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## In Name Only: The Right To Organize In The USA

**Tuesday, January 29, 2008, 1:15 – 2:45 pm**

*Facilitator:*

**Pronita Gupta**, Director of Programs, Women Donors Network

*Panelists:*

**Amaha Kassa**, East Bay Alliance for a Sustainable Economy (EBASE)

**Mary Beth Maxwell**, Executive Director, American Rights at Work Education Fund

**Pronita Gupta**, Program Director at the Women Donors Network and session moderator, told us that attention to worker rights is a new area for WDN, sparked by recent site visits in Los Angeles and discussions among members. It's an issue that is beginning to influence many of WDN's programs and practices. For example, they recently joined INMEX, an organization founded by the hotel workers' union (UNITE-HERE) to assist event planners in finding union-friendly hotels and services. They are also discussing responsible investment strategies.

**Mary Beth Maxwell**, Executive Director of American Rights at Work (ARAW), tested our knowledge of worker rights (or lack thereof) with a power point quiz. We learned that employers who break the law to counter an organizing campaign face only minor penalties; that millions are spent to hire union-busting consultants; and that conservative foundations are granting millions to organizations gearing up for a major legislative fight in 2009 over labor law reform. We learned what's wrong with current US labor law, and what the Employee Free Choice Act, would change. For American Rights at Work, supported by philanthropic and union dollars, 2008 is a key year to educate the public and policymakers, with an eye toward legislative victory in 2009.

Mary Beth emphasized that foundations, in addition to making grants in the worker rights arena, can also make choices as consumers: They can choose a unionized company to deliver packages [UPS or the US postal service] over a company with a record of unfair labor practices [see ARAW's study of FedEx.] They can choose a unionized wireless service; and avoid big-box stores that spend millions on fighting unions [see Human Rights Watch report on Wal-Mart.] She described these choices as "teachable moments."

**Amaha Kassa**, executive director of the East Bay Alliance for a Sustainable Economy (EBASE), which combines research, advocacy, and organizing for economic justice under one roof. Addressing the question of why funders concerned with international human rights issues should care about the right to organize in the United States, Amaha said distinctions between the global and US workforce are eroding. Oakland's port truckers, for example, are a veritable United Nations; Sikh drivers represent the largest

group, followed by Ethiopians and Eritreans. The same is true in the hotel industry. Moreover, low-wage service sector workers in the US have a major impact on their home countries. They send home millions in remittances, and organize some of the most successful community development projects. Most importantly, the United States sets a standard – an abysmally low standard at present – with regard to human rights; respect for worker rights, then, must begin at home.

What to do until labor law reform is passed and worker rights strengthened? Amaha described his organization's efforts to raise workplace standards through bottom-up, grassroots policy-making, and gave several examples:

- campaigns to pass “living wage” legislation at the local and state level;
- negotiating Community Benefit Agreements – binding standards on wages, health care, housing, and other issues with local developers;
- campaigns to recognize immigrant ID cards

Both speakers emphasized the role of unions as drivers of progressive social change.

The campaign to raise the minimum wage, for example, at the state and federal level, relied heavily on the labor movement's clout and resources, yet benefited primarily non-union workers. The campaign to organize truckers at the ports of Long Beach-Los Angeles, Oakland and other cities represents an exciting new intersection between the concerns of low-wage workers and major environmental organizations concerned with port pollution.

During the Q&A session, we “put the elephant on the table:” Why do many of us have trouble talking sympathetically about unions with our trustees, our colleagues, our families? What are the barriers and biases? The answers were many and varied. The labor movement is complicated, and people have real experiences with disappointment. Direct contact with union members is becoming rare, as union membership declines. Many larger foundations have very corporate boards.

Participants noted that having a candid conversation about our biases and experiences is key to breaking through the barriers. And meeting the non-stereotypical union worker – the hotel housekeeper, the janitor, the grocery store worker – can be transformative for foundation directors and trustees. Amaha noted that recognizing the *instrumental* value of unions may come first – their role as an agent of social change in the electoral arena or civil rights; recognizing their *intrinsic* value comes next.

Mary Beth and Amaha both expressed optimism in this regard. More philanthropic dollars are going into labor-community partnership organizations than ever before;

Both speakers spoke passionately about their reasons for wanting to “build the labor movement and *change* the labor movement.” And both cited examples of how the labor movement is “reinventing itself,” breaking out of its insularity, and moving toward “social movement unionism.” Amaha said the foundation community is recognizing this, and more grant dollars are going into labor-community partnership organizations than ever before. Examples include the Partnership for Working Families, Jobs with Justice, and local groups such as the Los Angeles Alliance for a New Economy.

Mary Beth noted that talking about worker rights as human rights, about restoring the right to organize, leads back to a conversation about power. “Our opponents understand that,” she said. Only by building power, with the labor movement as a key pillar, will we be able to achieve change at the necessary scale.

Finally, Mary Beth reminded us that 2008 marks the 40<sup>th</sup> anniversary of Martin Luther King's death in Memphis, where he marched with sanitation workers who carried placards stating simply, "I am a man." "What better expression of the identity between human rights and worker rights?" she asked.