

10 Issues on Labor's Future (May 30, 2005)

Labor Leaders Link Organizing Failures To Lack of 'Employee Free Choice' Law

By Harry Kelber

(Third in a series of ten articles)

AFL-CIO President John Sweeney says that “nearly 60% of unorganized workers now say they would vote for a union if they could — a higher proportion in any period of recent history.”

So the AFL-CIO has launched a high-priority legislative campaign for passage of the Employee Free Choice Act on the assumption that if Congress approves the legislation, millions of unorganized workers will be knocking down the doors at union headquarters to join.

Urged on by their leaders and by appeals on the federation website, thousands of union members are flooding Congress with e-mails, faxes, letters and phone calls, and are heartened by the favorable response from dozens of legislators.

In “Winning for Working Families,” Sweeney says: “We cannot win advances for working people or the freedom of every worker to choose a union and bargain collectively until we transform the laws and the political environment in our country.”

Stern is even more emphatic than Sweeney. He says: “The AFL-CIO and its affiliated unions and allies must make it a top priority at both the national and local level to reestablish the right of workers to freely choose to form a union without employer interference. Far more resources and focus must be dedicated to that goal, and no elected official should receive labor support, including an AFL-CIO endorsement, unless they actively support free choice for workers.”

Both Stern and Sweeney know in their hearts that the chances of Congress approving a Free Choice bill in the next four years are just about nil. Even if, under the most unlikely possibility, the Republican-controlled Congress approves the measure, President Bush would certainly veto it. So, there's a built-in, advance excuse for AFL-CIO leaders to justify a lack of progress in union organizing during the next four years. They can continue to blame their failures on hostile employers.

Even if the Democrats capture both houses of Congress and the White House in 2008, don't count on the Employee Free Choice Act becoming a reality. Back in 1992, we had the perfect situation for labor reform: Clinton was in the White House and the Democrats were in control of both houses of Congress. We got nothing. It's not hard to explain. The nation's corporations have far more political clout than organized labor with most lawmakers — and you don't have to guess why.

Despite misleading impressions in AFL-CIO literature, workers do have the right to join unions. They are guaranteed that right in the National Labor Relations Act of 1935. It is public knowledge that many tens of thousands of workers feel “free” enough to join a union.

The key question is: why don't those 50 million workers join a union, since they say they'd like to? For Sweeney and Stern, the answer is simple: workers are scared they'll be harassed, abused and fired from their jobs if the boss or his supervisors find out they're joining a union.

The AFL-CIO's *Voice@Work* has created a virtual cottage industry by providing unions with workshops, seminars, slides, tapes videos and an assortment of leaflets, listing the various ways that employers use to stop a union organizing campaign, often before it gets off the ground. (Is publicizing an employer's strength and aggressiveness a smart way to win workers for the union?)

Just as the AFL-CIO's 13 million members overcame whatever fears and doubts they had and decided to join unions, there are millions of today's workers who are ready to join — if our unions provide the proper leadership.

Right now, the Sweeney and Stern factions are too occupied in fighting each other to do very much about those 50 million unorganized workers. In the past few years, the AFL-CIO hasn't developed an effective way to communicate with these pro-union workers. How can you organize them if you can't talk to them or even know where to find them?

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Both the Sweeney and Stern factions have had almost nothing to say about the so-called "right-to-work" laws in some 20 states, that permit workers to avoid joining a union or paying dues, while receiving all the benefits of a labor-management contract, the same as union duespayers get.

Understandably, the "free riders" make it difficult for a union to attract duespaying union members. The result is that, with shortfalls in income, fewer organizing campaigns are conducted and the gains in membership are, at best, modest. And of course, there is continuing internal conflict between workers who pay their share of union expenses and those who don't.

When the anti-labor Taft-Hartley law was passed in 1947, it contained a provision, (14b), that allowed states to pass their own anti-labor laws. These "right-to-work" statutes do not guarantee a worker a job; They are merely a way to enfeeble a union and enable an employer to force his workers to accept lower wages.

Southern workers have many grievances, and they badly need the help of dedicated, militant unions. Wages in the Southern states are among the lowest in the nation. The number of people in poverty are among the highest. Workers' compensation benefits are lower. Job fatalities are higher. And fewer families have health insurance coverage.

Every Southern state and several in the Midwest, have "right-to-work" laws. These are the regions where millions of unorganized men and women work and live. If the AFL-CIO hopes to carry through on its promise to organize them into unions, it will have to eliminate "right-to-work" laws, state by state. There are no signs that any of the state federations are prepared to undertake this difficult legislative task.

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Since recruiting new members is now the prime priority of the AFL-CIO, the Legislative Department has been eliminated, with some of its staff and functions transferred to a new Government Affairs department, which will include remnants of the Public Policy and Health and Safety departments.

In neither Sweeney's "Winning for Working Families" or Stern's "United to Win!" is there any mention of the plight of millions of jobless workers, much less of a campaign to help them by extending the length and amount of unemployment insurance benefits. (It might not be a bad idea to organize the unemployed as allies of the labor movement.)

Given the focus on organizing, it is unlikely that much serious attention will be given to issues that concern working people, such as health care costs, pensions, overtime pay, minimum wages, prescription drugs, paid family leave, child care, workplace safety, pay equity and other important issues, where AFL-CIO lobbyists have made little progress in the past.

If unions can win a few legislative victories on these issues and show some strength, it may be the best way to attract and organize new members.

Article 4: "Restructuring the AFL-CIO" to be posted Monday, June 6, 2005
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