

YOU HAVE THE RIGHT TO

SPEAK UP ABOUT WORKPLACE ISSUES!

The federal National Labor Relations Act (NLRA) gives most private-sector workers the right to unionize and to take collective action with their coworkers to fight for better workplaces, regardless of company policy¹. Violations of the NLRA are referred to as “unfair labor practices” (ULPs) and are investigated by the National Labor Relations Board (NLRB). The law prohibits employers from surveilling, threatening, or interrogating workers who are organizing collectively to address important workplace issues.

Section 7 of the NLRA explicitly states that we have the right to engage in concerted activity for mutual aid and protection. This is a right to act **collectively**, which is the source of our power as a union. **This includes, in most cases, the right to speak out publicly about the collective issues we face at work.** This speech can take many

forms, including wearing a button, talking with your coworkers, writing and passing out flyers, holding a press conference, even Tweets and other social media posts.

Racial justice, protections for immigrant workers, gender-affirming healthcare and abortion access are all important issues that media workers have the right to publicly speak out about so long as we are connecting these issues to our working conditions and union.

Before speaking out about these issues, it's always important to review your collective bargaining agreement (the Guild has negotiated social media language in some of its CBAs which may affect this issue) and to know the past practice in your shop. If you have questions or are uncertain, contact your union leadership!

With that in mind, here are some useful guidelines for making sure your speech on social media is legally protected:

Speak collectively, not individually

Instead of this “I am horrified by the Supreme Court’s anti-choice ruling that will lead to essential healthcare being restricted and even criminalized in states all across the country.”

Say this “As a proud NewsGuild member, I know abortion access is a healthcare issue and labor issue. Our union is committed to fighting to ensure that all of our union colleagues have access to the healthcare they need, including access to abortion and gender affirming healthcare, no matter what state they live in. We will seek to address these issues with our employer.”

¹ In fact, it is a violation of the NLRA for an employer to interfere with, restrain, or coerce employees in the exercise of their rights. Independent contractors, agricultural and domestic workers are excluded, while government workers are covered by other laws.

Connect the dots between the broader issue and your working conditions and mention actionable collective next steps to tackle this issue.

Instead of this “This Supreme Court ruling is the latest attack on reproductive health that will lead us back to the days of deadly back-alley abortions and force pregnancies to be carried to term even if that could result in illness, injury, or death. Shameful!”

Say this “My colleagues and I cannot go back to the days of risking our lives to terminate unwanted pregnancies. That is why we must fight to ensure that our union colleagues in states that are restricting or even criminalizing abortion have strong protections in our collective bargaining agreements, including privacy guarantees and health insurance that continues to cover elective abortions, medication abortion, and Plan B, and grants ‘in-network’ status to out-of-state healthcare providers. We cannot allow our employers to benefit from the shameful right-wing attacks on our right to an abortion.”

If you feel inclined to speak about political candidates, speak collectively and try to avoid partisan language.

Instead of this “It’s time to vote the scumbags who appointed these Justices out of office!”

Say this “My union, NewsGuild-CWA, voted in a 1981 convention to oppose anti-choice legislation in the United States and Canada. We’re proud to continue fighting for human dignity. The political candidates unions support must fight for the same.”

Don’t be insubordinate or use excessive profanity.

Instead of this “Fuck the Supreme Court.”

Say this “My colleagues and I are meeting today to discuss how we as a union can collectively fight to maintain access to abortion and other essential healthcare services. We look forward to bargaining with our employer over the effects of this shameful and horrifying Supreme Court decision.”

Criticism of your employer is protected if it is related to the terms and conditions of employment, but you cannot bad mouth your employer’s product or your employer’s management team.

Instead of this “My employer has taken a ghoulish editorial position in support of restricting abortions.”

Say this “Access to abortion is a basic human and workers’ right. Our employer does not agree. We look forward to fighting to keep abortion access in our health benefits.”