

Trade union revitalization in the United States of America: A call for a labour movement programme in support of self-organizing workers

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Background: The current state of affairs

Organized labour in the United States of America today is facing a truly existential crisis, as trade union density has experienced a steady decline for the last five decades. From a peak of one third of the workforce in 1955 and still over 20 per cent in 1983, at present only 10.3 per cent of United States workers remain members of trade unions, and a mere 6.1 per cent are unionized in the private sector (Bureau of Labor Statistics 2022).

Much has been written concerning the impact that shrinking trade union density has had, not only on the ability of unions to bargain effectively with their employers from a position of strength, but also on the United States economy as a whole. It has contributed significantly to wage inequality in the United States by reducing the pay of non-union workers, as well as reducing the share of workers directly benefiting from unionization. This decline has eroded wages for workers at every level of education and experience, costing billions of dollars in lost wages (Mishel 2021).

With declining membership, many individual unions and the labour movement overall have experienced a reduction in dues revenues and other readily available resources. Accordingly, many unions have made strategic choices to allocate their increasingly limited resources more to servicing and preserving their existing membership than to organizing new members (Weil 2005), exacerbating further the density loss which makes bargaining contracts and otherwise servicing their members all the more challenging.

Meanwhile, over the past year or so, a significant trend of worker self-organizing has emerged, in virtually all parts of the country and in numerous occupational sectors (Scheiber 2022). By “self-organizing”, I refer to workers’ own self-initiated attempts at unionization of their respective employers – efforts that involve little, if any, involvement of or support from existing unions, and that if successful typically result in the workers’ formation of a new, independent union. This is potentially akin to what happened following the Great Depression, when workers began to rise up on their own and fuelled a transformation that greatly benefited organized labour (Brody 1971).

While it is still too soon to judge just how pervasive or durable this wave of self-organizing will prove to be, it appears, at present, to be on a level not witnessed in the United States in almost a century.

One of the most highly publicized examples of this astonishing trend occurred in early April 2022, when an independent unit of some 8,000 employees became the first group of workers to unionize their Amazon warehouse in the United States, handily beating back a typically oppressive “union avoidance” campaign in which the company spent more than US\$4.3 million on outside anti-union consultants – more than US\$500 per worker (Kantor and Weise 2022). Meanwhile, at Starbucks, Apple Store, Google and Recreational Equipment, Inc. (REI), as well as many other employers including lesser known media outlets, breweries, healthcare agencies, museums, book stores, universities and schools, among many other

employers, workers are embarking on major collective initiatives on their own, without organized labour at the helm or often even in the picture at all.

To date, the United States labour movement's response to this trend has been tepid, at best. On an ad hoc basis, a few individual unions and union leaders, in a few locations, have offered valuable support.¹ The labour movement as a whole, however, has been largely absent, or at least not present in any concerted way.

This article argues for organized labour in the United States to play a major supporting role in this unique moment. Workers are presently organizing on their own – and in some cases, forming their own independent unions – but even with their new levels of energy, enthusiasm and creativity it will be extremely difficult to sustain initial successes, win adequate first contracts and generally institutionalize the gains that they realize without levels of resources well beyond what they are able to bring to the struggle. Moreover, at the same time, the labour movement is presented with a unique opportunity for revitalization: to help grow the overall size and power of the unionized workforce even if, for the time being, it may involve forgoing an increase in their own membership rolls.

To have any significant impact, however, the labour movement must create a substantial, dedicated, grassroots-focused programme – a Labour Self-Organizing Workers' Support (Labor SOWS) Programme – that will supplement, but not supplant, the needs of these self-organizing workers.

Why self-organizing workers and organized labour need each other

The unusual amount of spontaneous worker militancy that we are witnessing in the United States at present coincides with recent polls showing an unusually high degree of public support for unions. One widely cited Gallup poll showed 68 per cent union approval, a 57-year high (Brenan 2021). Moreover, among non-union workers themselves, almost half (48 per cent) say they would like to have union representation – almost five times the number who are actually unionized today (PBS 2018).

The enormous discrepancy between those who want a union and those who actually have one is hardly surprising. In recent years, fewer than 50,000 workers per year have succeeded in winning representation through the standard election process supervised by the relevant government agency, the National Labor Relations Board (NLRB) (Dirnbach 2018). Further, even when workers succeed in overcoming what Cornell University researcher Kate

¹ For example, the Service Employees International Union Workers United has become an important ally to the Starbucks baristas in many of their successful campaigns. The UNITE HERE union, the Retail, Wholesale and Department Store Union, the Teamsters and the American Postal Workers Union have each been offering staff, office space and other material support to various groups. The Association of Flight Attendants' inspirational President Sara Nelson is highly sought after by many of the independent worker campaigns to attend and speak at their rallies and on their picket lines.

Bronfenbrenner calls “the hoops of fire” of a hostile employer’s anti-union campaign, their bigger challenge has often just begun: an employer intent on staying union-free despite the election outcome begins to impose endless obstacles preventing the newly unionized employees from effectively exercising their new rights (Bronfenbrenner 2009).

Operating under a legal and regulatory regime that provides virtually no effective penalties for such behaviour, employers are often able to delay negotiating a first collective bargaining contract for years, not infrequently dragging out the process to the point that the workers simply give up. Indeed, a study Bronfenbrenner conducted between 1999 and 2003 found that a majority of organized units had no contract within one year of the election, more than a third had no contract within two years, and some 30 per cent had no contract even after the third year (Bronfenbrenner 2009, Lafer and Loustaunau 2020).

Consider, for example, the prospects facing the groups of largely self-organizing workers at the two most highly publicized employers of late: Amazon and Starbucks. After suffering the astonishing NLRB election defeat in Staten Island, New York, Amazon promptly announced that it would legally contest the results; under current United States labour law and without strong counter-pressures, this could stall even the outset of negotiations by two years or more. Meanwhile, Starbucks, which in the past three months has lost some 50 coffee shop union elections by overwhelming margins, with another 150–200 due to take place in the near future, shows no sign of coming to the bargaining table any time soon, much less with a good-faith intent to work out a mutually acceptable agreement. Both of these companies will likely continue to frustrate the process with impunity, in the absence of a major coordinated effort that will likely far outstrip the capacity of the individual groups of self-organizing workers on their own.

Thus, as exciting as the Amazon, Starbucks and other self-organizing worker campaigns are, the workers and their allies should be genuinely concerned that many will not bear fruit in a lasting way. The workers are surely bringing to these labour struggles levels of militancy and creativity not seen in decades; however, few seem to be accompanied by support mechanisms – legal, digital, education and training, political, research, communications, or coalition-building – sufficient to withstand the ferocious opposition that most employers unleash at the mere whiff of union organizing in their workplace, and then in the follow-up campaign to achieve a first collective bargaining agreement.

Meanwhile, as the declining union membership numbers show, organized labour has yet to develop a successful formula to halt, much less reverse, its own continual losses in density and weakening of power and influence. For some years, in the 1990s when John Sweeney became president of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and again when Richard Trumka succeeded him in 2009, the unions encouraged or at least accepted AFL-CIO’s experimentation with a variety of union growth strategies. These included: NLRB election organizing within unions’ traditional jurisdictions; “hot-shop” organizing, where the unions’ response is based more on likelihood of success than on the strategic value of adding workers in a particular industry, employer or

location; strategic or corporate campaign organizing, where unions seek to leverage an employer's voluntary recognition (without the need for an NLRB election) by focusing on an identified employer's vulnerabilities; geographical campaigns, where groups of unions attempt collectively to organize multiple employers within the same city or county; public-sector campaigns, where unions use political influence to help achieve unionization of governmental or quasi-governmental employers; and various combinations of the above. And while notable successes were achieved in each of these forms of union organizing, none were successful in achieving an overall restoration of labour movement growth.

Some unions continue to dedicate substantial resources to their own organizing programmes, and have newly unionized employers to show for their efforts. Yet even among these unions, few now have the staff or resources to respond to all of the groups of workers who seek their involvement, even within their own respective sectoral or occupational jurisdictions. Indeed, even if every established union today were to win every organizing campaign that it has pending, the numbers of newly unionized workers would reflect only a fraction of what is required to create significant change.² As a whole, the organizing programmes of the American labour movement and its constituent unions have simply not succeeded in reversing the decline in union membership.

It does not help that the labour movement of late has directed virtually all its strategic revitalization efforts into a single legislative goal: enactment of federal labour law reform in the form of the Protecting the Right to Organize Act (the PRO Act).³ Unquestionably, in the Biden Administration, the labour movement has one of the best governmental allies it has had in decades. Yet it has been clear for some time that neither the Administration nor labour's congressional friends will be able to deliver this or any other game-changing legislative measure.

Others have written about the various factors that account for the labour movement's inability to turn the tide over the past five decades – globalization, new technology, increased employer resistance, failure to enact labour law reform to address economic and social change, and shortcomings within the labour movement itself, to name just the most widely cited (Brooks 2016). The point here is not to revisit, much less resolve, these past debates, but rather to advocate for the labour movement as a whole to seize this significant new opportunity: a genuine wave of self-organizing workers, in almost all unions' geographical and/or occupational areas of operation, spontaneously and simultaneously looking to become part of the country's unionized workforce.

For the first time in years, the labour movement has a real chance to help millions of workers realize their own aspirations of unionization, and in the process begin to reverse its own decline. For the reasons suggested above, however, this will not happen if organized

² Historians and social scientists have noted that unions need to organize more than 1 million new workers per year to reverse the decline (Cowie 2002).

³ United States Congress bill H.R. 842, 117th Congress (2021–2022). [Protecting the Right to Organize Act of 2021](#). Washington, DC: United States Congress.

labour looks on passively or indifferently. What is needed, instead, is an all-hands-on-deck commitment – a top-priority Labor SOWS programme.

The commitment would not preclude individual unions from continuing to undertake their own campaigns in their own sectors; however, it would require the labour movement as a whole to prioritize an initiative to support the millions of self-organizing would-be union members, recognizing that, in the short term, many of these workers will belong to their own independent unions, not necessarily affiliated with established unions or the AFL-CIO. Moreover, whether they join existing unions in the near future, later down the road or not at all, they will still become part of the national labour movement at large, bringing the power, influence and opportunities for yet more growth that their added numbers will offer and enhancing the labour movement's ability to negotiate more favourable labour standards, to advocate for more worker-friendly legislation, and to elect more worker-friendly public officials.

Components of the Labor SOWS programme

Ideally, the Labor SOWS programme would be organized and coordinated by the nation's central labour federation (the AFL-CIO), with the full participation of all union leaders at the national and local levels. If unwilling or unable to take the lead, the job may more realistically fall to a "coalition of the willing" – those unions seeing common purpose and value in this initiative.

In any event, whether the AFL-CIO heads up Labor SOWS or whether instead it is directed by a coalition of activist unions, a central role will fall to the state and local labour movements. After all, the key to successfully assisting self-organizing workers, on a scale that will have lasting impact, will be for organized labour to lend its experience, expertise and selective resources at the grassroots level across the country.

Whichever actor takes the lead for organized labour, the requirements for self-organizing worker initiatives will necessarily vary from place to place. Obviously there will be no "one-size-fits-all" set of needs or requests for assistance from the self-organizing worker groups. Considering what could improve their chances of short-term and longer-term success will, itself, be an important role for each group of self-organizing workers to undertake, ideally with input from more experienced actors, such as long-established unions. The type of assistance that the various groups of workers need will surely differ, and the labour movement will need to listen carefully and respectfully in helping the groups determine what could be useful.

The Labor SOWS programme must include certain fundamental components. First, whether coordinated by the AFL-CIO or a coalition of participating unions, there will need to be a steering committee of union presidents who would formulate policy and commit the national resources aimed at providing the necessary support for self-organizing

workers. All organized labour needs to be part of this unique opportunity to help broaden the labour movement and restore overall union growth. Non-AFL-CIO-affiliated unions – including the Service Employees International Union, the Teamsters and the National Education Association – will need to be equal partners, working together in a collective, collaborative manner.

Second, the steering committee will need to create staff-level committees of experts in organizing, fieldwork, communications, legal work, bargaining, political affairs and research to assist local labour movements in developing possible strategies, toolkits and other necessary support materials for the self-organizing workers to draw upon. The steering committee should ensure that national groups of experts and activists – union lawyers, labour educators, political advocates, faith leaders, student organizations, civil and immigrant rights groups, and other community allies – are made available to the self-organizing workers.

Third, local labour movements – the state, area and local AFL-CIO bodies and their affiliated local unions — should be trained, resourced and otherwise equipped to provide organizing assistance, media support, legal advice, community partner coalition-building, employer research, grievance training, bargaining support, political relationships and grassroots organizing training to add to the resources the self-organizing workers are bringing to their own campaigns. These state and local organizations should prioritize the Labor SOWS programme, making sure that the requisite tool kits and other forms of assistance to self-organizing workers are available and readily accessible.

Fourth, given how much resistance employers typically devote to first contract negotiations, the programme should help to develop, by sector, a concise first collective bargaining agreement as a model or template – one focused on key priorities common to workers in a particular sector, but also leaving ample space for workers to decide for themselves how their local demands should be shaped. Detailed and more difficult issues can wait for second or third contracts.

Fifth, the labour movement should see the Labor SOWS programme as an opportunity to broaden the coverage area for organized labour. Local labour movements should prioritize initiatives led by young workers, workers of colour, immigrant workers, women and others historically underrepresented in organized labour in the campaigns that they assist.

Sixth, and crucially, the steering committee should establish a funding mechanism dedicated to this programme and large enough to meet this challenge on a truly multisectoral, national scale. As labour scholars and practitioners have long observed, unions in the United States own union halls and other real property that, given their many decades of ownership, are often mortgage-free (Masters 1997). Modest leveraging of what is estimated to be many billions of dollars of such assets could yield very significant sums that could be dedicated to this all-too-unique opportunity.

Committing to and implementing a programme of this kind is eminently achievable. Sadly, the AFL-CIO passed up an obvious opportunity to create such a programme when it held its quadrennial convention in June 2022. With scant acknowledgement of this burgeoning movement of self-organizing workers launching new campaigns throughout the country on virtually a daily basis, the AFL-CIO chose not to invite any groups of workers not affiliated with one of its existing unions. Moreover, its flagship announcement of a new organizing programme consisted merely of a commitment secured from its affiliated unions to organize into their own unions a million new members over the next ten years, i.e. 100,000 workers per year. As noted by a highly sceptical union audience and labour press in reaction to the announcement, this goal would not even suffice to keep up with anticipated workforce growth, much less reverse labour's long decline in density (Greenhouse 2022). More significantly, the AFL-CIO's new programme and numerical goal entirely ignore the need and opportunity to partner with and assist the unique independent organizing taking place on a completely separate track.

Nonetheless, it is certainly not too late for organized labour to recognize where its organizing priorities and energies should be directed at this time. If not through the AFL-CIO itself, a coalition of large unions inside and outside the Federation could unite to create and lead a Labor SOWS programme – surely many others would follow. Alternatively, if national labour leaders are not prepared to take advantage of this historic opportunity, a core of the more activist state and local labour leaders from around the United States could assume the role. Whether under the direction of national labour leaders or activist state and local leaders, a joint assessment should be made, together with leaders from the self-organizing workers' groups, of the types of assistance that would be of most value in specific sectors, locations and campaigns. The “numerical” goal of this programme should quite simply be: every self-organizing worker who is seeking to have a union at work should have one.

Historical precedent

The Labor SOWS programme would not be without historical roots. Following the Great Depression, workers began to rise up on their own and fuelled a transformation that greatly benefited organized labour. As the labour historian David Brody observes: “The depression finally broke down the acquiescent relationship fostered by welfare capitalism and aroused industrial workers to action ... [and] a spontaneous push for organization developed. It was a sight, said [then American Federation of Labor president] William Green, ‘that even the old, tried veterans of our movement never saw before’” (Brody 1971).

In the fierce internal debates that took place inside the labour movement at that time, the iconic labour leader, John L. Lewis, tried to convince his fellow union leaders to put aside traditional jurisdictional claims for the moment, so as not to allow labour movement division to endanger the workers' emerging self-organizing. Though not successful in bringing along many of the more conservative craft unions, a number of large unions

joined Lewis in establishing the Committee for Industrial Organization (CIO), which spent much of the mid-1930s extending financial assistance, a cadre of experienced organizers and other professional staff, and their established relationships with allied political and social movements to help millions of industrial workers achieve unionization and collective bargaining – marking the beginning of a major turnabout not only for the industrial unions, but eventually for the craft unions as well (Brody 1971, Cobble 1997a).

The American Federation of Labor (AFL) had itself undertaken a support role in yet earlier times of significant worker self-organizing. From the late nineteenth century through to the 1950s, the Federation helped many workers form their own independent workplace unions, even where there were no craft unions seeking or available to organize them (Cobble 1997b). The Federation coordinated a large network of organizers, which helped established unions build their membership and supported self-organizing workers. During this period the AFL chartered an estimated 20,000 independent organizations, directly affiliated local unions, many of which ultimately merged with existing unions or in some cases grew into their own international unions (Cobble 1997b). The AFL saw the directly affiliated local unions as “the recruiting grounds for the trade unions, both of the skilled and unskilled workers”, and as a way to extend the reach of the labour movement to workers who had been excluded by virtue of skill, race or gender (Cobble 1997b).

While these examples do not provide a clear blueprint for action, they show the value to organized labour of supporting insurgencies from below. Today’s labour movement has an extraordinary opportunity to put its immediate self-interest to one side and assist millions of workers seeking to organize their own unions, recognizing that in the short term the addition of these new workplace unions and the collective bargaining agreements they will negotiate can only help raise standards throughout the economy and, in the long run, may well result in many of them voluntarily joining up with stronger, longer-established unions in their areas.

Conclusion

The Labor SOWS programme must start from an acknowledgement that the labour movement would be helping these self-organizing workers to form their **own** unions and negotiate their **own** first contracts. It must see its own role in this programme as offering added value, not replacing what these new organizers are bringing to the struggle. In the short term, organized labour’s commitment would not be generated by the more typical self-interest that unions bring to their own campaigns. Many of the successful self-organized worker campaigns would not immediately result in existing unions increasing their own membership rolls for the present. In time, however, many of these new independent unions will likely conclude that they will not be able to thrive without affiliating with an existing, established union. And meanwhile, even if they do not do so, the newly organized workers will bring immediate value to those existing unions,

whose own growth is dependent on a movement that does not continue to lose power and influence, much less fade from existence entirely – prospects that the labour movement must acknowledge are currently very real.

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