

LAW JOURNAL

Labor leaders see evidence of growing union support

By JODI SOKOLOWSKI JACK
Buffalo Law Journal

Though many Americans believe unions have outlived their usefulness, union leaders say that viewpoint is becoming less common. A new poll conducted by the Employment Law Alliance reports that a healthy chunk of Americans believe organized labor still has a purposeful life in the nation's economy and workplace.

"I think that unions are needed now more than ever to keep alive the American Dream, in order (for workers) to retire someday with a pension and health care," said Michael Hoffert, president of the Buffalo AFL-CIO Council. "Unions were the ones that got overtime pay, vacations, child care and health-care benefits off the ground."

The ELA's "America At Work" public opinion survey, released late Friday, reports that a sizable minority of American citizens support unions' existence and the positive impact they have on U.S. jobs and the workforce.

According to the ELA study:

- More than 40 percent of those polled believe that unions have had a substantial impact on improving the working conditions of average American workers, and
- Thirty-five percent of Americans questioned believe that unions need to focus more

on organizing new members and less on electoral politics.

Even though that 40-percent figure represents a minority, that percentage is surprisingly high, said Daniel Boody, business manager of International Union of Painters and Allied Trades of America District Council No. 4.



Schröder

"Even where there are employees not represented by a labor union, they still benefit because of the higher standards put in place by unions," he said. "But because of so much negative press about unions, I'm surprised that (the number) is that high."

Although Hoffert said he'd like to see that number increase, he acknowledged that unions have gotten "lazy," especially in recruiting new members in emerging industries.

"As unions, we slacked off in the '90s and early 2000s. As technology developed, we didn't try to organize those people, and I believe that's hurt us a great deal," he said.

"There has been so much lack of accountability of elected officials that people are losing interest in politics, so you definitely have to have solidarity (at the union level) to get legislation introduced and passed," Boody said. "We still need to have a presence in the political arena."

The January coal-mine deaths in Sago, W.Va., Hoffert

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Day laborers eager to reap benefits of new connection

By JANE SCHMITT

The local impact of an official partnership between the AFL-CIO and a national network of immigrant-worker centers remains to be seen, as news spreads about the latest development in the growing labor movement.

When announced Aug. 9, national headlines described it as "watershed," "historic" and "goal-advancing," this agreement between the nation's largest labor federation and the National Day Laborer Organizing Network. The goal? Lasting improvements in working conditions for day laborers, often described as the most vulnerable to workplace abuse.

News of the partnership is spreading more slowly in Western New York, however. When contacted recently, representatives of several workforce-development groups and rural job-training programs declined comment. Some had yet to hear the news, while others said it was too early to predict what it would mean to this area.

Edwin Martinez, meanwhile, is chairman of the Hispanic Alliance, a new group formed to focus on issues affecting Latin Americans living and working in the Buffalo area. He said he hopes the recent announcement proves to be more than just lip service, something he and others have heard too many times before.

"I believe that too often, the labor unions forget about the working class, and they've established (agreements) that more than often just protect the status quo," Martinez said. "I don't care how many agreements they come up with. Unless they go back to basics and start talking about the basic things workers need — about protecting wages, about work safety issues — all these agreements mean nothing."

The National Day Laborer Organizing Network, with 40 member sites, advances the human, labor and civil rights of the estimated 117,000 day workers throughout the country. According to the organization's Web site, its mission is to strengthen and expand the work of local organizing groups to become more effective; advance the rights of low-wage workers and immigrants; and develop successful models for organizing immigrant contingent/temporary workers.

The agreement with the AFL-CIO was formally adopted in Chicago last month. The network will collaborate with the union on immigration reform and wage improvement while striving to curb exploitation of low-wage workers, many of whom are Hispanic and undocumented, as they seek work through a growing national network of job cen-

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added, have prompted unions to lobby for increased worker-safety measures.

"Some take the stand that (unions) are all about the money, but we're concerned about worker safety, particularly OSHA laws," he said, noting that some pending federal legislation would reduce safety regulations.

But the ELA's Western New York representative believes unions may be causing more harm than good.

"In a couple of recent strikes, long-standing union members went out on strike for many months, but in the end, many were no longer employed by the company," said Ginger Schröder, a labor and employment lawyer with Schröder Joseph and Associates LLP in Buffalo.

While there are a handful of "bad-actor companies" where

unions are essential to protect the workforce, most unions are just self-perpetuating big-business ventures, Schröder said.

"They're more interested in perpetuating their existence than in servicing their members. Unions are big business," she said, adding that union representatives can earn upwards of \$90,000 annually.

Unions may also be contributing to an economic imbalance by raising worker salaries and benefits so high that companies are being forced to outsource their manufacturing overseas.

"I find that unions are less receptive in helping the company meet their global competition in bringing wages and benefits in line," Schröder said. "They can buy their product overseas and resell it rather than manufacture it."

The impact of free, rather than fair, trade has created a

downshift in stateside labor jobs, Boody said.

"Good-paying industrial jobs have been put out of business because of global competition. Companies escape collective-bargaining agreements by closing the plant and moving it to third-world countries. It's the easiest and fastest way to eliminate living wages," he said, adding that corporations and their lobbying are eroding the middle class.

Union representatives said they believe public opinion of unions will continue to improve.

"I think the perception with the public now is, we're the underdog," said Angelo Vel-lake, president of the Western New York Area Labor Federation. "So if management keeps doing what they're doing, then public sentiment (in favor of unions) will continue to go

up."

Nonetheless, Schröder warned that companies should be vigilant in protecting themselves against union activity at their worksites.

"It is quite telling about the need for union members when the Teamsters union petitions to organize a unit of social workers employed with a not-for-profit entity," she said, referring to the union's recent outreach to new categories of workers. "Employers should reassess potential exposure in light of the results of this poll, regardless of what color collar they wear."

The ELA conducts polls such as "America at Work" three to four times a year using research by Reed Group-Research of Philadelphia. Detailed "America at Work" findings are available at www.employmentlawalliance.com.

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ters and hiring halls. While the partnership does not call for day laborers to become union members, some say it could be a step in that direction.

Chris Newman is legal programs coordinator for the National Day Laborer Organizing Network, based in Los Angeles.

"I think the driving force behind the agreement was a recognition on the part of the AFL-CIO and its members that the work of worker

centers is part of the labor movement, that we're on the same team," Newman said last month in a phone interview. "We are going through a period of history when the labor movement is redefining itself in a number of ways."

He called the partnership "groundbreaking" because it means worker centers potentially will have a voice in labor councils and state labor federations.

"It has now become evi-

dent that day laborers are an integral part of the economy," Newman said. "While people tend to sometimes focus on the political, from a purely economic lens, it is clear that day laborers are performing indispensable market function. They are here to stay. There is a need for contingent, short-term workers in today's economy."

Whereas the migrant worker population used to be more dense in the Southwest, it's a

"national phenomenon" now, he said.

"This (agreement) is an important thing," Newman said. "We're on the same side of the immigration fight... It will take time for relationships at the local level to start to develop and nurture, but I think you'll be hearing about this for a long time."

Jane Schmitt is an Amherst freelance writer. This story first appeared in *Business First*, a sister publication.

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