

How to restore union power

Unions are withered from decades of attack, but several labor figures have ideas about how to spark the comeback workers need.

Revive the strike

Joe Burns, today chief negotiator for Association of Flight Attendants, CWA, was a hospital orderly in Minneapolis who became president of AFSCME Local 1164. He decided to make organized labor his life's work, and went to school to study labor law, but was troubled to learn how weak American labor law is. The law says employers must "negotiate" with unions, but don't have to agree to any union proposals. How are unions supposed to get employers to agree to anything?

Burns found the answer in decades old labor relations textbooks: Labor law could be weak because unions, using the strike, were strong. All the textbooks assumed that the strike was how unions won gains. Burns came to believe that workers can not make real gains in collective bargaining without the threat of a strike that succeeds in halting production. Without that threat, employers have little incentive to meet and bargain, and even less incentive to make concessions.

He makes that case in a pair of very readable books: *Reviving the Strike* and *Strike Back: Using the Militant*



JOE BURNS
Reviving the Strike:
How Working
People Can Regain
Power and
Transform America
<https://amzn.to/2nTbRll>

were 350 strikes a year involving more than 1,000 workers. But strikes fell off dramatically in the 1980s, and by the 2000s, they had almost ceased to exist. Last year there were 7 strikes of over 1,000. And today, on the rare occasions when workers do strike, they tend to be symbolic "publicity" strikes of a day or so.

Burns studied strikes of the 1930s to 1960s and found a classic pattern of escalating solidarity. A strike would begin at one location and spread quickly to others ("sympathy strike"), even an entire industry. These were no symbolic protests. Their livelihoods on the line, strikers meant business — they meant to stop

*Tactics of Labor's
Past to Reignite
Public Sector
Unionism Today.*

America once had the world's most active strike movement. In the 1950s there

production. The word picket came from military usage, meaning a line of troops (with sharp sticks) set up to stop an enemy advance. Picket lines were physical blockades meant to prevent strikebreakers from entering and goods from entering or leaving. In the 1930s, mass pickets blocked plant gates and discouraged would-be scabs from taking their place. Sit-down strikes (in which workers occupied and refused to leave their workplace) prevented anyone at all from entering. If a company did succeed in producing goods with scabs, other workers would refuse to ship or receive them, or handle the "hot cargo." Unions also took the struggle to the wider public, boycotting not just the struck employer's goods, but also businesses that bought or sold the scab-made goods.

But bit by bit, laws and judicial rulings prohibited each of those tactics. Real solidarity became illegal. In the 1930s, and in earlier epochs, unionists considered restrictions on the right to strike to be illegitimate, and refused to follow them. Burns thinks unionists are going to have to break the law again to win back the right to strike effectively.

Get organized

For working people, there's just no substitute for the power that comes from being organized. To be organized, in this context, doesn't mean keeping a orderly toolbox. It means all or substantially all the workers in a workplace are a meaningful part of an organization that's capable of taking unified and collective action.

In her book *No Shortcuts*, lifelong organizer Jane McAlevey says historically, organizing resulted in mass participation by ordinary people in movements that improved their lives and changed society for the better. But the power of the labor movement waned as unions shifted from a model based on deep organizing to a model based on shallow "mobilization," in which professional staff turn out the same group of dedicated activists while most union members stay uninvolved.

McAlevey, who was formerly deputy national director of SEIU's health care division, traces the shift to the 1970s when unions, particularly SEIU, started hiring more and more college-educated professionals from outside their ranks, rather than developing and training their own rank-and-file members. Outside hires like organizers, researchers, lawyers, communicators can add value,



JANE MCALEVEY
No Shortcuts:
Organizing for
Power in the New
Guided Age
<https://bit.ly/2nU0kkn>

than props to be deployed in employer-centered pressure campaigns that are aimed at getting media attention, embarrassing the boss, or persuading politicians to intervene.

No Shortcuts, aimed at union leaders and organizers, lays out a method of organizing that starts with identifying and recruiting the most respected workers in a workplace, developing them as leaders, and ramping up the level of risk and engagement the entire work force until they're prepared to take the ultimate step — striking — if their employer refuses to be fair with them.

McAlevey says every tactic must be aligned to bring about that maximum involvement. She says union bargaining teams shouldn't (and don't have to) agree to ground rules or gag rules, for example, and can invite every worker to observe contract negotiations. [It's their

McAlevey writes, but they can't replace the power of organized workers themselves. And when the outsiders come to lead unions, workers can come to be little more

own interests that are on the line, and nothing may turn them into union stalwarts faster than seeing the contempt with which the bosses' \$300-an-hour corporate lawyers treat workers' own elected representatives.]

Most of the book consists of case studies where she looks at tactics used and results achieved. She profiles the Chicago Teachers Union strike, Seattle's Fight for 15 campaign, and her own SEIU Local 1199NE in Connecticut, which attained the nation's highest wage and workplace standards by engaging in routine all-out strikes every few years. Some of the profiles make for dramatic reading, like how, overcoming fanatically hostile management, UFCW organized 5,000 workers at Smithfield Foods pork factory in Tar Heel, North Carolina and won \$15 an hour, paid sick leave and vacation, health and retirement benefits, and more.

McAlevey argues that powerful production stopping strikes (as opposed to symbolic protest strikes) are still the most effective method to winning gains, and that mass organization is necessary to pull those off. The most successful unions, McAlevey writes, are still the ones that follow that classic model of the old CIO, where organizing never stops, and where members are the union, electing their own representatives, and attending and making decisions at their meetings.

Bury the dead and move on

The 20th century U.S. approach to labor relations is dead, says David Rolf, and it's well past time that unions bury it and move on to something else. Rolf is president of Seattle-headquartered SEIU Local 775, which represents 45,000 home-healthcare and nursing home workers in Washington and Montana. Rolf says America's system of enterprise-based collective bargaining is broken because it gives employers every incentive to fight unionization and resist making economic concessions. If a union firm gives a raise, it becomes less competitive with non-union firms.

Rolf made that case to union officers and stewards at the Oregon Labor Law Conference in January. Now he's presenting it in a 116-page online white paper for



DAVID ROLF
A Roadmap to
Building Worker
Power
<https://bit.ly/2ByJVNS>

that unions must adopt new ways of providing value to workers. Rolf puts forward nine value propositions — things unions could do to provide value to workers.

Benefits provision and administration are one example. Unions, through so-called Taft-Hartley trusts, provide high-quality affordable health and pension benefits to members; could they provide benefits to gig economy workers too?

Or take certification and labeling: Third-party labels like LEED and Fair Trade are proliferating. Why not

the Century Foundation, a non-profit think tank. The paper, aimed at "organizers and architects of the next labor movement," argues

reinvent the union bug as way to certify to consumers that workers providing their product or service were treated decently?

To illustrate each value proposition, Rolf briefly profiles groups that employ them. Rolf looks at Indivisible and the NRA as models of member engagement, AARP as a model of benefits, and the Kaiser Permanente labor-management partnership as a model of codetermination.

In fact, some of the "value propositions" he proposes for the future are already modeled fairly effectively by America's building trades unions, like worker training (apprenticeship programs), and job placement (hiring halls). Others, like codetermination (where workers have seats on corporate boards or have input in company decisions via "works councils") are borrowed from European examples and would need legal changes.

If unions want to rebuild worker power, Rolf argues, innovation needs to be the new religion.