

## **“Child Care Organizing: Out of the Box”**

**A Conference Hosted by the  
Labor Project for Working Families  
Institute of Industrial Relations, University of California at Berkeley**

**January 9, 2003**

### ***Background and Context***

Despite the vital importance of child care services to the California economy, working families, and the healthy development and school readiness of young children, child care remains a low-wage, high-turnover industry in which less than five percent of the workforce is represented by a union. Yet labor interest in organizing the child care workforce has grown dramatically in the past several years, spurred in part by recent successes in other low-wage industries and campaigns, including home health care, bike messenger services, and the Living Wage movement.

Since 2001, a group of union representatives and child care advocates, first convened by the Labor Project for Working Families and the California Labor Federation, has been meeting regularly to strengthen relationships among unions and child care allies, and to discuss organizing and legislative ideas related to the child care workforce. Among recent developments:

- AFSCME, SEIU and AFT are now actively organizing child care workers in California;
- ACORN is organizing family child care providers in five communities;
- The Work and Family Coalition of Alameda County is doing “pre-organizing” of child care workers around health care issues;
- The Center for the Child Care Workforce, founded in Berkeley in 1978 and now based in Washington, DC, merged in November 2002 with the AFT Educational Foundation in Washington;
- The California Child Development Corps, a new advocacy network by and for child care teachers and providers, formed in December 2002, is launching a postcard campaign to preserve funding for California CARES stipend programs, and will work on other state policy initiatives and community organizing campaigns.

To build on these activities, encourage further collaboration, and stimulate new visions and strategies for child care organizing in California, the Labor Project for Working Families convened an expanded group of labor and child care leaders on January 9, 2003, for a day-long conference called “Child Care Organizing: Out of the Box.” The goals of the meeting were to engage unions and community-based worker groups in strategic thinking around organizing strategies for child care workers; to agree

on a common set of principles; to agree on a plan of action; and to agree on a structure for future work.

A new organization, the VOICE Coalition (Voices Organized to Improve Child Care and Early Education), was formed out of this conference and the two-year dialogue that preceded it. The VOICE coalition is an alliance of child care advocates, unions, child care worker organizations and other groups that have come together to improve the quality of child care programs and jobs, as well as parents' access to affordable child care. The VOICE Coalition, as described below, is developing a legislative proposal for child care reform in California.

### *Morning Session*

The morning session was devoted to three presentations on current organizing issues and challenges in child care and other industries:

- “Challenges and Barriers to Organizing the Child Care Workforce,” by Marcy Whitebook, Director, Center for the Study of Child Care Employment, Institute of Industrial Relations, University of California at Berkeley
- “New Models of Unionism,” by Steve Herzenberg, Labor Economist, Executive Director of Keystone Research Center in Pennsylvania
- “Organizing Challenges Ahead: A Building Trades Perspective,” by Jeff Grabelsky, Labor Economist, Cornell University, Ithaca, NY.

For the afternoon session, Marie Monrad of AFSCME presented “A Policy Proposal to Facilitate Child Care Workforce Organizing in California,” developed by a subcommittee of the group in the prior weeks. Attendees reached agreement on the broad outlines of the plan, made recommendations for clarifying and refining it, and agreed to continue working on a strategy to begin implementing the plan in the coming months.

#### Challenges and Barriers to Organizing the Child Care Workforce

Marcy Whitebook, Director

Center for the Study of Child Care Employment, Institute of Industrial Relations,  
University of California at Berkeley

Nationwide, less than five percent of the child care workforce is unionized. Among the major challenges are the following:

- The prevalence of small, isolated shops makes the workforce hard to reach and unify.
- Most early care and education programs are still operated by separate, independent agencies, with the major exceptions being for-profit chains, Head Start, and school district-run programs.
- Most child care jobs are subject to low wages (even when teachers and providers are well-trained and experienced), poor benefits and high turnover.

- Since most child care is not publicly subsidized, the potential fallout of increases in compensation is that these costs will be borne largely by parents, many of whom are already paying high fees.
- Wariness and anti-union sentiments are common within this workforce, although there are signs of growing openness. Typical concerns include: Will unions go against my concern for the children and my relationships with families? How do we choose one union over another, and will we lose our own autonomy and voice within it? How do we stay connected with a larger child care worker movement, beyond the scope of any single union?
- Many active child care advocates and organizers are not working directly with children.
- Many in this workforce are home-based providers without “employers.”
- The child care financing and delivery system is highly complicated, with multiple funding streams and regulatory structures.
- The workforce is highly diverse in terms of settings, educational backgrounds, language and ethnicity.
- There is a widening public policy contradiction in this field: on one hand, there is a growing emphasis on professionalism, training and education, but on the other, roughly one-half of California’s public funds for child care now go to license-exempt, home-based providers who are subject to no training requirements or other regulations.
- Among the industry’s current challenges in California are a huge state deficit, the prospect of major budget cuts, Gov. Gray Davis’s “realignment” proposal for the child care system (transferring most funding and regulation from the state to the county level), and growing discussion of creating a statewide “universal preschool” system to promote early learning and school readiness.
- California’s child population is projected to grow at a rate of 55 percent by the year 2025, compared to a nationwide projection of only 14 percent (*State Population Projections*, U.S. Bureau of the Census, 2000).

#### New Models of Unionism

Steve Herzenberg, Labor Economist

Executive Director of Keystone Research Center in Pennsylvania

Post-New Deal, the next new model for an egalitarian social structure can only come about with a new upsurge of unionism, and union organizing in low-wage industries must be a central feature. As Sue Cobble outlined in a 1999 paper on unionism among waitresses, such organizing is reviving a model whereby worker rights and benefits are tied to the field as a whole, not to an individual workplace – as in a union hiring hall that employers would need to hire from, with the union taking responsibility for service quality. The implications for unionism in other low-wage fields such as caregiving, retail, office work and sales are that you can’t just organize “against the boss,” and that there must be a union commitment to service quality for consumers. Other breakthrough models have included Justice for Janitors, and the UAW campaign to organize clerical and technical workers at Harvard.

There are seven main types of union organizing: worksite, enterprise, industrial, craft, federated & amalgamated craft, associational, and general geographical unionism. The challenge now is to extrapolate elements from these models that could be part of a new form of unionism, and to break out of the conception of labor unions that has been dominant in the postwar U.S. The manufacturing/industrial model is largely obsolete, although even teachers' unions have been largely shaped by it, and this has led to a widely-held view that unions have no place in the new economy. The core assumptions and stereotypes about the industrial model are that it involves disruption, labor/management strife, and an emphasis on job protectionism rather than concern for service quality. But at the time of the transition from craft unionism to industrial unionism in the 1920s, there was a similarly prevalent view that unionism was dead. Steve Babson's history of the UAW shows how the union broke through the assumption that you couldn't organize semi-skilled production workers.

In the mid-1980s to early 1990s, the experience of the 9 to 5 National Organization of Working Women, which led to District 925 of SEIU, was an attempt to go beyond individual workplace organizing among office workers. The fundamental barrier to this effort, however, was that workers never really knew what a union could do for them. It's critical to find out what workers want, rather than assume that you know.

The recent United Child Care Union campaign in Philadelphia has been much more successful, because it is grounded in a vision and experience of what child care workers need and want, and in other local organizing and research that had already taken place through the Worthy Wage Campaign, the Delaware Valley Association for the Education of Young Children, the Child Space worker cooperative centers, family child care organizing by DARE (Direct Action for Rights and Equality) in Rhode Island, and the Center for the Child Care Workforce. The United Child Care Union's approach has been to organize diverse workers (both center-based and family child care) and to involve the local child care advocacy community. In an early setback, one agency that was being organized closed (RHD). But although Allegheny Child Care Services, a large for-profit agency, mounted a strong anti-union campaign, it eventually came to the table and has become a strong supporter of how unionism can help the profession. The union and Allegheny are now jointly founding a learning and support center for training and mentoring, housed at Allegheny. The UCCU, led by organizer Denise Dowell, currently has 850 members, and has achieved a market density of 22% of Philadelphia's subsidized child care sector; its membership is largely African American and Latina.

The UCCU experience also points to the need for pioneering a new model of geographic unionism. Although this kind of work involves risk taking, and the immediate gains may not be high, it holds promise for major long-term success.

Organizing Challenges Ahead: A Building Trades Perspective  
Jeff Grabelsky, Labor Economist  
Cornell University

Building trades unionism played a historic role in setting and establishing standards in the industry. But the building trade unions' market density is declining sharply, from 85% in 1953 to less than 20% today, and its influence and power are shrinking to fewer core regions.

Thus far, the building trades unions' response to the decline in industry density has been innovative but insufficient. Public relations-style efforts to promote unionism have largely been a waste of money, producing much less value than the kind of power that is built with organizing (the "persuasion of power," rather than the "power of persuasion"). "Market recovery plans" – i.e., proposals for making union construction less costly – have generally amounted to a fancy word for concessions, and have not regained market density. Apprenticeship and training programs have preserved membership loyalty, but have not led to membership growth.

A strategic and lasting solution for reversing the decline of building trades unionism will have to involve a combination of broader strategies. First, unions need to focus on organizing the workforce itself, independently of current employers or current building projects. An important insight from Janitors for Justice is that organizing campaigns must be market-wide. We also need multi-trade coordination and cooperation, working more closely with our natural allies. Finally, given the rise of large, multi-state corporate contractors, it is especially important for building trades organizers to develop national strategies.

While the building trades are quite different from child care and other human services, several similarities could be of particular interest to the child care field. Access to union-based training and apprenticeship has long been an important selling point for building trades unionism, and remains a strong source of membership loyalty. The licensing and certification of individual workers is also central to the building trades, where union power comes largely from its control of the skilled labor supply; individual certification could be promoted in child care. Further, since union membership in the building trades is unrelated to any current relationship with an employer, members' benefits are highly portable, including wage and benefits levels, access to training and upgrading, and union-based training and job referral.

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Following the presentations, the group discussed several key ideas. Portability of benefits and multi-employer bargaining were particularly attractive in terms of child care organizing. In the building trades, labor contracts have geographically defined jurisdictions, so that in multi-employer bargaining, all work done in a particular area will be union, and benefits are pooled into a jointly administered fund. Many workers cross jurisdictions. The "persuasion of power" could also be a key principle in child care

organizing: there remains a strong need for convincing child care workers of their own potential power and influence, and how much they have in common with other low-wage workers. One possibility is a broader “Caregiving Occupations Council,” linking child care, home health and other fields.

### *Afternoon Session*

#### A Policy Proposal to Facilitate Child Care Workforce Organizing in California

In the weeks leading up to the January 9 meeting, a subcommittee of the group began formulating a policy proposal for child care reform, the broad goals of which are: 1) to rationalize the California child care subsidy system, and 2) to congregate child care providers, creating an intermediary “employer entity” or employer of record.

##### *Rationalizing the Child Care Subsidy System*

Currently, child care services in California are administered by two different state agencies, often with conflicting rules and policies, including uneven standards of quality. Program reimbursements bear no rational relationship with the quality of care being offered, to the extent that untrained, unlicensed home-based providers are sometimes able to receive higher reimbursement rates than licensed providers, and centers, which are required to meet more rigorous standards, sometimes receive lower payments than are permitted to meet the lower standards. Low wages and poor benefits pervade the field, and there are serious barriers to organizing the workforce in order to gain fairer reimbursement rates and levels of compensation.

##### *Congregating Child Care Providers, and Creating an Employer of Record*

An increased union presence (or “density”) in the child care field is essential in order for this field to gain the political clout to improve the quality and quantity of publicly-funded child care in the state. California’s child care system cannot be improved without substantially greater public resources, and unions are among the few progressive institutions that can effectively push for such an agenda. Besides the amount of funding, unions can use their political influence to shape policies that can improve quality of care over time, particularly by tying reimbursements to benchmarks related to quality standards. But given their scarce resources, unions typically only exercise their political clout when they can do so as a means to grow and represent their members. Policy proposals thus need to incorporate components that make it feasible to organize in this field.

The major obstacle to organizing childcare workers is that there are a large number of employers, each with very few employees, making it extremely costly to organize shop-by-shop. Over 100,000 people are currently working in the child care and early education field in California, with about 40,000 employed in home-based settings. Like home health care, this field is characterized by many individuals providing care in

separate, often isolated settings – either as family child care providers working in their own homes, or as center-based staff, many of whom are employed in relatively small workplaces. Even getting basic information on providers and workers is very difficult. While it is possible for unions to obtain lists of licensed family child care providers, there is currently no list or registry of center-based child care staff, and therefore no inexpensive way for unions to learn about or reach the individuals who work in child care centers.

The other major obstacle is current financing structure for publicly supported childcare. Some child care centers contract directly with the California Department of Education to provide services to subsidy-eligible families, and for these centers, it would in principle be possible for unions to tie improvements in wages and working conditions to increases in the rates the state pays for the contracts. But a large and growing proportion of child care subsidies in California come in the form of vouchers or other payments that “follow” the family and child, rather than going directly to the child care center or home-based provider. As a result, many providers have no mechanism for negotiating collectively for better rates and conditions, since they have no direct relationship with state sources of subsidy. Thus, in the current context, union-based collective bargaining, on a scale that would make significant differences for the field as a whole, remains relatively unfeasible.

For the home-based providers who provide child care for state-subsidized families, these obstacles can be overcome by congregating child care workers into a larger entity that would become an employer of record. Such an entity could create a structure for collective bargaining, the provision of health care insurance, and the creation of a registry of qualified workers, as well as set standards for quality. As it has in California’s home care sector, this would represent a significant breakthrough for a large portion of the subsidized child care industry.

### *A Proposal for Reform*

The policy subcommittee’s reform proposal emphasized the following goals:

- Creating a simplified subsidy system, including:
  - A basic rate for meeting basic quality standards
  - Increased reimbursement for those that meet increased standards (both in quality of care and in quality of job conditions)
  - Direct incentives to unionization through the reimbursement system, as in the nursing home industry
- Housing all child care administration in one state agency, either the California Department of Education or a joint authority of the Department of Education and the Department of Social Services
- Pooling home-based providers of both types (licensed and license-exempt), with tiered reimbursements based on standards. The state, or preferably an intermediary entity, would be the employer, rate setter, health insurance provider, mechanism for dispute resolution, etc.

- Creating an industry-wide health insurance fund that all could buy into.

Since the January 9 meeting, attendees formed the VOICE Coalition (Voices Organized to Improve Child Care and Early Education), which has continued refining this proposal and enlisting broader support in the labor and early care and education communities, with the aim of introducing a legislative model during the 2003 session. For updated information on this process, contact the Labor Project for Working Families at [lpwf@uclink.berkeley.edu](mailto:lpwf@uclink.berkeley.edu) or (510) 643-7088, or visit its web site at <http://laborproject.berkeley.edu>.

### *Shared Principles*

“Child Care Organizing: Out of the Box” concluded with an affirmation of shared principles as unions and child care advocates move forward in building a stronger child care workforce:

- The need for a child care worker voice, and to build numbers and unity in this workforce
- The need for a voice for working parents, especially those who are union members
- The right to unionize, and the value of a unionized child care workforce
- The desire to improve the quality of child care services for children and families, and the quality of child care jobs for teachers and providers
- The goal of creating alliances with parents as child care consumers
- The promotion of long-term visions and solutions.