Remember the famous scene from “I Love Lucy” when Lucy went into labor? Ricky, Fred and Ethel had rehearsed what was going to happen. They thought they had the luxury of time. But when Lucy said “Ricky! This is it!”, they realized that things were happening faster than expected, and chaos ensued.

This is what came to mind when I first heard of the National Labor Relations Board’s passing of new rules for union representation cases. These rules, which became effective last April, significantly reduces the period between the filing of a petition and a union election. The NLRB characterized its actions as modernizing its processes.

In the six months following the implementation of the rules, unions are catching employers in the new complicated processes. Analysis by Fisher & Phillips shows that the faster the election, the better chance unions have to win. In the 57 fastest elections under the new rules (all 16 days or less), unions won 77 percent of the time. Read that again……77 percent of the time. This proves that unions are using this shorter time frame to get around questions that employees might have and push them to vote.

Employers must be ready for this sea change in union elections. It must be a top priority if they wish to stay union free. Employers don’t have the luxury of time. Even if an employer has a plan in place, it must be changed to accommodate these new rules.

This past summer, a union tried to organize at a non-union plant belonging to an AFPM member. This was a small facility. The union was so happy that it had a shorter timeframe that it didn’t fully prepare the campaign and it came off as slapdash and unorganized. Major fail for the union. Major lessons for the rest of us.

The lessons learned are:

1. The unions, in their zeal to organize, might be unprepared. But they’ll be prepared next time
2. Unions are going after small facilities. Perhaps this is training for larger facilities?
3. If the union is prepared and the facility is not, chances are the union will win.

Employers need to be ready for their “This is it” moment and not react like Ricky, Fred, and Ethel.

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