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Labor unions and corporate campaigns: Necessary tactic or hindrance to bargaining

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LABOR UNIONS AND CORPORATE CAMPAIGNS: NECESSARY TACTIC OR HINDRANCE TO BARGAINING

by

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Bachelor of Arts in Political Science
University of Nevada, Las Vegas
2003

A thesis submitted in partial fulfillment of the requirements for the

Master of Arts Degree in Political Science
Department of Political Science
College of Liberal Arts

Graduate College
University of Nevada, Las Vegas
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ABSTRACT

Labor Unions and Corporate Campaigns: Necessary Tactic or a Hindrance to Bargaining

by

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The author examined occurrences of corporate campaigns between 1990-2004 in order to evaluate the effectiveness of union's use of non-traditional strategies in achieving business concessions. Cases included were those representing the presence of litigation, coalition building, exerted pressures on financial associates, efforts to compel regulatory agencies investigations of businesses breaches of law, pressuring government, on-job actions, and waging negative publicity campaigns. This study built upon the past work of Paul Jarley and Cheryl L. Maranto's that originated three categories of contexts for campaigns: organizing campaigns, strike complement, and strike substitute corporate campaigns. These labor action stages set the foundation in which the success or failure of the various tactics could be measured.

The research conducted by this study explored ideal combinations of tactics useful in specific labor action situations, subsequently suggesting more coherent strategies for winning employer concessions.
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CHAPTER 1

INTRODUCTION

Transformations of the American economy from a domestically based labor force to a global one, manual labor to increased automation, manufacturing to service employment, and expansive deregulation have all combined to change the balance of power between business and labor in the United States. Government and business have restructured and adapted to new economic realities, but labor unions have been slow to address these challenges. The traditional power of labor was based on a blue-collar workforce and collective bargaining with employees. This image is quickly fading. Union density has decreased and the proportion of employees covered by collective bargaining agreements has steadily declined, resulting in a workforce that has neither benefited nor mobilized under ideals of worker social justice. What is present now is a dichotomy between traditional bargaining practices and non-traditional corporate campaigns.

Research Question

The emerging inequality of power between labor and business has prompted unions to explore aggressive strategies aimed at pressuring management into bargaining by targeting their bottom lines. The predominant method currently employed by labor focused on this type of coercion is the corporate campaign.
The research question explored in this study is: Have unions that engaged in corporate campaigns been effective in gaining concessions from businesses? For the purposes of this study, corporate campaigns are defined as actions, either legal or illegal, that unions may use in an effort to force an employer to make concessions. This definition is a bare bones fusion of corporate campaign descriptions existing in the literature. Tactics used in corporate campaign include: litigation, coalition building, pressuring the company's financial associates, on-job actions, exerting pressure on government officials, efforts to compel regulatory agencies investigations of businesses breaches of law, and negative publicity campaigns.

Figure 1.1: Corporate Campaigns: Contexts and Tactics
The ultimate goal of a corporate campaign, as seen above in Figure 1.1, is for workers to acquire all sought after concessions from business. Concessions may possibly include better contract terms in regards to wages, safer work conditions, pensions, healthcare, work-hours, and/or job security. Another objective may be to initially establish union representation, as with the previously discussed organizing campaign. Outcomes regarding finalizing a contract or being allowed to return to work after a strike or lockout might also be the definition of management concessions. Every campaign is distinct, in terms of contexts and tactics, and has been waged for different reasons; the examples provided demonstrates what defines a positive end-result for unions that participate in corporate campaigns.

Purpose and Structure of the Study

The overall purpose of evaluating the success or failure of corporate campaigns is to reveal combinations of tactics useful in specific labor actions that are associated with more coherent strategies for winning employer concessions. The research conducted in this thesis explores whether labor is able to accomplish this end.

The foundation of the study is chapter two. It provides a background on the literature covering the emergence of corporate campaigns and their place in the labor movement. Also explored is an explanation of resource mobilization theory and its associations to the broader context of social movements. This theory is useful for investigating the reasons why group behavior has a direct bearing on situational. Whether workers’ united actions aid in gaining concession victories is the key outcome.
Chapter three contains an overview into business practices and employment trends that clarify why unions have chosen to undertake corporate campaign strategies. Furthermore, the inclusion of recent business developments towards labor provides details as to why this type of labor action is the new weapon used to retaliate against current economic trends.

Chapter four outlines the methodology of the study, providing details of the variables and how they are linked together through the research design. Also incorporated in this chapter is an analysis of the appropriateness of case selection and an identification of the limitations of the study’s methods and design.

Chapter five presents and examines each case in which corporate campaign strategies were used. In this chapter, backgrounds of each union are given, the tactics and contexts that characterize each union’s actions are compared and contrasted between cases, and outcomes are assessed.

Chapter six offers conclusions regarding whether corporate campaigns are an effective strategy in an environment of economic realities that threaten job security. Presented as well are concluding remarks summarizing possible implications of the study for unions and social movement literature as a whole.

Significance of the Study

Analysis of corporate campaigns is worthwhile, because it is a recent and relatively unexplored phenomenon. In addition, there have not been many comprehensive examinations of divergences from traditional collective bargaining.
The bulk of prior research primarily focused on traditional forms of union actions such as strikes and collective bargaining. This thesis builds upon Perry and Jarley and Maranto’s research in order to clarify and analyze the effectiveness of the alternative tactics that unions employ (Perry 1987; Jarley and Maranto 1990). It is also significant because it has broader relevance to social and political science in terms of its linkage to workers’ rights in the broader context of social movements. In other words, there are implications for our understanding of why individuals undertake collective labor action to further their quality of life through united efforts focused on attacking a company’s lines of production and/or potential revenue.

An expected finding of this study will be a tentative answer as to whether corporate campaigns are an effective tool in gaining concessions from employers. If campaigns are found to be a better method than traditional bargaining, it could result in unions possessing a valuable approach to achieving their sought after goals. The larger implications of this analysis will be if this research is predictive of combinations of tactics that are useful in precise contexts, that is to say specific stages of labor action. Another potential significance of this study may be for the application of corporate campaign tactics in the global arena. The value of this radical type of bargaining and corporate coercion could then be analyzed to see if it has applicability in the contexts of neo-corporatism and emerging unionization in developing countries. Neo-corporatism is defined as certain social groups, whether they are business interests or labor associations, which have privileged access to the state and input forming policies (Hart 1992). Furthermore, these groups are organized groups are co-opted and institutionalized into government structures and contribute to policy making processes concerning industry
regulation, trade and wages (Streeck and Schmitter 1985). These embedded industries, labor representatives, and political leaders formulate and execute economic policy. Some of the developing countries and industries that may be susceptible to corporate campaign actions are the following countries with emerging markets and increasing unionization: Republic of Korea’s electronic and auto industries, Malaysia’s rubber and petroleum enterprises, Singapore’s electronic, chemical and petroleum refining businesses, Brazil’s food processing, petroleum, chemical and steel plants, Argentina’s textile and vehicle/parts production, Mexico’s auto manufacturing and petroleum companies, and South Africa’s chemical and mining concerns (Jose 2000).
Since the late 1970s, scholars have taken notice of unions increased use of corporate campaigns. Some view it as the means necessary to make labor more mobile and flexible, in order to keep up with how corporations have restructured themselves to compete in the global economy. Business has become ‘leaner and meaner’ incorporating changes to increase productivity and cut costs (Champlin and Knoedler 1999). Corporate campaigns are attempts to address these new transformations in the economic environment through focused strategies executed to bring management into bargaining and counter unfriendly labor actions through targeting a company’s points of vulnerability in order to decrease its profits (Heckscher 1988).

Others authors see the incorporation of new tactics as facilitating the overall expansion of union membership, resulting in a revitalized worker’s social movement. They estimate this will increase the status of unions through increasing the power of unions as a whole. This perspective supports restructuring in order to change values and objectives within unions so that they can gain external benefits, such as increasing membership (Moody 1988). Reorganization would include forging multi-union connections to coordinate bargaining “across industrial lines to attack the centers of capital” (Moody 1988, p.341). Extended solidarity and mobilization could increase the legitimacy of picket lines, strengthen the ability unions to use their combined leverage to
prompt equitable contract negotiations, and may garner widespread public support for workers.

The discussion in this chapter focuses on the definitions of corporate campaigns, past research designs, and conclusions of prior studies. Also explored is resource mobilization theory. Specifically, how it relates to corporate campaigns in terms of its core assumptions, its framing of group power, and how the tenets influence and explain corporate campaign actions.

Definitions of Corporate Campaigns

There is no consensus on how to define corporate campaigns. There is also no conclusive classification of what actions and expected outcomes delineate the success or failure of a campaign.

Kim Moody’s book *An Injury to All: The Decline of American Unionism*, credited Ray Rogers as the first to coin the term “corporate campaigns”. Also highlighted, were the tactics Rogers used during the Amalgamated Clothing Worker strikes in 1972 at the Farah Manufacturing Company in El Paso. His actions established the basic strategies that other unions would follow when conducting corporate campaigns. Rogers’ techniques

“involved a combination of tactics such as consumer boycotts, legal appeals, attempts to broaden the issues from simple labor relations to moral or social matters, and pressures on interlocking sectors of business and financial community in hopes of isolating the offending employer” (Moody 1988, p.306).
In the study, Moody explored the applications of Rogers’ stratagem through case studies of the J.P. Stevens, Farah, Phelp’s Dodge, Louisiana Pacific, and BASF campaigns. Moody found that the emergence of these types of approaches came at a time when many involved in union leadership expressed anti-business stances. These attitudes led unions to go “beyond the normal conduct of business unionism” (Moody 1988, p.307). Normal ‘business unionism’ adheres to conduct which is characterized by a reciprocal business/union relationship, emphasizing common interests. This partnership is operationalized through the labor contract, which is the product of collective bargaining.

Charles Perry provides an alternate definition, viewing corporate campaigns as using bad publicity against a business in order to escalate a conflict from self-interest to the context of a social movement occurring in the public sphere (Perry 1987). E.E. Schattschneider, in his book *The Semi-Sovereign People: A Realist's View of Democracy in America*, support the position that conflicts must go beyond the scope of self-interest, or as he terms it, “privatization” (Schattschneider 1960, p. 7), to a broader context, “socialization of conflict” (Schattschneider 1960, p. 7). Schattschneider posits that the socialization of a conflict seeks to expand outsiders’ views of the battle from privatized concerns—isolated or individualistic issues, to the ideas of equality, justice, and freedom of association, in this case, freedom to engage in union membership. Socialization of a clash influences mass perceptions and frames the contentious issues in a way the public may more easily identify with and support (Schattschneider 1960). This heightened atmosphere combined with a rallying public may potentially lead to management conceding to negotiations.
According to Perry, union corporate campaigns are successful when they result in bringing management to the bargaining table. Charles Heckscher’s characterization of a corporate campaign is very similar. He sees them as “a tactic of bringing pressure to bear on corporations that mistreat their workers” (Heckscher 1988, p.235). His definition and case studies are narrowly focused to those instances in which unions exposed corporate malfeasance through negative publicity campaigns and public relations techniques that encouraged public support for traditional union goals; for instance, expanded benefits in a newly renegotiated contract. These assessments, however, are not applicable to other situations in which workers would use corporate campaigns to gain non-traditional advantages in negotiations. One example of a ‘non-traditional’ goal is a campaign focused on the resignation of a hostile board member in order to eliminate opposition to an organizing campaign.

The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) offers an additional definition:

“A coordinated campaign applies pressure to the many points of vulnerability to convince the company to deal fairly and equitably with the union...It means seeking vulnerabilities in all of the company’s political and economic relationships—with other unions, shareholders, customers, creditors, and government agencies—to achieve union goals” (Perry, p. 2).

Although this definition offers a concise assessment of what a corporate campaign is, it does not detail the available methods that may be used to achieve those ends. ‘Pressuring’ a company is not sufficiently illustrated in this definition.
Another, more comprehensive and recent explanation of the term comes from the legal cases *Diamond Walnut Growers v. NLRB* and *Food Lion v. United Food & Commercial Workers International Union*. Both cases were brought before the D.C. Court of Appeals in 1997. The definition given at these hearings was that corporate campaigns:

"encompass a wide and indefinite range of legal and potentially illegal tactics used by unions to exert pressure on an employer. These tactics may include, but are not limited to, legal actions, political appeals, requests that regulatory agencies investigate and pursue employer violations of state or federal law, and negative publicity campaigns aimed at reducing the employer’s good will with employees, investors, or the general public" (*Diamond Walnut Growers v. NLRB* 1997 and *Food Lion v. United Food & Commercial Workers International Union* 1997).

This relatively new description of union tactics under an expanded definition of a corporate campaign signifies that changes in union strategy and application have transpired. What was once thought to be an alternative response to a hostile union environment has become a broader classification, including added non-traditional and sometimes illegal measures. The explanation also provides a definitive range of tactics, giving better indicators as to what ‘pressuring’ a company entails. This assessment provides more insight into the term than the one provided by the AFL-CIO.

There is a distinct difference among scholars and unions about what common goals and tactics are features of corporate campaigns. This definition challenge has resulted in a lack of generalizable applicability of their findings pertaining to case comparisons across
different studies and confusion about what constitutes a corporate campaign in cases that are more recent.

Based upon this review of the literature, a reasonable definition of corporate campaigns is actions, either legal or illegal, that unions use in an effort to force an employer to make concessions. Actions, according to this definition include the following elements: litigation, coalition building, pressuring the company's financial associates, on-job actions, exerting pressure on government officials, efforts to compel regulatory agencies investigations of businesses breaches of law, and negative publicity campaigns. The inclusion of the range of tactics provides an improved definition of corporate campaigns.

Litigation generally refers to charges filed by the union against a company. These grievances are filed with the National Labor Relations Board (NLRB) and accuse the company of particular violations of labor law. Examples of such alleged violations are wrongful termination or demotion, management interference with employees' rights to organize labor unions, or management retaliation towards individuals involved in union organization. Court procedures, or the threat thereof, may operate to persuade the company to seek a mutually beneficial end to the conflict. This tactic tends to be a time consuming endeavor; the courts are not generally known for their efficiency and brevity. It also has the potential to be costly for both parties.

A second, commonly used action is coalition building. This occurs when a union, in efforts to force business to negotiate, will attempt to find sympathetic individuals or organizations to help support and promote their cause. Potential partners may be religious groups, other unions and locals, and/or public figures. Coalitions increase the scope of the
conflict to draw in numerous interested parties who may in turn, help to raise exposure of
the issue to a wider audience, or pressure the company to engage in discussion.

Pressuring the company’s financial associates is a third strategy. Financial associates
may be lenders, pecuniary institutions, boards of directors, or investors who may be
instrumental in bringing management to the bargaining table. Some events staged in this
category are picketing, protest, letter writing, and boycotts. These actions may affect the
company’s bottom-line, as with boycotts, or lead to coalition building, for instance with
an individual on the board of directors.

On-job actions are the fourth approach corporate campaign strategies. These ‘actions’
may consist of sickouts (the majority of workers call in sick on a given day), wildcat
strikes (unauthorized and unexpected strikes lasting from a couple hours to a few days),
work slowdowns, wearing union apparel while working, and lunchtime rallies. The
aforementioned are similar to boycotts in their possible effects, in terms of lessening
company productivity, subsequently cutting into its bottom-line.

Another tactic that is akin to pressuring financial associates is exerting influence on
government officials. This is a way for unions to build alliances with elected officials or
people in government institutions. Relationships are fostered in order to influence
legislation or to press officials to bring business into negotiations.

Additional approaches are efforts to compel regulatory agencies investigations of
businesses breaches of law. A union will file a complaint with Occupational Safety and
Health Administration (OSHA) asserting that workers are at risk in the workplace. They
may also bring accusations against the company to the Environmental Protection Agency
(EPA). These normally charge that management are ‘environmental criminals’ who
violate environmental regulations (Northrup and Steen 1999). Another agency avenue used is the Securities and Exchange Commission (SEC), with the purpose of bringing to the surface complaints questioning a company’s financial records. The above-mentioned agencies are consequently compelled to investigate allegations against the company. Scrutiny of a business may affect productivity, result in drawn out litigation, sometimes generate fines, or perhaps damage the company’s reputation when the findings are released.

A final tactic in a union’s arsenal is negative publicity campaigns. These campaigns are conducted against a business in order to mar public perception. Byproducts of negative publicity may be increased community support for their effort or the forging of new alliances with other groups who are sympathetic. It might spur product boycotts. This action, like all the other tactics, is executed in hopes of expediting a settlement.

Corporate campaigns are pursued in three distinct labor action contexts that are originate from Paul Jarley and Cheryl Maranto’s research. The first situation is the ‘organizing campaigns.’ Operations within this scenario target,

“a company's employees for (union) membership which generally culminates into an election conducted by the National Labor Relations Board after an intense campaign effort” (Greaves 1999, p.1).

It is anticipated that employees will gain union representation from this type of campaign (Jarley and Maranto 1990).

The second circumstance is the ‘strike complement’ campaign. This is defined as unions using corporate campaign tactics while simultaneously engaged in a strike or
subject to a lockout (Jarley and Maranto 1990). This endeavor is typically carried out to resolve contract disputes and issues involving working conditions and safety.

The third and final context in which corporate campaign actions generally occur are during ‘strike substitute’ campaigns (Jarley and Maranto 1990). Strike substitute campaigns are characterized by actions other than strikes or lockouts (when a business refuses to allow their employees into the workplace) that disrupt production and/or makes the worker and employer relationship difficult (Brief *Amicus Curiae* of LPA, Inc. 2000).

Research Designs and Conclusions of Prior Studies

The past approaches used to explore corporate campaigns have been qualitative, concentrating on only a handful of cases occurring in the 1970s and 1980s. As previously stated in Chapter one, there have been few studies dealing with corporate campaigns and even fewer questioning their effectiveness. Most researchers mention the general concept of corporate campaigns within the large framework of labor history, as with Charles Heckscher’s writings, as opposed to a small number of scholars who have analyzed specific cases in which a campaign occurred. A definite limitation to studies on the subject is that cases included in most studies were only those that gained media attention, such as the J.P. Stevens, Litton, and Louisiana-Pacific campaigns (Jarley and Maranto 1990; Moody 1988). Unfortunately, this leads to a potential conclusion that the research may have been subject to selection bias, because a prerequisite for inclusion into studies was that the case had to be high profile. Consequently, cases involving few workers and/or those receiving little media attention tended to be left out.
Two studies are particularly noteworthy because they present the most extensive analysis of corporate campaigns. The first is Charles Perry's study, which was a qualitative analysis of the definition of corporate campaign, strategies and tactics, and contexts. His descriptions of union tactics and accounts of the cases provided the benchmark for other researchers on the issue. It was the earliest in-depth explorations of the practical application of non-traditional methods. Perry surveyed ten campaigns, most of which were also later explored by Jarley, Maranto, and Moody. He found that corporate campaigns "produced few, if any, 'victories' for those conducting the campaigns" (Perry 1987, p. 123).

The second most influential study was Jarley and Maranto's (1990) work. They also engaged in qualitative analysis, but studied a larger number of cases, 28 total. Unfortunately, for the purposes of this study, their case evaluations only extend to 1988. Furthermore, their study does not examine other characteristics and outcomes, such as the use of illegal or questionable tactics. On the other hand, Jarley and Maranto (1990) did assess the influence of specific tactics on whether or not they encouraged management to enter into negotiations with a union. The examination additionally provided basic contexts in which to evaluate corporate campaign successes and failures. The labor conflict environments in which they categorized corporate campaigns were strike complement, strike substitute, and organizing campaigns.

The first circumstances explored were strike complement campaigns. These types of campaigns had the highest failure rates and were found to be the most disastrous for winning concessions, primarily because workers were already using their most influential tool, the strike. Strikes are generally a last ditch effort; therefore, initializing a corporate
campaign when workers are already striking may result in negating the advantages of both. Jarley and Maranto analyzed nine cases of corporate campaigns undertaken after strikes or lockouts had been initiated; all except for two are categorized as failures.

The second context evaluated in the study was the strike substitute campaign. Tactics characteristic in this type of have the potential to interfere with the company’s bottom line. An example of this approach is workers refusing overtime hours leading to reduced production. In Jarley and Maranto’s case studies, they found only one strike substitute case, International Paper I., which achieved a clear victory resulting in sizable contract gains (Jarley and Maranto 1990).

The third labor contexts examined were organizing campaigns. These actions focus on initially establishing union representation and first contracts. Out of the 28 cases observed, nine cases were organizing campaigns, of those; five achieved their goal of obtaining union representation and a first contract. Jarley and Maranto’s conclusions state that the best scenario for conducting a corporate campaign and securing external support is “when they (corporate campaigns) complement traditional organizing drives” (Jarley and Maranto 1990, p.513).

Aside from the influential studies conducted by Perry, Jarley and Maranto, Moody also weighs in with an assessment of corporate campaigns. Moody’s early studies were also diverse in terms of union’s effectiveness in achieving desired outcomes. Moody’s analysis primarily identifies the origins of corporate campaigns, but does not conduct an extensive multi-case study. However, the research revealed that timing, organization, the ability to mobilize the mass public and workers, and the external environment, are all direct contributors to the success or failure of the campaigns (Moody 1988).
Jarley and Maranto agree with Moody’s emphasis of timing, organization, the ability to mobilize, and external environment as concrete variables effecting campaign outcomes. Despite pointing to these considerations as issues for union management to broach before engaging in corporate campaigns, none of the authors attributes settlements or negotiations to the use of a particular tactic pertaining to the previously discussed features.

Nonetheless, it could be asserted that the timing of a campaign could be advantageous for a union if a company is susceptible to on-job actions, boycotts, and negative publicity campaigns. Conversely, attacking a company in order to interfere with profit and production when it is financially precarious is risky; actions may prompt management to bargain, but they could also push the business into insolvency.

Union density and state right to work laws, may effect organization; fewer members might result in less exercisable leverage and resources available for a waging a campaign against a company. Tactics that may be more difficult to undertake in these circumstances are negative publicity campaigns and litigation, both are costly, and protests and boycotts, which require mass participation. Of course, union density and right to work laws may also weaken the ability for union mobilization as a consequence of low membership rates.

Tactics employed by labor may vary depending on the state of the external environment. Unions, according to the authors, must consider the whether or not there will be hostility or sympathy towards their cause and prevalent economic conditions when attempting to elicit either public support or widespread worker involvement. For instance, if a campaign is initiated during a recession, which causes an uncertain
economic environment for business, unions may have difficulties conducting on-job actions or building industry-wide coalitions due to workers fears of losing their jobs. Recession may hinder overall mobilization as well due to potential job loss.

Other concerns influencing organization and corporate campaign outcomes are flexibility in union action and structure when engaged in labor conflict. In the literature, Jarley, Maranto, and Moody posited that groups that are better organized and structured may possess a greater ability to recruit and retain members and acquire resources. Subsequently, well-structured unions are adept at applying corporate campaign strategies that target company’s weak points and producing union gains. These types of groups additionally engage in self-preservation and more rational resource spending, lending to both longevity of the organization and its ability to undertake extended campaigns and expensive tactics. Moreover, highly organized unions may have established methods of fundraising, or reciprocal relationships with other groups, the government, and public officials. These ideas effecting group organization will be explored further in this chapter.

An overview of the literature exposes that no researchers has yet included a large enough sample size to draw significant conclusions on whether or not corporate campaigns work. This will most likely occur in the future when the amount of campaigns conducted would warrant a quantitative analysis. There is also an absence of systematic data, because most scholars used content analysis, or gained their data on specific campaigns through direct observation and interviews.

Another conclusion that may be drawn from the limited amount of literature is that corporate campaigns are not a hard and fast solution to labor conflicts. According to the authors, corporate campaigns may force public attention to certain aspects of the conflict,
or serve to force management to the bargaining table, but they do not guarantee positive outcomes for union demands.

Resource Mobilization Theory and Labor

Literature relating to corporate campaigns does not thoroughly explain the dynamics of how campaigns operate to further the labor movement or social movements as a whole. Resource mobilization theory is employed for the purposes of this study to explain how groups exercise power to achieve their goals, specifically, how United States labor associations organize and pool influence to achieve concessions from business. Resource mobilization theory is defined as collective interests uniting and exerting their shared resources in order to achieve specific ends (Jenkins 1983).

Resource mobilization theory posits that individuals engage in collective behavior in order to exert pressure not only on government, but on business as well. The theory is a framework that lends structure to the analysis of how citizen groups, who do not have vast coffers or legion numbers, influence government and big business. Extracting concessions from powerful entities is not generally guaranteed by mobilization efforts, sometimes groups are successful, often times not. Business may have the ability to withstand or strike back against union attacks due to a secure financial position, durable production and sales, or resilient business relationships with investors, suppliers, and vendors. Achieving, or the failure to gain concessions are aptly explained by resource mobilization theory, explaining the ideal components indispensable in gaining labor movement momentum and support—increasing both membership and resources.
Resource Mobilization Theory: Assumptions

Pluralism and rational choice theories appear to be the origins from which major tenets of resource mobilization evolved; although, they are not explicitly cited by Jenkins as directly contributing to the structure of the theory and are, in sum, separate theoretical frameworks. The first possible component of resource mobilization theory rest in associations proposed by Dahl, Radcliff and Saiz, whose ideas suggest that the theory may be pluralistic in nature; success is attributable to the force of interest groups (Dahl 1978; Radcliff and Saiz 1998). Pluralism underlies how policies are formed in government. The theory also states that groups, not individuals, govern the country. This results in government decisions that are created through competition between interested parties, not necessarily voted on by individual citizens (Dahl 1978). Multiple points of access (voting, lobbying, federalism, running for political office) into American government gives interest groups avenues through which they may influence and sometimes, even create public policy and laws. Radcliff and Saiz posited that higher membership numbers within a group might translate into increased political power in the form of potential votes. These votes ultimately yield a transformation of grievances and group unity into leverage (Radcliff and Saiz 1998). Interest group power is wielded to gain legislation, financial resources, concessions from business, hearings in a court of law, or any number of other considerations from public officials, government, and corporations (Radcliff and Saiz 1998). Furthermore, in the case of labor, solidarity or group power, may increase the effectiveness of corporate campaign tactics such as increasing the number of people involved in boycott efforts, on-job actions, and protests, whereby threatening business' lines of production or endanger revenue.
Schattschneider provides another point regarding interest group power and its ability to achieve positive outcomes. He views interest group conflicts as having two potential sets of players, “the few individuals who are actively engaged at the center...and the audience that is irresistibly attracted to the scene” (Schattschneider 1960, p.2). The audience may consist of individuals on the peripheral of the conflict, for example, families and friends of union members, or those who are not directly associated with the clash, such as religious and community organizations and people who have an interest, but are wholly unaffiliated. When the combatants at the center of the dispute are not equal in terms of the power that they are able to wield in order to win the battle, the ones in danger of losing will employ the second set of players, the audience (Schattschneider 1960). Schattschneider additionally adds “...the outcome of every conflict is determined by the extent to which the audience becomes involved in it” (Schattschneider 1960, p.2). Bearing this in mind, whichever party succeeds in eliciting public sympathies and support is able to block their opponent from doing so, subsequently maintaining control over the conflict and outcome (Schattschneider 1960). Labor may not choose to enlarge a conflict into the public realm if they perceive mass sympathies favoring business’ side of the issue or if they regard themselves as already having the upper hand in the battle.

Mancur Olson clarifies factors regarding group power and the mechanics of social movements. He characterized them as relating to rational choice theory. Rational choice asserts that individuals are rational and as a result will make choices in order to maximize the prospects of their achieving personal benefits or goals. This idea directly relates to how workers seek to maximize their incomes, for instance through career choices or
union membership, and how business owners act to maximize profits, perhaps through diversifying production lines and increasing or decreasing their workforce.

Olson additionally presented the idea of ‘selective benefits,’ referring to them as key in enticing people’s participation in movements outside of structured democratic institutions (Olson 1968). ‘Selective benefits’ are potential perks an individual may receive, whereby operating to induce group membership, as opposed to a public good, which everyone enjoys. For instance, membership in a union may provide an individual with representation that will negotiate for the member to receive higher pay. Selective benefits are also enjoyed by individuals who do not pursue membership; they are referred to as ‘free-riders.’ Free riders do not pay dues, nor do they join in group action, however, they may only benefit after benefits have become institutionalized, whereby becoming a norm.

This explanation of why individuals engage in organization membership is a prerequisite for understanding the underpinnings of resource mobilization theory. The perception of potential benefits, whether symbolic or material, as rewards for interest group participation is the most compelling impetus for individual’s seeking union membership and participating in mobilization.

From Olson’s perspective, participation in the labor movement is expected to surrender individual level gains and possibly result in a more symbolic, long-term goal of establishing an industrial democracy. However, Olson also states that members of organizations may not be equally motivated to pursue their common interest, or may not have joined the group to pursue the same interest, although the group, overall, exists to further common goals. His assertions, subsequently, bring to light the inadequacies of
resource mobilization theory: an individual’s behavior, motivation, or actions may not always adhere to group agendas and ideals.

John Frey’s position is consistent with Olson on the importance of selective incentives. He additionally posited a similar need for an industrial democracy. According to Frey, one of the four selective benefits offered by union enrollment and the pursuit of an industrial democracy was the ability to determine conditions of employment (Frey 1918). Second, employees must be provided with decent working conditions (Frey 1918). Third, was the stipulation that workers must be afforded the same rights as employers; employees should not be second-class or subservient (Frey 1918). The fourth and most important tenet of U.S. union membership encompasses the policy of seeking increased wage benefits. Higher pay permits workers to enjoy higher standards of living. Elevated quality of life serves to improve citizen’s physical, mental and moral conditions (Frey 1918). The ability to negotiate egalitarian ends relies heavily on the power of a group to mobilize. Frey’s assessment of labor goals demonstrates the aptitude of both ‘selective benefits’ and resource mobilization theory in explaining the dynamics of these phenomena.

Even though resource mobilization theory is defined as collective interests uniting and exerting their shared resources in order to achieve specific ends, it is also apparent that it has other broader theoretical components as well (Jenkins 1983). The theory is ultimately a synthesis of interest group strength—namely the mechanisms articulated by pluralism and rational choice theory, resulting in union membership prompted by the enticements of potential selective benefits (Dahl and Olson).
Group Structure and Resource Mobilization Theory

Group structure, as previously mentioned in terms of its effects on corporate campaign outcomes, is another component of resource mobilization theory. Even though group formation, stability, and sustenance may lie outside of normal political and economic institutions, does not mean that interest groups, social movements, or unions lack structure (Rubin 1986). The argument, however, is whether a 'top-down', 'bottom-up', or an 'integrated approach' to organizational structure best achieves positive outcomes through the application of unified leverage. Top-down structures only give those at the top of the organizational hierarchy the authority to implement strategies. Bottom-up decision making empowers people in the grassroots ranks. An integrated approach allows for decisions to be made and actions undertaken at all levels.

The theory acknowledges that increasing levels of bureaucracy and financial supports within union organizations have helped to establish firm, yet flexible structures of leadership. These elements fuse together, in a top-down structure, in order to increase the likelihood of goal attainment (Rubin 1986). Rubin asserted that institutionalization of a movement increases the ability of worker militancy—resulting in, for instance, the increased capability to strike successfully (Rubin 1986).

Existing in the literature is a disagreement in terms of the meaning of worker militancy. Its characterization has been subjected to definitions beyond the classification of the strike, stretched to encompass radicalism. Labor radicalism may be defined as an interest in inducing sweeping societal and political changes that may subvert mainstream economic and political structures (Aronowitz 1983). A symptom of this reclassification was that some government officials and the public viewed the concept of worker rights...
and the labor movement as akin to communist or socialist movements (Taft 1948). Taft remedied this misconception by clarifying that labor movement concerns are primarily focused on improving the member’s work conditions and wages. He additionally argued that labor is too pragmatic, primarily concerned with wages and conditions, to collaborate with, or be used by any group that may hinder these objectives. Taft also stressed that the communist or socialist agendas sit in stark opposition to union priorities. Unions seek increases in the wealth of its members, whereas, communists and socialists seek equality of wealth for society as a whole. (Taft 1948) Bearing the previously stated in mind, it is conceivable that Taft shares Rubin’s view that unions are rational, structured and bureaucratic, not a radical movement seeking the overthrow of economic and governmental entities.

There is also some dissent regarding the effectiveness of bureaucratic institutionalized unions and social movement structures. Milkman elaborated upon this point by citing the composition of the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), claiming that it is plagued by internal bureaucratic inertia. She viewed its structure and bureaucracy, which were favored by Taft and Rubin, as obstacles to success; claiming that both play a part in reducing confrontational actions (Milkman 1998). Milkman also suggested that movement goals are better achieved when carried out at the grassroots level, through a bottom-up structure, by more radical leadership and flexible activist-type tactics.

The current literature on resource mobilization theory provides no definitive agreement as to whether structure, or lack thereof, is conducive to mass mobilization and interest group formation. Milkman offers an assessment of how resource mobilization
functions better at the grassroots level, as opposed to receiving top-down instructions. This is especially important in terms of conducting a corporate campaign because union members fighting the battle day-to-day may have a more comprehensive view of what strategies or tactics need to be implemented.

An integrated perspective best reflects the organizational structure suggested by the corporate campaign literature; that a reciprocal structure, top-down and bottom-up, may operate in synchronicity when clarifying and executing strategies (Rubin 1986). The two levels of leadership may both provide the flexibility (locals on the front lines), and resources (from the nationals), when integrated, allowing for optimum adaptation, mobilization, and finances with which to confront corporate intractability. Some tactics included in corporate campaigns rely on front-line mobilization, such as protest, as well as resources—financial backing in order to conduct massive negative publicity campaigns.

Resource mobilization theory presents a key insight into why individuals would opt for group membership, selective benefits. The selective benefits a union member would receive are the fruits of the collective bargaining processes—increases in wages and benefits, which are the primary inducements for participation. Additionally it explains how groups use their influence to alter policy outcomes and lawmaking. This leverage is similarly wielded when conducting corporate campaigns; however, it is applied not only to government, but to financial associates and potential consumers as well. The theory also points to interest group power and its possible mobilization in the sphere of the labor movement, suggesting the labor movement must increase its membership, resources, and spearhead an integrated approach to action and organization. Considerations producing
flexible organizational structures, efforts to increase member motivation (i.e. frequent accomplishments of positive outcomes for contracts), and prospective resources within the context of a corporate campaign may provide the foundation for substantial positive changes and expansion of the labor movement.

The theory also leads to the expectation that unions, regardless of structure, that conduct corporate campaigns, will unify, mobilize, and use tactics that target a company's ability to maximize its profits for the end result of achieving improvements for their own wages, benefits and/or conditions. Additionally anticipated is that business will seek to maximize income as well, whereby creating conflicts that are decided by how each exercises their power and exploits their resources. Resource mobilization theory accounts for the power of union solidarity and an ability to engage in this battle, through its tenets that groups make use of their resources in order to obtain shared goals.

Resource mobilization theory also points to accompanying tactics that may best achieve concessions from business. These include boycotts, pressure on investors, prompting regulatory agency investigations, influencing financial associates, on-job actions, and litigation. The effectiveness of these tactics is reinforced by the strength of group alliance and their capability to engage in collective actions that most directly endanger a company's profits. However, as mentioned before, companies are also self-interested and sometimes have the means to combat attacks on investments, revenue, and production. For example, a company may be able to take advantage of a union's lack of timing, solidarity, and ability to mobilize. The external environment, in regards to a state's dwindled union density or right to work laws may also constrain the ability for unions to gain the leverage needed to achieve sought after concessions.

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CHAPTER 3

ECONOMIC CONTEXT

In the last fifteen years, the United States economic environment has been through changes that may account for labor's push towards corporate campaigns. Jarley and Maranto concur, also concluding in an earlier study that the external environment may enable a corporate campaign to succeed (Jarley and Maranto 1990). However, the external economic environment and hostile business practices have created the need for such bold tactics, despite the risk of uncertain outcomes.

The Wage Gap

Perhaps one of the main threats contributing to the adoption of harsher union movement tactics is the increasing wage gap between the rich and poor. This perception may not be unwarranted when considering that economic inequality might lead to class divisions (Neufeld 1982). Labor mobilization may be a reasonable reaction to these inequities. Corporate campaigns are used by unions in an attempt to prompt wealth redistribution.

The Economic Policy Institute (EPI) offers evidence of the growing wage gap. The research indicates that in 2003 the wages of the top one percent of United States households had risen by 184 percent since 1982 and that they also controlled one-third of total U.S. wealth (Price 2004). By comparison, middle-class household incomes had
increased 12.5 percent and those inhabiting the lowest wage scales only experienced a six and a half percent gain in the same 21-year span (Price 2004). These figures are startling, considering the economy has been steadily growing and productivity has been increasing.

"Over the last three years (from 2001 through 2004), corporate profits in the United States have expanded by 57.5%, while private wage and salary income has actually decreased by 1.7% over the same period" (Price 2004).

Moreover, the data indicate that there has been limited redistribution of wealth, which in turn, supports Neufeld's apprehensions that the rich may become economically dominant at the expense of workers.

The Decline of the Real Wage

Another issue that exacerbates wage inequities is the steady decreases in the 'real wage.' Real wage is defined as "the average wage adjusted for changes in the prices of consumer goods" (Economics Glossary). This situation is also referred to as 'wage stagnation.' Declines in the real wage place downward pressures on incomes that are already insufficient to cover escalations in the cost of living and inflation. Daily expenses for Americans have been steadily increasing in the last five years and have risen from 20 percent to 30 percent between 2002 and 2004 (Labor Research Association 2004). Three necessities that have become more expensive are housing, healthcare, and energy. Higher energy costs translate into upsurges in overall consumer prices (Oliphant 2005).
Figure 3.1: Decline of the Real Wage: 1970-2004

Average weekly earnings (2004 constant dollars)
Source: U.S. Bureau of Labor Statistics
and BLS-CPI Inflation Calculator
http://www.bls.gov/

Data in the figure show the decline in real average weekly earnings, particularly from 1978 to 1992. Although real wages increased during the 1990s, the data show virtually no growth since the year 2000.

In order to place this in perspective consider the federal poverty standard. This standard establishes the minimum necessary earnings for purchasing food, clothing, and housing at $17,650 in order to be classified as earning above poverty level wages for a family of four in 2001 (American City Business Journals Inc. 2001). By comparison, average yearly earnings for United States households overall according to the United States Census Bureau was $43,318 in 2003.
Overall, the U.S. Bureau of Labor Statistics data presented in the graph indicate that there has been a decline of almost 13 percent from 1970 until 2004 (BLS). Since the Civil War, workers in the United States have had their average wages double every 36 years until 1973 (Mishel 1996; Bernstein, Jared and Schmitt 1996).

This decline in the average real wage has a negative relationship to the wages of the top one percent of United States households, which have experienced astronomical gains, during a time in which regular Americans have had insubstantial growth in their overall share of income.

Wage disparity has been a rallying cry of the labor movement. National unions, such as the AFL-CIO have formed coalitions with community organizations, the most dominant of which is the Association of Community Organizations for Reform Now (ACORN), to institute legislation adopting area-wide living wages. Another front on which this problem has been met head on has been through federal level appeals from unions as well as humanitarian groups seeking to raise the national minimum wage, which, as of 2005, is five dollars and fifteen cents an hour. Roughly, 10 million Americans are currently earning minimum wage (Chasanov 2004). According to Chasanov, a researcher for the Economic Policy Institute, this rate is still roughly $1,800 below the poverty line for a family of two (Chasanov 2004).

A third resolution to solve the problem of wage inequities has been suggested by pro-labor groups. They recommend establishing a yearly-adjusted minimum wage that would be based on the Consumer Price Index, whereby directly correlating wages with costs of living. Unfortunately, few of these efforts have been successful. A dominant reason for wage inertia may be the failure of American workers to mobilize on this issue and
pressure for widely adopted policies affecting the real wage. It may also be the result of diminished labor movement power, which would explain why some unions have turned to aggressive corporate campaigns to enhance pay rates and benefits, rather than rely on mass public mobilization to achieve legislated wage gains for all workers.

Factors Contributing to Declining Job Security

Business trends and economic conditions facing United States workers that may additionally increase social inequities, threaten job security, and bring into question union ability to collectively bargain on a level playing field are increased adoptions of right-to-work laws, recessions, deregulation, corporate re-structuring, outsourcing, industry competition and industry loss. Job insecurity is a direct factor contributing to employee and union hesitancy to seek expanded wages and benefits. Business Week stated that, “Since the 1970s, the risk of involuntary job loss has soared by 150%” (Colin 2003, p.22). This has gone up from the 75% risk of job loss occurring throughout the 1970s. Perhaps workers’ fears of job loss due to the previously listed reasons have also given rise to an environment allowing for the domination of competitive market powers rather than concerns for worker equity. These concerns have also been compounded by strides taken by corporations and government towards a more flexible labor market.
Right-to-Work Laws

Right-to-work laws are defined as state legislation that makes it illegal for a business to require employees to join a union; it also prohibits business from denying employment based on an individual refusing to join a union. Companies that require workers to join a union in order to obtain employment are referred to as ‘closed shops,’ concurrently, those that do not impose this requirement are called ‘open shops.’ This legislation originates from the passage of the Taft-Hartley Act in 1947, which prohibited businesses from requiring union membership as a requirement for employment. Two types of shops that were directly affected by the Act were the ‘closed shop,’ in which workers may only be hired through a union and the ‘union shop’ which allowed businesses to hire new employees who did not initially belong to a union, but later required union membership as a condition of employment (Legal Database 2005). Passage of the Taft-Hartley Act and subsequent right-to-work laws again, leads to a free-rider dilemma, because union membership and participation are not required, but workers who are not union members working in a shop that is predominately union still reap the benefits of membership without any of the cost.

Instituting these regulations has been a legislative attempt to create a flexible labor market. Fallout from these laws is a situation in which employees have difficulties obtaining wage, benefit and workplace safety improvements due to their subsequent lack of organized union representation. Also resulting from these laws is employment with no predefined contracts, as is inherent in union membership and provided for through collective bargaining agreements. Contracts entail and protect worker rights. In the absence of such agreements, workers are subject to ‘employment at will.’ Employment at
will means that an employee may quit or be terminated without giving or receiving an explanation as to why (Legal Database 2005). States that have enacted right-to-work laws include Alabama, Arizona, Arkansas, Florida, Georgia, Idaho, Iowa, Kansas, Louisiana, Mississippi, Nebraska, Nevada, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, and Wyoming (Niznik 2005). Most of the abovementioned states are located in the southern and western parts of the United States. These areas are commonly characterized by conservative political leanings, which tend to assert more hard-line anti-union stances.

The AFL-CIO contends that right-to-work laws perpetuate a lower quality of life for workers and their families. Some of their declared consequences of the legislation include lower wages, limited healthcare coverage, diminished workplace safety standards, increases in poverty rates, and lower rates for injured worker’s compensation.

Another intrinsic problem is the ‘free-rider’ issue in the states where the right-to-work laws are present and union membership is low. In these states, workers benefit from increased wages in industries where unions have fought to establish work compensation standards, without paying for the benefits of group membership, or bearing risk in times of union mobilization, for example, during a strike. Free riders and right-to-work laws may both operate to erode union membership.

Twenty-two out of the fifty U.S. states now have right-to-work laws. This situation may have played a role in shrinking union power, by lessening their overall workplace influence. Unions maintain that these laws are the principal tools exploited by businesses to carry out union busting. Perhaps in reacting to these new regulations unions have escalated their use of corporate campaigns.
Recessions and Deregulation

Recessions have additionally played a part in diminishing the strength of the labor movement and union formation. Unlike right-to-work laws, recessions are an unforeseeable external environmental factor. Recessions are defined as a decline in the economy, more specifically, a decline in the gross domestic product (GDP) for six months or more (Wikipedia.org). There have been two recessions that have occurred within the scope of this study. The first ran from 1990 through 1991. The second economic down turn began in 2001 and ended in 2003 (Department of Commerce, Bureau of Economic Analysis). The results for labor that stem from recessions are job losses, reduced job growth, halts in wage and benefit expansions, declines in the real wage, and increased poverty rates.

The effects of recession on collective bargaining are potentially disastrous. Unions have difficulties negotiating for increases in pay and benefits when profits are deteriorating. Generally, contract talks focus on retaining current pay and entitlements when the economy drops off. During these times, unions must turn to alternative forms of coercion, namely corporate campaigns, which do not focus on eliciting equity in terms profit redistribution from the employer, but instead focus on 'by any means necessary' strategies to gain improvements for their members’ contracts.

Another dilemma present during economic hard times is difficulties conducting organizing drives during periods of increased competitiveness in a tight labor market. People will tend towards maintaining the status quo within the workplace, rather than rock the boat and endanger their jobs.
Deregulation is an additionally factor that has placed new pressures on unions, becoming a predominant trend during the 1980s and 1990s. The consequences of deregulation resonate through the United States economy today. Deregulation is defined as when government abolishes restraints on business. The justification given for eliminating regulations is that the market will be able to operate in a more laissez-faire manner, increasing both competitiveness and efficiency, cumulating in cheaper goods for consumers and higher profits for business (Wikipedia.org).

Despite the gains assured by proponents of unbridled industries, the impact that it has had on labor has been substantial. Reduced government regulation of industries has led to uncontrolled market forces. Deregulation has had a domino effect on working people; downsizing, job instability, downward pressures on wages and benefits, and reduced union membership in the workplace (AFL-CIO. Retrieved: 7 Feb. 2006. http://www.aflcio.org). Unrestrained markets are beholden to no one. In turn, profit margins become the primary motivator, not the overall health of the economy. Another consequence is instead of creating freer and expanded markets; deregulation has created monopolies, as with news media consolidations and mass communications industry mergers (AFL-CIO. Retrieved: 7 Feb. 2006. http://www.aflcio.org). Deregulation's most damaging effect is that it ultimately prevents the government from stepping in to shape and stabilize the economy and force better economic outcomes for its citizens (AFL-CIO. Retrieved: 7 Feb. 2006. http://www.aflcio.org).

Unregulated industries have become a bane to union negotiations and organizing for the same reasons that recessions make it problematic; job instability prevents workers from being bold about pursuing better contracts and organizing. Hands-off practices by
government that allow companies to go unchecked have also antagonized unions into adopt corporate campaign’s aggressive tactics.

Mass Layoffs

Deregulation and recessions are only two factors that play a role in job loss. A third is mass layoffs, which are the worst-case outcomes of job insecurity. Findlaw.com defines mass layoffs as a “layoff affecting: (1) at least 33% of active full-time employees and at least 50 full-time employees, or (2) 500 full-time employees.” This type of massive job loss has become more prevalent because some companies implement strategies to decrease labor and materials costs. Methods used to achieve higher profits and productivity, while simultaneously decreasing expenditures, are outsourcing and company reorganization (sometimes referred to as ‘downsizing’). There are other reasons offered by corporations for eliminating employees, such as import competition, however, those will be explored later in this chapter.

The table below is a sample of industries derived from the United State’s Bureau of Labor Statistics (BLS). The data represent broad headings for the most common sectors providing employment in the economy. The numbers available used are from 1996 through 2004. Prior periods are not included, because the figures represent an ample amount of the timeline examined in this particular study. Two of the main industry headings were not incorporated of the table. The first was ‘information,’ because most of the jobs presented could also be included category ‘professional and technical.’
Table 3.1: Mass Layoffs by Industry

<table>
<thead>
<tr>
<th>Year</th>
<th>Manufacturing</th>
<th>Retail</th>
<th>Transport and Warehouse</th>
<th>Professional and Technical</th>
<th>Healthcare and Social Assistance</th>
<th>Hotel and Food</th>
<th>Repair &amp; Maintenance</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>350784</td>
<td>116236</td>
<td>43159</td>
<td>26054</td>
<td>36233</td>
<td>45781</td>
<td>1216</td>
<td>619463</td>
</tr>
<tr>
<td>1997</td>
<td>323531</td>
<td>95635</td>
<td>58220</td>
<td>33397</td>
<td>33702</td>
<td>49391</td>
<td>2077</td>
<td>595953</td>
</tr>
<tr>
<td>1998</td>
<td>469069</td>
<td>58969</td>
<td>56733</td>
<td>21920</td>
<td>31109</td>
<td>47832</td>
<td>2403</td>
<td>688035</td>
</tr>
<tr>
<td>1999</td>
<td>356112</td>
<td>91519</td>
<td>49966</td>
<td>24304</td>
<td>35107</td>
<td>38610</td>
<td>3227</td>
<td>598845</td>
</tr>
<tr>
<td>2000</td>
<td>366070</td>
<td>88134</td>
<td>50030</td>
<td>22222</td>
<td>38669</td>
<td>41035</td>
<td>3371</td>
<td>609531</td>
</tr>
<tr>
<td>2001</td>
<td>627930</td>
<td>131974</td>
<td>117192</td>
<td>51218</td>
<td>23792</td>
<td>79687</td>
<td>2697</td>
<td>1034490</td>
</tr>
<tr>
<td>2002</td>
<td>454034</td>
<td>135679</td>
<td>82065</td>
<td>57907</td>
<td>30148</td>
<td>50362</td>
<td>5488</td>
<td>815683</td>
</tr>
<tr>
<td>2003</td>
<td>384329</td>
<td>127235</td>
<td>87918</td>
<td>40252</td>
<td>32518</td>
<td>53215</td>
<td>2644</td>
<td>728111</td>
</tr>
<tr>
<td>2004</td>
<td>254430</td>
<td>143670</td>
<td>59098</td>
<td>33199</td>
<td>44213</td>
<td>68555</td>
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</tr>
<tr>
<td>Total</td>
<td>3586289</td>
<td>989051</td>
<td>604381</td>
<td>310473</td>
<td>305491</td>
<td>474768</td>
<td>28089</td>
<td>6298542</td>
</tr>
</tbody>
</table>

* Totals are for all states and represent the amount of workers separated from their jobs for each industry. Criteria for inclusion are at least 50 unemployment insurance claims from a single establishment within a five-week period.

Source: Bureau of Labor Statistics
http://data.bls.gov/cgi-bin/dsrv
11/8/05

Analyzing the 'information' industry would have been redundant in light of the availability of this more extensive category. The second excluded sector was entitled 'personal and laundry.' These industries were not integrated into the table because they are also encompassed by the categories 'retail,' 'healthcare and social assistance,' and 'hotel and food.'

The main finding from this table is that the highest numbers of massive layoffs, 3,586,289 occurred in the manufacturing industry. This number was expected because of
increases in outsourcing, imports, and foreign competition throughout the 1990s to the present (Kletzer 2005). The worst year for manufacturing job loss was 2001, due to the recession. Total employed, as a percent of United States population, in the manufacturing sector, according to the International Labour Organization (ILO), was 17 percent in 1990. By 2001, that percentage had dropped to roughly 14 percent. Another, similar figure from the Center for Economic and Policy Research (CEPR), posits that between 1991 and 2003, 17 percent to 26 percent of all manufacturing workers were displaced. This scenario is not simply due to a downfall or changes in market demands because, “U.S. consumers and businesses have not shifted their purchasing away from manufactured goods. In fact, demand for manufactured goods as a share of total demand in the United States has actually grown over the past 10 years” (Bivens 2004, p.1).

Another point of interest provided by the figures is that onsite repair and maintenance experienced the fewest layoffs. This finding was also anticipated because of the nature and stability of the work. These jobs are ‘place specific,’ meaning that they are orientated towards working on and maintaining immovable structures, therefore, these fields are not endangered by off-shoring or import competition. However, they are not immune from displacement, company reorganization and ownership changes will sometimes produce job losses.

The most surprising finding was that the retail sector experienced the second highest rate of layoffs, because this type of work is not generally endangered by off shoring or import competition. Consumer spending has held steady at the rate of 75 percent of the United States yearly gross domestic product (GDP). This number, as indicated by yearly
increases in the GDP, has been steadily growing throughout the last decade and a half, so it was puzzling that there would be substantial layoffs in the retail industry. However, it also bears mentioning that these layoff figures paled in comparison to overall manufacturing job losses.

According to the data, service sector employment in 1990 accounted for 27 million jobs, compared to manufacturing, which totaled 18 million. In 2000, the service sector provided 39 million jobs, compared again to manufacturing, which roughly held fast at 18 million (BLS 2004). These numbers draw attention to the U.S. economy’s move to a service-orientated workforce; they also demonstrate that although retail employment may be constant, it is susceptible to job insecurity.

Economists propose that layoffs also may be attributable to severe drops in global capital investments into the United States economy (Congressional Budget Office 2004). For example, in 2000, global investments into the U.S. markets stood at $314 billion. Three years later, funds invested had fallen by $16 billion. Capital investment creates more industry and subsequently more jobs, therefore these downturns in foreign interests may continue to impact job markets in the future. Another observer suggested that the obstacle to retaining employment is diminishing exports, as exemplified by the U.S. trade deficit (The McKinsey Quarterly 2005).

These issues may coalesce to create an unstable economy that presents limited opportunities for job security and job creation. Labor unions, in the face of this have become compelled to use corporate campaigns in order to bring attention to these challenges.
As previously mentioned, outsourcing, company reorganization, and import competition result in job eliminations, however, business ownership change is yet another reason given by employers for these layoffs.

Seen in the table below are data indicating an overall job loss for eight-years at approximately 1.56 million broken down by reasons given for layoffs. The sample represents all reasons given by corporations for mass layoffs (BLS. *Current Employment Statistics Program 1990-2003*).

The main finding from this table is that reorganization within the company was the primary contributor to mass layoffs. This category may have some data cross-over with relocation overseas, because the Bureau of Labor Statistics only documents the initial reason given for the layoff, not subsequent actions taken (i.e. a company eventually relocating abroad). Surprisingly, relocations overseas, otherwise known as outsourcing, came in last. However, U.S. companies have found that they are more globally competitive and profitable when they incorporate outsourcing as a method for cutting back labor costs.
Table 3.2: Reasons Businesses Provided for Mass Layoffs

<table>
<thead>
<tr>
<th>Year</th>
<th>Business Ownership Change</th>
<th>Relocation Overseas</th>
<th>Reorganization within the Company</th>
<th>Import Competition</th>
<th>Total for all Reasons (yearly)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>48028</td>
<td>4326</td>
<td>118395</td>
<td>13749</td>
<td>184498</td>
</tr>
<tr>
<td>1997</td>
<td>24774</td>
<td>10439</td>
<td>80913</td>
<td>12770</td>
<td>128896</td>
</tr>
<tr>
<td>1998</td>
<td>36569</td>
<td>8797</td>
<td>92956</td>
<td>18473</td>
<td>156795</td>
</tr>
<tr>
<td>1999</td>
<td>57306</td>
<td>5683</td>
<td>95122</td>
<td>26684</td>
<td>184795</td>
</tr>
<tr>
<td>2000</td>
<td>32908</td>
<td>9054</td>
<td>103120</td>
<td>13416</td>
<td>158498</td>
</tr>
<tr>
<td>2001</td>
<td>55387</td>
<td>15693</td>
<td>155691</td>
<td>28008</td>
<td>254779</td>
</tr>
<tr>
<td>2002</td>
<td>42867</td>
<td>17075</td>
<td>159852</td>
<td>15350</td>
<td>235144</td>
</tr>
<tr>
<td>2003</td>
<td>32640</td>
<td>13205</td>
<td>136904</td>
<td>23734</td>
<td>206483</td>
</tr>
<tr>
<td>Total Layoffs for each reason (all years)</td>
<td>330479</td>
<td>84272</td>
<td>942953</td>
<td>152184</td>
<td>1509888</td>
</tr>
</tbody>
</table>

* Totals are for all states and represent the amount of workers laid-off from their jobs for given. Source: Bureau of Labor Statistics. [http://data.bls.gov/cgi-bin/dsrv](http://data.bls.gov/cgi-bin/dsrv) 11/8/05

Company reorganization is carried out with consideration for the bottom-line and/or to increase production. Ownership change, on the other hand, is normally prompted by company fears of falling stock prices or that an impending bankruptcy will jeopardize the organization’s continuation. Another reason for a sell-off is the owners may simply want to divest.

Reorganization may also be the end results of mergers, acquisitions, and company sell-offs. According to the data, this appears to be the most significant threat to job security. Company sell-offs may either entail a complete change in ownership, or the sale of pieces, or branches of the company. Combined numbers of ownership change and reorganization equal 1,273,432, which comprises the majority of mass layoff reasons and is substantially higher than the overseas relocation amount of 84,272. However, overseas relocation may additionally be the result of ownership change or reorganization. The fact
that the reasons given by industries for layoffs may be interrelated does pose problems for exact interpretations of the data. The task of assessing the reasons is most accurately fulfilled through interpreting them by their defined categories.

Import competition produced 67,912 more jobs lost than outsourcing. This figure is also reflected in the trade deficit, which is now at $66 billion (Isidore 2005), compared to 1992 when the trade gap was at $39 billion. The current imbalance is unprecedented in U.S. history and when combined with diminished foreign investment and low wage job creation, these indicate limited expansions of job opportunities for American workers.

After taking into account these data, perhaps there are additional threats to job security than the availability of inexpensive materials and overseas labor. Production efficiency and cost cutting issues are fundamental factors leading to reorganization and ownership change. Perhaps the causes that prompt businesses to reduce jobs could be avoided through implemented strategies of employee re-training, investments in innovations and technologies that reflect consumer and market demands, and cuts in transportation costs by locating production in relation to area market demand. These suggestions could possibly lead to increased competitiveness and greater job security for American workers.

External economic factors such as the 32-year fall of real wages, adoption right-to-work laws allowing hiring and firing of employees at-will, recessions, deregulation, mass layoffs, company reorganization, outsourcing, and import competition have given rise to inequalities in wealth ownership. These market dynamics have also disempowered workers. It has furthermore, created an environment in which U.S. employers are better able to drive down labor costs. It is difficult develop unified labor movement support for
the drastic actions necessary to confront these issues in periods characterized by a weak economy that threatens job security.

Economic uncertainty has negatively influenced on the labor movement momentum. It is no surprise that union density has fallen drastically since the 1970s, due to such unbridled and impenetrable market forces.

Falling Union Density

Kate Bronfenbrenner, a prominent scholar on labor issues, asserts when unions have a resilient presence throughout all sectors they,

"have the power to keep wages up. Each employer is less likely to be undermined by another employer paying a lower rate. Unions are much more able to get pattern agreements, and keep the wage rate high" (Multinational Monitor 2003).

The strength of the unions to expand pay rates and benefits has weakened due to disappearing union jobs, especially, as mentioned before, in manufacturing. Labor’s control over terms of employment is additionally reduced by the looming threat of long-term employment instability.

Table 3.3 indicates that although numbers for the total workforce steadily grew on a yearly basis, union membership between 1990 and 2004 dropped an average of 93,000 every year. Moreover, total numbers for the percentage of union members employed between 1990 and 2004 steadily declined at an average of .25 percent every year. Bronfenbrenner posits that this deterioration is not only due to outsourcing, as suggested previously in the context of mass lay offs, but also because businesses subcontract out
jobs that union members would typically hold in the company to nonunion facilities (Multinational Monitor 2003).

Additionally noticeable in Table 3.3 is a drop in those employees peripherally benefiting from a strong union presence, the ‘free-riders.’ Workers represented by unions, but who were not members themselves fell and average of 144,000 per year, or .31 percent. These numbers reveal that the fall in union density may affect the quality of life of those not directly affiliated with, but benefiting from labor alliances.

Table 3.3: Annual Averages of U.S. Worker Union Affiliation: 1990-2004

<table>
<thead>
<tr>
<th>Year</th>
<th>Total Employed</th>
<th>Members of Unions: Total</th>
<th>Members of Unions: Percent of Employed</th>
<th>Represented by Unions: Total</th>
<th>Represented by Unions: Percent of Employed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>104,876</td>
<td>16,776</td>
<td>16.0</td>
<td>19,105</td>
<td>18.2</td>
</tr>
<tr>
<td>1991</td>
<td>103,723</td>
<td>16,612</td>
<td>16.0</td>
<td>18,790</td>
<td>18.1</td>
</tr>
<tr>
<td>1992</td>
<td>104,668</td>
<td>16,418</td>
<td>15.7</td>
<td>18,578</td>
<td>17.7</td>
</tr>
<tr>
<td>1993</td>
<td>106,101</td>
<td>16,627</td>
<td>15.7</td>
<td>18,682</td>
<td>17.6</td>
</tr>
<tr>
<td>1994</td>
<td>107,989</td>
<td>16,748</td>
<td>15.5</td>
<td>18,850</td>
<td>17.5</td>
</tr>
<tr>
<td>1995</td>
<td>110,038</td>
<td>16,360</td>
<td>14.9</td>
<td>18,346</td>
<td>16.7</td>
</tr>
<tr>
<td>1996</td>
<td>111,960</td>
<td>16,269</td>
<td>14.5</td>
<td>18,158</td>
<td>16.2</td>
</tr>
<tr>
<td>1997</td>
<td>114,533</td>
<td>16,110</td>
<td>14.1</td>
<td>17,923</td>
<td>15.6</td>
</tr>
<tr>
<td>1998</td>
<td>116,730</td>
<td>16,211</td>
<td>13.9</td>
<td>17,918</td>
<td>15.4</td>
</tr>
<tr>
<td>1999</td>
<td>118,963</td>
<td>16,477</td>
<td>13.9</td>
<td>18,182</td>
<td>15.3</td>
</tr>
<tr>
<td>2000</td>
<td>120,786</td>
<td>16,258</td>
<td>13.5</td>
<td>17,944</td>
<td>14.9</td>
</tr>
<tr>
<td>2001</td>
<td>122,482</td>
<td>16,387</td>
<td>13.4</td>
<td>18,114</td>
<td>14.8</td>
</tr>
<tr>
<td>2002</td>
<td>122,007</td>
<td>16,107</td>
<td>13.2</td>
<td>17,771</td>
<td>14.6</td>
</tr>
<tr>
<td>2003</td>
<td>122,358</td>
<td>15,776</td>
<td>12.9</td>
<td>17,448</td>
<td>14.3</td>
</tr>
<tr>
<td>2004</td>
<td>123,554</td>
<td>15,472</td>
<td>12.5</td>
<td>17,087</td>
<td>13.8</td>
</tr>
</tbody>
</table>

(Numbers in thousands)

**self-employed were excluded
Bureau of Labor Statistics. 11/8/05

The data again point to the free-rider problem inherent in represented members not always participating in membership because they already reap benefits. When comparing
the number of workers receiving representation ‘by default,’ individuals who are both
members and non members that are covered by contracts, and those who are actually
members, it is apparent that there are a large number of non-participants figures. Possible
byproducts of the free-rider dilemma are that union morale may suffer, union coffers
diminish, and worker unity, when confronted with adversity, may not be durable
(Multinational Monitor 2003).

An issue presented by these numbers is that although the total number of employed
continually increased overall, union membership and representation steadily fell, with the
most drastic occurrences in 1994, 1995, 2003, and 2004, subsequently taking place after
recessions. The rise of ‘nonstandard employment’ may be a partial explanation for this
apparent drop in union density. ‘Nonstandard employment’ is defined as individuals who
work part-time, through employment agencies, are on-call, self-employed, or under
contract (Economic Policy Institute 2005). “These jobs typically pay about ten percent
less than their full-time counterparts, and they are much less likely to have benefits such
as health insurance” (Economic Policy Institute 2005, p.1). These temporary jobs are not
generally targets of union organizers, despite the fact they makeup roughly 30 percent of
the United States labor market (Baru 2001). In addition to low pay, nonstandard
employment also contributes to job uncertainty and financial insecurity; these
arrangements are not typically protected by retirement benefits, or unemployment and
disability insurance if a worker is laid-off or injured (Baru 2001).

Even with the revitalization of unionization in the early 1990s, it appears that the
membership numbers do not reflect the supposed reinvigoration of the movement.
Furthermore, with the ongoing decreases in union membership and presence in the
workplace, it appears that the 21st century will not have a re-kindling of the labor
movement. United States companies are opposed to the perpetuation of union
membership. Union members earn higher wages and receive better benefits than those
who are nonunion. It could be concluded that this gap is a primary motivator for
businesses to bust unions and in turn, reap the benefits of cheaper manpower. Union
decline ensures that employers will be able to set lower wages because there will be no
unions to forward collective bargaining agreements, or set standard wages high enough
industry-wide to provide workers with an improved standards of living.

Union vs. Nonunion Wages

As asserted previously, union density pushes up average wages and benefits. This is
why union membership and organizing drives are fundamental for American workers.
The U.S. Bureau of Labor Statistics data for 2004 show that union members total
employer compensation (including healthcare, retirement benefits and vacation pay) per
hour was $31.94 (Economic Policy Institute 2005). Nonunion employees received
$22.28 on the average for every hour worked. The most glaring contrast, besides wage,
which for a union member was $22.32 an hour, whereas nonunion wages were $16.21 per
hour, were disparities between the two regarding health insurance and supplemental
retirement benefits received (Economic Policy Institute 2005).

The 2005, BLS survey figures indicate that 92 percent of union workers have health
insurance, in contrast to the 68 percent of nonunion (Economic Policy Institute 2005).
Also revealed was that 88 percent of union members have retirement plans, conversely,
this benefit is given to 56 percent of nonunion employees (Economic Policy Institute 2005).

These statistics demonstrate why a union presence in the labor force is not only important for union participants wage and benefit gains, but also indicate how disparities are present among nonunion workers as well. Weakened union density throughout the labor market, resulting in slashed average earnings has not gone unaddressed. Unions are now looking to organize sectors, which have previously not been focal points for union density. The primary target for organizing is workers in the service sector, which is purportedly the new direction in which the American economy is heading. The economic trend of strong job numbers for manufacturing and good producing sectors is outdated; instead, jobs that have the highest rate of creation and employment growth are located in service industries. Examples of these jobs are in the healthcare, technology, accommodation and food service, and retail industries. Eighty percent of the United States workforce is currently employed in the service sector (Wegman and McGee 2004). These jobs admittedly run the gamut, in terms of pay and wage compensation; however, most of the service jobs that created are not typically high paying.

The Bureau of Labor Statistic data below reflect that service sector dominance of the labor market will continue. The figures presented above outline the top ten occupations that will employ the most workers by 2012 (BLS February 2004 Monthly Labor Review).

There are only two jobs in the table that are classified as having ‘very high’ or ‘high’ income potential. These jobs are postsecondary teachers and truck drivers, however, these jobs are the bottom two insofar as the amount of jobs they will create compared to the other seven.
Table 3.4: 2012 Projections: Occupations with the Highest Employment

<table>
<thead>
<tr>
<th>Occupation</th>
<th>Total Employed in 2012 (numbers in thousands)</th>
<th>Wages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail Salespersons</td>
<td>4,627</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Cashiers</td>
<td>3,886</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Office Clerks</td>
<td>3,301</td>
<td>$19,710 to $27,380</td>
</tr>
<tr>
<td>Registered Nurses</td>
<td>2,908</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Janitors and Cleaners (excluding maids and housekeepers)</td>
<td>2,681</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Waiters and Waitresses</td>
<td>2,464</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Food Preparation and Serving Workers</td>
<td>2,444</td>
<td>up to $19,600</td>
</tr>
<tr>
<td>Customer Service Representatives</td>
<td>2,354</td>
<td>$19,710 to $27,380</td>
</tr>
<tr>
<td>Postsecondary Teachers</td>
<td>2,184</td>
<td>$41,820 and over</td>
</tr>
<tr>
<td>Truck Drivers</td>
<td>2,104</td>
<td>$27,500 to $41,780</td>
</tr>
</tbody>
</table>

http://www.bls.gov/emp/emptab4.htm

The remaining occupations that will provide employment for the bulk of American workers are categorized in the low, or very low pay ranges (BLS *February 2004 Monthly Labor Review*). Bear in mind that the 2001 federal poverty standard $17,650 and in 2005 the number has grown to $19,350 for a family of four (Department of Health and Human Services). The aforementioned low paying jobs only provide ‘up to $19,600’ (U.S. Department of Labor-Bureau of Labor Statistics 2004).

These pay rates are not sufficient to maintain, much less improve the standard of living for families, moreover, the earnings necessary to reach the federal poverty line continues to rise each year, note the $1,700 difference from 2001 to 2005. These figures point to increased job creation at lowest levels of the wage spectrum, subsequently, painting a grim picture of employment prospects for the majority of Americans.

In the light of new realities concerning ascendancy of service sector employment and its inherent wage inequities, the labor movement has expanded its fight to organizing the
service industry. This industry, as previously posited, is not as susceptible to reorganization and out-sourcing. These external factors establish the sector as a prime target for reinvigorating labor power.

This chapter has attempted to explain the economic factors affecting American workers. The wage gap, decline of real wages, diminishing job security, and falling union density have affected potential union strength and ability to mobilize. Union membership may be the most vital option for increasing job security, wages, and benefits for United States workers. Perhaps, corporate campaigns are a useful strategy for leveling the playing field between corporate America and its workers, assuring that their grievances do not go unheard and possibly paving the way for improved standards of living.
CHAPTER 4

METHODOLOGY

This study examines the effects of union corporate campaigns. In order to analyze the characteristics and end results of the phenomena the research design employed in this study is qualitative. This approach helps to present a middle range theory that attempts to explain whether the independent variable, engaging in corporate campaigns, influences the outcome of the dependent variable, concessions. Since this is a mid-range theory, it has limited external validity and is best applied to labor union conflict environments.

The independent and dependent variables are linked together through intervening variables. These are the tactics and contexts in which the campaigns were conducted. This is an explanatory study seeking to test for a causal relationship between unions’ applications of corporate campaigns to labor conflicts and business forfeiture. Although the cases were chosen inductively, which will be clarified shortly, the study was approached deductively. The theory was formed before any efforts were embarked upon to research data.

Intervening variables that connect the independent and dependent variables are corporate campaign contexts and tactics. Organizing, strike complement, and strike substitute campaigns are contexts in which cases are evaluated (Jarley and Maranto 1990). Tactics examined within these circumstances are litigation, coalition building, pressuring the company’s financial associates, on-job actions, exerting pressure on
government officials, efforts to compel regulatory agencies investigations of businesses breaches of law, protests, and negative publicity campaigns waged against the offending companies.

The control variables that may affect a campaign's tactics used, as well as their victory or defeat, as specified in the diagram, are the external economic and legislative environment. For the purposes of this study, these are assessed by whether or not the campaign was waged during a recessions and if labor actions took place in a state that has right-to-work laws. As mentioned in preceding chapters, recessions may undermine labor initiatives, primarily because economic downturns make it more difficult for unions to rally both internal and community support. Internal support may be weak as a consequence; therefore, potential participants might have concerns about losing their jobs. On the other hand, external support may not be present if the union neglects to gather support by framing their cause in terms of social injustice as opposed to simple economic self-interest (Perry 1987).

The second control variable is whether the particular state in which the campaign was conducted had enacted right-to-work laws. Companies take advantage of this legislation in order to 'bust unions,' in other words, businesses have the upper hand to fire, at will, any workers voicing dissension or calling for union organization (AFL-CIO).
Another external consideration, which is not a control variable, but does need to be discussed, is that union density has dropped nationwide prior to and throughout the period examined. This negatively influences the potential pressure that labor, as an interest group, could wield in economic and political spheres. Shrinking density has additionally diminished the availability of resources, specifically union dues and mobilizable members, which unions require for pursuing tactics, such as strikes and costly publicity campaigns. Union dues are generally not increased to compensate for the shortfall because union members are unwilling to vote to do so.

The aforementioned variables are tools used to explore the primary question of this paper: Have unions that engaged in corporate campaigns been effective in gaining concessions from businesses? The variables are also fundamental for examining the
secondary hypothesis: Are there identifiable combinations of tactics that may be used in specific campaign contexts that result in unions gaining concessions?

Collection of Data

Only cases with documented outcomes were included for analysis. Fifteen cases are examined in this study. The criteria for case selection was: 1) if a campaign was reported by media or labor organizations to have succeeded, failed, or the union declared that the campaign was over and 2) that the cases demonstrated variation on the independent and dependant variables.

The selected cases were drawn from secondary sources such as newspapers, affiliated labor organizations, and unions' public statements. Academic Universe, Lexis-Nexis, Newspaper Source, and Pro-Quest were the primary databases used to find the majority of articles involving corporate campaign cases. General Internet searches were also used to access supplemental articles and union statements. It was essential that each case selected had at least two sources stating the same key tactics were utilized and reaffirmed campaign outcomes. This increased the validity of campaign data analyzed. At least five cases were lost due to this corroboration benchmark. Waning media interest and union's discontinuing publicity of their efforts were the primary causes for omission.

There are some biases concerning case selection in terms of the unions that were most commonly engaging in corporate campaigns. The service industry unions accounted for six out of the total campaigns waged. This is primarily due to stability and job growth of the service industry sector and additionally attributable to unions viewing this expanding industry as a prime target for unionization. Furthermore, cases may have occurred that

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were not covered by media. Lack of coverage may be attributable to lack of space in a publication, an assumed lack of public interest in the story on behalf of the journalist, or simply that unions were not successful in obtaining media attention.

The data may also reflect some regional biases. The northeast and southern parts of the Unites States account for most of the corporate campaigns undertaken. The northeast has traditionally been America’s manufacturing core, because of its port access and rich mineral caches; therefore it could be concluded that union actions in this area are focused on retaining jobs and rights for workers in the companies still remaining in that region (U.S. Department of State). The southern parts of the nation have recently emerged as a prime location for manufacturing. The reason for this area’s rising popularity for business relocations is that it is characterized by low union density, lower wages, and state and local governments’ generous tax breaks (Primedia Business Magazines & Media Inc.2002).

Secondary case selection and analysis was used because corporate campaign event descriptions were easily obtainable in this manner. This was the best way to retrieve the information quickly and with the least expense. Another advantage of this method is that it aided in increasing content validity by providing direct occurrences and details of corporate campaigns. However, because the cases were chosen inductively there may be selection bias present. Another possible downfall of this approach is that the accounts might have contained journalistic inaccuracies. A major weakness for this type of case selection is that evaluation is based upon unions claiming a wins or losses. If a union releases a statement proclaiming victory, there are limited means of acquiring information through this method stating otherwise. It is hoped that these concerns
pertaining to data inconsistencies were remedied through triangulating every case found through the previously discussed sources.

A principle consideration that motivated using a qualitative approach was small numbers of reported corporate campaigns. This prevented the application of quantitative analysis, which would have required a much larger sample than the fifteen corporate campaign cases yielded. One reason for this shortcoming is that numbers of available sample cases were limited by the timeline explored, in this study, the first case begins in 1990 and the last case ended in June 2005.

Data Analysis

The data are addressed to ascertain not only whether corporate campaigns work, and additionally evaluate why they achieved positive or negative outcomes.

Union backgrounds, campaign duration, and complete accounts of each case are examined to provide the reader with an accurate illustration of union actions. This is relevant for evaluating whether these factors had any bearing on, or instrumental value in bringing about the results.

In order to evaluate outcomes and preserve the internal validity of the research, tactics and contexts are assessed and categorized to discover if there was direct causality—that the union’s application of tactics in designated situations directly produced a settlement. If found that there was no relationship between tactics, contexts, and unions gaining concessions, then there is a null hypothesis present. If a null hypothesis is the product of analysis then the campaign may have been concluded due to some other extraneous cause. Concurrently, if realized that tactics applied in particular scenarios created
successful outcomes, then the conclusions for the case will be to reject the null hypothesis. It bears to be mentioned that spurious relationships may be present if those involved in either the business or union side of the conflict falsely cited certain tactics used as being effective in influencing outcomes.

Case categorization adheres to the following format. First, some cases are classified as “wins.” This indicates that unions won all of their sought after concessions. Second is an intermediate category, signifying that concessions were achieved, but the union did not label the campaign a clear win. Another clarification of an intermediate designation is if there is ambiguity as to whether all sought after gains were acquired, but present is a substantial negotiated settlement. The third are losses. This denotes that the union declared a loss, or that a contract was achieved—but finalized because the union conceded givebacks or concessions. A union proclaiming that they have ended the conflict with no win, or they were voted out as the primary bargaining unit also specifies a defeat.

After the cases are categorized, they are compared in order to examine the tactics employed by unions in similar contexts, for example the use of a boycott during a strike substitute campaign. The usefulness of a particular tactic in a specific context is measured in terms of how often the particular strategy was applied and the frequency with which it yielded positive outcomes, concessions from businesses.

A qualitative methodological approach was the most appropriate line of attack for this analysis. The data are events driven, therefore rational organization of contexts and tactics analyzed through a comparative structure was the most logical approach to this examination of corporate campaigns.

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CHAPTER 5

FINDINGS OF THE STUDY

This chapter presents the issues and outcomes of corporate campaigns in 15 cases. The backgrounds of each union are presented and issues that prompted labor to initiate their campaigns explored. Each case is summarized, differentiating the context in which it was fought and categorized according to tactics used throughout the dispute. Campaign outcomes are examined to understand the frequency with which certain types of campaigns were conducted and their applied strategies. These conclusions are subsequently compared and contrasted among cases to investigate if any causal relationship is present between the independent and dependant variables.

Union Backgrounds

Unions are the central bargaining unit for workers, facilitating contract negotiations and labor organization. It is fundamental to understand the history of a particular union, in order to know why certain unions act on behalf of a particular group of workers. This is why historical summaries of each union involved in corporate campaigns are outlined in this study.

The United Steelworkers of America (USWA) provided union representation for workers in four out of the fifteen corporate campaigns, thereby making it the prominent bargaining agent in the study. The companies involved in the disputes were Ravenswood

The USWA was founded on May 22, 1942. Various industry sectors shape the membership of the USWA, extending through both public and private spheres. However, union association is primarily concentrated in the fields of metal production and mining. Other industries are also represented, such as healthcare fields. Primary goals of the United Steelworkers are job security for its members, fairness and equality of opportunity and decent conditions in the workplace (Retrieved: 29 Jan. 2006. http://www.steelworkers-usw.org/usw/program/content/301.php). At its height in the 1970’s, the union represented 1.5 million members, both working and retired throughout North America. However, numbers had dwindled by the time it joined Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE) in January of 2005, creating a combined membership of 850,000 (Retrieved: 29 Jan. 2006. http://www.steelworkers-usw.org/usw/program/content/301.php). Since the merger, the union was renamed the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union. They intend to continue USWA’s drive towards improving wages, benefits, and overall conditions for its workers.

Hotel Employees & Restaurant Employees International Union (HERE) is the second most frequently involved union in the included cases. HERE negotiated grievances for employees in three of the fifteen campaigns. The Riese Organization, Cipriani Group, and La Costa Resort and Spa were businesses in the sample that went head to head with the union.
The Hotel Employees & Restaurant Employees International Union was established in 1891. Serving as the primary bargaining unit for employees in the hospitality sector, it sought to increase standards of living for its members through higher wages and benefits. On July 8, 2004, it combined with the Union of Needletrades, Textiles, Industrial Employees (UNITE), at which time their numbers increased to 500,000 working, and 400,000 retired members throughout the United States and Canada (Retrieved: 11 Feb. 2006. http://www.unitehere.org/about/history.asp).

The Union of Needletrades, Textiles and Industrial Employees (UNITE), prior to its merger with HERE accounts for one of the examined cases. Goya Food Inc. is the only case obtained that was targeted by the union.

UNITE was founded in 1995 through consolidation with the International Ladies Garment Workers Union (ILGWU) and the Amalgamated Clothing & Textile Workers Union (ACTWU) (Retrieved: 11 Feb. 2006. http://www.unitehere.org/about/history.asp).

Prior to its merger with the Hotel Employees and Restaurant Employees International Union (HERE), the union represented 210,000 garment, textile, and laundry workers in the United States (Retrieved: 11 Feb. 2006. http://www.unitehere.org/about/history.asp).

Combining membership of the Union of Needletrades, Textiles and Industrial Employees and the Hotel Employees & Restaurant Employees International Union resulted in an amalgamation renamed UNITE HERE. Angelica Textile Services is the one company in the sample that had a corporate campaign waged against it by the newly established union. One of the union’s paramount goals is to achieve equitable treatment for women and immigrant service employees.
Another union using corporate campaigns was the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), which represented multiple locals in their actions against the Caterpillar Company. UAW was launched in 1935. Today, it has grown to 500,000 retired and 620,000 active members located all across North America and Puerto Rico (Retrieved: 11 Feb. 2006. http://www.uaw.org/). There is virtually no sector that has not been organized by the UAW. Private and public sector employees, global companies, and small businesses all have members in the union. The UAW has centered their efforts on improving the wages, on the job safety, and benefits of their members; as well as involvement in advocating civil rights, environmental improvements, and fair labor practices legislation (Retrieved: 11 Feb. 2006. http://www.uaw.org/).


International Brotherhood of Teamsters (IBT) is another union included in the sample that conducted a corporate campaign. Their battle focused on Overnite Transportation Company. The IBT was established in 1903. The original Teamsters were responsible for
the bulk of cargo transportation in early America. By 1912, the IBT expanded from horse
drawn carriages to motorized vehicle transport of goods. Throughout two World Wars
until the 1970s, the union held steadfast and grew despite economic and political
adversity. Since then numbers have decreased, now the Teamsters have a membership of

American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)
instigated the corporate campaigns against Detroit News and Detroit Free Press on the
behalf of their affiliates: Teamsters Local 372 and 2040, the Newspaper Guild Local 22,
the Graphic Communications International Union (GCIU) Local 13N and Local 289, and
the Detroit Typographical Union 18. Although the histories were readily unavailable for
each local, accounts of the nationals are elaborated below.

The American Newspaper Guild was created in 1933. Its membership expanded
during the 1950s to include the National Guild of Canadian Media, Manufacturing,
Professional & Service Workers. In the 1970s, the union changed its name to the
Newspaper Guild. In 1997, the union merged, along with its Canadian counterpart, with
the Communications Workers of America (CWA). Newspaper Guild membership
consists of reporters, photographers, copy editors, clerks and building maintenance staff.
Primary motivations include traditional improvements of wages and conditions, however,
it also seeks to adhere to and improve standards of integrity within media, and expand
membership to others employed within the field (Retrieved: 28 Jan. 2006.
http://www.cwa-union.org/about/history.asp).

Graphic Communications International Union (GCIU) is an accumulation of mergers
beginning in 1882 with the founding of the Amalgamated Lithographers of America.
They then joined with the International Printing Pressmen and Assistants Union in 1964 forming the Lithographers and Photoengravers International Union (LPIU). They again increased their numbers in 1972 and 1973 when they merged with the International Brotherhood of Bookbinders and the International Printing Pressmen and Assistants Union, subsequently creating the International Printing and Graphic Communications Union (IPGCU). The final incarnation of the GCIU occurred in 1983 when the Graphic Arts International Union (GAIU) combined with the IPGCU. Their membership numbers total 175,000 throughout the whole of North America (Retrieved: 29 Jan. 2006. http://www.gciusf.org).

The AFL-CIO national also interceded in the Detroit News case on behalf of the International Typographical Union Local 18. The International Typographical Union was initially founded in 1852 and represented typesetters from the United States and Canada. In 1987, it joined with the Communications Workers of America (CWA). Within the CWA, typesetters and mailers currently occupy a specialized branch of the organization, the Printing, Publishing and Media Workers Sector (PPMWS) (Retrieved: 28 Jan. 2006. http://www.cwa-union.org/about/history.asp).

The AFL-CIO, which provided resources and centralized decision-making for the Detroit News and Detroit Free Press conflict, and was formed as a result of a merger between the American Federation of Labor and the Congress of Industrial Organizations in 1955. The AFL-CIO currently has 9,000,000 members, comprised of workers in almost every sector throughout the public and private spheres. The chief purpose of the national is to spearhead economic and social justice for their members in the workplace, community, and government (Retrieved: 7 Feb. 2006. http://www.aflcio.org).

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The Communications Workers of America (CWA) is another partner of the AFL-CIO. CWA helped its members wage a corporate campaign opposed to Bell Atlantic Corporation's contract offerings. The CWA was launched in June of 1947. It originally represented 162,000 workers. Today, it has 700,000 workers in media, the airline industry, public sector employment, electronics, and manufacturing. Membership spans across the United States, Canada, and Puerto Rico (Retrieved: 28 Jan. 2006. http://www.cwa-union.org/about/history.asp). Major concerns of the union include the prosperity of its members and forwarding policy issues dealing with healthcare, Social Security, and international trade.

The last union involved in the sample of corporate campaigns is the Service Employees International Union. They forged a corporate campaign against California's Catholic Healthcare West (CHW).

SEIU is one of the fastest growing unions in North America. The 1,800,000 members are employed in the healthcare fields, public service, and property maintenance. The union was originally established in 1921 under the name of the Building Service Employees International Union (BSEIU). In 1968, the union changed its name to Service Employees International Union (SEIU) (Retrieved: 7 Feb. 2006. http://www.seiu.org). The current objectives of the SEIU are to empower their members politically—in their communities and in their workplaces by bringing people together across sectors under the banner of one universal workers union.
Case Summaries

The circumstances in which corporate campaigns are used as tools for winning employer recognition and concessions are diverse and labor actions are primarily derivative of the resources that a union has at its disposal and leadership decisions. Union strength, financial reserves, and ability to mobilize influence tactical choices (i.e. whether leadership will embark upon an expensive negative publicity campaign) and effects that a corporate campaign will have on company bottom-lines. Below are summaries of the sampled cases, their contexts, tactics, and outcomes.

Ravenswood Aluminum Corporation

Ravenswood Aluminum Corporation is the first occurrence of a corporate campaign included in the sampled time-span. The Ravenswood plant, located in West Virginia, was built in 1957 as an aluminum manufacturing facility. It had been a part of the Kaiser Aluminum Corporation until the sale of the business in February of 1989, producing Ravenswood Aluminum Corporation (Retrieved: 27 Jan 2005. http://202.165.76.70/Smelters/al/Ravenswood.htm).

The USWA began their actions against the company on November 1, 1990. The issues provoking the conflict were failure to arrive at a contract, threats from management to combine jobs, forced overtime, pay and pensions, and lack of enforced safety regulations (Weissman1991). When their contract came up for renewal in 1990, management proposed severe cuts in benefits and jobs. The union refused to make concessions, resulting in a lockout, which was instituted on November 1, 1990, involving
1,700 employees. Replacement workers were hired to fill the locked out employee’s positions (Weissman1991).

Lockouts, for the purposes of this study, fall into the same context as strike complement, because employees are not in the workplace and lack the ability to engage in on-job actions that give them the power to compel concessions through work slowdowns and pressures on a company’s bottom-line. Subsequently, the ability to pursue on-site actions characterizes lockouts as more akin to strike complement than strike substitute or organizing campaigns.

USWA Local 5668’s corporate campaign targeted the majority shareholder of Ravenswood, Marc Rich. Rich fled the United States in 1983 to avoid charges of tax evasion, investment fraud, and racketeering. Union investigators were sent to Switzerland to research possible connections between Ravenswood Aluminum and Marc Rich (Draper 2003). After discovering that there was indeed a link, the USWA made Rich one of the central targets of their campaign in the hope that he would force company management to bargain.

The first corporate campaign tactic used in the battle were union protests outside of Swiss government offices, voicing disapproval at the government for harboring Rich (Draper 2003). Additional rallies on plant property and shareholder meetings were conducted.

The union also pursued the avenue of pressuring Rich’s financial associates. This strategy, combined with protests and negative publicity were key to his subsequent denial of interests in the Slovakian National Aluminum Company and also deterred him from a majority share in a Romanian hotel (Bergin 2005).
The negative publicity campaign exploited the criminal accusations against Rich to create "Wanted" leaflets. The flyers displaying his picture and the charges were distributed throughout the United States and Switzerland (Bergin 2005).

Boycotts were also influential in the campaign. USWA established a boycott targeting beverage companies who purchased aluminum cans from Ravenswood Aluminum. As a result, Stroh's and Budweiser terminated their contracts with the company (Bergin 2005).

The union additionally pressured for regulatory agency investigations of the company. USWA filed grievances against the company with OSHA (Draper 2003 and Bergin 2005). The plant inspections led to massive fines. OSHA’s subsequent findings were publicized, allowing for the USWA to form coalitions with environmental organizations as a result of Ravenswood’s poor safety and environmental record.

Litigation was yet another tactic used by the union. The USWA filed several unfair labor charges with the NLRB (Bergin 2005). Ravenswood’s reaction to the union’s accusations included stalled contract negotiations, increasing plant security measures to thwart protestors, and continued scab labor recruitment.

The campaign was successfully concluded in April 1992, in spite of management’s anti-union maneuverings. Marc Rich eventually caved under the pressures of the negative publicity and $29 million in contract losses. He fired the company’s executives, paving the way for contract negotiations by hiring management that was more amenable to reaching a settlement (Draper 2003). The final deal included reinstatement of locked-out workers jobs and back pay, and wage and pension increases (Draper 2003). Overtime and job combining issues were discussed and compromised on, however, no monetary or benefit givebacks were present.
Caterpillar Company

The second case is a campaign waged by the UAW involving the Caterpillar Company. Caterpillar Company, established in 1925, was the result of a merger between two California firms: the Holt Tractor Company and the Best Tractor Company. Headquartered in Peoria, Illinois, Caterpillar manufactures construction equipment for building roads, logging, and pipelines (Retrieved: 2 Feb. 2006. http://www.cat.com/).

The conflict began in November 1991, when the first strike commenced. The strike, however, came to an end in April 1992, when workers unconditionally accepted previously rejected contract terms, because of Caterpillar’s threats to replace the striking workers (Devinatz 2005). The corporate campaign ensued soon after the strikers returned to work. Predominant issues throughout the conflict were union charges of unfair labor practices, Caterpillar’s threats to relocate to Mexico, wages and cost of living increases, pensions, job security, and the hiring of temporary workers (Cimini 1998 and Cohen 2002).

On-job actions occurred from 1992 until the second strike started in 1994. Tactics used within this strategy were work slow downs, (employees performing their jobs at the bare minimum), wildcat strikes (mass job walkouts lasting from a couple of hours to two days), and inside games (workers wearing union regalia, lunchtime rallies and protests, and engaging in onsite leafleting) (Cohen 2002).

The second strike began in June 1994 and ended in November 1995, involving roughly 9,000 workers. This is when the context became a strike complement corporate campaign. Caterpillar retaliated against the union by applying their contingency plans of hiring previously screened and interviewed scab workers (Devinatz 2005).
UAW’s campaign against Caterpillar at this point took place on four battlegrounds—Illinois, Tennessee, Colorado, and Pennsylvania. Throughout the on-job actions and the strike, the union waged a negative publicity campaign which included publishing full-page newspaper advertisements attacking Caterpillar, gaining television airtime on local programs to expose union grievances and frame the company’s actions in the dispute as egregious and recalcitrant (Devinatz 2005). Included in the unions media blitz against the company were national conferences aired by the UAW (Devinatz 2005).

The union also applied pressure on the company’s financial associates. UAW members picketed and handed out flyers at shareholder meetings. They additionally sent letters to Caterpillar customers warning them that the campaign would continue to escalate if company management did not come to the bargaining table (Devinatz 2005). Other letters were mailed to investment brokers, stating that the company was in a dire financial situation due to the prolonged conflict, urging them to advise their clients to cease investments in Caterpillar (Devinatz 2005).

Protest was a largely applied strategy as well. Demonstrations, picketing, and distributing flyers occurred at Caterpillar trade shows, dealerships, during company sponsored community activities and sporting events, and also took place outside executives’ residences (Devinatz 2005).

Litigation was a final tactic used. Over 1,000 charges were filed with the National Labor Relations Board (NLRB) by the union (Cohen 2002).

The second strike ended in late 1995, when the union advised members to break from the strike and unconditionally return to work (Devinatz 2005). The UAW hoped that this
would hurry a settlement; instead, union members voted down the negotiated contract in December of that year by 78 percent (Cohen 2002).

After the contract was rejected, Caterpillar retaliated against union’s strategies by instituting rules severely hindering any on-job actions through the threat of legal actions against the offending employee and possible job loss. However, the campaign continued, marked by sporadic demonstrations, but the overall strength of the union action weakened due to lack of centralized UAW support and perilous consequences for workers undertaking in-plant actions (Devinatz 2005). UAW members finally approved a contract in February 1998, which was similar to one previously rejected in 1995 (Devinatz 2005).

The campaign falls into the intermediate category, due to the givebacks outlined in the agreement. Moreover, union actions had no effect on the company’s stock, ability to attract investors, or its earnings (Devinatz 2005). The givebacks outlined in the final contract were: no pattern bargaining, eliminated company co-payments for retiree healthcare, adoption of a two-tier wage that started new hires at 70 percent of entry level union scale, allowed longer workdays and workweeks without overtime pay, and gave management the right to hire temporary and subcontracted employees, whereby reducing the number of union jobs (Devinatz 2005). Contract gains included some increases for wage and pensions, assured job security for full-time workers, a moratorium on relocation plans to Mexico, limits on the number of temporary hires, and a freeze on plant closures (Cohen 2002).

After a proposed contract was voted down by 97 percent of Local 7837 in late 1992, the union members decidedly embarked on a corporate campaign (Weissman 1996). UPIU began their contract campaign with on-job actions including work slow downs, wildcat strikes and inside games. As a result of these engagements and their subsequent drag on production, Staley refused to give in to union contract demands. Instead, management retaliated by locking out 700 workers on June 27, 1993 (Weissman 1996). The contract issues to which Staley was so vehemently opposed were guarantees for seniority rights, retention of established grievance procedures, moratorium on subcontracting to nonunion plants, increases in worker safety, and the union’s rejection of 12-hour rotating shifts (Weissman 1996).

The context for the campaign is a strike complement campaign as categorized by a lockout. Another tactic employed in this scenario by Local 7837 was protest; locked out employees and sympathetic members of the public and allied unions frequently held demonstrations outside the plant’s gates. Other protests initiated aimed at pressuring government agencies. One in particular was held in front of the State of Illinois Center in
Chicago, not for the purpose of urging support for contract concessions, but to protest unpaid unemployment benefits for locked out Staley employees (Roman 1993).

Boycotts focused on pressuring Staley’s financial associates were additionally conducted throughout the campaign. The first targeted Miller Beer, who did suspended their contracts with Staley, and Pepsi Co., who did not. The second boycott was aimed at State Farm. State Farm was targeted because of its stock holdings in Tate & Lyle. It was the UPIU’s intention that a consumer boycott against the State Farm would pull the insurance company into the conflict, and in turn force Staley to the bargaining table (Socialist Worker Online 1996).

Litigation was also used to persuade a contract settlement. The UPIU filed complaints to the NLRB stating Staley threatened to permanently replace locked out employees with temporary workers, charges which were upheld (Detroit Workers’ Voice 1996).

Coalition building proved to be a mixed bag of results. UPIU successfully allied with UAW members involved in the Caterpillar dispute and USWA members who waged their own campaign that targeted Bridgestone-Firestone Inc., forming solidarity between the three unions, creating an alliance now known as the “War Zone” (Socialist Worker Online 1996). The counter example to the abovementioned is the UPIU attempt to expand sympathy for their plight through appealing to union nationals. UPIU wrote letters to the Teamsters, the International Brotherhood of Electrical Workers (IBEW), the United Steelworkers (USW) and the Laborers International Union of America (LIUNA) asking them to refrain from crossing the picket line. No response was received and the aforementioned unions furnished no support during the conflict (Weissman 1996).
The dispute ended on December 22, 1995, with the UPIU Local 7837 accepting a contract offer validated by 286 with 226 votes against (Weissman 1996). The contract Staley offered had lower benefits than the one they had previously rejected in October 1992. Only 180 of the total 700 workers returned to work, without back pay, the remaining accepted severance packages, leaving 350 employed after the conflict (Weissman 1996). In sum, the accepted contract agreed to 12-hour rotating shifts, weakened seniority rights, limitations on previously implemented grievance procedures, no improvements for worker safety, and relented to subcontracting to nonunion facilities (Weissman 1996). This case is classified in the intermediate category, because a contract settlement was eventually reached that included increases in wages and benefits, although it did not include all sought after concessions.

Bayou Steel Company

The United Steelworkers of America (USWA) Local 9121 strike complement corporate campaign with Bayou Steel Company started in January of 1993. Bayou Steel is located in La Place, Louisiana. The company was founded in 1981 as a holding of Austria's Voest-Alpine. A few years later in 1986, the steel company was sold to RSR Corporation (Retrieved: 7 Feb. 2006.http://www.bayousteel.com/). That same year, Bayou Steel workers adopted the USWA as their central bargaining agent (Northrup and Steen 1999).

The corporate campaign was produced through a break down in contract negotiations in March 1993. The contentious issues included higher wages, opposition to Bayou's
sought after productivity-based pay and overall benefit and wage cuts, concerns over work hours, and the replacement of striking workers with scab laborers (Rich 2002).

In March 1993, 300 USWA members went on strike; consequently, 400 temporary workers were hired by Bayou as replacements for the striking employees (Rich 2002 and Northrup and Steen 1999).

Protest was a primary tactic used throughout the conflict. Strikers traveled to Texas to demonstrate in front of the home of Bayou Steel's chairperson of the board, Howard Meyers (Northrup and Steen 1999). USWA also picketed the residence of Bayou's President, Jerry Pitts on numerous occasions, as well as plant managers (Northrup and Steen 1999).

Negative publicity campaigns focused on bringing public attention to USWA's grievances with Bayou. This tactic was employed to pressure business associates and investors as well. Principal actions within this category include a February 1998 advertisement placed by the union in the Wall Street Journal stating, “Bayou Steel Corporation: Fined. Under Investigation. Charged” (Northrup and Steen 1999, p.3).

Pressure on regulatory agencies was another predominant approach. Complaints were filed by the USWA with the Environmental Protection Agency (EPA), Securities and Exchange Commission (SEC), and the Occupational Safety and Health Administration (OSHA). Union members also filed grievances with state level agencies like the Louisiana Board of Commerce and the Industry and the Louisiana Department of Environmental Quality (Northrup and Steen 1999). The strategy yielded results. In 1993 and 1994, the company attempted to refinance their mortgage bonds; in accordance with established procedures, Bayou had to file with the SEC to refinance its $75 million in
holdings (Northrup and Steen 1999). The SEC was then forced to investigate claims that Bayou’s alleged noncompliance to environmental regulations would possibly affect the company’s viability in the future and in turn, render it unable to repay the borrowed loans (Northrup and Steen 1999). This tactic worked, because it temporarily held hostage Bayou’s search for capital.

Complaints by union members to the EPA also forwarded allegations that Bayou was amiss in their adherence to environmental laws. The USWA manufactured reports entitled “Environmental Audit: Bayou Steel Corporation” (Northrup and Steen 1999). The article was distributed to the EPA, media, public, and various environmental organizations (Northrup and Steen 1999). The report was also presented to the Louisiana Board of Commerce and Industry (BCI), in order to convince the board to refrain from giving Bayou Steel tax reductions. (Northrup and Steen 1999). The widespread report did succeed in persuading the BCI to refrain from awarding Bayou preferential tax breaks.

The USWA additionally attempted to coerce Bayou Steel’s financial associates. RSR Corporation, Bayou’s parent company, was contacted and asked to intervene on the union’s behalf to compel management to bargain with the union (Northrup and Steen 1999). The USWA also sent letters to the board of directors asking them to help establish contract negotiations. The union furthermore suggested in their correspondence that they intended to continue their corporate campaign against the company if bargaining was not resumed (Northrup and Steen 1999).

Another, less significant feature of the USWA’s corporate campaign was litigation, in the form of unfair labor charged against Bayou filed with the NLRB. This tactic was not reported to have influence management, nor bolster support for the campaign.
Bayou retaliated to the USWA's aggressive strategies by alleging that the union violated the Racketeer Influenced and Corrupt Organizations Act (RICO), arguing that the tactics used were akin to blackmail (Northrup and Steen 1999). Bayou Steel filed their grievances with the United States District Court in the District of Delaware charging that the regulatory harassment of the company was intended to coerce a collective bargaining agreement (Northrup and Steen 1999).

The strike complement campaign ended in September 1996, as a resounding loss. Despite Bayou's legal fees totaling roughly $3 million, concessions were not generously given. The contract accepted included no improvements and only negotiated after fruitless union expenditures totaled $3 million for the battle waged (Northrup and Steen 1999). The tenets of the contract were not voted on by Local 9121, but instead approved by the national (USWA), and conceded major concessions to the company. Members received no wage increases, the few reinstated employees received no back pay, a productivity based wage system was implemented, and employee paid healthcare contributions were not raised (Northrup and Steen 1999). The main impetus for the contract settlement by the USWA was to have the RICO charges dropped. The company, aside from numerous benefits gained from the contract, also won provisions to have all pending suits against them dropped (Northrup and Steen 1999).

Bridgestone-Firestone Inc.

The labor conflict between the United Steelworkers of America (USWA), acting on behalf of the United Rubber Workers (URW) against Bridgestone-Firestone Inc., was a strike complement coupled with a lockout campaign that took place in Illinois beginning

The dispute began with a strike brought on by contract negotiations failure. Bridgestone-Firestone Inc. pressed its employees for concessions, which included extended workweeks, shifts, and decreases in pay and benefits, and increases in healthcare co-pays (Kaye 1996). Additional URW grievances, aside from those previously discussed, were the company’s reluctance to raise hourly pay so that it would rival industry prevailing rates and deficient benefits packages (Kaye 1996).

The strike action of the campaign ended in May 1995, in the midst of the union giving an unconditional surrender to the company, based on the expectation that there would be a continuation of contract negotiations. However, Bridgestone refused to rehire all of the striking employees and instead exacerbated the situation by turning it into a lockout. Bridgestone hired temporary workers to replace the locked out employees, furthermore, threatening to permanently retain the scab laborers. The union’s response to Bridgestone’s retaliatory measures was to file an unfair labor practices complaints with the NLRB.

In July 1995, the URW merged with the USWA, who decided to escalate the dispute into a corporate campaign with the intentions of swaying management into negotiations for an equitable contract (Kaye 1996). After the two unions joined forces, the number of workers involved in the dispute expanded to 6,000 at various Bridgestone-Firestone plants (Kaye 1996).
A tactic used in the conflict to pressure investors and involve the public was a cyber-campaign launched by the union. Mass emails sent urged customers, retailers, and investors to boycott Bridgestone-Firestone (Walker 2001). Internet addresses were obtained by labor activists building databases of concerned sympathizers who signed up to receive updates of union action through the USWA website. The Internet addresses for retailers and investors were a matter of public record and listed on the USWA’s website, subsequently offering the opportunity for those concerned with the conflict to voice their objections. They also included updates, both on the website and through emails, on the obstinate stance the company assumed throughout the dispute. As a response to the cyber-campaign, the company implemented an alternative email system as contingency, fearing a server overload resulting from massive emails supporting the locked-out workers (Walker 2001).

The cyber-campaign was also accompanied by a negative publicity campaign. The USWA invested in a barrage of radio advertisements detailing union member’s grievances and criticizing Bridgestone for stonewalling negotiations (Greenhouse 1996).

A successful facet of the USWA’S grassroots boycott strategy was that their letter writing, negative publicity campaign, and demonstrations resulted in 30 city councils to passing resolutions boycotting the use of Bridgestone-Firestone Inc. tires on municipal vehicles. The boycott had a negative influence on the company’s bottom-line and may have been fundamental for pressuring management to bargain. Another positive feature of the campaign was that a number of USWA supporters and activists ran for local public offices, promoting agendas and platforms seeking resolutions to the contract battle (Greenhouse 1996).
Also widely employed in the battle were protests. Demonstrations took place at the Indianapolis 500 and other car races encouraging a boycott of the company. Members also held rallies and handed out flyers in front of tire dealerships throughout the United States (Greenhouse 1996). The USWA additionally engaged in daily vigils outside Bridgestone’s corporate headquarters in Nashville, Tennessee. The protests spread to overseas locations, where allies of the locked out workers exhibited their solidarity by protesting plants in eight other countries (Kaye 1996). Japan, France, Brazil, and Argentina are examples of where solidarity protests occurred at Bridgestone-Firestone affiliated plants and outlets, whereby demonstrating the unions marked success in building cohesive coalitions (Kaye 1996).

A contract settlement was reached in November of 1996. The union had a sizable victory, obtaining reinstatement for all locked out employees and back pay. Provisions in the contract additionally provided for wage and benefit increases, sealed Bridgestone’s pact to stop seeking co-pay increases, and secured the union’s agreement to drop all charges filed with the NLRB (Kaye 1996). The issues pertaining to longer shifts and extending workweeks evaporated during the negotiations (Kaye 1996).

Overnite Transportation Company

The International Brotherhood of Teamsters (IBT) conflict with Overnite Transportation Company was as a strike complement campaign launched in 1999 (Machalaba 1999). Overnite is located in Richmond, Virginia and employs more than 14,000 workers across the United States. They have roughly 170 terminals that deliver
freight, of these, 140 went on strike. Union Pacific Corporation currently owns the transportation company (Machalaba 1999 and Lewis 2000).

The number of workers involved in the dispute became a debatable figure between Overnite and the Teamsters. The union asserted that they represented roughly 5,800 workers, whereas the company countered that the union was only acting on behalf of 1,800 employees (Lewis 2000). The primary motivation for the strike was the two parties’ inability to agree on the terms of a first contract. One of the sticking points was the company’s strong opposition to the Teamsters absorption and control of Overnite employees’ pension funds. The union sought to deposit the funds into their general retirement fund accounts; members also objected to grievance procedures and work rules, and the Teamsters wanted wages raised from $17 an hour to $17.25 (Machalaba 1999).

Litigation was the predominant tactic used. The Teamsters filed more than 1,000 complaints with the NLRB, charging that Overnite had intimidated, illegally fired, and harassed its members (Lewis 2000).

Coalition building was another pursued strategy, which yielded results. Union sympathizers and members conducted mobile picketing, following Overnite’s trucks to their destinations and protesting outside of the businesses where the goods delivered (Bigler 2002). Other competing companies, such as Yellow Freight and United Parcel Service, showed their support for the workers by refusing to cross picket lines, and load or deliver shipments (Bigler 2002).

Teamsters’ calls for a boycott of Overnite and its mobile rallies spurred management to take retaliatory measures. Overnite charged that the union was engaging in an unlawful secondary boycott, indicting specific union activists and upper echelon leadership within
the organization (Bigler 2002). A secondary boycott is “an attempt by labor to convince others to stop doing business with a firm that is the subject of a primary boycott; prohibited by the Taft-Hartley Act” (Wikipedia). The allegations made by Overnite additionally asserted that other delivery companies refused to cross picket lines, whereby disrupting supply lines. This charge did have merit, considering Yellow Freight and United Parcel Service did indeed refuse to cross the picket lines, verifying the validity of the secondary boycott charges (Bigler 2002).

However, these union actions also resulted in the previously stated negative consequence of several union officials and activists being accused of engaging in secondary boycott actions, which may have contributed to a loss of mobilization due to activists’ fears that they would be subjected to criminal allegations as well.

After spending large amounts of money and filing multiple lawsuits, Overnite successfully blocked the Teamsters from achieving a first contract (Bigler 2002). The strike was called off in the summer of 2002 and Overnite terminals voted to decertify the union, essentially, dismissing UBT as their bargaining agent (Bigler 2002). Employees, prior to the decertification vote, had already begun to cross the picket lines and return to work, enticed by the company offerings of increased pay and benefit packages, whereby diminishing strike momentum (Bigler 2002).


*Detroit News and Detroit Free Press*

In June of 1995, contract negotiations failed between AFL-CIO sponsored unions: the Teamsters Local 372 and 2040, Newspaper Guild Local 22, the Graphic Communications International Union (GCIU) Local 13N and Local 289, and the Detroit Typographical

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Union 18 and the Knight-Ridder (owner of *Detroit Free Press*) and Gannett (owner of *Detroit News*) publications companies the *Detroit News* and *Detroit Free Press*. The jointly operating publishing companies refused to temporarily extend the contracts until a new settlement could be negotiated, prompting a strike complement campaign that commenced on July 13, 1995. Twenty-five hundred newspaper workers were involved in the Detroit Michigan walkout (McCreery 1995).

Frank Gannett and his business partners founded New York's Gannett Co. Inc. in 1906. The company expanded into operating television stations, numerous newspapers, and radio stations. It currently owns 17 newspapers and 21 television stations throughout the United States and runs 17 papers in the United Kingdom. Knight-Ridder Inc. was established later in 1974 through the merger of Knight Newspapers Inc. and Ridder Publications Inc. It established a newspaper publishing partnership with Gannett Co. Inc. in 1996. Currently, Knight-Ridder Inc. publishes 31 newspapers and is also a predominate force in Internet publishing and online news media (Retrieved: 28 Jan. 2006. [http://www.knightridder.com/about/corphistory.html](http://www.knightridder.com/about/corphistory.html)).

The contentious issues contributing to a suspended settlement were subcontracting, job cutbacks, employee co-pays for insurance benefits, lack of cost of living increases, and the companies' demands for a merit pay based wage system (McCreery 1995).

The AFL-CIO kicked off the campaign by launching a massive protest and leafleting campaign calling for a boycott of *Detroit News* and *Detroit Free Press* and publicizing the unions' issues. They asked individuals to cancel their paper subscriptions and additionally pushed for businesses to stop placing ads in the publications. They suggested

The boycott achieved positive outcomes. The company lost 25 percent of its newspaper subscriptions and advertising revenue (McCreery 1995; Revolutionary Worker Online 1997).

Another tactic exercised was protest. The unions applied pressure to the companies’ financial associated by holding demonstrations and handing out flyers at Gannett and Knight-Ridder board meetings (Revolutionary Worker Online 1997). Members also protested outside executives’ homes and held rallies at company headquarters and plant gates (Revolutionary Worker Online 1997). Knight-Ridder and Gannett combated the unions’ strategy by securing an injunction against mass picketing. The judge ordered that no more than ten picketers could demonstrate outside the plants at any given time (Revolutionary Worker Online 1997). The companies continued to intensify retaliations against ever-present demonstrations by enforcing the injunction, leading to the arrests of 300 union members and sympathizers in spring 1996 (Revolutionary Worker Online 1997).

The company’s retaliatory measures not only included hiring temporary employees to keep the paper up and running during the strike, but also a comprehensive legal strategy. Gannett and Knight-Ridder continued to use the courts, filing RICO charges against the union. The companies stated in their accusations that members were attempting to strong-arm negotiations through threats and acts of vandalism. Gannett and Knight-Ridder posited the AFL-CIO members physically intimidated employees and engaged in vandalizing plant facilities and onsite vehicles (McCreery 1995).
Despite the myriad of charges, the union was still able to gain public support and build alliances with public figures. The union partnered with former first lady Rosalyn Carter to publicize the battle as well as to persuade the companies to reach a settlement (Revolutionary Worker Online 1997). The president of the Detroit City Council, Maryann Mahaffey, also rallied behind the strikers by joining them on the picket lines and releasing public statements supporting the workers and calling on the companies to negotiate a contract (Gaboury 1995).

The AFL-CIO strike reduced the companies combined profits by roughly $46 million in the first year of the strike alone (McCreery 1995). However, the labor action failed to prove successful. No contract was achieved (Holhut 1997). On February 14, 1997, the union declared an end to the strike, requesting only that all employees be able to return to their formerly held positions (Revolutionary Worker Online 1997). Management initially refused the union’s unconditional surrender, however, by April 1997, they allowed 200 of the 2,500 strikers to return back to work (McCreery 1995). Frank Vega, Chief Executive Officer of the companies, originally openly snubbed the proposal, stating that the company would exploit litigation to stonewall the union and a return to work for its members "until all strikers left town or died" (Revolutionary Worker Online 1997). However, the union and Gannet and Knight-Ridder agreed to terms that would allow workers to return to work when job openings became available (Revolutionary Worker Online 1997; Holhut 1997).
Bell Atlantic Corp.

The Communications Workers of America (CWA) strike substitute campaign aimed at Bell Atlantic Corp. began on August 5, 1995 and involved 34,400 employees at facilities located in Virginia, West Virginia, New Jersey, Pennsylvania, and Delaware (Swoboda 22 Aug. 1995).

Bell Atlantic Corporation operated as the parent company for seven telephone services providers until it merged with GTE Corporation on June 30, 2000. Their original areas of operation were located in Washington, D.C., Inc. Maryland, Virginia, West Virginia, Delaware, Pennsylvania, and New Jersey. Bell Atlantic was established on January 1, 1984 when AT&T was forced to divest itself of its 22 Bell companies by the U.S. Department of Justice. In 2000, it joined with GTE Corporation to form Verizon Communications (Retrieved: 3 Feb 2006. www.fcc.gov/wcb/armis/carrrier_filing_history/COSA_History/bntr.htm).

The CWA’s campaign was set off by stalled contract negotiations (Swoboda 22 Aug. 1995). Issues providing obstacles for the settlement included Bell’s insistence on givebacks in wage and benefits, the company’s push for subcontracted labor, and demands for company reorganization—including the elimination of jobs. The union was opposed to these concessions and called for pay and pension increases and healthcare for retirees (Swoboda 6 Dec. 1995).

At the onset of the campaign, the CWA approved $5 million for radio and television ads publicizing the conflict (Swoboda 6 Dec. 1995). The negative publicity campaign targeted investors and focused on gaining sympathy from the public in order to compel bargaining (Swoboda 6 Dec. 1995).
Another tactic applied by the union was on-job actions. Members engaged in work slow downs and sickouts (when union members call in en masse). Employees also began to refuse to work overtime, which met with company retaliation, resulting in Bell suspending the uncooperative workers (Mayfield 1995). These tactics were reportedly ineffective, causing no discernible breaks in service and no impact on the company’s bottom-line (Mayfield 1995).

Protests outside of Bell facilities were also a frequent occurrence. Members additionally held rallies at Bell headquarters (Mayfield 1995).

The corporate campaign against the company was called off by CWA when negotiations resumed in December 1995. The end-results were not wholly favorable for the union, whereby, for the purpose of this study constitutes this case to be categorized in the intermediate category. Givebacks included giving Bell the freedom to cut jobs and launch broad reorganizing efforts, although, media provided no exact details regarding how many jobs would be effected. In addition, it was also reported that the union failed to accomplish provisions for company co-pays for retiree healthcare (Swoboda 13 Jan. 1996). CWA, however, did to negotiate a 0.5 percent pay increase and a 12 percent enhancement in pension and healthcare benefits. The union also managed to persuade Bell to refrain from subcontracting. The final contract was approved on January 12, 1996 (Swoboda 13 Jan. 1996).

Riese Organization

The three-year dispute between HERE and the Riese Organization began in January of 1996. The Hotel Employees and Restaurant Employees Union (HERE) Local 100
initiated the strike substitute campaign when their contract expired in January 1996. Main issues contributing to the discord were lack of job security due to restaurant closures, the absence of substantial and protected health insurance benefits, and pay concerns (Zuber 1997). The Riese Organization, operates as a subsidiary of National Restaurant Management Inc., which closed 25 unionized non-franchised restaurants from 1994 to 1997, creating job losses for employees. They then, in turn, reopened them as franchised facilities, which did not rehire the laid off employees and subsequently not covered by prior union contracts (Zuber 1997).

Irving and Murray Riese founded Riese Organization, based in New York, in 1940. Purchasing financially at risk restaurants and their accompanying property was the company’s original strategy. This approach propelled Riese into developing chain-restaurants and the ‘food court’ concept. It is now one of the largest restaurant management companies on the East Coast. Properties currently owned by the company include T.G.I. Friday’s, Dunkin’ Donuts, Houlihan’s, Martini’s, Kentucky Fried Chicken, Nathan’s Famous, Knot Just Pretzels, Nedick’s, Tad’s Broiled Steaks, Lindy’s, Charley O’s, Tequilaville, Times Square Grill, Pizza Hut, and Roy Rogers (Retrieved: 5 Feb. 2006. http://www.rieserestaurants.com/corphistory.asp).

Eighteen Riese restaurants and 450 union members were affected by the facility closures. Lindy’s, Charley O’s, Houlihan’s, Pizza Huts, Dunkin’ Donuts, Nathan’s Famous, Roy Rogers and Martini’s and T.G.I. Friday’s were the properties targeted by HERE Local 100 (Zuber 1997).

One of the most frequently used tactics during the campaign was protest. Members’ intentions were to further their negative publicity campaign against Riese, painting the
company as unfair to workers, and to heighten public awareness and support for their grievances. Examples of this action include a 200-person demonstration in front of Martini’s restaurant on 53d Street in January of 1997 (Zuber 1997 and Greenhouse 1997). A second direct attack against the company was a rally held in Times Square in February 1997 (Zuber 1997). This second swipe from the union aimed at criticizing Riese on the issue of reopening their restaurants as nonunion facilities.

A negative publicity ploy used to target the company’s business associates during the campaign was the development and distribution of the “Investor Alert” (Prewitt 1997). The “Investor Alert” pamphlet asserted that Riese Organization was fiscally unsound; claiming that it was carrying too much debt, unable to pay its property leases, and experiencing conflicts with franchisors. The literature also contended that the company failed to meet its facility expansion plans and restaurant improvement objectives. The “Investor Alert” was compiled by HERE’s research department and directed readers to contact Local 100’s offices for additional information (Prewitt 1997). Distribution of the pamphlet was primarily focused at rallies taking place outside financial conferences where Riese representatives were looking for investors (Prewitt 1997 and Zuber 1997).

An additional tactic employed by the union was coalition building. HERE succeeded in building alliances with clergy and various charitable organizations. The union achieved worker support from the aforementioned groups in the forms of additional protestors and letter writers, all of whom exerted pressure on Riese Organization. One such letter-writing campaign was aimed at Meals-on-Wheels. In the correspondence, there were attacks on Meals-on-Wheels contributor, the president of the Riese Organization, Dennis Riese. The hope was that the charity would force Riese to bargain (Prewitt 1997).
Local 100’s publicity battle used information derived from Riese’s health code violations (Greenhouse 1999). HERE members passed out pamphlets to people walking by or attempting to enter any of the company’s locations. The flyers contained health inspector reports concluding that the restaurants had vermin in their dining areas and kitchens. In December of 1998, this particular tactic paid off, forcing Riese to concede to most union demands. The breaking point was a New York Post article featuring a picture of a mouse sitting in the window of a Manhattan Dunkin’ Donuts eating a doughnut. Three weeks later, a resolution between HERE and Riese was reached (Greenhouse 1999).

January of 1999 brought a clear win for the union, possibly due to Riese’s perception that the union’s negative publicity campaign and consumer boycott would diminish company revenues. Considering the vast amount of publicity given by New York news outlets which publicized union grievances and publishing the company’s documented health violations, it is no wonder Riese felt that they were in a potentially precarious financial position that, in turn prompted management to engage in negotiations.

A paramount gain for union members was all employees were presented with job opportunities comparable to their former positions. Additionally given was back pay for all employees who lost their jobs due to restaurant closures. HERE also achieved assurances of job security for their members. The contract arrangement entailed provisions for location closures. If a location closed operations, Riese employees would be offered positions at other facilities. Additionally included was an agreement stating that if Riese Organization was to reopen a different restaurant in the same spot they had closed, that facility would also be union (Prewitt 1999). The final arrangement regarding
secured union representation provided for card-check recognition in Riese's non-franchise restaurants. However, union representation for the franchised sites required elections. The organizing concessions gave an opportunity for the remaining 1,050 of Riese's New York City employees to unionize (Greenhouse 1999).

Pay concerns were also addressed in the contract. Back-of-the-house and workers who did not receive tips won an 11.5 percent raise and tipped employees received a 7.5 percent pay increase (Prewitt 1999). The initially sought after health insurance protections and increases were not addressed in any of the articles chronicling HERE's collective bargaining, so it is uncertain whether the union succeeded in regards to this particular grievance.

Catholic Healthcare West (CHW)

The organizing campaign initiated by the Service Employees International Union (SEIU) against Catholic Healthcare West (CHW) began in 1997 (Osorio 2005). Over 20 hospitals and 9,000 Californian medical technicians, foodservice workers, housekeepers, and nurses at were involved in the campaign (Osorio 2005).


Organizing was launched to address wage issues, the expansion of medical benefits, and grievances concerning staff to patient ratios (Osorio 2002). The first tactic used was
negative publicity. The SEIU bought full-page advertisement in California newspapers charging that CHW were behaving hypocritically by practicing 'cafeteria Catholicism' (choosing to follow particular tenets of the religion and not others) that denied its workers social justice; the union additionally charged that the company attempted to intimidate employees who spearheaded organizing efforts (Osorio 2002).

The SEIU further extended its campaign to include public accusations that the CHW may have billed Medicare and Medicaid to recover costs of its retaliatory strategies against the organization campaign. The fallout from the allegations resulted in more negative media exposure directed at CHW, and a backlash from the Congress of California Seniors, a retiree association, that filed suit against the company in May 1999, which is still remains at this time undecided (Osorio 2002).

A final facet of the union's media blitz was bringing to the forefront the charity's hospital closing. The union released public statements positing that Catholic Healthcare had disregarded communities' needs for the hospitals, moreover, SEIU contended that no opportunities were given for the localities to take over the hospitals prior to the closures (Osorio 2002).

The union additionally attempted to pressured financial associates through their 1998 protest at Catholic Health Association's annual fundraising meeting, in front of which activists handed out a pamphlet referred to as the 'white paper' (Osorio 2002). The flyer accused CHW of insufficiently funding charity healthcare (Osorio 2002). Other rallies took place in the form of on-job actions. Walkouts and demonstrations took place in July and December of 2000 (Osorio 2002).
Coalition building was another tactic used by the SEIU. The union established an alliance with the National Interfaith Committee for Worker Justice (Osorio 2002). The group joined forces with the union, providing support at demonstrations and online publicity for the organizing workers cause.

Catholic Healthcare West endeavored to prevent SEIU’s organizing efforts by allegedly engaging in employee harassment and intimidation. CHW also publicly demanded NLRB elections, consequently rejecting the union’s push for card check and neutrality agreements (Osorio 2002). Neutrality agreements ensure that a company will not interfere with organizing effort and card checks are a means of foregoing the NLRB election process through a majority of workers signing a petition favoring union representation.

In spite of CHW’s attempts to subvert the union, the campaign ultimately proved successful. Catholic Healthcare agreed to allow card checks, resulting in hospital workers confirming SEIU representation. The battle over pay and conditions ended on April 26, 2002 with a contract agreement. Wages acquired average increases of 30 percent to 40 percent and benefits reaped a ten percent across the board gain. Provisions also established formations of in-hospital committees charged with addressing grievances and issues concerning staff to patient ratios (Osorio 2005).

Continental General Tire

Local 850 United Steelworkers of America (USWA) strike complement campaign targeting Continental General Tire was launched September 20, 1998. One-thousand, four-hundred and fifty workers were involved in Charlotte, North Carolina action

The core issue of the Continental Tire case was Continental’s purchase of General Tire. USWA gave back roughly $90 million in benefits and pay cuts, allowing enough time for the newly established company to become fiscally sound. By 1998, the company had become profitable enough to reinstate pay and benefits to pervasive industry rates. When the company refused to do so, the union voted to strike, resulting in the company locking out employees and seeking to permanently replace them with temporary labor (International Federation of Chemical, Energy, Mine and General Workers' Unions 11 Mar. 1999). The union also sought to combat company demands for increased production, 12-hour shifts, and mandatory overtime (Fowler 1999).

Protests were a principal tactic used by the USWA. Demonstrations were held to pressure investor to divest from their Continental holdings and to encourage government official’s involvement in ending the dispute. Rallies outside shareholder meetings and German consulates in Australia, Belgium, France, Germany, the United Kingdom, and throughout the United States were conducted by sympathetic members of the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM) (International Federation of Chemical, Energy, Mine and General Workers'
Global coalition building with the UAW and ICEM bolstered the USWA's solidarity drive leading to protests of Continental facilities, trade shows, auto dealerships, and tire retailers in several countries.

Calls for a boycott of the company were publicized through leafleting and the USWA's cyber-campaign, which began on June 8, 1999. The negative publicity campaign undertaken by the union focused on persuading Ford Motor Company dealers to boycott Continental, who subsequently refused to discontinue their contracts with the tire company. The union then began to target Ford's customers, charging that Ford vehicles were equipped with Continental's faulty, low quality tires made by unproven temporary workers; an additionally ineffective plea (International Federation of Chemical, Energy, Mine and General Workers' Unions 8 Jun. 1999).

The online action additionally provided opportunities for the public to email company executives and German government officials to voice their concerns (Walker 2001). The union website also made available toll-free telephone numbers for the customer relations divisions of Sam's Club and Wal-Mart Stores, two of Continental primary retail outlets (Walker 2001). Another feature of the website was its offering of downloadable flyers that union supporters could circulate at their local tire retailers (Walker 2001).

The most valuable tactic used in the campaign was litigation, illustrating clear-cut successes. Court involvement elicited by USWA included several unfair labor charges filed with the NLRB accusing Continental of violating federal statutes of United States labor law. Consequently, the NLRB ruled in April 1999 that the company had indeed violated sections of the National Labor Relations Act. The broken laws included failing to relinquish information essential for bargaining to union representatives and performing
illegal surveillance on employees involved in legitimate strike action (International Federation of Chemical, Energy, Mine and General Workers' Unions. 8 Jun. 1999).

Aside from court, validated retaliatory actions carried out by Continental, the company additionally threatened to replace striking employees with temporary laborers. Other measures taken included creating a company website in an attempt to defend itself from the onslaught of negative publicity produced by the cyber-campaign (Walker 2001).

The conflict ended on September 19, 1999 (International Federation of Chemical, Energy, Mine and General Workers' Unions. 20 Sept. 1999). The union won all petitioned for concessions, most importantly, a return to work for all striking employees. Provisions also achieved were increases for wages and cost of living, pensions, healthcare, secured seniority rights, denial of mandatory overtime and random drug screenings, and benefits for early retirement (International Federation of Chemical, Energy, Mine and General Workers' Unions. 20 Sept. 1999).

Goya Food Inc.

Union of Needletrades, Textiles, Industrial Employees (UNITE) began its organizing campaign in 1998 and through two elections established and confirmed their representation of 120 Goya Food Inc. workers in the Florida plant (Glasgow 2000). However, this was not the end, the campaign continued, increasing momentum in January 1999, when UNITE launched corporate campaign strategies targeting Goya (Hickey 2002).

Don Prudencio & Carolina Unanue founded Goya Foods Inc. in 1936. The food processing plant was originally located in New York. Goya, now headquartered in

The main issues hindering the settlement of a first contract and the success of the organizing campaign were working conditions, wages, and establishment of employee healthcare benefits (Glasgow 2000). Another, more divisive factor was the Goya’s recalcitrant anti-union stance.

Goya employees filed complaints with regulatory agencies, specifically the local health department, OSHA, and the Florida Department of Agriculture and Consumer Services. Inspections from the health department resulted in the discovery of rat and insect infestations at the plant, leading to a temporary halt of production and destruction of the hazardous foodstuffs. The report was also later used by the union, accompanied by pictures of the infestations shot by employees, in its negative publicity campaign and furthermore sent to the Florida Department of Agriculture and Consumer Services, which additionally conducted several successive inspections of the facility (Glasgow 2000 and Hickey 2002). The Florida Department of Agriculture and Consumer Services onsite check of the plant produced yet another temporary plant closure.

OSHA, at UNITE’s request, inspected the plant as well, finding that the employee grievances were well founded, subsequently fining Goya for ten breaches of safety standards (Glasgow 2000).

Goya employees also embarked upon on-job actions. Application of this tactic included mass holiday sickouts, work stoppages, and onsite rallies. One particular work stoppage that occurred lasted for more than 14 hours, shutting down the plant completely.

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(Glasgow 2000). During the walkout UNITE made a public request for a one day boycott of Goya products.

The negative publicity campaign also increased the public’s information concerning Goya employee issues. Aside from the highly publicized rodent infestations, the union activists and workers made appearances on Miami’s local Spanish radio and television programs, denouncing Goya management and explaining how they had been made to attend mandatory meetings in which videos were shown that demonized unions. Other allegations were made, both on air and through distributed literature, that managers had harassed workers, questioning them about whether they supported the union, and making statements that the company would close the plant if employees continued their attempts to gain a contract. Goya retaliated against the union’s use of public forums by placing its own ads on the same stations repudiating workers’ accusations and justifying their own stance (Glasgow 2000).

The previously stated charges and several other additional ones were brought before the NLRB. UNITE filed unfair labor charges on behalf of three employees who contended that they were fired due to their union activities. In 2001, these charges were found to have merit; a NLRB Administrative Law Judge enjoined Goya to give the workers back their formerly held jobs (Glasgow 2000).

Another tactic used by UNITE to apply pressure on Goya was coalition building. The union achieved support from community organizations including other labor organizations, activists, and local religious leaders. They also gained support from state Senator Kendrick Meek and House Representative Carrie Meek, who joined with the union at a town hall meeting, making public statements criticizing Goya and urging a
Maneuvers to involve retailers that carried Goya products were also brought into play. UNITE sent letters to Publix, Winn-Dixie, and Sedano's supermarkets asking for their help in bringing Goya to the bargaining table. The requests went unanswered by the stores (Glasgow 2000). However, protests were still held outside of the retailers, encouraging the stores and their customers to boycott Goya products (Hickey 2002).

The campaign proved to be a complete failure, company offers of potential raises and benefits increases diminished worker involvement and interest in the campaign (Glasgow 2000). The union succeeded in busting the union; no first contract was reached and in December 2000, Goya withdrew its recognition of UNITE as their workers' bargaining agent.

Cipriani Group

The New York based organizing and strike substitute campaign between Hotel and Restaurant Employees Union (HERE) and the Cipriani Group restaurant and catering service began in December 1998. The Ciprianis, fired 250 employees two days before Christmas immediately after acquiring the Rainbow Room, whereby instigating the battle (Bagli 13 July 1999).

The Cipriani Group, founded in 1958, own Harry's Bar in Venice, Italy, the Sherry-Netherland Hotel in New York, restaurants located in New York's Grand Central Terminal, a New York 55 Wall Street hotel, a catering hall on East 42d Street also in

The dismissed employees had been represented by HERE Local 6 for several years. The most antagonistic issue in this conflict, other than the layoff of employees, was union members' outrage concerning workers who were hired to replace them. The new hires were treated as non-unionized independent contractors (Bagli 16 May 1999). This employment status allowed the Ciprianis to escape paying Social Security taxes, workers compensation insurance, and disability on behalf of their employees. In addition to the aforementioned grievances, the temporary employees were hired at lower wages, lacked job security and denied any benefits. The Cipriani family also retained the 22 percent standard banquet service fee that is normally given to waiters as a gratuity. They asserted that the charge was not a tip; instead, distributed to the servers as wages (Bagli 16 May 1999).

Another charge lodged by HERE against the Cipriani Group was that it discriminated against hiring union affiliated candidates for jobs in their restaurants (Greenhouse 24 Jan. 1999). The Ciprianis' confirmed this allegation by stating that they could not afford unionized employees (Bagli 16 May 1999). HERE's campaign goal was the rehire of all discharged employees with contract provisions providing pay, benefits and job security.

HERE Local 6's corporate campaign actions began in January of 1999, when the union organized a picket line in front of the Rainbow Room. Shortly thereafter, the besiegement expanded to the Ciprianis' downtown restaurant in SoHo and to their catering hall by Grand Central Terminal. Picketing at all three establishments continued on a daily basis for the entire eight-month duration of the conflict. The union's initial
demonstrations were also accompanied by a call for New Yorkers to boycott Cipriani Group businesses (Bagli 13 July 1999).

Another aspect of the campaign was that because of the nature of the establishments, specifically that the eateries cater to wealthy high profile clientele, media provide constant coverage of the picketers simply due to their proximity to news worthy events and personalities attending the restaurants. For example, leaflets were distributed by HERE outside Cipriani's 42nd Street catering hall during the May 12, 1999 PEN Literary Gala. PEN is an organization that defends writers’ freedom of expression. Authors were forced to choose between attending the charity events or support worker’s rights. Newspaper and television reporters covered the protestors. They televised and published the writers who broke the picket line and those who did not (Bagli 16 May 1999). This event furthered HERE’s negative publicity campaign by increasing coverage for their grievances with the Cipriani Group.

Other triumphs that may be ascribed Local 6’s corporate negative publicity and boycott campaign strategies occurred in early May of 1999. Paul Newman decided not to host his Newman's Own/George Award at a Cipriani establishment (Bagli 13 July 1999). An additionally visible success transpired when actor Leonardo DiCaprio and film director Martin Scorsese also cancelled their yearly Film Foundation charity event due to their reluctance to cross HERE’s picket lines (Bagli 13 July 1999). Other companies canceling pre-booked events at Cipriani Group establishments included General Motors, George Magazine, and Home Box Office (HBO) (Bagli 13 July 1999). The Cipriani family claimed that the cancellations cost them tens of thousands of dollars and in retaliation for their losses, filed lawsuits against HERE (Bagli 13 July 1999).
HERE also engaged in efforts to compel regulatory agencies investigations of businesses breaches of law; HERE’s persuaded New York’s Department of Consumer Affairs in May of 1999 to investigate Cipriani’s absence of an operating license for their SoHo café (Bagli 13 July 1999). Cipriani was subsequently cited for failure to obtain proper licensing for West Broadway establishment.

Retaliation from the Ciprianis was public and aggressive. First, the restaurateurs attempted to file for Chapter 11 bankruptcy protection on their Sherry-Netherland Hotel restaurant in May of 1999 (Bagli 13 July 1999). The company filed with the intentions of striking back at the union for instigating and winning a $400,000 security bond to shelter three months of wages and benefits if the restaurant unexpectedly closed. However, the primary holder of the debt was Cipriani Corporation, which controlled 65 percent of the restaurant's outstanding debt (Bagli 13 July 1999). In sum, the Ciprianis were trying to file bankruptcy against the very same debts they owed to themselves.

Other efforts to stonewall the union occurred in July of 1999. The International Brothers of Teamsters Local 810 were given the opportunity to become central bargaining agents for Cipriani Group properties. The Ciprianis perceived the union as more complacent than HERE, expecting the Teamsters to negotiate more amenable contracts (Bagli 31 Aug. 1999). Ciprianis’ efforts to unionize facilities through Local 810 failed when Teamster President James P. Hoffa issued a cease and desist order to the Local, stating that they were not to interfere with HERE’s organizing efforts (Bagli 31 Aug. 1999).

In August of 1999, HERE was victorious, primarily due to the leverage gained by reducing company sales through the unions’ successful boycott efforts. HERE obtained a
six-year contract with the Ciprianis. Included in the agreement were stipulations to 120 of the 250 Rainbow Room employees. Not all 250 workers were rehired due to the restaurateurs' plans to reorganize the Rainbow Room into a catering business (Bagli 31 Aug. 1999). In addition to the aforementioned, all of the new hires at the facility were let go. Another facet to their agreement was that the Ciprianis withdraw their $5 million lawsuit against Local 6. The family also abandoned complaints that they had filed against HERE with the National Labor Relations Board (Bagli 31 Aug. 1999). Additionally achieved were firmly established terms regarding pay and tip scales, benefits, and job security.

La Costa Resort and Spa

Hotel Employees & Restaurant Employees International Union (HERE) initiated its strike complement campaign against California’s La Costa Resort and Spa in November 2001. Upon purchasing the resort in 2001, KSL fired all of the property’s employees and then demanded that they reapply for their jobs. Roughly, half of the 500 fired employees were rehired at lower wages, spurring workers to pursue strike actions (Shikes 2004). Temporary employees replaced workers who had walked off the job. Other issues provoking the campaign were centered on the majority of reinstated employees’ loss of health insurance; those who did receive benefits did so at increased contribution rates for lesser packages (Simpson 2004).

KSL Resorts KSL operates Arizona Biltmore Resort and Spa, Grand Wailea Resort Hotel and Spa in Hawaii, the Hotel Del Coronado in San Diego California, the La Quinta Resort and Club in La Quinta California, and the La Costa Resort and Spa located in
Carlsbad California. CNL Hospitality Properties Incorporated, a subsidiary of CNL Financial Group Incorporated, owns the previously listed hotels and KSL management enterprises. CNL is a real estate investment and financial services company whose center of operations is located in Orlando, Florida. CNL Financial Group was established in 1973 and began public trading in 1985 (Retrieved 31 Jan. 2006.


Boycotts applied by the union realized limited results. As an act of solidarity, the AFL-CIO included the resort on the online boycott list, informing the public and their members about the conflict. In March 2004, HERE contacted Palomar College, encouraging the event coordinators to cancel their two scheduled fundraisers. The college declined to do so, stating that the resort was the closest venue that had the capacity to house the benefit and furthered that relocating the event would affect attendance and ultimately the amount of money raised (Simpson 2004).

A similar boycott failure took place in July 2004. Deepak Chopra was set to hold a series of health seminars at the facility, when contacted to relocate the events; he also refused to do so. HERE held protests outside the hotel throughout the scheduled seminars (Schiller 2004).

In August 2004, a letter writing campaign aimed at discouraging a North County Times event was launched. These actions also met with failure and again HERE alternately engaged in protests outside the event. (Jacoby 24 Aug. 2004).

Coalition building with union members employed at KSL sister properties resulted in occurrences of sympathy strikes at the Claremont Resort and Spa and the Hotel Del Coronado (Schiller 2004). HERE also found support from the Interfaith Committee for

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Worker Justice. The faith-based organization also walked picket lines with union members and attended demonstrations and rallies (Schiller 2004).

When La Costa became aware of an impending strike, they did not seek to hurry contract negotiations, or to rehire all of the dismissed employees, instead becoming castigatory. Union dues, normally paid directly from employee checks, were held back by the company, resulting in a shortage of revenue to fund the strike (Jacoby 1 Jan. 2005). The company also discontinued their practice of paying workers for lunch breaks (Jacoby 1 Jan. 2005).

The strike ended and HERE prevailed with a final negotiated contract on December 29, 2004. Back pay was awarded and all of the striking workers were offered reinstatement. Other components of the agreement furnished healthcare packages comparable to the ones the workers had prior to their dismissals, pay raises ranging from 50 to 55 cents an hour, and La Costa also agreed to pay into the union health benefits fund (Jacoby 1 Jan. 2005). Perhaps the win was a product of KSL fears of prompting further sympathy strikes from the Claremont Resort and Spa and the Hotel Del Coronado, which would have had a negative effect on company profits.

Angelica Textile Services

The organizing and strike substitute campaigns undertaken by UNITE HERE and aimed at Angelica Textile Services lasted for eighteen months, beginning in December of 2003. Contentious issues included inadequate pay, worker claims of dangerous plant conditions, and Angelica’s resistance to organizing nonunion facilities (Silber 2005). Failure to renew expired contracts and efforts by UNITE HERE to use card check
recognition procedures at several facilities were also sticking points to resolving the conflict. Angelica declined to recognize union representation at ten nonunion plants through card-checks, instead demanded National Labor Board elections (Goldeen 26 Apr. 2005). UNITE HERE already represented 24 of Angelica’s 35 facilities (Goldeen 26 Apr. 2005). The union’s membership numbers at Angelica totaled 3,500 employees at the onset of the dispute.

Angelica Textile Services, based in St. Louis, Missouri, was founded in 1878. They originally manufactured uniforms for various service industries. In 1968, Angelica expanded to the hospital textiles rental market and throughout the 1970s became increasingly vested in laundry services. They currently launder, provide gowns, assorted linens, uniforms and bedding for close to 4,500 public health related facilities. They have plants nationwide, with locations in California, Missouri, Illinois, Nevada, Arizona, Georgia, Florida, Texas, North Carolina, New York, Connecticut, Rhode Island, and Tennessee. They are a currently a public corporation, traded on the New York Stock Exchange (Retrieved: 3 Feb. 2006. http://www.angelica.com/ats/plants/).

UNITE HERE instigated regulatory agency pressures on Angelica. This tactic was facilitated by employee grievances at several plants that were filed with OSHA citing potential health and safety violations and workplace hazards. These worker complaints compelled investigations of an Angelica facility in Batavia, New York. In August of 2004, inspection resulted in 21 violations and roughly $141,000 in fines (Katzanek 2005 and Feldstein 3 May 2005).

UNITE HERE also conducted on-job actions. Job walkouts were staged at the Texas and New York plants, both lasting for roughly four hours (Williams 1 Jun. 2005).
Angelica workers additionally held on site rallies and demonstrations throughout the campaign (Ross 2005).

The union also launched a negative publicity campaign and calls for a boycott. After a failed attempt to appeal to Sutter Health directly for an Angelica boycott, UNITE HERE distributed postcards to Sutter Health's clients in efforts to gain public pressure against the company (Osterman 2005). Sutter Health is a contractor of Angelica and provides non-profit healthcare services throughout the entire region. The mailing asked customers to no longer patronize the hospital and cast doubt on the cleanliness of the hospital's facilities, more directly, on the cleanliness of their linens (Osterman 2005). Instead of operating to bring forth public support for negotiations, Angelica decided to file a lawsuit against Unite Here (Osterman 2005). However, some clients did respond to the information and placed concerned phone calls to Sutter Health. The outcome of this particular corporate campaign action has rather mixed results when considering that neither the clients nor Sutter Health forced immediate negotiations from Angelica.

Increased publicity for the campaign brought opportunities for coalition building. UNITE HERE obtained support for the union effort from Duke University students. Duke University Health System, like Sutter Health, had refused to boycott Angelica as their provider for its linen services. Students protested in March of 2005 to force the university into the conflict on behalf of the Angelica employees (Bonner 2005). After the initial demonstration and the school's refusal to become involved, weeks of protests on campus followed, calling for Angelica to cease harassment of union organizers and safe and equitable conditions for the laundry workers (Bonner 2005 and Ross 2005). An additional illustration of the union's success in forging alliances were promises of solidarity from

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union allies who intended to support the Angelica employees. The workers planned to
strike on May 5 of 2005. Teamster truck drivers, hospitals, healthcare centers, and
between eight and twelve other Angelica plants were prepared to refuse to deliver or
accept supplies from the Angelica plants, picket, or walk off their jobs in honor of the
strike (Goldeen 3 May 2005 and Clough 2005). Fifteen-hundred workers in all backed the
employees who voted to strike in three California locations, two plants in Texas, one
facility in North Carolina, and another site in New York (Williams 6 May 2005).

Angelica was compelled to hire lawyers and public relations specialists to deal with
the UNITE HERE lawsuits and accusations, OSHA charges, and public image issues.
They also trained replacement employees and stockpiled linens in order to prepare for the
potential strike (Ross 2005). The union did indeed affect Angelica’s bottom line through
their corporate campaign efforts; Angelica incurred expenses equaling $2.5 million
throughout the 18-month confrontation (Feldstein 16 June 2005).

Despite Angelica’s initially immovable stance, talks continued past the strike
deadline and workers did not strike (Williams 6 May 2005). Angelica’s employees
prevailed in all of their sought after concessions. Wages were increased, healthcare plans
improved, pension plans gained protection and issues pertaining to worker safety
discussed (Goldeen 16 June 2005 and Laidman 16 June 2005). Angelica’s resistance to
organizing nonunion facilities also abated. UNITE HERE achieved an agreement from
the company to organize its non-union facilities. The argument over organizing
procedures was resolved as well; Angelica conceded to card-check recognition in right-
to-work states, however, in other states bargaining agents would be decided through
National Labor Relations Board supervised elections (Feldstein 16 June 2005).
Case Comparisons

Overall, the cases examined generated eight proclaimed wins, three outcomes in the intermediate range and four total losses. Examinations of the contexts, the first intervening variable, reveals results that are more comprehensive. Strike complement campaigns, which was the most prevalent context in which corporate campaigns were conducted, produced three losses—Bayou Steel Company, Overnite Transportation Company, and Detroit News and Detroit Free Press, two wins—Continental General Tire and La Costa Resort and Spa. One of the strike complement campaigns fell into the intermediate category—Caterpillar. Lockouts, also in this category, yielded one win, Ravenswood Aluminum Corporation, and one intermediate result, A.E. Staley Manufacturing Company. The final strike complement affiliated case, Bridgestone-Firestone Inc., had components of a strike and lockout, which was a success.

Organizing and strike substitute campaigns both had two cases. Organizing campaigns had a win, Catholic Healthcare West, and a single loss, Goya Food Inc.; similarly, the strike substitute campaigns had one reported win, Riese Organization, and a campaign in the intermediate category, Bell Atlantic Corp. However, within the contexts of organizing and strike substitute campaigns, there where two victories, the Cipriani Group and Angelica Textile Services.

The second intervening variable, analyses of specific tactics, produced diverse findings. Pressure on government officials worked in the Ravenswood campaign, but did not have reported outcomes for Bridgestone or Continental Tire cases. Moreover, when considering the frequency in which the tactic was employed in successful cases, only two
times, was compared to its application in defeated cases, never used, a conclusion may be drawn that it is not one of the more reliable strategies.

Boycotts were found to be a valuable strategy. The approach proved fruitful in Bridgestone, Overnite, Riese, Detroit News and Detroit Free Press, and Cipriani cases, however, in three other cases, Goya, La Costa and Angelica Textile, boycott pleas were flat out rejected by the businesses and individuals from whom they were requested. One other instance, Caterpillar, gave way to inconclusive, unreported effects. Three additional campaigns that attempted to use boycotts, Ravenswood, A.E. Staley, and Continental Tires, revealed mixed results, with some of their targets supporting boycott efforts and others refusing. Boycotts were a leading strategy for some of the unsuccessful campaigns conducted, and a secondly dominate tactic employed by winning efforts.

Pressuring regulatory agencies was an infrequently applied tactic for both successful and failed campaigns. However, in each event that it was applied, Ravenswood, Bayou Steel, Goya, Cipriani Group, and Angelica, it yielded investigations and/or fines. This leads to the conclusion that regulatory agency pressure is perhaps a significant strategy, due to its potential impact on company revenue through fines and plant closures.

Coalition building was the top strategy applied in cases with successful outcomes and a second tier approach for cases suffering losses. In ten instances—Ravenswood, Bridgestone, Overnite, Detroit News, Riese, Catholic Healthcare, Continental Tires, Goya, La Costa, and Angelica, coalitions were formed and support found from other unions, community groups, public figures and/or politicians. A.E. Staley was the only case in which some unions withheld support. This tactic is also potentially beneficial for
interrupting company supply lines, for example the Angelica case, and endangering production.

Pressuring financial associates was a top approach used in failed campaigns. Concurrently, unions that won used it intermittently. Ravenswood and *Detroit News* are the two situations in which coercing financial associates resulted in financial losses or involvement in spurring negotiations.

Litigation was a primary tactic used by unions involved in failed campaigns, whereas uncommon in prevailing labor actions. The La Costa Resort and Angelica cases were the only ones to reportedly experience success using the courts to further grievances, in spite of this, it is never expressly stated that the tactic was significant in bringing management to the bargaining table. The outcomes for six other disputes that brought labor and safety issues to the courts were inconclusive. However, litigation is time consuming and lawsuits may not have been settled until far after the conflict was discontinued.

Successful campaigns rarely employed on-job actions and in defeated and intermediate campaigns it was also applied infrequently. In Caterpillar Company, A.E. Staley, and Bell Atlantic Corp. actions, the tactic was patently disastrous, resulting in employers’ retaliation and stalled negotiations. The other three instances in which it was applied had no concrete effects outlined.
Table 5.1: Corporate Campaigns

<table>
<thead>
<tr>
<th>Union</th>
<th>Business Involved</th>
<th>Place(s)</th>
<th>Dates</th>
<th>Contexts</th>
<th>Tactics</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>USWA</td>
<td>Ravenswood Aluminum Corporation</td>
<td>West Virginia</td>
<td>Nov.1990-Apr.1992</td>
<td>Strike Complement (Lockout)</td>
<td>- Pressured government officials - Boycott - Pressured regulatory agencies - Coalition building - Pressured financial associates - Litigation - Protest - Negative publicity campaign</td>
<td>Win</td>
</tr>
<tr>
<td>USWA</td>
<td>Bridgestone-Firestone Inc.</td>
<td>Illinois</td>
<td>Jul.1994-Nov.1996</td>
<td>Strike Complement (Strike &amp; Lockout)</td>
<td>- Pressured government officials - Boycott</td>
<td>Win</td>
</tr>
<tr>
<td>Union</td>
<td>Company</td>
<td>State/Region</td>
<td>Date/Event</td>
<td>Strategy/Outcome</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-------</td>
<td>----------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------------------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SEIU</td>
<td>Catholic Healthcare West (CHW)</td>
<td>California</td>
<td>(no month specified) 1997 - Apr. 2002</td>
<td>Organizing, On-job actions, Protest, Negative publicity, Coalition building, Pressured financial associates, Win</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Negative publicity campaigns were used as a second tier tactic by winning, intermediate, and losing conflicts. These campaigns yielded seven mixed and inconclusive results, with the tactic bearing positive results for the Riese and Angelica battles. In the Riese case, it was cited as the primary impetus for bringing management to the table.
Protests were used with moderate frequency by successful, intermediate, and failed campaigns. However, out of the ten cases in which protests were used, nine had inconclusive reports on whether this tactic had any impact.

The control variables, concerning the external economic environment—considered in relation to whether there was a recession during the time the campaign was waged and legislative environment, assessed in terms of state right-to-work laws, uncovered mixed results. The impact of a recession on the success or failure of a campaign is negligible, four cases were conducted throughout the recessionary periods of 1990 through 1991 and 2001 through 2003. Ravenswood Aluminum Corporation, Catholic Healthcare West, Cipriani Group, and La Costa Resort and Spa had positive outcomes despite the recessions, leading to the conclusion that recessions have no significant impact on the outcomes of corporate campaign actions.

Right-to-work laws had a negative impact on the cases sampled. Seven cases transpired in states with right-to-work legislation, which may have been a factor that fundamentally contributed to three losses including Bayou Steel, Overnite, and Goya.. In the cases of Goya and Overnite, both companies successfully busted the unions by offering increases in pay and benefits in order to diffuse worker participation in union activities. These increases perhaps combined with workers fears of being ‘employed-at-will’ and may have led to the decertification of the unions as the employees central bargaining agents.

Union density, although not noted as a control variable, but an environmental feature that may possibly impact campaign success, ended up being a paramount indicator of success. Six cases, Ravenswood Aluminum Corporation, Bridgestone-Firestone Inc.,
Riese Organization, Catholic Healthcare West, Cipriani Group, La Costa Resort and Spa, achieved positive outcomes possibly due to labor actions taking place in states that had at least 14 percent union membership (LRA). Three of the cases, Bayou Steel Company, Overnite Transportation Company, Goya Food Inc., that were pursued in areas with low union membership, as indicated by states having eight percent or lower density, were patently failures. Only one case, Continental General Tire, in the 15 studied, realized a win despite low rates of union membership.
<table>
<thead>
<tr>
<th>Union</th>
<th>Business Involved</th>
<th>Union Density (%)</th>
<th>Recession</th>
<th>Right-to-work laws</th>
</tr>
</thead>
<tbody>
<tr>
<td>USWA</td>
<td>Ravenswood Aluminum</td>
<td>West Virginia- 14.2</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Corporation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>UAW</td>
<td>Caterpillar Company</td>
<td>Illinois- 16.8</td>
<td>No</td>
<td>Tennessee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tennessee- 6.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Colorado- 8.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pennsylvania- 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>UPIU</td>
<td>A.E. Staley Manufacturing</td>
<td>Illinois-16.8</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USWA</td>
<td>Bayou Steel Company</td>
<td>Louisiana- 7.6</td>
<td>No</td>
<td>Louisiana</td>
</tr>
<tr>
<td>USWA</td>
<td>Bridgestone-Firestone Inc.</td>
<td>Illinois- 16.8</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>IBT</td>
<td>Overnite Transportation</td>
<td>Tennessee- 6.7</td>
<td>Yes</td>
<td>Tennessee</td>
</tr>
<tr>
<td></td>
<td>Company</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>AFL-CIO</td>
<td>Detroit News and Detroit</td>
<td>Michigan- 21.6</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Free Press</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CWA</td>
<td>Bell Atlantic Corp.</td>
<td>Virginia- 5.3</td>
<td>No</td>
<td>Virginia</td>
</tr>
<tr>
<td></td>
<td></td>
<td>West Virginia- 14.2</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>New Jersey- 19.8</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pennsylvania- 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Delaware- 12.4</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HERE</td>
<td>Riese Organization</td>
<td>New York- 25.3</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>SEIU</td>
<td>Catholic Healthcare West</td>
<td>California- 16.5</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>(CHW)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>USWA</td>
<td>Continental General Tire</td>
<td>North Carolina- 2.7</td>
<td>No</td>
<td>North Carolina</td>
</tr>
<tr>
<td>UNITE</td>
<td>Goya Food Inc.</td>
<td>Florida- 6</td>
<td>No</td>
<td>Florida</td>
</tr>
<tr>
<td>HERE</td>
<td>Cipriani Group</td>
<td>New York- 25.3</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HERE</td>
<td>La Costa Resort and Spa</td>
<td>California- 16.5</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>UNITE HERE</td>
<td>Angelica Textile Services</td>
<td>California- 16.5</td>
<td>No</td>
<td>Texas, North</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New York- 25.3</td>
<td></td>
<td>Carolina</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Texas- 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>North Carolina- 2.7</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Legal Database: Right to Work Laws
http://www.legal-database.com
This chapter presented backgrounds of the cases sampled accompanied by comprehensive illustrations of the contexts in which they were fought and the events and worker grievances provoking unions to initiate corporate campaign strategies.

There is no definitive answer to whether specific combinations of tactics used in specific contexts created more positive campaign outcomes. A certain tactic may work, for instance, a union may succeed in its endeavors to engage regulatory agencies, but lose the overall battle with management to negotiate for sought after concessions. However, winning campaigns employed coalition building and negative publicity tactics more often than their failed counterparts did. Contrarily, unions that fell short of achieving their goals are characterized by their consistent exercise of strategies that proved uncertain—pressing financial associates, litigation, and protest. The best projected combination of tactics, based on reported success are coalition building, which is apparent in the sample of cases achieving concession, and pressing regulatory agencies, which was applied infrequently, but in every instance exercised was successful.

Based on the examined strategies, a tactic that should be employed cautiously was boycott. Boycotts tended to provoke management backlash and endanger company bottom-lines, which could lead to job insecurity and loss. However, boycotts were successful in many of the cases. An ill-advised strategy is on-job action, primarily because it achieved no discernible positive results.

After evaluating corporate campaigns contexts and methods it is clear that there is no single formula for coercing management into bargaining, nor foolproof methods for indicating consistent means in which to achieve concessions. Largely, evaluations of campaign scenarios and tactics arrive at no definitive conclusion that they will
consistently bring union victories. However, it appears that the majority of cases
examined, through applying corporate campaigns strategies, did achieve enough leverage
over targeted companies to gain some, if not all, sought after concessions.
CHAPTER 6

CONCLUSION

The primary goal of this research was to examine if corporate campaigns achieve employer concessions; moreover, whether unions have at their disposal an arsenal of tactics to use in specific contexts that will them to accomplish this end. Perry’s study concluded that corporate campaigns “produced few, if any, ‘victories’ for those conducting the campaigns” (Perry 1987, p. 123). Jarley and Maranto found that corporate campaigns may be useful for initially establishing union representation and first contracts. The overarching conclusion found in this study contradicts these prior results, giving way to a favorable assessment of corporate campaign applications. Despite the methodological limitations of this research regarding use of a qualitative approach and the previously stated downfalls of possible selection biases, as opposed to quantitative research, which may have provided more generalizable and certain results pertaining to causality assertions and subsequent case outcomes, the applied methods did lend a rigorous framework for exploring and confirming that corporate campaigns contribute to successful outcomes for labor conflicts.

Most of the cases studied yielded some concessions, although there are few cases that point to specific campaign tactics, or context, which directly resulted in forcing an employer to the bargaining table. Individual tactics are rarely credited as direct catalysts
for forged concessions. Corporate campaigns are better regarded as a combination of actions that incrementally build upon one another to place downward pressures on company profits. These downward pressures on productivity and ultimately profit may contribute to unions winning management concessions.

Most labor conflicts are still resolved through traditional negotiations as opposed to corporate campaigns, a scenario that may change when considering that eleven out of the fifteen campaigns examined in this study achieved concessions. Finding that the majority of corporate campaigns had degrees of success diverges from Jarley and Maranto’s assertions that the most useful approach for achieving employer concessions is traditional collective bargaining (Jarley and Maranto 1990).

However, there are compelling reasons that most unions do not engage in corporate campaigns. First, the NLRB lends its support and recognition to labor actions, i.e. traditional bargaining, that adhere to federal labor laws. On the other hand, corporate campaigns tend to use tactics that sidestep the NLRB and labor laws in order to seek support from the public or coerce individuals that are within corporate infrastructure to gain favorable outcomes. Another reason unions generally abstain from engaging in corporate campaigns is the emerging tendency to negotiate through Interest-Based Bargaining (IBB). This form of negotiation does not frame outcomes in terms of winning or losing propositions, rather as a series of compromises that produce mutually beneficial agreements (Retrieved: 12 Mar. 2006. http://www.doi.gov/hrm/pmanager/labfaq.html).

This study has also posited that external environmental threats greatly undermine corporate campaigns. Right-to-work laws present in twenty-two states, falling union membership, massive layoffs, company reorganization, decreases in foreign direct
investments, and outsourcing have come together to diminish worker solidarity and the power of unions to engage in meaningful collective action. These economic realities limit the creation of new jobs and operate to destabilize job security, whereby perpetuating hesitancy and fear in workers who seek to make improvement to their contracts, or initially establish union representation. Now existing is a prevalent stance within the American business community that it will continue to retaliate and fight against concessions, demand givebacks, use the courts, and generally seek to draw out battles until unions concede defeat.

Kate Bronfenbrenner gives insight to the immediate threats union members are subject to from businesses seeking to bust unions:

“This is also a climate where employers are getting more and more sophisticated and aggressive in their opposition to unions. Never has capital been more mobile, never has the threat to move plants in the context of organizing been more credible. Employers have found a set of legal and illegal tactics that are extremely effective in thwarting union organizing efforts. The majority of employers threaten to close if workers organize; one in four employers discharge employees for union activities; and employers commonly use a combination of other tactics, including mandatory captive audience meetings, bribes, surveillance, threats, promises, and literally creating a climate of constant harassment, fear and intimidation” (The Multinational Monitor 2003, p. 21).

Retaliatory measures have proved to be a way in which management and business have adapted to corporate campaign measures, operating to slow the momentum of widespread adoptions of corporate campaigns and perhaps limiting the frequency in
which corporate campaign actions are undertaken. Two cases, Bayou Steel and *Detroit News*, clearly illustrate businesses adaptation to corporate campaigns. Both companies filed RICO charges; these criminal allegations played vital roles in ending the conflicts and forcing union retreats and subsequent losses for members involved.

Aside from this study's concerns pertaining to external environmental, the research results may also have possible implications for examination of unions and social movement literature as a whole. Resource mobilization theory, specifies that collective interests, labor unions, must unite and intelligently exert their shared resources in order to achieve labor movement goals. These combined factors are present throughout most of the cases examined and possibly suggest a fundamental approach required to consistently waging successful campaigns; worker solidarity and focused applications of money and mobilization realize positive outcomes. Bearing this in mind, it may be posited that expanding the labor movement throughout sectors and across industries, and gaining cohesive worker solidarity, are possibly viable solutions for increasing labor’s power and the frequency with which corporate campaign are applied and victorious. These may be necessary steps towards continuing corporate campaign success and building labor movement momentum, especially if business continues to adapt to campaign strategies.

The second implication this research has on examinations of corporate campaigns and social movements is that the external economic realities for businesses affect workers. Outsourcing and import competition are two economic dilemmas negatively impacting U.S. employees, which would perhaps become surmountable through an international expansion of the labor movement focused on universal improvements of wages and work
conditions. Businesses would no longer be able to exploit cheap labor and additionally unable to undercut each other in terms of production costs.

Corporate campaigns analysis provides information concerning divergences from traditional collective bargaining. Tactics will continue to evolve, and the effectiveness of these alternative tactics will require evaluation. Moreover, a future direction for these types of analyses will perhaps call on researchers to include a large enough sample size to draw conclusions that are more definitive on whether corporate campaigns work. Further research will hopefully encompass changing tactics and possess systematic data to conduct comprehensive quantitative analysis.
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Continental General Tire


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