

INTRODUCTION

Hardly anyone expected them to succeed. But in 1990, after a few years of intensive organizing, a group of immigrant janitors in Los Angeles went on strike, endured a brutal police beating, and then won union recognition. Previously all but invisible to the public, these workers cleaned up after hours for the well-paid lawyers and other professionals who inhabit the glitzy office towers of Century City, an upscale section of Los Angeles. Most were immigrants from Mexico and Central America, many of them undocumented. Like countless other foreign-born workers who populate the lower echelons of southern California's vast blue-collar labor market, they worked long hours for minimal pay, often under substandard (and sometimes illegal) conditions.

The Century City victory was a turning point for the national "Justice for Janitors" campaign of the Service Employees International Union (SEIU), which would go on to win a series of contracts guaranteeing improved wages and working conditions for an ever-growing number of southern California janitors, as well as janitors in several other cities around the nation. By the end of the century the local janitors' union not only had consolidated its position within the L.A. building services industry but also had become one of the most dynamic and politically influential labor unions in the city and a vocal advocate for its burgeoning population of low-wage Latino immigrant workers.

In numerical terms, the janitors' triumph was an insignificant development, involving only a few thousand workers in the nation's second-largest metropolis. Yet in the early 1990s, after decades of deunionization, and in an extremely unfavorable political climate, any forward movement on the part of the U.S. labor movement was a notable achievement. A union breakthrough in the once-legendary "company town" of Los Angeles was especially impressive. And one in which the protagon-

nists included undocumented immigrants—long presumed by friend and foe alike to be “unorganizable”—seemed almost miraculous.

The L.A. janitors’ campaign soon became an icon, a beacon of hope for the long-beleaguered U.S. labor movement.¹ It sparked a wave of immigrant organizing efforts in California and across the nation in the 1990s and was even the subject of a major motion picture (Ken Loach’s *Bread and Roses*, released to critical acclaim in 2000). It also helped propel then-SEIU president John Sweeney to the helm of the nation’s giant labor federation, the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO), in a fiercely contested election in 1995. Sweeney urged all the federation’s affiliates to make a commitment to renewed organizing of just the sort the janitors’ campaign exemplified. Today the SEIU is the fastest-growing union in the United States, with many other recent organizing successes to its credit—not only under Sweeney’s leadership but also under that of Andy Stern, who succeeded him in the SEIU presidency and went on to become the nation’s most prominent twenty-first-century labor leader. Over the past quarter-century, while overall U.S. union density (the unionized proportion of the workforce) declined dramatically, SEIU membership nearly tripled.²

The janitors’ organizing success in Los Angeles, then, was far more significant than the number of workers involved would suggest, in that it highlighted the potential for a broader, nationwide labor resurgence. To be sure, that scenario may seem improbable in the present climate, with a political regime that is overtly hostile to organized labor and with union density at its lowest level since the 1920s. Fewer than 13 percent of the nation’s workers today are union members; in the private sector, the figure is only 8 percent—down from 24 percent as recently as 1973 (Hirsch and Macpherson 2005). Although organized labor’s political clout has been more resilient (see Dark 2001), many legal and regulatory constraints on employer power won by unions in earlier years have been rolled back, and others that remain on the books are honored more in the breach than the observance.

For all these reasons, the labor movement’s obituary appears regularly in the press and in journals of opinion. Yet recent developments in southern California—often a harbinger of national trends—suggest that reports of organized labor’s demise may be exaggerated. In Los Angeles, where inequality by both class and nativity is so stark that the city is routinely compared to the Third World, the dynamics that generated the janitors’ 1990 victory sparked a decade-long resurgence of union organizing and community-based economic justice campaigns—highlighting

the possibility that labor might become an agent of social transformation once again.³

Whether or not that possibility is realized will have major implications for the wider society. Today, at both the local and national levels, the labor movement is the one organized entity that regularly and systematically challenges the rapidly growing inequality between rich and poor, as well as that between native- and foreign-born workers. The ebb and flow of unionism over the past century has been a key determinant of the life chances of working people in the United States, for immigrants and natives alike. The last great wave of labor organizing, led in the 1930s and 1940s by the industrial unions in the breakaway CIO (which in 1955 would reunite with its parent organization, the AFL, to form the AFL-CIO), did much to narrow inequalities between the haves and have-nots. In that era, unionism was a vehicle of social mobility that carried impoverished first- and second-generation working-class immigrants from southern and eastern Europe into the middle-class mainstream. But the rapid erosion of union density in recent decades has helped to widen economic inequalities once again, with disproportionate effects on recent immigrants from Latin America and Asia, many of whom work for poverty-level wages under conditions that harken back to the pre-New Deal era. Could these newcomers take the lead in rebuilding the nation's labor movement, as their European predecessors did so many years ago?

This book explores that prospect through an analysis of the factors that fostered labor's revitalization in southern California in the 1990s, highlighting the central role of immigrants in that revitalization. A historical perspective is central to my argument: in Los Angeles, which for the first few decades of the twentieth century had a legendary reputation as an open-shop city, unions did not gain a solid foothold until the late 1930s. And when they finally did so, it was not the CIO's industrial unionism that took root but instead the occupationally based unionism historically associated with the AFL. The CIO later developed a modest presence in southern California but was overshadowed consistently in the region by the AFL.

Although this unusual history led Los Angeles to be regarded as a labor movement backwater for many decades, AFL predominance ultimately laid the groundwork for the city's emergence as a crucible of labor movement revitalization in the 1990s. Los Angeles was home not only to the janitors' campaign but also to other innovative organizing initiatives that gave the city its maverick reputation as, in Mike Davis's (2000, 145) words, "the major R&D center for 21st century trade unionism."

The central role of the former AFL unions is relevant not only to understanding the recent revitalization of the L.A. labor movement but also to making sense of current efforts to transform and energize organized labor nationally. Consider the new Change to Win (CTW) Federation, which formed in 2005 after several key affiliates broke away from the AFL-CIO. The SEIU, the largest CTW union, led the debate that took place within the AFL-CIO, starting in 2003, and two years later sparked the largest split in U.S. labor since the 1930s. CTW also includes the garment and hotel workers' unions (which merged into UNITE HERE in 2004), as well as two of the nation's largest building trades unions, the Carpenters and Laborers. The giant Teamsters and the United Food and Commercial Workers (UFCW) are also CTW affiliates, along with the (relatively small) United Farm Workers (UFW) union.

The immigrant organizing of recent years has been centered in this group of unions, and they have been disproportionately engaged in the efforts to revitalize the U.S. labor movement since the 1980s. Yet they are not new organizations—far from it. With the exception of the farm workers, these are actually among the nation's oldest labor unions, with roots that go back to the beginning of the twentieth century, and in some cases even earlier. Former AFL affiliates, they have a history and structure that set them apart from the CIO unions, which were long regarded as the progressive wing of organized labor.⁴ Disdained by many as staid, conservative bastions of “business unionism,” hostile to the interests of women and racial minorities, and often plagued by corruption, these former AFL unions are the last organizations one would have expected to be leading labor movement renewal. So why have these unions, and not those originating in the CIO, dominated recent efforts to rebuild organized labor?

There are a number of reasons. First, as Dorothy Sue Cobble (1991b) has pointed out, the occupational focus that was long characteristic of AFL organizing is well suited to the “post-industrial” age as workplaces have become increasingly unstable entities. More generally, the former AFL affiliates are products of historical circumstances that are strikingly similar to those that unions face at present, in sharp contrast to the conditions under which the CIO emerged during the 1930s and 1940s. The AFL unions date from the years before mass production manufacturing became the central motor of U.S. economic growth; before the emergence of the New Deal political order, with its commitment to economic regulation and to narrowing inequalities between rich and poor; and before the 1935 National Labor Relations Act (NLRA) established the legal

right of workers to organize collectively and helped propel union density to its peak level in the mid-1950s, when over one-third of the U.S. workforce was organized.

Precisely because they emerged under these antediluvian conditions, the strategic and tactical repertoire of the SEIU and the other former AFL affiliates that have led recent efforts to revitalize the labor movement includes a variety of organizing approaches with which the CIO unions have little or no experience but which are well suited to the contemporary era. For much of their history, for example, these AFL unions devoted a great deal of energy to developing strategies to take wages out of competition in unregulated, highly competitive labor markets.⁵ They also have extensive historical experience in winning recognition from employers through mechanisms independent of the NLRA-based representation election system, since they were actively organizing for decades before that system existed.

As the L.A. janitors' campaign and other recent organizing successes illustrate, this traditional AFL repertoire is highly adaptable to contemporary economic conditions, which in many ways resemble those of the pre-New Deal era. By contrast, many of the CIO's strategies and tactics were tailored to the historical conditions of the 1930s and 1940s—conditions that have been largely swept aside over the past three decades by deindustrialization, deregulation, and deunionization. Like a movie running backwards, since the mid-1970s the mass production manufacturing economy has virtually collapsed, the New Deal regulatory order has been effectively dismantled, and the labor relations machinery established by the NLRA has devolved to the point where it no longer functions to protect workers. It makes sense that the unions best able to survive and grow today in the aftermath of these massive shifts are those that first took shape under the economic and political conditions that have now been restored.

This historical perspective—which is developed at length in chapter 1—helps explain why Los Angeles emerged as a leading site of labor movement revitalization in the late twentieth century and lends larger significance to recent developments in that city. But the unanticipated comparative advantage that the AFL's historical predominance lent to the L.A. labor movement is not the only factor that makes the southern California region a useful prism through which to view workplace and labor movement transformation in the nation as a whole. Two additional dimensions are especially important here.

First, as elaborated in chapter 2, Los Angeles emerged as a key testing

ground for employer-initiated deunionization efforts and related workplace restructuring strategies in the 1970s and 1980s—what have come to be called “low-road” managerial strategies—that would soon spread to workplaces nationwide. As unions were weakened or eliminated, wages fell, fringe benefits and job security guarantees evaporated, and illegal sweatshop-like labor practices became commonplace. This took place in the context of a booming economy and massive population growth. As Beverly Silver (2003, 5) notes, even as labor movements have been weakened in most of the global North, the opposite has occurred in “the favored new sites of investment.” She has in mind “the cheap labor economic ‘miracles’ of the 1970s and 1980s” in the global South, like Brazil and South Africa, but her point also applies to Los Angeles, which enjoyed an economic boom in this same period that was equally predicated on the exploitation of cheap labor—much of it imported from south of the U.S. border.

Indeed, partly as a result of its pioneering role in employer-driven workforce casualization, and once again anticipating a national trend, greater Los Angeles attracted a massive influx of immigrants to its burgeoning low-wage labor market. Contrary to the conventional wisdom, the foreign-born workforce proved to be a key factor facilitating union renewal in the region, as chapter 3 explains and as a burst of immigrant organizing in the 1990s (not only in the SEIU’s janitors’ campaign but in other cases as well) would reveal. Thus, three basic conditions laid the groundwork for the unexpected emergence of Los Angeles as a center of labor movement resurgence: the historical predominance of the AFL, low-road employment restructuring strategies, and a massive immigrant influx.

THE TRANSFORMATION OF LOS ANGELES: WORK, IMMIGRATION, AND UNIONISM

The late twentieth century was not the first time janitors had organized in Los Angeles. In the late 1940s and early 1950s, as chapter 1 recounts, the AFL-affiliated Building Service Employees’ International Union (BSEIU, which in 1968 would drop the “B” and become the SEIU) had recruited an earlier generation of the city’s office cleaners into its ranks. In those days most L.A. janitors were native-born whites and African Americans. Unionization brought them middle-class wages, extensive fringe benefits, and decent working conditions for the first time. These gains were rolled back in the 1970s, however, when the city’s building services

industry was radically restructured, and “flexible” employment arrangements based on highly competitive subcontracting gradually replaced the old union-based regime.

As the SEIU’s janitorial membership in the city fell, wages collapsed, fringe benefits disappeared, and working conditions deteriorated. Native-born workers began to abandon the increasingly undesirable janitorial jobs for more attractive fields, and employers turned to the burgeoning immigrant population to fill the resulting vacancies. Then in the late 1980s, against all odds, the city’s newly recruited foreign-born janitors unionized once again, winning contracts guaranteeing improved wages and conditions. Those gains have been sustained and expanded in the years since 1990, when the SEIU’s janitors’ campaign achieved its initial breakthrough in Los Angeles (Erickson et al. 2002).

This sequence of events—deunionization and employment restructuring, followed by an exodus of native-born workers, an immigrant influx, and then renewed union organizing efforts—took place not only in building services but in many other fields of employment in southern California during the closing decades of the twentieth century. This book examines four specific cases: the janitors, whose history has already been outlined; the truck drivers who haul freight to and from the Los Angeles–Long Beach port, now the nation’s largest; “drywallers” in the region’s residential construction industry, who successfully unionized throughout southern California in 1992; and the garment workers of greater Los Angeles, which some years ago replaced New York as the city with the nation’s largest concentration of apparel manufacturing.

All four of these occupations were extensively unionized in Los Angeles by the middle of the twentieth century—in each case by AFL affiliates. In all four fields, employment continued to grow during the 1970s and 1980s even as economic restructuring undermined unionism. By the early 1990s, low-wage, casualized employment had become entrenched, immigrants had replaced native-born workers, and renewed organizing efforts were under way in all four occupations, although those struggles led to lasting unionization only for the janitors and drywallers.

The late-twentieth-century transformation of work through deunionization and restructuring, as well as the influx of immigrants into low-wage employment, were national and global rather than local or regional developments. But as with so many other social trends, these changes emerged earlier and on a larger scale in southern California than elsewhere. The region’s rapidly expanding economy was an early testing ground for the low-road managerial strategies that sprouted up all across

the United States in the 1970s and 1980s. As social protections once provided by government and unionism alike withered away in industry after industry, employment relations became increasingly casualized. Wages, no longer taken out of competition, were driven ever downward as corporate managers moved to externalize market risk, subcontracting more and more work to smaller enterprises that fiercely vied with one another for business.

These developments not only led to dramatic deterioration in working-class living standards but also helped revive what initially appeared to be anachronistic labor practices of dubious legality: all-cash wage payments, lack of overtime compensation, substandard pay for “training periods,” and the like. Defying the optimistic forecasts of many commentators in the 1980s who believed that working conditions would improve in the post-industrial age, the late twentieth century instead saw the widespread resurgence of sweatshop-like employment and the social problems historically associated with it.⁶

Los Angeles enjoys the dubious distinction of being on the leading edge of these emergent tendencies. There, as chapter 2 details, low-wage, casualized employment regimes came to prevail not only in manufacturing, where international competition spurred the “race to the bottom,” but also in many nonmobile industries, suggesting that globalization and accelerating capital mobility may be less centrally implicated in the process of work restructuring than is often presumed.⁷ Casualization was a product of employers’ broader low-road competitive strategies in the 1970s and 1980s, and attacks on unionism were foundational to these strategies. In manufacturing the threat of capital flight was the key lever used to reduce labor costs, but employers advanced their agenda equally effectively in many place-bound industries. They used subcontracting and “double-breasting” (setting up parallel union and nonunion divisions in the same firm) to nurture “union-free” operations in sectors like residential construction and janitorial services. They also promoted deregulation, which was the main mechanism of deunionization and restructuring in trucking and other transportation industries—another type of employment that cannot be outsourced to other nations. And in the L.A. garment industry, employers reduced wages and eliminated unionism even as employment *expanded* in the 1970s and 1980s—a case of deunionization without deindustrialization.

Thanks in part to the region’s explosive economic growth and the resulting demand for huge quantities of low-wage labor, southern California attracted an enormous supply of immigrant workers starting in the

1970s. Many—especially those from Mexico and Central America—arrived with few economic resources and little education. The newcomers often lacked legal documentation as well, making them especially vulnerable to the super-exploitative labor practices that flourished anew in this period. Contradicting the claims of some commentators that the influx of impoverished immigrants precipitated the deterioration of wages, benefits, and working conditions in blue-collar jobs (see, for example, Briggs 2001), the timing suggests that the causality runs in the opposite direction: immigrants were hired mainly *after* the jobs in question had been degraded by deunionization and restructuring, as chapter 2 demonstrates.

In southern California, where rapid economic expansion in the 1970s and 1980s provided an escape valve for the native-born incumbent workers adversely affected by these changes, organized labor at first offered little resistance to employers' restructuring initiatives. Not only were many unionists caught off guard by the shift in management strategies, but most of them also considered the foreign-born workers who were already pouring into the region's burgeoning low-wage labor market to be "unorganizable." Latino immigrants, in this view, posed a threat to established labor standards because they evaluated the jobs they found in "el Norte" using a yardstick imported from south of the border. They were therefore seen as "willing" to work for low wages and under substandard conditions and were considered unlikely to respond favorably to union recruitment efforts. Most labor leaders believed that the new immigrants, and especially the undocumented, simply would not take the risks involved in union organizing, given their vulnerability to deportation.

As the janitors' example suggests, however, these pessimistic assumptions proved groundless. Low-wage Latino immigrants, some of them veterans of intense collective political struggles at home and most of them far less individualistic in orientation than their native-born counterparts, turned out to be unusually receptive to unionism. This was another reason, indeed, that southern California in the late 1980s and 1990s became the proving ground for some of the most dynamic, if still embryonic and unstable, social movement responses to the labor market transformations that are under way nationwide. Now Los Angeles, previously seen as a remote backwater by the national leadership of organized labor, and with a lingering reputation from a century ago as an open-shop city, became a leading center of union innovation—and one where low-wage immigrants were on the front lines. More than anywhere else in the United States, in southern California the labor movement experimented with new strategies for rebuilding power in the 1990s; these strategies

were especially tailored to the casualization of blue-collar employment that was already deeply entrenched in the region.

During this period labor also developed a formidable political presence, both in the L.A. region and in California as a whole. Organizing success and political influence were mutually reinforcing in a virtuous circle—at least until the 2003 recall election that propelled Arnold Schwarzenegger into the governor's office. In the years just before that political earthquake, California labor even managed, for a time, to reverse the decline in union density that had continued unrelentingly in most other states (Milkman and Rooks 2003). Nor is it an accident that most of organized labor's recent initiatives in support of immigrant rights—most importantly, the AFL-CIO's February 2000 call for amnesty for the undocumented and against employer sanctions—have emanated from the West.

Apart from the fact that it boasts the nation's largest single concentration of Latino immigrants and thus reaped disproportionate benefits from their unanticipated receptivity to union recruitment efforts, Los Angeles has other distinctive features that facilitated union revitalization and strategic innovation. Geography itself was one advantage: simply being distant from the national center of gravity of organized labor on the East Coast as well as the regional power hub in San Francisco provided a degree of freedom from scrutiny by the entrenched, risk-averse, old-guard labor leadership, especially before 1995 (when Sweeney won the AFL-CIO presidency). Their peripheral location, ironically, gave union organizers in southern California more political space to experiment than many of their counterparts elsewhere enjoyed.⁸

But the key advantage was the historical weakness of industrial unionism in the region, where the SEIU and other occupationally based unions originally affiliated with the AFL had long accounted for a disproportionate share of organized labor's ranks. As chapter 1 elaborates, the conventional historical narrative that constructs the former CIO unions as the most dynamic wing of the U.S. labor movement is not unproblematic. But whatever one makes of the historical record, what is critical for the future is that recently the former AFL unions generally, and the SEIU in particular, have proven especially adept at crafting new survival strategies for labor in the post-industrial economy. They have led the way forward, while most of the former CIO unions have found themselves deeply mired in defensive struggles, all but devastated by plant closings and outsourcing.

The L.A. labor movement, then, was transformed from a marginal

backwater into a union powerhouse thanks to a combination of historical AFL predominance, an economic boom driven by employer-led workforce casualization, and a massive influx of Latino immigrants. But will the burst of low-wage immigrant worker organizing in southern California that emerged in the 1990s turn out to be a transitory phenomenon, or is it part of an ongoing process of union revitalization? Organized labor has suffered serious setbacks in the new century, both regionally and nationally. Inequalities that had begun to narrow in the late 1990s boom years widened once again after 2000 with the economic downturn and a new wave of regressive tax policies. Anti-union employers and their allies have been newly emboldened by the sharp political right turn that followed the tragic events of September 11, 2001. Immigration reform, which had risen to the top of the national political agenda by mid-2001, thanks largely to labor movement lobbying, went into the deep freeze immediately after the September 11 attacks; since then, attacks on immigrant rights have not only increased in number but gained broader legitimacy. Moreover, union density, which had leveled off in the late 1990s and in California even briefly turned upward, has now resumed its long decline.

Whether these recent reversals will prove to be permanent, or merely interruptions in a long-term process of social change, is difficult to predict. But whatever the future may bring, the vigorous labor movement responses to the rapid economic transformations that emerged in southern California in recent years are important insofar as they prefigure an alternative to the low-road path that a growing number of U.S. employers have chosen to follow. The highly polarized, immigrant-rich L.A. labor market embodies—in a relatively “advanced” form—that dominant economic trajectory in which firms compete to minimize direct labor costs rather than seek a marketplace advantage on the basis of innovation, productivity, or quality. At the same time Los Angeles has emerged as a key incubator of challenges from below to the casualization of work and to the associated growth of economic inequality, with immigrant organizing drives like the janitors’ campaign and the others discussed in chapter 4.

Los Angeles’s recent labor history, then, is of interest not just for its own sake, but also because it highlights some of the key ingredients that will be needed for the construction of an alternative, high-road national economic agenda and a social movement powerful enough to take wages out of competition nationwide once again. But in order to assess the prospects of the embryonic labor union renewal that has taken root in

that unlikely venue becoming the spur for a wider national transformation, we must situate it in the context of the broader forces that have so profoundly weakened unionism not only in Los Angeles but throughout the United States during the past few decades.

DEUNIONIZATION AND NEOLIBERAL RESTRUCTURING

If consensus on the precise causes and consequences of the neoliberal turn that began in the 1970s remains elusive, virtually everyone agrees that the global political economy today is utterly different from that of the 1960s. Nor is there any doubt that this great transformation has had far-reaching effects on the organization of work and on the living standards of workers in the United States, especially for the non-college-educated population (the foreign-born share of which has grown significantly over this period). Economic inequalities increased dramatically during these years (Levy 1999), even as the casualization of employment undermined job security and rendered precarious the livelihoods of millions. In many respects these shifts involved a return to conditions that prevailed in the early twentieth century; indeed, from that perspective, it is not the recent era but rather the period between the 1930s and the 1970s—what Claudia Goldin and Robert Margo (1992; see also Krugman 2002) felicitously call “the Great Compression”—that is anomalous. The era of reduced immigration to the United States (from 1924 to 1965) nearly coincides with this critical period. And organized labor’s influence reached its peak during these years as well, during the glory days of U.S. economic hegemony.

From the outset, indeed, declining unionization has been both a leading indicator and a major driver of the neoliberal transition. U.S. union density peaked in the 1950s, but the decline really took off in the 1970s, following some modest erosion in the intervening years (Goldfield 1987; Hirsch and Macpherson, various years). This sharp drop in union density contributed directly to the growth of inequality over the past three decades. Not only do unionized workers earn, on average, substantially higher wages than their nonunion counterparts, but nonunion employers have become less and less likely to match the level of union wages, as many had done in the 1950s and 1960s, as the threat (real or imagined) of unionization has receded. Deunionization has also undermined job security and facilitated the casualization of employment arrangements.

So what explains the free fall in union density over this period? Ini-

tially, it appeared to be a by-product of the deindustrialization process that riveted both public and scholarly attention in the 1980s. Hundreds of thousands of blue-collar workers, most of them unionized, lost their jobs as the huge manufacturing empires that had once been the linchpin of U.S. economic hegemony dismantled their domestic operations, outsourcing production to regions where wages were lower and unions weak or absent. As historian Jefferson Cowie (1999) points out, capital mobility in search of cheap and tractable labor has a long history, but its pace accelerated sharply in the 1970s and 1980s as transportation and communication costs plummeted and more and more U.S. firms faced the unaccustomed challenge of foreign competition (Bluestone and Harrison 1982).

Deindustrialization was indeed life-threatening for the industrial unions that had been built in the great CIO drives half a century earlier. Hammered by the continuing threat of factory closings, in the 1980s these once-formidable unions embraced the logic of concession bargaining, giving up decades' worth of hard-won improvements in pay, benefits, and shop-floor control in hopes of maintaining employment for their remaining members. This desperate gambit proved largely futile, however, and even in settings where jobs were preserved intact, union power and legitimacy rapidly crumbled. As they contemplated the apparent collaboration of union leaders in the chain of events that left them impoverished and powerless, many workers lost confidence in the labor movement, in effect blaming the victim (Lopez 2004).

But deindustrialization was only one of the factors shaping labor's decline in the 1970s and 1980s. Union density fell rapidly not only in the footloose manufacturing sector but also in industries, like construction and transportation, that were largely invulnerable to capital mobility and in which employment was stable or growing during this period. In such cases deunionization was driven by political and legal forces. Starting in the late 1960s, business interests mobilized to dismantle a wide array of governmental regulations that had been in place since the New Deal. The resulting deregulatory trend was at least as detrimental for workers and their unions in service-producing industries like communications and transportation as deindustrialization was in manufacturing. Business's political agenda also included privatization, which further eroded unionization, since density was far higher in the public sector than in the private sector.

Long-standing labor laws were eviscerated in this period as well, thanks to an employer-driven legal offensive that generated a steady suc-

cession of administrative and legal decisions unfavorable to labor. Employer violations of the laws that survived also increased sharply in the 1970s, quickly becoming an effective brake on the labor movement's ongoing efforts to organize new workers, which (contrary to popular belief) had continued at a steady pace during the postwar years (Voos 1984). Indeed, some contemporary commentators (for example, Freeman and Medoff 1984) directly linked the precipitous decline in union strength in the 1970s and 1980s to the rapid rise of management violations of the National Labor Relations Act, the legislation that has governed collective bargaining in the private sector since 1935.

Yet, in retrospect, the legal offensive was only one feature of the era's multipronged employer assault on unionism (Flanagan 2005). The NLRA was a key focus only in the (relatively few) cases where active unionization efforts were under way, or where long-established unions were clearly vulnerable to decertification. The broader managerial effort to weaken organized labor also involved the elaboration of a parallel universe that increasingly displaced the unionized sector of the economy. The human resource management (HRM) organizational model was basically designed to preempt unionization entirely. The large employers that adopted this approach in the post-World War II years deliberately incorporated the most attractive features of unionism into their own employment policies. They provided wages and fringe benefits comparable to those in the union sector, along with promises of long-term job security; they promulgated "open-door" policies and developed a variety of internal avenues for voicing grievances as an alternative to "adversarial" collective bargaining and industrial jurisprudence. This approach was by no means entirely new (see Jacoby 1997), but it became increasingly widespread in the 1970s and 1980s (Kochan, Katz, and McKersie 1986), in part because of its apparent synergies with the flexible new technologies that were being introduced into the workplace during these years. By the early 1990s, many elements of the HRM model had diffused so widely among employers that they were virtually standard business practice (Appelbaum and Batt 1994; Osterman 1994).

Many influential contemporary observers, most notably Michael Piore and Charles Sabel (1984; see also Block 1990; Zuboff 1988; Hirschhorn 1984), were optimistic that workers would benefit from both the decline of traditional mass production, with its notoriously alienating labor process, and the enhanced opportunities for participation in workplace decisionmaking that the HRM model seemed to embody. Captivated by the potentially humanizing and skill-enhancing applications of new tech-

nologies and the decentralization of production they facilitated, Piore and Sabel sketched out a vision of a democratic workplace in an economy guided by the logic of “flexible specialization.” They saw deunionization as an inevitable aspect of the decline of the old industrial order, and they urged organized labor to abandon its long-standing mass-production-based focus on work rules and shop-floor control and define a more flexible role for itself in the newly emerging economic configuration. Thus, they applauded the embrace of “employee involvement” and other worker participation programs by the United Auto Workers (UAW) and a few other unions during the 1980s. Other commentators (for example, Heckscher 1988) echoed the call for unions to reinvent themselves and adapt to the organizational sea change that was sweeping across the business landscape.

Two decades later it seems indisputable that the promise Piore and Sabel and others saw for a more humane workplace to emerge in the post-industrial age has not been realized. Some firms, both in the new high-technology sector and in older manufacturing industries (often with union cooperation), did adopt high-performance work systems that genuinely fostered worker participation and training (Appelbaum et al. 2000). But by the end of the century this high-road managerial regime, coupling high wages and benefits with a focus on maximizing productivity and quality, had become increasingly exceptional in the United States. Instead, the prototypical workplace today is the low-road Wal-Mart Corporation, the nation’s largest employer, infamous for minimizing labor costs by all possible means and for its unswerving commitment to “union avoidance.”

The HRM model’s widespread diffusion in the 1970s and 1980s was a major driver of deunionization. Yet this very success, ironically, sowed the seeds of the model’s demise. As union density in the private sector spiraled downward, HRM’s *raison d’être* melted away. The simultaneous dismantling of governmental regulation (which, like unionism, had taken wages out of competition in some key sectors) only intensified the problem. Before long, in more and more private-sector workplaces, the high wages that once had been the price of keeping unions out were ratcheted downward as the threat of unionism itself diminished. Similarly, pension programs (originating in the union sector and then imitated by nonunion HRM employers) began to deteriorate, while employers began to transfer more and more of the costs of health insurance to workers or to eliminate such benefits entirely. Low-wage jobs proliferated even as executive compensation soared, fueling the growth of income inequality.

Another striking aspect of the unraveling of the HRM model is the demise of long-term employment, once standard practice in many large firms, and the proliferation of explicitly impermanent relationships between employers and employees (Sennett 1998). One stark indicator of this shift is a survey conducted in the late 1990s by the Conference Board (1997), a business research group, which found that only 6 percent of corporate respondents agreed that “employees who are loyal to the company and further its business goals deserve an assurance of continued employment,” down from 56 percent as recently as 1989 (Gosselin 2004). Although recent public discussion of declining employment security has focused mainly on middle management and other white-collar workers, the trend actually began at the lower levels of the labor market as a direct by-product of deunionization. Building on that foundation, employers then moved to externalize market risks at all levels of the job hierarchy through subcontracting, contingent employment, and other forms of casualization.

Not surprisingly, these changes have led to a precipitous fall in job satisfaction and morale, growing mistrust of employers, and a corresponding decline in worker commitment. As Peter Cappelli (1999, 122–36) puts it, the “happy worker” model that prevailed in the 1970s and 1980s—the notion, once conventional wisdom in management circles, that performance and productivity are tied to employee morale—now has been replaced with the “frightened worker” model, in which labor discipline is predicated on fear of job loss. From a different theoretical vantage point, this is what Michael Burawoy (1985) conceptualizes as a shift from a hegemonic to a despotic regime. If deunionization was a key driver of this change, the resulting increase in awareness of injustice in the workplace might also be expected to spark renewed interest in unionism.

REBUILDING LABOR: THE NEW UNIONISM

Deindustrialization, deregulation, and casualization, then, have all contributed to the sharp downturn in union density since the 1970s. But to what extent was that downturn also the result of problems *internal* to the labor movement? Chronic disunity among unions, inept leadership, and inadequate union responses to the radical environmental changes that emerged in this period surely played some role. In addition, internal organizational dynamics, as many commentators have noted, can make unions less effective over time. In Richard Lester’s (1958) influential account, for example, unions gradually “mature,” losing their initial dy-

namism and becoming increasingly bureaucratic and rigid. In Robert Michels's (1915/1962) classic theoretical formulation, similarly, unions inexorably succumb to the "iron law of oligarchy," so that political power is increasingly concentrated at the top and labor leaders become more conservative and less responsive to their membership. These claims are consistent with a more recent literature (for example, Moody 1997) that characterizes organized labor in the 1970s and 1980s as dominated by "business unionism" and oriented toward "servicing" members rather than organizing and mobilization. In this view, the current crisis reflects labor's bureaucratization, social isolation, and failure to engage its own constituency.

Rebuilding the labor movement will be impossible without renouncing what Steven Lopez (2004) calls "do-nothing unionism" and embracing the rank-and-file-intensive organizing strategies that, as Kate Bronfenbrenner (1997) demonstrates, offer an effective alternative approach. But for purposes of explaining the rapid deunionization that began in the 1970s, labor's internal difficulties seem secondary in importance—more a consequence than a cause of the decline. Even in the best of times, unions are shaped by their economic and political environment and reflect the structure of the enterprises whose employees make up their membership (see Offe and Wiesenthal 1980). When that structure is radically altered, unions inevitably face a serious crisis.

In this perspective, what is perhaps more remarkable than the sharp decline in union density is that substantial parts of the U.S. labor movement have succeeded in finding ways to reinvent themselves as "social movement unions" in recent years. John Sweeney's election to the AFL-CIO presidency in 1995 and other signs of labor movement revitalization in the intervening decade have surprised many observers, who had already written unions off as historical relics, hopelessly out of step with the post-industrial, globalized economy and with the "new" social movements focused on gender, ethnicity, race, sexuality, or environmental issues. Yet as Taylor Dark (2001) has argued, labor remains an influential political player, and in recent years it has proven itself capable of forging coalitions with those movements—as in the November 1999 "Battle of Seattle," where "Teamsters and Turtles" (and others) joined forces in protests against the World Trade Organization (WTO), and in the 2003 Immigrant Worker Freedom Ride as well.

Apparently contradicting the "iron law of oligarchy," moreover, the new unionism has developed within existing labor organizations, specifically the SEIU and other former AFL unions. If the labor movement's re-

vival in the 1990s came as a surprise, the particular shape it assumed was even more unexpected. The most innovative and successful organizing efforts emerged in geographical areas, among population groups, and in organizational settings that are wholly unprecedented. Who could have imagined that immigrant organizing in Los Angeles would be at the center of the nation's labor movement revitalization efforts? Or that the unions that responded most energetically to recent political and economic transformations would be the old AFL craft and occupational unions?

The AFL's historical record has long been underestimated, as a number of labor historians have pointed out (Brody 1964; Gordon 1999; Greene 1998; Russell 2001; Tomlins 1979). Its positive achievements were virtually obliterated from public memory in the aftermath of the massive union upsurge of the 1930s and 1940s, when the CIO's progressive politics and dramatic grassroots mobilizations captured the imagination of the New Deal generation. Ever since, the industrial unions have been almost universally considered the most progressive wing of organized labor. The prototype was the United Auto Workers (UAW), especially when it was led by the legendary Walter Reuther. Yet these former CIO unions were decimated by huge membership losses in the wake of deindustrialization in the 1980s. Since then, far from reviving, they have circled the wagons, unable to extricate themselves from struggles over outsourcing and the like.

The former AFL unions that have assumed prominence instead in recent years include building trades unions like the Carpenters and Laborers, the International Brotherhood of Teamsters, UNITE HERE, and, above all, the SEIU. The latter's former head, John Sweeney, appointed so many SEIU staffers to leadership posts in the AFL-CIO after he became its president in 1995 that some insiders quipped that the federation should now be called the "AFL-SEIU." Former AFL unions also form the core of the CTW, whereas the critique of the AFL-CIO structure that led to the 2005 split met with fierce resistance from the old industrial unions.⁹

The division within the federation that led to Sweeney's ascent to power in 1995 did not break down so neatly along AFL versus CIO lines. At that time the Carpenters supported the old guard, while the UAW and many of the other former CIO unions allied with the Sweeney insurgency, along with SEIU, HERE, and the Laborers (Dark 1999). A decade later, however, it is striking that the SEIU and its CTW partners have parted ways with the industrial unions on a variety of issues (including, for example, the 2004 presidential primaries). More generally, the former

CIO unions seem increasingly backward-looking, while innovation and organizing energy is almost entirely concentrated on the AFL side. In this respect, Steve Early's (2004) anti-SEIU polemic "Reutherism Redux," which compares SEIU president Andy Stern to the UAW's Walter Reuther (and more generally, the SEIU to the UAW in its heyday), misses a crucial dimension of the new unionism, namely, the former AFL unions' central role.

Kim Voss and Rachel Sherman's (2000) incisive study of unions in the San Francisco Bay Area in the 1990s, one of the few attempts to specify the conditions under which union revitalization occurs, highlights three critical factors that facilitated local union innovation: an internal political crisis leading to leadership change, support from the International union, and the presence of leaders with activist experience in other social movements.¹⁰ It is striking that all of the "full innovators" (as well as most of the "partial innovators") that Voss and Sherman examined were affiliates of SEIU and of the Hotel Employees and Restaurant Employees union (HERE). Yet they did not inquire into the reasons why the factors promoting innovation were present in *these* particular unions, both of which are former AFL affiliates.

One key explanation for the industrial unions' relative quiescence is simply their location in the manufacturing sector, which was so deeply affected by deindustrialization. Neither the building trades nor the service sector-based SEIU and HERE need worry that their members' jobs can be transferred to locations where labor is cheaper or more tractable (although the garment and textile workers in UNITE HERE, of course, *are* vulnerable in this way). SEIU also benefited from gaining an early foothold in the public sector, where union density remains relatively high and where a high concentration of female workers offered an opportunity to embrace the cause of gender equality, the first incarnation of a broader trend toward social movement unionism (Johnston 1994).¹¹

Being concentrated in expanding sectors of the economy gives the former AFL unions an undeniable advantage. And a substantial (though difficult to calculate) part of SEIU's spectacular membership growth over recent decades is due to accretion; that is, to increased employment in already unionized units—particularly in health care—rather than to new organizing. Mergers with preexisting unions have also contributed to SEIU's growth. There is even some evidence that both absolute membership and union density have declined in recent years in some key SEIU (and other CTW) jurisdictions, despite their impressive record of organizing the unorganized (Hurd 2004).

Even taking this into account, however, the SEIU was easily the leader in innovation and growth in the 1990s. So it is worth asking: what else (besides insulation from the effects of deindustrialization) differentiates it and the other former AFL unions from those with roots in the CIO? One key factor is that SEIU and HERE, as well as the building trades unions, are occupationally based. As Cobble (1991b) has argued, in the post-industrial age, when workplaces are unstable and shifting entities, occupational unions have distinct advantages over those whose organizational units mirror the structure of the traditional industrial workplace. Interestingly, even though they otherwise resemble industrial unions, the garment unions—which were in the vanguard of the AFL’s “new unionism” in the 1910s, then merged in 1995 to form UNITE, and later joined the CTW grouping as part of UNITE HERE—fit this pattern too. The subcontracting-based apparel industry bears little resemblance to the mass-production manufacturing that was the CIO’s focus; it always had more in common with the construction sector, where workplaces were inherently unstable. Thus, the needle trades unions share many characteristics with those in the building trades—for example, portable benefits and a model of unionism predicated on taking wages out of competition in local labor markets, often by means of organizing tactics designed to recruit employers, rather than workers, into the union fold (see Piore and Sabel 1984, 115–20).

Their local market orientation also fostered a tradition of local autonomy in the AFL unions, in contrast to the centralized pattern bargaining that the CIO unions achieved in their heyday. As the historian David Brody (1967/2005, 42) has pointed out:

The AFL rarely succeeded at the core of mass-production industry. But a vast peripheral field remained that was susceptible to—indeed, better suited to—the tactics of AFL unions, which were decentralized, with local unions dispersed across the economy and often equipped and motivated to carry on organizing work.

Against this background, it is ironic that SEIU and UNITE HERE are currently seeking to consolidate their market power at the regional, national, and even international level in a bid to strengthen their leverage vis-à-vis the multinational firms that now dominate such industries as building services, hotels, and health care. But the AFL national leaderships have always retained the ability to intervene in the affairs of their

local affiliates through such means as trusteeships, which have been deployed far more frequently in the AFL than in the CIO unions (whose greater centralization historically made such mechanisms redundant). This dynamic underlies Voss and Sherman's (2000) finding that support from the International for local leadership change is a key factor facilitating union revitalization. In addition, as Brody (1967/2005, 42) notes, traditionally "AFL unions serviced their locals less than centralized CIO unions did, so proportionately more income at the national level was available for organizing work."

As is now well documented, many of the most successful initiatives of the SEIU have actually been "top-down" efforts, engineered not by the rank and file but by paid staff in the upper reaches of the union bureaucracy. Thus, "business unionism" has been the handmaiden of social movement unionism, not its antithesis! And the leaders who launched many of these initiatives often relied on trusteeships to do so: in the case of the Justice for Janitors campaign in Los Angeles, for example, trusteeship was the tool that ousted the old-guard local union leaders, who were staunchly opposed to the janitors' organizing effort. Although critics like Early (2004) paint such International intervention as blatantly undemocratic, this approach glosses over the complex and multilayered character of union leadership and the various political configurations that are possible across those layers. As Voss and Sherman (2000) show, when International leadership is progressive, it can be a powerful force promoting innovation at the local union level. On occasion this may involve the forcible displacement of secondary (local) leaders, but it can simultaneously open the door to rank-and-file participation, which otherwise may be held back by the corrupt local union "bosses" of the old AFL stereotypes.

Some commentators roundly condemn the SEIU's heavy reliance on "outsiders"—especially the college-educated organizers with no shop-floor experience who have helped staff several other unions' recent organizing efforts as well. Early (2004), for example, sees such outsiders as opportunists driven by personal ambition and ruthlessly hostile to any potential competitors. Yet the tradition of hiring "intellectuals" onto union staffs, and more generally recruiting talent from outside the labor movement, has contributed to the recent successes of SEIU and other CTW unions. The practice can be traced back for many decades in SEIU as well as in the garment unions that merged into UNITE (see Clark and Gray 2004; Gray 1981; more generally, see Mills 1948; Wilensky 1956). Although it was more unusual in the building trades, in the decades fol-

lowing World War II—the period of labor’s most rapid expansion in Los Angeles—college graduates “found easy access to leadership positions” in the local Carpenters’ and Painters’ unions (Greenstone 1969, 157). Unions of every stripe have long hired lawyers from the outside, and union research departments have often been staffed by highly educated outsiders as well. But in the post–World War II years, the UAW and other former CIO unions had begun to make something of a fetish of recruiting their leaders (those in line positions if not always those in staff jobs) from the shop floor.¹² Although there may be valid reasons for this policy, it certainly has not saved the former CIO unions from bureaucratization or the other pitfalls of “business unionism.” And it may have unintentionally deprived them of the creative energy and “strategic capacity,” in Marshall Ganz’s phrase (2000, 2004), that intellectual skills and/or experience in other social movements can bring to labor (see Piore 1994; Voss and Sherman 2000).

Outsiders often have been effective in dislodging old-guard union officials who are unable or unwilling to assume the risks involved in using new strategies and tactics or who justify avoiding the formidable task of organizing the unorganized by invoking the “servicing” needs of their existing members. And the recent ascension of leaders with both extensive formal education and activist experience in other movements to high-level positions in key unions has injected dynamism into the labor movement. It is no accident that three Ivy League–educated union presidents (including the SEIU’s Andy Stern) were the main leaders of the dissident union grouping that led to the 2005 split in the labor movement (Greenhouse 2004). More generally, as chapter 4 as well as other recent research suggests (see again Voss and Sherman 2000), the most vibrant and innovative unions are those that *combine* social movement–style mobilization with carefully calibrated strategies that leverage the expertise of creative, professional leaders.

NEW UNION STRATEGIES

As the types of union growth strategies that were once embedded in the web of regulatory and legal institutions established in the New Deal era have become increasingly ineffective, labor has turned to new approaches. Organizing unorganized workers today increasingly occurs outside the framework of the National Labor Relations Board (NLRB), which has been virtually incapacitated after decades of employer manipulation. The once-conventional practice of unionizing one workplace at a

time is also outmoded in the growing number of industries where highly competitive subcontracting has become widespread. This problem exists in all four of the cases analyzed in the pages that follow: in building services, residential construction, and garments, a union organizing victory at a single subcontracting firm would merely lead the affected building owner, housing developer, or apparel manufacturer to shift the work to nonunion subcontractors, putting the newly unionized firm out of business and its employees out of work. Traditional organizing is equally impractical in the intermodal trucking industry, both because of the large number of competing firms and because the owner-operators that dominate this sector of the industry are not legally classified as “employees” and thus are ineligible to vote in NLRB elections.

The SEIU and other CTW unions have developed an array of new strategies to address these problems. Rather than organizing individual work units, their focus is now on strategic organizing designed to take wages out of competition in an entire industry or sector—first in the local labor market but then over time on a regional, national, or even international basis. The unions engaged in this kind of organizing devote extensive resources to researching the power structure of the target industries in order to identify pressure points where union leverage can be exercised to win direct recognition from employers, thus sidestepping the NLRB electoral process entirely. They have built coalitions with community-based organizations, targeted key politicians, and developed sophisticated means of attracting media attention and public sympathy. In addition, these unions have launched “internal organizing” efforts to educate and mobilize their existing membership, arguing that the future welfare of current union members depends on organizing the unorganized.

In short, just as their location in expanding, nonmobile sectors of the economy positioned the former AFL unions to survive and grow even as their industrial union counterparts were paralyzed by deindustrialization, so too other distinctive characteristics facilitated their ability to develop these new organizing approaches. The AFL unions’ experience prior to the establishment of the NLRB and the broader New Deal regulatory framework and their long-standing anti-statism and commitment to “pure and simple” unionism give these unions an edge over the industrial unions in the context of ascendant neoliberalism. Their traditional reliance on organizing strategies that focus on taking wages out of competition in local occupational labor markets is newly relevant as subcontracting has proliferated and cutthroat competition has been unleashed both in industries like building services and in deregulated sectors like

trucking. By contrast, the industrial unions, from the outset, were accustomed to operating within oligopolistic industries where wage-based competition was historically rare. They have had enormous difficulty transcending the New Deal framework on which the CIO's initial growth was so heavily predicated.¹³

The willingness and ability of International leaders to intervene in the affairs of nominally autonomous local unions, as well as their recruitment of highly educated outsiders to augment leadership talent at all levels, further facilitated the former AFL unions' development of new strategies to confront the restructured political economy that emerged from the tectonic shifts of the 1970s and 1980s. The intellectual resources of outside staff recruits have generated sophisticated strategic research into the industries and sectors these unions targeted for organizing—research that often has proved critical to their success. Many of these outsiders also brought with them a vision of large-scale social change nurtured by previous activism in other social movements, from feminism to environmentalism to anti-imperialism; such visions also added vibrancy to the labor movement.

Criticisms of the top-down character of SEIU organizing and other such efforts by commentators like Early (2004) make much of the undemocratic aspect of the intervention of International leaders and the deployment of outsiders in strategic campaigns. The implication is that if only the legions of top union brass would step aside and allow the rank and file's natural leaders to take command, labor would no longer be so impotent. Yet in most cases top-down intervention has come at the expense not of the rank and file but rather of highly conservative old-guard secondary union leaders (few of whom attained their positions by democratic means) whose individual interests and culture of risk aversion often diverge from the interests of the workers they represent.

Moreover, the mobilization of the rank and file—both existing union members and the unorganized workers targeted for recruitment—has been central to the new unionism's success, as the immigrant organizing campaigns analyzed in chapter 4 illustrate. Some of these campaigns were initiated by International union staff, strategically designed to exert intensive pressure on powerful individuals and groups within the targeted industry in order to win union recognition; others began at the grassroots level, with limited involvement from established union organizations or leaders, at least initially. But analysis of these cases suggests that under current conditions a campaign is unlikely to succeed unless it involves *both* a strategic campaign *and* a bottom-up worker mobilization.

Regardless of how the effort begins (as either a leadership initiative or a bottom-up organizing effort), ultimately both components must be combined into a comprehensive strategy to neutralize employer power and extract a union victory. Where either the top-down or the bottom-up element is lacking, success is unlikely. Thus, the rank and file do have a vital role to play in labor revitalization—and in this arena immigrant workers have been a particularly dynamic force. But rank-and-file mobilization is best understood not as an alternative to but rather as complementary—and indeed integral—to the success of top-down strategic campaigns.

The janitors' case, along with other recent examples of low-wage immigrant organizing in Los Angeles and elsewhere, invites a reconsideration of basic questions about union structure and strategy. That the former AFL unions rather than their CIO counterparts have assumed center stage in these efforts to organize immigrants of color belies the old stereotype that paints the former as reflexively hostile toward racial and ethnic minorities. And the dichotomy between top-down and bottom-up forms of unionism also must be problematized. More generally, posing the question in terms of a normative hierarchy of different types of unionism seems less fruitful than a concrete assessment of the varied labor organizing strategies to win voice and power vis-à-vis employers, analyzing the conditions under which such efforts succeed or fail.

A vital starting point for rethinking these issues is to examine the historical record in light of contemporary developments. How did the unions actively engaged in organizing today recruit workers and consolidate their power in the first place? How were their strategies influenced by the political and economic conditions in which this initial organizing took place? And what were the roles of immigrants and native-born workers, respectively, in this earlier phase of union growth? Chapter 1 explores these questions for the four industries that are the empirical focus of this book: garments, trucking, construction, and building services. Reconstructing the historical logic of unionization in these industries not only offers some insight into the larger issues of union structure and strategy but also exposes the specific organizational legacies with which those who are currently struggling to rebuild the labor movement must grapple.