

Shell of the New World Within the Ashes of the Old:

Strategy, solidarity unionism, and paths forward to build the Industrial Workers of the World



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Potentials for Solidarity Unionism

by Todd Hamilton
August 2007

Simply put solidarity unionism is organizing collectively (or as a group of workers) to directly implement our desires whether that's in the workplace, industry, or economy. It is simple, but the practice has never really been fleshed out systematically either in practice or in theory. We have a body of experiences, thoughts, and discussions and as our practice matures it leads us to look deeper into solidarity unionism. Solidarity unionism leads us to change our understanding of what the "union" means for us, as well as where we intervene and put our emphasis in struggle.

There is no blue print for how to organize in general, but that doesn't mean we can't develop strategic ways of pursuing our goals. Previous authors (Alexis Buss, Staughton Lynd, etc) have focused on how we can organize in the without falling back on some of the familiar features of union organizing as we've known it. Some of the things they take on are comprehensive contracts, election based campaigns requiring a majority of workers, and the mediating bureaucracies and institutions (the courts, union bureaucracies, lawyers, politicians and parties) that alienate workers' power. They have argued for organizing even if there is only a minority of workers who are members of the union, organizing whether or not the boss and/or state recognize the union, organizing where workers' power is the greatest (in the workplace and community), and remaining strategic about how to avoid and selectively utilize (the generally alienating and debilitating environments of) the courts, the state and parties, and hierarchical union bureaucracy that acts for and instead of workers (often against).

These are some of the walls we have hit. Contracts have helped kill job actions through forcing workplace gripes into a mediating bureaucracy that is hostile to workers. The hierarchical institutions put struggle into realms where worker power is weakest, and where workers play a secondary role. Beyond the power of the boss, the union bureaucracy has all the power and knowledge creating a hierarchy between the workers and the means of struggle. Elections and membership-based drives have sunk huge amounts of efforts into organizing where there is often little benefit for workers privileges bureaucracies with huge resources, and reproduces hierarchical relationships between workers and the union.

Solidarity unionism is about organizing whether we're recognized or not, whether there's a contract or not, and most of all settling direct worker issues by the workers. That doesn't mean we don't use things like contracts, lawsuits, arbitration, but they are tactics we use not our strategy. Likewise we understand them and hold them to their strategic value, and don't mistake them for what they aren't.

Once we begin to think in these terms though, and begin to organize with these issues in mind, we gain a deeper perspective on strategy. For instance it is no longer necessary to fly the union flag as a hallmark in every campaign. It might be more tactical to keep the boss in the dark about union activity at a shop, or in an industry until we have already won enough gains and a wide enough base of support that announcing our presence would be strategic. Thus going another route than majority-based elections allows us to be strategic about when and how we give knowledge about the union's presence in organizing.

We can also be strategic about who and when we sign members up. Rather than having the goal of organizing being to just get people to take out cards whether they want to participate or not, membership can be an action itself and a positive step a worker can take in further the struggle and consciousness building. We can keep dues and membership for workers who want to be a part of the organization, who are ready to join, and who have experienced class

struggle and organization together with the union (this of course is a positive feature, rather than a restrictive). This can draw a line in the sand between unions that are paper tigers, and unions (like us) that exist in our actions, education, and struggle.

Solidarity Unionism presents its own challenges, and poses new questions to us. The rough model I am working off is one in which experienced workers assist in workplace struggles where demands are won through direct action. Workers are brought into the organization and developed through these struggles and move towards revolutionary understanding and practice. At a certain level of strength and roots through these worker organizers can apply deeper pressure in their industry. That is, we seek to build a foundation to respond and deepen struggle that otherwise might emerge but deflate through familiar mechanisms.

between the pinchpoint and non-pinchpoint workers can lead workers in the non-pinchpoint sectors to be less disposed toward solidarity.

I want to close by saying that the Pinchpoint Target is motivated by a sense of urgency. The idea is that prioritizing one sector or some key sectors will move the abolition of the wage system along faster. That's a worthwhile goal and that impatience is totally understandable. The world is a bad place in many ways and it needs to change. I'm not convinced that the Pinchpoint Target will help us, but I respect and share the sense of urgency of the fellow workers who hold to this idea.

Pinchpoint Target

December 2008

Some people think the IWW should pour all of its resources into organizing in an industry which is particularly important to the economy, to maximize our impact on capitalism--I call this the "Pinchpoint Target" idea.

Pinchpoint Target is the idea that there's one key sector or a few key sectors of the economy where organized workers could shut down capitalism. This means workers in that sector or sectors have a certain level of objective power, at least potentially. For instance, if every dockworker in the United States went on strike the global economy would stop. Dockworker strikes stop an incredibly valuable amount of machinery and goods. Every minute of the strike costs the bosses of the world a great deal of money. This analysis is correct. It does not mean that the IWW should focus only organizing dockworkers.

The problem with Pinchpoint Target is that it takes a correct objective analysis of the economy--some sectors are more important to the global economy than others--and argues that the analysis should dictate organizational strategy. The mistake is that Pinchpoint Target says that we'll organize that key sector or sectors and then be able to end capitalism. That is, the idea is that workers in that sectors or sectors will lead the charge for everyone else.

There are at least three problems with this idea. One is that workers in other industries need unions too because their jobs also suck. Some of those workers are currently IWW members and not all of them can change jobs to some key industry. The IWW needs to support and train and develop those members too. To do otherwise would be undemocratic.

A second problem is that the current level of training, experience, and dedication in the union is insufficient. The procedures for educating new members and developing a sense of Wobbly culture and community need to be better. I don't mean to put down the hard work of my fellow workers. I simply think that we still have a lot of work to do in this area. If we're talking about key sectors where we want to not only build unions but push forward revolutionary transformation then we will face tremendous repression. We have to be prepared for this repression. That means we have to develop better networks of solidarity and union infrastructure and a stronger Wobbly culture. The union busting we face when we organize image conscious restaurant chains or in the public sector is nowhere near as fierce as in manufacturing. We still have a hard time handling this in our campaigns. If we organize dockworkers or oil refinery workers the union busting we face will be much more intense than anything we have seen before. We need to get better at winning smaller campaigns in less important sectors of the economy before we charge up the mountain.

The level of repression which workers in pinchpoint industry face is an argument for not prioritizing those sectors for another reason. If workers in those industries are isolated, they will be more easily defeated. If organization and revolutionary consciousness is spread throughout the working class across different sectors then we will have a better chance at defeating that repression. If it's not, then the struggles in the pinchpoint sector or sectors will be more likely to lose--and the workers in other sectors may be less likely to unite with the workers in the pinchpoint sectors.

The experience of class struggle on the job can have a radicalizing effect. I've argued that we should organize in a way that maximizes this effect. This is important to counteract divisions between parts of our class. More important sectors of the economy are more likely to be well paid, and one response to major unrest is to improve conditions. The difference in income

What Kind Of Solidarity Forever?

June 2007

There are two versions of solidarity activity: solidarity unionism and solidarity activism. Solidarity unionism means exercising our power on the job. We organize as much as possible so we don't give our power away to lawyers, outside organizers, union staff, or anyone else. If we have to give away some power--like when we file Unfair Labor Practice charges--it's for tactical reasons only. By getting more and more coworkers to take action based on our collective self-interests as workers we create big changes--changes in our lives on the job and changes in our coworkers by showing them our ideas in practice instead of just telling them. Solidarity unionism makes more power for ourselves, more members of our union, and more members with experience, commitment, and a vision of what the One Big Union is and should be.

Solidarity activism means showing up outside of our own jobs to help other people's struggles to defend existing conditions or defend their attempt to build something. We hand out flyers and picket outside someone else's workplace or some other place. This kind solidarity has helped the Starbucks organizing continue and grow. There is a long and proud tradition of this kind of solidarity in our class and in our union. If solidarity activism wins better conditions for any worker anywhere then it's a good thing, morally and as a tactic. But it's not good strategy.

Without power on the shopfloor, a union will not be a fighting organization that can win gains, and it's much harder to maintain union democracy. Workers are more likely to exercise our power for something we run and control than something undemocratic and unaccountable. If power is outside the shopfloor, then the workers in the shop can be replaced. If their organization breaks down, the officials don't lose anything. This is why many of the business unions love media heavy corporate style campaigns: they put the power in the hands of staff, officers, lawyers, journalists, politicians, and the well-intentioned solidarity activists who mobilize from the outside. While solidarity activism can build the skills and experience of the individuals who take part in it, it doesn't build power in the activists' workplaces. It also doesn't build the power of the workers in the shop being supported. If a campaign is won by solidarity activism, that means the power to make change does not rest on the shop floor. Solidarity activism doesn't build shopfloor power because it doesn't exercise shopfloor power.

Workers' power is like a muscle. My muscles have (pretty flabby) limits. By using my muscles within their limits, I get stronger. Solidarity unionism means exercising our power. We figure out what power we have and we increase it by exercising it. We exercise our power to build an organized shop--and eventually an organized industry and an organized working class--which increases the power we have to exercise. The point isn't just to lift this weight (improving the job in the short term, a fair day's wages for a fair day's work), the point is also how the weights get lifted and by who (improving the job by our own action, in a way that builds organization and builds the IWW to abolish the wage system). We need strategy, a plan to keep on lifting until we become able to dump the bosses off our backs.

We can only lift so much at a time, though. Every time I move I realize how there's too many boxes for me alone, so I call my friends. That's solidarity activism. Sometimes it's tactically necessary. But our strategy should not be based on someone else constantly lifting things for us.

Imagine if my friends who helped me move stuck around forever and I never lifted anything ever again. I would get weaker and less healthy from lack of exercise. This is what the NLRB and the business unions do. They say "don't try to lift that, just watch me." They don't encourage us to exercise our own power, so they don't encourage us to increase our power. Sometimes they actively fight us when we try to exercise our power.

There are some fellow workers who prefer to be part of solidarity activism instead of solidarity unionism. That's their right. But solidarity unionism is the direction this union should continue to move in. Solidarity activism has a place, but a secondary one. In fact, the more we focus on exercising our power in solidarity unionism--getting more members, getting more members organizing in more shops, increasing our ability to organize successfully--the more power we'll have when we need to do solidarity activism for our fellow workers in the union and out.

All of that said, I still think that a new GMB that is looking for a first organizing target is better off trying to organize a smaller shop. The smaller the shop, the less resources management has to dump into union-busting and the more of their business we can shut down with pickets and other actions given our currently small numbers.

Let me put it this way. Let's say hypothetically that three new branches form in three different counties in the great state of Minnesota and they host a joint organizer training. One says "we have a member who works at Wal-Mart so we're targeting all the Wal-Marts in our county." The second says "we have a member who works at a local magnet factory with 50 workers so we're targeting that." The third says "we haven't made up our mind yet - we have Walmarts here and we have a magnet factory with 50 workers, and we have one member at each."

If someone from the third branch asked my advice, I would urge them to follow the lead of the second branch, not the first. I would wish the first branch nothing but success and they would certainly deserve support. But would I predict that at least in the short term the second branch is more likely to succeed and to have more of the victories necessary for sustaining organizers.

Of course, I would be happy to be proven wrong by more victories and organizer recruitment within really big campaigns.

business like any other and when they do, their competitors in the industry will assume their former market share.

What's the alternative? The answer to the problem of limited resources, unemployment prevention, and organizer burnout is to organize industrially. By organizing industrially, we have a large pool of talent to draw from that is often limited in both small and some large companies. We can choose where in the industry to place emphasis to prevent firings and ensure negotiating leverage.

Moreover, taking on an entire industry eliminates the ubiquitous problem in small companies of high turnover. Turnover creates extra stress for organizers and affords little negotiating leverage to the workers. When the pros and cons are carefully considered, organizing industrially is actually much more likely to yield success with less effort than organizing small companies or single large companies. While the endeavor may seem intimidating, industrial strategy is easier and more appropriate for our current resources.

Often times, there is a tendency to fear big targets because of the size of the employment is intimidating. I used to think this way. But a close friend and fellow worker once told me I was looking at it from a "glass-is-half-empty" point of view. He said, "Don't think of all those workers as a barrier, think of it as an opportunity".

A workplace or local industry of 1000 workers should not be viewed as "1000 members until success," but rather "this industry offers us potentially 1000 new members." That optimism never left me. I think if it was adopted by more Wobblies, we would grow significantly.

Response to FW B

October 2008

I thank FW B for taking the time to reply to my column. I disagree with FW B that the Industrial worker is not a proper forum for debate over organizing strategy. That's the biggest disagreement we have, I think.

I argued that we should focus on small targets, because we can have more victories at small targets because our branches are bigger relative to small companies. That way we can win things more quickly and make more organizers by having inspiring victories. I think inspiring victories are important for making organizers, and making more organizers is one of the three most important tasks facing the IWW right now. (The other two are retaining organizers and getting better at organizing.)

The heart of my column, the bit I feel most strongly about, is this pair of sentences: "Our first priority right now should be to have members improve their own lives at work and to recruit other organizers out of our co-workers. That will build our pool of committed, capable organizers so that we can eventually have really enormous impacts for our whole class." I think FW B and I agree on this.

FW B points out that this can also be done by targeting big companies and industry-wide campaigns. He points to the Starbucks campaign as an example. The Starbucks campaign is important and impressive. It's made more organizers for our union and that's awesome. FW B is absolutely right and this is a gap in my column's argument.

Minority Report July 2002

by Alexis Buss

For the past few years, I've been contributing an occasional column called "Wobbling the Works" focused on how labor law affects union organizing. I'll still be writing on this topic once in a while, but lately my attention has been on a concept which I'll call "minority unionism," a way to describe a method of organizing that does not wait for a majority of workers in a workplace to win the legal right to bargain. This month I'm going to share some of the things that piqued my interest and pointed me in this direction.

I recently had to redo the IWW's constitution for our fellow workers in IWW Regional Organising Committees, who were tired of American misspellings of words like labour and organising. Searching through the constitution got me thinking about the idea of job branches. A job branch is a group of five or more IWW members at a given workplace who are charged with getting together on a monthly basis. The plain implication is that they would discuss grievances, come up with strategies to resolve them, and build a union presence on the job.

I am working on a project that started out as a video version of the classic IWW pamphlet *A Worker's Guide to Direct Action*, but has grown a bit in scope since we started. Researching the video, I saw Miriam Ching Yoon Louie speak about her book *Sweatshop Warriors*, which provides some excellent examples of how immigrant workers centers have helped individual workers understand their rights and organize on a variety of work and community issues. I also got the chance to interview Barbara Prear, a housekeeper at the University of North Carolina and president of UE Local 150, when she visited support staff at Swarthmore College, who have been conducting a living wage campaign for six years. The UNC union has no legal right to bargain, but has been very successful in using pressure tactics to get administrators to the table and negotiate improvements for the lowest-paid workers on campus.

I have been thinking quite a bit about ways that workers who do not have a legal mandate to bargain and have no contract can act union, using the law to augment their work. This came up because Staughton Lynd asked me to work with him on a new edition of *Labor Law for the Rank and Filer* at a moment when I had become particularly cynical about the potential for using labor law in organizing. I've just come back from spending a weekend with the Lynds, people from the Youngstown Workers Solidarity Club and their rank-and-filer-troublemaking cohorts from near and not-so-near places, veteran activists, and student organizers.

The club developed as a "parallel central labor body" to fill a void when the local central labor council could not provide sufficient support for a strike. Hanging out with these folks was the antidote for the cynicism I was feeling; not that I now have more confidence in the law, but I feel more able to look at the possibilities... A month ago I saw a documentary on the Overnite trucking strike, "American Standoff," which I reviewed last issue. "Standoff" illustrated a lot of problems that labor has not adequately confronted. How do we deal with organizing in companies that are so anti-union that they are willing to spend millions of dollars to keep workers from even getting to the bargaining table? The Teamsters' Overnite campaign, which is now on a road so difficult that it isn't clear it can be salvaged, is one of a long string of campaigns that seem to have left labor scratching its collective head, wondering what to do in the face of self-destructive upper management and backwards labor law. Clearly, the answer is not to give up. It isn't to settle for a minority clique of agitators in each workplace. It's to form meaningful, organized networks of solidarity capable of winning improvements in individual workplaces, throughout industries, and for the benefit of the international working class.

And last but not least, several fellow workers from across the water forwarded me an article on

minority unionism that ran in a recent issue of The Nation. The article, by Richard B. Freeman and Joel Rogers, argues that the AFL-CIO should develop a plan for organizing that does not depend on having a majority at a workplace. The thing that was so great about getting multiple copies of this article in my inbox was the puzzlement of the non-American unionists who sent it. The way us backwards Yanks do things is absurd. Few countries do unionism the way it's done in the U.S., with the union being the sole bargaining agent of a declared majority. I think it would help if more workers I talk to knew how other places do it, and would also be good if folks outside the U.S. saw the implications of how it's done here.

So, that's the point of this column. I want to share these stories and experiences. I want to connect my fellow workers with resources that others have found useful to their work. I can't offer a recipe for success. Not all of these examples will be appropriate for everyone, but smart thinking on a way forward isn't just possible, it is happening. And by developing resources to try these things out, we will give one another the confidence to turn comments like "what a good idea" into "I'm going to give that a try."

October 2002

At the recent IWW General Assembly, I got a chance to be on a panel to share ideas on how to rebuild the labor movement. My talk was on minority unionism. Here are some excerpts:

If unionism is to become a movement again, we need to break out of the current model, one that has come to rely on a recipe increasingly difficult to prepare: a majority of workers vote a union in, a contract is bargained. We need to return to the sort of rank-and-file on-the-job agitating that won the 8-hour day and built unions as a vital force. One way to do this, is what has become known now as "minority unionism." It's to form meaningful, organized networks of solidarity capable of winning improvements in individual workplaces, throughout industries, and for the benefit of the international working class.

Minority unionism happens on our own terms, regardless of legal recognition. It is not about settling for creating a tiny clique of professional malcontents. It should aspire to grow, but in the short term gives an example of what kinds of organization is possible when we decide that our unions are going to exist because we need them to.

U.S. & Canadian labor relations regimes are set up on the premise that you need a majority of workers to have a union, generally government-certified in a worldwide context, this is a relatively rare set-up. And even in North America, the notion that a union needs official recognition or majority status to have the right to represent its members is of relatively recent origin, thanks mostly to the choice of business unions to trade rank-and-file strength for legal maintenance of membership guarantees.

The labor movement was not built through majority unionism-it couldn't have been. One hundred years ago unions had no legal status (indeed, courts often ruled that unions were an illegal conspiracy and strikes a form of extortion) - they gained recognition through raw industrial power.

When the IWW fought for the 8-hour day in the timber and wheat fields, they didn't decide to prove their majority to the boss through elections. Workers instead held meetings to decide what their demands were, elected shop committees to present those demands, and used tactics such as walking off the job at the end of an 8-hour shift to persuade recalcitrant bosses to agree to those demands. Union recognition in the construction crafts was built through a combination

The main disagreement I have with the argument is that it is a self-fulfilling prophesy. The more we believe we can't do something, the more that becomes a reality. We have refused to take on large targets for over 40 years. As a result we have grown little. It was only when the IWW took on Borders in 1996 and Starbucks in 2004, both large companies, that we saw significant increases in membership and activity.

Furthermore, the argument is grounded in circular logic. Acquiring big resources only comes after we take on big targets. It is tantamount to saying "we need resources to organize big targets, but we can't get resources until we organize big targets." We've been saying this for decades. Where has it gotten us?

The early IWW was not afraid of any targets. They took on companies and industries thousands of times larger (review the copper mine organizing in Arizona or the Textile companies in New England for example) than their membership and made not only changes for the workers of the industry but also for the labor movement as a whole.

The article further contends that we should focus our organizer recruitment at the small workplaces of our current membership. The problem with this argument is that it assumes we would not acquire organizers at large targets, which is, of course, likely. IWW-style

organizing anywhere creates new organizers out of workers. The argument also completely ignores the good possibility that the quality of the organizers recruited from large targets may be better. Because of the larger size, there is a larger pool of talent to draw from. He also believes we should focus on small companies instead of big ones. The grounding for this is that we could potentially build enough power on the backs of small capitalists to eventually fight the large businessmen. While I agree with FW H that we should not solely focus on large companies, I think focusing on small ones is just as problematic, and may even require more time and energy than a large company and may be more prone to failure.

Businesses act in predictable ways if the basic economic laws are given consideration. Occasionally these laws are broken, or a business owner will act irrationally, or outside agencies (i.e. Government) will interfere with economic laws, but the vast majority of businesses comply and therefore act predictably to internal and external pressures (labor rebellion, etc.). If we apply the pressure of unionism to small companies than we should be able to predict, given a long enough time frame, the effects on the company, the industry, or the economy as a whole.

Instead of providing power for the IWW, organizing small companies is likely to lead to eventual weakening of our union. Smaller companies are required to compete with the big companies, who set industrial standards, to survive. Any hindrance to this is likely to either limit what we can gain from employers or entirely push the small shops out of business. The larger companies will acquire the customer-base left by the exterminated businesses, the Wobblies will be out of work, and capitalism's wheels keep on turning. The amount of real economic pressure we could apply to small businesses is therefore very little.

Organizing small companies is a bigger drain on resources. Even the big business unions, with extensive resources, have had trouble organizing the little shops. They are just too hard to organize.

However, I will not argue that the best alternative is organizing one large company either. On a long enough timeline, the end result of focusing on one large company will reflect that of the smaller ones (look at the Teamster organizing in the Nineties). Large companies can go out of

Forget About Industrial Power

September 2008

The old wobbly song "There Is Power In A Union" goes "There is power there is power in a band of working folks, When they stand hand in hand." This is the basic idea of a union, strength in numbers. We're lacking in the numbers department in the IWW today. So our power is small, at least in one important sense. We need to recognize this if we're going to grow quickly and efficiently, without cutting any corners in terms of member education and development

Some people in the IWW think we should organize big companies that dictate conditions for the rest of their industry because they have such a large share of the market. If we make changes at the industry or market leaders then we make change across the whole industry. That's true, and we should organize these companies (we should organize everywhere). But the reality is that our power is small compared to big companies.

More than that, our first priority right now should not be to make change for as many workers as possible across an industry. Our first priority right now should be to have members improve their own lives at work and to recruit other organizers out of our co-workers. That will build our pool of committed, capable organizers so that we can eventually have really enormous impacts for our whole class.

On the short term we should focus on small companies instead of big ones. We are tiny compared to a multinational company and so is our relative power. But compared to a small "mom-and-pop" grocery store or a locally owned restaurant with 20 employees, or a fast food franchise where the owner has 5 stores and 75 employees, we are huge. We have branches that are bigger than companies of that size. We can run picket lines and other actions against those companies which can really hurt them economically (as opposed to picketing, say, WalMart) because every shop is a huge portion of the company's total income. This will maximize the relative power of our branches and make for more winnable campaigns in a shorter time frame. Those wins will result in more members with greater organizing experience and higher morale. It might also reduce organizer burnout by giving us more victories to restore our spirits in the short term.

Of course, gains in smaller companies will be limited by the conditions in the industry which are mostly set by industry leaders. We'll have to explain this to the workers we organize and turn them into organizers dedicated to organizing their whole industry. The small shops will provide us with a larger base and more concrete examples to work from as we turn to organizing larger companies in those industries.

Reply: Industrial Unionism is the IWW Strategy

By Patrick B

October 2008

While I don't think the Industrial Worker is the proper forum for debate over organizing strategy, the readers of the IW should be offered an alternative view to that presented by the September 2008 IW article entitled "Forget Industrial Power," by Fellow Worker Nate H. In the article he argues that the IWW should avoid placing organizing efforts in large companies because of our relative weak position and that organizing large companies is likely to create failure and burnout for our organizers.

of strikes, direct action and honoring each others' picket lines .(the latter not often enough).

The wave of sit-down strikes that established the CIO in auto and steel, for example, was undertaken by minority unions that had a substantial presence in workplaces with a history of agitating around grievances. The unions then drew upon that minority presence to undertake direct actions that galvanized the larger workforce in their plants - and inspired workers across the continent.

Unionism was built through direct action and through organization on the job. But in the 1930s, the bosses found it increasingly difficult to keep unions out with hired thugs, mass firings and friendly judges. Recognizing that there was no way to crush unions altogether, and tired of the continual strife, they offered a deal: If unions would agree to give up their industrial' power and instead work through proper channels - the National Labor Relations Board in the United States, various provincial boards in Canada - the government would act as an "impartial" arbiter to determine whether or not the union was the bona fide representative of the workers.

In the short term unions were able to short-circuit the need to sign workers up one by one and collect dues directly. The bosses traded union busters in suits for the gun thugs they had previously employed. And after a short burst in membership, unions (particularly in the United States) began a long-term downward spiral. Under this exclusive bargaining model, unions do not attempt to function on-the job until they gain legal certification. That legal process affords the bosses almost unlimited opportunity to threaten and intimidate workers, and to drag proceedings out for years. It is a system designed to interfere with workers' right to organize-and the IWW pointed this out when the National Labor Relations Act was passed.

However, while the labor law regime is designed around this majority-designated majority status unionism, it does not actually require it. As long as workers are acting in concert, they enjoy the same basic legal rights - such as those are - whether or not they are in an officially certified union. Indeed, in certain cases they enjoy greater rights, as the courts have ruled that most union contracts implicitly surrender the right to strike. It is illegal to fire members of a minority union for their union activity, to discriminate against them, to fire them for striking, to refuse to allow union representatives to participate in disciplinary hearings, etc. An organized group of workers has legal rights, though it would be a mistake to expect the labor boards to enforce them any more vigorously than they do for unions that have been certified. And an organized group of workers, even if it is a small minority, has much more potential power than unorganized individual workers.

For the most part you have as many legal rights as a minority union as a majority union does - with the single exception of being certified as the exclusive bargaining agent with the sole authority to negotiate a contract. A minority union has the right to present grievances (though there may not be a formal grievance procedure in place); to engage in concerted activity, to make demands upon the boss; to seek meetings, even to strike (though this isn't a great idea if you don't have majority support).

If you pick your issues well and use them as an opportunity to talk with and engage your fellow workers, you can simultaneously fight for better conditions and build the union: In campaigning around issues that matter to your coworkers you are building the union's credibility, you are gaining experience in self organization, you are learning who can be relied upon you are establishing that the union is workers on the job and that were in it for the long haul.

The labor movement was built when groups of workers came together and began agitating over conditions: Sometimes they persuaded their fellow workers to approach the boss and

demand that some problem be corrected. Sometimes they refused to work under unsafe conditions or in unsafe ways, and persuaded their coworkers to do likewise. Sometimes they acted on the individual job; sometimes they held citywide demonstrations over issues of common concern, such as working hours or unsafe-work.

The important point is that they acted. They identified key issues of concern; they met together, they decided upon a course of action, and they acted upon it. That is unionism-in action. It does not require official recognition, it does not require a contract. It requires workers to come together and act collectively.

If unionism is to become a movement again, we need to break out of the current model and return to the sort of rank-and-file on-the-job agitating that won the 8-hour day and built unions as a vital force. Minority unionism is about forming meaningful, organized networks of solidarity capable of winning improvements in individual workplaces, throughout industries, and for the benefit of the international working class. It is a process, a process that offers hope for transforming our greatest weakness--the fact that our members are scattered in many, largely disorganized workplaces--into a strength.

November 2002

In this column and at other times, I have written about a major advantage the IWW has over business unions, specifically when it comes to our practice that any worker can join and find meaning in his or her membership through organizing regardless of whether or not a majority of workers on the job have declared in some fashion that they want to bargain with the boss: Minority Unionism.

There are other advantages to the IWW -- we abide by the principle of one member, one vote. Every officer and representative in this union is elected, and the folks sitting in these seats rotate frequently. Every change in the structure of our union is voted on, including dues rates and constitutional amendments: Democracy. Our membership also tends to be very eager to engage in struggle to win better conditions. Wobblies are often the first to arrive on the picket line and the last to leave, even when the picket doesn't benefit them directly: Militancy. These elements shouldn't make us unique, but sadly often they do.

Increasing militancy and democracy can only benefit any workers' organization, especially business unions, and there are people who work quite hard for that kind of reform. But these are very limited reforms for unions that stay tamely within the limits of the labor law regime.

Since I wrote the first installment of this column, I have come to realize how troublesome the idea of minority unionism is to the business union model, particularly when it comes to jurisdictions. Let's look at the following hypothetical example:

Alice, a loading dock worker at Best Buy (an electronics superstore), is told that she must buy her own pair of safety shoes. That's legal. She doesn't want to, the safety shoes are expensive. Let's say for the sake of argument, most of her co-workers agree they shouldn't have to pay for the shoes. The policy that has been handed down is going to go into effect in two weeks.

Alice talks to an electrician who came in to run service for some new gadgetry. The electrician is an IBEW member, and tells her that if she were union, the shoes issue wouldn't happen because

blown off, and workers can more quickly decide how to up the ante. It's my preference for the last step in a grievance procedure to effectively be 'all bets are off.' Yes, have steps beforehand -- meetings to discuss the issue, put it in writing, bring in a mediator, whatever makes sense in the structure of your workplace. But letting a third party who does not have to work under the agreement he's binding you to make the ultimate decision is not ideal. Past practice clauses effectively say, "Unless we reach an agreement, the workplace stays as it is now." What this does is put the burden of changing the workplace on the shoulders of the employer. They must come to the union to talk about changes, and the union can agree or not, or negotiate. When the workers decide that a situation needs to be fixed, the grievance procedure can be used to put the discussion on a timeline. These clauses have largely disappeared from present-day contracts, but I think it's time for a revival.

Your experiences with the particulars of contracts you've worked under will help your fellow workers understand the benefits and pitfalls of certain kinds of language. Here's your invitation to share your stories -- contact us now!

June 2003

At recent IWW organizer trainings, we have been talking about the kinds of agreements that solidarity unionists would make with a boss. After all, we aim to secure better conditions and build upon them -- part of that means being able to negotiate with management and memorialize the agreements we reach.

Readers of my columns will regularly see me criticize elements of contracts that I think are best left out of the picture if we are to be a strong movement. Some of these elements are desired by entrenched union bureaucracies, some are desirable for management, and some serve both interests, forsaking the workers. I'm talking about dues checkoff, management prerogatives and no-strike clauses. There are other features to contracts, like binding arbitration as the last step of a grievance procedure, time lines favoring management, zipper clauses and so on that I've been known to gripe about too.

But what are the kinds of agreements we should make? Typically I talk about agreements in terms of using direct action to gain power over specific situations and negotiating to memorialize the outcome. But there are elements in present-day contracts that are very useful. What remains to be seen is if a more encompassing contract that truly protects and expands the rights of working people can be negotiated in the present climate.

To my mind, when setting out to negotiate, workers should seek to get:

- * 1) an end to employee-at-will status;
- * 2) a grievance procedure;
- * 3) whatever economic and working condition improvements they may want and;
- * 4) a past practice clause.

Most contracts contain a "progressive discipline" or "firing for cause" clause, which effectively ends employee-at-will status. I'd be interested to hear from veteran unionists what kind of progressive discipline clauses worked well in your experiences. One that we negotiated here relied on the idea of not making it easy for staff to be disciplined for simple wrongdoing. Management was obliged for each discipline to write an essay discussing the good qualities of the person being disciplined, outline specifically how performance was to be improved, and have regular meetings with the worker to discuss progress. Because it's a bit of a pain in the ass to do this, only the most serious offenses are taken up, and the former trifling nit-picky disciplines have all but vanished.

Grievance procedures are the systematic way that issues that arise in a shop are handled. Many clauses limit the definition of a grievance to issues covered by the contract, effectively cutting off workers' ability to grieve issues not anticipated by the contract. One could argue that issues that aren't covered by the contract are free from the confines of the resolutions proscribed in the contract, so perhaps this isn't the worst thing that could happen. But having a procedure that management has agreed to follow when any kind of conflict comes up can be very advantageous to workers.

Too often I've seen the wind taken out of the sails of organizing campaigns with promises from management that are never delivered. A clear process shows everyone when they're just being

the union would make the company pay the cost of any safety-required clothing.

Alice calls the IBEW and says that she wants to join the union. This is crazy talk to the person who took her call. She'd need to go through the apprenticeship program and there's a big waiting list. And there's not enough work in the area to support new members. Alice hangs up the phone, bewildered by her encounter with craft unionism.

She talks to a trucker making a delivery. The trucker is a Teamster. The Teamster also tells her that making a union is a way to handle this situation. Alice calls the Teamsters and asks to join the union. Let's say in this case that we're dealing with a local that is experimenting with minority unionism, because they also have things going on at Overnite and they needed to develop some strategy that would keep a union presence on the job (please note, I'm saying this for the sake of argument -- it's not something that has actually happened). The Teamsters say, "Yes, join us."

But one of Alice's co-workers has a brother who works in the public sector, also on a loading dock, and is represented by SEIU. That worker joins the SEIU.

The UFCW, representing retail workers, gets wind of the fact that this is going on and demands the memberships of these workers, which the AFL-CIO awards them. But neither worker wants the UFCW because that union is misrepresenting the folks at the shopping market across the way. Instead they buy their own pairs of safety shoes and forget about talking union.

I know the above is a scenario of my own invention, but I think it can help to illustrate the problems that would pop up if business unions adopted any kind of minority unionism or direct affiliation program. The reason I think it would likely turn out the way I describe above -- maybe not in all cases, but often enough that it would be problematic -- is that business unionists made a decision to abandon minority unionism in 1935 when they advocated for the Wagner Act.

The Wagner Act -- while it allows for protections for workers engaged in minority unionism through its provision protecting concerted activity -- was welcomed by officers of business unions because, among other things, the law guaranteed exclusive bargaining rights to unions that won representation and facilitated maintenance of membership provisions like dues check-off. And the AFL-CIO takes this even further in its structure with anti-raiding and jurisdictional language, which has protected the worst of the affiliate unions by blocking workers who cannot hope to imbue democracy and militancy in a union representing them, and instead wish to throw the bums out and get a new union.

In Australia, government, chartered unions, and the bosses have carved up the work life of the country into industrial jurisdictions. Unions are given exclusive bargaining rights for industry standards like time off, pay rates, safety regulations, hours and working conditions. They have the right to bargain regardless of the density of their membership, but the outcome of the bargaining affects every worker in the industry, union member or not. When a worker becomes a member, they often do so to address particular conditions in their own shops. One worker can be a union member and use the union to agitate for his own individual interests or for the entire shop. Because of the history of American unions' fights for legal rights, I can imagine a system that apes the Australian system, but without the legal right to bargain for entire industries.

It would happen by the AFL-CIO carving up jurisdictions and agreeing that only unions with jurisdiction over an industry could take a member working in that industry. Much of this work has already been done, it has just been strayed from in these lean years. The Australian system came about because workers' activity was on the rise. Many went "union shopping," changing

organizations as it suited them in pursuit of the maximum possible level of militancy. Instead of encouraging this militancy, a choice was made to control the workers by only allowing them membership in a very circumscribed manner.

An interesting side note: the Australian system isn't true industrial unionism. For instance, there is a secretaries' union. Secretaries are a necessary part of almost any industry, but instead of being part of the union that represents their industry, they are represented by a craft union. Ironically, although women overwhelmingly do the job, the union is controlled by anti-feminist men, largely because the union has very few voting members. The union does little to organize the people it represents, and even undoes the work of members looking to reform the union. The union can behave this way because it can maintain bargaining rights in spite of a very low number of actual members. So this allows a group of people who have come to be very unpopular with secretaries to exclusively represent them.

Back to the scenario of Alice, what would the IWW do? We'd get to work on the shoes issue right away. Alice would most likely first encounter either a mixed worker local (a General Membership Branch) or an Industrial District Council, an organization that helps unite all workers regardless of what industry they work in. She would be put in touch with other members, and given training and solidarity. She would learn how to organize to win demands, and how to build the union's presence on her job.

The IWW is open to all workers, and our system of industrial unions is made in order to enhance our power. The only reason to worry about which industrial union one should be in is to give ourselves the most bargaining power and job control possible .not to protect jurisdictions. The IWW opposed the Wagner Act when the thinkers who brought it into existence first think it up. That's because we saw the danger of asking laws to do our organizing for us, and we wanted nothing of the stifling bureaucracy, limited vision and anti-solidarity methods of the business unions.

Orienting ourselves towards building our movement this way makes us different in a very profound way. We are choosing to experiment with new methods of organizing, methods that have potential not only to succeed in winning small grievances, but in building a movement capable of making a real difference.

December 2002

Most union campaigns get off the ground by finding out what problems exist in a workplace or industry. Workers form union committees, a campaign is launched, and workplace issues are articulated to attract more and more support for the union's cause. Most often, this organizing is done with the goal of the union being formally recognized by the boss, either by a card-check agreement or an election of some sort, so that a contract can be bargained.

But what usually happens when it is time to sit down and bargain the contract? It isn't true to say that at negotiation time the boss and union come to the table as equals and work out the best possible deal for both parties. The union most usually comes to the table from a very weak position, because it has been built not to fight for and enforce its demands, but rather to ask the boss to give it legitimacy.

This method came about when NLRA was enacted in 1935. "Labor peace" was a desirable concept for the bosses, the government and entrenched union bureaucracies. The bosses were tired of dealing with rising labor militancy -- factory takeovers, strikes, walk-outs, sit-ins, etc.

Government officials had to deal with helping their pals in big business recover from the effects of this kind of organizing. And the labor bureaucrats were worried by workers who were getting too uppity and demanding the same kind of respect from them that they were demanding from the bosses. So a system was created for bosses to be given a legal mandate to bargain with the unions, and a set of laws and rules were created so that bargaining became a gentleman's game.

The expected way that unions and bosses dealt with each other was that the contract was improved upon with each new set of negotiations, so long as the company was in good health. This has changed. It is now routine for companies, ones with and without unions, to shut down plants and offices, downsize jobs, reduce pay and benefits, and generally show no consideration to workers, even during profitable times.

But here's something that has been true ever since our present set of laws was enacted: it is usual and expected for contracts to contain completely useless (worse than useless, positively harmful) language for workers -- the management prerogatives clause, and no-strike clause.

Because most unions accept that workers are on earth to be managed, and bosses should run the world as they see fit, it isn't a surprise that most union contracts allow management to have total control over a workplace. During the term of a contract, when the union is entitled to collect dues from workers through dues check-off, limiting the ability of workers to strike is also desirable for many unions to make sure that their main revenue streams are not cut off. Let alone the added benefit of avoiding the hassle of "managing" uppity workers.

When we think of how we can turn around the labor movement, we must keep these things in mind. We can't just accept "more organizing." Because even if we had more organizing of the kind we have now, we would still have to address the issue of unions not helping workers to pursue job control. We would still have to deal with concessionary bargaining.

How are we going to get off of this road? We must stop making gaining legal recognition and a contract the point of our organizing. Our unions and networks of solidarity must be able to deal with the issues that inspire most campaigns -- wages, benefits, working conditions. But just as necessary is to have a way for us to organize to address the respect (or lack of respect) workers feel on the job, our ability to control how we work, how our workplace is going to interact with our community and our world.

We have to bring about a situation where the bosses, not the union, want the contract. We need to create situations where bosses will offer us concessions to get our cooperation. Make them beg for it.

This is one of the potentials of minority unionism (by the way, this is the last column that I'll be using this term -- in the next month, I'd like your help in figuring out a new name to describe the kind of unionism we've been talking about in the pages of the Industrial Worker). The point of unionism as the IWW sees it is to organize workers in ways that our power cannot be ignored or co-opted. Minority unionism is one way to do this, because we can organize around demands without worrying about if we have a contract or legal standing. As much as possible, we should seek to avoid situations where our power is replaced by laws and contracts.

If contracts and agreements help us hold bosses to their promises, that's great. But if bargaining becomes an exercise in what rights we will give up, and deciding that bosses should in fact have total managerial control over our working lives, we're going about it the wrong way.