

Chapter 10

THE US EXPERIENCE OF ORGANISING IN THE CONTEXT OF THE GLOBAL ECONOMY

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In late January of 2008 the US Bureau of Labor Statistics issued their annual report revealing that US unions had added approximately 310,000 new members in 2007, resulting in an increase in union density from 12.0 per cent in 2006 to 12.1 per cent in 2007 (BLS, 2007). A 12.1 per cent figure is a shockingly low density rate and a .1 per cent increase is indeed very small. However, across the US unions celebrated the news as a clear signal they had turned a corner. Economic policy experts Ben Sipperer and John Schmitt explain the significance of the news:

The increase is small, and may well reflect statistical variation rather than an actual increase in the union membership share, but the uptick is striking because it is the first time since the BLS began collecting annual union membership rates in 1983 that the union share has increased (Sipperer and Schmitt, 2008).

And the response from unions to the news was swift. No sooner had the report been released than the Service Employees' International Union (SEIU) issued a press release headlined 'SEIU Drives Growth as Union Workforce Increases for First Time in Years', followed by:

Seeking to improve their lives and the wide range of services they provide in their communities, 114,158 workers voted to unite in the Service Employees International Union (SEIU) in 2007.

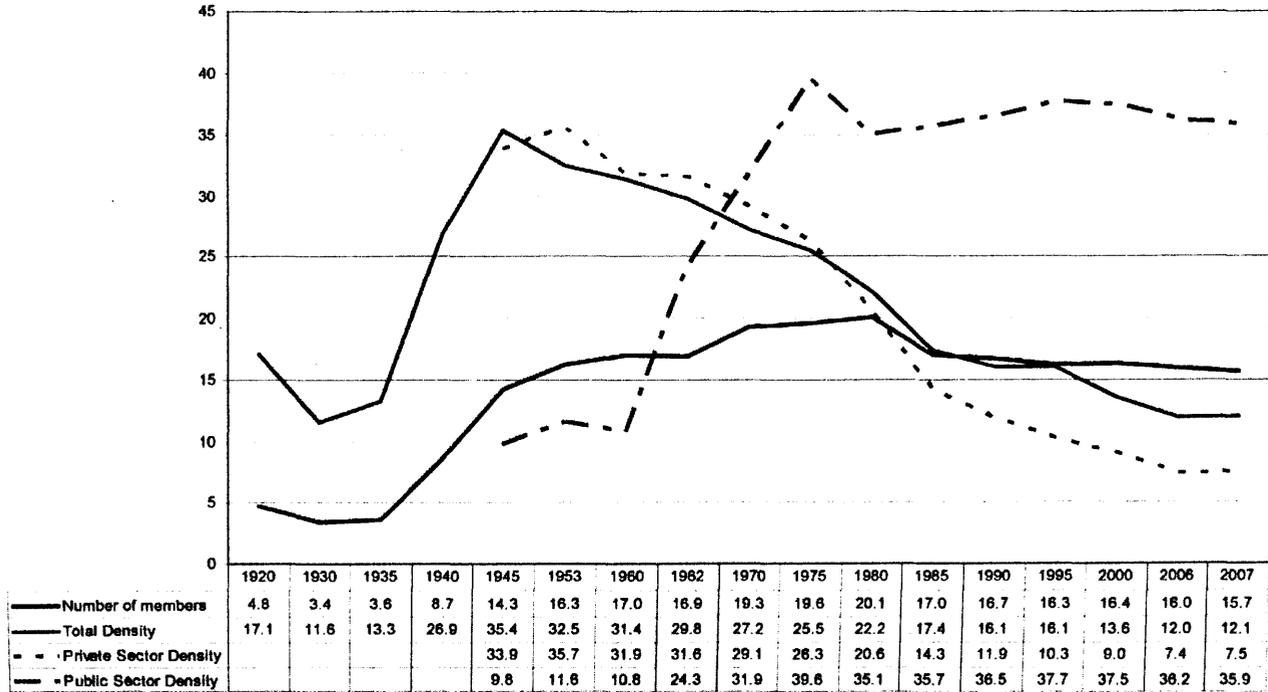
SEIU's growth last year accounted for nearly 25 per cent of the total union growth across the country, solidifying SEIU's role as America's fastest-growing union (SEIU, 2008).

While there is no question that SEIU can lay claim to a significant share of the nation's recent organising gains, the fact remains that what is being celebrated here is that the US labour movement eked out one-tenth of a percentage point more than standing still. This year for the first time in twenty-five years unions managed to both organise more union members than are lost each year to plant closings, outsourcing, layoffs, contracting out, privatisation, technological change and decertification, and also keep pace with job growth in the unorganised sectors of the economy.

As shown in Figure 10.1, union membership in the US has remained fairly stable for the last sixty years as density started its decline from its peak of 35.4 in the mid-1940s. The overall decline would have been much steeper if there had not been the rapid growth of public sector union density between 1960 through 1980, which has averaged around 36 per cent since 1985. In contrast, union density in the private sector began a steady decline dropping more rapidly in the 1980s until 1999, the first time that density held steady since 1980. In that highly celebrated year, unlike this year, unions were able to point to large victories: 75,000 homecare workers organised in California by SEIU, tens of thousands of teachers organised by AFT in Puerto Rico, several large hotels in Las Vegas by HERE, two large white collar units (CWA at US Airways and IAM at United) under the Railway Labor Act, and perhaps most dramatic of all, after more than twenty years and multiple elections, UNITE's victory at Pillowtex, formerly Cannon Mills, in North Carolina (Bronfenbrenner, 2000, 2001).

That year the labour movement talked about having organised 500,000 workers, turning a corner, reversing the decline. But it was also the last year of an expanding economy and the year before an election. The next year in 2000, as in every other election year, organisers were pulled off organising campaigns to work on the Gore-Lieberman campaign. Few campaigns were started that winter and instead of a resurgence there was a drop in density each year, worsened by the fear that followed 9/11. It would not level out again until 2007 when once again catching up, or standing still, is cause for celebration.

Figure 10.1: US Union Density and Union Membership: 1920-2007



Yet the fact is, 'standing still' in 1999 required a great deal more work for unions than it did in 1989, and standing still in 2008 requires even more effort. For, each year, the challenge for unions became even more difficult, as job growth expanded ever more rapidly in industries and sectors where union density was lowest, and outsourcing and plant closings combined to devastate industries where unions predominated (Bronfenbrenner and Luce, 2004). Thus, by my estimates, where in the late 1980s and early 1990s unions needed to organise at least 300,000 workers to keep up with job expansion in non-union jobs and job loss in union jobs they continued to organise under 300,000 in the public and private sector combined. As the 1990s moved forward the magic number increased to 500,000 and in 1999 they finally reached that number. But today, when hundreds of thousands of union jobs are shifted out of the country due to global outsourcing alone (Bronfenbrenner and Luce, 2004), unions need to be organising hundreds of thousands more workers each year, and can ill afford to celebrate gains as insignificant as .1 per cent.

The Organising Numbers – The Last Decade

Starting in the late 1990s, some unions, such as SEIU, UNITE HERE, UAW, AFSCME, and CWA began increasingly to focus their efforts on organising outside the NLRB. Public sector unions, such as AFSCME and AFT, stepped up their organising efforts, most notably in Maryland and Puerto Rico, which part way through the decade gained collective bargaining protection for public sector employees. In another innovative effort, SEIU and AFSCME began to work with state and local governments to set up special authorities to bring home care and child day workers under the aegis of a single large public employer, and under a campaign neutrality agreement, to make workers that were heretofore some of the most difficult to organise because of their isolated agency employee status into large, safe public employee campaigns.

Because of the scale of these efforts, in recent years the net number of new workers organised through NLRB elections has been entirely overshadowed by the much larger number of workers organised in a series of major non-board victories in homecare, building service, wireless communications, laundry services, health care, hotels and the public sector. Still, the overwhelming majority of US unions continue to concen-

trate their organising resources and efforts in traditional NLRB campaigns, albeit with limited success.

Even with new organising initiatives, the number of elections, which had hovered between 3,000 per year since the late 1980s, slowly began to drop down in the last five years, reaching below 2,000 for the first time in 2006. Although NLRB election win rates increased from 51 per cent in 1997 to 61 per cent in 2006, it would be premature to see this as an indicator of organising success and membership growth. For while win rates have increased, the per cent of eligible voters in units where the union won the election remains much lower, still only 53.9 per cent. When we factor in an average first contract rate of less than 70 per cent, this means that less than a third of workers who endeavor to organise under the NLRB are able to gain representation under a collective bargaining agreement (Bronfenbrenner and Hickey, 2004; BNA Plus, 2007).

Table 10.1: NLRB Representation Elections, 2002-2006

| Year | Number of Elections | % Win Rate | Number of Eligible Voters | Number in Elections Won | % of Voters in Elections Won |
|---------------|----------------------------|-------------------|----------------------------------|--------------------------------|-------------------------------------|
| 2002 | 2,724 | 56.8% | 189,863 | 81,364 | 42.9% |
| 2003 | 2,351 | 58.3% | 150,047 | 77,427 | 51.6% |
| 2004 | 2,363 | 58.6% | 166,525 | 84,838 | 50.9% |
| 2005 | 2,137 | 61.3% | 125,305 | 64,502 | 51.5% |
| 2006 | 1,657 | 61.4% | 112,598 | 60,087 | 53.4% |
| AFL-CIO, 2006 | 768 | 60.2% | 50,049 | 23,101 | 46.2% |
| CTW, 2006 | 732 | 56.4% | 52,299 | 26,245 | 50.2% |

Source: BNA Plus, 2007.

As shown in Table 10.1, one noteworthy factor is that the AFL-CIO and Change to Win are not only running equal numbers of NLRB campaigns but their success rate is remarkably similar. CTW has a slightly lower win rate but is winning in larger units so has brings in 3,000 more workers a year through the NLRB than the AFL-CIO. Win rates under the NLRB are notably higher in service sector industries such as health care

(69.7 per cent) than in manufacturing (46.1 per cent), communications (31.8 per cent) or retail 53.2 per cent) (BNA Plus, 2007).

Organising Outside the NLRB

As mentioned earlier, NLRB certification elections are one of several mechanisms under which new workers are organised in the US each year. Workers in the railway and airline industry organise in elections supervised by the National Mediation Board. Public sector workers employed in state and local government entities organise through certification elections supervised by more than forty different labour relations agencies in the thirty-seven states that have collective bargaining legislation covering at least some public workers in the state.¹ In several states, including Washington, New York, Minnesota, and Ohio, there are also state-supervised card check certifications. Although they have limited collective bargaining rights, federal workers organise through government supervised certification elections. In recent years there has also been a wave of public sector organising in Puerto Rico following the passage of public employee collective bargaining legislation in 1998. Unfortunately, because there is no centralised database tracking organising activity and outcomes in state and local elections, we have no systemised national data on public sector organising activity and outcomes.

In the last decade, as the environment for organising in the private sector became increasingly challenging, more and more unions focused their efforts on organising outside the traditional NLRB process through card check recognition and, to a lesser extent, community supervised elections. Because there is no government mandated reporting requirement for private sector organising that occurs outside of the NLRB, data on the nature and extent of these campaigns is also very limited. We are currently in the process of compiling the first ever national database of non-board campaigns. To date we have gathered data from nearly every service sector, public sector and industrial union, but are still missing the bulk of the building trades and entertainment unions data because they themselves have difficulty compiling their organising numbers. So,

¹ See Bronfenbrenner and Juravich, 1998 for a more comprehensive analysis of organising in the public sector.

while incomplete, the preliminary non-board findings provide important insights into the nature and extent of these campaigns, the industries, employers, unions and workforce.

What these data reveal is that the NLRB is no longer the primary vehicle through which workers organise in the US today. More importantly, outside of construction and some security units, the overwhelming majority of these campaigns are concentrated service sector units in communities of colour, in particular building services, wireless, health care, retail sales, warehouse and distribution, laundries and privatised social services.

Public sector campaigns on the other hand were primarily concentrated among two groups: homecare workers and public school employees, primarily in non-professional units. Both groups are almost entirely female, including many women of colour. Other industries with significant activity include state and local government employees, airline workers and graduate students and adjunct faculty organising in public sector higher education. Once again, these are all industries with high concentrations of women workers (Bronfenbrenner, 2005).

For several unions, including UNITE HERE, CWA, AFSCME, AFT, and SEIU, the number of workers organised outside the NLRB process far outweighs those organised through NLRB elections, even in their primary industries. Notably, the workers being organised by SEIU, AFT, CWA, UNITE HERE and AFSCME, whether in healthcare, laundries, hotels, home care, wireless or public schools are primarily women, including many women of colour. Thus, when taken together, these data suggest that many of the unions that have made the most organising gains, both inside and outside the NLRB process, are targeting industries where women of colour predominate. In combination, the data from NLRB and non-board campaigns also suggest that women are fast becoming not just the majority, but perhaps as much as 60 per cent of new workers organising each year.

The Organising Environment

Over the last 20 years I have conducted a series of studies to gain a better understanding of the factors determining union organising success or failure in organising in the global economy. While we are currently up-

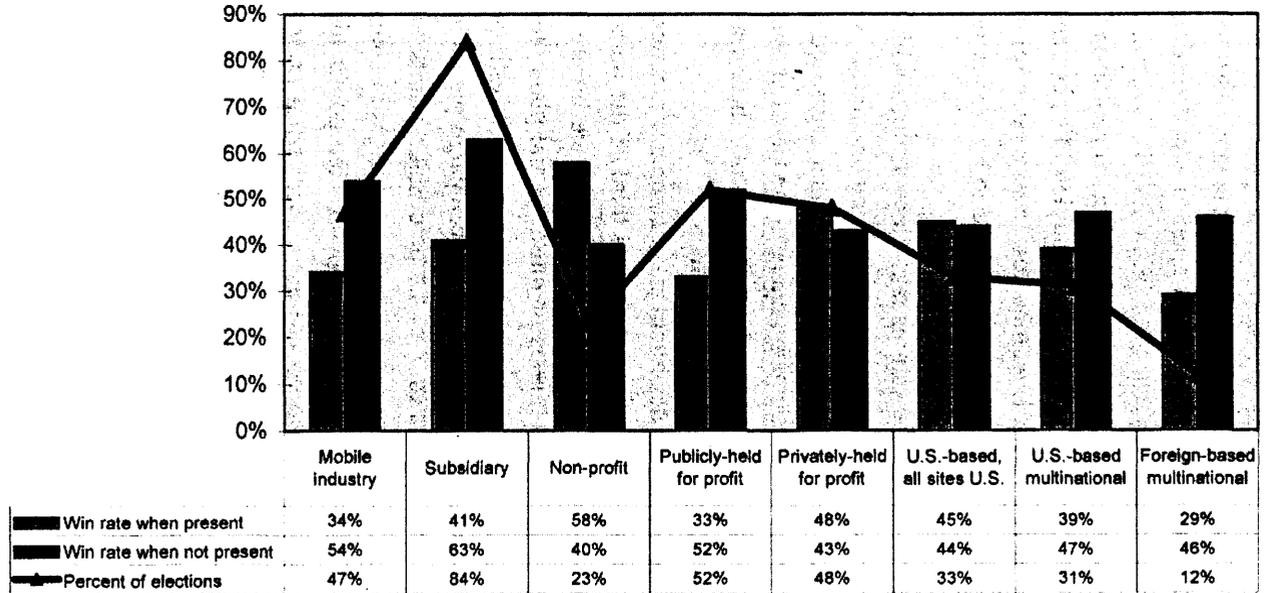
dating our research, the findings from our 1998-1999 study make clear that even a decade ago unions were operating in a much more global, mobile, and rapidly changing corporate environment.²

While a majority of private-sector organising campaigns continue to be concentrated in relatively small units in US-owned for-profit companies, these companies are increasingly subsidiaries of larger parent companies (84 per cent), including many multinationals (62 per cent). This trend occurs not because unions are targeting large multinational companies, but because the US private sector economy is increasingly dominated by multinational firms. Only one-third of all campaigns occur in for-profit companies with all sites and operations based in the US, while 23 per cent take place in non-profit companies such as hospitals, social service agencies or educational institutions.

Fifty-four per cent of all NLRB elections are concentrated in mobile industries where production can easily be shifted out of the state or out of the country. Not surprisingly, win rates average just 34 per cent in campaigns conducted in mobile industries compared to a 54 per cent win rate in immobile industries. Organising win rates average as high as 58 per cent in non-profit companies, compared to a 40 per cent win rate in for-profit companies. Among for-profit companies, win rates are highest for US-based companies with all sites in the US (45 per cent), and lower for foreign-based multinationals (29 per cent) and US-based multinationals (39 per cent). Win rates are also much higher (63 per cent) in the 16 per cent of the companies that are not a subsidiary of a larger parent company, compared to a 41 per cent win rate for companies that are subsidiaries.

² All of the data in the text, charts, and tables from this point forward was compiled as part of a study commissioned by the bi partisan Congressional US Trade Deficit Review Commission (USTDRC) in 2000. See Bronfenbrenner and Hickey 2004 and Bronfenbrenner 2000 for an in-depth discussion of the research method used in conducting the research for the USTDRC study.

Figure 10.2: Corporate Structure and Election Outcome



Company Characteristics

As would be expected, given that all of these elections occurred during the period of high corporate profitability in the late 1990s, 65 per cent of the companies in our sample were in good to excellent financial condition at the time the petition was filed (Figure 10.3). Overall, win rates are lower in companies in good to excellent financial condition (43 per cent) than in units in fair to poor financial condition (47 per cent), reflecting the fact that more profitable companies have greater resources to improve conditions for workers and to devote to an aggressive anti-union campaign.

Fifteen per cent of the elections take place in firms with other organised units at the same location as the unit being organised. A much larger percentage of companies (60 per cent) have other organised units at other sites and locations of the company, either in the US or abroad. For nearly half of the campaigns in our sample (46 per cent), there was a previous, unsuccessful, attempt to organise the unit.

Figure 10.6 also presents findings on company practices before the organising campaign took place. Nearly a third of the units already had an employee involvement or team system in place before the election, while 21 per cent had had threats of full or partial plant closure, and 18 per cent reported changes in company ownership. Both pre-campaign employee involvement programs and pre-campaign plant closing threats are associated with win rates 7 to 12 percentage points lower than in units where they are not present. In contrast, changes in company ownership are associated with win rates 13 percentage points higher than in units where there had been no change in ownership prior to the campaign. This may be because a change in company ownership is more likely to be associated with practices such as job combinations, wage and benefit reductions, and increases in the pace of work which, in combination, may motivate workers to initiate a union campaign and vote for a union.

Figure 10.3: Company Characteristics and Election Outcome

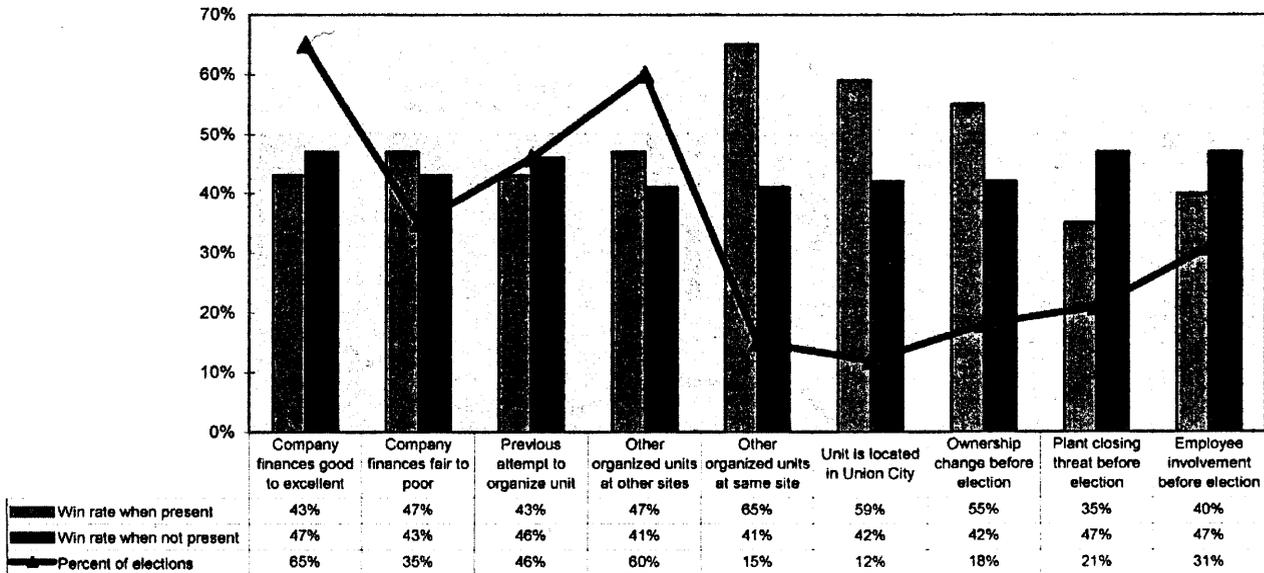
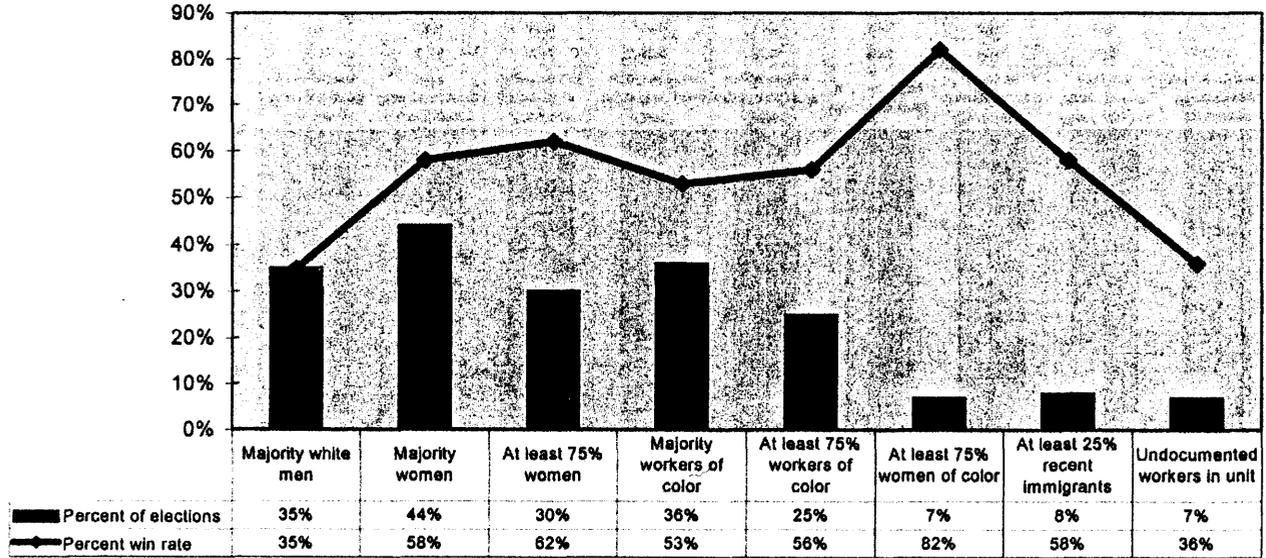


Figure 10.4: Bargaining Unit Demographics and Win Rates



Our findings on bargaining unit demographics also confirm that organising is increasingly concentrated in units with a majority of women and people of colour (Figure 10.4). Only 35 per cent of the units have a majority of white men, while women make up the majority in 44 per cent of the units and workers of colour make up the majority in 39 per cent of the units. Win rates increase substantially as the proportion of women and workers of colour increases. While they average only 35 per cent in units with a majority of white men, win rates are 53 per cent in units with a majority of workers of colour, 56 per cent in units with at least 75 per cent workers of colour, 58 per cent in units with a majority of women, and 62 per cent in units with at least 75 per cent women. The highest win rates are 82 per cent for units with 75 per cent or more women workers of colour. The higher win rates in these units mean that not only are women and workers of colour, in particular women of colour, participating in union elections in ever increasing numbers; but, because win rates are so much higher in these units, the vast majority of new workers coming into the labour movement today are women and people of colour.

Recent immigrants and undocumented workers have been involved in many of the largest organising victories in the last five years in industries such as home care, hotel, laundry, building services, drywall and asbestos removal. However, most of those campaigns have been outside of the NLRB process. In contrast, only 8 per cent of all the elections in our sample were in units with 25 per cent or more recent immigrants and only 7 per cent of the campaigns had undocumented workers in the unit. The win rate averages as high as 58 per cent in units with at least 25 per cent recent immigrants, but drops down to 36 per cent in units with undocumented workers. This reflects the ability and willingness of employers to use the threat of deportation to thwart organising efforts among undocumented workers and also suggests one of the reasons why card check neutrality campaigns are so important in organising industries with large numbers of undocumented workers.

Employer Behaviour

Consistent with earlier research, we find that the overwhelming majority of employers aggressively oppose union organising efforts through a

combination of threats, discharges, promises of improvements, unscheduled unilateral changes in wages and benefits, bribes and surveillance. Figure 10.5 presents data on the most commonly used employer anti-union tactics, listed in order from those tactics used most frequently by employers in NLRB certification elections to those tactics which are used least frequently by employers. As Figure 10.5 shows, the use of traditional employer anti-union tactics has become quite pervasive, and, both individually and in combination, these tactics are extremely effective in reducing union election win rates.

Fifty-two per cent of all employers and 68 per cent of those in mobile industries made threats of full or partial plant closure during the organising drive. Approximately one in every four employers (26 per cent) discharged workers for union activity, while 48 per cent made promises of improvement, 20 per cent gave unscheduled wage increases, and 17 per cent made unilateral changes in benefits and working conditions. Sixty-seven per cent of the employers held supervisor one-on-ones with employees at least weekly, 34 per cent gave bribes or special favors to those who opposed the union, 31 per cent assisted the anti-union committee, and 10 per cent used electronic surveillance of union activists during the organising campaign. Employers threatened to refer undocumented workers to the Immigration and Naturalisation Service (INS) in 7 per cent of all campaigns and in 52 per cent of cases where undocumented workers were present.

Consistent with previous research, we find that for the most aggressive individual employer anti-union tactics, win rates average ten to twenty percentage points lower in campaigns where the tactic is used compared to campaigns where the employer does not use the tactic. For just two tactics, promoted pro-union activists and used the media, the win rate is actually higher in units where those tactics are used compared to the win rate where they are not used. One possible explanation is that employers only bother to promote union activists out of the unit or run a media campaign when there is a strong chance the union will win.

Figure 10.5: Employer Tactics and Election Outcome

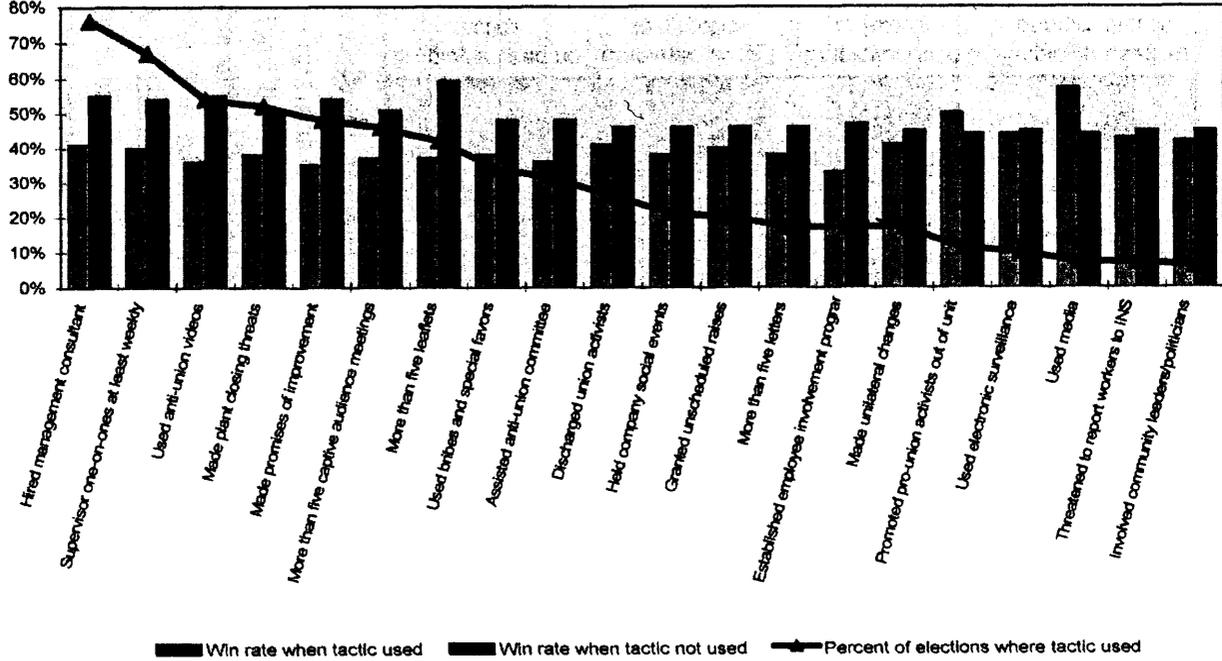
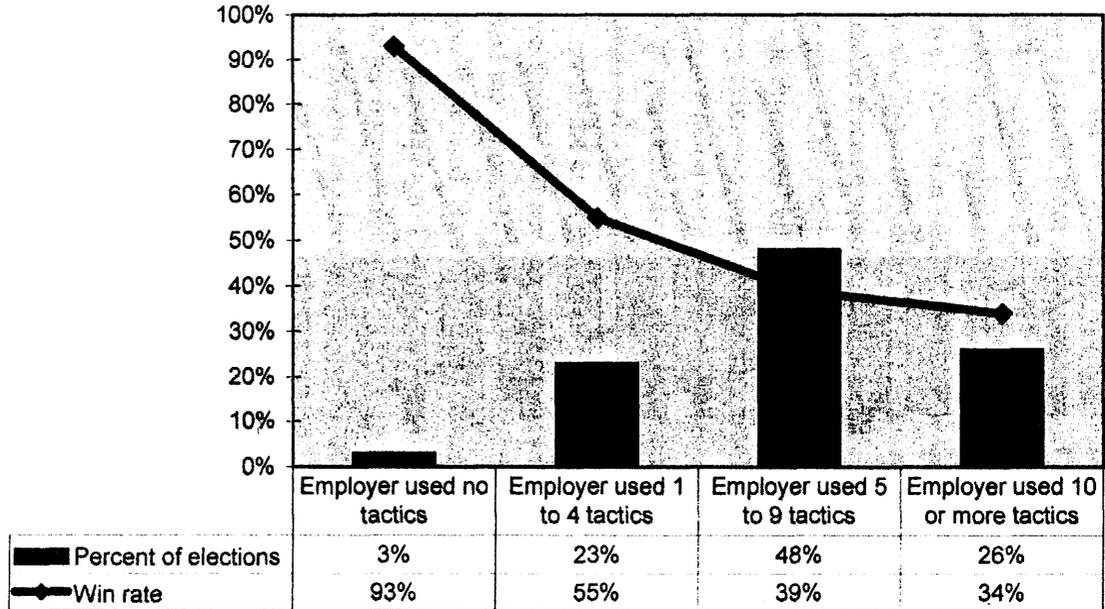


Figure 10.6: Election Activity and Outcome by Intensity of Employer Campaign



As described in Figure 10.6, the majority of employers use a combination of tactics. Forty-eight per cent of the employers ran moderately aggressive anti-union campaigns using five to nine tactics, 26 per cent of the employers ran extremely aggressive campaigns using ten or more tactics, but only 23 per cent ran a weak campaign using one to four anti-union tactics. Employers ran no campaign whatsoever against the union in only 3 per cent of the cases in our sample, 93 per cent of which the union won. Overall, the win rate drops to 55 per cent for units where employers used one to four anti-union tactics, 39 per cent where they used five to nine tactics, and 34 per cent where they used ten or more. The fact that there is only a slight drop in win rates between moderately aggressive and extremely aggressive employer campaigns suggests that in some units aggressive anti-union behavior by employers may reach a point of diminishing returns, particularly at a time when unions are running more aggressive and sophisticated campaigns and workers' trust in corporations is declining.

Union Organising Tactics

We have shown just how challenging the organising environment has become for unions organising in the private sector. Workers in almost every industry face more sophisticated employer opposition to organising coupled with dramatic increases in corporate restructuring, foreign trade and investment, and shifts in work and production to other companies and other countries. Yet that does not tell the entire story about the state of union organising today. National organising data also show that some unions have been able to win even against some of the nation's most formidable anti-union employers, even in the most mobile and most global industries. This raises the critical question about what role union strategies play in determining whether or not unions succeed in organising large numbers of new workers in their primary industries.

When we first conducted research to examine these questions in the late 1980s, we found that unions were more likely to win NLRB elections if they used rank-and-file-intensive tactics such as person-to-person contact, active representative committees, member volunteer organisers,

solidarity days, and building for the first contract before the election.³ This research also found that union tactics as a group had a more significant impact on election outcomes than other groups of variables such as election environment, bargaining unit demographics, organiser background, and employer tactics.

This process did not happen all at once. By the early 1990s traditional organising approaches and the isolated use of innovative tactics gradually decreased in effectiveness as the organising climate became more complex and employer opposition more sophisticated. Yet, when these variables were combined into a comprehensive union-building tactic variable, adding one unit for each additional union-building tactic used, the probability of the union winning the election increased by as much as 9 per cent for each additional tactic, suggesting that individual union tactics had become less important in determining election outcome than a comprehensive union building campaign that incorporated person-to-person contact, leadership development, escalating internal and external pressure tactics, and building for the first contract.

Unfortunately, although we found many unions were running more effective and aggressive organising campaigns than they were a decade ago, the majority of unions continue to run relatively weak campaigns. Even unions that do use more innovative and rank-and-file intensive tactics tend to use them piecemeal rather than as part of a sophisticated, comprehensive, and consistent strategy. What is most striking about these results is the inconsistency in the use of the tactics both within campaigns and over time. Although organiser training programs and materials have been emphasising the importance of these tactics for more than a decade, these data suggest that, even today, only a small number of unions are using these tactics in a consistent way, and even those that do, tend to use them in isolation, not as part of a comprehensive multi-

³ For more information see Bronfenbrenner and Juravich's earlier research on union organising strategies. See Kate Bronfenbrenner, 'The Role of Union Strategies in NLRB Certification Elections,' *Industrial and Labor Relations Review*, 50(2): 195-221 and Kate Bronfenbrenner and Tom Juravich, 'It Takes More than House Calls: Organising to Win with a Comprehensive Union-Building Strategy,' and Tom Juravich and Kate Bronfenbrenner, 'Preparing for the Worst: Organising and Staying Organised in the Public Sector' in Kate Bronfenbrenner and Sheldon Friedman, et al. (eds.), *Organising to Win: New Research on Union Strategies*. Ithaca: NY: ILR Press, 1998.

faceted campaign. Most significantly, in light of labour's much touted effort at 'changing to organise', there has been only a minimal increase in the use of these tactics, both individually and in combination, since 1995, far from what is required to increase union density and bargaining power.

What the data on organising tactics and organiser background reveal is that in the current organising environment it is not enough to simply utilise as many union tactics or recruit as many organisers as possible. Instead, for unions to make any significant organising gains in the private sector they will have to mount organising campaigns that are more aggressive, comprehensive, creative, and strategic and they will need to recruit and train enough organisers to effectively mount these more comprehensive campaigns. Based on our analysis of the evolution of successful union organising over time, a new model of comprehensive union strategies emerges that is based on two fundamental principles. The first is that union success in certification elections 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 organising success:

1. Adequate and appropriate staff and financial resources
2. Strategic targeting and research
3. Active and representative rank-and-file organising committees
4. Active participation of member volunteer organisers
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 which 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
10. Building for the first contract during the organising campaign.

These strategic elements, which we will call comprehensive organising tactics, may each be associated with higher win rates and/or have statistically significant positive effects on election outcome. However, given the hostile climate in which unions must operate, the use of these individual comprehensive organising tactics will not be enough. Instead, union gains will depend on a multi-faceted campaign utilising as many of the ten comprehensive organising tactics as possible and that the likelihood of the union winning the election will significantly increase for each additional comprehensive organising tactic utilised by the union.

The second principle underlying the comprehensive organising model is that differences in the quality and intensity of the campaigns between unions are a better predictor of differences in election outcomes for those unions than employer opposition, bargaining unit demographics, or company or industry characteristics. We do not suggest that industry, corporate structure, unit type, worker demographics, or employer opposition do not matter. All of these factors have a very powerful and significant impact on union win rates. Indeed, it is more difficult to organise mobile industries, such as metal production and fabrication, garment and textile, food processing, and call centers, in the current global trade and investment climate. It is also more difficult to organise subsidiaries of large multinational corporations that have the resources to launch a full-scale counterattack against the union campaign. Furthermore, higher paid, primarily white male, blue collar, white collar, and professional and technical occupations are more difficult to organise in the current climate because they tend to be more affected by threats of job loss or blacklisting that are typical in employer campaigns today. Although industry, unit type, worker demographics and employer characteristics and tactics matter, union tactics matter more, because unions have so far to go before they live up to their full potential. While the majority of unions today run very weak campaigns with no underlying strategy, the majority of employers run very strategic campaigns, taking full advantage of the range of effective anti-union tactics available to them, and adapting and tailoring those tactics depending on the organising environment and the union's campaign.

If all unions were running aggressive comprehensive campaigns and win rates continued to vary across the organising environments in which

individual unions operate, then these differences in organising environment would play the primary role in explaining the variance in organising success between unions. Instead, the more successful unions owe their organising victories to the nature, quality, intensity and comprehensiveness of their campaigns, across a diversity of industries, companies, bargaining units and employer campaigns. Similarly, unions with lower win rates lose more elections because of the lack of intensity, quality and comprehensiveness of the campaigns they run rather than the organising environment in which they operate.

Each of the ten elements of the comprehensive organising model enhances the union's organising power in a unique way. Unions that allocate adequate staff and financial resources, for example, make an institutional commitment to be more intensely engaged in the campaign, recruit and organising of staff that is demographically representative of the workers they organise, and run more campaigns. Unions that engage in strategic targeting tend to approach organising as a means to build bargaining power within certain sectors and industries, in contrast to the non-strategic 'hot-shop' organising model.

Perhaps the single most important component of a comprehensive campaign is an active, representative committee that gives bargaining unit members ownership of the campaign, allows the workers to start acting like a union inside the workplace, builds trust and confidence among the workforce and counteracts the most negative aspects of the employer campaign.

The use of member volunteers to assist in organising campaigns reflects a combination of greater institutional integration of current and potential new members, and an emphasis on a worker-to-worker approach to organising. Person-to-person contacts made inside and outside the workplace enhance the union's organising power by providing the intensive one-on-one contacts necessary to build and sustain worker commitment to unionisation both at home and in the increasingly hostile election environment at work.

The combination of benchmarks and assessments allows unions to evaluate worker support for the union at different stages of the campaign in order to better adjust their strategy to the unit they are trying to organise and to set thresholds to determine when, and whether, they are ready

to move on to the next stage of the campaign. A focus on issues that resonate with the workers and the community, such as respect, dignity, fairness, service quality and union power and voice, is essential both to build worker commitment to withstand the employer campaign and to gain community support.

Internal pressure tactics allow the union to start acting like a union before the election takes place, building solidarity and commitment among the workers being organised and restraining employer opposition. External pressure tactics that exert leverage on the employer both in the local community and in their national and/or international operations are essential to organising in the increasingly global corporate environment. Finally, building for the first contract before the election helps build confidence in the workers being organised, showing them what the union is all about and signaling to the employer that the union is there for the long haul.

While each of the ten elements of the model are important in themselves, their ultimate effectiveness depends upon them 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. At the core are the three building blocks of any organising campaign upon which all the other comprehensive tactics depend: adequate and appropriate staff and financial resources, active representative committee and benchmarks and assessments. In the absence of adequate and appropriate resources, unions will be unable to staff and finance the labour-intensive, grassroots tactics that a comprehensive organising campaign requires, from conducting in-depth research on company ownership, to recruiting and training staff, member volunteers, and organising committee members, to engaging in escalating pressure tactics in the workplace and the community. Similarly, a representative and active committee is necessary to develop rank-and-file leadership, build the union inside the workplace, and make connections between workers and the community outside the workplace. And, without benchmarks and assessments, the union is flying blind, unable to evaluate the effectiveness of the campaign tactics they have chosen and when, whether, and how best to move forward with the campaign.

All of the comprehensive organising tactics are more likely to be used in winning campaigns than in losing ones. The results are particularly striking for the three core comprehensive tactics – adequate and appropriate resources (used in 21 per cent of winning campaigns but only 9 per cent of losing campaigns), active representative committees (33 per cent of winning campaigns compared to only 21 per cent of losing campaigns), and benchmarks and assessments (35 per cent of winning campaigns compared to only 14 per cent of losing campaigns).

As described in Figure 10.7, each of the individual elements in the model are associated with win rates that average between 4 to 28 percentage points higher than in campaigns where they are not utilised. Once again the most dramatic differences in win rates are associated with adequate and appropriate resources (64 per cent when present, 41 per cent when not present), active representative committee (56 per cent when present, 41 per cent when not present), and benchmarks and assessments (66 per cent when present, 38 per cent when not present).

The smallest differences are associated with issues that resonate in the workplace and community (49 per cent when present, 43 per cent when not present) and external pressure tactics (48 per cent when present, 44 per cent when not present). This is to be expected given that escalating external pressure tactics tend to be only used in campaigns with aggressive employer opposition, while the effectiveness of issues is highly dependent on the tactics unions use to get their message across.

In our survey of organising campaigns we found that win rates increase dramatically for each additional tactic used, starting at 32 per cent for no comprehensive organising tactics, and then increase to 44 per cent for one to five tactics, 68 per cent for more than five tactics, and 100 per cent for the 1 per cent of the campaigns where unions use eight tactics. At the same time, the per cent of campaigns where the tactics were used steadily declines as the number of tactics increases (Figure 10.8). Fourteen per cent of all campaigns use no comprehensive organising tactics, 54 per cent use fewer than three tactics, while only 10 per cent of all campaigns use more than five tactics and none use more than eight.

Figure 10.7: Per cent Win Rate in Campaigns Using or Not Using Comprehensive Union Tactics

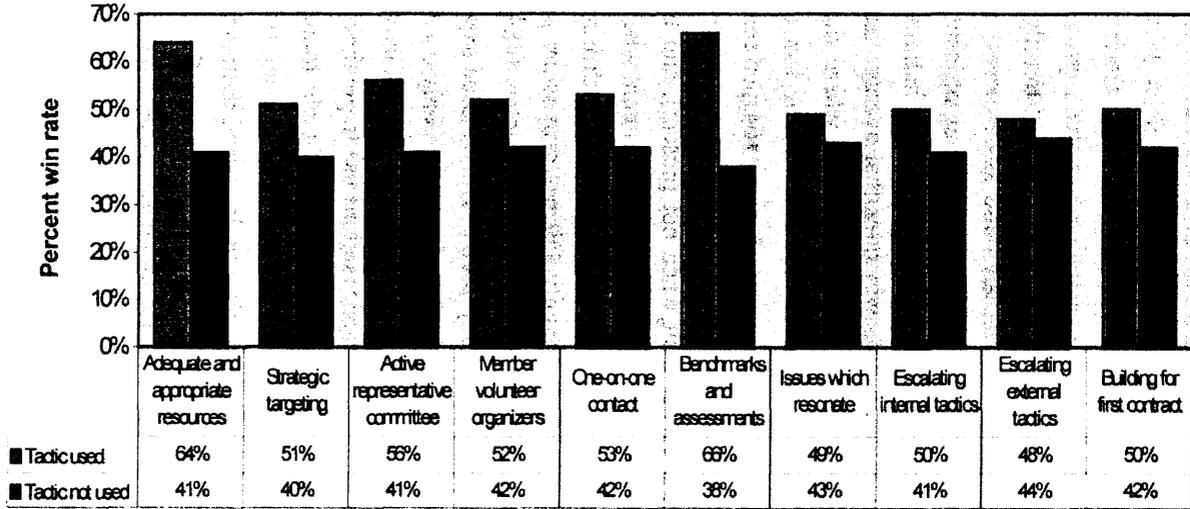


Figure 10.8: Per cent of Elections and Election Win Rate by Number of Comprehensive Tactics Used

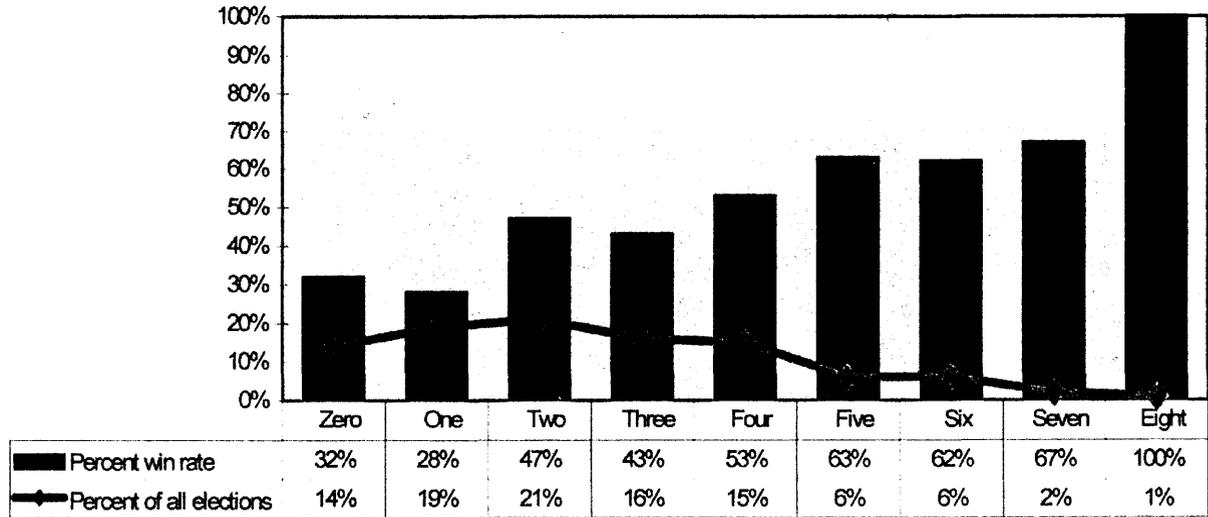
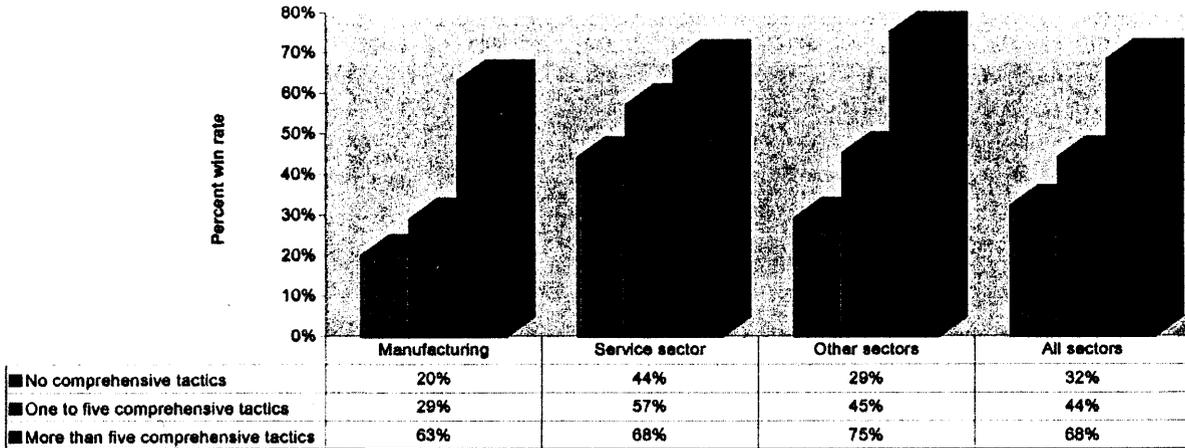


Figure 10.9: Comprehensive Organising Tactics and Election Outcome by Sector



Across all industrial sectors, per cent win rates are much higher in elections where unions use a comprehensive organising strategy incorporating more than five comprehensive tactics, compared to campaigns where they use five or fewer tactics (Figure 10.9). In manufacturing the win rate averages only 20 per cent in campaigns where unions use no comprehensive organising tactics, increasing only slightly to 29 per cent when they use between one and five tactics, but then jump to 63 per cent in the campaigns where they use more than five tactics. In the service sector the unions win 44 per cent of campaigns where no tactics are used, 57 per cent in campaigns where one to five tactics are used, and 68 per cent in campaigns where more than five comprehensive tactics are used. In all other sectors combined, (communications, construction, transportation, retail/wholesale, and utilities) the win rate associated with campaigns where they use no comprehensive tactics is 29 per cent, increasing to 45 per cent where one to five tactics are used, and 75 per cent where more than five comprehensive tactics are used. Thus, we find that a comprehensive organising strategy improves election outcomes substantially, across all sectors of the economy, even in the most mobile and global industries.

While these data are limited to NLRB campaigns, our interviews with organisers and union leaders who have been successfully organising through card-check neutrality agreements, paint a similar picture. The unions that have brought in the most new members through organising outside the traditional board process (SEIU in building services, CWA in wireless, UNITE HERE in hotels, distribution centers and laundries) have only succeeded in these endeavors because they have been following a more comprehensive organising strategy, in particular adequate and appropriate staff and financial resources, strategic targeting, member volunteer organisers, a focus on issues that resonate with the workplace and the broader community, internal and external pressure tactics, and building for the first contract during the organising drive. Those that have been least successful in winning non-board campaigns have focused on external leverage at the expense of building an active representative committee, person-to-person contact in the workplace and community, and escalating internal pressure tactics. Often they have also failed to do the strategic research or commit sufficient resources to

mount the kind of campaign necessary to make the cost of fighting the union greater than the cost of voluntarily recognising the union and bargaining a first agreement.

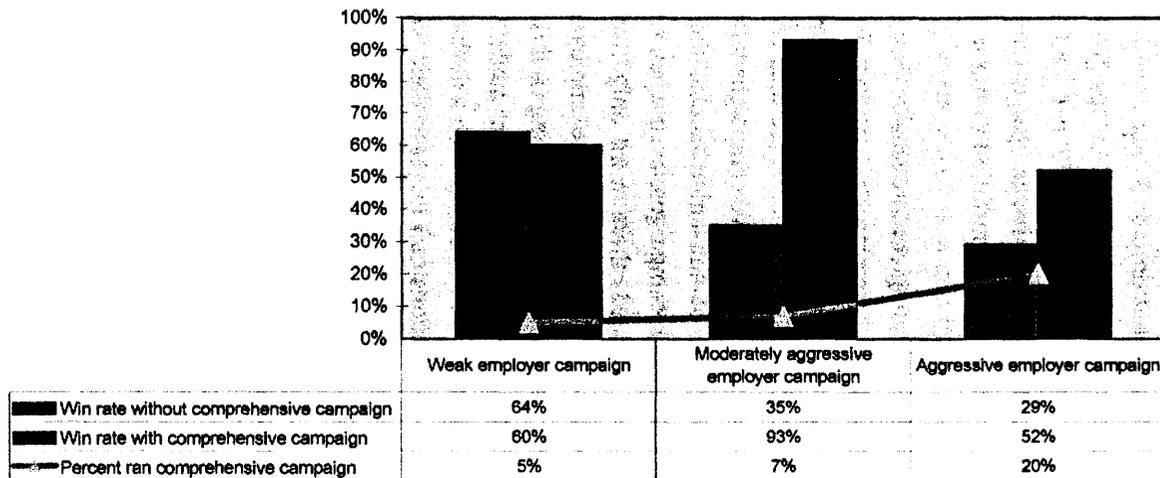
Comprehensive Organising Tactics and Employer Behaviour

As we described earlier in the chapter, the overwhelming majority of employers aggressively oppose union organising efforts through a combination of legal and illegal anti-union tactics designed to dissuade workers from voting for the union. Yet, union win rates associated with all of the individual aggressive employer tactics increase between 10 and 40 percentage points when unions use a comprehensive organising strategy using more than five tactics in our model compared to campaigns where they used fewer than five tactics.

The smallest differences in win rates are in campaigns where the employer institutes an employee involvement program, and where the employer threatens to bring in INS in units with undocumented workers. This is consistent with previous research that the use of these employer tactics is particularly effective at undermining worker support for the union. When employers use these tactics it requires that the union use a much more comprehensive campaign than those run by the unions in our sample, one that uses eight, nine, or even all ten elements of the model, rather than just five or six.

In addition to examining win rates associated with comprehensive organising tactics and individual employer tactics it is important to assess the impact of more aggressive comprehensive union campaigns relative to the overall intensity of the employer campaign. Figure 10.10 compares win rates in campaigns with weak employer opposition, moderately-aggressive employer opposition, and aggressive employer opposition in elections where the union ran a comprehensive campaign using more than five comprehensive organising tactics versus elections where the union used five or fewer comprehensive organising tactics (no comprehensive campaign).

Figure 1.10: Intensity of Employer Opposition, Comprehensive Organising Tactics and Election Outcome



The results are striking. In elections with moderately aggressive employer campaigns, win rates average 93 per cent when the union runs a comprehensive campaign but drop to 35 per cent when the union fails to run a comprehensive campaign. Even in campaigns with aggressive employer opposition, win rates average 52 per cent overall in elections where the union ran a comprehensive campaign compared to only 29 per cent in campaigns where the union failed to run a comprehensive campaign.

Overall, unions are running comprehensive campaigns in 20 per cent of elections with aggressive employer opposition, 7 per cent of elections with moderately aggressive employer opposition, and 5 per cent of elections with weak employer opposition. These data confirm that while the majority of employers run aggressive campaigns taking full strategic advantage of a broad range of anti-union tactics, the majority of unions continue to run fairly weak campaigns, even when faced with aggressive employer opposition. Indeed, there were only two campaigns in our sample, where, when faced with aggressive employer opposition, unions used more than six comprehensive organising tactics. Both of those elections were won. Thus, consistent with our model, although employer anti-union campaigns can and often do have a devastating impact on union organising success, unions can increase their win rates, even in the face of the most aggressive employer opposition, if they run comprehensive campaigns.

Unions and Comprehensive Organising Tactics

As we have discussed so far, there is no question that some unions, such as the UAW in auto-transplants and auto-parts, CWA/IUE in high tech and electronics, USWA in metal production and fabrication or the UFCW in food processing, face much greater challenges organising in their primary jurisdictions because they are confronted with more mobile, more global, and more powerful and effective employer opposition, and, in some cases, a workforce less predisposed to unionisation. Yet, as we have seen, even in the most adverse organising environments, union organising success can dramatically improve when unions utilise a comprehensive campaign strategy. Given these differences, what is perhaps most striking about our findings is how few unions are actually running

comprehensive campaigns, or even consistently using any of the ten elements of our comprehensive campaign model. Most significant of all, only a smattering of unions today see themselves as global unions taking on global employers. They are not doing the strategic corporate research necessary to develop the kind of critique of the company needed to launch a truly multifaceted comprehensive campaign. They are not developing lasting labour and community networks, locally, nationally and internationally to help them build and leverage their power in the company and the industry. And they are not getting out in front on the issues that resonate with workers and the public ranging from universal health care, to the war in Iraq, global outsourcing, to affordable higher education.

But while the US labour movement is in crisis and has not made a great deal of progress as it chases a bar that seems to keep moving further and further out of reach, there is something very different about the labour movement of 2008 than the labour movement of a decade ago. They are no longer sitting on the sidelines blaming everyone but themselves and waiting to be rescued by labour law reform alone. US unions may not be having great success at organising growth but today at least most of them are trying to figure out how to get it right. They are paying for independent academic research to critically look at what they are doing and try to help figure out how to do it better. And while they aren't very good at taking criticism from each other, they have been more willing to step out of the cold war restraints and meet with unions from all over the world who have a stake in a common employer.

Yet, they also are holding themselves back. Because for all their effort, the single greatest barrier to union organising success in the US today may be internal divisions within unions and the movement itself, resulting from restructuring, mergers, raids, both between and within the CTW and the AFL-CIO and affiliates. Because it is these issues now that are dominating the news, sapping morale, distracting their focus and making it more difficult to both inspire unorganised workers to take the risks that it takes to organise, and a new generation of young people to come work with the labour movement. If they are not resolved, all the new strategies and effort will be in vain because unions divided against themselves will not have the power to organise in this economy. Neither strategy nor solidarity alone is sufficient to organise today, but instead

both are necessary. And of late, it seems within some unions, one or the other or both are in short supply.

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