
LEGAL FOUNDATION

National Labor Relations Act of the Wagner Act 1935

The National Labor Relations Act (NLRA) was enacted to encourage the practice and procedure of collective bargaining and to protect the workers' rights to association, self-organization and negotiation of terms of employment through means of elected representatives. The Act provides for the administration of a National Labor Relations Board (NLRB), which oversees the implementation of this Act, and details the rights and duties of employers, employees and labor unions.

Rights of Employees

- Self-organize, form, join, or assist labor organizations
- Bargain collectively through representatives of their own choosing
- Engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection
- Refrain from any or all such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization

Unfair Labor Practices

- By Employer:
 - May not interfere with rights of unions or union members
 - May not dominate or interfere with the formation or administration of any labor organization or contribute financial or other support to it
 - May not discriminate against or condition employment on membership in a labor organization
 - May not discharge or otherwise discriminate against an employee because he or she has filed charges or given testimony under the NLRA
 - May not refuse to bargain collectively with the elected representatives of his employees
- By Labor Organization
 - May not restrain and/or coerce employees in the exercise of their rights
 - May not cause or attempt to cause an employer to discriminate against an employee based on his non-membership with the organization
 - May not refuse to bargain collectively subject to provision 159(a) of NLRA
 - May not engage or encourage strikes for the purpose of coercing an employer to join a particular labor organization
 - May not charge future members fees deemed excessive by the NLRB

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Issues of collective bargaining

- Wage and salary negotiations
- Benefits, including health care and paid time-off
- General on-the-job working conditions
- Health and safety standards in the workplace

Workers who are not covered by NLRA Act

- Agricultural workers
- Workers employed in domestic services in a home
- Workers employed by a parent or spouse
- Independent contractors
- Supervisors
- Workers employed subject to the Railway Labor Act
- Workers employed by state, local or federal government
- Workers employed by any person who is not defined as an employer under the NLRA

Penalties for interfering with the duties of any agent or member of the NLRB

- Fine of no more than \$5,000
- Imprisonment for not more than one year
- Or both

For a complete copy of this law or any other information please refer to the U.S. National Labor Relations Board at 1-866-667-NLRB or visit their website at <http://www.nlr.gov>.