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BEATING "DEAUTHORIZATION"-- SEIU LOCAL 400 WINS CLERICAL UNIT AGENCY SHOP ELECTION

by Anne Lawrence and John Williams

One woman marked the "yes" box on her ballot with a lipstick kiss. A "no" voter added a profane suggestion to his tally. But a majority of more conventionally-marked ballots saved "agency shop" for nearly 4,000 San Francisco city clerical workers represented by Service Employees Local 400 in a special February 26 election.

The many organizers and volunteer activists involved in the campaign "did a fantastic job of educating fellow workers about the necessity of maintaining a strong and vital union," a delighted Pat Jackson, Executive Secretary of the Local, told the press following the victory.

Local 400's march towards an agency shop began two years ago, when the union and the San Francisco Board of Supervisors agreed to such a provision, pending enabling legislation. In September 1981, Governor Brown signed A.B. 1693, that for the first time allows local government employees to negotiate an agency shop agreement.

Soon after the law took effect in January 1982, the Supervisors voted to accept agency shop. Under their agreement with the union, all workers must either join the union or pay a fee equivalent to union dues, minus the 25 cents a month per worker the union estimates it spends on political activities.

Under state law, workers can opt not to pay agency fees if a majority in a unit vote to repeal an agency shop provision. Shortly after A.B. 1693 passed, San Francisco clerical workers circulated a petition to deauthorize the agency shop, forcing an election on the issue in the largest unit in Local 400's 10,000 person jurisdiction.

The union immediately went on the offensive. "We knew we had to win this election--and win with a good majority," SEIU Local 400 staff director and chief organizer Larry Tramutola told the Labor Center Reporter. "The clerical unit is the backbone of this local. We needed to establish a positive momentum from the outset if we wanted to hold onto agency shop in our other units."

Local 400 adopted a several pronged strategy to save agency shop for San Francisco clerical workers. With support from the SEIU International and the San Francisco Central Labor Council, the local assembled a staff of eighteen organizers for the campaign. In November, it sent them in teams into virtually every clerical workplace in the city to meet with workers to discuss their aspirations and grievances.

"The local hadn't undertaken anything like this in years," Tramutola reported. "We went to wherever the people were and listened to what they had to say. In an intensive period of several weeks we must have reached almost every worker in the clerical unit."

At the worksite meetings, organizers asked workers to select "worksite reps" to represent them. "These two or three hundred workers became our "on the ground" organizing committee," Tramutola said.

On the basis of the workplace meetings and a questionnaire distributed to the members, Local 400 developed three bargaining demands as central campaign issues:

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(1) In 1976, the City and the union negotiated a dental plan. But the City Charter required that the plan be submitted to the voters, who rejected it. The local's membership still has strong feelings on this issue.

(2) In 1978, citing a "financial emergency" in the wake of tax-cutting Proposition 13, the City withheld promised pay increases, and later made only partial payments. San Francisco still owes its employees \$12 million--about 500 to \$1000 for most workers--which now sits in the bank drawing interest for the City while a suit to return the funds, initiated by several other City unions, winds its way through the courts.

(3) The City's latest pay offers were very low--as little as .5% in some classifications.

The Local printed special postcards demanding a dental plan, reimbursement of the back pay, and better wages. The worksite representatives distributed the cards, and over 5,000 city workers filled them out and mailed them to the Mayor and Supervisors. The size of the response indicated that Local 400 had touched a responsive chord among its membership with these issues.

The union simultaneously launched a legal offensive against the City for its use of City mails to propagandize for management's point of view. As a result, the union succeeded in winning equal access to all workplaces and forced the Mayor to send a letter to all managers instructing them not to interfere in the organizing campaign.

Three weeks before the election, the union set about systematically to identify its supporters. Lists were compiled of all those who had demonstrated support by signing postcards, wearing a button, displaying a union card on their desks, or volunteering for the campaign. Banks of phone volunteers urged them to come out and vote on election day.

Although the union won only a narrow plurality, 1203-1076, the open shop proponents fell far short of the 1850 "no" votes needed. The "no" vote totalled less than half the number of people who signed the deauthorization petition only three months earlier--a powerful testimonial to the strength of the union's campaign. The victory is particularly impressive when compared with the current union success rate of only 45% in private sector unit deauthorization elections.

"There are essentially two ways to approach an agency shop election of this kind," Tramutola reflected in the wake of the union's victory. "You can adopt what we called the 'slide-in strategy,' and conduct a low key campaign in the hope that the voter turnout will be small and the opposition won't get the majority vote they need to repeal agency shop. And then there's the 'aggressive strategy'--which we used--in which we tried to involve the members fully and mount a major campaign to win support for the programs of the union. We took a gamble--and won."

The Local 400 victory sets an important precedent, directly and indirectly, for other public sector unions around the state. According to James Lazarus, Industrial Relations attorney for San Francisco, Local 400's ability to win a plurality in its clerical unit election will be politically helpful to the sixteen other City unions now negotiating variations of agency shop with the Board of Supervisors. And it will no doubt also provide a boost for the California State Employees Association and other unions that have agency shop clauses on the table pending similar enabling legislation for state workers.

More important, though, may be the model of a successful election campaign strategy Local 400 has provided in a period when unions in general have been frequent losers at the jobsite ballot box. Already, similar deauthorization elections are scheduled in two of Local 400's other bargaining units, and more are on the agenda for other local government unions around the state. In these contests, Local 400's 'aggressive strategy' of approaching agency shop elections as an opportunity for a vigorous campaign to win workers to the principles of unionism may well prove a successful approach.

-Anne Lawrence & John Williams