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*AR 600-80

ARMY REGULATION

No. 600-80

HEADQUARTERS
DEPARTMENT OF THE ARMY
WASHINGTON, DC, 1 February 1982

Personnel—General

MILITARY LABOR ORGANIZATIONS

Effective 1 March 1982

This revision implements DOD Directive 1354.1. It prescribes policies for dealing with organizations that seek to unionize members of the Army; covers prohibited and permitted activities involving such organizations; and gives guidelines for determining what is a military labor organization. Local supplementation of this regulation is prohibited, except upon approval of the Deputy Chief of Staff for Personnel. Requests for exception, with justification, will be sent through command channels to HQDA(DAPE-HRL), WASH DC 20310.

Interim changes to this regulation are not official unless they are authenticated by The Adjutant General. Users will destroy interim changes on their expiration dates unless sooner superseded or rescinded.

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1. Purpose. This regulation prescribes policy on handling attempts by military labor organizations to unionize members of the US Army. This regulation does not—

a. Change the existing authority of commanders to control access to and maintain good order and discipline on military installations.

b. Change the obligations of commanders and supervisors to organizations representing DA civilian employees (sections 7101-7135, title 5, United States Code.)

c. Limit the application of the Uniform Code of Military Justice (UCMJ) or section 976, title 10, United States Code (10 USC 976). Violations of prohibitions stated in this regulation are punish-

able under 10 USC 976 and subject to disciplinary action under UCMJ, Article 134.

2. Applicability. This regulation applies to—

a. The Active Army, the Army National Guard (ARNG), the US Army Reserve, and DA civilian personnel.

b. Individuals and groups entering or using military installations to unionize members of the Army.

3. References. AR 380-13 (Acquisition and Storage of Information Concerning Nonaffiliated Persons and Organizations) is a required reference. (Cited in para 10.)

*This regulation supersedes AR 600-80, 3 January 1978.

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4. Explanation of terms. Special terms used in this regulation are explained in the glossary.

5. Responsibilities. Installation commanders will—

a. Insure compliance with this regulation.

b. Report activities prohibited by this regulation immediately to HQDA(DAPE-HRL), WASH DC 20310. Reports will be made by priority message; information copies will be sent to intermediate commanders.

6. Unionization. a. Members of the US Army must be prepared to fight and, if necessary, to die to protect the welfare, security, and liberty of the United States and their fellow citizens. Therefore, discipline and prompt obedience of members of the Army to the lawful orders of their superior officers are essential and time-honored elements of the American military tradition. From the earliest Articles of War, laws and regulations have prohibited conduct detrimental to the military chain of command and lawful military authority.

b. Unionization of the Army would be incompatible with the military chain of command. It would undermine the role, authority, and position of the commander; it would impair the morale and readiness of the Army. Therefore, members of the Army will not take part in conventional labor-management negotiation or collective bargaining with their military and civilian superiors. Nor will they take part in strikes, slowdowns, picketing, or other traditional forms of job actions (Public Law 95-610).

c. Circumstances that could constitute a threat to the ability of the Army to perform its mission are not comparable to circumstances that could constitute a threat to the ability of Federal civilian agencies to perform their functions.

7. Prohibited activities. a. *Enrollment and recruitment.* Enrollment or recruitment of members of the Armed Forces in military labor organizations is prohibited.

(1) Persons on military installations may not enroll members of the Armed Forces in a military labor organization; nor may they solicit or

accept from members of the Armed Forces fees for such organizations.

(2) Members of the Army who know of a military labor organization's activities or objectives may not—

(a) Belong to that organization.

(b) Attempt to get another member of the Armed Forces to join the organization.

b. *Negotiation or collective bargaining.* Negotiations or collective bargaining about the terms or conditions of military service is prohibited.

(1) Persons on military installations may not negotiate or bargain with a DA civilian officer, DA employee, or member of the Armed Forces on behalf of members of the Armed Forces. Nor may they attempt through coercive acts to enter into negotiations or bargaining.

(2) No member of the Army, DA civilian officer, or DA employee may negotiate or bargain on behalf of the US Government with persons who represent or purport to represent members of the Armed Forces.

c. *Strikes or other concerted labor actions.* Strikes or other concerted labor actions involving members of the Armed Forces and directed against the US Government are prohibited. This prohibition applies to organizing, trying to organize, or taking part in such actions.

(1) No member of the Army or other person on a military installation may take part in strikes, picketing, marches, demonstrations, or other similar forms of concerted labor actions. Nor may they use a military installation for such actions or other activities prohibited by this regulation.

(2) No member of the Army or other person on a military installation may take part in actions to induce a DA civilian officer, DA employee, or member of the Armed Forces to—

(a) Negotiate or bargain about the terms or conditions of military service.

(b) Recognize a military labor organization regarding complaints against the terms or conditions of military service.

(c) Make changes in the terms or conditions of military service.

d. Representation. Members of the Army may not be represented by a military labor organization before a DA civilian officer, DA employee, or member of the Army about complaints involving terms or conditions of military service.

8. Permitted activities. *a.* This regulation does not limit the rights of members of the Army to—

(1) Belong to lawful organizations other than military labor organizations.

(2) Present complaints about the terms or conditions of military service through established military channels.

(3) Seek or receive information or counseling from authorized sources.

(4) Be represented by authorized counsel.

(5) Petition the Congress for redress of grievances.

(6) Take other administrative action for administrative or judicial relief.

b. This regulation does not prevent—

(1) Commanders and supervisors from considering the views of members of the Army. They may be presented individually or collectively through command-sponsored or other authorized organizations.

(2) Civilians employed at military installations from belonging to unions.

9. Making determinations. *a.* To determine if

an organization is a military labor organization and if it is in violation of this regulation, evaluate—

(1) Its history and operation.

(2) Its constitution and bylaws.

(3) The evidence gathered for any suspected prohibited act.

b. To determine if a person belongs to a military labor organization and if he or she is in violation of this regulation, evaluate—

(1) His or her history and operation.

(2) The evidence gathered for any suspected prohibited act.

c. To determine if a person acted for a military labor organization when he or she committed a prohibited act, consider the following:

(1) The frequency of such acts.

(2) The position of the person in the organization.

(3) If the acts were known and condemned or disavowed by the organization's leadership.

10. Gathering information. When gathering information about persons and organizations to make the determinations required by this regulation, strictly comply with AR 380-13. Counterintelligence or security investigation personnel may not gather such information; consider the organization itself the primary source of information.

GLOSSARY

Civilian officer or employee. An employee as defined in section 2105, title 5, United States Code.

Member of the Army. A person serving on active duty or active duty for training; also a member of the ARNG or USAR performing inactive duty training.

Military installation. An installation, reservation, facility, vessel, aircraft, or other property controlled by DA.

Military labor organization. An organization that seeks to—

a. Act on behalf of members of the Army in negotiation or collective bargaining about the terms or conditions of military service.

b. Represent members of the Army in complaints against the terms or conditions of military service.

c. Involve members of the Army in striking, picketing, marching, demonstrating, or other concerted labor action directed against the US Government.

Negotiation or collective bargaining. A process by which a commander or supervisor, acting on behalf of the United States, engages in discussions with an individual or organization purporting to represent members of the Army to resolve bilaterally the terms or conditions of military service.

Terms or conditions of military service. Compensation or duty, including wages, rates or pay, duty hours, assignments, grievances, or disputes.



The proponent agency of this regulation is the Office of the Deputy Chief of Staff for Personnel. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) direct to HQDA(DAPE-HRL) WASH DC 20310.

By Order of the Secretary of the Army:

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