National Labor Relations Board (NLRB) Union Representation Elections, 1997-2009

by Drew M. Simmons
Bureau of Labor Statistics

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One of the principal functions of the National Labor Relations Board (NLRB) is to determine, through secret-ballot elections, whether employees wish to be represented by a union in dealing with their employers, and if so, by which union. This article summarizes Union Representation Elections (UREs) involving the NLRB over the 13-year period from 1997 to 2009.

Table 1 shows that the total number of elections declined 60 percent over the 1997-2009 period, from 3,261 to 1,304. The number of elections won in favor of union representation during that time declined 48 percent, from 1,656 to 864. This is a slower rate than the decline in the total number of elections, resulting in an overall *increase* in the percent of elections won in favor of union representation, from 51 percent in 1997 to 66 percent in 2009.

Table 1. National Labor Relations Board (NLRB) Union Representation Elections, 1997-2009

Year	Total number of elections for union representation	Number of elections won in favor of union representation	Percent of elections won in favor of union representation	Total number of employees eligible to vote for union representation	Number of employees involved in elections won by unions
1997	3,261	1,656	50.8	224,262	90,333
1998	3,296	1,711	51.9	227,116	97,661
1999	3,012	1,576	52.3	234,182	108,420
2000	2,896	1,513	52.2	210,757	87,907
2001	2,571	1,395	54.3	203,616	77,884
2002	2,675	1,506	56.3	175,885	79,065
2003	2,352	1,340	57.0	155,070	75,661
2004	2,293	1,312	57.2	159,461	77,450
2005	2,099	1,248	59.5	141,467	68,638
2006	1,650	988	59.9	113,480	60,137
2007	1,510	890	58.9	95,916	52,365
2008	1,588	1,028	64.7	110,903	71,791
2009	1,304	864	66.3	69,832	44,033
Total, 1997 to 2009	30,507	17,027	N/A	2,121,947	991,345
Total change from 1997 to 2009	-1957	-792	N/A	-154,430	-46,300

Note: These data represent closed cases resulting from petitions filed by a union or employees seeking an election to determine a collective bargaining representative, or petitions from employers seeking an election to determine a collective bargaining representative. Data are presented by calendar year. The number of elections and the number of employees is without regard to AFL-CIO affiliation.

Source: National Labor Relations Board.

Year	Total number of elections for union representation	Number of elections won in favor of union representation	Percent of elections won in favor of union representation	Total number of employees eligible to vote for union representation	Number of employees involved in elections won by unions
Percent change from 1997 to 2009	60.0	47.8	N/A	68.9	51.3

Note: These data represent closed cases resulting from petitions filed by a union or employees seeking an election to determine a collective bargaining representative, or petitions from employers seeking an election to determine a collective bargaining representative. Data are presented by calendar year. The number of elections and the number of employees is without regard to AFL-CIO affiliation.

Source: National Labor Relations Board.

Table 1 also shows that the number of employees eligible to vote in elections decreased 69 percent, from 224,262 in 1997 to 69,832 in 2009. While the number of employees eligible to vote in elections won by unions has fluctuated from year to year, overall it declined by 51 percent. Despite the decrease, the data show that, if an employee was involved in a union representation election, the employee was more likely to gain union representation in 2009 than in 1997. In addition, there is a greater tendency for employees to choose union representation when two or more unions are seeking certification than when only one union is seeking certification.

The NLRB holds a certification election for one of two reasons: (1) to conduct a single union vote to certify or grant the right to represent a group of employees; or (2) to conduct a multiple union election either to certify or to grant the right to represent a group of employees to one union or to change which union is representing the employees. In multiple union elections, one union may be attempting to decertify another union and become the union of choice. The data presented in this article exclude *decertification elections*, which are elections that remove *all* union representation from the employees.

Table 2 shows that, in 1997, barely 50 percent of elections to certify one union were won in favor of union representation; this percentage increased to over 64 percent in 2009. The average over the period was approximately 54 percent.

Table 2. National Labor Relations Board (NLRB) Union Representation Elections, elections with choice of one union, 1997-2009

Year	Total number of elections to certify one union	Number of elections to certify one union that won in favor of union representation	Percent of elections to certify one union that won in favor of union representation
1997	3,165	1,580	49.9
1998	3,195	1,626	50.9
1999	2,901	1,473	50.8
2000	2,784	1,421	51
2001	2,455	1,309	53.3
2002	2,528	1,367	54.1
2003	2,261	1,263	55.9
2004	2,161	1,203	55.7
2005	1,963	1,127	57.4
2006	1,533	893	58.3

Note: These data do not include decertification elections, which are elections that remove all union representation from the employees.

Source: National Labor Relations Board.

Year	Total number of elections to certify one union	Number of elections to certify one union that won in favor of union representation	Percent of elections to certify one union that won in favor of union representation
2007	1,397	793	56.8
2008	1,482	936	63.2
2009	1,199	769	64.1
Total, 1997 to 2009	29,024	15,760	54.3

Note: These data do not include decertification elections, which are elections that remove all union representation from the employees.

Source: National Labor Relations Board.

Table 3 shows that, in 1997, when given a choice of two or more unions, less than 80 percent of elections resulted in favor of union representation. This percentage increased to a little more than 90 percent in 2009. The average over the period was about 85 percent--significantly more than the approximately 54 percent averaged over the period for elections won in favor of union representation with only a single union seeking certification.

Table 3. National Labor Relations Board (NLRB) Union Representation Elections, elections with choice of two or more unions, 1997-2009

Year	Total number of elections with choice of two or more unions	Number of elections won in favor of union representation with choice of two or more unions	Percent of elections won in favor of union representation with choice of two or more unions
1997	96	76	79.2
1998	101	85	84.2
1999	111	103	92.8
2000	112	92	82.1
2001	116	86	74.1
2002	147	139	94.6
2003	91	77	84.6
2004	132	109	82.6
2005	136	121	89
2006	117	95	81.2
2007	113	97	85.8
2008	106	92	86.8
2009	105	95	90.5
Total, 1997 to 2009	1,483	1,267	85.4

Note: These data do not include decertification elections, which are elections that remove all union representation from the employees.

Source: National Labor Relations Board.

In about 5 percent of all union representation elections held from 1997 to 2009 (regardless of outcome), employees had the choice of two or more unions. In about 7 percent of all elections that were won in favor of union representation over the 1997-2009 period, employees had a choice of two or more unions for their representation.

Drew M. Simmons
Economist, Division of Compensation Data Estimation, Office of Compensation and Working Conditions, Bureau of Labor Statistics.
Telephone: (202) 691-6127; E-mail: Simmons.Drew@bls.gov.