

Unions

What are they and what do they do?

What is a union?

A union is a group of employees in which a majority decides to bargain collectively to try to improve wages, benefits and working conditions. They can exercise their legal rights to do this independently or with the help of an established labor organization.

Why form a union?

When the first generation of Americans framed the basic principles of the United States Constitution, they took great pains to restrict the government from exercising too much power over the common citizen. Unfortunately, the agricultural nature of the early American economy then did not suggest to them the need for limiting the exploitation of employees in an industrial economy.

Unions evolved in this country in much the same way and for most of the same reasons that the original thirteen colonies formed a "more perfect union" over two hundred years ago... to establish the rights of the common citizen and to protect and defend these rights at home and in the workplace. Organized labor has struggled throughout the past century in the courts and on picket lines to assert the principle that the basic human right to fair treatment, due process, privacy and a democratic voice in decision-making which when guaranteed by our Constitution makes for good government should be guaranteed in the workplace as well.

"Statutory" rights (those set by law) are supposed to be guaranteed to all workers whether they are in unions or not. But the reality is that unless a non-union worker can afford an attorney, the ultimate power of the employer to fire, demote or unilaterally reduce employees' pay or other benefits forces acceptance of things the way the boss wants them.

Statutory rights are those guaranteed by federal or state labor laws, principally:

- Occupational Safety & Health Act
- Fair Labor Standards Act
- Equal Pay Act
- Title VII of the Civil Rights Act
- Workers' Compensation
- Prepaid Health Care Act
- Unemployment Insurance
- Temporary Disability Insurance
- Payment of Wages Law, and
- National Labor Relations Act

Though laws were enacted to ensure basic rights to all workers, the non-union worker who stands alone, is far less likely to assert these rights for fear of reprisal and retaliation. After all, the non-union worker is by law just an "**AT WILL**" employee who may be fired at any time and for no reason at all.

Indeed, surveys have regularly shown that people organize and join unions, not so much for higher wages as to protect themselves from being victimized by the arbitrary and capricious or discriminatory conduct of their employers.

The truth is unions are not organized by outside agitators but by the arrogance of management. They love to say that, "The workplace is not a democracy," but in fact, it is and must be. All the best workplaces and most successful managers know that "joint decision making", "employee participation" and "respect for their employees" are the true secrets to business success.

Union contracts establish the only meaningful rights employees can expect to truly enjoy.

- due process in the administration of discipline or discharge;
- the requirement that the employer show proof of wrong-doing or incompetence before imposing discipline;
- the right to representation during an employer's investigation and throughout the employee's appeal;
- protection against double jeopardy, or being punished twice for the same offense;
- protection against being compelled to be a witness against yourself;
- the right of appeal to binding arbitration;

- the use of objective, measurable standards in layoff and promotion decisions
- objective definitions of merit, productivity, and expertise

In addition, only by collective bargaining through a duly recognized union can workers hope to achieve not as a gift but as contractual guaranteed rights, these basic benefits:

1. Just compensation in the form of a living wage uneroded by inflation.
2. Health care and retirement plans to provide for workers and their families when they are disabled and when their working careers are over.
3. Equity and fairness in employment decisions relating to promotion and assignment; respect for the principles of seniority and merit, where merit can be measured objectively; and the opportunity to be trained and fairly considered for promotion. Also the right to appeal through the grievance procedure employment decisions which are either discriminatory or arbitrary.
4. The right to be treated with dignity at work and the right to be free from coercion, intimidation or harassment.
5. The right to privacy in one's personal life, possessions and effects, and the right, therefore, to be protected from the search and seizure of personal property at work.
6. The right to file a "grievance" in order to resolve complaints that the employer has violated or misinterpreted the contract.

People who join unions find soon enough that they are no longer just interested in "what's in it for me" but in the overall improvement of themselves, their coworkers, their families and the societies in which they live. Solidarity improves standards of living as certainly as greed and selfishness pervert and pollute all our other values.