



Newsletter

ATTORNEYS

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Supervisors Really Do Matter

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We believe that many of the time-honored procedures relating to union organizing are going to change, although we don't know yet exactly how they will change. In our consideration of steps employers should be taking to prepare to compete on a playing field which will be decidedly tilted in the unions' favor, we have not yet discussed the role of first-line supervisors. Supervisors play a crucial role in any employer's strategy to maintain a union-free operation, and we'll consider that very important element of the employer's position in this article.

On The Firing Line

The reasons for the primacy of the supervisor's role in employee perceptions of the company are not hard to understand. For the average employee, the supervisor *is* the company. The supervisor is the daily conduit between workers and management. The supervisor gives work directions, evaluates performance, provides assistance or grief, relates well to employees or doesn't, and is a source of comfort or friction.

While everyone knows that upper management and the senior leadership team have more influence in the overall direction of the company than first-level supervisors, no member of

management has as much influence on the daily lives of the individual worker. The fact that other managers have more authority is relatively unimportant to workers because it is the supervisor who has authority over *them*. No other member of management spends as much time every day with employees as does their supervisor.

So supervisors can either make or break your company's efforts to create a favorable workplace, which ultimately has a major impact on how employees view the company. That, in turn, directly impacts how receptive they will be to a union's sales presentation. Since this is so, we'll list here a number of questions we recommend clients ask themselves as they consider the roles the supervisor plays in their particular organizations. These questions are designed to cause you to consider new ways to make supervisors more effective at their jobs.

These are jobs which require a greater number of different skills than do many or perhaps a majority of those in a corporation. Supervisors are charged with: leading, inspiring, and guiding employees, while at the same time manufacturing the company's product (or providing its service) in a cost effective and timely manner, while maintaining employee morale and meeting quality, efficiency, reliability and safety standards, all within mandated cost parameters. It can make you tired just listing the diverse responsibilities one supervisor is expected to meet.

This generic, but fairly standard, set of expectations pretty much sums up why the position of supervisor is difficult and shows why it is so hard to do well. There are so many balls in the air and so many responsibilities competing for a supervisor's attention, the employee end of the equation is often forgotten.

Do You View Supervisors As Members of Management?

It is a truism that the first-line supervisor is frequently in a sort of no-man's land. All too often the supervisor is viewed neither

as an employee, nor as a member of management. We believe that a supervisor is and should be viewed as an important member of management and that this view should be communicated at all levels of the organization in every way possible.

The National Labor Relations Act makes no distinctions between upper management and lower-level supervisors when determining the consequences of improper statements or actions found to be in violation of the Act. We see no reason why management should view supervisors any differently than the Board does.

What does it mean to treat supervisors as a member of management? It means recognizing the importance of their role. Supervisors certainly understand their responsibilities for getting product manufactured or produced because they are measured on their success typically on a shift-by-shift basis. There are usually metrics in place so that supervisors are aware, sometimes painfully so, of the importance of the production end of responsibilities.

But communications are usually much less frequent stressing their role in the management of the organization. That needs to change. Supervisors need to be recognized for the very important role they play and that role needs to be genuinely valued throughout the organization. Supervisors should be measured and evaluated on their management and communications skills as well as on their production records

Other ways to convey their management role are to communicate with them as you do with other members of management, including them whenever appropriate in communications, email, and management meetings. They, and everyone else in the organization, need to understand their role in the achievement of the company's objectives.

Do You Have An Effective Selection Procedure For Supervisors?

Selection procedures for supervisors often leave much to be desired. Supervisors are sometimes picked for their new leadership position based solely on their knowledge of the department or basic seniority and then are expected to step seamlessly into their new roles, which demand much more than departmental expertise. Paying attention to only a part of the job qualifications and skill sets necessary for success is no way to build a successful first-line management corps.

While companies are frequently careful to set out the criteria and necessary skills for "higher level" positions, they sometimes fail to take similar care in identifying the characteristics desired for a first-line supervisory position. We urge that employers give at least as much attention to identifying criteria which will predict success for a first-line supervisory position as they do with "higher level" management positions because a first-line supervisor is your key management player when it comes to implementing a successful union-free management philosophy.

Additional criteria which we believe should always be considered include an evaluation of the candidate's ability to interact with other individuals, desire to develop and grow, ability to plan and manage divergent tasks, ability to function effectively as a member of a team, and ability to communicate effectively.

Are You Giving Supervisors The Tools They Need To Succeed?

In case this point has not clearly been made earlier, functioning as an effective supervisor is a very difficult job. It isn't automatic and it isn't intuitive. Effective supervisors (and that is the only kind any employer wants) must have skills in a broad number of areas including leadership, human-interactions, employee evaluation and counseling, safety theory and practice, and what you can and cannot say about unions, to say nothing of the technical aspects of their jobs.

All of these skills are not automatically downloaded the day an individual becomes a supervisor. Since this is so, the

enlightened employer will realize that continuous improvement of supervisory skills is as much of a responsibility as the continuous improvement of manufacturing processes and procedures.

Realistically, all supervisors are not equally effective and have different skill sets and different areas where they are challenged. A part of giving supervisors the tools they need to succeed requires a management mind set that holds supervisors accountable for the results expected of them. This accountability need not be draconian and should involve a good measure of mentoring and assistance in overcoming areas of weakness.

But the supervisory position is too important to do what we have seen a number of clients do, which is to accept substandard performance from supervisors with the excuse, "that's the way he's always been"; or the mindset that you can just work around them and they won't hurt you too badly. The supervisory position is too important not to have it filled by effective and highly motivated individuals. You should neither expect nor accept anything less.

Do Supervisors Understand Their Role In Maintaining Your Union-Free Status?

Keeping union-free is not a spectator sport. It requires involvement and commitment. It requires giving employees intelligent, well thought out and convincing answers on questions asked about the company's position on unions. In an earlier article we discussed the importance of communicating to employees the reasons you wish to remain union free. Do your supervisors really understand the company's position on unions and equally importantly, do they understand the *reasons* for the company's position? If they don't understand the philosophy and the reasons behind it, they cannot possibly be effective advocates for the company's position with their employees.

Do supervisors understand that they can be legally obligated to support the company's opposition to union organizing?

Employees have the protections of the National Labor Relations Act which guarantees them the right to engage in self-organization activities without fear of reprisal. Supervisors are not covered by the Act and do not have such protections which means that a supervisor could be disciplined or terminated without violation of the Act for engaging in union-organizing activities on behalf of employees. The idea here is not to threaten supervisors but to rather inform them that it is an important expectation of their role in the company to support the company's legal efforts to remain union free.

If you haven't communicated your expectations about their responsibility to keep the company union free, supervisors can hardly be expected to pick up these vibrations on their own. Supervisors are evaluated on areas the company believes are important (with measurement of unit output typically a major factor.) When their ability to help you remain union free is factored into their evaluation, it will become more important to them and also better understood by them. What gets measured, gets done.

These are not all the questions which should be asked about how first-line supervisors should function in any given organization, but they serve as a place to start thinking about the role you assign to them. The first line supervisor is your key position when it comes to avoiding unions.

Most organizations tend to assign responsibility for union avoidance to Human Resources or higher levels in the corporation. Certainly others have important roles in developing and implementing an effective union avoidance strategy. But first-line supervisors are the ones who really put that strategy into operation. . . or not. They call the daily plays in hundreds of little ways which can make the strategy effective or futile. In today's world, unions are struggling hard to return to relevance. Your company will not win if your primary assets are not used to the fullest advantage.

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