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Strength in Numbers 95,000

LEGISLATIVE ACTION ALERT

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Labor flexes its muscle as leverage tips from employers to workers

By Chris Isidore, CNN Business

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CNN Business© reports in an article on line that workers are saying enough is enough. And many of them are either hitting the picket lines or quitting their jobs as a result. The changing dynamics of the US labor market, which has put employees rather than employers in the driver's seat in a way not seen for decades, is allowing unions to flex their muscle.

Already on strike are 10,000 workers at John Deere (DE), who hit the picket lines early Thursday after rejecting a tentative deal which would have improved wages and benefits. They joined 1,400 strikers at Kellogg (K) who are upset with seven-day work weeks and a two-tier retirement system. Other unions are preparing for walkouts of their own.

The overwhelming majority of strikers and potential strikers are doing so for the first time in their careers. Many say they are driven not just by wages or benefits. They say they are striking, or planning to strike, in a bid to do their jobs the way they believe they should be done, and to gain basic improvements in the quality of their lives, such as time with their families, which they say they deserve.

One of the main issues running through many of these strikes, or looming strikes, is workers' anger. "My nurses and health care professionals are angry," said Elizabeth Hawkins, the negotiator for a union of 32,000 nurses which could soon be

striking 14 hospitals and hundreds of clinics in Southern California and Hawaii run by health care giant Kaiser Permanente.

And pilots from American Airlines (AAL) are set to hold informational pickets at the Miami airport on Tuesday, followed by pickets in Chicago and Dallas the following two weeks. Airline employees work under a different labor law than most workers, one which limits their freedom to strike. So pilots will not be striking, but will instead protest work and scheduling conditions.

Workers across the US airline industry are saying they have reached a breaking point. Many predict their problems could soon be felt by passengers in the kind of meltdown of service Southwest Airlines (LUV) recently experienced. Southwest pilots are also preparing their own picket lines.

Sometimes just the threat of a strike is enough to get workers what they are seeking. Until late Saturday night 60,000 Hollywood workers were set to go on strike early Monday over such basic quality-of-life issues as meal breaks and time off on weekends.

A work stoppage by the International Alliance of Theatrical Stage Employees (IATSE) could have halted production of

multiple movies, television shows and streaming series, marking what would have been the union's first national strike and potentially the largest strike against US private sector employers in 14 years.

But late Saturday the union reached a deal for 40,000 of those workers on the West Coast, and a deal for the other 20,000 spread across the country is now expected to be reached before the Monday morning deadline. The deal reached Saturday won the union's top negotiating goals, including better guarantees on meal breaks, and time off between shifts and on weekends. "Workers should have improved morale and be more alert. Health and safety standards have been upgraded," said Mike Miller, a union vice president and head of its motion picture bargaining unit.

Nonunion workers also hit the bricks

It is not just union members walking out. A record 4.3 million workers quit their jobs in August, the overwhelming majority of whom are not members of a union. While many of them left their previous job for a new one, nearly 800,000 jobseekers in September were unemployed because they quit their previous job without a new one lined up. "Strikes are only one measure of unrest. It's also a general sense of frustration," said Todd Vachon, an assistant professor and director of labor education at Rutgers University.

The lowest monthly reading on record of workers quitting in this century occurred in August 2009, just after the end of the Great Recession, when 1.6 million workers quit. But the current level is significantly above the norm.

The 4.3 million who left their jobs in August was a 19% jump, or about 700,000 more people, than during the same month in 2019 ahead of the pandemic, and nearly 60% above the average since the government started tracking job quitters in 2000.

"The nonunion workers simply don't want to stay in or return to back-breaking or mind-numbing jobs," said Robert Reich, a former Secretary of Labor in the Clinton administration who wrote an essay comparing the record quit rate to a "general strike" which has been seen across wide ranges of industries and companies in some other countries but never in the United States.

Reich said the pandemic may have done more than shake up the supply and demand for labor in the US jobs market. It may have caused a reevaluation of the very nature and quality of work. A similar thing happened after World War I and World War II, when workers made real gains because of the disruption caused by nation-changing events, Reich said. "It may have taken a pandemic to open people's eyes," he said. "Many people are frazzled. A lot of workers are saying, 'I've had it!' They're fed up and don't want to take it anymore."

More leverage for strikers than in the past

Strikers have always been at a disadvantage. Strike benefits from unions pay only a fraction of lost wages, and it is never certain strikers will win back better pay or benefits than those they lost while on the picket line. In the past, there was always a risk employers would hire replacement workers to take the jobs of those on strike, or even shut down their operations entirely.

Many labor historians believe a significant turning point in US labor-management relations, one which weakened union power for decades, was when President Ronald Reagan fired air traffic controllers and hired replacements when their union, the Professional Air Traffic Controllers Organization, or PATCO, went on strike in 1981. Today, 40 years later, employers are having trouble finding workers to fill their normal job needs, let alone find workers to take strikers' jobs. "Labor fell into tough times following PATCO," said Alexander Colvin, dean of Cornell University's School of Industrial and Labor Relations. "The inability of employers to find replacement workers in this market does shift the power back to labor."

Replacement jobs, not replacement workers

Instead of strikers worrying about replacement workers, now management has to worry the strikers might find replacement jobs. "There's jobs everywhere, many offering hiring bonuses," said Trevor Bidelman, president of the local union in Battle Creek, Michigan, which went on strike against Kellogg earlier this month. "If necessary, we can go out and get a job to supplement [our] income and stay out longer."

Nurses preparing for a strike at Kaiser Permanente say they are ready to do the same. "Nurses are in great demand right now. If we go on strike, I don't feel bad about [working elsewhere] to support my family," said Liz Marlow, a registered nurse in the emergency department at the Kaiser hospital in Fontana, California. She's been on disability leave, recovering from the effects of Covid, but she expected to return to work by Nov. 1.

Now she could be on strike instead, a scenario she never imagined, but she sees no choice but to force management to fill nursing openings and giving nurses the help, they need to serve patients.

"What we're asking for first and foremost is patient safety," she said. "It truly isn't about money. The most important thing is the investment and supporting the front-line staff in order for us to our jobs the way they should be done. It [the staffing shortages] causes fatigue, it causes mental strain, a lot of challenging factors."

The frustration with employers not doing enough to get workers the help they need is another common theme. Bidelman, whose union is striking against Kellogg, said his members are upset with working seven days a week, and rarely get time off for family events, even on weekends. "When people retire, the company doesn't replace them," he said. "They treat us like a commodity in there."

Past agreements no longer acceptable

Now that Kellogg is doing well, with an operating profit for the first half of this year up 9% from the same period in 2019, concessions the union previously agreed to -- such as lower pay and benefits for new hires -- are no longer acceptable to the membership, he said.

"What this boils down to is that [in past negotiations] everybody had been willing to compromise to avoid a fight," Bidelman said. "They've been bullying us at the table for some time. Now our members are angry, angry at the total disrespect they're continuing to show us. We're digging our feet in."

The same dynamic can be seen in the John Deere strike. The maker of farm and construction equipment has been enjoying record profits and has a strong order book ahead. And it has been hiring, adding about 1,000 union members since last October, bringing union membership there to more than 10,000.

The negotiating team of the United Auto Workers union reached a tentative contract with the Deere two weeks ago, which included immediate pay raises of between 5% and 6% and improvements in pensions and benefits.

But it was not enough to satisfy rank and file membership, who also were upset about the continuation of two different kinds of pension plans. The strike started Thursday at 11 Midwest factories and 3 distribution centers after 90% of the membership voted no on the proposed deal.

"What was on the table wasn't a horrible package. But the rank-and-file saw this as an opportunity to demand more," said Rutgers University's Vachon. "Manufacturing in this country has been in decline for decades. Employees have worried about automation, jobs moving overseas. It's meant rounds after rounds of concessionary bargaining and givebacks.

The Deere workers said, "Not this time. They're making hands-over-fist profits. We want more." "I think workers do feel newfound leverage in this moment, especially coming out of the pandemic where they were deemed essential, rather than considered expendable," said Tim Schlittner, communications director for the AFL-CIO. "They're making the decision they will no longer settle for less."

Rising number of strikes

The Bureau of Labor Statistics shows only a dozen strikes through September this year, fewer than in the same period of 2019 ahead of the pandemic. But the BLS counts only strikes with 1,000 or more strikers. Many strikes involve hundreds, not thousands of workers, sometimes even less than 100. Cornell University, however, tracks strikes of all sizes, and its stats show 181 strikes so far this year, with 38 strikes just in the first two weeks of October, more than any other full month so far this year.

Those most recent strikes, 22 of which started this month, involve 24,000 workers in total, prompting the AFL-CIO to dub this month Striketober. "No one likes to go on strike. Let's be clear," Liz Shuler, the new president of the AFL-CIO, the federation of most of the nation's major unions, told CNN.

Strikes occur only when "we are pushed to a limit where basic fairness and equity are violated. You can't just continue to see wages go down, health care benefits taken away, retirement security disappear without saying enough is enough. And that's where we are, we're at a breaking point." Much of the harder line by labor is coming, as in the Deere strike, more from the rank-and-file than from union leadership, said Cornell University's Colvin. "There's definitely some more labor militancy in the air," he said. "There's higher expectations, and there's a willingness to not settle for what happened in the past."

Obstacles remain for unions

But it's still too early to say what the long-term effect of this new attitude will be, or whether there is a more permanent shift in favor of organized labor. A recent Gallup poll showed 68% of respondents have a positive view of unions; the best reading for the question since 1965, and up from only 48% in 2009. Younger workers are even bigger backers of unions, with 77% of those 34 and younger having a positive view.

But union membership nationwide is down to only 6% of workers at businesses, limiting their clout in most industries. The highest-profile organizing effort of the last year, at an Amazon (AMZN) warehouse in Alabama, failed badly. And there is little chance a union effort to change laws governing organizing will pass any time soon.

Even so, "the current situation is a recipe for long-lasting change," said Vachon, the Rutgers professor. "I can't predict that will happen, but the pieces are there for that to be a reality."