**HRMD 620**

**Week 5**

**Exam 2**

Note: Submissions will not be accepted after grades for this assignment have been posted.  Alternate assignments are not available.

**Instructions:** Please read these carefully. Each class is likely to be different. If you assume you know what is required, you may make a mistake that can be avoided just by reading the instructions.

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* Post your Case Study Response as a Word document **by the due date listed in the Course Schedule in your individual assignment folder**. Please post on time to avoid the **5% per day late penalty** required by departmental policy.Remember the **late window begins at 12:00 a.m. the next day. Please don’t ask me after the deadline to waive a late penalty. If you’re having a problem that matches the criteria in the grading policy, contact me before the deadline.** I help when I can. (See the Grading Information in the syllabus.)
* Please **work alone**; this is not a group assignment.
* Do not use a cover sheet. Just be sure your name is on your Case Study Response documentA.
* **Remember to use a Word .doc or .docx file format** to ensure I can open your work. (See the Grading Information in the syllabus.)
* Please **do use APA** to reference your essay/case response. Create a reference list at the end and use the (author, year) format within the text; or, if it is a direct quote, the (author, year, page number) format.Pleasedo not start a new page only for the reference list; just space down after your last response.
* Please realize that I cannot answer questions that are actually part of the test itself. That violates testing methodology. I can address “administrative type” questions. Post questions to the **Exam 2** discussion area (vs. email) so everyone will have the same information.
* **Please be sure you have submitted the document you intended. Double-check by opening your document in your folder after you’ve submitted it.**

**Tips for Success**

Be sure you have answered all the questions. From time to time, I see students number incorrectly or omit questions.

Allow sufficient time to think, revise, and think again about your answers before producing the final document. As soon as you have the exam, read what is needed. During the week, think about how to answer the questions. Jot down ideas to consider. Create an outline of the content you want to include in the written portion. Then, assemble the parts into a coherent response.

Use the free writing support tools that are accessed via the classroom. Allow enough time for the writing tutors to assist. Access to the service is located in the Content area.

**Case Study**

The company operates about 700 convenience stores. A sales assistant at one of the company’s stores was murdered while on duty. The murder was widely publicized, and employees complained of inadequate security measures. As a result of the murder, 15 sales assistants telephoned the union requesting a union organization effort. The union sent representatives to 60 stores in the area where the murder had occurred and left union authorization cards. Two days later the company notified the union that an injunction had been issued during a prior union campaign prohibiting solicitation on company property.

The next workday, the company had a meeting with the store managers in the area and talked about the need to improve security. The company officials also discussed the union’s organization activities and reminded the managers of the “no solicitation” policy and stated that a union would not necessarily do the employees any good. Later that week, the company had an unprecedented meeting for all sales assistants. Approximately 200 sales assistants attended and were paid for their time. The company officials told the employees that they did not need a union and that the employees from the union could retrieve their authorization cards. The employees were asked to voice their complaints and the employees listed the following: getting less than 40 hours work per week; not having breaks; not being paid for overtime work; working alone at night; and poor lighting at the stores.

The next day the company sent a memo to all regional personnel directing that sales assistants should work a 40-hour workweek; canopy lights were installed at all the stores; a policy was adopted that no one would be required to work alone at night; and sales assistants began receiving wages for after-hours overtime work. The company posted “no solicitation” signs in all stores and directed that those signs be enforced; if the employees did not enforce the signs, they would lose their jobs. Later that month the company held further meetings with sales assistants, who again were paid for their time. They asked to select committee representatives to meet with management to discuss their complaints. Management officials left the room while the employees selected their representatives. The company made a list of the ten most frequently mentioned items from the employees’ recommended subjects for the committee to discuss.

Meanwhile, the union filed a representation petition with the NLRB seeking an election in a unit of all Summitt, Ohio sales assistants. The company president told the managers to tell the sales assistants that if they joined the union, the company would close those stores. The first meeting of the Employee Management Committee was held and the ten priority items were listed, granting employees a new vacation policy, improved health-care benefits, sick days, change in holiday hours for pay, recognition of seniority ranks, and improved security systems. Not long after that, the company sent an additional memo around announcing other improvements in life, major medical, and accident insurance plans, in addition to death and family benefits and a revised disciplinary appeal system.

**The union wants to file a complaint with the NLRB. What “unfair labor practice” claim(s) could it make? For each one, what defense would the company give? Use the specific terms and concepts covered in this course to support your analysis.**  **Please limit your response to a maximum of two and a half concisely written, double-spaced pages.**

**The basic outline for your answer will be:**

**Introduction**

**Definition of an unfair labor practice**

**Analysis:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Unfair labor practice (ULP) claim(s). Please cite the specific provision of the NLRA** | **Case Behavior Corresponding with the ULP (in left column). Use the case facts.** | **Union Perspective of the ULP (i.e., Why does the union allege the behavior is a ULP?)** | **Company’s Defense (i.e., Why does the company believe the behavior is not a ULP?)** |
|  |  |  |  |
| (Add as many rows as needed) |  |  |  |

**Summary**

**Reference(s)**

**The chart is a tool to help you focus your thinking and to be sure that you provide both sides’ perspectives for each ULP. Your submission must correspond with the information as asked in the chart. Your answer can be presented in the chart or via paragraphs. PLEASE DO NOT DO BOTH. If you write an essay, please present your information by answering each question as you move across the chart horizontally, not vertically. Choose the method that explains your analysis clearly.**

**NOTE: Please re-read the instructions to be sure you’ve done everything that is needed.**