

The ripple effect of the attack on labor



The proportion of American workers who are union members is at its lowest in 97 years, according to the Bureau of Labor Statistics' annual report. Only 11.3 percent of workers belonged to a union in 2012, the smallest percentage since 1916. Labor union membership peaked in the 1950s, at 35 percent.

Economists say the drop in union membership is partly due to our changing economy and to aggressive anti-union actions by some employers, but it is also a result of legislative attacks on union rights. Union foes are using two tactics to weaken labor—promoting “right-to-work” laws and weakening collective-bargaining rights.

Michigan, a state with a proud labor movement history, enacted a “right-to-work” law in December after the Republican-controlled legislature pushed it through a lame-duck session (see the January issue of *The Postal Record* for details). The Michigan outrage is one of a series of recent attacks in several states, including Wisconsin, Indiana and Ohio, involving right-to-work laws or rollbacks to collective-bargaining rights for public-sector employees. Both tactics have been used in several other states in recent years.

Anti-union forces now have federal workers—including postal workers—in their sights. The Postal Service “reform” legislation proposed by Rep. Darrell Issa (R-CA) would severely weaken the collective-bargaining rights of postal unions.

The attacks on collective bargaining hit at the heart of labor’s strength. Collective bargaining is the power that

gives everyday workers a voice in their pay and working conditions and getting a fair share of what they produce. If the collective-bargaining rights of letter carriers were lost, we would go back to the days of “collective begging” before the Great Postal Strike of 1970.

“Anti-labor forces are going for the jugular now. They want to take away the core power of unions—our collective-bargaining rights,” NALC President Fredric Rolando said. “Everything we’ve gained is at stake in this struggle.”

While labor opponents cannot take away collective-bargaining rights from private-sector workers without changing federal laws that protect those rights, at the state level they can weaken collective bargaining by passing state “right-to-work” laws. Labor foes have tried to pass right-to-work laws in several states recently, with varying success; 26 states currently have them in force.

Simply put, right-to-work laws let workers in union-represented jobs enjoy many of the benefits of collective bargaining—such as better pay and benefits, safer working conditions, job protections and legal representation by the union—without paying for them. Though no union can force someone to join, in some states unions can charge workers who don’t join the union a fee in lieu of dues. In right-to-work states, though, those who don’t join aren’t required to pay a fee to the union, even though they enjoy most of the benefits. They are, simply put, “freeloaders.”

Suppose paying your taxes were optional, but you could still enjoy the

Opposite page: A rally on Dec. 11, 2012, to voice opposition to Michigan Republicans' successful attempt to pass right-to-work legislation.

Rally photo courtesy of PeoplesWorld.org
Background photo by Bill Gracey

government services other taxpayers support even if you don't pay. Not only would that scheme be unfair, it would cause government services to grind to a halt because of a lack of funds. That's the effect of a right-to-work law.

Union membership fell by 13 percent last year in Wisconsin, a state that took away collective bargaining from most state workers, and by 18 percent in Indiana, which passed a right-to-work law a year ago. (Part of those losses in Indiana came from jobs moving out of state, despite claims from right-to-work supporters that the effort would attract new employers.)

Right-to-work laws are touted as protecting workers, but their effect is to harm all workers, whether they join a union or not. Studies show that workers in right-to-work states make about \$1,500 a year less than those in other states, and receive less in pension and health benefits. (This is why the labor movement calls it "right to work for less.")

On the other hand, collective bargaining helps all workers—even those who don't have unions. Workers don't need to organize every workplace to bring the positive impact of collective bargaining to non-union workers. When wages improve for unionized employees, this creates pressure for employers with non-union workforces to keep up. Otherwise, their best employees will seek better wages elsewhere, or form a union to demand them. At its peak in the 1950s, union membership was at one-third of the U.S. workforce—yet unions caused the tide to rise and lift all boats, adding millions of people

Michigan activists file lawsuit against right-to-work law

A coalition of Michigan unions, state lawmakers and civil rights groups has filed a lawsuit against the "right-to-work" law passed by the Michigan legislature in December. The lawsuit says the law should be overturned because the public was locked out of the state capitol while the measure was debated.

On Dec. 6, state police barred the doors of the Michigan capitol in Lansing to prevent additional people from entering while the legislature debated a controversial right-to-work bill that was rushed through a lame-duck session. The public and some journalists were locked out for more than four hours as legislators discussed and voted on the bills. While people already in the capitol were allowed to stay, those waiting outside were not permitted to enter. In addition, the lawsuit says, the galleries overlooking the House floor were intentionally packed with legislative staffers so that the public would not be allowed in. Thousands of union protestors were shut out in the cold.

"By allowing state police to block citizens from entering the capitol, Lansing politicians not only violated the basic American principles of open and transparent government, they also violated specific state and federal laws designed to protect the rights of citizens," such as Michigan's Open Meetings Act, said Steven Cook, president of the Michigan Education Association, one of the unions suing to overturn the law. The Open Meetings Act provides that the laws and acts of a public body may be invalidated by a court when official meetings, deliberations or votes are held in a place that was not open and accessible to the public. Also, both the U.S. and Michigan constitutions protect the right of citizens to lobby their legislators.

According to the lawsuit, the lockout at the capitol merely added to the legislators' attempts to swiftly pass these bills with little public input. The bills were abruptly introduced during the last days of the lame-duck legislative session. Rather than having the bills go through the standard committee hearing process, where the public would have been invited to comment, the right-to-work language was introduced for the first time on the House and Senate floors—just hours before the bills were passed the same day.

"Everyone has a stake in seeing that our government conducts business in a democratic and transparent way," Michigan State AFL-CIO President Karla Swift said. "Any law passed while citizens were locked out of their capitol building should be struck down."

As further evidence of the desire to prevent the public from holding their government accountable, the lawsuit also notes that an unrelated provision was added that made the legislation exempt from a challenge through a referendum.

"Rushing controversial bills through a lame-duck session is a bad way to make public policy under the best of circumstances; doing so on such important issues while the public is shut out of the debate every step of the way is illegal and shameful," said Kary L. Moss, executive director of American Civil Liberties Union of Michigan, which joined the lawsuit. "We have a sacred right to peacefully assemble and petition our government."

The Michigan right-to-work law allows workers with jobs represented by a labor union who don't join the union to get the benefits of union representation without being required to pay a fee in lieu of union dues. **PR**



Photo by Richard Hurd

Wisconsin workers protested at the state capitol in 2011 against a proposal to strip most public employees of collective-bargaining rights.

to the middle class and allowing millions of workers, union and non-union, to enjoy a decent living.

The same goes for benefits and working conditions. Unions set the standards that the labor market follows. Years ago, unions won, for their own members, improvements that non-union and white-collar workers expect now, such as the 40-hour workweek, paid vacation and sick leave, health care insurance and pensions. Without unions to stand up for them, all these gains are vulnerable to being lost.

A study by the Economic Policy Institute (EPI) released in January shows how the decline of unions is hurting all workers, unionized or not. Since 1979, the study shows, workers' income has grown somewhat—but nearly all of that growth results from more hours, not better wages. For the

first time, wages have failed to keep up with gains in worker productivity.

“The data suggest that Americans started working more hours in part as a coping strategy to ensure some income growth in the face of very slow wage growth” over the last three decades, EPI President Lawrence Mishel said. “In contrast, wages grew quite quickly for top wage earners. Workers, especially those in the bottom 60 percent, have been working much more but have had very modest gains in real hourly wages.”

In short, workers are working harder, but have little to show for it.

This is the kind of economy that existed before the labor movement developed, when the wealthy took the spoils of growth in worker productivity while the average worker took the scraps that were left. It's a move backward from the time when unions built a growing middle class whose consumer spending kept the factories humming, to the benefit of worker and Wall Street investor alike.

Indeed, weakening unions hurts the economy as a whole too, because workers end up with less in their pockets to spend. The financial class and the politicians who are fighting to weaken labor unions have forgotten Henry Ford's famous observation that he needed to pay his workers enough to buy his products—and they don't have as many unions around to remind them of it and to demand a fair share.

“The decline in unions is a threat to the American Dream,” Rolando said. “Unions built the middle class, and now that middle class is struggling because of assaults on our rights. Our struggle is America's struggle. We have the power to reverse this trend—but only if we stay united and every one of us pitches in.” **PR**