

## **Collective Action after the Decline of U.S. Trade Unionism: The Case of the Coalition of Immokalee Workers**

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On March 8, 2005, representatives from Yum! Brands signed a historic agreement with leaders from the Florida-based immigrant farm laborer organization Coalition of Immokalee Workers (CIW) after a four year campaign. In this major victory for the CIW, Taco Bell agreed to take measures to ensure that its suppliers' workers were receiving adequate pay and were subject to fair working conditions. These agreements would have direct implications for tomato pickers throughout Florida who would reap the benefits of this historic agreement. Profoundly, the CIW's victory also occurred in a particularly abysmal period for organized labor. In the face of the demand for a cheap, flexible workforce, the aggressive reemergence of the private sphere, and the collapse of the political economic foundations upon which labor power rested, Trade unionism was no doubt in decline. Yet amidst all of this tumult, those who were once intentionally left out of the labor movement--the underpaid, exploited undocumented farmworkers—found victory. In what follows, I will examine the complex political, social, economic and historical developments that made this victory possible. Indeed, through this analysis I seek to illuminate innovative approaches for labor struggle in a time where labor power appears to be waning more than ever.

The political-economic dynamics that shaped the CIW's work can be traced back to the 1970s, with the rise of stagflation and its capacity to undermine the Keynesian economic program that largely structured labor prosperity in the post-war United States. Stagflation, a term that refers to a toxic mix of diminished output met with inflation, began in the mid-1960s, but became most pronounced in the 1970s. Throughout the '70s, the labor movement found itself in a state of peril, as its institutional niche

within the U.S.'s economic system was undermined. Stagflation presented an impasse for the Keynesian policies that maintained the labor peace and relative prosperity for the working class following World War II.<sup>52</sup> In response to stagflation, economic initiatives inspired by Keynesianism, which sought to maintain high wages and enfranchise labor power, were said to contribute to stagflation.

The demand to move away from Keynesian models implicated both the state and civil society. As Nelson Lichtenstein argues:

The Keynesian programs of economic stimulation, whether through government tax policy or union wage advance, have worked best when the market coincided with a powerful, self-contained polity. In a more porous world of mobile capital, goods, and workers, such labor-liberal programs seemed more likely to generate inflation, trade-deficits, and job losses.<sup>53</sup>

Institutions at all levels of society created by a labor struggle that had previously sought to contain capital within a bound polity and redistribute its bounty with a level of equity, were inept in the face of demands to set capital free in an increasingly globalized economy. As Lichtenstein argues: “most analysts of globalization, both left and right, saw the growing power of market forces as decisive to the future of the trade unions and of all other institutions that stood in the path of a worldwide market in goods, money, and labor.”<sup>54</sup> In this regard, stagflation enacted a scenario where the state and peripheral institutions needed,

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<sup>52</sup> Jeremy Brecher “American Labor on the Eve of the Millenium” in *Strike! Revised, Expanded, and Updated Version* (Oakland: 2014), 244

<sup>53</sup> Nelson Lichtenstein “A Time of Troubles” in *The State of the Union* (Princeton: 2002), 223.

<sup>54</sup> Jeremy Brecher, *Strike!*, 219.

were expected to be subject to the demands of capital in an unprecedented manner.

In the aftermath of stagflation, Labor was left with few avenues for mobilization, as Keynesianism's functionality was undermined by the renegotiation of the relationships between the state, civil society and capital. In the face of capital that demanded mobility and flexibility, labor's fixity and institutionalization within Keynesian structures, made it difficult to respond to capital's demands for flexibility and mobility. Indeed, the extent to which post-WWII prosperity made labor subject to the vicissitudes of capital, served as labor's Achilles's heel.

In fact, rigidity and stability were central to the New Deal arrangement. Lichtenstein speaks to this rigidity, arguing that it characterized production for both labor and capital. According to Lichtenstein, "unionists defended a set of work rules, seniority rights, and job classifications designed to generate some sense of order and predictability within a work site context that could be both arbitrary and authoritarian in its decision-making."<sup>55</sup> As a result, once capital was set loose from the institutions that bound it, labor found itself strapped to the fluctuations of capital with very little recourse. Ironically, the downfall of Keynesianism demonstrated that a program that sought to control capital, was in fact, rigidly wedded to capital.

When labor unions found themselves subject to the vicissitudes of capital, one of the most destructive turns for organized labor in the 1970s emerged: unions began making previously unfathomable concessions with employers, in order to help firms remain "competitive."<sup>56</sup> In *Strike!* Jeremy Brecher

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<sup>55</sup> Nelson Lichtenstein, *State of the Union*, 241.

<sup>56</sup> Lichtenstein points out that while competition from abroad and plant relocation mobilized fundamental anxieties of the labor movement, many of these fears were unfounded. As Lichtenstein argues, the fears of a "global division of labor" that arose in the post NAFTA years have been somewhat

argues that in the aftermath of stagflation, “[c]ompanies hard hit by the recession began asking unions for concessions, which were often granted on the grounds that they were necessary for company survival.”<sup>57</sup> This dynamic can be traced back to the Chrysler bailout, in which the federal government prevented Chrysler from falling into bankruptcy, provided that the firms enact wage cuts, layoffs, and numerous other cuts. Not only did employers accept this, but unions also campaigned to cut wages, and abandoned other long term projects to satisfy the firms.

The Chrysler bailout reflected a fundamental renegotiation in the relationship between labor and capital, as one of the most powerful unions in the auto industry agreed to substantial concessions for the perceived survival of the company. This would establish the trend of “enterprise unionism,” where “workers are given powerful incentives to identify their economic well-being with the fate of the company.”<sup>58</sup> However, this approach was not universally accepted and in many cases “enterprise unionism” would create profound rifts within the labor movement itself, as union leadership was often

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unfounded, and--quoting Paul Krugman--argues that “the obsession with competitiveness is both wrong and dangerous,’ chiefly used as ‘a political device [and] as an evasion.” While the movement of capital abroad was present, the threat of moving abroad it was more often used as a threat to discipline workers in a campaign to bust unions and cut wages wages in order to cut away at stagflation. Notably, the fears that were mobilized were largely based in perverse forms of racism, jingoism, and xenophobia amongst the ranks of labor. In many regards, the prevalence of this racism and reactionary conservatism largely worked to isolate the working class from important allies on the left and a democratic party that was already finding itself more and more responsive to management. Already alienated from the pro-management Republican party, the movement found itself with few allies in this period.  
[Source: Ibid., 222-3.]

<sup>57</sup> Ibid., 243.

<sup>58</sup> Ibid., 233.

willing to accept deals that were odds with the demands of workers.

The Austin P-9 strike waged against Hormel Foods workers represented by the United Food and Commercial Workers (UFCW), is a profound example of the intra-union rifts enacted by “enterprise unionism”, as leaders of the union were subject to the demands of employers. The effects of this rift were profound, as P-9 presents a case where despite ingenuity on behalf of workers, workers’ demands were ultimately undermined by a union leadership bound to the demands of employers. The demands of workers failed, in part, due to the UFCW’s rigid dependence on capital—a dependence that was fundamentally at odds with the needs of workers.

As was prevalent within the labor movement throughout the ‘70s and ‘80s, concessions proved to be the spark that ignited the initial Austin P-9’s strike. In 1982, Hormel opened a new factory in Austin, Minnesota. Workers entered the factory on a previously-determined contract, which was full of concessions. However, when workers accepted the contract, they accepted it on the terms that there would be no further concessions. This promise would eventually break down as the UFCW negotiated contracts in Ottumwa, Iowa, which gave way to further concessions, breaking chain unity. The break spurred the Austin P-9 local to organize a new contract. While organizing the new contract, Austin P9 and its president Jim Guyette were faced with yet another round of preemptive concessions, as the UFCW aimed to make their wage demands on par with non-union plants.<sup>59</sup> When viewing the pressures that unions faced at the time, one can see why UFCW was led to capitulate to these concessions: trade unionists could not stop demanded lower

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<sup>59</sup> Kim Moody, *An Injury to All: The Decline of American Unionism*, (London:Verso, 1988). 314-6

wages and a more vulnerable workforce. However, these actions led the UFCW to turn workers into adversaries and ultimately undermine workers' demands.

The UFCW undermined the demands of laborers themselves, as it sought to discipline workers and enforce the uniform contract across the meatpacking industry. The attempt to discipline labor itself would ultimately have devastating effects for striking members of the Austin P-9 Local. Indeed, disjunction between P9 and UFCW International would be a leading contributor to the failure of the P-9 Local's strike, even as workers were raised to a level of radical consciousness and utilized original and transgressive tactics, including community mobilization and boycotts.<sup>60</sup> Seeking to break from the radicalism of the P-9 Local, and fearing the power of the strikers, UFCW officials began to denounce the Local publicly for "breaking chain unity."<sup>61</sup> For example, in January 1986, leaders of the UFCW would go on to *Nightline* with Jim Guyette, denouncing the strike. According to Kim Moody, "This step was unprecedented: a top official of an international union attacking a leader of a sanctioned strike on national television."<sup>62</sup> Following this attack, the UFCW would partake in a "literary attack" on P-9, turning some members of the Labor Left against the strikers.<sup>63</sup> Facing profound antagonism from the union itself, laborers would not have their demands met, as the UFCW would move

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<sup>60</sup> Kim Moody, *An Injury to All*, 320.

<sup>61</sup> Kim Moody speculates that this fear on behalf of the UFCW began four years prior to the strike, when members of the local would not accept a merger. Following the denial of the merger one P-9 official would tell local president Jim Guyette "You'll live to regret the day you turned this merger down." [Source: Ibid., 321.]

<sup>62</sup> Ibid., 321.

<sup>63</sup> Ibid., 322.

on to agree with pre-established contracts with Hormel, the only gain being a one cent raise.

The case of the P-9 strike presents the profound difficulties of trade unionism within the Neoliberal context. Frighteningly, in readings such as those put forth by Kim Moody, it can be seen that the trade union structure itself proved to be the primary roadblock to the needs of workers reeling in a declining economy. The extent to which trade unions were bound to capital becomes painfully clear, upon recognition of the fact that trade unions were bound to capital's vicissitudes, even if that meant undermining the needs of laborers themselves.

In light of these abysmal trends of trade unionism, one can look to the CIW as a dynamic campaign that established new precedents for labor organizing efforts. In many regards, the CIW's work mirrors that undertaken by the Austin P-9 organizers, who themselves were responding to a new set of conditions put forth by management. However, unlike the Austin P-9ers, the CIW was victorious in its effort to achieve better wages and working conditions for workers. By examining the work of the CIW, most notably their Taco Bell boycott, it is apparent that this movement was able to take advantage of the same dynamics that caused such turmoil for trade unionists throughout the '70s and '80s. Notably, the CIW would do so by maintaining a structure that greatly differed from post-war trade unionism.

After its inception in the early 1990s, the CIW saw its greatest victory in 2005, after leveraging a four year campaign against Taco Bell. In this campaign, workers were responding to the deplorable wages and working conditions that migrant workers were subject to while picking tomatoes that were later sold to Taco Bell. Wages received by workers had not risen for tomato pickers since 1978--farmworkers had to pick 2 tons of

tomatoes in order to make \$50.<sup>64</sup> There had also been widespread documentation of abuse and, in some cases, slavery on tomato farms. Looking to ameliorate their working conditions, the workers pursued a boycott campaign against Taco Bell, demanding that it assist subcontractors in paying higher wages and hold them accountable for maintaining decent working standards. After four years of organizing among farmworkers, and utilizing tactics that ranged from nationwide marches to hunger strikes, Yum! Foods, Taco's Bell's parent company, capitulated and agreed to the worker's demands. These demands included 1) an extra penny per pound harvested by workers (a 75% wage increase), 2) an agreement that Taco Bell would provide information to the CIW on how much they received from suppliers and wage receipts; 3) a guarantee that all wage increases would go to pickers; 4) language in the company's code of conduct ensuring that the company would prevent any cases of indentured servitude; and 5) that Taco Bell would support state laws that improved the condition of pickers.<sup>65</sup>

The campaign was marked by a number of crucial factors, which should all be understood as being embedded within the context of the political changes that arose in the aftermath of labor's decline in the Neoliberal period. Indeed, the CIW worked through and even made use of the barriers that formal trade union movements were unable to surpass. These included, the rise of corporate power, working with a highly flexible labor pool, and moving beyond the trade union model itself. These factors were reflected in the movement: the CIW

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<sup>64</sup> Immokalee: A story of slavery and freedom (2010), <https://www.youtube.com/watch?v=zBc4cOg9-ks>.

<sup>65</sup> Elly Leary, "Immokalee Workers Take Down Taco Bell in *Monthly Review* 57, No. 5, (October 2005), accessed November, 2 2014, <http://monthlyreview.org/2005/10/01/immokalee-workers-take-down-taco-bell/>.



did not target their employers (but rather a major corporation), the workers organizing were able to make use of the fact that they were a highly transient population, and--most importantly--the CIW was not a formal or recognized union.

Indeed, the CIW's non-union structure served as a boon within the Taco Bell campaign, as agricultural work was not protected under labor law and traditionally had been a sector that was difficult to organize. As Beverly Bell notes, given the fact that workers picked up wages from numerous employers and were accounted for under labor law, "[t]hose who pick most of the produce consumed in the United States [were] in short, 'an employer's dream and an organizer's nightmare.'"<sup>66</sup> For the CIW, this "nightmare" was largely overcome by decentering and diffusing the "union" throughout a multidimensional community network. For example, while members were required to pay dues to the CIW, the workers also maintained access to a food cooperative.<sup>67</sup> Whereas labor was previously organized in rigid settings that were deeply intertwined with the workplace itself, the CIW emerged from a community network that fell outside of the workplace and addressed worker's needs on a permanent basis. Not only advocating for increased wages, but also demanding immigrants rights and the provision of necessary services, the CIW's position outside of the workplace provided them with victory, unlike industrial trade unions, which were rigidly attached to the workplace itself.

Utilizing politics outside of the workplace, the CIW was able to flip power relations and make corporations accountable to their workers. The CIW's decentralized structure made it incredibly dynamic and allowed it to confront the conglomerates that had provided such problems for trade unionism at the end

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<sup>66</sup> Beverly Bell, "Florida Farmworkers Build Unity Through Education and Action" in *Race, Poverty & Environment* 12, no. 2 (2007): 39.

<sup>67</sup> Elly Leary, *Immokalee Workers*.

of the 20th century. At a very technical level, the decentralized nature of the CIW allowed it to leverage a secondary boycott—a strategy where workers target a firm other than their employer, in order to pressure their employer to make a change. Here the CIW’s status as a non-official union allowed it to utilize the secondary boycott, unlike recognized trade unions, which were barred from utilizing secondary boycotts by the Taft-Harley Act.

More substantively, however, the Taco Bell campaign was able mobilize a base outside of the workplace. Indeed, this public presence was deeply effective for the CIW. As one author notes, “[t]he take-to-the-streets put-your-money-where-mouth-is campaigns have moved the feet, hearts, and minds of multitudes in the United States, especially among immigrant rights networks and students.”<sup>68</sup> The public image allowed for the CIW to mobilize a large and diverse base against Taco Bell.<sup>69</sup> Indeed, the CIW’s status as a solidarity network that pervaded across numerous layers of public social life, provided them with the capacity to confront an external corporate power.

While the CIW’s organizing structure proved itself dynamic, insofar as it was able to break from the traditional trade unionist model, it is also crucial to point to the social milieu in which the CIW flourished. Undoubtedly, in order to mobilize the public, the CIW had to confront the Family Values Economy that served as a necessary companion to neoliberal reforms. This was a substantial gesture, as the Family Values Economy, which arose in 1970s, historically served as a significant barrier to labor struggles.

In the aftermath of stagflation, the labor movement was not only confronted with the private sphere in economic terms, it was also confronted with values systems that facilitated the new economic arrangements. Amidst “enterprise unionism”, a model

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<sup>68</sup> Beverly Bell, “Florida Farmworkers, 39.

<sup>69</sup> *Ibid.*, 39.

of pacifying workers arose, which sought to manage them through systems of grievance control aimed at emotional well-being within the individual workplace. Labor disputes were to be settled through a model of “union-free harmony.” Mirroring the harmony of a family, this program presented a means to keep worker’s grievances within the workplace and to keep worker’s voices strictly individualized.

While family values have always played a central role in mobilizing the labor movement, they were re-appropriated in this period to undermine the influence of collective trade unionism. In this approach, employees were stripped of collective rights and were presented with measures that relieved emotional stress and allowed one’s own sense of well-being to be wrapped up with that of the company’s.<sup>70</sup> Unions attempted to find a niche within this transition and saw the cooperative management scheme as a means of incorporating democratic principles into the workplace.<sup>71</sup> However, this attempt largely undermined the efforts of unions, as those who implemented the programs were largely hostile to the collective voice of unions and their demands for material gains.

Hence, trade unionists were not only undermined by economic trends, they were also confronted with value systems that privileged harmony within the workplace above all else. The valuing of harmony led to the vilification of the polemical, confrontational nature of collective bargaining. The workplace family could not be disrupted in the new Family Values Economy.

The CIW’s success can be attributed to its ability to operate within the Family Values Economy. While the CIW was truly influential and bold, insofar as it sought to wield a secondary boycott against Taco Bell, it did not commit the taboo

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<sup>70</sup> Lichtenstein, 242.

<sup>71</sup> Lichtenstein, 243.

of disrupting the harmony of the workplace itself. Notably, given the precarious position of workers as undocumented, this was necessary; workers could have faced severe penalties if they confronted those they lived and worked in proximity to. Nonetheless, by going after Taco Bell through a secondary boycott, the workers did not disrupt the workplace family by attempting to shift private contracts with their employers. According to Bell, “CIW's campaigns rely on decentralized networks and go after the brand image, targeting the point of consumption rather than the point of production.”<sup>72</sup> In this sense, the CIW was able to confront mega corporations such as Yum! Foods, but was able to do so in a manner that worked through the private sphere established in the late 20th century.

The CIW's ability to adapt to these social parameters played a substantial role in affecting its ability to enact change. Nonetheless, for some, this may be a controversial characterization of a movement that has been so lauded by progressives and the labor movement. Attributing the CIW's success, in part, to the Family Values Economy, could lead some to characterize the CIW as co-optative or even regressive. However, by pointing to the CIW's relation to the Family Values Economy I do not seek to label their work as co-optative; rather, I seek to emphasize the CIW's adaptability and dynamism in the face of dilemmas that trade unionism was not able to overcome.

When examining the CIW in all of its complexity, the possibilities that the CIW provided when seeking new approaches for labor mobilization should be considered. In examining the CIW, it appears that labor struggle will somehow have to respond to capital and the social milieus that capital fosters. In the case the CIW, there is no radical departure from organizing methods that respond to capital. The fact that Coalition was successful, in part, by responding to the demands

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<sup>72</sup> Bell, 39.

of capital itself, cannot be ignored. However, this does not mean that the CIW should be discredited.

One should not seek to establish the CIW's tactics as universally good or even applicable. Instead, it should be noted that the CIW's ability to respond to the changing demands of capital made them a significant case study for those seeking substantive change for labor. The CIW represented labor power's ability to move and adapt in the face of a foe that was constantly shifting. In this spirit, I wish to emphasize that in examining labor struggle, the aim should not be to establish universal methods, or rigid tools. Rather, struggles for labor must include structures of dynamism and adaptation so as to face the ever-changing challenges that capital presents.

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