

2011

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## Recommended Citation

Perry, Amanda M., "The Union Idea in 21st Century America" (2011). *Senior Honors Projects*. Paper 207.  
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The Union Idea in 21st Century America

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## Abstract

This project explores the development of the “union idea” and its role in low wage labor markets in the 21st Century.

The "labor question" became a central issue in the early 20<sup>th</sup> century because its solution seemed essential to the survival of American democracy itself: could a society based on wage labor provide a rising standard of living and full social participation for those workers? For a time during and after World War II the “union idea” - workplace democracy, working class solidarity, and the allocation of resources partly on a social rather than a market basis – became a widely accepted solution to the labor question. From the 1950s on however, management successfully limited union expansion and circumscribed labor’s power. Unions and policymakers contributed to this decline in the union idea by pressing for firm rather than government provided social benefits and by suggesting a false parity between labor and capital.

Despite the widespread belief that the US solved its labor problem and that the union idea is a relic, recent developments in US labor relations indicate that the opposite is true. The standard of living for workers has stagnated, labor laws are often unenforced, union density has declined, and there is a widespread sense of alienation towards existing political institutions. Gross violations of what were once generally accepted worker rights have become commonplace. For instance wage theft is now rampant in America’s low wage labor markets.

In response to this revival of the labor question some trade unionists have tried to develop a new “union idea” centered on comprehensive campaigns. Rather than bargaining over a narrowly circumscribed set of economic issues, comprehensive campaigns utilize corporate research, community coalition-building, political pressure, and public relations to recapture the political and ideological high ground from employers.

This project examines one comprehensive campaign, UNITE HERE’s campaign at the Westin Hotel in Providence RI. Based on my own participation as an intern with Local 217 and interviews I conducted, I interpret the success of this campaign in light of the literature on union decline, labor law violation, and organizing tactics. My initial conclusion is that comprehensive campaigns are contributing to a “new union idea” that addresses the 21st century labor question. After analyzing the Westin campaign I discuss some of the conditions under which campaigns are most likely to be successful.

After scrubbing seventeen toilets, seventeen bathroom floors, changing seventeen heavy luxury linen beds and vacuuming seventeen bedroom carpets she released a heavy sigh and wiped the sweat from her brow. It was finally time to go home only to return the next day bright and early. This hard working housekeeper is Carmen Castillo a 49 year-old single mother, who has worked at the Westin Providence Hotel for the past 16yrs. Shockingly in 2010 her employer imposed a 20% unilateral wage cut. It had a devastating impact on Carmen's family budget. Her wages now only covered her mortgage and car payment, and left no money to pay for food to feed her children never mind to pay her other bills. In her time of need when all seems lost where does she turn? She turns to her union, Local 217.

Unions like Carmen's fight against unfair labor practices and dangerous working conditions in the low wage market. The "union idea" was widely accepted at the end of WWII as a necessity to create balance in our economy. It is now often seen as a national threat to capitalism as well as being outdated and unnecessary. In this paper I will investigate the development of the union idea and the events that have led to its decline through a review of four books that address various aspects of the subject. From there I will define the new state of the "union idea" that exists in our 21<sup>st</sup> century low wage labor market in connection to my experience as an intern at a labor union as well as through a series of open ended interviews pertaining to the Westin Providence Corporate Campaign.

## I. The Union Idea

Lichtenstein's State of the Union, Getman's Restoring the Power of Unions, Bobo's Wage Theft in America and Ehrenreich's Nickel and Dimed, share a similar perspective on the current crisis facing low wage workers. They see the current low wage work market as filled

with labor violations due to disregarded labor laws and standards. All of these authors prescribe similar solutions including strengthening union power and enforcing labor laws. In this section I will examine the conditions low wage workers face and evaluate the potential contributions of new forms of unionism to ensure the fair treatment of America's often ignored low wage workers. Lichtenstein's State of the Union provides a historical background on the steps taken to increase union power in the first half of the 20<sup>th</sup> century, He then surveys the deterioration of laws and institutions put into place to protect America's workers as well as the decline in union power. Later I will also examine Lichtenstein, Getman and Bobo to identify the low-wage worker wage theft dilemma and the necessary steps that are needed to alleviate their plight in the form of a "new union idea."

The "union idea" was the solution to the labor question posed in the early 20<sup>th</sup> century. President Woodrow Wilson along with many other influential leaders began to try to answer the growing concern for labor as industrial capitalism emerged. Wilson Cabled to Congress:

The question which stands at the front of all others amidst the present awakening is the question of labor...how are the men and women who do the daily labor of the world to obtain progressive improvement in the conditions of their labor, to be made happier, and to be served better by the communities and industries which their labor sustains and advances...The object of all reform in this essential matter must be the genuine democratization of industry, based upon a full recognition of the right of those who work, in whatever rank, to participate in some organic way in every decision which directly affects their welfare.<sup>1</sup>

Wilson's perspective was shared by progressives and unionists alike. The "union idea" was the application of workplace democracy, working class solidarity, and the allocation of resources partly on a social rather than a market basis. In response to the Great Depression this idea spread, in the context of widespread discussion of arbitration, worker councils, employer

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<sup>1</sup> Arthur S. Link, ed., *The Papers of Woodrow Wilson*, Volume 59, May 10-31, 1919 (Princeton: Princeton University Press, 1988), 290-91.

representation plans, producer cooperatives and nationalization schemes for industry. By 1940's union density had tripled compared to the 1920's. The union idea was embedded in the National Labor Relations Act (Wagner Act) and the Fair Labor Standards Act and was central to New Deal industrial democracy (Lichtenstein, 2002.).

The Wagner Act was designed to put in place permanent institutions that gave workers a voice as well as a means of action to resolve their grievances. It outlined a series of inalienable rights entitled to workers including the right to be able to select a union by majority vote, to strike, boycott, and to picket. It also listed "unfair labor practices" by employers, including the maintenance of company-dominated unions, the blacklisting of union activists, intimidation and firing workers who sought to join independent organization and the employment of industrial spies" (Lichtenstein 36). This act also established the National Labor Relations Board whose main responsibility was to determine the will of the workers by hearing employee complaints, determining union jurisdictions and by conducting on-site elections that were necessary to mobilize the will of the workers. The Fair Labor Standards Act established the first minimum wage and 40-hour workweek.

FDR's New Deal was a reaction to the nation's call for a more democratic industrial market. In 1934 the largest single strike in our nation's history occurred where 350,00 textile workers walked out of mills from Maine to Alabama. In reaction to this nationwide event and other labor unrest FDR proposed major reform of the country's labor. "Among our objectives I place the security of men, women, and children of the Nation First..." During World War II the president proposed a 'Second Bill of Rights' to provide citizens with the right to a job, medical care, education, housing, and a decent income." (Lichtenstein 29-31). The latter was not enacted, indicating the limits of New Deal social democracy

The early 1940s marked the height of New Deal union power as union density grew rapidly with some 9 million or so workers represented by unions. However, with the shift to Republican power in Congress in the late 1940s a different agenda for unions was set in motion. The Republicans were intent on decreasing union influence. One result was the 1947 Taft-Hartley law. It required “all trade unionists to sign an affidavit asserting they were not Communists, by organizational affiliation or belief” (Lichtenstein 115). It weakened the labor movement by imposing limits on union’s ability to strike, permitted the employer to file damage suits against unions and removed union leaders who were considered to be radical communists from union leadership. The Taft-Hartley Act was a reflection of Congress’s push to curb union power and influence in the late 1940’s.

The “union idea”- workplace democracy, working class solidarity, and the allocation of resources partly on a social rather than a market basis-began to erode in the 1950’s and the 1960’s. Wilson’s labor question - “how are the men and women who do the daily labor of the world to obtain progressive improvement in the conditions of their labor, to be made happier, and to be served better by the communities and industries which their labor sustains and advances?” - was increasingly forgotten in a period of seemingly endless economic growth. Unions were increasingly seen as special and often corrupt special interests. Headlines contained such themes as union corruption and association with crime, especially the mafia, “most of the distinctions between mob-connected criminality, autocratic leadership, hard bargaining, and industry wide negotiating strength were purposefully lost on those who saw these labor corruption scandals as an opportunity to reopen the assault on the union movement” (Lichtenstein 163). The defamation of union character contributed to the corrosion of the union idea.

The union idea was devalued in two additional ways. First, there was a false sense of equality between labor and capital even though collective bargaining's scope was being narrowed. Second, both courts and popular opinion looked increasingly to a "rights-based" model of industrial justice because, "these collective institutions have lost their capacity to command the loyalty of their membership, upon which their strength depends" (Lichtenstein 177). The implications of this switch from bargaining to rights would be seen in the 1970s. By that time the union idea had begun to erode because of tales of union corruption, the limiting of union power through legislation and a lack of enforcement of labor laws. The original powers of the National Labor Relations Act of the New Deal era were weakened when "in 1974 the Supreme Court held that the NLRA did not cover anyone who had the authority to 'formulate and effectuate management policies by expressing and making operative the decisions of the employer'" (Lichtenstein 176). This court decision set a precedent for the routine exclusion of thousands of American workers who fit the description. An example of those who were affected included the faculty at Yeshiva University in 1980 that were deemed ipso fact managers. While the 1970s and the 1980s certainly saw progress on issues of employment diversity, Lichtenstein concludes that the substitution of legal rights for collective bargaining weakened the union idea.

This substitution is directly connected with why unions lack the necessary power to tackle contemporary labor problems. The first is an issue of enforcement, "the legal regulatory system itself is simply not capable of enforcing by court order the inner life of millions of workplaces" (Lichtenstein 209). Next is the decline in employee involvement caused by the dependence on professional and governmental expertise: "No matter how well constructed, such regulation takes disputes out of the hands of those directly involved, furthers the influence of administrative professionals...and ends by increasing litigiousness and undermining government

legitimacy” (Lichtenstein 210). The dependence on experts reduces direct worker involvement in their own organizations.

From here we can begin to understand the diminishing power of unions and the nationwide epidemic of labor violations and lack of enforcement that exists today. Increasingly seen as a special rather than a general interest group, surprised by the intensity of the national anti-union movement, in a political environment that looked more to the legal rights of individuals than their collective self activity, union density dropped from its peak of roughly a third of workers in the 1950s to 11.9% today<sup>2</sup>.

## II. The Labor Question in the 21<sup>st</sup> Century

With the declining acceptance of the union idea new labor problems have arisen. One example is wage theft. Kim Bobo’s Wage Theft in America defines the wage theft crisis faced by low wage workers in America today, “Wage theft occurs when workers are not paid all their wages, workers are denied overtime when they should be paid it, or workers aren’t paid at all for work they’ve performed. Wage theft is when an employer violates the law and deprives a worker of legally mandated wages” (Bobo, 7). This form of labor violation spans all types of occupations and corporations from nursing homes to poultry plants, and the unfair labor practices amount in the billions. In fact, the Economic Policy Foundation estimates that companies steal \$19 billion<sup>3</sup> annually in unpaid overtime.

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<sup>2</sup>“Union Membership in U.S. Fell to a 70-Year Low Last Year” *NY Times*  
<http://www.nytimes.com/2011/01/22/business/22union.html>

<sup>3</sup> Bobo, Kimberley. (2009). *Wage theft in America: Why millions of working Americans are not getting paid--and what we can do about it*. New York, NY: W.W. Norton & Co.

Employers are able to steal wages by committing “sins of commission” which include paying workers below minimum wage, paying in cash to avoid payroll taxes as well as paying a worker for less hours than they actually worked. Managers who have been pressured by senior management to keep costs low often commit “sins of omission”. Primary ways employers steal wages include paying workers less than minimum wage; not paying workers for all the hours worked; giving employees checks that bounce, not paying overtime/misclassifying “exempt” and “nonexempt” workers; paying workers by the day or job; making workers pay for a job; not paying the “prevailing wage;” taking illegal deductions from workers’ paychecks; stealing workers’ tips; not paying workers at all; not paying last paychecks to employees; by misclassifying workers—calling them independent contractors; making workers pay payroll taxes; having no unemployment insurance; by denying worker’s compensation coverage and compensation; and cheating workers out of overtime pay (Bobo 2009). The most common form of wage theft is not paying for all hours work, often including overtime pay. Currently there is no effective union or regulatory counter weight to these unethical and illegal practices.

Wage theft is just one of the major problems low wageworkers face. Ehrenreich’s Nickel and Dimed reveals that in addition low wage workers struggle to live on a minimum wage, they lack benefits and are subject to unsafe working conditions. Low wage workers generally do not receive health insurance, retirement funds or overtime pay and are often subject to excessive employer scrutiny and mistreatment. The character Gail who is Ehrenreich’s coworker identifies the unfair relationship between management and workers, “They don’t cut you no slack. You give and you give, and they take” (Ehrenreich p. 22). When Ehnreineich was a waitress in Florida she worked long hours for a menial pay that couldn’t even cover housing or food. Ehrenreich’s

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experiment as a low wage worker brings to light the constant struggle low wage workers face and their lack of legal protection,

Employers get away with breaking the law because of the pressures of globalization, the growth of the contingent work force, and the current high unemployment rate. Globalization,"has enabled big firms to escape responsibility for their suppliers and contractors, while at the same time pressuring U.S. workers to accept poor working conditions for fear that their jobs will be shipped elsewhere" (Bobo, 44). By hiring contingent workers employers don't have to be concerned with paying for "luxuries" such as taxes, health care or even workers compensation. High unemployment means that workers feel reluctant to complain about working conditions or low pay, in fear of losing their job and not being able to find another one. In today's economy with a 9% unemployment rate as of May 2011<sup>4</sup> it is easy to see why so many do not speak out against labor law violations and why employers feel they can get away with such unlawful and unethical acts.

The New Deal labor laws are not strong enough to address the contemporary labor problems of today. Bobo concludes that a current impasse exists between "push forces" to commit labor violations which are stronger than the "push back forces" to prevent them. Bobo in her chapter "Why Employer's Steal Wages," lists the societal values and business practices that are creating an environment for employers to commit unfair labor practices, in particular wage theft. Of Bobo's list of ten factors, I think the major factors that set the stage for wage theft are the competitive business motivation to expand at all cost, and the current economic recession's high unemployment rate. The concept of expanding at all costs includes the practices of

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<sup>4</sup> National Unemployment Summary (2011). Retrieved from the National conference of State Legislatures website <http://www.ncsl.org/?tabid=13307>

reducing wages, and under-staffing to keep costs down. These forces are driven by globalization and motivate business to cut costs by any means necessary. With the declining power of unions wage theft has run rampant. Unions provide a challenge to greed. It is no secret unions have protected workers better than those fending for themselves in our economy for the last 125 years. Widespread employer violation of labor law demonstrates the need for a new “union idea” to address the contemporary labor problems faced by the modern low wage worker.

There are numerous outdated labor laws, including the Fair Labor Standards Act, that are ineffective at preventing labor violations and ensuring labor rights in our contemporary society. According to Bobo, “The United States has some of the weakest labor laws in the industrialized world. What labor laws do exist are woefully inadequate and incredibly confusing” (Bobo 52). Even though there are several federal and state laws that attempt to cover and protect workers they often contain loopholes and do not cover workers in the 21<sup>st</sup> century. The Fair Labor Standards Act is limited in its application to cover only certain occupations. Due to its complicated coverage test the Department of Labor spends a great deal of time assessing a worker’s possible coverage. Bobo defines the coverage test as “In order to be covered by FLSA , you must work in a place that has annual gross sales or business done involving at least \$500,000 per year, or you must do something involved with interstate commerce” (Bobo p.64). Such occupations as a dishwasher at a small restaurant or contract worker for a small contractor are not covered by the FLSA and therefore do not have protected rights such as a minimum federal or state wage, or overtime pay.

Another issue pertaining to laws like the Fair Labor Standards Act is that labor law is fragmented and coverage depends on industry and location. An example is state minimum wage laws, which protect some more than others. (Bobo, 64-69). Even these weak and fragmented

laws are not being regularly enforced due to low staffing levels of the labor enforcement agencies. As of 2009 in the Wage and Hour Division, “one investigator is responsible for more than 170,000 workers and 90,000 workplaces” (Bobo p. 116). It is easy to see why unfair labor practices are being committed nationwide.

The penalties faced by employers are not severe enough to deter unlawful behaviors. In 2006 and 2007 370 companies were fined on average \$8,000 under the FSLA (Bobo p.149). This amount is not enough to effectively deter unfair labor practices when employers steal tens of thousands of dollars from their employers annually. The last pushback force Bobo mentions is that few business community pressures exist. The “business community” should focus on addressing the crisis of unfair business practices like they do with such issues as the environment. The slogan “go green” calls for business to be environmentally friendly, why can’t a slogan “Be fair” be made calling for a worker friendly environment to be made?

Unions are the strongest pushback force to employer labor law violations. Bobo, Lichtenstein, and Getman list numerous benefits associated with those being in a union. “Unions train workers about their rights in the workplace, Unions have attorneys available to answer questions and file suits, Unions provide workers a structure for expressing concerns, unions protect workers who complain, unions create a counterbalance to management’s control in the work place and unions maintain relationships with community allies and resources” (Bobo 78-80). Bobo also notes that unions help workers in other ways through better wages, retirement benefits, a voice in decisions, safe working environment, job security and a sense of fairness in the workplace. Similarly Getman lists benefits of union membership including training, “Unions give employees a voice in the workplace, allowing them to complain, shape operations and push for change rather than simply quitting or being fired, union employees feel freer to speak up

about operations, leading to improvements that increase productivity, higher pay pushes employees to find other ways to lower costs—with new technology, increased investment and better management” and lastly, “union employees get more training both because they demand it and because management is willing to invest more to get a return on their higher pay” (Getman 10-11). Unions provide the most effective counter balance to the greed and unfair labor practices of large corporations and have done so for the last 125 years.

Stronger unions and the creation of a set of wage and workplace standards would solve the contemporary labor problems of 21<sup>st</sup> century. Lichtenstein in his chapter “What is to be done?” calls for unions to resemble the powerful union movement of the New Deal era including more militancy and more internal union democracy. According to Lichtenstein unions need to have a strong political presence in order to create an agenda of solidarity, “A vigorous trade-union movement therefore needs a well-projected, clearly defined political posture in order to advance labor’s legislative agenda and defend the very idea of workplace rights and collective action” (Lichtenstein 276). Lichtenstein believes the answer to the 21<sup>st</sup> century labor question is a revitalization of the union movement making it more democratic internally, using more militant tactics of striking and boycotts to capture the nation’s attention, as well as making unions more active in the political system to implement legislation. Julius Getman also calls for a resurrection of the union movement of old, making union members feel they have an impact on the formation and agenda of the union. This type of member-centered unionism, “leads to stronger unions, and member-based collective bargaining leads to better contracts” (Getman 326). Getman also emphasizes the importance of a widespread sense of solidarity. Getman calls on unions to build a movement of solidarity and member-centered unions to answer and solve the labor crisis at hand.

The scales are tilted with the push forces outweighing the pushback forces to commit labor violations. There is no question that there needs to be a new union idea to even the playing field. I agree with Getman and Lichtenstein that a strong united pro labor movement that uses aggressive marketing tactics needs to be created. However, I do not think returning to the state of old New Deal unions is feasible or beneficial. The labor movement doesn't need revitalization it needs reinvention. With the contemporary labor problems of today unions need to go in a different direction that can compete with corporate giants through a more creative and dynamic united front in the form of comprehensive campaigns.

The second piece of the solution is to address the weak labor laws and their enforcement. Getman and Bobo identify the same problem with America's current labor laws, "their scope is fairly limited and enforcement mechanisms are inadequate" (Getman 15). Bobo calls for a set of standards that are broad and simplify coverage, reduce disparities between states and streamline enforcement. "We must seek a set of wage and workplace standards that cover almost all workers without complicated tests, bring more uniformity between states, simplify and streamline enforcement, allowing federal and state staff to work cooperatively, support and encourage decent wages for reasonable hours of work and create and enforce significant disincentives for breaking the law" (Bobo 68). All three scholars agree that the combination of strengthening laws and increasing penalties is the solution to the American labor law dilemma, though Lichtenstein presents a different take on this solution concluding that law will be shaped and corrected by the formation of a strong labor movement, "Labor must organize with the law so that we can later organize under law" (Lichtenstein 261).

I agree with Lichtenstein and think organizing is more important than law reform. A strong labor movement will shape the laws, while a movement that is shaped by the laws will be

weak and ineffective. I also agree with Bobo and Getman that new labor laws need to be created to protect workers in our contemporary labor market. The laws today are both outdated and unenforced. The modern labor movement needs a reinvention of the labor movement with a new union idea and more effective labor laws.

Bobo, Lichtenstein, and Getman identify the problems in low wage labor markets. They call for a movement of powerful democratic union reformation. Labor Law violations, especially wage theft could be alleviated with the influence of new member-based unions and by creating a new set of labor laws that are broader to include all of those in need and to address the demands of the new global workplace. While labor law reform is important, it seems that union re-invention is the more immediate task.

### III. Comprehensive Campaigns and the Union Idea in the 21<sup>st</sup> Century

Some trade unionists have tried to develop a new “union idea” centered on comprehensive campaigns. Unions have gotten away from their 1930s model for several reasons including the influence of corporations and narrow union interests. Corporations have constrained the actions of unions forcing them to rely on other tools such as collective bargaining rather than striking and picketing. Unions added to their own demise because many union members thought they had won and moved away from organizing to more bureaucratic ventures. Rather than bargaining over a narrowly circumscribed set of economic issues, comprehensive campaigns utilize corporate research, community coalition-building, political pressure, and public relations to recapture the political and ideological ground from employers. Despite the

decline of union power, unions today are still fighting for worker rights; in fact, in the United States there are 15.4 million union members currently fighting for a better tomorrow.<sup>5</sup>

Traditionally unions used strikes, picket lines and other militant tactics to grab the attention of the business owners as well as the community. In the 1970's Ray Rogers developed the corporate campaign. Rogers was the head of the consulting firm Corporate Campaign Inc. They specialized in labor disputes and a new form of union action. Rogers first came to prominence with a successful campaign with the Amalgamated Clothing and Textile Workers Union versus J.P. Stevens. "The corporate campaign focused primarily on Stevens' corporate headquarters and on those institutions heavily tied to Stevens' financial interests through interlocking directors, large stock holdings, and multi-million dollar loans. The goal of the campaign was to cause those institutions tied to Stevens to exert their influence on the company to recognize the rights and dignity of the workers and sit down and bargain" (Jarley and Maranto 1990). Rogers's strategy was innovative, though within the union movement it was still controversial to hire someone outside of the union and to depend on them to lead the way for the entire organization.

A study by Paul Jarley and Cheryl Maranto examined 28 labor disputes that occurred in 1976-88 in which the unions publicly declared they had used the new strategic method of corporate campaigning to achieve their goals. In this study the authors identified three types of campaigns including organizing related campaigns which were implemented along side organizing drives, strike compliment campaigns which were initiated after strike or lockout began and lastly strike substitute campaigns which were employed before a strike was called and were designed to be a strike substitute. The authors conclude that each type of campaign

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<sup>5</sup>AFL-CIO Union Facts Retrieved from <http://www.aflcio.org/aboutus/faq/>

resulted in a different likelihood for success, “Organizing related campaigns, were more likely to yield gains for the union than were bargaining related campaigns. Strike complement campaigns resulted in the largest number of unequivocal failures; and several strike substitute campaigns appear to have played only limited roles in achieving contract settlements“ (Jarley and Maranto 1990). The old militant tactics did not have the impact they once had so a different strategic plan was needed. Still, the corporate campaigns with the highest prospect of success are those that unions employ traditional organizing because:

(1) the nature of the dispute in such campaigns is more amenable to conflict escalation based on labor issues; (2) labor boards can be better utilized in organizing-related disputes both to add legitimacy to union allegations and to engage in strategic actions designed to alter the long-term balance of power between labor and management; (3) organizing campaigns typically enjoy the full support and financial resources of the national union and; (4) these campaigns often seek procedural concessions that are of uncertain cost to the target firm (Jarley and Maranto, 1990).

The new “union idea” movement calls for a more effective solution to corporate power and combines some of the tactics of the past with the powerful tools of today. The corporate campaign seems to be an essential part to the “new union” idea to address the 21<sup>st</sup> century labor problem.

Corporate Campaigns are an innovative way for unions to gain negotiating power against employers. The union UNITE HERE Local 217 is an example of the success of the new “union idea.” Local 217’s contract expired Oct. 31, 2009. The union filed an unfair labor practice complaint against the hotel for cutting union salaries unilaterally by 20 percent and raising the cost of health care by 43 percent of the total premium cost. In a vote of 138 to 2 Local 217 decided to boycott the Westin Providence on March 18th 2010. The Union also filed an Unfair Labor Practice complaint with the NLRB in June 2010 over the firing of 50 hotel workers whose

jobs were subcontracted out to a private firm as a means of cost-cutting. The Union's fight for a contract would last well over a year and would finally succeed February 16<sup>th</sup> 2011. The Union's success was attributed to the use of several different tools including a comprehensive campaign.

In order to evaluate the success of the Westin Campaign I conducted a series of seven, thirty-minute open-ended interviews with members from UNITE HERE, the labor movement in Providence as well as with members of the academic community who specialize in labor research and history. I also employ my experience as an intern with Local 217 as well as my relationship with the union and the Providence labor community over the last 8 months

The most important tool of this boycott was the utilization of a corporate campaign. First, in order for this campaign to be implemented successfully there needed to be rank and file leadership as well as community support. Union Organizers and members agree that the power and strength of a union lies with its workers. Local 217's union stresses the importance of worker leadership and organization. In an interview with former organizer Kristina Fox she states a "Union consists of workers, it should be about worker power. Organizers are there to motivate and direct them." The director of UNITE HERE Local 217 Warren Heymen, shares this perspective. When asked "Do you think the Westin Campaign was a success? Why?" he responded, "Oh yeah absolutely. We had a great blending of what our union does best which is a combination of worker organizing, working well with the community, committee building and a corporate campaign on the employer." In order for this particular campaign to be effective it needed the support of the other groups such as Jobs with Justice as well as Providence elected officials.

With the creation of a solidarity committee and the support of Jobs with Justice, local unions and political figures, the boycott was extremely effective and new legislation in the city of Providence was passed. UNITE HERE member and volunteer organizer Aubrie Ramsay, said that the success of the campaign was attributed to strong committees “Without the committee (Solidarity Committee) we wouldn’t have been able to pull off picket lines, political campaigns, the boycott or pass the New Providence Worker Retention Ordinance.” The ordinance now makes it illegal for employers to fire workers for 90 days after the company has switched owners. This ties in with the importance of worker involvement and power. Without a highly involved rank and file leadership committees would not have been created, actions and political campaigns as well as the boycott would have been ineffective. The boycott was a large facet of this particular corporate campaign used against the Westin. Chris Cooke, Vice President of Local 217 and shop steward, stated that the boycott was a crucial tool to the campaign success, “We moved a lot of business away from that hotel through our boycott. A lot of credit to our success goes to working with allies such as SEIU, the AFL/CIO, Jobs With Justice and also Brown Student Labor Alliance who played a major role in moving Brown University to pull all their events from the Westin during the boycott.”

According to Camilo Vivieros, director of RI Jobs with Justice estimated that the boycott caused the hotel to lose well over a \$1 million. My interview with Chris Cooke confirms the importance of solidarity and community involvement from outside groups to the boycott effort as well as the importance of informing the surrounding public about the plight of the Westin Workers and the unfair labor practices of the hotel. The Westin Campaign not only exemplifies the success of a corporate campaign but it embodies the recommendations made by Getman and Litchenstein that are needed to create a new union idea to address the 21st century low wage

worker problem. UNITE HERE Local 217 resembles the kind of union Lichtenstein calls for, with militant tactics of boycotts and pickets and internal democracy. UNITE HERE is also heavily involved with the national political agenda of Hotel Workers Rising, which is vigorously working to improve the working conditions of hotel workers in the service sector and grasp our nation's attention. Julius Getman concludes that member-centered unionism, "leads to stronger unions, and member-based collective bargaining leads to better contracts." I believe UNITE HERE Local 217 is trying to do this with their highly involved rank and file leadership and worker power. Getman also prescribed that unions need to have a widespread sense of solidarity. The Westin Campaign exemplifies this with their involvement with Jobs with Justice and local unions as SEIU in the boycott and corporate campaign effort. The Westin Campaign solidarity committee worked to organize workers and community members to go out and support actions, participate in political campaigns of local Providence candidates who supported labor and to serve on the boycott committee.

In conjunction with my readings of Getman, Bobo and Leitchenstein as well as my experience as an intern at Local 217 in the Fall of 2010 I have witnessed the components of a successful campaign. There are several conditions that determine the success of a corporate campaign like the one used against the Westin. First there needs to be a ground strategy to organize workers and to get them engaged. Camilo Viveiros concludes that in order for campaigns to be successful, "a strong union leadership, rank and filed engaged union base that can't be divided internally" also known as a ground strategy needs to exist. At Local 217 hundreds of workers and community members came out to actions to support the union. Next, traditional organizing is vital to the success of a corporate campaign. According to Marley and Maranto, corporate campaigns with the highest prospect of success are those that employ

traditional organizing because it adds legitimacy to union allegations. Local 217 prides itself on its organizing where they go in to the shop and find natural leaders which then creates a more democratic union.

Another condition is the type of employer a union is up against. According to Professor Molloy of the Labor Research Center at the University of Rhode Island, “With hotels in particular where there are not so many of them, they are particularly susceptible to campaigns like that. There is always a threat that there might be a strike or there might be some type of hassle if you book there. It is more of a fearful thing rather than in a factory where the public doesn’t really care because they don’t see it.” Corporate campaigns are more likely to be successful if the corporation is in the public eye as in the case of the Westin Providence Hotel. In one boycott effort I was involved in against the National Conference of State Legislatures we used unique techniques to apply pressure to public figures. First we educated these public figures about the boycott at the Westin and the unfair labor practices of the hotel. From there if individuals decided to ignore the boycott we then looked to community support in RI as well as in their own communities may it be in New Mexico or Massachusetts. Public figures especially, have a lot to lose and do not want to be associated with any thing that could jeopardize their reputation. That’s why corporate campaigns if used correctly can be successful in the hospitality industry.

Corporate Campaigns must use innovative and imaginative means to maximize the public embarrassment of an employer as well as to provide constant pressure from all angles whether in a public demonstration from the Brown students doing a choreographed dance to Lady Gaga in front of the Westin or a huge picket of workers chanting in defiance. The last and perhaps most crucial element of a corporate campaign is timing. If used early enough in the fight a corporate

campaign can grow and gain economic, social and political backing. If implemented too late like in the Brown & Sharpe Campaign in 1981 they can be quite unsuccessful. Professor Molloy supports this claim about Brown & Sharpe Manufacturing Campaign, “I don’t blame the corporate strategy, but the union brought Ray Rogers in during the last inning. They did some very imaginative things but they really never had the chance to have the greatest impact.” The case of the Hormel Food Corporation strike in 1986 chronicled in the documentary American Dream shows how ineffective corporate campaigns can be. Under the leadership of Ray Rogers this campaign failed because P-9 didn’t have its international union support, didn’t have strong solidarity with fellow workers and had failed to stop production or win national, community, or consumer support. On the other hand there are enough successes to now see what is necessary for such campaigns to be effective.

Corporate Campaigns are a product of “new union idea” that addresses the contemporary labor problems of the 21st century. Union density has declined due to the influence of corporations and outdated labor legislation. But some unions have adapted and now rely on other tools such as solidarity, worker power, traditional organizing and corporate campaigns to fight for worker rights. Unions need to not just revitalize themselves they need reinvention. The use of corporate campaigns appears to be the type of creative, innovative thinking the labor community needs to utilize to ensure the protection of workers rights. The battle for worker rights is constant and unrelenting, but as Frederick Douglass once said, “If there is no struggle there is no progress. Those who profess to favor freedom and yet deprecate agitation are men who want crops without plowing up the ground; they want rain without thunder and lightning. They want the ocean

without the awful roar of its many waters.”<sup>6</sup> Unions have been in existence for the past 125 years and as long as there is suffering in our nation they will be here for a hundred years more in some shape or form.

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<sup>6</sup> Douglas, Frederick. (1857, August 3). West India Emancipation Speech. 23<sup>rd</sup> Anniversary Emancipation Speech at Canandaigua, New York.

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## APPENDIX

### Interview with Aubrie Ramsay May 1, 2011

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- What is your role at UNITE HERE Local 217?
  - I am a member of Local 217 because I worked at the Westin Hotel Providence in Room Service. I am also a rank in file leader or VO (volunteer organizer). This means I have organizing responsibilities within my shop, such as, implementing and up holding my contract, meet with my co-workers to inform them of current union events, and to lead and participate in actions.
- What made you want to get involved with UNITE HERE?
  - I got involved with Unite Here when it affected me most. I was told I was going to lose my job back in 2008 when 70 plus workers were told they were going to be laid off due to a lack of work. I was working 40 hours each week! I then saw the whole hotel take action and stand up to management as a collective group. I knew in that moment this was the right thing to do and I wanted to know and do more. I had to fight for my job back not just my co-workers.
- Do you think the Westin Campaign was a success? If so why was it so successful?
  - I know the Westin Campaign was successful! I was one of the workers that were subcontracted out in June 28th 2010. I returned to work February 26th 2011. This was a victory that I never believed would happen.

- In your opinion what are the most important tools unions use?
  - The most important tool is definitely developing a Committee. Without the Committee we wouldn't have been able to pull off picket lines, political campaigns, the boycott and pass the New Providence Worker Retention Ordinance.
- What were the critical methods that were used in this campaign?
  - We used a comprehensive campaign because we knew it was going to be a long hard fight.
  - Boycott: Asking guests not to stay at the hotel during the Labor Dispute
  - Political Power: Turning city council sites and keeping our political allies in office
  - Committee Building: Identifying the leaders within the hotel and to get them to be involved so their co-workers would follow.
  - Legal: Filing ULP (Unfair Labor Practices) and creating new laws
  - Collective Actions: Picket lines, leafleting to guests and public, inside actions to management and sometimes negotiations so we could send our message.

### **Interview with Kristina Fox April 18<sup>th</sup>, 2011**

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- What was your role at the labor union UNITE HERE?
  - I was an organizer. My responsibilities included meeting with committee members, strategizing and planning actions and delegations.
  - I would go into the shop to check to see what was going on and get union members to come to actions.
- What made you want to get involved with UNITE HERE?
  - After working at Americorps I wanted to take my desire to support the community to the next level. I loved my community and wanted to take the opportunity to be involved in a meaningful radical new way. Americorps played it safe and I was tired of it and wanted to get people's attention. I wanted to wake people up to the issues that were going on within the community of Providence, in particular at the Westin.
- Do you think the Westin boycott was a success? What made it so successful?
  - The Westin Boycott was a success because of the strong tenacious militant worker committee. Aubrie Ramsey, Chris Cook and Carmen Castillo are amazing people who lead and organized their fellow workers and made sure management took

them seriously. A union consists of workers, it should be about the worker power. The organizers are there to motivate and direct workers.

- We had amazing support from our brothers and sisters. This type of radical rhetoric seems to be a tool that unites union and nonunion individuals to support the cause.
- I also think the political campaign and the boycott campaign were huge weapons against the Procaccianti group and caused the hotel to lose a lot of money. It was the workers that made the boycott effort such a success. The workers have a relationship with coworkers. “Workers have to lead the campaign or its all bullshit.” Everything comes out of strong worker committees those who are prounion and willing to fight. Workers drove the boycott; they were the entire backbone of the operation. There was also a strong structure inside shop
- The workers stories and concerns drove support for the election.

### **Interview with Christopher Cook April 28th 2011**

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- What was your role at the labor union UNITE HERE?
  - I am a shop steward Committee Member and I am now also Vice President of Local 217
- How did you get involved with UNITE HERE?
  - I got involved because I feel the need to stand up and fight for others who otherwise can not stand up for themselves and are too scared to or do not know how to.
- Do you think the Westin Campaign was a success? If so why?
  - The Westin Campaign was definitely a success there is no question about it. It was a huge victory. It is a success because Union power is based on union membership density in your field, and in your area, or in a certain company. The owners of the Westin Providence own 70 hotels across the country. Only two are unionized. It is a huge victory that we got them to come back to the table and negotiate. It is my opinion that they wanted to destroy the union at that hotel. We did not let it happen. We took the hit and kept on ticking. Sometimes its not about how hard you get hit, its whether or not you get back up after the hit that counts. Not only did we get back up, we are getting back everything that they took from us during the dispute as far as wages, vacation, sick time, holidays, and even our

health insurance is coming back down. About 40 of the 51 workers that were subcontracted out during the dispute have gotten their jobs back too.

- Also the Boycott was a huge part of why the campaign was a success. We moved a lot of business away from that hotel through our boycott. A lot of credit to our success goes to working with allies such as SEIU, the AFL/CIO, Jobs With Justice and also Brown Student Labor Alliance who played a major role in moving Brown University to pull all their events from the Westin during the boycott. Other factors that made our campaign a success were our political allies and our political strategy, also our Legal team and legal strategy.
- What was the most important tool or devices unions use?
  - The most important key to our success was the tenacity of the workers with their never say die attitude, and their demand for justice. The union members at the Westin never gave up, even when they were threatened, intimidated and some were even fired for standing up for their jobs and standing up for their rights. These workers did political drives, they ran the boycott, they met with there . They met with their Mayor, and they gathered at city hall over and over again. They did endless amounts of picket lines in the rain, sleet, snow, and heat. They pushed and clawed and fought like warriors, and I am proud to be a member of that group of workers. The most important tool unions have are the workers. Hands down it is the workers, the members themselves, they are the engine that make unions run.

**Interview with Warren Haymen April 11th**

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- What is your role in this organization?
  - Secretary treasurer Local 217, vice president with the international union, trustee on the pension fund
- What made you want to get involved with UNITE HERE or Unions in general?
  - I had been a community organizer before being hired by the Union. I am really angry and pissed off about the treatment of workers, women, people in the LBG community, people of color, it seemed a viable way to address those issues
- Do you think the Westin Campaign was a success? Why?
  - Oh yeah absolutely, it was a great blending of what our union does best which is a combination of worker organizing, working well with the community, committee building and a corporate campaign on the employer.
- Jobs with justice, political support 1199, AFLCA community effort made the campaign a success
- With your experiences with working with other unions what are some critical methods union use?
  - The single most important difference is that we organize committees among the workers and we are not afraid of rank and file leadership. One of the differences is we go into a workplace and look for the natural clicks and figure out who the natural leaders of these clicks regardless if they are pronion or not. We then exercise their leadership to build then union and then to fight the employer. Other unions build committees of activists that are not based on natural leaders and

clicks but rather people who speak up the loudest or who have a history of arguing for the workers against the boss. In order to build a strong democratic militant union is to find the clicks, figure out who the leaders are and then them to be pronoun and join the union and lead their coworkers. You are not going to have an effective or democratic union without it.

- What was the biggest obstacle to overcome with the winning the contract?
  - The hardest thing is getting the worker leaders to commit to playing a strong leadership role and to being in the fight for as long as it takes.
- Global movement now of people saying they have had it. The union idea has always been controversial and currently the labor movement has been on the decline. There will still be a movement because people are willing to fight oppression.

### **Interview with Professor Mathew Bodah April 21st 2011**

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- Economics Professor and Department Chair
- Professor of the Labor Research Center

How does the labor movement differ today from the new deal era?

- Bad changes: Fewer people that have any real contact with unions.
- The labor movement has a lot of other groups that are not unions per-say. There are groups such as Jobs with Justice that bring churches and community groups together.

What are the successful devices low wageworker unions use?

- All unions need to devote time to organizing
  - UNITE HERE and SCEIU are known for their organizing.
- Collective bargaining agreements and grievance handling most unions do the best. They are skilled at contract negotiations and contract administration.
- Also unions need to use political action in order to be successful.
- Was the Westin Campaign a success?
  - HERE did well with strategic and tactical plans with their comprehensive campaign. They were good at finding points of pressure.
  - Also they are good at blending talented outsiders with inside activists. They have plenty of rank and file membership and in general it is pretty democratic.

Today individuals think unions are part of the service economy. Historically unions gave a means for their own activism.

### Interview with Camilo Viveiros April 29th, 2011

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- Director of RI Jobs with Justice: coalition of 40 different organizations: student groups, community groups
- I have been a community organizers for about 20yrs.

What made you want to get involved with unions?

- I grew up in a union household. My parents immigrated from the Azores islands where it was an underdeveloped agrarian society. They immigrated for a better way of life, unions were one way they could have basic benefits in their lives and give their children more. For 41 years my mother was a member of the International Lady Garment Workers Union. My father was in the Laborers Construction Workers Union.
- I grew up with the common sense idea that people who don't have a lot of economic means need to work together to improve conditions for folks who share the same interests.

Was the Westin Campaign a Success?

- It was definitely a success. When people heard the news they asked what do you think of the contract? My response was to remind people what they did. People who asked had often walked a picket line or participated in the boycott. I often have to educate people on how they had an impact and I would ask people “Do you think we could have gotten that contract with that type of action or solidarity?”

- The Procaccianti Group and the Westin didn't negotiate in good faith. Without the pressure of the community, economic, and political support it would not have been successful.
- History of labor and some of the mainstream mythologies about how change has happened there is a tension between the two. On the one hand if papers are written by corporations they might tend to show change is the impact of a few individuals that are benevolent or unsympathetic. However, we know all the laws and changes that affect working class people are because of a struggle where people had to agitate and take significant risks that were difficult at the time. It was a clear victory where workers achieved the impossible.
- UNITE HERE and we saw this in some of our solidarity committee meetings when we would do a corporate analysis we would figure out what interests do they have and how do we have an impact on that as consumers. In many levels it was an opportunity for community members, students, other unions to show solidarity. If you had to add up the number of people who walked the picket line there were hundreds and people who supported the boycott made the hotel lose an estimate of over a \$ 1 million.

What were the tools used by the union and the solidarity committee?

- Unions have to have a certain dialogue with public union members. Without worker leadership the boycott couldn't have taken the first step.
- People should have a say over the decisions that affect them in the work place. We are still pushing for economic democracy and equality.
- It takes a lot of work, continual face-to-face communication, pushing through fear of uncertainty.

What are the mistakes other Unions have made when they tried to implement corporate campaigns?

- As the power of corporations has grown there has been some new adaptations.
- The flexibility to look at the whole self-interest of your corporate target is helpful. When we looked at those who were going to the Westin we looked at their relationship with labor. If they didn't have a good relationship we went into their community and tried to educate those groups.
- There needs to be a ground strategy to organize workers and get them engaged.
- Air campaigns do not have worker engagement. They are one tool but for the long term in order to do affective boycotts you need a level of a ground campaign. Anti sweatshops movement struggled to improve working conditions abroad if you don't have connection with workers and don't know their demands disconnect exists.
- The trick is how do build power amongst the workers.
- Strong union leadership, rank and filed engaged union base that couldn't be divided internally made it much easier to coordinate a community campaign like this one.
- Corporate campaigns need to be lead by the workers and consumers. Political leaders need to be involved but those who are most directly affected need to be listened to and their strategies need to be respected.

**Interview with Professor Scott Molloy May 4th 2011**

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Why did you get involved with Unions?

- After I graduated from college, coming out of the 1960's I was an activist who wanted to do something to change the world. I went to the bus company my uncle and my grandfather both worked and stayed there for perhaps longer than I thought 11 yrs and climbed the union hierarchy from shop steward to president to business agent.

How have union tactics changed from the New Deal era to today?

- We are currently going through a tumultuous era causing it to be an open season to the labor movement.

Do you think the Westin Campaign was a success?

- With hotels in particular where there are not some many of them, they are particularly susceptible to campaigns like that. There is always a threat that there might be a strike or there might be some type of hassle if you book there. It is more of a fearful thing rather than in a factory where the public doesn't really care because they don't see it.

What are effective devices low wage worker unions use?

- Any time you can round up allies outside of the labor movement to lend a voice on your behalf it gives you a greater power to put the hotel owners on the defenses.

With unions today what do you think needs to be done?

- Today's atmosphere is terrifically difficult for the labor movement. What has happened is that they have shifted all the tax problems from Congress and Wall Street down to main street. People on Wall Street have pitted ordinary people against one another.
- If labor is willing to go out and push away the gloom and express that they are not the problem and are willing to help. They really are not the problem. There are problems with pensions and collective bargaining contracts but they are over shadowed by Wall Street. Including the example of Exxon, there are 1001 things people should be screaming about but with the American character it is a hell of a lot easier to yell at the person next door.

The big issue today is that the American public either views unions to be unnecessary/ outdated or evil.

- There is a direct correlation between the middle class and the growth of the labor movement. They go hand in hand. Without the labor union you are going to lose the Bullock of what the United States was.
- The idea of solidarity is strong. Union members have to look around.

What are some Corporate Campaigns that went awry?

- One example happened in RI with Brown and Sharpe Manufacturing
- I don't blame the corporate strategy, but the Union brought Ray Rogers in the last inning.
- They did some very imaginative things. Never really had the chance to have the greatest impact.
- One of the problems with the Labor Movement is that we are so insular. A corporate campaign can be expensive.

How do you think the Westin Campaign affected the community of Providence?

- Hotel workers are the heart and soul of the downtown Providence Center. The best tool you have is your imagination. Brown students ingenious passing that act. See what else has been tried in other places. The Westin is a particularly a public target and by using your imagination you maximized the ability to embarrass them.

The union idea today uses imagination, and solidarity are there any other devices they should utilize/ is there anything else they should be doing?

- So many people today are losing their jobs, benefits and pensions, and the rewriting of laws is occurring taking things away from people. My guess is who are you going to turn to Ghostbusters or a group that has been here for 125 yrs and knows how to do this. I think people are going to turn to them. The only problem today with the way Congress is going you need to do civil disobedience to get people's attention. I think Wisconsin did a good job with that but it is a lot of work.