LET'S FOCUS ON THE WORKER:

Understanding Challenges Facing the American Worker and Policy Solutions to Help

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EXECUTIVE SUMMARY

The United States is facing an economic shift and the landscape of work is changing. Living wages, health benefits, and time off are no longer being offered to workers. Now, though the hiring market is optimistic, jobs are focused on the service and the gig economy.[1.] These jobs are often low pay and offer little to no benefits, putting pressure on the American worker to find other means to make ends meet.

There are institutions in the United States that have the ability to protect workers. Unions have a long history of fighting for workers rights and can negotiate a contract that works for employers and employees. Unfortunately, consistent attacks on unions have limited their ability to do just this.[1.]

Passing legislation, such as the Protect the Right to Organize Act, would restore the power between workers and employers. Thus, returning important benefits to the American worker and creating an environment where workers can thrive, both in and out of the workplace.

HISTORY

The United States has had a long and tumultuous relationship with labor. Before 1935, workers who tried to unionize were not recognized by the companies they were in, leaving workers voiceless and unprotected from exploitation.[2.] In 1935, the National Labor Relations Act (NLRA) was passed under the Roosevelt Administration. This monumental moment for the labor movement allowed workers to unionize in the workplace while also establishing the National Labor Relations Board (NLRB) to help facilitate this. Soon after the policy was implemented, a movement of unionizing swept the nation.[2.]

1. Greenhouse, Steven. Beaten down, Worked up: the Past, Present, and Future of American Labor. Anchor Books. 2020.

2. Union Facts. What is Card Check. 2020 . 29 September 2020.

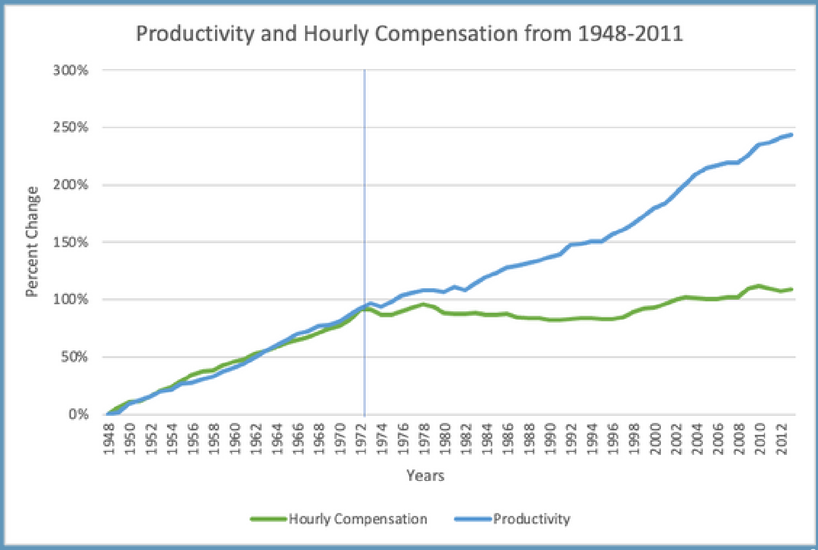
Labor unions negotiated retirement plans, health care, paid vacation time, and sick leave into their contracts. These benefits being granted to all employees were unheard of before the time of unions.[1] Sweeping changes such as the aforementioned ones were the changes that built the middle class and gave wealth to a group of people who had not seen this kind before.[1]

Soon after the passing of the NLRA, congress began to dismantle the act through passing the Taft-Hartley Act in 1947, which remains in effect today.[2] The Taft-Hartley act was a direct attack on unions as it prevented workers from participating in wildcat strikes, secondary picketing, and union shops.[2]

However, the biggest blow to the NLRA in Taft-Hartley was allowing states to pass right to work laws. Prior to Taft-Hartley, if a union member did not want to pay union dues, they no longer had to, but, they are still required to pay an agency fee.[1] This covers the cost of unions to negotiate the contracts that benefits the employees. Right to work laws allow people to decline to pay a union fee and an agency fee. Thus, creating an environment that allows people to free ride off of the unions services.[1] Further inhibiting union power by stripping their funding stream. Since the passing of Taft-Hartley, 27 states in the US have passed right to work legislation.[2]

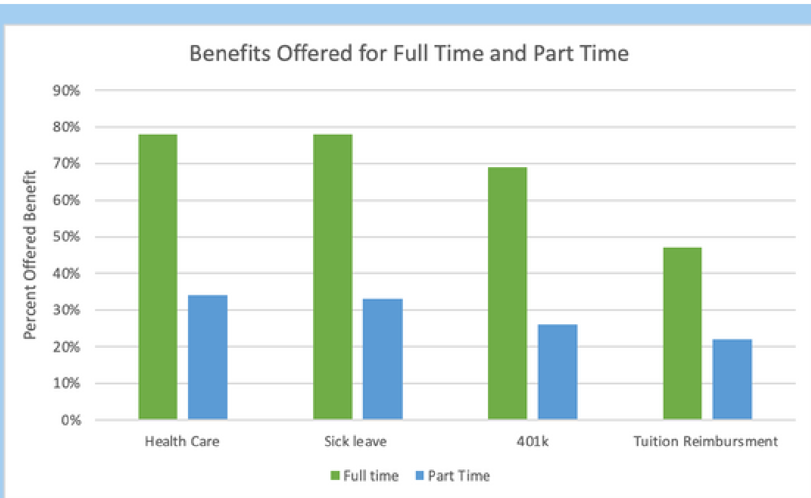
THE BIG SQUEEZE

The shift in union policy is not the only impact on American workers, Since 1948, the Department of Labor has tracked productivity and wages.[3] From 1948 until 1972, wages and productivity tracked and rose at the same rate. In 1972, the shift in the United States economy began.[3] Productivity stayed on the same pace, rising consistently over time while hourly compensation has remained stagnant.[3]



[3]

3.Gould, E. Why America's workers need faster wage growth-and what we can do about it. Economic Policy Institute.



[4]

Pictured to the right are some of the most common benefits offered by employers.[4] Employers are offering fewer benefits to employees, especially those who work part time.[4] And unlike other countries, the U.S. puts the benefits of health care on the employer, an essential benefit required to live a healthy life.

A CHANGING ECONOMY

Not only are Americans feeling the pressure in the workplace, but the economy is changing. The gig economy is taking over. This flexible and freelance work, that is often done online, was supposed to be temporary, is now becoming full time.[5] People do not look for work at General Motors or Ford, rather, turning to Door Dash and Uber. Gig careers can be a main career and also fill in as a side job.

Service industry jobs are replacing the traditional factory work too. These can be high paying jobs like nursing but are often lower paying jobs, such as a barista at Starbucks.[5] These jobs are often lower paying and offer little to no benefits unless full time employed, which most employers do not offer.

ADMINISTRATIVE BURDEN

When workers have an issue in their work place, it can be very confusing on where to turn. Some places of employment have means to report issues, but this is not consistent at all places of work and it's not always clear if the issue will be resolved.[1] Government agencies can be a place to turn. Both the National Labor Relations Board and the Equal Employment Opportunity Commission are available to help employees. However, large[1] institutions like this get thousands of cases everyday. The likelihood that issues will be resolved is small, especially in a timely manner. The administrative[1] burden on these institutions is huge and there are just not enough employees for the case load.

4.“How Americans View Their Jobs.” Pew Research Center's Social & Demographic Trends Project, 8 Sept. 2021,

5.Greenhouse, S. (2009). The big squeeze: Tough times for the American worker. Anchor.

EMPLOYER RETALIATION

When employers are upset with workers they often retaliate. Employer retaliation is real and can happen for a multitude of reasons, and is often accompanied by those who being to unionize within their work place.[1.]

Employer retaliation can manifest in many different ways. It can look like hours are being cut, often times below the threshold that makes benefits available[1.]. It can look like a shift adjustment, moving people from day shift to night shift or vice versa. Employer retaliation can also look like being scheduled out of your availability - making it hard to live and accomplish tasks outside of work.[1.] Additionally, employers can demote and fire employees. Unfortunately, the U.S. is an at will country. This means that an employer does not have to provide a reason as to why they are letting an employee go.[1.] This makes proving employer retaliation incredibly difficult and ultimately, giving the employer the upper hand.[1.]

WORKER SATISFACTION

The issues described above just scratch the surface as to why workers are unhappy at their place of work.[4.] Americans are spending more time at work, as shown by the top graph. This is accompanied with Americans working two or three jobs to make ends meet, almost as a requirement due to wages being stagnant - not keeping up with[1.] inflation or the cost of living. Finally, employers are offering fewer benefits to employees[1.]. Unlike other countries, the US puts the benefit of health care on the employer. Thus, further solidifying work as our means of thriving, both financial and with out health.[1.]

4.

COVID-19: THE LAST STAW

Finally, COVID-19 has illuminated how little employers care about the health and safety of their employees.[6] Workers across the nation are participating in strikes. October saw such an increase in the amount of strikes it was given the name of Striketober.[6] In addition to this, workers are walking away from their jobs at a high rate, giving the era we are currently living in the name of The Great Resignation.[7] With striking and people walking out of the job, employers are asking themselves why and claiming there is a labor shortage. The answer is clear.[7] People are tired of working so much for so little for companies who give nothing in return and do not respect them.[7]

PROTECT THE RIGHT TO ORGANIZE - THE PRO ACT

Unions have the ability to restore balance in the workplace. They can negotiate fair wages directly with the employer. As an institution, they can protect employees in the workplace and solidify job security.[8] Finally, unions can negotiate benefits with employers and employees while working to garner respect in the workplace. However, with the obstacles that have been placed in front of unions and the American worker, legislation must be passed to allow these institutions to operate to their fullest extent.[8]

The PRO-ACT would create three major changes to help employees and unions:

8.

IMPLICATIONS

By passing legislation like the PRO Act, a fair environment in the work place is created. By ending Right to Work, the PRO Act would end the free rider system, requiring those who benefit from a union contract to pay the dues associated with the work.[8] The PRO Act also protects workers who want to unionize, allowing them the right to strike without penalty. Finally, it removes the barriers currently in place for workers who want to organize, having just one major election and limiting the time an employer can intimidate employees on their decision to organize.[8]

6.ESSENTIAL. THIS AMERICAN LIFE. (2022, MARCH 1). RETRIEVED MAY 2, 2022,

7.Abigail Hess. “How the Coronavirus Pandemic May Be Causing Support of Labor Unions to Rise.” CNBC, CNBC, 29 Jan. 2021

8.116TH CONGRESS. "H.R.2474 - PROTECTING THE RIGHT TO ORGANIZE ACT OF 2019 ." 29 SEPTEMBER 2020.

WHAT THE PRO ACT CAN DO

Passing the PRO Act restores the balance between workers and their employer while also addressing the issues in the American economy.[9.] By having a wide scope, the PRO Act would help the employer gain a consistent labor force by creating an environment that employees want to work in - gaining control of the labor shortages being experienced.[9.] It also creates a local system for employers to work with. If something happens at work, employers can work directly with a local union representative, not a large federal agency.[9.]

For employees, the PRO Act levels the playing field. Workers can feel security knowing they have an institution behind them that will protect their rights.[9.] Employees can feel protected in and out of work by having an institution negotiate important benefits on their behalf. [9.]

For everyone, the PRO Act gives workers their voice. Employers have the ability to create an envrionment that works for their employees. Employees have the support they need from a union to ensure that they are protected in the workplace.[9.] Finally, it gives all employees the choice to organize if they want and the ability to do so without fear or employer retaliation.[9.]

Employer	Employee	Everyone
Consistent Labor	Feels respected	Has a voice
Work with a union, not the government	Understands their rights	Has the ability to have an organization behind them
Gain control of the labor shortage	Has access to benefits they deserve	Have the free choice to unionize if they want

9.BIDEN, JOE. THE BIDEN PLAN FOR STRENGTHENING WORKER ORGANIZING, COLLECTIVE BARGAINING, AND UNIONS. 2020. 29 SEPTEMBER 2020.