

Fewer Workers Organizing through NLRB Elections

In fiscal year 2008, roughly 55,000 workers gained union representation through National Labor Relations Board (NLRB) elections. This represents a decline of 14 percent since fiscal year 2002, when nearly 64,000 workers organized through NLRB elections. Between fiscal years 2002 and 2008, over 400,000 workers formed unions through this process.

The number of workers who are organizing through the majority sign-up, a process where employers agree to recognize unions if a majority of employees demonstrate their desire to form one, now surpasses the number of workers organizing through the NLRB election process. From January 2003 to April 2008, over half a million workers organized through majority sign-up.¹ During the same period, only 377,000 workers (fewer than three quarters as many) organized through NLRB elections.²

Table 1. The Number of Workers Organizing New Unions Through NLRB Elections

Fiscal year	2002	2003	2004	2005	2006	2007	2008
Number of eligible voters in all representation wins ³	78,731	74,828	79,132	69,537	67,566	57,290	68,004
Number of newly-organized workers (using CATS ratio)	63,772	60,611	64,097	56,325	54,728	46,405	55,083

Total FY02-08 organizing	401,021
Percentage change, FY02-FY08	13.6 % decrease

Note:

In order to obtain figures on NLRB organizing, it's necessary to first derive an estimate of what percentage of election wins represent newly-formed unions, and what percentage represent a change in representation from one union to another. The NLRB Annual Reports do not distinguish between elections where there was an incumbent union or not. An AFL-CIO analysis of the NLRB Case Activity Tracking System (CATS) database revealed that in 2006, 81 percent of eligible voters won union representation in workplaces where there was not already a union in place (or where it was not known if there was an incumbent union). Assuming this percentage is roughly the same in prior years, we then applied it to the figures from the NLRB Annual Reports.

Table 13 of each NLRB Annual Report lists the number of eligible voters in elections won by unions. We used the total number of voters listed for the line "Total RC elections," which in fiscal year 2008 was 68,004. We then calculated the approximate number of voters in newly-organized workplaces (as opposed to where there was an incumbent union) using the ratio derived from the CATS database. As the below chart details, this figure was 55,083 workers in fiscal year 2008.

¹ This number was derived from press accounts, union websites, and from data provided to American Rights at Work by the following unions: AFSCME, AFT, CWA, FLOC, IAMAW, IBEW, IBT, IFPTE, SEIU, UAW, UFW, UNITE HERE, and USW.

² The number of workers who organized through NLRB elections from January 2003 to April 2008 was derived from data provided by the agency through a FOIA request submitted by American Rights at Work on May 5, 2008.

³ National Labor Relations Board Annual Reports, fiscal years 2003-2008, Table 13.