LEARNing Together

WINTER 2023



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MESSAGE FROM THE DIRECTOR



Greetings LEARN community,

As you may have noticed, we are living in an exciting time to be involved in the world of labor relations. As you'll read in our featured article in this edition of LEARNing Together, public support for unions is at 71%, its highest point in over 50 years. Workers are organizing in companies and industries that had been thought too difficult to organize, including Amazon warehouses, Starbucks coffee shops, and Apple stores. The organizing efforts of young workers are increasing the visibility of unions across the country and inspiring others to do the same.

The longstanding mission of LEARN, as enshrined in the program's foundational State Statue of 1947, is to promote "greater understanding of industrial and labor relations, thereby to enhance the unity and welfare of the people of the State." An organized workforce with the ability to participate in collective bargaining and tried and true conflict resolution processes is the foundation of that labor relations system. As union density in the private sector has eroded to just over 6% nationally in recent decades and stands at 8.6% in New Jersey currently, very few private sector workers are actually participating in the labor relations system that our program is designed to promote. However, the breath of life we are currently experiencing is an occasion for hope. It is not only good for workers, but for the field of labor relations and the economy and society as a whole.

As new unions continue to form, we will be there to help both parties understand the law, the process, and the best practices in labor relations through our classes, research, and public programs. To assist in this growing field of work, I am delighted to introduce Djar Horn who has joined the LEARN team as a labor education specialist. You can read about Djar's background and areas of expertise in the feature below.

At the same time, we are also very sad to say goodbye to the real anchor of this program for the past 14 years; our amazing program coordinator, Judy Lugo. Judy will be retiring at the end of this month. Judy has done the day-to-day work of registering students, moving contracts and invoices through "the system," and opening up all of our Zoom classes with a big smile and the sort of cheer we wish we could all experience each morning. Judy's retirement is a big loss for us as a program, and I will miss her very much personally as well as professionally, but at the same time we are all delighted that she is taking her well-earned retirement and will be spending quality time with her family doing the things she loves most.

As we continue to expand and experience some changes in staffing, I hope you will continue to see us as a valuable resource for all the work you do as worker representatives, HR professionals, and labor relations practitioners. LEARN is here because of you, and for you – thanks for your enduring support!

Best wishes for 2023!

Tellacher Todd Vachon

New Staff Spotlight DJAR HORN



LEARN is excited to welcome, Djar Horn to our team.

As a labor education specialist, Djar will be developing and facilitating labor education programs, assisting with applied research, and helping with outreach and promotion as we continue to grow the program. Djar joins us with more than 20 years of experience in the labor movement—including as a journeyman carpenter, a union organizer, and most recently as an HPAE staff representative. Her experience includes bargainging contracts, training and mentoring union leaders, grievance and arbitration handling and internal organizing. She also holds a BA in sociology from FSU and an MA in social work from Monmouth University.

Faculty Spotlight TAMARA LEE



Tamara Lee is an Assistant Professor of Labor Studies and Employment Relations (LSER) at the SMLR Rutgers University. Dr. Lee regularly teaches "Labor and Employment Law - An Overview" in the LEL certificate program and is part of the "New Union Academy" instructor team. She is an Affiliate of the Center for Innovation in Worker Organization (CIWO)

Tamara L. Lee, Esq. is an industrial engineer and labor lawyer by professional training. She received her Ph.D. from the department of labor relations, law and history from the ILR School at Cornell University. Her academic research focuses on the popular participation of workers in macro-level political and economic reform in Cuba and the United States. She also conducts research on the political practice of workers under the National Labor Relations Act, the intersection of labor and racial justice, cross-movement solidarity building and the impact of radical adult education on workplace democracy. Her teaching focuses on identity politics in the workplace, and labor market discrimination.

Feature

By Todd E. Vachon

The State of Labor in America

The American labor movement is not only alive and well but kicking and fighting too.



Since the onset of Covid we have been experiencing a resurgence of union activity and interest in unions by American workers. Beginning with health and safety concerns during the early days of the pandemic, followed by rising inflation during the recovery, local unions have been taking a more aggressive approach in contract negotiations, demanding larger wage increases, better scheduling practices, stronger safety measures, the end of two-tier benefits and pay schemes, and more. In many instances, as was the case with John Deere and Kellogg's, rank-and-file members have even voted down generally lucrative agreements, sending leaders back to the table to demand more and winning 10% pay increases and \$8,500 ratification bonuses at John Deere and cost of living adjustments at Kellogg's.

Workers involved in strikes this past year have cited the cycle of concessions during economic downturns followed by periods of relative prosperity in which nearly all the economic gains go to the top 10%. More progressive unions draw a clear line between those past concessions and the increased concentration of income at the top. But all contend it's simply a matter of fairness – wages have been stagnant since the 1970s despite continual increases in worker productivity and salaries of top executives. Regardless of their reasoning, most labor activists say it's time for a readjustment, or to use economic terms, a "market correction," to restore the middle class.

hanks in part to a very tight labor market and a supportive President and National Labor Relations Board, unionized workers have been able to use their newfound leverage to win demands that forward this agenda. Absent a reserve pool of unemployed workers desperate to fill jobs, the threat of a strike is more powerful than it has been in recent memory. Three times as many workers went on strike in 2022 than over the same period in 2021. Having a President who is eager to help workers, even if just rhetorically, has inspired many large unions in manufacturing, transportation, education, and healthcare to seize the opportunity to win major gains for their members.

Workers in over 600 other workplaces have voted to form unions during the first six months of this year—up 80% percent from the same period last year.

But contract campaigns and strikes are only part of the story. The labor resurgence is happening on a second front as well, among non-unionized workers in industries and occupations that have historically lacked measurable union representation due to high rates of turnover and part-time and temporary employees. Amazon warehouse workers, Starbucks Baristas, Chipotle workers, Apple Workers, Trader Joe's workers, and workers in over 600 other workplaces have voted to form unions during the first six months of this year—up 80% percent from the same period last year. This is no small feat given that US labor law does little to punish anti-union employers for engaging in hostile, and often illegal, anti-union activities, including firing workers for engaging in protected organizing activity.

This shift represents a significant change in fortune for a labor movement that has been slowly but steadily losing its share of workers for decades.

The current labor resurgence can resuscitate the middle class.

By winning wage gains, job protections, and expanded benefits, labor can help rebuild the American economy to one in which prosperity is shared broadly as opposed to one where income and wealth continue to be concentrated among the few. Social science research on income inequality, including my own, has consistently found that unionization is one of the most powerful factors when it comes to reducing inequality. When workers have a voice and bargaining power on the job, they bring home a bigger share of the economic pie they help to produce. And these gains benefit not only the unionized work force, but typically spill over to other workplaces as non-union shops raise their pay rates as a means of undermining unionization efforts within their own companies.



We have also witnessed an increase in demands by workers on issues that go beyond just wages.



The labor resurgence may also save democracy.

Despite ongoing discussions about eroding political democracy in America, we are witnessing an insurgent direct democracy movement underway at the local level in workplaces across the country. Research shows that societies with stronger unions have stronger democratic participation and American workers are demanding to have a voice, and some influence in the decisions that impact their daily lives in the place where they spend a significant percent of their waking hours—at work.

As the federal government has become increasingly gridlocked, Americans have turned to local organizations for solving pressing issues – and unions have demonstrated the ability to be a powerful means for addressing those concerns, especially when working in partnership with other community organizations. As an important vehicle for collective identity and shared interest formation as well as increased democratic practice in the daily lives of citizens, unionization plays a vitally important role in advancing democracy. The labor resurgence is here to stay.

In addition to new organizing drives and more aggressive demands and actions by existing unions, we have also witnessed an increase in demands by workers on issues that go beyond just wages. For example, the major sticking point in the near-miss national railroad strike was work-life balance. Teamsters at UPS are determined to have A/C installed in all trucks and to replace temporary and part-time jobs with full-time employment. Starbucks Baristas cite scheduling and staffing as major motivators for organizing. Teachers across the US, including in several Red States, have struck for increased educational funding and resources for students. Janitors with SEIU in Minneapolis even struck over concerns about climate change.

This broadening of the scope of bargaining demands indicates a labor movement on the offensive, not the defensive. It also suggests an active and engaged membership bringing new ideas and concerns to the table. Given that member engagement is the real source of power in a union, it is likely that the current upsurge will continue into 2023 and beyond.

This article previously appeared in Vachon, Todd E. "Labor Is on the Offensive". Barron's, 27/9/2022,

https://www.barrons.com/articles/labor-unions-jobs-rail-strike-51664296906



75TH ANNIVERSARY WHITE PAPER SERIES "A BETTER TOMORROW" RESEARCH & REFLECTIONS ON THE PAST, PRESENT, AND FUTURE OF WORKERS

Paper # 7503

Pop Culture & Class Conflict in the Marvel Cinematic Universe

By Steven Manicastri, PhD CWA Local 1036 | Rutgers LEARN

In my teens, I often ridiculed Superman's origin story. The disaster sci-fi premise that Krypton's planetary core would explode due to overmining, and that Krypton's world government would dismiss the overwhelming evidence pointing to their imminent extinction, seemed so ludicrous that I refused to read Superman comics for years. Flash forward fifteen years later and I cannot help but to admire the authors' understanding would rebuff empirical governments contradicted evidence that their ideological beliefs. In this vein, I believe capitalism, U.S. imperialism, that patriarchy, and white supremacy, are the and interconnected political primary struggles of our time, which must be resolved to avoid the complete and total collapse of human civilization.

Comic book films are a great place to think about these political questions.

They have been ignored by leftists as legitimate texts due to "culture industry" like arguments similarly directed at Hollywood films by Marxist scholars (Rushton 2013), and by regular audiences who view them as apolitical, or as "just a movie." However, we should not be so quick to dismiss them, as they can serve as a window into hegemonic beliefs within society. As with all commodities produced by the culture industry, mass production means the audience will be overwhelmingly working-class (Hall 2018a, 350-1).

It stands to reason then that anyone interested in class politics should dedicate time and effort to understand the messages producers of these films wish to impart, how those messages are received by a mostly working-class audience, and in turn how they influence the production not only of future films, but of working class-politics.

Read the full white paper by Steven Manicastri

Call for Papers

In partnership with academics, thought leaders, labor and employment relations practitioners and others across New Jersey (and the world) we are excited to bring you the new LEARN White Paper Series. This series will build a collection of research reports, thought pieces, policy proposals, and commentaries examining topics of interest to unions, labor and employment relations professionals, worker advocates, and social justice-oriented organizations.

The papers can range from short essays of 2,000 words up to full length articles of 10,000 words. If you have an idea or a piece you would like considered for this series, please contact LEARN Director, Todd Vachon at todd.vachon@rutgers.edu to submit a pitch or a fully written essay.

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SAVE THE DATE! JULY 10-14, 2023 At Rutgers New Brunswick 46th UALE NE Summer School for Women in Unions and Worker Organizations

Save the Date for the 46th UALE Summer School of Women in Unions and Worker Organizations! This year's school will be hosted by the School of Management and Labor Relations at Rutgers University in New Brunswick, NJ from July 10-14, 2023.

The Forty-sixth UALE Northeast Summer School for Union Women is a four-day residential program. The school brings together rank-and-file members, staff, and officers of unions and workers' rights organizations to strengthen their knowledge and understanding of the U.S. labor movement. UALE advocates education as an essential tool to develop new activists and leaders who will grow and transform the labor movement. We use an inclusive definition of "woman" and "female" which includes trans women, genderqueer women, and non-binary people.

WHAT WE HAVE BEEN UP TO FALL/WINTER 2022



Rutgers LEARN in partnership with Mason Gross School of the Arts, put on two important performances by Ian Ruskin in November 2022 at the Levin Theater in New Brunswick

To Begin the World Over Again: The Life of Thomas Paine is the very personal story of one of history's most misunderstood men. Ian Ruskin left us with a new understanding of the revolutions and the search for enlightenment that forged the world that we live in today.

From Wharf Rats to Lords of the Docks is a multimedia one-man play, staring writer and actor Ian Ruskin. It tells the story of union leader Harry Bridges and his life's work, through his passions, struggles and his wicked sense of humor, written under the watchful eye of leading scholars, ensuring that it is accurate as well as entertaining.

THE LABOR OF LIBRARIANSHIP



LESSONS FROM LIBRARY WORKER ORGANIZING

Unionized library workers, organizers, activists, and scholars came together on September 8, 2022, for a discussion of what the future of organized labor in libraries might look like, and what the movement to organize library workers seeks to accomplish. The program was moderated by Michelle Chen. Panelists: Meredith Kahn, LEO-GLAM, AFT-MI Local 6244; Andrea Lemoins, AFSCME DC47 Local 2187; Michael Torres, AFSCME DC962 Local 3395

WHAT WE HAVE BEEN UP TO FALL/WINTER 2022

ULA: Labor and Politics

Bob Russo brought the political process into the classroom for students from Unions around the state. Students learned how to identify issues to create an effective political agenda of their own; explored how the political and bill making process works; learned how coalitions can be built around issues; and learn best practices for effectively lobbying to gain support for their issues. Students gained an understanding of New Jersey's political arena and legislative process and how organized labor shapes legislation through direct action, coalition building, and lobbying.

ULA: The New Union Academy!

Todd Vachon, Naomi R Williams, William Brucher, Tamara Lee and Rebecca Givan held a virtual class last fall for workers in newly organized shops who do not yet have a first contract. The class covered basic labor and employment law to collective bargaining to organizing effective contract campaigns. Union members from across the country learned what they needed to win that first contract.

ULA: Pop Culture and Labor - the Working Class in Film

Steven Manicastri led a class in the winter of 2022 on the depiction of labor and the working class in contemporary film. Students explored the core concepts of class, inequality, and political economy in the contemporary United States and beyond. Students learned how to engage popular culture with a critical lens, identifying key underlying assumptions that permeate the films, television shows, novels, and music we encounter every day. These tools will help prepare leaders and activists to be better and more effective organizers and educators in their organizations and movements.





Customized Training For Unions

Any topic, anytime, anywhere...

LEARN offers customized training programs for labor unions and joint training programs for labor and management. The customized training programs begin with consultation sessions with our faculty members, in which they learn and assess your needs. After understanding your particular needs, we design the curriculum specifically to meet your needs and deliver the programs at times and in locations convenient to your organization.

- Arbitration
- Collective Bargaining/Contract Negotiation
- Contract Negotiation
- Economics and Politics
- Employee Rights to Family and Medical Leave
- Employment Law
- Grievance and Conflict Resolution
- Health and Safety
- Labor Law
- Leadership Development
- Shop Steward Training
- Union Building
- Workplace Bullying
- Any topic your organization needs, we are here to work with you!



Pilots and staff of APA at a 3 day custom collective bargaining training with Rutgers LEARN



IATSE local leaders learned the fundamentals of labor law from Professor James Cooney



Member leaders of UNITE-HERE learned about organizing, labor law, and more from LEARN Director, Professor Todd Vachon



Bias, Harassment and Discrimination

Click here to register

Thursday, January 26, 2023 Time: 9 a.m. - 2 p.m. (EST) Instructor: Akhila Naik, Esq.

This course will cover the federal and New Jersey state laws prohibiting disability, gender, and race discrimination, and harassment. Topics will include legal definitions of disability, legal requirements of reasonable accommodation, what constitutes disparate treatments on the basis of gender and race, and other issues of special concern.

Workplace Investigations & Interviews: Overview

Click here to register

Thursday, February 23, 2023 Time: 9 a.m. - 2 p.m. (EST) Instructor: Carla Katz, Esq. J.D.

Workplace investigations and interviews as a whole, including an overview of issues and the law related to the field from an experience local union president and accomplished labor lawyer.

Workers' Compensation

Click here to register

Friday, March 24, 2023

Time: 9 a.m. - 2 p.m. (EST)

Instructor: James Cooney, Esq.

Covers the New Jersey workers' compensation law; which provides cash and medical benefits to those disabled by work-related injuries and diseases. Includes employee coverage, compensable injuries and diseases, ensuring payment, and workers' abilities to sue employers for damages.



Have friends or colleagues who may be interested in LEARN programs? Like and share our courses on Facebook and Twitter!



Public Sector Grievance Handling & Discipline

Click here to register

Thursday, January 19, 2023 Time: 9 a.m. - 2 p.m. (EST)

Instructor: Joyce Klein, Esq., J.D.

This course will examine the grievance procedure, employee and employer rights and responsibilities, standards of just cause and their application to real life cases, and the burden of proof. Participants will discuss how to resolve grievances at the lowest level and will be given a brief overview of the arbitration hearing process.

Scope of Public Sector Negotiations

Click here to register

Friday, March 3, 2023

Time: 9 a.m. - 2 p.m. (EST)

Instructor: Christine Lucarelli-Carneiro, Esq.

This course will address all aspects of the scope of negotiations in New Jersey's public sector. It will trace the legislative, judicial, and PERC developments that have affected the issues that can and must be the subjects of collective negotiations and grievance arbitration. Also, how PERC decides the scope in particular cases.

Grievance Arbitration I

Click here to register

Thursday, March 23, 2023 Time: 9 a.m. - 2 p.m. (EST) Instructor: Joan Parker, Ph.D

This sequence of two courses is designed to increase the practioner's skills in preparing and presenting grievance arbitration cases. Students must complete the first in order to take the second.



Grievance Arbitration II: Advanced

Click here to register

Thursday, April 13, 2023 Time: 9 a.m. - 2 p.m.

Instructor: Joan Parker, Ph.D

Major subjects discussed: preparing for arbitration, the hearing, presenting a case, standards for just cause, evidence, criteria for contract interpretation, remedies, the decision, and different systems.

Public Sector Contract Interpretation

Click here to register

Date: May 12, 2023

Time: 9 a.m. - 2 p.m. (EST)

Instructor: Steven Weissman, Esq.

How the meaning and enforceability of contract language negotiated under the N.J. Employer-Employee Relations Act has evolved over the last 40 years, and how court decisions, arbitrators' opinions, and PERC rulings have served to establish a set of principles and guidelines for negotiating binding contract language in the public sector.

VETERAN DISCOUNT



The Labor Education Action Research Network (LEARN) at Rutgers University is proud to honor our veterans and active-duty military personnel by offering a 10% discount on all classes and certificate programs. To "LEARN" more about our course offerings, visit our Courses and Certificate Programs page. To register for classes and use the veteran discount, email learn@work.rutgers.edu or call 848-932-9504.

Custom Training Programs Targeted to Your Needs



LEARN offers customized training programs for labor unions and joint training programs for labor and management. The customized training programs begin with consultation sessions with our faculty members, in which they learn and assess your needs. After understanding your particular needs, we design the curriculum specifically to meet your needs and deliver the programs at times and in locations convenient to your organization.

To learn more, email learn@work.rutgers.edu or call (848) 932-9504.



Interest-Based Bargaining

Friday, January 27, 2023

Click here to register

Time: 9 a.m. - 2 p.m. (EST) Instructor: William Dwyer

Mutual gains for all concerned in bargaining and grievance handling by identifying interests, exploring options and reaching win-win agreements through a tried and true joint problemsolving process.

Strategic Grievance Handling and Contract Enforcement

Friday, February 24, 2023

Click here to register

Time: 9 a.m. - 2 p.m. (EST)

William Dwyer

This class explores valuable methods and techniques to help ensure that negotiated contracts are successfully enforced and the hard-won gains at the bargaining table are honored and sustained.

Grievance Arbitration I: Foundations

Thursday, March 23, 2023

<u>Click here to register</u>

Time: 9 a.m. - 2 p.m. Instructor: Joan Parker

This sequence of two courses is designed to increase the practioner's skills in preparing and presenting grievance arbitration cases. Students must complete the first class in order to take the second.

Grievance Arbitration II: Advanced

Friday, April 28, 2023

<u>Click here to register</u>

Time: 9 a.m. - 2 p.m.

Instructor: Joan Parker

Major subjects discussed include preparing for arbitration, the hearing, presenting a case, standards for just cause, evidence, criteria for contract interpretation, remedies, the decision, and different systems.

Pre-requisite: Grievance Arbitration I course must be completed



First Session: Discipline and Grievance Handling [online]

Wednesdays, 1/11-2/15/23 | 5:30-8:30pm Instructor: Peter Donatello Click here to register

Disciplinary cases and grievances can be a critically important job for stewards, officers and representatives. This course will prepare you to develop and employ successful representational strategies based on a comprehensive understanding of accepted disciplinary and grievance standards, arbitration, court decisions, and the law. Students will also learn how to develop an appropriate investigation plan.



Second Session:

In It to Win It: Building Effective Contract Campaigns [online]

Tuesdays, 3/14-4/18/23 | 5:30-8:30pm Instructor: Djar Horn and Special Guests To register, email: learn@work.rutgers.edu

Union members, representatives and elected officers have an important role to play in developing and implementing contract campaigns that win demands for workers. Whether you are new to your role or have been engaged in contract fights for years, we invite you to learn from experienced leaders in our movement.

This class will introduce students to practices found in successful contract campaigns. Guest speakers will focus on how they built power and won demands using various strategies including Direct Action, creating demands through workers' stories and political pressure. At the end of the 6-week course, students will have produced a contract campaign plan. The class will be a mixture of presentation, discussion and small group work.



The State of Labor

- Times Union <u>Union activists battle corporate giants and low-budget nonprofits.</u> Aug. 28, 2022
- CNN Business <u>Despite union wins at Starbucks</u>, <u>Amazon and Apple</u>, <u>labor laws keep cards</u> <u>stacked against organizers</u> September 5, 2022
- NJ spotlight News Workers unionize but big businesses continue to resist September 5, 2022
- CNN <u>It's not just money</u>. <u>Unions are fighting for better schedules</u>, <u>safety and work</u> <u>conditions</u>. September 12, 2022
- Bloomberg Radio Balance of Power with host David Westin on Railroad strikes September 14, 2022
- Pacifica Climate Radio Hour Inflation Reduction Act
- **CFO Dive** Layoff upswing doesn't dampen labor market October 12, 2022
- Digiday WTF are 'status quo' protections for publishing unions? October 26, 2022
- Arbets världen (Swedish union digital magazine) <u>Union successes hope for the Democrats</u>
 November 3, 2022
- CNN <u>These baristas are leading a nationwide campaign to unionize Starbucks. It came at a cost.</u> November 2, 2022
- NJ 101.5 NJ Transit Workers Going on Strike November 17, 2022
- Time Magazine <u>The Standoff Between Workers and Their Bosses Is Set To Heat Up in 2023</u>
 December 13, 2022

- KARE 11 Thousands of Minnesota nurses to strike on Dec. 11 two interviews (11/30 and 12/1)
- NJ Business Beat/ NJ Spotlight State of Unions in New Jersey
- NJ Spotlight News <u>Union activity surges amid tight labor market, economic pressures</u>
 December 12, 2022

UPS Bargaining News

- CNN Business One of the biggest strikes in US history is brewing at UPS September 6, 2022
- Breitbart Experts Predict 350K UPS Workers Will Launch Historic Strike
- CBS News <u>UPS plans to hire 100,000 temporary workers for the holidays</u> September 7, 2022

Railway Strike News

- AP US News & World Report, Washington Post <u>"Rail Workers Win Concessions"</u>
 September 15, 2022
- NJ Spotlight News Rail Workers Win September 15, 2022
- CNN The threat of a freight railroad strike is back October 11, 2022
- AP <u>Large rail union rejects deal, renewing strike possibility</u> October 10, 2022
- WQAD Consumers could pay price if railroads, unions can't agree. November 21, 2022
- NJ Spotlight House votes to stop rail strike, compel labor agreement. November 30, 2022
- Voice of America <u>Biden Signs Bill Averting Strike</u>, to <u>Rail Unions' Dismay</u> December 2, 2022
- Washington Post Why paid sick leave became a big issue in rail labor talks December 3, 2022