

EFCA Cheatsheet from Labor Relations Institute

updated 03/30/2009

for more information: <http://www.EFCAexposed.com> or call 800-888-9115

Educate Leadership on the Latest on Free Choice Act

- EFCA of 2009
- HR 1355 (Compromise Bill)
- Other Compromise Proposals*
 - 70/50/30 proposal
 - "Gang of 3" proposal
 - Specter proposals

Vulnerability Assessment

- Eye in the Sky (weekly local activity research)
- Opposition research
- Use engagement data to rank facilities by vulnerability tiers
 - Former Union Organizer Probe (see **FREE strategy consultation below**)
- Focus resources and energy on "red flag" facilities

How Organizing Will Change

- "Peel and stick" (small unit selection)
- Billboard campaigns
- "Top down" strategies
- "Blitz" campaigning
- "Underground" campaigning and increased use of "salts"

Train First Level Leaders

- Early warning signs
- Focus on "behavior" changes
 - Legal rules: TIPS, FOE
 - Legally "break the ice"
 - Educational tone
- Positive coaching skills

EFCA Communications

- Stakeholder communication (card-check & arbitration)
- Manager communication
 - Incumbent employees
 - New hire orientation
- Use video, web, handouts and talking points (multi-channel)

New Hires

- Multi-step hiring process
 - Hire slow/fire fast
- Discuss "direct relationship" as a competitive advantage
- Orient about free choice and union cards

Differentiate Performance KEY CONCEPT

- 80/20 principle
- High/Low vs. What/How performance matrix
- "Weed the garden" of employees in the "out box"

Campaign "In a Box"

- Limited time to respond (14 days or less)
- Pre-approve, acquire and build all tools (video, web, handouts, talking points)
- Legal, PR, leadership review and approval
- Train "jump team" on how to deliver

Positive Coaching Skills

- KITA motivation doesn't work
- People motivated for their reasons, not yours
- Theory X vs. Y (pygmalion research, placebo effect)
- Positive behavior: when you see it, say it, be specific, public
 - Negative behavior: leader owns, private, solution focused

Employee Engagement

- Opinion survey
- Segment employees by "frame" (cheerleader, casual fan, checked out, etc.)
- Use "4-3-2-1" strategy to move engagement line
- *It's Your Ship* 4 item survey

How to read the Cheatsheet

Red boxes: EFCA Response

Green boxes: Proactive Strategies

Blue Boxes: Reactive Strategies

Review Compensation

- Pay as a "hygiene" factor
- Review for external fairness
- Review for internal fairness
- Describe your pay philosophy
 - Once fair, focus on other things (not a motivator)

Need help understanding any of the concepts described here? Want a former union organizer to analyze your firm's vulnerability? Schedule a **FREE 30-minute strategy consultation** with one of our former union organizer consultants and your team. Call 800-888-9115 and ask for Lisa to schedule your call to get your pre-call questionnaire.