

Building Justice in the American Labor Movement

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ABSTRACT: To what extent does the American Labor Movement conceive of justice in ways beyond narrow economic benefits? To assess the notion of justice in discourse and practice, this paper examines cases from three dominant models of labor organizing in the United States: traditional unions, worker centers, and the hybrid form of the Fight for \$15. Over four case studies, we use interviews with workers and organizers, analytical accounts of the differing organizational structures of these labor advocacy groups, and discourse analysis of organizational materials of each to illuminate the strengths and weaknesses of each model. Through this examination, we show that across all organizing forms relatively little attention is paid developing and articulating the reasons why a strong labor movement is necessary and beneficial to either workers as a class or society as a whole. We then submit that if labor is to be a movement, rather than a collection of service organizations, then it is important to put forward an idea of “labor justice” which can help members of the polity reconceptualize the relationship between work, leisure, care, dignity, productivity, and prosperity.

KEYWORDS: labor unions; worker centers; labor movement; justice; inequality

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Introduction

Over the course of more than a century, the US Labor movement has been one of evolving strategy, membership, and politics. From the shop and trade-based strikes of the 19th century to the Federations and Employee Unions of the 20th, the espoused values, human composition, and goals of labor have shifted in numerous ways. During the early 20th century, workers made significant gains, not only winning the legal right to collective bargaining, but perhaps more importantly, altering expectations about treatment, compensation, and work schedules. Indeed, the greatest success of the American labor movement may have been changing common understandings about how society ought to evaluate work and working conditions (Woody 2015). Labor organizers mobilized to establish a new common sense about what employers owed workers (including reasonably safe working conditions and a family wage for white male workers) as well as what workers deserved as members of society (e.g., 8 hours of work, 8 hours of sleep, and 8 hours of leisure per day).

However, during in the mid-20th century, after the hard-won common sense of the labor movement was codified into law in the National Labor Relations Act and took on institutional life as the National Labor Relations Board, the vision of the labor movement evolved once again. Labor unions became more stable, winning many contractual victories from the 1930s to the 1970s. At the same time, the movement's focus on changing the way that the general public thinks about work, its conditions, and what workers deserve, gave way to more targeted concerns about servicing members and narrow electoral claims. In many ways, the social movement aspect of labor movements dwindled under the obligations of becoming part of the federal bureaucracy (Piven and Cloward 1977, Fantasia 1988). Today, modern labor organizations are diverse in their commitment to organizing new categories of workers, especially the women, people of color, and immigrants who increasingly constitute American service workers, as well as whether and how they articulate the benefits of organized labor to both potential members and the general public (Fine 2006, Milkman 2006, Warren 2010). However, overall, 21st century labor organizers and leaders have focused much less than their earlier counterparts on communicating a vision of work and workers that contributes to fair working and living conditions for all.

Like previous scholars, we are interested in the processes that would lead a collection of unions and union-like groups to function like a dynamic social movement, to "reconcile the short-term and economicistic demands of [union] workers with longer-term concerns for generalized social and economic justice"

(Levi 2003, 46). In particular we are interested in the ability of developing and deploying discursive frames and concrete practices that actively transcend the interest-based economicistic framework of unions-as-bureaucracies in order to push toward a new understanding of labor justice.

In the following, we argue that for labor to become a vibrant and influential force in American politics, the movement needs to claim explicitly political space in line with their common-sense arguments of the early 20th century. This goes beyond throwing financial support behind political parties and endorsing candidates. Labor must instead articulate a political vision that aims to persuade both potential union members and the general polity that rethinking the meaning of labor and prosperity is necessary political work. We propose that labor organizations could accomplish this by developing and deploying a political philosophy, what we dub *labor justice*, that explains *why* workers must organize as well as *what* that organizing accomplishes in broad terms. Crucially, the audience for these claims needs to target society at large, rather than workers already within or directly adjacent to labor organizations. Promisingly, labor already has the makings of such a political vision in some of the discourse that unions and workers centers have been using in recent years. We see this in public opinion research where the importance of unions and key policy issues such as the \$15 per hour minimum wage has increased, particularly among people 18-29 (Maniam 2017). However, labor activists and unions must continue to move towards more consistently speaking and acting in ways that move beyond wage claims and member service. Previous research has shown that when social movements make resonant arguments consistently over time they are able to change the common sense governing public debate thereby creating a more favorable political environment for their claims. Below, we develop a notion of what labor justice might look like while evaluating its presence across a number of labor organizations.

First, a definition of terms. Labor justice is a concept that centers the dignity that *all* workers are due and insists on certain rights of self-determination for the entirety of society, such as work-life balance, dignified treatment, and the power to participate in setting the terms of employment. Importantly, labor justice points to the need for *all* people to have the ability to holistically flourish in society, and not simply have higher wages. What organized labor requires, if it is to be a political force akin to a movement, is a set of values that speaks not only to economic justice in the distributive register, but one that speaks to the capability of all workers to live lives free of oppression, the “institutional

constraint on self-development” (developing capabilities) and domination the “institutional constraint on self-determination” (choosing actions) (Young 1990, 37). Finally, in providing a framework for an equitable society, labor justice is intersectional because the oppression of working people operates through the structural relations of race, gender, immigration status, sexuality, and heritage. In light of these facts, economic justice, which is primarily concerned with wage distribution, is but one component of labor justice.

This discussion should be set against a background of steady union decline. From the highpoint in the 1950s where almost a third of the economy was unionized, in 2018 only 10.5 percent of workers were in a labor union (U.S. Bureau of Labor Statistics 2019). This number is buoyed by the relatively high unionization rate of public employees at 33.9 percent. In the private sector, union density stands at 6.4 percent, the lowest in over a century (U.S. Bureau of Labor Statistics 2019). While the Democratic Party is typically seen as a union ally, membership dropped over 10 percent, or 1.5 million members, during President Obama’s two terms in office (Dirnbach, 2017). Absent a strong political vision, it should not come as a surprise that members have come to subscribe to widely varying worldviews, including reactionary positions on race, immigration, and nationalism seen in strong union support for Donald Trump in the 2016 presidential election. And while worker centers have emerged as an innovative approach to the labor movement, their numbers remain small relative to that of traditional unions.

Our arguments build off of ongoing discussions of the potential for revitalization in the labor movement, a topic that has garnered much attention by scholars and practitioners in the past few decades. A core argument in this thread is the need for unions to return to aggressive organizing, an approach that faces internal challenges of organizational conservatism where “many members have learned to view their union as quasi-insurance companies or lawyers” (Milkman and Voss 2004, 6). Several remedies to this challenge have been articulated by labor scholars, including attention to specific tactics (or combinations of tactics), broad strategies, organizational partnerships, and the structure of groups themselves (Bronfenbrenner, Friedman, et al. 1998; Sherman and Voss 2000; Bronfenbrenner and Hickey 2004; Milkman and Voss 2004; Ness 2014). Further scholarship has examined the role of low-wage and immigrant workers as a necessary component to revitalization (Apostolidis 2010; Milkman and Ott 2014; Adler, Tapia and Turner 2014). These arguments connect to scholarship on worker centers and “alt-labor” organizations that support immigrant and low

wage workers but exist outside of traditional union models (Fine 2006; Eidelson 2013; Milkman and Ott 2014). A further line of analysis called for “social movement unionism” focused on rank-and-file activism connected to broader movements in society that, together, would drive institutional change for issues like labor law and political economy (Freeman and Rogers 1999; Robinson 2000; Levi 2003; Fantasia and Voss 2004).

The discussion below builds on these insights and shares an affinity with social movement unionism and its aim to build a labor movement that works on behalf of the entire society. Within this, our primary concern is that efforts that focus solely on economic redistribution for members, even when they are successful, have not been enough to transform the labor movement into a dynamic social movement with clear aims for social and economic justice. We make the case for labor justice both theoretically and empirically.

In the following sections, we lay out the concept of labor justice and indicate what makes it both more expansive and more persuasive than the idea of economic justice. After making the theoretical case, we advance our argument by doing an empirical examination of the discourse and practices of four different labor organizations across the spectrum of organizational models from traditional union to workers center, including: Service Employees International Union (SEIU), Fight For \$15 (FF15), Restaurant Opportunities Center - United (ROC), and the Laundry Workers Center (LWC). Our aim here is not to draw conclusions about the labor movement in general, nor to make causal arguments about the nature of movement work. Rather, we utilize interviews with leaders and participants in the organizations and content analysis of informational materials to answer the question: to what extent do these labor organizations express an idea of labor justice, and how can we see their ideas about the labor movement’s purpose carried out in their work?

Theorizing Labor Justice

Most labor appeals are in the frame of economic justice. Economic justice is an account of fairness that derives from what Iris Young calls the “distributive paradigm,” the view that what justice requires can be wholly fulfilled by focusing on the “the allocation of material goods [...] and social positions” (Young 1990, 15). On this account, the problem of oppression can be solved by making sure each individual or group of individuals has a fair allocation of goods. A diverse array of theories of justice, from John Rawls’ liberalism to Karl Marx’s communism, are based on this premise. Young contends that while the

distribution of material goods and social position is a necessary component of what justice requires, it is not sufficient. Instead, Young indicates that we must pay attention to the social beliefs and institutional processes that have produced distributive patterns. Otherwise, distributive corrections only have short-term effects because the social beliefs and practices that made maldistribution seem inevitable, convenient, or even favorable, will cause people to re-inscribe old intent onto new policies in the way that they interpret or implement them. For this reason, it is important for social movements and others who seek to change the status quo to change the way people think about their issue(s) in addition to changing policy.

In the case of labor, this means that a successful labor movement must change people's ideas about what work requires and what all people who work for a living deserve at the same time that they seek specific wage increases or other benefits. As discussed below, this dilemma maps all too well onto the wage victories of the Fight for \$15. If activists and unions focus almost exclusively on raising wages, they reproduce a neoliberal view of the worker which values them only as producers, possessors, and consumers of goods rather than people who create value not only through the work that they do, but also through the lives they live. From this perspective justice requires not only fair distribution of wages and benefits, but also non-material goods like decision-making power, practical opportunity (which is distinct from formal opportunities that may be difficult or impossible to access), self-respect, care, and leisure time. That means workers must have not only the *right* to negotiate the conditions of their employment but must also have a *reasonable capability* to exercise those rights. Effecting the capability of workers to determine the conditions of their labor would require re-thinking how unions and other organizations in the labor movement conceptualize their task. Labor organizations would need to focus less on improving wages and conditions in particular workplaces and more on questioning and seeking to change the beliefs, practices, and institutional processes that create the conditions of oppression and domination that govern *most people who work for a living, most of the time*.

In this way, labor justice requires respect for the labor of life, not only in terms of fair compensation for economic work, but also in terms of acknowledging and supporting non-economic labors such as care work, civic engagement, or play. Through this lens, having a predictable schedule, paid sick leave, accessible, quality healthcare and childcare, and affordable leisure are as important as having a higher hourly wage. This is because the acknowledgement

and support of non-wage-earning labor is necessary to ensure that the full benefit of wage-related gains can accrue to people who work for a living. Labor justice, then, is not solely about the re-allocation of resources, but is instead about the elimination of domination and oppression from the institutions that govern work. Importantly, this framing makes it easier for labor to ally with other movements seeking to eliminate institutional domination and oppression.

The elements of labor justice that we can glean from how workers describe what just relations might look like concretely: dignity, respect, fairness, work-life balance, and security. This deeper definition of labor justice is not only intrinsically important for the labor movement to better understand the appropriate scope of work required to improve people's lives, but also is essential if the movement hopes to be politically persuasive. Recent research in political science has shown that when those who challenge the status quo are able to make resonant arguments consistently over time, they are able to shift common sense on the topic, thereby creating a political environment in which they can more effectively advance their claims (Baumgartner, DeBoef and Boydston 2008; Woolly 2015; Jackson 2018; Williams 2018). For example, Deva Woolly has shown that marriage equality movement was able to change the political common sense on that issue over a 10 years period by making resonant arguments that reframed the status quo understanding of gay families and what counted as gay rights (2018). Similar findings indicating that those challenging the status quo can shift public understanding through the use of what Mustafa Menshawy has described as "effective" discourse that [is] coherent, consistent, and resonant ..., as well as a 'credible' discourse which combine[s] words with actions" have been produced across several topic areas including the gun debate (Kerr 2018) and foreign policy (Menshawy 2018). Put simply, the arguments that movement actors make have concrete impacts on their potential for societal change.

An Examination of Discourse & Practice

In the next section, we examine four different organizational formations in the labor movement to assess the presence of Labor Justice within their discourse and practices. We have intentionally selected a range of cases to gauge the presence of labor justice in a variety of contexts, and this is not intended to be a representative sample. The inclusion of two worker centers—ROC and LWC—responds to the importance of the model in contemporary organizing, while the hybrid FF15 has achieved significant gains in minimum wage policy victories (Luce 2015). SEIU stands out for its sheer size in the movement as well as for its

role in creating the FF15. For each organization, we briefly describe the characteristics of their organizational form. Then, using interviews and public-facing documents, we examine their understanding of what broad political philosophy underlies their work. In addition to scrutinizing their discourse, we observe the institutional habits and practices that either support or contradict their stated worldview. Finally, we consider whether and to what extent any of the organizations have a theory and/or practice of labor justice, as we have described it.

In concrete terms, what would a labor justice approach to a campaign or an organization look like? In the first order, claims must be made to impact the material lives of working people: contract negotiations, higher wages, and improved benefits all fit into this category. While all labor campaigns involve this type of claim making, labor justice also looks to increase the power of working people relative to economic, political, and social institutions. Most labor movement work actively empowers insiders and members in this institutional struggle, but routinely frame this part of the work as secondary to the material ends of new policies or better contracts. For unions in particular, empowerment is typically limited to members. A labor justice approach should seek to empower working people broadly, and not only through policies, such as a higher minimum wage, that impact large numbers of people. This empowerment must also include the symbolic work of impacting widely held norms of work, life, and fairness. It may be the case that the institutional structures of formal labor unions mean that they have no choice but to make narrow distributive claims in service of a continually declining membership base. But as labor continues to lose density, it also continues to lose the normative war about what working life could be. If we are to move beyond the neo-liberal hegemony of work and society, we must construct our own framework of common sense to contest the status quo (Smucker 2017). That many labor organizations note these issues in their discourse is telling of their importance, but as the next section shows, few groups put them into practice with much strength.

SEIU International

The Service Employees International Union (SEIU), one of the largest U.S. labor unions in terms of membership size, organizes workers in three core sectors: health care, government, and property services. Like many labor unions, SEIU is organized as a federation, with an international branch that acts as the head and local unions that oversee most day to day operations with members.

Internationals do a great deal in terms of providing rhetorical leadership, setting national agendas for the union, and lobbying to political groups. Much of the energy for a renewed approach to organizing comes from international unions, who can set organizing mandates, provide funding for locals, and occasionally even directly organize workers in areas without a local union. Nonetheless, locals have a considerable amount of autonomy in regard to international unions, and are the main site of most organizing efforts and contact with workers.

Given the ability of SEIU International to set the agenda, we look to how they frame the purpose and activity of the union. SEIU is an exemplary case of a union that is conscious of the need to organize new workers. While they have received much criticism for their efforts, beginning in the mid-1990s SEIU became the leader of new organizing efforts across the AFL-CIO (Estreicher 2006; Early 2009). This included the development of a new tactical repertoires for union campaigns, including strategic corporate research, working outside of NLRA union elections to win recognition, and running campaigns with community support outside of the workplace.

As such it is no surprise that the discourse of SEIU International contains the strongest labor justice framings we found in the research. Of course, much of the language still contains economic justice frames that are geared specifically towards the benefits that unions provide only for their members, such as higher wages, benefits, and job security. We do not contend that such language should be absent, only that it be contextualized in a larger, principled and explicitly political framework. Some examples of this kind of framing include:

"SEIU is a center of unity for underpaid workers who are demanding that our economy works for everyone - not just the rich" (SEIU N.D.).

"Unions lead the fight today for better lives for all working people" (SEIU N.D.).

"When unions join together and behind advocating for better wages, non-union workers then see the power of unity and start demanding better treatment themselves. Unions help all working families a stronger voice in our communities, in the political arena, and in the global economy" (SEIU N.D.).

The common theme here is the universality of the appeals. Unions and the labor movement are going to make beneficial changes for *everyone*, not only members. Here, unions may lead but the ultimate aims are a society that provides both material and non-material benefits for workers regardless of membership. The economy that “works for everyone” will of course include “good jobs” and “better wages,” but it will also transform society through the “collective power” of the working class, that will have a “stronger voice” from local communities to global economies and overall “better lives.”

The upshot is that the enactment of this discourse requires a set of practices much different from servicing union contracts and handing grievances. In fact, a labor justice practice needs to extend beyond narrow tactics that only seek to organize new members. Given the placement of the International, it is challenging to directly assess their practices. As such, we turn to two different SEIU local campaigns to add additional layers of analysis. The FF15 campaign acts as both an organization in its own right, and a yardstick for how SEIU International puts a labor justice framework into practice. We also look at SEIU healthcare campaigns in Pennsylvania, which are run by local unions but rhetorically folded into the FF15 national campaign by the international. Both show that, in practice, the economic justice frame guides union activity, while labor justice appeals are mostly rhetorical.

The Fight for \$15

While the origin of the Fight for \$15 in Chicago and Fast Food Forward is uncertain, SEIU began funding and directing fast-food worker organizing efforts of these and similar organizations across the country by 2012 (Brown 2013, Gupta 2013). By 2014, these groups coalesced under the universal name Fight for \$15, and by 2015 SEIU had expanded the discourse to include low-wage workers across the economy, including healthcare workers, adjunct university professors, and child care workers.

The demand of FF15 is straightforward: “\$15 and a union!” As both a slogan and goal, the demand is easy to explain and provocative given current minimum wages and lack of union representation prevalent throughout low-wage industries. It presents itself as a demand to both government and employers. This has been especially effective in regards to minimum wage legislation, given that states and some cities are able to set their own wage floors and thus allow for a national slogan that can be tailored locally (Oswald, 2016). Tactically, FF15 uses a mix of labor strikes, direct action, and a savvy social media presence. The city or

nation-wide one-day strike is the main tool of FF15: workers from across the low-wage economy strike together on a single day, usually attending a march or a rally that includes progressive figures from religious groups, the local community, and elected government. Usually these strikes do not shut down entire stores, but draw small numbers of workers from individual locations across a city. The widespread but thin nature of strike participation means that low-wage workers are less able to use their economic power through impacts in production, but instead gain influence by raising awareness and striking blows against corporate reputations.

Nonetheless, the discourse of FF15 is parallel to most labor unions in the call for economic justice. Given that the wage demand is in the name of the organization, it should come as no surprise that much of their language is connected to better pay, along with pointing out the bad job conditions that are typical of low wage work:

“As underpaid workers, we know what it’s like to struggle to get by.

We can barely pay our bills and put food on the table for our families. McDonald’s answer? Go on food stamps. ...

On top of it all, even McDonald’s knows it takes \$15/hr to get by.

We work hard and we’re still stuck in poverty. It’s not right.

That’s why we fight back.

It’s time to pay people enough to survive.

It’s time to pay people what they deserve.

It’s time for \$15/hr and union rights” (Fight for \$15 N.D.).

FF15 touts its tactics, calling the hikes in minimum wage that it has won, “raises”:

“We know striking works. By standing up and going on strike for \$15/hr and union rights we won \$62 billion in raises for 22 million people across the country.

We’ve taken the fight to more than 300 cities in the US and 60 countries across the world on 6 different continents.

Now, \$15/hr is law in California and New York State. It’s law in Seattle, in Pennsylvania for nursing home and hospital workers, and for municipal employees in countless cities. Mayors, city

councils, and state governments across the nation have announced \$15 initiatives.

What's the secret to our success? You. Me. All of us who have come together to tell our stories of what it's like trying to live on low pay from corporations like McDonald's.

It's important to remember that we don't win because politicians or companies decide out of the goodness of their hearts to give us raises. We win because workers stand together to make them give us what we deserve" (Fight for \$15 N.D.).

Unlike the language of SEIU international, The Fight for \$15 fits squarely into the economic justice frame: the power of its wage claim is real, but it is also its limit. What does FF15 offer workers who do not fall under the proposed wage floor? What goals exist outside of the higher wages? It is true that anyone can attend the strike events, escort workers to and from their work, or engage with social media campaigns. But to do so as an activist who is not a low-wage worker means that it is not your movement, and you remain on the outside.

Though FF15 has won important increases in municipal and state minimum wages, these policy victories are limited. First, most of the legislated wage increases phase in over a period of 3 to 5 years. Ney York State, for example, passed a minimum wage increase in 2016. However, the \$15 minimum wage won't be fully phased in until 2021. Further, a family of four living in New York State where one person works full time making \$15 an hour will still be impoverished. Further, the calls for union recognition have been less successful, with SEIU officials indicating they have no clear idea what unionization would actually look like in practice, and labor commentators noting there is no strategy in place for FF15 to transition into a labor union (Zahn 2016).

The very nature of these victories shows the importance of the Labor Justice frame: higher minimum wages have not translated into broader social movements nor narrower union revitalization. In short, though these increases are incredibly important for workers in low-wage jobs, they illustrate the limitations of distributive claims—the \$15 wage rate, while unimaginable before FF15 started demanding it 5 years ago, also doesn't effectively address the problem of working poverty nor the structural issues that spur rising inequality. To put it differently, it does not attempt to construct new norms around work and society. After the \$15 wage is won, what goal can organizers push for which will utilize the discursive and organizational foundation that they have laid? It remains unclear

what will happen in locations that have won higher minimum wages, but the nature of the discourse means that there will be little room left to engage in new campaigns without a fundamental shift in mission and vision. Perhaps the “...and a union” component will lead to a second round of organizing, but this seems unlikely given the lack of planning and the fact that no workers have been directly unionized by the campaign.

To be clear, this only becomes a problem when we assume that the economic claims of the FF15 will somehow lead to broader practices of Labor Justice. As a movement with a specific, and powerful, policy agenda, FF15 is incredibly successful. But if this is the upper limit of transformative political action, then more attention must be paid to how movements seek to change the status quo in the wake of policy victories.

One might argue that we are calling for too expansive a notion of justice, and that the power of FF15 is in its narrowness and simplicity: \$15 and a union. Why should a single campaign have to provide discursive and practical entry points for *all* workers? In response we offer that FF15 (and similar national campaigns such as UFCW’s OUR Walmart) is arguably the most innovative attempt at organizing workers that unions have used in modern times. However, the inability of FF15 to spur either a renewal in union membership or mass mobilization that leads to significant political changes, we must ask what is missing. As we see it, it is worth exploring a justice argument that has universal applicability for workers everywhere. A staffer from SEIU illustrates the limits of the FF15 frame in a discussion about outreach:

“Fight for 15 is built around fast food workers ... I was knocking doors around the election, and I knocked on the door of a woman who's a phlebotomist, and she started talking to me about, ‘I make 13 [an hour], and I'm a phlebotomist, I had some education to do this, why would anyone think that fast food workers should make 15? It's totally outrageous!’” (SEUI Staff member, Interview, 2016).

Their response to the woman was to draw on principle: fast food workers shouldn't have to earn poverty wages. The challenge is that it sets up an insider/outsider binary. For a college educated phlebotomist making \$13 an hour, increasing the minimum wage to \$15 would likely be in her material interests. But without a discourse that is built to include her, she cannot square her own

experiences with that of other workers. A movement with a labor justice frame could have something to offer her, both in terms of a compelling argument as well as a pathway to participation.

SEIU Healthcare Pennsylvania

Over 20,000 health care workers in Pennsylvania are members of SEIU Healthcare Pennsylvania (HCPA), including doctors, nurses, aides, and food workers in hospitals and nursing home across the state. As a local that is part of the SEIU federation, HCPA is more directly concerned with the day to day business of running a union: servicing members, processing grievances, and preparing for contract negotiations and their attendant mobilization campaigns. While national data suggests that unions today organize at lower rates, even the most conservative unions must routinely mobilize members during contract negotiations. SEIU stands as the most aggressive union when it comes to organizing new members, and locals are required to spend 20 percent of their budgets on organizers (SEIU Staff Member, Interview, 2017).

Given SEIU's commitment to organizing, we would expect the discourse of HCPA to be attentive to organizing new members, while at the same time focused on the clientelist aspects of member relations. HCPA frames its mission this way:

“Nurses and healthcare workers are diverse, but we all we want:
Wages that attract and retain professionals to do caregiving
work, with no employer paying less than \$15 an hour for any
healthcare job;
Union rights for all workers to organize and raise their voices
to change the healthcare industry for the better; and
Access to quality, affordable healthcare for everyone in our
communities. ...
We want a more just and humane society.
We won’t stop fighting until we get it” (Abromaitis 2016).

The discourse here is mixed. There is language about what unionization offers its members in terms of higher wages and a stronger voice on the job. At the same time, there are principles of a “just and humane society” and a focus on the importance of healthy communities. The broader language around healthcare is a reflection of the industry. Interviews with HCPA staffers revealed that most

contract and unionization campaigns are constructed in a narrative frame that emphasizes high standards of patient care as the primary concern, and better wages and job conditions as a necessary pathway to those high standards. While this framework is certainly strategic in negotiations with employers, staffers indicate that it also comes directly from workers—sometimes organizers must push workers to demand better wages alongside other problems of delivering quality care, such as high turnover and cheap materials. Such a challenge indicates the power of common sense to frame how people understand their economic situation.

The question for our purposes is, how does this added layer of caregiving and a concern for healthcare intersect with the discourse and practice of justice? In the first instance, some of the language used by HCPA fits into a labor justice frame, especially calls for a just society and fairness for everyone. However, it is not clear how one might support the process of building a fair society save through joining the union as a health care worker. Further, even the caregiving language remains in a distributive frame seen mainly as a material benefit. One could imagine that healthcare and the patient-caregiver relationship present fertile ground for more emancipatory calls for justice, presenting entre for taking a position on an issue as topical as universal healthcare, for example. Instead we see a similar discourse to that of FF15: join a union, get better wages, improve your job, and somehow that might deliver us to a new future.

We should note that many union workers are not necessarily interested in questions of labor justice as we discuss them:

“I think some of our best nurses, our activist nurses, get it [the problem of low-wage work], but it doesn't speak to their core primary issue, which is staffing and nursing conditions ... we have some of our best activist nurses who come out to our Fight for 15 rallies, and they understand the connection between poverty and health, and that's the other thing, when they deal with poor people, coming in, they understand the link between the healthcare system and inequality and poverty, but I wouldn't say that that's the majority of our nurse membership feels that way. I think that, like in many unions the majority of workers, speaking transparently, are focused on: how do we band together to improve our working conditions, and the healthcare system more broadly and so on, but the Fight for 15

doesn't speak as strongly to them certainly, as many other issues that the union tries to engage in" (SEIU Staff member, Interview, 2016).

Nonetheless, staffers noted that in the 2016 contract, non-nurse workers at the bottom of the pay scale received the largest raises, upwards of \$3 per hour. At the same time, senior nurse staff received very small raises. This came out of the drive to get all workers at or close to the \$15 per hour wage, but required that nurses recognized and advocated for higher wages for support staff, even at the cost of their own raises. An organizer from SEIU explains how this played out during the contract negotiation:

"... so that conversation happened first with organizers, then with the rank-and-file leadership, and when we're getting the point of trying to settle these contracts, we were having that same conversation with committees, and that same conversation during the ratification drive. You had really good rank-and-file leaders who are going to get a very small raise compared to other workers, who 'we can't be working next to people who are living in poverty, because they can't provide good care. It affects our ability to provide good care.' You have LPNs [licensed practical nurses] who are higher wage workers in the nursing home who will get small raises, who'll say, 'I can't do my job next when I've got people next to me who are working double shifts, or two jobs.' Really, in many ways, I found that to be one of the most fascinating parts of the campaign" (SEIU organizer, interview, 2016).

Similar to the employers, this is explained through the power of the national FF15 campaign in changing the norms on wages and poverty for workers inside the union. The way that the Fight for \$15, the largest, most innovative labor movement campaign in modern times, has created real benefits for healthcare workers once again highlights both the value of the discourse as well as its real limits. Sparking solidarity between workers is no small accomplishment, particularly when it requires material sacrifice, such as the nurses who took a smaller raise.

At the same time, it does not offer either a language or a practice geared towards mass mobilization and societal change: workers *outside* of the union. Rather, it finds its highest value in the narrow, nuanced world of contract negotiations. In its discourse, how does it offer a vision for a better world that is accessible to all workers? In its practice, how does it scale up and create spaces for participation outside of trade union membership? Union staffers themselves are concerned about these questions.

"We're also trying to think how you get to scale, and how you create the space for people to participate in organizations that doesn't look like a traditional trade union necessarily. And the way we've been thinking about it in home care, what do you need to do that, you need a list or access to the workers, you need a way for people to self-sustain the organization, you need a way to build power and change" (SEIU Staff member, interview, 2016).

As they put it, unions may have figured out how to raise the issue of minimum wage and impact the lives of some workers, but have not yet figured out the practice of mass mobilization, or as the staffer asks, "How does the union with its limited set of resources create a lot of doors for people to participate in lots of different ways?" Unions have not yet found an answer.

Restaurant Opportunities Center - United

ROC, founded by Saru Jayaraman and Fekkak Mamdouh in 2001, was initiated to help the survivors of the Windows on the World restaurant in the wake of 9/11. As a worker center, they do not organize people into collective bargaining agreements, but have historically run workplace justice campaigns to combat wage theft, discrimination, and unsafe working conditions at specific worksites. Their strategy has evolved significantly since that time, and today they seek to work on several things at once: informing workers about their rights, collecting research for campaigns, organizing employers to take the "high road to profitability," and lobbying state legislatures for favorable policy. ROC is also explicitly collaborative and often works in coalition with other organizations, including acting as a founding member of the Food Chain Workers Alliance and forming a partnership for the "On Fair Wage" campaign with FF15 in New York.

The discourse and practice of ROC today is best summarized in their own words:

“The Restaurant Opportunities Centers United (ROC-United) engages workers, employers and consumers to improve wages and working conditions in the restaurant industry. The ROC-United model involves “surrounding the industry” by simultaneously: (1) Engaging workers through job training and placement [...] (2) Engaging employers through our “high road” employer association RAISE [... and] (3) Engaging consumers through Diners United [...]” (Restaurant Opportunities Center-United N.D.)

As we see from their self-description, ROC has abandoned its more confrontational tactics of workplace justice campaigns to embrace an advocacy role and building relationships with owners and customers. A core tenant of this approach is the articulation of “high road” strategies for employers: paying higher wages, offering benefits, and building safe worksites. The highroad strategy is translated into action through programs like RAISE and the Restaurant Roundtable, which organize and bring together restaurant owners to learn about high road employment practices.

Workers, for their part, are the focus of career training programs and know your rights political education. Although these activities are not ideological at all, Catherine Bennett of ROC describes her work in deeply principled terms:

“At the end of the day, it’s about power. It’s about economic power and so many of us don’t have that ... [Labor justice is about] fairness –its about dignity and professionalism being ascribed to the work, no matter what it is. We work to live, that should be valued and regarded as important. Work deserved to be lifted up, recognized and respected, especially the work of women and people of color [which is often denigrated].”

She also describes the goal of ROC as having a balance between expert guided and worker-led initiatives. She admits that ROC does not always achieve that aspirational balance. “There is some tension. Some groups are more worker-led and concrete, while others are more top-down.” Further, sometimes people in the

organization will say “in order to really be successful, we have to move legislation.” But Catherine wonders “do we?” She goes on to say, “we’re all struggling with the question of balance and we need to further interrogate it going forward.”

She also notes that they don’t often “talk about structural change. We usually say ‘disruption,’ or ‘transformation,’ –amp up the rhetoric to ‘black-beret’ levels sometimes, but what we’re really talking about is structural change. Because we have to put changing the system, reinforcing solidarity, at the center of what we do. It’s not just about running trainings.”

The practices of ROC are nonetheless limited in ways that are similar to FF15: their advocacy for abolishing the tipped minimum wage and training for employers to engage in high road employment practices can provide important material benefits to workers while offering little in the way of mobilization. Indeed, the place of workers as political agents for ROC’s work has been reduced over time, replaced with a focus on employers, consumers, and policy makers. At the same time, their advocacy programs, while drawing on languages of labor justice, do not surpass the distributive calls for wages that characterize the mainstream labor movement.

Laundry Workers Center

The Laundry Workers Center (LWC) is a worker center founded in the fall of 2011 to focus on worksite problems among low-income immigrant laundry workers throughout New York City. In short order, however, the LWC turned its attention to food retail, partnering with immigrant deli workers in the Hot and Crusty campaign, as profiled in the documentary *The Hands that Feed*. While their attention has remained in the food sector with campaigns at other restaurants, they have also successfully organized workers at two warehouses for B&H, a photography and video equipment company. Partnering with United Steel Workers (USW), LWC led a successful union drive that culminated in an NLRB election for over three hundred workers, though B&H ended up moving their facility out of state to escape the contract.

In its discourse, LWC is worker-centric, with a bare-bones framework that focuses on fairness for workers in low-income industries. In most discussions of the work, the emphasis is on tactics and training, with a philosophy grounded in worker leadership and power.

“Laundry Workers Center’s political philosophy is rooted in organizing workers and building their leadership skills and

political power through a variety of worker-led tools and tactics, including taking direct action at the workplace, serving as their own voice to media outlets, speaking out as member of the community, and acting as their own advocates at the negotiation table. Our members are primarily low-income immigrant workers who believe in social and economic justice. LWC campaigns are all member-led" (Laundry Workers Center N.D.).

Here they present themselves as a tightly focused organization whose main concern is the hands-on training of workers in their core demographic.

It is worth pointing out that the workers involved in LWC campaigns are often at the crossroads of multiple labor policy infractions similar to workers in the restaurant industry that are ROC's focus. The demands of many LWC campaigns involve stopping illegal practices, such as unpaid or forced overtime and subminimum wages. For the B&H campaign, problems included erratic scheduling, the handling of chemical hazards without training or equipment, unsafe working speeds with heavy packaging, and overt harassment of immigrant employees. In typical fashion, the campaign was met with heavy resistance from the company, who fired organizers and refused to recognize the union. The upshot is that for most workers involved in LWC campaigns, their jobs involve some of the worst wages and conditions in our economy—simply getting minimum wages can be a big improvement in their lives. Further, many workers are afraid of speaking out due to fears of losing their jobs and, in some cases, being threatened with deportation. Given that these conditions tend to be standard practices in the low-wage economy, workers cannot easily move to a better job.

The demographics of the workers combined with the employment challenges they face and LWC's commitment to worker leadership leads to a unique model of organizing workers. As described to us by co-directors Rosanna Rodriguez and Mahoma Lopez, the core of the LWC model involves a training program called the Leadership Institute. The Institute provides the essentials of workplace organizing combined with political education: a history of the labor movement, how to speak with employers, engaging the media, and designing direct action campaigns. The institute is free, and attended by workers who come to LWC with a problem at their worksite. In fact, the only requirement attached to participating in the Institute is that workers must commit to putting what they learn into practice. Rather than acting as representatives of workers, the purpose

of the LWC is to train and empower workers to develop and run their own campaign.

“Well we cannot decide [what the campaign will look like] because it all depends on what the workers want. So we never decide beforehand. We always have the conversation, you know, ‘what do you want to see in your workplace?’ or ‘what is your ideal workplace?’ or ‘what is your goal? And then, we find a way to support that. But we never make the decision for workers” (Rosanna, Interview 2016).

In and of itself, learning the details of organizing a labor drive can comfortably fit into an economic justice frame, especially when the main goals involve wages and benefits at specific worksites. However, while the goals of the workplace justice campaigns are focused on single worksites, their overall strategy recognizes that individual changes are not enough, something Mahoma noted in a previous interview:

“Mahoma López, a leader at the [Hot and Crust Campaign] and now co-director of the center, remembers his first conversation with organizer Virgilio Aran. “He told us why it’s important to organize,” López said. Without organizing, even if you win back your stolen wages in court, “they will fire you, and you’ll go to some other place where you will be exploited” (Singh 2016).

The goal of the Leadership Institute is thus to empower workers not only to lead campaigns at their worksite, but to become “liberated” in wider, dynamic sense. As Mahoma underlined, the direct-action component is key to this process.

“...every time we launch a campaign, we occupy the workplace, the workers deliver a demands letter and, that’s what we call Liberation Day. They have a lot of fear, and there is a lot pressure, it is a lot of... a lot of things together, inside of you... but that day when you go public, and you are the person who delivers the letter it’s like ‘okay, now it’s my turn. I have a lot of people in the back support me.’ Every single worker who experiences that, that the liberation that’s... everything changes.

You can see the people to next day with a new face, you know, ‘okay, I did it!’ You know, they are waiting sometimes so many years. For some people who are exploited, they don’t have that opportunity to confront [the employer] face to face. ‘I’m here, now it’s my time. You have to respect me, and I am not gonna keep quiet’” (Mahoma, interview, 2016).

Both Rosanna and Mahoma are explicit in that, while their campaigns involve important material benefits such as wages and better treatment, they also work within a justice framework geared towards empowering immigrant workers for the long-term. Political education and the actual work of campaigns are the tools of this empowerment.

Rosanna: “I think like one of the way to break up the fear is more about political education. So, you know... that's the only way that people can understand. To empower people ... how they can, you know, take power. Ummm...and it is possible to break that fear ... I mean, [justice and empowerment] can be about, you know, treatment. The treatment in the wages in term of having a living wage, and that the company respects and follows the law. It depends of all the necessity of the workers because every campaign is different. Even though we have common issues like wage theft or discrimination.

Mahoma: “Yeah but also, when Laundry Workers Center says “justice,” It's just basically when the workers have the power. After a long process or at the end of the campaign the workers can step in front the boss and say, you know, ‘we need this, and we demand this, and we have no fear.’ You know, it's like just basically they become empowered. [...] And yes that's justice because that person is not going to be oppressed no more. It's like, they are fighting for the people they represent themselves” (Rosanna and Mahoma, interview, 2016).

Additionally, LWC makes strong efforts to bridge workplace justice issues with a wider political agenda. In the first place, they are involved in a range of wider political and policy issues, including legislation on wage theft and paid

sick days. Given their roots in the immigrant community, they are also involved in a number of initiatives for immigrants that offer a wider justice framework:

Mahoma: “The Laundry Workers Center, together with other organizations, we have launched a movement called *Somos Visibles* or “We are Visible.” We feel very proud to be part of this new movement. But we are part of this movement because want to fight for the recognition that all immigrant workers have the right to make decisions in their communities at the local level [...]

Rosanna: “So, it's not about the [2016 presidential election]. It's more about, if I am part of this community and I want to have a new school, or have a better park, or have better housing, I have the right to make a decision in my neighborhood and my community and be a part of that. Even though, if I'm an immigrant, or undocumented, I am living over here and I have the right to make decisions in my community” (Rosanna and Mahoma, interview, 2016).

Drawing on the training of the Leadership Institute, *Somos Invisibles* uses community organizing and direct-action tactics to take their concepts of fairness out of the worksite and into the wider immigrant community.

Conclusion

Communication Workers of America (CWA) Regional Director Bob Master, quoting Martin Heidegger, puts the problem this way: “language is the house of being’ and people on the left have been homeless because we talk in veiled terms ... Labor has underestimated the appeal of direct ideological challenge to the status quo, [but] it’s impossible to represent workers without a change in the entire power dynamic, that means an ideological fight.” Labor Justice is our proposed framework for this fight, one that must take place both conceptually and practically. Labor organizations must think together about what it means for people who work for a living to be able to live free of oppression and domination in the workplace and beyond. In addition, the practices of union organizing, campaigns, policy advocacy and other political engagement must make appeals beyond members and potential members, to society as a whole. Organizations

must think critically about their own practices and implement modes of organizing that open pathways for people from various social locations to participate. This is because, whether a person concerned with labor justice can be a member of the union, they should be able to be a member of the movement.

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