

A New Game Plan For Union Organizing (6)

By Harry Kelber

This is the sixth of eight articles on union organizing.

A WINNING STRATEGY

Getting access to unorganized workers where they live is a lot easier than where they work. Organizers no longer have to go through the frustrating experience of trying to distribute leaflets at a plant gate and being snubbed by fearful employees going to work. They can use various ways to locate them in their communities, away from the prying eyes of their employer.

In the “New Game Plan,” the community becomes the base of operations for the organizers. That’s where they can also rally residents to become active allies in their campaign.

To get community support, organizers must make a convincing case that the employer is mistreating his workers, citing abuses and injustices serious enough to evoke sympathy from ordinary people. They must explain the role of the union and offer persuasive answers to attacks from critics.

Organizers Take the Offensive

As the organizing campaign develops, the workers will be watching to see who is stronger — the employer or the union. That is why the union must move aggressively to put the employer on the defensive. One way to do so is to run ads in the local newspaper in which five or six of the workers, with their photos, state why they need a union. The same material can be shaped into a leaflet, posted on the union Web site, adapted into a series of radio spots or made into a videotape.

The employer may decide to run his own ads featuring loyal employees. It won’t enhance his image if he copycats the union’s initiative. If he responds with a public statement opposing unions, that’s fine: it means that the debate over whether these workers need a union is now out in the open.

Organizers no longer have to meet secretly with small groups of nervous workers to explain the advantages of belonging to a union. They can now convey the union message to all workers, including

community residents, who can read it in the privacy of their homes.

In a community environment, it is decidedly easier to get unorganized workers to listen to the union message. Some residents may be willing to serve as mediators, arranging a social evening where unorganized workers will be invited to listen to the union story and have an opportunity to make comments or raise questions. A civic group may invite the union and the employer to a debate before a public audience. Organizers will find other ways to promote the union and keep the community involved.

A Warning to Employers: No Firings Allowed

Early in the campaign, organizers must give assurances to workers who would like to join the union but fear they'd be fired by their angry employer. They should announce they will use every means at their disposal to force the employer to reinstate any individual or group of workers who have been fired illegally for pro union activity. The objective is to turn the workers' fear of the employer into trust for the union.

Organizers face a serious challenge (and also a great opportunity) when the employer resorts to firings to defeat their campaign. They cannot afford to lose the battle for reinstatement of the discharged workers. They must make them a cause célèbre, telling the victims' story in newspaper and radio ads and in leaflets distributed throughout the community. They can use rallies and picket lines and whatever pressure tactics they can devise to force the employer to rehire those workers.

If the reinstatement effort succeeds, organizers have won a major victory and are well on the way to a winning campaign. Likewise, if the employer heeds the union ultimatum and refrains from firings, workers will feel more confident about joining a union.

The Battle for Recognition

The immediate goal is to get a substantial number of workers to sign the standard union authorization cards. As soon as that goal is reached, the union will call upon a well-known arbitration agency or a distinguished group of community citizens to count the cards, as though they were election votes. The employer or his representatives will be invited to observe the count.

If the count of signed cards shows that a majority of workers want the union to represent them in collective bargaining, that is an important achievement, but the employer is not legally bound to accept the results. However, the union's new status (the good will it has accumulated in the community and the growing loyalty among the workers) makes it more difficult for the employer to deny the results of the card count. He will feel ever-increasing pressure to come to terms with the union.

But the organizers' work can still be undone. Even if an employer agrees to negotiate with the union, it doesn't mean that he will do so in "good faith." He can find all sorts of reasons to stall the bargaining, and his negotiators may come up with demands that are clearly unacceptable.

In about one-third of the cases where unions have been certified as the collective bargaining representative of a group of workers, employers have refused to conclude a contract. In some cases, they've stalled for years.

So how can employers be kept from stalling on signing of a first contract? And how can newly-organized workers maintain a strong union in the workplace after the contract is signed?

Article 7 of this series will be posted on Monday, December 22.