

Draft Labor Document—Dianne F. & Traven L.

From Solidarity's founding in 1986, we saw the strategic goal of socialists as a revolution that would be "led by the working class and oppressed" and would shatter "the foundations of patriarchy, white supremacy, settler-colonialism, and capitalist rule." This could only occur with the self-activity of the majority -- a tall order.

Even though the percentage of unionized workers was declining, we saw organized labor as the central motor of a working-class movement. We outlined the ruling-class offensive against workers on the job and in their communities. Key to shifting the balance of power would be building a layer of rank-and-file workers capable of reaching out and inspiring other workers to act. It is our task as socialists, to be "organic intellectuals," to embed ourselves in this activist layer.

We committed ourselves to remain active in union rank-and file-caucuses, workers' centers, solidarity committees, and other forms of workers' organizations to create a labor movement that acts in solidarity across union and international lines, organizes the unorganized, and transforms unions into more militant and democratic organizations.

How Have Recent Events Impacted U.S. Workers?

The period of the pandemic impacted working people in two fundamental ways:

First, it divided people into essential and non-essential workers. Those deemed essential, especially hospital nurses and doctors, were described as heroes. People might gather nightly, standing on their porches or lining sidewalks, banging on pots and pans in acknowledgement of these heroes at shift change.

Less elite heroes might get a temporary raise in pay such as at Amazon (UPS part-timers paid a supplementary "Market Rate") or in meat-packing plants where they were compelled to remain at work even through COVID outbreaks killed thousands.

For those whose jobs were shut down, even most part-timers and lower-wage workers were eligible for unemployment benefits. In fact, so many families got extra unemployment benefits or money for their children that the poverty rate declined.

Of course, elites and pro-business politicians fought to cut those benefits back as soon as possible, complaining that the reluctance to return to work was because

families had extra cash. The working class was hampered by devastating sickness and death in their families, or because there was minimal and unaffordable childcare.

What has been called “The Great Resignation” and reluctance to return to work is now over. But the data shows that lower-wage workers were able to shop around and find better jobs. For their part, office workers of all types attempted to negotiate more time to do their work from home, saving time and expense, providing them with a bit more flexibility in their schedules.

Particularly in industries considered essential, workers, both unionized and not, demanded safer working conditions and higher wages. Given a tight labor market, this has resulted in some changes, particularly wage increases. *At the national level, however, the hourly minimum wage still stands at a sub-poverty rate of \$7.25.*

Given capitalist competition, firms are always seeking ways to cut costs, and this primarily means cutting the cost of labor. This results in whole industries restructuring as they continually segment the work force, deskill workers, extend the workday and find ways to limit health care and pension benefits. They seek to increase both surveillance and the intensity of work.

Most of us go to a specific workplace with others, yet that reality does not mean we see ourselves as a collective group. In fact, we are pitted against each other by management in a variety of ways. Add to that the level of competition and segmentation of jobs and the intensity of living in today’s world – particularly commuting and work time along with the tasks of organizing daily family life. All these factors emphasize individual not collective responsibility.

Yet without worker organization to combat the intensification of work on a daily basis through a rank-and-file network, corporations will successfully move the guideposts to their advantage. Thus, group activity in every workplace is central to shifting the power relationships both on and off work.

Membership-Driven Caucuses

The most substantial rank-and-file caucus that has been able to sustain itself over the years has been Teamsters for a Democratic Union (TDU). Over its nearly 50-year existence, TDU has campaigned around contract issues, spearheaded democratic union reforms and encouraged members to run for office. It supported reform leaders, including past president Ron Carey and current president Sean

O'Brien. TDU did not dissolve when reformers first won national office in the 1990s but worked alongside the Carey leadership on issues where they aligned.

This strategy has been able both to broaden TDU activism and encourage a more responsive reform leadership at the local and national levels. TDU has recruited and grown through its key role in the contract campaign. At the same time, being in an alliance with the leadership will pose new issues for a rank-and-file caucus that has not inoculated its members about the limitations of the O'Brien leadership. How this unfolds and impacts TDU as an organization is critically important to the development of the militant minority within and well beyond the Teamsters.

While TDU stands as something of a model, in recent years other caucuses have developed in rail, communications, teachers, and most dramatically in auto, where the campaign to elect their top officials took a giant step forward as the corruption of its top leadership was exposed. As a result, Unite All Workers for Democracy (UAWD) successfully campaigned for one-person, one-vote on top officers, then ran a slate of seven, all of whom were elected to the International Executive Board. Those seven now comprise half of the IEB, including President Shawn Fain and Secretary-Treasurer Margaret Mock and two of the three vice presidents.

An important local caucus with national standing is the Caucus of Rank- and File Educators (CORE). It was formed in 2008 by Chicago public school teachers who came together as a study group and committed themselves to supporting community resistance to school closings. As it grew, CORE ran for leadership in the Chicago Teachers Union and unexpectedly won. Over the last decade CORE has played a role in winning contracts with not only higher wages but with class size protections, provisions for bilingual education and more. It regained bargaining rights the union lost in 1995 and has also organized teachers in some of Chicago's charter schools. It has been able to transition from its first leadership to a newer generation of officers.

CORE members have contributed to building a network of teacher caucuses nationally, most notably with the exemplary UTLA.

Democracy and Activism

One new element in the struggle within these unions is the emergence of a number of democratic procedures. The UAW won the right to one member, one vote on their top officials. They subsequently elected a reform slate; the

Teamsters won the right to vote on their top officials years ago, ~~but~~ (and) at the last convention eliminated the constitutional loophole that contracts could be imposed when the majority of the entire membership didn't vote "no."

Many unions – including NEA and AFT locals and graduate student unions – have not only incorporated rank-and-file members into the contract negotiating committees but held open bargaining sessions. Replacing reading only the "highlights" of a contract prepared by the negotiating team with the right to read and discuss the entire contract before voting has been won in several unions. Some are fighting not only for open bargaining and shorter contracts, but also for eliminating "management prerogatives" clauses.

The Current Situation for Strikes

Over the first half of the year 322,000 workers went out on strike, according to *Bloomberg Law*.

- The LA public school strike of low-wage support staff was remarkable because teachers, who were not on strike, nonetheless joined them on the picket line. By standing together, they were able to win a new contract within three days.
- Another example of unity across categories of workers was the five-day Rutgers University strike this April. By merging separate union bargaining units -- graduate teaching and research assistants, postdocs, counselors and full-time, tenured faculty – the teaching and research staff strengthened their negotiating power. They created a solidarity culture capable of carrying out successful and innovative pickets. Faced with the threat of an injunction, they felt it necessary to temporarily suspend picket lines to negotiate a contract, but they were able to do so, and the contract was overwhelmingly approved.

Reaching out for community support has always been an important element in successful public sector unions. Over the last decade teachers 'and nurses 'locals have introduced the idea that they would also "bargain for the common good." In 2012 Chicago teachers led the way in raising contract issues to address the trauma students were facing. Along with opposition to closing schools – slated for Black and brown neighborhoods – these issues were outside what they were able to negotiate with management by state law. Although considered controversial by some, raising such demands highlighted the difficult work these public sector

workers are supposed to do with minimal resources and draw the community into solid support.

Results are mixed for winning better contracts both with and without strikes. The biggest setbacks have been:

- Railroad workers across several unions were denied the right to go out on strike by the Biden administration even though the majority of the workforce turned the contract down. Two negative factors were the provisions of the ~~National Railroad Act~~ (Railway Labor Act) and the reality that the 12 separate craft unions were unable to sustain unity (and hadn't prepared for a strike). The cross-rail union caucus, Railroad Workers United, was unable to bridge that gap.
- After a 23-month strike, the United Mine Workers of America negotiated a back-to-work agreement with the intransigent and highly profitable Warrior Met. Despite worker militancy and solidarity actions, the company was able to obtain restraining orders from the courts, sue the union for damages and attract scabs with high pay they denied the work force. Once the strike was settled, only 25% of the miners chose to return.

Most unions are covered under the National Labor Relations Act, which allows employers to permanently replace workers striking over economic issues (but not unfair practice violations). Under the legislation, employers may seek injunctions limiting where and how many strikers can picket. It also forbids picketing secondary targets. These are legal tools employers use to threaten workers. Recently UAW members striking Case New Holland for nine months reluctantly voted to accept a contract they had previously rejected when the company threatened to permanently replace them.

In another case, the U.S. Supreme Court June 1 decision, *Glacier Northwest v. Teamsters Local 174*, ruled in favor of the employers' property rights over the rights of striking workers. The cement company pursued the local for intentionally damaging concrete when they returned their loaded trucks before striking. This decision could signal the first of several court decisions aimed at chipping away at the right to strike.

Even companies willing to negotiate higher wages still fight to maintain two or more tiered wages and benefits for a section of their work force. They seek to maximize their profits through outsourcing, extensive use of temp agency workers, and want to be free in implementing artificial intelligence. Whether in

heavily unionized industries or not, companies employ anti-worker tactics because it is profitable.

Organizing at Starbucks

Many Starbucks workers initially thought the company was a good place to work, given a high starting wage and health care coverage for those who work 20 or more hours a week. But the intensity of the work and scheduling problems forced baristas into conflict with management. The national chain has 9,000 stores, each hiring two and three dozen baristas, many working part time. The nature of the job means workers band together to solve everyday problems -- only to find the company standing in their way. This became glaringly obvious during the pandemic. By spring 2021 three stores in Buffalo, NY sought union certification.

For its part, Starbucks flooded stores with managers who tried to convince baristas not to vote for the union. When that had little effect, Starbucks escalated its strategy, firing 200 “partners” and starving others by reducing their hours. The firings have been contested by walkouts as well as by filings with the NLRB and local government agencies that protect unjust firings in the fast-food industry.

Less than two years later 285 stores (out of 360) have voted for the union although no contracts have been negotiated. Starbucks' attempt to avoid signing a contract is a typical employer response. The key for baristas is continuing to act as a union, defending those who have been fired and reaching out to workers in other locations.

Given that union density is at 10.1%, and only 6% in the private sector, every industry is ripe for unionization. Workers in restaurants, coffee shops, in the tech industry, in museums and beyond are seeking to form unions in order to address their issues. The wave of college staff and graduate student organizing continues to snowball. This June saw a union victory at Blue Bird, an electric bus manufacturer in Georgia with a predominantly African American work force.

Although worker density is 33% in the public sector, federal and state laws curb union power through legislation; Wisconsin's ACT 10 even bans collective bargaining.

Strike Preparation for the 2023 UPS Contract

Voting on the largest private-sector union contract – with the Teamsters representing 340,000 full- and part-time workers at UPS – will end on August 22nd. Determined to reverse the concessions of the 2018 contract when it was imposed

on a membership that voted it down, the union carried out a year-long campaign to prepare for the contract. The contract campaign had two components: a militant (talking) leadership that broke with the Hoffa regime and was willing to encourage rank-and-file activity, and TDU's work at developing concrete ways to involve members. This level of cooperation began with clear demands, asking members (to) sign a pledge card to do what it took to win, scheduling IBT contract action trainings all over the country, TDU webinars involving (many) hundreds, 10-minute parking lot rallies, practice pickets, ~~and~~ reaching out to other unions, and forming a strike support coalition with DSA and other community based groups. Additionally, rank and filers were part of the negotiating team and negotiations were more transparent with a contract app available to all members.

— In addition to reversing concessions, the tentative agreement calls for installing air conditioning or fans in trucks and installing thousands of fans in warehouses within a given time frame, raising wages by \$7.50 (for drivers) over the life of the contract (which is more money than has been negotiated in the past), including 7,500 new jobs so that part timers can move up to full time. Erecting specific guideposts around forced overtime as well as management harassment, the tentative agreement also increases management penalties for contract violations. The downside to the contract is the wage gap between part timers and full timers, which first diverged in the 1982 contract. Part timers were looking forward to a raise from \$15.50 to \$25 an hour and are disappointed that the contract only calls for an immediate raise to \$21. (Although part-timers in some areas are already paid at higher "market rates," UPS can withdraw those rates at any time.)

The tentative agreement will be reviewed by two members from each of the 176 locals and then go to the membership to read, discuss and submit their electronic vote by August 22nd. Although there is opposition to the contract among some Teamsters over the failure to secure \$25 an hour for part timers, chances are that the contract will be approved. Getting a no concessionary contract with some gains can only be successful if both the leadership and the rank and file work to implement it.

There are two reasons why the strike didn't materialize. First was the level of strike preparation coordinated with the union negotiating team. Interestingly enough, some key DSA labor activists feel DSA played a crucial role in mobilizing for the practice pickets from the time contract negotiations broke down July 5 until they were restarted July 26. The sentiment expressed is that in old guard

locals IBT strike teams weren't up and ready to go so TDU and DSA were able to get the picketing going.

Second was the reality that if UPS – which handles 24 million packages a day -- had risked a strike in the face of the union's readiness, UPS would have lost over \$80 million each strike day. Since no other company or even the post office could handle the increased traffic, business was increasingly worried. While FedEx and smaller companies could have moved some of the packages, they might well have demanded businesses sign year-long contracts and eaten into UPS's market share and led to layoffs at UPS.

The energy that built the impressive strike preparedness campaign needs to turn toward implementing the contract, which would mean taking greater control over daily working conditions. In previous contracts, UPS was hard at work undermining contract provisions, even going so far as to ignore the union and hiring gig workers for the long Christmas season. Given that there was excitement about the possibility of going on strike, can that energy be channeled into aggressive enforcement of the contract, or will it be dissipated? This would undermine the possibility of enforcement. For the union as a whole, the job is also the monumental task of helping Amazon workers win unionization.

We can conclude that for the working class the elements for winning a successful contract include an active rank and file, a union with a level of democracy and responsive leadership, as well as an understanding of the economic reality in which the employer operates. But these are not easy ingredients to weave together.

Next Up

Over the last decade the Big Three have racked in more than a quarter trillion dollars in profits. Instead of the usual handshake across the table that starts contract negotiations between the IAW and the Big Three, UAW President Shawn Fain shook hands with members at Ford, General Motors and Stellantis plants. Determined to put an end to concessionary contracts, the UAW's top three demands would end the tiered system that means less wages and fewer benefits for some, restoration of the cost-of-living adjustment formula that was taken away during the auto bankruptcies and job security provisions.

Given the closing of 65 auto plants over the past 20 years, the companies are now racing to ramp up electric vehicle production. They are moving to outflank a more militant UAW leadership by speaking to the press about their intention to

negotiate a wage increase as if that alone is enough. Meanwhile they are busy setting up battery plants as joint ventures that are not covered by the master agreement.

Unite All Workers for Democracy (UAWD) -- the caucus that won the referendum to directly elect the union's top officers and then went on to win a full half of the seats on the International Executive Board -- is working to mobilize members for the mid-September contract. Using some of the same methods TDU used, they are encouraging members to wear campaign buttons and T-shirts, sign pledge cards and organize 10-minute rallies.

UAW members are used to going on strike if there is no contract -- with General Motors workers walking the picket line for 40 days in 2019. But until now members were in the dark about the state of negotiations while being warned not to speak to the press. Given the level of restructuring in the auto industry, can a still relatively small caucus aligned with a leadership they whole-heartedly supported build a broad enough unity to wrest a good contract from the Big Three?

While realizing the immensity of this task, we as UAWD members will do the best we can.

Meanwhile approximately 170,000 writers and actors are striking to negotiate completely new issues -- over the use of Artificial Intelligence and residual payments from streaming. Also on the picket lines are 1400 UE workers at Wabtec's Erie Locomotive Plant. Several years ago, when the company bought the plant, the union was forced to give up their right to strike over grievances, now they are demanding restoration of that valuable tool. Still out on strike are graduate students at the University of Michigan. With an impressive rank-and-file commitment, last spring they faced down a threatened injunction but were unable to bring enough pressure to bear on the university to settle. Whether the strike continues or is suspended, the intransigence of the University reveals management's insistence that it must control negotiations.

All these workers are in industries which are in the process of massive restructuring and the growing use of technology. All are also unions with a measure of democracy and a willingness to mobilize the membership.

We offer the following general conclusions and tasks that flow from them:

- There is a growing and widespread understanding that unions are important in securing worker rights against businesses who are concerned about raising profits while cutting wages, benefits and working conditions to the bone.
- Self-activity, whether a rank-and-file organization within the union or as an organizing committee to win union recognition, is central to building a democratic and militant union movement. Each victory has the possibility of building stronger organization. Even when rank-and-file leaders become union officers, the caucus needs to continue, to deepen its roots and build more leaders, more transparency and accountability.
- The need for solidarity in the workplace means bringing special attention to overcoming the inequality built into the work site. That takes many forms, particularly along the lines of race and gender. Even when a good contract equalizes worker rights, the caucus and the leadership have a responsibility to examine how institutional racism and sexism continue to exist.
- African American workers often remain stuck in the worst jobs. For example, in the auto industry, they are vastly underrepresented in skilled trades. The union should uncover how discrimination functions in the workplace and what we can do to eliminate it. Given the unequal burden that women have as primary caretakers for their families, what special needs do working women have and how can they be fought for by the union? These range from underrepresentation in skilled trades to reproductive rights (birth control, access to abortion, family leaves, nursing mothers who have returned to work, childcare centers).
- Once workers punch out, people return to different communities. In the segregated society in which we live, that means access to vastly different resources. A caucus and a reform leadership need to be attentive to these differences and find ways to aid workers in less resourced communities. The Chicago teachers raised the issue of homelessness and lack of affordable housing for both their members and their students.
- Unions suffer from a bureaucracy that generally acts to stifle initiative in the workplace and is beholden to the neoliberal Democratic Party. When there was the opportunity to build a Labor Party they were terrified of the

idea of breaking with the Democrats and squandered the moment. Currently they are hard at work providing Biden with early endorsements.

- Even where the union has been unable to win a contract demand, the issue needs to be discussed and steps taken to address the demand in other ways and to prepare for the next contract.
- Laws at the federal, state and local levels advantage corporations over working people and their communities. The NLRB and other government institutions occasionally rule in favor of a union or worker rights, but it is the mobilization of members that is key to winning and extending labor rights. It is important to challenge state right-to-work laws and fight for passage of higher minimum wages and greater on-the-job safety. This is best done by an organized and militant union movement rather than through lobbying politicians. These issues are also important to the larger community. Unions need to investigate how a campaign around broader concerns can build a coalitional effort, whether initiated by unions or community organizations. State and local political campaigns to win “just cause” protections for all workers, improve worker protections for organizing and collective bargaining through ending at-will employment, making it easier for workers in the public sector to form unions, expanding collective bargaining rights to historically marginalized forms of labor including farmworkers, and protecting workers’ freedom of speech by preventing employers from forcing employees to attend captive audience meetings can be won through greater workplace activity as well as mass lobbying. They like union contacts, represent a stage in the class struggle.

The role of Solidarity members is to be rank-and-file union and community activists. We want to encourage others to be organizers as well. We support the general orientation of DSA both locally and nationally to support labor struggles, to orient toward rank-and-file activity and to help organize non-union workplaces. We are encouraged by their commitment to strike readiness and agree with them that good contracts and their implementation will set the tone going into 2024.

- With the *Labor Notes* conference scheduled for April 19-21, 2024, we should have that on our calendars for ourselves and encourage others to participate as well. If we have workshop suggestions, let’s be sure to send them in early.