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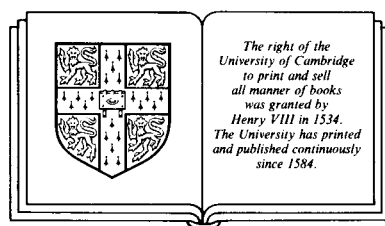
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# UNIONS AND COMMUNITIES UNDER SIEGE

*American communities and the crisis  
of organized labor*

GORDON L. CLARK



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*For my grandfather Percy Victor Clark  
(1895–1978), a railway worker and unionist of  
another time and place.*

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A better relationship between labor and management is the high purpose of this act. By assuring the employees the right of collective bargaining it fosters the development of the employment contract on a fair and equitable basis. By providing an orderly procedure for determining who is entitled to represent the employees, it aims to remove one of the chief causes of wasteful economic strife. By preventing practices which tend to destroy the independence of labor, it seeks, for every worker within its scope, that freedom of choice and action which is justly his. (President Franklin D. Roosevelt, 79 Cong. Rec. 10720, 5 July 1935)

[The NLRA] creates a democracy within industry which gives to our industrial workers the same general idea of freedom which the founding fathers conferred upon citizens of the United States. (Mead [D–New York], 79 Cong. Rec. 9710, 19 June 1935)

Mr. Speaker, eternal vigilance is the price American workingmen must pay for economic freedom. The strong right hand of labor must always be on the alert to stave off the armed forces of aggrandizement, and unfortunately, labor must be equally as vigilant to safeguard its interest from the mistakes of those who pose as well-meaning friends.

The amendment (Wagner–Connery disputes bill) strikes a damaging blow against national unions which labor through its own efforts has created and degenerates into an extension of the Government–union idea, one union for each plant. (Gildea [D–Pennsylvania], 79 Cong. Rec. 9731–32, 19 June 1935)

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## *Preface*

The essential argument of this book is that the current crisis of organized labor ought to be considered in terms of the local context of labor–management relations; that is, the communities in which men and women live and work. This argument, and the overall logic of the book, are premised upon two suppositions. First, whether by design or necessity, the structure of New Deal national labor legislation has sustained and maintained distinctive local labor–management practices. Second, as the economies of American communities (and the world) have become highly interdependent, reflecting the evolution of corporate structure and trade between economies, unions have found it difficult achieving a similar scale of integration. Indeed, the crisis of the union movement can be traced, in part, to unions’ dependence upon inter-community solidarity, a fragile democratic ideal which is often overwhelmed by economic imperatives operating at higher scales in other places.

In evaluating others’ analytical frameworks which have been used to study the recent performance of American labor unions, I have been surprised at the neglect or disinterest shown by scholars of the intersection between unions and communities. Too often, the diversity of local experience is rationalized in terms of a supposedly all-embracing national labor–management relations system, despite bitter disputes between labor and management which seem to have the community as an essential ingredient. And, too often, it is imagined that unions are just like corporations; national and international institutions, structured as hierarchical top–down command organizations reflecting the imperatives of the market. In a very special way, the Wagner Act of 1935 conceived unions to be federations of local democracies. Even if unions are not as idealized, legislative imperatives place a premium on local decision making and create the potential for divided loyalties within unions and between communities.

It is hard to remember a more divisive strike than the recent one involving members of the United Food and Commercial Workers union at the Hormel plant in Austin, Minnesota. Not only was the whole community divided for and against the company and the union, but the union itself was internally divided between the Local and its International executive. Ultimately, the

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International union and the company prevailed over the Local, at great emotional and financial cost to the local community. Although of unusual intensity, the Hormel strike reminds us that the locus of many labor–management disputes is in particular localities, distinguished from one another by their own histories of unionization and solidarity. I would assert that these kinds of disputes are more common than often recognized. Not only do they have drastic implications for the economic prosperity of affected communities, but the internal coherence of unions and the integrity of institutions like the National Labor Relations Board are at risk as they attempt to rationalize local disputes in terms of their wider interests.

Three particular themes or perspectives appear and reappear throughout the book: the role of the community in labor–management relations; the roles of institutions like the National Labor Relations Board and the courts (state and federal) in adjudicating local labor–management disputes; and the significance of economic and geographical restructuring for the roles and future of industrial unions. In all parts of the book, these themes appear as major ingredients of the story, though the emphasis may vary. For example, part II illustrates these themes through two case studies: chapter 3 analyzes a plant closing in Allentown, Pennsylvania; and chapter 4 analyzes an arbitrator’s adjudication of a dispute involving the United Auto Workers and the American Motors Corporation over an economic restructuring package which required job rationing between communities on the basis of corporate seniority. While some chapters tend to focus upon one theme, reference is always made to the other themes. For example, in chapter 8 the adjudicative integrity of the National Labor Relations Board is analyzed with reference to disputes over the location and relocation of work.

The book is quite complex, not only in subject matter and material but also in its methods and techniques of analysis. In the relevant chapters, these issues are discussed in depth. Stripping complexity from a problem is sometimes thought to be the *raison d’être* of social science. In this instance, a goal of the book is to give the complexity of local labor–management relations their due. In fact, I would suggest that the geographical complexity of labor–management relations is a vital research question even though labor relations specialists have tended to ignore the intersection of these themes in much of their work. This is despite the fact that their intersection is a distinctive aspect of the US labor–management relations system.

It should be apparent from the significance I attach to the intersection of these themes that the book trespasses (in Albert Hirschman’s use of the word) across many fields of academic inquiry. At a minimum the disciplines of economics, geography, and law are represented, as are specialists’ fields within these disciplines. I am not about to apologize for crossing disciplinary

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boundaries, nor do I spend much time defending my interdisciplinary perspective. After all, disciplinary boundaries seem more than the products of the management and defense of academics' institutional interests than the necessary limits of scholarly curiosity.

Of course, I recognize that integrating the community and the institutions of adjudication with the patterns of American unionism involves a great deal of judgment, especially with regard to the relevant literature and conceptual foundations. In the main, I have attempted to make a contribution to each field of study while maintaining the integrity of my overall interest in the intersection between themes. The accumulating crisis of the American labor movement demands a broad appreciation of the various processes at work; the aesthetics of any one discipline seems less relevant in this context.

I wish to demonstrate the significance of the intersection between communities, unions, and institutions, in understanding the prospects for major American industrial unions. No one test is produced to demonstrate the scope of their interconnections. Rather, I depend on the breadth of the book, the various legal cases, local case studies, and statistical analyses, to indicate the varying levels of significance of their intersection. Consequently, the book should be understood as a set of studies, sustained by many different examples and methods of analysis. My hope is to show by the end that the geography of American labor relations and the economy are vitally important if we are to understand the current predicament of organized labor.

Part I is devoted to an evaluation of the temporal and spatial patterns of declining unionization, and the literature that has attempted to make sense of these patterns. I argue against those who imagine the problem to be simply one of institutional ineptitude, or "old age," or something related to a strand of American ideology which would characterize society as a non-class society. The argument is made for a community-oriented perspective, set within a more general conception of the structure of American labor-management relations. Chapter 1 is relatively short and focused upon the recent geographical patterns of unionization in the United States. Chapter 2 makes the transition between the first and second parts of the book. It is a critical review of the relevant literature on union growth and decline, and the nature of unions as institutions.

The two chapters of part II develop the issues raised in the first part of the book through a set of two case studies. Chapter 3 is based upon a case study of a dispute between the United Auto Workers and Mack Trucks Corporation. This case allows me to explore many of the issues and themes relating to economic and geographical restructuring that appear throughout the book. Chapter 4 takes these issues further and considers an instance of a

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local union at war with its International; a case involving the United Auto Workers and the American Motors Corporation. My approach in these chapters is interpretive as opposed to fundamentally definitive. And, the interpretive perspective is constant through textual inquiries into the evolution of labor legislation, case studies, analyses of decisions by the National Labor Relations Board, and statistical analyses of unions' performance in representation elections.

In part III, the theoretical perspectives on union growth and decline are utilized to understand the electoral performance of two industrial unions, the International Brotherhood of Electrical Workers and the United Auto Workers, in representation elections over the period 1970 to 1986. The latter union is especially important to the book. Many of the case studies draw upon issues and disputes that involve the union. Its importance to the US labor movement is well known, as is its historical role in the creation of industrial unionism. Unlike some other industrial unions of similar size, it has welcomed academic study. Thus, the book uses many examples relating to its recent activities. In part III, I report the results of statistical analyses of electoral performance, focusing upon overall patterns (chapter 5), unions' electoral strategies given the geographical diversity of electoral units (chapter 6), and the role of the National Labor Relations Board in facilitating and affecting unions' electoral performance (chapter 7).

After a consideration of the role of the National Labor Relations Board in representation elections, part IV is devoted to understanding the substantive goals of the Board. This involves a brief discussion of the logic of federal labor law, from the Wagner Act to Taft–Hartley and, in detail, the adjudicative practices of the Board. Chapter 8 considers the role and stature of the National Labor Relations Board, both in terms of its political legitimacy and its adjudicative integrity. Also considered are possible local innovations in labor–management relations like the Saturn Project, and how these innovations relate to recent decisions of the Reagan-appointed dominated National Labor Relations Board (chapter 9). This chapter also provides a transition to the topic of the final part of the book: the future of the labor movement.

With an understanding of the recent performance of industrial unions and an interpretation of the roles of the National Labor Relations Board, part V speculates upon the likely future of organized labor. Chapter 10 analyzes the prospects for labor law reform, emphasizing the role that political coalitions – north and south, Republican and Democrat – have played in previous attempts at reform. In chapter 11 I consider likely state court-based innovations in local labor–management relations, emphasizing recent developments in employment-at-will and the notion of employment contracts in

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nonunion environments. Chapter 12 concludes the book with a reconsideration of my arguments for a geographical perspective on the crisis of organized labor. So many issues are involved that it would be foolish to proclaim *the* future of American communities and organized labor. Industrial unions may in fact not survive, and their communities may dissolve under the pressure of wholesale economic and geographical restructuring.

A number of chapters in this book were originally written as scholarly papers and first appeared in academic journals. Where appropriate, these papers have been updated and revised so as to reflect the thrust of the book. A few chapters tend to be more self-contained than others, referencing research issues and methods in the literature rather than immediately adjacent chapters. Still, in writing each paper I was quite conscious of how it was related to the others. And in revising each, I have attempted to build in the links not previously apparent. The linkage I have in mind is most obvious between the chapters on unions' performance in representation elections; these chapters were originally planned as a sequential set of papers. Perhaps less obvious, but no less planned, are the links between the chapters on the role of the National Labor Relations Board, even if not originally written in sequential form.

A danger with this kind of strategy is that technical aspects of separate chapters may overwhelm the substantive themes of the book. I hope this is not the case. Though there may be issues that only interest experts, each chapter was deliberately written in a relatively open style, emphasizing broad conceptual issues like the role of community in representation elections rather than technical niceties like estimating predictive models of unions' electoral performance. In any event, the contribution of a chapter or part of the book must be judged in relation to the issues addressed therein as well as its connections to the logic of the whole project. Readers may find differences between chapters in structure, object, and method. These differences are the result of my goal of providing a comprehensive overview of the relationships between unions and communities, economic and geographical restructuring, and the role of institutions in adjudicating the structure of the economic landscape.

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Empirical models of union performance in representation elections developed and presented here are based upon a series of papers which were co-authored with Kris Johnston. The overall conception of the project was a joint enterprise, as was the development of each paper. I am very grateful for her collaboration. John Anderson, Michael Childs, and Vivian Wang collected and organized the initial data set upon which these papers were based. Subsequently, both Andreas Olligschlaeger and Jae-Hong Kim provided the expertise to up-date the data set. Steve Garber and Neil Wrigley gave very useful advice about the empirical estimation procedures used in these chapters.

Many of the chapters are based on the experience of two unions, the International Brotherhood of Electrical Workers and the International Union, United Automobile, Aerospace & Agricultural Implement Workers of America. The United Auto Workers union was particularly responsive in providing material on a number of issues. In this respect, I would like to



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None of the above should be held responsible for any of the arguments or opinions expressed in this book. Rightly or wrongly, these are the sole responsibility of the author.