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### **Unions Are Seeking to Organize in Non-Traditional Industries, Including Financial Services**

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Union organizing efforts are not limited to historical union strongholds such as manufacturing, construction, and the public sector. Even though unions currently represent only about 1.3% of the financial services industry, they are looking to organize employees in this industry. Case in point: on December 20, Wells Fargo branch employees in Albuquerque, New Mexico voted 5-3 in favor of joining the Communications Workers of America Union (“CWA”). This victory, along with the news of record union contracts in other industries, will likely serve as a launching pad for the CWA and other unions to organize employees in financial services and other non-traditional industries for unionization.

Employers can combat the threat of union organizing by fostering good employee relations and providing competitive pay and benefits, among other aspects of positive culture. Employers should also familiarize themselves with warning signs of potential organizing activity, a few of which include: 1) sudden and unexplained combativeness between employees and supervisors; 2) emergence of a new “leader” of employees; 3) a change in the type of language used by employees, e.g. talk of “just cause” or “grievances”; 4) groups of employees scurrying whenever a supervisor approaches, and 5) the discovery of union propaganda or organizing cards in the workplace.

Employers should also train supervisors to recognize the warning signs and understand the “dos and don’ts” of dealing with union organizing. In general, employers cannot interrogate employees about their feelings about unions, cannot threaten employees who support a union, cannot promise to provide anything to employees who do not support the union, and cannot monitor employees either physically or online regarding potential union activities. Above all, if an employer believes that an organizing campaign is underway, or a request for recognition from a union is received, it is imperative that the employer has a comprehensive understanding of, or obtains advice from an expert on, its rights to oppose unionization. The failure to act swiftly and within the parameters of the law could result in a union being certified.

**The Bottom Line:** Employers in the financial services industry and other non-traditional industries for unionization are not immune to union organizing efforts. The recent CWA victory at Wells Fargo serves as a reminder that union organizing can occur in almost any workplace.

Please contact the author, [Cameron D. Ritsema](#), or another member of [Bodman's Workplace Law Group](#), if you have questions about union avoidance training or responding to organizing campaigns in your workplace. Bodman cannot respond to your questions or receive information from you without first clearing potential conflicts with other clients. Thank you for your patience and understanding.

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