

IF WE CAN WIN HERE

*The New Front Lines of the Labor
Movement*

FRAN QUIGLEY

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Introduction

“WHY CAN’T I DO THAT AS A HOUSEKEEPER?”

It is October 2012, the first cold morning of the year, and Keisha Johnson shivers as she walks out the front door of her home a few dozen yards from Interstate 65. The near-Northside Indianapolis neighborhood is quiet enough that she can hear the birds chirping. It is Saturday, and most of her neighbors are still sleeping. But Keisha Johnson is headed to work.

A trim African American woman of thirty-two, Johnson is wearing her work uniform, a gray polyester blouse and matching slacks, with her hair pulled back and held by several pins. She starts off walking at a brisk near-trot to the bus stop two blocks away. Johnson has lived at her current house, a small rent-to-own with white aluminum siding, for just a month. She is still learning the IndyGo bus schedules and is worried she will be late for work. She arrives at the stop, steps off the curb, and nervously scans the horizon north on Capitol Avenue. Johnson moved here in large part for its access to more bus routes—her previous home on the northwest side of town did not have any bus service at all on Sundays, a workday

for Johnson. Finally, the Number 4 comes into view. Sighing with relief, Johnson boards, finds a seat, and begins to put on her makeup.

As the Number 4 enters downtown, the streets are deserted. Since it is a weekend morning, the lawyers and accountants and state government employees who usually crowd these sidewalks are not here today. No one has arrived yet to eat at Oceanaire Seafood Room or to see a show at the Indianapolis Repertory Theater. But as the bus pulls up in front of the Indiana Statehouse, a crowd awaits, huddled close together under a plastic shelter and stamping their feet against the unseasonable chill. Some wear nametags around their necks, while others wear reinforced safety boots and heavy jackets. Like Johnson, most are wearing a work uniform.

As Johnson descends from the bus, she hears one woman greet another. "What are you doing this morning?" the first woman asks. The second woman looks down the street. The #4 is not her bus, and she can't see her bus in view yet. "Trying to get to work, if they let me!" she replies.

Johnson flicks her sweatshirt hood over her head and walks across the lawn of the Statehouse toward Washington Street. As she approaches the sweeping stone and glass front of the Westin Hotel, she veers past the main entrance and walks in the rear door.

Johnson's parents were in the military, and she spent most of her childhood in Germany. After returning to Indianapolis and graduating from North Central High School, she worked in factory jobs and in restaurants. In 2007, she started as a housekeeper at the Westin. Her husband is a delivery driver but is between jobs right now, so they have taken in a roommate to offset the rent. Johnson knows Spanish and a bit of German and has a bright and ironic sense of humor. ("I get to spend another weekend at the Westin," she laughs, feigning anticipation of a grand adventure.¹) But a recent attempt to earn a nurse's aide degree was not successful. Her school loan required her to take a full load of classes, but Johnson could not pay the bills unless she worked full time, too. She was perpetually exhausted, and her grades suffered. She hopes to enroll in online courses soon.

Johnson's title at the Westin is room attendant. She starts her workday with a list of assignments for the rooms she is expected to clean, up to eighteen in a day. A cart stocked with clean towels and sheets waits for her in the hallway of her assigned rooms. She lugs the 120-pound cart down to the room entrances—no mean feat in thickly carpeted hallways—and knocks on the door. "Housekeeping!" she calls.

Johnson is expected to complete a "stay-over" cleaning in just ten minutes. She will make the bed, change the towels, and ensure there is a full supply of soap and shampoo. Johnson's managers expect the process for a "check-out" to be accomplished within thirty minutes, but even an experienced housekeeper like Johnson often takes much longer to clean a room. Johnson tells of rooms with gum stuck in the carpet, melted ice cream welded to the bottom of a trash can, a room where a child vomited in the bed. "It's kind of the luck of the draw; you never know what you will get behind that door," she says.

The housekeeper's nemesis is hair in the bathroom, where it tends to stick to shower curtains and sinks. Not surprisingly, it is no fun using a scrub brush to clean a stranger's toilet. "There are crevices in the porcelain, so disgusting things can get into those crevices," Johnson says.

The Westin housekeeper's arsenal does not include a broom or a mop or a pail. The cleaning is done on hands and knees. Some of the hotel mattresses Johnson and her colleagues must maneuver weigh more than one hundred pounds each. Johnson was a gymnast in high school and is still very physically fit. She takes care to stretch her back and hamstrings before she goes to work. But she still wakes up sore most mornings, and she has suffered leg cramps in the middle of the night. The U.S. Bureau of Labor Statistics reports that hotel workers have the highest injury rate of any service industry workers, and a recent study reported in the *American Journal of Industrial Medicine* showed housekeepers are at greater risk for injury than other hotel workers.² Johnson talks with pride about the attention to detail and people skills she has mastered in her work, but she acknowledges the need for speed, too. She has seen newer housekeepers get fired after they failed to clean their assigned rooms quickly enough. She refers to Rip It energy drink, just ninety-nine cents in some stores and packing more caffeine than Red Bull or Rockstar, as "the housekeeper steroid."

The mythology of the American Dream would suggest that all this hard work must be allowing Johnson to move up the economic ladder. The American Dream would be wrong. Johnson started at the Westin earning \$7.50 per hour and just received her most recent raise to \$9.27 per hour. She is never assigned a full forty hours per week. Tips are unpredictable and often meager or nonexistent, and Johnson cannot afford the premiums for the cheapest health insurance that Westin provides. She has not had

health insurance for over ten years. Although her wages easily exceed the federal and state minimum wage of \$7.25 per hour, they are far below the \$17 per hour estimate of a “living wage,” the minimal cost of supporting a two-person family in Indianapolis.³

That leaves Johnson in the most vulnerable position in the U.S. economy: too poor to pay all her bills but with a reliable paycheck for her creditors to garnish. A fall at home last year led to an emergency room visit, five stitches, and a hospital bill she has not been able to pay. Johnson has been evicted for being late on her rent, leading to court judgments that tacked on attorney’s fees, court costs, and interest. She receives bill collector calls every day. Her student loan debt was eventually collected out of her paycheck, week after week, for more than a year.

Johnson has supported an effort to organize Indianapolis hotel workers into a union, and she testified about the use of temporary workers in the local hotels in front of an Indianapolis City-County Council hearing in June 2012. Wearing a bright red “UNITE HERE” union T-shirt, Johnson spoke briefly and clearly into the microphone. But she admitted later that she was rattled by the unexpected sight of her Westin general manager sitting in front of the hearing room. “I was shaking like a leaf,” she recalls. “All I could think of is that ‘I am going to get fired, fired, fired!’”

She did not get fired, and she continues to support the union campaign. Johnson knows housekeepers in unionized hotels get paid significantly more than she does and have more affordable health insurance. But it is not just about the money. “I have always seen housekeeping as a noble profession,” she says. “Someday, I want to be one of those moms who can send kids to college and have all the bills paid. Why can’t I do that as a housekeeper?”

During the first weeks of 2012, on the same side of the Indiana Statehouse where Keisha Johnson gets off her bus, thousands of union members and supporters from across the Midwest crowded together in angry protest. The occasion was the Indiana General Assembly’s consideration of anti-union “right-to-work” legislation, a law that allows workers to opt out of paying union fees even when they benefit from collective bargaining. For weeks, labor advocates held rallies outside the building and in the hallways separating the legislative chambers, chanting “Kill the Bill” and singing “Solidarity Forever.” But the Indiana Senate ignored the clamor and passed the right-to-work law on February 1, 2012. The vote paved the way for Indiana to become the twenty-third state in the United States to adopt



Figure i.1. Tired of earning subpoverty wages as a hotel housekeeper, Keisha Johnson joined the union movement in Indianapolis. “Someday, I want to be one of those moms who can send kids to college and have all the bills paid,” she says. “Why can’t I do that as a housekeeper?”

Photo by Mark A. Lee.

the law, and the first in the country's Rust Belt, where union-staffed manufacturing once was a dominant feature of the economy. Later that year, Michigan governor Rick Snyder cited Indiana's example as his motivation for reversing course and supporting right-to-work legislation in his neighboring state.

The right-to-work setback is just the most recent and dramatic of several blows inflicted on Indiana workers in recent decades. As recently as 1989, one in every five Indiana workers belonged to a union. Today, barely 9 percent of the Indiana workforce is unionized.⁴ In 2005, Indiana's governor eliminated collective bargaining for state employees. At a national level, income inequality is at its highest since before the Great Depression. The Center on Budget and Policy Priorities reports that Indiana's wage gap has grown faster than those of all but five states.⁵

Yet, on the very same day in early 2012 when the Indiana Senate approved the right-to-work bill, food-service workers at Indiana University - Purdue University at Indianapolis (IUPUI) gathered less than a mile to the west of the Statehouse and took a step in the opposite direction. Away from the glare of the television cameras focused on the legislative debates, new members of UNITE HERE Local 23 voted to approve their first-ever collective bargaining agreement with the IUPUI contractor Chartwells Dining Services.⁶ Fifty-year-old James Meyers, a lead food-service worker at IUPUI, was thrilled with the new contract's wage increases, improved health benefits, and recognition for seniority. But what meant the most to him was the intangible benefit that came with finally being treated as a partner at his workplace. "I felt like I had won a million dollars," Meyers said. "I got to tell the manager, 'You are the boss, I understand that. But I am a man, too, and we can respect each other.'"

Meyers is not the only Indianapolis worker to feel the strength of a new union affiliation. Despite a state political climate that proved inhospitable to labor activism in the right-to-work debate, service-sector workers are launching union organizing campaigns across the state's capital. At Marian University and Butler University, two private colleges located on the north side of Indianapolis, maintenance and food-service workers for the contractor Aramark have fought for union recognition and first-ever contracts. Indianapolis International Airport food-service workers won union recognition and have negotiated contracts with three companies staffing airport restaurants and stores. The Service Employees International Union (SEIU) has been organizing local security guards and janitors for several years and has recently begun working to organize Indiana home

care workers. An energetic campaign for citizenship for undocumented immigrants, funded by the local Roman Catholic archdiocese and fueled in large part by the activism of local Latino Catholics, is integrated into the low-wage workers' campaigns.

It has been a struggle. UNITE HERE's seven-year community-wide campaign to organize the city's hotel workers like Keisha Johnson has not yet broken through. Some union activists have lost their hotel jobs in the process, and Indianapolis remains one of the country's largest cities without a unionized hotel. The SEIU campaigns have had mixed results. Most Indianapolis-area home care workers, security guards, and janitors are not unionized, and even most of those who are unionized still have low wages and limited benefits. Some union supporters in the community retain hard feelings for SEIU, believing the union largely abandoned Indianapolis's janitors in 2007 after recruiting significant community involvement in winning the union and a contract for the janitors. The wage increases and benefit access negotiated by UNITE HERE for the airport and IUPUI workers are better than what they had before they organized, but some of those workers still struggle to afford health care and make ends meet.

However, there are bright spots. It appears that local hotels' practice of relying on low-paid contract labor has been reduced. The change is likely due in part to union-supported legislative campaigns that focused a spotlight on the workers' plight. The campaigns were followed by successful wage and hour litigation against one contractor accused of forcing hotel housekeepers to work off the clock. UNITE HERE's long siege against the local hotels has not yet achieved direct success, but it became the incubator for the union's more fruitful organizing of local food-service and university workers. The local Community Faith and Labor Coalition launched a program that has helped nonunionized workers who are victimized by wage theft. It also then pulled unions and other community partners into an effort to create Indianapolis's first-ever worker center.

The national Fight for 15 campaign to raise the wages of fast-food and retail workers has included a lively presence in Indianapolis, where community supporters, union activists, and low-wage workers have engaged in high-profile demonstrations. The first contracts earned by Indianapolis-area service-sector workers have not included remarkable increases in wages, but they do significantly increase access to benefits and enshrine seniority rights and grievance procedures that boost job security. Plus, the union members hope that the first contracts reflect a historic pattern

in labor organizing, a pattern that suggests the contracts are likely to be significantly improved in subsequent negotiations.⁷ That improvement comes about when new leaders are identified among the workforce, then recruited and trained to a point where they provide the impetus once supplied by outside organizers. Leadership development is the stuff of all successful social movements. In Indianapolis, new worker leaders are being developed among the community's custodians, food-service workers, and security guards.

Many economists, academics, and labor professionals believe that service-sector workers like Keisha Johnson will dictate the future of the U.S. labor movement.⁸ After all, cleaning bathrooms and washing dishes are jobs that cannot be outsourced to a Bangladeshi sweatshop or to a call center overseas. And many of the employers of service-sector workers—including multinational hotel chains and food-service or building cleaning companies—are earning healthy profits and can afford to pay better wages and provide better benefits. Many historians and economists insist that there is no reason why service-sector jobs cannot evolve into middle-class employment. They point to the early to mid-twentieth-century union activism that transformed manufacturing jobs from backbreaking, low-wage work into careers that allowed workers to buy homes and send their kids to college.⁹ Can janitors, fry cooks, and health care aides blaze the same path now? And can they do so in a community, like Indianapolis, that is not a stronghold for organized labor?

I hope that the answer is yes. I am far from a disinterested observer of the struggles chronicled in this book. I work as a teacher and director of a law school clinic in Indianapolis, my hometown. In our clinic, my students and I devote most of our efforts to advocating for low-income workers in our community. We tend to get called on only when things have gone horribly wrong for these workers—usually when they have been victimized by wage theft or have been fired without just cause. Through our clients, we get a front-row view of the struggles to make ends meet on a low-wage job.

So I certainly noticed when our state legislature voted to adopt a right-to-work law. And I was intrigued when food-service workers on my own campus voted for union representation for the first time. I knew about the local hotel workers trying to fight their way to middle-class incomes, and I heard that security guards and custodians were struggling to organize, too.

Soon after the IUPUI food-service workers formed their union, I began to write this book.

For a period of about a year and a half, I accompanied workers on their jobs and on the picket lines, notebook in hand. During that same time, dozens of local workers allowed me to sit in on their conversations with each other. Many of them were kind enough to also talk to me at length during one-on-one interviews. On a few occasions, they asked that some matters be kept private. But such requests were rare. Much more often, these workers were remarkably open and generous with their observations and their time. I am a long-time contributor to Indianapolis's daily and weekly newspapers, so some of their stories you will read here were shared with local readers along the way.

I soon found that the workers had some intriguing allies, so this book also tells the story of the union organizers with whom the workers have made common cause. Because of the community's demographics, Indianapolis's service-sector workers are a rainbow coalition of whites, African Americans, and Latinos. The union organizers are mostly white, college-educated, and younger, as is so often the case with social movement leadership. As with the workers, it turned out the organizers had intriguing backstories, too.

Sometimes, the organizing efforts in Indianapolis were focused on immigrant workers. Sometimes, the outreach and advocacy were focused on the needs of nonunionized low-wage workers, even when there was not a clear path to creating a unionized workplace. Sometimes, the workers involved in the efforts lost their jobs because they stood up for their rights. In all these respects, Indianapolis reflects the changes to the workforce, the economy, and the labor movement that are occurring across the country in the early twenty-first century.

This book chronicles these Indianapolis workers' and organizers' setbacks and victories, and their internal bonds and conflicts, all while placing their journey in the broader context of the global economy and labor history.¹⁰ As one local union organizer says of the battles in Indianapolis, "If we can win here, we can win anywhere."

A CAMPUS UNION

James Holder and Eric Gomez are the first pair to perform their role-play. Holder, a tall, angular African American man in his late fifties, with graying hair and goatee, has been a custodian at Marian University for twenty years. In the late evening and early morning hours, he cleans the floors and bathrooms at the university library, empties the trash cans, and then performs the same tasks at the campus center. "I am voting 'yes' because I am trying to make things better," Holder says to Gomez. "I am tired of seeing my friends getting fired. Why are you voting yes?" Gomez, slighter and shorter than Holder, is a Latino in his twenties, a former hotel worker turned UNITE HERE organizer. Portraying a Marian worker, he gives a noncommittal answer. Holder steps forward. An old foot injury has left Holder with a pronounced limp, but his voice rises in volume as he walks toward Gomez. "If you mark 'yes' on that ballot, you'll see a change in your life for the better!"

It is December 2012. In three days, a National Labor Relations Board-supervised election will determine whether Marian cafeteria, maintenance,

and grounds workers will be represented by a union for the first time. Today is the workers' final prep meeting before the election. Outside, it is a cold, raw Monday afternoon, and the room at the one-story AFL-CIO headquarters has been overheated to compensate. Nine Marian workers gather around mismatched tables under a large sheet of Post-it paper stuck to the wall. The Post-it is labeled "RAP," and starts out, "Why I'm voting yes . . . Why are you voting yes?" Item two is an admonishment for all to wear *their* new union buttons at work this week. "What time are you voting? (Push for early—offer ride)" comes next. Of the nine workers here, five are white men, three are African American men, and one is a white woman everyone calls "Panda." Gomez, who leads the meeting, is one of four UNITE HERE organizers in the room. Each is younger than any of the Marian workers here.

The lead UNITE HERE organizer for Indianapolis, Mike Biskar, stands up and delivers a pep talk to the Marian workers: "You all have done a great job, and you should feel good. There are seventy-plus people who can vote Thursday, and fifty of them have done something publicly in support of the union—they have worn a button, been in a group photo, come to a rally, something. So our job now is not to convince people, it's just getting people out to vote."

Gomez follows with a review of the logistics for the election—a sample ballot, the times that voting will be allowed, the limitations on campaigning near the voting place. UNITE HERE *does not* want to share the details publicly, but it has a partial agreement with the contractor, Aramark, a multinational company that operates Marian's maintenance, grounds, and food services. The company has promised to stay neutral in the election. But, as the election day approaches, that neutrality has not quite held firm among the company's on-site managers. Gomez tells the workers not to worry about it. "Don't forget: Every time we do this, the managers get nervous and there is a little 'Hail Mary' pass against the union. But this is way beyond one manager talking to a worker or two now, and we need to give them [the workers] that confidence. Between now and the vote, we just want to talk to all of our people and make sure we know when they are voting."

Herb Latigne sits in a folding chair to the side of the tables, both a part of the meeting and self-consciously separate. Latigne is sixty-six years old, with curly white hair, a bushy white beard, and large glasses that retain

some of their dark tint even indoors. Think of a cross between Santa Claus and Hank Williams Jr. He worked twenty-two years at Marian as a woodworker. ("Not a carpenter, a woodworker," he corrects someone. "A carpenter builds houses and walls and stuff. I create things with wood.") Latigne projects a gruff exterior, but over the years dozens of Marian students have been welcomed to his home workshop to learn the basics of woodworking. The first Latigne-supervised project is always the same: the student makes a mallet. Latigne himself is particularly proud of a garden bridge he built on campus, a Japanese-style span that was commissioned by the Japan-American Society of Indiana. "I've got a lot invested in that place," he says of Marian.

But he no longer works there. A couple of years ago, Latigne suffered a stroke. He had to miss several months of work, but he spent that time pushing himself through therapy to regain his strength and reclaim his job. One Thursday, Latigne came back to Marian and proudly presented his physician release allowing him to return to work the following Monday. The next day, he received a call at home from a human resources staffer from Aramark. Don't bother coming in, Latigne was told. You have already been replaced. "If we had a union, I still would have a job," Latigne says. The organizers and workers hope that a future union contract will include his reinstatement.

The formal agenda for the meeting is mostly completed, and the workers start talking to one another across the tables. "Has anyone talked to Bob?" someone asks, "because he is on vacation this week." Stacy Shirar nods. "He'll be there. I talked to him." Shirar is a thickset white man, bald, with a heavily tattooed right forearm. He has not said much during the meeting, but the organizers describe him admiringly as "solid" for the union and as a natural leader among the Marian maintenance workers. Shirar needed no convincing about the value of a union. Before coming to Marian, he had worked for fifteen years in a union shop at an automobile brake and clutch manufacturer. When those jobs were outsourced, he had to find other work. "I made more in the 1990s than I do today," Shirar says. "My dad was in the union, too. And I know that without union wages, there is no way he could have raised us four children. Not only does the union provide better health insurance and benefits, it provides a sense of security. For me, that is key. Wages are not my main concern. Retirement is not my main concern. Being a part of a union gives me the sense that I

won't be looking for a job the next day, that favoritism will not come into play anymore."

The meeting starts to break up, but a few of the workers relaunch a discussion about managers interfering with the election. James Holder raises his voice to be heard over the chatter. "Do you ever go fishing?" he asks. "What I tell people when they talk about management running their mouths against the union is this: When the fish is on the hook, it still keeps squirming and struggling. And that's OK. Because the end of the story is this: it ends up skinned and in hot grease!"

Three days later, the mood is more somber. The same workers and organizers are here, their group now swollen to three times the size with the addition of more workers, along with Marian students and staff who support the union. They gather in a hallway outside a small classroom in one of Marian's main buildings, making nervous small talk. It is shortly after 4:00 p.m., and the second and final shift of voting has officially concluded. Finally, two NLRB officials announce that the group can come inside the classroom to witness the counting of the ballots. A solitary Aramark manager appears and sits down at a table. Most of the workers stand. As one of the NLRB officials opens the cardboard box containing the ballots, no one speaks.

The official pulls out each pink ballot one at a time and uses both hands to hold it up and show it to the group. The ballots read, "Do you wish to be represented for purposes of collective bargaining by UNITE HERE, Local 23, AFL-CIO? Mark an 'X' in the square of your choice." Two large boxes are labeled "Yes" and "No." One NLRB official reads the ballot out loud so the other can mark her tally.

The first ballot is "Yes." So is the next one, and the next, and the next. The NLRB official keeps holding up pink ballots, keeps saying "Yes." The workers exchange raised-eyebrow glances and nervous half-smiles. Mike Biskar has his eyes on a pad of paper in front of him. He is keeping his own tally.

Another ballot. "Yes." Another. "Yes." Another. "Yes."

Finally, the NLRB official stops and asks her colleague to announce the tally: fifty-four to one for the union. The room erupts in cheers. The workers hug and exchange high fives as the Aramark manager, head down, walks quickly out the door.

Stacy Shirar is not much of a hugger, but he allows himself a satisfied smile. "This is no surprise," he says. "I knew people were fed up with

being walked over. We just want to be heard and have a say in what is going on here.”

Herb Latigne was not allowed to vote, but he is here for the counting. He nods his head in approval. “The next ten years here are going to be exciting,” he says.

The workers, organizers, and supporters linger in the hallway outside the classroom, telling stories and making plans for the next step—negotiating a first contract with Aramark. One of the organizers prompts James Holder to share his story with the group. The Marian campaign was slow to begin, with some workers having little faith that a union could ever be a reality at the university. It turns out that even Holder, the most eloquent of Marian’s workers, was initially a union opponent. “I thought union people were greedy, and everyone should just stand up for their own selves,” he says. “But I also really believed in the Franciscan values the Sisters of St. Francis put forth as the mission of Marian. For a long time, I always felt privileged to work at Marian. But sometime after the subcontractor took over, I looked at one of those plaques on campus that list the values. The first one is ‘Dignity of the Individual.’ And I realized those values no longer applied to me. The way we were talked to—we were called everything but our name. People who had been here decades were let go. I did not know what to do about it, and I was getting ready to quit.

“Then Sister Monica and Eric and another union fellow came out to visit me at my home. At first, I said I was against the union. But then I realized that right here is a way to tell my story, to be a part of getting respect back. It is a long road, and we ain’t at the end of it yet. But when we started, I couldn’t imagine us getting this far.”

Holder takes a deep breath, struggling to control his emotions. “When things started going bad here, I felt so alone. But look at what happened today. Fifty-four to one. I’m sure not alone now!”

The Marian workers’ union victory harkens back to a different era in Indiana history. At the national level, and particularly in Indiana, the manufacturing industry formed the heart of the twentieth-century labor movement. That has changed now, due to a combination of factors. The most impactful have been the globalization and technology advances that have made it easier for corporations to send jobs to countries that allow lower wages and fewer worker protections than the United States requires.

The Bureau of Labor Statistics shows that the percentage of all nonfarm workers employed in manufacturing declined from 24 percent of the U.S. workforce in 1973 to just 10 percent of the workforce in March 2007. The percentage of workers in the service sector grew during the same period from 70 percent to 83 percent.¹ The drop in manufacturing jobs was accompanied by a plummeting in the number of unionized workers. As of January 2013 the U.S. Bureau of Labor Statistics reported that only 6.6 percent of American workers in the private sector belong to unions. Even when adding in more heavily unionized public sector jobs, the overall U.S. union membership of 11.3 percent is at its lowest level since 1916.

Indiana mirrors the national trend. The state's overall union membership of 9.1 percent, reported in 2012, was a big drop from the previous year, and it was the lowest level ever recorded in the state. Thirty years ago, in 1983, 22 percent of Hoosier workers belonged to unions. Many of them worked in manufacturing jobs like the one Marian worker Stacy Shirar used to hold. In the 1980s, Shadeland Avenue on the east side of Indianapolis was a four-lane concrete corridor between massive plants for RCA, Chrysler, and multiple parts manufacturers. On this one street alone, over ten thousand union jobs were housed. Just north and east of Indianapolis off Interstate 69, the cities of Anderson and Muncie were once union strongholds filled with workers making products such as Delco batteries, GM headlights, and Goodyear tires. In the 1970s, one of every three people in Anderson worked for GM.² "When I graduated from Muncie Central High School [in the 1950s], you could go just about anyplace and get a job—a decent job," says Muncie mayor Dennis Tyler. "You could go to Borg Warner, and if you didn't like Borg Warner you could leave and go to Chevrolet; if you didn't like Chevrolet you could go to Delco; if you didn't like Delco you could leave and go to Acme-Lee, or dozens and dozens of other little places that were spinning off mom-and-pop tool-and-die shops."³

But in the 1980s and 1990s, Borg Warner, Chevrolet, and Delco Remy left Muncie, and GM vacated Anderson. In Indianapolis, over twenty-eight thousand manufacturing jobs were lost in the 1980s.⁴ The Shadeland Avenue manufacturing corridor is nearly empty now. The children of the manufacturing workers who once made \$23 per hour with generous health and retirement benefits are now likely to be employed at fast-food restaurants, in retail shops, or as security guards or janitors. Sometimes,

like Stacy Shirar, the former manufacturing workers themselves have had to make the transition to the service sector.

These service-sector workers are almost never in unions, usually work without benefits, and often struggle to get full-time hours. Even as these jobs replaced the middle-wage jobs of manufacturing, the jobs remained low paying.⁵ The National Employment Law Project recently reported that the service-sector growth meant that the majority of jobs created since the end of the recession in 2009 pay less than \$14 per hour, well below the estimate for a living wage in Indianapolis.⁶ Despite steady gains in U.S. worker productivity over the past decades, overall wages have not increased when adjusted for inflation. Across the nation, and in Indiana, income inequality has reached limits not seen since before the Great Depression.⁷ In a recent study of upward mobility in the country's fifty biggest cities, Indianapolis ranked third from last.⁸

So far, organized labor has been powerless to reverse or even slow this decline. Its apparent helplessness has led some to say that the concept of unionization has outlived its time. Peter List, a former Communication Workers of America shop steward who now advises companies opposing union drives, wrote an op-ed column citing some of these same dismal figures. The title of the column was unsubtle: "The Labor Movement Is Brain Dead (And It's Time to Pull the Plug)."⁹ Even a labor supporter like historian Nelson Lichtenstein, who directs the Center for the Study of Work, Labor, and Democracy at the University of California, Santa Barbara, says, "Because the payoff is so little and the amount of energy and risk are so great, collective bargaining per se, whether public- or private-sector, is pretty much a dead end."¹⁰

Justin Wilson, managing director of the Center for Union Facts, a not-for-profit organization affiliated with the business lobbying and public relations firm Beriman and Company, says that twenty-first-century U.S. workers no longer need unions. "Unions were too successful for their own good," Wilson says. "Issues that were once part of bargaining are now addressed by federal statutes and agencies pushed for by labor, including safety issues by OSHA [Occupational Safety and Health Administration] and discrimination by the EEOC [Equal Employment Opportunity Commission], and now that is starting to be the case for health care, too. What is left is wages, and I don't think there is an enormous amount of trust by workers that unions are going to bring in substantial increases in wages."

Yet, while the news is mostly bad for the labor movement, there are some bright spots. Spurred in part by enthusiastic union participation among Latinos, California's union membership defied the national trend in 2012 by increasing to 18.5 percent of all workers. High-profile union drives in recent years successfully organized car wash workers in Los Angeles, janitors in Houston, and hospitality workers in Las Vegas. Labor activists and their supporters argue that the real message of the dismal income and wealth gap numbers is that the labor movement is needed now more than ever.

There is some historical basis for this argument. The departed manufacturing jobs in Indiana and elsewhere were not always high-wage, good-benefits paths to the middle class. In fact, when the nation in the early twentieth century undertook a jarring transition from a rural, agricultural economy to an urban, industrial one, the process initially created manufacturing jobs that were low-paying, dangerous, and provided little security or long-term benefits. After long and hard struggle, the labor movement transformed these jobs for the better. Now, a similar challenge is posed by the equally jarring early twenty-first-century transition from a manufacturing-based economy to a service-based one.

Today's service-sector jobs can be improved by unions, too. Studies by the Center for Economic and Policy Research show that unionization raises service-sector worker wages by over 10 percent—about \$2 per hour—compared to the wages of similar nonunion workers. Unionized service-sector workers are also far more likely to have employer-provided health insurance and pension plans.¹¹ The history of service-sector unionization success is still a limited one. But the work of washing dishes in U.S. restaurants and cleaning U.S. hotel rooms is not going to follow automobile manufacturing jobs overseas. And most low-wage workers are employed by large corporations that can adjust their economic models to pay better wages. Of the fifty largest low-wage employers, almost two-thirds are earning higher profits now than before the recession of 2007–09. The top three low-wage employers are the thriving corporations Wal-Mart, Yum! Brands (Taco Bell, KFC, Pizza Hut), and McDonald's. McDonald's profits grew 130 percent from 2009 to 2011, and it pays its executives as much as \$4.1 million per year. Yum! Brands has seen its profits increase by 45 percent over the same period, and it pays its CEO over \$20 million annually.¹² “The fundamental issue is how we are going to

divide the outcome of what is produced,” says John Schmitt, the Center on Economic and Policy Research economist who authored the studies on unionization’s effect on service-sector jobs. “U.S. workers are very highly productive, and unionization helps workers increase their percentage of the value produced. And that leads to higher living standards.”

That is the goal of unions like the Service Employees International Union (SEIU) and UNITE HERE. At the national level, SEIU has led the successful “Justice for Janitors” campaign and supported high-profile 2012–14 short-term strikes by fast-food workers in major cities including New York, Chicago, Seattle, and Detroit. The unprecedented fast-food actions were often convened under the banner of “Fight for 15,” framing the struggle to be paid the \$15 per hour that approaches a living wage in those communities. (Chapters 4 and 5 include an account of the Indianapolis version of these strikes.) UNITE HERE organizes hospitality workers in the hotel industry and food-service workers in institutions such as airports and universities. In Indianapolis, SEIU has organized janitors working for contractors at downtown office buildings and is trying to do the same among security guards at the same buildings. UNITE HERE has achieved the most local success, with the Marian workers joining some four hundred other Indianapolis workers represented by unions who are employed by contractors providing services at Butler University, the Indianapolis International Airport, and Indiana University–Purdue University at Indianapolis, known as IUPUI.

While the former manufacturing centers of central Indiana lie quiet, things are bustling at the IUPUI food court. It is shortly before noon, and hundreds of people crowd into both the dining and counter areas. Students and faculty members, including students and staff from the Indiana University Schools of Medicine and Nursing, distinctive in their light-blue scrubs, line up under brightly lit signs for restaurants like Chick-fil-A, Papa John’s, Wild Greens, and Spotz. Men and women fill orders from behind the counters, take payment at the cash registers, wipe down tables, and prepare the food in the back. They do not work for the name-brand restaurants. Nor do they work for the state university, despite the lettering “IUPUI Food Service” on their black polo shirts and white chef jackets. They are employees of Chartwells, a division of the British corporation Compass Group, the world’s largest food-service management company.

James Meyers came to work here in August 2009. A broad-shouldered, stocky African American man with a goatee, Meyers grew up on Indianapolis's east side, the youngest of seven children and a product of Public School 103 and John Marshall High School. When his plans to join the military out of high school fell through, Meyers drove tractor trailers and dump trucks before switching to food service. He managed a kitchen at a nursing home for a while and was a shift manager at Popeye's and KFC fast-food restaurants. In his late forties by the time he came to IUPUI, Meyers was hired as a prep cook, preparing vegetables for the various restaurants at the food court and also for the catering jobs and a day care center that Chartwells serves from this location.

Before long, Meyers began noticing problems in the workplace. Some of his fellow cooks were making barely above minimum wage, and the health insurance offered by Chartwells was so costly that he knew of no workers who were actually enrolled in the plan. Meyers and his colleagues were promised two breaks each shift, plus a thirty-minute lunch off the clock. But the kitchen was chronically understaffed, and the breaks rarely occurred. When his colleague in vegetable prep fell ill and had to leave work for several months, management refused to get Meyers replacement help. He learned that other colleagues were also working multiple roles without any increase in pay. Two Chartwells workers, whose duties put them in the Caribou Coffee shop in the same campus center building as the food court, were forced to work for three hours in a foot of standing water after the back of the store flooded. When the workers complained about problems like these, management told them to deal with it or look for another job.

Then, just as Meyers's prep cook duties began to stabilize, he was pulled aside by a Chartwells manager. Meyers was ordered to switch jobs, moving to the front of the food court with more responsibilities but no increase in pay. Meyers said he would prefer to stay in his cook role. The response was succinct. "Move or we fire you," he was told.

"I had trouble keeping my peace with that," Meyers says now. But by then he had discovered a possible outlet for his frustration. Meyers and a handful of other Chartwells IUPUI workers had begun meeting with an organizer for UNITE HERE. The union's Local 23 had already organized food-service workers at the Indianapolis International Airport and had negotiated contracts with Chartwells at other locations around

the country. Meyers was plenty angry at the company for its treatment of him and his coworkers at IUPUI, but he had no previous experience with unions. He had never even had a family member who had belonged to a union. He had his doubts. "I'd heard all kinds of things about unions, that they just want to take your [dues] money, and that unions are for lazy people," he says. "So I was pretty reluctant." Finally, after multiple conversations with his coworkers and some soul-searching, Meyers decided he was in: "I just wanted my job to change. I found that I was tired of going from job to job, and that I wanted to stay here and make this job better."

By contrast, Meyers's colleague Delbert Tardy was all in from the first time he heard the word "union." A large man with a shaved head, wire-rim glasses, and wide forearms spilling out of his massive white apron, the fifty-two-year-old Tardy cuts an imposing figure. His words are no less powerful. "I have no problem speaking my mind, here or anywhere else," says Tardy, who has worked at IUPUI since 2006. Meyers and Tardy were among a half dozen workers who formed a committee to reach out to their

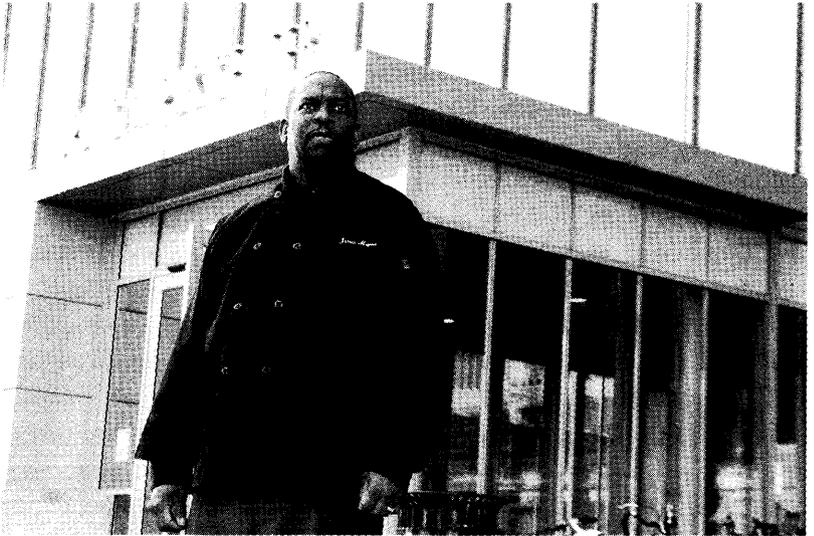


Figure 1.1. James Meyers helped lead a successful campaign to organize the food-service workers at the Indianapolis campus of Indiana and Purdue Universities. "I felt like I had won a million dollars," Meyers says of the day the campaign went public. "I got to tell the manager, 'You are the boss, I understand that. But I am a man, too, and we can respect each other.'"

Photo by Mark A. Lee.

colleagues, quietly and one at a time. They asked the workers about what Meyers calls their “agitations” and sounded out their interest in joining a union. Tardy, whose coworkers call him “Doc,” encouraged his colleagues to follow his outspoken example. “A lot of them were scared to be part of a union, but I said you have to be strong and you have to believe,” Tardy says. “It gives you more pride and self-respect when you come to work and you know that you are not going to be harassed or disrespected.”

After a few months of conversations like these, nearly three-quarters of the Chartwells IUPUI workers had signed cards indicating their desire to join the union. In September 2011 the union effort went public when a delegation of workers, joined by supportive IUPUI students and faculty, paid a visit to Chartwells management. On that day, the group of nearly thirty people gathered in the food court. Led by Meyers, they walked to the manager’s office and knocked on the door. The manager—the same man who had told Meyers to accept his transfer and extra duties or look for another job—opened the door, and his eyes widened. “He was very surprised, and he said to me, ‘Why do you have all these people here?’” Meyers recalls. “I said, ‘Because we want to have a union and all these people support what we are doing.’” Meyers smiles at the memory. “We finally got a chance to talk to him without him brushing us off. He *had* to listen this time.”

After that show of solidarity, Chartwells quickly agreed to recognize the union. Negotiations began over a contract, but things did not go well at first. The company’s initial offer proposed no raises at all for the first year of the contract and then just a ten cents an hour raise in year two. Insulted, the workers rejected the offer and began wearing buttons to work that read “RESPECT.” The company came back to the table. Eventually, Chartwells agreed to a contract that included annual pay raises, paid sick and vacation days, a 401(k) retirement plan, and recognition of seniority in transfers and overtime work. As part of the agreement, health insurance costs were cut and are guaranteed to decrease each year. Now, half the staff has signed up for the coverage. Meyers and Tardy became union shop stewards and began meeting with management regularly to discuss workplace issues.

Sometimes, they brought a few friends to those discussions. A couple of months after the contract was ratified, a Chartwells worker was moved into a higher classification job. The contract called for a pay increase of

\$1.50 per hour for work in that new role. But the manager, thinking the worker was not aware of the contract terms, took her aside and proposed to give her just an extra fifty cents per hour. When Meyers was told about the situation, he made plans to meet with the manager. A half dozen fellow workers agreed to accompany him, but when Meyers reached the office door, three times that number were behind him. Meyers confronted the manager and demanded that the worker receive the full raise. The manager said he would look into it. The workers were not satisfied with that response. They decided to leave, but not before marching around the office area for a bit, chanting "We'll be back! We'll be back!" They did not have to return. The next day, the manager gave the transferred worker her full raise.

Several months after the contract was approved, Meyers took a leave of absence from Chartwells to help UNITE HERE organize workers at Marian and Butler. He helps make the house visits to workers, telling the story of the IUPUI workers' journey from doubting the power of solidarity to securing a workplace where employees' rights are guaranteed. Meyers enjoys the role. "I know firsthand how workers are mistreated, so I want to see all workers being treated with dignity and respect," he says.

If asked, Meyers will also share with the workers the story of his longer and more personal journey. Beginning in high school, he started heavy use of alcohol and marijuana. By twenty-two, he was addicted to both and had expanded to regular use of cocaine. For twenty years, his alcoholism caused him to lose jobs and antagonize loved ones. "I carried this cloud over me for a good while," he says. Then, one Thursday he got paid and did not come back home until Sunday, having spent his entire paycheck on alcohol and drugs. It was not the first time Meyers had done this. But this time he returned to the home he shared with his girlfriend Debbie to find that she had changed all the locks on the doors. "She told me to just go back to wherever it was that I was coming from," Meyers says. "It was an eye-opener for me."

Meyers checked himself into a rehab facility, sobered up, and eventually married Debbie. He has now been clean for over nine years. Meyers sees a link between the struggle for workplace respect and the struggle for sobriety: "The connection for me is that we can all make our lives better. Once I got clean, I realized I had been putting a limit on my life by stunting my growth. I was able to get help, so now I want to help somebody else, whether it is to better their personal life or their job."

“WE CAN WIN HERE”

When union organizers are assigned to Indianapolis, they are routinely instructed to read a 2005 book by Richard Pierce, a former Indiana University graduate student who is now a history professor at Notre Dame. The book is called *Polite Protest*, and its thesis is that the African American community of Indianapolis was largely nonconfrontational in its twentieth-century efforts to secure equality and opportunity.¹ Compared to other Northern cities, Pierce writes, Indianapolis had a large and relatively prosperous African American population for several generations before the Civil Rights and Black Power eras. In part for that reason, African Americans had already made some gains that propelled them to favor negotiations with white city leaders over dramatic boycotts, sit-ins, and demonstrations.

Polite Protest is assigned for the purpose of giving organizers some insight into the basis for Indianapolis' reputation for taking a peaceful, and sometimes even passive, approach to issues of injustice. The city's nickname, “Naptown,” referred not just to limited nightlife but an absence

of high-profile race and class conflict. In African American history, Indianapolis is known for its entrepreneurs like Madame C. J. Walker, the nation's first self-made woman millionaire, jazz legends like Wes Montgomery and Jimmy Coe, and athletes like basketball great Oscar Robertson. There is no comparable Indianapolis figure of African American protest and activism.

IUPUI professor Tom Marvin, who directs a program for students interested in labor and community organizing, says that Pierce's conclusion extends beyond race-oriented advocacy. "Indianapolis is not only politically conservative, it also has a dominant culture that values avoiding confrontation," Marvin wrote in a 2013 paper. "Hoosiers are reluctant to make demands on government or corporate elites and prefer to deal with social problems through volunteerism and faith-based charities."² When UNITE HERE lead organizer Mike Biskar was sent to Indianapolis, a more senior organizer who had spent some time in the city summed up its twentieth-century legacy for Biskar: Indianapolis was too far north for the great battles of the civil rights movement, and too far south for the great battles of the labor movement.

There is plenty of truth in these conclusions. To this day, white and African American city leaders alike commemorate the events of April 4, 1968, the night after Martin Luther King Jr. was killed, precisely because no major demonstrations or riots occurred. Then-presidential candidate Robert F. Kennedy, in Indianapolis for a previously scheduled campaign event in an African American neighborhood, stood on the back of a flat-bed truck and delivered a stirring plea for nonviolence. "What we need in the United States is not division; what we need in the United States is not hatred; what we need in the United States is not violence or lawlessness, but love and wisdom, and compassion toward one another, and a feeling of justice towards those who still suffer within our country, whether they be white or whether they be black," Kennedy said.³ Riots broke out in over one hundred U.S. cities that night, but not in Indianapolis. A memorial with sculptures of both King and Kennedy has been erected in the park where Kennedy spoke.

But it would be a mistake to label Indianapolis's racial history as uniformly peaceful. As recently as 1995, following reports of an African American youth being beaten in police custody, two days of sometimes violent demonstrations occurred in a near-northside neighborhood just

a few blocks from the site of Kennedy's famous speech. During the civil rights era, there were plenty of marches, vigils, and demonstrations in Indianapolis, including a multiday outbreak of violence in 1969 along Indiana Avenue, onetime site of Madame Walker's hair care and cosmetics company and the city's iconic jazz clubs.⁴

No companion book to *Polite Protest* is assigned to organizers to brief them on Indianapolis' labor history. But there is actually some significant precedent for modern-day activists to draw from. In the late nineteenth and early twentieth century, Indianapolis was considered to be the labor capital of the United States. Multiple national union headquarters were housed in the city known as the "Crossroads of America" for its central location and direct rail access to the rest of the country. The United Mine Workers, the Teamsters, the Iron Workers, the Carpenters, and even the American Federation of Labor were once based in Indianapolis. Labor legends like John L. Lewis and Samuel Gompers once led their organizations from offices in the city's downtown.

In 1891, Indianapolis building trades workers became among the first in the nation to earn the eight-hour day. Two years later, Indiana became a trailblazer in banning the "yellow dog contract," which required an employee to be nonunion as a condition of employment.⁵ Indianapolis was the site of a massive and violent strike by streetcar operators in 1913. Earlier in that decade, Iron Workers Union secretary-treasurer John J. McNamara and fifty-one others, most of them also connected to the union, were arrested in Indianapolis for their alleged roles in the 1910 dynamiting of the building of the fiercely antiunion *Los Angeles Times*. McNamara and his younger brother James, also a union official, were extradited to California, where they were convicted in proceedings that led to their famed attorney, Clarence Darrow, being charged with jury tampering. Thirty-eight others, including the union's president, were convicted in Indianapolis.

One of the most visible labor and political leaders of the era was Terre Haute, Indiana's Eugene V. Debs, a former railroad car painter and Democratic member of the Indiana General Assembly. Debs founded the American Railway Union, led the Pullman Strike of 1894, and was thrown in jail for defying court injunctions against the strike. While imprisoned, Debs read the writings of Karl Marx and emerged to become the nation's leading socialist. He would go on to help found the radical Industrial Workers of the World (known as the "Wobblies"), created with