

Common ULPs During Contract Negotiations

These will involve certain types of conduct by management, including:

1. Threats, Retaliation, and Intimidation
2. Direct Dealing
3. Interrogations and Polling

ULP #1 - Threats, Retaliation, and Intimidation

Managers cannot threaten, retaliate, or intimidate workers because of their union support or because of something happening at the bargaining table.

Examples:

- Managers cannot make statements – verbal or written (e.g., Facebook, Twitter, text message, on the shop floor, or while on break) – suggesting workers will lose their job or certain benefits if negotiations go one way or another. These statements do not have to be explicit or directed at an individual; the law recognizes indirect threats and the subtext of a statement.
- Similarly, managers generally cannot make statements suggesting the company would close down an operation if the union does not agree to the company's terms.
- Managers cannot make sudden changes to work rules that are designed to send a message to union supporters.

ULP #2 - Direct Dealing

Managers cannot engage directly with members about issues that are being actively negotiated at the bargaining table. Stated another way, management cannot try and bypass the union and deal directly with individual members.

Supervisors on the floor cannot attempt to cut side deals with individual members about substantive bargaining issues.

Managers engage in direct dealing to try to undermine our solidarity.

Direct dealing is a violation of the employer's duty to bargain in good faith with the union.

ULP #3 - Interrogations and Polling

Managers cannot interrogate members about their union activities or their level of support regarding union-related issues.

Managers cannot interfere with our union activities, or coerce members into answering questions about union matters.

Managers cannot force or coerce members into participating in management surveys involving issues that are being actively negotiated at the bargaining table.

What To Do If You Think the Company Committed a ULP

Most ULPs are very fact-specific, and the context of the incident will likely matter. So if you think the Company has committed a ULP, be sure to document everything immediately after the incident!

- Take notes on a notepad, write yourself an email, write down any witnesses who were around at the time, and get written statements from the witnesses.
- Afterward, contact your Steward and Union Rep. We will assess what happened and determine if we should file a ULP. **IAM-Weyco2026.com**

Why ULPs Are Especially Important

- ULPs could affect our legal status if we decide to strike.
- ULPs may determine whether members have greater protections after a strike.
- ULPs can add to our leverage at the bargaining table.