



State and Local Policies to Support Government Workers and Their Unions

By Karla Walter June 2018



State and Local Policies to Support Government Workers and Their Unions

By Karla Walter June 2018

Contents

1 Introduction and summary

4 5 policies to support strong public sector unions
at the state and local levels

6 The fight for public sector unions

12 Public sector unions today

16 Policies to support government workers

30 Conclusion

31 About the author

32 Endnotes

Introduction and summary

The U.S. Supreme Court handed down a decision in *Janus v. American Federation of State, County, and Municipal Employees (AFSCME)* that limits the freedom of millions of government workers to come together in unions in order to bargain for decent wages and benefits and have a voice on the job. The 5-4 ruling is the latest salvo in a decades-long attack on unions led by conservative lawmakers and corporate lobbyists—an effort that harms all working Americans since strong unions are central in building the middle class.

The *Janus* decision overturns a precedent established more than 40 years ago in *Abood v. Detroit Board of Education*, a ruling that protected the power of states to enact strong public sector bargaining laws that promoted labor peace and prevented “freeriding” by nonmembers of public-sector unions—which happens when nonmembers benefit from union gains without paying for them.¹ Under the previous precedent, no one could be forced to be a member of a union or to pay any dues to a political cause that they did not support. However, many states permitted government workers covered by a union contract to refuse union membership and pay “fair share” fees that covered only the cost of workplace bargaining and contract administration, rather than the full cost of dues.

The *Janus* decision creates a perverse incentive for workers not to join unions since they can now receive all the benefits of unionization without having to pay the cost of negotiating for those benefits. Unions, however, are still obligated to represent all individuals in a bargaining unit, regardless of whether they are union members. And if membership rates fall as a consequence of the *Janus* decision, public sector unions will have less leverage to bargain for decent wages and benefits. Indeed, research shows that the typical full-time worker in states with so-called right-to-work laws—which extend the same provisions to private sector workers—are paid \$1,500 less per year.²

This report provides state and local policymakers with guidance on how to combat this attack on workers’ rights, offering policies to ensure that public sector workers are free to come together in strong unions.

This is not the first time the conservative lawmakers and lobby groups who backed the *Janus* case have worked to undermine workers' ability to advocate for themselves in the American economy and democracy. In recent years, the same groups backed *Harris v. Quinn*—a case in which conservative Supreme Court justices eliminated the ability of states to require fair share fees for unionized public sector home care workers—and successfully championed legislation in Wisconsin and Iowa preventing nearly all public sector bargaining.³

Other states have passed legislation to chip away at the number of public sector workers who are allowed to bargain, limit what they can bargain over, pre-empt progressive municipal lawmakers from raising local workplace standards, and enact private sector right-to-work laws.⁴ So it should come as no surprise that the corporate lobby group backing *Janus*—the Koch brothers-funded National Right to Work Foundation and its associated National Right to Work Committee—also supported the passage of many of these anti-union laws.⁵

These attacks should matter to all working people since unions help fight racial and economic disparities and are essential to building a strong middle class. In communities where unions are strong, all workers—regardless of union status—earn higher pay; low-income children have a better shot of climbing out of poverty as adults; and more people get out to vote.⁶ Moreover, public sector workers are increasingly using their negotiating power to support the broader needs of their communities, such as smaller class sizes in schools, full funding of essential government services, and the end to unfair deals with Wall Street firms.⁷

Despite this, union membership rates have been in decline since the middle of the last century as attacks on bargaining rights have escalated. Today, just 11 percent of American workers are union members.⁸ Indeed, the decline of unions between 1973 and 2007 explains up to one-third of rising wage inequality among men and one-fifth among women, according to sociologists Bruce Western and Jake Rosenfeld.⁹ And recent actions, including the *Harris v. Quinn* decision and the rollback of collective bargaining protections in several Midwestern states, have led to significant reductions in public sector unionization rates.¹⁰

Despite these ongoing attacks, American workers continue to fight for a voice on the job. From home care workers to charter school teachers to low-wage workers in the Fight for \$15 movement, those outside of traditional bargaining structures are increasingly demanding a voice on a job.¹¹ In a 2017 survey, nearly half of respondents said that they would join a union if given the opportunity to do so.¹²

Moreover, teachers and other school employees in states with weak collective bargaining laws, no striker protections, and abysmal salaries are increasingly walking off the job to demand pay raises and increases in state funding for schools.¹³ This willingness to push the boundaries of the law in order to win better working conditions echoes the public sector radicalism that led to the creation of the first state and local laws recognizing government workers' bargaining rights. Indeed, the centrist author of the *Abood* decision, former Supreme Court Justice Potter Stewart, noted: "The governmental interests advanced by the agency-shop provision in the Michigan statute are much the same as those promoted by similar provisions in federal labor law ... The desirability of labor peace is no less important in the public sector, nor is the risk of 'free riders' any smaller."¹⁴

Notably, support from the general public and even from local management has helped teachers' unions win improvements as a result of this latest round of strikes.¹⁵ In an April 2018 Ipsos/NPR poll, just 26 percent of Americans agreed with the statement that "public school teachers are paid fairly."¹⁶ Moreover, three-quarters of the poll's respondents said that public school teachers have a right to strike. Without new laws to ensure that workers are able to bargain effectively within the system, it is likely that these sorts of strikes and work stoppages will continue.

Indeed, lawmakers who care about workers must also care about unions and fight to ensure workers can exercise their voice on the job. At the federal level, Congress should enact legislation to extend bargaining rights to all government workers and strengthen federal law in many of the ways described in this report.¹⁷ However, despite the *Janus* decision and the recent increase in teacher strike activity, under the current leadership of Congress and the White House, federal action is unlikely.

Yet state and local jurisdictions have considerable power to raise standards for workers and are increasingly taking actions to do so. In 2017, the Center for American Progress Action Fund published a report focusing on ways that state and local governments can strengthen worker power and raise wages in the private sector.¹⁸

This report provides a comparable policy primer on how to increase power for state and local government workers. It discusses the history of government interventions to allow public sector workers to bargain; outlines the positive benefits of strong public sector unions to all working families; and, most importantly, proposes concrete changes that cities and states can adopt in order to support public employees' bargaining rights.

Specifically, pro-worker state and local policymakers should enact laws to:

- Ensure new public employees learn about the benefits of union membership
- Allow unions to communicate with workers through modern and convenient means
- Modernize union dues collection
- Strengthen workers' power at the bargaining table
- Recognize the ability of unions to provide needed goods

Nearly 60 years ago, state and local policymakers helped to chart the path for government workers to come together in unions. In the wake of the *Janus* decision, these rights are increasingly under threat. This report aims to provide a way forward for worker advocates and policymakers to ensure that public sector workers in the 21st century can continue to exercise their voice on the job.

5 policies to support strong public sector unions at the state and local levels

1. Ensure new public employees learn about the benefits of union membership

Enact policies to ensure that, during official new hire orientations, workers receive training about their rights under the law and the benefits of unionization. Orientations should also explain the existing collective bargaining agreement and provide opportunities for new members to become involved in the union. Policies should create mandatory minimum union orientation requirements or require that unions and employers come to a mutual agreement on the structure and duration of the training.

2. Allow unions to communicate with workers through modern and convenient means

Permit workers to sign up for union membership electronically and require public employers to provide unions necessary contact information for workers, including cellphone numbers and email addresses. To protect workers' privacy, contact information should be accessible only to the exclusive representative of a worker or to labor organizations during organizing drives. Policymakers should also facilitate worksite access for worker representatives by allowing union meetings to occur at worksites; ensuring union leaders can access worksites without prior approval; and granting unions access to worksite bulletin boards, mail and email, as well as allowing union information to be posted on human resources platforms.

3. Modernize union dues collection

Allow all public employees to pay dues through payroll deduction and oppose any efforts to limit these rights. Beyond the basic right to dues deduction, states should also enact policies to require efficient processing of dues deduction requests and to ensure that workers can sign up for dues deduction by modern and efficient means, including electronically and via telephone. In addition, lawmakers can bolster reliable and regular dues payments by requiring workers to commit to pay dues for a full year at a time or by affirmatively allowing unions and employers to negotiate over this issue.

4. Strengthen workers' power at the bargaining table

Equalize power between workers and employers and allow for more productive bargaining by strengthening contract dispute resolution procedures and granting workers the right to strike. Policymakers should permit government workers that are not essential to public safety to legally strike and ban permanent striker replacements. In addition, policymakers should require employers and workers to submit to mandatory mediation and binding arbitration if contract negotiations run past a fixed period of time.

5. Recognize the ability of unions to provide needed goods

Recognize the role of unions in delivering high-quality workforce training and benefits and helping to enforce workplace protections. State and local governments can enable unions to provide high-quality training by instituting essential training requirements for specific occupations; requiring all government workers to receive training on universally-needed skills; and securing dedicated funding for joint labor-management training partnerships to administer these programs. In addition, labor-management partnerships should be used to help workers obtain new or better benefits than those provided by direct employers or to combat wage theft and other workplace violations by including community and worker organizations in enforcement efforts.

The fight for public sector unions

Today, government workers are central to the labor movement, representing nearly half of all union members.¹⁹ Yet this was not always the case. Excluded from the National Labor Relations Act of 1935, public sector unions represented only a small portion of government workers until the second half of the last century.²⁰ This all changed beginning in the middle half of the last century as state and local policymakers reacted to an increasingly militant unionized government workforce by recognizing their right to collectively bargain.

The history of public sector unionism is worth examining for two reasons. First, public sector unions changed the face of unions, organizing an increasingly diverse group of workers beginning in the middle half of the last century and working with civil rights leaders to challenge the economic and racial power structures of the United States. As a result, today's union members reflect the growing diversity of the nation as a whole.

Second, the history of public sector bargaining provides an example of how state and local policymakers today can support the country's diverse working class. While state and local government workers never won collective bargaining protections at the federal level, worker advocates and progressive policymakers in many cities and states have collaborated over the last six decades to test new ways of organizing and adopt innovative policies to allow government workers a voice on the job.

Prior to the late 1950s, public sector workers had no protected rights to negotiate collectively with their employers and, too often, little redress for unsafe or otherwise poor working conditions. Progressive reformers in many communities had successfully lobbied for a civil service system that helped to equalize pay and prevent nepotism, while public sector unions engaged in worker training and even informal negotiations with employers.²¹ However, these actions were no match for the power of private sector unions at the bargaining table.

Private sector workers' wages were booming during the economic expansion of the 1950s and 1960s, in large part due to strong unions. Public sector workers were falling behind, receiving lower wages, often lacking Social Security coverage, and paying more for benefits.²² According to the U.S. Bureau of Economic Analysis, in 1960, the average annual wage of a manufacturing worker was 20 percent higher than that of a government employee.²³

This gap motivated workers to join public sector unions, and government unions were increasingly recruiting and representing a more diverse cross section of American workers. While early public sector unionism had been dominated by a professional class in smaller cities and towns, unions such as the American Federation of State, County, and Municipal Employees (AFSCME); the American Federation of Teachers (AFT); the National Education Association (NEA); and the Service Employees International Union (SEIU) were increasingly organizing blue-collar workers, workers of color, women, and urban residents.

In his research on the rise of AFSCME, labor historian Joseph E. Hower documents how many of these workers—frustrated by low pay, discrimination, and poor working conditions—wanted full bargaining rights and were willing to protest with walkouts, demonstrations, and illegal wildcat strikes.²⁴

By the decade's end, progressive state and local leaders began to respond to this growing pressure. In 1957, reformist Philadelphia Mayor Richardson Dilworth (D) recognized AFSCME as the official bargaining unit of nonuniformed municipal workers.²⁵ One year later, New York City Mayor Robert F. Wagner (D) responded to a series of strikes and demonstrations by issuing an executive order recognizing unions as employee representatives and committing the city to engage in collective bargaining.²⁶ And, in 1959, Wisconsin became the first state to recognize government workers' right to bargain.²⁷

During the decades that followed, government workers flooded into unions, winning state and local laws allowing them to bargain. Between 1960 and 1976, union density among state and local government employees grew from 5 percent to nearly 40 percent.²⁸

At the time, support for public sector collective bargaining rights was not limited to Democrats. For example, in 1965, Michigan's Republican governor, George W. Romney, signed the state's Public Employee Relations Act into law.²⁹ Three years later, then-Gov. Ronald Reagan (R-CA) signed into law California's Meyers-Milias-Brown Act to grant government workers collective bargaining rights.³⁰ And, in 1969, President Richard Nixon used his executive authority to expand on Kennedy-era protections of bargaining rights for federal government workers.³¹

As government unions became more diverse, public sector union members and leadership increasingly saw economic justice as intrinsically linked to racial justice and gender equity. Indeed, 2018 marks the 50th anniversary of the Memphis sanitation workers' strike.³² After Echol Cole and Robert Walker were crushed to death in a malfunctioning garbage truck in February 1968, Memphis' African American sanitation workers staged an unplanned wildcat strike to protest deplorable working conditions and demand safety improvements as well as higher pay.³³

The workers, who were affiliated with AFSCME but never recognized by the city, had previously engaged in unsuccessful actions. Officials in the segregated city were recalcitrant, and national leadership feared that this strike would yield the same as the past. However, as the strike dragged on, organizers and the American public grew to understand that this was a fight for both labor and civil rights.³⁴ AFSCME worked with civil rights leaders, such as Rev. James Lawson, to organize support from the broader African American community.³⁵ Workers on the picket line carried signs that declared "I am a man" and won the nation's attention after Rev. Dr. Martin Luther King Jr. joined their cause.

The strike aligned with King's new Poor People's Campaign, which called for a radical shift in the distribution of economic power. King was a long-time supporter of organized labor, arguing that the needs of the African American community were "identical with labor's needs."³⁶ Speaking before a crowd of sanitation workers on March 18, 1968, he declared: "You are here tonight to demand that Memphis will do something about the conditions that our brothers face as they work day in and day out for the well-being of the total community ... You are here to demand that Memphis will see the poor."³⁷ King returned to Memphis two weeks later. Hours after delivering his famous "Mountaintop" speech, he was martyred.³⁸ In the days that followed, then-President Lyndon B. Johnson sent an undersecretary of labor to resolve the strike.³⁹ Facing mounting national pressure, the city agreed to workers' demands of higher wages, improved workplace protections, and recognition of their union.⁴⁰

The agreement, which raised standards for a group of workers who had long been voiceless, was a historic win for both the civil rights and labor movements and helped to propel a wave of organizing drives among sanitation workers. By the late 1960s, Hower estimates, African American workers accounted for a third of AFSCME's membership.⁴¹

Indeed, public sector unions at the end of the last century helped to change the racial and gender composition of the labor movement and often engaged in cross-movement activism.

Women flooded into the AFT and the NEA, and, in the 1970s and 1980s, feminist labor organizers such as Maxine Jenkins helped to initiate efforts at SEIU and AFSCME locals in California in an effort to close the gender wage gap in government work.⁴²

The AFT and the NEA recruited African American teachers throughout the country—including in the segregated South during the 1950s and 1960s.⁴³ During this period, the AFT and its affiliates desegregated the union; filed an amicus brief supporting the desegregation of schools in *Brown v. Board of Education*; and organized their members to teach in Mississippi freedom schools.⁴⁴

Like AFSCME, teachers' unions were becoming increasingly militant in their fight for labor rights. According to labor historian John Lyons, teachers participated in more than 1,000 strikes between July 1960 and June 1974.⁴⁵ This activism largely paid off, with nearly three-quarters of America's public school teachers covered by a union contract by the end of the 1970s.⁴⁶

For example, in 1970, Minneapolis teachers violated a court order to strike for better pay and stronger collective bargaining rights. Ultimately, the Minnesota teachers won on all counts, reaching a fair settlement, amnesty for strikers, and the passage of the Minnesota Public Employment Labor Relations Act to strengthen workers' right to bargain and strike.⁴⁷

Yet union militancy and broader social awareness did not always guarantee progressive unity or union victories. For example, in a 1968 New York City strike, unionized teachers clashed with African American and Puerto Rican residents over issues of local control.⁴⁸ Moreover, poor economic conditions, coupled with a resurgence of conservative ideology, limited the ability of public sector unions to win reform solely through militant action. Cities and states responded to the stagflation and recession of the 1970s by drastically cutting back on government spending. For example, California voters famously enacted Proposition 13 to slash local property taxes, and after New York City reached the brink of bankruptcy in 1975, the city significantly cut spending on schools.⁴⁹

Conservatives, emboldened by growing public angst, found unionized government workers to be a convenient scapegoat. Ironically, a \$150 million loan from the teachers' pension fund helped save New York City from bankruptcy.⁵⁰ Yet the rise of this fiscal conservatism and anti-union public sentiment led public sector unions to avoid public confrontations and increasingly focus on securing wins through progressive state legislatures and at the bargaining table.⁵¹

While federal, private sector bargaining laws have not been significantly amended since 1947, progressive policymakers and worker advocates in many states—such as Washington, Illinois, Minnesota, California, and New York—have expanded public sector bargaining protections to workers who previously fell outside of traditional bargaining regimes and lacked even basic workplace protections.⁵²

Since the 1980s, public sector unions have targeted many organizing efforts at an increasingly diverse set of workers in drives that often required the formation of wide-ranging coalitions and the passage of new legislation. For example, the SEIU began organizing home care workers in California and Illinois beginning in the 1980s.⁵³ While home care workers perform tasks essential to their elderly clients and clients with disabilities—such as meal preparation, medication reminders, transportation, and companionship—they are notoriously low paid. These workers, who are disproportionately women of color and immigrants, were not even covered under federal minimum wage protections until 2015.⁵⁴

In 1999, Los Angeles County became the first jurisdiction to recognize home care workers' bargaining rights after 12 years of organizing, when 74,000 workers voted to join the SEIU.⁵⁵ Yet, before these workers could vote, worker advocates had to win the support of workers that did not share a common worksite; build coalitions with consumers; and fight for both the state- and county-level authorizing legislations.⁵⁶

In the late 1980s, California home care workers began to petition state Medicaid systems for bargaining rights as well as status as public employees.⁵⁷ Although many of these workers are paid through federal and state Medicaid funds, they were often employed by clients who retained the ability to supervise, hire, and fire them. Legislative success hinged on the creation of a bargaining system that would not significantly limit consumer control and, consequently, win the support of disability rights advocates.⁵⁸ Three separate pieces of California legislation enacted in 1992 and 1993 were used to create a system in which the state government would continue to administer state and federal funds to support home care work; consumers would maintain independent control; and local governments were empowered to create public authorities that would become the employers of record for home care workers.⁵⁹ Former California assemblywoman Gwen Moore championed bargaining rights for home care workers at the state level; however, securing county level support was more difficult. Ultimately, after a massive campaign that included picketing, letter writing, and other forms of protest, the Los Angeles County Board of Supervisors voted to establish a public authority in 1997.⁶⁰

By 2015, 14 states had enacted legislation to allow home care workers to organize, allowing hundreds of thousands of them to be represented by public sector unions.⁶¹ In addition, unions in a number of cities and states are organizing for numerous occupations that are funded with taxpayer support, including child care workers, charter school teachers, and adjunct professors.⁶²

The same communities that enacted policies in the 1960s and 1970s allowing public sector workers to bargain and that continued to expand bargaining rights to public workers in the decades that followed will likely also work to ensure that public sector unions can maintain existing membership levels after the *Janus* decision. Yet, even in states where government workers have little power, workers are increasingly joining together to assert their right to bargain, and they are pressuring policymakers to recognize their demands.

Public sector unions today

Today, unions continue to benefit ordinary Americans by raising worker pay and benefits; combating racial and economic inequality; helping ensure government services are of high quality; and giving workers a strong voice in our democracy. However, years of conservative attacks on unions are affecting their ability to deliver on larger societal benefits.

Unionized workers are able to negotiate for better pay and benefits than nonunion workers—a concept known as the “union wage premium.” According to research conducted in 2012 by Richard B. Freeman and Eunice Han, in states with strong public sector bargaining laws, the union wage premium for government workers is 10 percent.⁶³ And recent analysis from the Economic Policy Institute finds that the overall wage premium for unionized government workers is 8 percent, while the overall compensation premium—which includes the value of pay and benefits—is 9 percent.⁶⁴

As a result, public unions help to narrow the pay gap between private and public sector workers. Yet corporate interest groups have long claimed that bargaining rights for government workers are a bad deal for taxpayers because they allowed public sector unions to bargain for lavish pay and benefits packages. This is a myth. Government workers receive lower pay and benefits than comparable private sector workers.⁶⁵

Moreover, the compensation gap—which includes wages and benefits—is much larger in states that limit public sector bargaining. According to 2016 analysis from the Economic Policy Institute, government workers in states that prohibit fair share fees earn about 10 percent less than comparable private sector workers after adjusting for factors such as experience and education.⁶⁶ In fair share states, the difference is less than 1 percent.⁶⁷

These effects are particularly important for women and black workers, since they are significantly more likely to be public sector workers. Women account for nearly 57 percent of government workers but comprise only about 41 percent of private sector workers.⁶⁸ Similarly, black workers account for more than 12 percent of government workers and 9 percent of private sector workers.⁶⁹

Furthermore, the benefits of unions can extend beyond the workers they represent. In communities where unions are strong, all middle-class families benefit. For example, low-income children who grow up in areas with higher union density tend to rank relatively higher in income distribution as adults than those from areas with few union members.⁷⁰ And research comparing U.S. states found that statewide unionization rates have a larger impact on the rates of poverty among working people than gross domestic product (GDP) per capita and economic growth rates.⁷¹

Government unions also help increase the quality of public services and ensure that taxpayers receive a good value. For example, research finds that school districts with strong teachers' unions do a better job of dismissing poorly performing teachers and retaining high-quality teachers than districts with weaker unions.⁷²

Indeed, unions provide government workers a mechanism through which they can recommend more efficient uses of resources. For example, in 2015, unionized sanitation workers in Chicago saved the city more than \$7 million by identifying more efficient truck routes.⁷³ Moreover, SEIU locals have partnered with the two largest municipal health systems in the United States—NYC Health + Hospitals and the Los Angeles County Department of Health Services—to institute quality improvement programs that resulted in improved patient outcomes, among other benefits. These improvements, for example, included reducing asthma readmission rates among children; increasing patient satisfaction and lowering wait times; and decreasing workplace safety hazards.⁷⁴

In addition, public sector unions often fight for improvements that benefit the larger community at the bargaining table. Teachers' unions are increasingly fighting for smaller class sizes, expansion of public preschool programs, and less severe school disciplinary measures; home care worker unions advocate for better training requirements that increase the quality of care; and public maintenance workers push for improvements to local infrastructure.⁷⁵

Some unions are pushing even further. For example, the Chicago Teachers Union used its 2015 contract negotiations to expand access to medical and mental health services for students and to expand funding for aftercare programs.⁷⁶ Meanwhile, in 2012, Oakland city workers launched a successful campaign against predatory banking practices that were harming taxpayers; and, in Massachusetts, unionized child protective services workers partnered with the state to launch systemwide reforms after a child in the system was killed.⁷⁷

Finally, unions benefit ordinary Americans by giving them a stronger voice in our democracy. Unions are one of the few interest groups in American society with the power to successfully advocate for economic policies that help the working class and to serve as a counterbalance the corporate lobby. At the federal level, unions were instrumental in the passage of the Affordable Care Act and in successfully defending it from repeal.⁷⁸ And unions have been leading the fight to raise state and local minimum wage laws.⁷⁹ Moreover, research shows that voter turnout is higher in communities where unions are strong since union members are more likely to vote and often support get-out-the-vote efforts.⁸⁰

However, as previously discussed, conservative lawmakers and corporate lobbyists are fighting to dismantle workers' hard-fought gains. This decades-long attack on workers' rights is chipping away at power of unions and their ability to build a strong middle class. Overall union membership rates have fallen for nearly 50 years along with the share of income that goes to middle-class families. The top 20 percent of households in terms of income now earn a majority of U.S. income—51.5 percent—whereas, in 1968, they earned just 42.6 percent.⁸¹

Moreover, studies show that state laws that eliminate fair share fees are associated with a nearly 10 percentage-point reduction in union membership rates and a 3 percent reduction in wages, compared with non-right-to-work states.⁸²

At lower membership levels, it is harder for unions to win strong collective bargaining agreements or broader societal benefits since they have less ability to fund this work, and they have less sway in negotiations, as employers do not see large-scale strikes or other labor actions as a consequence of inaction. When workers are unable to effectively bargain within the established legal framework, they may be more likely to resort to unauthorized workplace actions—as was the case in the recent teachers' strikes in West Virginia, Kentucky, and Arizona—because they have no alternative options.

Finally, restricting public sector bargaining rights also reduces the quality of government services. After Gov. Scott Walker (R-WI) signed into law the highly controversial Wisconsin Act 10—a law that virtually eliminated collective bargaining rights for government workers—teacher turnover rates increased and teacher experience, or years in the classroom, dropped significantly.⁸³ Emerging research by E. Jason Baron finds that the Wisconsin law reduced statewide student achievement, especially on science and math assessments in already lower-performing schools.⁸⁴ Baron presents evidence that this was potentially due to increased teacher turnover.⁸⁵

While the *Janus* decision represents a significant threat to government workers, it is part of a much larger concerted attack on the right of workers to come together in unions, threatening not only the labor movement but also the American middle class. State and local policymakers who care about working families cannot afford to ignore this fight.

Policies to support government workers

Nearly 60 years after Wisconsin became the first state to enact a law recognizing public sector collective bargaining rights in 1959, more than one-third of state and local government workers are protected by a union contract.⁸⁶ Yet state laws allowing these workers to join unions and collectively bargain vary tremendously. Moreover, the *Janus* decision threatens to significantly erode union membership levels, weaken unions' power at the bargaining table, and reduce workers' pay and benefits.

Ideally, the federal government would act to enshrine the right of all government workers to bargain collectively and strengthen public sector bargaining rights in many of the ways described below. However, in its current makeup, it is highly unlikely that this Congress would enact such a reform or that President Trump would sign such a proposal into law. Despite his promises to look out for working people, Trump and his administration are weakening dozens of federal protections of working people. These actions range from derailing an expansion of overtime coverage for 4.2 million Americans to making it harder for workers to bargain with corporations to filing a court brief in the *Janus* case that opposed union workers.⁸⁷

Yet, even with a lack of action at the federal level, state and local policymakers have significant power to mitigate the negative effects of the *Janus* decision. Columnists, labor union representatives, and worker advocates are debating the proper response to the *Janus* decision, with ideas ranging from litigation that challenges laws limiting which public sector workers can bargain and what they can bargain over to legislation that would require the government—rather than individual workers—to pay union dues.⁸⁸

This report focuses on the types of policies that can help public sector unions maintain their strength by attracting and retaining members as well as on policies to strengthen unions' negotiating power at the bargaining table. City and state policymakers should adopt reforms to strengthen members' knowledge and commitment to their union; respect the ability of unions to provide meaningful goods to workers; and strengthen unions' leverage at the bargaining table through enhanced arbitration and strike procedures. While some of these reforms will require passage of new laws, others could be achieved through regulatory changes or administrative guidance.

Ensure new public employees learn about the benefits of union membership

Union participation in new hire orientations can help to ensure that workers understand their rights on the job, the role of the union, the benefits of participation, and opportunities for leadership on common workplace priorities. Indeed, new employees that receive such an orientation are more likely to become union members and make long-term commitments to the union.⁸⁹

However, orientations about union membership frequently occur outside of the workplace and after hours, when it is much harder for new employees to participate. According to a 2017 study from Jobs With Justice—an advocacy organization for workers’ rights—and Penn State University, only slightly more than one-third of new union members report having participated in an orientation regarding their union, and only slightly more than half of new members had contact with their union in their first month on the job.⁹⁰

These sorts of orientations will become increasingly important as Baby Boomers working in the public sector retire. According to a survey conducted by the Center for State and Local Government Excellence, nearly half of state and local governments reported that there was an uptick in retirements in 2016.⁹¹ And given that the overall unionization rate hovers at 11 percent, few new hires—and particularly young workers—will have previous interactions with unions.

City and state policymakers should enact policies to ensure that, during their official new hire orientations, workers receive training about their rights under the law and the benefits of unionization. Orientations should also explain the collective bargaining agreement and provide opportunities for new members to become involved in the union.

Research finds that that in-person orientations lasting at least one hour are most effective at increasing member commitment.⁹² However, even when government employee orientations are shorter in duration or conducted online, workers should receive information about the benefits of union membership.

A number of states—including California, Maryland, New York, New Jersey, and Washington—recently created requirements for union involvement in new hire orientations.⁹³ For example, the New Jersey Legislature enacted legislation that would grant unions at least 30 minutes of access to workers within 30 days of hire for the purposes of a new hire orientation.⁹⁴ This spring, Washington enacted legislation that would require

that unions have at least 30 minutes of access to public employees within 90 days of their hire and require the union presentation to occur during regular work hours at the worksite or at a location mutually agreed upon by the employer and the union.⁹⁵

Finally, in 2017, California lawmakers enacted an Assembly bill—A.B. 119—that requires public employers to give unions representing a workplace access to employee orientations.⁹⁶ While the bill originally included specific requirements on the structure and duration of the meeting, it was later amended to reflect the fact that new hire orientation processes vary significantly across the public sector workforce.⁹⁷ Instead, the enacted law requires “the structure, time, and manner” of a union’s access to be determined through mutual agreement between the union and the employer. It also requires that interest arbitration be used to settle disputes.

Allow unions to communicate with workers through modern and convenient means

Workers and labor organizations must be able to communicate with each other as they work to form unions and collectively bargain for wages and benefits. While ongoing member outreach has always been essential, the ability of unions to maintain membership rates following the *Janus* decision will depend on their ability to communicate the benefits of membership and respond rapidly to workers’ needs.

Today, workers typically prefer to communicate with their union via email or cell phone or at meetings on the worksite. Within the workplace, old-fashioned bulletin boards have been replaced by new methods of communication, including human resources platforms on which workers fill out time sheets, manage benefits selection, and receive important information from their employer.

Yet, too often, existing state and local laws are silent or hopelessly out-of-date when it comes to requiring the provision of worker contact information to unions and allowing workers to meet and discuss union issues on government property. Even in some states that require employers to share contact information with workers’ exclusive representatives, the law sometimes simply requires them to provide workers’ home addresses to the union.⁹⁸

Indeed, ongoing worker engagement programs—including the use of worker surveys, bargaining committees, and house calls—lead to higher union win rates and increases in postelection membership levels, according to academics Kate Bronfenbrenner and Tom Juravich.⁹⁹ As a result, anti-worker groups are attacking

even simple reforms that ensure that workers are able to communicate with each other and are using worker contact information to dissuade them from joining a union. State and local policymakers should require public employers to provide unions all necessary contact information for workers, including cell phone numbers and email addresses, and they should ensure that workers are allowed to sign up for union membership electronically.

To protect workers' privacy, this information should only be accessible to the exclusive representative of a worker or to labor organizations during organizing drives. California takes a similar approach to voter data. The state's election code states that voters' home addresses, telephone numbers, and email addresses are available to candidates for public office but are not open to the public.¹⁰⁰

Additionally, worker representatives should have regular access to worksites so that they can communicate with existing and potential members. Policymakers could help facilitate worksite access by enacting laws and guidance to allow union meetings to occur at worksites; ensure union leaders can access worksites without prior approval; and grant unions access to worksite bulletin boards, mail and email, and allow union information to be posted on human resources platforms.

For example, California's aforementioned A.B. 119 requires public employers to provide regularly updated member contact information to union representatives, including workers' names; job titles and work locations; email and home addresses; and work, home, and personal cellphone numbers.¹⁰¹ The public employers are required to report this information at the time of hire and update all information for public workers at least every 120 days. In order to protect workers' privacy, this information is not accessible via public disclosure requests and is only available to the exclusive representative of a worker.

In addition, this year, the New Jersey Legislature enacted the Workplace Democracy Enhancement Act, which would require public employers to provide and regularly update worker contact information while also allowing employee organizations to meet in government buildings and use the public employee email system to communicate with members.¹⁰² And, in 2015, Oregon enacted legislation that shields public employees' personal information from public records requests.¹⁰³

Modernize dues collection

Automatic payroll deduction allows workers to sign-up in advance to transmit their dues payment directly from their paycheck to their designated union. This benefits unions by allowing worker organizations to concentrate on adequately representing member interests rather than collecting dues. Payroll dues deduction has been shown to have a small positive effect on wages.¹⁰⁴ Yet, increasingly, it is under attack.

Automatic payroll deduction is a secure and convenient way for workers to pay union dues. In addition, this method of dues payment has long been used to ensure consistent funding for worker organizations. In fact, it was a major demand of the Memphis sanitation workers in their 1968 strike.¹⁰⁵ According to the Economic Policy Institute, as of 2010, 83 percent of public sector workers worked in states that permitted dues to be paid through automatic payroll deduction—although not all of these workers necessarily worked under a union contract with automatic payroll deduction.¹⁰⁶

Moreover, in an effort to destabilize unions, corporate interest groups are increasingly advancing state legislation to prevent public employees from paying dues through payroll deduction. For example, the corporate-backed American Legislative Exchange Council (ALEC) has developed model legislation to bar payroll dues deduction for public employees.¹⁰⁷ Unfortunately, since the Economic Policy Institute study, a number of states—including Wisconsin, Iowa, and Michigan—have enacted laws to prevent public sector workers from paying their dues through payroll deduction.¹⁰⁸

Conservatives often claim that taxpayers should not support dues collection since unions engage in lobbying activities.¹⁰⁹ Yet public employers allow workers to use payroll deductions to contribute to retirement and health benefits even though companies providing these benefits spend millions of dollars on lobbying activities every year.¹¹⁰ Moreover, states sponsor combined charitable giving campaigns that allow workers to contribute to a variety of advocacy groups through payroll deductions.¹¹¹ And the cost to states of setting up automatic payroll deduction is negligible.¹¹²

Pro-worker lawmakers should adopt policies to ensure that all public employees can pay dues through payroll deduction, and they should oppose any efforts to limit these rights. Beyond the basic right to dues deduction, states should also enact policies to require efficient processing of dues deduction requests and ensure that workers can sign up for dues deduction by modern and efficient means, including electronically and via telephone. Some states have already taken steps. Minnesota's collective bargaining law expressly states that unionized employees may use payroll deduction to pay dues.¹¹³ In its 2018-2019 budget, New York passed a new requirement that public employers initiate payroll deduction within 30 days of a worker joining the union.¹¹⁴

And California is debating a proposal to improve the processing of dues by requiring enhanced union oversight of the process.¹¹⁵ Finally, Oregon's Employee Relations Board is debating regulations that would allow workers to submit authorization statements electronically or via telephone.¹¹⁶

In addition, lawmakers can bolster consistent dues payments by requiring workers to commit to pay dues for a full year at a time or by affirmatively allowing unions and employers to negotiate over this issue. Doing so would also help prevent problems akin to issues of adverse selection in insurance markets—essentially, where workers could choose to join the union only when they need the union to represent them in a grievance with their employer. Delaware and New Jersey have both enacted legislation that creates a window of time each year in which a worker can opt out of dues payments.¹¹⁷

Strengthen workers' power at the bargaining table

In order to negotiate a fair contract, both workers and employers must have power at the bargaining table as well as incentives to compromise. Yet, too often, state laws governing the negotiation process are stacked against government workers, giving recalcitrant employers little motivation to bargain or compromise. By strengthening contract dispute resolution procedures and granting workers the right to strike, pro-worker policymakers can help to equalize power between workers and employers, allowing for more productive bargaining.

The power of workers and employers in labor negotiations is in large part derived from their mutual dependence on each other. In the most basic terms, workers depend on their employers to provide decent pay and working conditions, while employers depend on their workforce for a consistent supply of skilled labor.¹¹⁸ This shared dependency gives employers and workers a reason to come to the bargaining table. However, existing state laws often make it difficult for workers to leverage their power. Today, government employers typically feel little threat of workers withholding their labor since only 20 percent enjoy legal strike protections.¹¹⁹ As a result, the vast majority of public sector workers risk significant penalties and even firing if they engage in a strike or work stoppage.

And while states often provide arbitration requirements for disputes between labor and management as a substitute for the ability to strike, too often these laws provide only weak incentives for recalcitrant employers to negotiate in good faith. In theory, neutral arbitrators are supposed to help both parties come to agreement when negotiations stall and, to the extent that parties do not want an arbitrator to side against them,

provide incentive for good faith bargaining. However, during the contract negotiation process, less than 10 percent of public employees are covered by strong binding arbitration laws, which require both sides to adhere to the finding of the arbiter when negotiations do not produce an agreement. In contrast, nearly one-third of all government workers are covered by fact-finding arbitration requirements that do not include final binding agreements.¹²⁰

At the time these laws were enacted, some argued that awarding public sector workers strike rights and strong arbitration protections would distort the political process, jeopardize public safety, and lead to runaway pay since labor costs could not be constrained by competition.¹²¹

However, research shows that this is not the case. Compared with weaker collective bargaining protections, strong strike and arbitration protections lead to a small but significant pay increase. For example, a 2015 report from the Economic Policy Institute found that employees with legal strike protections earn 2 percent to 5 percent more than those without it. In addition, the report found that nonbinding arbitration resulted in 2 percent to 5 percent lower wages than other resolution procedures.¹²²

Proponents of limited strike protections also argue that strikes could jeopardize public safety if they involved firefighters or police officers, for example. However, current laws prohibiting workers from striking reach far beyond these professions. Recalcitrant employers in states with weak penalties may see stalled negotiations as beneficial since they can preserve the status quo and, consequently, erode workers' support for their union.

Moreover, research shows that strike activity may be higher in states where workers have weak or no collective bargaining protections. Reviewing 15 years of data and jurisdictional requirements on "duty to bargain," binding arbitration, and right-to-strike laws, Princeton University economists concluded that strike costs were highest in "jurisdictions that provide no explicit framework for bargaining or dispute resolution."¹²³

Recent actions by teachers in Arizona, Kentucky, North Carolina, Oklahoma, and West Virginia certainly appear to substantiate this research.¹²⁴ Teachers in these states have long voiced frustration over their salaries, which are far below the national average, and falling state investments in schools.¹²⁵ Yet they have little bargaining power, as the law in every one of these states provide teachers with neither the right to strike nor mandatory arbitration procedures. As a result, teachers must risk penalties and even firing by engaging in illegal work stoppages and strikes to collectively raise wages.

Not surprisingly, these strikes have enjoyed wide-ranging support. According to a 2018 Ipsos/NPR poll, three-quarters of Americans agree with the statement that “public school teachers have the right to strike,” including 67 percent of Republicans, 71 percent of rural respondents, and 75 percent of respondents from the South.¹²⁶

Pro-worker policymakers can strengthen workers’ negotiating power by adopting legislation that would permit government workers who are not essential to public safety to legally strike when contract negotiations fail. These laws should ban permanent striker replacements and allow workers to strike over failure to bargain, contract noncompliance, and legislative actions that affect working conditions. In addition, for most government employees, arbitration should function as a complement to rather than a substitute for the right to strike. Policymakers should require employers and workers to submit to mandatory mediation and binding arbitration if contract negotiations run past a fixed period of time.

Currently, teachers have the right to strike in just 12 states, and some states similarly permit other state employees who are not essential to public safety to strike.¹²⁷ For example, Illinois law excludes only police, firefighters, and paramedics from the right to strike.¹²⁸ Other jurisdictions award workers mandatory arbitration rights but not the ability to strike—this includes the District of Columbia, which mandates arbitration when labor negotiations have stalled.¹²⁹ Indeed, even in the most progressive cities and states, lawmakers could significantly bolster workers’ power at the bargaining table.

Recognize the ability of unions to deliver meaningful training and benefits

By banning fair share fees, the *Janus* decision allows workers to receive all the benefits of unionization without having to pay the cost of negotiating. Even in the most pro-worker communities, it will be difficult for government unions to prevent freeriding and to maintain membership levels at existing rates. However, state and local policymakers can help unions to retain and recruit members by recognizing the role that unions can take in delivering needed goods to workers.

While union membership rates in most countries have been in decline for the past 20 years, countries that have adopted systems in which unions provide needed goods have not experienced a similar erosion in membership levels. For example, Belgium’s Ghent system provides unions a role in the delivery of unemployment benefits. While the government funds the unemployment insurance system, citizens can choose to access benefits through union-affiliated pay bodies or an independent agency.¹³⁰

The basic idea behind this system, according to CAP’s David Madland, is that “worker organizations have a formal role in making certain government programs work better, and they then use the relationships built with workers during this process to recruit new members to help pay the costs of industrywide bargaining.”¹³¹ Unemployed workers in Belgium typically choose to access benefits through union funds because they are generally seen as the superior and more accessible service provider.¹³² While government funds are available only for the administration of this project and cannot be used to fund other union activities, the relationships built with workers during this process help Belgian unions to recruit new members.

This concept could be adapted to work in American cities and states in order to improve the performance of a range of programs oriented toward the workforce—such as training, benefits, and even enforcement of worker protections. In fact, a number of cities and states are developing programs to do just that.

Training partnerships

While Ghent-like training programs are far from common, the closest examples in the United States are partnerships adopted in a number of cities and states to provide workers occupation-specific training. The programs, often created in partnership with employers, have helped improve government services while allowing workers to advance in their careers, fulfill certification requirements, and receive pay increases.

For example, in 2001, after voters in the state of Washington allowed home care workers to organize, SEIU 775 partnered with the state and private employers to provide required training to workers through the SEIU Healthcare NW Training Partnership.¹³³ The training, which coincided with pay increases, helped professionalize the workforce and improve the quality of care. In order to be certified, home care workers must now complete 75 hours of training and comply with ongoing continuing education requirements.¹³⁴

The state of New York has had similar success with family child care providers; the workers’ union helps to ensure adherence to quality standards by providing training and technical assistance.¹³⁵ And New York has long partnered with the Public Employees Federation and the Civil Service Employees Association through joint labor-management partnerships in an effort to deliver continuing education to state employees.¹³⁶ Online and in-person courses are offered to union members across a number of occupational groups, including auditing and accounting; education and research; engineering and transportation; health care; information technology; law and criminal justice; and social work and counseling.¹³⁷

In addition, AFSCME has partnered with Eastern Gateway Community College, a public community college in Ohio, to offer free online courses up to an associate degree to members and their families.¹³⁸ And, for the past 30 years, the AFT has offered a train-the-trainer academy for educators. The program trains hundreds of trainers annually, who then work through local union-district partnerships to provide professional development to thousands of teachers in dozens of communities every year—including all new teachers in the Pinellas County, Florida, and Cleveland, Ohio, school districts.¹³⁹

In June of this year, voters in San Francisco, California, approved an initiative that will use a modest tax increase to fund a program to increase early childhood teacher pay and training opportunities while dramatically expanding access to affordable child care to low- and moderate-income city residents.¹⁴⁰ Voters in Alameda County came very close to enacting a similar measure in the June 2018 election. In addition to increasing access to high-quality child care along with worker pay and training opportunities, the initiative would have allowed workers to voluntarily contribute to a nonprofit worker organization through payroll deduction.¹⁴¹ The initiative—which required a two-thirds majority to pass—was supported by almost 65 percent of voters.

Moreover, city and state policymakers are beginning to explore partnerships with labor organizations to provide training on universally needed knowledge and skills. These sorts of cross-government training programs could include emergency preparedness; navigation of retirement and health care benefits; and sexual harassment prevention; as well as trainings on skills broadly needed for career advancement such as management training and leadership development.

For example, in December 2017, the Los Angeles City Council amended its airport living wage ordinance to require employees to attend union-provided trainings that prepare them to respond in cases of extreme weather, active shooters, terrorist attacks, and other emergencies.¹⁴² While the public facility is staffed by workers employed by private contractors, similar trainings could be valuable for public schools, universities, health care facilities, and government buildings.

That same year, Gov. Kate Brown (D-OR) signed an executive order that will improve and expand training focused on core skill sets common to all state employees. The order provides the state with an opportunity to replicate the success of job-specific training programs like those for home care with the broader government workforce across hundreds of occupations.¹⁴³

These sorts of programs could be significantly expanded, which would go a long way in meeting the needs of state and local employees, who frequently report that inadequate training reduces their ability to be effective at work and advance in their careers.¹⁴⁴ For example, in 2015, more than 40 percent of state government employees in Michigan reported that they did not agree with the statement, “I receive the training I need to do a quality job.”¹⁴⁵ Recent surveys of San Antonio, Texas, and Minneapolis, Minnesota, municipal employees have yielded similar results.¹⁴⁶

Moreover, insufficient training opportunities can reduce the quality of public services. Public sector labor-management training partnerships can help to mitigate this problem by providing workers with needed skills that increase productivity and service quality as well as workers’ commitment to their employer and their union. Joint training partnerships can also provide significant value to government employers. Large public sector unions may be able to more efficiently provide training than small municipal governments or even individual state agencies. And union partnership can help to ensure programmatic longevity since unions would help to support these sorts of initiatives during annual budget decisions.

State and local government should partner with unions on any new and existing training programs. This will help to ensure that public employees have access to growing sectors and advancement opportunities while simultaneously raising the quality of services. These strategies could include instituting new training requirements for specific occupations; requiring all public sector workers to receive training on universally needed skills; and creating and securing dedicated funding for joint labor-management training partnerships to administer these programs.

Research demonstrates that governments receive significant benefits from supporting these sorts of training partnerships. The restructuring of the home care industry in Washington state has helped to build a more professionalized workforce and has improved the quality of care.¹⁴⁷ Among states, Washington ranks highest in quality of long-term health care services and supports, according to a 2017 report from the AARP Public Policy Institute.¹⁴⁸ And, in New York, nearly 80 percent of participants in the state employee training program report that the instruction will help them to perform their job more efficiently.¹⁴⁹

Research also shows that on-the-job training can have a significant effect on worker productivity. For example, economists Daron Acemoglu and Jörn-Steffen Pischke found that on-the-job training may be equally, if not more, important as formal schooling in determining productivity.¹⁵⁰ Likewise, research on employer-sponsored training programs in Belgium and Great Britain has found that training is a good investment for employers because it increases worker productivity faster than wage rates.¹⁵¹

Enhance benefits and protections for workers

While labor-management training partnerships are the most developed Ghent-like partnerships in the United States, cities and states are also thinking creatively about how to deliver meaningful benefits and to protect the rights of an increasing number of workers represented by government unions. In some cases, labor-management partnerships could be used to help workers to obtain supplemental or better benefits than their direct employer or to combat wage theft and other workplace violations by including community and worker organizations in enforcement efforts.

State and local governments should provide funding and recognize the authority of unions to help provide benefits to workers and identify violations of workplace laws. Already, a number of public sector unions have experience helping employers sign up members for benefits or directly providing benefits to workers. During these interactions, unions also provide information on the union and allow workers to sign up for benefits and union membership at the same time.

Even in situations where workers already receive health and retirement benefits, unions have found that workers derive significant benefit from supplemental benefits such as dental and liability insurance. For example, the Committee of Interns and Residents (CIR)—an SEIU affiliate that represents more than 15,000 residents and interns at both public and private hospitals nationwide—uses Taft-Hartley-like multiemployer funds in order to provide workers at its public hospitals supplemental benefits, such as dental insurance and support for continuing education.¹⁵² Hospitals employing these workers gain significantly since the union takes on the burden of signing up workers who, due to educational commitments, typically stay only three years—the length of residency. The union has found that the residents are highly likely to sign on to becoming dues-paying members at the same time that they sign up for benefits.

Similarly, teachers' unions have significant experience providing insurance to workers. In states where teachers are prevented from bargaining, affiliates of the NEA and the AFT provide benefits, including occupational liability insurance and legal defense protections.¹⁵³

Seattle provides another example of a novel approach to raising standards for workers—in this case, domestic workers, who include home care workers. A proposed domestic workers' "bill of rights" would establish a city commission—made up of workers and employers—to set and monitor fair wages, benefits, and working conditions for domestic workers.¹⁵⁴

Of course, union-provided benefits should not be used as a substitute for higher-quality employer-provided benefits. However, union provision of benefits may be valuable to traditional employees and short-term government employees as well as workers who are employed by a private sector company or an individual but whose jobs are supported with government funds.

Workers in these publicly supported jobs—including home care workers and charter school teachers—frequently face poor working conditions.¹⁵⁵ These employees are frequently excluded from traditional public employee benefits systems, face greater employer opposition to unionization, and may be more susceptible to wage theft or other workplace law violations. For example, in a survey conducted for a 2009 report by the National Employment Law Project, the University of Illinois at Chicago, and the University of California, Los Angeles, nearly 83 percent of home care workers reported overtime violations, and 90 percent were required to work off-the-clock in the previous year.¹⁵⁶

Poor working conditions can also result in lower-quality services for the public. For example, research finds that the annual turnover rates of teachers in charter schools are twice as high as those at traditional public schools, who typically receive higher pay, significantly better retirement benefits, and are much more likely to be unionized.¹⁵⁷

Moreover, governments can better enforce workplace laws on publicly supported work and empower workers to stand up for their rights by providing grants to worker organizations that have regular contact with vulnerable populations. This would allow worker organizations to more effectively monitor workplace conditions and help victims to remedy the violations.¹⁵⁸

For example, Los Angeles has long used a Joint Labor Compliance Monitoring Program to enforce its prevailing wage laws. The city's Bureau of Contract Administration trains and gives workers credentials to interview employees of contractors and subcontractors at their worksites in order to ensure that they are being paid the legal wage standard.¹⁵⁹ More recently, the California Division of Labor Standards Enforcement has sought to implement a similar strategy to enforce wage violations.¹⁶⁰

Likewise, San Francisco and Seattle have implemented community enforcement programs, providing grants to community organizations to help enforce workplace standards.¹⁶¹ The programs fund recipients in an effort to educate workers about their rights, attempt to informally solve disputes directly with employers, and refer victims to the appropriate enforcement agency, guiding workers through the legal process.

Research demonstrates that workers, government employers, and taxpayers can all benefit from programs that include unions in the provision of meaningful goods. For example, in fiscal year 2014, more than 85 percent of wage theft complaints in San Francisco were submitted through community partner groups. And, in large part due to this partnership, the city was able to return more than \$4.5 million in back wages and interest to workers.¹⁶²

By adopting and expanding on these existing programs that provide important goods in partnership with unions, cities and states can improve existing government services for workers and taxpayers.

Conclusion

Strong public sector unions help to build the American middle class, fight against systematic racial disparities, and ensure that everyday Americans have a voice in our democracy. Yet the Supreme Court's recent decision in *Janus v. AFSCME* is part of a decades-long attack by corporate interests that is weakening the power of American workers on the job and in government.

In the middle of the last century, state and local policymakers played a critical role in recognizing and protecting the right of public sector workers to organize into unions. It is up to today's pro-worker policymakers and advocates to band together to support government workers and their right to come together in strong public sector unions in the 21st century.

About the author

Karla Walter is director of the American Worker Project at the Center for American Progress Action Fund. Walter focuses primarily on improving the economic security of American workers by increasing workers' wages and benefits, promoting workplace protections, and advancing workers' rights at work. Prior to joining CAP Action, Walter worked at Good Jobs First, providing support to officials, policy research organizations, and grassroots advocacy groups striving to make state and local economic development subsidies more accountable and effective. Previously, she worked as an aide for Wisconsin state Rep. Jennifer Shilling (D). Walter earned a master's degree in urban planning and policy from the University of Illinois at Chicago and received her bachelor's degree from the University of Wisconsin-Madison.

Endnotes

- 1 Ann C. Hodges, "The Relentless Attack on Unions Continues," American Constitution Society for Law and Policy, September 19, 2017, available at <https://www.acslaw.org/acsblog/the-relentless-attack-on-unions-continues>; *Abood v. Detroit Board of Education*, 431 U.S. 209 (1977), available at <https://www.law.cornell.edu/supremecourt/text/431/209>.
- 2 Elise Gould and Will Kimball, "Right-to-Work" States Still Have Lower Wages" (Washington: Economic Policy Institute, 2015), available at <https://www.epi.org/files/pdf/82934.pdf>.
- 3 2011 *Wisconsin Act 10*, Wisconsin A.B. 11, 100th Legislature, 1 sess. (2011), available at <https://docs.legis.wisconsin.gov/2011/related/acts/10>; *An Act Relating to Employment Matters Involving Public Employees*, Iowa H.F. 291, 87th Legislature, 1 sess. (2017), available at <https://www.legis.iowa.gov/legislation/BillBook?ba=HF%20291&ga=87>.
- 4 Gordon Lafer, *The One Percent Solution: How Corporations Are Remaking America One State at a Time* (Ithaca, NY: Cornell University Press, 2017).
- 5 Celine McNicholas, Zane Mokhiber, and Marni von Wilpert, "Janus and fair share fees" (Washington: Economic Policy Institute, 2018), available at <https://www.epi.org/publication/janus-and-fair-share-fees-the-organizations-financing-the-attack-on-unions-ability-to-represent-workers/>; Jay Riestenberg and Mary Bottari, "Who Is Behind the National Right to Work Committee and its Anti-Union Crusade?," Center for Media and Democracy, June 3, 2014, available at <https://www.prwatch.org/news/2014/06/12498/who-behind-national-right-work-committee-and-its-anti-union-crusade>.
- 6 For a summary of existing research on unions, see David Madland and Alex Rowell, "Unions Help the Middle Class, No Matter the Measure" (Washington: Center for American Progress Action Fund, 2016), available at <https://www.americanprogressaction.org/issues/economy/reports/2016/06/09/139074/unions-help-the-middle-class-no-matter-the-measure/>. See also, Richard Freeman and others, "Bargaining for the American Dream" (Washington: Center for American Progress, 2015), available at <https://www.americanprogress.org/issues/economy/reports/2015/09/09/120558/bargaining-for-the-american-dream/>; David Madland and Nick Bunker, "Unions Make Democracy Work for the Middle Class" (Washington: Center for American Progress Action Fund, 2012), available at <https://www.americanprogressaction.org/issues/economy/reports/2012/01/25/10913/unions-make-democracy-work-for-the-middle-class/>.
- 7 Joseph A. McCartin, "Bargaining for the Common Good," *Dissent*, Spring 2016, available at <https://www.dissentmagazine.org/article/bargaining-common-good-community-union-alignment>; Maurice BP-Weeks and others, "Before the Chalk Dust Settles: Building on the 2018 Teachers' Mobilization," *The American Prospect*, April 24, 2018, available at <http://prospect.org/article/chalk-dust-settles-building-on-2018-teachers%E2%80%99-mobilization>.
- 8 Bureau of Labor Statistics, "Union Members Summary," Press release, January 19, 2018, available at <https://www.bls.gov/news.release/union2.nr0.htm>.
- 9 Bruce Western and Jake Rosenfeld, "Unions, Norms, and the Rise in U.S. Wage Inequality," *American Sociological Review* 76 (4) (2011): 513–537, available at <http://www.asanet.org/sites/default/files/savvy/images/journals/docs/pdf/asr/WesternandRosenfeld.pdf>.
- 10 Updated data from Barry T. Hirsch and David A. Macpherson, "Union Membership and Coverage Database from the Current Population Survey: Note," *Industrial and Labor Relations Review* 56 (2) (2003): 349–354, available at <http://unionstats.gsu.edu/Public-Sector-Workers.htm>; Molly Beck, "Union membership down nearly 40 percent since Act 10," *Wisconsin State Journal*, January 27, 2017, available at http://host.madison.com/wsj/news/local/govt-and-politics/union-membership-down-nearly-percent-since-act/article_60c1bb7e-3ae3-57d0-b4b3-a9aa46f0e59f.html. Examples of legislative and judicial rollbacks of collective bargaining protections include *Harris v. Quinn*, 573 U.S. ____ (2014), available at <https://supreme.justia.com/cases/federal/us/573/11-681/>; 2011 *Wisconsin Act 10*; *An Act Relating to Employment Matters Involving Public Employees*.
- 11 David Rolf, "Life on the Homecare Front," *Generations: Journal of the American Society on Aging* 40 (1) (2016): 82–87, available at http://davidmrolf.com/wp-content/uploads/2016/05/GENS_v40n1-Rolf-1.pdf; Liana Loewus, "More Charter School Teachers See Unions as an Option," *Education Week*, June 30, 2017, available at <https://www.edweek.org/ew/articles/2017/06/30/at-big-city-charter-schools-more-teachers-see.html>; P.R. Lockhart, "The Memphis sanitation workers strike and MLK's unfinished fight for economic justice," *Vox*, April 4, 2018, available at <https://www.vox.com/identities/2018/2/12/17004552/memphis-sanitation-strike-poor-peoples-campaign-fight-for-15>.
- 12 Thomas Kochan, "Here's how workers would spend the corporate tax cut—if they had a voice," *The Conversation*, January 30, 2016 available at <http://theconversation.com/heres-how-workers-would-spend-the-corporate-tax-cut-if-they-had-a-voice-90604>.
- 13 Matt Pearce, "West Virginia teachers win 5% pay raise as massive strike comes to an end," *Los Angeles Times*, March 6, 2018, available at <http://www.latimes.com/nation/la-na-teacher-funding-20180306-story.html>; Colin Dwyer, "Arizona Teachers End Walkout But Vow To Keep Fighting: 'Now We Must Win The War,'" *NPR*, May 3, 2018, available at <https://www.npr.org/sections/thetwo-way/2018/05/03/608175312/arizona-teachers-end-walkout-but-vow-to-keep-fighting-now-we-must-win-the-war>; Corky Siemaszko, "North Carolina teachers rally in Raleigh for raises, funding," *NBC News*, May 16, 2018, available at <https://www.nbcnews.com/news/us-news/north-carolina-teachers-rally-raleigh-raises-funding-n874271>; National Education Association, "Rankings and Estimates: Rankings of the States 2016 and Estimates of School Statistics" (2017), available at http://www.nea.org/assets/docs/2017_Rankings_and_Estimates_Report-FINAL-SECURED.pdf.
- 14 *Abood v. Detroit Board of Education*.
- 15 For more on management support, see Matt Pearce, "In Oklahoma schools, bosses are helping teachers go on strike," *Los Angeles Times*, March 29, 2018, available at <http://www.latimes.com/nation/la-na-oklahoma-teachers-20180327-story.html>.
- 16 Ipsos/NPR, "Most Americans believe teachers have the right to strike" (2018), available at <https://www.ipsos.com/en-us/news-polls/teacher-survey-2018-04-26>.
- 17 For a history of the debate on enacting federal protections for state and local government workers, see Joseph A. McCartin, "A Wagner Act for Public Employees: Labor's Deferred Dream and the Rise of Conservatism, 1970-1976," *Journal of American History* 95 (1) (2008): 123–148.

- 18 David Madland and Alex Rowell, "How State and Local Governments Can Strengthen Worker Power and Raise Wages" (Washington: Center for American Progress Action Fund, 2017), available at <https://www.americanprogressaction.org/issues/economy/reports/2017/05/02/166640/state-local-governments-can-strengthen-worker-power-raise-wages/>.
- 19 Bureau of Labor Statistics, "Table 3. Union affiliation of employed wage and salary workers by occupation and industry," available at <https://www.bls.gov/news.release/union2.t03.htm> (last accessed May 2018).
- 20 Government workers first organized into unions in the 19th century, with public sector union density tracking fairly closely with private employment in the early 20th century. Between World War I and the mid-1930s, both hovered around 10 percent, according to historian Joseph Slater. It was only after the Wagner Act legitimized a tremendous expansion in industrial union membership that the two sectors clearly diverged. See Joseph Slater, *Public Workers: Government Employee Unions, the Law, and the State, 1900–1962* (Ithaca, NY: Cornell University Press, 2004).
- 21 Joseph Slater, "The Assault on Public Sector Collective Bargaining: Real Harms and Imaginary Benefits" (Washington: American Constitution Society for Law and Policy, 2011), available at https://www.acslaw.org/sites/default/files/Slater_Collective_Bargaining.pdf.
- 22 State and local government workers were excluded from coverage under the Social Security Act of 1935. Beginning in the 1950s, Congress expanded Social Security coverage to many previously excluded groups, including many state and local government workers. Yet, in 2011, the Congressional Research Service found that nearly 28 percent of state and local government employees are not covered by Social Security. See Dawn Nuschler, Alison M. Shelton and John J. Topoleski, "Social Security: Mandatory Coverage of New State and Local Government Employees" (Washington: Congressional Research Service, 2011), available at <https://www.nasra.org/Files/Topical%20Reports/Social%20Security/CRS%202011%20Report.pdf>.
- 23 Bureau of Economic Analysis, "Average Annual Wages and Salaries and Wage Supplements per Full-Time Equivalent Employee, by Industry: 1960 to 1974." In Bureau of the Census, *Statistical Abstract of the United States, 1976* (Washington: U.S. Department of Commerce, 1976), available at <https://babel.hathitrust.org/cgi/pt?id=mdp.39015021301612;view=1up;seq=406>.
- 24 Joseph E. Hower, "Jerry Wurf, the Rise of AFSCME, and the Fate of Labor Liberalism, 1947–1981." Dissertation submitted to the faculty of the Graduate School of Arts and Sciences at Georgetown University (Washington: Georgetown University, 2013), available at https://repository.library.georgetown.edu/bitstream/handle/10822/559488/Hower_georgetown_0076D_12342.pdf;sequence=1; Joseph A. McCartin, "What's Really Going on in Wisconsin?", *The New Republic*, February 19, 2011, available at <https://newrepublic.com/article/83829/wisconsin-public-employees-walker-negotiate>. Note that Hower's dissertation will be published in 2020.
- 25 Joseph E. Hower, "Jerry Wurf, the Rise of AFSCME, and the Fate of Labor Liberalism, 1947–1981."
- 26 Ibid; American Federation of State, County, and Municipal Employees (AFSCME), "An AFSCME History Timeline," available at <http://75.afscme.org/history> (last accessed April 2018).
- 27 Art Zimmerman, "State and Local Government Employment Relations Law" (Madison, WI: Wisconsin Legislative Fiscal Bureau, 2013), available at https://docs.legis.wisconsin.gov/misc/lfb/informational_papers/january_2013/0097_state_and_local_government_employment_relations_law_informational_paper_97.pdf.
- 28 Michael Goldfield, "Public Sector Union Growth and Public Policy," *Policy Studies Journal* 18 (2) (1989): 404–420.
- 29 *Michigan Law Review*, "Collective Bargaining for Public Employees and the Prevention of Strikes in the Public Sector," 68 (2) (1969): 260–302.
- 30 Edmund Edelman and Daniel Mitchell, "Dealing with Public-Sector Labor Disputes: An Alternative Approach" (Los Angeles: University of California, Los Angeles, 2005), available at <https://escholarship.org/content/qt9z82f2x4/qt9z82f2x4.pdf>.
- 31 Executive Order no. 11491, *Labor-management relations in the Federal Service* (1969), available at <https://www.archives.gov/federal-register/codification/executive-order/11491.html>.
- 32 AFSCME, "An AFSCME History Timeline."
- 33 The Martin Luther King Jr. Research and Education Institute, "Memphis Sanitation Workers Strike," available at <https://kinginstitute.stanford.edu/encyclopedia/memphis-sanitation-workers-strike> (last accessed May 2018).
- 34 Library of Congress, "William Lucy oral history interview conducted by Emilye Crosby in Washington, D.C., 2013-06-25," available at https://www.loc.gov/item/afc2010039_crh0094/ (last accessed May 2018).
- 35 See, for example, David Appleby, Allison Graham, and Steve Ross, dir., "At the River I Stand" (California Newsreel, 1993), transcript available at <http://www.newsreel.org/transcripts/At-the-River-I-Stand-Transcript.html>.
- 36 Poor People's Campaign, "Dr. King's Vision: The Poor People's Campaign of 1967–68," available at <https://www.poor-peoplescampaign.org/history/> (last accessed April 2018); Peter Dreier, "Martin Luther King's Fight for Workers' Rights," *HuffPost*, September 2, 2017, available at <https://www.huffingtonpost.com/entry/59ab51d4e4b0d0c16bb525a9>.
- 37 Michael K. Honey, *Going Down Jericho Road: The Memphis Strike, Martin Luther King's Last Campaign* (New York: W. W. Norton & Company, 2008).
- 38 DeNeen L. Brown, "'I Am a Man': The ugly Memphis sanitation workers' strike that led to MLK's assassination," *The Washington Post*, February 12, 2018, available at https://www.washingtonpost.com/news/retropolis/wp/2018/02/12/i-am-a-man-the-1968-memphis-sanitation-workers-strike-that-led-to-mlks-assassination/?utm_term=.536ea1a20f70.
- 39 Ibid.
- 40 Ibid.
- 41 Hower, "Jerry Wurf, the Rise of AFSCME, and the Fate of Labor Liberalism," See also: Joseph E. Hower, "'A Threshold Moment': Public Sector Organizing and Civil Rights Unionism in the Postwar South." In Matthew Hill and Keri Leigh Merritt, ed., *Reconsidering Southern Labor History: Race, Class, and Power* (Gainesville, FL: University of Florida Press, 2018)
- 42 Joan Goddard (former president of AFSCME Local 101, San Jose), interview with Johanna Russ, July 7, 2009, available at <https://reuther.wayne.edu/files/LOH002238.pdf>; Paul Johnson, "Success While Others Fail: Social Movement Unionism and the Public Workplace," *Journal of Labor Research* 18 (4) (1997): 659–660; Fred Glass, *From Mission to Microchip: A History of the California Labor Movement* (Oakland, CA: University of California Press, 2016).
- 43 Jackie Mader, "The rise of teacher unions: A look at union impact over the years," *HechingerEd*, September 19, 2012, available at http://hechingered.org/content/the-rise-of-teacher-unions-a-look-at-union-impact-over-the-years_5601/; Adam Mertz, "A Century of Teacher Organizing: What Can We Learn?" (Labor and Working-Class History Association), available at <https://www.lawcha.org/century-teaching-organizing/> (last accessed May 2018).

- 44 Mertz, "A Century of Teacher Organizing"; Linda Ocasio, "When freedom was the lesson plan," United Federation of Teachers, September 4, 2014, available at <http://www.uft.org/news-stories/when-freedom-was-lesson-plan>; Mississippi Moments, "MSMo 404 Sandra Adickes - Freedom Summer: Curriculum," July 2, 2014, available at <http://mississippimoments.org/msmo-404-sandra-adickies-freedom-summer-curriculum>.
- 45 John F. Lyons, *Teachers and Reform: Chicago Public Education, 1929–1970* (Urbana, IL: University of Illinois Press, 2008)
- 46 Ibid.
- 47 Deborah A. Schmedemann, "The Scope of Bargaining in Minnesota Public Sector Labor Relations: A Proposal for Change," *William Mitchell Law Review* 10 (2) (1984): 213–266, available at <https://open.mitchellhamline.edu/cgi/viewcontent.cgi?article=1050&context=facsch>.
- 48 Shelton, *Teacher Strike!*; Daniel Perlstein, "The dead end of despair: Bayard Rustin, the 1968 New York school crisis, and the struggle for racial justice." In Clarence Taylor (ed.), *Civil Rights in New York City: From World War II to the Giuliani Era* (New York: Fordham University Press, 2011).
- 49 Clyde Haberman, "Retro Report: The California Ballot Measure That Inspired a Tax Revolt," *The New York Times*, October 16, 2016, available at <https://www.nytimes.com/2016/10/17/us/the-california-ballot-measure-that-inspired-a-tax-revolt.html>; Eric Jaffe, "The Time the Teacher's Union Saved New York from Bankruptcy," CityLab, July 24, 2013, available at <https://www.citylab.com/life/2013/07/time-teachers-union-save-new-york-city-bankruptcy/6306/>; Susan Amlung, "Back from the brink: How the UFT saved New York from bankruptcy," United Federation of Teachers, March 18, 2010, available at <http://www.uft.org/your-union-then-now/back-brink-how-uft-saved-new-york-bankruptcy>.
- 50 Ibid.
- 51 Mertz, "A Century of Teacher Organizing."
- 52 See, for example, Leigh Anne Schriever, "The Home Health Care Industry's Organizing Nightmare," The Century Foundation, August 18, 2015, available at <https://tcf.org/content/commentary/the-home-health-care-industrys-organizing-nightmare/>; Ashley Christenson, "After Tumultuous End to Legislative Session, Home Care Workers Celebrate Ratification of New Agreement – And Resolve to Fight for Full Funding to be Restored," SEIU Healthcare Minnesota, June 20, 2017, available at <http://www.seiuhealthcaremn.org/2017/06/20/after-tumultuous-end-to-legislative-session-home-care-workers-celebrate-ratification-of-new-agreement-and-resolve-to-fight-for-full-funding-to-be-restored/>.
- 53 Rolf, "Life on the Homecare Front"; Linda Delp and Katie Quan, "Homecare Worker Organizing in California: An Analysis of a Successful Strategy," *Labor Studies Journal* 27 (1) (2002): 1–23, available at <http://laborcenter.berkeley.edu/homecare-worker-organizing-in-california-an-analysis-of-a-successful-strategy/>.
- 54 National Employment Law Project, "Federal minimum wage & overtime protections for home care workers" (2015), available at <http://www.nelp.org/content/uploads/NELP-Fact-Sheet-Companionship-Rules-Reform.pdf>.
- 55 Delp and Quan, "Homecare Worker Organizing in California."
- 56 Ibid.
- 57 Rolf, "Life on the Homecare Front."
- 58 Eileen Boris and Jennifer Klein, *Caring for America: Home Health Workers in the Shadow of the Welfare State* (New York: Oxford University Press, 2012).
- 59 Delp and Quan, "Homecare Worker Organizing in California."
- 60 Ibid.
- 61 Rolf, "Life on the Homecare Front."
- 62 Note that although charter school teachers are paid through public funds, whether these workers organize under national or state labor law is determined by the specific facts of the case. However, the National Labor Relations Board (NLRB) issued two decisions in 2016—Hyde Leadership Charter School Matter (364 NLRB No. 88) and the Pennsylvania Virtual Charter School (364 NLRB No. 87)—that indicate that many charter school workers should organize under the National Labor Relations Act.
- 63 Richard B. Freeman and Eunice Han. 2012. "The War against Public Sector Collective Bargaining in the US," *Journal of Industrial Relations* 54 (3) (2012): 386–408.
- 64 Jeffrey Keefe, "Eliminating fair share fees and making public employment 'right-to-work' would increase the pay penalty for working in state and local government" (Washington: Economic Policy Institute, 2015), available at <https://www.epi.org/publication/eliminating-fair-share-fees-and-making-public-employment-right-to-work-would-increase-the-pay-penalty-for-working-in-state-and-local-government/>.
- 65 Jeffrey Keefe, "Public-sector workers are paid less than their private-sector counterparts—and the penalty is larger in right-to-work states" (Washington: Economic Policy Institute, 2016), available at <http://www.epi.org/publication/public-sector-workers-are-paid-less-than-their-private-sector-counterparts-and-its-much-worse-in-right-to-work-states/>.
- 66 Ibid.
- 67 Ibid.
- 68 Keefe, "Eliminating fair share fees and making public employment 'right-to-work' would increase the pay penalty for working in state and local government."
- 69 Ibid.
- 70 Freeman and others, "Bargaining for the American Dream."
- 71 David Brady, Regina S. Baker, Ryan Finnigan, "When Unionization Disappears: State-Level Unionization and Working Poverty in the United States," *American Sociological Review* 78 (5) (2013): 872–896, available at <http://journals.sagepub.com/doi/pdf/10.1177/0003122413501859>.
- 72 Eunice Han, "The Myth of Unions' Overprotection of Bad Teachers: Evidence from District-Teacher Matched Panel Data on Teacher Turnover." Working Paper (Cambridge, MA: Harvard Law School, 2016), available at http://haveyouheardblog.com/wp-content/uploads/2016/07/Han_Teacher_dismissal_Feb_16.pdf.
- 73 *Friedrichs v. California Teachers Association*, 578 U.S. ____ (2016), available at <http://americaworkstogether.us/wp-content/uploads/2015/11/14-915-bsac-Cities-Counties-and-Elected-Officials.pdf>.
- 74 *Janus v. American Federation of State, County, and Municipal Employees, Council 31* (2018), available at https://www.supremecourt.gov/Docket-PDF/16/16-1466/28396/20180119100123336_2018.1.19%20LA%20DHS%20NYC%20HH%20SEIU%20Amicus%20Br%20for%20Filing.pdf.

- 75 See, for example, Bargaining for the Common Good, "News," available at <http://www.bargainingforthecommon-good.org/news/> (last accessed April 2018).
- 76 Katherine Barrett and Richard Greene, "Unions Widen Who They're Fighting For," *Governing*, January 25, 2018, available at <http://www.governing.com/columns/smart-mgmt/gov-unions-bargaining-common-good.html>.
- 77 Ibid.; Gov. Charlie Baker (R-MA), "Governor Baker, Frontline Child Protection Workers Announce DCF Reforms: System-Wide Reforms to Strengthen Child Protection Efforts," Press release, September 28, 2015, available at <http://www.mass.gov/governor/press-office/press-releases/fy2016/gov-baker-child-protection-workers-announce-dcf-reform.html>; Ryan Phillips, "Community groups voice opposition to city's bond debt deal with Goldman Sachs," *Oakland North*, February 22, 2012, available at <https://oaklandnorth.net/2012/02/22/community-groups-voice-opposition-to-citys-bond-debt-deal-with-goldman-sachs/>.
- 78 Health Care for America Now, "About HCAN," available at <http://healthcareforamericanow.org/about> (last accessed May 2018).
- 79 Steven Greenhouse, "How to Get Low-Wage Workers Into the Middle Class," *The Atlantic*, August 19, 2015, available at <https://www.theatlantic.com/business/archive/2015/08/fifteen-dollars-minimum-wage/401540/>.
- 80 Madland and Bunker, "Unions Make Democracy Work for the Middle Class."
- 81 Alex Rowell and David Madland, "Without Strong Unions, Middle-Class Families Bring Home a Smaller Share" (Washington: Center for American Progress Action Fund, 2017), available at <https://www.americanprogressaction.org/issues/economy/news/2017/09/14/168583/without-strong-unions-middle-class-families-bring-home-smaller-share/>.
- 82 Frank Manzo IV and Robert Bruno, "Free-Rider States: How Low-Wage Employment in 'Right-to-Work' States Is Subsidized by the Economic Benefits of Collective Bargaining," (Urbana, IL: University of Illinois at Urbana-Champaign, 2014), available at <https://ler.illinois.edu/wp-content/uploads/2015/01/Free-Rider-CB-States.pdf>. See also Gould and Kimball, "Right-to-Work States Still Have Lower Wages"; Frank Manzo IV and Robert Bruno, "The Impact of Local 'Right-to-Work' Zones: Predicting Outcomes for Workers, the Economy, and Tax Revenues in Illinois," (Urbana, IL: University of Illinois at Urbana-Champaign, 2015), available at <http://www.ieanea.org/media/2015/04/RTWZonesreport.pdf>. Note that after Michigan enacted such a law in 2013, membership in the state's largest teachers' union declined by 25 percent. See: Tom Gantert and Evan Carter, "Michigan's Largest Teacher Union Has Lost 25 Percent of Its Members," *Michigan Capitol Confidential*, December 1, 2017, available at <https://www.michiganconfidential.com/michigans-largest-teachers-union-has-lost-25-percent-of-its-members>.
- 83 David Madland and Alex Rowell, "Attacks on Public-Sector Unions Harm States: How Act 10 Has Affected Education in Wisconsin," (Washington: Center for American Progress Action Fund, 2017), available at <https://www.americanprogressaction.org/issues/economy/reports/2017/11/15/169146/attacks-public-sector-unions-harm-states-act-10-affected-education-wisconsin/>.
- 84 E. Jason Baron, "The Effect of Teachers' Unions on Student Achievement: Evidence from Wisconsin's Act 10," Working Paper, March 3, 2018, available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3001417.
- 85 Ibid.
- 86 Updated data from Hirsch and Macpherson, "Union Membership and Coverage Database from the Current Population Survey."
- 87 Karla Walter and Alex Rowell, "President Trump's Policies Are Hurting American Workers," (Washington: Center for American Progress Action Fund, 2018), available at <https://www.americanprogressaction.org/issues/economy/reports/2018/01/26/168366/president-trumps-policies-hurting-american-workers/>.
- 88 See, for example, Dana Milbank, "The Kochs are trying to kill unions. Be careful what you wish for," *The Washington Post*, February 26, 2018, available at https://www.washingtonpost.com/opinions/the-kochs-are-trying-to-kill-unions-be-careful-what-you-wish-for/2018/02/26/ce810844-1b45-11e8-9de1-147dd2df3829_story.html?utm_term=.ddedbe2b7b28; Ryan Smith, "Would the Supreme Court be opening a 'Pandora's box' if it rules with Rauner in his anti-union lawsuit?," *Chicago Reader*, March 2, 2018, available at <https://www.chicagoreader.com/Bleader/archives/2018/03/02/is-the-supreme-court-inviting-a-pandoras-box-of-unintended-consequences-if-it-rules-with-rauner-in-his-anti-union-lawsuit/>; Shaun Richman, "Here's How a Supreme Court Decision To Gut Public Sector Unions Could Backfire on the Right," *In These Times*, February 8, 2018, available at <http://inthesetimes.com/working/entry/20897/heres-how-a-supreme-court-decision-to-gut-public-sector-unions-could-backfi>; *An Act Relating to Public Employees*, Hawaii S.B. 2369, 29th Legislature (2018), available at <https://legiscan.com/HI/bill/SB2369/2018>.
- 89 Michael Wasser and Paul Clark, "Making the Case for Union Membership: The Strategic Value of New Hire Orientations" (Washington: Jobs With Justice Education Fund, 2017), available at http://www.jwj.org/wp-content/uploads/2017/11/NMO-2017-full-report_FINAL.pdf.
- 90 Ibid.
- 91 Center for State and Local Government Excellence, "Survey Findings, State and Local Government Workforce: 2017 Trends" (2017), available at: <https://slge.org/wp-content/uploads/2018/02/State-and-Local-Government-Workforce-2017-Trends.pdf>.
- 92 Wasser and Clark, "Making the Case for Union Membership." Authors found that willingness to volunteer for the union increased gradually based on duration of orientation, comparing orientations of 15 to 30 minutes and 30 to 60 minutes and orientations of one and three hours.
- 93 *An Act Concerning Education – Collective Bargaining – Exclusive Representative's Access to New Employee Processing*, Maryland S.B. 819, 438th General Assembly, 1 sess. (2018), available at <http://mgaleg.maryland.gov/2018RS/bills/sb/sb0819f.pdf>.
- 94 *An Act Concerning Public Employment Relations*, New Jersey A.B. 3686, 218th Legislature, 1 sess. (2018), available at <https://legiscan.com/NJ/rollcall/A3686/id/727875>; *A Budget Bill*, New York S.B. 7509C, 202nd Legislature, 1 sess. (2018), Part RRR, available at <https://www.nysenate.gov/legislation/bills/2017/s7509>.
- 95 *An Act Relating to Requiring Employers to Provide Exclusive Bargaining Representatives Reasonable Access to New Employees for the Purposes of Presenting Information About Their Exclusive Bargaining Representative*, Washington S.B. 6229, 65th Legislature, 1 sess. (2018), available at <http://apps2.leg.wa.gov/bills/summary?BillNumber=6229&Year=2017&BillNumber=6229&Year=2017>
- 96 *Employee Orientation Bill*, California A.B. 119, 2017-2018 Legislature (2017), available at https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB119. Similarly, in its 2018 budget, New York state passed language requiring that unions are notified when new hires join the bargaining unit and have 30 days to meet with the worker. See *A Budget Bill*, New York S.B. 7509C, Part RRR.

- 97 *An Act to Add Chapter 11 to Division 4 of Title 1 of the Government Code, Relating to Public Employees*, California A.B. 2835, 2015-2016 Legislature (2016), available at https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB2835.
- 98 *Illinois Public Labor Relations Act*, 5 ILCS 315/1, available at <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=108&ChapterID=2>; *Pennsylvania State Code, "Chapter 95. Public Employees"*, available at <https://www.pacode.com/secure/data/034/chapter95/chap95toc.html> (last accessed June 2018).
- 99 Kate Bronfenbrenner and Tom Juravich, "Union Tactics Matter: The Impact of Union Tactics on Certification Elections, First Contracts and Membership Rates," Working Paper (Ithaca, NY: Cornell University School of Industrial and Labor Relations, 1995), available at <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1157&context=workingpapers>.
- 100 California Government Code Section 6254.4. See also Paul Grabowicz, "Tutorial: Voter Registration Records," available at <https://multimedia.journalism.berkeley.edu/tutorials/voter-registration-records/> (last accessed June 2018).
- 101 *Employee Orientation Bill*, California A.B. 119; Maryland enacted S.B. 819 this year, which has similar requirements for public school employees.
- 102 *An Act Concerning Public Employment Relations*, New Jersey A.B. 3686.
- 103 *A Bill for an Act Relating to Payments Under the Public Employees Retirement System Subject to Oregon Personal Income Tax*, Oregon H.B. 3037, 79th Legislature, 1 sess. (2015), available at <https://olis.leg.state.or.us/liz/2017R1/Downloads/MeasureDocument/HB3037>.
- 104 Jeffrey Keefe, "Laws enabling public-sector collective bargaining have not led to excessive public-sector pay" (Washington: Economic Policy Institute, 2015), available at <http://www.epi.org/publication/laws-enabling-public-sector-collective-bargaining-have-not-led-to-excessive-public-sector-pay/>.
- 105 AFSCME, "1968 AFSCME Memphis Sanitation Workers' Strike Chronology," available at <https://www.afscme.org/union/history/mlk/1968-afscme-memphis-sanitation-workers-strike-chronology> (last accessed May 2018).
- 106 Keefe, "Laws enabling public-sector collective bargaining have not led to excessive public-sector pay."
- 107 American Legislative Exchange Council, "Public Employee Freedom Act," available at <https://www.alec.org/model-policy/public-employee-freedom-act/> (last accessed April 2018).
- 108 *Public Act No. 53*, Michigan H.B. 4929, 96th Legislature, 1 sess. (2012), available at <https://www.legislature.mi.gov/documents/2011-2012/publicact/pdf/2012-PA-0053.pdf>; Wisconsin State Code, "Chapter 111.845, Wage Deduction Prohibition," available at <http://docs.legis.wisconsin.gov/statutes/statutes/111/V/845; An Act Relating to Employment Matters Involving Public Employees>.
- 109 Charles Blain, "Why is a Texas Republican blocking union reforms?," *The Hill*, July 23, 2017, available at <http://thehill.com/blogs/pundits-blog/state-local-politics/343380-why-is-a-texas-republican-blocking-union-reforms>.
- 110 For example, Blue Cross Blue Shield spent more than \$24 million on lobbying in 2017. See Center for Responsive Politics, "Blue Cross/Blue Shield," available at <https://www.opensecrets.org/lobby/clientsum.php?id=d000000109> (last accessed April 2018).
- 111 For example, in 2016, Ohio state employees could use the state's Combined Charitable Campaign to give to Catholics United for Life or the Center for Reproductive Rights. See State of Ohio Combined Charitable Campaign, "2016 Resource Guide" (2016), available at <http://das.ohio.gov/Portals/0/2016%20Campaign/Resource%20guide%20complete%20document%20small%20size.pdf>.
- 112 Aaron Sharockman, "What does it cost governments for automatic payroll deductions?," *Politifact*, March 22, 2011, available at <http://www.politifact.com/florida/statements/2011/mar/22/john-thrasher/what-does-it-cost-governments-automatic-payroll-de/>.
- 113 Minnesota Office of the Revisor of Statutes, "2017 Minnesota Statutes: 179A.06 Rights and Obligations of Employees," available at <https://www.revisor.mn.gov/statutes/?id=179A.06> (last accessed April 2018). The law also specifies that public employees who are not represented by a union "have the right to request and be allowed dues checkoff for the organization of their choice."
- 114 *A Budget Bill*, New York S.B. 7509C, Part RRR.
- 115 *Public Employment: Payroll Deductions*, California A.B. 1937, 2017-2018 Legislature (2018), available at https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1937.
- 116 Oregon Employee Relations Board, "Public Meeting Notice," Press release, May 11, 2018, available at http://www.oregon.gov/ERB/pdfs/05-11-18_Public_MtgNot%28w-PublicComments%28thru051018.pdf.
- 117 *An Act Concerning Public Employment Relations*, New Jersey A.B. 3686.; *An Act to Amend Title 19 of the Delaware Code Relating to the Public Employment Relations Act*, Delaware H.B. 314, 149th General Assembly, 1 sess. (2018), available at <https://legiscan.com/DE/text/HB314/2017>.
- 118 Edward J. Lawler and Samuel B. Bacharach, "Power Dependence in Collective Bargaining," *Advances in Industrial and Labor Relations* 3 (1986): 191-212, available at <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=2171&context=articles>.
- 119 Keefe, "Laws enabling public-sector collective bargaining have not led to excessive pay."
- 120 Ibid.
- 121 Bronfenbrenner and Juravich, "Union Tactics Matter"; Richard Kearney and Patrice Mareschal, "Labor Relations in the Public Sector, Fifth Edition" (Boca Raton, FL: CRC Press, 2017).
- 122 Keefe, "Laws enabling public-sector collective bargaining have not led to excessive pay."
- 123 Janet Currie and Sheena McConnell, "The Impact of Collective Bargaining Legislation on Disputes in the U.S. Public Sector: No Policy May Be the Worst Policy," Working Paper 3978 (Cambridge, MA: National Bureau of Economic Research, 1992), available at <http://www.nber.org/papers/w3978.pdf>.
- 124 Pearce, "West Virginia teachers win 5% pay raise as massive strike comes to an end"; Dwyer, "Arizona Teachers End Walkout But Vow To Keep Fighting"; Dana Goldstein and Elizabeth Dias, "Oklahoma Teachers End Walkout After Winning Raises and Additional Funding," *The New York Times*, April 12, 2018, available at <https://www.nytimes.com/2018/04/12/us/oklahoma-teachers-strike.html>; Siemaszko, "North Carolina teachers rally in Raleigh for raises, funding"; Bruce Schreiner and Adam Beam, "Teachers in Kentucky claim victory as Republicans reject GOP governor's veto," *Chicago Tribune*, April 14, 2018, available at <http://www.chicagotribune.com/news/nationworld/ct-kentucky-teacher-strike-20180414-story.html>.

- 125 Alvin Chang, "Your state's teachers are underpaid. Find out by how much," *Vox*, May 8, 2018, available at <https://www.vox.com/policy-and-politics/2018/3/9/17100404/teacher-salary-underpaid-database>; Michael Leachman, Kathleen Masterson, and Eric Figueroa, "A Punishing Decade for School Funding" (Washington: Center on Budget and Policy Priorities, 2017), available at <https://www.cbpp.org/research/state-budget-and-tax/a-punishing-decade-for-school-funding>. Note that, between 2008 and 2015, per-pupil spending increased by 3.6 percent in West Virginia.
- 126 Ipsos/NPR, "Most Americans believe teachers have the right to strike."
- 127 Milla Sanes and John Schmitt, "Regulation of Public Sector Collective Bargaining in the States" (Washington: Center for Economic and Policy Research, 2014), available at <http://cepr.net/documents/state-public-cb-2014-03.pdf>. The states in which teachers are permitted to strike include Alaska, California, Colorado, Hawaii, Illinois, Louisiana, Minnesota, Montana, Ohio, Oregon, Pennsylvania, and Vermont. Note that, in some states, this is due to case law, not explicit strike protections in collective bargaining legislation.
- 128 *Illinois Public Labor Relations Act*, 5 ILCS 315/17, available at <http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=108&ChapterID=2>.
- 129 District of Columbia Code § 1–617.02.
- 130 Tim Van Rie, Ive Marx, and Jeroen Horemans, "Ghent revisited. Unemployment insurance and union membership in Belgium and the Nordic countries," *European Journal of Industrial Relations* 17 (2) (2011): 125–139, available at http://www.centrumvoorsociaalbeleid.be/sites/default/files/Ghent_EJIR_Paper.pdf.
- 131 David Madland, "The Future of Worker Voice and Power" (Washington: Center for American Progress, 2016), available at <https://cdn.americanprogress.org/wp-content/uploads/2016/10/06051753/WorkerVoice2.pdf>.
- 132 Van Rie, Marx, and Horemans, "Ghent revisited."
- 133 Vickie Choitz, Matt Helmer, and Maureen Conway, "Improving Jobs to Improve Care" (Washington: Aspen Institute, 2015), available at <http://www.aspenwsi.org/wordpress/wp-content/uploads/SEIU-CaseStudy.pdf>.
- 134 Note that home care aides providing care to their own family members have lower training requirements. See Washington State Department of Social and Health Services, "Individual Providers," available at <https://www.dshs.wa.gov/altsa/home-and-community-services/individual-providers> (last accessed March 2018).
- 135 CSEA/VOICE, "Welcome," available at <http://voicecsea.org/> (last accessed May 2018).
- 136 Governor's Office of Employee Relations, "Public Service Workshops Program," available at <https://www.pswp.info/> (last accessed April 2018); Eugene J. Monaco, "Investing in Public Sector Training—A Smart Choice," *PDP Communiqué* 28 (2012), available at https://www.pdp.albany.edu/Media/PDF/CommuniquePDF/V28_PDP_Communique.pdf; NYS & CSEA Partnership for Education and Training, "Homepage," available at <https://www.nyscseapartnership.org> (last accessed May 2018).
- 137 Ibid.
- 138 AFSCME Free College, "FAQs," available at <https://freecollege.afscme.org/faqs/> (last accessed May 2018).
- 139 Author's correspondence with Ed Muir, AFT Research and Strategic Initiatives (May 25, 2018). See, for example, Cleveland Teachers Union, "Agreement between the Board of Education of the Cleveland Metropolitan School District and Cleveland Teachers Union Local No. 279, American Federation of Teachers," available at <http://www.cleveland-metroschools.org/cms/lib05/OH01915844/Centricity/Domain/160/Cleveland%20Teachers%20Union%20Local%20No.%20279.docx> (last accessed June 2018).
- 140 Carolyn Jones, "Measures to fund child care reach the ballot in two California counties," *The Mercury News*, April 1, 2018, available at <https://www.mercurynews.com/2018/04/01/measures-to-fund-child-care-reach-the-ballot-in-two-california-counties/>; San Francisco Department of Elections, "Universal Childcare for San Francisco Families Initiative," available at https://sfelections.sfgov.org/sites/default/files/Documents/candidates/Universal_Child_Rent_Tax.pdf (last accessed June 2018); San Francisco Department of Elections, "June 5, 2018 Election Results - Summary," available at <https://sfelections.sfgov.org/june-5-2018-election-results-summary> (last accessed June 2018).
- 141 Alameda County, "2018 Alameda County Child Care and Early Education Ballot Measure Program Plan," February 27, 2018, available at <https://acgov.org/ece/documents/ProgramPlan-AlamedaCountyChildCareandEarlyEducation.pdf>;
- 142 Aviation Pros, "10,000 Workers at LAX Win \$17 Per Hour, Fully Paid Emergency-Response Training," December 11, 2017, available at http://www.aviationpros.com/press_release/12386156/10000-workers-at-lax-win-17-per-hour-fully-paid-emergency-response-training.
- 143 Oregon Executive Order 17-08, "Strengthening Public Employee Bargaining and Training Practices," available at http://www.oregon.gov/gov/Documents/executive_orders/eo_17-08.pdf (last accessed May 2018).
- 144 ETC Institute, "2011 City of San Antonio Employee Survey" (2011), available at https://webapps.sanantonio.gov/rflistings/uploads%5CRFP_1680_20121190125101.pdf; PricewaterhouseCoopers, "2015 Employee Survey: State of Michigan" (2015), available at http://www.michigan.gov/documents/ogg/SoM_2015_Overall_Report_Final_521899_7.pdf; IBM, "2014 My Minneapolis Employee Engagement Survey" (2014), available at <http://www.ci.minneapolis.mn.us/www/groups/public/@hr/documents/webcontent/wcms1p-128718.pdf>.
- 145 PricewaterhouseCoopers, "2015 Employee Survey." Nineteen respondents disagreed with the statement, while 23 percent of respondents were neutral.
- 146 ETC Institute, "2011 City of San Antonio Employee Survey"; IBM, "2014 My Minneapolis Employee Engagement Survey." For example, in a 2014 survey of municipal workers in Minneapolis, 44 percent of respondents had an unfavorable or neutral view of the statement, "Where I work, employees are getting the training and development needed to keep up with customer demands." And, in a 2011 survey, 43 percent of San Antonio government workers disagreed or had a neutral view of the statement, "I receive adequate training to do my job properly."
- 147 Madland and Rowell, "How State and Local Governments Can Strengthen Worker Power and Raise Wages."
- 148 Susan C. Reinhard and others, "Picking Up the Pace of Change" (Washington; New York; and Long Beach, CA: AARP, The Commonwealth Fund, and The SCAN Foundation, 2017), available at <http://www.longtermcorecard.org/~media/Microsite/Files/2017/Web%20Version%20LongTerm%20Services%20and%20Supports%20State%20Scorecard%202017.pdf>.

- 149 Monaco, "Investing in Public Sector Training."
- 150 Daron Acemoglu and Jörn-Steffen Pischke, "Beyond Becker: Training in Imperfect Labour Markets," *The Economic Journal* 109 (453) (1999): F112–F142, available at <https://economics.mit.edu/files/3810>.
- 151 Jozef Konings and Stijn Vanormelingen, "The Impact of Training on Productivity and Wages: Firm Level Evidence" (Bonn, Germany: IZA Institute of Labor Economics, 2010), available at <http://ftp.iza.org/dp4731.pdf>; Lorraine Dearden, Howard Reed, and John Van Reenen, "The impact of training on productivity and wages: evidence from British panel data" (London: Centre for Economic Performance, 2005), available at <http://eprints.lse.ac.uk/779/1/dp0674.pdf>.
- 152 Committee of Interns and Residents, "House Staff Benefits Plan" (2016), available at http://www.cirseiu.org/wp-content/uploads/2016/10/hsbp_SPD.pdf.
- 153 See, for example, Georgia Association of Educators, "Joining the Georgia Association of Educators," available at <https://gae.org/membership/joining-georgia-association-educators/> (last accessed April 2018).
- 154 Tammy Mutasa, "Seattle domestic workers fighting for new rights and labor protections," KOMO News, December 8, 2017, available at <http://komonews.com/news/local/seattle-domestic-workers-fighting-for-new-rights-and-labor-protections>; Heidi Groover, "The Next Labor Policy Coming to City Hall: Domestic Workers' Rights," *The Stranger*, December 7, 2017, available at <https://www.thestranger.com/slog/2017/12/07/25615967/the-next-labor-policy-coming-to-city-hall-domestic-workers-rights>.
- 155 Note that some of these workers bargain under the National Labor Relations Act rather than public sector bargaining laws. For example, although charter school teachers are paid through public funds, whether these workers organize under national or state labor law is determined by the specific facts of the case. However, the National Labor Relations Board (NLRB) issued two decisions in 2016—Hyde Leadership Charter School Matter (364 NLRB No. 88) and the Pennsylvania Virtual Charter School (364 NLRB No. 87)—that indicate that many charter school workers should organize under the National Labor Relations Act.
- 156 Annette Bernhardt, Ruth Milkman, and Nik Theodore, "Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities" (Chicago, New York, and Los Angeles: Center for Urban Economic Development, Institute for Research on Labor and Employment, and National Employment Law Project, 2009), available at <http://www.nelp.org/publication/broken-laws-unprotected-workers-violations-of-employment-and-labor-laws-in-americas-cities/>.
- 157 See, for example, Gary Miron, "Teacher Attrition in Charter Schools" (East Lansing, MI: Great Lakes Center for Education Research and Practice, 2007), available at http://greatlakescenter.org/docs/Research/Miron_Attrition.pdf; David Stuit and Thomas M. Smith, "Teacher Turnover in Charter Schools" (Nashville, TN: National Center on School Choice and Vanderbilt University, 2010), available at <https://files.eric.ed.gov/fulltext/ED543582.pdf>; Helen Zelon, "Why Charter Schools Have High Teacher Turnover," *City Limits*, August 20, 2014, available at <https://citylimits.org/2014/08/20/why-charter-schools-have-high-teacher-turnover/>.
- 158 Janice Fine and Jennifer Gordon, "Strengthening Labor Standards Enforcement through Partnerships with Workers' Organizations," *Politics & Society* 38 (4) (2010): 552–585; Janice Fine, "Co-Production: Bringing Together the Unique Capabilities of Government and Society for Stronger Labor Standards Enforcement" (Northampton, MA: Labor Innovations for the 21st Century Fund, 2015), available at http://theliftfund.org/wp-content/uploads/2015/09/LIFTReport-CoproductionOct_ExecSumm-rf_4.pdf.
- 159 Los Angeles Unified School District, "Joint Compliance Monitoring Program: Los Angeles Unified School District & All Work Preservation Groups," available at http://www.laschools.org/contractor/lc/documents/download/work-preservation/Rules_of_Engagement.pdf (last accessed April 2018); City of Los Angeles, "Labor Compliance Manual" (2014), available at <https://bca.lacity.org/Uploads/labor/LABOR%20COMPLIANCE%20MANUAL.pdf>.
- 160 Seema N. Patel and Catherine L. Fisk, "California Co-Enforcement Initiatives that Facilitate Worker Organizing" (Cambridge, MA: Harvard Law School, 2017), available at <http://harvardlpr.com/wp-content/uploads/2017/11/Patel-Fisk-CoEnforcement.pdf>.
- 161 *Ibid*; Office of Labor Standards, "2017-2019 Community Outreach and Education Fund," available at <http://www.seattle.gov/laborstandards/outreach/community-fund/2017-2019-community-outreach-and-education-fund> (last accessed June 2018).
- 162 National Employment Law Project, "Enforcement of a \$15 Minimum Wage in Minneapolis Requires Strategic Community Partners" (2017), available at http://www.nelp.org/publication/enforcement-of-a-15-minimum-wage-in-minneapolis-requires-strategic-community-partnerships/#_edn30.

Our Mission

The Center for American Progress Action Fund is an independent, nonpartisan policy institute that is dedicated to improving the lives of all Americans, through bold, progressive ideas, as well as strong leadership and concerted action. Our aim is not just to change the conversation, but to change the country.

Our Values

As progressives, we believe America should be a land of boundless opportunity, where people can climb the ladder of economic mobility. We believe we owe it to future generations to protect the planet and promote peace and shared global prosperity.

And we believe an effective government can earn the trust of the American people, champion the common good over narrow self-interest, and harness the strength of our diversity.

Our Approach

We develop new policy ideas, challenge the media to cover the issues that truly matter, and shape the national debate. With policy teams in major issue areas, American Progress Action Fund can think creatively at the cross-section of traditional boundaries to develop ideas for policymakers that lead to real change. By employing an extensive communications and outreach effort that we adapt to a rapidly changing media landscape, we move our ideas aggressively in the national policy debate.

Center for American Progress Action Fund

