, a heavy workload could be perceived as jeopardizing both thus prompting employees to seek assistance from a union to address what they perceive to be as an oppressive workload.
3. **Health and Safety Concerns.** Whether justified or not, employees who feel their health and safety are at risk may seek external assistance. Unresponsive management or inadequate responses to safety concerns can lead workers to file complaints or seek the support of a union to address perceived workplace hazards. For example, consider a scenario where non-public safety employees, in performing their regular duties, are regularly confronted with violence or the threat of violence from members of the public. Despite complaints to management, the concerns of the employees go unaddressed. Or, consider a scenario where employees work in a building with a malfunctioning air conditioning system resulting in excessive heat temperatures. Despite their complaints to management, little is done to repair the air conditioning system, provide water, or even permit them to seek relief in cooler areas outside of the building during their rest breaks. The employees in these scenarios could very well seek union representation to ensure their health or safety concerns are addressed.

4. **Lack of a Social Justice Agenda or Response.** Many workers today urge their employers to take a position on certain social justice issues. From social justice to police reform or certain political issues, many employees believe that their employers should take an aggressive and bold position on the topic. Usually that position is one that aligns with the general beliefs of the most vocal groups within the organization. While an organization's preference to keep the workplace about work is justified, it can upset many. When organizations remain neutral or fail to align with their employees' values, it can lead to dissatisfaction and a push for unionization as a means to address broader societal concerns.
5. **Compensation.** Often below market wages or wages that are not responsive to increasing cost of living drives employees to the edge, especially if it appears that the organization leadership enjoys rich salaries, bonuses, and increases while the organization is minimally responsive to employee appeals for increases in pay. Of course, this is not to say that leadership is undeserving of their salaries and increases nor that every demand for higher pay should be granted, but it is to say that when there is significant disparity in how senior leaders are regarded and treated compared to the general staff population in terms of compensation, the balance in power is magnified, resentment builds-up, and employees believe that they need a third party to represent their interest.
6. **Job Security.** Indeed, it is more challenging to maintain a stable, well-trained, and dedicated workforce these days. Technological advancements that have improved efficiency and reduced costs, pose a threat to some jobs. When an organization introduces improved procedures, methods, and technology that produce desired outcomes while lowering costs, there will often be a question of whether it needs to continue to employ and pay bodies that perform the work. This is a normal consequence in the organizational development and labor ecosystem. Yet it causes fear, and employees turn to unions to safeguard their future doing those jobs.
7. **Lack of Investment in Training and Development.** When investment in employee development and training is inadequate or missing altogether, employees' knowledge and skills become outdated, and they may become less useful to a growing organization. The result is often that management then desires to outsource the function to contract workers who are fluent in current technology, innovative processes, and advanced methods. When management resorts to outsourcing due to perceived skill gaps, employees may see the need for union representation to secure training and advancement opportunities
8. **Discrimination, Harassment, and Workplace Abuse** – Historically, for many, deciding to join a union was about overcoming barriers to equal wages and terms and conditions of employment as a result of discriminatory personnel practices. Those who joined a group represented by a union were better able to secure the benefits derived from a collective-bargaining agreement applicable to the entire group. Today, workers may decide to form a union when discrimination, harassment, and abuse are seemingly tolerated in the workplace. Beyond barriers to hiring, promotions, training, and pay, discrimination and harassment in the workplace also includes abusive behavior directed at specific groups of employees based on protected characteristics such as gender, race, color, nationality, gender identity, sexual orientation, etc. Oftentimes, there are complaints about inappropriate behavior or statements, favoritism, and arbitrary application of the rules to human resources over an extended amount of time without any change in the workplace environment or personnel practices.
9. **Unequal Arbitrary or Inconsistent Application of Workplace Rules and Policies.** When employees believe that workplace policies are applied arbitrarily or inconsistently, trust erodes. Employees desire consistency and predictability in the application of the rules. Unfair treatment, favoritism, or arbitrary

enforcement can fuel frustration and prompt employees to turn to a union for representation. Consider, for example, a scenario where an employer maintains a no-fault, point-based attendance policy. Under the policy all instances of tardiness in excess of five minutes are supposed to earn a point. After accruing three points, progressive discipline is to be initiated, with the accrual of 12 points resulting in termination. Despite the policy, some department supervisors are very lax in applying it. Other times, the policy is applied quite strictly. Employees do not like the unpredictability of management's response to their attendance habits. Some are very upset when management seems to ignore late arrivals even beyond 15 minutes, but other times management assesses a point to their attendance record for being 6 minutes late. The lack of consistency in the application of a policy can cause lots of frustration, complaints to HR, and ultimately complaints to a union.

10. **Employees Feel Unheard.** Despite the amount of employee engagement surveys in today's workplace, there may still be a general sentiment of employee dissatisfaction and disengagement. One reason could be that often the engagement surveys and exit interviews may be collected and reviewed, but not necessarily analyzed and strategically responded to through planned action that is communicated back to the employee population. Consider, for example, a scenario where a significant portion of an employer's exit interviews reveal repeated complaints about workplace culture and toxic behaviors at all levels of the organization. Yet, despite the surveys and interviews, the bad practices continue unaddressed in any notable fashion. This would be fertile ground for the seeds of unionization to be planted and eventually sprout into a full organizing drive.
11. **Lack of Communication and Involvement in Decisions.** When employees believe that management is not forthcoming, is contradictory, or is simply uninterested in engaging with them, they will feel unseen, unheard, unimportant or disrespected. If employees are expected to accept whatever the organization decides to dole out to them by way of pay and policies without any explanation, input, and adequate training; if they are expected to keep their heads down, work, and not ask any questions, beware. This is a sign that your employees may feel powerless and unable to really influence decisions that impact their day-to-day work-life. When this occurs, employees often desire the assistance of an outside third party that promises to make their needs heard and give them a voice in company decisions.

Understanding the motivations behind employees' decisions to unionize is essential for employers seeking to foster a positive and collaborative work environment. By addressing these concerns proactively, organizations can build trust, reduce the likelihood of unionization efforts, and create a workplace where both employees and employers thrive.