

......

# Union Impact on Voter Participation—And How to Expand It





# Union Impact on Voter Participation—And How to Expand It

Tova Wang

.....

June 2020



#### **ABOUT THE AUTHOR**

**Tova Wang** is a Visting Democracy Fellow at the Ash Center for Democratic Governance and Innovation. She was most recently Director of Policy and Research at the Center for Secure and Modern Elections, where she worked on voter registration reform and oversaw and conducted research on how to develop transformative strategies for increasing political participation among disengaged groups. She has 20 years of experience working on improving democracy, including for several years as a Senior Democracy Fellow at Demos. Tova has focused on issues related to greater political inclusion in the United States, including major studies on increasing voter participation rates among low income people, communities of color, naturalized immigrants, women, and Native Americans. Her critically acclaimed book, *The Politics of Voter Suppression: Defending and Expanding Americans' Right to Vote*, was published in 2012 by Cornell University Press. She has also consulted for international organizations on voting rights, election reform, and constitutional reform in countries around the world for many years.

Her commentary on voting and participation has appeared in numerous print media outlets, including the *New York Times*, the *Washington Post*, *The Hill and Politico*, and she has appeared on numerous national television and radio news shows.

#### **ABOUT THE ASH CENTER**

The Roy and Lila Ash Center for Democratic Governance and Innovation advances excellence and innovation in governance and public policy through research, education, and public discussion. By training the very best leaders, developing powerful new ideas, and disseminating innovative solutions and institutional reforms, the Center's goal is to meet the profound challenges facing the world's citizens. The Ford Foundation is a founding donor of the Center. Additional information about the Ash Center is available at ash.harvard.edu.

This research paper is one in a series published by the Ash Center for Democratic Governance and Innovation at Harvard University's John F. Kennedy School of Government. The views expressed in the Ash Center Policy Briefs Series are those of the author(s) and do not necessarily reflect those of the John F. Kennedy School of Government or of Harvard University. The papers in this series are intended to elicit feedback and to encourage debate on important public policy challenges. This paper is copyrighted by the co-editors It cannot be reproduced or reused without permission.

This paper is copyrighted by the author(s). It cannot be reproduced or reused without permission.

### **CONTENTS**

Introduction	1
Attacks on Labor	3
Impact on Voter Turnout	7
The Bad News: Restrictions on Unions Decrease Voting Rates	7
The Good News: Rebuilding Unions Can Increase Participation	7
"Spillover" Effect: Impact beyond Members	9
Why Do Unions Have This Impact?	10
How Do We Use Reform and Restructuring of Labor to Increase Its Impact on Participation?	11
Conclusion	15

#### INTRODUCTION

Some politicians have enacted measures in recent years to make voting harder and to reduce participation among certain groups. Others have sought to counteract that voter suppression by implementing laws to make voting easier, such as same-day or automatic registration. There is another antidote to the effort to reduce participation: lifting up worker organizations. This is especially important to understand given the ways in which powerful individuals and groups have sought to weaken unions because of their political strength representing American workers.

Unions increase voter participation among union members as well as the people around them. This is not just a function of labor's well-known get-out-the-vote (GOTV) programs: it is also by unions' psychological and social empowerment of workers, indicating an effect that is lasting, that goes well beyond a single election cycle. Unions don't just get members to vote: *they work to turn them into voters*.

Union members develop a sense of agency and efficacy, and gain skills and knowledge that research shows has a spillover effect beyond the individual members, especially to the members' households. It has been shown that areas with higher labor density have higher voter turnout rates. In other words, the effects may even spread to a wider geographic region.

Decades of scholarship demonstrate that people who are part of organizations are more engaged.¹ Unions are especially situated to facilitate this. Unions have often been referred to as "schools of democracy" because they are such central venues for ordinary people to engage in developing arguments, problem-solving, collective decision-making, and voting on issues and for candidates: the very practices one needs to be an active and effective participant in electoral politics.

See, e.g., Sidney Verba, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Harvard University Press, 1995); Hahrie Han, *How Organizations Develop Activists: Civic Associations and Leadership in the 21st Century* (Oxford University Press, 2014).

From Carole Pateman: "The theory of participatory democracy is built round the central assertion that individuals and their institutions cannot be considered in isolation from one another. The existence of representative institutions at [the] national level is not sufficient for democracy; for maximum participation by all the people at that level socialisation, or 'social training,' for democracy must take place in other spheres in order that the necessary individual attitudes and psychological qualities can be developed. This development takes place through the process of participation itself. The major function of participation in the theory of participatory democracy is therefore an educative one, educative in the very widest sense, including both the psychological aspect and the gaining of practice in democratic skills and procedures." Pateman rests her arguments in part on the philosophies of Mill and Rousseau, who emphasized the broadening of outlook and interests, the appreciation of the connection between private and public interests, that the experience of participation would bring, and there is also 'education' in a more direct sense, the gaining of familiarity with democratic procedures and the learning of political (democratic) skills."

The quantitative and observational data on this phenomenon are strong—however, as we will see, the impacts on voting rates are still lower than I strongly suspect they could be. I hope this paper will serve as a call for a much more granular look at the relationship between union membership and higher turnout—at how exactly the socialization happens. Through looking more closely at union members' lives and activities, research can help pinpoint more precisely what member activities are most effective and help labor organizations play an even stronger role in improving and expanding our democracy.

In the following pages, I first explain efforts to weaken unions and the voice of working people; then what the decline of unions and union membership has meant for participation; next, I look at the data showing the positive effects unions have on voter participation; and finally, I suggest how going forward we can reform the laws and how labor is structured such that it not only continues to facilitate voter participation, but even enhances it.

<sup>2</sup> Carole Pateman, Participation and Democratic Theory (Cambridge University Press, 1970), p. 42.

Pateman, *Participation and Democratic Theory*, p. 74. See also John Stuart Mill, *Considerations on Representative Government* (1861).

#### ATTACKS ON LABOR

The decline of unions over the last four decades or so is well documented. Membership has been declining for years and this trend is continuing. According to the U.S. Bureau of Labor Statistics, "In 2019, the percent of wage and salary workers who were members of unions—the union membership rate—was 10.3 percent, down by 0.2 percentage point from 2018." This was nearly entirely due to a decrease among private-sector workers. The public-sector unionization rate was 33.6 percent while the private-sector rate was 6.2 percent.<sup>4</sup>

There are a number of reasons why this has occurred in the United States. Steven Greenhouse, in his most recent book, cites factors such as automation, globalization (which led to the closing of factories, which eroded labor's base of workers), and corporations' prioritization of profit maximization and focus on short-term stock valuation. To accomplish these latter ends, corporations downsized, cut or eliminated pensions and other benefits, and hired more workers as temps and/or independent contractors to avoid having employees who could make demands through organizing.<sup>5</sup>

Nonetheless, as Greenhouse, labor experts, and union leaders underscore, the attacks on unions over the years and the ways in which laws have been tilted strongly in favor of employer power and against the right of workers to organize, bargain collectively, and strike have been incredibly damaging.

States' primary attacks on unions have come in the form of ironically named "right-to-work" laws. Under federal labor law no employee can be compelled to join a union. If a worker chooses not to join their workplace union, they are exempt from union dues but can be made to pay agency fees to support the work the union does representing them in collective bargaining, which they do equally for members and non-members. The union also represents (and is required to do so by law) any worker in a grievance process—member or not. Agency fees cannot be used for any political activity.<sup>6</sup>

<sup>4</sup> U.S. Bureau of Labor Statistics, U.S. Department of Labor, Economic News Release, "Union Members Summary," January 22, 2020.

<sup>5</sup> Steven Greenhouse, Beaten Down, Worked Up: The Past, Present, and Future of American Labor (Knopf, 2019), p. 11.

<sup>6</sup> Celine McNicholas, Zane Mokhiber, and Marni von Wilpert, "Janus and Fair Share Fees," Economic Policy Institute (February 21, 2018), pp. 1–2.

Right-to-work laws ban unions from requiring workers to pay agency fees without taking affirmative steps to opt into the program. Yet the union still is obligated to serve everyone under the contract equally, regardless of whether someone contributed to the pool to pay for that. These laws seriously threaten the ability of unions to exist given the restraints on resources. Twenty-seven states have enacted some form of a right-to-work law.

In the years after the 2010 election, when a number of state legislatures flipped parties from Democrat to Republican, right-to-work laws became especially contentious. The fight in Wisconsin was particularly bitter, after the law was passed in 2015 and upheld in the courts in 2017. Indiana, Michigan, and West Virginia also passed right-to-work laws between 2012 and 2016.

While the decline of unions is due to a myriad of reasons as noted above, scholars have recently been able to zero in on the impact of anti-union laws. In their study of right-to-work laws and voting, James Feigenbaum, Alexander Hertel-Fernandez, and Vanessa Williamson observe that

RTW laws weaken unions, either by reducing union organizing (Ellwood and Fine 1987) or density (Eren and Ozbeklik 2016) or labor's leverage more generally (Matsa 2010). Union revenues are also hit: Quinby (2017) shows the 2011 collective bargaining ban in Tennessee—conceptually similar to RTW targeting only teachers—reduced teacher union revenue by 25%. We see similar declines in teacher union revenue in Michigan and Wisconsin following the RTW laws we study. Interviews with labor leaders in recent RTW states echo this weakening ... We expect this weakness to translate into political weakness, either directly or through a redirection of scarce resources.8

<sup>7</sup> Tova Wang, "Democracy at a Crossroads: How the One Percent Is Silencing Our Voices," Democracy Initiative Education Fund (2015), p. 20.

James Feigenbaum, Alexander Hertel-Fernandez, and Vanessa Williamson, "From the Bargaining Table to the Ballot Box: Political Effects of Right to Work Laws," National Bureau of Economic Research Working Paper No. 24259 (January 2018; revised February 2019), p. 3.

.....

Studies have shown that union membership dropped precipitously after right-to-work laws were passed in Wisconsin and Michigan. In a study comparing three midwestern states with right-to-work laws and three without them, Robert Combs finds profound differences in union membership in the two groups of states, with membership rates far lower in right-to-work states. And singling out Wisconsin for its before-and-after picture with respect to its passage of a right-to-work law, the research shows that "with annual membership averaging 222,376 from 2015 through 2018, Wisconsin's union ranks have declined by 36.5% from its earlier average of 350,043." 10

With respect to these types of laws, the Supreme Court has also played an important role in threatening unions. In 2018, the Supreme Court in *Janus v. AFSCME* ruled that public employees, who are covered by state laws, not federal laws, do not have to pay agency fees to cover collective bargaining based on the argument that such a requirement would violate employees' First Amendment rights.

The state laws as well as the *Janus* case were designed to be a direct hit to union power based on the assumption that unions would hemorrhage members, diminishing the resources unions would have access to for their work, including recruitment and organizing.

Another line of attack by states has been to restrict collective bargaining. Several states now restrict or ban outright collective bargaining for many categories of public-sector employees.<sup>11</sup> In most recent times the epicenter was again Wisconsin, which passed legislation in 2011 virtually eliminating the right of public workers to collectively bargain. These types of measures make union membership seem potentially less worthwhile, another contributing factor to declining membership.<sup>12</sup>

At the same time, it is notable that because of the tireless work of the unions themselves, overall membership in the country has gone down much less than

<sup>9</sup> See Jonathon Berlin and Kyle Bentle, "What Wisconsin Says about What Could Happen to Illinois Unions after Janus," Chicago Tribune, June 29, 2018.

<sup>10</sup> Robert Combs, "ANALYSIS: Do Right-to-Work Laws Really Impact Union Strength?," Bloomberg Law, September 10, 2019.

<sup>11</sup> See Gordon Lafer, "The Legislative Attack on American Wages and Labor Standards, 2011–2012," Economic Policy Institute (October 31, 2013).

Roland Zullo, "Union Membership and Political Inclusion," *Industrial and Labor Relations Review* vol. 62, no. 1 (October 2008), p. 27.

expected. The unions prepared for what they knew was coming: A *Politico* review of "10 large public-employee unions indicates they lost a combined 309,612 fee payers in 2018. But paradoxically, all but one reported more money at the end of 2018. And collectively, the 10 unions reported a gain of 132,312 members." Unions have held their own by implementing strategies conceived five years ago, such as member engagement plans, in anticipation of this kind of attack.<sup>14</sup>

Finally, it would be remiss to not include the National Labor Relations Board (NLRB) as a player in this anti-union activity. Since the arrival of the Trump administration (and frequently under other conservative presidents) the NLRB has also taken a lead role in preventing the formation of unions and weakening existing ones. They have done this through measures such as allowing for already widespread "misclassification" of workers to be even more expansive: workers are easily considered contractors rather than employees and not eligible to join or form a union. This most recently includes Uber drivers<sup>15</sup> and SuperShuttle drivers<sup>16</sup> but has much wider ramifications. Rulings have made it more difficult for workers to talk to each other and provide each other with information about organizing while allowing employers to make anti-unionization communications freely.<sup>17</sup> Most recently the NLRB banned employees from using email for any organizing purposes.<sup>18</sup>

<sup>13</sup> Rebecca Rainey and Ian Kullgren, "1 Year after Janus, Unions are Flush," *Politico*, May 17, 2019.

Heather Gies, "Disaster Averted: How Unions Have Dodged the Blow of Janus (So Far)," *In These Times*, January 10, 2019.

United States Government National Labor Relations Board, Office of the General Counsel, Advice Memorandum, S.A.M., to Jill Coffman, Regional Director, Region 20, from Jayme L. Sophir, Associate General Counsel, Division of Advice, "Uber Technologies, Inc. Cases 13-CA-163062, 14-CA-158833, and 29-CA-177483" (April 16, 2019).

<sup>16</sup> SuperShuttle DFW, Inc. and Amalgamated Transit Union Local 1338, 367 NLRB No. 75, Case 16-RC-010963 (January 25, 2019).

Celine McNicholas, Margaret Poydock, and Lynn Rhinehart, "Unprecedented: The Trump NLRB's Attack on Workers' Rights," Economic Policy Institute (October 16, 2019).

Caesars Entertainment d/b/a Rio All-Suites Hotel and Casino and International Union of Painters and Allied Trades, District Council 16, Local 159, AFL-CIO, 368 NLRB No. 143, Case 28-CA-060841 (December 16, 2019).

#### IMPACT ON VOTER TURNOUT

#### The Bad News: Restrictions on Unions Decrease Voting Rates

We have research that demonstrates that the hits union membership has taken have had a direct impact on voting.

Feigenbaum et al. find that "presidential-level turnout is . . . 2 to 3 percentage points lower in RTW counties compared to non-RTW bordering counties after the passage of RTW." <sup>19</sup>

The same pattern holds with respect to curtailments on collective bargaining. Roland Zullo finds with respect to voting rates that "the marginal difference between states with full bargaining rights for public employees with either no bargaining rights or partial bargaining rights for public employees was about 3.2 percent." And further, "Together, the existence of right-to-work laws and the absence of collective bargaining rights for public employees were associated with nearly 5% lower voter turnout. These findings suggest that legal institutions that weakened labor unions diminished unions' ability to mobilize voters." <sup>21</sup>

#### The Good News: Rebuilding Unions Can Increase Participation

These laws, therefore, have had an impact not just on worker conditions but on voting.

However, there is a window of promise. Looking across a number of studies with a range of methodologies, research suggests that union members are *at least* 3–5 percent more likely to vote.

This is more significant than just turnout in a given election year—it represents a sustained margin of difference. To be clear: this is not just a result of any particular GOTV activity, but rather a function of being in a union, the transformative effect that has.

Jan Leighley and Jonathan Nagler wrote the seminal 2006 article on this. They found that "union members are significantly more likely than non-union members to vote in presidential and congressional elections, controlling for individual-level

<sup>19</sup> Feigenbaum et al., "From the Bargaining Table to the Ballot Box," p. 3.

<sup>20</sup> Zullo, "Union Membership and Political Inclusion," p. 27.

<sup>21</sup> Ibid., pp. 27-28.

characteristics such as education, income and occupation,"<sup>22</sup> as well as whether it was an election year, what type of election it was, and the state's political context.<sup>23</sup> They did so by using data on individual union membership and state-level union membership.

Leighley and Nagler found that, had unions remained as strong as they were in 1964, turnout in 2004 would have been approximately 3.5 percent higher among low-income citizens, 3.5 percent higher among those in the middle of the income distribution, and 2.5 percent higher for those at the top income levels,<sup>24</sup> with an even greater difference in some states. To illustrate the point, the nearly 50 percent drop in union density in California between 1964 and 2004 resulted in an overall aggregate turnout for 2004 that would have been 4.9 percent higher if union strength had remained at the 1964 level.<sup>25</sup>

Jake Rosenfeld found that "a weighted average of the sector specific union vote premium (to account for the larger size of the private-sector workforce) indicates that union members' voting rates are approximately 5 percentage points higher than the rates of nonmembers."<sup>26</sup> Significantly, he further finds that "union vote effects are largest for the least educated. Among high school dropouts in the private sector, union members' probability of voting is 11 percent points higher than for other similar nonmembers."<sup>27</sup>

Patrick Flavin and Benjamin Radcliff examined survey data that included 30,000 respondents from thirty-two countries controlling for a wide and long list of other factors that relate to propensity to vote. They found that taking into account all of these other possible influences, union members are 2.4 percent more likely to vote.<sup>28</sup>

Jan E. Leighley and Jonathan Nagler, "Unions, Voter Turnout, and Class Bias in the U.S. Electorate, 1964–2004," *The Journal of Politics* vol. 69, no. 2 (May 2007), pp. 430–441, at p. 439.

<sup>23</sup> Ibid., p. 434.

<sup>24</sup> Ibid., p. 438.

<sup>25</sup> Ibid., p. 436.

Jake Rosenfeld, What Unions No Longer Do (Harvard University Press, 2014), p. 170. He comes to this conclusion using the Current Population Study and the National Election Study, comparing union members and non-union members controlling "for the observed correlates in order to isolate the impact of union membership."

<sup>27</sup> lbid., p. 173.

Patrick Flavin and Benjamin Radcliff, "Labor Union Membership and Voting across Nations," *Electoral Studies* vol. 30, no. 4 (December 2011), pp. 633–641, at p. 637.

#### "Spillover" Effect: Impact beyond Members

What is striking is that the impact of empowering union members may extend to the people around those members, including families and possibly neighborhoods.<sup>29</sup>

Individuals living in states with stronger unions are more likely to vote, and this is true controlling for other aspects of campaign mobilization and demographic characteristics. Looking at the issue another way, Leighley and Nagler find that overall the decline in union strength between 1964 and 2004 resulted in a drop in turnout of 3 to 4.5 percent for typical voters.<sup>30</sup>

Benjamin Radcliff and Patricia Davis find that a 1 percent increase in union density resulted in a .20–.25 percent higher turnout. They find that "the difference between a high union state (like New York or Michigan with about 35 percent of workers organized) and a low union state (such as South Dakota or Vermont with about 10 percent of workers organized) suggests (other things being equal) a difference in turnout of about 6.5 percent."<sup>31</sup>

Flavin and Radcliff's survey data of 30,000 respondents from thirty-two countries included union members *and* non-union members. They find that unions have "spillover" effects—in places with higher union density, even non-members turn out in higher numbers. They observe that the reason for this likelihood of spillover effects is that "union members interact with other individuals and, through that interaction, may mobilize others. The most common example is the immediate family of the union member, but members likely play a similar role through interpersonal communication networks outside the family as well."<sup>32</sup>

Finally, James Feigenbaum finds that union members are about 4 percentage points more likely to vote and 3 points more likely to register (after controlling for demographic factors) and individuals living in a union household are 2.5 points more likely to vote and register.<sup>33</sup>

<sup>29</sup> This is exclusive of the GOTV activities unions participate in directly.

<sup>30</sup> Leighley and Nagler, "Unions, Voter Turnout, and Class Bias in the U.S. Electorate, 1964–2004," p. 437.

Benjamin Radcliff and Patricia Davis, "Labor Organization and Electoral Participation in Industrial Democracies," *American Journal of Political Science* vol. 44, no.1 (January 2000), pp. 132–141, at p. 137.

<sup>32</sup> Flavin and Radcliff, "Labor Union Membership and Voting across Nations," p. 635.

Cited by Sean McElwee in "How Unions Boost Democratic Participation," *The American Prospect*, September 16, 2015.

### WHY DO UNIONS HAVE THIS IMPACT?

Union members, just by virtue of being in a union, have the opportunity to engage in activities that directly mirror electoral participation. There are elected positions at the shop, local, state federation, central labor council, regional, and national levels that members vote, run, and participate in. They attend meetings where their viewpoints are expected to be heard. They attend conventions, and the delegates to those conventions must be elected. They vote on contracts. Members are educated on issues of importance to the union and working people. They're encouraged to reach out to elected officials and lobby. Organizing drives build leadership, communication, and a sense of solidarity, including among workers who don't otherwise know each other. *All of these things and more quite evidently would prepare someone—and give them the skills, confidence, and sense of empowerment and efficacy—the sense of a VOICE—to participate in elections*.

Research has shown that participation in organizations, and in unions in particular, increases political sophistication and interest.

Belonging to a labor union means one is involved, at least on some level, in union and workplace affairs. Selecting members for leadership positions and voting on proposed wages and contracts are both examples of political participation in the workplace . . . use of these political skills translates beyond just the workplace and increases a member's likelihood of becoming involved in the political process and, ultimately, voting.<sup>34</sup>

Zullo describes it this way: "Like politicians, worker representatives are typically elected; negotiations resemble legislative deliberations; and contracts become the 'constitution' of the shop, with the parties subject to a set of rules that are enforced by an independent judiciary of arbitrators." <sup>35</sup>

As Jasmine Kerrissey and Evan Schofer find, "Unions strive to develop the organizational and political skills of their members, cultivate their members' political

Flavin and Radcliff, "Labor Union Membership and Voting across Nations," p. 634.

<sup>35</sup> Zullo, "Union Membership and Political Inclusion," p. 28.

.....

identities, and directly mobilize members to participate in political life.<sup>36</sup>... The imperative to maintain collective action capacity places incentives on unions to train and mobilize workers, imparting skills and experiences that may enhance prospects for subsequent political participation."<sup>37</sup>

As Hahrie Han says with respect to organizations more generally,

Membership-based civic organizations have the potential to create transformative social interactions that shape the decision to act, and the development of political identities over time. Yet, in the United States, organizations focused on this kind of transformation have declined over time: our democracy has created a set of interests and incentives that have led to the decline of parties, unions, and other institutions that focus on transforming ordinary people to build the capacities they need to participate.<sup>38</sup>

One way of revitalizing that transformative power of organizations is by rebuilding labor power.

# HOW DO WE USE REFORM AND RESTRUCTURING OF LABOR TO INCREASE ITS IMPACT ON PARTICIPATION?

Clean Slate for Worker Power is an initiative that began in 2018 at the Labor and Worklife Program at Harvard Law School. Working with leading academics, activists, advocates, labor leaders, and practitioners, the project released a report in January 2020 with recommendations for reforming labor law and how unions could be re-imagined to create a more just economy and democracy.<sup>39</sup> Although the issue of political engagement was not a driving force behind the project, it is clear that given

Jasmine Kerrissey and Evan Schofer, "Union Membership and Political Participation in the United States," *Social Forces* vol. 91, no. 3 (March 2013), pp. 895–928, p. 895.

<sup>37</sup> Ibid., p. 897.

Hahrie Han, "A Program Review of the Promoting Electoral Reform and Democratic Participation (PERDP) Initiative of the Ford Foundation" (April 2016), p. 7.

<sup>39</sup> Sharon Block and Benjamin Sachs, "Clean Slate for Worker Power: Building a Just Economy and Democracy," a project of the Labor and Worklife Program, Harvard Law School (January 2020).

the research detailed here, many of the reforms proposed would not only help maintain the capacity to make members into effective voters and political participants, but might augment it and in ways that would make our political system more inclusive. Thus the report provides a road map for simultaneously lifting up workers and voter participation rates.

We have observed that the internal election procedures of unions provide members with skills and efficacy translatable to the public sphere. Clean Slate envisions a system where there will be numerous points—and perhaps more opportunities than now—at which members can consider and vote for representatives and voice their opinions, mirroring and providing practice for elections for government offices and other forms of public participation. And the nature and context around these actions may be such that they feel more meaningful than those members can undertake today.

Under the Clean Slate plan, every worker would participate in elections to choose a workplace monitor and in most workplaces all workers would be eligible to nominate and elect representatives on worker councils. And at each of these points, beyond voting itself, there would be necessary discussions, meetings, and decision-making processes, as well as trainings for officeholders, that would contribute to helping members become political participants.

As part of this vision, workers would be organized at the sectoral level, rather than by workplace—in other words, one worker entity represents an industry, not one business in that industry. As a result, layered on top of the activity at the workplace level, there would be industry-level sectoral bargaining panels with worker representatives who would operate on the basis of input from other workers, who would also be entitled to attend meetings. 40 Education and training to provide workers the tools to undertake these jobs and for members to understand the issues considered would be available, further enhancing civic skills that would translate outside the context of work. For large corporations there would also be worker-selected representatives on the corporate boards, who would be trained for service through an educational service provider.

<sup>40</sup> Under the Clean Slate plan, different thresholds of support need to be reached to create these positions and bodies. For example, workplace monitors would be universal; three workers need to support a works council; and 10 percent or 5,000 members must demonstrate support for sectoral bargaining.

Under Clean Slate, collective bargaining rights would include issues that go beyond the immediate workplace. They would include issues that affect workers' communities that are under the employer's control—such as impacts the firm has on the environment, housing, and patient safety. Providing workers with the opportunity to collectively take a stand, including the right to strike, on such matters of grave concern would promote workers' awareness and understanding of issues facing the country and the role companies play in them, empowering them to take action within the context of their work lives and as publicly minded citizens. This education and empowerment could lead to greater interest in and understanding of the importance of being a voter and exercising a public voice in this electoral realm.

This has already begun to take place. In June 2019 hundreds of workers from Wayfair, a furniture retailing company, walked out of work because the company was selling \$200,000 worth of furniture to a government contractor that operates migrant detention centers for ICE.<sup>41</sup> One can imagine the powerful effect that the policy and political education and mobilization around an issue of ethical importance had on many workers. When it emerged that Google had contracted with the Department of Defense for technology assistance, "About 4,000 Google employees signed a petition demanding 'a clear policy stating that neither Google nor its contractors will ever build warfare technology.' A handful of employees also resigned in protest, while some were openly advocating the company to cancel the Maven contract." The company decided the contract would not be renewed.<sup>42</sup>

Since people's work lives and their lives outside the workplace are not sharply divided and the behavior of firms can affect whole communities, Clean Slate gives workers the right to bring community-based organizations with the requisite expertise to the collective bargaining table. This provides the opportunity to further educate members about issues as well as potentially facilitate coalition building. These collaborations could enhance the individual political efficacy of workers as well as practically build community power through actions of common cause that could bring greater influence in policymaking realms.

Abha Bhattarai, "'A Cage Is Not a Home': Hundreds of Wayfair Employees Walk Out to Protest Sales to Migrant Detention Center," *The Washington Post*, June 26, 2019.

Daisuke Wakabayashi and Scott Shane, "Google Will Not Renew Pentagon Contract that Upset Employees," *The New York Times*, June 1, 2018.

Finally, Clean Slate's proposed labor law reform would bring in workers from sectors that have been needlessly excluded from collective bargaining and organizing and provide them with this civic-power-building experience. This includes agricultural workers, domestic workers, workers in food and retail, and incarcerated persons doing work for private industry. We know from the demographics of these sectors these will be disproportionately people of color and low-income Americans—Americans who were historically excluded from unions under federal policy going back to the New Deal and who have, not coincidentally, been perpetually and systematically discriminated against in the voting system. The combination of bringing these groups into the sense of community and active voice that collective bargaining provides and educating and teaching skills for practice in the electoral system would be a powerful path to a more inclusive democracy.

Of course, scholars and union leaders have offered innumerable other valuable suggestions for strengthening labor in a new and challenging environment, all of which could also potentially contribute to increasing labor's capacity to engage members in the democratic process. As just one of many examples, Greenhouse recommends creating "a major new national workers' group" that would mirror the way groups like the AARP operate in advocating for members' interests. He and others advocate for a card-check system for union elections to ease their formation and make union elections less tilted in favor of anti-union employers. He also seeks exploration of worker organizations that are alternatives to traditional unions, as Clean Slate does.

Something that could be achieved without legislation in the more immediate future is, as Michael Paarlberg of Virginia Commonwealth University has discussed, unions recommitting to programs that educate members on policy issues and teach them the skills to be active participants. But this cannot be just about skills and education. As detailed here, unions must be transformative to people's sense of their own power and importance. As Paarlberg points out, they need to continue to provide activities that promote solidarity and identity as a union member, which in turn foster the desire to be engaged in collective change.<sup>44</sup>

<sup>43</sup> Greenhouse, Beaten Down, Worked Up, p. 325.

See Michael Paarlberg, "After the Supreme Court Blow, Unions Should Look to a Different Model: the NRA," *The Guardian*, June 27, 2018.

#### CONCLUSION

Unions across the country have been integral in the fight against voter suppression efforts at the state and local level, and have been instrumental in passing many laws that make voting more accessible for all. The continued efforts of this nature—fighting against acts such as voter ID laws and cutbacks to early voting, and in favor of measures such as same-day and automatic voter registration—are absolutely essential.

At the same time, going beyond changing the rules, we need to understand the types of experiences people have in their everyday lives and in their communities that may lead to a stronger identity as a voter and public participant and investigate how we can build upon them. Participation in union activism appears to have a transformative effect on an individual level in some cases, outside of whether the person may have been sent campaign mail or received a phone call.

However, as mentioned in the introduction, more research is needed to dig deeper into how specific types of labor-related activities affect the propensity to vote. We have the quantitative data presented in this paper; what is needed now is a more qualitative investigation—one that seeks out talking to, listening to, and perhaps following the trajectories of individual members and groups of members, and perhaps also their families. Such research would better inform us on how unions can be more intentional and effective in creating committed participants in our democracy in the future.

Finally, the links between labor law and how it affects organizing and voting are evident. Thus, while unions are often in the battle for election reform, democracy activists must also be at the forefront of the labor law reform movement in a more robust manner than they have been to date. Such an alliance could yield enormous power in the fight for a fairer, more inclusive electoral system.

At a time when democracy is under attack it is more important than ever to build power among "everyday" people through groups and organizations that can serve as political homes. Worker organizations provide the opportunity to find one's voice and feel a sense of both individual and collective power that translates into the exercise of political power. If we expand and strengthen these organizations, we can help to broaden and increase the number of voices heard in our political system and thus to strengthen democracy.





## A publication of the

Ash Center for Democratic Governance and Innovation Harvard Kennedy School 79 John F. Kennedy Street Cambridge, MA 02138

617-495-0557