

# UNION ORGANIZING AMONG PROFESSIONAL WOMEN WORKERS

A RESEARCH STUDY COMMISSIONED BY THE DEPARTMENT FOR  
PROFESSIONAL EMPLOYEES, AFL-CIO

Presented at the  
DPE Conference on Organizing Professionals in the 21st Century  
Crystal City Hilton  
Crystal City, Virginia  
March 14-16, 2005

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This report was funded by a generous grant from the Berger-Marks Foundation. For more information about the Foundation, please turn to the last page.



## Table of Contents

Introduction.....	1
Method and sources .....	5
NLRB.....	5
RLA.....	6
Public Sector.....	7
Women in the professional and technical workforce.....	8
Organizing under the NLRB.....	15
Card check organizing outside the NLRB .....	19
Organizing under the Railway Labor Act.....	22
Organizing in the public sector.....	24
California .....	31
Washington .....	34
New Jersey.....	36
Illinois .....	38
Minnesota.....	40
Common trends across states.....	43
From national organizing data to organizing strategy .....	45
Conclusion .....	52
Works Cited .....	56

## **Introduction**

Women in professional and technical occupations fill a unique niche in the US workforce and the US labor movement. For, while the image of an elementary or secondary school teacher is not likely one that would come to mind as the most typical example of either a worker, a professional, or a union member, it actually would be one of the better answers one could give. After all, professional workers represent nearly a quarter of the entire workforce, teachers represent 20 percent of the total professional workforce and 17 percent of all union members today, and 54 percent of public school teachers today are women (BLS 2004).

But women are not just playing a dominant role in the more traditionally female professional and technical occupations such as teaching, health care, libraries, social services, arts, and entertainment. They now make up 58 percent of the professional technical workforce overall. (BLS 2004).

Part of what makes this story so interesting is that many occupations in which professional and technical women are concentrated, such as nursing, teaching, library science, and social work, all require a great deal of education and commitment and, prior to unionization, were fairly low paying jobs with little job security. They also happen to be the some of the professional occupations that have witnessed the most union activity in recent years. In fact, because increasing numbers of private sector professional occupations are entirely excluded from collective bargaining legislation due to the fact that workers in those jobs are either considered managerial (university faculty) or independent contractors (doctors, lawyers, architects, or other professionals who have private practices), unions have been drawn to many women professionals because these are the professional occupations that offer the greatest growth potential for the

labor movement under existing collective bargaining legislation (Compa 2000)<sup>1</sup> In addition, many of the private sector industries and occupations where women professionals are most concentrated are those sectors least vulnerable to the threats of corporate restructuring and capital mobility that have made organizing professionals so challenging in many private sector industries such as communications and information technology (IT) and high tech manufacturing (Bronfenbrenner and Hickey 2004).

As previous research has shown, women have made up the majority of new workers being organized for at least the last twenty years. Not only have women, and particularly women of color, demonstrated a greater proclivity towards unions than their male counterparts, but many of the unions organizing in industries dominated by women, such as SEIU, UNITE HERE, AFSCME, and AFT have consistently shown much higher win rates than those unions organizing in industries with fewer women members (Bronfenbrenner and Hickey 2004, Bronfenbrenner 2005).

While the majority of new women workers being organized have been concentrated in low wage service jobs such as nurse aides, home care workers, hotel housekeepers, food service workers, educational support staff, janitors, and day care workers, significant numbers of newly organized workers have included women workers in professional, technical, and clerical occupations in both the public and private sectors (Bronfenbrenner 2005). Yet unfortunately, to date there has been no comprehensive research examining the extent and nature of union organizing among professional and technical women workers in the public and private sectors either in elections or card-check campaigns.

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<sup>1</sup> Obviously the supervisory role of nurses continues to be legally tested terrain under the NLRB. However, while it has been applied to some nurses, it appears unlikely that there could ever be a blanket designation excluding all RNs and other health care professionals as supervisors under the Act.

It is with this in mind that the Department of Professional Employees (DPE) of the AFL-CIO commissioned Cornell's Office of Labor Education Research, under the direction of Dr. Kate Bronfenbrenner,<sup>2</sup> to conduct an in-depth analysis of the current state of union organizing among professional women workers. While the primary emphasis of this paper will be on professional workers, in keeping with the broader definition of professional workers used by the DPE, and because both the NLRB and most state and local labor boards tend to combine professional and technical units and also establish mixed professional, technical, clerical units, we will be providing data on professional, technical, and clerical workers across a range of industries and occupations in both the private and the public sectors.<sup>3</sup>

The paper will begin with an industry overview of women in the professional, technical, and clerical workforce. That will be followed with additional details by industry on the union membership and racial make-up of the professional, technical and clerical workforce.

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<sup>2</sup> This project was truly a group effort. I would like to extend my deep appreciation to the talented and hardworking team of dedicated research assistants who undertook the arduous task of coding and entering all of the data for this project from both the public and private sector as well as putting it into charts and figures, including Jason Albright, Cindy Cho, Eileen Driscoll, Julia Donahue, Alyson Greenlee, Tamara Lovell, Laura MacDonald, Iris Packman, and Jordan Wells. In particular I would like to thank Robert Hickey for his analysis of the CPS and BLS data, Alyson Greenlee for her work in preparing all of the final tables and figures for this report, and Tamara Lovell for her overall coordination and supervision of the student research assistants and the public sector data collection and data entry process, as well as work on the editing of the final report. I could not have done this with her support and her commitment to the project. I would also like to acknowledge the insights generously contributed by Tom Juravich on how these more recent public sector data compare to our earlier research on public sector organizing.

<sup>3</sup> For the purposes of this paper I will avoid using the term white-collar worker because it has been so misused both in government reports and in the academic literature that it has lost its meaning. For many government reports, including the NLRB, the term white-collar has been used to include all workers in professional, technical, clerical, sales, and service and maintenance occupations. The latter group, service and maintenance occupations, covers nurse aides, dietary workers, hotel housekeepers, janitors, laundry workers, and waitresses, what many of us would call "pink and gray collar workers," included the workers who were being organized in the largest numbers with the highest win rates by union such as SEIU, UNITE, and HERE. In contrast, organizing activity and success among private sector retail sales and clerical workers in the last twenty years has plummeted. Thus, by counting service and maintenance workers as white collar workers, the NLRB has led to a false assumption of organizing activity and success among white-collar workers which in turn led numerous uninformed scholars astray as they too argued that the new growth in the labor movement was among white-collar clerical workers, when in fact it was among women workers in service and maintenance units in health care and other service sector industries. Thus, to avoid this confusion I will refer strictly to clerical and retail sales occupations.

Next we will provide an overview of all private sector certification election campaigns that took place under the NLRB from 1999-2003, with an emphasis on campaigns involving professional, technical, and clerical employees. This will be supplemented with data on card-check campaigns compiled from Work in Progress reports and the Center for Employee Rights for the same period (AFL-CIO 2004; Center for Employee Rights 2005).

In the third section we will look at all certification election and card-check campaigns in the railway and airline industries that were supervised by the National Mediation Board (NMB) under the Railway Labor Act (RLA) from 1999-2003, once again with a particular emphasis on professional, technical, and clerical employees, as well as flight attendants.<sup>4</sup>

Fourth, we will use data from certification elections and card check recognitions in state and local elections in five states: California, Washington, New Jersey, Illinois, and Minnesota, to gain an understanding of the current nature of organizing among professional, technical, and clerical women workers in state and local government.

Finally we will use survey data from a study conducted in 2000 to examine which union strategies are most effective in organizing units where professional and technical women workers are concentrated, and make recommendations for future directions for unions interested in more effectively meeting the challenges and possibilities that women professional, technical, and clerical employees offer the labor movement.

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<sup>4</sup> Although BLS codes flight attendants as food service workers, with the agreement of the DPE we decided that for the purposes of this study we would separate them out from the non-professional workers because we believe that the BLS label has become out-dated in the post 9/11 environment where flight attendants have greatly enhanced their work requirements, security authority and responsibility, as well as training in the use of safety and emergency equipment including the use of defibrillators. Thus their job has increased in both its clerical and technical and responsibility components while it has actually decreased in its food service responsibilities.

## **Method and sources**

This study is based on data collected from a combination of sources. The primary source for industry and occupational employment, union membership, and demographic data were derived from Current Population Survey (CPS) data compiled from the Bureau of Labor Statistics (BLS) “Current Population Survey: Merged Outgoing Rotation Groups with Earnings Data” (BLS 2004).

### ***NLRB***

The national NLRB data are compiled from specialized databases prepared by BNA Plus covering all NLRB certification elections that took place from January 1, 1999 through December 31, 2003 (BNA Plus 1999-2003), in addition to an updated list of unit data from the more than 13,300 closed cases for the same five-year time period that had to be painstakingly, individually matched with the docket numbers from the other BNA database in order to add bargaining unit information to the other election data we had previously compiled (BNA Plus 2004). For the elections in the BNA database in which bargaining unit or industrial classification was not recorded, we used online data sources, such as Lexis-Nexis and Hoovers, NLRB on-line reports and litigation, and other internet search engines, to identify the proper industrial classification for the company and the appropriate bargaining unit for the case listed in the BNA database. We also supplemented the NLRB data with information on private sector card check and voluntary recognition campaigns compiled from the AFL-CIO *Work in Progress* reports from 1999-2003 and reports from the Center for Employee Rights (AFL-CIO 2004; Center for Employee Rights 2005).

More micro-level data on NLRB campaign characteristics are based on findings from a study commissioned in May 2000 by the United States Trade Deficit Review Commission to

update my previous research on the impact of capital mobility on union organizing and first contract campaigns in the US private sector (Bronfenbrenner 2002; Bronfenbrenner and Hickey 2002; 2004). Using surveys, personal interviews, documentary evidence, and electronic databases, we compiled detailed data on factors contributing to election and first contract outcomes for a random sample of 412 NLRB certification election campaigns held in 1998 and 1999. These survey data provide detailed information on the relationship between industry, occupation, gender, race, union and employer strategies, and election outcome.<sup>5</sup>

The survey data are supplemented by information on non-NLRB campaigns compiled from interviews and discussions with organizing directors and lead organizers from those unions most actively organizing outside the NLRB process, including SEIU, UNITE HERE, CWA, and AFSCME.

### ***RLA***

National level data on campaigns conducted under the Railway Labor Act were compiled from the NMB online reports of card check and certification elections for railway and airline unions that occurred between 1999 and 2003. Although we do not have survey data on RLA campaigns, over the last ten years I have had the opportunity to supervise a series of in-depth research papers by union leaders in the railway and airline industries critically evaluating the success or failure of organizing campaigns in their industries that has helped me gain a keen understanding of the unique challenges faced by unions organizing in those industries, and the

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<sup>5</sup> In the limited time period and funding allotted for this study we were unable to update our 1991-1992 survey research on factors contributing to union success in public sector organizing campaigns (Juravich and Bronfenbrenner 1998). However given that the data presented here suggest that the trends we found in our earlier research on public sector campaigns appear to have remained fairly stable since our earlier study, there is no reason to suggest that the findings from our 1991-1992 study are no longer relevant today. Thus I will also be referring to findings our 1991-1992 survey of public sector organizing campaigns where appropriate.

strengths and weaknesses of some of the current strategies being used by unions currently organizing in the railway and airline industries.

### ***Public Sector***

The data for state and local elections in the public sector was much more difficult to compile. We were asked by the DPE to collect data from a cross section of five states with collective bargaining laws. More than ten years ago Tom Juravich and I conducted the first ever comprehensive study of organizing in the public sector and had gone through the arduous process of collecting data on organizing activity from every labor relations board in states that had collective bargaining laws covering state and/or local government employees (Bronfenbrenner and Juravich 1995a). Since few of the labor boards had any kind of centralized or computerized data collection system, it was an extremely laborious process to collect, clean up, and enter the organizing data from all forty-three labor relations agencies in the thirty five states that had collective bargaining laws covering at least some workers in state and/or local government in 1991 and 1992.

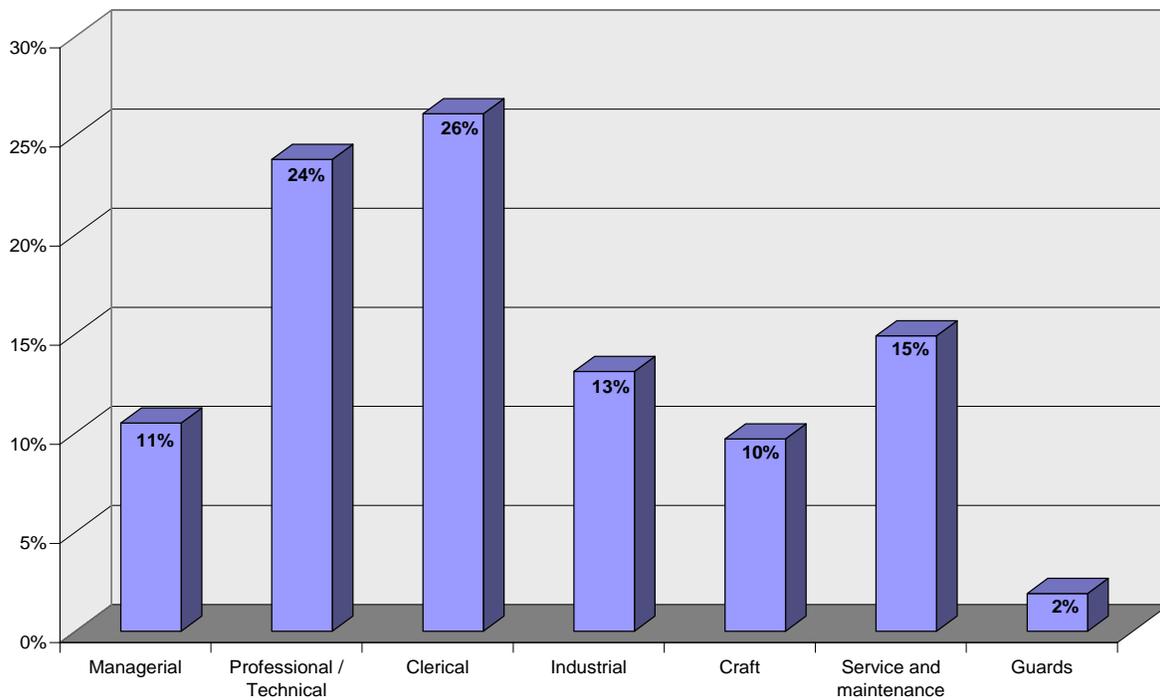
However, now, more than a decade later, we naively assumed that more than a decade of technological advances would make our task much easier, and that most, if not all, of the states we would be contacting would have all of their records in an electronic format that would be easily transferable. Instead we discovered that most state labor boards are even more underfunded and understaffed than they were a decade ago, that very few have their records computerized, and that it was even more difficult for us to compile election records in 2005 than it had been in 1991. One thing remained the same, however. Although terribly overworked, we found the staff in all of the labor boards we contacted to be extremely helpful and supportive, and thanks to their efforts, and to the enormous time commitment put in by our staff, we received

at least partial data from a total of eight states and were able to piece together complete data for five states that represent an excellent cross section of public sector organizing activity in the US today: California, Washington, New Jersey, Illinois, and Minnesota.<sup>6</sup>

### **Women in the professional and technical workforce, an industry overview**

Today's workforce is truly dominated by professional, technical, and clerical occupations, with professional and technical occupations constituting 24 percent of the workforce, clerical occupations, 26 percent, and service and maintenance occupations a distant third at 15 percent, followed by industrial occupations at 13 percent (Figure 1).

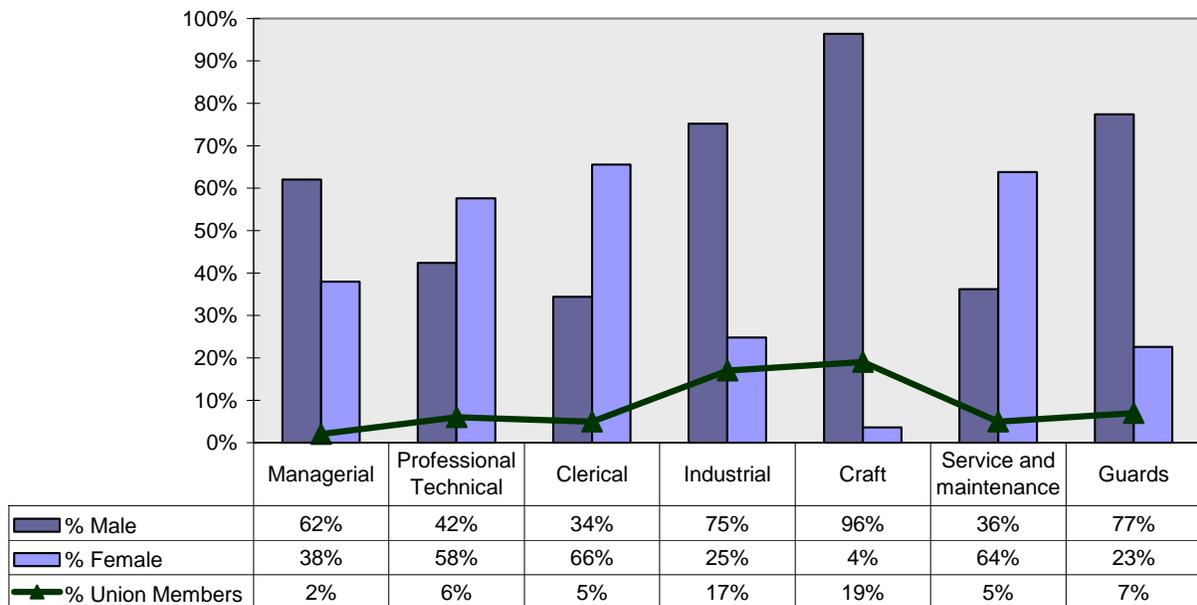
**Figure 1: US private and public sector workforce by occupational groupings**



<sup>6</sup> We would like to thank the following people for helping us collect the data that appears in this report: Micki Callahan, California State Mediation and Conciliation Service; Norma Breckon and Victor Blackwell, Illinois Educational Labor Relations Board; Jodi Marr, Illinois Labor Relations Board; Carol Clifford and Steve Hoffmeyer, Minnesota Bureau of Mediation Services; Norma Kelly and Stuart Reichman, New Jersey Public Employment Relations Commission; and Sally Iverson and Mark Downing, Washington Public Employment Relations Commission. In addition, we would like to thank Katherine C. Foley, Connecticut State Board of Labor Relations; Robert Strassberg, Michigan Employment Relations Commission; and Mary Messina and Monte Klein, New York Public Employment Relations Board for their contribution, even though we were unable to use their data in this report. In addition I would like to extend my great appreciation to Cathy Minkler from BNA Plus who has assisted me in gaining access to the national NLRB data for most of the last decade.

As described in Figure 2, for most occupational groupings, gender divisions remain extreme. Skilled craft occupations, security guards, blue collar industrial jobs, and managerial jobs remain largely the domain of men, while clerical jobs, and those pink and gray collar service and maintenance jobs in food service, health care, educational support, hotels, building services, and home care, remain primarily female. However, while the gap is not huge, women also dominate in professional and technical occupations, holding 58 percent of all professional and technical jobs. Union density, however, continues to remain significantly higher in industrial and craft units where men predominate, despite the fact that the majority of union organizing gains have been concentrated among women in service and maintenance, professional, and technical units. (Bronfenbrenner and Hickey 2004; Bronfenbrenner 2005).

**Figure 2: Breakdown of US workforce by occupation, gender, and union membership**



Obviously there is enormous variation between and across industries. Table 1 gives an overview of the workforce demographics and the percent of professional and technical and clerical workers for each of the industry categories. In order to make it possible to use these same

categories to later evaluate our findings from the organizing data, we separate out the railway and airline industries, which are covered by the RLA, and public education and other public sector entities, which are covered by state labor relations boards.

**Table 1: Breakdown of workforce demographics by major industries for total private and public sector workforce**

	Percent of total work force	Percent union members	Percent women	Percent people of color	Percent professional technical workers	Percent clerical workers
Airlines and railway	1%	54%	31%	25%	4%	25%
Accommodation and food services	7%	3%	56%	34%	1%	11%
Business and professional services	9%	2%	46%	24%	39%	23%
Health care and social services	11%	6%	81%	25%	44%	16%
Education	3%	12%	66%	20%	62%	13%
Entertainment	2%	5%	48%	21%	28%	14%
Other services	5%	3%	53%	25%	15%	16%
Communications and IT	3%	14%	43%	22%	32%	33%
Wholesale and retail trade	15%	6%	47%	22%	7%	67%
Finance, insurance, and real estate	7%	2%	57%	20%	22%	52%
Manufacturing	12%	13%	32%	25%	15%	14%
Sanitation and utilities	1%	25%	22%	19%	15%	20%
Transportation and warehousing	3%	18%	20%	28%	3%	17%
Construction	7%	16%	10%	24%	3%	7%
Other private sector	3%	4%	23%	17%	5%	8%
Public sector education	6%	42%	71%	20%	68%	10%
Other public sector	8%	32%	48%	29%	30%	25%

The data summarized in Table 1 are interesting for several reasons. First, it is worth noting that manufacturing continues to employ 12 percent of the workforce, of which nearly a third are women, 15 percent are professional technical, and 14 percent are clerical. It is also important to note that many of the industries that employ the highest percentage of women workers include health care and social services, both private and public education, entertainment, communications and information technology (which includes everyone from newspaper reporters to software designers, to broadcast news), and other public sector. On the other hand, there are many industries where large numbers of women workers, particularly women of color,

are concentrated, such as accommodations and food services, or other services (which includes laundries) where there are virtually no professional, technical or clerical occupations.

Table 1 also provides data on union membership by industry. As expected, in the public sector we find high union density rates associated with public sector education and other public sector entities—all sectors where the percent women in the industry is high, the percent people of color is high, and, of course, the percent professional, technical and clerical workers in the industry is high as well. This contrasts with the private sector, where overall union density remains quite low in the industries where professional women are concentrated, such as health care and social services, and where so much current union activity is concentrated.

<b>Table 2: Professional, technical, and clerical occupations by industry and gender</b>							
<b>Industry</b>	<b>Professional technical workers</b>			<b>Clerical workers</b>			
	Percent in industry in professional technical occupations	Percent of professional technical workers in industry who are women	Percent of workers in industry who are women professional technical workers	Percent in industry in clerical occupations	Percent of clerical workers in industry who are women	Percent of workers in industry who are women clerical workers	
Airlines and railway	4%	40%	2%	25%	64%	16%	
Accommodation and food services	1%	58%	1%	11%	76%	8%	
Business and professional services	39%	39%	15%	23%	76%	17%	
Health care and social services	44%	77%	34%	16%	93%	15%	
Education	62%	68%	42%	13%	83%	11%	
Entertainment	28%	46%	13%	14%	72%	10%	
Other services	15%	45%	7%	16%	73%	12%	
Communications and IT	32%	37%	12%	33%	65%	21%	
Wholesale and retail trade	7%	58%	4%	67%	54%	36%	
Finance, insurance, and real estate	22%	52%	11%	52%	68%	35%	
Manufacturing	15%	30%	5%	14%	59%	8%	
Sanitation and utilities	15%	29%	4%	20%	63%	13%	
Transportation and warehousing	3%	44%	1%	17%	52%	9%	
Construction	3%	28%	1%	7%	81%	6%	
Other private sector	5%	26%	1%	8%	82%	7%	
Public sector education	68%	73%	50%	10%	92%	9%	
Other public sector	30%	57%	17%	25%	70%	18%	

Table 2 provides more detailed information on the intersection of industry, gender, and professional, technical, and clerical occupations. Some of the findings are obvious. Those industries such as health care and social services, private sector education, and public sector education, which had a higher percentage of professional and technical occupations in the industry and a higher percentage of women in the industry, not surprisingly show the highest percentages of professional and technical workers in the industry who were women (ranging from 68 percent for private sector education to 77 percent for health care and social services) and the highest percent of workers in the industry who are women professional and technical workers (as high as 50 percent of the industry for public education.) A slightly different pattern emerges for clerical workers. With the exception of transportation and warehousing and retail wholesale trade, two industries where there is a long tradition of male sales and/or shipping clerks, the percent of clerical workers in the industry who are women tended to range above two thirds for the majority of the industries.

In Table 3 we look more specifically at the BLS standardized occupational groupings for professional workers, broken down by gender, race, and union membership. While it is not surprising that the highest percentage of women of color in professional occupations can be found in health care (particularly registered nurses), community and social service, education and training, and libraries (but less so in public schools than in education and libraries overall), what is noteworthy is that these are also the professional occupations with the highest percentage of women union members, particularly when you bear in mind that such a large percentage of both medical practitioners and educators are excluded for being independent contractors, managerial, or supervisors. The connection between union membership, gender, and race in these occupations may reflect that women of color are the demographic group most likely to vote for

unions, so unions are more likely to have greater success in professions with a higher proportion of women of color (Bronfenbrenner 2005).

**Table 3: Standard professional occupational classifications broken down by gender, race and union membership**

Occupational classification <sup>7</sup>	Women in professional occupations			Men in professional occupations		
	Percent women	Percent women of color	Percent female union members	Percent men	Percent men of color	Percent male union members
Business and financial	59%	13%	4%	42%	3%	1%
Computer and mathematical	28%	7%	2%	72%	11%	2%
Architecture and engineering	15%	3%	1%	85%	12%	6%
➤ Engineers	11%	2%	1%	89%	12%	6%
Life, physical, and social science	44%	9%	4%	57%	6%	3%
Community and social service	57%	15%	11%	43%	5%	2%
Legal	58%	10%	3%	43%	2%	1%
Education, training, and library	74%	13%	29%	27%	1%	3%
➤ Public school teachers	54%	9%	29%	46%	7%	25%
Art, design, entertainment, sports, and media	49%	8%	3%	51%	5%	2%
Healthcare practitioner and technical	80%	14%	10%	20%	1%	0%
➤ Registered nurses	93%	16%	15%	7%	0%	0%

There are also professions such as business and finance, or legal occupations, which have relatively high percentages of women professionals and women of color but extremely low union density, largely because much of the work in those professions is excluded under the NLRA. The percentage of women in architecture and engineering, and mathematical and computer occupations continues to be much lower than men, but is no longer insignificant. However, women in these occupations are much less likely to be people of color, particularly immigrants from Asia, than their male counterparts and much less likely to be union members.

<sup>7</sup> We did not include professionals in transportation occupations in these data (pilots and ship captains) because these occupations are overwhelming male (96 percent of pilots and 98 percent of ship captains), thus the data from the BLS sample of women workers in these occupations would be too small to be reliable.

**Table 4: Summary statistics for all workers organized under NLRB, 1999-2003**

	Number of elections	Percent of all elections	Election win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in elections won
<b>Election type</b>						
Election	13,734	100%	54%	74	1,019,688	434,569
<b>Year</b>						
1999	3,108	23%	52%	79	244,204	106,681
2000	2,996	22%	53%	76	228,634	98,256
2001	2,578	19%	54%	79	203,700	73,741
2002	2,705	20%	56%	71	192,604	80,510
2003	2,347	17%	58%	64	150,546	75,381
<b>Industry</b>						
Accommodations and food services	381	3%	52%	68	25,924	10,032
Business and professional services	845	6%	69%	47	39,343	24,374
Health care and social services	2,214	16%	64%	118	262,015	150,358
Education	211	2%	75%	89	18,841	11,924
Entertainment	191	1%	60%	64	12,288	5,271
Other services	844	6%	60%	41	34,706	18,784
Communications and IT	441	3%	53%	47	20,565	6,733
Wholesale and retail trade	1,528	11%	51%	48	72,658	24,422
Finance, insurance, and real estate	121	1%	68%	43	5,238	1,457
Manufacturing	3,098	23%	41%	113	349,197	102,923
Sanitation and utilities	711	5%	51%	55	39,353	14,986
Transportation and warehousing	1,653	12%	54%	61	100,779	44,949
Construction	1,496	11%	56%	26	38,781	18,356
<b>Unit type</b>						
Professional/technical	659	5%	63%	130	85,406	45,963
Mixed, prof/tech/cler	652	5%	64%	108	70,717	37,203
Clerical	413	3%	57%	97	39,973	10,298
Service and maintenance/ cross dept.	2,558	19%	56%	67	171,386	83,146
Industrial	3,858	28%	48%	89	342,835	116,396
Craft	1,392	10%	58%	42	58,711	27,242
Truck driver	1,545	11%	47%	50	76,540	28,724
Guards	326	2%	74%	60	19,629	13,997
Other	2,299	17%	57%	66	152,787	70,569
<b>Union</b>						
AFSCME	359	3%	67%	84	30,083	17,518
AFT	81	1%	77%	147	11,916	7,613
AFTRA	33	0%	94%	24	776	727
ANA	66	1%	74%	150	9,884	4,634
CWA	345	3%	53%	72	24,804	7,928
IATSE	114	1%	68%	41	4,639	2,963
IBEW	714	5%	54%	47	33,417	13,255
IBT	3,675	27%	45%	54	197,397	62,953
IFPTE	10	0%	50%	617	6,172	4,544
OPEIU	90	1%	61%	110	9,898	3,622
SEIU	1,061	8%	71%	115	122,178	80,922
UAW	402	3%	55%	177	71,169	33,031
UFCW	996	7%	51%	85	84,538	30,188
USWA	567	4%	42%	136	77,247	17,809
Other AFL-CIO	3,646	27%	53%	59	215,439	82,957
Independent unions	1,575	12%	66%	76	120,131	63,905

## **Organizing under the NLRB**

Table 4 provides summary statistics for all workers organized under the NLRB between 1999 and 2003. Although this period shows an overall decline in union organizing activity, this decline does not hold true across all industries and occupational groupings.

The most notable negative news in these data is the steady decline not just in the number of elections and the size of the units involved, but also in the fact that overall, unions are winning in smaller and smaller units, so that for the entire five year period from 1999-2003 only 43 percent of the million plus workers who voted in NLRB certification elections ended up in units where the union won the election.

Yet, we find a dramatic variance across industry and unit. For example, during this same time period, in health care and social services, unions were able to gain representation for 57 percent of the workers they attempted to organize, while in wholesale and retail sales, where the majority of the workforce are sales clerks, at least half of whom are women, unions were only able to gain representation for 34 percent of eligible voters in the industry. This occurs despite the fact that there is no evidence that employer opposition is any greater in the retail wholesale industry than other industries where the percent of eligible voters in winning units is much higher (Bronfenbrenner and Hickey 2004). Although in total, union organizing in the service sector accounts for only 34 percent of all elections that took place between 1999 and 2003, these account for 51 percent of the eligible voters in units where the union won the election.

As described in Table 4, professional, technical, and clerical workers account for a relatively small portion of NLRB election activity during this period, with professional technical units and mixed professional, technical, clerical units each accounting for 5 percent of elections, and clerical units accounting for only 3 percent of elections. Although some of this can be

attributed to the fact that, as mentioned earlier, there are many professional occupations that are excluded under the NLRA, these exclusions still do not apply to clerical occupations and there still remain vast numbers of professional and technical workers in manufacturing, health care and social services, business and professional services, entertainment, and communications and IT, and finance, insurance, and real estate that can be organized under the Act. However, because they are outside the primary jurisdiction of any particular union (finance and insurance) or are not considered a particular priority for any union (paralegal workers, or female professional athletes, private sector clerical workers outside of universities, laboratory technicians), or are in particularly challenging jurisdictions (high tech workers in manufacturing), they remain largely untouched by organizing efforts. Yet, even though as a group professional, technical, and clerical elections accounted for only 13 percent of all elections, because win rates and unit sizes averaged higher in professional, technical, and clerical units than in non-professional units, these occupational groups accounted for as much as 22 percent of all workers organized under the NLRB during this five year period.

Given that the focus of this study is on women workers in professional, technical and clerical occupations, we have focused most of our analysis of the NLRB data on just those three occupational groups. As shown in Table 5, we find that both professional and technical units and mixed professional, technical, and clerical units tend to be concentrated in three main industries—health care and social services, communications and IT, and entertainment—all industries with high percentages of women workers. The highest percentage was in health care and social services where 17 percent of all elections involved professional and technical workers and 14 percent involved mixed units of professional, technical and clerical workers.

**Table 5: Summary statistics for professional, technical and clerical workers organized under the NLRB**

Industry	Professional, technical units		Mixed professional, technical, clerical units		Clerical units		All other units	
	Percent of elections	Election win rate	Percent of elections	Election win rate	Percent of elections	Election win rate	Percent of elections	Election win rate
<b>Industry</b>								
Accommodations and food services	2%	67%	1%	40%	2%	29%	95%	53%
Business and professional services	2%	61%	5%	82%	3%	62%	91%	69%
Health care and social services	17%	63%	14%	63%	5%	61%	64%	65%
Education	11%	63%	13%	78%	2%	100%	74%	76%
Entertainment	9%	89%	5%	78%	3%	100%	83%	54%
Other services	3%	68%	4%	57%	5%	71%	87%	60%
Communications and IT	13%	55%	12%	57%	4%	47%	71%	52%
Wholesale and retail trade	1%	44%	2%	67%	4%	47%	93%	50%
Finance, insurance, and real estate	1%	100%	7%	78%	11%	69%	81%	66%
Manufacturing	1%	61%	2%	50%	2%	49%	96%	41%
Sanitation and utilities	3%	81%	3%	60%	2%	46%	92%	50%
Transportation and warehousing	3%	60%	3%	68%	3%	47%	91%	53%
Construction	1%	50%	1%	61%	1%	64%	97%	56%
<b>Union</b>								
AFSCME	11%	75%	15%	75%	5%	50%	69%	66%
AFT	30%	63%	24%	79%	6%	100%	40%	81%
AFTRA	33%	91%	6%	100%	6%	100%	55%	94%
ANA	46%	70%	27%	83%	0%	-	27%	72%
CWA	12%	53%	12%	48%	3%	18%	74%	55%
IATSE	14%	81%	10%	91%	2%	100%	75%	62%
IBEW	6%	53%	7%	63%	2%	56%	86%	53%
IBT	2%	34%	2%	51%	3%	49%	93%	44%
IFPTE	30%	100%	50%	40%	0%	-	20%	0%
OPEIU	9%	50%	11%	50%	23%	67%	57%	63%
SEIU	14%	74%	12%	70%	5%	80%	69%	70%
UAW	4%	64%	5%	55%	3%	62%	88%	54%
UFCW	4%	40%	5%	51%	5%	44%	87%	52%
USWA	3%	57%	4%	56%	4%	50%	89%	41%
Other AFL-CIO	2%	71%	3%	67%	2%	51%	93%	53%
Independent unions	5%	62%	3%	67%	2%	79%	91%	66%

In contrast to the overall average win rate of 54 percent in NLRB elections during this five year period, professional and technical workers, particularly in industries where women predominate, were associated with extremely high win rates both in professional technical units and in mixed units. This was true even in industries such as finance and insurance, accommodations and food services, and business and professional services, where professional

and technical workers make up a relatively small proportion of the work force but are very likely to be women and averaged win rates 67 percent or higher.

Win rates are lower among professional and technical workers in communications and IT, reflecting the enormous challenges faced by professional, technical and clerical workers in the industry as companies are undergoing major corporate restructuring at the same time they are introducing technological changes, new work systems, and outsourcing work inside and outside the US (Bronfenbrenner and Hickey 2004; Bronfenbrenner and Luce 2004). Consequently the experience of these workers is much more similar to that of blue-collar manufacturing workers in more mobile sectors of the company. Professionals in manufacturing industries also will be facing the threat of global outsourcing, particularly in research and design. However, this is a trend that just became apparent in the last few years, and most of those workers are in high tech industries that have been largely untouched by the union organizing process (Bronfenbrenner and Luce 2004). Thus, the high win rate among professionals in manufacturing is almost entirely accounted for by the wave of IFPTE organizing wins among engineers in aerospace.

As we saw from Table 1, what is most striking about the data on clerical workers is just how few clerical elections are taking place in one of the fastest growing occupations in the country. Outside of wholesale and retail trade, where unions are running many elections involving large numbers of sales clerks but finding little success, there is very little organizing activity at all among the clerical workforce. Most striking of all is finance, insurance and real estate, where there were only 121 elections total in a period of five years, and even then only 1 percent of the elections were in professional technical units, 7 percent were mixed professional, technical clerical units, 11 percent were clerical units, and the remainder were almost all building services units. A similar story can be told for business and professional services. Outside of retail

sales, there is no union that considers organizing private sector office workers as its primary jurisdiction. This is true despite the fact that these workers are critical to the future of the US economy and US labor movement. In the late 1970s, many at that time looked to the millions of unorganized clerical workers as the source for labor's revitalization, believing, in the words of the 9 to 5's founder, Karen Nussbaum, that "a great wave of organizing would sweep the country, bringing women into unions by the millions" (Nussbaum 1999:55). Today, it appears that those same millions of unorganized clerical workers are in great danger of being left behind by the same labor movement that once celebrated them.

### **Card check organizing outside the NLRB**

In the last decade, as the environment for organizing in the private sector became increasingly challenging, more and more unions focused their efforts on organizing outside the traditional NLRB process through card-check certification and, to a lesser extent, community-supervised elections. Because there is no government mandated reporting requirement for private sector organizing that occurs outside of the NLRB, data on the nature and extent of these campaigns is also very limited.

In fact, the only readily available data come from weekly organizing numbers reported in the AFL-CIO's *Work in Progress* (WIP) reports (2004) and a regularly updated list of successful card-check campaigns compiled by the Center for Employee Rights (Center for Employee Rights 2004). While incomplete, since they typically do not cover any organizing activity by independent unions not affiliated with the AFL-CIO and depend entirely on self-reporting by affiliates, and entirely leave out all the organizing that occurs in industries where organizing outside the NLRB is routine, such as much of the construction and entertainment industries, these reports do capture the major private sector card-check victories that occurred outside the

NLRB since 1999, and, in doing so provide important insights into the increasing significance of non-NLRB campaigns and the industries, occupations, and unions that tend to be involved.

According to these two sources, 121,469 private sector workers were successfully organized through 415 card-check campaigns between 1999 and 2003. While this obviously does not represent the total number of private sector workers organized outside the NLRB, I believe the breakdown of these campaigns by unit and industry, as described in Table 6, is reflective of the total population of private sector campaigns during this period.

**Table 6: Private sector card-check campaigns won by AFL-CIO affiliates, 1999-2003**

	Professional and technical units		Mixed professional, technical clerical units		Clerical units		All other units	
	Percent of campaigns	Total workers in units won	Percent of campaigns	Total workers in units won	Percent of campaigns	Total workers in units won	Percent of campaigns	Total workers in units won
<b>All industries</b>	8%	5,295	7%	5,931	13%	14,340	73%	95,903
Accommodations and food services	0%	0	0%	0	0%	0	100%	38,075
Business and professional services	0%	0	2%	20	0%	0	98%	13,937
Health care and social services	32%	4,079	16%	3,792	3%	330	49%	11,592
Education	33%	413	22%	77	0%	0	44%	125
Entertainment	50%	370	17%	552	0%	0	33%	900
Other services	0%	0	0%	0	0%	0	100%	2,477
Communications and IT	9%	353	23%	1,467	63%	8,471	5%	600
Wholesale and retail trade	0%	0	2%	23	42%	5,315	56%	5,241
Finance, insurance, and real estate	0%	0	0%	0	33%	35	67%	33
Manufacturing	0%	0	0%	0	3%	189	97%	18,547
Sanitation and utilities	0%	0	0%	0	0%	0	100%	88
Transportation and warehousing	10%	80	0%	0	0%	0	90%	2,665
Construction	0%	0	0%	0	0%	0	100%	1,173

As these data show, outside of SEIU in health care and CWA in communications and IT, both industries where women workers predominate, card-check certification has not been a frequently utilized tactic among unions organizing professional and technical workers. All told, in the entire five-year period, 8 percent of all card-check campaigns were in professional or technical units, where a total of 5,295 workers were organized; 7 percent were in mixed professional, technical, clerical units, where a total of 5,931 workers were organized; 13 percent were in clerical units where 14,340 were organized, primarily UFCW and UNITE HERE organizing retail sales clerks and CWA organizing customer service reps; and 73 percent were in other industries, primarily workers in laundries and hotels (UNITE HERE), health care and building services (SEIU), and home care (AFSCME and SEIU).

These data confirm our findings from earlier research that the unions having the greatest success in card-check campaigns are those unions organizing in industries where women predominate, across all industries and bargaining unit types (Bronfenbrenner 2005). These data also confirm that the NLRB remains an imperfect source for collecting data on organizing professional and technical workers in the telecommunications industry because many more professional, technical, and clerical workers organized through card-check campaigns (more than 10,000) than through the NLRB (just a couple thousand). But outside of these two industries, the findings on card-check campaigns suggest that unions organizing private sector professionals seem more likely to stick to a traditional NLRB strategy and less likely to use a comprehensive campaign to try to either bargain for neutrality card-check agreements with existing employers or put the kind of leverage on employers through pressure on suppliers, investors, customers, regulators, or the broader community required to gain a neutrality card check agreement.

**Table 7: Summary statistics for all workers organized under the Railway Labor Act, 1999-2003**

	Number of campaigns	Percent of all campaigns	Election win rate	Card check win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in campaigns won
<b>Election type</b>							
Card Check	26	11%	-	96%	521	12,499	12,499
Election	208	89%	62%	-	586	121,262	51,385
<b>Year</b>							
1999	53	23%	68%	100%	414	21,105	11,558
2000	63	27%	61%	100%	760	47,883	18,882
2001	33	14%	55%	-	97	3,190	1,423
2002	40	17%	62%	100%	796	31,828	4,594
2003	45	19%	59%	92%	676	29,755	27,427
<b>Industry</b>							
Railway	80	34%	78%	94%	63	5,062	4,638
Airline	154	66%	55%	100%	852	128,699	59,246
<b>Unit type</b>							
Professional	36	15%	63%	100%	188	6,754	4,088
Technical	17	7%	56%	100%	43	734	544
Flight attendants	16	7%	64%	100%	2,263	36,205	16,549
Clerical	13	6%	50%	100%	1,407	18,297	8,048
Service	26	11%	67%	100%	523	13,589	12,562
Craft	72	31%	65%	90%	430	30,091	19,329
Maintenance	54	23%	58%	100%	530	28,091	2,764
<b>Union</b>							
AFA	9	4%	71%	100%	2,320	20,880	1,424
ALPA	6	3%	50%	-	454	2,721	1,628
AMFA	6	3%	50%	-	2,834	17,001	15,709
CWA	2	1%	50%	-	4,464	8,927	7,806
IAM	28	12%	41%	100%	735	20,588	4,980
IBT	66	28%	59%	100%	165	10,874	3,261
OPEIU	9	4%	56%	-	286	2,574	1,152
TWU	23	10%	65%	100%	1,028	21,578	749
USWA	10	4%	100%	89%	14	139	139
UTU	18	8%	83%	-	49	883	732
Other AFL-CIO	22	9%	60%	100%	593	12,453	11,727
Independent unions	35	15%	73%	100%	433	15,143	14,577

### Organizing under the Railway Labor Act

Under US labor law workers in the airline and railway industries continue to be organized under the Railway Labor Act (RLA), under the supervision of the National Mediation Board (NMB) rather than the NLRB. These also happen to be two of the private sector industries with some of the highest union density in the US, including among professional workers. On the

airline side this also happens to be a sector where we see a great deal of organizing activity, particularly among airline flight crews, air traffic controllers, technicians, flight attendants, and ticket agents, all employees whom for the purposes of this study we consider part of the professional, technical, clerical workforce.

As described in Table 7, unlike the NLRA, the RLA allows both elections and card-check certifications. During the five-year period from 1999-2003 there were a total of 208 elections and twenty-six card checks. Two-thirds of all campaigns combined were in the airline industry. Overall election win rates under the RLA average higher (62 percent) than under the NLRB (54 percent) despite the fact that average unit size is much larger, and in many cases units are spread across regions or the entire country, and the union is required to win 50 percent plus one of the eligible voters, rather than just the majority of those who turn out to vote. However, win rates for clerical workers actually average lower under the RLA (50 percent) than under the NLRB (57 percent). Also while the percent of eligible voters in winning units averaged high for professionals (61 percent) and technical workers (74 percent), it averaged much lower for clerical workers (44 percent) and flight attendants (46 percent) because of some very large election losses. Because of the large national units in this industry, in the case of the flight attendants this resulted from the loss of one extremely large national election involving 19,033 flight attendants with Delta airlines during this period. If the union had won the election it would have increased the total number of workers organized in the entire airline industry for the five year period by as much as 32 percent.

Table 8 provides more detailed characteristics of election and card-check campaigns involving professional, technical, flight attendant, and clerical units. All but two of the professional technical campaigns were in the airline industry involving the cabin crew (pilot, co-

pilot, flight engineer), air traffic controllers, flight instructors, and technicians. The other airline campaigns were evenly divided between flight attendant and clerical (customer service representatives as well as office clericals) campaigns, while the railway campaigns included two technical/dispatcher units and clerical units (both office clericals and ticket agents). These data also show that outside of raiding, AMFA’s organizing efforts have not moved into the professional, flight attendant, or clerical occupations, but have remained targeted at the machinist and ramp bargaining units.

**Table 8: Summary statistics for professional, technical, flight attendant, and clerical workers under RLA**

Industry	Professional and technical units		Flight attendant and clerical units		All other units	
	Percent of campaigns	Campaign win rate	Percent of campaigns	Campaign win rate	Percent of campaigns	Campaign win rate
Railway	3%	50%	8%	100%	90%	81%
Airline	33%	63%	17%	58%	50%	53%
<b>Union</b>						
AFA	0%	-	100%	78%	0%	-
ALPA	100%	50%	0%	-	0%	-
AMFA	0%	-	0%	-	100%	50%
CWA	0%	-	100%	50%	0%	-
IAM	4%	0%	21%	33%	75%	48%
IBT	26%	65%	9%	68%	65%	58%
OPEIU	67%	83%	0%	-	33%	0%
TWU	44%	50%	0%	-	57%	85%
USWA	0%	-	0%	-	100%	100%
UTU	11%	50%	11%	100%	78%	79%
Other AFL-CIO	9%	50%	23%	60%	68%	80%
Independent unions	26%	78%	6%	100%	69%	71%

**Organizing in the public sector**

Table 9 provides an overview of certification elections and card-check campaigns in state and local units that occurred between 1999 and 2003 from a representative sample of five states with public sector collective bargaining laws covering public employees in the state. Given that these data are not publicly available, it is important to review the numbers in general before focusing more specifically on professional workers in the public sector. Between 1999 and 2003, a total of 1,273 elections were held in these five states along with 321 card checks.

**Table 9: Summary statistics for all workers organized in the public sector, 1999-2003**

	Number of campaigns	Percent of all campaigns	Election win rate	Card check win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in campaigns won
<b>Election type</b>							
Card check	321	20%	-	100%	102	31,943	31,773
Election	1,273	80%	90%	-	271	331,381	314,259
<b>State</b>							
California	277	17%	92%	100%	1,071	276,270	269,785
Illinois	588	37%	89%	100%	43	25,189	21,419
Minnesota	166	10%	84%	-	52	8,553	3,305
New Jersey	287	18%	93%	-	59	16,765	15,274
Washington	276	17%	89%	100%	132	36,547	36,249
<b>Year</b>							
1999	298	19%	90%	100%	348	103,719	98,079
2000	318	20%	89%	98%	140	44,535	42,234
2001	248	16%	89%	100%	43	10,477	9,431
2002	340	21%	91%	100%	443	144,724	143,345
2003	390	25%	89%	100%	158	59,869	52,943
<b>Entity</b>							
Public education	401	25%	90%	100%	125	50,171	42,024
Other public sector	1,193	75%	89%	100%	268	313,153	304,008
<b>Division</b>							
Health care and social services	138	9%	87%	100%	1,924	257,858	251,798
Higher education	68	4%	84%	100%	400	27,178	20,835
Judicial	79	5%	86%	100%	114	8,785	8,504
Local government	358	23%	87%	99%	61	21,386	20,104
Public safety	393	25%	94%	100%	27	10,467	9,670
Public works	177	11%	85%	100%	51	8,821	8,096
School district	329	21%	92%	100%	69	22,729	20,925
State government	31	2%	96%	100%	180	5,584	5,584
Transportation	22	1%	100%	100%	26	516	516
<b>Unit type</b>							
Professional	170	11%	90%	100%	200	33,575	27,532
Technical	78	5%	94%	96%	40	3,118	2,730
Mixed prof/tech/cler	113	7%	86%	100%	188	21,267	20,686
Clerical	143	9%	90%	100%	27	3,848	2,736
Non-professional	278	17%	88%	100%	999	272,745	265,497
Blue collar	249	16%	90%	100%	37	8,878	8,277
Police/Fire	286	18%	94%	100%	30	8,225	7,749
Wall to Wall	141	9%	79%	100%	53	7,542	6,832
Supervisory	101	6%	95%	100%	28	2,820	2,722
Security	35	2%	93%	100%	38	1,306	1,271
<b>Union</b>							
AFSCME	210	13%	86%	100%	417	87,069	86,252
AFT	54	3%	96%	-	287	15,524	15,124
AFT / NEA	17	1%	82%	-	274	4,665	536
IAFF	40	3%	97%	100%	17	688	615
IBT	181	11%	90%	100%	29	5,206	4,891
IUOE	81	5%	84%	100%	22	1,725	1,291
LIUNA	85	5%	86%	100%	32	2,646	2,407
NEA	138	9%	89%	100%	72	9,944	7,104
SEIU	139	9%	88%	100%	1,427	196,903	193,296
Other AFL-CIO	246	15%	91%	99%	66	15,919	15,327
Independent unions	403	25%	92%	100%	59	23,035	19,189

In stark contrast to the private sector, the win rate in the public sector averaged 90 percent in the five states combined, up from an 85 percent national average for all state and local election in 1991-1992 (Bronfenbrenner and Juravich 1995a). This highly successful win rate, combined with additional card checks, added 346,032 workers to those already represented by unions in the public sector.

Two of the states in our study, Minnesota and New Jersey, only allow elections. However, unlike most other states, the majority of Minnesota elections are mail ballots. The remaining three states all permit card checks to some degree, ranging from Washington, where it is the primary means of certification, to Illinois, where it is relatively rare.

While there were almost twice as many elections in Illinois than in the other states, the overwhelming majority of new workers organized in public sector campaigns during the time period we examined were in California. This was the product of a series of extremely large elections in home care, including the historic election of 75,000 homecare workers in LA County in 1999, which may be the single largest union election victory in the US since the UAW won at the Ford River Rouge plant more than a half a century before (Greenhouse 1999). These SEIU and AFSCME victories in home care units in California are reflected in the data for 1999 and 2002 and in the data for non-professional units.<sup>8</sup>

Overall, in comparing the extent and nature of election activity between 1991-1992 and now, we find that with the exception California the number of elections is down, but the average unit size is up, and for every year except 2001, the number of workers organized each year, for

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<sup>8</sup> These victories result from a unique situation where SEIU and AFSCME were able to create new public authorities to make what would have been contract private workers with enormous employer opposition to organizing into large public sector units, largely removing the employer campaign. They have also been able to create home care authorities in other states, though none of those included in this study, and raise the potential for similar public authorities for other groups of workers, including some units that might include professionals such as mental health workers, elder care, special education workers, etc.

just these five states alone, was nearly as much, if not much more than, the 45,000 new public sector workers that were organized nationwide each year in 1991 and 1992. Thus, despite recent setbacks in Missouri and Indiana, according to these data, organizing remains alive and well in the state and local units in the public sector.

Table 9 also suggests that there has not been a great deal of change where public sector organizing is concentrated. In 1991-1992 we found that 24 percent of elections were taking place in school districts and 4 percent were taking place in higher education. A decade later we find that 25 percent of all campaigns take place in public education which combines both public schools and public higher education. We also find elections concentrated in public safety (25 percent) and local government (23 percent), which is comparable to our 1991-1992 study.

Unit type also remained relatively constant from our 1991-1992 study. Professional units increased slightly from 10 percent to 11 percent, and mixed professional, technical, clerical units increased from 4 percent to 7 percent. But organizing activity continues to be concentrated in police/fire units (18 percent), non-professional units, primarily in public schools (17 percent), and blue-collar units (16 percent). Still, when we look at the actual number of workers organized, the results shift due to a combination of unit size and win rates. So, while the largest group of newly organized workers by far are the 265,497 non-professionals, most of whom can be accounted for by California homecare workers, it is worth noting that in that same five year period, 27,532 workers in professional units and 20,686 in mixed professional, tech, clerical units were organized. These workers—teachers, librarians, social workers, health care workers, the majority of whom are women—are proof once again that professionals can and will organize, if they are given the opportunity to do so by the labor movement and they can do so in a climate

free from the coercion and intimidation that has become so absolutely pervasive in the private sector workplace (Bronfenbrenner 2000; Bronfenbrenner and Juravich 1995b).

**Table 10: Summary statistics for professional, technical, and clerical workers organized in the public sector in selected states, 1999-2003**

Division	Professional, technical units		Mixed professional, technical, clerical units		Clerical units		All other units	
	Percent of campaigns	Campaign win rate	Percent of campaigns	Campaign win rate	Percent of campaigns	Campaign win rate	Percent of campaigns	Campaign win rate
Health care and social services	20%	100%	19%	73%	1%	100%	60%	92%
Higher education	53%	86%	0%	-	4%	67%	43%	86%
Judicial	18%	93%	38%	77%	28%	96%	17%	100%
Local government	14%	88%	9%	94%	17%	93%	59%	90%
Public safety	6%	100%	2%	100%	9%	94%	83%	95%
Public works	10%	88%	3%	83%	1%	100%	86%	88%
School district	17%	93%	12%	92%	5%	88%	66%	92%
State government	58%	100%	23%	100%	7%	100%	13%	100%
Transportation	18%	100%	0%	-	0%	-	82%	100%
<b>Union</b>								
AFSCME	16%	97%	21%	77%	11%	82%	53%	94%
AFT	48%	100%	6%	100%	4%	100%	43%	91%
AFT / NEA	18%	67%	24%	75%	0%	-	59%	90%
IAFF	3%	100%	0%	-	0%	-	98%	97%
IBT	10%	100%	6%	70%	14%	92%	70%	94%
IUOE	9%	86%	4%	100%	7%	100%	80%	85%
LIUNA	12%	100%	9%	75%	19%	94%	60%	92%
NEA	20%	82%	11%	100%	7%	80%	62%	91%
SEIU	13%	100%	12%	94%	5%	100%	70%	87%
Other AFL-CIO	21%	96%	7%	94%	10%	96%	62%	92%
Independent unions	13%	84%	7%	93%	7%	100%	73%	94%

Table 10 allows us to gain more insight into where professional, technical, and clerical work is concentrated in the public sector in order for us to better ascertain the gender make up of the professional units. As these data show, professional and technical workers are concentrated in higher education and in state government, where they make up more than one half of the elections, with win rates averaging 86 percent in higher education and 100 percent in state government. What is not readily apparent, but we know from closer examination of the data, is that the majority of the higher education units involve graduate student bargaining units, where women average at least half of the unit. However, the majority of the state units include professional and technical positions in state agencies, most of which are male.

Professional technical units are also found in health care and social services (20 percent) and school districts (17 percent). This is one area where we do see a change from our 1991-1992 study. In 1991-1992 city and county hospitals were still commonplace. Today public hospitals and nursing homes are rapidly disappearing, so we have many fewer health care professionals units as a result but more non-professional home care units that are typically classified under county social service departments. Therefore, the professional units listed under the health care and social service category are more likely to be librarians and social workers than they were in 1991-1992, but are still primarily women.

Only 17 percent of school district organizing is in professional teaching, 12 percent is in mixed, wall-to-wall units, but the overwhelming majority of school district activity today is among non-professionals. Elections involving clerical workers are not as frequent, with the highest concentration of clerical units among judicial employers (28 percent) and in local government (17 percent).

In sum, what these data suggest is that although women, and women of color, dominate many professions in the public sector, in particular teaching, public health, librarians, and social work, in states with collective bargaining laws, most workers in those occupations have already been organized. Thus, while there continues to be a great deal of organizing activity in the public sector, it tends to be focused on non-professional occupations that were left out in the initial wave of public sector organizing in the 1970s and 1980s when so many women professionals were organized. Still, there continue to be large numbers of unorganized women clerical workers in local government, as well as women professional and technical positions in universities, research laboratories, and other community service occupations that have yet to be seriously targeted by public sector unions for organizing.

**Table 11: Summary statistics for all workers organized in state and local elections in California, 1999-2003**

	Number of campaigns	Percent of all campaigns	Election win rate	Card check win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in campaigns won
<b>Election type</b>							
Card check	74	27%	-	100%	400	27,597	27,437
Election	203	73%	91%	-	1,316	248,673	242,348
<b>Year</b>							
1999	27	10%	92%	100%	3,358	90,676	90,353
2000	30	11%	97%	-	1,094	32,814	32,750
2001	27	10%	96%	100%	136	3,399	3,399
2002	102	37%	94%	100%	1,159	106,630	106,452
2003	91	33%	80%	100%	509	42,751	36,831
<b>Entity</b>							
Public education	83	30%	95%	100%	287	23,834	23,363
Other public sector	194	70%	88%	100%	1,442	252,436	246,422
<b>Division</b>							
Health care and social services	70	25%	89%	100%	3,461	228,413	222,988
Higher education	15	5%	100%	-	952	14,273	14,273
Judicial	23	8%	93%	100%	303	6,369	6,286
Local government	57	21%	79%	100%	227	12,005	11,505
Public safety	7	3%	100%	100%	10	29	29
Public works	33	12%	94%	100%	185	5,549	5,543
School district	67	24%	94%	100%	140	9,354	8,883
State government	1	0%	0%	-	218	218	218
Transportation	4	1%	100%	100%	30	60	60
<b>Unit type</b>							
Professional	60	22%	91%	100%	319	18,827	18,251
Technical	6	2%	75%	100%	207	1,240	1,086
Mixed prof/tech/cler	18	7%	100%	100%	716	12,888	12,888
Clerical	4	1%	100%	100%	66	264	264
Non-professional	115	41%	89%	100%	2,163	237,894	232,270
Blue collar	44	16%	86%	100%	53	1,959	1,828
Police/fire	8	3%	100%	100%	27	107	107
Wall to wall	2	1%	100%	-	1,000	2,000	2,000
Supervisory	17	6%	100%	100%	64	1,027	1,027
Security	3	1%	100%	100%	32	64	64
<b>Union</b>							
AFSCME	34	12%	100%	100%	2,283	77,632	77,632
AFT	18	7%	100%	-	539	9,708	9,708
CWA	2	1%	100%	-	269	537	537
IBT	17	6%	86%	100%	88	1,319	1,289
IUOE	14	5%	78%	100%	24	287	162
LIUNA	16	6%	86%	100%	120	1,681	1,681
NEA	12	4%	100%	-	14	168	168
SEIU	83	30%	91%	100%	2,047	167,831	164,731
UAW	7	3%	100%	-	1,090	7,630	7,630
Other AFL-CIO	8	3%	100%	100%	165	824	824
Independent unions	66	24%	80%	100%	152	8,653	5,423

## ***California***

Table 11 presents the findings for the state of California, which held a total of 74 card checks and 203 elections, a number of elections comparable to what we found for 1991-1992. Three public sector divisions each account for approximately one quarter of election and card check activity in California, including health care and social services (25 percent), school districts (24 percent) and local government (21 percent). Compared to the data from 1991-1992, the most dramatic change was in healthcare and social services, which accounted for only 14 percent of elections in 1991-1992.

As discussed earlier, large numbers of workers were added to those represented by collective bargaining in 1999 and 2002 with several large home care elections. The total of 196,805 workers who gained representation in those two years stands in stark contrast to the 12,592 added in 1991-1992 combined. Although overshadowed by the gains among non-professional workers, relative to the private sector, there were also large numbers of workers organized among professional and technical workers, totaling 18,251 for professional, 12,888 for mixed units, with another 1,086 for technical units. There was also an increase in organizing activity in professional units from 14 to 22 percent, while organizing in clerical units dropped from 8 to 1 percent.

As mentioned earlier, professional and technical workers in California are highly concentrated among graduate student units in the UC system in higher education and workers in public administrative positions in state agencies (Table 12). While the former, include at least fifty percent women, the public administrator positions are more likely to have a preponderance of men. Other professional technical units in California, however, appear to have much higher concentrations of women, including the 13 percent of health care and social services campaigns,

which included many librarians and nurses, and the school district campaigns, which included teachers. This is also true of the 52 percent of judicial campaigns which included combined professional, technical, and clerical units in county court houses, where many of the workers in all the occupations were women, from judges to country clerks. On the other hand, there is virtually no organizing occurring in any of California's public sector divisions among clerical workers, although there must remain large pockets of unorganized clerical workers across the state.

**Table 12: Percent of professional, technical and clerical units by public sector division in California 1999-2003**

<b>Division</b>	<b>Professional/technical units</b>	<b>Mixed professional, technical and clerical units</b>	<b>Clerical units</b>	<b>All other units</b>
Health care and social services	13%	6%	0%	81%
Higher education	87%	0%	0%	13%
Judicial	35%	52%	4%	9%
Local government	14%	12%	2%	72%
Public safety	0%	0%	0%	100%
Public works	6%	0%	0%	94%
School district	37%	0%	2%	61%
State government	100%	0%	0%	0%
Transportation	0%	0%	0%	100%

Clearly the big story in the public sector in California is the tens of thousands of non-professional workers, almost all women of color, including many recent immigrants, who are organizing in home care, as well as the many women non-professionals organizing in schools. Professional women workers are also organizing in California, but in much smaller numbers. This is in part because of the relatively high union density already existing among public sector professionals in the state. But it is also because the same kind of initiatives that have been taken with home care workers have not been taken with regard to organizing other unorganized groups in the public sector in the state including, for example unorganized clerical workers.

**Table 13: Summary statistics for all workers organized in state and local elections in Washington, 1999-2003**

	Number of campaigns	Percent of all campaigns	Election win rate	Card check win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in campaigns won
<b>Election type</b>							
Card Check	185	67%	-	100%	18	3,395	3,385
Election	91	33%	89%	-	364	33,152	32,864
<b>Year</b>							
1999	49	18%	100%	100%	33	1,596	1,596
2000	58	21%	87%	98%	22	1,279	1,257
2001	44	16%	85%	100%	18	783	754
2002	59	21%	80%	100%	474	27,944	27,741
2003	66	24%	93%	100%	75	4,945	4,901
<b>Entity</b>							
Public education	64	23%	95%	100%	57	3,621	3,610
Other public sector	212	77%	85%	99%	155	32,926	32,639
<b>Division</b>							
Health care and social services	23	8%	70%	100%	1,184	27,230	27,041
Higher education	10	4%	100%	100%	129	1,294	1,294
Judicial	1	0%	-	100%	14	14	14
Local government	91	33%	85%	99%	15	1,380	1,325
Public safety	73	26%	87%	100%	9	628	585
Public works	12	4%	-	100%	12	138	138
School district	54	20%	94%	100%	43	2,327	2,316
State government	9	3%	100%	100%	385	3,469	3,469
Transportation	3	1%	100%	100%	22	67	67
<b>Unit type</b>							
Professional	32	12%	100%	100%	47	1,508	1,508
Technical	21	8%	100%	94%	34	713	703
Mixed prof/tech/cler	13	5%	75%	100%	244	3,168	3,102
Clerical	42	15%	82%	100%	17	701	650
Non-professional	29	11%	94%	100%	942	27,329	27,326
Blue collar	33	12%	89%	100%	29	942	919
Police/Fire	43	16%	100%	100%	5	220	220
Wall to Wall	33	12%	79%	100%	49	1,624	1,479
Supervisory	25	9%	100%	100%	12	295	295
Security	5	2%	-	100%	9	47	47
<b>Union</b>							
AFSCME	57	21%	83%	100%	97	5,513	5,420
AFT	2	1%	100%	-	118	236	236
CWA	2	1%	-	100%	8	15	15
IAM	6	2%	100%	75%	8	46	36
IBEW	7	3%	-	100%	8	55	55
IBT	56	20%	73%	100%	13	706	645
IFPTE	7	3%	-	100%	39	276	276
NEA	27	10%	95%	100%	40	1,071	1,063
SEIU	12	4%	67%	100%	2,234	26,802	26,679
UFCW	15	5%	100%	100%	27	405	405
Other AFL-CIO	47	17%	100%	100%	8	365	365
Independent unions	38	14%	94%	100%	28	1,057	1,054

## ***Washington***

Table 13 presents the data on public sector organizing activity in Washington, where, as we mentioned earlier, card checks are the primary means of certification,<sup>9</sup> a major change since 1991-1992. It is clear, however, that the 185 card checks were in very small units yielding only 3,385 newly organized workers, compared to the 32,864 added through the 91 elections.

Washington is also a state that has seen an increase in both the amount of organizing activity and the number of workers being organized. On average, the number of elections and card-check campaigns combined has increased from an average of 34 annually in 1991-1992 to 55 in the years 1999-2003.

As in other states, approximately a quarter of organizing activity is concentrated in public education (20 percent in school districts and 4 percent in higher education, while the biggest concentration is in public safety (26 percent) and local government (33 percent). Unlike other states, only 8 percent of organizing activity is in health care and social services, which nonetheless had the greatest number of new workers organized (27,041), reflecting several major card-check victories in large county district hospital units. The distribution across unit types is therefore quite diffuse. The highest percentages were for police and fire (16 percent) and clerical (15 percent), but professional (12 percent), blue collar (12 percent), wall-to-wall (12 percent), non-professional (11 percent), supervisory (9 percent), and technical (8 percent) were all quite close.

Table 14 provides more insight into how workers voting in elections within each division are broken down into professional, technical, and clerical units. What we find is that, while only

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<sup>9</sup> This is a change since 1991-1992 because the Washington state labor relations system consolidated under one labor board, the Public Employment Relations Commission, with a certification process that is much more similar to the one that has been in place for many years in New York State where card check, or showing of interest, is one of the primary means through which workers are organized.

a small percent of elections were in health care and social service units, they were concentrated in professional and technical units (26 percent), or mixed professional, technical, or clerical units (26 percent). These included several professional and technical units in large county district hospital systems, a large urban county library unit, and multiple state and county social service departments, all of which had a primarily female workforce.

**Table 14: Percent of professional, technical and clerical units by public sector division in Washington 1999-2003**

<b>Division</b>	<b>Professional and technical units</b>	<b>Mixed professional, technical and clerical units</b>	<b>Clerical units</b>	<b>All other units</b>
Health care and social services	26%	26%	4%	44%
Higher education	30%	0%	10%	60%
Judicial	0%	0%	100%	0%
Local government	25%	3%	26%	45%
Public safety	8%	0%	15%	77%
Public works	17%	0%	8%	75%
School district	20%	15%	6%	59%
State government	22%	44%	0%	33%
Transportation	0%	0%	0%	100%

In higher education, the professional units include graduate student and technical units at the state university and a faculty unit at the community college. While the technical unit probably has at most a 40 percent female representation, women represent the majority of students in the graduate student unit and most likely in the community college unit as well (University of Washington 2005). Women were clearly less represented in the professional and technical units in public works, and the professional and technical, and mixed units in state government agencies, yet were most likely well represented in the 100 percent of the judicial campaigns that took place in clerical units in Washington.

**Table 15: Summary statistics for all workers organized in state and local elections in New Jersey, 1999-2003**

	Number of elections	Percent of all elections	Election win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in elections won
<b>Election type</b>						
Election	287	100%	93%	59	16,765	15,274
<b>Year</b>						
1999	63	22%	89%	39	2,441	2,109
2000	77	27%	94%	57	4,410	3,465
2001	45	16%	96%	45	2,044	1,989
2002	48	17%	92%	74	3,472	3,363
2003	54	19%	94%	81	4,398	4,348
<b>Entity</b>						
Public education	80	28%	94%	81	6,433	5,303
Other public sector	207	72%	92%	50	10,332	9,971
<b>Division</b>						
Health care and social services	17	6%	100%	38	643	643
Higher education	6	2%	83%	305	1,832	976
Judicial	8	3%	100%	111	889	889
Local government	93	32%	93%	59	5,477	5,343
Public safety	44	15%	96%	42	1,859	1,824
Public works	42	15%	83%	32	1,346	1,154
School district	74	26%	95%	63	4,601	4,327
Transportation	3	1%	100%	39	118	118
<b>Unit type</b>						
Professional	28	10%	96%	71	1,921	1,903
Technical	5	2%	100%	10	48	48
Mixed prof/tech/cler	35	12%	91%	88	3,079	2,954
Clerical	17	6%	88%	86	1,458	593
Non-professional	43	15%	93%	58	2,509	2,254
Blue collar	73	25%	93%	53	3,895	3,785
Police/Fire	35	12%	100%	53	1,850	1,850
Wall to wall	14	5%	86%	62	869	811
Supervisory	27	9%	89%	15	396	371
Security	10	4%	80%	74	740	705
<b>Union</b>						
AFSCME	17	6%	94%	27	453	419
AFT	7	2%	100%	165	1,158	1,158
CWA	45	16%	91%	38	1,659	1,591
IAFF	5	2%	100%	8	42	42
IBEW	9	3%	78%	38	340	296
IBT	36	13%	89%	42	1,506	1,392
NEA	54	19%	93%	80	4,342	3,221
SEIU	5	2%	80%	177	886	849
USWA	11	4%	91%	124	1,369	1,345
Other AFL-CIO	22	8%	91%	28	605	585
Independent unions	76	27%	97%	58	4,405	4,376

*New Jersey*

Table 15 reports the summary statistics for all public sector elections in New Jersey, a state where the labor board does not supervise card-check certifications. All told there were 287

elections between 1999 and 2003, approximately 57 annually, slightly more than half as many as the 110 elections held annually in 1991-1992. These 287 elections with a win rate of 93 percent added 15,274 workers to those already covered by collective bargaining, which translates into approximately 3,055 annually, down from 3,996 annually in 1991-1992.

A slightly higher percentage of elections in New Jersey occurred in public education (26 percent school districts, 2 percent higher education) than in other states, but the highest percentage was in local government (32 percent). Only 6 percent were in health care and social services, which is lower than any other state. Blue collar units predominated in the state (25 percent), followed by 10 percent professional, 2 percent technical, 12 percent mixed professional, technical, clerical, and 6 percent clerical. For all of these, the number of new workers organized was also very small, totaling only 1,903 professional workers, 48 technical workers, 2,954 workers in mixed units, and 593 clerical workers for all five years combined. Similarly small numbers are found for other non-professional units as well, suggesting that in New Jersey, most large public sector bargaining units may have already been organized.

**Table 16: Percent of professional, technical and clerical units by public sector division in New Jersey, 1999-2003**

<b>Division</b>	<b>Professional and technical units</b>	<b>Mixed professional, technical and clerical units</b>	<b>Clerical units</b>	<b>All other units</b>
Health care and social services	18%	47%	0%	35%
Higher education	67%	0%	33%	0%
Judicial	38%	0%	25%	38%
Local government	11%	14%	10%	66%
Public safety	7%	0%	0%	93%
Public works	0%	5%	0%	95%
School district	14%	18%	5%	64%
Transportation	0%	0%	0%	100%

Table 16 looks at which kinds of units organizing has been concentrated in within each public sector division, allowing us to gain a better understanding of the gender make up of the units being organized. In health care and social services, the 47 percent of the campaigns that were in

mixed professional, technical, clerical units were concentrated in public library units with a majority female workforce. The 67 percent of higher education units that involved professionals were primarily adjunct faculty units at community and county colleges, once again with high percentages of women in the unit, while the 33 percent of higher education campaigns that took place in clerical units were majority female units as well.

### ***Illinois***

Table 17 presents union and card check activity in Illinois, where 62 voluntary recognitions and 526 union elections gained union representation for 21,419 new workers. These 526 elections over five years, or 105 elections held annually, is slightly down from the average of 125 elections per year that we found in 1991-1992, with the number of workers gaining representation each year remaining relatively stable since our earlier study.

Unlike the other states we have examined, organizing activity in Illinois is heavily concentrated in public safety (40 percent), even more so than it was in 1991-1992. At the same time the number of campaigns in school districts is much lower than other states (15 percent) and also much lower than it was in 1991-1992 (25 percent) in Illinois. Activity in higher education, however, has remained relatively high (6 percent).

Activity among professional and technical workers in Illinois dropped significantly, averaging only 7 percent for professional units, 8 percent for technical units, and 3 percent for mixed professional, technical, clerical units. It averaged slightly higher for clerical units (12 percent). This contrasts sharply with 1991-1992, when there were more elections in professional units than in police/fire units. Still, because of larger average unit size, in terms of actual numbers of workers organized, unions made their greatest gains among professional workers, organizing 5,757 new professional workers in just 38 campaigns.

**Table 17: Summary statistics for all workers organized in state and local elections in Illinois, 1999-2003**

	Number of campaigns	Percent of all campaigns	Election win rate	Card check win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in campaigns won
<b>Election type</b>							
Card Check	62	11%	-	98%	16	951	951
Election	526	90%	89%	-	46	24,238	20,468
<b>Year</b>							
1999	121	21%	90%	100%	31	3,801	3,002
2000	114	19%	86%	100%	43	4,896	3,847
2001	99	17%	87%	100%	33	3,306	2,672
2002	104	18%	93%	93%	59	6,041	5,366
2003	150	26%	90%	100%	49	7,145	6,532
<b>Division</b>							
Health care and social services	17	3%	82%	-	65	1,100	876
Higher education	36	6%	78%	-	159	5,723	4,292
Judicial	36	6%	83%	100%	16	571	533
Local government	66	11%	88%	100%	23	1,519	1,344
Public safety	237	40%	93%	95%	33	7,784	7,068
Public works	78	13%	84%	100%	19	1,496	1,159
School district	86	15%	89%	100%	56	4,843	3,994
State government	21	4%	100%	100%	90	1,897	1,897
Transportation	11	2%	100%	-	23	256	256
<b>Unit type</b>							
Professional	38	7%	89%	100%	183	6,957	5,757
Technical	44	8%	97%	100%	21	936	882
Mixed Prof/tech/cler	19	3%	100%	100%	29	545	545
Clerical	70	12%	98%	100%	17	1,154	1,145
Non-professional	63	11%	78%	-	61	3,865	2,615
Blue collar	79	13%	88%	100%	24	1,847	1,536
Police/Fire	170	29%	92%	92%	36	5,907	5,434
Wall to Wall	69	12%	76%	100%	38	2,597	2,273
Supervisory	19	3%	93%	100%	49	926	853
Security	17	3%	100%	-	27	455	455
<b>Entity</b>							
AFSCME	52	9%	92%	100%	40	2,065	2,027
AFT	27	5%	93%	-	164	4,422	4,022
IAFF	35	6%	96%	88%	18	646	573
IBEW	13	2%	92%	100%	18	240	228
IBT	47	8%	91%	100%	17	770	678
IUOE	57	10%	82%	100%	22	1,253	944
IUPA	13	2%	92%	100%	15	178	158
LIUNA	69	12%	87%	100%	14	965	726
NEA	45	8%	78%	-	97	4,363	2,652
SEIU	35	6%	83%	-	36	1,247	934
Other AFL-CIO	20	3%	88%	100%	56	1,110	909
Independent unions	175	30%	94%	100%	46	7,930	7,568

Nearly half of the professional workers who gained representation in Illinois were 2,700 graduate students at the University of Illinois at Urbana-Champaign. As described in Table 18, 47 percent of campaigns in higher education in Illinois were in professional technical units. The remaining

higher education campaigns were concentrated in part-time or non-tenure faculty units, once again where women are often in the majority. Forty-seven percent of health care and social service campaigns were also in professional and technical units, mostly RNs, LPNs, and other professional and technical workers in public hospitals and nursing homes in urban areas, in units with fewer than fifty eligible voters. These units were likely to be primarily women, and also were likely to include significant numbers of women of color. Table 17 also reports that a very high percentage of campaigns in state government (71 percent) involved professional and technical units in state administrative agencies. Once again these are public administration positions where men tend to predominate.

**Table 18: Percent of professional, technical and clerical units by public sector division in Illinois 1999-2003**

<b>Division</b>	<b>Professional and technical units</b>	<b>Mixed professional, technical and clerical units</b>	<b>Clerical units</b>	<b>All other units</b>
Health care and social services	47%	12%	0%	41%
Higher education	42%	0%	0%	58%
Judicial	8%	22%	47%	22%
Local government	5%	15%	31%	50%
Public safety	6%	3%	10%	81%
Public works	15%	4%	1%	80%
School district	9%	8%	7%	76%
State government	71%	15%	10%	5%
Transportation	36%	0%	0%	64%

**Minnesota**

Table 19 presents data on public sector elections in Minnesota where, similar to New Jersey, there were no card-check certifications in Minnesota. Minnesota is distinctive from other states because it continues to use mail ballots as the primary method for holding public sector elections, increasing from 94 percent of elections in 1991-1992 to 98 percent of elections in 1999-2003.

**Table 19: Summary statistics for all workers organized in state and local elections in Minnesota, 1999-2003**

	Number of elections	Percent of all elections	Election win rate	Mean number of voters	Total number of eligible voters	Number of eligible voters in elections won
<b>Election type</b>						
Election	166	100%	84%	52	8,553	3,305
<b>Year</b>						
1999	38	23%	87%	137	5,205	1,019
2000	39	24%	85%	29	1,136	915
2001	33	20%	82%	29	945	617
2002	27	16%	82%	24	637	423
2003	29	18%	83%	22	630	331
<b>Entity</b>						
Public education	49	30%	84%	116	5,660	1,405
Other public sector	117	71%	84%	25	2,893	1,900
<b>Division</b>						
Health care and social services	11	7%	73%	43	472	250
Higher education	1	1%	0%	4,056	4,056	0
Judicial	11	7%	73%	86	942	782
Local government	51	31%	80%	20	1,020	602
Public safety	31	19%	97%	5	152	149
Public works	12	7%	83%	24	292	102
School district	48	29%	85%	33	1,604	1,405
Transportation	1	1%	100%	15	15	15
<b>Unit type</b>						
Professional	12	7%	67%	364	4,362	113
Technical	2	1%	50%	91	181	11
Mixed prof/tech/cler	28	17%	71%	57	1,587	1,197
Clerical	10	6%	60%	27	271	84
Non-professional	28	17%	89%	41	1,148	1,032
Blue collar	20	12%	90%	12	235	209
Police/Fire	30	18%	97%	5	141	138
Wall to Wall	23	14%	83%	20	452	345
Supervisory	13	8%	100%	14	176	176
<b>Union</b>						
AFSCME	50	30%	72%	28	1,406	754
AFT / NEA	17	10%	82%	274	4,665	536
IBT	25	15%	96%	36	905	887
IUOE	10	6%	100%	19	185	185
SEIU	4	2%	75%	34	137	103
Other AFL-CIO	12	7%	83%	22	265	72
Independent unions	48	29%	88%	21	990	768

For the five states in our group, Minnesota had the least amount of organizing activity during our target period. Between 1999 and 2003 there were 166 elections, gaining representation for only 3,305 new workers during the entire five years, fewer than most states gained in a single industry. These 33 elections held annually added approximately 661 workers

per year, as compared with the 52 elections held annually in 1991-1992 which yielded an average of 2,501 new workers per year.

Because of the small number of elections, it is much more difficult to provide a very detailed analysis of organizing activity in Minnesota. Yet it is an important state to include in our sample because it is representative of states where union activity has declined in the last decade.

Thirty percent of union activity in Minnesota is concentrated in public education, including 29 percent in school districts and 1 percent in higher education. Most of the remaining elections are in local government and in public safety. Mixed professional, technical, and clerical units (17 percent) were more common than professional units (7 percent), technical units (1 percent), or clerical units (6 percent), but clearly non-professional, blue-collar, and public safety units predominate.

**Table 20: Percent of professional, technical and clerical units by public sector division in Minnesota 1999-2003**

<b>Division</b>	<b>Professional and technical units</b>	<b>Mixed professional, technical, and clerical units</b>	<b>Clerical units</b>	<b>All other units</b>
Health care and social services	18%	55%	0%	27%
Higher education	100%	0%	0%	0%
Judicial	0%	91%	9%	0%
Local government	14%	0%	14%	73%
Public safety	3%	0%	0%	97%
Public works	8%	8%	0%	83%
School district	4%	23%	4%	69%
Transportation	0%	0%	0%	100%

A closer look at the Minnesota data suggests that, although it is on a smaller scale, it paints a picture not that different from other states. As shown in Table 20, once again elections in higher education are concentrated in professional technical units, except that, in the case of Minnesota, there was only one higher education campaign, involving 4,056 graduate employees at the University of Minnesota. Unlike in Washington, California, and Illinois, graduate students

in Minnesota lost their election. If they had won, the entire state of Minnesota would have, in one year, more than doubled the number of public sector workers they had organized in the entire five year period of our study, and professional workers would have become the dominant group of workers organizing in the state.

However, a closer examination of the Minnesota data does confirm trends we have found in other states about organizing in school districts and in health care and social services. As we found in other states, we found a change from 1991-1992 when unions tended to organize separate teacher and non-professional units, towards increasing numbers of school district elections in what we called mixed professional, technical, clerical units, where unions would simultaneously organize teachers, teachers aides, and office workers. Once again these units are also primarily women.

Similarly we found in Minnesota a high percentage of professional (18 percent), or mixed professional, technical, clerical units (55 percent), in health care and social service campaigns, mostly in small libraries, social services, and nursing or retirement homes. Last we found that 70 percent of campaigns in judicial divisions were mixed professional, technical, clerical units, once again combining into one unit everyone from the judge to the court stenographer. Most of these units were in small towns in rural areas, where once again many of the county court positions were held by women.

### ***Common trends across states***

Thus despite significant differences between states, we found several common trends among professional, technical, and clerical women workers organizing in the five states. First, significant gains among professional women workers in higher education in the public sector have occurred in graduate student units and, to a lesser degree, part time and adjunct professor

units. Unlike their private sector counterparts, public sector graduate students have retained their employee status, although there remains some risk that public sector boards will follow the NLRB's lead and reverse that trend. They do represent an interesting area of growth for the public sector labor movement. On the one hand, they are all moving into a variety of professional occupations, where one can only hope they will carry their newly found union consciousness and use it to help seed future union campaigns in their own workplaces and support union campaigns in other workplaces. On the other hand, in all too many cases, their union membership will be ephemeral at best, for they will be moving into an occupational group, private university faculty, where they themselves will be excluded from union organizing.

The second significant trend regarding professional and technical women organizing in the public sector is that, second to higher education units, the largest growth area for women professional and technical workers has been in public hospital, library, and social services units and wall-to-wall judicial units in rural areas.

Third, organizing in school districts is shifting away from teacher units towards non-professional units, or in suburban and rural areas, to mixed units where teachers, clericals, and paraprofessionals are all in one unit.

And finally, while overall public sector organizing numbers have remained steady in the last decade, in the states we looked at, with the exception of the large graduate student units, most of the growth can be attributed to organizing gains among non-professional workers including home care workers, non-professional workers in schools, police/fire units, and blue-collar workers in cities and towns. Thus, while women workers clearly make up the majority of those professional and technical workers in the public sector who are already organized, they do

not necessarily constitute the majority of those professional and technical workers who are organizing in the public sector today.

### **From national organizing data to organizing strategy**

In combination, the data from the NLRB, card check, RLA, and public sector labor boards provide important insights into the state of organizing among women professional, technical, and clerical workers. First there are the bright spots, the high win rates and some of the big wins in large health care and higher education units among professional and technical units in the public sector, and all the librarians, teachers, social workers, nurses, and city and county clerical workers that continue to organize in state and local elections across the country. There are the major victories outside the NLRB process in private sector card-check certifications made by CWA among clerical and technical workers in wireless, SEIU in professional and technical health care units, and UFCW and UNITE HERE among retail sales clerks, all professional, technical, and clerical units where women predominate. And under the NLRB, we continue to see higher win rates for professional and technical units than other units.

Yet, while women professionals are having greater success in organizing than their male counterparts, professional workers of both genders are still not living up to their organizing potential, in both the private and the public sectors. In the private sector in particular, with the exception of a handful of unions organizing in airlines, health care, aerospace engineering, and wireless communications, there are very few unions that have developed a national strategy for taking on large national or multinational employers. In all organizing, whether public or private, large multinational or locally based family business, research that I have authored or co-authored has repeatedly found that union strategies matter a great deal in determining which types of workers and which unions have the greatest organizing success in the current organizing climate

(Bronfenbrenner and Juravich 1998; Juravich and Bronfenbrenner 1998, Bronfenbrenner and Hickey 2004)

In my most recent analysis of the evolution of successful union organizing over time, conducted with Rob Hickey, a new model of comprehensive union strategies emerges (Bronfenbrenner and Hickey 2004)—namely that in today’s more hostile, more complex, and more global organizing climate, union success in both certification elections and card check campaigns depends on a comprehensive union-building strategy that incorporates the following ten elements, each of which is a cluster of key union tactics that are critical to union organizing success: 1) adequate and appropriate staff and financial resources, 2) strategic targeting and research, 3) active and representative rank-and-file organizing committees, 4) active participation of member volunteer organizers, 5) person to person contact inside and outside the workplace, 6) benchmarks and assessments to monitor union support and set thresholds for moving ahead with the campaign, 7) issues that resonate in the workplace and in the community, 8) creative, escalating internal pressure tactics involving members in the workplace, 9) creative, escalating external pressure tactics involving members outside the workplace, locally, nationally, and/or internationally, and 10) building for the first contract during the organizing campaign.

As Rob Hickey and I argue in our original publication of this research, we believe these tactics become even more important for certain groups of workers, such as professional workers in the private sector, “because they tend to be more affected by the threats of job loss or blacklisting that are typical in employer campaigns today” and so need these kinds of campaigns to both build worker confidence and commitment to the union campaign while using a combination of strategic research and internal and external leverage to restrain employer opposition to the union campaign (Bronfenbrenner and Hickey 2003a). Although some women

professionals in the public sector are less vulnerable to these kinds of pressures, aggressive employer opposition and the threat of outsourcing of professional and technical work has become pervasive in almost every industry in the private sector, whether communications and IT, health care, airlines, or business and professional services.

While each of the ten elements of the model are important in themselves, and each are individually associated with higher win rates, their ultimate effectiveness depends upon their being integrated as part of a larger comprehensive campaign using as many of the ten elements of the model as possible, with each tactic enabling and amplifying the effectiveness of the others.

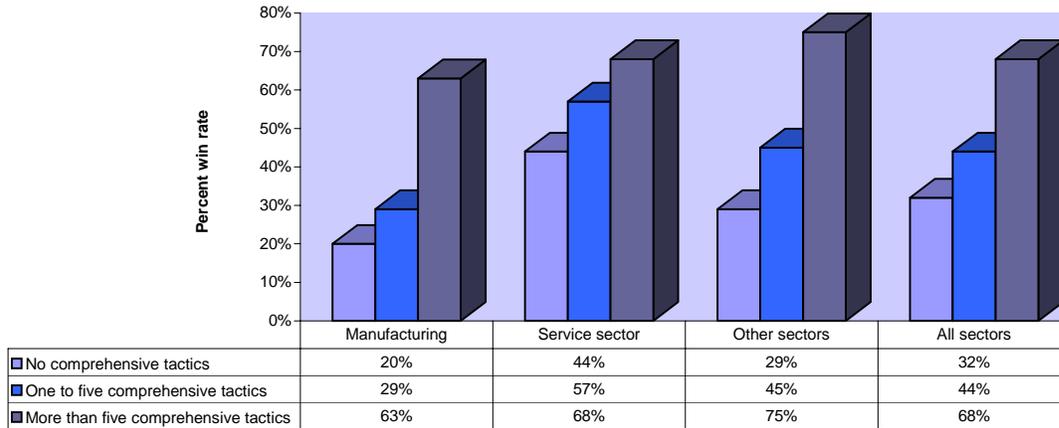
**Figure 3: Percent of elections and election win rate by number of comprehensive tactics used**



As described in Figure 3, we found that win rates increase dramatically for each additional tactic used, starting at 32 percent for no comprehensive organizing tactics, and then increasing to 44 percent for one to five tactics, 68 percent for more than five tactics, and 100 percent for the 1 percent of the campaigns where unions used eight tactics. At the same time, the percentage of campaigns where the tactics were used steadily declines as the number of tactics increases. Fourteen percent of all campaigns use no comprehensive organizing tactics, 54

percent use fewer than three tactics, while only 10 percent of all campaigns use more than five tactics and none use more than eight.

**Figure 4: Comprehensive organizing tactics and industrial sector**



As described in Figure 4, we found these results to hold to across all industrial sectors, occupational groups, and company groupings. In manufacturing, the win rate averages only 20 percent in campaigns where unions use no comprehensive organizing tactics, increasing only slightly to 29 percent when they use between one and five tactics, but then jump to 63 percent in the campaigns where they use more than five tactics. In the service sector, the unions win 44 percent of campaigns where no tactics are used, 57 percent in campaigns where one to five tactics are used, and 68 percent in campaigns where more than five comprehensive tactics are used. In all other sectors combined, (communications and IT, construction, transportation and warehousing, retail and wholesale trade, and utilities) the win rate associated with campaigns where no comprehensive tactics are used is 29 percent, increasing to 45 percent where one to five tactics are used, and 75 percent where more than five comprehensive tactics are used. Thus, we find that a comprehensive organizing strategy improves election outcomes substantially, across all sectors of the economy, even in the most mobile and global industries.

**Figure 5: Bargaining unit demographics, comprehensive organizing tactics, and election outcome**

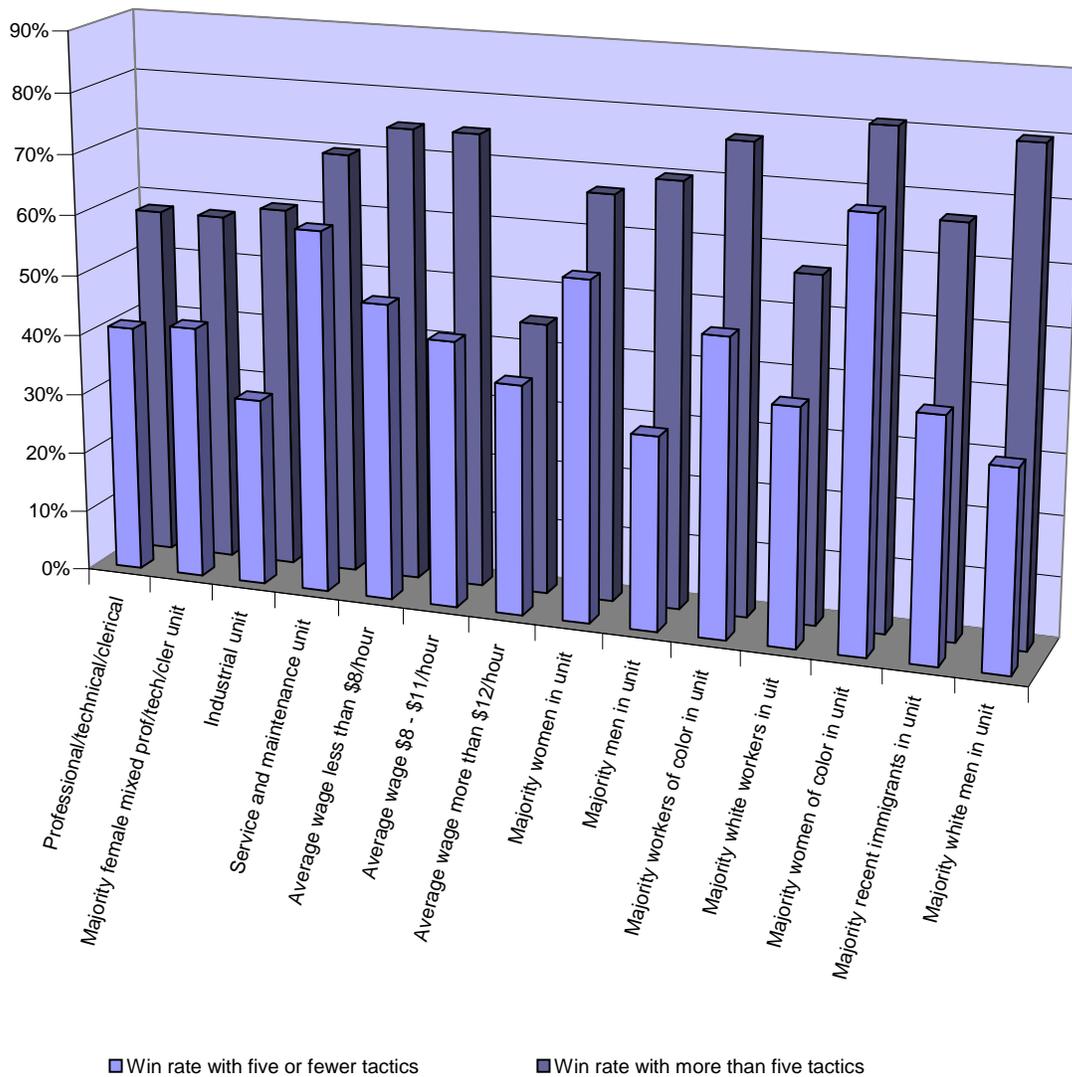


Figure 5 compares win rates for a variety of bargaining units and gender groups, including the 17 percent of the campaigns in our sample that were professional, technical, and clerical units and the 13 percent of the campaigns that were professional, technical, clerical units where women are a majority. Win rates in units with a majority of women professional, technical, clerical workers increased from 42 percent to 58 percent when a comprehensive

campaign was used. Of course, in any given campaign, specific concerns and issues must be tailored and adapted to fit the issues and concerns that develop through the rank-and-file leadership in the unit and the community in which they live. However, our data suggest that, when we look generally across the diversity of workers and occupations that make up women who work in the private sector professional, technical, clerical workforce today, including nurses, engineers, newspaper reporters, librarians, call center workers, software designers, retail sales workers, adjunct professors, and lab technicians, win rates increase, rather than decrease, when unions run more comprehensive campaigns. In fact, unions might greatly increase the number of successful campaigns involving these demographic groups if they were to run more aggressive and comprehensive campaigns when organizing among these workers.<sup>10</sup>

The effectiveness of this model remains true even when faced with the most aggressive anti-union employer campaigns. In elections with moderately aggressive employer campaigns, win rates average 93 percent when the union runs a comprehensive campaign but drop to 35 percent when the union fails to run a comprehensive campaign. Even in campaigns with aggressive employer opposition, win rates average 52 percent overall in elections where the union runs a comprehensive campaign, compared to only 29 percent in campaigns where the union fails to run a comprehensive campaign. Thus, consistent with our model, although employer anti-union campaigns can and often do have a devastating impact on union organizing success, unions can increase their win rates, even in the face of the most aggressive employer opposition, if they run comprehensive campaigns.

This is particularly important for professional and technical worker campaigns in highly mobile sectors of the economy such as manufacturing, communications and IT, and increasingly

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<sup>10</sup> We are not able to break out clerical units separately because there was only one clerical campaign in our sample where the union used a comprehensive campaign. However, we did look at professional /technical unit alone, and the results remained the same by adding in the one clerical campaign.

in business and professional services. Our research has shown that, in particular, some of employers' most effective anti-union tactics, such as threats of capital mobility and outsourcing, the referral of workers under HB1 visas to INS, or the use of employee involvement committees during organizing campaigns, can be undercut when the union is able to mount the kind of comprehensive campaign that both simultaneously builds strong commitment among the workers being organized and develops the kind of external power necessary to leverage the employer locally, nationally, and if need be, internationally.

Finally, it is worth noting that the importance of this model goes well beyond the certification election campaign. Campaigns where the union used more than five comprehensive organizing tactics during the organizing election campaign are associated with higher first contract rates as well. First contract rates average 74 percent in elections where the union ran a comprehensive campaign using more than five tactics, compared to a 66 percent first contract rate in units where the union used one to five comprehensive organizing tactics and only 58 percent where they failed to use any comprehensive organizing tactics.

These findings are also consistent with our previous research on first contract rates in the public sector conducted with Tom Juravich, where we found that even in the context of extremely weak employer opposition, unions organizing in the public sector were more likely to win first contracts and to have higher post-first contract membership rates in open and agency shops, when they ran more aggressive comprehensive organizing campaigns (Juravich and Bronfenbrenner 1998).

At the same time, these findings further expand our understanding of the relationship between organizing tactics and first contract rates in the private sector. Previous research had shown that individual union tactics were not associated with higher first contract rates in the

private sector, because they were just one element in the very complex process of private sector first contract campaigns where continued aggressive employer opposition after the election and the nature and intensity of the union first contract campaign are the primary determinants of first contract outcome (Bronfenbrenner 1997). In contrast, our findings here suggest that the use of a more comprehensive strategy during the organizing campaign is associated with higher first contract rates because it is more likely to lay the groundwork of strategic targeting, leadership development, community and labor alliances, and internal and external pressure tactics upon which a more effective and powerful first contract campaign can be built.

These data are also further supported by my interviews with lead organizers in card-check campaigns, where I found that the same comprehensive model of organizing that was so essential to organizing success under the NLRB was even more critical in pulling together the kind of local, national, and often international campaign necessary to gain card check neutrality, while still building the union among the rank-and-file workers to gain and maintain majority support for the union. Also, these kinds of strategies become even more important in the context of large national campaigns under the RLA where the union must win the majority of eligible voters in units of workers who are spread across entire regions of the country.

## **Conclusion**

In combination, professional/technical and clerical occupations constitute roughly half of the US workforce. Women workers dominate both of these occupational groupings. While women do not yet represent the majority of the unionized workforce, they have represented the majority of new workers organized for more than two decades, and each year the gap between the percentage of newly organized workers organized in industries dominated by women versus

those dominated by men has been widening, so much so that in the near future women will make up the majority of the unionized workforce.

While most of these newly organized women have been in non-professional units in hospitals, hotels, laundries, and school districts, there have been some significant organizing gains among have also included women professional, technical, and clerical workers in health care and social services, higher education, communications and IT, airlines, and school districts. Yet, as the findings in our research make clear, there remains a significant organizing gap between the number of women in professional, technical, clerical occupations in the workforce, and their numbers in the labor movement.

In part this remains a legal issue. As mentioned earlier, in the private sector this refers to all the professional occupations excluded because of their managerial, independent contractor, supervisory, or, in the case of private sector graduate students, non-employee status. In the public sector there continue to be significant numbers of workers who are entirely excluded from coverage under collective bargaining legislation, and those numbers have just expanded by the loss of collective bargaining coverage for state workers in Indiana and Missouri and by the increasing numbers of federal workers that are losing their collective bargaining rights under the guise of ‘Homeland Security.’

Yet, just as lack of collective bargaining restrictions have not prevented AFT from organizing thousands of teachers in Texas and other states across the south, neither should legal restrictions prevent private sector professionals from organizing into and acting like unions in spite of laws denying them the protection of collective bargaining laws. After all, the same strategies that are used to gain card-check certification can be used to gain recognition and workplace change outside of a legal collective bargaining process.

It is also worth noting that despite labor's renewed efforts at organizing in the past ten years, women professional, technical, and clerical workers have been largely neglected in labor's revitalization efforts. There are important exceptions in health care, communications and IT, airlines, and education, and both public and privatized social services where unions such as SEIU, CWA, AFSCME, AFA (now CWA as well), AFT and NEA have made significant and strategic gains through a combination of elections and card check campaigns. But for the most part, women in these occupational groups are not being targeted as part of large scale organizing efforts.

This has occurred despite the fact that research has consistently shown that women, and women of color in particular, have a higher propensity to organize and that unions have their greatest organizing success in units that are predominately female (75 percent or more women) even in the most difficult sectors of the economy, such as professional and technical units in communications and IT. However, that success depends on whether unions run comprehensive organizing campaigns which capitalize on the strengths of predominantly female units (Bronfenbrenner and Hickey 2004; Bronfenbrenner 2005).

In fact women in professional, technical, and clerical occupations provide unions with a unique opportunity for growth in a very difficult time. Whether librarians, teachers, nurses, or social workers, many of these women professionals are our first best defense against the worst efforts of the current administration to dismantle our constitution, defund our schools, destroy our health care system, and throw our most vulnerable citizens out on the streets. By launching major organizing initiatives among these workers, unions can focus on issues that matter a great deal not only to the workers being organized but to the general public as well. At the same time women professional, technical, and clerical workers in communications and IT, finance,

insurance, and real estate, and business and professional services industries may be looking towards unions as they see their hours increase, their working conditions deteriorate, their long term benefits disappear, and their work status degraded.

At a time when the entire US labor movement is grappling with future directions for organizing, one thing is clear. Women professional, technical, and clerical workers need to be part of the discussion about labor's organizing strategy. They are not only a major part of the workforce, they offer the potential for significant organizing gains in the future. But that will only occur if both public and private sector unions make organizing these workers a strategic priority.

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## **THE BERGER-MARKS FOUNDATION**

The Berger-Marks Foundation honors the memory of Edna Berger, pioneer organizer for The Newspaper Guild-Communications Workers of America (TNG-CWA) and her husband, Gerald Marks, the noted Tin Pan Alley composer. An outstanding organizer in TNG-CWA, Berger was the first international woman organizer on the TNG staff. She organized newspaper unions for many years and a scholarship fund was set up in her name to encourage women union organizers. Marks willed 75 percent of his estate and 75 percent of his music royalties, including those from the popular song "All of Me," through the Newspaper Guild to fund the Foundation's work. So far, the Foundation has sponsored an Organizing Institute for women organizers, a retreat for national and local women organizing staff, and funds for women to work on union organizing drives. TNG-CWA President, Linda Foley is the president of the foundation; Louise Walsh, Global Programs Director, AFL-CIO Solidarity Center is the chairperson.

