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Executive Director

New Orleans Workers' Center for Racial Justice

and

National Guestworker Alliance

“Organizing the Future of Work”

**The 2013 Jerry Wurf
Memorial Lecture**



**The Labor and Worklife Program
Harvard Law School**

JERRY WURF MEMORIAL FUND (1982)
Harvard Trade Union Program, Harvard Law School

The Jerry Wurf Memorial Fund was established in memory of Jerry Wurf, the late President of the American Federation of State, County and Municipal Employees (AFSCME). Its income is used to initiate programs and activities that “reflect Jerry Wurf’s belief in the dignity of work, and his commitment to improving the quality of lives of working people, to free open thought and debate about public policy issues, to informed political action...and to reflect his interests in the quality of management in public service, especially as it assures the ability of workers to do their jobs with maximum effect and efficiency in environments sensitive to their needs and activities.”

Jerry Wurf Memorial Lecture

February 14, 2013

Saket Soni

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Elissa McBride

Elissa McBride
Director of Education and
Leadership Training, AFSCME

I am honored to represent the 1.6 million members of our union, hard-working Americans who clean our streets, plow our snow-covered roads, care for our sick and elderly, cook for our children in their schools, work for this University and others, and do thousands of other jobs that make America happen.

This memorial lecture was founded to honor Jerry Wurf, who served as AFSCME's president from 1964 until his death in 1981. The Jerry Wurf Memorial Fund was created to honor his lasting legacy as an advocate for the rights of public employees and his commitment to dignity, equity and justice for our members and for all workers.

The fund is housed here at the Harvard Kennedy School. For more than three decades, the fund has supported research, leadership development for union staff and members, and advocacy for public service trade unionism. Let me thank Dr. Elaine Bernard who directs the Harvard Labor and Worklife Program and serves as the Administrator of the Wurf Fund. We are also honored to have President Wurf's daughter Abigail with us tonight. Please stand Abigail, so that we may thank you for all the Wurf family has done to promote labor and human rights.

Forty-five years ago this month, America's eyes turned toward Memphis, Tennessee. On February 12, 1968, thirteen hundred sanitation workers

went on strike. They had no health care benefits, no pension, and a salary so low that 40 percent of them qualified for welfare to supplement their poverty-level wages. The garbage trucks they drove were old and unsafe. Two young workers were crushed to death earlier in February when the compactor in their truck malfunctioned. They had a union, AFSCME Local 1733, but the city refused to recognize their right to collective bargaining.

Jerry Wurf stood with them. He mobilized the support of our national union. He took the lead in mobilizing rallies and marches in support of the workers. He knew that the struggle of the sanitation workers was fundamentally a fight for respect, a fight for dignity. When the men marched to city hall and were met by police using clubs and mace, their message was as clear as the signs they carried. The signs said simply: "I Am a Man."

On the night before he died supporting the AFSCME sanitation workers, Dr. Martin Luther King powerfully made the connection between labor rights and human rights. "The issue is injustice," he said. "The issue is the refusal of Memphis to be fair and honest in its dealings with its public servants, who happen to be sanitation workers. . . . Let us move on in these powerful days, these days of challenge, to make America what it ought to be."

The struggle to make America what it ought to be did not end in Memphis. Few know this better than our speaker tonight, Saket Soni. Born and raised in New Delhi, India, Saket has been a driving force

in the effort to secure justice for workers fighting for their dignity in post-Katrina New Orleans. During the reconstruction of the Gulf Coast, black workers whose families had lived in New Orleans for generations were denied jobs. At the same time, thousands of immigrant workers were given false promises of steady jobs, fair pay, great conditions and even permanent legal status.

Five hundred skilled metalworkers from India, for example, were lured to the U.S. to help repair damaged off-shore oil rigs. Many of them went into debt to take these jobs. They sold their homes to earn a part of the American Dream. The dream became a nightmare, with days of brutal work and insufficient pay followed by nights living under armed guard in remote labor camps.

Saket Soni brought those workers together, linking their struggles across the lines of race and class and citizenship. He helped build a broad platform from which they could wage an inspiring fight for justice and dignity. His mission was bold: “to radically expand democracy so it reaches the places where people are most stripped of power – homeless encampments, evacuation shelters, day labor corners, detention centers, labor camps.”

Through organizing, lawsuits, public relations and research, he has helped to forge a new chapter in the fight for the progressive values that Jerry Wurf championed throughout his life.

By building institutions like the New Orleans Workers’ Center for Racial Justice and the National

Guestworker Alliance, Saket has strengthened the ability of poor workers to wield power over the decisions that impact their lives. He is leading a remarkable fight “to make America what it ought to be.” Sisters and brothers, please join me in welcoming a remarkable champion in the struggle for labor rights and human dignity, Saket Soni.

Keynote Address

Saket Soni



Saket Soni

Good evening everyone. And thank you for making it out today. Many thanks to my friend Elissa Mc Bride for that great introduction, thanks to Elaine Bernard for the invitation, to the Harvard Trade Union Program, and to AFSCME for the monumental role they play in the labor movement. It is great to meet you, Abigail Wurf, and it is really an honor. It is an appropriate moment, when so many more people are working harder than ever for less than ever, and attempting to organize not only to raise their wages and conditions but also to win a better life for everyone in this country. It is an appropriate moment also to honor the memory of Jerry Wurf.

I got to New Orleans soon after Hurricane Katrina. I was part of a moment in America that I am sure you all remember very well. When Katrina happened, it was one of those collective catastrophes that made us all want to get up and go. I have not ever met a single person who does not remember where they were and what they were doing when they heard about and saw the images of Hurricane Katrina. It was incredible how many people came and who came: white workers and African American workers, Latinos and Native Americans, men and women, people from across the country. A lot of them arrived without any organizational affiliations or any mission to speak of. Nobody sent them. They just picked up their tools and came. Literally with hammers and nails at hand, they came to rebuild an American city to be what it once was and what it should be. My

tools were a roll of butcher paper and a clipboard. I arrived to help. I soon got involved and to build a worker center, a vehicle to build a social movement in New Orleans.

In just six months after Hurricane Katrina, the last twenty-five years of U.S. history played out in microcosm: the complete displacement of an African American population; the obliteration of their jobs; and the entrance on to the scene of an immigrant workforce, one group excluded, the other exploited. Both were pitted by public policy against each other. It is remembered well that the government at the time, the Bush Administration, did nothing for the people in the Super Dome. While it did nothing for the people of the Super Dome, it was very busy doing a whole lot of other things. Within weeks of Hurricane Katrina, the Bush Administration undercut collective bargaining for people in New Orleans; suspended (by Executive Order) Davis-Bacon, which meant the protection of prevailing wages; and suspended affirmative action contracting. I do not think more than three labor inspectors were sent from Washington to the city that had become the largest construction site in the world. But over 720 ICE agents arrived all the same to police the new immigrant workforce and to create a revolving door of deportations.

Our shift as organizers would start those days often at 5:30 am or 6 am when we would race to the day labor corners to protect day laborers who were trying to rebuild communities so that people could come home. We would protect them from the National Guard and the immigration

“When Katrina happened, it was one of those collective catastrophes that made us all want to get up and go”

“Now I want to talk about what might be the most inconvenient truth about the new economy, which is the transformation of work”

agents who would try to deport them when they demanded wages. Now we saw a lot during those days. We saw the largest day labor corner in the South emerge under the shadow of a large statue in New Orleans of Robert E. Lee in a place called Lee’s Circle. For those of you who know Southern history, Robert E. Lee was the general who led the forces to protect Louisiana and the South from what white Southerners like to call “the northern aggression.” Under a statue of granite and marble, there grew the largest day labor corner in the South.

Every day people were bidding their services at a low cost to be driven out to the far corners of New Orleans in order to rebuild in atrocious conditions. We saw hotel workers trapped in the hotels that they were reconstructing. We saw unemployed people in New Orleans on FEMA vouchers living in hotels. And when employers wanted workers, instead of knocking on the doors of those hotels, they would send labor contractors as far as Peru and Bolivia to bring workers in, rather than hire the people right there.

We thought we had seen it all. But then we met these workers, a group of Indian workers who were in the Middle East, Bombay, and parts of South India in 2006. When recruiters came and said, “There is a need for welders and pipefitters in the Gulf Coast after Hurricane Katrina. The only catch is that you will have to pay \$20,000. At the end of it, you will get a Green Card and permanent residency, and you will be able to live in the United States.”

So while an entire population was without work in New Orleans and the Gulf Coast, these men were brought through labor contractors into labor camps that had been constructed in Mississippi and Texas. They lived 25 people to a room and surveilled while they worked. Their only excursion out was surveilled visits to Wal-Mart and the evangelical church to which they were taken to pray. We built clandestine committees in these camps. The workers faced retaliation. On one proud day in 2008, 250 Indian workers holding signs that said “I Am a Man” escaped from the labor camps and then proceeded to walk from New Orleans to Washington where they went on a hunger strike. That’s what it was like to organize in the Gulf Coast in the aftermath of Katrina.



Today I just want to talk about a similar change that’s happening across the country. The National Guestworker Alliance now organizes in states across the country. Now I want to talk about what might be the most inconvenient truth about the new economy, which is the transformation of work. The future of work in the United States looks very different than the last forty years. Unless we intervene and organize, the next forty years for workers and workplaces in America will look a lot more like the conditions faced by these Indian workers. Resistance and organizing will also look a lot like what they and many other workers around the country have done.

So what is the future of work in America? Before I talk about it, I would like to introduce you to a group of our members who organized in Hershey,

“... they occupied the Hershey factory, singing songs in Mandarin Chinese and Turkish and ten other languages as they brought Hershey production to a standstill.”

Pennsylvania. In August 2011, a month before Occupy, something really extraordinary happened. These students walked off the assembly line. A month before Occupy, they occupied the Hershey factory, singing songs in Mandarin Chinese and Turkish and ten other languages as they brought Hershey production to a standstill. They were recruited as guest workers in their home countries on college campuses. The promise was they would come on a cultural exchange program. They came to experience American culture, and unfortunately they did. Here it was, they were experiencing it for \$1 to \$5 an hour on the assembly line of the Hershey chocolate factory. That day, they leapt from a small plant floor in Pennsylvania to the pages of the New York Times and newspapers from around the world where the world saw the story of how an iconic, emblematic U.S. corporation had brought in captive workers and was paying them from \$1 to \$5 an hour.

But there is a story beneath the story. And that's about the transformation of work in the United States. Guest workers are a new entry into the Hershey factory. Ten years ago, these were union jobs paid at union wages that came with rights, respect, and a contract. And then Hershey decided to change its business model. It subcontracted its entire warehousing and logistics operation to a major corporation called Exel, an American subsidiary of a German warehousing company. So Hershey decided to abandon responsibility for its workers and its warehouses, and then gave it up to Exel. Exel then decided to subcontract it out to a small temp agency down the street called SHS.

SHS decided it did not want responsibility either, so they gave it to a recruiter. That recruiter went and found a whole group of recruiters in foreign countries to bring in the workers. By the time the workers arrived and were being exploited on the floor of the Hershey plant, who could they complain to? Hershey, Exel, SHS, and even their U.S. recruiter said, “I am not your boss.” That is the problem of the U.S. workforce today in microcosm. Under four layers of subcontracting, here are these workers, and they have no one to bargain with.

The Fissuring of the Employment Relationship

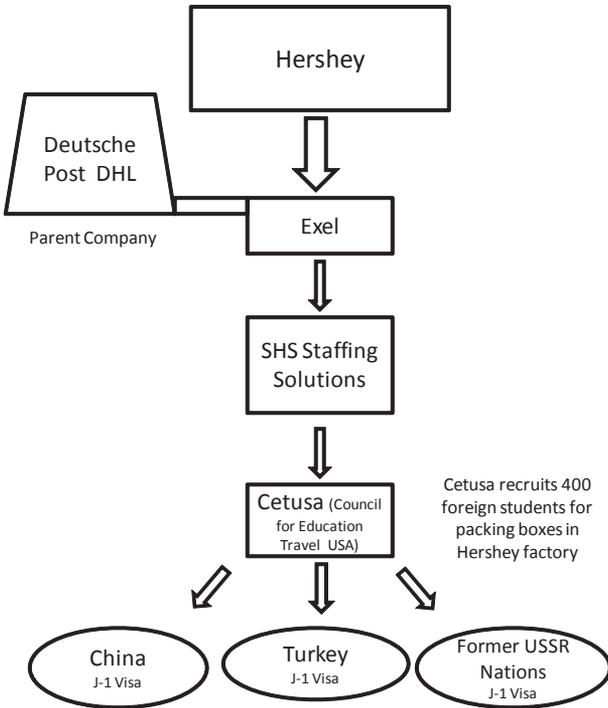


Chart by John Trumbour, Designed by Alida Castillo.
Special thanks to J.J. Rosenbaum and David Weil

“The rise in contingent work has profound implications for not only the labor movement and the progressive movement in this country, but also fundamentally for the economy and for our democracy.”

As contingent work rises in America, guest workers are on one end of the spectrum, a spectrum that goes from good permanent jobs to subcontracted contingent work that comes without rights and respect. That is a story worth digging into. Guestworkers and other captive workers, contingent workers and contract labor in the United States, hold a crystal ball into the economy. If you look at it, it is a pretty terrifying picture. At the end of this transformation, if we do not do something and end up as guestworkers, we will be trapped in an economy of temporary work. We will be climbing supply chains instead of career ladders. We will be working to get out of debt, rather than building wealth.

In New Orleans and across the country through the experiences of guestworkers, I would contend there are three major shifts in work that are worth considering as we think about the next forty years of organizing, both community and labor organizing. The first is the rise in contingent work. In 2006, the Bureau of Labor Statistics said there were 42.6 million contingent workers in the United States.

“Contingent” is not a great word. Perhaps next year the new Harvard Trade Union Program class and some smart people at Harvard can figure out some new language. We need it desperately. But it fundamentally means people who are not working for the ultimate beneficiary of their employer. Millions of people are working for subcontractors, they are temporary, they are part-time, they are self-employed, they are permatemps. These are 42.6 million workers who do not include day

laborers and do not include people working in the cash economy. They also do not include 11 million undocumented workers. That's a tremendous number of workers. Let's call it 60 million people. This is just a low number, 60 million people who do not know who their real boss is.

If they want to sit and bargain, they have no one to bargain with. They are treated as a hot potato up and down a contracting chain. As much as they may want to climb up the food chain to ask for real jobs, real wages, and real rights, they are told -- and the legal system helps them being told -- that they have nowhere to go. The rise in contingent work has profound implications for not only the labor movement and the progressive movement in this country, but also fundamentally for the economy and for our democracy. The nature of employment in this country has changed, some people say fundamentally and forever.

There is a second shift that comes with that, though. While the nature of employment has changed, so has the nature of unemployment. Workers used to have some pretty fundamental expectations when they went to work. The first one was what we just talked about: I am working for someone and if I have a problem I can sit down with him or her, and I can work it out. If I do not work it out, I can gather the other workers and go on strike, and then I can work it out. If that does not work it out, I can go further and further till I build enough power. That was a very fundamental idea: I have someone to bargain with.



Mildred Wurf and
daughter Abigail

The second expectation was and still is to some extent that in a good economy I will have a job. But in a bad economy, that job will go away. Then there will be a safety net, things like unemployment insurance to help me out. And when those jobs come back, I will get those jobs again. That is how unemployment has worked. It does not work that way anymore. As the nature of employment has changed, so has the nature of unemployment. Most people in this country are realizing that the nature of unemployment is shifting to structural and long-term unemployment. Forty percent of the unemployed have now been unemployed for 27 weeks or more.

In New Orleans, my membership is employed a few hours a day, or a few hours a month, over the course of a year. The unemployment rate in New Orleans, according to DOL statistics, hovers just above 10 percent. That is bad enough. But it is nowhere near capturing the actual unemployment because long-term and structural unemployment does not show up in the unemployment numbers. The average two-person household income of people in my membership in New Orleans is \$7500 a year based on people's time on a job. Now that is bad news. But that is not the crisis. The crisis is, you try being out of work for six months. Go look for a job and sit for an interview. The first thing you are asked, why have you been unemployed for six months? Long-term unemployment turns into structural unemployment.

You have communities in this country, largely communities of color, who are getting tooled

out of the economy. Unemployment for African Americans is nearly double that of white workers. This is particularly a problem for urban areas, in places where there is a low-wage economy, a subsistence economy, a service economy in places like New Orleans and cities around the country. So as the rise in contingent work has eliminated the possibility of straightforward traditional bargaining, it has also undercut the possibility of a career ladder. The industries that are expanding in this country, the jobs that are coming back when we see those graphs and curves: The jobs that left are jobs that had the possibility of an elevator up to the middle class and a career such as construction and manufacturing. The jobs that are being created are retail, service, working at McDonald's. These are not jobs that lead to careers and advancement.

The third shift is one you saw in the video, "Justice at Hershey's." On the one hand you have the rise of subcontracting and contingent work. On the other hand, you have a Pennsylvania community around that factory veering toward structural and long-term unemployment. But the third shift is the sourcing of workers from anywhere to anywhere. The third major basic expectation that workers used to have: if I got training in a certain community college on Argyle Street in Chicago, then I will probably get a job in a five or ten zip code radius of that training. In fact, our only civil rights protection for local workers in local jobs is based on the idea of a local labor market. Section 3 of HUD is this idea that there will be something called a local worker and something called a local job, and that a group of local workers will be able to access



Abigail Wurf
Elissa McBride
Damon Silvers

that job. The idea was that local labor markets would remain local. That's not true anymore. The Hershey chocolate factory, which is not a big factory, is choosing workers not from Harrisburg and Hershey. When they are deciding where to bring workers from, they are choosing among Turkey, China, and eight states from the former USSR. Workers can be sourced from anywhere to anywhere. We are seeing it play out in every local economy at every scale. We organize in hundreds of factories in Louisiana that are owned by people who are far from being the 1 percent. These are people who have mortgaged their homes against tractors, to have some money to run a factory, to supply to retail. They are choosing workers from the Philippines, Vietnam, and Mexico. The idea of a local job has all but vanished.

These three shifts have tremendous implications for our organizing. They have tremendous implications for how we think about bargaining. They also have tremendous implications for how we think about the safety net. I want to introduce you to another set of workers so that you can see just what I mean.

These were a group of workers who would come year after year from Mexico to Louisiana to work for a small company called CJ's Seafood. They demonstrate the first of three major implications for organizing and the three major implications of these shifts I have talked about. We have to start thinking fundamentally differently about who bargains, who we bargain with, and what we bargain for. In a rising subcontracted economy,

in a growing service economy, when workplaces are often not large, when power is so fragmented and diffuse at the bottom but so concentrated on the top, it is going to take workers who can get really creative about what to ask for and who they are asking. These workers were employed by CJ's Seafood. They would come year after year on visas, and they were only allowed to work for Mike LeBlanc at CJ's Seafood. They were not allowed to work for anyone else.

But when they went on strike, they demanded justice not just from their direct employer, but also from Wal-Mart up the food chain because it was the end of their supply chain. They were packaging crawfish that ended up on Wal-Mart's shelves. We were all told three important things when we were thinking of this campaign, three great pieces of advice: first the workers will never believe they are Wal-Mart workers, secondly the media will never believe they are Wal-Mart workers, and thirdly even if you get the workers and the media to believe it, Wal-Mart will never believe it. Very helpful.

So six weeks after the organizing drive started, the workers went on strike. Within two days, we were talking with Wal-Mart through the pages of *Newsweek*. A week later, the workers were sitting in the editorial board room of the *New York Times*. A day later, the NYT published an editorial called "Forced Labor on American Shores." Last week, six months later, these workers sat with four vice-presidents of Wal-Mart, and they were making demands about how seasonal work could,

“... we are now on our way to thinking very differently about how workers in a subcontracting scheme and supply chain can really have the right to organize.”

nonetheless, come with seniority rights, respect, and a contract. If the work and the employment relationship are becoming seasonal, that does not mean that bargaining rights have to be seasonal. And Wal-Mart was sitting down and talking. The labor movement both in the case of the campaign in Pennsylvania and in the case of these workers in Louisiana behaved exactly like the labor movement is supposed to: by standing around and behind an inspired, strong group of workers and helping them to take action. I believe we are now on our way to thinking very differently about how workers in a subcontracting scheme and supply chain can really have the right to organize.

So we have to think differently about bargaining. But we also have to think differently about a safety net. We made a deal long ago where most of our benefits would come from a union contract. So the state-based safety net structure was very weak. The state kept up its end of the bargain: it remained weak. But we continued to lose the right to organize as union power was attacked in this country. Now we need to think very differently about how resilience can be rewarded in the twenty-first century, and how a group of men and women who are facing contingent work and long-term unemployment in the new economy, can, nonetheless, have a safety net underneath them. So, for example in New Orleans, we are organizing a group of workers who are demanding that they be let back into the construction industry with career ladders into HUD-financed construction but they are also demanding new safety net protections for temporary workers and contingent workers in the

construction industry in New Orleans.

I think there are some key opportunities here in this moment which we should be ready to take. We should be ready to take them intellectually, we should be ready to take them at a level of policy and conception, and we should be ready to take them as worker centers, unions, and a robust labor movement. Across the country, even though they do not fit into the traditional union structure, workers are organizing through worker centers. And while it did not start this way, all of that organizing is sorting itself out as more and more sectoral, day laborers, domestic workers, guest workers, agricultural workers, are all trying to think through new forms of bargaining in their sector to drive industry-wide-change. The challenge is in a sub-contracted economy it is very difficult for workers to drive industry-wide change. When you have an employer who works for an employer who works for another one, and when one factory has, as we found them to have, sometimes 27 different employers inside, it is hard to drive change within the four walls of the factory, let alone across the industry.

We need to build social power in order to really drive industry-wide change. That means there is an opportunity for community and labor together to think about new forms of bargaining in sectors. Some of these experiments are happening. Our work with the UFCW on Wal-Mart is an example. The Steelworkers' work with the car wash campaign in Los Angeles is another. In New Orleans, we are working on experiments with the Ironworkers

“Across the country, even though they do not fit into the traditional union structure, workers are organizing through worker centers.”

and LIUNA on new forms of worker associations that lead to apprenticeship membership and then union membership in the construction industry. There is an incredible set of innovations that are happening that just need to keep happening. If we can populate this country with a number of campaigns that feature curtain-raiser demands about the future of work in this country: career ladders in retail, bargaining rights for seasonal workers if the work is going to be seasonal, career ladders in the growing areas of the economy that are creating jobs but happen to be service and low-wage jobs. These kinds of demands need to be conceptualized from the bottom up. They need to play out in the states that are the laboratories of democracy. And then we need to scaffold up from there into a new kind of New Deal so that we get career ladders, quality jobs, and real rights and wages for workers.

I would say the second opportunity here is the immigration moment in this country. There are 11 million undocumented workers in this country, 3 million more guestworkers, and they together constitute a deportable workforce. Nobody's wages are going to get higher if 14 million people in this country remain a deportable workforce. A few days ago, I watched the State of the Union address in Washington with 300 undocumented workers and guestworkers. They were there to respond to the State of the Union, and the next day to go and attend the Senate Judiciary Committee on Immigration Reform. President Obama's speech promised immigration reform. Sitting next to me at the State of the Union were

workers from New Orleans who are known as the Southern 32. These are 32 workers in deportation proceedings because they went on strike or had the courage to challenge racist bosses and sheriffs. One of them is called Josue Diaz. Josue was 17 years old at the time of Hurricane Gustave when he was picked up from New Orleans, taken to Texas, and put in a labor camp. He was put to work rebuilding homes so that people could come home. He worked for three days without pay and without safety equipment. The Latino workers, the undocumented workers on the job, were put to work without safety equipment to remove toxic sludge from homes. And then after they had done so, white workers were sent in to do the rest of the work with safety gear. So these Latino workers went on strike. They wanted better safety standards, they wanted an end to the racism at work, and they wanted fair pay. These are not far from the demands of the sanitation workers who went on strike in Memphis, Tennessee long ago. They were kicked out of the labor camp. They were exiled out into the dark, unlit night in Texas. Police were called and Immigration, and they were hauled off, and they have been in deportation proceedings since 2008.

“The Latino workers, the undocumented workers on the job, were put to work without safety equipment to remove toxic sludge from homes.”

This is the kind of challenge that an immigrant workforce is facing in this country. I would say that it is about time that we made workers’ rights for these immigrants a unifying prospect for all workers, American-born or otherwise. There is a tremendous opportunity here. Because of struggles like those of Josue Diaz and the signal workers, the Indian workers who you saw, we have something

“we have something in place called the POWER Act [the Protect Our Workers from Exploitation and Retaliation Act].”

in place called the POWER Act [the Protect Our Workers from Exploitation and Retaliation Act]. It is a fundamental part of conversations about immigration reform, and we hope it will be part of immigration reform. It would protect workers from retaliation and give them the right to organize.

These are the kind of public policy measures we need to thrust into the debate. I am going to end here. But I will leave you with one thought: I have never met a single worker in my years in New Orleans or in the Gulf Coast or with guest workers and undocumented workers across the country who has not wanted a union. That is not the hard conversation. The hard conversation is, how are we going to get it? What is the combination of community and labor organizing that is going to bring collective power to give contingent workers the chance to change the economy? The workers we represent want that chance, and this is the time when we should lean in and fight so that they can get it. Thank you very much.

Question and Answers

Q. (Dayna Sykes, United Steelworkers, Canada) I just want to add that, being in the Harvard Trade Union Program, we often hear bragging about how fantastic Canada is at times, but there are moments in which it sometimes is not true. About two years ago, we had a situation where we found a bunch of workers living in the woods who staged their own job action because they were living in these squalid conditions. We had discovered at this point that all 25 of them were African immigrants except for one. They had not been paid, they were not being fed, and they were basically being held in servitude. Two years later today, they still have not been paid the money that was owed. The government fined the company around \$3,000. The workers still have not been able to collect unemployment insurance because they have not received any records of employment. We have organized enough to make sure this is a national issue. But we have not organized the movements able to build those worker centers that go beyond the labor movement. Thank you for your time.

A. Thanks for doing what you are doing. I would be remiss by the way not to acknowledge the incredible role that different parts of Harvard have played in building the New Orleans Worker Center and the National Guestworker Alliance (NGA) over the years. A lot of the capacity that we have now through the workers center both on the organizing and on the legal side, our ability to run campaigns and strong policy interventions is actually in large part the result of people from around the country



Question from
Dayna Sykes,
United Steelworkers,
Canada



Question from
Jeff Morassi,
Massachusetts
Teachers Association

and the places here. It really takes a village to build a worker center. That might be something to consider: how can a whole community of people in labor and outside labor contribute to building a worker center in key places.

Q. (Jeff Morassi, Massachusetts Teachers Association) Can you just go over how workers come to find your workers centers or get your assistance?

A. It depends on the kind of worker. We are constantly on the day labor corners several times a week: organizing, building relationships and trust, and bringing workers into a membership structure. Guestworkers often come to this country and live in labor camps, and they are heavily surveilled, unlike the day laborers. In those cases, there is a phase that looks a lot more like detective fiction than organizing in order to find the workers and then to talk with them and build trust. At this point, we have gotten to where we are trusted and known, particularly because workers are sourced from place to place where they can be brought from anywhere to anywhere. We are now building a program to organize in the key sending countries so that workers can be reached out to and organized before they come. So, for example, we are in Sinaloa, Mexico organizing there so that workers can come knowing about us and getting themselves organized when they arrive at the beginning of a seafood season in the seafood factories of Louisiana.

Q. (Maria Somma, United Steelworkers) What do you think about the likelihood, with the new

environment for immigration reform, that we can get something on the POWER Act [Protect Our Workers from Exploitation and Retaliation] into the legislation?

A. We are all feeling a surprising amount of optimism about immigration reform overall. It seems like there is a time line that is moving. But it is very important to hold a set of worker priorities and labor rights' priorities inside immigration reform. That's the part we are going to have to really lean in and fight for. For example, the last few rounds of comprehensive immigration reform have included work provisions. People with continuous employment are the ones who are going to qualify for legalization, and people can fall out of good standing if they fall out of continuous employment. You can imagine in an economy filled with guestworkers, domestic workers, day laborers, and contingent workers of all kinds. I do not know too many American-born people who come from the state of Louisiana who are sure of continuous employment in this economy, let alone an immigrant worker. It also sets up an incredibly coercive relationship between a boss and an employee if your legal status depends on continuous employment. You become a guestworker. So that is one really key thing to fight for. Another is the POWER Act and retaliation protections for everyone standing up for everyone's civil and labor rights. We think we have raised this pillar of policy, but it is going to take a lot more spending of capital in a small amount of time to make sure this stays front and center in any House bill or Senate bill or White House bill. And it is a short time line.

“But it is very important to hold a set of worker priorities and labor rights’ priorities inside immigration reform. That’s the part we are going to have to really lean in and fight for.”

Q. (Damon Silvers, AFL-CIO) I am curious about something you alluded to earlier in your speech, which is the impact of mass unemployment in the United States and worldwide, on the ability to organize. And then there is the question of whether you see any positive impact from the modest job gains we have seen on the overall environment?

A. It is a good question. Our experience with guestworkers right from the beginning before the recession was always very interesting. We would meet with workers who were severely exploited. They were brought in from Brazil and Mexico, and put into apartments. They were promised work. They had paid for their visas so they had gone into tremendous debt to do the work. When they arrived, they just were not given the hours to make up that money. They became surplus labor to be cycled through a few hours at a time, temporary labor.

When we sat down and asked the workers what they wanted, yes, they wanted to be treated better. But a little bit paradoxically, even though the work was so poor, the job quality was so bad, the exploitation was so high, the biggest demand was we just want more hours. We want to work more. That was our real experience of how temporary labor and these workers who are essentially surplus labor forces have to negotiate from so low. That became more and more the experience of many, many more American workers. So you have entire business models where companies will now offer workers: more workers and fewer hours. That is, rather than looking at the workers who are part-time and try to bring them up to full time. This has really

undercut organizing, it has really undercut worker power, it has had tremendous consequences, and it is one of the most severe challenges of organizing contingent workers.

I think that there is real room for public policy work and for real grassroots demands on bread-and-butter issues that pertain to how people negotiate unemployment like just reform of scheduling rules. That may seem small, but it actually amounts to quite a lot for workers. I think in terms of mass unemployment now, our experience in New Orleans and across the country is that people are really losing hope of getting good jobs, even though jobs are coming back. For example, the million manufacturing jobs, let's just talk about the auto parts jobs alone. Those jobs are coming back. But they are coming back in right-to-work states in the South. And they are coming back as deeply subcontracted, low-wage jobs. They are coming back as if those African Americans and white workers start to organize, they will immediately be fired without any ability to fight the retaliation. So I think that is much of what we are seeing.

Q. (James Williamson, citizen activist, Cambridge, MA) You mentioned Section 3 of HUD, which is near and dear to my heart. I happen to be president of a tenants council in Cambridge public housing. We do not get anywhere with Section 3 in Cambridge. If there are significant contracts of the housing authority, the housing authority has an obligation to hire the residents. Section 3 promises work opportunities when there are major contracts. But what the housing authority tells us is that there

is a skill requirement, and in Cambridge most of these jobs are union. The claim is that the unions are not really very cooperative when it comes to working together with the housing authority and the residents to develop the apprenticeship programs that would make it possible for anyone to get one of those jobs. I do not know how much experience you actually have had with the implementation and lack of implementation of Section 3. Could you talk about what success you have had in working with unions to open up opportunities? Otherwise the housing authorities can claim they are exempt because the residents just don't have those skills.

A. Our experience has been that our members who live in public housing in New Orleans would wake up in the morning and watch the chain link fence go up across the street from them. And then they would watch the housing across the street from them turn into a construction yard. They would watch the slabs being set and the framing go up, and they would want those jobs. But they could not get the jobs across the street from where they lived. When they asked how they could get into the yard, they were told to report to a temp agency in an adjoining suburb where they could potentially be brought back to work on a job across the street from where they live.

Instead of fighting for contingent work and poor quality jobs in construction, we decided to launch a massive career ladders campaign in New Orleans. We decided to do a major investigation of how Section 3 was really working. We found out that Section 3 had essentially been hollowed out by the extraordinary innovations in the construction

industry. That is, subcontracted construction industry and contractors using all of the loopholes you can imagine. We started creating a jobs fight, it was a community fight, it was a fight for career ladders, a fight for the economy of New Orleans, it was really easy to bring people on board. In terms of the unions, our strategy has been to win community workforce policy attached to HUD financed construction. It is something you can win locally. It is something you do not have to be part of a union to fight for and win. It is pure community organizing. People who are your tenants and who are in your community tenant organization could launch a campaign. Forty people well organized could do that.

But when you win that, then there is that phase of delivering that victory to the community. Sometimes it is easy. You win something and then you just go to the office and pick it up. But careers are not like that. You win a promise, and then it takes a long time to assemble a pipeline. That is the phase in which a partnership with the unions is incredibly important. In New Orleans, we have had a very good experience partnering with the Laborers, the Painters, the Glazers, the Ironworkers in really figuring out how to make low-income communities of color and the union training infrastructure meet. New Orleans, like many urban areas, is full of training programs: private training programs, public training programs, private-public partnerships. Not one of these nonprofit and private training programs leads to a job. We have to be clear about one thing: The only training programs that actually lead to jobs and careers are run by unions.

The politics in these cities are often undercutting the ability of communities of color to come into those training programs. The best national training infrastructure in the world is one that communities of color and low-income people can get into. There is incredible room and are plenty of places where this innovation has happened: Austin, Texas where the Austin Workers Center is working closely with the state federation and with the trades. We are working closely with the trades. There are other places in the country. I would invite to have a conversation with your community first and make sure they are in it for the long haul. We were hardly the first to do this when we started this in New Orleans. Of course, we got a lot of good advice from people around the country who had successfully built these partnerships. It takes sitting down and talking about how you have a mutually valuable collaboration. But this is an opportune time for labor and community to come together around the nation's training infrastructure and career ladders. I would really encourage you to do that.

Q. (from a self-described former AFSCME education director) The work you are doing is remarkable, wonderful, and important, but you just described a little bit of tension that may exist between the labor movement and the National Guestworker Alliance. Who is supporting you, and to what extent are you getting support and funds from organized labor, from the AFL-CIO? And to what extent can you maintain close ties to the organized labor movement?

A. In terms of support, I think that there are places in the country where there has been real good close partnerships between unions and worker centers. At the national level, our alliance, the National Day Laborer Organizing Network, and other alliances have partnership agreements with internationals. This exists. But the reality is that those partnership agreements only matter if there is local work and local power that is being built. There are places in the country where that is significantly happening. At the level of politics, in the meeting with President Obama about immigration, President Trumka raised the issue of work provisions in immigration and their impacts on undocumented immigrants. These are the kinds of interventions it is critical for the AFL-CIO to make, for labor to make, and they are making them. At a local level, there are places in the country where the worker centers are thinking sectorally, and the union locals are thinking enough about how to build. Real opportunities are being taken to work together.

Q. (Paul Finch, British Columbia Government and Service Employees' Union) Building on the prior question, is organized labor backing out? The traditional model of a union does not work for a variety of reasons: the dues structure, the servicing model, and a ton of aspects that make it simply untenable. We know this model does not work. What will work to organize these groups of people -- not just in a transitory way but to create a lasting kind of organization that can actually lift up the base? How can we support that, how can we financially support that? Is that a different

model of unionism? Is that not through unions? Is it through social movements? What does it specifically look like to you?

A. We have seen good examples of it, and we have to remember that we have to do this for a little while before we can settle financing and get to scale. As much as we now talk about how industrial unionism is self-financing, there were lots and lots of sit-down strikes, worker deaths, and plenty of phases of low wages before the labor movement actually turned low-wage jobs into middle class jobs. I think there is a phase we are in that looks like the beginnings of unionism. Talking about the UFCW, we are organizing guestworkers on supply chains in agriculture and seafood on the Gulf Coast. The UFCW is supporting the organizing of warehouse workers in California and other places, and we have been able to connect the retail workers, the warehouse workers, and the seafood and agricultural workers. They are really thinking about how they are co-workers, and they essentially have one employer: Wal-Mart. We are teaching them to start thinking about social movement bargaining and bargaining with the 1 percent. On the construction side, there are experiments in New Orleans. We are really thinking outside the box of how the unions can support a vibrant campaign that looks a lot like a social movement before it looks like trade unionism to win the gains and benefits and jobs. And then workers can join apprenticeship programs to get trained for those jobs. I would not say there is a formula. But we need to connect the dots in the non-union sector between workers and the unions they can get into.

Then we really need to dig in and both finance and support and, most importantly, grow the scale of real courageous fights before we are going to get a massive growth of union membership. People have to enter a social movement based on their bread-and-butter economic concerns and their bread-and-butter social concerns, whether it is criminalization and the fear of deportation and the need for immigration reform or a host of other things. Building a membership and building engaged people in social motion on those issues is really what is going to grow our movement.

(Q. Patricia Glynn, AFSCME) I just wanted to respond to the gentleman who asked about what is going on between labor unions and worker centers. We have a campaign going on in Vermont. We are working with the worker center in Vermont.

A. It is a great worker center.

Q. (Patricia Glynn) We are organizing homecare workers working at home and taking care of the disabled and the elderly. We have community meetings through the worker center. It really brought the whole community together. In the first day of the legislative session, we did a big joint huge rally. So it is working here.

Q. (Susan Winterberg Harvard Business School researcher working on the ethics of layoffs) Many large companies are having programs for supply chain social corporate responsibility and ethical sourcing. They are actually taking responsibility for ethical sourcing of their factories with contractors. In your organizing work, do you ever approach these social responsibility offices in

companies? Do you have a dialogue with them? And what has been their response to the issues of the treatment of labor?

A. The group of workers in the second video who are on the Wal-Mart supply chain have really been going toe-to-toe with Wal-Mart about corporate social responsibility on the Wal-Mart supply chain. On paper, Wal-Mart has really great standards for suppliers. If you have not read them, you should. They are like a Universal Declaration of Human Rights for workers in the world. They include provisions against forced labor on the supply chain, freedom of association on the supply chain, and the elimination of corruption from sourcing places.

It almost reads like a checklist of actually what has happened over the last few years, rather than what is not supposed to happen. But it is all there on paper. When the Wal-Mart workers that we organized took action, they actually reported to Wal-Mart, to the Vice President of Ethical Sourcing, and to a whole group of other people. They tried to tap into Wal-Mart's complaint apparatus, and Wal-Mart failed to respond. Then they went public and went on strike, and then Wal-Mart, of course, responded and said they have no responsibility in this at all. It is the supplier. We have no idea who supplies to us. And if that is a supplier, it is the supplier's fault. Wal-Mart then sent an investigator. They contracted a compliance firm. The investigator came and decided nothing was wrong. They closed the investigation the same day it started.

It still takes building power to make corporate social responsibility work. The reality is that a lot

of these large companies have created corporate social responsibility at the brand level, but they do not really have the apparatus to do it. From our perspective, there is no such thing as monitoring if the workers are not doing the monitoring. And I will add, if the government is not doing monitoring. After all, when a corporation is just monitoring itself, something is missing there.

But I think there are incredible opportunities right now to push on this. At the Clinton Global Initiative, President Obama gave a speech about human trafficking. That speech hit upon many of the classical public policy issues on human trafficking, but it also talked about labor trafficking on the supply chain. This is an incredibly progressive corner of a very longstanding debate. This is the first time I have heard at that level talk about making corporate social responsibility real. I think that corporate social responsibility being real means workers having collective power and a contract, and being able to bargain for basic conditions.

Q. (Claudia Hudson, Amalgamated Transit Union)
I am trying to put this together the best I can. I am an international rep. I am a bus operator. That is my primary work. So we have the organization that you are trying to create fairness for work, then we have the labor movement where we are trying to stay pretty much up where we are, and then you have an Administration, whether it is Obama or any other Administration, which knows that this exists. We run around and try to create things for the better, but they can do something about it with a stroke of the pen. The Obama Administration

is getting ready to put people in the communities for Organizing for Action. They are going to be talking to people in the communities about moving his agenda. Do you know about Organizing for Action, and what do you think about it?

A. Well, I know about it. There was a great article by Marshall Ganz who teaches at Harvard. Written soon after Obama was elected, it explains how Obama came to the White House through organizing. It was a great campaign and people got involved.

But soon after he gained power, the organizing kind of dropped off. We had a real vacuum. You had public policy coming from the White House, a gridlocked Washington, and no real grassroots fuel and power underneath an agenda. There is an opportunity here if the White House has remembered that it is good to organize. We should give them what we want them to organize after. We should use this as an opportunity to bring our agenda to them.

Q. (Claudia Hudson) As soon as he finished the State of the Union, there was a call with more than 1400 people who were looking to organize in the communities. I understand he did this when first elected. He is pushing it again now.

A. My question is, how do we take hold of that as an opportunity? If President Obama is talking about a \$9 minimum wage that is indexed for two years, and that is in the State of the Union, this is a fairly significant thing. Those 1400 people should push that this is part of a real agenda being moved. That is a positive thing.

But let us be clear: that is President Obama's organization. We want to make sure that we move our set of priorities. But there is an opportunity here to bring these priorities together. Not only around minimum wage but also immigration reform, and many other things.

Q. (Claudia Hudson) There are the unemployed. Pretty much, nobody is doing anything about this. We have the opportunity to organize the community around your issues, labor issues, and unemployment. It pushes the people further out. I think that moves the people further and stops the politicians from driving wedges through people or real issues....

A. That's right. I know there are questions. But I have a question. You are all here together. You are some of the best thinkers and doers in your unions and the labor movement: innovations like the UFCW are doing, the Clean Carwash campaign in Los Angeles, and others. They are tremendously innovative. In terms of the future of work in America and the shifts in contingent labor, what are the opportunities you see from your particular vantage point and from your union? Do you feel optimistic about this moment where there at least is a conversation about inequality and a massive conversation about immigration? What are to you the opportunities to lean in here?

Q. (Maria Somma, United Steelworkers) We are at a fork in the road where labor at least has to make some decisions. Often times, especially in the last ten years, we have felt kind of cornered and pushed back. We have been on the defensive.

We are at a point while still on defense we can take the offense, growing the labor movement itself and becoming a movement again. You and I were both at a meeting in DC a couple weeks ago that I was thrilled about. Worker centers all around the country, unions willing to work with them, and the AFL-CIO putting this group together, and there were forty of us in the room really talking about some successful innovative work. We have problems, we have issues, but we were in the same room struggling together. I saw some great examples, and you gave several today. When organized labor decides to make a decision that we are going to go down a path, then I think we are truly a powerful force.

When we make the decision of whom to partner with, we will work with innovative thinkers and innovative folks, and communities who are doing great stuff. Combine that with our people power, our boots on the ground, our resources, and our national organizations, I think we can become more powerful together.

The question is, do I have hope? I have hope. Do I think we are going to be successful, who knows? But I think we have to make the effort and to try again. For the last six weeks, we have been talking about how weak organized labor has become in this country. It is all we learned for six weeks [lots of audience laughter].

But I do think we are at a crux, and I think the labor movement is going to take the right path. I know my union the Steelworkers struggle with this everyday: are we doing the right thing? How do

we push our membership toward this innovative way? It is a huge struggle, but a good righteous struggle. No matter what the outcomes are, the struggle itself is righteous, and it is going to help move our membership in a positive direction.

A. I think that is great. I feel tremendously optimistic, despite where the economy is, despite the attacks on collective bargaining and organized labor, despite the significant threat posed by right to work ideology, and all of this other stuff. I feel tremendously optimistic because I am connected to a group of workers who are nowhere near giving up. These signal workers, the Indian workers you saw, were trapped in a labor camp in Mississippi. They escaped, they organized, and they walked from New Orleans to Washington with a vision not just to gain legal status but also to get good jobs, join unions and become citizens, to become first-class, full members of society. However difficult the conditions across the country, this is where I find most workers are. They have a full vision that has not been stamped out, of full citizenship in society. The more we can very quickly make our labor movement and our social movement about inclusion and full participation. Take the opportunity to organize the 11 million, take the opportunity to organize the unemployed, take the opportunity to organize the underemployed into a social movement, the more the rewards will be later. There is an incredible amount of fuel and energy in workplaces and communities across America.

Q. (Alex Brown, Local 201, IUE-CWA) My question was about building community with the

African American workers shut out of jobs and the workers brought in, what does it look like now, and how did you do that? I wanted to hear more about that part of the story.

A. It has been a process. It has not been easy. Long ago, soon after Katrina, we would do these dialogues that in a way were foundational meetings between the immigrants brought in and African Americans who were displaced. We once picked up a group of guestworkers who were trapped inside a labor camp working for a shipyard, and they literally escaped to come to a meeting. We picked them up in vans, drove them across the state, and took them into a state park where a FEMA trailer camp/neighborhood had been placed for African American workers who were displaced. They sat down together. They had an exchange about conditions. Each group was shocked about the conditions of the other. There was a lot of basis for unity.

There were a number of men in the African American half of the meeting who were welders and pipefitters. They had been doing the jobs that these immigrants were doing now. They were very moved about the conditions of the immigrants. They asked the immigrants what they wanted. The immigrant workers said, "We want legal status. If we just had legal status, that would be good." A 55-year old African American welder got up and said, "They gave that to us already. It did not turn out too great for us." There was a real humor in that. But it was also reality. We want to fight not only for a piece of paper, but also for full inclusion in society. That is a very unifying prospect.

Q. (Steve Schnapp, United for a Fair Economy) I wanted to respond to your question with a small example that is going on in the Boston area. I am working with a coalition called Action for Regional Equity. It is a group of community development organizations in the greater Boston area concerned with various kinds of equity: racial equity and gender equity in development, jobs, housing, et cetera. We are supporting a campaign that is going on at Logan Airport, a good jobs campaign. Many of the jobs are just the kind you described: low-wage jobs. There are labor organizers trying to organize the workers there. They have formed alliances with quite a number of community-based organizations where many of these workers live. They push worker rights and human rights issues. They connected one more dot, a community development dot. If workers have better wages, they will have more money in their pockets and can spend it in their communities, lifting up the whole community. This is a very important addition to the labor union alliances.

The other question I have is about an organization called the United Association for Labor Education. Elissa McBride is the president. UALE is made up of labor educators and folks in universities who do labor education. So my question is about what kind of education goes on in the context of the struggles you wage with workers. I am curious about what that looks like?

A. I think there are some great examples. The labor centers across the country and many members of the UALE have played an important role in supporting campaigns that become the

seeds of worker centers: the labor center at UCLA; the labor center in Iowa where they are helping to germinate a new worker center in Iowa City; and the labor center at the University of Oregon that has really been trying to support a massive statewide wage theft campaign. There are really significant examples where the intellectual resources of a labor center and the set of relationships that come from a university have helped anchor and stabilize an organizing effort and worker centers. I have seen it work well that way. I have also seen when that happens, education is tied to action. It therefore becomes a lot more easy to make it part of your schedule. We are all busy people, and when education helps us move something forward, it is when we prioritize it.

Q. (Steve Schnapp) For the workers engaged in the organizing, what are the opportunities for them to come together and say: this is what my life is about, here's what I want, here is my future. Part of that future of labor organizing is organizing the economy in a different way. Let's say worker cooperatives. I am also curious about what the Steelworkers are doing with Mondragon in Spain? I am curious about the kinds of discussion, how they are organized, and what does it look like when it happens?

A. You and Maria should get a drink and talk about the Steelworkers. One of the important roles worker centers play is opening up spaces for workers to come together, define who they are, define what they want, and start to build a plan themselves to move their priorities. Very humble people get together to talk about very big things

every evening in worker centers across America. These are not service centers. These are the places where people who do not have a whole lot of other institutions. Largely for undocumented immigrants, people of color, and low-wage workers in this country, the one institution that has accepted them is the criminal justice system. There are not a whole lot of others, except for unions and worker centers. Worker centers are not just service centers where English language classes happen. Quite the contrary, they are places that are gateways to organizing, to civic participation, to all kinds of community engagement, and places where incredibly strong, humble people sit together and plan their collective lives. You would be incredibly inspired by the kinds of political and popular education that happens at these worker centers. But it is tied to action and building power.

Q. (Joseph Le, Boston College Law School) I spent last summer at the Asian Law Caucus in San Francisco working with Vietnamese nail salon workers and Chinese restaurant workers. My question is, have you come across situations where the employers come from the same immigrant community as the workers, and how did members of the community at large deal with this issue from your experience?

A. We have had a lot of experiences like that: immigrants stealing the wages of immigrant workers whom they employ on a very long subcontracted chain; and recruiters from countries that recruit workers and then traffic them to the United States, often their own neighbors. We have had a lot of experiences. The thing to get

clear about with the workers there, whether it is your community or not, there are principles here and bottom lines. Unfortunately, it is a little more complicated than one white guy oppressing everyone. There is still a lot of material to build a labor movement, even if the oppressor is from your own community.

Back to my sister from the ATU over there, I just wanted to tell you about how worker centers and the labor movement work together. We had this meeting in New Orleans where we were trying to build Jobs with Justice there. It is very important to have permanent labor-community coalitions that seed organizing efforts.

We were waiting for the representative of the transit union, and none of us had met him because there is no staff there in Louisiana. It is the workers. We were all sitting around, and a gentleman walked into a room. And the people who recognized him as the transit union representative, who was the vice president, were all the day laborers in the room because they took his bus every day. They said, we were waiting for him! It was incredible because there were relationships in the community that just had to come to light. Often that is our work. These relationships just have to come to light. They exist. We are a lot closer than we think. Our work connects us. Our lives are intertwined. Particularly in a global era, all of our destinies really are connected. And we have this opportunity to use worker centers and union halls to let those relationships that already exist to become the basis of building something beautiful. Thank you.

(Elaine Bernard, Executive Director, Labor and Worklife Program, Harvard Law School) Let me thank you on behalf of the Wurf Fund. Jerry Wurf would have loved this discussion. This is the discussion not about the labor institutions but about the labor movement that we are all a part of. So thank you.

