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LABOR'S GROWING PAINS

LOTS OF WORK TO BE DONE

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The conventional wisdom has it that the elections last month gave liberals few reasons to cheer. Newt Gingrich remains Speaker of the House; the Senate is more Republican than before; Californians voted overwhelmingly to end affirmative action. Bill Clinton was reelected, but as a centrist Democrat who signed a welfare bill that will increase the number of homeless and hungry children.

But even in this cloudy election there were some silver linings, and what may be the most hopeful portent for liberals was the renewed political commitment of organized labor.

Unions won the first round last summer when they helped to pressure Congress into voting an increased minimum wage. When the election season began, AFL-CIO President John Sweeney promised to flex the union movement's muscles to help elect liberal Democrats. In terms of time and dollars spent, the movement delivered on Sweeney's promise, but the results at the polls were, at best, mixed.

Most media attention has focused on the labor federation's unprecedented investment of \$25 million for television ads aimed at swinging congressional races. But labor's ground war was more important than its air war. Across the country, for the first time in more than a generation, unions mobilized members to vote and to volunteer in campaigns for Congress and state legislatures. Exit polls indicated that voters from union households made up 23 percent of the total vote for House seats, up from 14 percent in 1994 and 19 percent in 1992. Moreover, 63 percent of union members voted for Democratic congressional candidates, compared with half of the total electorate, and 59 percent of union voters cast ballots for Clinton, ten points more than the total electorate.

One success story: The Los Angeles County Federation of Labor targeted three state legislative seats in suburban Burbank, Glendale, and Pasadena that had been held by Republicans for half a century. The unions used computerized lists to identify households with union members and organized a political education and voter registration effort among their members. On election day they led a get-out-the-vote canvass. All three union-backed candidates won: Jack Scott and Scott Wildman for Assembly seats and Adam Schiff for the state Senate. These victories, with others, regained a majority for the Democrats in the Assembly and preserved a narrow Democratic majority in the Senate.

Nationally, results were less promising. Union leaders had hoped that their efforts would help return majority control of the House of Representatives to the Democrats. In the event, only seventeen of the forty-one Democratic candidates favored by labor in "swing" districts won. But union leaders took credit for blunting the GOP's ultraconservatism. Moreover, most of them viewed the '96 election as a test run. Many local unions were virtually starting from scratch, having forgotten how to mobilize their rank and file during the long reign of former AFL-CIO President Lane Kirkland. Union leaders are now looking to the 1998 elections, hoping to challenge the political axiom that the party in control of the White House loses seats in Congress in midterm voting.

That will take some doing. As of now, there simply aren't enough union members to make more than a marginal difference in American politics. Union membership has declined from 35 percent of the workforce in the 1950s to less than 15 percent today. The decline can be traced in part to the erosion of the nation's manufacturing industry, where unions have been strong, and the growth of the service sector, in which unions have so far made few inroads.

Unlike Kirkland, Sweeney recognizes that unions must sign up new members if they are to become once more a political force to be reckoned with. But, as economist Richard Rothstein noted in the *American Prospect* (May/June 1996), unions must recruit more than a quarter of a million members a year merely to maintain the 15-percent level. Last year unions won only half of the

3,000 "representation elections" in which they took part. Surveys show that most employees want union representation, but they won't vote for a union if they feel that doing so will put their jobs at risk.

Under our nation's cumbersome labor laws, that fear has justification. According to one survey, one in ten workers involved in an organizing drive is fired. In theory, United States labor law recognizes the right of workers to organize, win recognition for their union in elections supervised by the National Labor Relations Board (NLRB), and engage in collective bargaining with employers. But most labor organizers will tell you that the NLRB is an impediment to organizing. As the laws are administered now, any employer with a clever labor attorney can stall "representation elections" long enough to give management ample time to discourage potential recruits. Apart from wielding the threat of job loss, employers can require workers to attend meetings on work time where consultants give anti-union speeches and show anti-union films. Unions have no equivalent right of access to employees; often, union organizers must contact workers in their homes or hold meetings in secret, compromising the workers' rights of free speech and free assembly.

It would seem, then, that reform of labor law belongs on the agenda for President Clinton and congressional Democrats. The party is currently divided between its corporate benefactors and its low-income and working-class components, as reflected in intraparty splits over NAFTA and health-care reform. Overall, however, strengthening the union movement would benefit the party politically, since in most circumstances union members vote for Democrats far more than do their nonunion counterparts.

For Americans concerned with issues of social justice, more is at stake than the fortunes of the Democrats. Historically, the union movement has fought against child labor, for the eight-hour day and safer workplaces, affordable housing, decent health care, and expansion of public education. Labor's record on issues of racial discrimination is less admirable, but the movement eventually came around, becoming the prime funder of the 1963 March on Washington and a major force behind passage of the Civil Rights Act and the Voting Rights Act. Today, the polity needs a revived unionism to help deal with the widening gap between rich and poor, increased reliance on temporary and part-time workers without pension or health-care benefits, and major cutbacks in social programs.

But, though organized labor has been awash in recent media attention, most coverage has ignored the legal barriers that stand in the way of a union renaissance. It is far from clear that the second Clinton administration will give any priority to labor law reform. Meantime, Republicans will resist any move to democratize union elections. And those Republicans who were reelected despite union efforts to unseat them will go further, seeking to curb the use of union assets in electoral battles. Still, it will be hard to limit electoral efforts by labor without also containing the much larger role played by corporate contributions, most of which go to the GOP.

In the 1996 election, America's labor movement bestirred itself. It remains to be seen whether that trend will continue or whether the movement, hampered as it is by the promanagement tilt of labor law, will erode further and fade from the electoral scene.

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