

Study finds rise in illegal firings of pro-union workers

WASHINGTON, D.C. — About one in five union organizers or activists can expect to be fired as a result of their union organizing, according to a new report from the Center for Economic and Policy Research (CEPR).

The paper, "Dropping the Ax: Illegal Firings During Union Election Campaigns," by John Schmitt and Ben Zipperer, finds a steep rise in illegal firings of pro-union workers in recent years.

"Aggressive actions by employers — often including illegal firings — have significantly undermined the ability of U.S. workers to unionize their workplaces," said Schmitt, CEPR senior economist and lead author of the paper. "With the legal penalties for such actions being so slight, employers can break the law to head-off organizing efforts and face almost no real repercussions," he said.

The report finds that firings of pro-union workers involved in union election campaigns are approaching the peak reached during the 1980s of 1 in 42. The current probability of a pro-union worker being fired — a 1 in 53 chance — is far greater than the rate at

the end of the 1990s, when it was only 1 in 87. The paper also finds that the number of successful union elections have significantly declined, partly as a result of the increase in illegal firings.

"If only 10 percent of pro-union workers are active campaign organizers, almost 1 in 5 union activists were fired illegally in 2005," the authors said.

Using annual data from the National Labor Relations Board on its determinations of "discriminatory discharges" in the context of union-election campaigns, Schmitt and Zipperer were able to estimate the probability of a pro-union worker being fired illegally in connection with a union-organizing election, and to calculate other aspects of employer behavior and success rates in union-organizing elections.

The complete report can be found at: www.cepr.net/documents/publications/unions_2007_01.pdf

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