Weakening Labor Unions in the United States: Can the Unions Rebound?

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Abstract

For the better part of a century, labor unions thrived in the United States. In the mid-twentieth century, labor unions were a significant piece of the fabric that made up the middle class. Early on, labor unions were an absolute necessity to bring regulation the tyrannical owners in the country. Over time however, labor unions have lost much of their desirability. After looking at a brief history of how labor unions have regressed to their current state, this paper discusses various benefits of labor unions, different factors that are causing the decline of labor union appeal, and possible ideas that could bring strength back to the unions. This synopsis will provide a succinct understanding of where labor unions are today and what might bring some revitalization to what has been a long, slow decline.

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Labor unions have proven to be critical in establishing fair labor practices for workers in the United States. In the beginning, they were an absolute necessity to protect workers from the greedy, uncontested industrial giants that began the modernization of our country. As government regulations on fair labor practices have evolved, the necessity of organized labor has diminished through the years. Nevertheless, through major strides and major slides, labor unions have maintained some degree of importance to the middle class worker. By taking a look at a brief account of political actions that took place in the twentieth century, it will be easier to identify what driving factors affect organized labor today.

The history of labor unions starts well before the twentieth century, but for the purposes of this paper, the twentieth century holds the most pertinent events that started the downward trend that brings labor unions to their current state. With the boom of the industrial age, working conditions in the United States were deplorable as the lack of government regulations gave employers an unchallenged freedom to pursue profits without consideration of the working conditions of their employees. This came to a head in the 1930s with the birth of the National Labor Relations Board. This is a time when unions had already established a strong foothold in the protection of workers in America. Their strength was such that they had established political favor, which was a key factor in making significant changes to labor laws. According to Moreno (2015), the 1935 National Labor Relations Act, called the “Wagner Act” which was brought about by Democratic Senator Robert F. Wagner, outlawed certain employer labor methods. This one-sided legislation forced employers to bargain with whatever union the employees want. In response to the incredible power that unions gained from the Wagner Act, the public elected Republican majorities to address the issue. This gave the unions an unprecedented grip on employers. As a result, employers essentially responded with an all-out war on organized labor.

Employers were fed up with being at the mercy of the unions and desired to regain some control of how they conducted affairs with their employees. In a sense, the 1940s brought on the first ideas of giving workers a legal option to union representation in the workplace. Moreno (2015) recapitulates how “right-to-work” came about through the Labor-Management Relations Act (also known as the Taft-Hartley Act) in 1947. This act leveled the playing field for employers while preserving the first principles of the Wagner Act. The Taft-Hartley act included the condition that gave states the freedom to eradicate the requirement of workers to join any union or pay dues to that union. This was the origin of “right-to-work”. Although “right-to-work” was not a part of the political jargon at the time, the principles set forth were the foundations of what many states have adopted today. So why were employers so against unions? To better understand this, what unions do for workers must be taken into consideration.

From the very beginning, safe working conditions and fair pay were major considerations that organized labor fought employers about. Unions were able to accomplish this through wildcat strikes, demonstrations and political lobbying. The advances that unions made for the workers early on were absolutely critical to the advancement of the industrial age and creation of the middle class. Today, unions still hold the same core principles, but it has become more involved with health care, retirement plans, and other various compensations. Probably, the most notable benefit that labor unions have been able to provide for their workers is higher wages than non-union workers on average. Wall Street Journal labor reporter, Melanie Trottman conducted a recent study of the long decline of union membership in US labor unions. As shared by Trottman (2015), based on the figures released by the Bureau of Labor Statistics in January of 2015, U.S. Labor Secretary Thomas Perez came to the conclusion that unions make a substantial difference in people’s lives. He based this off data from the report showing that the median weekly earnings of $763 for non-union employees pale in comparison to the $970 earned by union employees (Trottman, 2015). The higher wages that labor unions are able to get for their workers creates a definite appeal to the average worker in America. Better wages, health benefits and other compensations do create an advantage for the unions, yet still the membership declines.

Various factors have contributed to the decline of union membership. Dan Clawson, Ph.D. from the University of Massachusetts at Amherst and Mary Ann Clawson analyzed the factors that contribute to the deterioration of labor unions in the United States. They’re study found five major standpoints which were found by scholars and by those within the labor movement. According to Clawson & Clawson (1999), these factors focus on the role of the union as an institution, changes in demographics, the legal system within each state, globalization, and the employer anti-union offensive. Demographically, geographic shifts to the Sun Belt from the Rust Belt, shifts from blue collar jobs to white collar jobs, and gender distribution in the workforce are the prominent factors (Clawson & Clawson, 1999). The unions have played a significant part in their own waning numbers by using a shortsighted approach of protecting current member contracts instead of a comprehensive strategy of organizing new members. US labor laws allow for unions to organize but at the same time offer employers the right to impede that process. Workers also have the right to strike without penalization, but employers can permanently replace striking workers to keep production running (Clawson & Clawson, 1999). Locally, unions have to deal with labor laws, but on a bigger scale, jobs are moving overseas. According to Clawson & Clawson (1999), globalization has hurt unions by introducing direct competition for core workers with outlying labor, as well as the decline of the state’s power that many labor movements heavily rely. The shift to the Sun Belt was heavily focused on the freedoms employers enjoy in “right-to-work” states. This has been changing as well as they are becoming more popular in the Rust Belt. States like Wisconsin and Michigan have come to the realization that in order to get business to remain in the state, and to entice new business, the strength of the union needed to be weakened. The long-standing pro-union Michigan fell to the 11th most unionized state in 2014 from the 7th in 2013, indicates Trottman (2015), and the membership rate in the public sector has decreased nationally in recent years due to employment declines in cash-strapped states. This is a growing trend as more and more states are looking to bring business back in to boost sluggish economies.

Labor Unions are built on principles which provide workers with representation to insure fair treatment from the employer. These principles do not hold a union together though. In fact, union membership has suffered for decades. According to Rivers & Trott (2014), union membership has declined substantially since the passing of the National Labor Relations Act in 1935. Union membership peaked at 39% in 1954 and it has declined ever sense. Unfortunately, as businesses enter into the global market, the ability for labor unions to remain a necessity is fading away over time. There is no way to argue the fact of union decline in the United States. The percentage of the total labor force in unions has fallen from 39% in 1954 to 10% in 1999 (Clawson, D. & Clawson, M.A., 1999). Arguably, labor unions are becoming outdated and less effective than they were in the early to mid-twentieth century. The public perception of unions is suffering as well as different events have brought negative attention to the unions.

The image of the union is an important factor in trying to organize new membership. Organized labor has a history that is tarnished with notorious mafia-involved incidents such as the Teamsters racketeering in the 1970s coupled with the mafia’s chokehold on New York unions through most of the twentieth century (Gardener, 2014). These factors are tantamount to the general public image of labor unions. Gardner (2014) goes on to explain that there are still cases of government overseers appointed to clean up mob activity in the unions, while new labor racketeering charges are being brought against mob members. With this history of corruption, unions need to focus resources on cleaning up the image. In addition to the criminal scar union bare, legal actions taken by unions to protect workers contribute to the lackluster union image held by the public. The perception that the public had for the Baker’s Union after the Hostess bankruptcy of 2012 was that the union was greedy and at fault for jeopardizing an American institution when it ordered a strike against Hostess (Creamer, 2013).

How organized labor performs in the future will define the future of labor unions. During the postwar era, organized labor turned inward and rejected various social movement relationships. In recent years, however, many labor organizations from the private sector have shifted toward a more inclusive, social movement platform by employing disruptive protest strategies, appealing to worker dignity, and building alliances with civic, religious, and social change groups (Dixon & Martin, 2012). It is important for unions to start moving outwards and get involved with more public awareness of how unions can help the middle class. Matthew Creamer of Advertising Age Magazine received a response about the current ad campaign efforts of the AFL-CIO from George Lois, the man responsible for the AFL-CIO's old "Union Yes" campaign in the 1980s. "It's just as unfocused as most advertising in America today," he said. "As unions lose their power, that doesn't mean their advertising has to be weak and ambiguous," he said. "They almost seem to be embarrassed. They don't even say the word 'union'" (Creamer, 2013). This has got to change if organized labor wants to survive the ever-expanding global climate let alone the shift towards “right-to-work” movement in the United States. According to Fiorito, Padavic, & Russell, (2014), union instrumentality is imperative for activism, while pro-union attitude seems to be essential for future activist objectives. With more focus on public awareness, unions could recover from the negative image that much of the public perceives. Along with a shift towards organizing new members, there needs to be an adjustment to the workforce that the union represents. Technology may seem to be taking away jobs but the jobs really are not disappearing. They are just moving to other fields. Dugenske & Louchez (2014) claim that increased automation require additional manpower which paradoxically modifies the nature of the demand for labor in areas like information technology. It is up to the union to go after these job demand shifts. Finally, there needs to be a change in the way the union operates in order to combat the “right-to-work” movement.

To address the “right-to-work” movement, one idea is to adopt a German-type works council ideology where unions are not forced to be exclusive representatives. Thomas Geophegan (p. 217, 2014) recounts a conversation with Michael Fichter, emeritus professor in labor relations at Freie Unversität in Berlin concerning German-type works council that would not be controlled by the United Auto Workers, “It’s a brilliant idea in a right-to-work state,” he said. “It gets rid of exclusive representation, except in some important areas. So the UAW can come in and say, ‘Look, you aren’t giving up all your rights to a union.” In a sense Geoghegan (2014) argues that the workers would be taking over instead of the union if there were a German-type works council because it would be open to everyone. In fact, Geoghegan (2014) contends that this could actually de-demonize the UAW. This could actually benefit unions if they grasp the concept of multiple representation availability. This could make unions more appealing as workers will have alternatives but still have crucial protections.

To sum up, unions have had a very turbulent history and have sustained a continuous downward trend. Nevertheless, unions have been able to persevere and remain an important instrument in the continued protection of the working class. Even though unions have been unfortunate to be stigmatized by much of the public, there is still hope for unions to rebound. By shedding its archaic past and opening up to new ideas, organized labor can rebound and grow into an entity that will continue to benefit the American worker in a global economy. When I came into the Labor Relations class, my views of organized labor were very poor to say the least.

I have always looked at unions as providing a safe haven for lazy workers as they benefit from the same protections as the people who want to do the right thing. However, through the various seminars and discussions in the class, my views have become more objective than subjective. I see that it is not about the few bad apples but more about the survival of the middle class. The union can play a very important role in sustaining a viable middle class structure. This will require unions to adapt to global economic demand and advancements in technology.

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