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Union 2025 Outlook

A more employer-friendly NLRB does not portend a decline in union organizing success, positive public perception or bargaining table leverage. Unions won 79% of all elections they requested during 2024, up from 76% during 2023. The number of election petitions also increased to 3,286 during 2024 compared to 2,593 for 2023. Unfair labor practice charges rose to 21,292 during 2024, an increase from 19,869 during 2023. No doubt NLRB employees hope these increased numbers – and thus their workload – will help them dodge DOGE. Even with these favorable developments, unions lost 184,000 members during 2024, resulting in a decline of private sector membership to 5.9% from 6% for 2023.

During President Obama's two terms and President Biden's term, unions unsuccessfully sought legislation to establish card check verification instead of elections, quick elections and a mandatory first contract agreement. When a union is certified as the bargaining representative, it has one year before a vote to decertify may occur. There is pressure on unions to get that contract, as the longer it takes to reach an agreement, the greater the risk to the union of employee disinterest and possible decertification.

Who would have thought that a resurgence of a mandatory first contract and quick elections legislation would be proposed by Senate Republicans, Senators Hawley of Missouri and Moreno of Ohio? Introduced on March 4, the Faster Labor Contracts Act would set the duration of a campaign at 20 days from the filing of the petition and enable the federal government to set the terms of a first contract. Co-sponsors include Senators Booker (D-NJ) and Merkley (D-OR). President Trump's confirmed Secretary of Labor, Lori Chavez-DeRemer, has strong union support such that I suspect she will consider reducing DOL scrutiny of union financial activities – a welcome change for labor.

Union success at the bargaining table – 38% in pay increases over four years at Boeing; 61% in pay increases over six years for dock workers – enhances the perception that labor muscle can get a better deal for employees. Look for the results of 2025 bargaining at Kaiser Permanente (57,000 employees), Kroger (25,000 employees), United (28,000 employees), Frontier (4,000 employees) and Alaska flight attendants (38,900 employees) and VW-Chattanooga (4,000 employees). Perceived success to address the two primary issues across several industries – pay and safety – will get the attention of employees who are not represented.

If you have any questions or would like additional information, please contact Richard Lehr at 205-323-9260 or rlehr@lehrmiddlebrooks.com.