

TRADE UNION ORGANISING AMONG LOW-WAGE SERVICE
WORKERS: LESSONS FROM AMERICA AND NEW ZEALAND

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Abstract

This paper examines how American and New Zealand (NZ) unions have responded to the challenges of organising workers in low-wage service sectors. Different approaches to organising are examined, with particular focus on the “organising” model of unionism. American and NZ unions were found to have developed both similar and contrasting approaches to organising low-wage service workers, and the underlying factors are analysed. The article concludes with a discussion of the relevance of organising model methods for British unions in the context of the new Employment Relations Act.

Key words: trade unions; organising model; USA; New Zealand

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TRADE UNION ORGANISING AMONG LOW-WAGE SERVICE WORKERS: LESSONS FROM AMERICA AND NEW ZEALAND¹

1. Introduction

Trade union membership has declined over the last two decades throughout the world. Labour movements have responded by casting about for strategies which will guarantee their survival. As a consequence, union recruitment and organising has become an important focus of attention within both trade union and academic spheres. Many of the survival strategies that are prescribed centre on improving existing organising and recruitment practices, adopting new organising approaches, and recruiting historically non-unionised workforce constituencies, particularly female, minority, youth, and service workers.

In most countries, the typical low-income service worker is likely to be female, from a minority - perhaps migrant - group, with little exposure to unionism. She will probably hold multiple part-time or casual jobs, and work in a small enterprise or small occupational group, often in close proximity to her employer.

All of these characteristics, along with high levels of labour turnover, militate against collective organisation. Thus, the low-wage service sector offers an interesting case for study as it is probably the most difficult of workforce sectors to organise. But it is also interesting in that, despite the barriers to unionisation inherent in the sector, unionists and commentators have increasingly identified it as an important area of untapped membership potential. Given that unions in this sector are struggling against structural forces preventing them from organising, while also operating within a sector which is perceived as offering considerable potential, we might expect that they have responded to such threats and opportunities by developing new and innovative organising strategies. It is in this difficult context that this article examines trade union organising strategies and experience. The countries chosen for study, the USA and New Zealand, provide especially difficult settings in

terms of their legal background. The article concludes by drawing out lessons for the United Kingdom (UK), where the 1999 Employment Relations Act now promises an easier legal environment.

2. Union Recruitment Strategies

Interest in strategies to recruit and retain members has developed with emergence of the “organising” model of unionism. It originated in part from an AFL-CIO sponsored teleconference of American unionists, held in 1988 to examine strategies for increasing union membership in light of precipitous density decline during the Reagan era. Participants surveyed methods of organising female workers that had been successfully trialed by communications, clerical, and service unions during the 1980s, and resolved to disseminate these approaches throughout the union movement (Butler, 1991; Crain, 1994; Green & Tilly, 1987; Hurd & McElwain, 1988).

The defining characteristic of the organising model is that unions seek to empower workers to find collective solutions to work-related concerns (Hurd 1995:24). Union activists cultivate union commitment and linkages between workers through one-to-one (worker-to-worker) organising, visits to workers’ homes, informal small-group meetings, and the establishment of large committees of workplace representatives. Union education programmes instil a sense of self-confidence among workers, they build leadership and collective problem-solving skills, and they encourage self-sufficiency. All activities are designed to build union strength through activists organising their workmates and eventually, neighbouring establishments or companies (Fletcher & Hurd 1998).

Unions in several Anglo-Saxon countries have since adopted these methods. Between 1989 and 1996, labour federations in America, Australia, and Britain established organising training institutes to promote organising unionism to their affiliates (Cooper & Walton, 1996; Heery, 1998). As a result, the organising model has become institutionalised within small clusters of unions in these countries, and in

New Zealand (Oxenbridge 1997).

In New Zealand and Britain, the interest in new rank and file-based strategies has in part been a reaction to traditional mobilisational and participative union modes. These forms of unionism depended upon strong, independent workplace shop steward structures and thrived in male-dominated production industries during the boom years of the 1960s to 1980s (Brosnan *et al*, 1990; Heery & Kelly, 1994). Workers in these industries had significant labour market power, and industrial action was common. The new wave of activist-based strategies, such as the organising model, are similar to mobilisational and participative union modes in that they are predicated on cultivating membership activism and self-sufficiency. They differ in that they were originally developed to organise workers who are essentially the antithesis of male production workers; namely female, minority, and contingent service workers. Consequently, new forms of building membership power have been developed, tailored to the features of this workforce. While organising model campaigns may involve use of traditional “confrontational” approaches, such as pickets or boycotts, other tactics take the form of low-risk, non-confrontational protest actions, which are designed to foster collectivism among more vulnerable female workers and prevent employers from singling out union supporters.

At the centre of analyses of the origins and use of the organising model is a tendency to dichotomise modes of union behaviour. Writers have classified union orientations according to whether they centre on professional or participative union-member relationships (Heery & Kelly 1994); servicing or organising cultures (Fletcher & Hurd, 1998; Macdonald, 1997); business or activist unionism (Conrow 1991); traditional top-down or rank-and-file intensive organising methods (Bronfenbrenner 1991); instrumental or transformative organising approaches (Lipsig-Mumme 1996) and, in New Zealand, arbitrationist or participatory/mobilisational unionism (Brosnan *et al*, 1990; Walsh, 1990). The development of these categories by researchers across a broad sweep of Anglo-Saxon countries - each with differing industrial relations systems - and the nexus between concepts such as professional,

arbitrationist, servicing and insurance models of unionism, indicate that similar modes of orientation have evolved throughout union movements in Westernised nations.

A key point of difference between each of these paired concepts relates to which actors within a union orchestrate organising or recruitment activities. In each of the first ‘type’ in all of the paired categories, decision-making power is centralised and restricted to full-time officials, and rank-and-file involvement may be actively suppressed. Recruitment is conducted by full-time officials and thus takes the form of organiser-to-worker recruitment. In the second of each of the pairings - within which organising model approaches sit - membership participation is actively encouraged at all levels of union structures. Organising campaigns might be instigated or co-ordinated by paid officials, but almost all activities revolve around building bottom-up mobilisation. Organising activity is dominated by members, who use worker-to-worker recruitment methods.

The union “types” within each dichotomous pair differ further in terms of the focus or target of recruitment appeals. The first set of staff-driven approaches aim to attract *individual* workers to the union by emphasising the individualised, usually pecuniary, gains ensuing from membership. In essence, workers are recruited on the basis that paid officials will provide services, solve problems, or negotiate pay increases for them. Conversely, the latter set of mobilisational approaches - described also by Kelly (1998) - focus on building *collectives* of workers around shared problem-solving and collective “voice”.

The main short-term aim of all of these modes is that of unionising workers, through recruitment. However, an equally important aim of each of the latter activist-based modes is the establishment of long-term, self-sustaining workplace union structures, through organisation. Thus, whether we choose to talk about “recruitment” or “organising” does not simply come down to an issue of terminology. It may turn upon the end-goals of a particular union. Is the objective of union activity to recruit

greater membership numbers in the short-term, for union survival? Or, is it that of building union strength for the long-term, through organising? If asked, most trade unionists would probably answer “both”.

This study draws on experience from the USA and New Zealand. American union density has declined steadily since the 1980s, from 22 percent in 1980 to 15 percent in 1995 (Brown *et al* 1997). In New Zealand, significant membership decline occurred after the enactment of the Employment Contracts Act (ECA) in 1991. Density levels halved, from 41 percent in 1991 to 19 percent in 1997 (Crawford *et al* 1997). Until 1991, industrial relations practice in New Zealand took place within a highly centralised system of compulsory union membership, nationally-negotiated occupational or industry-wide collective agreements called awards, and state intervention in wage-fixing and dispute resolution (Brosnan *et al*, 1990; Anderson, 1991). This framework enabled unions to form and thrive in all industrial sectors, including the low-wage service sector. In 1991, it was replaced by the ECA, a profoundly changed market-based framework. The ECA implicitly promotes individual contracts and, indeed, around three-quarters of the New Zealand workforce is now covered by individual employment contracts (Oxenbridge 1999). In essence, the ECA has plunged unions into crisis. Those operating in the low-wage service sector have been the hardest hit, with membership losses of around 70 per cent since 1991.

Under the 1935 National Labour Relations Act, American unions are recognised if they are able to demonstrate majority support in a bargaining unit. The process of gaining recognition is highly legalistic and open to employer influence. If a union wins an election and management agrees to negotiate a contract, the union then becomes the sole representative of all employees in that unit, and all are required to become members. However, New Zealand more closely resembles the model of “minority unionism” in the USA’s 22 Right to Work States, in which a union may negotiate a contract covering all workers in a unit, but only a minority of these workers may be union members. It is

therefore up to the union to convince the remaining workers of the benefits of joining.

New Zealand and the USA each offer interesting examples of countries in which service sector unions have experienced difficulties organising workers within institutional frameworks that in many ways discourage union organisation. Consequently, despite differences relating to scale and legal systems, it might be expected that they have developed similar strategies for survival and growth. One aim of this article is to compare their organising strategies and examine whether this has occurred. American unions have experienced membership decline for many more years than NZ unions and have a longer tradition of organising reform. Thus, a second question is whether the American experience offers solutions for NZ unions. A final aim is to assess whether the experience of unions in both countries is instructive for British unions as they enter the new organising environment heralded by the Employment Relations Act.

3. Method and purpose

Data are drawn from 60 interviews conducted with NZ trade union officials between 1994 and 1996, and 12 interviews conducted with full-time officials of Californian (Local) unions during April 1996². Alongside interview data, documentary evidence (union magazines, newspapers, newsletters, pamphlets, and media statements) was used for verification and cross-validation purposes, and to analyse the public face or profile of all unions studied. Observation data was used to a minor degree, in that the author attended union pickets, rallies, and workplace meetings held by the unions studied.

National NZ unions surveyed included the Service Workers Union (SWU), which organises cleaners, caretakers, nursing home and community care workers, as well as hospital domestic, hospitality, and clerical workers; and the National Distribution Union (NDU), which represents retail, transport, storage, and textile workers. At the time of this study the SWU had around 25,000 members; the NDU had 22,000.

The Californian unions were located in central and suburban Los Angeles, and in the Oakland and Bay areas surrounding San Francisco. They included United Food and Commercial Workers Union (UFCW) Locals 870 and 1428, which represented 5,500 and 5,000 supermarket and grocery workers (respectively); Hotel Employees and Restaurant Employees (HERE) Local 2850, whose 2,300 members worked in accommodation hotels, casinos and small restaurants and cafeterias; and the Service Employees International Union (SEIU) Justice for Janitors (JFJ) Local 399 and Healthcare Local 250. SEIU Local 399's 25,000 members comprised 8,000 janitors and 16,000 healthcare and homecare workers; and SEIU Local 250 had 35,000 members working in the healthcare industry in homecare, nursing homes, large Health Maintenance Organisations, and public and private hospitals.

These Locals were selected for study because they were the sister unions of the NZ unions studied, and because - in the case of the HERE and SEIU Locals - they were widely considered to be at the forefront of organising innovation, having pioneered the use of organising model and community organising techniques during the 1980s (Banks, 1991; Bronfenbrenner *et al*, 1998; Cobble & Merrill, 1994). The UFCW Locals profiled also used these methods, but had adopted them in later years. In order to link this analysis to the British context, material was drawn from interviews with Trades Union Congress (TUC) and British trade union officials, conducted throughout 1999.

4. American Organising Approaches

4.1. Internal organisation

All of the Californian Locals studied used a standard set of organising model methods. In each union, the first stage in the organising (model) process involved staff using industry and corporate research to target leading firms which were strategically important, in that they enabled them to “build power in the industry”. If they were able to negotiate contracts with these employers, they could then set a floor of “benchmark” wages and conditions in an industry or within a geographic

area. The ultimate aim was to organise the entire industry either nationally, regionally, or city-wide.

For example, for the last 60 years, UFCW Locals 870 and 1428 (in conjunction with neighbouring Californian UFCW Locals) have negotiated two large multi-employer multi-site contracts covering workers in several of the largest grocery chains in the Southern and Northern Californian areas. UFCW Presidents stated that these contracts have enabled them to “pretty much take wages out of competition” throughout the State. However, they expressed concerns over the future of the contracts - and the high wage levels they had negotiated for union members - which at the time of interviews in 1996 were looking insecure. They had found it difficult to keep the chains together as a bargaining unit during the last few contract rounds. This was because the companies were increasingly under threat from non-unionised competitors, mainly smaller independent grocery stores and large “supercentre” stores (most notably Wal-Marts and K-marts), all of which paid minimum wages.

In the second stage of the organising process, once a target company was identified, organisers then made contact with workers employed by the company through homecalls and house or off-site meetings. Rank-and-file leaders (member activists) were identified by organisers, signed up to the union, and trained in worker-to-worker organising techniques. Active members formed a volunteer organising committee (VOC) and organisers and VOC members identified issues to organise around. Organisers then educated all workers about these issues. In the next stage, VOC members conducted housecalls alongside organisers and used worker-to-worker recruitment strategies in their workplace. VOC members and organisers then persuaded workers to sign petitions and confront employers in delegations, seeking a union contract.

4.2. External activities

If, after this internal organising activity employers chose not to negotiate a contract with the union, staff and members used consumer boycotts,

community organising, and direct action (pickets, marches, and illegal demonstrations) to force the employer's hand. Civil disobedience actions were used extensively in homecare, janitorial, and hotel campaigns, with many members arrested for blocking roads and bridges. Such actions garnered media attention, as did community delegations and research on illegal employer activities fed to the media by union researchers. All Locals were supported in campaigns by politicians, students, and academics, along with religious groups, immigrants' rights groups, and Asian, Latino, and African-American rights groups. Representatives from these organisations joined unionists in delegations to employers, and attended and spoke at union rallies. Locals would then reciprocate by lending their support to the community organisations during their campaigns.

HERE and JFJ Locals responded to employer anti-unionism by implementing a three-pronged "comprehensive campaign" strategy. This involved community coalitions, grass-roots organising, and corporate research. Locals organised consumer boycotts, and International union staff conducted research into illegal or unethical employer activities. This research was used to inform union tactics aimed at forcing the employer to negotiate fairly with the union, either by lawfully interfering with business activities in some part of the company, or by generating negative publicity about the company's activities. For example, HERE and UFCW staff brought evidence of corruption within certain anti-union companies to the attention of city or county officials when these companies tendered for contracts or applied for consent to build new sites. UFCW locals also lobbied city and county officials to prevent large non-union chains from establishing stores in their local area. They worked together with community groups to stall and frustrate the building of super-marts by making submissions to local bodies. Union staff highlighted the undesirable economic and environmental impacts ensuing from the establishment of non-union superstores, the latter in light of strict Californian environmental by-laws. A UFCW President stated:

“We go to planning commissions, we go to city councils, we try to convince elected officials, ‘You don’t want to have this type of store in your area. Because if you do, they’re going to compete in an unfair manner against your existing employers, they’re going to cause unemployment among people who make 15 or 16 dollars an hour and have health benefits, replacing them with minimum wage jobs’. (...) As a result of that effort, we stalled the project so long that (the company) finally said ‘We don’t want to build here’.”

However, UFCW Locals in other parts of the country have not had as much success. This is because environmental laws are not as strong as in California and many cities in recession are “crying out” for sales tax revenue and jobs. Consequently, one Local President stated that this approach had met with more failures than successes. Locals have, however, co-ordinated campaigns with other UFCW Locals to prevent stores from setting up in neighbouring counties, and have picketed non-union stores across county lines. In the late 1990s Californian UFCW Locals lobbied successfully to pass a Bill that would control the number of (non-union) super-centres operating in the State. The legislation limited the amount of square footage in a store that could be devoted to grocery items, an initiative which UFCW Locals believed would keep competition on an even keel. However, in 1999 the Governor of California vetoed the legislation, and the UFCW has now begun a campaign calling for the legislation’s reintroduction.

JFJ staff used similar appeals in publicity campaigns where they showed how, at a macro level, minimum wage jobs in non-union companies were bad for cities in recession such as Los Angeles. One organiser described their approach:

“How we’ve couched the argument has stayed consistent from day one, which is that minimum wage jobs are bad for LA, and that unless (real estate developers) make sure that the workers that clean buildings have good jobs, that undermines the economic stability.”

HERE Local 2850 occasionally used a strategy that was essentially the converse of the approaches described above. In one instance, HERE members and staff worked with a company that was seeking permission to build a casino within their jurisdiction. In order to build the casino, the company was required to gain approval through a local referendum. Consequently, unionists engaged in a “precinct walking” campaign to drum up local support and get the referendum passed. In return, they negotiated a neutrality agreement with the company that enabled them to settle a contract. In essence, the union struck an agreement with potential employers that they would support their bid - and “help get the place built” - if the company agreed not to interfere in union recruitment campaigns. Similarly, UFCW 1428 campaigned to get pro-union city and county officials elected. The 1428 President explained:

“We’ve got several tight races in our districts and we want to raise money, get people to walk precincts, to phonebank, and get people to vote for these candidates.”

A key component of comprehensive or corporate campaigns is the consumer boycott. HERE 2850 sent pamphlets and information packs to potential and current customers of anti-union hotels which have resisted union organising attempts, asking them to take their conferences elsewhere. They also took delegations of community leaders to meet with these hotels’ large corporate clients, and successfully persuaded a number of them to pull their business from anti-union hotels.

A range of direct action tactics were used as part of boycott and publicity campaigns. Strikes were not considered by HERE organisers to be an effective weapon, as employers can replace striking members with permanent replacements. However, pickets have been used very effectively by HERE to deter customers from patronising non-union establishments. During their boycott of the Lafayette Park hotel, Local 2850 picketed it twice a week. This campaign was deemed to be a success by 2850 staff on the basis that they “had driven away a good chunk of business”. One organiser remarked:

“It’s not that people won’t cross the line because they’re pro-union, but if you’re spending \$50 on dinner, you don’t want a bunch of people yelling at you when you go in.”

Like HERE 2850, JFJ Locals sought to prove to targeted employers that by using direct action and other strategies, they could harm them financially, and that it would cost them more to fight the union than to settle with them. This strategy was successful in Local 399, which organised 8,000 janitors - 95 percent of them Latino - between 1987 and 1995. A former JFJ lead organiser stated:

“The bottom line is that companies are run by bean-counters, and somebody’s going to say at some time - and this has happened in almost every fight we’ve had - ‘Look, we’re spending a tremendous amount of money to fight these guys (Local 399), we can’t sell more business because our reputation is shit, and everybody knows that wherever we go the union’s coming behind us (...) and they’re not going to go away. So let’s get the best deal we can.’”

Consistent with their counterparts in HERE 2850, JFJ organisers built working relationships with the media and community groups, and led delegations of community leaders, who lobbied companies to use unionised firms (Banks 1991). A key lever for success in the JFJ’s Los Angeles campaign was the union’s understanding of the Latino workforce. Recent immigrants had strong social networks and kinship ties, which were used in the process of organising.

In both the JFJ and HERE Locals, VOC members made up the majority of picketers and those attending rallies. At pickets of non-union sites, committee members explained to workers and customers - and building tenants and tenants’ customers in the case of Justice for Janitors campaigns - how low-wage non-union sites jeopardised the livelihoods of all workers in the industry, and had a detrimental effect on local communities. Justice for Janitors’ activists urged tenants and members of the public to place pressure on the building owners and property

managers to utilise responsible unionised contractors. While HERE used pickets to turn customers away from anti-union establishments, UFCW organisers used them to turn customers *towards* unionised sites by distributing “Shop Union” buying guides. These guides identified unionised stores with the aim of channelling consumer dollars towards them. UFCW staff reasoned that this would enable unionised chains to maintain their market share in the face of competition from non-unionised competitors.

Some of the picket and boycott campaigns conducted by these unions stretched over many years. The JFJ 399 campaign produced no members for the first two years of the campaign. Likewise HERE 2850’s Lafayette Park Hotel campaign began in 1994 and is still continuing, albeit in a scaled-down form, into 2000. When asked if it was worth conducting the Lafayette campaign, in light of the considerable resources devoted to it and the fact that the hotel only employed 120 workers, the HERE organiser overseeing the campaign answered:

“We want to establish a presence in the industry and the community. It’s important for them (Lafayette management) to see that we’re going to stay there for as long as it takes. (...) If you show a place like the Lafayette Park that you’re willing to go away after 6 months or a year, every other employer in the county is going to wait you out. (...) I get through the day by remembering something JFJ LA people said; It took them 18 months to get their first contract for 30 people, 9 months for their second, 4 months for the third, and now they get 2 contracts a month. You develop a reputation, you develop a model that works, people fall in line. It’s an investment.”

In follow-up discussions with this organiser in 1999, she remarked that their strategy of making an example of anti-union employers had produced positive results. Other employers in the area - both union and non-union - were now scared to take to take the union on, she believed, because they did not want the “Lafayette Park treatment.”

5. NZ Union Organising Approaches

Prior to the enactment of the Employment Contracts Act, union membership was compulsory in New Zealand, and full-time officials were not required to spend a significant proportion of their time on membership recruitment. Most devoted the bulk of their time enforcing awards and taking grievance and dispute cases for members. Many officials continued operating in this manner under the ECA, despite the shift to enterprise and individual bargaining, and substantial membership losses. In the NDU - as in all New Zealand unions - recruitment became a greater priority once the Act was in place. However, NDU staff continued to use servicing-based approaches. They negotiated multi-site supermarket contracts at a national level, and organisers recruited members during workplace visits and meetings, mainly around union representation in the event of a grievance, dispute, or contract enforcement problem.

In contrast, the largest (Northern) office of the SWU gradually underwent a culture change from 1994 onwards, when certain organisers endeavoured to introduce organising model methods into the organisation. Some organisers in the Northern region office, and most in the SWU's Central region office, had used activist organising methods since the mid-1980s. SWU staff who used these methods referred to themselves as community, political, or grassroots organisers. They worked towards building union solidarity on sites, and educating and empowering workers to collectively solve workplace problems. They campaigned around workplace and broader social justice issues, and built networks between union members and community, national, and international activists' groups. Most had been paid officials of the former New Zealand Clerical Workers' Union or the Hotel and Hospital Workers' union, both of which had traditions of participatory unionism. Throughout the 1980s, each union had become a force for change and a progressive voice within the union movement by championing issues related to low pay (Hill, 1994; Haworth, 1993).

Most other SWU organisers, however, used recruitment methods similar to those employed by NDU staff (Oxenbridge 1997). These paid officials, like NDU organisers, recruited around individual representation, supplementary membership services, and wage increases negotiated in renewed contracts. Recruitment centred around paid officials providing services, and potentially, wage increases to workers.

Despite differing organising orientations, a number of similarities were evident in terms of the directions followed by each union prior to and during the ECA era. First, both unions made progress towards building steward structures and campaign organisation in the late 1980s. Second, both negotiated national contracts which enabled coverage of large groups of dispersed workers, and each recruited mainly around collective contracts. Third, organisers and leaders were highly committed to increasing recruitment activity as a survival strategy, but were impeded in their efforts to recruit more extensively by growing servicing (problem-resolution) obligations. Fourth, each union had retreated to a core of priority sites and did not aggressively pursue recruitment in new or different sectors. Lastly, recruitment strategies and appeals varied widely, in part depending on whether organisers ascribed to an organising or servicing orientation. Features of organising targets also influenced whether staff organised collectives of workers around collective bargaining, or whether “insurance” and enforcement functions were used to recruit individuals. They included the potential likelihood of negotiating a contract; the employer’s attitude towards union involvement; the age of targeted workers, and the number of employees. For example, insurance or enforcement approaches were used in sectors characterised by employer hostility and small sites.

To summarise the approaches employed by the SWU and NDU, key groupings of SWU staff employed activist-oriented organising methods, while most NDU organisers used traditional representational or servicing approaches. The NDU retail secretary believed that there was little difference in the recruitment methods used in each union. However, in hindsight, he felt that the NDU had relied too heavily on organiser-to-worker recruitment for the first few years of the ECA, and had not

developed workplace committees or stewards to an adequate level. Consequently, in later years he spearheaded the implementation of several organising model initiatives, in part as a result of interactions with SWU leaders.

6. Points of Convergence

The two groups of American and NZ unions employed similar organising methods due to a combination of factors. While NZ unions had intentionally adopted American organising model strategies, they had also developed similar methods of activist organising indigenously, independently of exposure to American techniques. It seemed that this convergence of approach had occurred because of influxes of activist organisers into both NZ and American unions during the 1980s. In the NZ unions, a new breed of younger, feminist, and activist-oriented paid and lay officials had a pervasive influence on organising strategy from the mid-1980s onwards. At the same time, state support for union membership education programmes, and leadership changes in the SWU and NDU's largest pre-constituent unions, led to a surge in membership participation in the SWU and the growth of shop steward organisation in both unions.

Activists began to champion women's and minority workers' issues, and campaign for reform of union staff and democratic structures. During the 1980s staff and members in the NZ unions became more visible and active, and leaders began assigning priority to organising, in the sense of mobilising members around campaigns relating to issues such as low pay and shop trading hours. However, in contrast with American unions, which were forced to recruit to allay membership decline, New Zealand unions continued operating within a system of compulsory unionism and thus were not compelled to recruit members.

A new wave of unionists were reshaping the American unions in this study at the same time. In HERE, certain International union departments (particularly the Research Department) and progressive Locals such as 2850 were staffed by individuals who had come out of

early organising model drives of clerical staff, and tutors at Yale university in the 1980s. According to an HERE organiser, Yale University Locals developed “a very ‘grassroots’ style of militant organising drives”. She stated, “Yale became a training ground for a lot of organisers and researchers in HERE, and where those people have gone, the organising model has been implemented.”

In the SEIU, the increasing influence of newly-recruited activist organisers, combined with leadership changes, resulted in membership growth during the 1980s and 1990s. Under John Sweeney’s leadership, membership doubled from 650,000 in 1980 to 1.1 million in 1995. This was due to a combination of factors, including leadership support for innovative organising strategies introduced by new SEIU organisers, inter-union mergers, and union campaigns aimed at electing pro-labour civil servants in the public sector.

In American and NZ unions, generational and leadership changes led to internal pressures for change, which, combined with membership losses, provided the impetus for both sets of unions to become more responsive to specific membership constituencies. They established caucuses for female and minority members, and actively sought to match staff to membership groups in terms of gender, ethnicity, and language (largely as a result of lobbying by membership caucuses). American International unions had caucuses for women, Latino, Asian-Pacific, African-American, and in some cases gay and lesbian, members. Likewise, NZ unions established committees for women, Pacific Island and indigenous Maori, members.

Californian Locals surveyed employed varying proportions of Filipino, Vietnamese, Latino, and African-American organisers which roughly approximated their membership composition. Likewise, SWU and NDU industrial staff matched union membership profiles. Unions in both countries had made it a priority to recruit greater numbers of support staff and organisers who were bilingual. In NZ, some organisers spoke English and Samoan, and in US unions, most newly-employed staff spoke English and Spanish, Vietnamese, or Cantonese. All of the unions

surveyed produced union membership publications, leaflets, and contracts written in these languages.

However, despite the progressive nature of these initiatives, unionists in each country felt that their organisations had a lot more work to do in terms of first, ensuring that paid leadership structures were fully representative of membership constituencies, and second, strengthening union-community coalitions. Californian organisers conceded that they needed to employ more women, Filipino and Latino organisers, in order for their Locals to be truly reflective of their membership. Specialist caucuses actively lobbied union leaders around this issue. Some staff stated that their executive boards, comprised of lay leaders, were highly representative of their diverse memberships, while paid leadership structures were not.

Leaders and organisers explained that their staff structures were not entirely reflective of membership composition because their unions were organising new industries and recently-arrived immigrant workers. The composition of the workforce was changing rapidly with each successive wave of immigration, and unions were lagging with respect to changing their staff and paid leadership profiles accordingly. Interviewees from JFJ 399 and HERE 2850 were particularly concerned that more women, and women of colour, needed to be in positions of leadership. They expected that this would happen over a long-term period as activists from these newly-organised groups came to the fore and became paid officials. When asked if she thought that it was a problem that many HERE Local leaders were white males, a HERE organiser stated:

“It’s going to take ten years to get all those people that we started recruiting and give them enough experience so that they can assume positions of leadership, and not just be thrown into a position of leadership because it’s politically attractive, and then fail.”

Another similarity related to bargaining structures. Like their American service union counterparts, the SWU and NDU negotiated several

national multi-employer or multi-site contracts with “market leaders”. This enabled them to secure coverage of large groups of dispersed members and establish benchmark industry minimum conditions. In most SWU divisions enterprise bargaining predominated, while the NDU retail division negotiated fewer enterprise contracts. The retail union’s strategy of negotiating national multi-site contracts with several large employers resembled industry-wide bargaining strategies pursued by the UFCW. Likewise, consistent with SEIU campaigns, SWU organisers negotiated national multi-site catering, community services, rest home, and fastfood company contracts, along with multi-employer security sector and commercial and education sector cleaning contracts. However, as with the UFCW’s state-wide contracts, these national bargaining arrangements were unstable. By mid-1995 national fastfood and security sector contracts had fragmented into site-by-site agreements, and the future of most of the other national contracts negotiated by the two unions was looking uncertain. In both countries, the absence or presence of multi-employer contracts was a function of labour market competition, employer strategies, and employer-union relationships.

7. Different Approaches

There were more differences in approach than there were similarities. In the main, differences resulted from the larger size of American International and Local unions in comparison to NZ unions. Economies of scale determined the level of organising resources available to unions in each country. In April 1996, the UFCW International union had 1.4 million members, the SEIU had 1 million, and HERE had close to 300,000 members. In contrast, the NDU and SWU each had just over 20,000 members. During campaigns, American Locals had the resources of the International’s research, education, and organising departments at their disposal. Staff from these departments were often seconded to Locals for extended periods to work expressly on specific organising campaigns. There they worked in conjunction with local staff, and often member activists, who were seconded from their jobs, with their wages paid by the International union for the duration of the campaign. NZ

unions, however, could only draw on the equivalent of Local staff resources when engaging in organising campaigns.

Locals actively targeted fiercely anti-union “strategic” companies, and financial backing from the International union enabled them to conduct costly, protracted organising campaigns sometimes stretching over five or six years. Furthermore, the extensive research capabilities of International unions provided Locals with the means to engage in comprehensive boycott, media, and corporate lobbying campaigns in the course of their organising efforts. In contrast, NZ union research staff were made redundant after the ECA due to large-scale membership losses. More generally, dwindling resource levels caused NZ unions to avoid anti-union employers or greenfield sites and instead focus resources on consolidating membership levels in companies with neutral stances towards unions.

Another reason why Californian unions used different organising techniques from their NZ counterparts related to greater ethnic diversity - and larger proportions of recent immigrants - within the Californian unions’ membership jurisdictions. Although the bulk of minority workers in NZ are employed in the low-wage service sector, the sector is significantly less heterogeneous in composition than the American service sector. Californian unions organised industries that had significant proportions of African-American and immigrant workers from the Philippines, Korea, Vietnam, and Central American countries. Consequently, they were more likely to organise around immigrants’ rights legislation, racial discrimination, and racial solidarity in companies where management played off groups of workers on the basis of race.

In terms of Latino workers – the fastest growing membership group in most of the Californian Locals surveyed - certain cultural factors enhanced, and impeded, each union’s ability to organise these workers. All interviewees were in agreement that Latino workers were more receptive to organising attempts than any other workforce group. As with Pacific Island workers in New Zealand, this was because they

“could build unity more quickly, because people have a culture of acting as a group”, and because strong social networks among extended families aided organisation. An HERE 2850 organiser stated:

“I think there’s definitely much more interest coming out of the immigrant groups, as has always been the case in this country; 100 years ago it was the Irish that were organising. I think that that’s an immigrant issue more than a race issue. (...) I can tell you that if we look at a shop and it’s half Latino, we know that we have a good stab at it.”

However, immigrant workers were often more difficult to organise than other workers not only because of language barriers, but because of misconceptions regarding the role of unions in society. In some of the Central American countries Latino workers had migrated from, involvement in union activities could result in death. But by the same token, many immigrant workers had come from countries with much stronger labour traditions than in the U.S.A. Additionally, Latino UFCW 1428 leaders stated that Latino workers were, by nature, modest and unassertive. This, they believed, promoted employer abuse of these workers. Consequently, the UFCW was developing education programmes aimed at “empowering these workers to realise that they can ask for more”. An HERE organiser subsequently disputed this assessment, stating that some of her Local’s strongest leaders were Latinos.

Thirdly, divergent approaches arose from the fact that since 1996 the AFL-CIO has vigorously promoted the merits of activist organising methods amongst its affiliates, while its NZ equivalent - the New Zealand Council of Trade Unions (NZCTU) - has not. The AFL-CIO-sponsored Organizing Institute, in particular, played a pivotal role in spreading activist organising methods throughout most of the surveyed unions. The Institute was almost wholly responsible for bringing about a sea-change in attitudes towards organising in the two UFCW Locals studied. The Presidents of these Locals had attended an Institutere retreat which had caused an about-face in their organising philosophies, and

had inspired them to adopt rank-and-file and community organising strategies.

The AFL-CIO has adopted a campaign focus whereby organising is at the centre of most of its activities. Within the Federation, there is a commitment to resourcing the organisation of young, minority, and female workers in growing sectors of the economy. The same cannot be said of the NZCTU, as NZ unions are attempting to organise the fastest-growing sectors of the economy in isolation, with dwindling resources. During 1995 and 1996 the NZCTU made some attempts to expose affiliates to organising model methods. It sponsored tours of NZ by a former JFJ Local 399 organiser expert in these approaches; it organised follow-up inter-union meetings at which unionists discussed organising campaign methods; and NZCTU officials developed resources explaining organising model methods. However, these initiatives comprised the sum total of their efforts to build an organising culture among affiliates. It may be that a review of NZCTU functions conducted in 1998 and leadership changes in 1999 may see a shift in focus towards organising in future years.

A fourth set of differences related to the fact that, in comparison to their NZ counterparts, Californian Locals had devolved responsibility for organising to member activists to a greater degree. Each Local devoted significant resources to educating members that the only way they would continue to be employed under union-negotiated contract conditions - or employed *per se*, in the case of workers threatened with contracting out - was by working with organisers to organise neighbouring non-union sites. Union education programmes explained how the wages and conditions of neighbouring non-union companies had a direct impact on union members' wage levels and job security. Consequently, active members in all surveyed unions engaged in "external organising" campaigns on non-union sites, either voluntarily or through paid secondment programmes. An HERE 2850 organiser and a former JFJ lead organiser (respectively) explained their external organising approaches:

“We’ve told our membership we need to organise new places, because (...) it helps everybody’s contracts. Contracts come up, and they all want dollar raises. And I say ‘It ain’t gonna happen as long as that other place down the street is not paying medical care, so you should go out and organise that place, not because you think those people should have a better life, you should do it for your own self-interest’.”

“From 1987 forward, (...) we spent a lot of time doing education with the membership on the relationship between the non-union part of the (janitorial) industry and them, and that organising the non-union has a direct impact on their wages, but more importantly on their job security. Because of the way the industry is structured, building owners can change a contract on a 30-day notice for no reason in a building. You could be in a building today that you’d been in for 10 years, and 30 days later you’d be out on the street and a non-union company would be here, and there’d be no way for the union to protect against that. There’s no grievance we could file, no legal remedies. If you talk to any worker in the building and say, ‘Why do you organise non-union?’, (they would reply), ‘If all the companies are in the union, then when they change over the contracts they have to pick up the crew’.”

In response to the ECA’s enactment and its impacts - the decentralisation of bargaining and shrinking union resources - NZ commentators urged unions to delegate more responsibility to workplace representatives and build stronger steward structures (Boxall, 1991; Deeks *et al*, 1994; Haworth, 1993). This occurred to an extent in the SWU, but not in the NDU. In both unions, organisers were prevented from devolving responsibility to stewards due to union resource constraints, stewards’ reluctance to recruit, and high levels of turnover, casualisation, and employer discrimination. Consequently, in each union only a minority of highly committed delegates worked with organisers to organise new sites. More recently, however, the SWU has developed volunteer organiser programmes whereby member activists are trained to

organise non-union sites. Some volunteer organisers are then recruited by the SWU as paid organisers.

In part, the extent to which organising was devolved to members hinged on the characteristics of organising staff. Organisers in American unions tended to be younger than their NZ equivalents, and more Californian organisers had been recruited from community-based lobbying groups than in the comparable NZ unions. American organisers' backgrounds of working in voluntary and community lobbying organisations, and their value systems, influenced the organising strategies they used and their willingness to hand over responsibility to members. Their diversity of experience led to a raft of innovative and lively new practices coming to the fore. Marches and demonstrations involved newly-recruited organisers leading members in raps, gospel singing, street theatre, and civil disobedience actions.

In comparison, many organisers in NZ unions were older than their American counterparts and had worked for the same union since the 1980s. These organisers tended to be highly skilled in grievance-handling, dispute resolution, and contract enforcement, but were less enthusiastic than their American counterparts when it came to organising, devolving responsibility to workplace activists, or developing innovative forms of protest. Californian organisers' histories of working for community-based organisations also meant that union-community organising coalitions were used to a much greater degree in US Locals than in NZ unions. Additionally, American unions' community networking capacities were more highly developed because community organisations in the US were themselves more well-established, active, and numerous than in NZ.

A final and important difference related to the issues around which unions organised and recruited workers. Californian unions organised around many of the same basic issues as their NZ counterparts, namely wages and conditions, unfair management treatment, and increasingly, job security (issues relating to employment at will, contracting out, and redundancy). However, unlike NZ unions, they also organised to a

significant degree around racial discrimination, immigration laws, and healthcare benefits. In the United States, healthcare is not state-provided, while in New Zealand it is. In most cases, American non-union contracts do not contain healthcare benefits, while union contracts do. Consequently, employer provision of medical insurance is an important incentive for workers to unionise. It is also a major cause of employer anti-unionism, as the cost to employers of providing healthcare benefits is significant, constituting a strong incentive for them to resist unionising attempts.

8. The Debate Over Organising

This study took place at a time when parallel debates were occurring within all of the unions studied, and across the wider NZ and American labour movements. These debates centred on the merits of business or servicing unionism as opposed to organising or community unionism. Similar discussions have taken place within the British union movement, within the context of “New Unionism” initiatives. Within these discussions, questions invariably arise as to whether the organising model of unionism is the key to union survival, and whether the costs of “re-organising organising” outweigh the benefits. For instance, “organising unions” in the US and NZ have had to counter problems of burnout among member activists; they have experienced staff resistance to attempts to change union cultures from a “representative” to an “organising” mode; and they have faced internal debates over whether scarce resources should be allocated to costly external organising campaigns on non-union sites, or to servicing existing fee-paying members.

A related issue is that of whether unions should abandon efforts to organise low-income service workers altogether, given the costs involved. Alternatively, should unions and confederations devote *more* resources to organising these workers, who in most Westernised nations comprise the largest and fastest-growing workforce sector? In NZ and the US, the impediments to organising sectors of the service workforce were so great that unions had all but abandoned them in order to

focus resources on more lucrative areas of potential membership. Union resources have been withdrawn from servicing small retail outlets, fastfood restaurants and licensed bars, and redirected to organising campaigns in larger establishments in high-growth areas, such as casinos, eldercare, and large accommodation hotels.

Furthermore, in NZ, constraints such as employer opposition, casualisation, and labour turnover compelled unions to confine organising activity to larger companies where employers and/or workers were positively disposed towards union involvement. With the exception of the NDU retail division, groups of workers were unlikely to be the target of organising efforts if they were predominantly casualised, young, located in small establishments, and prone to high turnover and employer anti-unionism. In contrast, in America, resources provided by International unions enabled Locals to target and organise more difficult workforce sectors.

So, how might British unions draw on the experience of NZ and American unions? One of the main priorities within many British unions at the present time is to recruit non-unionised workers on partially unionised, recognised sites. The findings of the WERS 1998 Survey confirm that there is substantial scope for recruitment in these sites, as density is below half in 36 percent of recognised workplaces (Cully *et al*, 1999:111). In such cases, internal organising methods based on self-sustaining worker-to-worker recruitment, such as those championed by the TUC Organising Academy, may prove useful. Another priority is to build membership up to 50 percent or more on sites where unions are seeking recognition agreements. External organising methods for organising new, non-unionised sites may be of use where unions are pursuing recognition agreements from a basis of zero membership or where membership has dwindled to low levels following derecognition.

Some unions are focusing efforts on negotiating or extending recognition agreements for management and secondary employee groups in companies where recognition exists for the main group of workers. Certain organising model methods may not be appropriate for recruiting

managerial or other professional groups. These workers may instead seek membership to gain limited union representation in grievance or discipline cases, particularly in light of new accompaniment (representation) provisions in the Employment Relations Act.

However, the recruitment of managers or other workers around servicing-based “insurance” appeals may not ensure long-term membership stability, as these employees may not retain membership once a grievance or dispute has been resolved. Moreover, recruitment around grievance and discipline cases leads to more resolution and tribunal work for full-time officials, thus preventing them from organising workplaces and training workplace activists in techniques for building workplace organisation. Systems of streamlining representation functions may be needed to permit organisers to devote more time to organising collectives of workers, rather than individuals with problems. After all, the opportunity cost of handling a grievance for a single member may be the recruitment of multiple fee-paying members.

This study has found that community organising and organising model methods provided the vehicles by which Californian unionists put their “social movement unionism” philosophies and strategies into practice, on a daily basis (see Heery 1998). However, it may be that most British trade unionists will instead see the organising model as - more simply - a range of *recruitment tactics*, and will pick and choose from amongst these tactics, just as some NZ unions have done. Once again, this may hinge upon whether a union’s primary goal is to boost membership in the short-term through recruitment, or build long-term organisation through membership education and mobilisation.

It is unlikely that British unions will employ the more confrontational, activist organising model tactics when tendering for recognition agreements in competition with other unions during “beauty contests”. In such cases, success or failure to gain recognition may rest on a full-time official’s ability to “sell” his or her union to the employer on the basis that it will conduct a harmonious, conflict-free relationship with the company. Officials in unions promoting partnership with employers

may be equally reluctant to adopt organising model approaches which bring members into conflict with employers (see Heery 1998).

Moreover, Conrow (1991) argues that the transformative nature of the organising model means that a long-term outcome of the model's adoption is membership control of union leadership and decision-making structures. The notion of membership dominance is seriously at odds with the current trend towards full-time official control over the negotiation and maintenance of partnership agreements, and may lead to tensions between members and paid officials.

However, it should be noted that organising model approaches are not only about organisation in terms of *organising* workers around collective concerns. They also comprise methods by which unions may enhance campaign *organisation*, in terms of recruitment planning and co-ordination. Organising model campaigns involve research, campaign planning, goal-setting, evaluation of outcomes, and other techniques usually identified with strategic planning processes. Even unions that resist the more confrontational organising model approaches - perhaps those advocating partnership or organising professional workers - may be attracted to some of these aspects of organising model strategies. Indeed, Heery *et al*'s (1999) study of British unions suggests that current union recruitment policy constitutes a form of 'managed activism' in which performance management processes are directed at promoting activism.

It remains to be seen whether British unions encounter the same vehemently anti-union behaviour displayed by some American and NZ service sector employers. The return of a government with broad sympathy towards trade unionism is likely to be of some importance in this respect. Where British employers *are* opposed to union involvement, the notion of the organising model as a vehicle for social justice and a social movement may attract more support from unionists. In such cases, unions might consider using indirect comprehensive campaign approaches of lobbying employers' suppliers and customers, and local body officials, in order to achieve recognition. Alternatively,

unions may simply choose to overlook anti-union service sector companies and instead direct resources to organising companies which are more disposed towards union representation.

If the latter option is pursued, the long-term impact will no doubt be ongoing aggregate density decline. It is clear that as British manual employment declines, British unions need to develop new strategies for reaching out to service workers in the newer growth industries. But are these service workers, particularly younger, professional, and “knowledge” workers, receptive to organising strategies aimed at unionising collectives of workers around common grievances? Or are they more attracted to appeals relating to what the union can do for them as an individual? And if this *is* the case, can British unions learn anything from American organising models explored earlier, which are designed to build worker solidarity?

It may be that, on being introduced to American methods through vehicles such as the TUC’s Organising Academy and New Unionism project, union officials will simply do what they usually do; that is, tailor their organising approaches to targeted employers’ stances towards union involvement and the characteristics of the workforce they are attempting to organise. No doubt officials will choose those methods aligned with their personal philosophies of what they believe the end-goal of organising and recruitment activity should be, and what the role of the union organiser is. In some cases, it may be possible for officials to mobilise collectives of workers around common concerns, while in others, workers may be more attracted to individualised appeals. Whatever approach is used, it might be argued that exposure to strategies developed by unions in other countries can only be of benefit to British unions. Not only does exposure broaden the range of techniques officials may use in their daily organising work, but more importantly, it acts as a spur for internal and inter-union debates over union objectives, strategic choices, structures, and resource allocation decisions.

Notes

1. The US research documented in this paper was undertaken with financial assistance from the Claude McCarthy Fellowship Trust.
2. The structure of American unions is such that each has an International union office, responsible for formulating union policy, political lobbying, research, campaign co-ordination, and other centralised functions. International offices are funded on a per capita basis by constituent Local unions.

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