



# Pennsylvania Conference of Teamsters

## Strength in Numbers 95,000

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# LEGISLATIVE ACTION ALERT



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# HOW LABOR UNIONS CAN SURVIVE

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Labor leaders must realize that many people have a negative image of unions. There is a popular perception that many labor leaders are corrupt, that bargaining agreements create inefficient work rules inhibiting worker productivity, and that organized employees' compensation levels exceed the value of their services. American business leaders and the news media reinforce the negative reputation of labor organizations by emphasizing criminal convictions of union officials and by depicting organized workers as unambitious. Rarely do media stories positively portray union members or labor leaders. Labor leaders must work actively to counteract these negative public views.

For example, AFL-CIO ran a media campaign designed to enhance the public perception of labor organizations and spark interest in union membership. Labor leaders should draw from these campaigns and others, such as the famous apparel manufacturing union "look for the union labor" advertisements, which encouraged people to purchase garments manufactured in union shops, and the American Federation of State, County, and Municipal Employees, which showed the various government functions being performed by AFSCME-represented personnel. These media campaigns convince members of the general public that unions provide important services to the individuals they represent.

In addition, Labor leaders must encourage news reporters at the national and local levels to disseminate stories about the enhanced working conditions enjoyed by unionized personnel and about industries that exploit unrepresented employees.

For example, the sweatshop conditions once endemic in the apparel manufacturing industry should be documented, along with evidence of unsafe and unhealthy environments in many unorganized service settings. Unions must emphasize that organized work environments offer relatively healthful and safe surroundings. Unions need to provide

reporters with statistics regarding the thousands of conscientious individuals discharged each year for no valid reason and without recourse to impartial appeal procedures. They should emphasize the “just cause” protections contained in bargaining agreements and the availability of grievance-arbitration procedures that provide employees with a right to challenge unjust management determinations.

Also, members of the general public have the impression that an excessive number of union officials are corrupt. Most of the public, however, is unaware that the conviction rate for union leaders is no higher than the rate for business officials. By publicizing the fact that thousands of union officials work diligently to further the employment interests of represented workers at salaries substantially below those earned by their management counterparts, organized labor may focus the public’s attention on the labor organizations’ accomplishments.

The limited number of union officers who earn over \$100,000 per year pales in comparison to the multimillion dollar compensation packages enjoyed by countless business executives. Unions must remind individuals whose real earnings have remained constant in recent years how well their firm managers and shareholders have been doing.

Another option, Labor organizations should consider sponsoring television programs and movies that portray unions and union members in a positive light. Documentaries depicting the successful efforts of union leaders or the beneficial work of particular labor organizations would enhance the unions’ image. These programs would educate people who think that Archie Bunker is the quintessential union member and that violent strikes are typical union activities. Labor organizations can emphasize the gains achieved by unionized professional performers and airline pilots as well as the many collective contracts negotiated without work stoppages.

The UPS-Teamsters Union dispute has provided the labor movement with an excellent vehicle to redeem itself, for example. Because most people know and value UPS employees’ professional services and appreciate the efforts of the Teamsters Union to restrict the proliferation of lower-paid part-time jobs, the striking UPS workers enjoyed unexpected public support. The strike activities were carried out with almost no violence, and the contract achieved at the bargaining table was generally viewed as beneficial for the workers involved. Labor leaders need to highlight these gains and encourage unorganized employees to contemplate benefits they might obtain through unionization.

These are just a few ways Union Leaders can create a favorable public impression of unions using traditional media. In Part 2 of How Labor Unions Can Survive: Creating a Favorable Public Perception we’ll look at how Labor organizations can enhance their public image by achieving gains for employees at the bargaining table.

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It is actually at the bargaining table where Labor organizations can most directly enhance their public image. By providing represented employees with benefits unavailable to nonunion workers, labor organizations can make themselves more attractive to unorganized personnel. So, they must work to protect the pension benefits, health care coverage, family leave rights, child care, and antidiscrimination provisions union members enjoy.

In recognition of the expanding labor force participation of female and minority workers, unions must ensure the elimination of compensation inequities and the eradication of discriminatory bars to entry into training programs and high-paid skilled positions. They must also strive to obtain additional fringe benefits, such as legal care, eye care, dental care, and elder care.

Although these benefits would cost money, they might be cost-efficient. Employers have already discovered that the cost of providing child care is outweighed by the savings gained through reduced absenteeism, improved employee

morale, and the employer's enhanced ability to attract and retain more qualified workers. Individuals with satisfactory personal lives are usually more productive than those experiencing personal problems.

During the coming years, labor organizations must use the bargaining process to protect represented employees from the vicissitudes associated with the introduction of new technology, production relocation, and plant closures. Some unions may be able to obtain contractual provisions restricting the relocation or elimination of bargaining-unit positions. Other unions may have to allow such changes, but will be able to ensure displaced workers continued employment security through guaranteed annual wages or a form of job tenure similar to that enjoyed by many Japanese workers.

These job security programs would not merely benefit the affected employees. When such tenure programs are in effect, workers are less resistant to operational change. This security provides management with greater flexibility and enhances employee morale.

Unions should demand provisions requiring companies to give advance notice of contemplated decisions likely to affect job security. Employees must be given the opportunity to discuss such proposed changes. Even when economic realities make it impossible for labor organizations to prevent the introduction of labor-saving technology or the relocation of unit jobs, they may be able to protect the interests of the adversely affected workers through provisions guaranteeing intra-plant or inter-plant transfer privileges, retraining opportunities, or severance pay. Ultimately, the availability of these benefits for unionized personnel would encourage collectivization among unorganized workers.

American unions should also try to advance industrial democracy through the establishment of meaningful worker-participation programs designed to enhance labor-management cooperation. They could bargain for the creation of shop-level committees similar to the works councils legislatively mandated in many European countries. These committees would be entitled to information regarding contemplated managerial changes that would affect employee interests, and corporate leaders would be required to consult these committees before making final decisions.

Similarly, labor organizations could demand employee representation on corporate boards to ensure the consideration of worker concerns during debates regarding the future direction of business entities. In order to further their public image, labor organizations must also enhance worker interests through the legislative process. These actions would enable unions to demonstrate a commitment to employees that transcends the mere interests of current union members.

No advantage exists in remaining unorganized, this must be continually proven in addition to just disused, that way the cost of unionization is diminished. Union leaders fearful that increased legislative activity would undermine the popularity of labor organizations must remember that European trade unions, which historically have been actively involved in the political process, have membership rates three, four, and even five times the declining rate of their American counterparts. These are just a few ways Union Leaders can create a favorable public impression of unions at the bargaining table. In Part 3 of *How Labor Unions Can Survive: Creating a Favorable Public Perception* we'll look at how Labor organizations can enhance their public image through Legislation.

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By pursuing legislation advancing the rights of all workers, unions would further their interests in two ways. They would demonstrate a commitment to all employees, which would enhance their public image and increase the likelihood that workers traditionally opposed to unionization might reconsider their position.

At the same time, they would reduce the diseconomies associated with unionization by extending to nonunion firms the same benefits available to union companies. This offer would make it less likely that nonunion corporations would work as hard to combat organizing campaigns.

Both organized and unorganized employees are increasingly affected by automation, subcontracting, and job relocations. Only the most powerful labor organizations can protect member interests through the bargaining process. Unions would be more efficient seeking appropriate protections through the legislative process. Through this venue, they could seek laws that would establish retraining and relocation funds, similar to unemployment compensation plans, that would provide employees with portable rights based on their previous attachment to the labor force. Displaced individuals would be able to use these financial resources to learn new skills or to relocate to geographic areas with greater employment opportunities, or both. Legislation could also require severance pay for displaced workers who are unable to obtain other positions with their current employer.

Unions could also appeal to labor force members by addressing issues of employee dignity. Legislation requiring employer- or government sponsored child care, job sharing, and flex-time programs would benefit parents with younger children. Increasing numbers of single-parent and dual-income families would consider such programs essential; yet most employers have been unwilling or unable to provide them unilaterally. Legislation could also mandate job sharing in lieu of layoffs during short-term economic recessions as a means of protecting the job opportunities of more workers. By requiring firms to reduce the weekly hours of full-time personnel to thirty or thirty-five, a greater number of people would be able to retain their jobs.

Labor leaders should continue to support comprehensive health insurance coverage for all Americans. Approximately forty million individuals currently lack basic health coverage. Thus, a national program would reduce the financial pressures encountered by private firms that provide health insurance coverage while increasing the number of individuals protected. By lobbying for expansive health care protection for all individuals, unions could significantly enhance their image among older workers who find it difficult to obtain health care coverage before they become eligible for Medicare. In addition, labor officials would be seen as supporting an issue of real national importance.

Labor organizations should also lobby in favor of laws restricting intrusive drug testing. They could seek amendments to the Drug Free Workplace Act of 1988 that would restrict random testing to persons occupying safety-sensitive positions. Unions could also try to restrict individual tests to persons whose behavior has provided a reasonable suspicion of drug or alcohol abuse. While union efforts in this regard would acknowledge the serious nature of the drug problem and the need for employers to protect the safety of their workers and clientele, these legislative actions would also advance the dignity of innocent employees who are offended by needless drug testing.

Unions should also lobby for legislative provisions minimizing the possibility of false drug-use determinations. Many corporations presently rely exclusively on the less expensive and less accurate enzyme-multiplied immunoassay technique (EMIT). Companies that obtain positive EMIT results frequently reject applicants and even terminate current employees based on those tests. Firms obtaining positive EMIT results should be statutorily obliged to perform the more accurate gas chromatography/mass spectrometry (GC/MS) test before making adverse employment decisions with respect to the affected individuals. By working to lower the risk of "false positives," unions can show employees that they have the power to protect against arbitrary and unfair treatment. Finally, labor organizations should encourage federal, state, and local governments to establish more alcohol and drug rehabilitation programs so that workers with substance abuse problems can also feel they are important to the labor movement.

One of the most significant benefits employees derive from union representation is the "just cause" limitation on discipline expressly or implicitly contained in almost all bargaining agreements. Without such restrictions and the accompanying grievance-arbitration enforcement procedures, most unorganized private-sector employees can be terminated at any time and for any reason not violative of a statutory prohibition.

Even though a number of state courts have created an exception which precludes employee discharges that violate clear and important public policies, the public policy limitation rarely benefits lower-level personnel. Approximately

150,000 private-sector employees are terminated each year under circumstances that would be found inappropriate by arbitrators enforcing “just cause” provisions.

To provide protection against such arbitrary treatment of workers, labor organizations should lobby for state and federal legislation protecting all private-sector employees against unjust discharge. Union leaders should not fear that the availability of these legislative protections would diminish employee enthusiasm for unions, because representative labor organizations would continue to provide valuable assistance to individuals forced to invoke their statutory rights.

These are just a few ways Union Leaders can create a favorable public impression of unions using Legislation. In Part 4 of How Labor Unions Can Survive: Creating a Favorable Public Perception we’ll look at how Labor organizations can enhance their public image using Education and Professional Development Programs.

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Labor unions should cooperate with companies and government agencies to enhance the educational programs available at work and through high schools and community colleges.

Employers face an increasing difficulty in obtaining well-educated workers. Approximately twenty-five percent of high school students fail to graduate, and many individuals who obtain high school diplomas lack the basic verbal and math skills required by technologically advanced companies. Programs should be designed to advance the ability of both new labor force entrants and current workers to learn the skills required for new occupations.

In addition, unions should work jointly with business and education leaders to encourage the adoption of minimal competency standards that would prevent the graduation of functionally illiterate individuals. This investment in human capital would increase productivity and decrease unemployment.

Ultimately, for the American labor movement to reestablish its power as a social movement, it must revitalize its alliances with others.

Unions must work more closely with civil rights groups, such as the National Association for the Advancement of Colored People, the Mexican American Legal and Education Defense Fund, the National Organization for Women, and the American Association of Retired Persons. They should also strengthen their ties with groups concerned with health and safety issues, the adequacy of worker and unemployment compensation systems, Social Security and Medicare coverage, the fairness of tax laws on lower-income individuals, the lack of basic health coverage for millions of Americans, and other issues of interest to workers and their families.

If these groups coordinate their efforts, they can achieve greater power and positive sentiment.

Unions can use their increased power to expand membership and remain a vital force in the American economy.

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