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## Labor's Plan B

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A week ago, labor-rights group Working America launched FixMyJob.com. The text of the site reads a bit like an infomercial: "Tough day at work? Are you feeling overworked, underpaid, unsafe or disrespected by your boss?" But instead of selling a new set of knives, the writers are hawking organizing skills. "Our tool can help you identify problems in your workplace and give you info about what others have done in similar situations." The famous raised fist of labor is sideways, holding a wrench. The website is yet another attempt by the country's once-powerful union movement to connect to workers in an increasingly hostile national workplace.

"We also are trying to find new ways for workers to have representation on the job," writes Working America spokesperson Aruna Jain in an email. "We want to train and educate people on how to self-organize, and to learn collective action—the single most effective way of improving their working conditions. This is one way we can start that process."

The site, which is being rolled out slowly and in stages, is meant to give workers the resources they need to organize themselves and demand changes—regardless of whether or not an actual union comes together. It tells visitors how to contact the Occupational Safety and Health Administration (OSHA) for safety issues in the work place. It gives tips and strategies for how best to present a case to the boss or how to convince coworkers to get involved.

"We're trying something new here—an experiment," writes Jain. "It's never been done before. We don't know what will work and what won't, but we are trying to provide information, resources to create a fertile environment where organizing can happen." The website doesn't charge dues and while the term "organizing" is used extensively, "collective bargaining"—a staple of the labor movement—is nowhere to be found.

Dues-paying members sustained the labor movement for decades, and in return, the unions helped negotiate better pay and better hours. But that relationship has been deteriorating rapidly. For the last several decades, unions and the tools they offered seem far removed from the vast majority of workplace experiences. Around one-fourth of American workers are "contingent workers"—freelancers, independent contractors, part-timers, and temp workers—people with more tenuous relationships to their employers. Meanwhile conservatives have found ways to exploit weaknesses in the National Labor Relations Act, meaning the main legislative defense for unions is increasingly toothless. Labor conditions have gotten dramatically worse as unions have lost power—real wages have stagnated, wealth is increasingly concentrated—but no one seems to know how to connect the old-style of collective bargaining with the new economy. Some held out hope that the Obama administration—coupled with the worst economic crisis in decades—would help resuscitate things.

So when the Employee Free Choice Act failed in 2010, it seemed like a death knell for the American labor movement. The bill, which would have made it easier for workers to collectively bargain and increased the penalties on employers that fired people for trying to organize, was the number one piece in the labor agenda. Unions had poured resources into the 2008 elections, putting in hundreds of millions of dollars and mobilizing thousands of volunteers, and their efforts helped elect a Democratic president, and Democratic majorities in the Senate and House. But despite the concerted effort from labor leaders to push through this key piece of legislation, they simply didn't have the power. It never got through the Senate.

Faced with the very real threat of extinction, unions have largely put collective bargaining on the back burner, and instead must try to remind American workers of the basic concept of worker solidarity. "We start from the point of view that, because so few people are in unions these days, very few people have personal experience with collective power," explains Karen Nussbaum, the executive director of Working America. The group is the AFL-CIO's answer to the "labor problem." Rather than organizing workers into unions, Working America, an AFL-CIO affiliate, focuses on engaging non-union workers on a number of policy issues, from unemployment insurance and banking reform to education funding and campaign finance. The group uses the same door-to-door, grassroots strategies that have long been the hallmarks of labor organizers. But rather than emphasize relations between workers and their employers, the group focuses largely on policy changes. Members don't have to pay dues, instead, at meetings and on sites like FixMyJob, they just have to sign up.

The group's been able to create significant policy changes; with millions of members nationwide, Working America has been able to help mobilize activists for some successful local campaigns. In Portland, Oregon, workers won a battle for paid sick days. In both Albuquerque and Bernalillo County, New Mexico, the group helped organize and win a campaign for increase to the minimum wage. Those are major changes for the people living in those areas. However, emphasis is necessarily on policy changes, rather than helping employees negotiate with their employers.

On more national policy issues, unions have taken lead roles in coalitions to effect change—just not on issues of collective bargaining. Nearly all the major unions have worked together to push for immigration reform, and perhaps more interestingly, the Communications Workers of America have helped spearhead a "democratic reform" movement focused on public financing for campaigns and changing the filibuster rules in the U.S. Senate so that 60 votes would not be needed for anything to pass. The group is working with GreenPeace, the Sierra Club, the NAACP, and the National Education Association in a coalition that calls itself the Democracy Initiative. The group makes almost no mention of collective bargaining at all. But that's okay, explains CWA president Larry Cohen. "If we don't work on democracy issues," he says, "the stuff we started out working on is never going to go anywhere."

In other words, in order to create a future for collective bargaining and increasing the number of dues-paying union members, labor must start by reforming elections and Senate rules. Similarly, Working America's Nussbaum explains that unions must start engaging the majority of American workers and then find a structure that suits them. It's unclear if Working America members will ever become union members—or at least the dues-paying kind. "There's nothing sacrosanct about the form of the union in the United States," says Nussbaum. But there's one requirement she does make: "Any new organizational form has to still be based on workers supporting their organization." And so far, there's no clear model has emerged.

In implementing these new strategies, the unions are also taking some major risks. The American labor movement was defined by its unique role mediating between workers and their employers. Together, members' dues created an enormous well of money organizers could draw on for political and organizing purposes. "Going back to 1855, the idea of a union was people at work get together in some fashion and say we want 'X,'" explains Nelson Lichtenstein, a labor historian at the University of California-Santa Barbara. "If unions [became] just voluntary associations that are politically active, why are they unions?" He points to groups like Our Wal-Mart, a collection of people who work for the retail giant but who do not collectively bargain; instead they speak about conditions and work with activists to push policy changes for the company, like more regular hours.

Such work could lead to a much bigger project: a workers' solidarity movement, less concerned with the typical lines drawn between different local chapters and instead invested in creating change through a level of class-consciousness. As Harold Meyerson has reported, we're already seeing new kinds of organizing, as maids and fast-food workers across a number of industries took part in day-long strikes first in New York and then in Chicago. Last week, there was a similar event in St. Louis.

While it was a long time coming, unions are more flexible than ever before, and willing to change to survive. The Service Employees International Union has aided the day-long strike efforts, while sites like Working America's FixMyJob may help connect other dissatisfied workers to one another. We may begin to see more powerful policy changes to protect workers rights.

These new efforts carry potential seeds for the destruction of unions as we know them, and collective bargaining may never be the tool it once was. But in its place may be something more powerful that we just haven't seen yet.

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