

The Rise of a New Labor Movement

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Summary: Union strength has been on the wane since the 1950s and, beginning in the 1980s, suffered a catastrophic free fall in the private sector that continues to this day. Underlying this failure is a more fundamental problem: American enterprise-based collective bargaining is an inherently weak model of industrial and labor relations. Organized labor's legislative strategy since the 1950s—restoring the old model of union bargaining—is unlikely to prevail in the 21st century. In the wake of this decline, voluntary worker associations have developed the capacity to represent workers through onsite worker-led enforcement of labor standards and employment laws within a geographic area or an industry. This could take the form of publicly financed organizations that advocate for workers under municipal law. (<http://prospect.org/article/toward-21st-century-labor-movement>).

Take Away: Unlike traditional unions these new workers associations operate in a very different and more fluid structure whereby they are open to accepting all who wish to join as opposed to focusing on a particular occupation (http://www.nytimes.com/2013/08/11/business/the-workers-defense-project-a-union-in-spirit.html?_r=1). And unlike traditional unions that have relied heavily on such tactics as collective bargaining as their primary means of arbitration (<http://prospect.org/article/toward-21st-century-labor-movement>), these associations apply more politically based strategies that rely on legal tactics and community activism.

- Filing a lien on a building site; a legal maneuver that snarls any effort to make transactions on the property and sometimes causes banks and investors to freeze financing.
- A protest march aimed at gaining public attention and negative publicity for the company.
- Organizing political bodies to push government initiatives and legislation (http://www.nytimes.com/2013/08/11/business/the-workers-defense-project-a-union-in-spirit.html?_r=1).

One of the most noted of these new labor organizations, The Workers Defense Project, founded in 2002, has emerged as one of the nation's most creative organizations for immigrant workers. Its focus is on the Texas construction industry which employs more than 600,000 workers. Several studies suggest about half of these workers are unauthorized immigrants. It is one of 225 worker centers nationwide aiding many of the country's 22 million immigrant workers. The centers have sprouted up largely because labor unions have not organized in many fields where immigrants have gravitated, like restaurants, landscaping and driving taxis.

By 2013 The Workers Defense Project had won more than \$1 million in back pay over the previous decade on behalf of workers alleging violations of minimum wage and overtime laws.

A report it wrote on safety problems spurred the Occupational Safety and Health Administration to investigate 900 construction sites in Texas — leading to nearly \$2 million in fines.

The project's budget has swelled to \$1 million receiving the attention and financial support of such noted organizations as the Ford Foundation. It managed to bring mighty [Apple](#) to the negotiating table. The group extracted a promise that construction workers on Apple's new Austin office complex would receive at least \$12 an hour, not the more commonly paid \$10 an hour as well as workers' compensation coverage (http://www.nytimes.com/2013/08/11/business/the-workers-defense-project-a-union-in-spirit.html?_r=1).

Through an Austin-based advocacy group, the Workers Defense Project has expanded its mission to other cities in Texas. Since mid-2014, through vigils, protests and continual meeting attendance of the Dallas City Council, it has lobbied hard for the introduction of mandatory rest breaks on construction sites. In December 2015 the Dallas council voted 10-5, with virtually no discussion, to require rest breaks on construction sites (<http://cityhallblog.dallasnews.com/2015/12/dallas-will-require-rest-breaks-for-construction-workers.html/>).

The Workers Defense Project is not the only such organization operating as a substitute for labor unions. Other groups, such as the Coalition of Immokalee Workers (CIW), have emerged in other states to assume the role of labor arbitration. The CIW began organizing in 1993 as a small group of workers meeting weekly to discuss how to better their community and their lives. By 1998, farmworkers had won industry-wide raises of 13-25% (translating into several million dollars annually for the community in increased wages) and a new-found political and social respect from the outside world.

Taking the movement further by the early 21st century, the Coalition launched the first-ever farmworker boycott of a major fast-food company (the national boycott of Taco Bell). Over a four year period, the Taco Bell boycott gained broad student, religious, labor, and community support. In March 2005, amidst growing pressure, Taco Bell agreed to meet all of the CIW's demands (<http://www.ciw-online.org/about/>). The CIW has steadily grown with greater influence.

By enlisting the might of major restaurant chains and retailers including Walmart, which signed on this year, the [Coalition of Immokalee Workers](#) has pressured growers that produce 90 percent of Florida's tomatoes into a series of demands. These forged partnerships also include giant restaurant companies like McDonald's and Yum Brands (owner of Taco Bell, Pizza Hut and KFC) (<http://www.nytimes.com/2014/04/25/business/in-florida-tomato-fields-a-penny-buys-progress.html>).

In November 2010, the Florida Tomato Growers Exchange, a cooperative of agribusinesses that grow the vast majority of Florida tomatoes, signed the Fair Food agreement with the CIW. Two companies, Pacific and Six L's, worked with the CIW to create a template for how the words of

the agreement would be translated into actions in the fields (<http://www.theatlantic.com/health/archive/2011/04/tomato-school-undoing-the-evils-of-the-fields/237593/>), and since 2015 the number of large food companies has continued to expand based upon their continued pressure. Immokalee has evolved from being one of the poorest, most politically powerless communities in the country to become today an important national and statewide presence (<http://www.ciw-online.org/about/>).

Generally, they support government measures to rebalance the power of capital and labor by improving the conditions for union organizing. Such measures include banning the permanent replacement of striking workers, increasing penalties for labor-law violations by employers, allowing workers to achieve union representation more quickly and simply, requiring binding arbitration in labor contract disputes, and repealing the 1947 Taft-Hartley Act which restricted or banned many effective union tactics and permitted states to go “right to work” and thereby cripple many unions financially.

Federal legislative strategies, which attempt to augment or restore America’s collective-bargaining framework, have failed repeatedly for the past 50 years: Unions have never been able to secure both a majority in the House and the required supermajority in the Senate, even when both bodies have had substantial Democratic majorities. As union density fades with each passing year, the probability of gaining support from senators in states with no real union presence declines accordingly (<http://prospect.org/article/toward-21st-century-labor-movement>).

Conservative identifiers: Far from just labor organizing movements, groups such as these mentioned above possess the potential to be powerful political instruments. Conservatives should be leery of these movements. While many try to maintain an image of political neutrality; such as the Workers Defense Project, touting common cause with law-abiding contractors to persuade the state’s Republican-dominated legislature to approve a law that made wage theft, an employer’s deliberate failure to pay wages due, a criminal offense (http://www.nytimes.com/2013/08/11/business/the-workers-defense-project-a-union-in-spirit.html?_r=1). The reality is their agenda in the long term may prove different.

In an interview for the left-wing magazine, *The American Prospect*, Christina Tzintzun, Executive Director of the Workers Defense Project, discussed the strategy for building a more established progressive liberal base within the state of Texas. She explained ideas for the future purpose of turning the state’s political leanings away from a conservative stronghold into a more moderate political base accommodating a more politically liberal platform. She discussed the need for building a strong voting base amongst the Latino communities of the state as an anchored voting block for the Democratic Party. As well as the importance of building community groups and labor movements that will work to enact legislation towards such agenda, Ms. Tzintzun emphasized the importance of building their bases within the state’s larger cities, which she argues have a more receptive block of support. (*The American Prospect, Interview with Cristina Tzintzun, July/August 2014, p 49*).

In just over a decade, these groups have gone from small collections of people and coordinators struggling to survive to well-organized networks capable of pushing agendas with both large corporations and large city governments. Up until 2009 the Workers Defense Project was struggling just to survive with less than two employees. Now it is an organization with a much larger full time staff and an operation extending to the far reaches of the state and pushing legislation in the political halls of Texas's biggest cities (http://www.nytimes.com/2013/08/11/business/the-workers-defense-project-a-union-in-spirit.html?_r=1).

The potential of the organizations, particularly the Workers Defense Project, has not been lost to the Texas Democrats. In March 2016 The Travis County Democratic Party has thrown its weight behind [the effort to provide rigorous protections](#) for construction workers hired to build a massive infill project on land owned by the Capital Metro Transportation Authority. At the party's annual convention on Saturday, delegates approved a resolution calling on all elected officials to insist that all development projects, both public and private, adhere to the Workers Defense Project's Better Builder standards. The county Democratic Party Communication Director, Joe Deshotel, said in an email to the *Austin Monitor* on Sunday. *"Our resolution in support of the 'Better Builder' standards for this project on public land is to ensure that our values are upheld during the construction phase as well as the final product."* (<http://www.austinmonitor.com/stories/2016/03/32835/>).

Analytical conclusion: The future of the American labor movement is still gradually revealing itself. What is clear is that workers associations have emerged as a potent force in this arena. The concept that they have the benefit of organizing large support amongst low income and immigrant laborers that can be brought to bear come election time. That said, the question remains--what will the likely long term place of these groups be in the greater political spectrum. They have already demonstrated effective methods for achieving success against large companies and big city governments on behalf of workers. The question of how effective these organizations can be on the national scale is also yet to be determined.

Given that the Worker's Defense Project has been more vocal politically than other groups of its field and that it is operating as a left-wing political catalyst in a highly significant conservative stronghold makes this group especially important for conservatives to monitor. If the agenda expressed by the group's executive director is at all possible it would succeed in diluting perhaps the most significant stronghold for the conservative Republicans in the greater U.S. picture, either making it a battleground state no longer guaranteed as an assured Republican victory in a national election. Or, they could make it a state where the republicans will have to adopt a more moderate political platform in order to get senators and governors elected. If successful, any of this these groups will have proven to be a highly important entity in a new changing political paradigm.

The determination will most likely come this presidential election. Conservatives should watch closely how several states, particularly Texas, go in this election, looking closely at the state's major cities to determine whether or not we will see an unprecedented surge in Democratic votes.

It is unlikely that these groups have attained the degree of power and influence to necessarily change an election or entire states political culture. However, the question that needs to be addressed at the moment is: Do they have the potential to eventually achieve that degree of significance in the future?

Recommendations: Conservatives need to observe this situation with two considerations: Is Texas or any other states with large immigrant populations and low income employment bases at risk? What is the long term potential these groups have in the next decade or so as a political force?

The methods and strategies employed by these groups need to be studied with the intent of creating effective counter-measures.

-Reaching out to low income groups that have traditionally been hard to organize. Part-time workers, minimum wage workers, immigrant migrant workers who can be registered to vote need to be seen as a voting block that these groups aim to organize and as such must be given more attention than in the past.

-Political rallies to draw attention is a major tactic aimed at garnering support. Conservatives need to be ready with counter rallies and their own message ready for the media to include writing up and promoting their own message through news coverage, social media and developing online documentaries that capture the other side.

-Legislation groups like the Workers Defense Project heavily emphasize the need to promote their cause by pushing legislative initiatives. Again, conservatives must tread lightly between initiatives aimed at benefiting workers in needed areas and initiatives that involve promoting liberal political agendas.

Many of these groups perform a service providing protection for workers where unions have fallen short and many have achieved great things in this regard. However, they have potential and have, in many respects, become effective political bodies that must be taken seriously. Conservatives need to be prepared for this early on as the 21st century gradually moves into a new changing political paradigm.

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