

¿Sí se Puede?

**Organizing Workers Along the Food Supply Chain:
Comparing the Strategies and Tactics of Worker Centers and
Unions**

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Executive Summary

This paper discusses emerging worker centers working along the food supply chain and dissects the differences in strategy and tactics of unions and worker centers working along the food supply chain. This paper in particular discusses the restaurant, grocery and farming sectors of the food supply chain. These sectors of the food supply chain are particularly difficult to organize, leaving holes for organizations with non-traditional structure and tactics. In the context of a diminishing labor movement, worker centers provide a promising alternative to unions. In particular, worker centers along the food supply chain have used their flexibility for truly remarkable victories, such as the Coalition of Immokalee Workers, Restaurant Opportunities Center and OUR Walmart. This paper finds the differences in tactics, structure and strategy that create the challenges and opportunities that worker centers and unions face in their efforts to organize workers along the food supply chain. The research finds that worker centers are able to effectively use consumer engagement, which is particularly important along the food supply chain. Consumers have shifted standards of industry in the food chain, with the most recent examples being the organic and local food movement. Worker centers and unions have tried to create connections with the food movement to advocate for workers' rights, as exemplified in the food justice movement. As both worker centers and unions reach out to consumers, it is important to gauge the level of engagement each type of organization can foster. This paper analyzes the implications that the structure of worker centers and unions have in organizing workers along the food supply chain.

Introduction

Labor organizations in the United States currently struggle to maintain even their current low union density and relevance and have lost much of their ability to organize workers. For numerous reasons, unions have lost much of the power they used to wield, and are in need of a change in strategy to gain momentum today. To counteract this decline, innovations in union organizing strategy have emerged among labor organizations in the United States. While many major unions face defeats, alternative “worker centers” have developed around the country to attempt to improve the working conditions for workers with nontraditional structures, strategies and tactics. The food industry, a major employer in the United States, represents an opportunity to organize low-wage workers in various food-related sectors. Organizations like the Food Chain Workers Alliance have created links between workers organizations along the so-called “food chain,” such as farmers, warehouse workers, grocery workers, restaurant employees and more. The current consumer movement of ethical eating also provides an opportunity for labor organizations to use consumer pressure to leverage employers in the food industry. These organizations have had successes and defeats and also offer a change in perspective regarding strategies and tactics.

This paper evaluates the challenges and opportunities facing worker centers and unions organizing along the food supply chain. Opportunities for labor groups appear in the context of the strengthening food movement and the declining labor movement. Workers' rights organizations working along the food supply chain find themselves in a unique position. There are many challenges to organizing food workers such as a transient workforce, the difficult NLRB process and the nature of the workforce itself. Unions along the food supply chain have led difficult uphill battles to organize workers, yet the workforce remains largely unorganized. Walmart, the biggest private employer in the world, remains non-union in the United States.

Restaurants, accounting for millions of jobs, are almost entirely non-union and unrepresented. Farmworkers in the United States still are not covered under basic labor laws passed under the New Deal, and therefore struggle to maintain basic rights. Difficulties in organizing for unions leave gaps that are increasingly being filled by worker centers. Worker centers provide services and work as organizers for workers who would otherwise be unrepresented. This paper discusses how worker centers and unions are operating along the food supply chain.

I have been organizing this paper by providing background about the challenges facing labor organizations within the context of the current labor climate. I explain factors leading to union decline and the nature of the labor movement in the United States. I then explain the opportunities and difficulties in organizing food industry jobs, providing statistics related to occupations along the food supply chain. Next, I provide historical context of union organizing drives in the specific food supply chain industries of farmworkers, restaurant workers and Walmart associates. I then explain the nature and major opportunity for consumer engagement and corporate social responsibility in the food supply chain and follow up with a brief analysis of the food justice movement. I go on to explain the alternative structure of worker centers, providing case studies of three distinctive types of worker centers along the food supply chain: the Coalition of Immokalee Workers, Restaurant Opportunities Center and OUR Walmart. I then explore findings from my interviews and analyze these findings. I finish with recommendations for worker centers and unions.

Research Question

Unions and worker centers differ in a number of ways in terms of their approaches, including their tactics, the strengths and weaknesses of their approaches, and their flexibility in

accomplishing their goals. It is still difficult to tell how worker centers and unions along the food supply chain behave differently than in other industries. It is particularly important to evaluate worker centers and unions along the food supply chain in the context of the food justice movement, corporate social responsibility, and the current anti-labor climate. The existing literature and background leads to my research question: what tactics and strategies are being used to organize workers in the food supply chain by unions and worker centers? Is the worker center model better suited to organizing food workers? Do worker centers engage consumers more effectively and may therefore be able to involve the food movement with workers' rights? Is consumer engagement a particularly effective tool to pressure food companies into accepting the demands of worker advocacy organizations and unions?

Methods to Pursue Research Question

I answered my interview questions by interviewing organizers, researchers and academics involved with food supply chain organizing. I interviewed leaders from the organizations that I am studying, as well as academics and other labor leaders involved with food worker organizing. I interviewed these people to understand the nature of food supply chain organizing as well as to gain an understanding of how these worker centers and unions differ in effectiveness, strategy and tactics.

I interviewed Joe Parker from the Student Farmworker Alliance, Jessica Choy, a researcher at UNITE-HERE, Stephanie Cho, head coordinator at ROC-LA, Joann Lo, executive director of the Food Chain Workers Alliance, Chris Benner, associate professor at UC-Davis, Rigo Valdez, organizing director at UFCW Local 770, Andrea Dehlendorf, Deputy Director at Making Change at Walmart, and two other people who wished to remain anonymous. The interview questions were open ended, with each discussion possibly entering into a new idea for successful

campaigns. This allowed me to follow up during the interviews on points that I found useful, rather than confining myself to certain questions with limited answers. My interviews gave me several diverse perspectives about food supply chain organizing and the similarities and differences of worker centers.

The Labor Movement And Union Decline

Unions in the United States face an uphill battle to regain their previous strength. According to the Bureau of Labor Statistics, the union membership rate in 2011 was 11.8%, with only 6.9% of private sector employees unionized.¹ Private sector union membership is at a seventy-year low, with a decrease in union membership from 39% in 1954 to 6.9% today.² This low union membership is directly related to a decrease in union power in the United States.

According to the book *Unionization and Deunionization*:

diminished union power is manifested in a variety of ways. Contract negotiations result in negligible wage increases or outright rollback of prior gains. Protracted strikes, ultimately lost by the union involved, occur in companies in which labor-management relations were once said to be 'mature' and stable. The political clout once wielded by organized labor is virtually nonexistent. But more than anything else, the erosion in union membership over the past fifteen to twenty years has gutted the labor movement of core constituents and called into question its institutional legitimacy.³

These factors have weakened union strength and have hurt the ability of many labor organizations to run effective organizing and workers' rights campaigns.

Many factors have contributed to the union decline. One factor is demographic shifts in employment in the United States. According to Clawson and Clawson, "geographic shifts from the Rustbelt to the Sunbelt, occupational shifts from blue collar to white collar, and changes in

¹ Month. " Union Members Summary ." U.S. Bureau of Labor Statistics.

² Ibid

³ Lawler, John J.. *Unionization and deunionization: strategy, tactics, and outcomes*. Columbia, S.C.: University of South Carolina Press, 1990. Pg. 1

the gender distribution of the work force,” have contributed to union decline.⁴ In addition, traditionally unionized manufacturing jobs are declining in the United States, while “growth is occurring in service industries such as medical care, food service, banking and insurance.”⁵

Scholars do not agree that demographic change is the sole cause of union decline in the United States, pointing to internal factors such as lack of capacity for union organizing and political change as major reasons for this decline. An AFL-CIO report argues that in post-war America, “instead of organizing, unions hunkered down... and collectively chose the shortsighted strategy of trying to protect current contracts of members instead of organizing new members.”⁶ This lack of organizing effort has had tremendous effects on the labor movement. While other movements flourished, “labor became increasingly distant from other social movements, and unions were not seen... as a primary means of addressing the issues raised by the civil rights, feminist, and environmental movements.”⁷ Labor organizations also failed to organize women and racial minorities and to address the issues raised by the feminist and civil rights movements.⁸ Rather than organize workers, union strategy mostly involved a union staff-based approach. According to Clawson:

the decline of organizing in the postwar era coincides with an increased focus on contract negotiation and the enforcement of work rules through the grievance system, both of which led to an increase in union staff. Within this framework, the union’s shop-floor presence was expressed primarily through its negotiation of work rules and their enforcement through the grievance procedure.⁹

⁴ Clawson, Dan , and Mary Ann Clawson. "What Has Happened to the US Labor Movement? Union Decline and Renewal." *Annual Review of Sociology* 25 (1999) Pg. 98

⁵ Gagala, Kenneth L.. *Union organizing and staying organized*. Reston, Va.: Reston Pub., 1983. Pg 3

⁶ Clawson, Dan , and Mary Ann Clawson. "What Has Happened to the US Labor Movement? Union Decline and Renewal." Pg. 98

⁷ Ibid Pg. 99

⁸ Ibid Pg. 98

⁹ Ibid Pg. 99

Using grievances as the main form of union activity did nothing to grow union membership and in the end did little to increase the power of organized labor. The use of this tactic has also been encouraged by dues-paying union members who are more interested in increasing their own wages and benefits than adding more members to their organization. According to Gagala, “one must conclude that corresponding with the decline in the proportion in union members in the labor force, there has been a decline in the desire of union members to have unions grow.”¹⁰ The average union spent a mere 3% of its budget on organizing in the late 1990s.¹¹ Unions saw their main function as providing benefits for their existing membership rather than organizing new members and locals.¹²

Aggressive employer anti-union policies have diminished union density as well. According to Clawson, “the level of employer hostility to labor is unique to the United States.”¹³ Hostile decertification and anti-union campaigns throughout the organizing process have pushed the limits of traditional organizing, forcing workers’ rights organizations to become more innovative in their use of tactics. In addition, “the 1970s saw the emergence of systematic attempts by employers to maintain ‘union free’ workplaces through delays, ‘information campaigns,’ and outright intimidation.”¹⁴ This shift from a workplace where unions were considered “partners” with business to the hostile dynamic that exists today in the United States has hindered the ability for unions to use traditional tactics to achieve their goals.

¹⁰ Gagala, Kenneth L.. *Union organizing and staying organized*. Pg. 10

¹¹ Yates, Michael. *Why Unions Matter*. 2 ed. New York: Monthly Review Press, 2009. Pg. 197

¹² Ibid Pg. 197

¹³ Clawson, Dan , and Mary Ann Clawson. "What Has Happened to the US Labor Movement? Union Decline and Renewal." Pg. 102

¹⁴ Ibid Pg. 102

National Labor Relations Board

Unions are also hindered through law and by the National Labor Relations Board's regulation of union activity, including organizing. According to Leary, “anti-union laws and recent decisions by courts and the National Labor Relations Board have narrowed how unions can fight and what they can win.”¹⁵ Yates claims that “there is no doubt that our labor laws favor the employer in both union organizing campaigns and collective bargaining.”¹⁶ Laws such as the Taft-Hartley Act have eliminated certain tactics that unions can use. According to Clawson in *The Next Upsurge*, “the general principle, for the Taft-Hartley Act in particular and for labor law in general, is that any tactic that gives workers power is illegal.”¹⁷ For example, secondary boycotts, where people picket and call for a boycott of the buyer that carries a product rather than a supplier of the product, are illegal for unions under the Taft-Hartley Act.¹⁸ These legal limits leave an opening for nontraditional tactics with nontraditional organizations that are not necessarily looking to uphold and create a union contract, but rather are attempting to increase wages and build a movement.

The NLRB process itself is long and drawn out, and tends to favor the companies over the workers. Often times, the process will be so long that the workforce may have completely changed and the election will have no meaning. According to Rigo Valdez, “the ability that employers have to wage these really anti-union campaigns puts us in a bad position. All the consequences for the employer come later. Because the consequences come later, it is the

¹⁵ Leary, Elly. "Immokalee Workers Take Down Taco Bell." *Monthly Review* 57, no. 5 (2005): 11-25. Pg. 21

¹⁶ Yates, Michael. *Why Unions Matter* Pg. 193

¹⁷ Clawson, Dan. *The next upsurge: labor and the new social movements*. Ithaca: ILR Press, 2003. Pg. 35

¹⁸ Leary, Elly. "Immokalee Workers Take Down Taco Bell." Pg. 19

workers who suffer.”¹⁹ Many intimidation tactics used by employers are considered legal by the NLRB, making it difficult for unions to get the 50% +1 requirement for elections.

Organizing the Food Industry

Unionizing food industry jobs represents a promising opportunity for unions and the labor movement. The Food Chain Worker’s Alliance has identified five key food industries as major sources of employment in the United States: farmworkers (production), slaughterhouse and other processing facilities workers (processing), warehouse workers (distribution), grocery store workers (retail), and restaurant and food service workers (service).²⁰ Together, these industries employ “approximately 20 million workers (19,980,227), who are one in five American private sector workers and fully one sixth of the nation’s entire workforce.”²¹ This huge source of employment is an opportunity for labor organizations to organize new members and to work for better wages and benefits. The Food Chain Workers’ Alliance argues that “the food system has tremendous potential to provide low-wage workers with opportunities for meaningful career advancement and incomes that will allow them to support themselves and their families.”²² Successful organizing and campaigns in the food industry could mean higher wages and benefits for employees, which would be a significant shift in the quality of jobs in this enormous industry. Many food industry jobs are dangerous, with low pay and benefits. According to Schlosser:

the abuses endured by American farmworkers, meatpacking workers, and restaurant employees violate even the most watered-down, corporate-flavored definition of ‘sustainability.’ Our food system now treats millions of workers like disposable commodities, paying them poverty wages, denying them medical benefits and sick pay,

¹⁹ Valdez, Rigo. Personal Interview. February 20th, 2013

²⁰ Food Chain Workers Alliance. " The Hands That Feed Us." Food Chain Workers. <http://foodchainworkers.org/?p=1973>,

²¹ Ibid Pg. 1

²² Ibid Pg. 16

and tolerating racism and sexism²³

Food industry employees have much to gain through representation by a workers' rights organization.

Workers in the food industry are in great need of worker organizations that can advocate on behalf of the workers. A study by the Food Chain Worker's Alliance reported that more than 86% of workers surveyed earn low or poverty wages.²⁴ The study also found numerous worker health and safety violations, long work hours with few breaks, and lack of access to health benefits.²⁵

Food Industry Jobs

There have been various attempts to unionize occupations within the food industry. The attempts to unionize farmers, grocery store workers, and restaurant workers that have established the current labor climate have the most relevant applications to my research.

Farm Workers and the United Farm Workers

Arguably the most historically significant union drive of the past century, Cesar Chavez and the newly formed United Farm Workers made labor history when they successfully pressured California food growers to sign collective bargaining contracts for farmworkers. The need to organize farmworkers in the United States became obvious as farm working shifted as an industry away from family farms to the large-scale farming we know today. These farms employed a large immigrant workforce who were unable to use any political influence to

²³ Schlosser, Eric. Behind the Kitchen Door.

²⁴ Food Chain Workers Alliance. "The Hands That Feed Us." Food Chain Workers. <http://foodchainworkers.org/?p=1973>, Pg. 3

²⁵ Ibid Pg. 3

improve their conditions and who also worked at extremely low wages.²⁶

Three waves of organizing attempts from 1900 to 1950 “failed to win a single multiyear contract, establish a sustainable farm workers union, or reform the rules governing the farm labor market.”²⁷ Unions faced obstacles due to grower-friendly labor policy, a lack of solidarity, and generally ineffective strategy. According to Ganz, “none of [the labor organizations] got very far before the growers were able to take advantage of war mobilization to suppress organizing, rebuild their workforce, and strengthen their control of labor market institutions.”²⁸ Thus little came of the organizing drives from 1900 through 1950.

Cesar Chavez based many of his organizing strategies on creating a social movement.²⁹ He mobilized consumers and workers in a successful grape boycott at grocery stores. The secondary boycott worked effectively, and growers established collective bargaining contracts for many farmworkers in California. Growers eventually wanted the union label on their product and approached the union to organize the farmworkers.³⁰ This led to many collective bargaining contracts. Ganz argues that the UFW was successful because of their ability to create a collective identity among Latinos.³¹ UFW had significant successes at the outset. The success of the grape boycott was a major victory for farmworkers, and it completely altered the way growers operated in the farming industry. UFW also made labor history by influencing the passage of the Agricultural Relation Board Act. This landmark law granted basic labor rights to farmworkers

²⁶ Ganz, Marshall. *Why David sometimes wins: leadership, organization, and strategy in the California farm worker movement*. Oxford: Oxford University Press, 2009. Pg. 24

²⁷ Ibid Pg. 24

²⁸ Ibid Pg. 52

²⁹ Jenkins, Craig. "The Transformation of a Constituency into a Movement." In *Social Movements of the Sixties and Seventies*. London: Longman , 1983. 52-70. Pg. 53

³⁰ Ibid Pg. 65

³¹ Ganz, Marshall. *Why David sometimes wins: leadership, organization, and strategy in the California farm worker movement*

such as the right to collectively bargain in California for the first time in American history.

Despite these major successes, UFW has encountered many setbacks since the golden years of their organization.

The United Farm Workers has been in decline since their initial victories because of many different factors. For one, Teamsters signed “sweetheart” contracts with growers and undermined UFW collective bargaining contracts.³² Scholars have also cited mistakes in leadership by Cesar Chavez as a major reason for the decline of UFW.³³ Many of the key leaders of UFW left the organization after conflict within the organization.³⁴ UFW lost much of its momentum and lost many of its original collective bargaining contracts without adding many other significant union contracts.³⁵ According to Yates, “[UFW] has become a top-down, undemocratic organization, and there is considerable evidence that it has become infected with corruption.”³⁶ UFW’s original structure and its organization of mass marches, boycotts and hunger strikes were the important first steps for the United Farm Workers. Many believe that UFW has left behind a void of opportunity for social movement organizing for farmworkers.

United Food and Commercial Workers and Walmart

UFCW’s largest struggle today is organizing the retail behemoth Walmart. Walmart is known as one of the most union-resistant companies in the United States. Walmart employs almost 1.4 million associates in the United States, making it the largest private employer in the

³² Yates, Michael. *Why Unions Matter* Pg. 173

³³ Shaw, Randy. *Beyond the fields: Cesar Chavez, the UFW, and the struggle for justice in the 21st century.*

³⁴ Ibid.

³⁵ Ibid.

³⁶ Yates, Michael. *Why Unions Matter* Pg. 173

United States.³⁷ The company is the third largest employer in the world, after the United States Department of Defense and the Chinese military.³⁸ UFCW's first successful campaign to unionize a Walmart took place in 2000. According to Al Norman, "workers in the meat department of a Walmart Supercenter in Jacksonville, Texas, voted 7 to 3 to join Local 540 of the UFCW, becoming the first US workers to vote in a union at Wal-Mart."³⁹ Several weeks after the vote for a union, "Wal-Mart announced that it was closing down its meat-cutting operations in 180 stores across six states, and switching to 'prepackaged' meat."⁴⁰ This decision to remove meat-cutting operations solely to avoid the threat of a union shows how far Walmart will go to keep unions out of its stores, and to keep employees' wages and benefits low. According to Andrea Dehlendorf, "Walmart is ideologically opposed to any solution with collective engagement around anything. For example, they have open-door meetings where associates can have individual meetings with management at any time, but they refuse to have any conversations with associates as a group." UFCW told reporters that "changing the way all of its stores sells meat shows the extent to which Wal-Mart will go to keep the union out of its stores. Any time management concocts a scheme to ratchet down people's livelihood, it says a lot about the real nature of the company."⁴¹ Walmart workers also voted to join UFCW at a Walmart in Jonquière, Canada. Shortly after the Canadian government certified the union, "Wal-Mart announced that the Jonquière store was losing money and would likely have to close, citing the 'fractured environment' created by the union campaign... The sudden closing of a store that had

³⁷ Walmart. *Corporate and Financial Facts*. Apr. 2012. Web.

³⁸ Alexander, Ruth. "Which is the World's Biggest Employer?." *BBC News*, March 19, 2012. <http://www.bbc.co.uk/news/magazine-17429786> (accessed December 9, 2012).

³⁹ Norman, Al. "Wal-Mart's 'Meat Wars' With Union Sizzles On." *Huffington Post*, March 28, 2008. http://www.huffingtonpost.com/al-norman/walmarts-meat-wars-with-u_b_91757.

⁴⁰ Ibid

⁴¹ Ibid

not, to anyone's knowledge, previously been in trouble financially was a strong message to those hoping to unionize."⁴² Walmart's ability to scare employees out of joining unions stands in the way of UFCW running an effective organizing campaign.

Walmart is also skilled at dividing the food movement by crowning themselves the cure to so-called "food deserts," providing organic food options and committing themselves to fighting hunger in the United States. These decisions have been met with skepticism from many, who believe that Walmart is simply concerned with image and has not truly made any real commitment to solving issues in the food industry. Walmart recently donated \$1 million to a food justice organization called "Growing Power," which has raised eyebrows in the food community. According to Tom Philpott:

I'm highly skeptical of the idea of Walmart as ally in the effort to use food as a tool of building health and wealth within communities. The company's business model has always been about profitably selling cheap stuff by maximizing volume and minimizing cost through relentless pressure on suppliers and workers: the sins of the food system writ enormous.⁴³

While some have been reluctant to support Walmart's efforts, others whole-heartedly support them, including Michelle Obama who surprised the food community by praising Walmart's efforts. Walmart has been able to effectively split the food movement, thus somewhat removing themselves from public scrutiny.

The task of organizing Walmart has been referred to as "an Everest ascent with no Sherpas in sight."⁴⁴ UFCW faces the challenge to unionize Walmart in a time of low union membership and a weak labor movement, making the task all the more difficult. According to Dicker, "the challenge to unionize Wal-Mart comes at a time of unprecedented weakness for the labor

⁴² Dicker, John. *The United States of Walmart*. Tarcher, 2005. Print. Page 91

⁴³ Philpott, Tom. "Walmart Drops \$1 Million on Urban-Ag Pioneer Growing Power." *Mother Jones*.

⁴⁴ Dicker, John. *The United States of Walmart*. Tarcher, 2005. Print. Pg. 91

movement... A steady erosion in wages and benefits has fostered a climate of despair. Nowhere is this more true than in retail. Even among unionized workers, an employer triumph is often considered inevitable.”⁴⁵ With this frame for the labor movement, UFCW faces a bleak and almost unwinnable battle.

UNITE-HERE and Restaurant Workers

UNITE-HERE has mostly focused their union organizing restaurant campaigns on college campuses, airports and governmental contracts. UNITE HERE represents over “90,000 food service workers employed in corporate cafeterias, airports, universities, school districts, sports stadiums and event centers, amusement parks, cultural institutions and national parks.”⁴⁶ UNITE-HERE has focused on food service workers in cafeterias and college campuses because they are easier to organize than undertaking a restaurant-by-restaurant campaign. According to Jessica Choy, a researcher at UNITE-HERE, “historically, our union represented a bunch of restaurant workers in Chicago and San Francisco. Because they are such small places with so few employees, they have pretty effectively removed the union one by one over the decades. Our union wasn’t able to fight that fight.”⁴⁷ UNITE-HERE has had little success in organizing restaurant workers but also has not made that a priority due to the difficulty in organizing restaurant employees. The worker center Restaurant Opportunities Center was created out of a UNITE-HERE local as a new approach to organizing restaurant workers.⁴⁸ There have been

⁴⁵ Ibid Pg. 97.

⁴⁶ UNITE-HERE. "Real Food Real Jobs-About." Real Food Real Jobs. <http://www.realfoodrealjobs.org/about/>.

⁴⁷ Choy, Jessica. Personal Interview. January 30th, 2013.

⁴⁸ Abowd, Paul. "Restaurant Workers Launch Multi-City Campaign to Transform Low-Wage Industry." *Labor Notes (Detroit)*, February 4, 2010. <http://labornotes.org/2010/02/restaurant-workers-launch-multi-city-campaign-transform-low-wage-industry>.

essentially no major successes to unionize restaurant workers by a traditional union, and the industry is less than 1% unionized.⁴⁹ Restaurant Opportunities Center claims that “until ROC-United’s growth and development, the lack of organization left millions of restaurant workers vulnerable to abuse and exploitation around the country.”⁵⁰

UNITE-HERE has been successful in organizing food service workers at college campuses with its “Real Food. Real Jobs” campaign. The campaign has focused on a “sustainable” food system, where employees are treated fairly and paid reasonably. The campaign also focuses on environmental sustainability, which is remarkably progressive as a workers’ rights campaign. According to UNITE-HERE’s website, “Our Real Food and Real Jobs campaign argues that *food workers need to be part of the conversation about reforming our food system*, and universities present an opportunity to develop a real sustainable food model that could be emulated by other institutions.”⁵¹ The campaign appeals to students and consumers who may be motivated by food justice issues and brings them together to support food service workers to acquire collective bargaining contracts with good pay and benefits. While this campaign is mostly focused on college campuses, they have also incorporated airport food workers and corporate cafeteria workers into the “Real Food. Real Jobs” campaign. UNITE-HERE’s “Real Food. Real Jobs” campaign is remarkable as an example of a union organizing campaign that also incorporates food justice issues.

Consumer Engagement and CSR

⁴⁹ Restaurant Opportunities Center. "About Us | Restaurant Opportunities Centers United." Restaurant Opportunities Centers United <http://rocunited.org/about-us/> (accessed December 7, 2012).

⁵⁰ Ibid

⁵¹ UNITE-HERE. "Real Food Real Jobs » The Food System." Real Food Real Jobs.

Consumer engagement offers a unique opportunity for organizing campaigns in the food industry. The food movement and the labor movement have potential for crossover while organizing food industry workers. One limitation for labor is that the food movement currently consists of a mostly environmental and health focus. According to the report “The Hands that Feed Us,” “the food movement of the last several decades has not focused on sustainable labor practices within the food system, with some notable exceptions, particularly with regard to farmworkers.”⁵² Organizations like the Food Chain Workers Alliance and various other “food justice” oriented campaigns have begun integrating labor rights into the movement. The trend of holding corporations accountable for working conditions of their suppliers is also promising for organizing campaigns.

“Corporate Social Responsibility” (CSR) has become an important facet of businesses in the United States. Corporate Social Responsibility refers to an effort to hold corporations accountable for working conditions, environmental harm, fraud, etc. CSR developed as consumers balked at unethical corporate practices and demanded accountability from the companies they support. According to Thomas Maak, “in order to succeed in an environment of contested values CSR is ‘used’ for reputational gains; CSR strategy in and of corporations is seen as a means to gain competitive advantage on ‘the market for virtue.’”⁵³ This increased interest in CSR can be useful to advocacy groups attempting to pressure corporations. According to Maloni and Brown, “beyond ethical considerations, consumer criticism of perceived CSR deficiencies can be extremely detrimental to corporate profitability and market share.”⁵⁴

⁵² Food Chain Workers Alliance. "The Hands That Feed Us." Food Chain Workers. <http://foodchainworkers.org/?p=1973>, Pg. 16

⁵³ Maak, Thomas. "Undivided Corporate Responsibility: Towards a Theory of Corporate Integrity." *Journal of Business Ethics* 82 (2008): 353-368. Pg. 356

⁵⁴ Maloni, Michael, and Michael Brown. "Corporate Social Responsibility in the Supply

Corporations are increasingly held accountable not only through their practices, but through the supply chain as well. For example, “labor and human rights issues in supply chain CSR captured consumer attention as NGOs exposed ‘sweatshop’ labor conditions of foreign apparel manufacturers supplying prominent US retailers such as NIKE and Wal-Mart.”⁵⁵ Maloni and Brown claim the food industry is particularly vulnerable to accountability in the supply chain. They write that “the industry retains substantial public visibility since it not only supports a requirement of daily human life but also plays a large role in the national economy as a multi-trillion dollar industry and leading export.”⁵⁶

Companies concerned with their public image must take consumer engagement tactics seriously from worker advocacy organizations. According to Maloni and Brown, “CSR appears to be gaining importance in the food supply chain due to not only the nature of the product as animal/plant based consumables that are required for existence but also the complex, labor intensive nature of food supply chains.”⁵⁷ The food industry is thus vulnerable to attack from critics of the way they treat their employees. According to Maloni and Brown, “labor and human rights also present a complicated issue in the food industry, potentially exposing the industry supply chain to the same reactions and protests experienced by the apparel industry.”⁵⁸ This information is invaluable to unions and worker organizations attempting to pressure corporations into increasing the wages and benefits of workers in the food supply chain. This begs the question of how labor organizations are using tactics to take advantage of this vulnerability to achieve victories for workers.

Chain: An Application in the Food Industry." *Journal of Business Ethics* 68, no. 1 (2006): 35-52. Pg. 35

⁵⁵ Ibid Pg. 43

⁵⁶ Ibid Pg. 35

⁵⁷ Ibid Pg. 38

⁵⁸ Ibid Pg. 43

Food Justice Movement

Consumer engagement in the food industry is particularly relevant with the current context of the food justice movement. Robert Gottlieb defines food justice as “ensuring that the benefits and risks of where, what and how food is grown and produced, transported and distributed, and accessed and eaten are shared fairly.” The food justice movement was propelled by the publication of the books *Fast Food Nation* and *The Omnivore’s Dilemma*. According to Gottlieb and Joshi:

today, food justice groups have contributed to identifying alternatives to the dominant food system and have positioned themselves as a force for social change in the United States and throughout the world. The interpretations of food justice can be complex and nuanced, but the concept is simple and direct: justice for all in the food system, whether producers, farmworkers, processors, workers, eaters, or communities⁵⁹

Although the food justice movement does incorporate aspects of farmworker and workers' rights, some of that focus is primarily on local and sustainable food. In the foreword to Saru Jayaraman’s book *Behind the Kitchen Door*, Eric Schlosser writes that:

the food movement thus far has shown a much greater interest in assuring animal welfare than in protecting human rights. You would think that, at the very least, the people who feed us deserve as much attention and compassion as what we’re being fed. ... When people ask what are the most important changes that we could make to our food system right away, I reply: Enforce that nation’s labor laws and increase the minimum wage.⁶⁰

Eric Schlosser sums up a problem with the food movement: the movement essentially disregards workers’ rights for the sake of chickens' rights. It is important to distinguish between the food movement and the food justice movement. Food justice incorporates workers’ rights and social justice as core parts of the movement. The food justice movement in a sense is attempting to make parallels between the current trends of eating local and organic food to include workers’

⁵⁹ Gottlieb, Robert, and Anupama Joshi. *Food justice*. Cambridge, Mass.: MIT Press, 2010. Pg. 223

⁶⁰ Jayaraman, Sarumathi. *Behind the kitchen door*. Ithaca: ILR Press, 2013.

rights. True food justice advocates consider workers' rights to be a core aspect of the movement, although workers' rights definitely have not been the main focus of the movement.

The food movement provides a unique moment for labor groups organizing along the food supply chain. Chris Benner claims that “one of the things that people in the food chain have been doing as early as the great grape boycott and even earlier than that has been using consumer pressure and influence to improve worker conditions along the food chain.”⁶¹ Organizations like the Restaurants Opportunities Center, Food Chain Workers Alliance and the Coalition of Immokalee Workers have worked to create the connection with the food movement and workers' rights.

Organizing Along the Food Supply Chain

Organizing workers along the food supply chain clearly poses significant difficulties, but also elicits important opportunities for labor organizations. Certain facets of the food supply chain are particularly important in the context of labor organizing. Worker centers and unions in the farm, grocery/retail and service industries provide important and compelling examples of innovation along the food supply chain. For each sector of the food chain, I have identified two organizations with differing structures, missions and tactics that are attempting to organize these workers. These organizations were chosen based on their structure as either worker centers or unions. The main purpose of this research is to discover nontraditional forms of organizing that can be applied to what might otherwise be a traditional union organizing campaign. I hope to discover which tactics are used and how they are employed by interviewing leaders from these organizations, and by conducting an intensive case study on a particular worker center to be

⁶¹ Benner, Chris. Personal Interview. January 30th, 2013.

determined from the results of my interviews. But first, let me discuss the literature surrounding each of these worker centers.

Worker Centers

Worker centers have emerged as a model to help improve the working conditions in occupations that require a more inventive organizing model. Janice Fine defines worker centers as “community-based and community-led organizations that engage in a combination of service, advocacy, and organizing to provide support to low-wage workers.”⁶² Most worker centers have certain features in common: a geographic area as a focus, ethnic identity, leadership development, worker education, and solidarity and alliances with other organizations.⁶³ According to Jayaraman and Ness, “workers centers were developed in the mid-1980s as a means to train, assist, and mobilize workers in low-wage industries. Most workers centers sought to organize the growing immigrant population not represented by unions.”⁶⁴ They have emerged as institutions to fill the holes where conventional unions have been absent.⁶⁵

The first wave of worker centers began when “African American worker centers arose in the South in response to institutionalized racism in employment, the rise of manufacturing and ‘big box’ retail and the absence of labor unions as a vehicle for organizing,”⁶⁶ These worker centers served African Americans where unions had otherwise excluded them. The second wave

⁶² Fine, Janice. "Workers Centers: Organizing Communities at the Edge of the Dream." *Economic Policy Institute (Washington DC)*, December 13, 2005. <http://www.epi.org/publication/bp159/>. Pg. 3.

⁶³ Ibid Pg. 4

⁶⁴ Jayaraman, Sarumathi, and Immanuel Ness. "Models of Worker Organizing." In *The new urban immigrant workforce: innovative models for labor organizing*. Armonk, N.Y.: M.E. Sharpe, Inc., 2005. 71-84. Pg. 75

⁶⁵ Clawson, Dan. *The next upsurge: labor and the new social movements*. Pg. 108

⁶⁶ Fine, Janice. *Worker centers: organizing communities at the edge of the dream*. Ithaca: ILR Press/Cornell University Press, 2006. Pg. 9

of worker centers emerged in the late 1980s and early to mid 1990s as “large new groups of Latino immigrants... came to live and work in urban metropolitan areas as well as the suburbs, and growing numbers of Southeast Asians immigrated to the United States seeking work.”⁶⁷

Since the 2000s, the current wave of worker centers has emerged to organize cultural groups, and in response to “the large concentration of Mexican and Central American immigrants working in the service, poultry, meat-packing and agricultural sectors.”⁶⁸ Janice Fine lists the following features of worker centers as common to all: service provision, advocacy organizing, place-based rather than work-site based, strong ethnic and racial identification, leadership development and internal democracy, popular education, thinking globally, a broad agenda, coalition building and a small and involved membership.⁶⁹

Union-backed worker centers can be used to keep the door open for adding new workers to the union, while independent worker centers are motivated to “educate and organize workers to demand improved conditions on the job.”⁷⁰ Jayaraman and Ness write that “union-based workers centers are motivated by the prospects of signing up new workers, gaining recognition agreements with employers, and successfully negotiating toward collective bargaining agreements.”⁷¹ In addition, “the short-term objective of establishing workers centers is to provide political and ideological support for unionization among disenfranchised low-wage workers; the long-term goal is to engage in union organizing campaigns in their communities.”⁷² According to Joann Lo:

Some unions have created worker centers because they have recognized that in certain

⁶⁷ Ibid. Pg 11

⁶⁸ Ibid. Pg 11

⁶⁹ Ibid. Pg 14

⁷⁰ Jayaraman, Sarumathi, and Immanuel Ness. "Models of Worker Organizing." Pg. 75

⁷¹ Ibid Pg. 75

⁷² Ibid Pg. 91

industries, it is very difficult to organize a union. Starting a worker center would be a way to help those workers to organize to begin to improve conditions and begin to develop those relationships with the hope in the long term that they would organize a union.⁷³

These worker centers gain many of the benefits that they would achieve for workers through a union contract and are well-suited to organizing immigrant worker populations.

The key elements of worker center tactics are: education and training, direct support and assistance, and solidarity, organization and mobilization.⁷⁴ Many immigrant worker centers provide English-language instruction, labor rights education and ideological education.⁷⁵ Non-union based worker centers are “motivated by the goal of educating workers about class, racial and gender inequality while inspiring workers to directly challenge this oppression by collectively organizing and mobilizing.”⁷⁶ Worker centers also provide legal assistance for “monitoring wage and hour violations, representing workers against employers that violate minimum wage laws, seeking unpaid back wages and monitoring workplaces to prevent sexual harassment.”⁷⁷ According to Jayaraman and Ness, “if legal assistance is matched with organizing, it can be a useful - if not necessary - method of mobilizing workers in struggles against employers and in efforts to improve their social welfare.”⁷⁸

Worker centers also engage in public policy organizing and advocacy. Worker centers

partner with or target government agencies to ensure enforcement of existing laws and regulations, work to strengthen compliance with existing laws and improve enforcement, organize for the passage of new legislation to raise wages and/or improve working conditions of immigrant workers, and fight for immigration reform and immigrant rights.⁷⁹

⁷³ Lo, Joann. Personal Interview. February 25th, 2013.

⁷⁴ Jayaraman, Sarumathi, and Immanuel Ness. "Models of Worker Organizing." Pg. 77

⁷⁵ Fine, Janice. "Workers Centers: Organizing Communities at the Edge of the Dream." Pg. 11

⁷⁶ Jayaraman, Sarumathi, and Immanuel Ness. "Models of Worker Organizing." Pg. 77

⁷⁷ Ibid Pg. 77

⁷⁸ Ibid Pg. 78

⁷⁹ Fine, Janice. "Workers Centers: Organizing Communities at the Edge of the Dream." Pg. 8

Worker centers have successfully advocated for reforms that address issues affecting their constituents in places throughout the United States.⁸⁰

There are also limitations to worker centers. Clawson identifies ethnic identities, difficulty in institutionalizing gains, and dependence on foundations for funding as limitations in the worker center model.⁸¹ According to one union organizer, “one weakness of worker centers is that the non-profit centers cannot take political decisions and are tied. Unions have been trying to get immigration reform to benefit their members, which is a political decision. Unions have the advantage to have that impact.”⁸² Worker centers that are ethnically or geographically defined may be constrained to organizing only that ethnic group or area. In addition, a lack of a collective bargaining contract makes it difficult to have concrete and lasting victories. Unions may be able to have larger gains for their members such as better wages, benefits and occupational safety standards through a legal contract. Additionally, the lack of funding from dues restricts the organization’s ability financially, and makes them dependent on financial supporters. According to Janice Fine:

Worker centers, by not institutionalizing a system of dues collection, miss out on substantial financial support and over-rely on foundation support. This is problematic because of the unpredictable nature of foundation support and also because foundations measure future organizational viability of centers by looking for internal revenue-producing strategies. When these strategies are not in place, which, as we have seen, is the case for most centers, organizational stability is always at risk. To be fair, with the exception of organized labor, this same critique applies to the vast majority of organizations on the progressive side as well as many other nongovernmental organizations.⁸³

Lack of self-financing makes a worker center dependent on the whim of its financial backers,

⁸⁰ Clawson, Dan. *The next upsurge: labor and the new social movements* Pg. 106

⁸¹ Ibid Pg. 108-9

⁸² Confidential Personal Interview. January 17th, 2013.

⁸³ Fine, Janice. *Worker centers: organizing communities at the edge of the dream*. Ithaca: ILR Press/Cornell University Press, 2006. Pg 233.

who may restrict certain activity.⁸⁴

The worker center model is promising for unions as an alternative for organizing immigrant populations. Worker centers are well suited to organize immigrant workers in the United States, including workers in the food industry. The farming, restaurant and grocery sectors of the food industry have the most direct implications to this research. The Coalition of Immokalee Workers (CIW), representing farmworkers in Florida, the Restaurant Opportunities Center (ROC), representing restaurant workers in several cities around the country, and Organization United For Respect at Walmart (OUR Walmart), organizing Walmart associates throughout the country, are important examples of worker centers operating in the food industry.

Coalition of Immokalee Workers (CIW)

The CIW is a worker center in Immokalee, Florida, representing immigrant farmworkers in the area. Immokalee is Florida's largest farmworker community. According to David Solnit:

Immokalee is a crossroads between the rural poverty of the global South and the promise of a modern job paying a minor fortune in American dollars... Ethnically and linguistically divided, largely undocumented... highly mobile, dirt-poor, largely nonliterate, and culturally isolated from the mainstream community of southwest Florida, the Immokalee farmworker community could not be more challenging to traditional organizers armed with traditional organizing approaches.⁸⁵

The organization was created in 1993 "as a small group of workers meeting weekly in a room borrowed from a local church to discuss how to better our community and our lives."⁸⁶ This group of workers emerged as a force in organizing workers in the area. Organizers originally used three tactics as organizing tools :

Popular education, used to provoke participatory analysis of the problems facing

⁸⁴ Leary, Elly. "Immokalee Workers Take Down Taco Bell Pg. 22

⁸⁵ Solnit, David. *Globalize liberation: how to uproot the system and build a better world*. San Francisco, CA: City Lights Books, 2004. Pg. 350

⁸⁶ Coalition of Immokalee Workers. "About CIW ." Coalition of Immokalee Workers (CIW). <http://www.ciw-online.org/about.html>.

farmworkers in Immokalee, leadership development, to guarantee a constantly growing, broad base of leadership in the high-turnover worker community and powerful political actions, both to serve as an additional tool for building awareness and leadership within the movement, and to create a growing pressure on the agricultural industry.⁸⁷

These tactics served the organization well as they embarked on their campaign to increase the wages of tomato pickers and to implement safer working conditions for the entire industry. The CIW has developed the “Campaign for Fair Food,” in which they pressure buyers to sign the “Fair Food Contract,” which ensures tomato pickers of an increased wage.⁸⁸ Along with pressuring the growers, the CIW pressures the corporate buyers and consumers as an essential tactic in their campaigns. Organizers claim that a strong network of allies, intensive research of the companies they target, high-profile media presence and a long-term vision for industry wide changes in agriculture have been critical to their successes.⁸⁹

The CIW began their march into labor history with their historical boycott of Taco Bell from 2001 to 2005. Rather than directly pressuring the growers in Florida, the CIW pressured YUM Brands, the conglomerate that owns Taco Bell, KFC and Pizza Hut, among other major fast food companies.⁹⁰ Pressuring YUM brands as a major buyer of Immokalee tomatoes in turn pressured growers in Immokalee. With relatively few members, the CIW was able to facilitate a mass movement against the fast food giant. The organization used tactics such as hunger strikes, large protests and the use of media to raise awareness about the conditions of the tomato pickers. According to Leary, “using what Taco Bell considers its strengths and assets as weapons... allowed the CIW to spin the campaign alternately as a struggle for labor and workers’ rights,

⁸⁷ Solnit, David. *Globalize liberation: how to uproot the system and build a better world*. Pg. 352

⁸⁸ Coalition of Immokalee Workers. "About CIW."

⁸⁹ Eyck, Tiffany. "Farmworkers Beat Burger King, But Face Resistance From Growers." *Labor Notes (Detroit)*, July 1, 2008. <http://labornotes.org/node/1787>.

⁹⁰ Yates, Michael. *Why Unions Matter* Pg. 178

human rights, or fair food, as well as one against corporate power.”⁹¹

The structure of the campaign integrated many diverse organizations, advocacy groups and socially active people, who joined in support of the boycott. The use of a secondary boycott for the campaigns is significant. If the CIW had been a union, the boycott would have been illegal under the Taft-Hartley Act.⁹² In fact, the CIW had previously considered merging with UFW and chose instead not to join; if they had, the secondary boycott would have been illegal.⁹³ Leary argues that the CIW not being a union was vital towards the broad support among students and faith-based organizations, claiming that the CIW “could successfully cast itself as made up of poor, immigrant workers struggling for a just future, without the complicating issues of being associated with ‘special interests’ or ‘big labor.’”⁹⁴ Due to the currently negative image of labor unions by the public, it is quite likely that the CIW would not have received broad support if they were structured like a traditional union. Leary continues “only a worker center could have pulled off this boycott and created space for organizing inside a major piece of the new capitalist economy.”⁹⁵ This is significant as worker centers become the foot in the door that labor needs to enter into the sectors of the economy that have been previously off-limits.

The Campaign for Fair Food is a remarkable example of pressuring companies to improve the working conditions for the employees of their suppliers. Rather than focusing all of their organizing on pressuring growers in Florida, the CIW was able to increase wages for tomato pickers by pressuring buyers. The CIW has successfully pressured Taco Bell, McDonald’s, Burger King, Subway, Whole Foods, Trader Joe’s, and Chipotle, among other major buyers, into

⁹¹ Leary, Elly. "Immokalee Workers Take Down Taco Bell Pg. 14

⁹² Ibid Pg. 20

⁹³ Ibid Pg. 20

⁹⁴ Ibid Pg. 20

⁹⁵ Ibid Pg. 20

signing the fair food contract.⁹⁶ The CIW's tactics of creating consumer pressure and secondary boycotts make them valuable to study as a leading worker center in the United States.

The CIW has been extremely successful as a worker center that has integrated some aspects of the union model while also preserving the worker-led aspect of the coalition. According to Joe Parker, an organizer at the Student Farmworker Alliance, "I think it has been very helpful that the coalition has been able to produce a model that allows farmworkers themselves to be the driving force behind any actions that are taken... the worker center model gives a lot of room for creativity."⁹⁷ The CIW is remarkable as an example of a worker center that has had significant successes, including leveraging eleven multi-billion dollar corporations to sign the Fair Food Contract.

Restaurant Opportunities Center

The Restaurant Opportunities Center was created in the wake of disaster. The organization was "initially founded after September 11, 2001 to provide support to restaurant workers displaced as a result of the World Trade Center tragedy."⁹⁸ After 9/11, the Hotel Employees Restaurant Employees (HERE) Local 100 received funding to organize employees displaced by the tragedy.⁹⁹ HERE Local 100 realized that they did not have the capacity to provide support to these workers and created the Restaurant Opportunities Center of New York.¹⁰⁰ HERE created the organization, given their analysis that their traditional union model would be ineffective with restaurant workers. According to Jayaraman, "what was initially intended as a temporary

⁹⁶ Coalition of Immokalee Workers. "About CIW."

⁹⁷ Parker, Joe. Personal Interview. March 27th, 2013.

⁹⁸ Restaurant Opportunities Center. "About Us | Restaurant Opportunities Centers United."

⁹⁹ Jayaraman, Sarumathi. "'ROCing' the Industry: Organizing Restaurant Workers in New York." In *The new urban immigrant workforce: innovative models for labor organizing*. Armonk, N.Y.: M.E. Sharpe, Inc., 2005. 143-151. Pg. 143

¹⁰⁰ Ibid Pg. 143

measure of support for displaced workers from the World Trade Center has become an immigrant worker-led center with its sights set on organizing the 99% of New York City's restaurant workforce that does not enjoy the benefits of a union."¹⁰¹ Although ROC originated from HERE, the organization is only loosely affiliated with UNITE-HERE, with the presence of the Deputy Director of Food Services at UNITE-HERE as part of the ROC-United Board. ROC-NY has organized restaurant workers using "protests, media pressure, research, policy, and cooperative development."¹⁰² Their victories in organizing the restaurant industry are groundbreaking examples of the effectiveness of worker centers. ROC has grown and now operates locals in New York City, Philadelphia, Los Angeles, New Orleans, Chicago, Houston, Philadelphia, Michigan, and Washington DC.

ROC organizes employees using a "tri-pronged model of change to build power and voice for restaurant workers."¹⁰³ ROC's model involves simultaneously:

- (1) Organizing workplace justice campaigns to demonstrate public consequences for employers who take the 'low-road' to profitability, by violating workers' legal rights;
- (2) Promoting the high road to profitability through partnerships with responsible restaurateurs, cooperative restaurant development, and a workforce development program that moves low-income workers into living wage jobs;
- (3) Lifting standards industry-wide through participatory research and policy work.¹⁰⁴

A major facet of ROC as an advocacy organization is its workplace justice campaigns. ROC frequently publishes research papers that expose the working conditions for workers in the restaurant industry. ROC pressures companies using "tactics that include organizing workers, litigation, and public pressure."¹⁰⁵ According to Jayaraman, "ROC-NY decided to pursue

¹⁰¹ Ibid Pg. 143

¹⁰² Ibid Pg. 143

¹⁰³ Restaurant Opportunities Center. "Our Work." Restaurant Opportunities Centers United <http://rocunited.org/our-work/>

¹⁰⁴ Ibid

¹⁰⁵ Restaurant Opportunities Center. "Workplace Justice ." Restaurant Opportunities

powerful corporate targets to the industry that one way or another - through ROC-NY, a union, or some alternative form - working conditions in the industry will be raised.”¹⁰⁶ These workplace justice campaigns are targeted towards particular companies, but are also created to raise general awareness about the working conditions of restaurant workers. These workplace justice campaigns target companies to discredit their image and hopefully influence them to improve working conditions. Jose Oliva, a ROC national coordinator claimed that “one of the things every restaurant cares about more than anything else is their image.”¹⁰⁷ According to Stephanie Cho, “what sets ROC apart from organizing that I have done is that in organizing you generally have a target and you go after them. At ROC we have a target but we also have an alternative and we offer alternatives. We work with great restaurants and we want to show small restaurants and local restaurants that it does not cost that much more money to be better to your workers which we feel is a better model.”¹⁰⁸

ROC has implemented a major consumer facet of their campaigns. Saru Jayaraman writes in *Behind the Kitchen Door* :

Consumers can change this. We can have an enormous impact by rewarding restaurants that have sustainable practices. In other words, we can picket with our pocketbooks. We can choose to eat only in restaurants that practice ‘ethical consumption,’ embracing the real core values of sustainable, slow food... Consumers actually need to talk to employers and workers and let them know what they value in a restaurant. Just as consumers asking for organic, locally sourced food pushed Del Posto to purchase more of those items, consumers talking to employers about their employment practices will help move restaurants in the right direction¹⁰⁹

ROC-United has published 15 “Behind the Kitchen Door” reports which expose the

Centers United <http://rocunited.org/our-work/workplace-justice/>

¹⁰⁶ Jayaraman, Sarumathi. ""ROCing" the Industry: Organizing Restaurant Workers in New York." Pg. 146

¹⁰⁷ Abowd, Paul. "Restaurant Workers Launch Multi-City Campaign to Transform Low-Wage Industry."

¹⁰⁸ Cho, Stephanie. Personal Interview. January 17th, 2013.

¹⁰⁹ Jayaraman, Sarumathi. *Behind the kitchen door*. Ithaca: ILR Press, 2013. Pg 42

working conditions in many popular restaurants. According to the ROC website, “these research projects have documented extensive poverty, wage theft, health and safety hazards, lack of benefits such as paid sick days or health insurance, sexual harassment, and race and gender discrimination.”¹¹⁰

ROC also engages in “high road” implementation. The organization refers to the “high road of profitability” as “ethical, pragmatic and, we believe, profitable approach to doing business that benefits employers, employees, consumers and the community.”¹¹¹ They have created a “Restaurant Industry Roundtable,” which is a group of responsible restaurant owners and managers.¹¹² They provide the employers and employees with free training, and also are in the process of opening worker-owned restaurants. They hope to “create a model for the industry and create hundreds of new restaurant owners in New York City who are actually workers, who will support worker-beneficial legislation and counterbalance the restaurant industry’s lobby.”¹¹³ ROC also partakes in research and policy work to raise the standards in each city they operate in.

ROC publishes many “diner’s guides” to inform consumers where restaurants are treating their employees fairly. According to Stephanie Cho, “the diner’s guide has involved people effectively, and the fact that food justice has involved workers’ rights, the concept of eating ethically, that you should care about where your food is coming from and who cooked it and served has been helpful for our organization. Encouraging diners to ask question about workers

¹¹⁰ "Research & Resources." Restaurant Opportunities Centers United. <http://rocunited.org/research-resources/>

¹¹¹ "High Road." Restaurant Opportunities Centers United. <http://rocunited.org/our-work/high-road/>

¹¹² Ibid

¹¹³ Jayaraman, Sarumathi. ""ROCing" the Industry: Organizing Restaurant Workers in New York." Pg. 148

instead of just about organic stuff has been a real goal for us.”¹¹⁴ ROC has used momentum from the food justice movement to further their causes.

Although ROC was created through UNITE-HERE, ROC never received funding from UNITE-HERE, rather it has always received its funding from grants. According to Stephanie Cho, “in Los Angeles, we don’t get public money and some other cities occasionally get funding from OSHA or the Department of Labor. Most of our money is from private foundations because we mostly do organizing.”¹¹⁵ ROC receives their money from private grants and a small membership based system. According to Stephanie Cho:

Dues are affordable at \$5 a month. If you are in any ROC classes, you have to become a ROC member. I wouldn’t say that it’s a huge revenue source, but with the more members we have theoretically we would have better dues. As a member you get classes and other benefits as well as the option to opt into our health care co-op which is about \$20 a month. Most workers like to opt into it because 90% of workers do not have health care.¹¹⁶

ROC is a unique organization and stands as a remarkable example of a worker center. Its relationship with its founding union, UNITE-HERE, needs to be further evaluated as to how that affects their tactics and work and whether that relationship detracts from or adds to the goals and objectives of each. That includes a comparison of the significance of the work of UNITE-HERE at unionizing workers compared to ROC and the worker center model. There is not much literature about the effectiveness of tactics and whether ROC is more successful because of its structure as a worker center rather than a union. Such research needs to emphasize whether the increased flexibility that a worker center has over a traditional union is critical to the future of organizing and empowering workers.

¹¹⁴ Cho, Stephanie. Personal Interview. January 17th, 2013.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

OUR Walmart

OUR Walmart made major headlines this Thanksgiving holiday with walkouts at many Walmart stores around the country in protest of working conditions. OUR Walmart is a worker-led center that serves as an organizing body for dissatisfied employees at Walmart.¹¹⁷ According to Andrea Dehlendorf, Deputy Director of UFCW's Making Change at Walmart campaign:

the organization was started by a group of Walmart workers in rural Maryland who had been involved in previous efforts to bring Walmart to the table to make change. They founded the organization and then we deployed organizing resources and had folks out doing house calls and house meetings and responding to associates who heard about the organization and got involved.¹¹⁸

The organization increased in momentum and mobilized a large protest at the Walmart headquarters in Bentonville, Arkansas. According to Andrea Dehlendorf:

At that point we had about 1,000 members who came together in Bentonville, Arkansas. We worked on and drafted what we call the Declaration of Respect, which is our platform of the things that we stand for and are fighting for. We started to make some policy changes around how they treat people and give people the right to speak out without being threatened, then we launched our website and Facebook page at that time, and that's where we debuted and got public with our organizations.¹¹⁹

Through these actions, OUR Walmart is becoming recognized by Walmart consumers and the public at large.

OUR Walmart is strongly rooted in worker-led organizing, and provides some basic legal, informational and supportive services for the members. Its main function is as an organizing body for Walmart associates throughout the country. OUR Walmart provides legal support if an employee has been retaliated against for supporting a union, along with legal

¹¹⁷ OUR Walmart. "About Us - ForRespect." OUR Walmart. <http://forrespect.org/our-walmart/about-us/>

¹¹⁸ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

¹¹⁹ Ibid.

assistance regarding discrimination and other workers' rights.¹²⁰ Where UFCW has failed to organize a body of workers, OUR Walmart has a committed group of Walmart associates that are active in their workplace in efforts to achieve their demands. According to Andrea Dehlendorf, "OUR Walmart really, authentically, is an organization that is fighting for Walmart workers. It connects people who work in stores around the country who are able to really see and identify with their shared experience of working at Walmart."¹²¹ The organization has specific demands directed at Walmart, including a living wage, an ability to work full-time for the company, eliminating anti-union management policies, providing health care, and more.¹²² The organization works closely with United Food and Commercial Workers, which has provided full-time staff for the organization.¹²³ This close affiliation with UFCW follows the union-backed worker center approach. OUR Walmart serves as an organizing tool led by workers. According to the New York Times, "unlike a union, [OUR Walmart] will not negotiate contracts on behalf of workers. But its members could benefit from federal labor laws that protect workers from retaliation for engaging in collective discussion and action."¹²⁴

OUR Walmart has a strong focus on using social media to engage workers around the country. According to Andrea Dehlendorf, "the use of social media to proliferate and get our message out worker to worker but also with supporters has been key to our strategy."¹²⁵ They

¹²⁰ OUR Walmart. "About Us - ForRespect." OUR Walmart. <http://forrespect.org/our-walmart/about-us/>

¹²¹ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

¹²² Ibid

¹²³ Greenhouse, Steven. "OUR Walmart tries a nonunion route for workers." *New York Times*, June 14, 2011.

<http://www.nytimes.com/2011/06/15/business/15walmart.html?pagewanted=all&r=0>

¹²⁴ Ibid

¹²⁵ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

have used social media to connect workers throughout the country and organize meetups and actions.

The 2012 OUR Walmart walkout on Black Friday (November 23) coincided with walkouts along Walmart's supply chain such as warehouse workers in California and Illinois.¹²⁶ These walkouts by OUR Walmart employees were the first large-scale walkouts at the massive corporation ever.¹²⁷ According to Andrea Dehlendorf, "using actions to bring the issues that Walmart workers are facing, and also vocalizing and speaking out that there are systematic issues that our countries' employers face has been key for our organization. Having folks out striking has also been very important for our message."¹²⁸ The National Labor Relations Act protects the workers from being replaced since the organization is structuring the strike as an "unfair labor practice" strike.¹²⁹ Andrea Dehlendorf explains:

If workers go on strike and Walmart tries to retaliate and silence them, they have not been able to terminate and fire those workers due to existing labor law. I would say that it has been frustrating to experience the fact that there have been a number of workers who have been fired unjustly very clearly for organizing and the [NLRB] has not responded and not fully enforced the right to organize freely at the level I would love to have them do.¹³⁰

Workers at over 1,000 stores went on strike on November 23, 2012 (Black Friday).¹³¹ OUR Walmart has had many successes with negotiations with Walmart. According to Andrea Dehlendorf:

we have had great successes at the store level where folks have succeeded in bringing back workers that the company was going to terminate, really substantial changes in how

¹²⁶ Stangler, Cole. "Walmart Walkouts are Just the Start." *The American Prospect (Washington)*, November 23, 2012. prospect.org.

¹²⁷ Ibid

¹²⁸ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

¹²⁹ Stangler, Cole. "Walmart Walkouts are Just the Start." *The American Prospect (Washington)*, November 23, 2012. prospect.org.

¹³⁰ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

¹³¹ Greenhouse, Steven. "OUR Walmart tries a nonunion route for workers."

they do their scheduling and distribution of hours. We've been particularly successful because they are a company that is ideologically opposed to any kind of collective engagement with workers, which makes it a huge challenge.¹³²

The fundamental difference between UFCW and OUR Walmart is that OUR Walmart is seeking to change the company and is not seeking collective bargaining contracts. OUR Walmart is a unique example of a worker center that is closely linked to a union yet does maintain a degree of independence. OUR Walmart is worker-led, and workers make decisions in the organization. UFCW's support has allowed the organization to flourish and get started, allowing OUR Walmart to function without some of the limitations of the worker center model. OUR Walmart has used the worker center model to effectively organize workers and identify leaders at Walmarts around the country. OUR Walmart remains important as an alternative worker center operating outside the realm of traditional union organizing.

Gaps in Literature

The major gaps in literature are related to in-depth study and analysis of tactics used by these worker centers that could not be used by a union. There is more literature regarding the CIW than the other two organizations, and there is little to no information about OUR Walmart. There is a lot of room for research regarding the use of tactics by worker centers compared to unions, focusing on the strengths and limitations of each worker center. In addition, there is an opportunity to research why worker centers might be more suited to organize food industry workers.

Findings from Literature Review

My literature review has clarified the scholarship relating to worker centers and organizing in the food industry. Unions are having difficulty organizing due to limitations placed on their

¹³² Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

organizations through anti-union policies like the Taft-Hartley Act, and anti-union policies within the workplace. At this time of low union density and a shift of industry from the Rust Belt to the Sun Belt, the food industry remains largely unorganized. The food movement has already sparked changes in the food industry, but labor rights have not become a major priority for the movement. As people hold corporations and their suppliers more accountable for their rights, worker centers emerge as important organizations in the quest to organize workers. Their ability to organize consumers in secondary boycotts, workplace justice and general awareness campaigns make it very promising to organize in the food industry. Organizations like the CIW, ROC and OUR Walmart provide valuable insights into the ability of worker centers to target employers in the food industry to reach certain goals, including those that unions would want to achieve.

Findings

My interviews expressed many different themes in the differences between worker centers and unions organizing in the food industry. These findings are organized by themes and commonalities of many different interviews.

One major theme is how worker centers and unions target employers differently along the food supply chain. Chris Benner, professor at UC Davis, claims that “there are ways of organizing around food that have some particularly broad implications. Part of the challenge of organizing food workers is that food work is some of the worst paid and most insecure work at any part of the food chain which makes any effort at traditional union organizing that much harder... You have to come up with other means of organizing.”¹³³ Organizing along the food

¹³³ Benner, Chris. Personal Interview. January 30th, 2013

chain is particularly difficult because it poses many difficulties for both unions and worker centers. The CIW and ROC have both confronted these difficulties rather than having given up on organizing these difficult workforces. According to Joann Lo, “worker centers are filling the need that unions have left where they either are not organizing in the geographic area or an industry that they are not organizing.”¹³⁴ This difficulty has forced unions and worker centers to become more innovative in their tactics.

The people I interviewed all cited consumer engagement as a major part of organizing along the food chain. An academic involved with worker centers stressed the importance that consumer engagement is mostly significant as long as it relates to the direct consumption of food, as in grocery stores and restaurants. Chris Benner claims that:

one of the things that people in the food chain have been doing as early as the great grape boycott and even earlier than that has been using consumer pressure and influence to improve worker conditions along the food chain. There are a lot of reasons why that’s successful, especially in the context of ethical eating nowadays... I think that’s one of the things that organizations of the Food Chain Workers Alliance are trying to hold on to which is how do you organize in the food system rooted in worker based organization but also involving consumers.¹³⁵

Joann Lo of the Food Chain Workers Alliance says that the role of consumer engagement is:

an important part of the strategy because obviously everyone has to eat to survive. For a lot of people, food is part of their culture, part of their family life. The employers and companies that are on top of the food supply chain depend on consumers to buy their products and eat at their restaurants so consumers have a lot of power to influence food companies and employers to support workers in their organizing.¹³⁶

A farmworker organizer claimed that the role that Latino consumers play in retail has major implications for consumer engagement with farmworker organizing campaigns. He said “retailers listen to the plight of farmworkers because they depend on Latino consumers,

¹³⁴Lo, Joann. Personal Interview. February 25th, 2013.

¹³⁵ Benner, Chris. Personal Interview. January 30th, 2013

¹³⁶ Lo, Joann. Personal Interview. February 25th, 2013.

particularly in California.”¹³⁷ He claims that retailers must confront Latino issues if they wish to remain major retailers with a growing Latino population in America. Joe Parker of the Student Farmworkers Alliance, a strong ally of the CIW, said organizing food industry workers:

allows people to have a connection to this work. Everyone who has been involved in this work has personal reasons why they have felt connected to this campaign... That message really comes through when workers are speaking for themselves. People hear testimonies from the field and hear about farmworkers who are talking about building a better world. That’s pretty inspirational but also is something that as a fellow human you can’t deny.¹³⁸

Food industry consumer engagement poses many challenges and opportunities. While many of my interviews found that consumer engagement was particularly important in the food industry, consumer engagement plays a different role along the different sectors of the food industry.

Farmworker organizing can be particularly challenging to mobilize consumers.

According to Joann Lo:

UFW historically helped raise awareness about exploitation of farmworkers. The CIW is doing really great because they were able to make the connection that these tomatoes that you buy in grocery stores, and that these big fast food chains use, are picked by these workers. Some other groups that are organizing farmworkers don’t necessarily know where the produce goes. It’s much more removed for people because consumers can’t make the connection with what the company is selling and the produce; there isn’t that picture in their mind to make that connection.¹³⁹

A farmworker organizer said:

The strength of [CIW’s] concept is by leveraging mass aggregators like Taco Bell. By focusing on these mass aggregators, they can potentially have impact across the board. When you start laying out that supply chain, Taco Bell probably employs about 5,000 or 10,000 farmworkers, but they are probably employed by many different farms. From the union perspective, we’d have to organize those workers one by one by one. That’s not practical.¹⁴⁰

¹³⁷ Confidential Personal Interview. January 17th, 2013.

¹³⁸ Parker, Joe. Personal Interview. March 27th, 2013.

¹³⁹ Lo, Joann. Personal Interview. February 25th, 2013.

¹⁴⁰ Confidential Personal Interview. January 17th, 2013.

He also claimed that UFW campaigns that have targeted significant, branded producers have been effective. The difficulty of the farmworker population makes both consumer engagement and traditional union drives much more difficult. Joe Parker said “popular education, bringing people into the movement through a variety of different entry points and inviting them to participate in community events has been a challenge for CIW.”¹⁴¹ Joe Parker cited popular education as a way to get to consumers. According to him, mobilizing consumers who are far removed from the farmworker “is a big obstacle that needs to be overcome. That’s why you have an educational component. Without it, corporations get away with the stuff they get away with because if it’s out of sight, it’s out of mind... Being able to arm people with knowledge has been very important.”¹⁴²

Chris Benner also discussed the importance of CIW’s model with consumer engagement: “while [the CIW] have used consumer boycotts as part of that strategy, they have also recognized that the purchasing power of major institutional buyers provides a leverage point that just appealing to individual consumers lacks. It’s stronger if you can identify larger institutional buyers in terms of influencing conditions along the chain.”¹⁴³ A worker center academic claimed that:

Unless you have a new wave of Cesar Chavezes, consumer engagement does not play a very important role in farmworker organizing. I think worker centers have been able to revive that in part because they have been working in coalitions with other organizations. For example, the recent Trader Joe’s march in Southern California was organized by UFCW Local 770, not CIW.¹⁴⁴

Farmworker organizing thus poses many difficulties because of the isolation from consumers and the nature of the workforce.

¹⁴¹ Parker, Joe. Personal Interview. March 27th, 2013.

¹⁴² Ibid.

¹⁴³ Benner, Chris. Personal Interview. January 30th, 2013.

¹⁴⁴ Anonymous Personal Interview. March 13th, 2013.

Grocery consumer engagement also poses different challenges and opportunities. Joann Lo claims that consumer engagement is particularly important in restaurant and grocery organizing, where:

People can actually go right to the workplace. Those are places that people go to regularly... If people don't see what's going on at the workplace, they just go out to eat and don't know there are problems. If people learn about the conditions that these workers face and the issues they face and they care about fellow human beings and want them to be treated fairly, because they are right there in the public, consumers can play a very important role.¹⁴⁵

Rigo Valdez, an organizer at UFCW 770, claims that consumer engagement played an important role in recent grocery store contract negotiations in Los Angeles:

We were asking for people to go into local Ralphs, Vons, Albertsons and do delegations saying that as consumers of that store they stood with those workers. Some of it was organized with consumer groups and some of it was with community groups or labor groups, but it was mostly people who shop at those particular stores to go to those particular store managers and delegate to them. That was a successful engagement with consumers around that particular piece.¹⁴⁶

Joe Parker also claimed that “engaging consumers in supermarkets is very powerful because it draws a connection between young people and all the other people who have been involved along the way. Community organizations, faith-based organizations, labor unions; it’s sort of a nexus. These companies draw everyone. Everyone has to buy food.”¹⁴⁷

Restaurant consumer engagement is particularly important in these campaigns. A worker center academic mentions that “restaurants are much more direct. They are able to reach out to people because of the immediate connection that people have going to restaurants. In that case,

¹⁴⁵ Lo, Joann. Personal Interview. February 25th, 2013.

¹⁴⁶ Valdez, Rigoberto. Personal Interview. February 20th, 2013.

¹⁴⁷ Parker, Joe. Personal Interview. March 27th, 2013.

they're able to have more potential leverage."¹⁴⁸ According to Stephanie Cho, an organizer at ROC-LA:

The diner's guide has involved people effectively, and the fact that food justice has involved workers' rights, the concept of eating ethically, that you should care about where your food is coming from and who cooked it, served it, etc. - encouraging diner's to ask questions, getting diners to ask questions about workers (paid sick days, how is it working here, etc.) instead of just about organic stuff.¹⁴⁹

Stephanie Cho explained that restaurants are extremely concerned with their image, and that ROC has been able to effectively expose restaurants as a major tool for successful campaigns. She also pointed out that ROC does not use consumer engagement like most other organizations. Cho further explained:

What sets ROC apart from organizing that I've done is that organizing you generally have a target and you go after them. At ROC we have a target but we also have an alternative. We work with great restaurants and we want to show small restaurants and local restaurants that it doesn't cost that much more money to be better to your workers, which we feel is a better model.¹⁵⁰

According to Chris Benner, "[ROC's model] is really about appealing to consumers' ethical concerns and really trying to have them engage in the dialogue with managers of restaurants rather than boycotting them."¹⁵¹ Chris Benner also pointed out how ROC has used similar tactics to the CIW in focusing on particular aggregators, such as the current Darden campaign, where ROC has focused on the multi-restaurant chain Darden which owns Red Lobster, the Olive Garden, and the Capital Grille, among others. Joann Lo described a newly created website called "The Welcome Table," which is an effort by ROC and the Food Chain Workers Alliance to organize consumers. According to Joann Lo, "the idea for The Welcome Table is for it to be a consumers' organization that is pushing the industry to respond to workers demanding fair

¹⁴⁸ Confidential Personal Interview. March 13th. 2013.

¹⁴⁹ Cho, Stephanie. Personal Interview. January 17th, 2013.

¹⁵⁰ Ibid.

¹⁵¹ Benner, Chris. Personal Interview. January 30th, 2013.

conditions, to push for better policies that benefit food workers, like raising the minimum wage and the tipped minimum wage.”¹⁵² This website would provide organization for consumers to pressure restaurants to increase their standards.

It is also important to point out how ROC is pressuring more affluent customers.

According to an academic:

ROC is not dealing with all restaurants. They are dealing with restaurants that have an affluent clientele where these things could be successful. They are far removed from average restaurants where they exploit workers. They are dealing with a complex industry. ROC is able to be successful in a particular niche of restaurants. ROC intends to affect everyone, but they are very rooted in the restaurants they can have an effect on.¹⁵³

This is an important distinction for restaurant organizing, where they can focus on more affluent consumers to create a solid base, much like the food movement has focused on affluent consumers to demand local and organic food options.

The importance of consumer engagement in the food industry led to the question of whether the worker center or union structure has more of an ability to mobilize an active consumer base. Joann Lo, an academic involved in labor, and Chris Benner, all pointed to increased flexibility for worker centers as important to their ability to organize. An academic said, “worker centers are particularly good at engaging people through consumer engagement because they cannot get involved in contract fights.”¹⁵⁴ Similarly, Rigo Valdez of UFCW 770 claimed:

The major strength that a worker center has is that they are not beholden to service a contract. If a worker has a grievance and they feel like they are not being represented, they can sue the union. That does not happen in a worker center. In a worker center, you can set an agenda of organizing workers to advocate for themselves while providing services for them.¹⁵⁵

¹⁵² Lo, Joann. Personal Interview. February 25th, 2013.

¹⁵³ Confidential Personal Interview. March 13th, 2013.

¹⁵⁴ Ibid

¹⁵⁵ Valdez, Rigoberto. Personal Interview. February 20th, 2013.

Joann Lo pointed out that “worker centers can have more flexibility in their strategy and are able to focus on secondary targets.”¹⁵⁶ Chris Benner also pointed out the nature of consumer engagement by worker centers in the food supply chain:

It’s partly a question of what is necessity and what is opportunity. What other leverage points do they have? A union can get a collective bargaining contract, which is a strong leverage point and a great strength. The nature of the workforce doesn’t lend itself to that. They have probably focused much stronger on using consumer pressure than unions have.¹⁵⁷

This argument, that worker centers may use consumer engagement primarily out of necessity rather than pure strategy, is crucial. Joe Parker stressed the importance of the worker-led component of worker centers as a major reason for successful consumer engagement. He said, “for folks to be able to directly engage with workers who have most directly had these experiences and not only being able to talk about their experiences but also the way that they are leading a movement for change has been key to consumer engagement.” He also said:

The flexibility has worked really well for this community. It gives a lot of room for creativity and gives a lot of room for members who are not officially a part of staff to come in and really be a driving force behind strategy and tactical decisions, shaping a variety of actions and being invested in CIW. The CIW comprises of the membership itself instead of being an organization that the workers go to and receive benefits from.¹⁵⁸

Rigo Valdez explained that workers being at the forefront of OUR Walmart has made it more effective in engaging consumers and politicians. According to Valdez:

The OUR Walmart campaign has shed a light for city, municipal and county governments to think twice about letting a corporation that would erode standards into their communities... the politicians would not care if there were not workers to come and say: listen. I work just outside of your city and I work at Walmart and I cannot afford the

¹⁵⁶ Lo, Joann. Personal Interview. February 25th, 2013.

¹⁵⁷ Benner, Chris. Personal Interview. January 30th, 2013.

¹⁵⁸ Parker, Joe. Personal Interview. March 27th, 2013.

healthcare and I do not have any pathways to retirement... Without the narrative, nobody would care.¹⁵⁹

Interviews also pointed out that the scale of organizing is vital to being able to organize. While worker centers may be more innovative and flexible, they are limited by their scale and size. Stephanie Cho of ROC-LA claimed that a small budget, few staff and a lack of a preexisting base poses difficulties for ROC. Chris Benner said:

Unions are still much larger and more important in terms of improving overall working conditions. That's still incredibly powerful. The significance of workers centers is their ability to pursue innovative organizing in response to a changing labor market and much more volatile working conditions and less stability in the work place. In that instance you've got to be innovating in all sorts of organizing structures other than state policy and legislation. I think learning from the successes they are achieving is really important.¹⁶⁰

One union organizer explained, "I think that our structure enables us to extract the most out of farmworkers who are willing to do it. That requires the leadership, the staff and the farmworker activist and leaders."¹⁶¹ Rigo Valdez also stressed the importance of solid membership and resources to spend on organizing and a full-time organizing staff as strengths of a union. The strong base that unions can mobilize plays an important role in their work.

Worker centers are also limited by what benefits they can provide for their members and constituents. One union organizer explained their reservations about CIW's worker center model:

If you look at [the CIW's] standards they ask for clean bathrooms. Here's where they fall short. Those standards are good standards at a collective bargaining farm, those are in a union contract. If those standards are violated, there is a grievance procedure, stewards can call the union office and seek a resolution. There really is no equivalent for worker centers. You can have great standards and an auditor; there are some standards that are black and white. The penny per paycheck is black and white... That's what I think they haven't figured out yet. In terms of wages and working conditions, there's a floor. Unfortunately farmworkers live under the floor. It might be true that these negotiated agreements with these aggregators could accomplish the feat of raising conditions and

¹⁵⁹ Valdez, Rigo. Personal Interview. February 20th, 2013.

¹⁶⁰ Benner, Chris. Personal Interview. January 30th, 2013.

¹⁶¹ Anonymous Personal Interview. January 17th, 2013.

wages to the floor, maybe even a little above. I don't think they will ever get to something like the mushroom industry. I get up every day to hopefully live to see the day when farmworkers have middle class jobs and have that significant impact in their lives. That's why I don't go and work for the CIW.¹⁶²

Thus, the CIW may not be able to lift farm work to becoming a middle class job like a union might achieve. Worker centers are limited in their impact without collective bargaining contracts.

According to the same union organizer:

Collective bargaining has been a tool farmworkers have used. Cesar Chavez used it as a tool to make significant impact in agricultural labor and conditions. The farmworkers union has seen some of those significant gains become a solid reality for certain industries, such as the mushroom industry... Workers have used that at the bargaining table... It's all guaranteed by a signed agreement, it's a promise. That promise is alive in these industries.¹⁶³

Another theme of the importance of worker centers in the food industry is their ability to work outside the NLRB process. The industries being organized by these organizations are particularly difficult to organize in large part because of the NLRB process. According to Rigo Valdez, "I think that workers centers have good value for folks that probably would be disenfranchised by the NLRB process to organize a union."¹⁶⁴ He continued:

For us, the entire NLRB process is really awful. You work, you get a good committee going and employers use anti-union campaigns that can ruin a committee. The ability that employers have to create these really anti-union campaigns puts us in a really bad position. All of the consequences to the employers come later. As a result, the reality is that workers suffer.¹⁶⁵

Andrea Dehlendorf of Making Change at Walmart said, "with an employer like Walmart, with the size it is, the traditional union organizing model would not work. You would be stuck in these endless fights in the courts. The workers might vote to have a union, but Walmart would

¹⁶² Anonymous Personal Interview. January 17th, 2013.

¹⁶³ Ibid.

¹⁶⁴ Valdez, Rigoberto. Personal Interview. February 20th, 2013.

¹⁶⁵ Ibid.

either close the store or they would drag it out in court.”¹⁶⁶ OUR Walmart has had much success because of their ability to work outside of the constraints of the NLRB, although they have recently had an NLRB decision that limited their ability to conduct actions for a few months.

According to Andrea Dehlendorf:

Walmart was trying to make a case that the strikes were illegal and that we could not do strikes or pickets at all. The Board protected that. That has been very substantial and it has been kind of a pain in the butt not being able to do action without knowing how they would retaliate... Fundamentally there is not a decision made to fundamentally change our rights in any kind of permanent way. That is a huge success.¹⁶⁷

Rigo Valdez said, “I think the workers made a really strong point in November and there isn’t really a strong point to be made in February... The reality is that workers striking of unfair labor practices in November really catapulted their story and let people know that there is a certain amount of worker discontent and abuse at Walmart stores.”¹⁶⁸

Farmworkers also have significant difficulties because they are not protected by the NLRA. California is the only state that protects farmworkers under the ALRA. According to a farmworker organizer:

Because farmworkers were excluded from the NLRA, there is no reason they cannot conduct a secondary boycott. Farmworkers have that right, but court precedent is a different story. The courts have eroded that right. It’s safe to say that if any credible secondary boycott is launched, there will be a lawsuit. Whether it be UFW or any other particular labor union, they would be in court.¹⁶⁹

Unions face consequences for secondary boycotts even though farmworkers are not even protected under the NLRA. Farmworkers are also a particularly vulnerable worker population, yet few protections exist for farmers. According to a farmworker organizer, “very frequently farmworkers who might work at a farm organize a union. The farm is legally protected if they

¹⁶⁶ Dehlendorf, Andrea. Personal Interview. March 1st, 2013.

¹⁶⁷ Ibid.

¹⁶⁸ Valdez, Rigoberto. Personal Interview. February 20th, 2013.

¹⁶⁹ Anonymous Personal Interview. January 17th, 2013.

shut down, start up another farm and fire the workers and break the union. There is an elaborate tactic of having the ability to reform the entity that is actually employing workers and allowing that entity to disappear during a union drive.”¹⁷⁰

The nature of farm work as an occupation also poses serious difficulties for organizing. According to Joe Parker of the Student Farmworkers Alliance, “farm labor is unique in that it is a very transient workforce so each season, eight months out of the year, you have a whole new group of people. You have people who go back to the community but every year there’s a whole new community so there’s a lot of work that the coalition puts into building consciousness every season.”¹⁷¹

Restaurant organizing is particularly difficult with the traditional union process of certification and election. The way it currently stands, unions would essentially have to organize store by store to get union contracts. According to Jessica Choy a researcher at UNITE-HERE:

In my experience it’s difficult to do a contested NLRB election. While employers may say that they are not intimidating people, there are plenty of activities that employers can engage in that are legal, that have the effect of intimidating workers. An NLRB election can be appealed and dragged on for months and months while the employer has the ability to intimidate employees at work.¹⁷²

She continues,

historically, I believe our union represented a bunch of restaurant workers in Chicago and San Francisco, and over the decades employers were able to pretty effectively, one by one, get rid of the union. Some restaurants are still in the union, but we weren’t able to fight that fight. I think we would in the future try and figure out restaurants especially in markets where we are successful in organizing all of the universities and all of the people who work in corporate cafeterias. I don’t see it on the near horizon but I don’t see why it would be out of the question.¹⁷³

¹⁷⁰ Ibid.

¹⁷¹ Parker, Joe. Personal Interview. March 27th, 2013.

¹⁷² Choy, Jessica. Personal Interview. January 30th, 2013.

¹⁷³ Ibid.

Organizing store by store for restaurants poses particular problems and leaves room for worker centers to fill in the gaps. According to Stephanie Cho:

It would be great if UNITE-HERE wanted to organize restaurant workers again. I understand for time purposes that they would not want to organize every mom and pop and local restaurant, but I do feel like they have been seeing the work the ROC-National has done. Even though it was considered unimportant and hotel workers became the priority, they are now seeing that they should have been focusing on restaurant workers too.¹⁷⁴

ROC thus emerged, in large part, due to a lack of interest and plausibility of traditional union organizing of restaurants.

Analysis

There are some important takeaways from my findings. For one, many of my interviews led to the conclusion that the food industry is particularly difficult to organize, and that organizing along the grocery, restaurant and farm industries poses challenges while using the traditional union organizing model. This leads to the question of whether worker centers are more suited to organizing along the food supply chain. Many of those interviewed stated that worker centers in the food supply chain use consumer engagement more often and usually with better results than unions, therefore leading to an interesting conclusion. As more “foodies” become involved with workers' rights, consumer engagement in these campaigns is an important opportunity for labor organizing. Consumers in the food industry provide important leverage. Everybody needs to eat food, and consumers can clearly change how their food is produced, grown and cultivated as evidenced by the free market shift towards organic and “sustainable” food. The CIW and ROC particularly use consumer engagement as a core aspect of their strategy and have been quite successful in doing so. There is also an important difference in opportunity

¹⁷⁴ Cho, Stephanie. Personal Interview. January 17th, 2013.

and necessity when it comes to the use of consumer engagement by worker centers. Worker centers may be more likely to use consumer engagement simply because they have fewer ways to leverage on behalf of workers. This is an important distinction to make, yet it is still important that these food supply chain worker centers have used consumer engagement effectively and with an understanding of the potential power that consumers hold along the food supply chain.

The food industry is also particularly difficult to organize under a traditional organizing model with a union certification election and the NLRB process. Farmworkers are completely excluded from landmark labor laws passed in the 1930s, making it difficult for unions to operate traditionally in the agriculture sector. The CIW has shown how to incorporate facets of unions while also preserving important aspects of the worker center model. In response to claims that worker centers are unable to achieve more than the maintenance of basic labor law, the CIW would likely point to their Code of Conduct, which essentially functions as a contract with growers. Restaurant organizing is difficult for unions who may not see the gain in organizing restaurants store by store, with long and arduous elections that likely would not yield quick and effective results. ROC has been able to stay out of the NLRB process while also maintaining close relationships with eaters and workers. OUR Walmart has worked around Walmart's complete intolerance of unions to make meaningful and landmark improvements for workers at Walmart. All these organizations have thrived because they are not constrained by the NLRB process and the difficulty in winning and conducting a traditional union organizing campaign. These interviews have led to the conclusion that worker centers have an important ability to fill the voids left by unions. The occupations along the food supply chain that I have studied here are largely un-organized, and worker centers serve as an important opportunity to fill this massive void.

Despite these advantages, worker centers still lack essentials that make unions function effectively and at a much larger scale. At the end of the day, the number of workers organized by unions is much larger than the number organized by worker centers. Unions are bolstered by the power of collective bargaining contracts and the ability to gather member dues. While some worker centers such as ROC and OUR Walmart have instituted dues, it is still a trifling amount compared to the dues collected by UFCW or UNITE-HERE. ROC and CIW are limited by their reliance on grants and private foundations to function. UFCW's provision of staff for OUR Walmart is an interesting example of what can be legally done to overcome this financial challenge. Although UFCW did not create OUR Walmart, some interviewees also pointed out that unions have the ability to create worker centers and expressed that they consider it to be an important future for unions and worker centers.

My findings have also led to the conclusion that each sector of the food supply chain poses different challenges and opportunities. Farmworker organizing poses many different challenges, including the lack of protective labor laws and the transient nature of the workforce. Farmworker unions and worker centers alike have needed to confront many human rights issues beyond simple collective bargaining contracts. They have also struggled to engage consumers, but examples such as the Great Grape Boycott and the Fair Food campaigns have shown that consumer engagement can be a particularly powerful tool for workers along the food supply chain. Social movement organizing dependent on community, grassroots, faith-based and other organizations, has been extremely successful. As UFW moves away from social movement organizing and CIW continues organizing around the "penny per pound" concept, CIW has shown more versatility and success in mobilizing active consumers.

There is enormous opportunity for organizing consumers in restaurants. As Saru Jayaraman attempts to bring foodies into the mix with her recent book, *Behind the Kitchen Door*, ROC is clearly attempting to involve consumers in restaurant workers' rights. Organizing restaurants one by one with a traditional union model would be an arduous and lengthy process. Fostering a social movement that targets all restaurants by mobilizing consumers to ask for changes at the workplace is a very progressive way of imagining restaurant organizing. UNITE HERE has also used similar consumer tactics with their “Real Food. Real Jobs” campaign at cafeterias and student campuses. They have been able to effectively link workers with foodies.

Organizing grocery workers provides many similarities to restaurant organizing. Consumers encounter grocery workers every day, and their influence could definitely change the standards in the industry, as we have seen with the types of products offered at grocery stores. OUR Walmart has not used consumer engagement as a major tactic, but it is taking steps to involve consumers. Organizing the retail giant Walmart is quite a daunting task, and any success they have had is very significant.

Recommendations

The three worker centers I have studied have shown different models of what workers centers can do and how they are effective in different ways. This research has allowed me to step back and make some recommendations for stronger and more effective worker centers and unions.

These worker centers and unions have many overlapping goals and currently have very little existing relationships with each other. The CIW has been remarkably effective at connecting with other organizations and coalition building, with the remarkable example of the

success of the Trader Joe's campaign, which was largely organized by UFCW in Monrovia, California. The CIW has been able to pressure corporations around the country even though they are based in a small community in Florida in large part because of their ability to make connections with other groups. While ROC has an existing relationship with UNITE-HERE, they have done seemingly little work together. On the other hand, OUR Walmart's extreme tie to UFCW may have constrained the organization. Perhaps OUR Walmart could take a lesson from ROC, which was formed by HERE but was given independence from the organization. UFCW's provision of staff for OUR Walmart is very important, and has likely allowed OUR Walmart to be successful without the staffing limitations that worker centers typically have. OUR Walmart currently stands as a useful organizing tool that is driven by workers themselves and which has had great successes in changing in-store Walmart policies, which is remarkable. A certain degree of independence from UFCW might allow the organization to flourish even more as a stand-alone organization. The importance of independence is significant, as is the importance in coalition building and creating relationships.

This research has also led to the conclusion that both worker centers and unions should be attempting to reach out to consumers, regardless of their place in the food supply chain. These worker centers use consumer engagement to a much larger degree than unions, which has been key to their successes. While the CIW has a history of using consumer engagement, ROC is beginning to make the connection to consumers about the importance of workers' rights in the food movement. Saru Jayaraman's appeal to consumers in her new book shows that the organization truly believes they can reach out to consumers and create some widespread lasting impact for restaurant workers. OUR Walmart has not engaged many consumers, likely because the organization is still testing the waters to what it can legally do, but also because they have not

factored their place in the food supply chain as part of their strategy. OUR Walmart has been creating a social media campaign that reaches out to workers and consumers alike, which is an important beginning to a consumer engagement campaign. Bringing greater attention to the state of workers' rights along the food supply chain could create the same kind of movement as that surrounding local and organic food. The use of consumer engagement is a key strength of these worker centers, and they are acting progressively with social movement organizing. Much like the UFW under Cesar Chavez, the CIW and ROC are clearly making connections to consumers about the way they understand their food and where it comes from. UNITE-HERE's "Real Food. Real Jobs" campaign is an example of a progressive view of food, by defining sustainability to include workers rights along with environmental factors they have been able to mobilize students at college campuses to support workers rights. Worker centers and unions alike should be facilitating a mass movement to advocate for workers' rights

Conclusion

This research has led to valuable insights into different strategies related to organizing workers along the food supply chain. Worker centers and unions clearly have strengths and weaknesses that allow them to work effectively to organize workers. Worker centers have been formed in the holes left behind by unions. Each of the industries studied here have been essentially deemed unorganizable with traditional tactics and strategy, leading both unions and worker centers to pursue more innovative tactics. The nature of farmworker organizing and the lack of essential protections under labor law have made farmworker organizing extremely difficult, as evidenced by the rise and decline of UFW. Organizing restaurant workers would also be a lengthy and exhaustive process under a traditional union-organizing model, leaving room

for worker centers. Walmart's extreme anti-union policies have made union organizing risky and difficult. ROC, the CIW and OUR Walmart have all used the increased flexibility of the worker center to make some very fundamental changes in the workplaces they are working in. Unions still exist as much more powerful organizations yet are limited by the difficult NLRB process and union certification elections. Worker centers can work outside of the constraints of a union election, and are also not motivated and tasked with creating and servicing a contract. Worker centers have also created effective links between consumers, workers and employers, as evidenced by the victories of ROC, CIW and OUR Walmart. This link between consumers and workers is an extremely important opportunity for organizing along the food supply chain. Everyone has to eat, and it's time for consumers to start caring about the workers along the food supply chain who work in outrageous conditions. Worker centers have attempted to make this link, with relative success. Worker centers in the food supply chain are particularly effective given the instability and difficulty of the traditional union-organizing model. These worker centers have focused on social movement organizing to facilitate a movement of active consumers to create pressure on food industry employers. Unions and worker centers must focus on mobilizing consumers to facilitate a movement of consumers concerned with the working conditions of those who grow, harvest, ship, warehouse, deliver, prepare, serve, and sell our food.

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