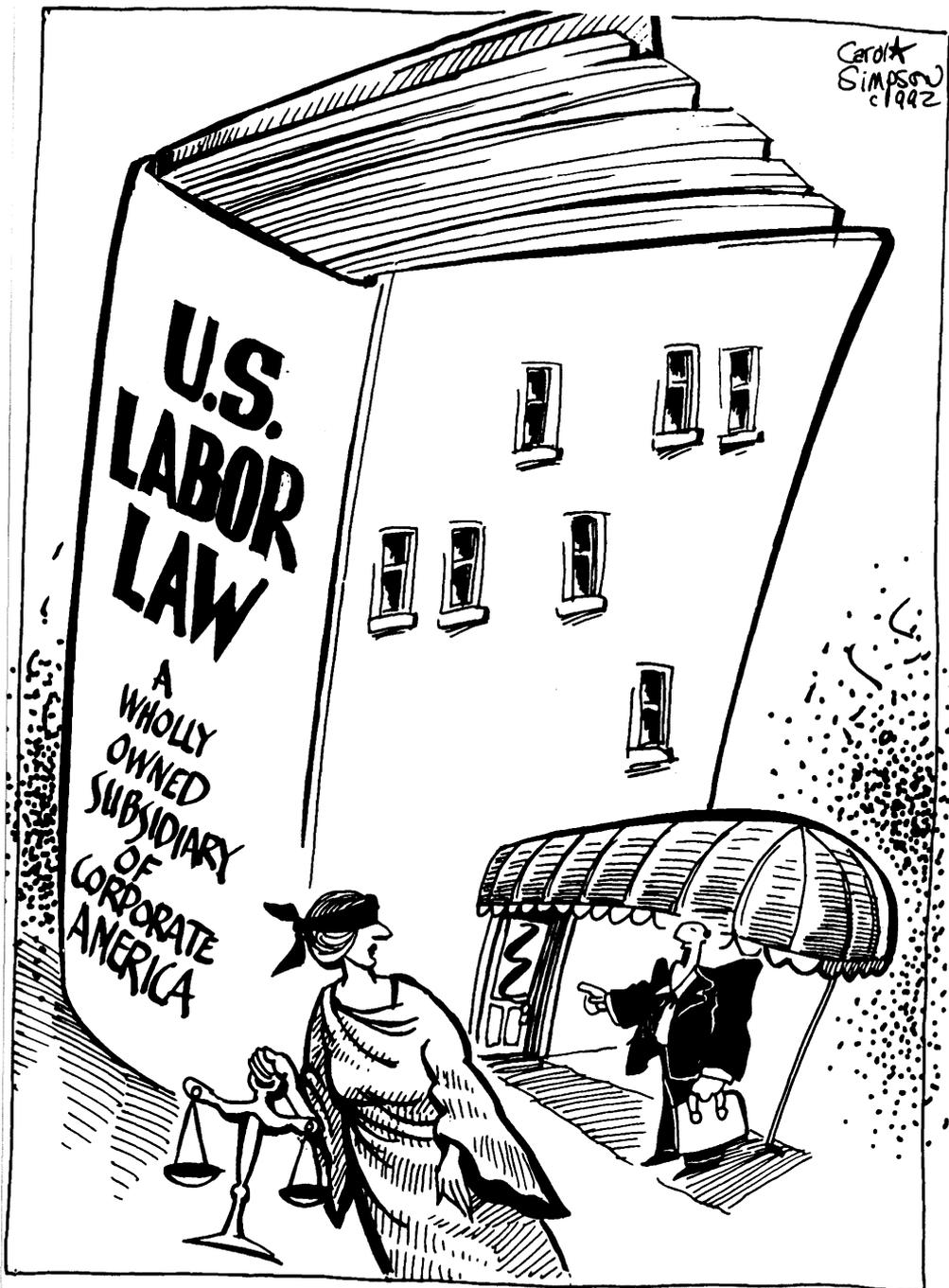


Carol  
Simpson  
c1992



*"Nothing personal...  
But you just don't fit in here."*

# Multi-Union Organizing

■ *Speech by David Sickler  
12/7/95 at UCLA*

Multi-union organizing is my favorite subject. As a regional director of the AFL-CIO, I have to spin a lot of plates in the air, but organizing is the thing that I'm interested in the most. It's what I volunteered to do as an activist member of my own local union back in the 60s. And for many years it's the key thing I have felt is missing in the whole national labor movement agenda. Not just in the AFL-CIO, but as a priority for all of our international unions affiliated with the AFL-CIO. So the question that is central for the labor movement right now is—Can unions work together?

My gut reaction to that question is—they have no choice. They have to work together, and at a level they never have before. They have to go back to the days when the struggle to put food on the table was the major objective. Just to scratch out some kind of meager existence for dignity was the priority for organizing.

But before we can answer “Can unions work together?” we have to ask why the hell unions are where they are right now? Why are they, we, in a declining mode? Why is it that there's this crying need out there to lift workers up out of poverty? Yes, full-time workers are sinking under the poverty level. Why? I mean, they have this instrument for change—Unions!—Why isn't it working?

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■ *David Sickler is the director of the AFL-CIO Region VI, which consists of California, Nevada, and Hawaii.*

It's not working because unions are trying to make change by following the old model established by federal law. I'm talking about the National Labor Relations Act (NLRA). That's the law that governs what we do. And it's the law that established the procedure. So we're caught, as the labor movement, in this vicious circle. On the one hand, we've known for many years that the law doesn't work. It encourages workers to organize and engage in collective bargaining, but there is no enforcement procedure behind the law. In order to get enforcement you have to go outside the NLRA to a whole other system of justice, the court system. Then you get backlogged with everybody else. Then the games begin, and in some cases it can take 6, 8, 20, sometimes 25 years before you achieve justice.

Prior to the 1980s and the examples set by Ronald Reagan, employers were not as aggressive in all-out union busting. When I got involved in the 60s, it was the heyday of the labor movement. In the 60s we were living off the postwar boom of the 50s with about 35 percent organized in the country. We were the King Kong of the worldwide economy. There was massive growth, and it was contained within the borders of the United States. Sure, we had our struggles, but basically industry and government had accepted labor as a necessary evil in society. We were receiving some of the rewards for that and we were growing by leaps and bounds.

What happened in the 50s and the 60s—and this is something a lot of people don't understand—is that when you're that well organized, and you have established some kind of average of wages, benefits, and working conditions, you become a threat to the non-union employers out there. They're constantly thinking, "I must keep my wages up close to those unionized wages, because if I don't, those union guys will be over here organizing my business. I'll throw in a few crumbs—just enough to keep the wolves away from the door." The effect was that even though we were only 35 percent organized, unions were having a drastic effect on the non-union sector. Unions were making a difference.

For example, when I came to California in 1976, every major automobile factory in America was based here. General Motors. Dodge. Ford. They were all here. All the major rubber companies were here. All the major steel companies were here. These huge corporations employed thousands of workers, and they were good paying union jobs. And other corporations were following their lead. Then the plant closures of the late 70s and early 80s hit. One by one they shut down and they left town, and nothing replaced them except McDonald's, Burger King, Carl's Junior, and the drug industry.

The same thing happened across the country. By an overwhelming

majority, these were unionized companies that shut down. We lost close to a million unionized workers almost overnight. Now the unions' response to this was, "We have to organize to try to replace what we've lost." And there was this frantic effort to go out and try to organize. You have to put yourself in the mind-set of the unions involved with these massive losses. They're hemorrhaging resources when they lose members to that degree. Look at the United Auto Workers, the Machinists, the Steelworkers—they each lost 50 percent of their numbers. In one fell swoop they lost almost as many as they had gained in 1937 when the CIO, under Phillip Murray, went out and organized steel companies nationwide. The question is, why? What changed so drastically from the 30s to the late 70s and early 80s?

### **CHANGES IN THE NLRB**

In that 40-year period the rules of the game changed. Most noticeably, the law changed. In the early days, starting with the National Recovery Act and then the National Labor Relations Act in its early stages, unions had a lot more muscle and flexibility. They could run secondary boycotts. They could use that muscle to do all kinds of things to lean on industry and force them to comply. Then the passage of Taft-Hartley (1947), Landrum-Griffin (1957), and a number of Supreme Court decisions handcuffed the labor movement. By the 1980s, with their hands tied behind their backs, there was very little unions could do to respond. Despite this history, the National Labor Relations Act was, and to a great degree still is, the model under which most of our unions organize. That's what we have to change.

Let me stop for a second and interject a current example of how the Act doesn't work. The Act says that employers have to sit down and bargain fairly—a very broad, generalized kind of statement. And it sets out penalties for what happens to a company or employees if they don't "bargain fairly" under the Act. Simple enough, right? Well, in Las Vegas there's the Frontier Hotel & Casino strike, maybe you've heard of it. It's over four years old. One hundred percent of the workers voluntarily went on strike. One hundred percent of the workers, to this day, are still on strike against this company. Why? Because over a period of two years of negotiation, this company unilaterally took away the health benefits and pension the workers had—a clear violation of the law—and the employer refused to bargain. Just said, "That's it. We're taking it away. Finished. It's over."

The workers went out on strike. After four years of strike, the National Labor Relations Board ruled that it is an unfair labor practice strike. In



labor terminology an “unfair labor practice strike” is probably the best decision you can get. Because what it means is that the employer has to hire back all those people and back-pay them for every day they were out on strike. Well, there’s one little kink in this whole process. The Act itself doesn’t have the legal right to enforce its own decisions. Now the decision has to go through the civil courts because the employer’s appealing. So we have one law, two legal systems, and situation after situation that take 8, 15, 25 years to get through the legal process of finding justice for workers who strike.

The reason I bring this up is that the Frontier Hotel strike is very unique—it’s not the

norm. Las Vegas is an expanding town and there are lots of other jobs to find. The union is providing \$200 a week in strike support. Every international union that ever holds a convention in Las Vegas offers moral support by walking that picket line. To top it off, the former owner of Circus Circus, Bill Bennett, sided with the strikers at the time, bought a catering truck and, to this day, still feeds the strikers three meals a day.

The fact remains, however, that the owner of the Frontier Hotel & Casino, no matter how blatantly she has violated the law to its worst extreme, is getting away with it. She’s getting away with it, and she’ll continue to get away with it for as long as she wants to drag it through the legal process. The workers in the meantime have learned a very bloody, very serious lesson. In this system, in this country, if you take

on an employer and they want to fight you with every legal maneuver they have, they can stall you and freeze you and starve you to death in terms of your ultimate goal. This situation sends out a very strong message to other workers: "You want to organize your place? Look at the Frontier. That's what they can do to you." That's the message. And that message is repeated in every state and every city across this nation when you try to organize under the National Labor Relations Act.

The problem with the Act is that it runs absolutely contrary to how we built this movement in the first place. The Act was very important. Millions of workers signed up after its passage. The problem is we thought that the passage of the Act was the key, and not the changes in Supreme Court decisions and the amendments to it since its passage. Most of our labor movement still thinks that's the model they have to follow. You know what the average win rate is under NLRB elections? It's about 45 percent.

International unions talk organizing, they pass resolutions at their conventions about organizing, but they don't put money, resources, and staff into it. Because they know. They know the odds are against not only winning the election, the odds are against getting a contract. So they have a choice—try to organize against the odds or use their staff to service the hell out of the members they've got. On top of all this, they're piled up in negotiations. Multiply this by all our international unions across the country, and you have a picture of unions closing ranks, a labor movement closing ranks.

The problem with the NLRB model is that the focus is on the election. All the energy's there. It's what we call "targeting the ballot box" not the bargaining table. In order to succeed, for workers, the bottom line is the quality of the contract you deliver. Is it going to contain better wages? Is it going to contain the foundation for growth? Are you going to be able to build on the contract that you establish in that first round of negotiations?

At one point in the early 80s only 15 percent of the contracts survived. Why? Because some unions were signing lousy agreements for that first contract, just to get their foot in the door. Some of these were so bad they didn't provide better wages. In some cases they didn't even provide for a grievance procedure. So workers were paying dues for basically nothing. And then the company worked on these people as though there was a continuous organizing campaign, and they decertified the union. This was the model.

Not all unions reacted this way. Some took the challenge and were aggressive. They grabbed the reins and went all out. They said, "The hell with it." They're the ones that grew in spite of the fact that the law

that governs organizing and collective bargaining is a failure. They grew, and taught us a lesson about how to do it. How to go under, around, and over the obstacles. How to succeed.

### **TRYING TO GO BEYOND THE NLRB: ORGANIZING BY INDUSTRY**

Now Southern California's done some amazing things within the last ten years. Starting with SEIU 399 and the Justice for Janitors campaign. Instead of going after companies in the old NLRB style, they decided to go after the whole damn industry. It was a bold, risky venture, but it worked. It worked for the same reasons other campaigns like it had worked in wholly different industries. It worked because it energized not only the workers, but the community.

On June 15, 1990, it all came to a head in Century City. And I had the distinct honor to be with the janitors in that march in Century City when the LAPD sealed off the intersection and attacked us. I was an eyewitness to it, and so was NBC, and they broadcast all over the country—the clubbing of immigrant workers. What happened as a result of that? The entire labor movement responded. Within two weeks negotiations were going on in Chicago, Illinois, and a master agreement was signed for immigrant workers. Now I'm somebody who's tried to organize immigrant workers in this town for 20 years. We've had some success here and there, but the movement's never been able to prove to immigrant workers that it could deliver. That it could put its money where its mouth was.

Immigrant workers have always agreed with us philosophically. They know we're advocates; they know we're on their side. But they've been reluctant to get on board with us on a large scale because they've watched our failures. They know that some of our own unions in the past, when they'd go out and organize companies that had immigrant workers, if those workers went on strike and the employer replaced them with other immigrant workers, the union would call the INS and have the scab workers deported. The employer would then call the INS and have the strikers deported. That's a great deal for immigrant workers. Welcome! Welcome to the institutions of the United States. But the labor movement changed its act in the 70s and the 80s, and we aren't doing those kinds of things any more. Still, these workers just weren't sure we could deliver. What happened with the signing of the Justice for Janitors contract sent shockwaves through the immigrant community in Southern California. It will never be the same, ever. Because about six months after the signing of that contract, 900 workers at American Racing

Equipment in Rancho Domingas—and I'm telling you it's 100 percent immigrant—staged a five-day walkout.

Now, I'm an organizer. I'm gonna tell you, 900 workers do not spontaneously walk out of a plant. There's some leadership in there somewhere. There's some organizing going on. You hear about hot-shop organizing? This was a super, super red-hot shop. These people organized themselves. And, of course, this is a classic example of how we as a movement respond. The day after 900 workers at American Racing Equipment go out on the street in a wildcat by themselves, 97 unions are out there with their jackets and their leaflets. "Join us; I'm with the Office Workers!" "Join us; I'm with CWA!" "Join us; I'm with the Steelworkers!" "Join us; I'm with the IUE!" "Join us; we're with UAW!"

Well this is one of the roles that the Los Angeles-Orange County Organizing Committee (LAOCOC) played. We pulled all the unions together and said, "Stop this nonsense. You'll scare these workers off. They're gonna think you're all nuts. Let's sit down and talk about one union that has the best shot at organizing these people." After several weeks the unions decided that the Machinists had more resources, more staff, and was in a better position to go after them. Now this is mostly union organizing to some degree, although it's under a failed procedure. Still, we went after American Racing, and won the election big. As a matter of fact, the Machinists had trouble keeping up with the leadership of these workers.

At American Racing there were labor leaders from Honduras, college educated people from El Salvador and Mexico. They're doing manual labor, but these were highly educated, highly skilled leadership types. And the Machinists were smart. They gave this local its own number, its own autonomy, and they elected their own leadership. The Machinists amended their constitution to allow for this new immigrant local union. They got a good contract, and now they're working on their second contract; it's a good contract.

The American Racing Equipment campaign is about as good a success as you can get under the Board. This was a National Labor Relations Act election. It doesn't get any better than this. It was the largest single group of workers we organized into the Board in 26 years . . . In 26 years! And it was a mistake to do it that way. Anybody want to tell me why? Why would I say that the most obvious success in Los Angeles in 26 years was a mistake? It was a mistake because there are nine other wheel factories in Los Angeles with the same conditions and the same kind of workforce.

You see what we did under the Board? There was fire in that plant. There was heat. There was emotion. There was anger. People wanted

to change things so bad they organized themselves and went into the street. You know what we did with that anger and that emotion and that momentum and that drive? We circled it and contained it. The steel campaign in the 30s wasn't about containing the struggle to one company of US Steel in one city in one state. It was about expanding the movement. It was about moving the movement forward.

That's why American Racing Equipment was wrong. We shouldn't have contained it under the Board to that one location. Because Olympia Wheel, Western Wheel, and Superior Wheel all had the same conditions. They all had basically the same wages and the same kind of workforce. American Racing Equipment wasn't just a phenomenon that just happened to have labor leaders in its rank-and-file. A lot of these companies had rank-and-file leadership waiting to be tapped. And our job is to provide the climate and the opportunity for them to surface and lead a movement.

Now, the next campaign that was not an NLRB campaign but was about organizing the industry was the drywallers. How many here remember the drywall strike? Yeah, they struck from the Mexican border all the way up to Ventura. In the late 70s this industry paid wages of \$10.50 to \$12.50 an hour, and they were organized under about three unions. By the time they decided to strike, these people were working 60 hours a week and making \$250. No union. No insurance. No benefits. Treated like garbage. What did they have to lose? (See *LRR #20*.)

I went down to meet with the strikers before adopting their strike. Not picking any one international union but targeting on this group of workers. This is the model some of us have been trying to establish for 15 years. This is the kind of campaign we need in the garment industry. I was the last one to think it would be the drywallers, or that this is where we would establish this kind of structure. We went out and we raised over a million dollars to support the strikers from San Diego to Ventura. They were out for six months, and they organized 75 percent of the drywall industry. Seventy-five percent of that industry is now union again. They're still not making top wages yet, but they're on their way now that they're union.

### **PULLING THE LESSONS TOGETHER: A MULTI-UNION APPROACH TO ORGANIZING**

[There is a recent multi-union organizing initiative that has been seeking support from unions and community groups throughout L.A. That initiative is called the Los Angeles Machine Action Project (LAMAP).] LAMAP is about getting the unions to work together to

leverage their strength. Now we've had some horrible disasters as examples of multi-union efforts in the past. They can be top-down and square peg. They can take the 'build it at the International, take it to City X, and shove it down the throats of the local labor movement' approach. They can be all style, no substance sink holes that waste both time and resources. But they don't have to be.

What we're looking at doing here, and why I'm spending so much more time on this than just the multi-union concept itself, is that before you have a multi-union effort, before you have any union effort, you have to have the right strategy. The importance here is the right strategy. Why organizing succeeds and why it fails depends on how you frontload the campaign. Every effort has to go into one objective: contract. I don't care how I organize the workers. I don't care how I get them, how I educate them, what process I get to. I have to understand where the Achilles heal is and how to leverage it. Without that, I take people down an unguided path.

One of the guys who taught me to organize 30 years ago taught me the best lesson. It's more true today than it ever was before. He said, "If you can't help make workers' lives better, leave them the hell alone. Just leave them the hell alone. You'll just make things worse." That's got to be our number one mission today. Going into a campaign we gotta know the right target, the history of the target, and the Achilles heal of the target. Then we've got to leverage everything on it. So that the employer knows by the time we're through with him, that it's in his



*"I pay \$10 an hour...  
with \$2 deducted for fighting union organizing drives."*

best interest and the best interest of the peace of mankind and on earth to settle with us. Otherwise, it's Hell. All the odds are in our favor.

When we organize with the old method, we put people in a vacuum. We take them out of what they're used to, and place them in a situation where they're under pressure from the employer. Over 95 percent of the employers in this country today that don't want to be organized will violate the law. We have the NLRB complaints to prove it. They're taught and trained to do it. That puts pressure on the workers, and when they finally go to the ballot box to vote under the NLRA they vote to relieve that pressure. Most of them vote the pressure off. So we've learned that the way you organize isn't by putting people in a vacuum with all the pressure on them, subjected to a law that doesn't work.

We have to organize in industries where we leverage. We have to focus all of our unions, all of our staff, all of our money, all of our brain power, and all of our research on one targeted sector. And then we just hit them like a swarm of locusts. We say, "Knock-knock, the union's here, and we're not leaving town until you settle. We're gonna make life miserable as Hell for you until you make life better for your workers. And it's gonna be on a signed agreement. That's the way it is. We're gonna keep the light on you. And we're gonna bring in the church. And we're gonna bring in the community. And we're gonna bring in elected officials. And we're gonna bring in everybody, top-down on you. We're not gonna wait until we get in trouble with you at the bargaining table and then run after the church and say, 'Please help us.' They're gonna be with us when we come to meet you. They're gonna be with us when we talk to your workers."

Now the incentive for the communities to join LAMAP is that they're starving to death. Workers who are making \$5 an hour aren't paying enough taxes to support the communities they live in. But, if we leverage all of our collective muscle, and target one industry, imagine the possibilities.... We have 40 organizers, and within the industry several international unions and their resources, and the Catholic Church, and five or six community organizations, and four or five mayors from different cities where the workers live, and a couple of city councils, that's a lot of pressure. Whoa! I tell you, those fights don't last too long. ■