



## Union Business Still Booming: Election Petitions Continue To Soar

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Unions continue to make attention-grabbing headlines in nationwide organizing campaigns, including at [Starbucks](#), [Apple](#), and [Trader Joe's](#) locations. But while those high-profile campaigns represent a minuscule fraction of the workforce, there is evidence that these campaigns are galvanizing what has long been a stagnant labor movement.

According to a National Labor Relations Board (NLRB) [press release](#): “During the first nine months of Fiscal Year 2022 (October 1–June 30), union representation petitions filed at the NLRB have increased 58% – up to 1,892 from 1,197 during the first three quarters of FY2021. By May 25, FY2022 petitions exceeded the total number of petitions filed in all of FY2021. At the same time, unfair labor practice charges have increased 16% – from 11,082 to 12,819.”

Employees file union representation petitions once they have signatures from at least 30 percent of employees wishing to hold an election to decide whether to be represented by a union. Unions, which have sustained [continued losses](#) in membership for years, are hoping the notable nationwide campaigns lead to an across-the-board increase in union membership. This latest data, combined with an overall favorable public opinion of unions, may be foreshadowing that better times are ahead for labor unions.

For its part, the NLRB is using the increase in election representation petitions to push for more government funding. As the NLRB’s press release noted, “[t]he increase in cases comes during a period of critical funding and staffing shortages for the Agency.”

Non-union employers should be wary of this development. The current organizing environment is shifting in unions’ favor as news coverage of union organizing wins makes perception reality. Companies wishing to remain

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union-free should consider being proactive in their relations with employees and shoring up their long-term union-free plans.