The Social Structures of Accumulation and the Labor Movement: A Brief History and a Modest Proposal

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Abstract

The economic and political crisis of the 1970s undermined the postwar social structures of accumulation (SSA) and gave rise to the current globalized, neoliberal, financialized (GNF) SSA. Under GNF, we have witnessed the explosion of the precariat and the reemergence of simpler forms of labor control characteristic of earlier SSAs. This article discusses the response of the labor movement, broadly defined, to these changes, including the rise of worker centers, worker ownership, campaigns for increased state regulation, and cross-border organizing. Finally, it raises the question of whether the current national labor federation can act as an incubator for the experimentation and structural changes necessary for the labor movement to meet the challenges of the GNF-SSA.

JEL Classification: J50, J51, J54, J58

Keywords

labor movement, precariat, social structures of accumulation, worker center

I. Introduction: SSA Theory—A Brief Summary

Originally developed by Gordon, Edwards, and Reich, social structures of accumulation (SSA) theory provides a useful shorthand for analyzing the complex changes in the institutional frame-work that underlie capitalist growth and development (Gordon, Edwards, and Reich 1982).¹

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¹"By social structure of accumulation, we mean the specific institutional environment within which the capitalist accumulation process is organized. Such accumulation occurs within concrete historical structures: in firms buying inputs in one set of markets, producing goods and services, and selling those outputs in other markets. These structures are surrounded by others that impinge upon the capitalist accumulation process: the monetary and credit system, the pattern of state involvement in the economy, the character of class conflict, and so forth. We call this collective set of institutions the social structure of accumulation... These social structures of accumulation define successive stages of capitalist development" (Gordon, Edwards, and Reich 1982: 9).

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A variety of interpretations exist regarding the periodization of these SSAs. Kotz places primary emphasis on the relationship of capital to the state and the changes in attendant ideologies—from Keynesian aggregate demand management and state regulation in the postwar era to the current market-centered neoliberalism (Kotz 2015). Others have emphasized the importance of the dominant international economic hegemon (O'Hara 2006; Nardone and McDonough 2010). Still others have emphasized the dominant form of labor control or labor relations (Edwards 1980; Gordon, Edwards, and Reich 1982; Wallace and Brady 2010).

What is common to all varieties of SSA theory is that capital-labor relations—the form and technology of capitalist control over labor in the process of production—remain central (Kotz 2015). To stay ahead of the competition and to maximize profits, businesses seek the lowest-cost and highest-productivity labor. In many cases, particularly where technologies are primitive and profit margins slim, this will lead them to search for workers who are disempowered—by being gendered or racialized, by a lack of full civil rights or legal documentation, or in other ways that make them less able to organize and resist exploitation. Thus, the search for labor, properly skilled and socialized, has been central to the historical trajectory of capitalist development. The SSA refers to those institutions that must be constructed and maintained to reinforce this central dynamic and to support other elements necessary for robust investment and continuing profitability.

This SSA approach is not universally accepted among progressive economists. For example, McIntyre and Hillard (2012) argue that the postwar capital-labor "accord," a central concept in the postwar SSA, underestimates the degree of continuing capital-labor conflict and overestimates business acquiescence to the New Deal labor relations regime. Others accept the basic concept of the postwar accord but acknowledge that there was more capital-labor strife in the postwar era than the phrase might suggest (Rosenberg 2010).

However, it is indisputable that the institutional framework underlying capitalist development has undergone substantial, qualitative changes since the genesis of US capitalism, and that these institutional changes have had a profound impact on the economy's trajectory—and on its ability to deliver jobs and prosperity. They have also had a profound impact on the structure, functioning, and relative success of the labor movement. As capital-labor relations and forms of labor control have shifted, so too have the forms, practices, and institutional structures of labor.

What follows is a brief, stylized summary of the first three American SSAs and their concomitant forms of labor organization, followed by a discussion of the post-1970s globalized neoliberal financialized (GNF) SSA and implications for today's labor movement.

1.1. Competitive capitalism with personal/simple labor control (1840s–1890s in the North)

The early period of competitive capitalism was characterized by small-to-medium-sized firms serving local or regional markets. The leading-edge industries of the day, such as textile, depended on the products of the slave-labor system (e.g., cotton and indigo). Later, after the 1876 Tilden-Hayes Compromise that signaled the end of Reconstruction, these industries continued to rely upon the products of the de facto Black agricultural feudalism in the US South.

Given the primitive nature of the era's technology, it was crucial for employers in these leading-edge industries to seek out low-wage labor disempowered by gender, age, and/or immigrant status. Had they been forced to pay the wage levels necessary to lure white, prime-aged men from agricultural production, or had they been forced to pay prices for cotton and other inputs grown by wage labor, these industries would have been much less profitable.

The small size of the firms, combined with the relatively primitive technology, meant that capitalists' control over their labor was, in general, direct and personal; that is, the owner of the firm was generally onsite, organizing production, hiring and firing workers, and directing their

efforts. The apparent "naturalness" of this personal control was undoubtedly enhanced by the pre-existing patriarchal relations in the home under which many of these workers (e.g., women garment workers) had previously labored (Folbre 1980).

Unions, where they existed, were primarily AFL-style craft unions² found in highly skilled occupations, disproportionately held by white men (Murolo and Chitty 2001). Attempts by production workers to organize industrial unions (e.g., the IWW in the garment sector) tended to be ephemeral due to both the intense competition among firms and the transitory nature of much of the labor force (Kessler-Harris 2003).

1.2. Oligopolized corporate SSA with labor homogenization (late nineteenth century to 1929)

The leading-edge firms in this era were the highly oligopolized corporations (great trusts) serving primarily national markets. The increasing size of both firms and workforces rendered personal labor control impossible, and ushered in the era of technical control/scientific management and the deskilling of labor (Fairris 1994; Stone 1974). For those industries where mechanization and assembly lines were not practical (e.g., insurance adjusting or clerical work) the period also witnessed the beginnings of bureaucratic labor control, i.e., labor management by intricate rules and regulations (Gordon, Edwards, and Reich 1982).

This homogenization and concentration of labor—the increasing similarity of the work experiences of massive numbers of semi-skilled operatives—greatly increased the potential for worker solidarity and organizing/resistance (McDonough 1994). Not surprisingly, this was the era of many memorable strikes—from the 1877 Great Uprising in railroads to the 1892 Homestead steel strike, the 1896 Pullman strike, and the 1902 walkout in coal. These early attempts at industrial unionism frequently were smashed violently—often using the force of the state. (Witness the government's role in breaking the 1919 steel strike, or the involvement of the US military in defeating miners at the 1921 Battle of Blair Mountain (Blizzard 2004; Shogan 2004)).

Employers often manipulated racial and ethnic tensions among workers to undermine solidarity. Said one steel plant manager: "My experience had been that Germans and Irish, Swedes and what I denominate 'buckwheats' (American-born country boys), judiciously mixed, make the most effective and tractable labor force you can find" (Brecher 2014: 119). Finally, this era witnessed early attempts to create occupational differentiation and job ladders to "motivate" workers and undermine solidarity (Stone 1974).

1.3. The Great Depression

The inequality, financial manipulation, and instability created during the oligopolistic SSA ended with the spectacular crash of 1929. The institutions of the postwar regulated SSA were constructed in this environment of increasing worker desperation and militancy, and a need to use government policy to increase and stabilize aggregate demand.

During the Depression, major industrial unions grew in strength and in militancy. For example, by the mid-1940s, approximately 90 percent of coal miners were union members (Christensen 2014). High rates of union density were also achieved by newly formed CIO unions in other core industries such as steel, rubber, autos, and electrical (Zieger 1995; Murolo and Chitty 2001). John L. Lewis, president of the United Mine Workers (UMW), was particularly important to the

²Craft unions organize workers on the basis of shared skills or roles in production, e.g., nurses, construction workers, or truck drivers. Industrial unions organize all the workers in an industry or plant into a single union.

construction of the CIO and the postwar labor relations regime (Christensen 2014). His ongoing battle with Thomas Hucheson, president of the Carpenters' Union, over the legitimacy of industrial unions is legendary in labor circles and signaled a major shift in the orientation of the US labor movement (Dubofsky and Van Tine 1986).

The trauma of the Depression also pushed workers—and the labor movement—to experiment with alternate philosophies and politics. By the 1940s, at least 20 percent of major US industrial unions (e.g., electrical, longshore and warehouse, clerical, mine mill, and agricultural) were led by Communists or other left-leaning radicals (Schrecker 1999; Stephan-Norris and Zeitlin 2003). Many other unions (e.g., the United Auto Workers (UAW), United Steel Workers (USW), United Packinghouse Workers of America (UPWA), and UMW) knowingly employed Communist or Socialist Party organizers. In addition to generally winning better wage and benefits than mainstream unions (Stephan-Norris and Zeitlin 2003), many left-led unions were at the forefront of struggles against racism and for gender equality. Their later demise dealt a major blow to Black organizing in the South and throughout the country (Schrecker 1999; Kelly 1990; Korstad 2003; Honey 2004). The pressure created by these militant unions, combined with the need to raise wages to increase aggregate demand, led to the passage of the 1935 Wagner Act and the creation of our modern structures of collective bargaining and industrial relations.

1.4. Postwar regulated capitalism (post-WWII era to late 1970s)

The postwar regulated capitalist SSA was constructed in the wake of the Depression and under the umbrella of US military and economic hegemony (McDonough 1994). This hegemony was perhaps best symbolized by the Bretton Woods international monetary system, which used the US dollar both as mandated medium of exchange and as reserve or anchor currency (Block 1978).

The leading-edge firms in this era continued to be highly oligopolized corporations, now selling products to international as well as domestic markets. For instance, from 1960 to 1979, imports as a percentage of goods-only GDP increased from approximately 7 percent to 22 percent (Kotz 2015). Under the canopy of US hegemony, these firms also began relocating in search of cheaper labor, first to the US South and, later, to areas of the world with impoverished and/or disempowered populations.

This US hegemony required massive military spending, which necessitated either significant increases in taxes (a political dead-end) or the destruction of dreams for a social welfare state. The latter entailed the political neutralization of those organizations advocating such policies, including a depoliticization of the more radical elements in American labor, and a reorientation to business unionism that focused on wages and benefits for members, not on control over production or broader dreams for racial and economic justice.

The passage of Taft-Hartley in 1947 was instrumental in this regard. Taft-Hartley outlawed many of the tactics of inter-union and community-union solidarity used by left-leaning organizers; (e.g., sympathy strikes and consumer boycotts). Taft-Hartley legalized state right-to-work laws and gave employers legal standing to file unfair-labor-practice grievances against unions (Lynd and Gross 2011). Finally, Section 9(h) of Taft-Hartley forced all union leaders to sign affidavits swearing their non-allegiance to the Communist Party "or any other subversive organization" on pain of their unions being barred from participating in NLRB-sponsored certification elections (Schrecker 1999). After the passage of Taft-Hartley and the expulsion of the left-led unions from the CIO, union density began its historic slide, from a high of 35 percent of the labor force in 1945 to its current rate of under 11 percent (Bureau of Labor Statistics 2016).

As Albelda and Tilly point out, analyses of the postwar SSA that relegate race and gender to the margins miss several of the most important phenomena of the era, namely, the massive entry of white women into the paid labor market, the integration of African-American men from agriculture into the industrial core of the US economy, and the integration of African-American women into occupations such as clerical and government, previously reserved for white women³ (Albelda and Tilly 1994). These changes coincided with the stunning growth of employment in retail, services, and government, sectors that grew much more rapidly than manufacturing in the postwar era. For instance, between 1946 and 1990, employment in retail trades grew by 226 percent, and in services by 501 percent. This compares with a 30 percent growth in manufacturing employment over the same period (Albelda and Tilly 1994).

1.5. The crisis of the 1970s and the emergence of the globalized, neoliberal, financialized SSA (late 1970s–2008)

By the late 1960s and early 1970s, the reemergence of economic competition from Germany and Japan, along with the rise of OPEC and the demise of the Bretton Woods monetary system, heralded the erosion of US economic hegemony (Block 1978). Combined with increased demands for racial and gender equality and environmental protection at home, this placed serious pressure on profits and instigated the crisis of the mid-1970s (Bowles, Gordon, and Weisskopf 1992).

In the wake of the crisis of the 1970s, a new SSA began to emerge—the globalized, neoliberal, financialized (GNF) SSA. This new GNF-SSA was characterized not just by an increase in imports/exports as a percentage of GDP, but by the creation of truly global supply chains, particularly in the manufacturing and technology sectors. For instance, in 1981 Ford introduced the Escort, characterizing it as the very first "World Car" and bragged that "engineering teams from America and overseas join[ed] forces to create a new car with better ideas from around the world!" (HenryFord.org 1980). Components for this first "world car" were manufactured in fifteen countries.

The vast increases in capital mobility, enabled by the new technologies of communication and the globalization of finance have granted capitalists access to an exponentially greater numbers of vulnerable workers around the globe, undermining workers' bargaining power in advanced capitalist countries (Gaspasin and Bonacich 2002). The GNF-SSA has also witnessed the creation of new transnational institutions (e.g., the WTO) and new bilateral and multilateral treaties (e.g., NAFTA), as well as the repurposing of older institutions such as the IMF to enforce a deregulated, neoliberal vision. These changes in the structure and geography of production have vast implications for domestic labor relations and the future of the US labor movement.

1.5.1. Forms of domestic labor control under the GNF-SSA. The global dispersal of production and the creation of global supply chains have resulted in significant changes in the forms of domestic labor control. I argue that, rather than establishing one new, dominant form, the GNF-SSA has given rise to a divergence of labor control methods, each adapted to, and reinforcing of, the legal status and relative political/social power of the workers in various segments of the labor market.

1.5.1.1. "Creative" control. In high-tech and other industries requiring a great deal of imaginative innovation, we may be witnessing the emergence of a new form of "creative" labor control

³The labor force participation rate of women of all races rose from 33.9 percent in 1950 to a high of 60.0 percent in 1999 (Bureau of Labor Statistics 2017). African-American men now comprise 16.1 percent of employees in the auto industry (Bureau of Labor Statistics 2017), compared with the prewar era when Blacks worked on the auto assembly line only at Ford (Whatley and Wright 1990). In 1940, over 60 percent of African-American women were domestic workers; 11 percent worked in agriculture. By 1980, Black women had largely moved into jobs such as clerical and teaching, though they were disproportionately concentrated in the public sector (Cunningham and Zalokar 1992).

(or at least a very serious redefinition of the "primary labor control" of earlier eras). Creative labor control is characterized by an enormous degree of leeway for certain select employees who are trusted by management to conceive and pursue their own projects under very favorable working conditions. (Witness the sprawling Google campus with gourmet food, state-of-the-art gymnasiums, and ultra-flexible work schedules.) These employees, often working in teams and in communication with their peers abroad, are expected to internalize the goals of the corporation to such an extent that they can be trusted to work independently. These positions are filled disproportionately by workers of the dominant race and gender from wealthy countries with advanced, often elite, educations.

1.5.1.2. Technical (and bureaucratic) labor control. Machine-pacing, Taylorism, and bureaucratic labor control are still prevalent in the much-reduced US manufacturing sector.⁴ The GNF-SSA has also witnessed the extension of technical labor control into new sectors and occupations, e.g., the use of sophisticated inventory and time-use software to schedule just-in-time work hours in retail (Greenhouse 2009) and the use of key-stroke and similar technologies to control clerical labor (England and Boyer 2009).

However, the (often realized) threat of outsourcing, combined with a less-than-favorable legal and political atmosphere for unions, has significantly reduced the bargaining power of these workers, even those of the dominant race and gender. We have witnessed the resurgence of pre-New Deal open warfare against unions, including in formerly heavily unionized core sectors. A majority of firms facing organizing drives now hire "management consultants" to discourage and/or intimidate workers into voting against union representation. During organizing drives conducted between 1989 and 2009, "employers threatened to close the plant in 57 percent of elections, discharged workers in 34 percent, and threatened to cut wages and benefits in 47 percent of elections. Workers were forced to attend anti-union one-on-one sessions with a supervisor at least weekly in two-thirds of elections. In 63 percent of elections, employers used supervisor one-on-one meetings to interrogate workers about who they or other workers supported, and in 54 percent, used such sessions to threaten workers" (Bronfenbrenner 2009: 2). Aside from firing union supporters or physically threatening workers, Taft-Hartley and subsequent case law have rendered such tactics legal expressions of the "free speech rights" of employers. Even if employers are charged with unfair labor practices, the glacial pace of NLRB resolution and the miniscule nature of the penalties often make it economically "rational" for employers to violate labor law (Bronfenbrenner 2009). In other words, if the capital-labor accord ever existed, it is now but a distant memory.

Under these conditions, even formerly powerful unions like the UAW, UMW, and USW have been forced to accept wage concessions, two-tiered wage and benefit systems, greatly diminished dues coffers and decreasing political influence. This is true even in the public sector, where unions had traditionally enjoyed some protection from competitive pressures; many are now facing right-to-work initiatives and restrictions on both their finances and their spheres of action.

1.5.1.3, The growth of the "precariat" and the reemergence of simple labor control. Perhaps most importantly, we are witnessing the growth of what many have labeled the "precariat." The decline of manufacturing employment, women's increasing financial responsibility for children, the rising cost of higher education, and increases in immigration (especially undocumented immigration) have produced a growing population of super-exploitable workers. These are the Uber drivers, the gig code writers, the fast food workers, the retail clerks on flextime, the subcontracted maintenance workers, the FedEx workers forced to buy their own trucks, the workers

⁴US manufacturing employment peaked in July 1979 at approximately 19,500,000; by April 2017, it was approximately 12,400,000 (Federal Reserve Bank of St. Louis 2017).

at pop up manufacturing plants, the day laborers and the nannies, the eldercare workers, and the house-cleaners. This increasing percent of the US workforce often toils without stable worksites, long-term employment contracts, health and pension benefits, or meaningful prospects for advancement. By some estimates, these workers now account for an astonishing one-third of the US labor force (Kotz 2015).

As the prevalence of small, informal shops and precariat workers has grown, so has the prevalence of simple labor control, supposedly a remnant of an earlier era (Kalleberg 2011). Witness the arbitrary and personalized managerial control (and, often, sexual harassment)⁵ in retail sales, fast food, and other growing occupations. Witness the informal hiring—and supervision—of day laborers, housecleaners, and nannies at unregulated, often home-based worksites. Witness the routine violations of basic safety standards at many small subcontracted food processing and related plants. Finally, witness the rise of practices such as locking workers into buildings overnight, and other egregious violations of both civil liberties and minimal health and safety standards (Greenhouse 2009).

Other gig and temporary workers may be subjected to new, higher-tech forms of technical labor control, e.g., the use of "apps" to recruit and deploy workers. Many of these workers are required to use their own capital (cars, spare rooms) and their status as "independent contractors" often denies them even the most basic labor protections. Traditional, site-based strategies of union organizing are generally ineffective in these populations, as their geographic dispersal, documentation status, and lack of stable employment makes them extremely difficult to organize via firm-based methods and structures. Just as the labor movement of the past needed to adjust to the transition from small competitive firms to massive manufacturing plants by changing from a craft-based to an industrial union strategy, so now labor must begin again to adjust to the newest iterations of capital.

2. The Response of the (Broadly Defined) Labor Movement to GNF-SSA

With the growth of the creative class, the diminution of traditional manufacturing, and the rise of the precariat, we are witnessing a fundamental restructuring of the US—and global—economies and significant changes in labor relations in the United States. The success or failure of the labor movement will depend on how well it responds to these changes and constructs effective alternative structures and practices for worker organizing, consciousness-raising, and resistance.

2.1. Existing craft and industrial unions: Cross-border organizing

Despite the massive restructuring of much of the economy, craft unions representing workers who hold specialized, difficult-to-acquire-and-outsource skills (e.g., construction, plumbing, electrical work) will likely be able to maintain some degree of influence in their industries and significant bargaining power for their members. This will undoubtedly also be true for less skilled workers the nature of whose work makes outsourcing difficult (e.g., hospital workers involved in direct patient care).

But the majority of industrial unions represent workers whose jobs are vulnerable to outsourcing and/or mechanization. If these unions are to regain their influence, they need to move towards becoming truly international unions representing all of the workers employed by a given transnational corporation or industry. Simply put, *the labor movement must develop the same geographic reach as the companies it is attempting to organize*.

⁵In a 2017 survey of fast food workers, Restaurant Opportunities Center (ROC) found an astonishing 40 percent had been subjected to sexual harassment in the workplace (ROC-United 2017).

Several unions have made interesting forays in this direction, often with the aid of either the AFL-CIO Solidarity Center and/or non-governmental organizations. For example, the USW has formed a "strategic partnership" with Los Mineros, the National Miners and Metalworkers' Union of Mexico, and has engaged in several cross-border campaigns (Elk 2011). The United Electrical Workers has developed a "strategic organizing alliance" with Mexico's Authentic Labor Alliance (UE 2012). Service Employees International Union (SEIU) successfully organized Chicago employees of Swedish company Securitas by working with Swedish transport unions to pressure the company to bargain in good faith (Quan 2007). The UAW, while attempting (unsuccessfully) to organize Nissan plants in Mississippi, worked closely with unions organizing Nissan workers in Brazil, France, Japan, and South Africa (Zweig 2014).

There are serious obstacles to the success of these and similar cross-border campaigns. First is the diminished financial state of the American labor movement. Cross-border campaigns are expensive; they necessitate video-conferencing technology, translators, and long-distance travel. Given that US unions currently represent approximately 11 percent of US workers, and that right-to-work legislation is further decreasing dues income, it is not surprising that many unions are reluctant to invest the resources necessary to reach across borders.

Second is the political history of the AFL-CIO whose Cold War-era AIFLD (American Institute of Free Labor Development) was a handmaiden to bellicose US foreign policy and helped to undermine the formation of left-leaning unions abroad (Zweig 2014; Sims 1992). AIFLD was disbanded in 1995 when John Sweeney was elected president of the AFL-CIO; it was replaced by the Solidarity Center, which often opposes US foreign policy and supports the development of authentic, grassroots unions. Nevertheless, the memory of AIFLD lingers in many countries, serving as a constraint to full and open partnerships.

Third, and perhaps most important is the relative lack of serious political education—or serious debate—about politics and international issues in most of the American labor movement. Quoting Zweig: "The Federation and the labor movement as a whole must create a new culture, one that engages its members in the work of international solidarity and its related requirements to address US social priorities at home" (Zweig 2014: 275). This will require going beyond passing progressive resolutions at annual conventions, or even devoting significant Federation resources to solidarity efforts abroad. It will require active, grassroots education and debate at all levels—among members, organizers, staff, and leadership.

Despite the obstacles, it is imperative that these conversations—and these international ties be nurtured and supported. This is obviously important for the future of industrial unions at home and abroad. But it is also important for the future of the entire US labor movement. For despite their dramatically decreased financial resources and political clout, traditional industrial unions still provide crucial financial and legal resources for new organizing initiatives, for political/ electoral campaigns, and for many alt-labor experiments currently underway.⁶

2.2. Organizing the precariat

Industrial unions and the site-based organizing methods that produce them are inadequate for organizing the precariat, those workers in the increasingly mobile, temporary, gig economy.⁷ In addition, for reasons of racism, gender bias, and political expediency, many precariat workers (e.g., housekeepers and agricultural workers) were explicitly excluded from the New Deal's

⁶"Alt-labor" refers to groups, such as worker centers, that organize workers to improve their wages and working conditions without seeking recognition from the NLRB (Eidelson 2013).

⁷A "gig" economy refers to one characterized by short-term, temporary employment and freelancing rather than longer-term, place-based employment.

Wagner Act and, until recently, from the 1938 Fair Labor Standards Act.⁸ Thus, many are lacking even basic labor protections. Addressing their economic and political needs will require the labor movement to move beyond its traditional practices and institutions. Labor *needs to experiment*, to find new forms of organizing and resistance that fit the new realities of globalized, neoliberal capitalism.

Advocates for precarious workers are currently exploring several new models to address the needs of these populations. I briefly discuss three: state regulation, worker centers, and worker ownership/worker coops.

2.2.1. Increasing state regulation and oversight. One popular strategy involves pressuring the state and/or federal governments to enact new labor laws and pro-worker policies. These include the Fight for \$15 and other campaigns to raise the minimum wage (Rolf 2016; Broxmeyer and Michaels 2014) as well as the One Fair Wage campaign by the Restaurant Opportunities Center to eliminate the separate minimum wage for tipped workers.⁹ These and related efforts build upon earlier, state- and city-based living wage campaigns (Pollin and Brenner 2008; Broxmeyer and Michaels 2014). Initiated in Baltimore in 1994 by a coalition of pastors and union organizers, living wage campaigns have successfully increased wages in at least thirty-nine counties and cities (UC Berkeley Labor Center 2017).

Similar initiatives include efforts by the National Domestic Workers Alliance (NDWA) to pass a Domestic Workers' Bill of Rights in every state—to date their efforts have been successful in seven states and several localities. Basic rights granted in the New York legislation include overtime for workweeks over forty hours, a day of rest every seven days, and coverage under existing anti-discrimination laws (NYS DOL 2017). In 2011, pressure from NDWA and similar organizations prompted the International Labor Office to amend its core labor standards to include domestic workers; Convention #189 includes the right to a written contract, health and safety standards, and social security and maternity coverage (ILO 2011).

Such pro-worker labor legislation, which does not require that affected workers be stably employed at one worksite, can be useful in protecting the rights of dispersed workforces and in situations where worker marginalization (e.g., via documentation status) makes traditional union organizing especially risky. In addition, campaigns such as those for the Bills of Rights educate marginalized workers, disproportionately women, in the tools of leadership and organizing skills, and give otherwise dispersed workers a real sense of empowerment and solidarity (Goldberg 2014).

There are, of course, potential difficulties in relying on the state to maintain workers' rights. The election of anti-labor officials at the state and federal level can result in legislation being overturned and administrative agencies being defunded or led by appointees who oppose the missions. Favorable legislation alone can never be a substitute for workers' self-organization. Achieving and maintaining better working conditions requires continuing organizing and mobilization—and constant vigilance to oversee the enforcement of progressive legislation (Cordero-Guzman 2015; Poo and Mercado 2015)

2.2.2. A new form of labor organization for the precariat: The rise of the worker center. Many observers consider worker centers to be the most dynamic sector of the US labor movement today. As Schlademan and Dehlendorf (2017) note: "The most exciting developments are happening

⁸Domestic workers came under the FLSA in 1974 (Nadasen 2015); agricultural workers, although now included in the FLSA's minimum wage provisions, are still not covered by overtime regulations (NYCLU 2015).

⁹The federal minimum wage for tipped workers is currently \$2.13/hour (Restaurant Opportunity Center-United 2017).

outside traditional labor, where an ecosystem of organizations and campaigns are embracing flatter, more nimble forms while harnessing the power of technology and social media."

African-American workers in the South, excluded from labor protections by law and custom, were some of the first to organize worker centers (Fine 2006). This was followed by two waves of new centers in the 1980s and 2000s, serving primarily Latinx and Asian immigrants (Fine 2006). Today, there are more than 200 worker centers spread across the country, serving diverse, disproportionately immigrant, precariat workers, including domestic, restaurant, retail, taxi, and guest workers (Fine 2013).

According to Fine, worker centers began as "community-based mediating institutions that provide support to low-wage workers... through service delivery, advocacy, and organizing" (Fine 2006: 2). They "combine activities characteristic of legal aid clinics, ethnic and fraternal organizations, settlement houses, community organizing groups, and social movements" (Fine 2013: 1). In addition to providing legal advice, ESL classes, and job training, worker centers often organize public pressure campaigns (including press conferences, picketing, and boycotts) against employers who underpay—or do not pay—their workers, expose their workers to unsafe working conditions, or otherwise violate basic standards of fairness. For example in 2011, Brandworkers, a worker center serving food chain workers in Queens, won \$470,000 in unpaid back wages for workers at a food distribution warehouse in New York City. And in 2013, they won a \$450,000 settlement—and improvements in plant safety—for the widow of a worker killed by unsafe conditions at a Queens tortilla factory (Brandworkers 2017).

Given that they were excluded from the Wagner Act, agricultural and domestic workers were also excluded from the activity restrictions contained in Taft-Hartley. This means, ironically, that worker centers often have more flexibility than traditional unions to advocate consumer boycotts, engage in secondary picketing, and otherwise employ tactics prohibited under Taft-Hartley. These tactics have often been pivotal in winning struggles for back pay, improved safety conditions, and other improvements (Fine 2017).

In addition to their direct engagement with workers' struggles, worker centers have become organizing centers for many recent campaigns for progressive labor legislation, such as the Domestic Workers' Bills of Rights and state laws prohibiting the tipped wage (National Domestic Workers Alliance 2016; Restaurant Opportunities Center-United 2017). Worker centers and unions were integral members of the coalition advocating the recently-passed Fair Work Week bills in NYC, a package of legislation that will help to stabilize workers' work schedules and paychecks (Pikovsky 2017).

Worker centers have also been central players in the resistance to President Trump's antiimmigrant policies. Witness, for example, the Taxi Workers' Alliance's (TWA) one-day strike at JFK Airport on January 28, 2017 in response to the Muslim ban. Tweeted one driver: "We go to work to welcome people to the land that once welcomed us. We will not be silent" (Fenton 2017).

Due to their "flatter, more nimble forms," freed from Taft-Hartley restrictions on activities, and frequently rooted in cohesive immigrant communities, worker centers are clearly doing some of the most innovative and exciting organizing work in labor today.¹⁰ Their ability to empower and educate workers, and their ability to win justice for under-paid workers or those injured by unsafe conditions, is clearly unparalleled. However, before they could become a more general organizing model for the precariat, worker centers must address several serious challenges:

¹⁰In "From Charity to Solidarity: The Promise and Challenge of Service Learning in Labor Courses," I describe some of my students' experiences interning at NYC worker centers (Christensen 2018).

 The first obstacle is the relative lack of coordination among worker centers, many of which are locally-based and isolated from others doing similar work. This can result in unnecessary duplication of effort and stretching of already-scarce resources. There have been several notable efforts to overcome this problem. Local worker centers such as Domestic Workers United-NY, ROC-NY, and local day laborer associations have merged with similar organizations in other locales to form nationally-based networks (NDWA, ROC-U, and NDLON,¹¹ respectively). These networks have allowed otherwise scattered groups to become a presence in statewide and national policy debates (Cordero-Guzman 2015).

Several of the larger worker centers have begun to pursue more formal relationships with established labor organizations. In 2006, for example, NDLON signed a formal partnership agreement with the AFL-CIO; NDWA, NGWA, ¹² and TWA followed suit in 2011. In addition to gaining access to the technical, legal, research, and tech/media resources of Federation, these partnership and affiliation agreements allow worker centers to draw upon the AFL-CIO's extensive policy experience.

- 2. A second major challenge for worker centers is a lack of technical, legal, and organizing expertise. Some of these challenges could be met via affiliations with established unions. However, in cases where this is unfeasible, non-profit organizations are arising to meet these needs.¹³ This budding organizational infrastructure will be crucial if the worker center movement is to thrive.
- 3. Finally, by far the most serious obstacle for worker centers concerns funding. Unlike unions, which are supported by members' dues, most worker centers are classified by the IRS as 501(c)(3) (tax exempt charitable) organizations and are fundamentally reliant upon foundation grants and donations (Glick 2016). This financial dependence may affect the public stances worker centers are able to take. It may also endanger worker centers' long-term survival, as foundation funding will eventually move on to other issues. Therefore, it is crucial that worker centers construct sustainable, worker-based funding streams compliant with relevant labor and tax laws (Glick 2016).

Different worker centers have experimented with different approaches. Some are moving to a membership/dues structure similar to that of unions¹⁴ (though, if not done carefully, this can present problems for their tax-exempt status). Some depend on legal fees from back-pay cases. Some contract with government agencies for services they provide (ESL classes, job training, etc.) (Bobo and Pabellon 2016). But most are heavily dependent on foundation and faith-based funding, on fund-raising events, and on individual donations. If the worker center movement is to survive and is to become a model for labor organizing in immigrant and related communities, this central dilemma of funding will have to be addressed (Cordero-Guzman 2015).

2.2.3. Worker ownership and worker cooperatives. A third approach to providing stable livelihoods for the precariat is the growing movement for worker cooperatives and worker-owned enterprises in low-income communities. As Kennelly and Odekon (2016: 164) put it: "Worker-owned cooperatives are autonomous business organizations characterized by democratic ownership and control. They differ from the more common and popular (and generally far better known) employee stock ownership plans (ESOPs) in that workers directly participate in management and control

¹¹NDLON is the National Day Laborers' Organizing Network.

¹²NGWA is the National Guest Workers' Alliance.

¹³The Lift Fund (Labor Innovations for the 21st Century), Community Resource Exchange, and Roadmap offer grants, strategic planning, and leadership training. Several law school clinics (including Yale, Fordham, CUNY, UC/Irvine, and Michigan) offer free legal assistance to worker centers and coops (Ashar 2007).

¹⁴Fast Food Justice, an advocacy group in NYC, will be funded by membership dues (Miller 2017).

and in decisions regarding the distribution of the surplus (profits) created in the production process."

Worker-owned cooperatives are not new; indeed, the United States has a long history of agricultural producer cooperatives dating from the nineteenth century, and of utility cooperatives dating from the Depression (Azzellini 2015; Kennelly and Odekon 2016). The Knights of Labor, a progressive labor organization of the late nineteenth century, proposed replacing the wage system with a "cooperative commonwealth" of producer and consumer coops (Murolo and Chitty 2001). Their guidelines stipulated that 30 percent of dues money should go towards strike support, 10 percent towards education, and 60 percent for the establishment of cooperative enterprises (Dubofsky and Dulles 2004: 122). Finally, Gordon-Nembhard has documented the rich history of cooperative ventures within the African-American community. These range from a Black-owned cooperative shipyard in post-bellum Baltimore to the Alabama's Freedom Quilting Bee that markets the famous Gees Bend quilts and also sponsors a day care center and afterschool programs (Gordon-Nembhard 2014).

Despite this rich history, it is only fairly recently that cooperative development has been seen as a strategy to address the problems of the precariat. In 2014, the influential Federation of Protestant Welfare Agencies released "Worker Cooperatives for New York City: A Vision for Addressing Income Inequality" (Austin 2014) which specifically advocated the growth of cooperatives in low-income communities of color. In 2015, the NYC Council funded the Worker Cooperative Business Development Initiative, which allocated \$1.2 million to the development of worker cooperatives in NYC and passed "Worker Cooperatives Local Law 423-2014," which requires the City's Department of Small Business Services to report on its engagement with worker coops (Rosenthal 2017). Supporters see this as a first step towards gaining preferential treatment for worker-owned coops in the NYC procurement process, a status currently granted to minority- and women-owned businesses (Rosenthal 2017).

Worker-owned coops provide several advantages for precariat workers. First is their commitment to stable employment (Kennelly and Odekon 2016). During the 2008 economic crisis, for instance, workers in the famous Mondragon coops in Spain went to a four-day workweek and took a 20 percent pay cut rather than lay off workers (Kasmir 2016). Second, worker owned and managed enterprises give workers more control over working conditions (e.g., Sí Se Puede cleaning coop uses only non-toxic cleaning products) and issues such as stable work schedules. Third, worker coops frequently pay significantly higher wages and offer more training opportunities than for-profit businesses. For instance, "Within four years of starting their house cleaning business, Si Se Puede's worker-owners, many of whom did not speak fluent English, tripled their wages to as much as \$25-an-hour" (Austin 2014: 14). Fourth, worker/owners frequently report higher levels of satisfaction and feelings of self-efficacy than similar workers working in traditional firms (Rothschild 2000, Kennelly and Odekon 2016). Finally, worker coops, by their nature, are immune to capital flight; any wealth that is accumulated tends to stay in the community and helps to support local businesses.

Social justice nonprofits and worker centers often serve as sponsors for worker owned coops (Austin 2014). For example, Cooperative Home Care in the Bronx, the largest worker coop in the United States with over 2000 worker-owners, was founded in 1985 by the Community Service Society of NY.¹⁵ Other cooperatives are initiated by incubators such as Green Worker Coops in the South Bronx, which offers a "Coop Academy" for prospective worker/owners.

Unions have also begun to express interest in developing worker-owned coops. In 2009, the USW signed an agreement with Mondragon to foster the development of worker-owned steel plants in the United States (Witherell 2009). In 2012, UE was instrumental in helping the employ-

¹⁵Since 2003, Coop Home Care has been affiliated with SEIU 1199.

ees of Chicago's Republic Windows (now New Era Windows) buy their company when the factory closed (New Era Windows Cooperative 2017).

Cooperative enterprises are not without their problems. As with worker centers, finances and a lack of expertise can present real barriers to success. As Dastur (2012: 9) puts it: "Given the allure of the human dimensions of worker owned enterprises, it's all too easy to gloss over the fact that worker owned cooperatives are in fact businesses that must identify and secure a market niche in order to survive."

Given their unusual governance structures, worker owned cooperatives frequently find it difficult to raise capital from traditional sources such as banks and IPOs. Collaboration with existing unions, worker centers, or other established institutions can be helpful in this regard, as can loans from other cooperative businesses such as consumer credit unions. As with worker centers, there is a growing network of non-profits that can assist worker coops in gaining the technical expertise and management skills needed to successfully run the business and to maintain workplace democracy.¹⁶

Ideally, we would witness more cooperation among worker centers and progressive unions in creating and sustaining worker owned enterprises in low-income communities. Regardless of whether worker owned coops represent the "leading edge of the new economy," (Wolff 2012) or just a survival strategy for the precariat in times of economic stress, worker cooperatives have a proven track record of improving wages, increasing job stability, and increasing autonomy and job satisfaction among low-wage workers.

3. A Modest Proposal

To date, the traditional labor movement has been strikingly unsuccessful at dealing with the new organizing terrain created by the globalized, neoliberal, financialized SSA. The time-honored formula of site-based organizing leading to an NLRB-supervised election and collective bargaining is simply irrelevant for a substantial—and increasing—percent of the American workforce. And the increasing mobility of capital has undermined this formula even in sectors, such as heavy manufacturing, where it once held sway. Alt-labor has been experimenting with new approaches to organizing, including worker centers and worker owned enterprises, which do not presume steady employment in one traditional capitalist firm. Although promising, these experiments are currently too small to have much impact on most workers.

This raises a crucial question: Are there ways in which we can combine the experience and resources of traditional organized labor with the flexibility and community connections of altlabor? Can we use organized labor's expertise and assets to defend alt-labor's current experiments—and to widen the search for organizing practices and institutions compatible with the new GNF SSA?

One possible model is provided by an organization from an earlier era of unprecedented inequality and economic change—the Knights of Labor. Formed in the immediate aftermath of the Civil War, the Knights of Labor was a national labor federation that often acted more like a social movement. It welcomed all "productive" members of society, including not only wage-earners, but also farmers, sharecroppers and tenant farmers, clergy, small shopkeepers, doctors and other professionals, and housewives/mothers. Note that this nineteenth-century labor formation recognized household labor as legitimate labor and welcomed women's membership; by 1886, 10 percent of the Knights were women. In fact, the Chicago Knights Assembly, the largest in the nation, was led by Elizabeth Rodgers, whose claim to membership was being a housewife

¹⁶The US Federation of Worker Coops, the International Cooperative Alliance, and Working World provide start-up loans and financial/technical consulting to coops.

and mother of twelve (Murolo and Chitty 2001). The only people who were excluded from Knights membership were owners of large firms, bankers, stockbrokers, professional gamblers, lawyers, and liquor dealers (Gerteis 2007)!

For their day, the Knights were also quite progressive on matters of race.¹⁷ African Americans were half of the membership in Virginia, North Carolina, and Arkansas, and constituted approximately one-third of all southern membership (Murolo and Chitty 2001). When Frank Ferrell, an African-American officer of the New York Assembly, was refused hotel accommodations at the 1886 Knights convention in Richmond, Virginia, the Knights boycotted the hotel and staged a 2500-person civil rights march through this former capital of the Confederacy (Murolo and Chitty 2001).

The Knights sometimes functioned as a traditional labor union. In 1884 and 1885, they won major strikes against the powerful Pacific and Gould Railroads. But they also took seriously their educational and political functions, sponsoring lecture series on women's suffrage and Black civil rights, and campaigning against child labor, for the eight-hour day, and for progressive income taxation (Murolo and Chitty 2001). Finally, as stated above, the Knights were major supporters of cooperative enterprises. By the late 1880s, there were over 135 functioning producer and consumer cooperatives created and supported by the Knights (Dubofsky and Dulles 2004: 126). In their Declaration of Principles, they looked forward to a day when capitalism would be replaced by a "cooperative commonwealth" of owner-producers in both agriculture and industry (Murolo and Chitty 2001: 123).

The Knights, at their height an organization of over 700,000, were destroyed by a combination of government repression (particularly after Haymarket), a series of unsuccessful strikes, internal dissent, and incompetent leadership. But, for a time, their organization served as an incubator of new forms of labor organization and critically important social movements. In short, they served as a hub for organizing by progressives battling the increasing concentration and inequality of the nineteenth century's Gilded Age.

This raises a question: Could the AFL-CIO evolve into a new Knights of Labor? Could the Federation, in this time of rapid economic and political change, serve as an incubator, not only for cross-border organizing, but also for alt-labor experiments? Could organized labor hold on to the strengths derived from the regulated capitalist era while providing technical, legal, and experiential support for international organizing—and for experiments to address the condition of the precariat? To do so would require not only new methods of non-place-based organizing, but sturdy alliances with the social movements and organizations that are addressing the issues of concern to many precarious workers—from immigrant rights to Black Lives Matter to feminist and LGBT struggles. In other words, could the AFL-CIO, like the Knights of labor before it, become the center of a true social movement unionism (Fletcher and Gaspasin 2008)?

At first glance, there are at least three obstacles: legal, financial, and cultural/historical. First, as stated above, many worker centers and related associations are classified as 501(c)(3), i.e., as non-profit, charitable organizations capable of receiving tax-exempt donations. By contrast, most unions are 501(c)(5), i.e., non-profit organizations that serve primarily their members and are therefore not eligible to receive tax-exempt donations. Any attempts to form formal affiliations between worker centers and unions must be done carefully so as not to undermine the fiscal foundation of the worker centers (Glick 2017).

Second, as stated previously, although still formidable, the financial resources of organized labor are much reduced from their peak during the era of regulated capitalism. Given the Trump administration's support for right-to-work and similar legislation, labor's financial resources will

¹⁷Like many labor organizations of their day, the Knights were less progressive about Chinese immigration, accusing Chinese immigrants of being *de facto* slave laborers under the control of the tongs and advocating their exclusion (Gerteis 2007).

undoubtedly be reduced even further in the future. As a result, it is important that new initiatives and projects, to the extent possible, engage support from the grassroots, i.e., that labor substitute "people power" for "money power" (Fine 2006). Here, organized labor could take a lesson from alt-labor worker centers, which frequently accomplish significant victories on truly miniscule budgets.

But third and most important are the cultural and ideological barriers to this shift. Weaving together organized labor and alt-labor will require real conversations—and real listening—on all sides. Worker center advocates have much to learn from the centuries of struggle of organized labor in this country; unions are not just "the Old Guard" to be "swept out of the way," but are a valuable resource of organizing and policy experience. On the other hand, organized labor has much to learn from the experience of worker center members—about organizing outside of NLRB protections and limitations—as well as about the experiences of those on the front lines of globalization, immigration, and precarity.

There are positive signs. In 2000, the AFL-CIO changed its traditional, exclusionary position on immigration and has since devoted significant resources to immigrant rights activities. And the increasing number of worker centers affiliated with the Federation is another hopeful sign. But for the AFL-CIO to evolve into a true social movement-union federation will require much more member education—and many more serious conversations. The alternative is the increasing irrelevance of organized labor, increasing income and wealth inequality in this country—and all of the predictable political and social consequences that entails.

4. Conclusion

As the US economy transitioned from competitive capitalism, to corporate capitalism, to regulated capitalism, the forms of labor control also changed—from simple/personal control to technical and bureaucratic control. And organized labor adapted its practices and institutions—from the Knights of Labor's social movement unionism to the craft unionism of the AFL to the CIO's industrial unionism—to meet these challenges. Meeting the challenges of the current globalized, neoliberal, financialized, SSA—and its complicated array of domestic and international forms of labor control—will require experimentation, flexibility, and a willingness to learn on all sides. But the alternative—the continuing dominance of capital in our politics and cultural life, and the continuing impoverishment of greater and greater swaths of our population—is simply unacceptable. Let the conversations begin.

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