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The differences

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between collective bargaining in the public and private sectors are well understood by students of the subject but often ignored by legislators and the public. Laws governing public employee unions and collective bargaining in the public sector (all levels of government, including local school districts) are often modeled on similar legislation governing collective

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bargaining between unions and private companies, which were legalized in 1935.

**Collective bargaining, private-public sector differences ...**

In short, the major provisions of the NLRA assure private employees the right to join unions, go on strike, and take part in collective bargaining without retaliation from

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employers. Let's take

a... Collective

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**Bargaining:**

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**Relations ...**

Congress initially established collective bargaining rights through the Railway Labor Act in 1926. The federal law expanded in 1935 with the National Labor Relations Act (NLRA), which made it illegal

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for private employers

to deny unions

representing their

employees the right to

engage in collective

bargaining.

**Collective**

**Bargaining Basics:**

**Labor Unions**

**Negotiate ...**

A. History of Collective

Bargaining in California

The National Labor

Relations Act (NLRA)

governs collective

bargaining in the

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private sector. 1 The NLRA leaves it to the states to regulate collective bargaining in the public sector.

## **COLLECTIVE BARGAINING AND LABOR RELATIONS**

Congress enacted the National Labor Relations Act ("NLRA") in 1935 to protect the rights of employees and employers, to encourage collective bargaining, and to

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curtail certain private sector labor and management practices, which can harm the general welfare of workers, businesses and the U.S. economy.

**National Labor Relations Act | National Labor Relations Board**

This competition forces the private sector labor unions to either be reasonable in their demands or risk

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bankrupting the business and losing employment for their members. With government, or public sector, bargaining, there are no such competitive forces.

## **Public and Private Sector Collective Bargaining Are Not**

...

The Pennsylvania Labor Relations Act (PLRA), which created the board in 1937,

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encourages the peaceful resolution of private sector industrial disputes through collective bargaining and protects employees, employers and labor organizations engaged in legal activities associated with the collective bargaining process.

**Pennsylvania Labor  
Relations Board  
(PLRB)**

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The main body of law governing collective bargaining is the National Labor

Relations Act (NLRA). It is also referred to as the Wagner Act. It explicitly grants employees the right to collectively bargain and join trade unions.

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**Bargaining | Wex |  
US Law | LII / Legal**

...

This Practice Note  
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provides an overview of collective bargaining obligations set by the National Labor

Relations Act (NLRA) and enforced by the National Labor

Relations Board

(NLRB). Labor law in

the private sector is primarily governed by

federal law including the NLRA and the

Railway Labor Act

(RLA), and this Note

only covers the NLRA.

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**Bargaining Under**

**the National Labor**

**Relations ...**

The National Labor Relations Act (NLRA) governs labor relations in private schools, subject to some limitations. A teachers' union of a private schools should determine whether the NLRA applies to its school. State labor statutes generally govern labor relations

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between public school districts and teachers' unions.

Bargaining Private

**Teacher's Unions/Collective Bargaining: State and Local ...**

The National Labor Relations Act (NLRA) grants most private sector employees the right to organize unions and collectively bargain. The Railway Labor Act (RLA) provides railway and

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airline employees the  
right to form unions  
and engage in  
collective bargaining.

**Collective  
Bargaining 101 |  
Jobs With Justice**

Deals primarily with  
the private sector,  
administers the  
National Labor  
Relations Act by  
conducting elections to  
determine whether or  
not employees want  
union representation

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and investigating and  
remediating unfair labor  
practices by employers  
and unions.

**Labor Relations |  
U.S. Department of  
Labor**

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**edition ...**

The PERC gives

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employees the right to choose to form, join and participate in the activities of employee organizations, such as collective bargaining, for the purpose of union representation on matters governing the employer-employee relationship.

**Labor Relations -  
Collective  
Bargaining**

A Guide to the  
Massachusetts

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Collective Bargaining  
Law (Guide) is a  
publication of the  
Massachusetts  
Bargaining Private

Department of Labor  
Relations (DLR). Unlike  
past editions of this  
guide, this edition will  
not be published in  
hard copy format and  
will be updated as DLR  
procedures, decisions  
and case law changes.

**Massachusetts  
Public Employee  
Collective**

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## **Bargaining Law ...**

Collective Bargaining Legislation . The Wagner Act of 1935, also known as the National Labor Relations Act (NLRA), established a framework for collective bargaining in addition to guaranteeing workers the right to organize. The act applied to all employers engaged in interstate commerce except agriculture,

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airlines, government,  
and railroads.

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