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How to unionize Wal-mart

Polls identify new strategies and hooks that unions could use to organize workplaces such as giant retailers.

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*by Marc Zwelling,
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Why can't unions organize Wal-Mart?

The conventional excuse is that Wal-Mart managers intimidate employees who have the urge to unionize. Wal-Mart underscored its distaste for unions in February by announcing the closure of its Jonquière, Québec, store after negotiations for a first contract deadlocked. There are no unionized Wal-Marts in North America.

At Jonquière the United Food and Commercial Workers had turned to the Québec Labour Commission, which referees union-management disputes and can impose a first contract. A Wal-Mart spokesperson said the store was closing because it's unprofitable, idling 160 "associates," as Wal-Mart calls its work force. In Wal-Mart's story, the bargaining impasse was a coincidence.

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Even at Wal-Mart it should be a good time for unions to grow. In recent years public support for unions has risen to levels not seen since the last spurt in union growth in the 1960s.

- In a 2002 Gallup Canada poll for the Work Research Foundation, 64 percent of Canadians sampled said they approve of unions, up from 58 percent in 1999.
- In a 2002 Léger Marketing poll across the country, 54 percent agreed unions "contribute positively" to society.
- In a 2003 Léger poll, 61 percent agreed unions make a "positive" contribution to Canada's "prosperity or economic well-being."

In the last study, 56 percent said unions "are still as relevant today as they have ever been" compared with 38 percent who said unions are "no longer necessary." In the same poll seven in 10 members were satisfied with the way their union was speaking up for them, and eight in 10 would vote to remain in a union. In an age of declining satisfaction with practically everything, those are numbers to die for.

Canadians usually sympathize with workers who want to unionize. When unions recruited McDonald's employees in 1998, a poll for the major Québec central labour body, the Fédération des travailleurs et travailleuses du Québec, found 64 percent in the province supported the employees (41 percent were "strongly" in favour of unionizing the fast-food chain).

Although it's tempting to blame weak labour laws for the union movement's frustration at Wal-Mart, Canadians should also look at the legal context. The laws are biased against unions,

because regulations require a union to prove it represents a majority of the workers in a store or other workplace. Only with a majority can the union require management to discuss pay and other work life issues with union negotiators. The law also lets employers trash-talk unions during organizing drives and working hours, which is like allowing campaigning at the polling station during a federal election. Yet even labour laws that tilt in favour of unions can't turn anti-union employees into pro-union militants.

Non-union workers are deeply ambivalent about unions. Most non-union workers acknowledge that union members are better off in every aspect of work: pay, pensions, benefits, holidays, training and freedom from sexual harassment. Vector Research polls show that most non-union workers are satisfied with their jobs and worry that a union might make employee-employer relations worse. Overall about a third of the non-union, non-management workers in Canada want a union, meaning millions of potential new members.

Once upon a time employers helped unions organize by egregiously mistreating their employees. Along came progressive management and its theory that companies are even more profitable, if they treat their employees with respect. The good employer has turned out to be a bigger threat to unions than the bad employer.

How can unions crack the fortress of Wal-Mart? Opinion polls reveal several opportunities union organizers are overlooking:

Unions need to use jujitsu tactics and turn Wal-Mart's size against the company.

Organizing two or three stores at a time lets management concentrate its anti-union artillery on small groups. Instead unions have got to organize in the whole company at once. Impossible? Not with the internet, which gives unions a way to silently penetrate any workplace.

Unions have let employers have cyberspace to themselves. Practically every employee has access to the internet. Yet union organizers have not used the powerful recruiting methods that lure customers to websites. On the internet, people organize themselves. Genealogy buffs find their extended families. Singles find lovers. Professionals exchange advice and gossip. All of us diagnose our ailments. Younger workers live on the internet. It's their library, their dating service, their yard sale, their job-search engine, their bank, and sometimes their school.

In a Vector Poll™ one in 10 non-union employees with internet access said they would join a union online and pay their dues with a credit card. Signing Wal-Mart employees in every store instead of just a few gives the union bragging rights. Unions can say with credibility that they represent employees in practically every Wal-Mart, making retaliation against union supporters more difficult.

To organize more employees unions also need a compelling product or service that management can't match. Polls show that non-union employees want job training. It makes sense, when job security is an anachronism, that employees want to pad their résumés with marketable skills. The building trades unions have fantastic membership loyalty because they run pension and benefit plans, hiring halls and training centres. Organizing on-line saves money and time. Union recruiters literally can organize in their sleep. Linking unionized workers with non-union employees means any union member with email can be an organizer.

Unions also need a cross-over vehicle that meets the needs of satisfied employees who want a voice but not necessarily a union. While most non-union employees don't want a union, nearly three in four would vote to have an association. The oldest rule in the organizer's handbook is start where the people are at. Non-union workers see real differences between unions and associations. Unorganized employees feel associations would spend their dues where they work and wouldn't strike or support causes outside the workplace. In Vector Poll™ surveys and focus groups with non-union workers one finding stands out. Some workers have union DNA; some don't. But nearly all workers want job-related news and information and links with employees like themselves.

Unions can organize Wal-Mart and other vast non-union wildernesses such as financial services and high-tech by mimicking the employer, evading management's claim that the union is an outsider or third party. Unions might appropriate the employer's name, for instance, to organize under the banner of the League of Wal-Mart Associates or WeLoveWal-Mart.com. These strategies drive a Trojan horse into every Wal-Mart store, where small groups of pro-union employees can promote the union by word of mouth and begin the gradual process of getting a majority of workers to sign union cards.

Over the long-term unions also need to re-frame the concept of organizing. The public sees organizing as an economic tug-of-war. Most feel it's fair for employers to fight off unions. Instead unions should use the language of the civil rights struggle and the human rights movement. When the public sees that smashing unions deprives Canadians of their right to work, their freedom to learn and their choice to network with other workers, it will be much harder for employers to stay union-free.

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