

Is There a Place for the Union? A Study of the Opportunities and Challenges for Organizing Target Corporation.



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Executive Summary:

Unions have remained relatively absent in the big-box retail industry. The two largest “one-stop shop” retailers in the United States, Wal-Mart and Target, have managed to stay clear from collective bargaining agreements and third-party representation. *Is There a Place for the Union? A Study of the Opportunities and Challenges for Organizing Target Corporation* examines the big-box retail industry and addresses if unionization is a successful method for protecting these employees. More specifically, this industry is examined by way of Target Corporation, which has developed a reputation as a humane, trendy, and progressive company.

This report seeks to advance the literature on big-box retail, but most importantly, bring attention to Target Corporation. For years, this company has been overlooked by unions, community groups, city officials, and organizers, as it is in the shadows of Wal-Mart. In the winter of 2011, the United Food and Commercial Workers Local 1500 attempted to organize these employees but failed. This report addresses why this campaign failed, what could be done differently in the future, what a successful Target campaign might look like in Los Angeles, and if organizing these employees is feasible.

Through comparative analysis, semi-structured interviews with union organizers and Target employees, surveys, participant observation, document analysis, and literature and newspaper review, I have found that Target Corporation practices the same labor violations across the retail chain as its main competitor, Wal-Mart. I recommend that action needs to be taken by unions, city officials and community members to protect Target employees, and ultimately, transform jobs in the retail industry from part-time jobs to full-time careers.

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Introduction:

In the United States, Target Corporation is the second largest discount retail chain behind Wal-Mart. It operates 1,755 stores in 49 states, and has developed a chic and trendy reputation by offering upscale, fashion-forward products that exceed those of its rivals, Wal-Mart and Kmart.¹ The company's mission is to make Target the preferred shopping destination for their customers by delivering outstanding value, continuous innovation, and an exceptional guest experience by consistently fulfilling their expect more, pay less brand promise.² Target has achieved this mission statement, as the company has seen growth in the midst of the Great Recession. The company is now selling 'Pfresh' grocery items in over 400 of their stores, and has plans to expand this model into an additional 380 stores in fiscal year 2011.³ The company is also planning the development of 135 Target stores in Canada by 2013, which would be the company's first international venture.⁴

Target Corporation employs nearly 350,000 Americans—not one of these employees is represented by a union.⁵ In Valley Streams, New York, Target employees sought union representation with the United Food and Commercial Workers Local 1500, and even got to the point of a National Labor Relations Board (NLRB) election. For various reasons, the election was unsuccessful. For my senior comprehensive project, I wanted to examine this campaign, why it failed, and find out what such a campaign would look like in Los Angeles. I wanted to profile Target as a corporation, and discover the opportunities and challenges of organizing big-box retail employees. Through this research, I hoped to find out if unionization is a successful method for protecting employees in the retail industry.

I chose this topic because of my growing interest in the labor movement. The percentage of America's unionized employees has been on a steady decline since the 1940s. In 1945, more than a third of America's workforce had union representation. Since then, third-party representation has fallen from 26% in 1978 to 14% in 2005.⁶ Through my internship at the United Food and Commercial Workers Local 770, I have learned about the importance of unions in the workplace and their necessity for the fair treatment of working-class employees. The UFCW is a progressive union, and is constantly strategizing for new campaigns and to broaden its constituent base. I see the big-box retail industry as a viable target for unions, and a perfect medium for reviving the labor movement in this country. This industry has avoided unions for decades, but it is become more and more clear that the workers within it are those who need it the most.

Retail is one of the most transient industries in this country, with extremely high turnover rates for employees. These workers face terrible conditions that make it very difficult to forge a living. In the case of Target, workers are told that they "top out" around \$11-12 an hour.⁷ In addition to this, inconsistent schedules make it very difficult for employees to hold other jobs if they are unhappy with the number of hours they work.⁸ Many employees would like to work full-time, but companies like Target and Wal-Mart continue to hire additional employees instead of allowing incumbent workers to increase their hours. As a result, most retail employees do not work enough hours to qualify for healthcare, and are forced to take advantage of welfare, Medicaid, and other social services.⁹ Meet Sonia Williams, a hardworking employee at Target in Valley Streams. She reported to Labor Notes, a non-profit organization and network for rank-

and-file union members and labor activists, that she is often scheduled to work 16 hours a week, but calls in everyday to see if any of her co-workers has called off because she is desperate for hours. She claims that paid personal leave has been slashed--when her co-worker got injured, she had two weeks of unpaid leave and was forced to sign a document waiving her rights.¹⁰ As workers are kept part-time and temporary, it makes it very difficult for people to seek stable careers within this industry.

I also chose this topic because Target is rarely in the conversation when labor advocates, 'foodies', and union organizers discuss the big-box retail industry. Target is often seen as a model corporate citizen, with a host of philanthropic activity and competitive wages for its employees.¹¹ Wal-Mart is typically the main topic of conversation when discussing the big-box retail industry and for good reason. Wal-Mart is the largest retail corporation in the world, employing 2 million Americans, and has notoriously resisted any and all unionization attempts.¹² On the contrary, Target is less than a fourth of the size of Wal-Mart, and could be a feasible starting point for unions' entry into the retail industry. This is true for a couple of reasons. Firstly, the company has maintained its progressive and trendy image, but commits the same labor abuses as Wal-Mart. In addition to this, Target's associates sought unionization in Valley Streams, which proves the poor working conditions that are likely at many of the company's locations. Let this case in Valley Streams, New York be evidence: with the right strategy and background research, a Target campaign is a viable option for the UFCW and would be a step towards organizing the retail industry.

Methods:

To discover the challenges to organizing employees in big-box retail and to assess whether unionization is a successful method of protecting Target team-members, I conducted a survey and semi-structured interviews, conducted participant observation and document analysis on Target Corporation, and examined background literature and newspaper articles through content analysis.

Semi-Structured Interviews: In order to have a thorough background on the Target Change campaign in New York, I interviewed organizers and strategists who have first-hand information on the campaign.

Participant Observation: There is a lack of current information on the United Food and Commercial Workers' Making Change at Wal-Mart campaign. Through my internship with the union, I was fortunate enough to learn about the current happenings of the campaign.

Surveys: One of the detriments of the Target Change campaign in New York was that there was little discussion between Target associates and the union. I plan to conduct a survey that would provide the necessary information to form a campaign, and to assess the reality of a union contract.

Document Analysis: Every three years, Target Corporation has a Corporate Responsibility Report that outlines its social, environmental, and economic merits. I will examine their most recent report (2009), and understand how Target sees itself as a company, and how they would like to be seen in the public eye.

Literature and Newspaper Review: I will search for information in journals, books, and newspaper articles to ground my primary research.

History of the Big-Box Retail Industry:

Big-box retail is the result of capitalism and competition, and is described as “inevitable in our American culture.”¹³ Some of these retail chains started out as modest supermarkets and expanded, while others were created to compete. Originally, discount retail chains were situated in the suburbs to meet growing demand as a result of sprawl and movement from the cities.¹⁴ The American Society of Planning Officials noted the following about retail chains in a 1963 report:

The discount store has filled a retail commercial vacuum in two respects. First, the discount store is relieving an “under-stored” situation in the suburbs. Conventional retail outlets have not kept up with suburban population growth and consumer demand. Second, the consumer purchasing power has been held constant during the past few years. Therefore, the consumer has attempted to find ways of making his spendable dollars go further. Discounters, recognizing this factor, introduced innovations to capture the consumer’s attention and dollars and to increase his purchasing power. Thus, the discount store has become a formidable force on the retail scene.¹⁵

One-stop shopping was extremely convenient for consumers, and grew in popularity. As this is the case, big-box chains saw growth and mass expansion in the mid 1900s, especially in the suburbs. For example, Wal-Mart and Home Depot were both created in the 1960s and 1970s.¹⁶ Home Depot’s merchandise had all of the home improvement items that one could need, and eventually became a household name. Wal-Mart started with the concept that if good deals could be made with suppliers, savings could be passed down to the customers. Focusing on savings is what led Wal-Mart to become the largest private employer in the United States. Clearly, these models have seen immense success for both business and the consumer.

Although most of the expansion of retail chains is centralized in the mid 1900s, the ‘one-stop shop’ idea came long before this. In the late 1800s, Kroger started as a

typical grocery store in Cincinnati, Ohio, but eventually began acquiring more services, such as a bakery and a butcher shop. It is the first grocery store to start producing their own bakery items in order to lower costs for consumers.¹⁷ Resultantly, Kroger became the first grocery store where customers could meet all of their grocery needs in one place at inexpensive costs. Target Corporation is another example of a small store that grew by acquiring more services. It started in 1902 as the Dayton Dry Goods Company and merged with the Portland, Oregon-based Lipmans department store. Through this, the company was able to have an electronics and appliance department and continued to expand to new locations.¹⁸

Big-box retailers have primarily expanded into rural and suburban areas, but recently, urban areas and cityscapes are becoming more attractive. This is because of increased saturation and over-expansion of retailers in suburban markets—cities are the last place to be conquered by these retailers. Surprisingly, this was predicted in 1963, and has proven its truth today:

Over expansion will be a problem in almost every major metropolitan area. In some key markets, developers have built too many stores for all to share in sales growth. Some discounters have overestimated their likely sales growth, which has led them to build stores that are too big to be profitable, or sometimes to buy too much merchandise. Among 200 discounters surveyed by Dunn and Bradstreet, 25 percent in 1961 had total debts averaging three and one-half times their net worth.¹⁹

The urban market is also attractive to retailers because of the potential purchasing power in the inner cities. Initiative for Competitive Inner City (ICIC), a nonprofit research and strategy organization, found that in 2009, America's inner cities represented \$122 billion worth of retail purchasing power.²⁰ In addition to this, many inner city communities are 'under-retailed' with sales that fall short of residents'

purchasing power. As this is the case, urban markets are unfortunately the future for further retail expansion.

UFCW History:

Since this report is based on the United Food and Commercial Workers' (UFCW) organizing efforts, it is necessary to premise this research with a brief history of the union. The UFCW is a labor union in North America that represents 1.3 million people in grocery & drug stores, packinghouses, food processing plants, and pharmacies. This union represents a broad base of constituents and became what it is today from a series of mergers. Its inception was in June of 1979, created through the merger of the Amalgamated Meat Cutters Union and the Retail Clerks International Union. The combination of these two unions formed the largest single union affiliated with the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO). The mission of this organization was to represent workers from where food starts to where it ends up on the shelves.²¹

From 1980 to 1998, the UFCW absorbed many smaller unions, which expanded and diversified its constituent base. This included the Canadian Brewery Workers Union in 1986, the Independent Food Handlers and Warehouse Employees Union in 1991, the Leather Goods, Plastics, Handbags and Novelty Workers Union in 1992, the International Union of Life Insurance Agents in 1993, the United Garment Workers of America in 1994, the International Chemical Workers Union in 1996, and the Canadian Union of Restaurant and Related Employees in 1998.²² Through this sequence of mergers, the UFCW not only represented food and retail workers, but also clothing,

warehouse, and chemical workers, which made its constituent base much more broad and varied.

One major shift for the UFCW was its disaffiliation with the AFL-CIO. There has clearly been a steady decline in union membership in the United States—workers protected with collective bargaining agreements fell from 26% in 1978 to 14% in 2005. In 2003, SEIU, UNITE, HERE, UBC and LIUNA²³ joined together to create the New Unity Partnership (NUP). The NUP was a group of unions that wanted to address this dilemma and seek change. The NUP encouraged the AFL-CIO to emphasize organizing, to put efforts towards unionizing new markets, and expand constituent bases for all unions in America. However, in 2005 it was clear that the goals of these five unions did not align with the goals of the AFL-CIO, whose primary focus was to maintain its current constituent base. These unions then created an alternative coalition with the UFCW and the Teamsters called the Change to Win Federation.²³

Joe Hanson, the president of the UFCW commented on the union's shift to the Change to Win Federation: "There needs to be fundamental change in the labor movement and a concentration on building worker power through organizing."²⁴ The two principles of this newfound coalition are:

1. Working people, including union members, cannot win consistently without uniting millions more workers in union.
2. Every worker in America has the right to a union that has the focus, strategy, and resources to unite workers in that industry and win.

²³ The Service Employees International Union (SEIU), the Union of Needletrades, Industrial and Textile Employees (UNITE) and Hotel Employees and Restaurant Employees Union (HERE), the United Brotherhood of Carpenters (UBC) and the Laborers' International Union of North America (LIUNA)

These principles prove that the Change to Win Federation is more progressive than the AFL-CIO, as their primary concern is revitalizing the presence of unions in the workplace. In attempts to achieve these goals, the Change to Win Federation encourages unions to organize on an industry-wide basis, consolidates smaller unions to create larger ones (i.e. UNITE-HERE), and contains unions that spend more money on organizing than political campaigns. The UFCW joined for exactly this reason. According to a New York Times article, the UFCW was previously not known for rigorous organizing campaigns—Joe Hanson said: “I’m going to devote as much money as I can to organizing. It’s essential for us.”²⁵ The current members of the Change to Win Federation are the Teamsters, SEIU, UFW, and the UFCW.

Workers Rights: The Case of Wal-Mart:

Wal-Mart is without a doubt the most vilified big-box retail company in the world, known for its sheer size and abuses all across the retail chain. It is consistently used as an example of the effects of large retailers on local businesses. The company is placed in such a bad light that it makes its competitors look better, regardless of whether these competitors practice the same abuses. Wal-Mart was started by Sam Walton in 1962 and is the nation’s largest retailer.²⁶ Wal-Mart employs more people than any other company in the United States outside of the Federal government. The company has enormous size and scale, making it American unions’ most daunting target. Wal-Mart has 3400 stores and employs 2 million people. Public Broadcasting Services (PBS) estimated that the company has 100 million regular customers annually.²⁷ Wal-Mart is a perfect example of the exploitation that is common in the big-box retail industry, and is a medium of comparison for Target Corporation.

Low Wages, Few Hours, and a Lack of Benefits:

Wal-Mart is a prime example of the transient nature of the retail industry. It has a turn over rate that is close to 44%, and as a result, employs nearly 600,000 new associates a year.²⁸ This could be because the retail industry is comprised of a mainly part-time work force, or it could be because Wal-Mart does not offer livable wages and benefits to its employees. A 2005 UC Berkeley study found that Wal-Mart reduces the take-home pay of retail workers in both urban and rural counties by \$4.7 billion annually.²⁹ Put simply, Wal-Mart does not offer good jobs to its employees, and is a detriment to its communities.

Just a few years ago, Wal-Mart agreed to offer full-time employees (those who work more than 34 hrs a week), health-care coverage after completing a year on the job. Employees who worked under 34 hours a week would qualify for the coverage, but would have to pay an expensive premium that many could not afford. OUR Wal-Mart spokesperson and Wal-Mart employee, Victor Chavez, said that employees had to work 34 hours a week on average for their first year before qualifying for the coverage, and that Wal-Mart would keep employees' averages slightly under the minimum requirement for it. Mr. Chavez stated that he and his co-workers did not receive healthcare because of this, and after 5 years of work as a department manager, his hourly pay did not top \$12 and his schedule remained erratic.³⁰ The sad reality of the retail industry is represented in Wal-Mart employees' low wages. The average full-time hourly wage for a Wal-Mart employee is a mere \$9.98. Wages are slightly higher in some urban areas to accommodate to the cost of living and to the local minimum wages:

* Organization United for Respect at Wal-Mart (OUR Wal-Mart) is an organization of hourly Wal-Mart employees working towards improving conditions in their workplace.

\$11.03 in Chicago, \$11.08 in San Francisco, and \$11.20 in Austin (2009).³¹ Wal-Mart gives a 40-cent raise to employees every year, but this raise does not fluctuate upon job performance.³² This poses a difficult problem for employees—they do not want to lose their job, but their hard work is not recognized or rewarded.

The company's employees struggle with their sub-par healthcare plans. Many of them are eligible for Medicaid, which implies that Wal-Mart is pushing its expenses on taxpayers. In October of 2011, Wal-Mart further rolled back its healthcare plan—the company blamed months of flat sales in the midst of a recession as the reason for this. As the unemployment rate is still around 9% (Feb 2012),³³ Wal-Mart executives do not feel pity for their associates as many Americans are desperate for work. In response to public scrutiny, Greg Rossiter, Wal-Mart's public relations executive said:

“Over the last few years, we've all seen our health care rates increase and it's probably not a surprise that this year will be no different. We made the difficult decision to raise rates that will affect our associates' medical costs. The decisions made were not easy, but they strike a balance between managing costs and providing quality care and coverage.”³⁴

The company's new policy mandated that all part-time employees would no longer qualify for *any* of the company's health insurance plans. In addition to this, all employees that work between 24 and 33 hours a week would no longer be able to include a spouse on their healthcare plan.³⁵ Wal-Mart's previous plan was implemented when community groups, unions, and states negatively affected by the rising costs of Medicaid pressured the company into providing better services for its employees. Their most recent shift in coverage is a substantial cut-back for all of the company's associates, and it can be expected that this external pressure will continue.

Resistance to Unions and Third-Party Representation:

Wal-Mart keeps their profits high and morals low by notoriously resisting union or third-party representation for their associates. A flood of literature support this claim, and it has become clear that unions cannot attempt to represent these employees without a large budget and strategic campaign. There are a few reasons why Wal-Mart has been so successful in keeping union's out of their stores. In 1972, Sam Walton faced union trouble at two of his stores in central Missouri. He then called on John Tate—a pioneer in union busting, and arguably the most successful anti-union propagandist. Not only did he keep unions out of early Wal-Mart stores, but he also had significant influence on where the company decided to expand.³⁶ Until the mid-1980s, Wal-Mart avoided the cities and metropolitan regions in America. This was because John Tate knew that this was where union strength was centralized. A prime example of this is in Missouri, where Wal-Mart built stores in the small towns on the exurban ring that surrounded the state's large cities (St. Louis and Kansas City).³⁷ This led to the company never facing a single union petition until 1990. Since Wal-Mart has become the powerhouse that it is through these clever tactics, the company is starting to expand into urban markets. For instance, Wal-Mart announced that they are scouting 15 potential sites in Los Angeles County in 2011.³⁸ Most recently, these efforts have been put into action in Chinatown and Burbank.

The store has a number of union-busting tactics that have kept them free of third-party representation. A Wal-Mart training video, entitled "You've Picked a Great Place to Work!" clearly sums up the company's union philosophy. In 27 minutes, the video outlines the consequences that businesses and employees befall when third-party

representation takes effect. The video states that unions are corrupt, trying to stay afloat, and cannot promise anything. In addition to this, unions are portrayed as highly political, donating to campaigns that workers 'don't even vote for' and use union dues to pay their executives and lawyers disproportionate amounts.³⁹ Wal-Mart also has an "employee attitude survey" which is a staple of the non-union workplace. It is meant to measure job satisfaction, but is ineffective in doing so as it is used as a tool for intimidation. Wal-Mart is also very upfront about its open door policy when new associates are hired. This policy is Wal-Mart's greatest defense against unions--they let their associates know that if they are unsatisfied with their job, they are free to find one elsewhere.⁴⁰ The idea behind the company's open door policy is that employees are free to 'speak for themselves' with regards to any of their complaints without retaliation.⁴¹

Wal-Mart also trains its managers to effectively maintain the company's non-union status. Managers are given a 53 page handbook that outlines the decline of the labor movement, early signs of union activity, how to respond to questions about unions, elections, associates' rights, and do's and don'ts when facing union interest.⁴² The company claims that they are not anti-union, but pro-associate. They believe that this fosters open communication with associates and management in their stores, but this belief is what truly keeps Wal-Mart union-free. A blog called "Working at Wal-Mart" provides a space for employees to voice their opinions in an open forum. An employee named Josh wrote about his experiences with the company's open door policy, and how management in his store failed to stay true to it.⁴³ He said:

"Associates *will* be retaliated against when using the open door. No associate with half a brain would bring up a serious complaint about a supervisor or the company through the policy. Best case scenario is that you would be ignored: worst case is

that you would be fired. As one of my fellow cashiers advised me, you can get by here just as long as you “play their game, and don’t rock the boat too much.”⁴⁴

In this handbook, managers are told to be constantly alert union efforts to organize associates, and constantly alert for signs that employees are interested in collective representation. They are warned about early signs of unions: increased phone calls in and out of the facility, increased curiosity in benefits and policies, abuse of restroom visits, argumentative question asked in departmental/facility meetings, and surges of complaints from associates to upper management.⁴⁵ They are taught the best practices to respond to these signs, and are even warned about hiring employees with union backgrounds. Here is an example from the handbook that discusses “salting”, which is a practice that involves sending a paid union organizer to a non-union company with intent to organize the employees (this is legal under NLRB regulations).⁴⁶

1. Pre-screen as many applicants as possible to ensure you are hiring the most qualified person for any opening you have available.
*** The National Labor Relations Act (NLRA) prohibits an employer from refusing to hire an applicant because of his/her union affiliation. However, the law does not prevent us from selecting the most positive, dedicated, enthusiastic applicant available. We are under no obligation to hire an applicant who is defiant or negative. Keep looking until you find the best applicant to join our Wal-Mart family.
2. Utilize "consensus" interviewing. Several members of management should interview applicants in which we have a strong interest. Then compare notes and recommendations for hiring.
3. A Wal-Mart application says ... "List entire employment history, starting with present employer. For any unemployed or self-employed periods, show dates and locations. (Attach additional sheets when necessary)."
* * * There are only three spaces on the application to list existing or former employers. Ask applicants if they have completed their entire employment history. If they have not, ask them to attach additional sheets.
* * * Ensure applications show entire work history with no gaps in employment. If you notice gaps, question them. Then ask applicants to fill in those gaps.
4. Check references thoroughly. This is a must!

Most importantly, managers are told what is legal and illegal when responding to union interest. These rules are broken down to a 4-letter acronym that explains what managers cannot do: TIPS. When facing union interest, managers cannot threaten, interrogate, promise, or spy on their employees.

Global Labor Exploitation:

Wal-Mart's exploitation goes further than its treatment of their employees. Despite having "buy American" banners around the store, they source close to 85% of their products from foreign factories.⁴⁷ The company has been cited on numerous occasions for allowing sweatshop conditions in its factories abroad. On September 13, 2005, Wal-Mart's sub-contracted employees in China, Bangladesh, Indonesia, Swaziland, and Nicaragua filed a class-action lawsuit demanding that the company follow stricter regulations in its supply chain. Fifteen workers, listed as the plaintiffs, complained that they were subject to forced and uncompensated labor, that they could not survive on the money they received, and in some cases endured beatings by supervisors.⁴⁸ Ultimately, they were fed up that the company was making record profits but was achieving this success from sweatshop exploitation.⁴⁹ The workers came up with five demands that they hoped to achieve from the lawsuit.⁵⁰ These demands, summarized below, convey the sad reality that exists along the company's supply chain.

1. *Enforce the Wal-Mart Code of Conduct:* Wal-Mart's code of conduct for overseas was loosely regulated, despite promising the public that their workers across their supply chain would have a wide range of basic rights. Despite this, a number of workers claimed that they were routinely forced to work overtime and off the clock, and were not paid minimum wage even by local standards.⁵¹
2. *Provide a Dispute Resolution System:* Wal-Mart outsources much of their production to countries like Bangladesh and China, where labor is cheap and local laws are under-enforced. The company sees this as a vantage point, and an opportunity to exploit workers that cannot speak for themselves.⁵²

3. *Reform the Pricing Process:* Wal-Mart has been known to “cut and run” from their suppliers if they do not provide the amount of goods necessary at the company’s desired price. As a result, workers abroad are forced to pay the price of the “low costs at any cost” approach. The lawsuit requested that Wal-Mart raise payments to suppliers which would enable them to pay their workers decent wages that are guaranteed by law.⁵³
4. *Provide Restitution to the Wal-Mart Sweatshop Workers:* Fourth on the workers’ list of demands is that Wal-Mart take responsibility for the exploitation that happens in these factories, by compensating the workers for their back wages and benefits that were illegally denied.⁵⁴
5. *Commit to Sourcing from Union Shops and Worker Co-ops Worldwide:* Since Wal-Mart is notoriously non-union, the last of their five requests, yet bold and improbable, was that the company increase its products that are sourced from union shops or democratically-organized cooperatives. Without this, the workers believe that democracy will be undermined, and that their rights will remain unprotected.⁵⁵

Organizing Attempts at Wal-Mart:

As stated before, the UFCW is a progressive union that is focused on organizing, leadership development, and reviving the labor movement. It is true that some of the UFCW’s efforts are focused on Wal-Mart, but not nearly enough. The Target Change campaign in New York was seemingly executed on a whim, which will be discussed later. Although the retail sector is a viable industry to begin revitalizing unions in the workplace, it appears that little effort is being put to organizing them. Al Zack, outgoing assistant director of strategic programs for the UFCW, said that Wal-Mart has a stern commitment to remaining “union free.” He continued to say that “when the labor movement...matches that commitment, then it will be successful.”⁵⁶

The only unionization attempt at Wal-mart is when 10 meat cutters in Jacksonville, Texas sought representation from UFCW Local 540 in February 2000. These meat cutters won an election 7 to 3, but by July of that year, the company had eliminated the butchering department entirely, and replaced it with pre-packaged meat.⁵⁷ After three years, an NLRB judge reinstated these workers because they were

illegally reassigned to different departments. Administrative Law Judge Keltner Locke wrote in his ruling: "The elimination of work requiring their special skills greatly affected both job satisfaction and future earning potential. The absence of future wage increases, coupled with the effects of inflation, constitutes a very demonstrable and adverse effect."⁵⁸ With this, the Jacksonville meat cutters made history by becoming the subjects of the first bargaining order issued against Wal-Mart.⁵⁹ However, both parties in the case appealed. The UFCW was unhappy that the meat cutter's bargaining unit was non-existent as of July 2000, and Wal-Mart claimed that the results of the election were influenced by union misconduct.⁶⁰ On March 14, 2008, more than 8 years after the election, a 3-judge panel of the U.S. Court of Appeals finally addressed this case. The panel decided that these workers were not hired as butchers, therefore not specialized, and thus ineligible to be considered a legitimate bargaining unit.⁶¹ This decision upheld the fact that organizing retail workers is extremely difficult; after an 8-year battle, Wal-Mart continues to be union-free.

Still, it is a shame that the UFCW does not put more energy towards organizing the big-box retail industry. With Target entering the food market and Wal-Mart already the largest food retailer in the United States, it would make sense that the UFCW would put more focus to such campaigns. Keep in mind that both of these retailers are huge threats to unionized grocery stores. Currently, the UFCW devotes only 2% of its budget to their Making Change at Wal-Mart campaign, which has dragged on for the past 12 years.⁶² It started with organizing the meat-cutters in Texas in 2000, and today has become much more of an advocacy campaign than an organizing campaign. The Making Change at Wal-Mart's mission statement is described as:

A campaign that is challenging Wal-Mart to help rebuild our economy. Anchored by the UFCW, we are a coalition of Wal-Mart associates, union members, small business owners, religious leaders, womens' advocacy groups, multi-ethnic coalitions, elected officials, and ordinary citizens who believe that changing Wal-Mart is vital for the future of our country.⁶³

The campaign's website has a 'Wal-Mart Watch' blog that webmasters regularly update with recent activism and incriminating newspaper articles about Wal-Mart's malpractices. In addition to this, there are a number of online petitions that concerned citizens can sign. A few of them are: Tell Rob Walton (CEO) to meet with Wal-Mart associates, Wal-Mart must be transparent with public about political giving, and stand with communities nationwide for quality job creation.⁶⁴

The campaign's goals are ambiguous however. Although it is clear that members of this broad coalition understand that "Wal-Mart often says one thing, and does another,"⁶⁵ members are divided on how to combat this retail giant. Many communities are refusing to welcome a Wal-Mart unless the company signs a community benefits agreement, while others are telling Wal-Mart that they are not welcome at all. Keep in mind that this is an advocacy campaign—standing in solidarity with hourly Wal-Mart employees takes many different forms depending on the community. In Los Angeles, the UFCW is working with allies on keeping Wal-Mart out of the city; the campaign's website acknowledges that urban communities are Wal-Mart's last hope of expansion.

In Los Angeles, UFCW Local 770 has created a coalition with Warehouse Workers United, OUR Wal-Mart, and Los Angeles Alliance for a New Economy (LAANE), to lobby Los Angeles city council members to oppose further development of big-box retail chain stores in Los Angeles. They have been largely successful in garnering the city council's support—in March of 2012, the city council unanimously approved a

temporary ban on retail stores in Chinatown, which is the location for Wal-Mart's most recent effort. This maneuver, seen as an attempt to keep Wal-Mart out, was intended to preserve Chinatown's rich cultural history.⁶⁶ However, this ban was too late; Wal-Mart was able to get all of the necessary permits to begin development the night before. Aiha Nguyen, senior policy analyst for LAANE said, "It is an outrage that they managed to pull a number of permits at 5 p.m. last night. It just demonstrates how Wal-Mart works, with a number of resources behind them. This demonstrates their lack of respect for the community. What's worse, if they open this store, they can open others across LA."⁶⁷

LAANE, in conjunction with the Asian Pacific American Labor Alliance and UFCW Local 770, has filed an appeal with the city's building and safety department. They claim that the building permits were issued without giving the community a chance to voice opposition at a City Council hearing.⁶⁸ As of mid-April 2012, the appeal is still pending.

A main barrier for big-box retailers in Los Angeles is that an Environmental Impact Report is required before development. This requirement has successfully kept Wal-Mart out of the City of Angels for nearly a decade—this ordinance requires the city to review job quality and threats to other businesses before approving stores larger than 100,000 feet. These large stores are also required to have 10% of their merchandise devoted to groceries.⁶⁹ However, Wal-Mart has found a loophole in this ordinance. If the company finds a location that has been vacated by a similar big-box retail store (i.e. REI or Sports Authority), they can bypass environmental impact reports and other zoning laws.⁷⁰ This has posed a very difficult situation for unions, small businesses, and community organizations. However, LAANE has recently been working on a proposal to require the same environmental impact reports for grocery stores as

there is for retail chains. Wal-Mart is of interest to many urban communities because of its grocery section. Many Wal-Mart supporters claim that many areas in Los Angeles are food deserts “that needs more grocers and...the local economy will benefit from Wal-Mart and other retailers' investment in the community.”⁷¹

But organizing the retail sector is a huge challenge. Despite a number of UFCW efforts to improve wage and living conditions for retail workers, they have been largely unsuccessful. One of the reasons that these employees are so difficult to organize is the high employee turnover rate, and the sheer size of big-box retail chains. Union activist Jeff Hensley said: “There’s also the obvious difficulty of resources because retail workers simply don’t make very much money and...it’s very easy to scare them into just holding on to what they’ve got. There’s fear that a couple of hundred people are possibly waiting to the get the job you have right now.”⁷² These jobs are transient and employers can count on a steady stream of new associates—in any given community, a Wal-Mart or Target may be its largest employer. As this is the case, big-box retail employees have overwhelming apathy and often do not see benefits, higher wages, and fair treatment as a possibility.⁷³

A Trendy Image, Questionable Ethics, and Various Labor Violations: The Case of Target Corporation

Target as a Company:

Target Corporation, like Wal-Mart, has its humble beginnings. The company was founded in 1902 as the Dayton Dry Good Company, affectionately known as Dayton’s. Dayton’s offered discounted retail, with seconds and irregulars as part of the mix. But John F. Geisse, an employee of the Dayton Hudson Corporation, had a vision. This vision

was to create a store with more upscale, and fashion-forward merchandise, which was an atypical venture when compared to other large retailers of the time.⁷⁴ Geisse said: “We will offer high-quality merchandise at low margins, because we are cutting expenses. We would much rather do this than trumpet dramatic price cuts on cheap merchandise.”⁷⁵ This idea would eventually become Target, and the first store opened as a subsidiary of the Dayton Hudson Corporation in 1962 in Roseville, Minnesota. This store was more popular than Dayton’s, and the company eventually renamed itself Target Corporation. Since then, the company has expanded to 1755 stores across America, and has plans to expand into Canada with hopes of building 135 stores by 2013.⁷⁶ Today, Target has a similar reputation to Geisse’s vision for the store—it is known to offer chic and up-scale products that are superior to Wal-Mart and K-mart. In other words, Target has a different business model than its competitors; instead of offering second-hand, irregular or sub-par products, it offers high-quality merchandise that is reliable, consistent, and reasonably priced.⁷⁷

This business model, clearly, has seen immense success and is very popular to the modern consumer. Target’s public relations division put out a report in 2006 that delineates the demographics and statistics that describe their customers. Target attracts a young and educated crowd, to which the company gives credit to its superior and trendy products. The company found that the median age of their guests was 46-- the youngest median age among all major big-box retailers. Forty-three percent of their guests have completed college, more than half of which are employed in professional or managerial positions. Eighty percent of Target guests are female, and 38% have children at home. These figures are consistently more than any other discount chain’s

customer profiles. Lastly, the median household income of Target guests is roughly \$55,000.⁷⁸ These statistics prove that the company caters to middle-class families, college students, and young professionals. This is in sharp contrast to Wal-Mart, whose target demographic are families living on a budget. In 2008, 42% of Wal-Mart's customers made under \$40,000 a year.⁷⁹

Target also credits this demographic to its urban locations. Target Corporation has stores in large cities: Annapolis, New York City, Los Angeles, Glendale, Pasadena, Chicago, San Diego, Stamford, Seattle, New Orleans, and Washington D.C to name a few. They have been able to tap into the urban market, as they have flexible store designs that are different than most big-box retailers. It is not uncommon to find Target locations in a cramped strip mall or shopping center. Target describes their store experience as such:

What does design have to do with diapers, digital cameras and deck furniture? Everything. We create our stores to be easy and intuitive to shop, with related departments conveniently placed next to each other (Décor next to Home Improvement, Toys next to Sporting Goods) and a "racetrack" central aisle to speed you on your way. Thanks to our department-store roots, we concentrate on aesthetics. We know that things like artistic seasonal displays can turn a weekend shopping trip into a fun family outing.⁸⁰

In contrast, Wal-Mart and K-mart stores often take up a lot of space, which do not comply with many cities' zoning and environmental laws. For example, Wal-Mart has not been able to expand into Los Angeles after a number of attempts. This is not only because of heavy resistance from the city's local government, unions, and community members, but also because of the city's zoning regulations and a required environmental impact report before development.⁸¹ This has acted as a major barrier

for Wal-Mart's entry into not only Los Angeles, but also for its entry into the larger urban market.

Target has certainly become a household name (97% of Americans recognize the Target Bulls eye logo).⁸² One of reasons why Target holds this popularity is the company's convenience and ease of use. Target runs an online store called Target.com. On this website, all of the products, with an exception of perishable items, can be purchased. In case there is anything that customers cannot find at the store, they can buy the same products for the same prices online. Thanks to the company's 26 distribution centers conveniently located around the country, online purchases can be made quickly and effectively. Target also benefits from the retailing division's gift cards, which has become a popular gift among the company's young consumers. Target sells more gift cards in dollars and units, than any other retailer in the United States.⁸³ This can be credited to the wide array of options that guests can purchase at a Target location, which makes it a universal gift. Target believes that the high sales come from the gift cards' stylish designs, and the company's no expiration date or service fee policy. Either way, Target has made itself very accessible to the public.

Target also partners with a number of private label companies that are not Target brand, but are exclusive to Target stores and very affordable. A prime example of this is Target's collaboration with Up & Up, which is the company's core commodities brand. This covers wide range of products—40 categories—including household cleaners, vitamins and medicines, beauty products, bedding, baby products, and personal care products. In total, one would find over 800 every day essential products that are the Up & Up brand at a Target location or Target.com.⁸⁴ On the company's

website, it is said that this brand is equal in quality to national brands, but are a fraction of the price. Average savings are a surprising 30%.⁸⁵ Mark Schindele, Senior Vice President of Merchandising, said that "by re-launching Target brand as Up & Up, we're able to create a unique identity for this powerful owned brand. The new packaging incorporates an element of design, giving us the opportunity to deliver on both the 'expect more' and 'pay less' sides of our brand promise."⁸⁶

It is also important to mention Target's grocery brands: Archer Farms, Market Pantry, and Sutton & Dodge. One of the main reasons that unions (UFCW in particular) are interested in organizing the retail industry is because big-box stores are entering the food market. As stated before, Target is now selling Pfresh grocery items in over 400 of their stores, and will be expanding this model in 380 more stores in fiscal year 2011.⁸⁷ Clearly, this grocery concept has seen a lot of success and is a major threat to the UFCW's unionized grocery chains. Greg Steinhilf, Target Corporation CEO, spoke of the company's intent to further expand Pfresh: "We're pleased with our performance in PFresh stores. And as we add more and more stores, when we get market density, we're able to market more broadly to the market rather than just geotargeting the marketing around the stores that are opening,"⁸⁸ The company's third quarter earnings in 2011 speak for themselves—Target saw an increase in net income, up 3.4 percent to \$1.95 billion with a sales gain of 4.4 percent to \$47.53 billion. ⁸⁹

Target's Corporate Responsibility:

It is necessary to premise this research with a thorough background on Target and its corporate practices. Target is very public about its social, environmental, and economic responsibility, which is a major factor that contributes to its chic and

progressive image. In 2009, Target published a corporate responsibility report that outlines its involvement in the community, environmental movement, and its commitment to its employees. Essentially, this report shows how Target *wants* to appear to the public. Before going into detail about any of the corporation's anti-union beliefs and labor violations, it is necessary to discuss how Target sees itself as a community partner and as a company.

Target has an extensive list of its social responsibility initiatives including community giving, commitment to creating a satisfying workplace, and ensuring that its suppliers comply with an ethical code of conduct. Since 1946, Target has contributed 5% of its income back to the community. This means that \$3 million per week is going to social programs. Target realizes that education is an important issue in every community. They have donated to early childhood reading programs, school library makeovers, and field trip grants. In addition to this, they support nonprofits that promote higher education for people of color. The United Negro College Fund and The Hispanic Scholarship Fund are among its highest recipients.⁹⁰

Target also has a commitment to the arts, ensuring that museums are more affordable and accessible to families and children. Target sponsors free or reduced-price admission at 120 museums in the country. In Los Angeles, the California African American Museum, Museum of Latin American Art, Los Angeles County Museum of Art, and the Japanese American National Museum are accessible for affordable prices, and are proud partners to the company.⁹¹ Finally, Target supports volunteerism and social services. In Minneapolis, the location of their corporate headquarters, successful partnerships have been made with social service programs that provide food, clothing,

and shelter to at-risk populations.⁹² This report also claims that team members volunteer their time to community efforts.

In 1998, Target created a Global Compliance department that provides oversight to the company's suppliers. This department ensures that products are produced ethically and are in compliance with the company's standard for vendor engagement. Target's standard for factories abroad is very strict. It does not allow forced labor, physical or mental punishment against employees, or discrimination. Target encourages its partners to not require anything more than 60-hour workweeks on a regularly scheduled basis. In addition, Target has a strict no child labor policy, employing no one under the local minimum working age or age 14, whichever age is greater.⁹³ In order to enforce these policies, Target does a series of random, unannounced audits to ensure compliance at factories in over 50 countries. In the case that an issue is identified during an audit, Target partners with the vendor to correct the issue in a timely and an as appropriate fashion.⁹⁴

Environmental responsibility is another priority for this company. In 2006, the USDA certified Target as an organic produce retailer, as it carries more than 700 organic items in their food department. Many of their personal care products are not tested on animals and are free of synthetic ingredients. The company plans to increase the number of personal-care products that are natural and organic. In addition to this, Target has an extensive recycling program. A few of the notable details of this program are: they reduce truck emissions by consolidating shipping loads to avoid unnecessary miles, recycle electronics properly and sustainably, and repair damaged shopping carts to use at their store locations.⁹⁵ Target boasts 12 environmental partnerships that help

reduce the company's carbon footprint. To this day, there are five stores that are LEED certified.

Last and most importantly is Target's commitment to its employees. Target has a strict business conduct guide, requiring all of the team members, from the board of directors to the part-time stocker, to act with integrity and honesty. The company celebrates diversity, recruiting team members that are representative of said populations. Recruitment through in-store kiosks, diversity job fairs, and partnerships with job training agencies ensures the company's commitment to this effort. Target claims to be "an employer of choice—a company where people want to work, love their jobs, are fully engaged, and want to stay for the long term."⁹⁶ The report says that 60% of the full-time team members have a 401(k) plan, proving the company's commitment to wealth accumulation for its employees. Target employees also get time off, including paid national holidays, vacation days and sick days. Full-time employees also tuition reimbursement that helps them pay for job-related courses at technical schools or universities. The report however, does not say how many workers are full-time vs. part-time.

In 2006, Target adopted an account-based healthcare plan that helps team members have control over their healthcare dollars. Within this plan, employees are able to save a portion of their pay-checks pre-tax for healthcare expenses. Covered employees have prescription drug coverage, dental, vision, life insurance, adoption assistance, and long-term disability prevention. These employees also have access to Target's health and wellness program. This includes a Health & Wellness website that provides online health coaches, a health risk assessment, and information from experts

on current health topics. It also includes wellness discounts, which reimburses covered employees 50% on local Weight Watchers meetings.⁹⁷

Account-based healthcare plans have however been criticized. According to a Towers Perrin survey of 250 employers that have adopted ABHP plans, many of the programs are underperforming.⁹⁸ Average enrollment is relatively low, and employees are not taking advantage of the benefits of the plan. Target's corporate responsibility report has no data on how many of the full-time employees have utilized this plan. Nevertheless, the Target health-care plan provides preventative care that exceeds the U.S. Preventative Services Task Force recommendations.

Anti-Union Rhetoric:

Behind the veneer of their Corporate Responsibility Report lies an anti-union rhetoric that intimidates its employees away from third-part representation. Despite the company calling itself a responsible employer, many workers have made claims that are quite the opposite. Former employees have said that Target is about as anti-union as Wal-Mart.⁹⁹ When hired as a team member, all new employees are required to watch a series of training videos, one of which is about the consequences of unionization. This video is mostly a dialogue between two employees discussing the negatives of union representation. Here is an example from the video of an employee speaking about unions: "It's a business. A business that has to take in money to survive. But it doesn't have any products to sell. All it has is memberships to sell. A unions only source of income is the money they charge members."¹⁰⁰ The video attempts to convince workers that union executives are greedy, and that unions are merely trying to stay afloat because of their steady decline in the past few decades.

Later in the video, Jim Rowander, Target's director of Labor Relations speaks on how 3rd party representation would "divide [the company], and is contrary to [Target's] philosophy and beliefs."¹⁰¹ In addition, he belittles the benefits of collective bargaining, saying that "after learning the facts, Target team members agree union representation is not in their best interest."¹⁰² There are no lies in this video, but it was certainly intended to convince the new employees that unionization is not in the best interest of the company, or the employees. A former Target employee reported to Gawker, a New York based news source for entertainment, media, and business, that after watching this video, his manager told him to promptly report anyone that even mentions unions.¹⁰³

Anti-union rhetoric is also found in the company's employee handbook, which further proves Target's philosophy that unions are unnecessary. Under the handbook's 'Union Philosophy' section, it states that Target "wants to continue to create the kind of workplace where team members don't want or need union representation. We don't believe a union or any third-party representative would improve anything for you, our guest of the company."¹⁰⁴ This portion of the handbook clearly delineates Target's anti-union beliefs. As a company, Target feels that issues in the workplace should be handled within the company, by "working together with [the employee's] help and input."¹⁰⁵ Not only does the handbook state that third-party representation would have no benefits, but it states that employees are guests to the company. Calling employees guests is certainly different than calling them team members—this appears to be an intimidation factor to the employee, as guests would typically have less of a voice in company matters.

This rhetoric continues in the handbook's 'Get To Know Our Expectations' section, which explains the qualities that a good employee should have. Target employees are expected to abstain from soliciting their team members during work hours or on the store's property in general. This makes sense; in order to have a store run efficiently, employees should not be focusing their energy on non-work related issues. However, the company's definition of solicitation was surprising. Target expects employees to not encourage their co-workers to "join organizations or pools."¹⁰⁶ This extends further than employees joining a union, as an organization could be anywhere from the PTA to a religious group. But Target recognizes that their team members have one thing in common--they all have an opinion of their workplace. This 'employee expectation' is directed towards workers soliciting each other about unionization. It is seemingly intended to silence employees from organizing themselves and discussing solutions to their complaints.

Recent Labor Violations and Target's Tarnished Reputation:

Again, Target is rarely the subject of conversation when unions discuss big-box retail working conditions and corporate practices. This is not only because of their trendy image, but is also because Target is dwarfed by their rival, Wal-Mart, who has a notorious reputation for its unfair labor practices across the supply chain. As this is the case, Target has been able to get away with many labor violations, and still remaining chic to the public eye.

Target has been known to exploit its workforce abroad. Target was one in a group of retailers that paid \$20 million to settle a class-action lawsuit in 2002 for allowing sweatshop conditions in factories run by their suppliers in Saipan.¹⁰⁷ Target's

exploitation of sweatshops abroad does not stop here, as the company has allowed for poor working conditions most notably in their garment supply. SOMO, a Dutch research center on transnational corporations, put out a report in 2006 that lists countries in which Target allowed for labor abuse from their suppliers. This report proves that sweatshop conditions are not limited to Saipan—Target has purchased products from sweatshops in China, Jordan, Namibia, American Samoa, Guatemala, El Salvador, and Nicaragua. Target has audited many of these factories after scrutiny from the US National Labor Committee, and most of them were in violation of the Fair Labor Standards Act.¹⁰⁸

Most importantly, Target has been accused of subjecting its part-time workforce to the same abuses as its competitor, Wal-Mart. This includes inadequate wages, restrictions on health coverage, overtime violations, and institutionalized racism. In 2006, Target fought against a living wage campaign in Chicago—the company threatened to cancel the development of two stores unless Mayor Richard Daley vetoed the proposed living wage ordinance. The Mayor responded to this threat and subsequently vetoed the living wage ordinance, which further perpetrated the prevalence of low-wage jobs in the city.¹⁰⁹ In 2007, Target faced accusations of unfair treatment to minority applicants and employees. The U.S. Equal Employment Opportunity Commission presented cases that involved racial discrimination in hiring in Wisconsin and a racially hostile environment in Pennsylvania. The company quietly settled these cases with \$1.2 million.¹¹⁰ These cases seem to be quite the dichotomy to the company's racially inclusive and accepting environment described in their Corporate Responsibility Report.

In addition to this, Target subcontracts its janitorial staff with companies that have engaged in rampant wage theft. On two recent occasions, Target's janitorial contractors settled overtime lawsuits. In 2004, Global Building Services settled an overtime-violation case presented by the federal government after exploiting its mainly immigrant workforce. In 2009, Prestige Maintenance USA settled a similar lawsuit with \$3.8 million for not fairly compensating its employees for overtime.¹¹¹

Lastly, Target has also donated to political campaigns that contradict its reputation as an ethical corporation. Target's corporate responsibility report clearly delineates the company's political donations; surprisingly, 52.48% of their political donations go to Democratic campaigns.¹¹² This reinforces the company's progressive and chic image. However, in 2011, Target was the subject of public scrutiny when it donated \$150,000 to a nonprofit group called MN Forward, who had supported a candidate in Minnesota that opposed gay rights. This action sparked controversy in the Gay community, as the company had previously been praised for its stance on gay and lesbian issues. It also resulted in a shareholder resolution, which asked that the company overhaul its political donations policy, which was not transparent enough for investors. Target later apologized for this action, and created a committee that provides oversight to the company's political giving.¹¹³

Valley Streams, NY Unionizing Drive:

In the winter of 2010, the UFCW Local 1500 received a string of calls from employees at a Target store in Valley Stream, New York. A fired human resource executive for Target, who the employees called 'Ms. Monica', pushed the workers to unionize because she felt that too many of her employees needed food stamps to feed

their kids.¹¹⁴ These employees claimed that their working conditions were not up to par, and felt as if union representation would improve them. Audra Makuch, a northeast regional organizer for the UFCW said that the main issues for the employees were their lack of hours, inconsistent schedules, and expensive healthcare plans.¹¹⁵ Many workers complained that they were not getting full-time status (32 hours a week), which would provide them with health-care benefits with a much cheaper premium. Target determines who their full-time employees are by the average number of hours they work per week. The employees claimed that their manager would give them inconsistent schedules, which resulted in an average that was just below the minimum for full-time status.¹¹⁶

Ally Waddy, UFCW Local 1500's director of special projects, said that after sitting down and talking to a few employees, she was "blown away" with the conditions that the workers described.¹¹⁷ Based strictly off of these calls and discussions with angry employees, UFCW Local 1500 decided that this Target store would be the center of a larger Target campaign, which the union would call the "Target Change" campaign. At the time, the union had hoped that this unionizing drive would motivate employees at the other 27 Target stores in the New York area to join Local 1500.¹¹⁸ This was very ambitious—organizing the retail sector has been attempted many times, and has failed nearly every time. A regional campaign makes more sense than organizing a single store, but such an ambitious campaign should have a stronger foundation than a few phone calls from angry employees.

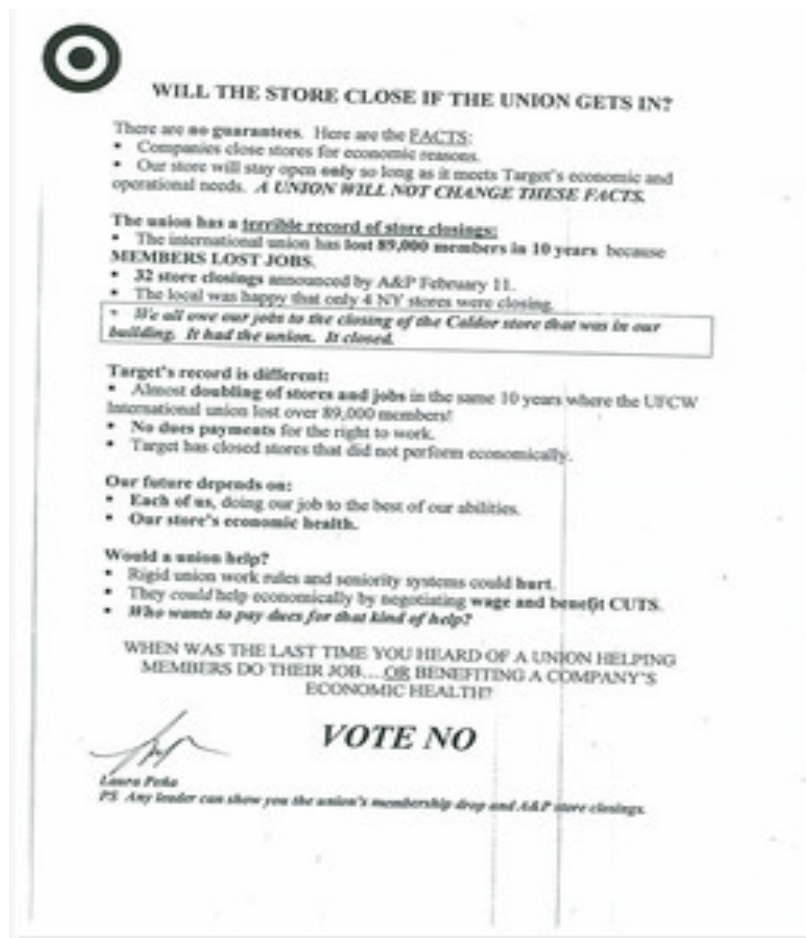
At the Valley Streams Target, the heart of this campaign, UFCW Local 1500 was successful in getting employees to sign union cards. The National Labor Relations Board

requires that 30% of affected workers express interest before filing for an election. The UFCW passed this benchmark relatively quickly, and filed for an election.¹¹⁹ Organizers were speaking with employees at other Target stores in the area as well. Organizers were getting employees in the area to sign union cards in attempts to create a regional campaign. The idea behind this was that if one Target store got to the point of union negotiations, then other stores would want the same. On June 17th, after excessive delays, the NLRB held an election for the employees in Valley Stream. Unfortunately, this resulted in a 137-85 loss for the UFCW.¹²⁰

There are a number of reasons why this campaign failed. One of which is because the retail industry is one of the hardest sectors to organize, as it typically has a part-time and temporary workforce. Target employs a number of students and youth that are not relying on their job for a living, and the company has a turnover rate close to 30% a year.¹²¹ As this is the case, it is difficult to keep part-time employees interested in union representation, even for a campaign that lasts only seven months. It is also difficult to organize part-time workers because union dues would be more of a burden than beneficial. The union did not consider these issues when they filed for an election, as many employees did not have complaints about their workplace. Even Audra Makuch said “for the most part, Target employees are happy with their jobs.”¹²² Betsy Wilson, a Valley Streams Target employee opposed the union because she knew “retail hours go up and down. That was told to [them] when [they] got hired.”¹²³ From this perspective, it seems as if the question is: did Target employees want unionization in the first place?

The UFCW blamed their loss on a number of union busting tactics that Target imposed on the workers. All of the employees were handed a flier that had answers to

many of their questions before the election. The company told their employees that there are no guarantees that the store will remain open if the union wins a majority.¹²⁴ Below, find a copy of this warning that Target sent to all employees before the June 17th election:



This became the basis for a number of UFCW complaints to the NLRB about the election process. In addition to this, employees were forced to attend mandatory meetings at which a union buster would tell them that they should retain their right to work without paying union dues.¹²⁵ At the actual election, Target hired security guards to chauffeur the employees to the vote.¹²⁶ The UFCW claimed that this was a fear tactic and a way for the company to track who voted and who did not. The union called this

surveillance, which is illegal under NLRB regulations.¹²⁷ Ally Waddy voiced her perspective of the election in a phone interview. She claimed that Target did not let the workers see the results of the election, and that Target put a message out to the employees stating that if they stayed home on the day of the election, their vote would be for the union. As this is the case, many workers did not show up to vote. Ms. Waddy said that these are all fear tactics that she has never seen before at a union election.¹²⁸

The UFCW Local 1500 claimed that this is just the beginning of the union's pressure on Target, and the retail industry at large.¹²⁹ The union planned to file a reelection, as they felt that Target employees were suffocated with scare tactics every day leading up to the June 17th election. Although this did not end up happening, their complaints led to a change in the NLRB's rules for union election processes.¹³⁰ This rule would eliminate excessive delays in the voting process—these delays gave companies more time to intimidate their employees with anti-union propaganda, and were certainly factors that contributed to the result of the Valley Stream Target election. This rule will certainly be beneficial when the union decides to run another big-box retail campaign.

However, this does not tell us what the union plans to do in response to this loss, and their next step in targeting the retail industry. It is clear that there were many flaws in the UFCW Local 1500's Target campaign. Firstly, there was very little communication with the employees before the union decided to launch this campaign. Audra Makuch said that after Local 1500 received a few calls from angry employees, the union "just gave it a whirl."¹³¹ She also mentioned that Target was already on the union's radar because of its entry into the grocery market. However, this campaign lost largely

because of the union's lack of communication with employees and lack of background research, which is crucial for a successful unionizing drive. As this is the case, the union did not have the crucial information necessary to develop a good strategy. And without this strategy, the union could not successfully organize the Target employees to vote for the union. Audra thinks that in order for a future Target campaign to be successful, it is necessary to communicate the union's goals with a majority of the employees before holding an NLRB election.¹³²

Findings:

Employee Survey:

In order to successfully organize employees, there is information that is necessary to know in order for such a campaign to be successful. For the case of Valley Streams, there was an absence of a solid issue to organize around. For this reason, I designed a survey, in conjunction with Audra Makuch, that I conducted outside of the Target in Eagle Rock, Los Angeles, and asked workers if they had any qualms with their workplace. I asked them if their job met their needs, if they took advantage of Target's healthcare plan, and about the negative conditions that affected them (if any at all). Employees were given an option to choose a negative condition; among these were part-time status, low pay, lack of benefits, or managerial staff. With this information, the union would have been able to have an issue to form a campaign around—a successful campaign cannot be run off of a few angry phone calls with mixed complaints.

In the case of a future Target campaign, it would also be helpful to know where people live, what languages they speak, and how to get to work. This will give insight to:

1. What tactics to use when organizing them
2. How difficult it will be to organize them

3. Give insight to the social and economic conditions that the employees live in. I included these questions in my survey because this information lacked in the Target Change campaign in 2011, and was one of the main reasons why this campaign failed.

I also asked the workers if they felt like their voices should be heard in the workplace. Because of Target's open door policy, workers often feel as if their voices are irrelevant to decisions made in the store. This question led into whether the workers feel as if a union will be beneficial to their workplace and in the retail industry at large. As stated before, the retail sector is one of the most transient industries in the United States, where jobs rarely become careers. Just seven months after the Valley Streams election in June 2011, 23% of the workers involved in this election have left their jobs.¹³³ It would very difficult to organize workers that do not rely on their jobs for a living. This information would be helpful to know because a Target campaign may not even be a worthwhile campaign to run. The survey can be found in the appendix.

Employee Survey Results:

I was able to survey 39 employees at the Target store in the Eagle Rock neighborhood of Los Angeles. Eagle Rock is a middle-class neighborhood in the northeastern corner of the city, with an average household income of \$67,253. It is known to be one of the most diverse neighborhoods in the city of Los Angeles and Los Angeles County—the racial makeup of the neighborhood is 29.8% White (non-Hispanic), 23.9% Asian, 1.9% African American, 40.3% Hispanic or Latino, and 4.1% from other races.¹³⁴

Employees were surveyed at only one location. This is because the Target Change campaign in Valley Streams, New York held an election at only one store. The

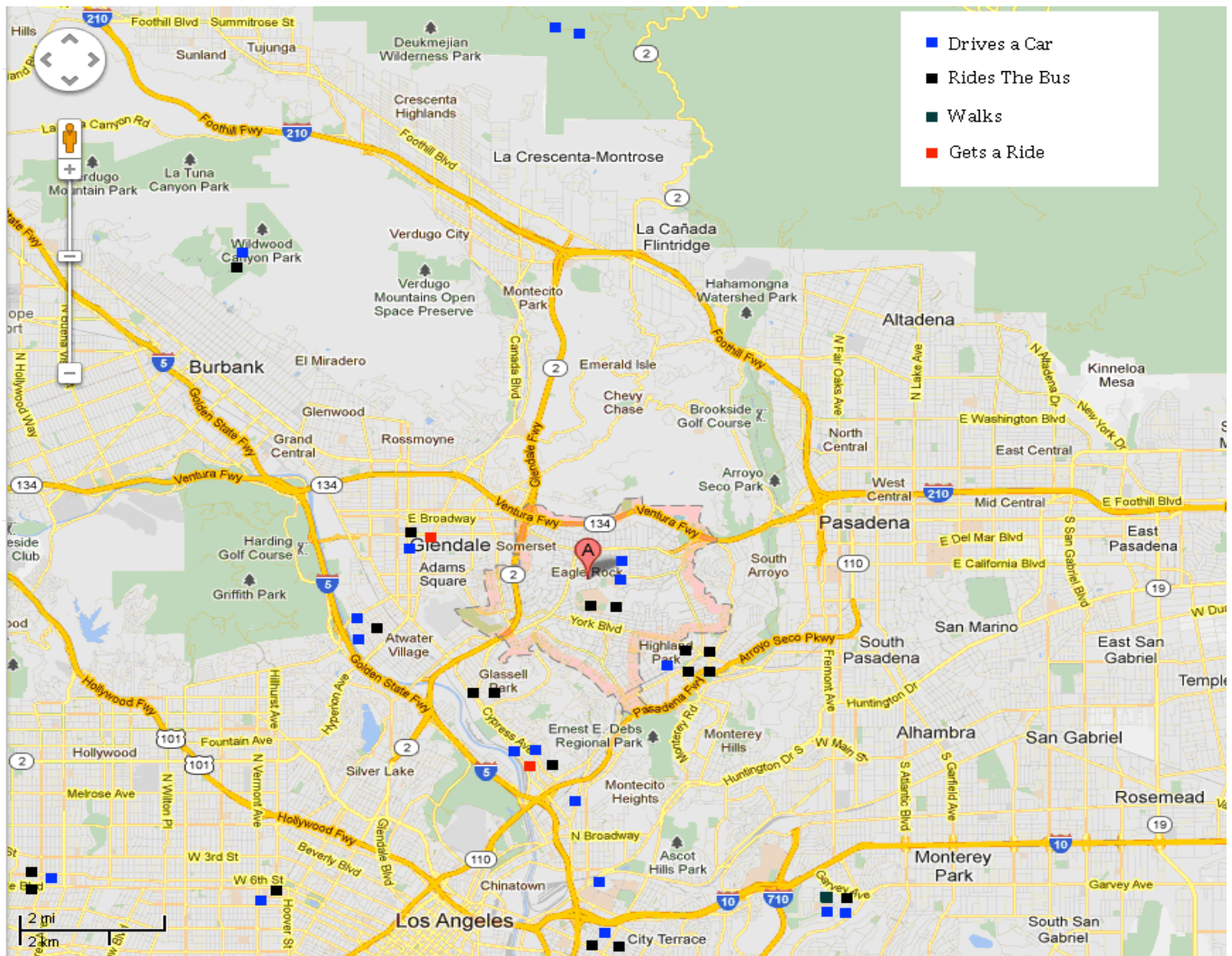
idea behind this was that if the union won an election at one store, other stores in the vicinity would be motivated to do the same. As stated before, the chances of a single Target location getting a contract with the union is slim; the UFCW was talking with employees at other Target stores in attempts to create a regional New York campaign. However, this type of campaign would only be possible if employees at one location sought union representation. Thus, it is only appropriate that I conduct my survey from a single location so that my findings are relevant to the Target Change campaign—these findings would assess the reality of winning a union election at a single location in Los Angeles. Survey results can be found in the appendix.

Organizing Target Employees:

Of the 39 employees I surveyed, 23 were men and 16 were women. Associates primarily spoke Spanish in the household—38% of respondents spoke Spanish and English, 21% spoke only Spanish, 28% spoke only English, 2% spoke Armenian, 7% spoke Chinese, and 2% spoke Chinese and Vietnamese. Knowing languages spoken at home is an effective tool for organizing because in order to reach out to the workers, effective communication is crucial. At this location, it is clear that Spanish and English are the most prevalent languages spoken—in order to have a successful campaign, organizers most likely need to be bilingual. This is also the case in other stores in Los Angeles. The city has a heavy Latino and Chicano presence; this demographic makes up for 48.5% of the city's population, many of which are foreign born.¹³⁵ If the UFCW, or any relevant union, wanted to form a campaign similar to the Target Change campaign, they would need to keep this information in mind when communicating with employees at other stores.

Job positions varied among those surveyed, and are fairly representative of the rest of the store. I spoke with 4 cart tenders, 6 cashiers, 5 electronics department specialists, 4 grocery stockers, 4 stockers, 15 sales associates, and 1 team leader. The average age of survey recipients was 30.1 years. As the company's corporate responsibility report states, the majority of recruitment is through youth and diversity job fairs, in store kiosks, and job training agencies. This is reflected in the number of employees under 30 years of age (67%) who are most likely planning on changing jobs in the future. This information is good to know because young and transient employees are harder to organize.

Although Target prides itself in being a partner to the community, only 4 survey recipients lived in the Eagle Rock neighborhood, while 35 lived elsewhere in the city. This poses a difficult problem for organizers, as it is likely that employees have little contact with each other outside of their workplace, which makes them much more difficult to organize. When asked their method of transportation to and from work, 46% of employees rode the bus, 6% got rides from family members, 2% walked, and 46% drove. The map on the following page shows where the workers live (zip codes), their method of transportation to and from work, and most importantly, proves that Target is hardly a partner to the Eagle Rock community.



Employees' Place of Residence by Zip Code

Finding an Issue to Form a Solid Campaign:

Target has a primarily part-time workforce; 74% of employees surveyed worked part time (under 32 hours). The average hours worked for survey recipients was 25.2, which is far below the company's minimum to be considered full-time and eligible for healthcare benefits. Even though this is the case, only nine employees expressed concern about their part-time status. This can be explained through the relatively low average age of employees, and the fact that 77% of employees surveyed do not plan on

working at Target in the upcoming years. Most employees working at Target have bigger and better dreams than working in retail, which accurately portrays the industry's ephemeral nature. Many of the survey recipients told me that they were students or college graduates and could not find a better job in this recession. Twenty-five percent of employees complained about their low pay, while 13% of employees were apathetic to their job in general. The majority of survey recipients were unhappy with their managers—41% of survey recipients thought that their managers were the worst part of their jobs.

Unfortunately, I was not able to get in depth with each employee about why his or her manager was such a detriment toward a happy workplace. For this reason, I interviewed Erika Nacim, a college student who works at a Target store in El Paso, Texas. She said that it was not uncommon for managers to threaten workers, and “tell [them] that [they] aren't doing good enough on the job.” Target employees generally work in multiple departments, and have multiple responsibilities that are not reflected in their job descriptions. When they cannot handle such responsibilities, managers often criticize workers, and tell them that “[they] can find jobs elsewhere if [they would] like.” Managers are also responsible for creating the schedules that workers get. Inconsistent hours are what keep workers part-time and underpaid—Erika mentioned that she “had a 25 hour week, followed by a 6 hour week.”¹³⁶

As stated before, Target prides itself on having a healthcare plan that is available to all employees. This is true—both full-time and part-time employees have access to healthcare benefits. But part-time employees have to pay a much more expensive premium, which discourages them from opting into it. Of the employees surveyed, 69%

of them were not covered by Target account-based healthcare plan. However, when asked if their job met their needs in terms of pay and benefits, 51% of respondents said yes. Since many of the respondents were either young, students, or relying on their parents, many of them were only looking for a part time position in the first place, and were not trying to make a living. Therefore, these issues do not seem strong enough to build a successful campaign around. When most employees are happy with their income, unionization can be a detriment. Despite all of this, many of the employees surveyed voiced concerns with their workplace and knew things could be different. If anything, unionization would hold Target accountable to their employees.

Employee Attitudes on Unions:

Employees responded strongly when asked if they should have a voice in decisions made in the work place—89% of respondents believed that this was necessary. As many of the employees surveyed stated that their managers were the worst part of their job, it is apparent that many of them feel silenced by the company's open door policy. However, when asked if they felt as if a union was necessary, only 17 of the 39 respondents said yes. This is almost identical to the election results in Valley Streams, New York (85-137). The company has scared these employees through threats and anti-union propaganda. When speaking with these employees about unions, their faces changed and they responded quietly and in fear. It was almost as if the word 'union' was forbidden and never to be spoken of, even outside of the store. This is not entirely the case however. Some employees worked at Albertsons and felt that the union did not make things better, and some employees were apathetic because their job was only temporary. It would take very good organizers to convince these workers that unions

could not only raise their wages, but also keep the company accountable to the workers. The UFCW has a lot of influence in the meat packing plants, pharmacies, and grocery stores in which they have collective bargaining agreements. But employees' general attitudes are not in favor of the union. This is most likely because of the decline of union presence in America's workplaces, and the company's anti-union propaganda. Either way, the employees at the Eagle Rock Target store affirm that unions are a sensitive topic in the big-box retail industry.

Recommendations:

A Union Contract Can Transform the Retail Industry:

Although the survey results prove that there are a number of problems that employees face at the Eagle Rock Target, the reality of winning an election seems relatively slim. The majority of employees surveyed do not have faith that a union contract can help them, and more than half of survey recipients were happy with their job. Many of these employees did not know the benefits that a collective bargaining agreement could bring them. At the same time, it does not make sense that a job in big-box retail should be any less than a grocery job, which has been a middle-class job for decades. Much of the reason why these workers were not relying on their job for a living was *because* they knew that retail was a transient industry, and that their wages would be stagnant. This can be blamed on the recruiting process or the types of employees that Target chooses to hire, but in all reality, working at Target is equally as demanding and strenuous as working at a grocery store.

As this is the case, retail jobs should have the same pay and benefits. In the case of a solid union contract, retail applicants would be applying to a good job, not simply a job

to stay afloat. Unionization can keep managers, and the company at large, accountable to the workers. The UFCW has a tremendous amount of influence in the workplace—unions give workers a collective voice and strength in numbers. A union contract would protect workers from their managers, guarantee hours, help guarantee reasonable healthcare coverage, and make working in big-box retail a career. Neither Target nor Wal-Mart has any unionized employees—if Target associates were open to forming a union, they could be the catalyst for transforming the retail industry. Competitive wages and benefits would be much higher, and it could also give leverage in the UFCW's Making Change at Wal-Mart campaign, with the company's primary competitor having unionized employees.

Recommendations for Unions:

Management seemed to be the all-encompassing factor that negatively affects employees at the Eagle Rock Target. Workers are treated very poorly on the job, and although they have a multitude of complaints, all of them seem to come back to the management. Managers are responsible for threatening the workers, giving them hours and gauging their job performance, and are therefore responsible for their employees' low-pay, lack of benefits, and part-time status. It is necessary to exploit this in the case of a Target campaign in Los Angeles. It is also necessary to acknowledge that having a single issue to form a campaign around is not the answer—many issues can lead to the desire for a union contract. However, knowing the issues that are widely and deeply felt can give a potential campaign legitimacy and leverage, which was absent in the Valley Streams Target Change campaign.

Effective communication with employees is also necessary for a successful campaign. It is not only crucial to have information about the employees' work conditions, but when organizing them, it is necessary to have information about where they live, their economic conditions, and languages spoken at home. Organizers working on a potential Target campaign in Los Angeles *should* be bilingual in English and Spanish, as 59% of surveyed employees spoke Spanish with their families. It is important to connect with employees on a personal level, and speaking in their languages will be beneficial. In addition to this, organizers must be mobile and diligent—a surprising 89.7% of surveyed employees lived outside of the local community. This makes house visits and setting up union information sessions much more difficult.

With all of the anti-union propaganda that these workers are exposed to, effectively convincing the workers that a union can help them is crucial. This is not only for Eagle Rock, but it is true for Los Angeles at large. Even Audra Makuch, regional organizer on the Target Change campaign, said that the reality of a union contract for one store is relatively slim. In order to have a successful campaign, communication with workers at all the locations in Los Angeles could help make unionization a reality. The statistics speak for themselves. As 51% of workers are happy with their jobs and only 43.6% of employees thought that a union could help them, there *needs* to be emphasis on organizing and education in the case of a future campaign. In addition to this, attempting to organize a single store will not do anything for the employees—it would be necessary to try to organize all of the stores in a region and have a single contract,

especially since Target is a large corporation that is continuing to expand. This is not a possibility without adequate funding.

Although the UFCW is a progressive union, very little of their budget is going towards the big-box retail industry. If the union has essentially given up on the organizing aspect of their Making Change at Wal-Mart campaign, it seems as if a Target campaign will not be feasible either without adequate funding. In New York, the Target Change campaign has become more of an advocacy campaign than of an organizing campaign—it is similar to the union’s Wal-Mart campaign, and will drag along in the same way without the proper efforts.

In the case of a Target campaign in Los Angeles, it is also the union’s duty to educate the public about Target’s labor violations and treatment of their workers. The UFCW has done a tremendous job at building alliances and educating community members about Wal-Mart’s malpractices. In order for a Target campaign to be successful, it is the union’s duty to do the same with Target. The combination of funding and community support will give this campaign leverage.

Policy Recommendations:

As stated before, big-box retail has oversaturated suburban communities and the exurban ring. These companies are now focusing their expansion efforts on the cities, claiming that they can provide good jobs in ‘under-retailed’ areas. This may be untrue for Target. As 74% of employees surveyed are part-time at the Eagle Rock Target and 77% of them did not plan on working at Target in the upcoming years, these are jobs that are far from careers.

The Los Angeles City Council has the authority to reform the big-box ordinance so that Target (and Wal-Mart) cannot further expand and continue to reduce the number of good jobs in this city. It is a shame that Wal-Mart has found a loophole in Los Angeles' big-box ordinance, a loophole that leaves the possibility for 15 potential locations in Los Angeles County. Target is not exempt from this, and because of the company's trendy and progressive image it is likely that there will be less community opposition than for a Wal-Mart. As this is the case, it is the union's duty to pressure City Council to close this loophole. The temporary ban in Chinatown was a good start, but there needs to be more efforts like this so that the culture of the city can be preserved. The city council needs to adopt an ordinance that does not allow any more large and destructive retailers into this city, meaning closing the loophole that allows them to develop on former large-scale formats. In addition to this, it is the City Council's duty to strictly allow unionized and responsible grocers into their communities--Target's grocery format may be an appealing factor for many low-income neighborhoods in Los Angeles, but the company does not provide livable wages to its employees. If Target further expanded, it would be more detrimental than beneficial for this city. This notion should be the same when facing any retailer that may be potentially destructive to communities.

Conclusions:

Target employees have clearly faced a host of labor abuses—unfortunately, their struggles have been hidden behind the company's chic and progressive veneer. It is clear that these workers are very difficult to organize, not only because they are transient but also because they are unaware of the benefits that a union can give them.

Historically, the retail industry has been an industry that has remained virtually union-free in America. Although these workers are subject to part-time status, low benefits, expensive healthcare coverage, and overbearing managers, workers in this industry are keeping their jobs because a bad job is better than no job at all. There is also something to be said about Target's fear tactics and open door policy. If the UFCW put the proper efforts towards organizing Target and convinced the workers that their conditions could improve, it could be the start of careers and good jobs in the big-box retail industry. In the midst of the Great Recession, Target can be the catalyst for reviving the labor movement, and good jobs for the working-class.

Appendix:

Employee Survey:

Gender:

Age:

Your zip code:

Which Target store do you work in?

What is your job description?

- How do you get to work?
- How long have you been working here (years and months)?
- How many hours, on average, do you work per week?
- What community organizations or community groups are you a part of (i.e. church, PTA, etc.)?
- Do you have any family members that work at Target?
- What are your languages spoken at home?
- Do you plan on working at Target in the upcoming years?
- Out of which of the following conditions, if any, affect you most negatively (select all that apply)?
 - A. Part-time status
 - B. Low pay
 - C. Lack of Benefits
 - D. Managerial staff
 - E. Other (_____)
- Does Target provide you with health insurance? If so, is the health insurance sufficient to provide health benefits to your family?
- In terms of pay, benefits, and hours, does this job meet your and your family's needs?

- Do you believe that workers should have a voice in decisions made at your store?
- If so, do you think that unionization is necessary?

Employee Survey Results:

	Gender	Age	Zip-Code	Job Description	How do you get to work?
1	F	64	90023	Sales Floor	Drive
2	F	61	90022	Food	Drive
3	F	57	90026	Sales Floor	Bus
4	F	51	90004	Sales Floor	Drive
5	F	48	90023	Sales Floor	Bus
6	F	46	90016	Cashier	Drive
7	M	41	90041	Cashier	Drive
8	M	41	90042	Electronics	Bus
9	M	40	90205	Go Backs/ Sales Floor	Dad Drives
10	F	33	90004	Cashier	Bus
11	F	32	90022	Sales Floor	Bus
12	M	32	90039	Electronics	Drive
13	M	31	90042	Cart Tender	Bus
14	M	29	90065	Cart Tender	Walk/ Bus
15	F	28	90022	Stocker	Bus
16	M	27	90205	Cashier	Bus
17	M	27	91042	Cashier	Drive
18	M	26	90039	Cart Tender	Bus
19	M	26	90039	Sales Floor	Car
20	M	25	90041	Electronics	Drive
21	M	25	90042	Electronics	Drive
22	M	25	90031	Stocker	Drive
23	M	24	90033	Team Leader	Drive
24	M	24	90042	Food	Bus
25	M	24	90065	Electronics	Bus
26	F	23	90016	Sales Floor	Bus
27	F	21	90026	Sales Floor	Drive
28	F	21	90026	Sales Floor	Drive
29	F	21	90023	Sales Floor	Bus
30	M	21	90041	Sales Floor	Bus
31	M	21	91042	Sales Floor	Drive
32	F	21	90026	Stocker	Mom Drives
33	M	21	90042	Food	Bus
34	F	20	90016	Food	Drive
35	M	20	90205	Cashier	Drive
36	M	20	91501	Cart Tender	Drive
37	M	20	91501	Sales Floor/Zoner	Bus
38	F	19	90022	Sales Floor	Walk/ Bus
39	M	18	90041	Sales Floor	Bus

Yrs/ months at Target	Hrs per week	Family members?	Language at Home?	Upcoming years?
8 Y	35	No	Spanish/ English	No
6 Y	28	No	Spanish/ English	Yes
7 Y	20	No	English	Maybe
4 Y 1 M	35	No	Spanish/ English	Yes
4 Y	20	No	English	Yes
9 M	25	No	Spanish	No
5 Y	25	No	Spanish	Yes
1 Y 4 M	17	No	English	No
9 Y	24	No	Spanish	Yes
3 Y 6 M	15	No	Chinese	No
6 Y	20	No	English	No
3 Y 3 M	25	No	Spanish/ English	Maybe
2 Y 4 M	17	No	Armenian	No
5 Y	40	Yes (sister)	Spanish/ English	Yes
2 Y	23	No	English	No
2 Y 6 M	15	No	Chinese	No
8 M	24	No	Spanish	No
11 M	13	No	Chinese	No
1 Y 7 M	24	No	Spanish	No
3 Y	25	No	Spanish/ English	No
2 Y	25	No	Spanish	No
4 Y	35	Yes (brother)	Spanish/ English	No
1 Y	35	Yes (cousin in Glendale)	Spanish/ English	Yes
6 M	17	No	English	Yes
1 Y 7 M	16	No	Chinese/ Vietnamese	Maybe
1 Y 1 M	20	No	English	Maybe
7 Y	32	No	Spanish/ English	No
3 Y	32	No	Spanish/ English	No
2 Y	40	Yes (sister in Glendale)	Spanish/ English	No
2 Y	17	No	English	No
6 M	30	No	Spanish/ English	Yes
8 M	40	Yes (mother)	Spanish/ English	No
3 Y 1 M	17	No	English	No
5 M	28	No	Spanish/ English	No
2 Y 6 M	24	No	Spanish	Maybe
1 Y	24	No	Spanish	No
1 Y 2 M	21	No	English	No
8 M	40	Yes (sister)	Spanish/ English	No
1 Y 4 M	20	No	English	No

Negative conditions?	Health Insurance?	Meet your needs?	Voice in WP?	Union?
Part-time	No	Yes	Yes	Yes
Managers	Yes- uses it	No	Yes	Yes
Managers	No	No	Yes	No
Low Pay	Yes	No	Yes	Yes
Low Pay	No	No	No	No
Managers/ Lack of benefits	No	No	Yes	Yes
Managers/ Low Pay	Yes	No	Yes	Yes
Managers	No	Yes	Yes	Yes
Part-time	Yes- uses it	Yes	Yes	Yes
Managers/ Low Pay	Yes	Yes	No	No
Part-time	No	No	Yes	No
Lack of Benefits	No	No	No	No
Managers/ Low Pay	No	No	Yes	No
Low Pay	Yes	No	Yes	No
None	Yes	No	Yes	Yes
Low Pay/Lack of benefits	No	No	Yes	No
Low Pay/Lack of benefits	No	Yes	Yes	No
Managers	No	No	Yes	Yes
Part-time	Yes/ Yes	No	Yes	No
Low Pay	Yes	No	Yes	Yes
Nothing	Yes	No	Yes	No
Managers	No	Yes	Yes	No
Nothing-its good	Yes	Yes	Yes	No
Part-time	No	Yes	Yes	No
None/ Don't care	No	No	No	No
Low Pay	No	Yes	Yes	No
Part-time/ Lack of pay/ Low benefits/ Managers	No	No	Yes	Yes
Managers	No	No	Yes	Yes
Part-Time/ Managers	No	Yes	Yes	Yes
Part-time	No	Yes	Yes	Yes
Part-time	No	Yes	Yes	No
Managers	No	No	Yes	No
Managers	No	Yes	No	No
Low Pay	No	Yes	Yes	Yes
Low Pay	No	Yes	Yes	Yes
Hate Job/ Don't care	No	Yes	Yes	Yes
Managers	Yes	Yes	Yes	No
Managers/ Low Pay	No	Yes	Yes	No
Managers	No	Yes	Yes	No

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