

This is the year of government. Many have prophesized that the people will rise up this year and restore justice.

Labor & Employment Law

Compiled by Shawndrica Simmons, Esq.

What is Employment Law? A great many common law rulings, statutes, administrative rules and legislation make up the practice and interpretation of employment law. Its governance falls under the umbrella of both federal and state statutes, as well as administrative regulation and judicial precedent.

When workers file claims for employment discrimination, unemployment compensation and workers' compensation, these claims fall under employment law. Likewise, overseeing workplace safety and standards, fair wages, retirement and pensions, employee benefits, and much more, are part of this wide-ranging legal area. Employment law deals with both the employer and the employee's actions, rights and responsibilities, as well as their relationship with one another.

A well-known, prevalent administrative regulatory body for employment law is the Department of Labor, which exists on both the federal and the state level. In Michigan public and some private employees file claims with the Michigan Employment Relations Commission (MERC) or the Bureau of Employment Relations (BER).

MERC resolves labor disputes involving public and private sector employees by appointing mediators, arbitrators and fact finders, conducting union representation elections, determining appropriate bargaining units, and adjudicating unfair labor practice cases.

The Bureau of Employment Relations (BER) is responsible for resolving labor disputes between public and private sector employers and employees by: mediating collective bargaining disputes; conducting elections and resolving unit clarification issues; appointing fact finders and arbitrators to resolve bargaining impasses and other labor disputes; enforcing statutes which protect bargaining rights of public employees; and fostering cooperative programs between public and private sector labor and management.

The Goals of both agencies are:

- Utilization of Act 312 Arbitration awards to resolve disputes between public employers and public safety unions.
- Fair application of the labor laws administered by our agency.
- Reduction of all forms of labor conflict due to disagreements between labor organizations and employers.
- Reduction of economic waste and the interruption of essential services caused by work stoppages or labor disputes in either public or private sectors. Use of mediation in labor disputes to increase productivity by prevention of work stoppages and reduction of conflict.

Some private employees and employers file labor disputes with the National Labor Relations Board (NLRB). The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative.

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Organizations Related to Employment and Labor Law

- [American Federation of Labor and Congress of Industrial Organizations \(AFL-CIO\)](#)
The American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) is a voluntary federation of 56 national and international labor unions. The AFL-CIO was created in 1955 by the merger of the AFL and the CIO. The AFL-CIO union movement represents 11.5 million members, including 3 million members in Working America, its community affiliate. We are teachers and miners, firefighters and farm workers, bakers and engineers, pilots and public employees, doctors and nurses, painters and plumbers—and more.
- [Committee on Education and Labor](#)
For generations, America has been a leader in the global economy, thanks to the drive and innovative spirit of America's workers. But middle class families have lost ground, finding themselves squeezed between shrinking paychecks and bigger bills for basic items like housing, health care, college tuition, and energy. The mission of this committee is simple: Growing and strengthening America's middle class.
- [National Employment Counseling Association \(NECA\)](#)
NECA is a division of the American Counseling Association and was founded in 1966 to implement solid and practical interventions to enhance employability and long-term employment.
- [National Employment Law Council](#)
The NELC is an organization primarily composed of minority outside and in-house attorneys throughout the United States and abroad who represent private and public sector employers in all aspects of labor and employment matters. The conference is directed to attorneys and senior level human resources professionals representing management in labor and employment law. This is an advanced program for practitioners with significant experience representing exclusively management in labor and employment law.
- [National Employment Lawyers Association \(NELA\)](#)
The National Employment Lawyers Association (NELA) advances employee rights and serves lawyers who advocate for equality and justice in the American workplace. NELA is the country's largest professional organization that is exclusively comprised of lawyers who represent individual employees in cases involving employment discrimination and other employment-related matters.
- [National Employment Rights Authority \(NERA\)](#)
The National Employment Rights Authority (NERA) was established under the Social Partnership Agreement "Towards 2016" to achieve a national culture of employment rights compliance. NERA provides information to employees and employers through its information unit, monitors employment conditions through its inspection services and can enforce compliance and seek redress.
- [Workplace Fairness](#)
Workplace Fairness is a non-profit organization that provides information, education, and assistance to individual workers and their advocates nationwide and promotes public policies that advance employee rights. Our goals are that workers and their advocates are educated about workplace rights and options for resolving workplace problems and that policymakers, members of the business community, and the public at large view the fair treatment of workers as both good business practice and sound public policy.