

US Union and Workers' Movements, Past and Future

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Abstract

The last half century of US labor movement history is characterized by dramatic decline in both density and (since 1979) real numbers. While unions and union federations in the mainstream union movement have attempted to adjust, developments outside their sphere have been especially prominent: the rise of independent unions and the initiation of alternative forms of workers movements. With union decline, community labor organizations [typified by Association of Community Organizations for Reform Now (ACORN)], worker centers, and living wage campaigns have risen to fill the void. These alternate paths for worker representation, like other forms developed in the past, bring new tactics, new activists, and new links to labor struggles and may yet contribute to the future of labor movements in the United States.

INTRODUCTION: US LABOR UNIONS IN DECLINE

The fortunes of US labor unions have ebbed and flowed since their inception. Over the last century, various unions and union federations have been founded, grown, stagnated, and declined. Some eventually disappeared (merged or collapsed) while others experienced reinvigoration, resurgence, and growth. Yet, the current period is characterized by a persistent decline that represents the institutionalized movement's most long-standing retrenchment. During its peak years in the early 1950s, there were just under 250 national and international US unions, whereas in 2005 that number dropped to approximately 125. Correspondingly, union members have declined in real numbers (even as the labor force has grown) since 1979 (Hirsch & MacPherson, 2013) and union density has declined since 1953 (Troy & Sheflin, 1985).

There are many factors that explain union decline, most prominently labor legislation, economic and political change, and organizational factors. The

Wagner Act (1935) directly benefited private sector unions by signaling that workers had the right to organize and by establishing a set of unfair practices on the part of firms. The Taft-Hartley Act (1947) made union organizing and maintenance more difficult, with its elaboration of unfair practices performed by unions, its anti-Communist affidavit, and its prohibition of wildcat and political strikes, secondary boycotts, and closed shops. In addition, it enabled the passage of Right-to-Work legislation (now in 24 states), which further deters union organizing and maintenance. In general, situations where employer opposition is high, the political environment is conservative, there are no rival federations, unemployment is high, and core employment is low are least favorable for union growth.

While private sector unionism dominated in the early part of the twentieth century, public sector unionism began to grow after President Kennedy's 1962 Executive Order, which extended collective bargaining rights to federal workers. The expansion of state and municipal workers' collective bargaining rights followed. Although public sector unions currently represent the majority of union members, their numbers may drop as several states have begun to withdraw public workers' collective bargaining rights.

The mainstream labor federation [American Federation of Labor–Congress of Industrial Organizations (AFL-CIO); formed through a merger of the two federations in 1955] failed to respond to declining membership for many years. However, in 1995 its members elected a leadership team that stressed dramatically increased funding and more dynamic strategies for union organizing. They developed a more vibrant Organizing Institute and innovative programs (such as Union Summer). Those leaders and unions within the AFL-CIO who judged its actions insufficient broke with the federation in 2005 to form a new federation called *Change to Win*.

During the past lean times, the American Federation of Labor (AFL) used a variety of strategies to bring workers into their unions. While national unions, each with a unique jurisdiction, have been the main actors, the AFL also organized federal labor unions, which "allowed for a wide range of representational strategies and facilitated the organizing of marginal sectors of the workforce" (Cobble, 1997, p. 278). Likewise, the Congress of Industrial Organizations (CIO) organized directly affiliated local unions to build membership in given industries before granting union charters. However, the main spurt of union growth during mid-century came with the CIO challenge to the AFL, and the excitement and energy it fostered. Instead of focusing on skilled craft workers like the AFL, the CIO sought to organize all workers, regardless of skill, race, creed, or gender.

Outside of the mainstream federations, there exists an increasing number of "independent" unions. Whereas in the early years of the previous century,

federated unions constituted the majority of all national unions, now independents are about as numerous. There is also a large and uncounted number of local independent unions. Moreover, the number of independent union members has also grown as a share of all union members (Stepan-Norris & Southworth, 2010). These unions, all of which engage in collective bargaining, oftentimes have different agendas and different legacies than unions belonging to the dominant federation. In the 1930s and 1940s, they played an important role in founding new CIO unions (Stepan-Norris & Zeitlin, 2003).

When the terrain for union organizing is limited and union activity is subdued due to unfavorable economic, political, and organizational conditions, organizations outside of the union federations tend to take on some of the tasks otherwise satisfied by labor unions. During the past century, labor schools (e.g., the Highlander School), foreign language federations, Unemployed Councils, religious groups (e.g., Association of Catholic Trade Unionists, Catholic Workers), and political groups (e.g., Socialists, Communists) were all active in organizing workers, building worker solidarity, and developing leaders. Such organizations played important roles in the creation of several industrial union federations, including the American Labor Union, the Industrial Workers of the World, the Trade Union Unity League, and the CIO, and in numerous national and international unions.

The contemporary set of organizations that supports unions and workers is very different (Sullivan, 2010). While US unions organize bargaining units and negotiate collective bargaining agreements with employers (Freeman & Medoff, 1984), community-based labor groups represent workers on a number of other fronts. They work on economic justice issues and represent the working poor in their struggles. Since the 1990s, the United States has seen an explosion of both living wage campaigns and worker centers. These alternate paths for worker representation bring new tactics, new activists, and new links to labor struggles and may yet contribute to the future of labor movements in the United States.

COMMUNITY LABOR ORGANIZING AND ACORN

Over the last half century, community-based labor organizing has emerged in the margins of the mainstream union labor movement. Composed of independent social justice and community organizations, community-based labor organizations display a wide variety of goals, orientations, and structures, yet they share several key traits. They organize low-wage and no-wage workers, often in the contingent and nonproduction labor force, at the community level rather than at specific workplaces, industries, or trades. Importantly, they place issues of race and gender centrally in worker struggles situated in a local politics that goes beyond the workplace to include

issues of jobs, welfare, education, and housing. While historically unions have been centered on workplace organizing community, organizations have focused on “local work reproduction” (DeFilippis, Fisher, & Shragge, 2009). Community-based labor organizing has emerged to bridge the gap between unions and community organizations. Poor workers’ unions fight for economic justice on multiple fronts utilizing a variety of organizational structures and tactics, particularly direct action. Community organizations in this vein include Association of Community Organizations for Reform Now (ACORN), the National Labor Federation (and its controversial member organization, the Western Service Workers Association), the Movement for Economic Justice, the Industrial Areas Foundation, and countless locally based organizations such as Action Now in Chicago and Community Labor United in Boston.

Perhaps no organization has been as successful or visible in organizing for economic and community issues as ACORN (Atlas, 2010a; Fisher, 2009; Tait, 2005). Comprised of low to moderate income families working for social justice and strong communities, ACORN has won major victories in working conditions, healthcare, housing, schools, and neighborhood safety. Born of the national Welfare Rights Organization in Little Rock, AR in 1970, ACORN focused on the economic issues of poor communities from the start. ACORN’s founder, Wade Rathke, drew on Saul Alinsky’s teachings and labor history to create a stable, democratic membership-centered organization with a professional staff (Atlas, 2010a; Rathke, 2009). The 1970s saw the success of this model in Arkansas as the organization won victories for working class families that included protections from unsafe pollution and unfair employment practices, more equitable distribution of tax revenue, and the distribution of support services (Atlas, 2010a; Rathke, 2009). By 1975, ACORN began to expand outside of Arkansas as part of its 20/80 program to expand to 20 states in just 5 years (Rathke, 2009). In 1978, a coalition of ACORN, the Movement for Economic Justice and Massachusetts Fair Share, launched a movement in seven US cities to create pressure for “better jobs, higher wages, and working rights” (Tait, 2005, p. 101). The campaign focused on young unemployed workers, Comprehensive Employment and Training Act (CETA) employees, and domestic workers. Victories in Boston, Philadelphia, Denver, and New Orleans included thousands of new jobs for teens and young workers, extensions for CETA employees amounting to more than a million dollars in wages and enforcement and back pay for domestic workers (Tait, 2005). From these victories, ACORN created a sister organization: United Labor Unions (ULU), which went on to influence labor revitalization tactics.

Following in the footsteps of CORE’s United Freedom Movement and Student Nonviolent Coordinating Committee’s (SNCC) Freedom Unions, the

ULU organized workers and communities facing racial and class oppression. With a focus on reducing workplace exploitation, they also organized against discriminatory hiring and treatment. Although the ULU organized around bargaining and workplace issues, they differed from traditional unions in several important ways, particularly who and how it organized. The ULU did not organize a single industry, occupation, or trade. Between 1978 and 1984, it organized fast food workers in Detroit, domestic and hospitality workers in New Orleans, sweatshop workers in Philadelphia, and home health care workers in Boston and Chicago (Tait, 2005). All of these workers worked marginal (if not invisible) and highly dispersed low-wage jobs. ULU did not focus on National Labor Relations Board (NLRB) representation as central to its organizing strategy (but did win several NLRB elections), instead it focused on community support and coalitions, recognition actions, and other direct action that stressed member involvement and decision-making to win contracts and concessions from employers (Atlas, 2010a; Tait, 2005). Its organizing success in Boston and Chicago and its collective bargaining contracts on behalf of thousands of home healthcare workers attracted the SEIU's attention. The SEIU had begun similar campaigns, and in 1984, the two organizations became affiliated. Several ULU organizers rose to prominence and ULU played a significant role in SEIU's rebirth (Atlas, 2010a; Tait, 2005). Two years later, utilizing many of the ULU's tactics, the SEIU began its famous Justice for Janitors campaign.

ACORN's organizing network also played a crucial role and was often the driving force in successful living wage campaigns in over 20 US cities between 1995 and 2008 (Atlas, 2010a; Luce, 2009; see more about living wage campaigns below). As ACORN continued to win victories for poor communities and workers (especially for voting rights), conservative opposition grew. In 2009, James O'Keefe and Hannah Giles disguised as a pimp and prostitute secretly videotaped themselves requesting and receiving financial advice from ACORN employees in Baltimore regarding opening a brothel. On September 10, Glenn Beck aired a heavily edited version of the tape that quickly drew national attention. The organization came under fire from media outlets, conservative commentators, and politicians. It lost the support of its Democratic allies and eventually most of its external funding (Atlas, 2010a). In 2010, several state divisions separated from the national organization and ACORN filed for bankruptcy and ultimately dissolved (Atlas, 2010b; Rathke, 2010). Although the national organization no longer exists, ACORN's legacy of bridging the gap between community and labor organizing with innovative strategies in marginal communities continues to influence the labor movement today.

WORKER CENTERS

Worker centers are another important way of bridging community and labor organizing to fight for the economic well-being of workers on the margins of the US economy. Like other community labor organizations, worker centers organize (primarily metropolitan) communities, particularly immigrant communities, not specific industries or occupations (Fine, 2006). Janice Fine (2006, p. 11) describes worker centers as “mediating institutions that provide support to and organize among communities of low-wage workers.” Worker centers describe a variety of organizations that display a wide variance in structure, goals, and strategies but nevertheless share several key attributes, particularly combining service provision, advocacy, and organizing in a democratic, place-based organization with strong racial or ethnic identification. Worker centers have emerged in the past 20 years as one attempt to fill the gap left by union decline to provide means to alleviate or escape the poverty experienced by millions of immigrants and people of color in America (Fine, 2006; Milkman, 2010).

Since the 1970s immigration to the United States has been steadily increasing, while unionization has been steadily declining (Lichtenstein, 2002; Portes & Rumbaut, 2006). Large portions of these immigrants particularly from Mexico, Latin America, and parts of Asia have been relegated to menial, low-paid work with little legal protection due to low human capital, discriminatory labor market practices, and citizenship status (Milkman, 2006). While unions at times have attempted and succeeded at fighting for these workers, their declining position, historical legacy, and inability to represent this kind of work has left them ill-equipped to take on these new challenges (Fine, 2006; Sullivan, 2010). It should be of no surprise then that the number of worker centers has increased most dramatically over this time. As of 2006, there were 137 worker centers in the United States, up from only 5 in 1992 (Fine, 2006).

Worker centers have become a model for addressing the needs of immigrant workers and their communities. They tend to be founded after “catalyzing events” expose the inadequacy of existing organizations’ ability to deal with the holistic problems facing immigrant workers. When existing programs and strategies do not work, organizations often turn to the worker center model (Fine, 2006; Ghandnoosh, 2010). Thus, worker centers have their origins in a diverse range of parent organizations: 22% originate from faith-based organizations, 23% from ethnic organizations, and 23% from unions and union organizing drives (both successful and unsuccessful) (Fine, 2006).

Once these organizations take shape, they primarily operate through three main activities: advocacy, service provision, and organizing (Fine,

2006). Worker centers provide services from English as Second Language classes to check cashing and serve as important resources for employment often offering legal assistance and workshops and distributing legal educational materials. Centers both advocate for and empower immigrant workers to advocate for themselves in the public and legal spheres, and they provide the tools for these workers to offer a collective voice in public debate. They enable workers to reframe issues with reference to their own experiences and to influence policy (Fine, 2006; Ghandnoosh, 2010; Patler, 2010). Their greatest victories have been in organizing workers to come together with the support of their communities to stand up for themselves at work. Like other community-based labor organizations, worker centers do not often organize around NLRB recognition, but organize in the community (utilizing a variety of direct action, coalitional, media, and legal strategies) to create pressure on employers and governments to raise wages and improve conditions at work (Fine, 2006; Milkman, Bloom, & Narro, 2010). However, the bulk of their successes in "broad labor market intervention" has come from public policy, as opposed to conventional pressure on firms and industries (Fine, 2006, p. 266). They have clearly not replaced the need for unionization in these sectors, but unions have had very little success with marginal, low-wage, dispersed, and nonpublicly supported work.

LIVING WAGE COALITIONS AND LAWS

In the context of intense employer antagonism toward unions and more pro-business federal and state government policies, community organizations and labor unions formed coalitions to work toward living wage laws in local communities where progressive forces had a stronger foothold. When successful, living wage laws increase the minimum wage for groups of local workers in particular communities who work for companies receiving contracts or subsidies from local governments. This strategy of small-scale initiatives (with a mean of 2100 workers covered per agreement) may be seen as both an asset (they do not attract opposition) and a limitation (multiple campaigns are required to accomplish improved wages for a limited number of workers) (Tilly, 2005). The AFL-CIO allotted resources and staff to the living wage campaign, while ACORN took the lead by establishing the Wage Resource Center (in 1998), producing a resource guide, and disseminating information. As of July 2011, 140 living wage laws existed in 125 municipalities.

Scholars agree that living wage laws increase low-wage workers incomes, including those of some workers not covered by the agreements (Brenner, Wicks-Lim, & Pollin, 2002; Neumark, 2002). Yet, Adams and Neumark (2005)

emphasize the “negative employment effects” such laws have on low-wage workers, which in their view creates a trade-off between higher wages and fewer jobs.

CONCLUSION

The current predicament of labor unions and the development of alternative labor organizations and tactics raises a number of important questions about the future. Will union representation continue to decline? Will community labor organizations, worker centers, and/or living wage coalitions continue to fill some of the gaps left behind by shrinking unions? And will the major labor federations take a lesson from these alternatives and incorporate their organizational forms, strategies, or tactics into their own organizations? The AFL-CIO has taken several major steps to integrate some of these alternatives and likely will continue to do so. In 2003, the AFL-CIO launched Working America, a community-based membership organization comprised of nonunion workers, which connects members to the labor federation. Similar to ACORN, Working America works on both important workplace and community issues, focusing on workplace rights, health care, unemployment and minimum wage, education, and corporate accountability. In 2006, the AFL-CIO began to formally partner with labor centers, by authorizing worker centers to formally affiliate with Working America, state labor federations, and local labor counsels (AFL-CIO, 2013a). At the 2013 AFL-CIO convention, the federation further committed to moving beyond traditional collective bargaining by passing the “Broad, Inclusive, and Effective Labor Movement” resolution. The resolution seeks to include nonunion workers, immigrants, and students in the labor movement through innovative and experimental forms of membership and representation, expanding Working America, deepening its connection and support of worker centers, and working more closely with students (AFL-CIO, 2013b).

What is in the labor movement’s future? With the current combination of strong employer opposition and considerable state government limitations on unions and an unfavorable legal climate, labor unions are severely constrained. In the gaps left by their defeats, alternative community-based organizations and coalitions have addressed some important but neglected issues and have won some victories for low-wage workers. Yet, the major organization (namely, ACORN) responsible for many of these victories itself drew enough negative attention to seriously limit its effectiveness. At the same time, we know from history that the labor movement is cyclical: who would have predicted the dramatic resurgence of the 1930s and 1940s after the devastating 1920s drained unions of many of their members? That history

lesson gives us hope that given the dedicated organizers, the appropriate conditions, and the supporting organizations, the labor movement will rise again.

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