

REPORTER

ORGANIZING PLAZA DE LA RAZA

by Christopher Graeber

On March 3, 1995, Local Union #2345 of the California Professional Employees signed the first union contract at Los Angeles' nonprofit Latino cultural center, Plaza De La Raza. The case of Plaza De La Raza illustrates both the need for union protection for workers and the importance of community involvement for organizing at nonprofits. At Plaza De La Raza union organizing has both improved workers' conditions and benefited the cultural center. Thus the community support which aided the employees' organizing efforts paid off for the community.

Plaza de la Raza is a nonprofit performing and visual arts agency located in Lincoln Park. The agency was founded over 25 years ago by labor, business, and community leaders in response to plans by the L.A. Parks and Recreation Commission to demolish Lincoln Park's historic boathouse. In 1970, Plaza De La Raza was incorporated as a nonprofit California Corporation. The cultural center delivers a wide variety of programs and classes to East Los Angeles residents. The agency is the only multidisciplinary cultural arts center serving Latinos in Los Angeles. It employs approximately 30 part and full time people.

The organizing drive started in November 1993, when the employees contacted the union after they found out the employer planned to cut salaries and take away benefits. By December 1993, a voluntary recognition agreement was reached between the parties. A majority of the employees signed petitions in favor of the Union, and Plaza De La Raza agreed to voluntary recognition with a third party card check, which was performed by the Mexican American Legal Defense and Educational Fund (MALDEF).

This early success soon turned sour, however. When negotiations began, the agency attempted to reduce salaries by 10-20%, lay off two employees, and stall nego-

tiations until salary cuts were implemented. The Union brought in the help of Federal Mediation to bring the two sides together. It became apparent that the agency had regularly misinformed employees on their benefits and rights. Management tried to revise existing policies after organizing began, hoping to reduce benefits. The union filed an unfair labor practice charge with the National Labor Relations Board. On Labor Day weekend the employer did not make pay roll on time. Turmoil in management resulted in the Executive Director of the agency being replaced by the Chairperson, who was subsequently also removed.

The union enlisted the support of labor and community activists. Various groups and unions that support Plaza De La Raza threatened to picket or not support agency functions. This was an effective strategy, because Plaza holds many concerts and other events, for which it depends on organizations to buy tickets. The union also worked with various elected officials such as Los Angeles city council member Mike Hernandez's aide, who was on the Plaza De La Raza Board of Directors. The union also had the support of another member of the Board of Directors, Edward James Olmos. Olmos is a well-known actor/activist who had recently done the Spanish language "Union Yes" ads for the AFL-CIO.

The continuing financial stability of Plaza De La Raza was the key issue in contract negotiations. Employees insisted that this goal be achieved without sacrificing workers' wages and benefits. The union was able to contribute to this goal by mobilizing labor support for a "Union House" at Plaza De La Raza. For example, the Labor Council for Latin American Advancement offered to hold more of its functions at Plaza De La Raza and to bring in other organizations. Now that workers have a contract at Plaza De La Raza, the union plans to work with the agency to help it raise funds. The agency has a

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Global Conference proceedings now available!

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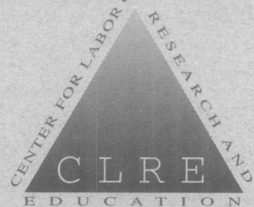
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WHAT'S UP AT THE LABOR CENTER

Our recent conference on **Labor in the Global Economy, Working in the Americas** was a tremendous success. We reached over 400 faculty, students, labor and community representatives and had speakers from Canada, the United States and Latin America. Special thanks to all the IIR staff and graduate students that made the conference such a success. A key ingredient of the conference was the cooperation between the academic community and labor. Additional thanks to our co-sponsors at the University—The Institute of Industrial Relations, The Center for Latin American Studies, The Institute of International Studies, International and Area Studies, The Department of Sociology, and our union sponsors from the Bay Area Labor Councils, international and local unions.

The conference achieved a number of important goals. First, it established a dialogue between union leaders in the Americas which is an important step for cooperation in the future. Second, it erased and corrected numerous myths concerning US economic policies in the Americas, particularly trade and immigration policies that have taken advantage of workers not only in the US, but in other countries as well. Third, the conference encouraged a free exchange of ideas not only between US labor leaders and leaders from other countries, but also between union representatives in Latin America. Fourth, the conference provided an educational forum for policy makers who shape economic, political and labor policies affecting workers throughout the Americas.

We have published a working paper of the conference proceedings and also have a videotape of all the plenary sessions and some of the conference workshops. Copies may be obtained through our office. We are now planning our next global conference focused on the Pacific Rim tentatively scheduled for November 1997.

Labor Center programs planned for this spring include: a conference on privatization scheduled at the Clark Kerr Conference Center on April 24, the second annual union management partnerships conference scheduled for May 22 and 23, and the ongoing Bay Area Labor Seminar Series. The Labor Center research projects include research on the impact of the elimination of daily overtime, the pitfalls and potential gains for parties involved in labor management partnerships and an extensive new research project on union pension investment strategies.

Call The Labor Center at 642-0323 to make sure that you are on the mailing lists to receive updated information about these and other Labor Center events.

- Bob Redlo, Kirsten Spalding

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ORGANIZING NONPROFITS

by Mara Math

Of the more than 1.4 million nonprofits in the U.S., only a fraction are unionized. In early 1996, SEIU-Local 790 of San Francisco, United Public Employees, began a campaign to alter the local portion of that equation. "We are organizing a sector that has never been organized before," says 790 organizer Ruben Garcia." (OPEIU represents the clerical staffs of some nonprofits, but almost none are fully unionized.)

Local 790's campaign was inspired by the large amount of work that the City and County of San Francisco subcontracts out to nonprofits, jobs that would otherwise go to public employees. Recognizing that many of the subcontractors are well prepared to meet needs that city agencies are not—e.g., in AIDS and substance abuse work—and that many enjoy strong community support, Local 790 made the decision to try to incorporate them rather than create an adversarial face-off.

For its first nonprofit campaign, the local targeted the mental health subcontracts issued by the City and County of San Francisco Department of Public Health. "The mental health sector will grow steadily," predicts Organizing Director Jim Philliou, "largely due to the effect of so-called 'welfare reform.'" Substance abusers, for instance, recently disqualified for assistance, will need to be reclassified as suffering mental disabilities in order to receive aid.

Armed with the public record list of all DPH mental health subcontracts for the last three years, 790 selected as organizing targets the 22 nonprofits with subcontract budgets over \$1 million. Local 790 began covert on-site visits, house visits and research simultaneously. "We had to learn about the different cultures in each nonprofit," Garcia says. Most workers were receptive to home visits, but those at one particular large nonprofit were not, due to their "culture of privacy."

Traditionally, white-collar workers resist organizing efforts because they believe that they do not need unions or have concerns about corrupt unions. But for the nonprofit workers, the single most significant reason for initial resistance to the union was fear that unionization would be too expensive for their organizations.

Most workers who choose work in the nonprofit sector do so knowing they will never make much money. Many know that they will usually work well over 40 hours a week, without comp time or overtime. Nonprofit workers are motivated by the opportunity to do rewarding work, to contribute toward something they believe in. Workers were not concerned about their own salaries, despite the threats of their Executive Directors; they were worried about the supposed threat to the organization. Organizers heard, "We don't want to hurt the

mission" over and over again. It was on this point that Local 790's research came into play.

Research focused on following the money. Local 790 looked at grant amounts and, whenever possible, salary information in the DPH contracts. This information was combined with salary surveys completed by the various organizing committees and with the results of a study (sponsored by the UC Berkeley Center for Community Economic Research) on the societal contributions made by nonprofits through salaries and benefits. Local 790 compared non-organized worker salaries and benefits to those of unionized workers doing comparable work. Although higher wages are ranked low among nonprofit workers' demands, the distributed surveys contained a revelation: while Executive Directors had been poormouthing and playing on those very fears of "hurting the mission" as justification for the lack of cost-of-living increases over the last four years, these same directors have received salary increases of \$2-11,000 annually for the last several years.

Conversely, nonprofit workers were generally enthusiastic about unionization for one reason: the desire to have a voice on the job. They want a voice because they are sincerely dedicated to their nonprofits' missions, and because many nonprofits are run like small fiefdoms, with the Executive Director unaccountable to anyone. At one Bay Area nonprofit organization, a male worker complained to his director of being sexually harassed by a male co-worker. His director told him that he had a personality problem and suggested that he "try harder to get along." When the offices were moved several weeks later, she assigned this worker to a desk literally abutting his harasser's.

"The biggest obstacle we face," says Garcia, "has nothing to do with the workers. They're ready to move [on unionization]. The biggest obstacle is the Executive Directors." The majority of Executive Directors are hostile to the organizing effort, and are actively fighting it. He adds that even where Executive Directors are pro-union, the Board of Directors will engage in anti-union harassment. Several of the nonprofit employers are using public funds—monies that have been donated for the nonprofit's mission—to finance anti-union campaigns.

The Executive Directors disregard the fact that it is often the brightest and most committed workers who support unionization. "We went to the 25th anniversary celebration [of the nonprofit with the most hostile Executive Director]" reports organizer Karen Ridley, "and the only workers who attended besides middle manage-

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Labor Support Committee, which was instrumental to the agency's founding, however the committee was never involved in the agency's policy making. The Labor Support Committee has sponsored a grass roots fund-raiser, which generated support from Los Angeles labor unions.

The union contract achieved by the California Professional Employees Local Union #2345 at Plaza De La Raza secures wages, benefits, and working conditions for employees. It also contains an innovative contract point which guarantees a voice for labor on the Board of Directors. According to the contract, a Labor Representative from the Los Angeles County Federation of Labor must serve on the Plaza De La Raza Board of directors and on the very important Personnel Committee. The organizing drive at Plaza De La Raza mobilized community support for labor and labor support for the cultural center. Thus both workers and the community their agency serves have benefited from union organizing at this non-profit organization.

Christopher Graeber is the Administrator and Financial Secretary of California Professional Employees, Local Union #2345, which is a local union of the International Brotherhood of Painters and Allied Trades and affiliated with the AFL-CIO and represents various other nonprofit organizations throughout California. He may be contacted at caunion@aol.com or at 219 W. Manchester Blvd., Suite 5, Inglewood, CA. 90301.



NOW AVAILABLE!



A summary of the proceedings of our **Labor in the Global Economy, Working in the Americas Conference**, held on November 20-22, 1996. The report includes remarks by speakers from Canada, the United States and Latin America. Statements by Adolfo Aquilar Zinser and Bertha Lujan from Mexico, Richard Trumka, Harley Shaiken, Stan Gacek, Andy Banks, Bob King, Karen Nussbaum and Charles Kernaghan from the United States, Dick Martin from Canada, Miguel Vega from Chile, Israel Salinas from Honduras, and Altemir Tortelli from Brazil are highlighted. Issues covered include: NAFTA, immigration, women in the global economy, the Maquiladoras, cross-border cooperation and organizing, and strategies and solutions for labor cooperation. A videotape of the conference is also available.

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COMPARING CORPORATE PENSION FUNDS TO UNION PENSION PLANS: STRUCTURAL DIFFERENCES THAT MEAN A LOT

by Teresa Ghilarducci and Kevin Terry

Pension funds' rates of return soared with the stock market in the 1990s. Earnings were up by over 10% throughout the entire 1980s and were up 12% on average in 1995 alone. Wall Street gains should have meant pensioners gained. Right? Wrong.

The average pension benefit has not kept up with inflation; middle class retirees depend more on Social Security now, in 1995, than they did a decade earlier. In the last ten years, a typical middle-income retiree household's income from employer pensions has fallen from 19% to 16%.

How can private pensions funds' investment earnings be up while private pensions are down? The answer lies in the management structure of the funds. 90% of private pensions are managed by single corporations. When earnings soared these large employers took the high earnings for the corporate treasury instead of improving payouts to pensioners. The high market earnings often meant employers made no new contributions to their pension plans.

There is, however, an important exception. Pensioners in jointly-managed pension funds gained from their funds' success on Wall Street. About 8% of private pension participants are covered by these "Taft-Hartley" pension funds. They are created through collective bargaining agreements between, usually, one union and many small companies who employ a similar group of workers. Examples include miners, teamsters, health care workers, construction workers, food servers, retail workers, and workers in the needle trades.

Pension funds grew because of the unexpected boom in financial markets. In contrast to single-employer

funds, jointly-trusted pensions used the excess funds to shore up pension funds and improve pension generosity. In 1981, the generosity (pension benefits accumulated per person per year) of corporate plans was approximately \$700 per person per year while that of jointly-managed funds was about \$400. After the boom generosity soared. Generosity in single-employer funds increased by only \$200, whereas in jointly-managed funds it increased by \$600. Single-employer plans started out about \$300 ahead and ended up lagging about \$100 behind jointly-managed funds.

This grab for earnings is typical of corporate pension management. The corporate profit squeeze of the late 1970s and early 1980s encouraged firms to reduce contributions and terminate and revert "excess" assets to supplement corporate treasuries. Single-employer pension funds' sponsors incorporate pension funding decisions with their corporate finance decisions so that as firm profits are squeezed so are the pension fund assets and pension benefits. Corporate sponsored plans do not include employee representatives on their Boards of Trustees.

The structure of jointly-trusted plans protects against these corporate "raids," since no single company can legitimately count the pension fund among its assets. In jointly-managed funds the employer trustees are far removed from the financial decisions of their firms and no one employer dominates the management trustees. At worst, the goal of a corrupt multi-employer trustee would be to maximize the benefits of the retirees!

As a consequence of persistent corporate raiding of pension funds single-employer plans are less well-

funded than joint plans. The multi-employer fund at the Pension Benefit Guaranty Corporation (PBGC) the federal corporation that guarantees private pensions, ran a small deficit in 1980. However, these jointly-trusted plans have been increasing their surplus every year since then. In contrast, the single-employer fund at the PBGC has increased its deficit every year since 1981.

Much of the credit for the multi-employer funds' good financial health can be attributed to "withdrawal liability" and the inherent risk adverse behavior of multi-employer plans. Under a 1980 law employers who withdraw from an underfunded multi-employer plan are liable for part of the unfunded liabilities even if the liabilities are unrelated to that employer's pensioners. Another reason multi-employer plans are better funded is that they have no corporate treasuries to fall back on if assets come short of liabilities. They must be averse to the possibilities of a market downturn.

Retirement income for Americans is under siege, but one success of the pension system clearly stands out from the rest. Jointly-trusted pensions represent management and labor interests equally in a structure that prevents those interests from abandoning the needs of pensioners and workers.

Teresa Ghilarducci is a Professor of Economics in the Economics Department and the Higgins Labor Research Center at the University of Notre Dame. Kevin Terry is a graduate student in the Department of Economics at the University of Notre Dame.

NONPROFITS

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ment were the Organizing Committee!" Management pretended not to notice.

"These Executive Directors aren't bad people," Ridley adds, "they just have fears that we haven't identified yet. And some of their fears are so strong that they are committing political suicide." This same hostile employer forced Local 790, arguably one of the most influential unions in the Bay Area, to come before the National Labor Relations Board and prove that it was, in fact, a union.

"The workers are great, once things are underway they run with it themselves," Garcia says. "They already have all the skills [to run a campaign] from providing the social services that they do." To date, four of the 22 targets have recognized the union. Major battles rage at three of the targets—the workers in favor of unionizing and management opposed—and organizers are optimistic about the others in process. With the publicity about Local 790's campaign proliferating, workers from nonprofits that had not been targeted, such as the Mexican Museum, have responded and asked to join. "We had never talked to anyone there," Garcia recalls,

"and one day they just called up and said, 'Get the cards ready! We're coming in!'" The issues at the Mexican Museum included directorial abuse of funds and unfair hiring, promotion and termination.

As the battle to organize nonprofits heats up, two measures on their way to San Francisco's Board of Supervisors may prove critical. The first, calls for the City to give preference to unionized employers over nonunionized when awarding bids. The second measure, sponsored by labor ally Supervisor Tom Ammiano, mandates that benefits for subcontractor employees must equal those that city and county workers receive. Both measures are under consideration by the City Attorney's office.

The nonprofit organizing drive highlights the potential for local organizing utilizing research, community organizing tactics, political tactics and the energy of existing members. Local 790's efforts to organize nonprofits offer another strategy for organized labor to expand its traditional base.

Mara Math is a free-lance union organizer and researcher who worked on the Local 790 nonprofit organizing drive. She is available for short- or long-term union projects and may be reached at mj_math@earthlink.net.

UPCOMING CONFERENCES

Please call the Labor Center at (510) 643-0323 for conference brochures.

PERSPECTIVES ON PRIVATIZATION

Labor Unions and Contracting Out

April 24, 1997
9am - 4pm

Clark Kerr Conference Center
University of California, Berkeley

A one-day, targeted conference promoting a working dialogue between union leaders and faculty that will address issues of privatization increasingly faced by unions.

Seminars will include:

- The Impact of Privatization on Minorities
- Privatization and Organizing
- Legislative and Political Action Plans for Dealing with Privatization
- The Union's Response to Privatizing State Employees
- Legal Aspects of Privatization
- Bargaining and Contract Language

Conference registration is \$50.00

UNION MANAGEMENT PARTNERSHIPS

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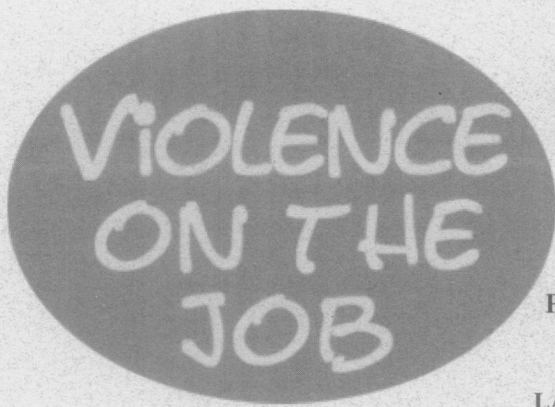
This second annual conference will give union and management leaders an opportunity to work together to explore the potential pitfalls and gains in these new bargaining relationships in the private and public sectors.

Seminars will include:

- Compensation and Rewards for Workers in Partnerships
- Union Organizing—a Benefit of Partnerships
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Please call 510-642-5507 for more information

C A L E N D A R

For more information about these events contact: **Kirsten Snow Spalding, 510-643-6815.**

BAY AREA LABOR STUDIES SEMINAR

Sour Notes-- The San Francisco Symphony Strike:

The Role of the Press and Politicians in "Private" Labor Disputes

On Wednesday, March 12, 1997 from 4:30 to 6 p.m., **Professor Joseph Grodin**, Hastings College of the Law and **Joshua Kozman**, Music Critic for the San Francisco Chronicle, will address students, faculty and Bay Area Labor leaders in a Bay Area Labor Studies Seminar at the **Director's Lounge, Institute of Industrial Relations, 2521 Channing Way, Berkeley.** Panelists will discuss Willie Brown's intervention and the San Francisco Chronicle's coverage of the strike.

UNION MANAGEMENT PARTNERSHIPS CONFERENCE

Second Annual Union Management Partnerships Conference will be held on **May 22 and 23**, at the Clark Kerr Conference Center on the UC Berkeley Campus. The Conference will offer two days of workshops for union and management participants who are involved in partnerships or who are considering entering partnerships to explore the problems and potential gains of new forms of labor management relations. Conference facilitators will include partnership specialists from the Labor Center, the Federal Mediation and Conciliation Service, Labor Attorneys, Human Relations Departments, International Unions and the Public Sector. For early registration call 510-643-2355.

PENSION PRACTITIONERS' CONSORTIUM

Taft-Hartley pension trustees will meet again February 17th with AFL-CIO representatives, UC Berkeley and University of Notre Dame economists and pension professionals to discuss investment strategies, trustee action and the structure of the pension industry. The Labor Center is involved in ongoing research into high performance pensions and is planning for the Labor Center's September 4, 5 1997 conference on **High Performance Pensions.**

CONFERENCE ON PRIVATIZATION

The Labor Center will host a targeted hands-on conference that will focus on issues of public privatization. Seminars will include: the Impact of Privatization on Minorities, Privatization and Organizing, the Legislative and political Action plan, legal aspects and Bargaining and Contract Language. The conference will be held on Thursday, **April 24, 1997** at the Clark Kerr Conference Center, UC Berkeley campus.

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