

Workers' Rights in America: How to Start a Union in Ten Steps

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Region: [USA](#)

Global Research, January 31, 2009

31 January 2009

It's becoming clear that Obama plans to break his promise to pass the Employee Free Choice Act (also known as 'card check'). The bill has effectively been put on the back burner, as Obama has made the "economy" is priority, since "there won't be any jobs to unionize if the economy doesn't improve". This is precisely the language used to destroy campaign pledges. Workers will thus be left with the current, more difficult route to organize a union. In 2007, I was fortunate enough to be a part of a successful organizing drive at my workplace- below is what I consider to be the most important lessons from our experience.

1) Be the best worker at your workplace

If you are to influence your co-workers to join a union, you'd better already have their respect at work. This doesn't mean that you must be the absolute best, but that you are a leader and rank among one of the best. This first step is the all-important foundation for your effort, directly or indirectly affecting EVERY other step toward forming a union.

It helps also to be the best liked co-worker. Not that you need to be prom-king/queen popular, but that you are easily approachable, social, and generally kind. In being so, you'll make your job of talking with your co-workers about a union – which constitutes 95% of the work of organizing — MUCH easier. If your trust is earned as a good worker and friend, you can better expect that your ideas will be not only better received, but kept away from management during the initial stage of secrecy.

2) Contact a union

Having the support of an established union is crucial to your cause. Not only will they supply you with a full-time organizer and materials, but also a lawyer if you are unfairly targeted by management – something that will inspire your co-workers with faith in the project.

Call different unions and plead your case. Talk to an organizer and try to get them to take you on. This isn't necessarily easy. Unions are taking a big risk every time they attempt to organize a workplace; some don't organize at all. Before they invest the money in wages that an organizer(s) will be paid – not to mention other resources — they will assess the situation to see if their investment will be realized in the form of a successful union.

Your attitude is crucial to their decision. If they see you as a competent and serious worker who will dedicate a substantial amount of his or her free time in helping organize the effort, they will be more likely to invest. Questions about the workplace environment, the wages of

the workers, their grievances, your personal background, the attitude of the bosses, etc., all play a part in the decision of the union.

Also, make sure that the union you're contacting is the appropriate one for your workplace. Do they represent similar types of workplaces? How serious are they about organizing? Will they help you with the appropriate resources? Many unions keep organizing new workplaces at the bottom of their priority list; finding a union that is serious about organizing, and willing to take you on, is often a rarity in itself.

3) Master the "union conversation"

Assuming that you now have the backing of a credible union and a handy-dandy "union organizer" at your disposal, you are ready to begin. But before you go out recruiting allies, you should have a basic understanding of how to talk to your co-workers about this now-real and serious subject. Co-workers who are close friends will be easy to talk to about the union, and talking to them can be done casually.

Many workers, however, will be firmly against the idea, whether because of misconceptions about unions in general or reservations about confronting authority. Some workers will be scared of being fired; others will be on the fence. Considering these diverging opinions, you have to alter how you talk to these people, but at the foundation there is a science of sorts on how to broach the topic that takes practice to master and is the foundation for any union effort.

Once you get your co-worker alone, outside of work, you'll be able to talk more openly about the union, why it is necessary, and hopefully, how they can help. It may be difficult to get your co-workers to meet with you privately — a good icebreaker may be: "Some of us are discussing ways to improve the workplace, would you be interested in talking about this over coffee?"

Agitation is key in getting co-workers to commit to something that may get them fired. If your co-worker is at all serious about his or her job, whipping up some passion shouldn't be difficult. Ask them some general work questions and about their particular job duties. If they voice some grievances, keep them talking about it (agitate!). Ask if they've tried to correct the problem themselves. Offer a thought-out solution to their dilemma: the workers acting united with the backing of a larger worker organization — a union! Ask them about the idea, answer their questions (make sure you've familiarized yourself with the subject), and most importantly, ask them to get involved.

You only get one shot to have an effective, first union conversation. If done wrong, you could scare a co-worker away for good; if done right, you could have a new ally in your campaign willing to recruit others.

4) Target and recruit leaders

A leader by definition is one who leads others. The leaders at the workplace will eventually become the Organizing Committee of the union. These are the people to approach first. The rationale for doing this is obvious: you are forming a union of workers, and at all workplaces newer or inexperienced workers look for guidance from workplace leaders, and if the union is any good at all, this relationship will find a reflection in the organizing committee. Because workers look for leadership on the job, they will be more likely to respect the

opinion of a leader at the workplace about the formation of a worker's union.

Leave no influential person unapproached (unless they are close to management). Once again, if you yourself are a respected worker, other leaders will be more willing to listen to your ideas. After your co-workers are convinced about the need for a union, it helps to arrange a meeting with your "official," paid organizer. This makes the idea become real. Seeing the union hall, hearing old organizing stories, and listening to the advice of a seasoned organizer creates confidence and casts away the conspiracy feeling that naturally comes after initially hearing about the plan.

If you already have co-workers supporting you, it may help to have them talk to a new co-worker, especially if they have a better relationship with them; sometimes it helps to talk to somebody in a group.

5) Solidarity efforts

If your workplace is like most, the workers are divided into specific groups, whether it be the shifts they work, different departments, cliques, etc. Breaking down these barriers to create unity is extremely hard, although absolutely necessary if a union drive is to be successful.

Our workplace was as divided as a workplace could be: we never even saw half of our co-workers because workers from night, day, and swing shifts rarely spoke to one another; the kitchen and reception areas appeared autonomous. It took a concerted, organized effort to reach out to everyone.

At first, this is done by after-work drinks, before-work pancakes, other activities, and at the later stages, on-the-job solidarity actions. Much of the job of organizing can be characterized as "hanging out" before or after work. The friendlier and more cordial your workplace is, the easier it is to form a union. Instigating hang-out time with your co-workers is one of the biggest tasks of organizing a union.

Your employer will continue with the divide-and-conquer strategy even after you've gone public. They might give raises to one department of the workplace - as they did with us - while ignoring another. The best way to avoid this pitfall is by having every department of the workplace represented in the organizing committee. This way, concerns from every branch of the workplace can be quickly addressed and ignored departments can be reassured by the group as a whole.

Once the union erupts out of its secrecy stage, "unity actions" become imperative. A single collective action, say, wearing a t-shirt with the union logo, sends a VERY powerful message to management as well as giving all the workers confidence in their new, united strength.

6) Make it your union

It is impossible to organize a workplace without the active participation of the workers. It is by nature a chaotic phenomenon not easily controlled. This is part of the reason that many unions refuse to participate in union organizing at all; the bureaucratic leaders see in it a threat to their privileges — an active, engaged workplace is a direct challenge to the authoritarian bureaucracy that controls many unions.

If the organizer assigned to you is any good, he or she will realize the necessity to unleash the floodgates of creativity and leadership at the workplace, utilizing any and everybody willing to help. Although it is extremely valuable to have the help of a paid organizer(s) and the resources of the union behind them, NOTHING happens unless the workers make it happen at the workplace. The union you approached knows this; it may be helpful to remind them. If the organizer puts you in an uncomfortable position with your co-workers, tell them “no.” If they ask you to do something unreasonable at work, tell them “no” again. Nobody knows your workplace, or your co-workers, like you do. Having a strong, pro-active workplace will make your union stronger since your co-workers will see themselves as the leaders and the local representing them as advisers, as it should be.

There exists a tendency to let the organizer call the shots since they are the experts. This is especially the case in the opening stages since most of your co-workers will not be experienced at all with unions. Changing this relationship is crucial. Our workplace successfully developed leadership with the blessing and encouragement of the organizers, even though at times there existed tension over ideas and strategy. It helped us also to have control over what was discussed at organizing committee meetings, as well as rank and file led “working groups” to create union literature and discuss and implement community outreach. Our organizers were sincere people who understood that developing leadership at our workplace was crucial for victory and even suggested that workers help run the meetings themselves. All of this resulted in “the organizing committee of my dreams,” as one of the paid organizers put it.

7) Keep the ball rolling

Constant progress is crucial for union building for various reasons. The first is the most important: if the union backing you doesn’t see forward motion, they may withdraw their support and resources. No union will pour money into a lost cause; give them reason to be optimistic about your chances for success. Your co-workers are also likely to become impatient if they don’t see results. Talk is one thing, action and real change is another. If the secret, talking and organizing phase doesn’t develop into action soon, your co-workers may give up hope, and who would blame them — they will be sacrificing their free time and expect that their efforts will bear fruit.

This doesn’t mean that there will not be setbacks or stagnation occasionally, but that every attempt is made to press ahead with the campaign, constantly reaching out for more allies and organizing until the prompt yet timely going public occurs.

After going public, the employer will most likely use the time-honored technique of stalling to crush the union — ours hired a vicious union-busting lawyer who employed the tactic quite nicely. It is in the interest of the workers that the union election takes place as timely as possible; this applies with equal force to the bargaining of a contract.

The employer will attempt to set the date for an election as far back as possible. They will challenge the obvious in court and then appeal the decision they lost to eat up time. They will attempt to do so because the longer nothing happens, the more discouragement sets in, the quicker workers give up, quit volunteering, or leave their jobs in disgust.

Our employer challenged us in the courts by demanding our immediate supervisors be allowed in the union. We would have won in court, but in the interest of time, conceded to their demands (now our supervisors are some of our best unionists). This example

reinforces step 6: make sure that the workers are fully informed of what is happening in the legal sphere of things and that the Organizing Committee is able to make decisions about which legal tactics are employed.

8) Education

Without an understanding of what is taking place, or what is about to take place, you'll be powerless to repel the inevitable attacks on the union from your employer once you've gone public. The Organizing Committee must become experts on unionism so as to gain confidence from the rest of the workplace. Otherwise, the on-the-job leaders are forgotten and the workers look to the boss for answers to the new, tough questions they've never faced before. Workers will go to the Organizing Committee after hearing rumors, threats, and lies from management. If the committee doesn't have a firm grasp on what is happening, confidence can be shattered. Emergency Organizing Committee meetings may need to be held to address a union-busting tactic by management so that a proper response can be decided on and quickly spread to the rest of the workforce.

After going public, the boss will unleash a torrent of propaganda meant to confuse and scare the workers. The **ONLY** way to combat this is for **ALL** the workers to have a prior understanding of the process; you must educate your co-workers before the boss does.

Workers must understand why they need a union, why the boss does not want them to have one, and exactly what the boss will say to scare them away from the idea. The stronger the organizing and education, the more ridiculous the bosses will seem when they try to implement their scare tactics. Indeed, if sufficiently educated, **EVERY** tactic the boss attempts will only strengthen the union and impassion the workers.

Also, the more your co-workers are educated, the more likely they'll be to attend meetings and become union leaders themselves, not to mention strong voices that will insure that the paid organizers and union experts remain advisers and not managers.

9) Branch out

The crucial, beginning stages of the union centers around the Organizing Committee, its strengthening in both membership and education, and its preparation for outreach to the rest of the workforce. The transition from a secretive Organizing Committee to an all-workplace union is to be done quickly and efficiently so that every co-worker is talked to in-depth before the boss understands what is happening. If the boss is able to intimidate workers before you're able to talk to them, it may be too late.

ALL your co-workers must be promptly contacted and talked to, using pamphlets, flyers, and educational meetings both large and individual. During these meetings, signatures can be gathered that expresses the workers' desire to form a union. If you succeed in getting a large majority to sign and your union is confident and strong, you are ready to go public.

10) Going public

This is simply informing management that you have the necessary support to form a union and that you are scheduling an election with the National Labor Relations Board (all it takes is five minutes to fill out the form). In some occupations or regions, signatures will be sufficient to have your union legally recognized while in others an election is required.

This is often just the beginning, but it marks a transformation in your organizing efforts, as well as in your workplace. All the insincerity of management will be revealed by their stark opposition to your efforts; they will act angry, betrayed, and tearful. The fight that will ensue will be determined by your successes – and continuing successes — on the above nine points. If you’ve managed to make your union strong by being united, educated, and confident, you are much more likely to win the following election and be in a strong position to win a good contract.

A union is only as strong as the active members of the workplace. Enforcement of the contract is necessary and requires engaged and educated workers. Under capitalism — a system divided by owners and workers — ALL union contracts are by nature temporary truces, subject to attack at a later date. Ideally, your co-workers will be educated on the political nature, history, significance, and strength of unions, as well as the political philosophy that best reflects workers interests — socialism.

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