



A COLLECTIVE BARGAIN

Labor, Management, and the New World Order



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Introduction

Labor unions have been under assault over roughly the past forty years. There has been a concerted effort to destroy labor unions in this country particularly by voices on the political right. Caricatures of power-hungry labor leaders colluding with mob bosses, and workers with more seniority than Moses resting on their laurels abusing their privileged position are stereotypes that are often presented. Politically conservative forces along with anti-union propaganda maintain they are no longer necessary in our present world order. In this forty-year period organized labor had declined from close to one-third of the private sector in the 1950s to around 6.5% today. (D. Rolf & L. Mishel, *The Decline of Worker Power*)

Jane McAlevey, a longtime labor organizer, highlights in her current account of the struggles facing organized labor that as union membership has declined since the 1950s, income inequality has increased paralleling that decline. Also, the creation of “right-to-work” laws since the passage of Taft-Hartley (1947), have effectively undermined the effectiveness of unions in states where such anti-labor legislation exists. McAlevey further observed that management always had the upper-hand, but Taft-Hartley enabled the powers-that-be to wage war with increasing impunity. Also, the current climate of “identity politics” allows the big tech elites of Silicon Valley to maintain a progressive façade while carrying out right-wing, anti-worker policies (while supporting Democratic-backed social positions). (McAlevey, pp. 5, 53, 60-1).

These are some of the uphill struggles facing labor unions today. In our current era of globalization and free-trade, conservative forces continue to argue against the necessity of labor unions, as if the benign interests of unregulated capitalism will “lift all boats in the water.” I believe such a position is naïve if not deceptive. Larry Mishel of The Economic Policy Institute observed that as we saw an attack on unions, we witnessed a particular form of globalization, the expansion of the financial sector, and the escalation of executive pay, wage stagnation occurred

while executive compensation for the top 0.1% increased by 343% between 1979 and 2017. (Rolf & Mishel, *The Decline of Worker Power*) It is, therefore, my contention that such astronomically growing disparity makes labor unions more necessary than ever before.

The Neoliberal New World Order: The New Gilded Age

Hannah Arendt once wrote: “The most radical revolutionary will become a conservative the day after the revolution.” (Price, p.158-9) In a move reminiscent of Orwell’s allegory *Animal Farm*, Reagan had obtained the support of the Air Traffic Controller’s Union (PATCO) prior to his election, then used Taft-Hartley to break the union after he took office. It was comparable to firing on Ft. Sumpter in the war against organized labor. It not only signaled an attack on the working class, but also the middle-class since PATCO represented professional white-collared workers. The effect on labor across the board was dramatic (Harvey, p.25)

It seems rather bizarre today, comparable to a grifter like Trump using Bernie Sander’s talking-points on the campaign trail in 2016 to get elected. Did people actually believe the party more closely aligned with big business interests was actually going to represent the working/middle-class? Well, it may have appeared more plausible in 1980. After all, Republican Richard Nixon was the last president to reside over such “liberal” reforms as worker safety and the creation of the EPA, and the Democratic Party had taken a more rightward swing under the Carter Administration in the late 1970’s.

Professor David Harvey of City University in New York likened the effects of neoliberalization to “creative destruction.” The process of deregulation, privatization, and withdrawal of the state from many areas of social provision have wreaked havoc not only on prior institutional frameworks and powers, but also divisions of labor, social relations, welfare provisions (from individual to corporate recipients), and ways of life and thought.

Harvey concludes that neoliberalism values market exchange as “an ethic in itself,” acting as a guide to all human actions, and substituting for all previously held ethical beliefs, it emphasizes the significance of contractual relations in the marketplace. It holds that the social

good will be maximized by maximizing the reach and frequency of market transactions, and it seeks to bring all human action into the domain of the market.” (Harvey, p.3)

The present world order was born during a decade of energy crisis and stagflation. In October 1979 Paul Volcker, chairman of the US Federal Reserve Bank under President Carter, engineered a seismic shift in US monetary policy. The long-standing commitment to the principles of Keynesian fiscal and monetary policies with full employment as the key objective, were abandoned in favor of monetarist policies designed to quell inflation no matter what the consequences might be for employment. (Harvey, p.23) We can observe the logical culmination of the centrality of this view in both the Bush and Obama bailouts of the financial sector in 2008.

Yet this seismic shift toward monetarism that had come to be known as the “Volcker shock” was still coupled with an acceptance of strong union power and a political commitment to build a strong, social safety net. However, that was all about to change. Reagan’s advisors were convinced that Volcker’s solutions were just what a sick and stagnant economy needed. However, added to Carter’s reluctant deregulation attempts in the late 1970’s were added greater political muscle through further deregulation, privatization, tax cuts, budget cuts, attacks on trade union power, and undermining (and underfunding) governmental protective agencies, i.e., bringing in captains of industry to “oversee” these protective agencies. The affect has been both devastating and long reaching, and for our primary purpose here, for the decline on both labor’s influence and real wages. Harvey observes that the new orthodoxy that came to be known as the “Washington Consensus” in the 1990’s had become so set in stone that both Clinton and Blair could have easily reversed Nixon’s earlier statement (“We are all Keynesians Now”) to “We are all neoliberals now.” (Harvey, p.13)

Why Labor Unions Are Necessary

Rev. Obery M. Hendricks prophetically observed:

“Since President Reagan made union-busting acceptable and perhaps even patriotic* by destroying the Professional Air Traffic Controllers Organization (PATCO) in 1981, workers who stand up for their rights are routinely demonized, while corporate managers have been lionized. As a result of the onslaught, the number of unionized wage and salaried workers in the U.S. has dwindled from 20 percent in 1983 to just 12.5 percent in 2004. Workers seeking better living standards are now blamed for corporations’ poor financial performances, while the right of corporate heads to live in luxury is seldom questioned, despite the fact that many corporate executives receive salaries hundreds of times greater than that of the average wage earner. Indeed, corporate CEOs and high-flying investment bankers have become virtual cult heroes in America for increasing corporate profits not by better management, but by looting companies and destroying their workers’ source of income and even the pensions many worked long and hard to earn. These latter-day captains of industry seem to live by the motto of Gordon Gekko in the movie *Wall Street*: ‘Greed is good’.” (Hendricks, pp. 139-40)

Thom Hartmann further noted back in 2006:

“Executives’ pay is now 431 times what their employees make on average (\$27,460). United for a Fair Economy writes in its *Executive Excess 2005* report: ‘If the minimum wage had risen as fast as CEO pay since 1990, the lowest paid workers in the U.S. would be earning \$23.03 an hour today, not \$5.15 an hour. Our economy has plenty of money, (but it is) going to the corporatocracy, to the richest among us, instead of to the millions of people who – as Abraham Lincoln pointed out – actually make the country work. A living wage would be a first step toward equalizing this balance and resecuring an American middle class. (Then Hartmann continues on **Why Unions**) Unless you are a CEO, you don’t have a lot of leverage to demand benefits at your workplace. Unions are designed to give workers a voice in decisions that affect their jobs... wages, health benefits, retirement benefits, and good working conditions. In the best circumstances, unions partner with companies – both have an interest in satisfied, happy workers.” (Hartmann, *Screwed*, pp. 196-7)

In other words, Labor unions help establish democracy in the workplace. Hartmann further observed that in September 1882 thirty thousand workers marched in the first-ever Labor Day in New York history. In 1884 the Federation of Organized Trades and Labor Unions were established, and it passed a resolution stating that eight hours should constitute a legal day's work. [Both the precedent of the eight-hour workday and draconian cuts to the New York City budget during the 1970's that hurt many city workers seemed to confirm that as goes New York City, so goes the rest of the nation. David Harvey concluded that both what happened in NYC and in the overthrow of a democratically elected government in Chile during the 1970s were early experiments in neoliberalization. Harvey concludes: "This amounted to a coup by the financial institutions against the democratically elected government of NYC, and it was every bit effective as the military coup that had occurred earlier in Chile." – Harvey, p. 45].

In his tremendous epic history of labor in America author Phillip Dray notes:

"Having grown up in the late 1950s and 1960s, at the end of what some now call labor's golden era, I have always been given to understand that labor unions were valuable and necessary to society. They fought for workers, brought dignity to peoples lives, decent hours, the five-day week, benefits and paid vacations... The labor giants – the AFL-CIO, the Teamsters, the United Mine Workers, and historic ones like the Industrial Workers of the World of the Knights of Labor – these were venerable institutions part of our nation's heritage... Later I came to know that labor leaders themselves were often difficult, argumentative people, (yet) no one could expect labor unions to behave like the Boy Scouts or a church choir; they were dynamic organizations that took on life-and-death issues: economics, government policy, workers' health and safety, and fair pay. To do this they stood up to the powerful. They made demands and caused inconvenience. Yet they did so as parties to a kind of covenant: behind their strong language and equally strong actions, they shared the same goals as management – productivity and national prosperity... (They) also exerted a civilizing influence on politics, government policy and corporate behavior, by either forcing beneficial changes like regular factory inspections and fire laws, or inspiring accommodating developments such as the creation of Henry Ford's 'Five Dollar Day' and the Wagner Act of 1935, which guaranteed workers the right of collective bargaining." (Dray, pp. 5-7)

Erik Loomis, an associate professor of history at the University of Rhode Island, observes in the fascinating account *A History of America in Ten Strikes* that “Anyone trying to organize a movement today should (learn) three lessons from the workers of the 1930s who made the modern union movement:

First, a small group of people can accomplish amazing things. Second, you never know when a small movement will become a mass movement. Third, while protest movements can create mass action, they require legal changes to win. That means electing allies to office. That was crucial in the 1930s. These lessons are crystallized in the Flint sit-down strike of 1937, when a group of workers occupied their factory to force General Motors to recognize their union.” (Loomis, pp.113-14)

Attorney Michael Mauer highlights in *The Union Member's (Complete) Guide* that even though unions may be less visible on a daily basis, their presence is extremely significant. For example, many people don't realize that the pay and benefits of workers without union representation are shaped in large part by what unions are able to win for their own members. Economists sometimes call this the “union threat effect.” Wages of unorganized workers are raised since non-union employers want to head off the possibility of unionization. Even when unionization is not a “daunting specter,” the standard established by the unionized workers in a particular locality or industry serve to improve working conditions for all. (Mauer, p.9)

The presence of the *United Food and Commercial Workers Union* (UFCW) in the grocery industry, for example, has served to influence employers like Costco to offer their employees a comparable wage in the industry. However, the decline in organized labor has also paralleled the decline in income equality, as real wages have declined and stagnated over the past decades. (Hartmann, *GOP uses Dr. Seuss to distract from their embrace of Gangster Capitalism*)

Aside from the effects of neoliberalization and the global economy, the success of labor movements during the 1950s had been part of its own undoing. As middle-class prosperity continued to grow, workers increasingly became more complacent and less involved in their own workplace democracies. And this unfortunately also played into the emerging philosophy of the neoliberal world order: All forms of social solidarity were to be dissolved in favor of individualism, private property, personal responsibility, and family values (Harvey, p. 23) The spirit of this “rugged individualism” is perhaps best captured in a title I came across while book browsing entitled *Jesus and John Wayne*. I have struggled over the past few years with how can American Evangelicals enthusiastically embrace a leader (Donald Trump) who exhibits such Unchristian character? The answer is succinctly captured in the bravado of this amusing title. It also explained why Evangelicals reacted so strongly against Catholic film director Martin Scorsese’s movie *The Last Temptation of Christ*. Not so much because it used unorthodox sources, but because in the words of one prominent Evangelical: It made Jesus look like a “wimp.” In other words, American Evangelicals are not interested in the “Suffering Servant” depicted in both the Old Testament book of Isaiah and the New Testament Gospels. They want a Jesus who is a Greek god, John Wayne, and with the “bravado” of Trump all rolled into one (Talk about an unholy trinity!).

However, this “rugged individualism” has led to our own peril as American workers, since strength can only be found in numbers. And since we do not have the power of a CEO, we need each other collectively. Studs Terkel, in an article in association with NPR entitled *Community in Action*, notes:

“Einstein once observed that Westerners have a feeling the individual loses his freedom if he joins, say a union or any group. Precisely the opposite’s the case. The individual discovers his strength as an individual because he has, along the way, discovered others share his feelings – he is not alone, and thus a community is formed. You might call it the prescient community or the prophetic community. It has always been there... always paid its dues, too. The community of the ‘30s and ‘40s and the Depression fighting for the rights of laborers and the rights of women and the rights of all people who are different from the majority, always paid their dues. But it was their presence as well as their prescience that made for whatever progress we have made.” (Allison & Gediman, p.216).

The Struggle Continues

Adam Smith one of the chief architects of modern capitalism (1723-1790), notes in the *Wealth of Nations*: “The division of labor has been the chief cause of improvement in the productiveness of labor... (and) as soon as the division of labor is well established, every man (and woman) becomes in some measure a merchant.” (Finamore, pp.102-3)

The value of each individual (from a market standpoint) is determined by the level of investment in each individual “merchant.” In other words, as Stephen Dubner highlighted in a *Freakonomics* podcast, Cheap labor is not always a bargain:

“When a retailer doesn’t invest in his people then execution at the stores suffers. You often find products in the wrong locations, sometimes in the back rooms as opposed to the selling floor. promotions not carried out on time, or at all, or mistakes at the checkout. So these operational problems — what was surprising to me was how frequent these problems and how expensive these problems were.” (Dubner, A Cheap Employee... is a Cheap Employee)

As conventional wisdom dictates, it’s about the question of whether low-paid employees are indeed a good deal for a retailer’s bottom line. And as both a department manager and former small business operator, I will also concur that cheap labor is not always a bargain.

In another *Freakonomics* podcast, Stephen Dubner highlights how the German economy is battling back the effects of globalization and neoliberalization to the mutual benefit of both workers and the economy at large:

Smart government policies, good industrial relations, and high-end products have helped German manufacturing beat back the threats of globalization...

Today on *Freakonomics Radio*: how did the German economy go from rubble to rock star?

Daniel STURM: Germany has a very unusual economic geography.

MARIN: Germany is not a shareholder economy, it’s a stakeholder economy.

Uwe REINHARDT: In Germany, the unions have representatives on the board of the company. (Dubner, Stephen J., Produced by Greg Rosalsky. What are the secrets of the German economy - and should we steal Them?)

The article highlighted several significant key aspects of the German model. First of all, The Marshall Plan helped rebuild Germany after WWII – from rubble to rock star – turning the country (and the economy) into a thriving social democracy.

In contrast, the exportation of neoliberalism – in both the Chilean experiment of the 1970s and in Russia after the collapse of the Soviet Union – have turned these countries into oligarchies dominated by what Thom Hartmann calls “gangster capitalism” (T. Hartmann, *GOP Uses Dr. Seuss To Distract from Their Embrace of Gangster Capitalism*)

Secondly, Germany is blessed by a decentralized economic geography. Third, the emphasis of Germany being a *stakeholder* economy, in other words both workers and members of the community-at-large have an active interest in the economy. In contrast, Milton Friedman – one of the principal economic architects of neoliberalism – contended that companies only have a responsibility to its *shareholders* (a change in emphasis that led in part to the end result of closed factories and devastated communities).

Finally, unions have interest in the overall success of the company and have representatives on the board of the company. Steven Greenhouse, author of *Beaten Down, Worked Up: The Past, Present, and Future of American Labor*, observes:

“Germany’s system of worker voice and representation is often viewed as the best in the world. Under German law all corporations with more than two thousand employees are required to give worker representatives just under half the seats on the supervisory boards. These boards set a broad agenda to help guide a company’s board of directors, which must include one worker (and which functions like a U.S. corporate board). Supervisory boards don’t make operational decisions, although they often foster a mind-set that promotes worker interests – for instance, to invest heavily in worker training or to discourage outsourcing overseas... As hostile as many American business executives are to the idea of workers’ speaking up, forward-thinking companies should borrow some of Germany’s ideas. Germany certainly has some of the world’s most respected companies – BMW, Daimler, Siemens – with German workers known for know-how, dedication, and excellence in manufacturing. (Greenhouse, p. 333)

How do union workers in the US achieve a cooperative and mutually beneficial relationship with HRM and other levels of upper-management? Quite simply, through the open door of the *collective bargaining* process. Michael Evan Gold, in *An Introduction to Labor Law*, highlights that collective bargaining is not only a right or privilege, but union members have a duty to bargain with their company. Gold continues:

“The purpose of the Labor Act is to promote collective bargaining, (which) is defined as the duty ‘to meet at reasonable times and confer in good faith with respect to wages, hours, and other terms and conditions of employment.’ Sections 8(a)(5) and 8(b)(3) of the Labor Act make it an unfair labor practice for an employer or a union to refuse to bargain in good faith.” (Gold, p.62)

As highlighted earlier, economic conditions that led to the establishment of the neoliberal new world order were instrumental in both the decline of labor unions and of the American middle/working class. However, it was also as a result of the complacency that developed when labor unions became victims of their own success during the 1950s. Labor unions are essentially a workplace democracy, and for a healthy democracy to function it must not merely be a “spectator sport.” And if we do not reclaim both democracy in the workplace and in our society-at-large, we will continually lose both power and control to more traditional, mechanistic corporate hierarchies and the oligarchs’ that manipulate the economic levers of society for their greater enrichment at the expense of ever-diminishing middle America. Eternal vigilance is the price for both continual freedom and middle-class prosperity.

Conclusion

I saw a recent article in Fortune magazine (February/March 2021) about Tesla's massive new Gigafactory under construction in the former GDR (East Germany). Tesla is a prime example of current neoliberal economic policies. CEO Elon Musk has become a billionaire in large part through not paying workers a comparable wage to what the auto industry previously offered (Henry Ford, by contrast, in spite of all his flaws, believed his workers should be able to afford the final product off the assembly line). It will be interesting to see how the introduction of Tesla into the German market affects the highly unionized and predominantly social-democratic economy (The former GDR is still dealing with issues of incorporation into greater Germany, and perhaps Tesla exploited this opening to get in through the door of the German economy).

However, there are also some bright spots on the horizon. Conventional wisdom seems to dictate that economic cycles last roughly 40-50 years. The Keynesian New Deal Era lasted from just prior to the Second World War up through the economic crisis of the mid to late 1970s. We have been under the neoliberal paradigm for close to the same timeframe, and there are signs of cracks in the façade. For example, more and more forward-thinking companies have adopted more organically and horizontally structured organizations that have replaced prior mechanistic-hierarchical structures, thus allowing for the possibility of greater worker involvement and participation. A recent SHRM article also highlights that (in spite of proliferation of anti-union propaganda), public support for labor unions has surged from 48% in 2009 to 64% in 2019. (Agovino, *Unions Struggle to Hold On*). Also, the early signs for a more labor friendly administration are encouraging. (Smith, Allen J. *NLRB may OVERTURN Employer-Friendly decisions during Biden administration*)

But then again, both eternal vigilance and worker participation are key. Economic Hit Man John Perkins highlights that the democratic voice of the collective union must be heard:

“(Rabbi Michael Learner tells the story that when he met Hillary Clinton in the White House, she told him the story of when FDR met with labor leaders in 1934), after four hours of meeting, he said the following – ‘You’ve convinced me that you’re right. Now, go out there and FORCE ME TO DO IT.’ What he meant; Hillary explained to me, was that the pressures on a president to stay with the status quo and the forces of the economic and political elites of the country are enormous, so that even when a president wishes to move in a different direction, he needs to be able to point to forces from the progressive world that are equally vociferous and pushing him in the direction he wished to go... Our political leaders count on us to demand they do the right thing... Abraham Lincoln eloquently admonished us to make sure that the ‘government of the people, by the people, for the people, shall not perish from the earth’... Such a government requires active participation from its citizens. Or it will perish. What’s true for politicians are also true for business leaders. They may try to influence... but in the end we make the decisions. The success or failure of their business depends on us. FDR’s advice to the unions about how they should push – help – him applies to us and corporate executives as well. We need to hear their plea: ‘FORCE ME TO DO IT’.”

(Perkins, pp. 196-7)

Former Representative Richard Gephardt observed:

“The most enlightened employer I ever met always says the biggest task of management is to get all the workers to think like owners... (In this regard) unions will always be essential to better motivate and organize workers to increase productivity... (as) essential *stakeholders* in a shared enterprise.” (Dine, p. *x*)

In order to displace the current paradigm of the primacy of *shareholder*, we must restore the primacy of being essential *stakeholders* in a shared enterprise – in both our workplace democracies (aka labor unions) and our constitutionally-based democratic-republic at large.

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