

****Official House Resolution and Board Comments Attached**

Resolution 203: Establishing the National Union of ADA Employed Dentists (NUAED) to Promote Workplace Protections, Ethics, and Professional Support

Author: Dr. Steven Saxe, Delegate

IF YOU VOTE YES

A YES vote supports establishing the National Union of ADA Employed Dentists (NUAED) as a voluntary, ADA-affiliated union to protect employed dentists' rights, ethics, and professional well-being.

This resolution directs the ADA to create a legally compliant, self-sustaining structure for employed dentists to access workplace advocacy, legal and contract review, ethical support, and—where permitted—collective negotiation of employment terms. It ensures no employer is required to hire union members and that no ADA dues fund its operations.

IF YOU VOTE NO

A NO vote keeps the ADA without any formal system to protect employed dentists from unethical directives, workplace retaliation, or contract abuse. It continues the pattern of inaction while other professions already provide union protections for their members. Rejecting this resolution leaves younger and employed dentists disconnected from organized dentistry and weakens ADA membership growth.

SUMMARY

This resolution creates the National Union of ADA Employed Dentists (NUAED), a voluntary organization for ADA member dentists working in DSOs, community health centers, or other employee settings. It would operate independently but under ADA oversight during setup to ensure compliance with federal labor and antitrust laws. After implementation, NUAED would be self-funded and governed by its own elected board.

The union will serve as a benefit-driven support system for employed dentists, offering legal, ethical, and professional protections while maintaining neutrality toward employers and avoiding interference in private practice ownership.

Board of Trustees — Thank You for the Referral

We Trust the ADA Agencies Will Act Promptly

The Board voted to refer Resolution 203 for further study, citing questions about potential conflicts, cost, and governance structure. The Board's referral acknowledges the concept's merit and confirms the need for specialized legal and member input. We appreciate this

recognition and expect ADA legal and policy teams to proceed quickly in forming the framework for implementation and reporting progress to the 2026 House of Delegates.

TALKING POINTS

- The ADA cannot represent all dentists while ignoring the needs of employed members.
- This union is voluntary, ADA-affiliated, and self-funded, with no risk to ADA finances.
- NUAED creates value for early-career and employed dentists, helping rebuild ADA membership.
- Legal counsel will ensure full compliance with labor, antitrust, and association law.
- The Board's referral confirms the idea's merit, and the House should ensure timely action.
- This proposal aligns with ADA's mission to promote ethics, professionalism, and member support.



Prepared by Dentistry in General Advocacy Coalition

<https://dentistryingeneral.com/digac>

Resolution No. 203 NewReport: N/A Date Submitted: 04/03/2025Submitted By: Dr. Steven Saxe, delegate, NevadaReference Committee: A (Business, Membership and Administrative Matters)Total Net Financial Implication: \$300,000 Net Dues Impact: \$3.00

Amount One-time: _____ Amount On-going: _____

ADA Strategic Forecast Outcome: Tripartite: Promote Tripartite stability, success, and future growth.

**ESTABLISHING THE NATIONAL UNION OF ADA EMPLOYED DENTISTS (NUAED) TO PROMOTE
WORKPLACE PROTECTIONS, ETHICS, AND PROFESSIONAL SUPPORT**

The following resolution was submitted on Thursday, April 3, 2025, by Dr. Steven Saxe, delegate, Nevada.

Background: The structure of the dental workforce is rapidly evolving. This resolution does not propose a feasibility study but rather the formal establishment of a voluntary, member-based union. A task force would be appointed solely to oversee legal compliance and implementation logistics. A significant and growing percentage of new dentists begin their careers as employees in large group practices, DSOs, community health centers, and other institutional settings. In recent years, over 25% of new graduates reported affiliating with DSOs within their first year of practice (1).

Despite this shift, the American Dental Association (ADA) currently offers no formal structure through which employed dentists can collectively advocate for their professional rights (7), negotiate employment terms, or defend their ethical standards. Other healthcare professionals—including physicians, mental health specialists, nurses, and even employed dentists in public systems—have long benefited from union representation through organizations like the Union of American Physicians and Dentists (UAPD), SEIU-UHW, and the National Union of Healthcare Workers (2)(5)(6).

This resolution proposes the creation of the National Union of ADA Employed Dentists (NUAED), a voluntary, ADA-affiliated union for employed dentists. Membership in the NUAED would be optional and available only to ADA members. Employers—including private practice owners—would **not** be required or encouraged to hire union-affiliated dentists. The union would exist solely to serve employed dentists who voluntarily choose to join, protecting their rights while avoiding undue pressure on any practice model.

The NUAED would offer valuable services such as legal and contract review, ethical case support, peer-led professional guidance, and—where legally permitted—salary and benefit negotiations. These services include professional advocacy (such as support during employment disputes or internal investigations) and ethical and workplace support (such as guidance on navigating production pressure, unethical directives, or workplace discrimination), modeled after protections offered by healthcare unions such as the Union of American Physicians and Dentists (UAPD) and the National Union of Healthcare Workers (NUHW). The union would be established in full compliance with the National Labor Relations Act, FTC antitrust guidelines, and association law (3)(4). Legal counsel will be retained during development to ensure appropriate structural separation between the ADA and the NUAED, as required to prevent liability while allowing for collaboration in infrastructure and support. To guide this process, an implementation group shall be formed under the Board of Trustees to support NUAED development and ensure

compliance with legal and structural requirements. This group will assist with execution and deliver a progress update to the 2026 House of Delegates.

After the implementation cost, the NUAED would be self-funded through voluntary union dues or participation fees paid by its members, in compliance with federal antitrust and labor laws, including the FTC's guidance for associations and the National Labor Relations Act. With the exception of the implementation costs, no ADA dues or general association funds will be used to subsidize its operations. A separately elected board of directors, composed of NUAED members, would govern the union's operations and assume legal and fiduciary responsibility independent from ADA governance.

Organized dentistry cannot remain silent while early-career dentists face increasing workplace stress, loss of autonomy, or retaliation for speaking up. A dedicated union is not only legal—it is overdue. It is also a meaningful response to the concerns of a generation of dentists who have increasingly disconnected from organized dentistry. Recent surveys and membership trends show that even when free or discounted ADA memberships are offered, some new dentists decline to join because they do not see sufficient value (1). Providing legal and workplace protections through union representation may become one of the most powerful incentives the ADA can offer its employed members.

This union would provide the ADA with a generational bridge to younger dentists—offering something no employer or DSO can: an independent professional structure focused on dentists' rights, ethics, and long-term well-being. Wider adoption of NUAED membership may also contribute to a healthier practice culture across the profession by promoting transparency, ethics, and professionalism in employee-employer relations—without imposing mandates on employers.

By sponsoring this effort and ensuring it operates within federal law, the ADA demonstrates that it is willing to evolve—protecting not just the profession, but the professionals who carry it forward.

References:

1. *Dentists of Tomorrow 2023: An Analysis of the Results of the ADEA 2023 Survey of U.S. Dental School Seniors* – Istrate, ADEA, 2023 <https://www.adea.org/home/publications/research-and-data/dental-school-seniors/dentists-of-tomorrow-2023>
2. *Union of American Physicians and Dentists (UAPD)* – www.uapd.com
3. *National Labor Relations Act Summary* – NLRB, 2024 <https://www.nlr.gov/guidance/key-reference-materials/national-labor-relations-act>
4. *FTC Guide to Antitrust Laws* – Federal Trade Commission, 2024 <https://www.ftc.gov/advice-guidance/competition-guidance/guide-antitrust-laws>
5. *National Union of Healthcare Workers (NUHW)* – <https://nuhw.org>
6. *SEIU–United Healthcare Workers West (SEIU-UHW)* – <https://www.seiu-uhw.org/>
7. ADA Policy, Statement on Employment of a Dentist (*Trans.*2013:353; 2018:357; 2019:251)

Resolution

203. Resolved, that the American Dental Association shall establish the National Union of ADA Employed Dentists (NUAED) as a voluntary, membership-based union available to any employed dentist who is also a member of the ADA, and be it further

Resolved, that the NUAED shall operate in full legal compliance with applicable labor, antitrust, and association law, with legal oversight guiding its structure and separation from ADA governance, and be it further

Resolved, that participation in NUAED shall be optional and no employer, including private practices, shall be required or expected to hire union-affiliated dentists, and be it further

Resolved, that the NUAED shall provide member services including legal and contract review; professional advocacy (such as support during employment disputes or internal disciplinary actions); ethical and workplace support (such as guidance on production pressure, discrimination, or unethical directives); and—where legally permitted—participation in salary and benefit negotiations, and be it further

Resolved, that excluding implementation costs, the NUAED shall be financially self-sustaining, funded exclusively through voluntary union dues or participation fees paid by its members, and structured in compliance with federal antitrust and labor laws, including the FTC's association guidance and the National Labor Relations Act, with no ADA dues or general association funds used to subsidize its operations, and be it further

Resolved, that the NUAED shall be governed by an independent board of directors elected by its members, and that this board shall be responsible for ensuring the union's legal compliance, member services, and operational integrity, in accordance with all applicable laws and its own bylaws, and be it further

Resolved, that the Board of Trustees shall designate a temporary implementation group to support the development of the NUAED and deliver a progress update to the 2026 House of Delegates, and be it further

Resolved, that this union shall serve as a benefit-driven support system to help employed dentists protect their rights and elevate standards of professionalism across all practice settings.

BOARD COMMENT: The Board of Trustees (BOT) acknowledges the sentiment expressed in the resolution and appreciates the thoughtful concept brought forward for consideration as we all strive to increase member value. The Board wishes to note that this request specifically pertains to a union of employee dentists which would collectively bargain with their employers for employee's professional employment rights, negotiate wage and other employment terms, or defend their ethical standards and is not meant to negotiate reimbursement rates or other terms with third party payers or other third parties. In this context, the Board believes that conceptually the ideas expressed in this resolution may have merit, but several unanswered questions remain in order to arrive at an educated assessment on whether ADA members are best served by the ADA using its resources to implement the intent of this resolution. For example:

- How would the ADA handle potential conflict issues between an ADA member employed dentist and an ADA member employer dentist who may own or control a practice?
- Regarding the conflict issue, would there still be an indirect association between the ADA and the union after formation, even if the ADA would not control the union, given that the ADA helped to form the union and only ADA members could join the union?
- Could membership in the union be restricted to ADA members only? Would there be any consequences if the independent union's board were to decide that members of the union no longer need to maintain ADA membership, or take positions inconsistent with ADA policy?
- How many dentists already participate in Union of American Physicians and Dentists (UAPD)? Would it be better for an entity other than the ADA to support formation of the proposed union?
- How would the ADA proactively educate member dentists to ensure that members who are employers cannot discriminate against employee colleagues based on union participation?
- Could dentists who are employees but supervise hygienists, dental assistants or others be eligible for membership in the union?
- What would be a reasonable estimate of the costs of implementing this resolution?

Aside from these questions, the Board recognized that input from the New Dentist Committee and ADA member dentists early in their career was not available at the time of discussion of this resolution. Input

1 from a specialized labor attorney and/or a labor union consultant is also required to answer many of the
 2 questions about forming a union and then separating from the ADA, including how to immunize the ADA
 3 from any anti-trust scrutiny even if ADA's role is to only support initial establishment of an entity to
 4 organize a union.

5 For these reasons, the Board requests the House to consider referring this resolution to the appropriate
 6 ADA agency for further evaluation.

7 **BOARD RECOMMENDATION: Vote Yes on Referral.**

8 **Vote: Resolution 203**

BERG	Yes	DOWD	Yes	KNAPP	Yes	STUEFEN	Yes
BOYLE	Yes	GRAHAM	Yes	MANN	Yes	TULAK-GORECKI	Yes
BROWN	Yes	HISEL	Yes	MARKARIAN	Yes	WANAMAKER	Yes
CAMMARATA	Yes	HOWARD	Yes	MERCER	Yes		
CHOPRA	Yes	IRANI	Yes	REAVIS	Yes		
DEL VALLE-SEPÚLVEDA	Yes	KAHL	Absent	ROSATO	Yes		