

Michigan Law Review

Volume 84
Issue 4 *Issues 4&5*

1986

Challenges and Choices Facing American Labor

George Feldman
University of Michigan Law School

Follow this and additional works at: <https://repository.law.umich.edu/mlr>



Part of the [Labor and Employment Law Commons](#)

Recommended Citation

George Feldman, *Challenges and Choices Facing American Labor*, 84 MICH. L. REV. 1079 (1986).
Available at: <https://repository.law.umich.edu/mlr/vol84/iss4/53>

This Review is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

CHALLENGES AND CHOICES FACING AMERICAN LABOR. Edited by Thomas A. Kochan. Cambridge, Mass.: MIT Press. 1985. Pp. x, 356. Paper, \$15.

Challenges and Choices Facing American Labor is a collection of essays presented at a June 1983 conference at which "thirty-four union officials and twenty-three academics discussed a series of research papers from a three-year study, 'U.S. Industrial Relations in Transition,' sponsored by the Sloan Foundation" (p. vii). Most of the published essays were written by academics, many of whom, like the editor, Thomas A. Kochan,¹ are affiliated with the Sloan School of Management at the Massachusetts Institute of Technology. Some of the conference discussion is also included. The research was "designed to document and analyze the current state of industrial relations and the changes that are under way" (p. 1).

Unfortunately, for two separate reasons, the collection does not achieve this goal. First, it fails to address many of the questions facing the labor movement. For example, the political strategy to be pursued by American labor, although alluded to throughout, is never examined. The possible relationship of internal union democracy to the strength or weakness of unions is also ignored, as is the possibility that attitudes toward organized labor (held by both members and nonmembers) are connected to unions' participation in wider social currents, such as the civil rights movement. In this book, labor is essentially one-dimensional: it exists only in the context of "industrial relations." But this collection does not argue that a union's role is so limited, or even that this is its most important function. Nor does this limited perspective appear to derive from a conscious decision to restrict the scope of the inquiry to a concededly incomplete analysis. Instead, it represents a set of unstated assumptions, the result of which is an examination that is fundamentally distorted from the outset.

The second reason for the book's failure to achieve its purpose is that the essays themselves reflect this limited vision. Predominantly sociological in approach, they are full of statistical data based on unexamined premises and therefore of dubious usefulness.

The book is divided into six sections containing two contributions each (Challenges to Union Organizing; Employer Strategies for Union Avoidance; Corporate Investment and Decision Making; Labor Market and Technological Developments; Developments in Collective Bargaining; Unions and Quality-of-Work-Life Programs) and a final section consisting of a single essay (comparing the Canadian labor movement with that in the United States). In addition, there is an

1. Sloan School of Management, M.I.T.

introductory essay written by Kochan and Michael J. Piore² entitled "U.S. Industrial Relations in Transition," and an epilogue ("Is a New Industrial Relations System Emerging?").

These titles accurately reflect the range the book is meant to cover. Any collection spanning so many subjects is likely to vary greatly in quality and interest, and such is the case here. If that were the chief fault of the book, the quality of individual contributions might make the whole worthwhile, despite the omissions. But that is not true here. Only one of the essays is first-rate; two others have limited value. The best is Paul Osterman's³ study of "White-Collar Employment." Although based on the same sort of interviews and statistical information as most of the contributions,⁴ this essay exhibits much greater understanding of the process of interaction between workers and their environment and the role that a changing consciousness plays in such things as the structure of the work force, the ability of employers to redesign jobs, the different possible effects of the introduction of new technology, and the possibility of unionization.

This understanding is strangely absent from most of these pieces. The first essay, Henry S. Farber's⁵ "The Extent of Unionization in the United States," provides an excellent example. After presenting widely available data, including unionization rates over time by region and economic sector,⁶ the author submits this information to a variety of statistical analyses. He concludes that changes in the industrial, regional, occupational, and sexual composition of the workforce can account for only about forty percent of the decline in unionization over the past quarter century (p. 22).

The search for the rest of the explanation occupies the remainder of Farber's essay. It is carried out by means of a statistical analysis of the union status of workers and the "explicit preferences of nonunion workers for union representation" (p. 23); the data is from a random survey of some one thousand workers. The "explicit preference," it turns out, depends on the response to a single survey question: "If an election were held with secret ballots, would you vote for or against having a union or employee association represent you?" (p. 27). From the answers he received, the author concludes that female and service workers are less unionized because, although they do desire to join unions, they are unable to find union jobs. Nonwhite and manufacturing workers, on the other hand, are more unionized because they have a greater desire to be, while Southern, clerical, and professional and

2. Economics Department, M.I.T.

3. The author is affiliated with the Employment Security Task Force for Manpower Development, Commonwealth of Massachusetts, and Boston University.

4. For example, see the tables at pp. 186-87.

5. Economics Department, M.I.T.

6. See Tables 2.1, 2.2, 2.3, and 2.4 at pp. 16-18.

technical workers are less unionized both because of a lack of desire to join unions and an inability to find union jobs (p. 32). Implications for union organizing, it is asserted, are "rather discouraging from the union movement's point of view" (p. 36), essentially because of a kind of diminishing-returns effect: those most likely to desire unionization have already been organized (p. 33) and there is no concentration of pro-union nonmembers as there was in the 1930s and 1940s (p. 34).

This set of arguments displays a stunningly ahistorical perspective. The author's attitude appears to be: "Workers are interested in joining unions or they are not; we can tell because of the way they answered the questionnaire." A closer look at the 1930s and 1940s might have been enlightening. The triumph of the CIO was largely due to its success in organizing workers who had been thought unorganizable: the unskilled workers of mass-production industries. These are the same people who are described here as "those who would be most interested in unionization on the basis of broad observable characteristics" (p. 34). (One cannot help smiling at the idea that the leaders of the old craft unions thought nonwhites would be most interested in unionization. The relationship of those unions with black workers was hardly friendly.⁷)

Because Farber ignores history, he fails to consider how the unorganizable masses of the auto, steel, and rubber industries *became* the bulwarks of "union preference" he finds today. He thus ignores the possibility that an organizing drive, for example, may affect the "explicit union preference" of workers, or may even change the very way they look at their place in the world. Farber also fails to discuss what set of circumstances may cause such a transformation to occur. Does it require a change from professional organizers to more of a mass orientation? Does it presuppose internal union democracy? Is it most likely to succeed when labor is part of a larger social movement? Because of Farber's static view of consciousness, these critical issues are not even raised.

These omissions pervade the collection. In addition to Osterman, only John Joyce of the Bricklayers' Union, whose essay appears in the quality-of-work-life section, addresses these questions. Joyce is concerned with workers' ability to control shop-floor conditions, and argues that employee participation in the construction industry amounts to a kind of American form of codetermination (p. 257). Summing up the experience of the construction trades, he says that the "central lesson . . . is that such participation is meaningful only when it arises from the workers' own self-organization; without strong, vital trade unions to express the workers' needs, one can have the appearance, but not the substance, of worker involvement" (p. 270). He argues that

7. See I. BERNSTEIN, *THE LEAN YEARS, A HISTORY OF THE AMERICAN WORKER 1920-1923*, at 107-08 (1972).

only the collective bargaining process can create this involvement (p. 270). Whatever one may think of his conclusions, Joyce is almost alone among the contributors in raising these sorts of questions.

In contrast, "Worker Participation and American Unions"⁸ is again based on a survey: this time of rank and file union members who were involved in a worker participation project. The sample was not random, however. Among other criteria for inclusion was the cooperation of both union and management representatives (p. 272), a factor the authors appear to think unremarkable. Despite this skewed sample (which should have had the result of emphasizing those programs that were successful in the eyes of both the labor and management representatives who had installed them), the results were not promising. Although some eighty percent of the workers "want to have some or a lot of say over . . . the way work is done and the quality of the work produced" (p. 275), in only one of the five local unions studied was there any evidence that workers participating in the program "actually experienced greater say or influence over these workplace issues than did nonparticipants."⁹ They also found that support flattened or declined when obstacles were encountered. "Among the obstacles that led to the decline of support of workers and/or local union representatives" was the layoff of members, especially when "handled in a way . . . viewed . . . as inconsistent with the consultation and problem-solving ethic that was being encouraged within the participation process" (p. 290). Although it may be hard to believe that unilaterally imposed layoffs would make workers lose interest in projects which claimed to be giving them more power over basic work decisions, this is apparently what happened.

Having discovered the obvious, the authors describe their conclusions in terms that illustrate the degree to which unarticulated assumptions govern their work. The choice of whether to participate in a quality-of-work-life program "can best be made by local union leaders, based on a consideration of the need for change in their bargaining relationship" and whether such programs will help solve their problems. "The pressures for change may arise from two sources: (1) external pressure [to improve the company's situation and employee job security]; or (2) internal demands from rank-and-file members for changes in their day-to-day job experiences and in the relationships between workers and managers" (p. 293).

These statements could not have been written unless certain propositions were accepted. First, the "union" is viewed as an independent entity, apart from and outside its membership, with interests

8. The authors are Thomas A. Kochan, Harry C. Katz (Sloan School of Management, M.I.T.), and Nancy R. Mover (who is not further identified).

9. P. 277. The one exception was a situation where the local was "a full joint partner in an autonomous work-group or work-team project." P.277.

which do not always coincide with those of its members. Whether these separate interests are those of the union leadership, or reflect an institutional concern, is not certain, but they include, in this view, the *mediation* of shop-floor conflicts between workers and management. Second, economic assumptions are implied: namely that job security depends on the employer's economic performance and that the union ought therefore concern itself with advancing the employer's profitability.

Any of these propositions, or all of them, may be true — but none are so self-evident that an examination of the current state of the American labor movement ought to accept them uncritically, or indeed not even notice their existence. It may well be that these are the governing assumptions of union leadership, as well as of academic writing. That is all the more reason to view them critically.

Challenges and Choices Facing American Labor gives a narrow and therefore distorted view of its subject. It sees most of the challenges, but is unclear about their causes. Because of this, its understanding of the range of available responses — the choices the labor movement must make — is necessarily too limited to constitute a useful contribution to the literature.

— *George Feldman*