



## Why attend ...

Employers' worst fears have now been realized. In the words of the Wall Street Journal, the National Labor Relations Board (NLRB) has granted a "sprawling gift to Big Labor," by awarding unions a "huge new advantage" in unionizing employers. New "Ambush" Election rules empower unions to catch unprepared employers off-guard. These rulings, combined with a new NLRB mandate authorizing inside union organizers to use the employer's email system as a tool for starting a new union at your workplace, make it more difficult than ever to maintain a union-free workplace. This practical seminar teaches you to how to protect your workforce from the new "Ambush" Union elections, email organizing and the union tactics and NLRB initiatives that come with them.

## This seminar is for you ...

- CEOs
  - Presidents
  - HR Managers
  - Plant Managers
  - Hospital Administrators
  - Supervisors
- Anyone responsible for creating or maintaining your company's union-free status.

## Rave reviews for this seminar ...

"Excellent! Best union avoidance training I have ever attended. Very timely content." *Gretchen Bandy, Sumitomo Electric Wiring Systems*

"Attended several of these seminars to keep myself updated on this subject. Always enjoy it and John Lovett's presentation." *Larry P. Bates, Belden*

"Kept my attention. Great examples and humor made it real. Especially good in covering in absence of co-trainer." *Nancy Parsley, Kenton County Public Library*

## Meet the speaker

**John T. Lovett, J.D.**

**Member, Frost Brown Todd**

Lovett has successfully defended employers in over 60 union organizing campaigns.

Read full bio at [kychamber.com/events/union-free](http://kychamber.com/events/union-free)

## Kentucky Chamber membership

It's not too late to take advantage of the Kentucky Chamber member discount. To learn more about membership, call 502-695-4700 and ask for a membership representative.



## HRCI recertification

## Continuing education

CEU and CPE

## Money back guarantee

If you are not 100% satisfied with your seminar experience, we will refund your money.



# Agenda

8 a.m. Registration and continental breakfast | 8:30 a.m. Program begins | Noon lunch (provided) | 4:30 p.m. Program adjourns

## INTRODUCTION: The Worst has Happened!

- The NLRB's new "Ambush" Elections rules
  - How they impact employers.
- Inside union organizers gain access to employer email systems – What this means for employers.
- Union invasion of employers' property
  - What can you do?
- New organizing tactics to expect now that the rules have changed – How should you respond?

## Ambush Elections – Employers Caught Off Guard Will Be Losers

- What will change? What won't?
- The old timetable vs. the "Ambush" Election Rule.
- Remaining uncertainties for employers.
- Impact on educating employees.
- Impact on controlling the "timing of the issues."
- Impact of uncertainty about "supervisors."

## Winning Ambush Elections

- What new strategies will work.
- Creating an "early warning system."
- Preparing your "Swat Team" for immediate response.
- Seizing the legal advantage.
- "Winning" by avoiding Ambush Elections.

## New Use of Email in Union Organizing

- Understanding the new NLRB ruling – union organizing on company email.
- Options for preventing or limiting use of email for union organizing.
- Counter-measures to email union organizing.
- Policies you need; policies that seem to work but won't.

## New Union Organizing Tools

- "Worker Centers" – what are they? How do unions use them?
- New union pressure points: "community activists," celebrities, international unions.
- Unions target retail, restaurants and service industries.
- Learning from the UAW's new "Southern Strategy."
- Impact of Kentucky not having "Right to Work."

## Union Activity on Your Property

- Outside union organizers on your property
  - practical limits on Kentucky trespass laws.
- New legal limits on No-Solicitation and No-Distribution rules.
- Defining "working time" and "working areas."
- Special rules for retail and health care employers.
- Problems in enforcing even valid rules.
- Use of company logo, trademark and graphics.
- Restricting off duty access to property.
- Restricting employees from other facilities.
- Access of "temps" to your property to organize for a union.

## Changes at the NLRB

- Expiration of terms of Obama appointments.
- Is the worst over?
- Impact of prior Senate confirmation of new NLRB Members and General Counsel.
- Impact of new Republican Majority in the Senate – what Congress can control.

## NLRB Interference into Management Decisions (With or Without a Union)

- NLRB regulation of social media and other electronic communication.
- "Concerted activity" – understanding the basis for NLRB interference without a union.
- Legal protections for attacks on employers.
- Are any social media policies lawful? Creating a lawful policy.
- New restrictions on confidentiality of employer investigations.
- NLRB challenge to class action waivers.
- NLRB action on employment-at-will disclaimers.

## The Changing "Rules of the Game"

- Pending DOL Persuader rules.
- Impact upon employer access to legal and campaign resources.
- Report filing requirements and their impact.
- Legal challenges and possible court relief from new Persuader rule.
- How to prepare for the new Persuader rule.
- Status of notice posting and other pending requirements.

## Understanding and Preventing "Beachhead Unions"

- Beachhead" Unions – Why isn't smaller better?

- Impact of new "Ambush" Election Rules on Risk of "Beachhead Unions."
- How unions use the new "appropriate unit" rules to organize.
- Why "beachhead unions" increase the union "win" rate.
- Groups likely to be targeted for "beachhead unions."
- How "beachhead unions" spread to the rest of the workforce.
- Minimizing the groups that can be "beachhead unions."
- Addressing vulnerabilities before it's too late.

## The "Basics" – What Hasn't Changed

- The legal impact of union representation – Learn how union representation transfers employees' right to speak for themselves to the union.
- "The Main Thing" – Sharpen your union-avoidance strategy to focus on the single factor that guarantees union-free status even under the new "Ambush" Election Rules.
- The union "Sales Pitch" – Union organizers do not sell "unions." They sell hope and change. Learn the psychological dynamics that attract employees to unions. Discover how unions manipulate employee psychology to sell the union's services.
- What your employees need to avoid falling for a union "sales pitch."
- The key role of supervisors in union vulnerability.

## Analyzing Your Risk – Seeing Your Workplace Through the "Union's Eyes"

- Supervisor conduct that causes unions, and what to do about it.
- Discerning the employees most vulnerable to a union "sales pitch."
- Identifying your company's true points of vulnerability.

## Prepare Now For a Union-Free Future

- Solving the "persuader" problem by preparing now.
- Preparing for new union organizing tactics like "Work Centers" and invasions of private property.
- Leave with a clear understanding of what your workplace needs to stay union-free.

# Register Remaining Union-Free Seminar

## Registration Fees

- \$299/Kentucky Chamber members
- \$399/Non-member

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the 2nd HALF OFF!

## Attendee Information

To process your order, the entire registration form must be complete.

Name \_\_\_\_\_  
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City/State/Zip \_\_\_\_\_  
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Principal Line of Business \_\_\_\_\_ Number of Employees \_\_\_\_\_

\*I understand that by providing the phone, fax number and e-mail information above on behalf of the person/company/organization specified above, I am authorized to and hereby consent for the person/company/organization to receive communication by or on behalf of the Kentucky Chamber of Commerce.

## Additional Registrants

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Email \_\_\_\_\_

## Location and Lodging

- January 15, 2015** (80973)  
Hilton Garden Inn Louisville Airport  
2735 Crittenden Drive, Louisville, Ky. 40209  
Phone: 502-637-2424  
Room Rate: \$123 | Hotel Room Cutoff Date: December 15, 2014
- January 29, 2015** (80972)  
Holiday Inn University Plaza  
1021 Wilkinson Trace, Bowling Green, Ky. 42103  
Phone: 270-745-0088, ext. 1032  
Speak to Lacy Campbell to request the Holiday Inn preferred rate  
Room Rate: \$109\* | Hotel Room Cutoff Date: N/A
- March 10, 2015** (80976)  
DoubleTree Suites by Hilton  
2601 Richmond Road, Lexington, KY 40509  
Phone: 859-268-0060  
Room Rate: \$129\* | Hotel Room Cutoff Date: February 10, 2015

When contacting hotel for lodging, please specify that you are with the Kentucky Chamber of Commerce's Remaining Union-Free Seminar to receive the discounted rate.

\*The advertised Kentucky Chamber room rate cannot be guaranteed after the cutoff date.

## Payment

- Bill me. PO# (not required) \_\_\_\_\_
  - Check enclosed (payable to Kentucky Chamber of Commerce).
  - Charge.  VISA  MC  American Express
- Card # \_\_\_\_\_  
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Name on card \_\_\_\_\_  
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## Cancellations/Substitutions

Cancellations must be made no later than five business days prior to the program for a full refund. After this date, no cash refunds will be granted. Substitutions are welcome. Special accommodations made upon request.



## HRCI Recertification

### IMPORTANT NOTE:

Registration is limited to management personnel of business organizations only. Company identification is required. The Kentucky Chamber of Commerce reserves the right to refuse participation in the program to anyone other than a management representative.



# Remaining Union-Free

Defending Union Ambush Elections, Email Assaults and the New Union Organizing Tactics

**January 15, 2015** – Hilton Garden Inn Louisville Airport, Louisville, Ky.

**January 29, 2015** – Holiday Inn University Plaza, Bowling Green, Ky.

**March 10, 2015** – DoubleTree Suites by Hilton, Lexington, Ky.



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