

# Standing Up For Workers' Rights

By Stewart Acuff | February 13, 2004

“The boss said he would sell the company or burn it down before he would see a union at Sterling.” To the cheers of a responsive Washington, DC audience on December 10, 2003, Sterling Laundry worker Evelyn Thomas vowed to continue the battle for the freedom to form a union at her workplace, in spite of fierce employer opposition.

Thomas' tale was just one of the dozens of horror stories told by workers who rallied on International Human Rights Day to call attention to the widespread abuse of the rights of workers. In 90 events in 37 states, tens of thousands of workers and their allies campaigned to restore the freedom to form a union guaranteed under American law and international human rights codes, but sadly eroded in our country today.

In the United States, when private sector workers in America try to form a union through the National Labor Relations Board (NLRB) process, they are subjected to weeks, months, or even years of harassment, surveillance, subtle and overt intimidation, and retaliation—including demotions, suspensions, firings, and sometimes beatings.

When the miners at an American Electric & Power coal mine in southern Ohio tried to form a union last winter, 31 were laid off because of the company's poor financial performance. Six weeks later—just a week before the workers were to vote in an NLRB election—the remaining workers received \$1,000 plus bonuses a week for “good financial performance.”

This sort of anti-worker, hypocritical whipsawing is now typical of American corporations, which frequently employ legal “consultants” and attorney attack dogs who go to any length to stop workers trying to organize.

## Violations of Human Rights at Home

Three years ago, Human Rights Watch issued a report documenting the fact that the United States is in violation of international law and internationally accepted human rights standards for failing to protect the rights of American workers to freely form unions. According to the NLRB, an average of 20,000

American workers a year are victimized by their employers for organizing and union activity.

Cornell University scholar Kate Bronfenbrenner has documented the abuse. According to her research:

- In 90% of unionization efforts, the employer hires a consultant to frustrate the will of the workers;
- In 70-80% of campaigns, the employer conducts forced meetings to harangue the workers against the union and, more insidiously, holds one-on-one supervision meetings;
- 50% of the time, the employer threatens to close the worksite; and
- In over one-quarter of all unionization efforts, activists are fired.

The facts are astounding and frightening, and the effects on our society of depriving workers of a fundamental human right are devastating: declining civic and political activity, steadily eroding retirement system, an ever-widening wage and income gap, growing poverty, and a dangerous rightward drift of our cultural and political life.

Internally, we have to teach union members that there is an all-out, coordinated assault on their collective bargaining rights and the right of other workers to organize. We have to tie that fact to declining union density which makes it all but impossible to win advances at the bargaining table or even maintain current contracts and standards. To begin to achieve this, we have piloted a member education and mobilization program in selected cities and unions.

Most importantly, progressives outside the labor movement have to own this. It may be true that such progressives will not engage in this current human



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rights crisis at the necessary level until they see more workers in motion, but workers cannot win unless and until a much broader community demands change. The single greatest internal threat to the success of progressive policies and values is the evisceration of the right to organize. The consequent decline of the labor's voice and power will put an end to any dreams of the struggle for equality and freedom.

The ultimate power of the labor movement is our members unified and in motion. We exercise that power at the polls, in civic life, and in disruption. And so to win back this right, we'll have to exercise all the elements of our power.

More and more, political leaders are judged on where they stand on this question. The labor movement must use its political weight to create a consensus at every level of our political life to restore the freedom to form unions. We must garner majority support for the Employee Free Choice Act, which ensures that when a majority of employees in a workplace decide to form a union, they can do so without the debilitating obstacles employers now use to block their workers' free choice.

Ultimately, we cannot win unless the personal crisis suffered by a worker fired for trying to organize is turned into a much larger public crisis. The moral catastrophe of firing an immigrant laundry worker because she tried to form a union to get health care

for her kids must become a public crisis. Today, that sort of abuse is business as usual, and we must find ways to disrupt it.

We spent last summer sitting the Democratic Presidential candidates down with small groups of workers so they could hear the horror stories themselves. Not only have the candidates pledged to support labor law reform, but where possible and appropriate, they have agreed to intervene with abusive employers.

This is a morally compelling struggle that touches workers all across America in one way or another, and absolutely affects our entire society.

We will not resolve this human rights crisis in the coming months. We have no way of knowing how long it will take, but now is the time for us to increase greatly the intensity of this work, increase the resources allocated to this work, and make the long-term commitment to this fight. For the workers, for the labor movement, and for the nation, the consequences of delay, timidity, or hesitation are too great.

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