

Boeing Vote Shines Bright Light on Micro-Unit Issue

JUNE 4, 2018

Authors: [W. Eric Baisden](#), [Johanna Fabrizio Parker](#)

On Thursday, May 31, 2018, 104 of 170 eligible employees at Boeing's North Charleston, South Carolina plant voted in favor of union representation by the International Association of Machinists union ("IAM"). This IAM victory follows on the heels of two unsuccessful attempts to organize the entire facility - an election loss from last year and withdrawal of a petition for election in 2015.

Traditionally, South Carolina, a right-to-work state, has proven a difficult environment for organized labor. This time the IAM tried a new tactic - "cherry-picking" a unit of perceived pro-union employees. The IAM selected a bargaining unit of roughly 2.6% of the total workforce at the North Charleston plant of almost 7000 workers.

Boeing, however, maintains that federal law prohibits this type of gerrymandering to select a tiny fraction (known as a "micro-unit") of workers as an appropriate bargaining unit. Boeing asserts that the micro-unit is so intertwined with the work performed by other manufacturing employees it could not constitute an appropriate separate unit for bargaining, and plans to appeal the union's ability to represent the micro-unit. This may provide the platform for the NLRB to reconsider, and perhaps overturn, the current practice of recognizing micro-units, which expanded during the Obama administration.

To speak with a Benesch attorney about this case and its effect, please contact an attorney in Benesch's [Labor and Employment Practice Group](#).

[Eric Baisden](#) at ebaisden@beneschlaw.com or (216) 363-4676

[Johanna Fabrizio Parker](#) at jparker@beneschlaw.com or (216) 363-4585

[Peter Kirsanow](#) at pkirsanow@beneschlaw.com or (216) 363-4481

[Shaka Sadler](#) at ssadler@beneschlaw.com or (216) 363-4471