

# No coincidence

## Campaign to weaken labor standards at the state level is coordinated nationally

Last Oct. 31, political scientist Gordon Lafer released a quiet bombshell. In a 79-page paper, Lafer made a case that there's a nationally coordinated corporate-backed campaign to lower wages and weaken labor standards — at the state level. Lafer, associate professor at University of Oregon's Labor Education and Research Service (LERC), spent months studying attempts to pass bills and laws in state legislatures all around the country. In his report, entitled "The Legislative Attack on American Wages and Labor Standards," he says the campaigns go far beyond attacks on public employee union rights in Wisconsin and Ohio, or Michigan's newly passed right-to-work law. Lafer found near-identical efforts in state after state to weaken the minimum wage, make it easier for employers to steal wages or misclassify workers as "independent contractors," undermine unemployment insurance, reduce public services, bar project labor agreements in public construction, even lessen restrictions on child labor. The Northwest Labor Press interviewed Lafer by phone about the report, which can be read in its entirety at [epi.org/publication/attack-on-american-labor-standards](http://epi.org/publication/attack-on-american-labor-standards).

**You write that state legislators aren't responding to local conditions with these laws. They're fol-**

**lowing an economic and policy agenda fueled by national corporate lobbies?**

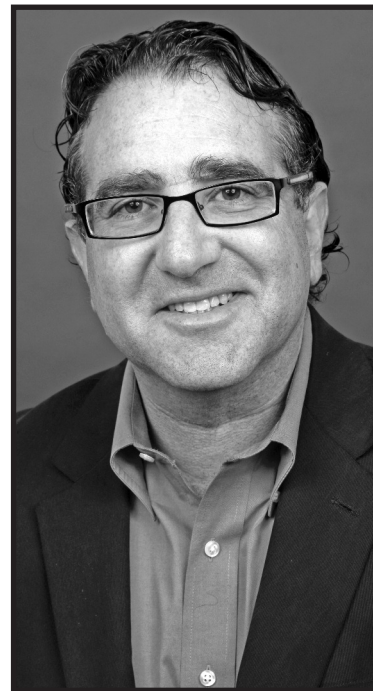
I think what we get taught in school turns out to be far from the truth, especially since the Citizens United Supreme Court decision opened the door to corporate spending. In areas of legislation that are important to the big corporate lobbies (which tend to be important to everybody trying to make a living), increasingly what we see is national model legislation backed by national money being spent in a smart, coordinated way. They draft the law, fund legislators' campaigns, and also fund state-level think tanks like the Cascade Policy Institute here in Oregon that produce white papers and talking heads for the news. And ALEC (American Legislative Exchange Council) is where the players come together. It's not just the place where they write the laws; it's also the nexus where those relationships are made.

We really have in many cases lost popular control of the legislative process at the state level. I wouldn't say that's true in Oregon, because the politics don't quite work that way. I would guess that the vast majority of Americans can't name who their state legislator is. That means it's relatively cheap for corporate lobbies to buy state legislative races, much cheaper than

buying a Congressional race. So for that reason and because the federal government has been stuck, the action has shifted to the states.

**Most of your examples of extreme rollback on workers rights are in states in the deep South that were always hostile to workers rights, or places where Republicans had a political opportunity, like controlling both legislative chambers plus the governors office. Should workers in other states, like Oregon, be worried too?**

Oregon is pretty closely balanced between the political parties. Right now the Democrats have an edge, but it's gone back and forth. A couple years ago one of the chambers was exactly evenly split. If you have one legislative cycle in which a party gets control of all three branches of government and abolishes the state's minimum wage, it can be very hard to roll back. In 2010, Republicans newly got control of all three branches of the government in what were traditionally strong union states — Wisconsin and Michigan. And I think they acted like, "We have to do these things now because we might only have power for two or four years." Both states made it illegal for union dues to be deducted by the electronic payroll system for public employees, regardless of whether you



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voluntarily chose to pay dues. It's very hard to recover from things like that, because they do what they're designed to do: They undercut the organizational feasibility of unions and workers organizations.

**Your study looked at developments in 2011 and 2012. What would change if you updated it for 2013?**

I'd have no life. It made sense to start with the legislators elected in the fall of 2010, because they were the first elected under the Citizens United rules. It was an exhaustive process to collect all that stuff. There's no other comprehensive list like the one I put together.

**What would America look like if these attacks succeed?**

Very dark. The result of their legislation would be to make life harder and worse for the vast majority of the people in the country. It wouldn't happen all at once, but living standards for most people would move gradually toward Mexico or a country like it.

The Koch brothers and the Waltons [heirs to the Walmart fortune], the real 1 percenters, their political challenge is to pursue a political agenda that makes the country ever more unequal without producing a political backlash. And part of that is having all the rest of us scale back what we think we have a right to expect, either from our jobs or the government. You lower people's expectations, make people feel lucky to have for what they've got. Like, "Okay, my kid is in a class with 30 kids, but at least she's not in a class with 40 kids. Or, "I only have catastrophic health insurance,

but at least I have that."

**Your focus isn't on bills that specifically weaken unions; in fact the title of your report is the legislative attack on American wages and labor standards. You write that "the agenda to undermine wages and working conditions is aimed primarily at non-union, private-sector employees." This is fundamentally about an employing class trying to change laws to tilt the labor market further in the employers' favor. What are some examples?**

Almost everything I write about in that report is things that affect nonunion workers. These are not "one-off" things, like make your pension 4 percent instead of 5 percent. They're things that structurally change the underlying balance of power between workers and employers in ways that are designed to make workers more afraid. For instance, cut off and eliminate unemployment insurance. If you know that when you're out of work, you have nothing, it's potentially life threatening. It's horrifying for most people who don't have any cushion to fall back on. Restricting unemployment benefits doesn't just mean employers will save more money because they won't be paying as much in unemployment tax. It means that everybody who is employed will be more cowed, and more scared, whether it's to organize a union, or ask for a pay raise, or complain about working overtime or unsafe conditions. What we're seeing is more and more trying to change the structural terms of the ways working people as a whole have any kind of leverage in the labor market. That includes undercutting unions, trying to ban wage theft ordinances trying to lower and get rid of the minimum wage, and cutting unemployment insurance and

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## ATU-TriMet talks move to mediation

Negotiations between Amalgamated Transit Union Local 757 and TriMet will move to mediation April 8. Conciliator Janet Gillman of the Oregon Employment Relations Board will mediate the talks.

The sides completed the state-mandated 150 days of bargaining on Feb. 4, and TriMet immediately requested mediation. Sticking points are active and retiree health care costs, and wages.

The previous contract expired Nov. 30, 2012, and by law union members cannot strike. If a settlement cannot be reached via negotiations, an arbitrator selects one of the party's proposals in its entirety through binding interest arbitration for the contract period.



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