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THE LILLIE LABOR LAW FIRM P.C.

STUDY GUIDE

Comprehensive Labor Relations
Professional Program

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- 1 Describe the differences in the rights between the parties during an unfair labor practice strike versus an economic strike?

2. What are the six (6) criteria that an employer must look at to determine whether an employee is eligible for disciplinary action specifically related to “poor performance”?

3. What are the four (4) components of a past practice?

4. Give an example of a “past practice” situation.

5. Name at least two situations where a past practice can be nullified “trumped”.

6. Of the seven (7) components of just cause, what are the two (2) components where the Employer is most likely to make a mistake? What should the Employer do to remedy those mistakes?

7. If an Employer wants to discipline a Union steward for their conduct at a Union meeting which is held off company premises and on unpaid time (for example, the union steward assaults a co-worker at the meeting), what premise would the Employer use to issue such discipline and what must the Employer prove?
8. In collective bargaining, is it legal for the Employer to advance their final offer on the first day of negotiations?
9. Is it legal for the employer to bargain through “package proposals” as the exclusive method of bargaining?
10. Can the employer routinely walk-out on negotiations if negotiations are “rough” or if there are insults being communicated?
11. If the Union is insulting during negotiations, should the employer respond in-kind?
12. What should be the major consideration as to whether or not the Employer bargains for a broad definition of a grievance or a narrow definition of a grievance in the grievance procedure?
13. How far in advance of a contract’s expiration should the Employer initiate strike preparations?
14. Prior to a strike or during a strike, can the Employer put up video cameras in the employee parking lot to observe striker conduct?
15. Is the Employer entitled to put up video cameras in its workplace and if so, what are the circumstances of when such video cameras can be placed?
16. Is it legal for the Employer to intentionally drive by the Union hall where the Union is conducting a Union meeting for the purpose of spying and/or intimidating?

17. Is it legal for the Union to have a Union representative get hired at a particular location for the sole and exclusive purpose of organizing that location from within, and what is this person called?
18. Please explain what a waiver is and where in the collective bargaining agreement a waiver is most likely to exist. Please give one example of a waiver.
19. What percentage of employees must sign a petition for the National Labor Relations Board to conduct a representation election?
20. How many days notice must a Union give in a healthcare facility in the event of a strike or a picket?
21. Show the cash-out value and the roll-up value a 3% wage increase given three (3) times over a three (3) year period with employees who average \$10 per hour and work full time (2080 hours per year). Please show your work below.
22. List two (2) exceptions to the requirement that discipline be imposed “consistently” and explain how both exceptions work.
23. What is “pocket strike authorization” and how does it work?
24. When is the Union entitled to “look at the books”? Please explain the difference between the private sector and the public sector.
25. If employees file a petition for decertification, must the employer continue to bargain in good-faith?

26. Can the employer file a grievance against the union, if so, when would such a strategy be employed?

27. To whom does “Weingarten” rights apply and when does such a right get activated?

29. What if the Union violates its duty of fair representation, in what cases does the employer share some of the liability?