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Commentary

How unions' strength is lessening in U.S.

Overworked and underappreciated, Americans now find little to celebrate on Labor Day.

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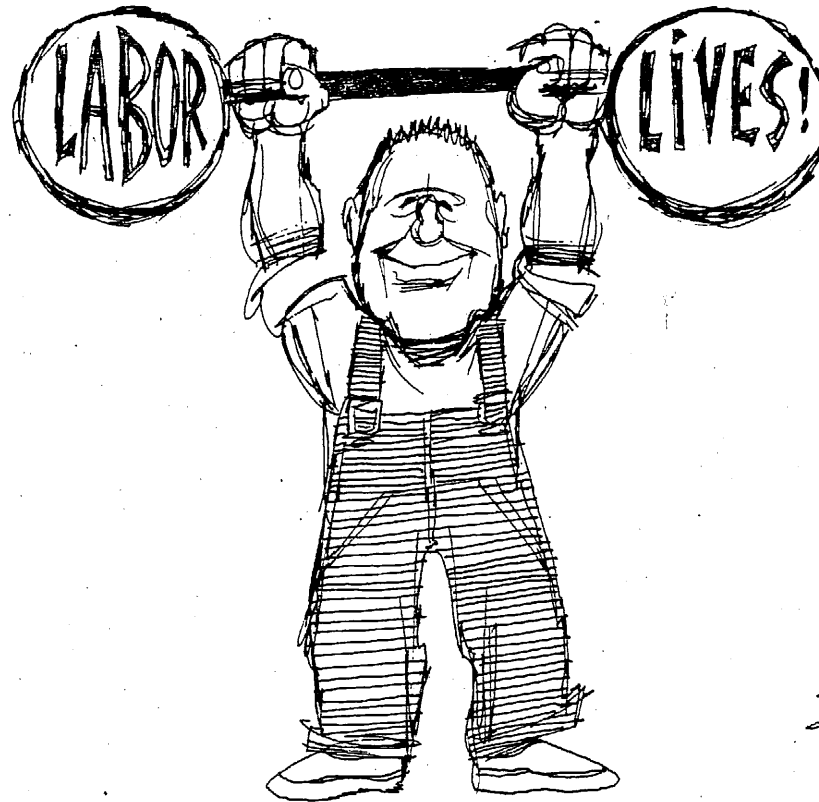
In 1886, President Grover Cleveland declared the first Monday in September as Labor Day. Today, few cities hold the once-traditional Labor Day parade. Is this a sign of the labor movement's success or failure?

On one hand, by lifting many working people out of poverty and into the middle class, unions helped provide Americans with the economic security to take a three-day weekend. On the other hand, American working families are typically so exhausted from overwork that it's no wonder they view Labor Day weekend as a chance to rest rather than protest.

On most measures of economic and social well-being, American workers rank below their counterparts in other affluent nations. Americans work more hours each year than employees in Canada, Western Europe, Japan, or Australia.

Unlike every other affluent country, the United States has no statutory minimum vacation policy. As a result, American workers spend fewer weeks on vacation than workers elsewhere. Most countries mandate that workers get at least four weeks of paid vacation a year. France, Austria, Denmark and Sweden require five weeks. The typical European worker takes at least seven weeks of vacation each year compared with less than four in the United States.

Although the United States ranks third — behind Norway and Japan — in overall per capita income, American workers do not derive the benefits of prosperity compared with their counterparts elsewhere. Workers in other countries have chosen to take their productivity gains in the form of reduced hours — shorter work weeks, longer vacations, and earlier retirements. But they also do better in terms of their paychecks. In many countries — including Germany, France, England, Austria, Belgium, Denmark, Finland, the Netherlands, Norway, Sweden, and



Switzerland — manufacturing production workers significantly outpace their American counterparts in hourly wages, as do most service-sector workers.

Among peer industrialized countries, the United States has the widest gap between rich and poor, the highest poverty rate, and weak workplace safety laws. It is the only affluent nation without universal health insurance.

What accounts for these disparities? The weakness of the American labor movement, compared with those in other affluent, democratic societies, is a prime suspect. At 12 percent, the United States ranks next to last, just in front of France (10 percent), in union membership among the workforce. In France, however, even workers who are not union members are covered by collective-bargaining agreements. They cover 90 percent of all French workers, compared with only 14 percent of U.S. workers.

Business leaders argue that American employees' anti-union attitudes account for the decline in union membership, which peaked at 35 percent in

the 1950s. In fact, a December 2006 poll found that 58 percent of nonmanagerial workers would join a union if they could. But they won't vote for a union, much less participate openly in an organizing drive, if they fear losing their jobs for doing so.

And there's the rub. Americans have far fewer rights at work than employees in other democratic societies. Current federal laws impede union-organizing rather than protecting workers' rights. Elections held under current National Labor Relations Board rules are bureaucratic, inefficient and put workers and their unions at a disadvantage.

According to professor Kate Bronfenbrenner of Cornell University, one-quarter of all employers illegally fire at least one employee during union-organizing campaigns. In 2005, more than 31,000 workers were illegally disciplined or fired for union activity, according to the NLRB. Some workers get reinstated years later, after exhaustive court battles. Indeed, penalties for violations are so minimal that most employers treat them as a mi-

nor cost of doing business.

Big business spends hundreds of millions of dollars a year to hire antiunion consultants who use elaborate strategies to keep unions out. Employers in the United States can require workers to attend meetings on work time where company managers and consultants give antiunion speeches, show antiunion films and distribute antiunion literature. Unions have no equivalent rights of access to employees. To reach them, organizers must visit their homes or hold secret meetings. This is hardly workplace democracy.

The next battle in the struggle for workers' rights is the Employee Free Choice Act (EFCA), the most important pro-worker legislation since the original National Labor Relations Act was passed in 1935. The EFCA would allow employees to form unions by simply signing a card stating that they desire union representation. If a majority of employees in a workplace sign a card, the company would be obligated to bargain with the union

the employees choose. The law also would increase penalties for companies that violate worker rights and provide for mediation and arbitration for first contract disputes — a key provision, since employers often drag out negotiations to wear down a new union.

On March 1, the House of Representatives approved the EFCA by a 241-185 vote. In June, 51 senators — all but one of the 51 Democrats (Tim Johnson of South Dakota did not vote), plus one Republican (Arlen Specter of Pennsylvania) — voted in favor of EFCA, but it wasn't enough to end the

Republican filibuster.

Business leaders and their allies in Congress understand that a resuscitated labor movement would be an effective counterweight to their political influence. That is why they are on the warpath against the EFCA. President Bush has pledged to veto the bill if it reaches his desk.

The labor movement is likely to make support for the EFCA a litmus test for targeting its endorsement, money, and ground troops to candidates running for House and Senate in 2008, particularly those in swing districts and

states, where Republican incumbents are vulnerable.

It's do-or-die time for the American labor movement. In the next decade or two, unions will either make a comeback or become marginal players in American society and politics. If labor stumbles toward irrelevance, our society will become nastier, more unequal and individualistic than it already is. It's not a happy prospect — but one worth pondering on this Labor Day.

Peter Dreier (dreier@oxy.edu) is author of "The Next Los Angeles: The Struggle for a Livable City."