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## THE HISTORY OF EMPLOYER OFFENSIVES AGAINST UNIONISM

The phenomenon of a concerted employer offensive against unionism is nothing new. The history of American labor-management relations chronicles a continuous series of employer efforts to forestall or break up unions, but specific periods stand out as times when resistance to unionism was particularly intense.

### The Rise of an Anti-Union Strategy

The late nineteenth century saw the rise of large-scale American unionism. Substantial numbers of workers felt the need to organize in the face of a decline in the power of individuals to control their own destinies within a newly emerging system of industrial production. Employers viewed this movement as an attack on the basic rights accorded to them via their ownership of private property. The famous Homestead Strike of 1892, in which the giant Carnegie Steel Company used deadly force to break the powerful Iron and Steel Workers Union (AFL), heralded an era of systematic capitalist efforts to eliminate the threat of collective worker power.

Around the turn of the century, numerous employer associations sprang up, most notably the National Association of Manufacturers, expressing a philosophy which challenged the right of workers to claim and exert control over their own labor power. Along with this philosophy came the use of a powerful arsenal of weapons to weaken and prevent the spread of unionism. Blacklisting, labor spies, firing of suspected sympathizers, and ultimately military force, were effective in enforcing "private property rights." Favorable judicial interpretation of the Sherman Anti-Trust Act allowed employees to sue for injunctions against unions' use of boycotts and even strikes, thus undercutting the major weapons of collective worker power.

### Company Unionism and the Open Shop Campaign

During World War I, unions gained substantial ground in terms of employer acceptance and membership growth as favorable economic circumstances and government intervention strengthened their power to organize and engage in collective bargaining. But the decade of the 1920's witnessed a new period of employer resistance. Recognizing that employee concerns could no longer be blatantly disregarded, employers established company unions to institute "effective communication" with their workers. By giving workers the power to advise on decisions concerning wages and working conditions, company unions constituted a major effort to forestall organization by legitimate independent labor unions. A vigorous "open shop" campaign was waged as employers argued for the adoption of an "American Plan" based on the premise that progressive labor organizations were dominated by foreigners bent on the destruction of the "American way." Also common in this period were "yellow dog" contracts which required as a condition of employment a written pledge from workers not to join unions.

### Depression, War and Taft-Hartley

During the next two decades, the combination of (a) the Great Depression, which had a significant impact on raising workers' consciousnesses, and (b)

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pathbreaking federal legislation, which outlawed many of the anti-union weapons employers had been utilizing, and (c) the Second World War, which created a strategic need for labor's cooperation, acted to provide a fertile environment for the growth of collective bargaining and labor union power. These developments proved alarming to nervous employers. Aided by public concern with unprecedented levels of strike activity immediately following the war, employers succeeded in enacting legislation to stem the power of organized labor through the Taft Hartley Act. Prohibited by this act were several weapons that unions had used with success during their recent period of growth. The closed shop, secondary boycotts, and certain kinds of picketing were made illegal as employers sought (as they put it) to "rebalance" the distribution of power between labor and management. Subsequent efforts to pass State "right-to-work" laws, prohibiting the negotiation of union security clauses, were largely unsuccessful. But enough of the "balance" of an earlier time was restored to satisfy most employers, and something of a truce was established between labor and capital. By the 1960s unionism and collective bargaining began to be seen at least as inevitable, and sometimes as necessary, and sometimes even as a desirable element of the American system.

#### A New Employers' Offensive

What many thought to be a truce may only have been a smokescreen. The 1960s and 1970s were characterized, more than any other period of American economic history, by sweeping technological changes, by business mergers and consolidations, and by increasing concentrations of corporate power in our economy. These two decades were dominated also by the growing flight of capital from the older centers of union power to geographical areas which are relatively "union free" -- both in the American sunbelt and abroad. In the process, union jobs have been eliminated on a mass basis, and union power has been seriously eroded.

It is now reasonable to identify a new period of intense and concerted employer attack against unionism and collective bargaining. More than any other single event, the stunning success of business interests in the defeat of labor law "reform" legislation in 1977-1978 alerted unionists to the significant concentration of employer power that had been amassed against them. The creation by the National Association of Manufacturers of the Council on a Union-Free Environment (in 1977) symbolized a growing and extensive use of modern anti-union methods--even by employers with long-standing collective bargaining agreements, and even in major industrial sectors or geographical areas of union strength. A rise during the 1970s of decertification and deauthorization elections is only one aspect of the success of an increasing number of consulting firms specializing in the creation, or maintenance, of the new employer ideal of a "union-free environment" (as AFL-CIO Secretary Treasurer Thomas Donahue has expressed it, "like we were bugs of some sort."

- Sean Flaherty

*(Ed. Note: In several articles which follow in this series, the Labor Center Reporter will examine some new weapons and some recent battles in the anti-union offensive of major employer groups. We believe that the "New Right" is interpreting the November elections as a clear-cut demand for a return to "free market principles" -- which were developed for the competitive economic conditions of the 19th century, and not for the corporate and multi-national monopoly conditions of the present time. Under the prevailing political-economic philosophy, we believe that the employer offensive, already well under way, may now be accelerated. We therefore believe that its implications with respect to the preservation of our tradition of free collective bargaining now demand more discussion and analysis.)*

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