

The State of U.S. Labor & Building Union Power

By Elaine Bernard

The State of Organized Labor in the U.S.

It is sobering to note that U.S. unions have been in decline for the entire worklife of the vast majority of today's workers. It was long ago, in 1955, when unions reached their highest density (that is, the proportion of the total workforce which are union members). Back then, one out of every three workers was a union member. Leaders of the autoworkers, steelworkers and other industrial unions were nationally recognized spokespersons for the majority of working people. At this level of representation, unions set the standard for wages and working conditions not only for their members but also for the non-union sector as well.

Today, unions have been in steady decline for over a full 50 years. In 2007, only one in eight workers was a union member nationally and less than one in 12 is a union member in the private sector. Whole regions of the country and sectors of the economy are virtually without unions. With unionized establishments only a tiny minority in many industries and services, employers have a free hand in setting wages, benefits, and working conditions. And increasingly, the non-union majority is chipping away at the standards of the shrinking union minority.

Unions, it seems, grow by leaps, such as the last great organizing explosion in the late 1930s and 1940s when the U.S. labor movement grew from a small, exclusive club of skilled craft workers to a more inclusive movement of millions of industrial, manufacturing, and service workers. This historic upsurge not only transformed labor but also transformed American society. Unions as institutions and union members as skilled organizers, supported and provided resources, activists and inspiration for many other social movements. As well, unions sought through public policy initiatives and political action to practice social solidarity, winning benefits first for themselves through collective bargaining and then spreading them to the rest of the workforce through political action and support for government social programs.

From their peak density in 1955 to the mid 1970s, unions continued to grow, but not as quickly as the workforce as a whole. As union density declined, however, the ability of the organized sector to set the standards for all workers in a given industry waned and employers became emboldened in resisting organizing efforts by unions. For many years, this decline seemed insignificant, and union leaders often dismissed the fall in numbers as simply the normal ebbs and flows in hiring, retirements, and changes in business and the economy. Union secretary treasurers duly reported modest growth in membership each year, but labor's strength in setting the standard for wages, benefits, and working conditions for American workers was being whittled away. By the mid 1970s, the weakness became even more apparent as union membership started to decline absolutely – not only density but also the total number of union members in the U.S. started to decline.

Further contributing to disguising the overall decline in the labor movement was the unionization of public sector workers and education workers. While private sector unions were declining, many public employees were winning bargaining rights and transforming their organizations from supervisor and management dominated societies and associations to democratic unions that strongly advocated for the interest of their members. However, the constant incremental decline in union membership overall was not offset by the growing organization of public employees. With public employees only 13 percent of the workforce, the continuing decline in unions in the remaining 87 percent eventually impacted the whole movement.

Today, union density stands at a dismal 12 percent nationally – with 36 percent of the public sector organized, but only 7.5 percent of the private sector organized – that's one in 13 workers in the private sector. This decline in unions has contributed to the stagnating wages of the majority of workers and aptly demonstrates that workers in one sector can not expect to maintain their standards if workers everywhere are seeing their wages and conditions eroded.

Why the Decline in Unions Hurts Everyone

The decline in strength, density and influence of the labor movement as a whole must be a concern for everyone – whether a union member or not. The decline in unions has led to stagnating and/or declining wages and benefits of private sector workers, undermining the entire community. In a Hobbesian world of labor markets, no one sector or group can remain an island of good wages and working standards in a sea of declining standards and conditions.

In addition to the economic impact, the decline in unions has also had a detrimental impact on our democracy. Rights at work, including freedom of association and the right to form unions and bargain collectively are key underpinnings of a democratic society. Alexis de Tocqueville observed that “in democratic countries, knowledge of how to combine is the mother of all other forms of knowledge; on its progress depends that of all the others.” Where, but through the labor movement, do millions of American workers learn how to democratically combine, not with an exclusive community of their choosing, but with a workforce hired by an employer and molded into a community through union organizing?

The workplace is a unique location in which most of us spend many of our waking hours and where important decisions are made that impact our lives and the lives of our neighbors. Without a union as a vehicle for collective voice and action, individual workers are powerless. How can workers spend eight or more hours a day in workplaces where they have no right, legal or otherwise, to participate in crucial decisions that affect them, and then engage in robust, critical dialogue about our society after hours? Eventually the strain of being deferential servants with few rights from nine

to five diminishes our after-hours liberty and sense of civic entitlement and responsibility.

A crucial, but little appreciated role of the labor movement, is that it builds democratic communities. By bringing together workers who have few rights, who are isolated as individuals and often compete against each other, unions forge a community in the workplace. They help workers understand that they have rights, and they provide a vehicle for exercising those rights. Beyond the defense and promotion of individual union members' rights, unions also provide a collective voice for workers. They provide a powerful check to the almost total power of management in the workplace. And they fight for the right of workers to participate in decision-making in the workplace.

But labor movements and other communities of common interest don't just happen. They have to be consciously constructed with a lot of hard work, discussion and organization. Constructing democratic communities in the workplace or anywhere is an ongoing process, rather like democracy. And like democracy, it's a process that can be rolled back or reversed.

The decline in union strength and influence can also be seen in a wide variety of public policies. States with strong union influence (through greater union density) generally contribute considerably more annually per student to education. They also have significantly higher levels of support for workers who are unemployed and for injured workers collecting workers' compensation.

Workers who are union members also have many other advantages. They are far more likely to have employer-paid health insurance and guaranteed pensions than non-union workers. Union workers have a wage premium of almost 30 percent more than those doing the same work in a non-union environment. But the union advantage is a two-edged sword. A large union advantage is a large incentive for employers to resist union organizing and even to invest in undermining unions where they exist. By one measure, the 30 percent union premium, the U.S. union movement is the most successful in the world. No other labor movement has such a large union premium. But by another measure, the failure to socialize the gains of unions – whether through legislation, regulation or extension of collective bargaining standards throughout the country – has resulted in the U.S. having the weakest labor movement of any advanced industrial country.

Stopping the falling labor density and turning around the decline in organized labor in the U.S. will be a very difficult task. To get a sense of the pace and scale of organizing that is required, consider the following: In 2007, unions had a very good year and managed to organize approximately one third of a million workers. Yet, to raise union density by a modest 1 percent, unions would need to organize more than four times that many workers, or about 1.5 million workers. To return to the 22 percent union density that labor enjoyed in 1981, when the only union president ever to be elected president of the United States, Ronald Reagan, was beginning his first term, unions would need to organize more than 10 million workers.

To reach the 1950s level of 35 percent union density, unions would need to organize more than 25 million workers.

If Organizing is the Answer, What's the Question?

A challenge of this magnitude may explain why "organize or die" has become a mantra for the U.S. labor movement. But questions about organizing who, into what, and how have led to countless hours of debate on strategy, tactics and structure, which, ultimately, led to a split within the U.S. labor movement. Unfortunately, neither the union center, the AFL-CIO, nor the unions that split from the AFL-CIO to form the "Change to Win" federation, have been able to stem the decline in U.S. union membership through organizing.

At least part of the problem is that organizing the unorganized one workplace at a time through the bureaucratic and cumbersome procedures set out in 1935 in the National Labor Relations Act (NLRA) will not be sufficient – as is evident in 2007's disappointing high membership increase.

Modest labor law reform, such as the proposed Employee Free Choice Act (EFCA), which is vehemently opposed by employers, would help to restore a degree of fairness to the NLRA, but even the adoption of these reforms would leave labor rights in the U.S. well short of internationally recognized standards of freedom of association and the right to collectively bargain.

Organizing is important, but it also needs to be more than signing up new members. Rather, the future of unions and their power rests with an informed, committed membership who understands that they are the union and that the power of the union rests with them. Today, the vast majority of union members were not won to the labor movement through their participation in organizing campaigns. Rather, they became union members by getting a job in a unionized workplace, with membership seen as simply one more automatic deduction from a dwindling pay check. Occasionally, workers might purposely seek out a unionized workplace because they are aware of the union advantage. However, just as often, they associate the "good job with good benefits" as simply a feature of the industry or company. So, a further "organizing" challenge for unions is learning to transform these inactive and potentially reluctant "dues payers" into informed, committed union activists.

What is the ultimate role of labor?

Why are workers who come to the labor movement through an organizing campaign different from those who simply join an existing union? Because when workers decide to organize, they are deciding to take a stand and to transform their workplace. And, in the process, they transform themselves and their co-workers. An organizing drive may start with a few workers talking about specific problems and grievances, but before long they are broadening their critique to include general issues of dignity and their right to a say in the workplace. Successful organizing campaigns are not just an explosion of grievances against the employer; they are also a positive assertion by workers that they are more than

hands for hire and that they have a right to negotiate the terms and conditions of their employment. Not surprisingly, union members gained through new union organizing are among the most committed and enthusiastic activists.

And for all of the discussion about density and structures, the key place where this transformation happens is in the local union. New members don't join the national office or even the regional body. The union local is

- where members join the union;
- where members experience the union;
- where members become involved in the union; and
- where members shape the character of the union.

The thousands of local unions in the U.S. are the keystone of the labor movement because they're the springboard for membership participation and leadership development (whether in unions, politics or the community). It's the experience members have at the local level that determines whether they will see their union as just an agency, or whether they will grow to understand that the power of the union is not in its full-time staff and officers (with the power entering and leaving the workplace with the visits by the staff reps) but rather is embodied in the membership and is in the workplace at all times whenever union members are present. And it is committed activist members who are the best promoters and organizers of unions.

This raises an important challenge: As unions seek to centralize resources and build regional and national capacity, do they weaken locals and their role as a vehicle for membership engagement? Unions must build quantitative strength through growth, but, equally, they must meet the

challenge to build qualitative strength through involving greater numbers of members in the activities of the union. To succeed, unions must be more than instruments for winning wages and resolving workplace grievances. The vital role of unions is as schools for democracy in a society where there are very few places where we actually get to practice democratic decision-making. And there is not a more important place for workers to be able to exercise their rights than at the center of the production of goods, services and caretaking – the workplace.

In short, unions are the premier institution of a free, democratic society, promoting democracy in the workplace, as well as economic and social justice, and equality. They have this role because they are instruments of transformation of members and of society at large. In this wonderful transformation rests the real power of unions.

Is the goal of unions merely to build lobbying power, the political influence of its leaders to get a little more for its members? Or is it to transform power in society as a whole by extending democracy to the workplace and the economic sphere and ultimately to break up concentrations of power, influence, and wealth? If labor's goal is the transformation of power, then this goal means leading a democratic struggle throughout society and within workplaces. It means constructing democratic unions and moving beyond a strategy of simply seeking to lobby those in power, whether by militant or cooperative strategies, and instead, building a democratic alternative to the concentration of power and wealth.

DSA Vice Chair Elaine Bernard is executive director of the Labor and Worklife Program at Harvard University Law School.