



**SEACC Board Statement on Unionization at SEACC
February 2023**

As you may know, four of SEACC's eleven employees announced on Monday, December 12th that they were seeking to form a union affiliated with the Communications Workers of America.

Although we have not yet heard why these four are unionizing, we recognize and appreciate that employees can request to organize under a union at any time and for any reason, and we fully respect the option to do that.

This group of staff asked that we recognize their union by that Friday or they would petition the National Labor Relations Board (NLRB) for an election. Because most of our staff had not had a say and because we were completely unfamiliar with what this would mean for SEACC, we paused to learn more. This meant that we were thrust into the complex National Labor Relations Board process of adjudication quite suddenly.

As part of this process, our organization was required to fill out a Statement of Commerce, which evaluates the role that SEACC plays in interstate commerce, as the National Labor Relations Board only has jurisdiction over organizations that meet that bar. The fact that we were not able to demonstrate that we conduct over \$50,000 worth of interstate commerce triggered the need for a hearing for the National Labor Relations Board to evaluate whether they are permitted under law to authorize the creation of a union at SEACC.

The National Labor Relations Board was created to level the playing field between large, powerful, for-profit corporations and labor organizers. Interestingly, the National Labor Relations Board has rarely if ever asserted jurisdiction over a small, informational advocacy nonprofit such as SEACC, though we have come to learn that this may be a new target for labor organizers.

The National Labor Relations Board process involves hundreds of laws and policies www.nlr.gov/about-nlr/rights-we-protect/whats-law/employers. Ironically, it has impeded open and clear communication between staff and board, right when it is most needed. Because of the fast pace and formality of the National Labor Relations Board process and its minefield of potentially illegal moves, we had no choice but to hire legal counsel to ensure that we legally and appropriately navigate this unprecedented situation for SEACC and organizations like ours.

Another aspect we have to consider is that there are two members of staff that would be eligible for the proposed union that have not joined the unionization efforts. We believe that their reasons and their voices in this process must be respected, just as those who would like to organize under a union should be respected. We believe that every employee should be

empowered to make the decisions that are best for them and what they think would be best for SEACC. We are responsible to both groups. We are also responsible to our three Program Managers and our two Directors, all of whom will not be able to vote on unionization but will be directly impacted by the decision.

We also have been taking time to research unionization at other nonprofit organizations and connect with leaders who work in these spaces. Our circumstances appear to be unique from other nonprofits that have gone through this process in that SEACC is a comparatively very small advocacy nonprofit with almost no interstate or federal commerce. Our operations, impact and economic activity are exclusively focused on Southeast Alaska. In our research we are learning about impacts from unionization at national organizations such as the Sierra Club, National Audubon Society, and the Southern Poverty Law Center.

To date, the process of other environmental nonprofits being organized by the Communications Workers of America has been reported in the media to be very contentious and disruptive. We are seeking ways to avoid that fate, but the National Labor Relations Board process and the aggressive nature of union organizing works against collaborative relationships.

Through our efforts to understand the potential impact of unionization to the operations of SEACC, we feel we have been able to glean valuable insights. However, we have been unable to find any data, information, or resources to let us know exactly what kind of impact and where that impact would be if a nonprofit of our size is unionized. We know that it would certainly impact the operations of the organization, but not exactly how. We do not know, for example, if there would be an impact to the overall costs to run the organization, an impact to the efficiency of our operations. It is not clear that unionization will help us pursue the mission of SEACC more effectively. We believe that the friendly work environment and swift, efficient teamwork are important parts of SEACC's success thus far and are hesitant to jeopardize them through hasty action.

We are still trying to determine whether and how a better approach is possible. As a board, we are responsible for the long-term sustainability of SEACC and our mission, and believe that we need to take all available information into account with every decision we make. Under these circumstances, we feel that the responsible thing to do is to stay consistent with our standard practices of research and data collection while following the NLRB process. If, at the end of this journey, some of the SEACC staff are unionized, we will have learned as much as we could to be able to partner with the union and continue the mission of SEACC as effectively as possible. Finding a footing through this process has been quite a challenge as we do our best to thread the needle between being good stewards of SEACC and advocates for all our staff, while maintaining strict adherence to the NLRB laws.

Thank you for reading and for bearing with us. If you have any further questions or concerns, please reach out to us at BoardChair@seacc.org.

The Southeast Alaska Conservation Council Board of Directors

