Seeds of Resurgence

The Promise of Organizing in the Public and Private Sectors

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o revival of our American labor movement will be possible without massive new organizing. While it is important to stem the loss of unionized manufacturing jobs • 2 and do a better job of servicing and mobilizing current union members, these alone will not put the labor movement on the road to renewal. Even a cursory review of the data shows that new organizing is the cornerstone of labor's future. We need new members not only to strengthen bargaining power and reinforce our political clout but, as history has shown us, to refocus our vision and purpose.

Yet we have been told that this is not possible. The pundits look at our membership figures as clear evidence that workers are no longer interested in organizing and that unions, like the coal-fired furnace and the rotary phone, are relics of an industrial era -- no longer relevant in today's world.

We have even let this negativism seep into our own ranks over this last difficult decade. Under the crushing weight of laws that do little to protect workers, rabidly anti-union employers, a burgeoning management consultant industry, and betrayal by our supposed friends in government and academia, we have at times forgotten to believe in ourselves, our vision, and our importance to American workers.

Despite the laws, the consultants, the pundits and even our own insecurities, how do we explain why some unions continue to win? How do we explain the string of ACTWU organizing victories in small manufacturing plants in the south, or the thousands of hospital workers who voted this year for SEIU at Crouse Irving Hospital in Syracuse and AFT and the Teamsters at Providence Hospital in Rhode Island? How do we explain that the United Mineworkers won over 20 organizing campaigns this year in the midst of a major national strike? And how do we explain that public sector workers across a broad range of employers, regions, and occupations are choosing union representation with win rates and victory margins of more than 80%?

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Most of the factors that contribute to union organizing losses -- employer opposition, public and government antipathy, weak and poorly enforced legal protections, and adverse economic conditions -- are present as often in union wins as they are in losses. There could not be a more adverse organizing climate than CWA faced in its efforts to organize food service workers in Nagadoches, Texas, or ACTWU faced at Lichtenburg, or SEIU faced in organizing Los Angeles janitors. Yet these unions prevailed.

In 1988, with the cooperation of the AFL-CIO organizing department, Kate
Bronfenbrenner launched a study specifically designed to evaluate factors contributing to
union success in certification election and first contract campaigns in the private sector. The
most striking finding of this study was that union strategies and tactics as a group played a
greater role in explaining why unions won than any other group of factors.

What unions did mattered more than who the employers were and how they behaved. It mattered more than what kinds of workers were being organized, and whether it was a quick consent election or a long, drawn out, board-ordered one. For the labor movement this means that the one element of the organizing process that they have control over, union strategy and tactics, can make a significant difference in whether they win or lose elections, even in a climate of intense employer opposition, economic decline, and weak public support.

Unions are more likely to win when they run aggressive and creative campaigns utilizing a grass roots, rank-and-file intensive organizing strategy. Rather than narrowly focusing on the election, organizers need to build a union, and workers need to act like a union, from the very beginning of the campaign. Instead of the traditional tactics of gate leafletting, mass meetings, and glossy mailings, the primary focus of the campaign needs to be person-to-person contact.

According to the study, one of the most critical elements of this grass roots campaign is an active rank-and-file organizing committee consisting of least 10% of the unit and representative of all the different interest groups. This committee needs to be in place before the petition is filed to build membership support and inoculate against management's anti-union campaign well before it gets into full swing.

Representative rank-and-file committees are also important because they are in touch with the issues and concerns of the bargaining unit and demonstrate to unorganized workers that the union is a democratic and inclusive organization. In an environment where workers' homes are scattered over a wide area and organizer access to the workplace is all but forbidden, in-plant committee members are an essential way to contact workers one-on-one in the workplace and in their communities.

The research shows that making housecalls to the majority of the unit is critical to organizing success. Only in their homes are workers able to frankly discuss their concerns and questions free from employer surveillance and intimidation. In addition to organizing committee members, rank-and-file volunteers from already organized units are extremely effective at making housecalls. They can relate their first hand experience of going through an organizing campaign, and what it is like to work in a union setting versus a non-union setting.

Win rates were also dramatically higher when the union signed up a clear majority (65%-75%) before the petition was filed. The combination of the employers' anti-union campaign, along with adverse unit determinations and high turnover, means that unions tend to lose 10-20% of their support between card signing and the election. A clear majority also makes it harder for the employer to intimidate workers and challenge the union's support among the rank-and-file.

The study also found that throughout the campaign the union is more successful when it focuses on broad issues such as dignity, discrimination, service quality, and community concerns, rather than only on wages, benefits and job security: Whether auto workers in Flint, Michigan in the 1930's, textile workers in Lawrence, Massachusetts in 1912, or sanitation workers in Memphis, Tennessee in 1968, the most important and significant union organizing victories have always centered on fairness and justice issues rather than bread and butter concerns. Employers can always give a little more money to undermine a union campaign. But no employer can provide the dignity and voice that drive workers to unionize despite the hardship and risk involved.

According to the study, demonstrations of solidarity, such as wearing union buttons, t-shirts, or other union insignia, also improve union win rates by building a sense of commitment among the rank-and-file and demonstrating unity and strength to the employer. Public identification of workers with the union campaign is the first step towards developing the courage to vote for the union in the election. This public display of solidarity also makes it more difficult for the employer to intimidate workers one-on-one and to argue that only a small group of trouble-makers support the union campaign.

In addition, union win rates are higher when they begin building for the first contract before the election through contract surveys, rank-in-file involvement in preparing proposals, and the election of a negotiating committee. These actions not only help develop a sense of participation in a democratic process, but also provide workers with a concrete sense of how their concerns and needs will be addressed under a union contract. Equally important, building for the first contract during the organizing drive provides workers with a sense of confidence that the union will win the election, and be there for the long haul.

This research also provides some important insights into what kinds of workers are organizing. Counter to stereotypes, units with a majority of women and people of color are much more likely to organize than units dominated by white men. Workers earning close to minimum wage are also more likely to vote for unions than their higher paid counterparts. Given the lack of promotional opportunities and the poor wages, benefits, and working conditions endured by most women and minority workers, these results should be no surprise. These are the workers who have the most to gain from unionization. They are also the workers least likely to believe that the employer will work in their interests. In contrast, unions have their least success with highly paid male workers in professional and technical occupations.

Union win rates are also higher in units where other workers are under union contract. However, units where the union lost an earlier election, or withdrew after a failed campaign, were found to be less desirable targets. According to the study, firms in good financial condition with better than average benefit programs, or an active employee involvement

program, are more difficult to organize. On the other hand, firms on the verge of bankruptcy, while they may be easier to organize, may shut down before a first contract is achieved.

The findings relating to bargaining unit demographics and employer characteristics emphasize the importance of targeting in union campaigns, rather than simply pursuing "hot shops." Unions need to do a great deal more research before the organizing drive, evaluating not only worker interest but also the economic condition of the employer, the union history of the firm, the major issues for the workforce, the potential for community and labor support, and their own ability to commit the staff and financial resources necessary to run an effective grass roots campaign.

The statistical results of the organizing study demonstrate that for many unions there is a great potential for improving their organizing success if they change the way they go about organizing. Many of the rank-and-file intensive tactics listed above individually improve the percent of votes received by the union by more than 3% and the probability that the union will win the election by more than 5%. Given that many union elections are lost by only a few percentage points, this suggests that if the unions which lost elections had utilized one or more of these tactics they might have gained enough votes to turn a loss into a victory. If just half of the organizers and unions who had not been using these strategies started running a more rank-and-file intensive campaign, unions might be able to win more elections than they lose, and win large, not just small, units.

Unfortunately, more than two-thirds of the organizers surveyed were still running very traditional campaigns, relying on gate leafletting and mass mailings rather than personal contact and never bothering to build and utilize an active representative committee. Even fewer housecalled the majority of the unit or went beyond basic bread and butter issues. This means that most unions have a long way to go toward improving their organizing record and changing the way they go about organizing.

Yet many of the organizers interviewed in the study recognized the weaknesses of their campaigns. Over and over again researchers were told "no I didn't do house calls (or use rank-and-file volunteers, or set up an in-plant committee) but I should have and next time I will." Since the survey was conducted in 1988-1989, many of the unions have started using the AFL-CIO Organizing Institute and devoting more energy to training organizers and rank-and-file volunteers. A broad range of unions including the USWA, IBT, BCT, UAW, UWU, and UFCW have incorporated the findings from the organizing study into their staff trainings. Thus a similar study, conducted 6 years later in 1994, might show that a much higher percentage of the unions are now running rank-and-file intensive campaigns. This would explain the fact that election win rates have gone above 50% for the first time in a decade, and that, unlike 1986-1987 where there was not a single union election in a unit of more than 500 eligible voters, in the last year there have been several major union election victories in large units in both the manufacturing and service sectors.

The long list of union tactics recommended here does not mean that unions can pick and choose which tactics they want to use. Nor does it mean that the use of any one of these individual tactics is a guarantee that they will win an election or even a few more votes. For these tactics to be effective they must be part of a consistent and well thought out organizing campaign strategy. In addition, these tactics cannot be successfully implemented without a significant commitment of union resources and the recruitment and training (or in some cases retraining) of a skilled staff.

When unions make a commitment to running a rank-and-file intensive organizing campaign they are also committing themselves to a union where members expect and demand a more active role in the decision making process of the union. This applies not only to organizing drives but also contract campaigns, contract administration, officer elections, political action, union expenditures and general union policies.

What is required is not simply a change of tactics, but a commitment to a philosophy of unionism that runs through everything that the union does. It is a philosophy that requires open, aggressive, and consistent involvement of members in every aspect and action of the union. This is what many in the labor movement now call "the organizing model" of unionism.

One thing this research makes clear is that despite an overwhelmingly hostile organizing climate, American workers can and want to be organized -- if the union runs the right kind of campaign. Our recently completed study of public sector organizing documents this even further.

For the first time ever, data was collected on every public sector union certification and decertification election in every state that has some form of collective bargaining.² Not only are certification win rates extremely high, averaging 85% nationwide, but our research found that unions are also winning by substantial margins, receiving on average 83% of the votes cast.

Furthermore, even though the majority of these elections are not highly contested, public sector workers are highly motivated to vote union. Contrary to the conventional wisdom that these workers are apathetic and unmotivated, the vast majority of eligible voters (85%) turned out to vote in certification elections. The high win rates in public sector certifications are consistent across a wide range of employers, regions, and workers. Whether public school food service workers in Illinois, city police officers in Florida, or college professors in Minnesota, a great diversity of American public sector workers are joining unions.

Similar to the private sector where organizing activity has been concentrated in health care and other service sector units, there has been a great deal of activity in nonprofessional units in the public sector. As in the private sector, these low wage units consist of a large number of women and people of color. These school cafeteria workers, janitors, and clerical workers at all levels of government comprise a significant amount of the

activity in the public sector and a source of great hope for the labor movement to expand beyond its traditional constituencies.

Win rates in the public sector are also high among more traditional workers, whether police and firefighters, or blue collar public works employees. Unlike in the private sector where professional and technical workers have proven quite reluctant to organize, public sector professionals, including social workers, teachers, and town engineers and planners have win rates as high as other types of workers and units.

Given these high win rates across a wide range of units, public sector organizing stands in stark contrast to the private sector. Clearly there are some very different forces in operation.

First, it is important to dispel the myth that private and public sector workers are somehow fundamentally different. Our history is fraught with instances of workers being divided — skilled against unskilled, white against black, industrial against service. Yet, we have long realized in the labor movement that despite the color of our skin, the actual work we perform, or who our specific employer is at any moment in time, the differences among us are much less than we have often been led to believe.

Why an individual worker becomes a dietary worker in a public hospital rather than a housekeeper in a hotel, or a snow plow driver for a department of public works instead of delivering for UPS, is less a function of individual or demographic differences than the availability of work at any given time. Although a wedge has been driven between public and private sector workers, it is difficult to see their hopes, their wants and their dreams for themselves and for their children as fundamentally different.

The most plausible explanation for why unions are faring considerably better in the public sector is that public sector employers are considerably less likely to engage in the aggressive anti-union behavior commonplace among private sector employers. If not out of some concern for the "public service," the most vile forms of union busting are restrained by the power of public opinion and its connection to the political process.

However, until the first ever data-base of public sector organizing was compiled this year, we could not test this claim with any certainty. This spring we will launch the second phase of the public sector organizing research project in which we will collect the data on employer and union behavior necessary to evaluate this argument.

If these dramatic differences are due to a lack of employer opposition in the public sector, it provides compelling evidence for the current discussions on private sector labor law reform. Rather than seeing the low win rate in the private sector as a product of worker disinterest, it would suggest that in a less hostile organizing climate private sector workers would be able to win substantially more organizing drives, as their counterparts in the public sector are already doing.

Our examination of organizing in the public sector adds one more piece of information to the current labor law discussions. One of the arguments against the use of card checks in the private sector is that once workers became aware that card signing would result in automatic recognition, the percent willing to sign cards would drop dramatically. In the public sector card checks are already permitted in several states including New York, Ohio, Washington, and South Dakota. In those states we found that no such drop occurred, with 87% of those eligible signing cards.

Yet the news from organizing in the public sector is not all good. Despite the high win rate, the number of new workers added each year is held down by the concentration of certification elections in small units. Although units are also small in the private sector, 50% of public sector elections take place in units with fewer than 15 employees, and 82% in units with less than 50. At this rate public sector organizing cannot recoup the losses that have occurred due to layoffs, cutbacks and privatization.

Although there are certain regions and occupations where the vast majority of public sector workers are already organized, our research suggests that these small unit sizes are not simply because of union saturation. Our longitudinal analysis of public sector organizing in Ohio and Illinois from 1984-1992 found that average unit size actually remained relatively constant over the eight years studied. Although our data suggests that public sector unions

still win with substantial margins in large units, the win rates are still lower than in smaller units. Unions need to make the organizational changes necessary to run more and more effective campaigns in large units.

The level of decertification activity in the public sector also raises some serious concern. The number of single union decertification elections in the public sector was comparable to the private sector, with unions winning fewer than 50% of these elections. Even more disturbing is the fact that one out of every six elections in the public sector was a multi-union decertification election, where the incumbent was challenged by another union. In two-thirds of these challenge elections in 1991-1992 the incumbent union lost representation, with 45,000 union members simply switching from one union to another. In the same time period only 90,000 new public sector workers were organized.

This is problematic for several reasons. First, although the winning union gained new members, overall the labor movement did not add any members from these elections. If these resources had been spent on organizing the unorganized, the number of persons added to those covered by collective bargaining could have increased significantly.

Our research does not support the belief that challenge elections are an avenue through which the AFL-CIO takes away large numbers of units from unaffiliated unions. In fact, we found that AFL-CIO affiliates were more likely to be the incumbent union than the challenger, and public sector workers were just as likely to leave the AFL-CIO as they were to join.

Second, the high turnover in challenge elections raises some important questions about both organizing and servicing in the public sector. The question that remains is how much of workers' willingness to leave one union for another is a function of how they were initially organized or how they are currently being serviced? Although the lack of employer opposition to public sector unions may mean that they are able to win representation without building strong grass roots organizations, we must ask if this lays the foundation for a strong unit or local union.

Furthermore, we need to be able to evaluate the level and kinds of servicing that occur in these newly organized units. This is particularly a concern given the high number of very small units as well as a significant number of large, dispersed state-wide units, which stretch the limits of even the most capable union servicing staff. Consequently, it is clear these unions need to empower workers if these small and dispersed units are to become viable unions. The limitations of the traditional servicing approach that we discussed in terms of the private sector are no less true here. Although workers and unions in the private and public sectors find themselves in very different circumstances, the avenue for each to organize new members and build strong organizations is essentially the same.

What we are referring to is not just a new organizing strategy, but structural change that incorporates the organizing model into all decisions the union makes. Every grievance must be looked at in terms of how it can build the union, how it can bring in new members and how it can develop rank-and-file leadership. Contract campaigns need to be based on the same kind of long term planning, corporate research, rank-and-file involvement, community based coalitions, and aggressive internal and external pressure campaigns that is so critical in the private sector. Even further, these strategies and tactics need to be applied to the larger issues we are facing whether they are safety and health, healthcare, or labor law reform.

Unions which do not begin to rethink their basic philosophy of unionism will not be able to make the commitment necessary for these tactics to succeed. It needs to be underscored that this is not some minor change, easily annexed to the status quo. What is demanded of the labor movement is no less than a radical rethinking of its approach to trade unionism. It requires a clean break from "fee for service" unionism and an embracing of new kinds of organizations and new models of union leadership.

If we are successful at organizing significant numbers of low wage workers, women, and people of color, these pressures for change will further intensify. For we cannot expect to empower these workers and use their issues in organizing drives, only to abandon them once we have gotten new dues payers. It will force us to continue to broaden our concerns beyond bread and butter issues. This includes specific issues such as child care, literacy, and housing,

as well as broader ones such as race and gender discrimination, affirmative action, and social justice.

However, we will fail if we only see these new members as new pressure groups that we will need to politically accommodate into our current structure. Instead we need to recognize that by mobilizing and empowering our new and current members we are creating significant opportunities for the renewal of the labor movement. For anyone who stood on the line with miners during Pittston, at Justice for Janitors rallies across the country, or at the Mall in Washington during the last Solidarity Day, it is clear that unions have an enormous potential if we choose to involve our members. But this does not mean involving members just as hands to staff picket lines, stuff envelopes, or help organize new members.

In fundamental ways these members are the future of the labor movement. Members brought into the union through grass roots activism will not be satisfied with traditional hierarchies and practices. In their questioning, their searching, and their expectations the seeds of a very different labor movement will be sown. Undoubtedly there will be conflict with the established practices, structures, and forms of leadership. Yet, as the last decade has shown us all too clearly, that the risks of change are much less threatening to labor's future than the costs of standing still.

We must beware of seeing the approach we have outlined as a blueprint for the next century. As has been true throughout our American labor history, employers have proven to be adept at understanding our strategies and countering with their own. Instead, we are suggesting that for union strategies to be effective they must be remain dynamic, constantly prepared to creatively adapt to changes in the law, employer tactics and the larger political and social climate.

No where is the need for creative union strategies more clear than in industries such as construction, entertainment, and building maintenance where the traditional NLRB model of single site, single employer organizing has proven ineffective. But rather than giving up or running traditional campaigns that repeatedly fail, unions such as SEIU in their Justice for

Janitors campaign, or the Carpenters in the drywallers campaign in Southern California, have learned to run community based campaigns which circumvent the NLRB by going after the entire industry.

In addition to responding to shifts in employer strategies, our history has shown us that each generation is responsible for rebuilding and renewing the labor movement. This rebuilding and renewal is especially important given the dramatic shifts in the workforce and the nature of work, in the local and global political and economic climate, and in the needs, expectations, and desires of both the worker they represent and the workers they hope to organize.

Our hope for the future lies in the fact that some very important steps have been taken in the self-criticism and creativity necessary for this renewal. In 1993, for the first time in 14 years, union membership grew. Furthermore, more and more unions in both the public and private sector are recognizing the importance of empowering rank-and-file workers in new organizing, in contract campaigns, in political action, and in everyday servicing.

Thus in the last few years we have seen AFSCME successfully organize 3200 clerical workers at the University of Minnesota through rank-and-file organizers personally contacting secretaries scattered over 500 buildings on six different campuses. We have also seen the Steelworkers send workers from rural West Virginia to chase financier and Ravenswood owner Marc Rich across Western and Eastern Europe, realizing that they were the most effective spokepersons for their story and their struggle. Similarly we saw the recent campaign against NAFTA take off when local unions seized the initiative and began to organize around the issue as their own.

Although fewer in number than we would like to see, these campaigns are not isolated occurrences. Rather they represent a significant change in labors' direction and vision — the seeds of revival and resurgence. We hope that our research and the further studies it spawns, helps set the stage for the continuation of this resurgence in the decades to come.

¹ See Kate Bronfenbrenner, "Seeds of Resurgence: Successful Union Strategies for Winning Certification Elections and First Contracts in the 1980's and Beyond "Ph.D. Dissertation, Cornell University, 1993.

² For a detailed report on this research see Kate Bronfenbrenner and Tom Juravich. "The Current State of Organizing in the Public Sector: Final Report," February 1994.