

State of the Art of Social Dialogue - U.S.A.

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Introduction

Social dialogue, as traditionally defined by the International Labour Organisation (ILO), does not exist in the United States. There are no tripartite institutions between unions, employers, and governments that regularly act in a consultative or regulatory manner on labor, social, or economic policies. There are not even many institutions that exist between any two of the three parties, whether the parties are labor and management, labor and governments, or management and governments.

Despite the lack of tripartite institutions, during recent years two trends towards social dialogue have emerged. One trend is bipartite consultation and partnership building between labor and management, and the other is coalition building between labor and other social actors in civil society. This paper will examine a number of case studies in each trend, presenting the reasons why the parties enter into social dialogue, and describing the outcomes in each case. Based upon these studies, it will be possible to draw conclusions about the state of the art of social dialogue in the U.S.

Context

The ILO's tripartite mission is to encourage consultation and joint resolutions between labor, management, and government in the formation of social and economic policy. Its roots are in the peacekeeping functions embedded in the ILO Constitution, which is part of the 1919 Treaty of Versailles. Over the years, its services have included setting labor standards and providing technical assistance, with the aim of promoting good relations and social peace.

Fundamental to the ideology of tripartite dialogue are premises such as:
Societal pluralism, or the rights of different interest groups to coexist,
Representative democracy, or the recognition of membership organizations such as labor unions as having a right to a voice in social matters,
Primacy of the common good, even at the expense of individual interests, and
Respect and abidance by the outcomes of the process (Trebilcock, 1994).

In the United States, tripartite institutions and their conceptual premises have generally not been embraced, except for a brief period during World War II. After the U.S. entered the war, President Roosevelt moved quickly to ensure industrial stability by calling for a no-strike pledge. He convened a conference of labor and management leaders, which led to the formation of the National War Labor Board. The War Labor Board determined all terms of employment during the war. It was composed of 12 members, with an equal number of labor, management, and public representatives. Although the War Labor Board was dismantled after the war, many of the features of current labor relations were established at that time. These features included strong protections for "management's rights," a grievance system ending in binding arbitration, and ultimately a disengagement of government from active development of labor-management relations (Atleson, 1993).

Since World War II, labor relations have continued to be based upon the premise that management has fundamental rights to exercise its prerogatives, and that

these rights are tempered only to the extent that labor can mobilize the influence to limit them (Weinstein and Kochan, 1995). Unlike countries that form bipartite and tripartite institutions to elicit labor's input and joint decision with regard to labor regulations and social policies, the U.S. has not recognized pluralistic interests in bringing the labor movement to the policymaking table. Instead, the labor movement has needed to rely on building political strength in order to advance its agenda.

Thus, the government sets minimum wages, health and safety standards, and provides for the right to form unions, but it only sets these when successfully pressured to do so by the labor movement. For example, during a period of relatively strong labor pressure, the U.S. Congress passed the 1938 Fair Labor Standards Act, which provided for a federal minimum wage, overtime pay after regular work hours, and the elimination of child labor. In contrast, in 1995 during a period of relatively weaker labor influence, Congress failed to pass the Workplace Democracy Act, which proposed to reform the legal rights of workers to organize unions.

Unless the labor movement pro-actively intervenes, it does not have a voice on such workplace matters as unemployment benefits, workplace injury compensation, or social security retirement benefits. Similarly, unless the labor movement aggressively pushes for a seat at the table, it does not have any official role in the formulation of economic development, trade issues, health policy, education policy, or other social issues.

Some recent exceptions to labor's exclusion from broad policymaking were initiated during the tenure of President Clinton's former Secretary of Labor, Robert Reich. A former professor at Harvard University, Reich is well-known for his advocacy of public policies which prompt re-investment in the U.S. workforce as a means of achieving labor stability, economic growth, and social equity (Reich, 1991). He led the Department of Labor in promoting social dialogue between labor, management, government, and academia through a series of major initiatives, including the Commission on the Future of Worker-Management Relations (The Dunlop Commission), the Conference on the Future of the American Workplace, and the Apparel Industry Partnership.¹ Since Reich left the Department of Labor in 1996, there have been no new major governmental initiatives of this type.

¹The Dunlop Commission was convened by Reich and former Secretary of Commerce Ronald H. Brown to investigate ways to improve labor management relationships and productivity in U.S. corporations through possible new institutions, reformed labor law and practices of collective bargaining, and innovative methods of workplace conflict resolution.

The Conference on the Future of the American Workplace was a 1993 initiative by Reich and former-Secretary of Commerce Brown to bring together government, labor, business and academic leaders to discuss labor management relations, skills development, work and family issues, and the international competitiveness of the U.S. workforce.

The Apparel Industry Partnership was a consortium convened by Reich in 1996 of U.S.-based labor, management, and non-governmental organization labor advocates to establish codes of conduct and compliance monitoring in the apparel and shoe industries.

Labor-Management Partnerships

While there are few examples of tripartite social dialogue, there are a number of cases of social dialogue between two parties. The most common institutions are labor-management partnerships. The most recent trend began in the 1970s as a result of global economic recession, which gave rise to consolidations and mergers and led to increased pressures for American companies to stay competitive in global markets. Since that time, labor-management partnerships have evolved on two fronts: the first is the extension of labor input from the shop floor level to the corporate level, and the second is the assertion of labor's voice in regional economic development institutions.

One industry that was particularly hard-hit by the industrial consolidation of the 1970s was the U.S. auto industry. During the 1960s, Japanese companies flooded the U.S. market with cheap, fuel-efficient cars. The Big Three automakers (General Motors, Ford, and Chrysler) were put at a competitive disadvantage. Numerous attempts to raise productivity were introduced, including the use of modern technology, re-organization of work systems into teams, and the formation of employee involvement committees to discuss workplace safety and other quality of worklife issues. In addition to these attempts at raising productivity in existing plants, the other main strategies for competing were to move plants to lower-wage and non-union areas of the U.S. and other countries, and to outsource production to lower-cost contractors (Babson, 1995).

Faced with threats of plant closures and downsizing, American labor unions generally acquiesced to management's demands for higher productivity, and entered into labor-management partnerships. According to the 1995 report from the Dunlop Commission, by 1991 64% of U.S. firms with 50 or more employees had some form of employee involvement program. Some were health and safety committees at a plant location, others utilized "interest-based bargaining" techniques in contract negotiations, and a very few partnerships included joint decision-making about issues previously considered "business decisions," such as financial matters and operations planning. All heralded their partnerships as "win-win" solutions, both conceptually and practically (Applebaum and Batt, 1994).

Although many unions became parties to labor-management partnerships, some viewed them with suspicion from the beginning. They were concerned that these "partnerships" were the latest sophisticated attempts by management to dismantle work rules, job protections and seniority rights which unions had fought hard to achieve, and to replace traditional supervision with worker controls over other workers, or "management by stress." Furthermore, unions feared that workers would believe that they actually had a voice on their jobs, and that they might therefore become less militant trade unionists, or even come to believe that there was no need for union representation at all (Parker and Slaughter, 1995).

Twenty-five years after they were first introduced, labor-management-partnerships have mixed evaluations. Have they succeeded in transforming the American workplace into a competitive, productive, high performance workplace? Have they succeeded in retaining jobs, re-skilling the workforce, and raising the living standards of the American working class? Is win-win a reality, an elusive goal, a myth, or a smokescreen?

At Saturn, the General Motors plant that was built in 1988 and designed with employee involvement in production methods and labor relations, the labor-management partnership has not lived up to workers' original expectations. Employees have generally been supportive of their plant's team-based system of work organization. However, as for the win-win ideology, in 1993, after five years of operation, Business Week magazine cited 29% of the workforce wanting the union to revert to a more adversarial relationship (Woodruff, 1993). They did not feel the partnership was serving their interests. Moreover, the company itself was no longer pushing the extensive training in conflict management and other skills, which it originally provided workers expected to work in teams. Four years later, some workers were saying, "It's contradictory to say the union's going to stand up for you if they're in partnership with management, because it goes against their partner when it gets down to it," and "you're paying your union, you want to see them do a little bit of that fighting for you." (Shaiken, Lopez, and Mankita, 1997).

At other large firms with labor-management partnerships in place, such as General Motors, United Parcel Service, and Northwest Airlines, "social dialogue" was attempted, but it was not able to resolve differences or prevent the unions from calling large-scale, costly strikes. Yet in spite of the failure to resolve differences without conflict, most of the labor-management partnerships continued even after the strikes, albeit with revised goals and expectations (Gray, Myers, and Myers, 1999).

The articulation of clear goals for labor-management partnerships is one of the reasons for success attributed by Mike Casey, president of the hotel and restaurant employees local union in San Francisco. In 1993, his union signed a master agreement with the San Francisco hotel owners' association, which created a "Living Contract," which would re-organize the hotel work system. Management's goals were to change the quality of service by relaxing work rules, re-training the workforce, and changing its adversarial relationship with the union. The union's goals were to protect its members' jobs and fringe benefits, and to free up the union's resources needed to organize more hotels. Now in their second Living Contract term, both sides would agree that there have been significant changes in the labor-management relationship that have lessened conflict and encouraged social dialogue (Korshak, 1999; Casey, 1999).

No comprehensive data is available on the numbers of labor-management partnerships that have succeeded or failed, nor has any research been conducted which assesses the social dialogue resulting from such partnerships. According to one official at the Federal Mediation and Conciliation Service, most labor-management partnerships are continuing to evolve, despite disappointments and some serious setbacks (Shaffer, 1999).

High Road Partnerships²

Another evolution in labor-management partnerships can be found in the emergence of “high road partnerships.” These efforts range in form and substance from living wage campaigns to progressive think tanks active on a broad range of issues. They are intended to build long-term economic development plans in which labor, other actors in civil society, government and management jointly develop strategies aimed at securing higher wages and stable communities. They involve many groups and organizations, and are part of an explicit multi-level strategy of the labor movement both to close off “low road” development in the U.S. and to “pave” a more democratic path to economic prosperity (AFL-CIO, 1998).

Under this decentralized strategy, the AFL-CIO lobbies at the national and international level for trade agreements and other policies that support workers’ wages and standards of living. State labor federations work at the regional level to promote legislation in support of workers’ interests and support local workers’ struggles. At the local level, union locals and central labor councils work with civil society, government and business to develop consensus on visions and strategies of economic development that will improve the wages and working conditions of local residents from the bottom up. It is here at the local level where a substantial portion of organizing, mobilization, and social dialogue occurs.

The labor movement is particularly concerned with closing off “low road” development. On the low road, many states and local governments attempt to lure industry to their regions through regional promotional schemes, tax incentives and other industry subsidies that mortgage local infrastructures (schools, roads and public services) and quality of life. This has been the character of most development strategies during the past forty years. While some states, such as North Carolina, and local communities, such as San Jose, California, are beginning to require various guarantees from the industries they court, these incentives too often come with no provisions for strengthening and stabilizing community employment and development.

In addition to subsidies, another key aspect to low road development schemes is maintaining a favorable business climate, that is, ensuring that wages remain low and workers compliant. In the past, most southern states, and many other states passed “right to work” laws to formalize this low-wage environment and to create a competitive advantage over other regions where unions are not welcome. This low road strategy is a short-term gamble for jobs that offer little in return for workers’ efforts or communities’ subsidies.

In contrast, “high road” strategies promise better quality of life, higher wages and more stable economies. However, this path takes longer to develop, often requiring labor to work its way, and sometimes force its way, to the policy table. Only then, can labor, management, and government jointly develop uniform strategies

² The material for the “high road partnerships” section of this paper is primarily drawn from Zabin, Carol and Isaac Martin. 1999. “Living Wage Campaigns in the Economic Policy Arena: Four Case Studies in California.” Berkeley: Center for Labor Research and Education, Institute of Industrial Relations, University of California.

for competing on the basis of quality and productivity rather than on the basis of lowest cost.

Because union density in the U.S. has dropped to 13 percent and unions have substantially less power than in the past, the labor movement must also partner with other members of civil society in order to develop social consensus around its high road goals. At the local level, the strategy of such partnerships has been to forge alliances with other community members, develop a common vision of development, focus on retraining workforces, provide good public services, and support and expand existing businesses to promote economic stability.

These efforts promote endogenous development through a variety of policies. The theory behind these initiatives is that if communities can grow from within, they can become less reliant on distant government and corporate headquarters that have few stakes in the sustainability of the community. They can also guarantee adequate tax revenues in order to maintain and improve public infrastructures, sustain local communities, and remain competitive (AFL-CIO Working For America Institute).

“High Road” Case Studies

There are a number of successful experiments in high road partnerships across the United States. Each one seeks to influence policy decisions related to local labor markets and economic development over the long-term. As each of the following examples illustrates, however, no single group on its own could have accomplished their goals without working in partnership with other members of the communities in which they live and work. In each of them, local organizations of labor, government, business and civil society work strategically to gain influence over regional labor market decisions, to retain market share and ultimately to increase union voice.

Living Wages and Tourism in Los Angeles

The Los Angeles living wage campaign illustrates a number of ways in which a project, initially conceived as an effort to raise wages and unionize a particular group of workers, grew to have broad political and economic ramifications. The campaign was initiated by the Los Angeles Alliance for a New Economy (LAANE), a non-profit organization created by the Hotel Employees and Restaurant Employees Union (HERE) Local 11 in 1993. It sought to improve opportunities for organizing low-wage immigrant workers in Los Angeles’ second largest sector -- tourism.

Tourism receives various public monies, and therefore labor unions could well have approached local government officials for support of a living wage ordinance on their own, but LAANE felt that it needed to win community support as well. From the very beginning, it recruited partners from a number of constituencies in the city, such as tourism workers’ neighborhood organizations, immigrants rights groups, environmental groups, and other community groups. It also quickly reached out to the progressive religious community, helping to form a new organization known as Clarity and Laity United for Economic Justice, and obtained the support of the Los Angeles County Federation of Labor. In fact, in bringing the labor federation into its coalition, LAANE unified the building trades and industrial unions with community-based social justice groups for the first time in many years. It also solicited local university graduate students and professors to provide much needed research

assistance and authoritative policy analysis. LAANE also organized workers that would be affected by the ordinance, incorporating them into mobilizations and training them as spokespeople for city council meetings. As the coalition jointly wrote the ordinance, it consulted with groups across the country and their own team of lawyers to carefully craft and modify the ordinance.

LAANE's large and frequent mobilization of supporters in the streets and at city council meetings, well-prepared research, and political and media expertise eventually overcame business opposition to the ordinance. In addition, the inside leadership of a progressive city council member was critical to giving the coalition voice within the city's political circles. Because the labor movement was in a coordinating role in the coalition, LAANE also placed a focus on creating an ordinance that worked for unions and on strategies to increase the influence and power of unions. For example, included in the final ordinance was a provision allowing unionized firms to obtain a waiver from new living wage standards, which may give unions greater flexibility in organizing. Because it kept union needs a central focus of the campaign, LAANE was also able to develop increased leverage over community development issues. Through its role in leading the passage of the ordinance, LAANE was in a position to offer the coalitions' support for development projects in return for living wage compliance *and* union neutrality in the event of an organizing drive.

LAANE did not dissolve once its initial goals were accomplished. It maintained its ties to the various groups allied around the living wage ordinance to fight off later attempts by employers seeking exemption from it. The organization also worked to broaden the application of the ordinance to include not only developers' employees but their tenants as well, thus increasing the scope of the living wage ordinance to the service sector. Today, LAANE continues to expand its campaign to other sectors of the Los Angeles economy, such as the airport, and to other cities, such as nearby Santa Monica.

While the living wage ordinance in Los Angeles does not address issues of training, product quality or productivity, it does show how HERE, through LAANE, was able to have far reaching influence over Los Angeles's labor market. In sum, LAANE worked strategically with members of Los Angeles civil society to orchestrate a multi-level living wage campaign that involved policy development, coalition building, and worker education and mobilization. After a two-year struggle, LAANE achieved its goal of a living wage, fought off continued opposition to it, and worked to strengthen and broaden its application. It was able to unify a coalition of community members who could influence public policy and effect change in the structure and operation of the Los Angeles labor market. As an editor of *L.A. Weekly*, a prominent weekly magazine in the city, explained, "the campaign has done nothing less than transform the political landscape of the city by means of an emerging development coalition unified behind a vision of economic growth with equity." (Meyerson, 1998).

Big Profits and Low Wages in Silicon Valley

Silicon Valley, California is world renowned for cutting edge technological innovation and venture capital. Today it is also known for low wages and difficult

working conditions, due to the research of Working Partnerships USA (WPUSA). Started by the local labor council in 1995, WPUSA is an independent organization, but it is closely allied with the South Bay Labor Council. It works on a number of different educational and policy projects related to the political economy of Silicon Valley. The results of these efforts are beginning to shift the basis upon which people in the South Bay assess economic performance, emphasizing the need for equity and quality of life in addition to business growth.

One example of WPUSA's successes is its 1997 living wage campaign. The opening salvo was its publication of an in-depth economic study of wages and living conditions in Silicon Valley that showed that traditional measures of aggregate economic and employment growth hide the social costs of high tech development (Benner, 1998). The release of this report and the media strategy used to promote it helped to build momentum for the grass roots advocacy campaign.

Participants in two other WPUSA projects immediately joined the campaign as coalition members. One project was The Labor Community Leadership Institute, a joint educational program between WPUSA and San Jose State University, which teaches the politics and economics of Silicon Valley development to neighborhood activists, union members, clergy, and elected officials. The second project was the Community Economic Blueprint project, an effort by labor and community-based organizations to develop a long range social agenda related to concerns about housing, health, school improvement, employment and the environment. Later, the Interfaith Alliance, the Green Party, the Silicon Valley Toxics Coalition, the Association of Community Organizations for Reform Now (ACORN), and several other community organizations joined the Living Wage Organizing Committee.

Together, the coalition carried out mobilizations and demonstrations in support of the living wage ordinance in the heart of Silicon Valley, the city of San Jose. They spearheaded a Labor Day campaign to speak to local church congregations, covering more than 50 churches and gathering some 4,000 signatures in favor of a living wage. The coalition also gained the support of the Vietnamese and Hispanic Chambers of Commerce, as well as several City Council members and the Mayor of San Jose. In similar fashion to the Los Angeles campaign, the effort prevailed over opposition mounted by the business community because the coalition built such broad support for the initiative.

Like the Los Angeles ordinance, San Jose's living wage ordinance also included elements that are important to organized labor. For example, San Jose's living wage also allows for unionized firms to obtain an exemption from coverage. Two of the more innovative aspects of the ordinance are the "labor peace" agreement and a third tier review process for city contracts. The labor peace agreement provides the city with a policy tool to encourage city contractors and subsidy recipients to remain neutral in union organizing drives. The agreement also allows the city to favor businesses unlikely to become involved in costly labor disputes. The other key element in the living wage ordinance is its strengthened municipal contract reward process. Under the new ordinance, contractors bidding for city projects must go through a third level of review process in which issues of wages, benefits and other outcomes for workers are considered before the city selects a contractor.

WPUSA is seeking to develop methods of further paving a high road development strategy in Silicon Valley. It is exploring how to expand its living wage project into a more comprehensive method of regulating the regional labor market, based on the idea that whenever a city decision influences private economic gain, questions of job creation and job equality are considered. It has also started an “urban sprawl” project seeking to examine the bidding wars that occur between local governments in search of sales tax revenue by encouraging the growth of roadside shopping malls. While these sorts of economic strategies increase tax revenues, they also promote urban sprawl and low wage jobs and so are contrary to the tenets of a community pursuing a high road strategy.

But the biggest contribution of WPUSA is that it has vastly expanded the role of the South Bay Labor Council from a union organization into an organization fighting for broad-based social justice. As Zabin and Martin (1999) suggest, WPUSA is contributing to a new kind of unionism by developing new coalitions of social partners, by shifting the public policy debate about the economy towards social outcomes and by providing innovative policy tools for public officials seeking to address labor market issues.

The Wisconsin Regional Training Partnership

The Wisconsin Regional Training Partnership (WRTP) is among the best known and well-developed models of business, labor, and government collaboration. Its purpose is to save high-wage manufacturing jobs in the urban Milwaukee area in the state of Wisconsin. This may be the closest U.S. parallel to practices in other countries where labor unions and employer associations take the lead in coordinating efforts to collectively solve problems surrounding skill formation and industrial upgrading. Essentially, the WRTP provides institutional support for sector-specific training consortia that help employers provide their workforce with the training necessary to achieve high performance manufacturing, as well as one-stop employment services to help new workers obtain jobs and to help incumbent workers find retraining.

The WRTP emerged in response to the tremendous loss of good manufacturing jobs in the region in the recession of the 1980's. Many of the employers in the region are export-oriented, so they were hard hit by unfavorable exchange rates and high interest rates, and their businesses did not begin to recover until the dollar began to fall in the mid-1980s. By that time, the region had lost one-third of its industrial base through plant closures and downsizing. Especially hard hit were the unionized sectors, as some outsourcing to non-union factories was an important survival strategy for some firms. Unions were forced to make concessions, but these did not necessarily help firms regain competitiveness for the long-term. Some employers began to worry that they were being cornered into a low-wage strategy that would erode their position in their industries as the high-end, high quality producers.

After facing difficult times during the 1980s, with loss of market share, declines in membership and concessions at the bargaining table, some unions were also ready to try something new. Starting with some experiments in workplace training and innovative dislocated worker assistance programs, the Wisconsin AFL-

CIO was able to encourage social dialogue between employers, labor, and state and local government. The leadership of the labor movement made it possible to begin the conversation about how to change labor-management relations so that all could work together to increase productivity and create decent-paying jobs.

Though the WRTP was born out of crisis, participants took a long-term view for finding solutions, a view that privileged the building of the institutional capacity and flexibility for responding to new market pressures and challenges. This was predicated upon a political agreement built on legitimizing the interests of labor and management. The WRTP embodies a social compact between labor, management, and government in which “firms support the regional economy by investing in worker training, paying good wages and reorganizing production, so as to take advantage of greater workforce capabilities. Workers and unions develop the skills and accept the responsibility and authority which high performance production systems demand of them; and public agencies support the shopfloor bargain by coordinating training and manufacturing extension efforts and by assisting in the creation of a regional infrastructure to broaden and institutionalize the effort.” (Rogers and Parker:3)

By 1996 the WRTP had 22 charter member firms and unions concentrated in metalworking, machinery, electronic controls, and related industries, employing close to 30,000 workers. It is governed by an executive council composed of an equal number of business, labor and public sector representatives that oversee a director and staff. The three main areas of activity for the WRTP are incumbent worker training, future worker training, and industry benchmarking. Taken together, these form a package of institutional support by which firms can transform themselves into high-performance work places. In the last couple of years, the success of the WRTP in manufacturing has spawned similar efforts in other industry clusters in Wisconsin. In addition, the federal government is now trying to encourage the replication of this model in other parts of the country (Rogers and Parker).

Partnerships with Other Actors in Civil Society

In addition to social dialogue involving labor’s partners in economic development, the U.S. labor movement is placing an increasing emphasis on building partnerships with other actors in civil society. These kinds of alliances have roots in many powerful models of the past. In the early 20th Century, the International Ladies’ Garment Workers’ Union joined with the Women’s Trade Union League in New York City to organize workers in garment sweatshops in the garment and textile industries (Wertheimer, 1977). More recently in the 1970s, Cesar Chavez led the United Farm Workers to build a broad movement for the organizing of farmworkers, linking the religious community, the civil rights movement, consumers, students, and politicians (United Farmworkers, 2000).

However, as the following case studies will show, there have also been periods in U.S. history when the labor movement has not actively participated in large social movements. The case of “Not in Our Town” illustrates the surprise that the African American community still feels today when white workers take a stand against racism, an indication of a long history of separation, distrust, and lack of dialogue. Similarly, from the description of the Northern California Work and Family Coalition’s initial group exercises on “getting to know you,” it is evident that in this particular community there has not been dialogue between advocates for women’s

issues and the labor movement. These conditions reflect labor's recent history of only marginal engagement in broad social issues, especially in issues concerning race and gender. This makes building trust and cooperation between labor and its community partners more difficult than it otherwise might have been.

Despite these challenges, building labor-community alliances is one of the top priorities of the U.S. labor movement today. In its eight-point standard for becoming a "Union City," the AFL-CIO has said that their purpose is to build "a broad, progressive coalition in our communities," which will "create a political force that will empower workers and speak forcefully on the issues that affect the lives of all working families." (AFL-CIO website). The case studies presented here represent only a few of the hundreds of examples of successful alliances being built between labor and community partners. They were selected for their variety of goals, actors, and scope of impact. Some have a labor goal, which is supported by the community, while others have a community goal which is supported by labor. Some aim to change local policy, and others seek to change national and international policy. Some have a very narrow agenda, and others have already developed multiple agendas over time. In all cases, the impact of these alliances has reached far beyond what each partner could separately have attained.

Case Studies: Policy Changes Which Enable Unions to Organize

Early Childhood Education Career Development Ladder

In June 1999, a major policy initiative to fund wage increases of child care workers without requiring parents to pay additional tuition was signed into law by Washington State's governor. This Early Childhood Education Career Development Ladder was a unique collaboration of the Child Care Union Project, the Economic Opportunity Institute, and the Washington State Office of Child Care Policy.

In the U.S., child care workers are among the lowest paid workers. Their median weekly earnings come to \$198, compared with \$265 for farm workers, \$811 for electricians, and \$1,199 for physicians. For child care workers, this means that on average they do not earn a living wage. For parents, it means that the quality of care that their children receive is likely to be low, as research has shown that the most essential component in quality child care is the continuity of the caregiver. Indeed, the rate of staff turnover in Washington's child care centers is a staggering 40%. (Economic Opportunity Institute 1999)

During the past several years, the federal government's implementation of "welfare reform," or transitioning welfare recipients (often single mothers) to the workforce, is resulting in additional funding for child care, and is giving child care worker advocates an opportunity to restructure government reimbursement subsidies. In Washington State, the Early Childhood Education Career Development Ladder coalition created a tiered system which would reward child care workers for obtaining additional training and schooling with higher wage rates, with additional pay based on experience and responsibility. It is hoped that these measures will stabilize the child care workforce, which will add to the quality of the care. (Center for Child Care Workforce 1999, EOI 1999)

For unions interested in organizing child care workers, policy initiatives such as this career development ladder can remove a major obstacle. In the past, one of the main objectives of child care workers in joining unions was to obtain higher pay, but since most child care centers operate as non-profit organizations, the only source of additional revenue to fund wage increases would have been higher tuition rates. With most parents being workers themselves, higher tuition was likely to be controversial, so many child care workers did not even consider organizing into unions. However, with the Early Childhood Education Career Development Ladder in place, child care workers now have an opportunity to obtain higher pay without antagonizing parents. Unions are hoping that this will lead to child care workers becoming interested in joining unions to further improve their working conditions.

This effort to change public policy for improvement of working conditions and the opportunity to organize is on the cutting edge of social dialogue in the U.S. It demonstrates the value of the collaboration between diverse actors such as researchers, unions, child care advocates, child care workers, parents, and government officials in resolving a potentially divisive issue.

Creating an Employer of Record - Homecare Worker Organizing

The Service Employees International Union (SEIU) has undertaken several county-wide organizing campaigns of homecare workers, the workers who attend to frail, elderly, blind, and people with disabilities in their homes. Originally faced with seemingly insurmountable odds, their strategies have successfully resulted in the unionization of tens of thousands of homecare workers, including 74,000 workers in Los Angeles County alone.

Homecare workers are among the lowest paid of all workers. They generally earn minimum wage (\$5.75 per hour in California) for performing light housekeeping, personal care and paramedical services. Most of them are women, and many of them are immigrants who do not speak fluent English.

From the union's point of view, organizing this group of workers presented some serious obstacles. First, even though the salaries of the home care workers came from government funds that were funneled through various public welfare agencies, the workers viewed their employers as being their "customers," the sick and elderly people they were caring for. Often these customers were also low-income people who paid some fee for services, so therefore the home care workers felt conflicted about pressing for higher pay. Second, the home care workers worked in the homes of their customers, and never saw each other or got a chance to talk to each other. This made unity hard to achieve.

In Alameda County, California, SEIU Local 616 overcame the obstacle of not having a common employer by building an alliance of workers, customers, and public officials to change the employer-employee structure. Through some creative policy initiatives, a new agency called the Public Authority for In-Home Supportive Services was established as the employer of record. This agency is an official arm of the county government. It centralizes the public funds that pay for the salaries of the workers and it coordinates the home care workers' employment registry. It also negotiates labor contracts with the union.

The problem of bringing homecare workers together was solved by the Local 616, in collaboration with the not-for-profit organization, the Labor Project for Working Families. By soliciting funding from private foundations to set up a community-based Workers Center, homecare workers could meet each other, receive information about the union and job referrals, and participate in homecare training and social activities (Thomas, 1999).

As a result of the coalitions to support home care workers, the policies to create an employer of record, and the strategy of establishing a community-based workers' center, the SEIU was able to organize 4,000 home care workers in Alameda County. Together with a similar effort in Los Angeles, it is an example of labor unions successfully working with a potential adversary to direct their energies toward a newly-created employer in order to create the conditions to unionize. It was also an example of unions working with community-based organizations to raise funds from private foundations for organizing efforts.

Case Study: Community Groups Supporting Labor Issues

Sweatshop Watch and the United Students Against Sweatshops

Sweatshop Watch is a coalition of garment worker advocates dedicated to the elimination of sweatshop exploitation. Formed in 1995 by a group of community-based organizations and California-based leaders of the International Ladies' Garment Workers Union (ILGWU), Sweatshop Watch has become a broad and lasting alliance of diverse groups working together to organize workers, expose sweatshops, and advocate for anti-sweatshop policy. Member groups include Asian Immigrant Women Advocates, Asian Law Caucus, Asian Pacific American Legal Center of Southern California, Coalition for Humane Immigrant Rights of Los Angeles, Equal Rights Advocates, Korean Immigrant Workers Advocates, La Raza Central Legal, the Mexican American Legal Defense and Education Fund, and the Union of Needletrades, Industrial and Textile Employees.

Since its founding, Sweatshop Watch has become one of the most visible and active groups in the worldwide anti-sweatshop arena. In 1995, it stepped forward to represent 72 Thai and 30 Latino garment workers in El Monte, California who were held in captivity under armed guard by their employer. Later, Sweatshop Watch broadened the issue into a campaign for corporate accountability. In 1998, Sweatshop Watch organized an international seminar on the Living Wage, and has led advocates worldwide to press for the inclusion of living wage provisions in all labor standards agreements (Quan, 1999).

In 1999, Sweatshop Watch scored significant victories, including the passage of statewide anti-sweatshop legislation requiring manufacturers to guarantee the wages of workers in subcontracting shops. It also successfully settled class action lawsuits against several retailers who were operating sweatshops in the Northern Mariana Islands. Finally, it has given leadership and support to the University of California Students Against Sweatshops, who successfully lobbied the University to

amend its codes of conduct for licensees to include the right to bargain collectively and to provide for a living wage (Sweatshop Watch website).

The United Students Against Sweatshops (USAS) is a nationwide student organization dedicated to ensuring that products bearing the university logo are not manufactured in sweatshops. Formed by key student activists from universities such as Duke, Harvard, and Columbia, and assisted by the staff of the Union of Needletrades, Industrial and Textile Employees, the USAS has grown to represent students on more than 100 campuses around the world. Their main objective has been to win anti-sweatshop codes of conduct in university licensing agreements, and to develop proposals for the monitoring of these codes. In doing so, they have sparked student and consumer awareness about sweatshop and other labor issues, and have re-kindled political activism among students (USAS, 1999).

Over the past ten years, labor exploitation in garment and shoe sweatshops have been widely recognized as a social injustice, and the fight against sweatshops has attracted supporters from every sector of society and from all corners of the globe. The codes of conduct and monitoring policies developed by the anti-sweatshop movement have provided the basis for labor's demands to include core labor rights in the body of trade agreements, economic development aid, and procurement policies. The social dialogue on this issue is having impact far beyond the original scope of any of the social actors involved.

Case Study: Labor Groups Supporting A Community Issue

Not in Our Town - Bloomington, IL

“Not in Our Town” was originally the slogan adopted in 1993 by the citizens of Billings, Montana in their effort to ban racial, ethnic, and religious hatred from their community. Their successes were recorded in a video-documentary called “Not in Our Town,” which was shown on public television stations, and which featured the leading role of labor unions in Billings in the fight against “hate crimes” of discrimination and intolerance.

In 1995, prior to the showing of “Not in Our Town” on television, a couple of local labor leaders in the predominately-white Midwestern towns of Bloomington and Normal, Illinois approached a locally-based religious organization called the Coalition for Diversity and Reconciliation, and suggested that the two groups join in sponsoring a series of educational events regarding discrimination and intolerance. Public fora were held, ordinances were passed, and all public employees were encouraged to wear buttons saying “Not in Our Town,” with a red circle and slash through the word “Racism.” The resulting education about the basis of “hate crimes,” the building of bridges within the community, and a resolve to continue social dialogue were acclaimed as extremely successful by all involved.

The following year, a series of bombings of Black churches in some southern states led the pastor of a white church and the pastor of a Black church to organize a “Not in Our Town” march in Bloomington to protest the church bombings in the South. To the surprise of the pastors, of the 500 citizens who showed up to march, the largest contingent was one of 80 trade unionists, most of whom were white

construction workers. Following the march, the anti-hate crime campaign expanded, and even more “Not in Our Town” stickers and signs were displayed all over town.

In 1997 and in 1998, public meetings were again held to evaluate the progress of the anti-hate campaign, and to discuss recent occurrences of hate crimes against gays and racial groups in other states. Not in Our Town became an ongoing public campaign where difficult, potentially divisive issues were addressed openly and honestly (Matejka, 1999).

In this case, the social dialogue about racism and other forms of intolerance that was begun by white trade unionists was unique. In the past in the U.S., white construction workers, far from being seen as leaders on racial justice, were often stereotyped as being part of the problem. In this case, the trade unionists who took the lead in this public stand against racism and other forms of intolerance had no immediate gains to be made, such as a union contract to be signed or a strike to be settled. They took part out of a moral conviction that it was the right thing to do. The fact that others in the community began to view the labor movement in a positive light as a result of their participation in the Not in Our Town activities was just a bonus. It demonstrates the significant role that the labor movement can play in non-workplace social issues.

Case Studies: Labor and Community Supporting Each Other’s Issues

Legislative Electoral Action Program (LEAP)

Connecticut’s Legislative Electoral Action Program is a coalition formed to promote the election of progressive candidates and the passage of progressive legislation. Its members include the United Auto Workers, the Service Employees, several central labor councils, the Lesbian and Gay Rights Coalition, the Women’s Issues Network, Bridgeport ACORN, the Congress of Connecticut Community Colleges, Connecticut Citizen Action Group, Environmentalists to Elect Legislators in Connecticut, the National Organization for Women, and the National Abortion Rights Action League.

Founded in 1980 by several progressive statewide groups pooling their campaign funds, LEAP has since then achieved remarkable victories in elections for the State legislature. LEAP candidates have won more than 75% of their elections, and in the past several years they have occupied one-third of the Democratic seats in the legislature. In 1994, 25 out of the 35 LEAP-supported candidates won their elections in what was otherwise a Republican Party landslide nationally.

Besides recruiting, training, and electing progressive candidates, LEAP develops a legislative agenda and lobbies State legislators on those issues. This agenda is not just lobbied by the particular interest group associated with the legislation, for example labor unions lobbying for labor legislation, but each agenda item is lobbied by all parties within the coalition.

The mutual support begun in LEAP for legislative goals has also gone beyond legislation. The autoworkers have marched for gay and lesbian rights. The LEAP coalition members provided critical community support during an autoworkers strike.

Environmental groups now understand welfare rights issues, and women's groups support Puerto Rican community issues (Reynolds 1999).

The social dialogue created by LEAP, not just between labor and community groups demonstrates the strength that can be derived from coalescing around a common agenda and yet developing dialogue and bonds that enable them to unite on issues beyond the initial agenda.

An Olympic Win for Labor at the Atlanta Olympic Games

In preparation for the 1996 Olympic Games in Atlanta, the construction of housing and sports venues for athletes was estimated to cost more than \$500 million. Powerful interests were lining up to participate in this construction effort. The Atlanta Committee for the Olympic Games (ACOG), organized to promote and coordinate the Olympic Games, was led by officials who balked at providing union wages. Nonetheless, over a five year period, in an historically anti-union state with "right-to-work" laws, a coalition of labor and community groups was able to force ACOG to pay union wages and hire members of the local community. Their victory is considered to be the largest in the history of the labor movement in Atlanta.

Because the ACOG was so stridently opposed to paying union-scale wages during the construction period, labor was able to reach out to community members nationwide to mobilize massive protests against Olympic wage policy. Atlanta's residents had long seen the City pursue large scale development projects while overlooking the working people's interests, and they wanted to ensure that with the infusion of Olympic dollars into Atlanta, that the local people benefited, too. The coalition for union wages and community jobs crossed racial lines, and included church activists, community activists and union members. It was chaired by Rev. Tim McDonald, an Atlanta minister and president of Concerned Black Clergy. Their list of demands included those of all the coalition members: union wages, union benefits, jobs for the community and union apprenticeship for the community.

Within this effort to build community support, the coalition also developed a media strategy that would pressure ACOG to force contractors to pay union scale wages. To accomplish their goals, the building trades council and the labor council strategically protested the Olympics on several occasions, winning headlines such as "A day of celebration and protest: City welcomes the flag as unions march for jobs" (Perry and Roughton, 1992). In fact, this protest became one of the most significant events for the coalition. It occurred the day the Olympic flag arrived in Atlanta from Barcelona, Spain. On September 18, 1992, as city officials accepted the Olympic flag, the coalition coordinated a protest in the city that included some 10,000 protesters and speeches by Rev. McDonald, and national civil rights leaders Rev. Jesse Jackson and Dr. Joseph Lowery. Then, on December 22, 1992, 85 union activists and 15 community activists occupied ACOG's downtown offices in order to present to the committee their "Christmas demand list." (Acuff, 1999).

The achievements of the resulting social dialogue between the labor movement of Atlanta and the African American civil rights community cannot be underestimated. The agreement to pay union-scale wages meant a doubling of wages for the construction workers. Jobs that went to the community were a kind of

investment in the future. Moreover, the linking of the building trades unions, which are considered politically and socially conservative, with the civil rights community, which has often distrusted labor, is historically significant.

(Northern California Work and Family Coalition)

The (Northern California Work and Family Coalition) (NCWFC) is so new that it doesn't yet have a name. Nevertheless, it has already achieved significant recognition for being the first ongoing broad-based coalition of work and family advocates.

Formed in 1999 under the leadership of the Labor Project for Working Families, NCWFC attracted the leading officers of the local labor federations, child care researchers, senior citizens advocates, policy advocates, and community organizations. Most of the labor people didn't know the community-based people, and vice-versa. Yet all became involved in shaping the coalition around work and family advocacy and recruiting others to join. After nearly a year of meeting, new organizations are still joining each planning meeting—despite the fact that the coalition does not even have a name.

At its June 1999 founding conference, the first order of business was to participate in a series of professionally-facilitated group exercises for labor unions and community groups to get to know each other's purpose, structure, and program. Community groups who did not know where to begin in contacting the labor movement came away with an understanding of the labor movement's structure. Labor groups came away with an understanding of the possibilities and limitations of community-based non-profit organizations. Of the more than 200 participants, roughly half were from labor and half were from community and policy groups. They decided to organize regional coalitions to take up work and family issues jointly. It was envisioned that some of the topics might be the distribution of new child care subsidies, the preparation of a work and family alternative state budget, building support for home attendant organizing, and so forth.

The ongoing enthusiasm for and participation in the NCWFC, from both labor and community participants, demonstrates that there is much potential in this field. According to Netsy Firestein, Executive Director of the Labor Project for Working Families, part of the attraction for the community participants was to be able to take advantage of the power that they perceived (sometimes incorrectly) that labor has. On the other hand, the labor representatives continue to come because they need to learn about these issues to service their members (Firestein, 1999).

In this case, social dialogue is taking place on a formal level even in the absence of clear goals and defined projects. With the recognition that work and family issues are attracting much interest, this coalition may be paving the way for important work to follow in this and other regions of the country.

Case Study: Building a United Front with Adversaries

Alliance for Sustainable Jobs and the Environment

Sometimes the role of partnerships between labor and other members of civil society has been to bring together parties that previously were at odds with each other. This has particularly been the case with a new organization that recently emerged from two movements that had formerly seen each other as adversaries. The organization is known as the Alliance for Sustainable Jobs and the Environment (ASJE), a project started by David Brower from the Earth Island Institute based in California, and David Foster, Director of District 11 for the United Steelworkers of America union.

Their common target is the Maxxam Corporation, a holding company that owns controlling stock in the Pacific Lumber Company and Kaiser Aluminum. Pacific Lumber is in conflict with environmentalists over the cutting of old growth redwood forests in Northern California. Kaiser Aluminum, one of the largest aluminum producers in the world, locked out striking steelworkers at five plants in January 1999. The company and its union have been in difficult, infrequent contract negotiations ever since.

The Alliance for Sustainable Jobs and the Environment is one of few examples of labor and environmental activists coming together for social change. The basis for their alliance hinges on a set of principals known as "The Houston Principles," which they developed outside the Maxxam Corporation's annual meeting in Houston, Texas. These principals include broad demands that the Maxxam Corporation be held accountable for the impact its companies' practices have on workers, communities and the environment. They also include the following six larger goals, which approximately 200 other organizations and individuals agreed to adopt since they were developed. They are:

- To remind the public that the original purpose behind the creation of corporations was to serve the public interest - namely working people, communities, and the earth,
- To seek stricter enforcement of labor laws and advocate for new laws to guarantee working people their right to form unions and their right to bargain collectively,
- To make workplaces, communities and the planet safer by reducing waste and greenhouse gas emissions,
- To demand that global trade agreements include enforceable labor and environmental standards,
- To promote forward-thinking business models that allow for sustainability over the long-term while protecting working people, communities, and the environment. (ASJE, 1999).

The Alliance for Sustainable Jobs and the Environment has pursued these goals in a number of different ways. Like many activists in the U.S., the group helped to organize and mobilize some 1,000 steelworkers to attend the World Trade Organization protests held in November 1999 in Seattle, Washington. Prior to the WTO protests, representatives of ASJE took speaking tours around the country to promote their alliance and educate the public about the Maxxam Corporation. ASJE

and its Houston Principles, and their concerns about global trade. They have also been lobbying for corporate responsibility clauses for subsidized users of public electric power in the Northwest. These clauses would require corporations who receive subsidized power rates to agree to be responsible corporate citizens in the communities where they operate.

ASJE is an example of former adversaries forging unity through social dialogue and the building of a common agenda. Despite prior concerns with retaining forestry jobs by labor interests, and conserving virgin forests by environmentalists, the two movements have been able to create a united front vis-à-vis the Maxxam Corporation, and thereby have strengthened each of their movements.

Case Studies: Labor and Community Across National Borders

The Maquiladora Health and Safety Support Network

The Maquiladora Health and Safety Support Network (MHSSN) was formed in 1993 as a network of American occupational health professionals who volunteer to provide health and safety training to workers in maquiladoras, or foreign-owned assembly plants along the border of Mexico and the U.S. Formed originally as a project of the American Public Health Association, MHSSN is now an independent non-profit organization with more than 400 affiliated industrial hygienists, occupational physicians and nurses, and health educators.

MHSSN typically responds to requests from Mexican unions and community organizations regarding the wide range of environmental and toxic hazards prevalent in the maquiladora factory zones. Trainings are conducted in Spanish, and utilize a “hands-on,” “barefoot toxicology” method to teach workers about the hazards at their workplaces, and how those hazards should be addressed. They are also designed to develop leadership capacity, and include discussion of workers’ legal rights.

Besides training of workers, MHSSN provides technical assistance to plant management, a directory of U.S. volunteer technicians, a newsletter, and a resource list. Its past collaborators have included the American Friends Service Committee, the Support Committee for Maquiladora Workers, the United Electrical Workers, the Border Workers Regional Support Committee, the Border Committee of Women Workers, the Authentic Labor Front, and the Tijuana Association of Company Physicians (Borderlines, 1995; Meredith and Brown, 1995).

While providing a much-needed service to workers, MHSSN’s work has initiated social dialogue about health issues, environmental issues, labor rights, and the consequences of trade policy. Not only do the maquiladora workers become energized to organize themselves as a result of these trainings, but the health and safety professionals also become active in organizing around U.S. policy issues which impact maquiladoras.

World Trade Organization Protests

Newspaper reports of “Teamsters and Turtles” protesting at the 1999 World Trade Organization (WTO) ministerial meeting seized upon the surprising, unusual and seemingly incongruous event to capture readers’ attention. In fact, labor and

environmentalists, as well as bio-geneticists, students, and people from many other walks of life, came together in the streets of Seattle in November 1999 to protest the policies of the World Trade Organization. Reports estimate some 30,000 demonstrators took part in the rallies on the opening day of the ministerial meeting.

Not all of the groups had the same goals or made the same demands. Some wanted to reform the WTO with the insertion of social clauses and a Labor Working Group, and others wanted to halt negotiation rounds until the impact of current trade policies could be studied. Some wanted the WTO to be abolished.

Alliances between the various groups were mostly informal. While some environmental groups attended events sponsored by labor groups, and some trade unionists attended environmental activities, in general the meetings were separate and the rallies were separate. The environmental groups contained higher numbers of young people, which lent a more enthusiastic character to their activities, while the trade union conferences were generally attended by senior leaders.

Despite the informal links, networking and social dialogue did begin to occur between labor and environmental groups on global issues. While some would argue that much more dialogue must occur, especially with organizations in developing countries, still the presence created by labor and environmental protestors was a voice which could not be ignored. This achievement will undoubtedly lay the basis for future dialogue.

Case Study: Institutionalizing Labor and Community Alliances

AFL-CIO Constituency Groups

Within the structure of the AFL-CIO, there are organizations that address the issues of the labor movement's racial, ethnic, women, gay and lesbian, and age constituencies. The largest of these are the A. Philip Randolph Institute (APRI) which focuses on the issues of African American workers, the Labor Council for Latin American Advancement (LCLAA) which focuses on the issues of Latino American workers, the Asian Pacific American Labor Alliance (APALA), the Coalition of Labor Union Women (CLUW), and Pride At Work (PAW) which focuses on the issues of gays, lesbians, transgenders and bisexuals.

Membership in any of these organizations is open to members from any union. The purpose of the constituency groups is to bridge labor and community through promoting the constituency group's voice within the labor movement, and also to promote labor's voice in the constituency's community. For example, the APRI has played a leading role in the Black civil rights movement. APALA has recruited and trained more than 80 new Asian Pacific American union organizers in the past seven years. LCLAA and APALA have been active in the struggles against anti-immigrant sentiments, and CLUW has advocated for the Equal Rights Amendment, a woman's right to choose, pay equity, quality childcare, family leave and other women's policy issues. PAW, the newest constituency group, is a major voice in the national gay rights movement. All of the constituency groups have helped to diversify the face of the labor movement (AFL-CIO website). Recognized both as being labor organizations and community organizations, the constituency groups are important

intermediaries in the building of social dialogue, especially on race and gender issues.

Conclusion

The state of the art of social dialogue in the U.S. primarily takes place in labor-management partnerships, and between labor and social actors in civil society. As the foregoing case studies show, social dialogue occurring in labor-management partnerships can range from evolving forms of high-level employee involvement committees to “high road” economic development partnerships. The case studies also show that the U.S. labor movement is actively engaged in building coalitions with other actors in civil society, for purposes which vary from addressing racism and sexism, to electing progressive political candidates, to enacting policies which can spur workers to organize unions.

The case studies highlighted forms of social dialogue which were formed with common intentions of: 1) bringing together parties who might otherwise been in conflict, 2) building an alliance forged around common agenda, and 3) achieving a greater result than could have been possible separately. The National War Labor Board, Not in Our Town, and the Alliance for Sustainable Jobs and the Environment were all specifically aimed at maintaining social peace. The Early Childhood Education Career Ladder and the Homecare Worker Organizing campaigns show how potentially divisive issues can be avoided through strategic partnerships. LEAP, the Northern California Work and Family Coalition, and the hotel union’s Living Contract labor-management partnership are all examples of unfamiliar parties developing a common agenda. The anti-sweatshop campaigns, the high road partnerships, and the WTO protests demonstrate the significant impact that alliances across diverse sectors of society can create.

In the U.S., although tripartite institutions do not currently exist, the ILO may still be able to play an important role in promoting social dialogue. The ILO is a widely-respected organization, both because of its relationship to the peace-keeping mission of the United Nations, and because its Conventions and programs are the result of joint efforts of labor, management, and governments. Some of the ILO’s fundamental premises, such as society pluralism and representative democracy, are not widely accepted in the U.S. This has led to the necessity for the labor movement to campaign for the basic right to organize, and to fight to assert its voice into labor and social policy matters. The ILO’s attention to these issues could serve to focus debate on the fundamental imbalance in the structure of current U.S. labor relations, one which favors management rights far more than labor rights.

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