ABSTRACT

LOCAL 209’S STRIKE FOR A LIVING WAGE: A RECONCEPTUALIZATION OF THE GENERIC CONCEPT OF SOCIAL MOVEMENTS

By Nichole Kathol

The purpose of this thesis is to analyze the rhetoric of the Miami University worker’s social movement in response to the administration of Miami University. Using the work of Stewart, Smith and Denton (2001) regarding the persuasion of social movements, this analysis argues that living wage campaigns represent significant rhetorical artifacts to be analyzed as social movements and that social movement theory is a useful tool for studying the rhetoric of living wage campaigns on college and university campuses. Additionally, this analysis suggests implications for the theory of Stewart, Smith and Denton, as well as implications for the study of university living wage campaigns.
LOCAL 209’S STRIKE FOR A LIVING WAGE: A
RECONCEPTUALIZATION OF THE GENERIC CONCEPT OF SOCIAL
MOVEMENTS

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Submitted to the
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by
Nichole Kathol
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Advisor ____________________________
Dr. Ben Voth

Reader ____________________________
Dr. Marjorie Keeshan Nadler

Reader ____________________________
Dr. James Patterson
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ACKNOWLEDGEMENTS

Several people had large influences on this project. I would like to thank Dr. Ben Voth for being the eternal voice of optimism. He consistently reassured me that the world is not as horrible as it seems and encouraged me to look for the less cynical silver lining in the clouds.

I would also like to thank the other members of my committee, Dr. Marjorie Keeshan Nadler and Dr. James Patterson, who took time out of their schedules to not only provide input on a short notice- because I procrastinate- but who also encouraged me to expand my horizons by looking at the greater scope of things.

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Chapter 1: Situation

What does labor want? We want more schoolhouses and less jails; more books and less arsenals; more learning and less vice; more leisure and less greed; more justice and less revenge; in fact, more of the opportunities to cultivate our better natures, to make manhood more noble, womanhood more beautiful, and childhood more happy and bright.

-Samuel Gompers, First President of the American Federation of Labor

Introduction

Very early in the morning on September 26, 2003 nearly 350 workers at Miami University, rather than clocking in to their respective work stations on campus, picked up signs, collected fliers and set up lawns chairs, to officially declare to the Oxford, Ohio community that they would not longer live with the current disparity of wages. They began what would come to be known as the first strike their university had ever experienced and for the first time in Miami’s history, faculty, students and staff were forced to consider their own socioeconomic status in the Miami community. What posed for excellent classroom discussion and important practices of first amendment rights for each side, made those involved consider the economic infrastructure of Miami everyday for 13 days. It is very easy for any social movement theorist to say what strategies the workers or the university administrators employed and any advocacy professor to discuss the rhetorical problems each advocate faced, but to truly consider our discussions within the ivory tower, we must for a time abandon the ivory tower all together and look at personal experiences. A comprehensive examination has not been comprised as of yet. For this reason it is important that an examination be done to establish an artifact for analysis, to draw out the major arguments and identify the actions of the principal players
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*Denotes specific document contained in the appendix.
In the struggle.

In this thesis, I will discuss how the arguments and actions of both sides helped to shape the construction of a social movement. This will be done (using the timeline shown on page 2) by looking at the fliers, memos, news releases, emails, letters, newspaper articles, newsletters, editorials, and an audience debate. Certain artifacts have been chosen instead of others, for three main reasons. The first is because these artifacts allow for a discussion and analysis that is reasonable, meaning that it is nonexaustive. Opening the analysis up to much more could prove to be substantially more difficult, if not make it impossible to keep this thesis within the realms of a practical scope. The second reason is due to availability. While all the articles I chose to analyze were not readily available to the general public, they could be easily attained. Of course I have to limit my analysis to those items, which I could attain, those that played a major part in the way the general public looked at the situation. The third reason was simply repetition. Many of the slogans, comments, and factual data were repeated across the many forms of media. By using too many artifacts the repetition of these could inundate the process of rhetorical analysis. For example, other artifacts that are not analyzed in this thesis (for any or all of the reasons listed above) are the text of the speeches that union workers gave in classrooms and interpersonal contact that was not published.

This thesis will be sectioned into five chapters. The first chapter will chronicle the strike and identify the key players and contributing factors in the situation. The second chapter will review social movement theory literature, its advantages and its limitations. The third chapter will briefly discuss the method of analysis, a unique combination of the work of Charles Stewart, Craig Smith and Robert Denton. The fourth
chapter will apply the method outlined in chapter 3 to the artifacts explained in chapter 1. The final chapter will flesh out the implications of the analysis in regards to the strike and to social movement theory.

**Critical Problems**

Let it be known that this is not what it is supposed to be. By this, I do not mean that this thesis does not fulfill the requirements for graduating, but rather that it is not the composition I imagined it would be when I started writing it. The reason for this is because I did a great deal of research, of course. The more research I did, the more the nature of the beast changed. I will say that this is a rhetorical analysis of a living wage campaign and a unique review of social movement theory literature; and even those are complicated distinctions. It is this complication that leads to the investigation of a critical problem, the exigence for analysis. Therefore, this project will attempt to answer the following questions: What does social movement theory say about the unique situation that happened at Miami University of Ohio in the fall of 2003? What insight does the theory offer about how to understand the social movement and the situational factors influencing this movement? What can a study of this specific situation in turn say about social movement theory? But, before any of these questions can be answered, it is imperative to give a history, or in this case a chronological account of the social movement in question so as to offer a situational context and relevant background about the contributing factors.

**Chronology**

Last summer, on the campus of Miami University in Oxford, OH, around 4,000 freshmen were assigned to read a book written by author and journalist Barbara
Ehrenreich. This book, entitled *Nickel and Dimed: On (Not) Getting By in America* (2001) and its author became a major topic of heated discussion on campus. One can assume that the continued discussion of this topic happened not only because freshman were asked to read the book and attend discussion groups taking place after the convocation ceremony held in their honor, but also because the convocation speaker was Ehrenreich herself. This is not the first time it has been said that the speech given on August 25th made many people unhappy. This is not to say that her speech was so moving, thought provoking, and eye opening that those in the audience were saddened and felt as though they needed to do something about the current state of things, though, for some, that could have been the case. It is to say, however, that her audience, or at least a substantial portion of it, was visually upset with what she had to say and with the fact that she was even speaking in the first place. Almost one month after the event, in the September 23rd edition of the Miami Student newspaper Rupp (2003) writes, “Barbara Ehrenreich’s left-wing convocation speech is still not sitting well with the Miami University Community” (Rupp, 2003, p.2). It would not be surprising if some people feel as though convocation should be a time when the freshman class is inspired to become well-rounded, focused, eager consumers and retainers of knowledge. Convocation should not be an upsetting and criticizing experience that questions one’s values and intentions. Many people probably didn’t like the speech because they weren’t expecting the convocation speaker to challenge their beliefs and intentions. Of course, quite a few people enjoyed the speech. I did, if only for the fact that it caused such a ruckus.
Barbara Ehrenreich, in her contentious speech, solicited a number of reactions. From her criticisms of the current drinking age to the indictment of the Miami administration she marked the beginning of an ongoing debate on campus and thrust forward a movement that would ultimately lead to a labor strike on campus.

Throughout the fall, the *Miami Student* was sprinkled with articles and editorials alleging the political bias among faculty members in universities nationwide. Many on campus took the university’s convocation choice and the summer reading selection of Ehrenreich as evidence of this bias. Josh Vogt (2003) in an editorial pronounced, “…the Summer Reading Program only presented the leftist side of every controversial issue of the past 20 years to make incoming freshmen believe what they, in their warped minds, saw as reality” (p. 6). More important for the sake of this thesis, however, was the impetus Ehrenreich used at the closing of her convocation speech and what it meant for the university and its workers in the following months. Ehrenreich asked her listeners to support those she called “the real experts on being nickel and dimed,” the Miami workers fighting for a living wage, members of AFSCME Local 209 (Poston, 2003, p. 1). (I think it is important to note that Ehrenreich said those who hired her to speak did not ask her to avoid the subjects of the workers plight or a potential strike. Also, it is important to note that the money she received for speaking she donated to the AFSCME Local Union 209, though suspiciously she did so only after an article from the Sept. 14, 2003 *Cincinnati Enquirer* criticized her for not doing so.) She urged every member of the audience to show that support by participating in a march to the university administration building. A peaceful protest ensued on the lawn of Roudebush Hall, the Miami administration building. Union officials and Barbara Ehrenreich addressed a crowd of about 200
supporters. Ehrenreich’s speech and the frenzy it caused are an important part of the procession of the living wage campaign forged by the workers at Miami, not only because it gave it some well appreciated national recognition, but because, sadly enough, it gave the movement some local recognition. Before the speech took place at freshmen convocation, very little conversation of the strike, in the form of fliers, class discussion, newspaper articles, or Miami University web news briefs, etc., had taken place on campus or elsewhere for that matter. Even the few isolated incidences I could find were so well hidden that it can be argued that other than those directly affected by the wage system, most students, faculty and staff may have seen the living wage issue on their campus as a complete surprise. However, to those affected by it, the living wage issues had been heavy on the mind for quite some time.

Randy Marcum

It would be difficult to talk about the living wage campaign that took place at Miami University without talking about Randy Marcum. Randy Marcum is a Master Plumber with 23 years of service, but one of the most noteworthy aspects of Randy Marcum as the Local 209 president is how he came to be in that leadership position. Not long after he assumed the presidential position, Mr. Marcum was enrolled in Public Expression and Critical Inquiry, the basic public speaking course at Miami University. Even more interesting though, is the fact that he took the class in order to become a better speaker so he could eventually lead the union in the fight for a living wage. In February of 2003, Marcum composed his first Local 209 newsletter since becoming the president. In his February letter, he mentioned an unfair living wage and in his June newsletter he stated, “Our biggest concern at this point is our wage problem” (Marcum, 2003a, p. 2).
By July, his newsletter was nothing less than a call to action; to not only join the union, but to become an active force in its fight for fair wages. In this letter he also expressed hope that a future fact finder session, initiated by the university administration, would prove to be beneficial for the union’s cause.

The university, after discussions with the union, decided it would be a prudent idea to bring in a third party to analyze the situation. On August 15 2003, James L. Ferree, a fact finder, issued a report regarding the situation at Miami University. The report that followed stated,

There is a large disparity between the present broad banding system, in which the University unilaterally establishes benchmark wage rates and the various individual rates of pay, and the Union’s proposal, which would establish fixed rates and predictable progression by employees…The wide disparity in wages within a pay zone lends some support to the Union’s assertion that employees perceive the pay system as subjective…adoption of the Union’s proposed pay system would be a major undertaking which I will not recommend…The disparities in pay levels among jobs within a pay zone should be moderated by ensuring that employees will be brought up to Market Point A no later than the third anniversary of their placement in the pay zone. The Minimum pay rates should be adjusted upward to reflect contractual wage rates of newly hired employees of the comparable public employers. The “Market Reference Point A” rates should be similarly adjusted upward to more closely approximate the rates received after three years by unionized public employees. (p. 29-33).

Ultimately the fact finder recommended increases in wage within zones. For example the lowest paid zone, E1, includes 331 building and grounds assistants who currently make an average of $10.04 per hour and 176 food service assistants who currently make an average of $8.94 per hour. The highest pay zone, G2, includes 47 master trades specialists whose current average pay ranges from $15.58 to $16.56 per hour. Since such a wide disparity exists within those zones, something the fact finder proposes is a result of the broad banding pay system, he suggested those disparities be remedied through the use of internal pay zone increases. The increases that the fact finder suggest would take
place over a three year period with the zone increases ranging as follows: first year: $.76 to $2.38; second year: $.79 to $2.45; third year: $.82 to $2.53.

Even though Richard Little, senior director of university communications, referred to the fact finder session (that the university requested) as “fair and even-handed” (Poston, 2003) just five days before Ehrenreich came to campus, the Miami University Board of Trustees unanimously rejected the state fact finder report on negotiations with Local 209. Vice president for finance and business, Richard Norman, said the administration was surprised by the fact finder’s report because it did not accept either the union’s proposal or the university’s. He stated, “Rather, he [the fact finder] recommended a complicated series of considerations whose net effect, by our estimates, would result in an average wage increase of about 25 percent over the three-year life of the contract” (News Briefs, 2003). The university officials also argued that the fact finder report ignored the increased importance of the benefits the workers are provided. While the fact finder makes mention of the insurance benefits in question and states that the union’s criticisms of current wages do not take into consideration these valuable benefits, he does not personally make any judgments or suggestions regarding them.

With the rejection of the fact finder’s report on the table, the next move was, logically, up to the university. On September 5, 2003 Miami University made what they called a substantially better pay offer to Local 209. The nearly 900 members of the bargaining unit were being offered a 4.25 percent increase in the first year and a 3 percent increase each of the next two years, a guarantee limiting health insurance increases over the three-year contract and two university appointed union representatives to review wages. The union members were asked to decide on this offer by Sept. 19. Most likely
knowing full well that if the union rejected the offer it would mean a strike was imminent, the university dubbed this substantially better offer their “best and final.”

**Strike**

Sept. 11, 2003, six days after the university made their final and best offer, the Local 209 of the American Federation of State, County and Municipal Employees informed Miami that a strike would begin at 12:01 a.m. Thursday, Sept. 25. Again, the University had the next move. Dennis E. Deahl, Sr. Director of Personnel and Benefit Services put out a university news release on Sept. 15, 2003, stating that the 4.25 pay increase that was once offered to Local 209 as the best and final offer would be implemented immediately and retroactively regardless of the union’s acceptance or rejection of it. Local 209 Union President Randy Marcum said he saw the university’s announcement as “a tactic to break the union some more” (*Journal News*, Tuesday, Sept. 16).

The same day, Ronald A. Crutcher, Provost, sent a letter to all faculty and staff at Miami University. This letter may have been the largest gesture or action, though slightly ambiguous, that the University took in the struggle to that date. So, it may not be extremely surprising that it upset some of those who received it. The letter was not only an official notification of Local 209’s intention to strike but also a indisputable warning to recipients that the education and academic mission of the university was not to be compromised or disrupted at all by the AFSCME strike. The part that caused people to feel on edge was Crutcher’s threatening statement that followed, “The failure of a faculty member, graduate award holder or unclassified staff member to fulfill contractual obligations
constitutes cause for disciplinary action” (2003, p. 1) But, optimistically, Crutcher concluded the admonition with a forecast that predicted no such problems plaguing this campus, because the Oxford community would respect bargaining members both striking and not striking.

And so, the community braced themselves for a strike. Union members who were going to strike collected their gusto and primed themselves for protest. Temporary workers trained to replace the workforce that would be lost during the strike. Police assumed positions and prepared themselves for longer hours. Students waited with anticipation for what may be considered the closest thing to civil disobedience they have ever seen on this campus. The mood of the campus (for those affected or cognizant enough to care) was tense. Many were asking the questions, “Will the workers actually do it?” “Will the University give in?” “Am I going to have to cross those pesky picket lines to get to my sorority meeting?”

Then it happened. On Sept. 23, at the request of a state mediator, the strike was postponed. Both sides agreed to return to the bargaining table to make one last attempt to resolve the situation without strike, though union members were doubtful. Randy Marcum said, “I don’t expect any changes. Mediation hasn’t helped so far” (Whitehurst, 2003, p.1). He was right. The university did not budge, and neither did Local 209. It was a Thursday evening when the parties from both sides met to have one last bargaining hurrah that ended in a 55%-45% vote rejecting the three-year contract proposal put forth by the university. Out of the nearly 450 due-paying members eligible to vote only 300 were present for the actual vote. It is an interesting to note that later on that same evening the union members were voting on their fate, a group of almost 300, primarily
made up of students, gathered in a building just blocks away from where the union members had deliberated. In an Audience Debate Forum held by the Miami University Forensics program, the president of the Local 209, Randy Marcum debated with Dr. Ben Voth, director of forensics. Mr. Marcum, as you may have guessed, was advocating for the workers to gain a better living wage. Dr. Voth, on the other hand, was trying to persuade the audience that the union should accept the university’s best and final offer. Now, usually these debate forums are pretty well attended, but that evening was one of the most attended forums to date. On the eve of a strike, students came and voted 249 to 85 that campus employee wages were substantially too low and that the union should not accept the university’s offer. Opinions from the audience on both sides of the issue were addressed, as a mediator asked for responses on the behalf of each speaker. The next day, on Sept. 26, 2003 at 12.01 a.m., AFSCME Local 209 was officially on strike. The strike lasted for 13 days.

Over the next two weeks, on its face, the Miami University environment changed very little from before the strike started. Some people may say that aside from groups of two or three strikers standing on several higher traffic corners, a 25-foot inflatable skunk adorning the Student center facade, and a good increase in the amount of car horn honking, the campus seemed as though it was operating business as usual. The university echoed this observation in several news releases, stating that “the strike has not disrupted university services” and “the campus is running smoothly” (News Release, Sept. 30, 2003) & (Whitehurst, 2003, p. 1). However, the attitude of the campus as a whole had shifted. All over campus people were asking questions. Why did 45 percent of the union members vote to not strike? What caused a divide between members of the same group?
How could 249 students out of 334 see that wages were too low but university administrations could not? Why has everyone been getting so worked up? Why would these people think they deserve more money? When will this stupid strike be over so I don’t have to hear about it anymore?

At the end of the strike, the union’s bargaining unit and the university met again, and until the very end of that 11-hour negotiation session on Oct. 7, the University stood firm on their “best and final” offer. The University offered a three-year plan, exactly the same as the previous offer, but instead of a pledge to raise starting wages by at least 4 percent; they raised the minimum to 5. The workers voted 151-125 to accept the offer that had changed only slightly since the strike began. With such a tight vote it is understandable that mixed feelings about the results emerged from the workers, students, university officials, faculty and staff. Even more editorials were printed in the student newspaper.

Barbara Ehrenreich addressed her audience once again. In a email she wrote to the Supervisory, Administrative, and Technical Staff listserv, which was quickly distributed to email inboxes all over the cyber campus, Ehrenreich spoke of the actions of union leader Randy Marcum and the struggles not only on Miami’s campus, but those at Universities across the nation. Though she composed the email on October 3, its message and tone seem quite fitting to allow the cycle of this story to come full circle. It is safe to say those involved in this situation, directly or even indirectly, were not too far from where they were at the time it began. Barbara Ehrenreich and her contact with this campus can serve as a beginning and ending point for this story. At the risk of sounding unintentionally negative about the final result of the strike; if you look at the outcome in
monetary terms, the state in which the workers ended, it was not much different than the state in which they began. But, if you look at the outcome rhetorically, the state in which the workers ended was entirely changed from when they began. This rhetorical change is precisely what warrants analysis. This change has not only happened on Miami’s campus.

Obviously, the workers at Miami University are not the only group of people who have started a living wage campaign and this struggle is not a unique experience on college and university campuses. Therefore, it is important to look at not only what happened on Miami’s campus, but to briefly discuss the rhetorical phenomena of the campus living wage campaign and its role on a national level.

**Other Campaigns**

The following is a list of colleges and universities that have recently engaged in living wage campaigns on their campuses.

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<td>Bucknell University</td>
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<td>College of William and Mary</td>
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<td>Cornell University</td>
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<td>Duke University</td>
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So, it’s no secret that university administrations are not as pristine and or free from criticism as they like to put on. As a matter of fact, quite a few people are unhappy with the way the administrative powers treat others in the college and university atmosphere for the same reasons as those workers at Miami were upset with their University. As shown in table 1, recently, living wage campaigns are being forged all across the nation. This analysis, though only looking at the specific situation at Miami University, will show some of the intricacies that take place within the world of campus living wage campaigns. While every campaign at every university is different, this analysis can shed some light on the larger issues at work all over the nation on university and college campuses dealing with similar struggles.

Overview of Thesis

In the next four chapters, the relationship between the Miami strike, the actions of the University and their relation to social movement theory and, ultimately, rhetoric will be discussed. Chapter 2 discusses the previous literature associated with social movement theory and comes to the conclusion that a unique and new theoretical and rhetorical approach for explaining and analyzing social movements is not warranted. Some of the current definitions and theories used to determine what should be considered a “social movement” are too specific. Miami’s union, local 209, indicated the peculiar
difficulties of critically defining a group as a social movement. This chapter shows that definitions of social movements in association with rhetorical criticism should appreciate the continuum of power differential that exists between rhetorical agents and that a broader, more inclusive, view of the rhetoric of movements allows us to more fully apply other theoretical areas.

Chapter 3, then will discuss the methodological approach being used in this analysis. *Persuasion and Social Movements* by Stewart, Smith and Denton (2001) offers a lens through which to view the Miami strike. While some aspects of this framework may exclude themselves from application, by drawing from other theorists and ideas of social movements a greater understanding of these artifacts can be obtained. The parts that will be discussed are the six persuasive functions of social movements, four aspects of leadership in social movements, the rhetoric of identification and polarization in social movements and specific strategies including narrative and rhetorical vision.

After a discussion of the Stewart, Smith and Denton (2001) framework, Chapter 4 will discuss its rhetorical application to the situation at Miami. The media coverage surrounding the situation will be examined to establish the persuasive functions, the leadership aspects and strategies specific to the Miami strike and living wage campaign. Additionally, personal experiences will be incorporated to provide a situational reconstruction of the events that unfolded.

The final chapter will develop some conclusions about the effects of the Union’s and the University’s actions and their effectiveness with regards to the Stewart, Smith and Denton methodology. The implications this study suggests for social movement
theory and analysis in general will be explained. Finally, suggestions for future research will be offered.
Chapter 2: Social Movement Theory

Collective Behavior and Sociology

In order to gain a greater understanding of the rhetoric of social movements, it is important to first look at some early views of them. These views generally express a direct theoretical connection between what was known as collective behavior and what is now known as a social movement. Herbert Blum (1939) describes collective behavior as dealing with large group activity that is created and developed along lines not laid out by preestablished social definitions. He puts forth three characteristics to describe collective behavior: it arises as a sense of transcending power among individuals identifying with such a group; the size of the group creates variety in communication and interaction patterns; and organization is required to stir larger groups into action. Certain factors are more important to other scholars when defining collective behavior. Roger Brown (1954) believes that size is the most important factor and that collective behavior can vary from a small crowd to a group too large to congregate. As theory continued to change in the field, criteria were changed and added. More structure was put into place. Taking things further is C. Wendell King (1956) who explains that collective behavior is meant to transcend power, just like Blum describes, but it should also be a group undertaking that extends beyond a local community or a single event. The specificity does not stop there. Smelser (1963) takes the narrow definition of collective behavior even further by placing one more limitation on it. He says that collective behavior must be uninstitutionalized, meaning that once the collective behavior becomes part of “the establishment” it ceases to fit the mold of collective behavior. Of course, social
movement theory does not solely exist in the field of sociology. Another area that
devotes a large amount of time to the study of social movements is rhetorical studies.

**Rhetorical Connection**

The bridge between sociology and rhetoric, with respect to social movements, is most
apparent in the work of John Bowers and Bonovan Ochs (1971), though other scholars
before them look at the sociological phenomenon through a rhetorical frame. That will
be discussed shortly. Through the use of sociological theory of collective behavior,
Bowers and Ochs develop a perspective of rhetorical analysis of what they call “agitation
and control.” Agitation occurs when 1) people outside of the normal decision-making
process 2) advocate significant social change and 3) come across resistance from the
establishment, requiring those in the movement to utilize more than just the normal
means of persuasion.

Overall, it is safe to say, as time went along, more limitations and more specific
criteria appeared in collective behavior theory and research. The same can be said for
rhetorical theory, specifically addressing social movements. Since collective behavior
and social movements are theoretically intertwined, it makes sense that some of the same
topics of discussion that were covered in the sociological theory “conversation” about
collective behavior were repeated in the rhetorical theory “conversation” about social
movements that took place later, in the late seventies and early eighties. Some may even
say, rhetoricians stole the whole “social movement as a unique phenomenon to study”
idea from sociologists. Hahn and Conchar (1980) write:

> The pattern of history has been:
> 1. Sociologists identified something in the social world which did not fit
   any of their other categories.
> 2. They thought up a new category – movements.
3. Rhetoricians found that there was something sociologists had
discovered that made its way in the social world through rhetoric.
4. Because sociologists had had to come up with a theory of social
movements to explain this new phenomenon, the rhetoricians believed
they did also.
5. So, much of the writing of the past few years has been devoted to
developing a theory of the rhetoric of social movements, and the first
step of that attempt has been to discover a definition of social
movements that made sense rhetorically (p. 60-61).

Either way, a pattern in the literature has emerged, and the theory and research in
both continues to expand. Within rhetoric, patterns have emerged as well. A great deal
of the theory that has been discussed by rhetoricians about social movement theory can fit
into a range between two camps. First there are those who believe a unique form of
rhetorical theory should be devoted to social movements and a static set of criteria should
be put in used to define them. Second, there are those who believe social movements as
they are being defined are not unique phenomena that warrant their own rhetorical theory,
and so a fixed set of criteria is unwarranted. Those who are not as extreme in their
beliefs fall somewhere in-between, adopting ideas and perspective from both sides.

In 1970, one year before the Bowers and Ochs study, Herbert Simons, one of the
major theorists in rhetorical social movement research, wrote an article entitled,
Movements.” In this article he suggests parameters and direction for the rhetorical critic
ready to tackle an analysis of a social movement. He outlines certain criteria for what
constitutes social movement status, making sure that movements should be distinguished
from “panics, crazes, booms, fads, and hostile outbursts” (p. 3). He says they must fulfill
three requirements: they must attract, maintain, and mold workers into an efficiently
organized unit; secure adoption of their products by the larger structure; and react to
resistance generated by the larger structure (p. 3-4). In a later essay, Simons (1982), in a discussion of the impediments to social movements, adds even more specification. First, he generally states, “social movements may be expected to exhibit patterns of rhetoric different from most other collectivities (p. 183). Second, he discusses the idea that social movements must exist outside of larger society’s notions of justice and morality. Next, he explains that they are not related or affiliated with institutions, especially ones that could possibly be in opposition to them. Finally, he explains that people are members of a social movement on a voluntary basis. This perspective is very similar to the one expressed in another article written by Simons (1980) in response to the writings of Michael McGee (1983) and David Zarefsky (1977), who will be discussed later. In this article Simons defends the importance of an explicit and fixed definition of social movements. He states, “The definition is of particular value to scholars in our own field in that it identifies common situational factors with which leaders of social movements must contend rhetorically” (p. 308). Another theorist also takes a related outlook.

Robert Cathcart believes that social movements are simply rhetorical in nature, and as such, without a rhetorical approach we cannot study them at all properly. Cathcart (1972) wrote an essay that called for “new approaches to the rhetorical criticism of movements in an effort to heighten interest in and focus attention on what can become a valuable field for the study of rhetorical theory” (p. 82). He believes that the historical or social psychological definitions for movements that many theorists use are inadequate because they do not allow for the formulation of a “theory of the rhetoric of movements” (p. 82). He says that because “the form of a movement is a rhetorical form” a new definition must be employed (p. 86). Cathcart believes that social movement should have a fixed
In fact, scholar Malcolm Sillars (1980) dubs Cathcart “the most unabashed advocate of a narrow definition of a social movement” (p. 24). Cathcart’s sole reason for composing this narrow definition is to distinguish a movement from other forms of collective behavior (Cathcart, 1980). For Cathcart, movements are essentially defined by their characteristic of confronting the establishment (Cathcart, 1978). However, his perspective differs slightly from Simons in that he believes “the key to defining a social movement lies in the perception that confrontation has taken place rather than in the mere existence of a non institutionalized collective or in the act of mobilization for change” (Cathcart, 1980, p. 269). Cathcart is not alone in his beliefs.

Charles Stewart (1980) defines movements as “organized, uninstitutionalized, and expansive collectivities that mobilize for action to bring about or to resist programs for change primarily through rhetoric and that are countered by established orders” (p. 300-301). Building on the work of other rhetoricians, he lays out a scheme of functions that rhetorical analyses of social movements should utilize:

1. Transforming Perceptions of History (past, present, future)
2. Transforming Perceptions of Society (of opposition, of self)
3. Prescribing Courses of Action (what, who, how)
4. Mobilizing for Action (uniting, gaining support, pressuring opposition)
5. Sustaining the Social Movement (justify setback/delays, maintaining viability, maintaining visibility) (p. 300).

This schema is to be used with the definition of social movement mentioned above. Stewart advocates the employment of this schema in order to discover rhetorical patterns and a consistent set of forms within social movements. In a collaborative book, with two other authors, Stewart takes these ideas even further by adding another function of “Legitimizing the Social Movement” which includes conferring and maintaining legitimacy, legitimacy through coactive strategies and legitimacy through confrontational
strategies, Stewart, Smith & Denton, 2001, p. 62). This collaboration can understandably be argued to be one of the most important works in the study of the rhetoric of social movements. In this book, Stewart, Smith, and Denton (2001) define a social movement as “an organized, uninstitutionalized, and large collectivity that emerges to promote or resist change in societal norms and values, operates primarily through persuasion, and encounters opposition in a moral struggle” (p. 22). This definition represents a combination or synthesis of most of the perspective that agree that social movements can and should be narrowly defined, and because of this, a rhetorical approach, designed specifically to analyze them, should be formed and put into practice. I think it is important to mention that, of course, other theorists agree with this very broad overview of opinions, and they are equally as important, but for the purposes of this paper those need not be covered.

A Broad Definition of Social Movements

Some theorists fall closer to the camp that believes social movements cannot be narrowly defined and so a unique rhetorical approach of studying social movements cannot be formed. Hahn and Gonchar (1980) put it bluntly when they say, “movements are not inherently different from other forms of collective behavior in their rhetorical activities, thus there is not need for a theory of the rhetoric of social movements” (p. 60). Similar opinions follow. Andrews (1983) states, “It seems clear to me that we cannot argue about unique rhetorical behaviors themselves as distinguishing movements. Persuasive techniques used in social movements appear abundantly in historical settings in which change was effected or attempted” (p.68). By looking at these rhetorical behaviors, applying them to other social movements, and using them to define
movements in general, these theorists would argue, we are presuming too much. Even sociologist, James Jasper (1997) says that social movement theory is concentrating too much on generalizations. He believes that we can’t assume we already know the big things about social movements and all we have to do is fill in the details.

The most cited and mentioned work that follows this line of thinking is the effort of David Zarefsky. In his essay, “A Skeptical view of Movement Studies,” Zarefsky (1980) makes the assertion that rhetoricians in studies of social movements usually take one of two routes: the historical or theoretical. He describes the first, historical, as attempting to analyze the rhetoric of movements in order to know more about the use of persuasion to cause or resist social change. The theoretical approach, Zarefsky explains, seeks to make generalizable claims about clusters or patterns of persuasion unique to social movements. While he sees the value and productivity of the historical approach, he denies the same for the theoretical, and as such, he believes theoretical approaches to social movement should not be pursued. Zarefsky also sees a problem with strict definitions of “social movement” and says that this is often the only way those who use the theoretical approach can distinguish movements from other kinds of persuasion. He is not the only scholar who recognizes this problem.

Sillars (1980) agrees with Zarefsky when he says that excessively rigid definitions are a large problem in the rhetorical study of movements. He says, “linearity, cause and effect, and intent…all three limit what a critic may do in a movement study, so therefore they define.” He thinks, that if all of these things (linearity, cause and effect, intent and definition) are useful to a critic they should be mentioned, but they should not be allowed to limit criticism so much so that they prevent a theorist from contributing something.
useful to the field. Interestingly enough, the essay considered, perhaps, to be the landmark regarding social movement theory in the area of rhetorical studies, was written by Leland Griffin (1952). In it he does not distinguish movements from campaigns or other “rhetorical behavior”. His definition is not as stringent as others that followed his work and adopted his line of thinking.

A Specific Definition of Social Movements

From this review of the literature of the rhetorical study of movements we can draw that a wide array of opinions exists. While I do not wholly adopt one theorist’s perspective, I do believe that a strict definition of social movements is too limiting. I believe that we can gain valuable insight about the rhetorical nature of social movements through analyses, which do not adhere to these strict definitions. This thesis, this particular rhetorical analysis, would be one such analysis that offers such unique insight into the rhetoric of social movements. I believe that while “movements” are a worthwhile subject of rhetorical study and analysis, it is very difficult to categorize them enough to distinguish them as unique phenomena that warrant an exclusive rhetorical method of analysis. I think that giving the name “social movement” to a collective does not necessarily justify the creation of a specific methodological framework for analyzing such a movement. The case of Miami Labor strike serves as a good model to illustrate my contentions. For the purposes of this thesis the definition that most closely reflects the characteristics of a social movement is the “agitation and control” concept outlined by Bowers and Ochs (1971). The reason for this adoption is because this definition does not employ strict criteria for what should be called a social movement, but it does exclude the possibility that just anything can be called a social movement. Even though the
definition offered by Bowers and Ochs (1971) is applied to agitation and control, these
two concepts, according to the authors, are elements working within the larger concept of
movement on the social level. Basically, for this thesis, social movement should be
defined as a group of people, not possessing the power to affect normal decision-making
process, who are advocating social change but encounter resistance from the
establishment, and thus, are called to take actions not normally present in the persuasion
process. Because this definition is not too limiting but also not too liberal it alleviates the
difficulty in classifying union activity. As stated before, some definitions with their strict
criteria would exclude a union from being classified as a social movement because of the
institutional status. This definition does not put such specificity into its classification but
offers enough structure to exclude just anything and everything from being termed a
social movement. With a definition in place it is important to discuss how this
framework fits within the confines of this particular analysis. However, before I can
explain its application, it is essential to forge a brief connection between the theory and
the situation that occurred at Miami University.

Miami University

One of the major contentions that is drawn out from the review of social
movement literature is that the practice of defining social movements is not only difficult,
but happens sometimes without warrant because it is so difficult. It is my intention to use
the rhetorical situation that happened at Miami University to support this contention.
Stewart, Smith and Denton (2001) state “No social movement or social movement
organization is part of an established order that governs, maintains, or changes social,
political, religious, or economic norms and values” (p. 5). A social movement for them,
and other scholars, cannot be what is deemed an institutionalized collectivity (Cathcart, 1972; Simons, 1970). If we look at the group of 900 workers from Miami, who, rhetorically, would consider themselves a movement, and be considered a movement by many others, we have to question this assertion. Stewart et al. (2001) also specifically states, “The American Federation of Labor was an organization within the American labor movement until it attained the legal right to represent workers in collective bargaining and grievances and achieved institutional status” (p. 6). Basically, the Local 209 workers are not considered a social movement, because they are part of an institution, namely the American Federation of Labor. I do not agree with this delineation and Sillars (1980) agrees. He believes that for the purposes of a critic, of course there must be limits, but limits are symbolic, representing bias of the critic, and not indicative of reality. He takes this idea further and states, “What makes a movement is that someone observes that it exists” (p. 27). I respect the idea that scholars who put these limitations on definitions are doing so for a reason. However, to say that these definitions should apply to all who want to rhetorically analyze movements is severe. A movement can be defined by those who are part of the movement. It can be defined by the environment or culture surrounding that movement. And, with the intent of studying a movement, it can be defined by the rhetorician who is critiquing it, specifically for that investigation. Obviously, though saying that anyone can call whatever they want a “social movement” presents a few problems. There are some limitations to this idea.

Some factors are more important than others when defining a social movement. One such factor is the rhetorical situation, and more specifically the power differential between the movement and its opposition. Part of the reason for making the distinction
between movements and institutionalized collectives is because, traditionally, those collectives affiliated with the institution often have an advantage that others don’t. However, this is not evident in all cases. One such case involves the workers at Miami. Even though they are affiliated with the American Federation of Labor, an institution, they do not have the advantage of which the theorists who advocate strict definitions are speaking. If we look at Local 209 and their struggle with Miami University rhetorically and we compare them to the larger Cincinnati branch of the AFL, it becomes apparent that the power differential is not the same. The Cincinnati collective, in relation to its opposition, has a much smaller differential than the Miami collective with its opposition. This differential can be defined as the amount of influence or advantage the collective has due to its affiliation with the institution, so the smaller the differential, the better off they are. This application shows that the only lines that can be drawn are blurry. With this in mind, then, the situation should play a much larger role in the definition of social movements. Zarefsky (1980) states, “The nature of the situation, rather than their institutionalized or noninstitutionalized status, will determine their means of social control.”

Looking at the situation can also help to explain another contention that is so present in the literature. This contention deals with the idea that a generic rhetorical approach to studying movements cannot be justified. McGee (1983) states that, “as technicians of persuasion and communication, we have nothing to learn from a prescriptive theory of social movements” (p. 76). Instead, he says, we should look at the situation, study the collective behavior and then come to our conclusions. Rhetorical analysis should be guided not by a generic categorization, but rather by the artifact and
how well a method or approach fits that artifact. For this reason, I think it is important to consider other possibilities for analyses. Different approaches, that combine several unique “social movement” frameworks, can serve as a means to analyze. Sillars (1980) explains that having an open mind about how to analyze social movements will allow a critic to choose a method that best fits the particular rhetorical situation. He states, “In short, there are many methods for finding useful information as long as the critic is freed from arbitrary assumptions” (p. 32). It is this observation that leads to the methodology being used in this rhetorical analysis. Though Stewart, Smith and Denton (2001) may argue the workers at Miami should not be officially termed a social movement, utilizing the framework they offer can provide valuable insight into the unique situation at Miami, the nature of social movements in general and the theory that is used to describe and analyze them.
Chapter 3: Methodology

Stewart, Smith and Denton

*Persuasion and Social Movements* by Stewart, Smith and Denton (2001) is a standard text often referenced and used to evaluate the conception, persuasiveness, leadership and strategies of a social movement. When the workers at Miami University decided that they were unhappy with the status quo and were going to do something about it, they began their own conception of a social movement. Inherently resulting from the formation of this social movement were the 1) persuasive functions the movement served, 2) leadership roles that emerged within, and 3) identification and polarization that took place as a result.

In chapter 2 I briefly mentioned a schema of the persuasive functions of social movements that was presented by Charles Stewart (1980). I also mentioned that this version of this schema was revised and outlined in the work of Stewart, Smith and Denton (2001). This collaborative schema will serve as the first part of my methodology. The six schemas are interrelated and include, 1) transforming perceptions of reality, 2) altering self-perceptions of protestors, 3) legitimizing the social movements, 4) prescribing course of action, 5) mobilizing for action, and 6) sustaining the social movement.

**Persuasive Functions**

The first, transforming perceptions, deals with the idea that, “Every social movement must make a significant number of people aware that the generally accepted view of reality… is false and that something must be done about it” (Stewart et al., 2001, p. 52). Until an intended audience perceives something as a problem, it is not a problem.
In order for a social movement to gain attention and spark action, it must “transform how people see their environment” (Stewart et al., 2001, p. 52). The way a social movement does this takes several forms. First, it changes how people see their past. This means by reinventing, repeating, or revealing, peoples’ reality and how the past shapes that reality can be altered. Second, the movement must transform perceptions of the present. The intended audiences may:

**Chapter 4** be unaware of the problem,
2. refuse to believe that it exists,
3. believe the problem is not severe or does not require drastic action,
4. believe the problem does not affect them, or
5. believe the problem should be and will be handled by appropriate institutions through normal channels and procedures. (Stewart et al., 2001, p. 54)

It is then the task of the movement to overcome these beliefs by giving the audience(s) a new perspective by altering the way they perceive the present.

Of course it is no surprise that the last form of reality transformation is that of the future. Social movements attempt to show the urgency of the goals of the movement by foretelling of a future that necessitates those goals. Be it a grim prediction or glittering prophecy, the alteration of the future in the eyes of the audience must depend on the people and their collective action.

The next part of the schema, altering self-perceptions of protestors, speaks of the concept of ego function. Those protestors taking part in the movement “must see themselves as substantive human beings with the power to change the world” (Stewart et al., 2001, p. 59). This ego function plays a part in those movements that are other-directed and those that are self-directed. Other-directed movements are those that are fought on behalf of others, such as the pro-life or animal rights movements. Other-directed movements are aimed at affirming a positive self-esteem. Members do not see
themselves as oppressed, they see themselves as already on top of the moral hierarchy because they are fighting for the oppressed. The persuasion in this type of movement focuses on the oppression of others, not selves. Self-directed movements, on the other hand, are those where protestors are fighting on behalf of themselves, such as those in the labor struggle at Miami. This type of movement “addresses members as innocent, blameless victims of oppression” (Stewart et al., 2001, p. 59). The persuasion in self-directed movements focuses on the idea that people are being oppressed because of their sex, race, religion, or sexual orientation; or in Miami’s case exploited for cheap labor, because of their labor class.

The third aspect of the schema outlined by Stewart et al. (2001) is legitimizing the social movement. This if often the main goal of a social movement, and what it means is to gain positive relational patterns with the larger society. Legitimacy has two components. The first is the act of conferring power, “one person or group to another person or group” (Stewart et al., 2001, p. 62). The second component of legitimacy is the act of sustaining it. Conferring happens when a group or person allows another group or person the right to use authority or make rules over the other, which also gives that person or group five powers outlined by the authors. These are: 1) the power to reward, giving the capability to reward those who conform and punish those who don’t; 2) the power of control, giving the ability to be the gatekeeper of all the information that flows to and from members of an organization and the populace; 3) the power of identification, allowing the capacity to protect, preserve and distribute, at will, the symbols, rules, documents, etc. of the social order; 4) the power of terministic control, yielding the ability to control the language and meanings of society; and 5) the power of moral
suasion, granting the faculty to create a sort of moral yard stick used to measure values and actions.

However, in order to be able to overcome this conferral and gain legitimacy, Stewart et al. (2001) explain that a movement must use a combination of coactive and confrontational strategies. Coactive strategies include those that help a movement to identify with fundamental societal norms and values to bring the movement out of the margins and into the realm of legitimacy. Such strategies include modifying tradition to benefit a movement’s ideologies, identifying the movement with well-known heroes and sacred emblems, and establishing the actions of the movement as those of legitimate organizations. The coactive strategies take away from three of the powers that conferral grants the institution: identification, terministic control and moral suasion (Steward et al., 2001). But these coactive strategies alone are not capable of allowing a movement to gain legitimacy. Confrontational strategies must also be used. These strategies are aimed at breaking down the legitimacy of the institution, the establishment or even the larger social structure. They include exploiting the societal restrictions of institutional actions, provoking institutions into overreactions and violent suppression, or charging the institution with masking their actions and values. These confrontational strategies take away from four powers that conferral grants the institution: the powers of reward, control, identification and moral suasion.

Once the movement can overcome the conferral, they also have to put in to effect the fourth part of the schema of Stewart et al. (2001). The movement must prescribe courses of action, meaning that it must sell its ideology and show what actions need to be taken in order to uphold that ideology or set of beliefs. “This set of beliefs addresses
what mush be done, who must do it and how it must be done” (Stewart et al., 2001, p. 68).

The fifth part of the schema of persuasive functions is mobilizing for action. The movement must persuade people to join the cause but also organize into effective groups, unify though coalitions and distribute the movement’s message (Stewart et al., 2001). To organize and unite members a movement must persuade members that only through collective, noninstitutionalized groups using unconventional methods can the goals of the movement be achieved. The way to do this is through creating a collective identity. Individuals must see themselves as part of the larger collective. Two other ways of mobilizing people for action are pressuring the opposition and gaining sympathy or support from those who can help legitimize the movement.

The final part of the schema is sustaining the movement. Stewart et al. (2001) describe three ways that this can be done. The first is through justification of setbacks and delays. By using persuasion to maintain order in the face of setbacks leaders can convince members to remain unwavering in their efforts. The second is through maintaining viability of the movement. When a movement achieves a goal it is important to make sure it is known that the battle must continue. By reinforcing the commitments of the members the movement can remain viable, not allowing members to be distracted by small victories. The third way is to maintain visibility of the movement. Keeping in the sight of others in and outside of the movement is an important way to make sure the movement does not lose momentum all together.

It is very important to note that serving these persuasive functions of social movements cannot be done without proper leadership. Leadership however has its own
unique characteristics that though they are interconnected with the six schemas, still need to be discussed more specifically.

Leadership

It is safe to say that without proper perception of leadership, the persuasive functions of social movements are difficult if not impossible to achieve. “Perceptions of social movements and their leaders are often molded by mass media reports and interpretations, few of which are favorable” (Stewart et al., 2001, p. 103). Likewise, these perceptions often have an influence on the persuasive effectiveness of a group that is not part of the normal establishment or institution. This marginality is one of several reasons that social movements have a more difficult time gaining positive perceptions. This difficulty is passed on to the leaders of these marginal groups. This is true because, “People who claim an urgent problem is being ignored, hidden, or promoted by cherished institutions are likely to be branded as irrational agitators, malcontents, losers, misfits, degenerates, outcasts, extremists, social schemers or rabble-rousers” (Stewart et al., 2001, p. 104). This trend makes the nature of leadership in social movements even more complex.

Leaders are forced to take on a number of roles, including organizers, decision makers and symbols. Leaders as organizers must be irreverent, challenge and criticize established institutions. Leaders as organizers must have imagination to come up with new tactics or organizational patterns that accommodate the situation. An organizer must possess a sense of humor that will diffuse tensions within the movement, lessen fears members may have or even poke fun at the opposition. Organizers must have organized personalities to regulate the order and makeup of the movement, to act as the voice of
rationality when things may become unruly. Finally, leaders as organizers must maintain a strong ego, reassuring members of the movement that they should be confident in their leader. Leaders must also take on the role of decision makers. Stewart et al. (2001) contends that a leader of a social movement is rarely granted to powers awarded to someone of established authority. For this reason, the social movement environment is rampant with complex conditions. Leaders are fighting of criticisms from several fronts, and consequentially the decision maker must emerge to allow a movement to function properly. Finally, leaders must take on roles as symbols. “Leaders tend to become totally identified with the cause, and the cause may become totally identified with them” (Stewart et al., 2001, p. 111). Leaders can act as a single voice to rally around, a face that embodies the movement itself, inspiration. Leaders, however, have to possess certain characteristics to be able to play any of these roles.

This causes one to ask how leadership is attained in social movements. Members must perceive a person to have two or more of three attributes: charisma, prophecy, and pragmatism (Stewart et al., 2001). A charismatic leader is one who has a sense of timing and the rhetorical skills needed to inspire action in a way others cannot. A charismatic leader causes people to believe the impossible. A prophetic leader “knows the ‘truth’ and sets a moral tone for the social movements” (Stewart et al., 2001, p. 114). The prophet looks at the actions of the movement and judges them according to the movement’s ideology. Finally a leader must be pragmatic. According to Stewart et al. (2001) being a pragmatist requires a combination of organizational expertise, efficiency, and tact. The pragmatic leader brings common sense to the table while making the movements ideals more acceptable to the outside worlds. Even if leaders have all of these characteristics, in
order to become good leaders they must learn how to maintain their leadership positions.

Which leads one to ask how leadership is maintained in social movements. To stay in a position of leadership requires abilities unique to that position. There are several that Stewart et al. (2001) suggest including being able to handle difficult and sometimes conflicting roles. The authors say to deal with these conflicting roles a leader must: adapt but not be a political chameleon, produce short-run victories without undermining the evolution of the movement, use tactics that gain recognition but do not deter the movement from being accepted, foster passion that is well-reasoned not rash, enforce organization without diminishing enthusiasm, vilify the institutions when needed but also be willing to work with them when needed, and not sell out (2001).

The second thing the authors suggest for a leader to sustain position is to change with the movement. Movements will transform and so the leader must be transformational as well. Keeping in tune with the movement and its relation to social realities plays a big part in this. It also plays a big part in the next suggestion for maintaining power that Stewart et al. suggest.

Leaders must adapt to events. It is inevitable the things will happen that change the nature of the movement. If a leader does not take note and anticipate these events, he or she will not be arming the movement with the rhetorical tools needed to sustain the movement and it evolution. Again, being well aware of the movement is a very important task for a leader.

Being aware is largely influential on the last suggestion from Stewart et al. for maintaining leadership. “Leading by not getting too far ahead or behind” is impossible
without proper awareness. The leader should be better informed, more experienced and a little bit ahead of the followers.

Leadership is a huge force is the nature of social movements. Related to leadership, but equally as large a force, are the strategies a movement uses to create itself as a cohesive group separate from another. This “us versus them” mentality or the “we and they” relationship can better be described by looking at the concepts of identification and polarization.

Identification and Polarization

Social movements, ultimately strive for acceptance. They seek to transcend their marginality and walk amongst those who define societal norms. They do this through the use of social change, though movement in the belief system of the established mentality. Movements seek to eliminate separateness, but while the struggle to attain their goals is happening, they must use rhetoric that both identifies and polarizes them. Doing this creates the “we and they” relationship that is required for the transcendence from the margins.

The rhetoric of identification looks for similarity. Stewart et al. (2001) argue that there is a very tight link between identification and persuasion and they offer numerous ways to attain both. These include establishing a common ground, adapting language use, altering appearance, adapting content, establishing values/beliefs/attitudes, using visual symbols, and naming names (Stewart et al., 2001).

The rhetoric of polarization seeks to divide. By creating a contrast between themselves and the institution, a movement can unite itself in that disparity. Much like identification, polarization and persuasion are also very tightly associated. Stewart et al.
(2001) give several ways to achieve polarization including, by identifying devils, distinguishing conspiracies, using obscenity, using ridicule and using vilification.

In this chapter, several topics relating to social movements and the framework put for by Stewart, Smith and Denton have been discussed. Through the examination of these concepts it can be determined that the application of these concepts to the Miami living wage campaign and strike is fitting. By understanding this framework and all of its concepts one can see how a rhetorical critic can put them into application and how chapter 4 will unfold. After reading chapters 2 and 3 it is understandable to see the advantages and limitations of this framework. The limitations, however worthy to note, do not diminish from the applicability of this framework for this particular analysis. The next chapter then will focus on applying the work of Stewart, Smith and Denton to the situation that progressed at Miami University last fall. After discussing the Stewart et al. method in relation to Miami, the final chapter will deal with the implications and conclusions of the aforementioned application. It will also summarize the first four chapters.
Chapter 4 Application

Situational Analysis

From about February to November of 2003 in Oxford, OH a social movement was taking place. At its inception, AFSCME Local 209 elected a new leader who was not willing to sit idly by while his workers were being paid the lowest wages in the state by the university with the highest tuition in the state. As the movement progressed, rhetorical efforts began on behalf of the union workers with the goal of gaining higher wages, and soon after, rhetoric from Miami University officials started with the goal of relieving some of the pressure that the union created. It is this rhetorical exchange that creates the exigence for analysis. By leading the workers of the union in Oxford, OH, Randy Marcum started a subset of a larger national movement. By using movement research, or in this case, Stewart, Smith and Denton’s work, we can explain the events surrounding that smaller subset of the larger national movement. With this in mind we can now look at the persuasive functions, leadership aspects and the concepts of identification and polarization outlined in the methodology and how they are unique within this analysis.

Persuasive Functions of the Miami Movement:

Social movements, since they seek and advocate change, are inherently rhetorical. Persuasion in social movements, though possibly outside the normal means of persuasion, is abundantly taking place at all times. This persuasion can take on certain forms. These forms are those described by Stewart, Smith and Denton (2001) as the six persuasive functions of social movements.
Transforming Reality

The first is: 1) transforming perceptions of reality which deals with the idea that a movement must be able to show, somehow, that the reality people know and live in is in some way wrong, false, and/or in need of a change. In the case at Miami, the union workers had to show the community that the current reality of low wages was wrong and warranted action. Until this living wage issue what brought to the table, and presented as a problem, it failed to be a problem in people’s eyes. The movement on Miami’s campus changed perceptions in several ways.

Past

First they attempted to change how people see their past. In a memorandum written by the students of the Fair Labor Coalition on behalf of the striking workers, they discuss in some detail the history Miami has when it comes to labor issues. According to Fair Labor Coalition, Miami University administration’s past has been anything but generous with regards to its workers. The memo describes this past by highlighting several important issues:

June 1989: Miami bypasses the State Employment Relations Board and unilaterally withdraws recognition from Local 209 and implements a new wage structure...
Dec. 1994: The Ohio Supreme Court unanimously finds Miami guilty of unfair labor practices and orders them to therefore bargain with Local 209...

This memo offers evidence of just one way the union movement was trying to change perceptions of the past. Many people were probably not aware of the true history, but by showing the past altercations between the union and the university, the movement altered peoples’ perceptions of general university-union relations of the past. In an article from the Cincinnati Enquirer of February 11, 2003 Randy Marcum stated, “The problem we
have isn’t with the current administration. We are just trying to right the wrongs of the past.” (Gambrell, p. 1). Altering the perceptions of the past in this case causes people to then rethink how they once saw the university and hopefully, to the inclination of the union workers, decide to support the workers cause.

Present

The second way to alter perceptions, outlined by the methodology, is by transforming how people view the present. This was a practice largely employed by the union workers. As stated in chapter 3 there are several reasons this must be done. All of these reasons were present for the union workers to overcome. The first is that people may be unaware of the problem’s existence. This problem was particularly poignant on this campus. Miami University has a mission, As a matter of fact the Miami University mission statement, taken directly from the university’s website states,

The mission of Miami University is to preserve, add to, evaluate, and transmit the accumulated knowledge of the centuries; to develop critical thinking, extend the frontiers of knowledge, and serve society… Miami is committed to serve the community, state, and nation. … It educates men and women for responsible, informed citizenship, as well as for meaningful employment. It provides both disciplinary and interdisciplinary approaches to the pursuit of knowledge and to the solving of problems. It sponsors a wide range of cultural and educational activities, which have significance beyond the campus and the local community.

While much of this text could be used to argue that a college campus, especially the one to which the text is referring, should be filled with educated, socially conscious and responsible people, there is one phrase in particular that sticks in the consciousness. That is, “It educates men and women for responsible, informed citizenship.” With such a bright outlook for the students at Miami, it seems ridiculous that this would be one of the largest obstacles the union workers had to face. As stated in chapter 1, many students had no idea that anything was happening at all, until Barbara Ehrenreich caused such a
ruckus, and some still had no idea. The union movement had to make people aware that there was a disparity in wages for campus workers. They did this through general communication with the community, making themselves visible by distributing fliers, holding vigils, marching to the administration building, etc.

Solving this problem is not always enough, however, because then the union movement faced a related problem, which is outlined in the methodology as the refusal to believe the problem exists. Even if the movement did provide evidence for people to become aware of the problem, it still had to make a strong enough case to cause people to believe that it was actually happening. The union members convinced many people the problem actually existed by providing numbers. Several of the fliers the movement distributed contained the numbers showing the difference between the wages at Miami and the wages at other universities and schools in Ohio. As numbers often do, they offered a way for the people reading them to quantify the situation and allow them to substantiate a legitimate problem in their minds.

The next obstacle the union members faced was just how big a problem the people perceived the wage disparity to be. This is the next reason for altering perceptions of the past that Stewart, Smith and Denton (2001) outline. That is, that many people may not believe the problem is bad enough to call for drastic action such as a social movement or, in the case at Miami, a living wage campaign or a strike. The Miami workers presented the problem as a severe one by the language they used when describing their plight. Randy Marcum when discussing just how bad the problem was said, “These substandard wages are robbing people of their lives. Look at the pictures on their desks – they are working for their children and the their doggone grandkids. This is more than a
wage issue. This is also an issue of human rights” (Poston, 2003, p. 1-A9). Language
like this that was used in much of the literature and vocal rhetoric of the union members
helped the movement to show that the problem was severe enough to require drastic
action. The union showed the severity with its actions as well. Marcum showed this
personally by going on a hunger strike. And, at the same time that Marcum was on his
hunger strike, some 20 students and union activists had set up a “tent city” on the well-
manicured lawn of Roudebush Hall, Miami University Administration building. These
were further means of showing how deep their convictions were as to the seriousness of
the situation and the measures needed to remedy it.

The movement also had to deal with the next obstacle the methodology describes,
which were those people who believe the problem does not affect them. This one was
more difficult for the union members to achieve. The reason for the tricky nature of this
problem can best be described with a brief anecdote. I went home for Spring Break and
while I was there I traveled to my grandmother’s house, about 140 miles northeast from
Omaha, where I am from. I made the 2 ½-hour-drive with my Aunt Lisa and while we
drove I told her about my thesis, the plight of the workers and the strike that happened on
my campus. Without letting me take a breath she launched into a story of the grocery
store she frequents and the workers that went on strike there. I listened to her words of
frustration at having to go to another store, 10 miles away, to get fresh fruit and milk
because of these people. Why couldn’t they settle problems with their employer without
affecting her and her family and fellow shoppers? She doesn’t drag everyone into her
problems with work, so why should they? After all, those unions and teamsters are just
about as bad as the mafia. Now imagine that Lisa is about 15 years younger and in
college, knowing even less about the way the world works. That, unfortunately, is the general mindset of most students at Miami University. Granted, Lisa was complaining about a private institution and how it was affecting her and the situation at Miami has to do with a public institution. However, her immediate reaction to deem the struggle a private vs. public sector only displays the larger problem. These students have lives, things with which they are consumed. They don’t have time to worry about the person who mows the lawn to make it look nice for parents’ weekend, the person who cleans the toilets and takes out the trash in their dorm bathroom, or the person who fixes the air conditioning in the classroom in which they experience three hellish hours of Calculus every week. Unfortunately, for the union members, it is easy to take for granted the things we don’t like to think about. To overcome the apathy of the students the union movement had to personalize the problem for the students. The workers tried to do this in several ways. First, all of the students who attended convocation got to see the union workers firsthand, displaying their frustration with the university by marching to the administration building. This put faces to claims for some students. Also, the workers described what things would be like if they weren’t working. Marcum stated, “If we shut this university down, then that’s just too bad” (Poston, 2003, p. 1). Then, when the strike actually took place, the workers actually showed, on some scale, how the university would run without them. Several dining halls closed down, the trash overflowed in certain buildings and bathrooms smelled and looked a little funky. This obstacle, like the previous ones, is connected to yet another.

The last obstacle outlined by Stewart, Smith and Denton (2001) that movements need to overcome when transforming perceptions of the present is the belief that the
problem will be taken care of by someone else, by other, more appropriate, institutions through normal means. In the case at Miami, this goes right along with the attitude of the students that the problem does not affect them. Since they believe it does not affect them, they also believe that the University should be able to take care of it. This obstacle is a very important hurdle to jump. Without the support of the students and faculty, the movement can do very little. So, if they believe it will be taken care of by someone else, students see no reason to help. In order to rally student and faculty support the union movement tried to show how they could not achieve a living wage without help. The union distributed fliers directly addressing students and faculty outlining what they, personally could do to help the cause. By doing this, the union movement gave students a sense that they were an important part in the fight against the university.

Future

After the union workers attempted to alter peoples’ perception of the present they needed to show how things would be in the future. They did this, as mentioned before; by showing what it would be like if they were gone. When they went on strike, things changed, and people saw the differences. These were highlighted by the rhetoric of the union members. In several newspaper articles, Randy Marcum and other members described the state of the university without the workers. Overall, the union members were trying to alter perceptions of other people in order to gain support outside of the movement. However, even with all the support in the world from outsiders, without the support of union members and protestors, the movement could not get very far.

Altering Perceptions of Protestors
This refers to the next schema outlined by Stewart, Smith and Denton (2001) and perhaps the most important: altering self-perceptions of protestors, which deals with ego function. The protestors who are part of a movement need a sense of power and control. “Protestors must have strong, healthy egos when they take on powerful institutions and entrenched cultural norms and values” (Stewart, et al, 2001, p. 59). This is true for movements that are other-directed and those that are self-directed. In the case at Miami a self-directed movement took place, though at times some could argue that it should have been considered an other-directed movement. The Cincinnati chapter of the union, several times, came in and caused the Miami movement to become an other-directed movement. The Union rep from Cincinnati came in to Oxford to help out the Local 209, and when he did so he saw himself as “already on top of the moral hierarchy…” because he was “fighting for the oppressed” (Stewart, et al, 2001, p. 59). Since the larger Cincinnati group was fighting on behalf of the smaller Miami group, the persuasion the Cincinnati group used was aimed at affirming positive self-esteem and focused on the oppression of others. This was a special case however, because the Cincinnati group was part of a larger living wage campaign, meaning that they are also part of a self-directed movement. This classification, though, was suspended when the larger group came in to aid the smaller group. During the vote on the evening of Sept. 25th the Cincinnati union rep urged the Miami workers to go on strike, while Randy Marcum, the local 209 president, urged them to accept the offer (this will be discussed in more detail later in the chapter). This shows the other-directed nature of the situation when the Cincinnati rep was present.
For the purposes of this thesis, the Miami workers constituted a self-directed movement. Being a self-directed movement, they presented themselves as “innocent, blameless victims of oppression” (Stewart et al., 2001, p. 59). The persuasion they used focused on the ideas that they were being discriminated against because of their labor class, that they were being exploited for cheap labor. In the self-directed movement, the ego-function has a large impact on the rhetoric of that social movement. For the Miami workers the rhetoric addresses self-esteem and self-worth. Since, traditionally those in a social movement are those who have been oppressed by the institution, they are often seen as victims, therefore the movement needs to overcome this self-image. In order to do this, “An essential ingredient in self-directed rhetoric is to establish the self-hood of members and target audiences by refurbishing, repairing, restoring, and enhancing self-esteem and confidence” (Stewart, et al, 2001, p. 60). They are no longer isolated victims, but a united front (made up of unique identities) against the institution. The movement at Miami achieved this in several ways. Throughout the year, Randy Marcum, the union president, sent out several union newsletters. These newsletters, though their main purpose was to distribute information, also served to create the “status of oppressed in society” and the new “self-identity” and “self-esteem” that Stewart, et al (2001) say a movement needs. Marcum writes in the February, 2003 newsletter:

My point here is that we all share the same kinds of concerns. That is why having a strong union is so important. Right now, we don’t have a fair starting wage compared with other universities in the country or even the city workers of Oxford…Although things are looking bad right now, all we need to do is get ourselves organized. We need to stick together. A house divided cannot stand. There are forces out here that want to divide us – we must not let that happen. (p. 1)

The July, 2003 newsletter from Marcum also achieved these goals:
Based on what the negotiators for the university have offered so far, it seems clear that they want to continue with “business as usual” in the area of wages. And they are unwilling to have our benefits written into the union contract – in other words, they don’t want us to be able to have any say regarding changes in our benefits. We need the support of the whole bargaining unit right now – members or not. We need everyone to be prepared to step forward in support of the working people of Miami as represented by Local 209, regardless of how the fact-finding goes! It’s time to put our differences aside! Let’s come together now and stay together for as long as it takes to get a new and much improved contract! (p.1).

Randy Marcum, as the union leader, was the main actor in the process of altering protestors’ perceptions. Once the perceptions of reality and the perceptions of protestors are altered (the first and second schema of Stewart et al., 2001), the next step or schema, what some scholars (Bowers and Ochs, 1971) consider to be the principal goal of social movements, is to gain legitimacy as a movement.

Legitamizing the Social Movement

Basically, to gain legitimacy is to become cohesive with society. This can be done in several ways. As stated in chapter 3, legitimacy has two components: conferring power and sustaining it. At Miami, the union workers conferred power to their employer, by allowing the university to use authority and make rules over them. By doing this, the workers also granted the university five powers. First, they workers gave Miami University 1) the power to reward. The university could punish workers and reward them for conforming or not conforming to the rules that were set. The union workers also gave the university 2) the power of control. By doing this, the workers allowed the university to act as the gatekeeper of all the information that flowed to amongst and from them and outsiders. Next the union members granted the university 3) the power of identification. This meant that they (the workers) were identified by, the symbols, rules, documents, etc. that the university deemed appropriate. Also, the workers
gave Miami University the power of terministic control. Ultimately, the university controlled the language and meanings attached to the actions and words of the workers.

Finally, the union members gave the university the power of moral suasion. By doing this they granted the university ownership of the moral yardstick used to measure values and actions. Because, rhetorically, the union members are not part of the institution, which yields these powers over them, the university has a huge advantage. In order to tip the scales in their favor, to overcome the conferral, the workers needed to employ some coactive and confrontational strategies.

Coactive strategies are those that identify a movement with fundamental societal norms and values. The workers at Miami employed several coactive strategies. First, they modified tradition to benefit their ideologies. They linked themselves with the traditional values of equality, justice and dignity. Much of the rhetoric that they produced spoke of their rights to fair pay and several fliers and signs the workers used read: “On Strike for justice and dignity!” They also did this by appealing to American values, like hard work and family. Literature and signs of the union members often referenced both of these things. Second, the workers identified their movement with well-known heroes and sacred emblems. From the beginning the well-known journalist and author Barbara Ehrenreich was touted as an ardent supporter of the union and someone who was on their side in the fight to gain a living wage. Also, the workers held a candlelight vigil on the evening of September 11, what has become one of the most symbolic days in the history of the United States. The union members also established their actions with those of legitimate organizations. Throughout the living wage campaign many organizations and university departments openly supported the members
of Local 209. The movement announced this support whenever they were made aware of it and by doing so the union movement showed that they were aligned with people who, according to society, are “respectable, safe and beyond reproach” (Stewart, et al., 2001, p. 65). By utilizing these coactive strategies the Miami workers were able to take away from some of the powers that the University yielded over them. First, they decreased the university’s power of moral suasion. They achieved this by linking themselves with traditional societal values like dignity, fairness, hard work and family. Second, they lessened the university’s power of identification by identifying themselves with things outside of those that the university had ascribed for them. By linking themselves with such a figure as Barbara Ehrenreich they took back some of the power that the University once held. By attaching their plight to the emotions and symbolism surrounding September 11, the workers, in a gesture that some may have seen as too dramatic, decreased the university’s power of identification. Also, the workers reclaimed some of their terministic control. They did so by claiming their own language and assigning meaning that fit the movement’s motives instead of the university’s. These coactive strategies were the union’s primary means of gaining legitimacy. Confrontational strategies were also used, but not on such a large scale.

Confrontational strategies are used to chip away at the legitimacy of the institution or establishment that is oppressing the members of a movement. Some strategies include exploiting the societal restrictions of institutional actions, provoking institutions into overreactions and violent suppression, and charging the institution with masking their actions and values. The workers at Miami exercised one of these. Several times throughout the year, Randy Marcum and other union members accused the
university of having ulterior motives. Miami University has a vision. According to their website, they want to be “the leader in the nation among public universities having a primary emphasis on undergraduate education and also having significant graduate and research programs” or in other words, the “First in 2009”. Aside from being one of the phrases most widely used to make jokes about the university, the “First in 2009” campaign proved to be the union’s main arsenal for confrontational strategies. The 2009 campaign has eight goals, two of which include 1) a richer intellectual/cultural life and 2) enhanced facilities. It was these two goals in particular that the union used to call in to question the intentions and truthfulness of the university. For, without the help of the workers, neither of these goals would be possible. A richer intellectual/cultural life calls for understanding and appreciation for culture, something that the union workers say the university was not doing by paying them substandard wages. Enhanced facilities would entail the grounds, buildings, and equipment, which the workers who feel as though they are being oppressed deal with on a daily basis. As a matter of fact some of the jobs they hold are solely based on the preservation and enhancement of these things. The union members called into question the appropriateness of this goal, because in their opinion it would be impossible to do this with unhappy, underpaid and overworked workers.

Prescribing a Course of Action

The next persuasive function outlined by Stewart et al (2001) is 4) prescribing a course of action. The movement must sell its ideology and show what actions need to be taken in order to uphold that ideology. To prescribe action the movement has to give the what, who and how of the plan for action. In order for the Miami workers to show the
“what” aspect and the values behind it they had to show “the way in which such values are understood” and “how they are ranked in priority” (Stewart et al, 2001, p. 69). For example, when the workers wanted to gain a living wage, they placed the value of a fair wage over the university’s budget concerns. After this was established the union movement could then offer their solutions to alleviate the problem situation, such as support the workers, speak out against the university, and ultimately, give workers a living wage. But, the “what” can only get a movement so far. The movement must then offer a prescription for who will carry out the solutions. Stewart, et al (2001) state, “Their answer, seemingly without exception, is the people, and great grassroots movement for change or resistance to change” (p. 70). This was the case for the Miami workers’ movement as well. Due to the nature of the Miami movement the workers were willing to freely admit anyone into the movement who espoused their cause. They believed that success would come from a large group that could put pressure on the university, so the larger the better. With the “what” and “who” covered, the workers at Miami had to determine how the plan of action was to be carried out. They needed to determine “the adaptive strategies most appropriate and effective” for their cause (Stewart, et al., 2001, p. 71). Social movements cannot rely upon the same means repeatedly to change things. If they do this the institution which they are fighting will find ways to combat them. The Miami movement tried many different things to advocate change, they passed out fliers, picketed across campus, marched to administrations building, held candlelight vigils, started email listservs, spoke in classrooms, slept on the lawn of the administration building, attended debates on campus, and went on strike. Once the movement has established the plan, who and how it is going to be carried out,
they must motivate people to act. This leads to the next part of the schema outlined by the methodology.

Mobilizing for Action

The fifth part of the schema of persuasive functions is mobilizing for action. This has more to do with things like organizing into effective groups, unifying though coalitions and distributing the movement’s message than it does with simply getting people to join. To mobilize people for action, the Miami movement organized and united, pressured the opposition and gained sympathy from those who could help legitimize the movement. For the Miami movement to organize and unite members they had to persuade them that the only way their goals could be achieved was through a collective using unconventional methods. The individuals must see themselves as part of the larger collective. One of the most obvious ways that this was done by the union movement was in a gesture taken by Randy Marcum. In his newsletters to Local 209 he identified himself as a part of the larger collective. Instead of addressing the workers as individuals, he spoke to them as a whole, as a cohesive group. The union, later, did more to bring others in, such as the march to administration building and speaking in classrooms to help people become more aware. The workers at Miami put pressure on the University. One of the most repeated and talked about tactics that the workers did was a flier they produced entitled “Life on the Top at Miami.” This flier listed the top five administrators at Miami their salaries, and salary increases over the past three years. On the same flier, just below they showed “Life on the bottom at Miami” by listing the 14-year span of a custodial and food service worker. The numbers, of course, were
drastically different. Tactics like the flier, which called into question the university administrators’ character, were used throughout the workers campaign, in fliers, on signs and even in newspaper articles. All of these things were actions on the part of the movement to elicit a response from the university administrators. Which is just what happened. By calling in to question the intentions of the university, the movement caused the administrators to clarify their reasons for their lack of response to the living wage problem. In an open letter on October 6, 2003 to all Miami University faculty, the President, Provost and VP of Finance and Business Services wrote:

…The growing income disparity between rich and poor is the dark side to America’s economic system. As the new century unwinds, this growing income gap may turn out to be opportunity for the university community to study these larger social and economic issues. We hope that one positive outgrowth of the current dispute is to awaken our student to these important social issue and to prompt a thoughtful and reasoned discussion about them (p. 6).

The lengthy letter (four and a half single-spaced pages) attempted to answer the question, “So why can’t Miami just pay everybody a living wage?” The answer, in short, was “free market economics.” This only gave the workers more ammunition. This type of rhetoric was also used by the workers to gain sympathy from legitimizers. Again, going in to classrooms and talking with students and faculty was an important way that the union movement gained support from those people who could help the movement the most. After the union movement was able to mobilize people to act, the next important step was to sustain the movement, to keep things moving in the right direction. This refers to the last schema of the persuasive functions outlined by Stewart, et al. (2001).
Sustaining the Movement

The final part of the schema is sustaining the movement. The workers at Miami did this in three ways. The first was through justification of setbacks and delays. The contract negotiations that the union was conducting with the university produced many setbacks for the workers. It seemed as though no matter how much they negotiated, no one would budge. They voted and rejected the offers made by the University on three separate occasions. Randy Marcum, after each time made a statement reminding other union members, the community members and the university that the union would keep trying until the movement’s goal was achieved. He remained unwavering in his efforts. The second way they sustained the movement was by maintaining its viability. Though there were few, and they were small, the union did gain some victories. They gained the support of many academic departments and student organizations. They received the small increase in pay that the university implemented. Even after these small victories the movement maintained it’s drive. They did not let small wins distract them from the larger picture, from the living wage for which they were striving. The third way the Miami movement sustained was by maintaining the visibility of the movement. They kept in sight of the community. The most visible thing they did was stand on the corners holding their signs. Many of the signs they held asked passersby to honk in support. What seemed like a small gesture, allowed those on campus to witness, or hear, for themselves the resolve of those workers on strike. The movement was certainly visible on a local scale, however the visibility did not reach much further than the city limits of Oxford. One of the most publicized individual events that took place during the strike, and received the most national coverage (which was still very minimal), was a football
game. ESPN crews were supposed to come in and broadcast the game between Miami University and the University of Cincinnati, but the telecast was cancelled because the people working the game would not cross the picket lines. This event yielded three articles in national newspapers. The strike, as a whole, only yielded three articles in non-state and non-regional newspapers. This national visibility could have offered much needed support.

Much to the chagrin of people seeking change, the simple fact that they are not part of the institution, establishment, decision making body, “rich white man” population, etc., limits their powers, options, and legitimacy. Persuasion, then, is the agency through which they can achieve change, the only way they can follow through with the six schema or persuasive functions for social movements outlined by Stewart, et al. (2001). Part of that persuasion has a great deal to do with the leader or leaders of a social movement, since what they say and do effects the social movement as a whole.

Leadership Aspects of the Miami Movement

Stewart, et al. (2001) discuss the media’s role in creating often negative perceptions of social movement leaders. These perceptions in turn have a large influence on how the rhetoric of the movement is accepted by society. When a group that is not part of the normal establishment or institution speaks out, and society already has negative perceptions them, their persuasion may not be accepted as effective or true. The leader of movement inherits this difficulty. This complexity calls for leaders to take of several different roles. This was true for Randy Marcum, the leader of the Miami workers. He took on the three roles outlined by Stewart et al. (2001): organizer, decision maker and symbol.
As an organizer, Marcum was a constant voice of criticism and irreverence when it came to the university and their actions. This is particularly apparent in his coverage in the local newspapers. When discussing the university’s best and final offer he was quoted as saying that it was “very disappointing,” that the university administration “is paying a substandard wage and they know it. They just don’t care” (Whitehurst, 2003 Sept. 9, p. 1). In his role as an organizer, Randy had to manage personalities to keep order and act as the voice of reason. As with any group of people there are often personalities that clash, differences of opinions that come to a head. In the face of these altercations, Marcum stood fast in his pursuit of the movement’s ultimate goal. Not everyone joined the union, and as evident by the numbers during the votes, not everyone wanted to go on strike. In the June 2003 newsletter he states, “I am willing to meet with any member or non-member on a one-on-one basis to discuss any questions, problems, or concerns as well as the future of our union,” showing his willingness to listen to both sides. Finally, as an organizer Marcum maintained a strong ego, reassuring members of the movement that they should be confident in him. Marcum expressed on numerous occasions his intent to do everything and anything to get his union a living wage, that he would fight as long as it took to get what they wanted.

Marcum also took on the role of a decision maker. Since leaders of social movements are often combating criticisms from several fronts they are forced to become decision makers in order for the movement to function properly. Marcum, from the very beginning, the inception of the movement, was making decisions that affected the
movement. He decided to take a public speaking class to fine tune his rhetorical skills in order to take lead of the living wage campaign. He decided to bring this problem to the forefront of the union members minds in his newsletter of February 2003 and he continued this trend throughout the year.

Symbol

Finally, Marcum took on roles as a symbol. Marcum, indeed became identified with his cause, and his cause became identified with him. He represented, for the community, and the union members, a hardworking man who was being wronged by the university, but would not stand for it any longer. He acted as a single voice for the other members to rally around. He embodied the values of the movement in his image, his actions and his words. Marcum was a symbol for change. In The Rhetorical Act, Karlyn Kohrs Campbell (1996) explains this concept of enactment. She states, “When there is enactment, the speaker or writer is proof of the claim he or she is making. Enactment is both proof and a way to present evidence vividly” (p. 309). By using the rhetoric of change and then putting that rhetoric into action, Randy Marcum was a role model, a symbol of the potential for change, for others.

But what made him so appropriately fitting for all of these roles. How did Randy Marcum become the leader of the movement? What characteristics did he possess that other may not have, that brought him to his leadership position. According to Stewart, et al. (2001), Marcum possessed all characteristics needed to attain leadership. He had charisma, prophecy and pragmatism.

Charisma
Marcum had a great deal of charisma, as defined by Stewart et al. (2001). Because he was so grounded, he had a sense of timing that worked well with many people. He was also diplomatic. He was able to explain his message to students and faculty easily; so much so that on a Friday afternoon during the strike, nearly 100 faculty marched up Spring Street sporting “F” buttons, showing “Faculty support for Staff”.

Randy Marcum put things in humanistic terms and related things back to personal stories by bringing in the more emotional side of an often-quantified struggle.

His timing, as far as strategy for when to go on strike could have been improved, however. The strike took place from Sept. 26 to Oct. 8, 2003. Just two days after the strike ended, one of the most important days on campus took place. Parents weekend began on Oct. 10. Parents weekend at Miami University: a time when the proud mothers and fathers of these “public Ivy league “students can come and witness for themselves the bright futures ahead of their young sons and daughters, when parents can finally see first hand where all of their tuition money is going, when it is virtually impossible to park anywhere on campus or uptown for three solid days, when you are finally able to see the creatures that spawned such interesting and well dressed offspring, when the university has all the landscaping in perfect form, the trash taken out, the dust swept up and, most importantly, the underpaid, unhappy workers taken care of so as not to disturb the lovely environment the university so diligently tries to portray. Had the movement, and its leader waited just several days longer to strike, they could have allowed the parents of the Miami students to witness the unrest on campus for themselves.

Prophecy
Marcum was also a prophetic leader. He set the moral tone for the Miami movement. His rhetoric was based on justice, fairness and honesty. In all the rhetoric he put forth, Marcum was candid. He held back little for anyone. He told the truth, which is something the prophet, as a leader, does to advance the movement’s ideology.

**Pragmatism**

Finally a leader must be pragmatic. This was Randy Marcum’s strong suit. He wore suspenders and a straw hat. He was what most might consider to be “down to earth”. He was not arrogant or ostentatious, but confident in his demeanor. Just by his physical appearance you could tell he was not in this fight for pomp and circumstance, but for justice, to right what he felt was wrong. He brought common sense to the table but made claims and suggestions that were acceptable to the outside world. Even though Marcum had all of these characteristics, to become better leader he had to learn how to maintain his leadership position.

Which leads one to ask how leadership is maintained in social movements. To stay in his position of leadership requires Randy Marcum had to handle some difficult and sometimes conflicting roles. Marcum adapted to every situation he was in. If the situation called for a discussion of current wages he listed the numbers. If the situation called for him to tell his personal story, to gain sympathy, he told of his five children and two grandchildren. He adapted to the situation but did not compromise his standard for truth telling. Marcum produced short-run victories but didn’t let them get in the way of the evolution of the movement. Whenever they gained more support from student organizations or faculty, Marcum publicized it in his daily striking news, but followed it with a list of duties, news or plans for the next day or two. Marcum did all he could to

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gain recognition for the movement that would be effective but still be accepted by others. He criticized the university. He went on a hunger strike. He debated on campus. By doing these things, he showed how serious he was, but did not create an image of the union and the workers that was too rash or too combative.

The second thing the authors suggest for a leader to do in order to sustain position is to change with the movement. Since things happen that change the nature of the movement a leader has to observe them and be able to equip the movement with right strategies to sustain the movement. Marcum did this. After the first vote to not accept the offer and the university repeatedly refusing to budge on their best and final offer, the mood of the movement changed. Talk of a strike ensued. Most workers probably assumed that they would be in this struggle for the long haul. Randy Marcum had to change his tone to accommodate this feeling. By using words of encouragement and adjusting rhetoric to focus on the potential for a strike, Marcum was changing his leadership with the nature of the movement.

Leadership cannot be separated from the way social movements work and evolve. The strategies those leaders use plays a big part in this evolution as well. One of the most widely used tactic is to present a unified group that is known only from its opposition to those that are oppressing them. This tactic is also known as identification and polarization.

Identification and Polarization of the Miami Movement

Social movements, in theory, exemplify the concept of Deconstructionism. Ultimately, deconstructionism tells us that things are defined by their opposites. Take for example the situation at Miami. The movement can only be defined by what it is not, by
the university. In the minds of the movement’s members and the community surrounding it, the movement is defined by its opposition to the university, to the oppressor. In order to be persuasive, the workers had to create a “us versus them” relationship, highlighting the unification of the movement by its opposition to the university, so that they could transcend from their marginal status.

Identification

First, the movement used rhetoric of identification, which looks for similarity. The workers established a common ground. One way they did this was by showing the personal side of the issues. By relating with each other and others outside of the movement they established credibility due to common ground, which in turn helped them to be more persuasive. The movement also altered their appearance. By wearing green armbands, they identified themselves as union members or supporters of the workers.

Polarization

But the workers also had to polarize themselves to then unite in disparity. They did so in several different ways. The movement identified devils. By constantly referring to the top five administrators they offered people with a small group of people on which to place blame. They were what Stewart et al. (2001) would consider to be the perfect devils because they were omnipotent and omnipresent. By reviewing their rhetoric it seemed as thought the all-powerful elite administrators were foreign to the plight of the workers; that is until the strike and most of the controversy surrounding it was over. On March 2, 2004, nearly six months after the strike had officially ended, the university issued a memo stating their plan to increase beginning wages between 5 and 15 percent. It read:
The minimum starting wage at Miami will rise to $8.80 an hour, effective March 13, and other starting wages for hourly employees will be increased as well…A committee… was appointed last fall to study the competitiveness of Miami’s starting wages. In its report, the committee recommended increasing the beginning wages by between 5 and 15 percent for the various categories of hourly employees…The changes mean that effective March 13 starting wages will go up between 8 and 20 percent, and all those earning less than the new minimum — about 36 percent of current hourly employees — will see their wages adjusted to the new levels. In explaining his decision to amend the recommended pay for the lowest-paid employees, Garland said even though the committee found Miami “was actually quite competitive in the lower wage categories,” he remained concerned about the widening income disparity among workers and noted that several committee members shared this concern (p. 1).

Up until this point the rhetoric of the University administrators did not express any concern for how low the wages were. This was fuel for the movement to distinguish conspiracies. The general air of the living wage campaign was that the university could pay the workers more, but didn’t because not only did they not care, but they profited from the cheap labor. This rhetoric proved to be very captivating, especially to those prone to believe conspiracy (such as myself).

In this chapter, the framework put forth by Stewart, Smith and Denton (2001) and how it applies to the situation that ensued at Miami University have been discussed. By seeing its application, and recalling the limitations of the framework from chapter 2 and 3, a rhetorical critic can see that Stewart, et al. (2001) is very fitting for the analysis of the Miami living wage campaign and strike as a social movement. The next chapter then will focus on the implications of this application and discuss possibilities for future research.
Chapter 5: Implications

Union leaders representing the approximately 900 janitors, maintenance workers, groundskeepers and dining hall employees kicked the first labor walkout at Miami into high gear over the weekend, placing picketers on street corners, inflating a giant skunk and preventing the Saturday’s football game form being televised by forming a picket line. (Whitehurst, 2003, p. 1).

September 26, 2003 was a day of change, maybe not monumental change, but change nonetheless. Miami University, up until that day, had managed to keep its workers happy enough to not take drastic action against their employer. Though relations up to that time, between the university and its workers, had not been completely amicable, a labor strike was something reserved for other workers, other university administrations and other campuses. The attitudes of the university community changed as the social movement progressed and at the end, a mental shift had taken place. The workers at Miami used rhetoric as their ammunition and it changed things. To better understand the changes that took place and shed new light on the existing theory of social movement, it is useful to summarize Stewart, Smith and Denton’s methodology as it relates to the movement of the Miami university workers. This application brings to the table several rhetorical implications as a result. These implications will be discussed in this chapter and broken down into two sections. This chapter will first discuss those implications dealing with what the Miami labor movement means with regards to the methodology, social movement theory and issues of their effectiveness. Then this chapter will explain what implications the methodology has for the Miami Labor Movement.

Methodology

To complete a rhetorical criticism one must put into practice some method of analysis, be it a perfectly aligned set of conceptual hoops to jump through or some unique
theoretical concoction as an attempt to be original. Justification for the choice that is made can be constructed of any number of reasons. For this thesis, the main reason for choosing the Stewart, Smith and Denton methodology is because it is very fitting. Another reason is to show, that even though the artifacts being analyzed may not fulfill all of the criteria in the strictest sense, the methodology is still very fitting and offers much opportunity for the expansion of knowledge.

This can best be explained by attempting to answer a general question about methodologies for analyzing social movements. When describing and defining what a social movement is and how to analyze one, is it possible to predict the outcome of that social movement? Or, in other more specific terms, if a social movement fulfills all criteria put forth by a methodology, is there a way to determine if that social movement will ultimately succeed in its goals? Take for example the theory of social movements put forth by Leland Griffin (1951), one of the most cited scholars in the study of social movement. He describes a social movement as having three phases of development, which include inception: when the movement comes to public notice; rhetorical crisis: when previous balance is destroyed and public opinion is changed; and consummation: when efforts are abandoned. By looking at the work of Griffin and applying it to a specific situation, it would be impossible to tell whether or not a movement failed in its goals, even if the movement did fulfill all of the conceptual requirements. The work of Stewart, Smith and Denton (2001), however offers a bit more suggestion as to the outcome. By looking at the six persuasive functions these authors discuss and how a movement fulfills those, it indicates that the movement achieved many different persuasive goals, bringing the movement closer to the ultimate persuasive goal, to cause
social change. However, the methodology still simply suggests. It or any other methodology, for that matter, cannot assure a particular outcome. No methodology can provide a set of criteria to fulfill that guarantees success. The nature of society is always changing and therefore so is the nature of social movement. A methodology can only help to explain and offer suggestions for future movement research. Which is why it is important for those methodologies to not exclude, unnecessarily, certain artifacts for analysis. The major focus of this criticism, specifically for this thesis, has to do with the institutional/noninstitutional status discussed by many social movement theorists and in particular Stewart, Smith and Denton. This criterion is rhetorically binding. Take for example the situation at Miami. Since the workers were part of the union, technically they are part of the institution. But even though they are part of the institution, they are still seen as part of the margins, they are still struggle to gain legitimacy in the eyes of the public in order to cause change. The difference in power is great enough that change would require means beyond normal persuasion. It requires those means often taken by social movements. The methodology needs to be expanded to further emphasize the importance of power differentials. The appropriateness of the Miami situation within this methodology (Chapter 4) shows that.

When looking at what happened on the campus of Miami University, it is clear that though they may not have achieved exactly the pay increase they were asking for, they did achieve what was essentially their main objective, to influence future decision making. The workers did this by demonstrating their willingness to strike. Interestingly though, in a rhetorical maneuver made by the University that many may not know about, the workers did end up with a substantially better pay increase. This after-the-fact
increase was much closer to what they were asking for throughout the year than what they ended up with when the strike ended. In March of 2002, the university issued a press release quoting President James Garland that read:

In other words, the committee found that what is happening in America as a whole is also happening in Butler County — namely, that higher income workers are doing well, but the lowest income workers are not,” he said. “It seemed to us that Miami had the opportunity to do its part to strengthen the employment environment in our area for our lowest paid workers (p.1)

The rhetoric the university and its administrators used during the strike did not match the rhetoric in this press release. In fact, the rhetoric in the March memo seemed as though it fit with the rhetoric the union had been using throughout the previous year’s struggle. The administrators, before, would not admit that a disparity of wages existed, however the press release spoke differently. In the memo they expressed concern for the “employment environment” showing that something was indeed wrong with it. It makes one wonder why the university waited to give this pay raise to its employees. If they had given it to them before, would it seem as though the union had too much power, that the university was giving in to the demands of those below them? Whatever the answers are to those questions, one thing is certain. The workers movement was successful.

In this rhetorical analysis, the artifacts used and the application of the methodology to them, yielded several implications regarding the methodology and social movement theory. In turn, the methodology and theory concerning social movement also generated some implications for the artifacts analyzed for this thesis, for the Miami workers movement. These implications deal with the concepts of leadership and persuasive functions.
Leadership

There are also implications that deal with the leadership aspects present within the movement. The success of the Miami movement can be attributed to many things, but one of the most apparent and important has to do with leadership and the concept of enactment as discussed in chapter 4. Karlyn Kohrs Campbell (1996) says that enactment is a vivid way of presenting evidence and proving one’s claims. Randy Marcum practiced enactment throughout the struggle last year. His actions reflected his words and because of this those people who saw him were able to witness, for themselves, how powerful enactment is, what it can accomplish. Marcum’s rhetoric sought empowerment. His actions did the same. Many of the workers on campus, as a benefit, are able to take classes at the University for free. Randy Marcum actually took advantage of this benefit and did so he could pass on the knowledge he gained by empowering others to speak out. His enactment allowed him to emerge from the margins and enter the public sphere. He demonstrated for others in the movement and others in the community the potential for change. The workers followed in Marcum’s footsteps, practiced enactment and allowed the community to see the potential for change. By speaking out against the university and taking action that backed up their claims by going on strike, the workers changed the face of labor on campus forever. This enactment also has a great deal to do with the events that occurred and their immediacy to the community.

Persuasive Functions

Finally, this chapter will flesh out some of the implications regarding the persuasive functions performed and strategies used during the events that occurred. Over the months of September and October of 2003 the students at Miami did a great deal of
learning outside of the classroom. At a higher education institution, people who were not educators, but custodians, maintenance workers, and dining hall workers, were educating the students, faculty and community. The basic lesson they taught was that the ivory tower is built from the bottom up. Until the plight of the workers was brought into the public for discussion and debate, the students and community did not know, let alone care, about the wages of the campus employees. But when the struggle did come into public light, the students saw firsthand, the makeup of the university and how the university community was affected when this makeup was thrown out of balance. By fulfilling one of the persuasive functions of a movement, making their movement more visible or immediate for the community, the workers were teaching the community about their struggle with the university and brought to light some interesting facts. It is important to reiterate that Miami University is a public institution. It exists as a matter of public interests, not private interests. However, the conduct that the administrators continually displayed spoke differently and thusly was problematic. In particular, one memo, discussed earlier in chapter 1 stands out in stark contrast to the memo in March informing student of the raise in pay for workers. This memo, sent on October 6, 2003, two days before the strike ended, displayed the University’s attitude that reflects a private institution or corporation. It read:

A still more subtle reason why the living wage concept is difficult to implement pertains to free market economics. Miami University is not an island, but is coupled to a larger society where the price of labor is governed by the laws of supply and demand. Sometimes these laws lead to results that violate common sense, such as the fact that the labor of the schoolteachers who educate our children is worth less than one percent of the labor of professional baseball players. The prevalence of anomalies, however, illustrates the enormous and virtually unstoppable power of a market driven economic system (p. 5)
Aside from giving the faculty a brief history lesson on the failures of Marxist economies, the letter did little to actually inform the community of the University’s reasons for not providing a living wage for its employees. This letter, however only reached the hands of faculty and those students who obtained it from their professors and faculty friends. But, those who weren’t enlightened by the words of these administrators were still able to see the struggle that took place even though the conflict was not transparent. It was, however, more transparent than many other similar struggles, such as those with actual private institutions. Other climates, aside from a public university, would have posed different results. Even more negotiating and arguing would have been done behind doors and the students would have learned less.

Future Research

The Miami situation is only a beginning to potential area of communication research. This study does not, by any means, exhaust the research that can be done about Miami University, Local 209 and the social movement that happened on their campus. Artifacts that were not looked at in this analysis could be studied to gain even further understanding of the rhetorical exchange that ensued on campus. Even more research into campus history and other struggles Miami University has experienced could provide more historical background into the motives, attitudes and trends of the university community.

Other methodological approaches could be used to draw out other aspects, which Stewart, Smith and Denton did not discuss. For example, fantasy theme analysis could be used to look at the rhetorical vision shared by the workers and
passed on to the followers of the movement. These analyses could be combined
to provide a more holistic view of these movements.

The Stewart et al. methodology could be applied to other living wage
campaigns in an attempt to provide evidence for drawing conclusions about the
nature of university living wage campaigns as social movements. Many other
campaigns are happening on campuses across the country. By applying the
Stewart et al. methodology to these campaigns more generalizations could be
made about them as a whole.

This project focused on the living wage campaign, by highlighting the
actions of the workers and their leader. Another analysis could look solely at the
rhetoric of the university and its administrators and the persuasive strategies they
used. By doing this, the focus is narrowed, and a deeper understanding of the
inner workings of the university could be reached.

Conclusion

The struggle of the workers at Miami University is a valuable resource to
the study of movements, and more specifically the study of the university living
wage campaign. The rhetoric that was exchanged during this movement gives
reason to the importance of studying it as an area of communication research.
This analysis has examined the rhetoric of a union worker’s social movement
through Stewart, Smith and Denton’s (2001) discussion of the persuasion of social
movements. The workers’ movement fulfilled all criteria put forth in the
methodology by performing the six persuasive functions, exhibiting certain
leadership qualities and employing identification and polarization strategies.
Examining the rhetoric of their movement has allowed for a glimpse into the development of the university living wage campaign and the evolution of a social movement.
Works Cited


Appendix 1: Fact Finder’s Report

Fact-Finder Recommendation and Rationale:

As in the case of the Definitions issue, this appears to the undersigned to be a problem which could have been handled under the recently expired contract, if the proper language had been available. The Employer makes a convincing argument that the proposed language reflects an accepted fact of employment and would merely set forth the usual standard, which has not been expressed in the contract until now. The Union’s response regarding ambiguity and lack of necessity for a change is not persuasive, and I will recommend approval of the proposed language.

It is hereby recommended that the parties include in their new Agreement the following addition to Article 25:

K. Employees are expected to work a reasonable number of overtime opportunities.

Issue 5: Article 26, Wages

The recently expired Agreement states, “The Union accepts the University’s implementation of the classification and pay program. No employee shall suffer loss of pay as a result of the implementation of this program.” The contract then sets out three items which will apply “within the framework referenced above.”

- The bargaining unit was entitled to 3% wage increases effective with the first payroll period in July of 2000, 2001, and 2002; and employees would receive a general pay increase in excess of 3% in the event that non-bargaining unit classified staff received such increases.
- Employees with at least ten years of University service on December 1 of 2000, 2001, and 2002 would receive a lump-sum payment of a percentage of their annual pay which would match any such payment which might be made to non-bargaining unit classified staff.
- The Union would have an “opportunity to participate in committees appointed to develop new pay programs or modifications to the existing pay program for classified employees;” and if a new pay program was implemented, or the present program was revised, the Union would have the opportunity to be included in the program.
The classification and pay program, referred to in the collective bargaining agreement, consists of a broadbanding classification plan that places jobs into "bands," which group together jobs at a similar level of skill and responsibility, and "zones" which are similar to pay grades within each band, except the zones have no maximum amount of pay. For example, jobs in Band E are characterized as follows:

- Follows procedures with some discretion
- Limited technical skills specific to area

Those jobs are placed in pay zones E1 and E2. Jobs in E1 include Materials Handling Assistant, Senior Service Assistant, and Staff Assistant; E2 jobs include Maintenance/Technician, Materials Handling Assistant, and Senior Services Assistant.

Pay ranges for bargaining unit employees fall within zones D2 through G2, thus:

<table>
<thead>
<tr>
<th>ZONE</th>
<th>MINIMUM</th>
<th>MARKET REFERENCE</th>
<th>MARKET REFERENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>POINT A</td>
<td>POINT B</td>
</tr>
<tr>
<td>D1</td>
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<td>$ 9.16</td>
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<tr>
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<tr>
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</tr>
<tr>
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</tr>
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<tr>
<td>H2</td>
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<td>$ 17.01</td>
</tr>
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</table>

According to the Employer, the following procedure is followed:

The Personnel Office is responsible for the periodic analysis of the zone structure. Adjustments to the zone structure are based upon the analysis of relevant market data for benchmark jobs, general salary trends, and the University's financial situation. Miami University reviews the actual wages paid by local organizations and other state universities, since this reflects the appropriate labor market.

The zone minimum is based upon the entry-level rates for the benchmark jobs in that particular zone. Benchmarks are the jobs for which sufficient salary data is available. In order to determine the appropriate minimum for zone E1 for example, the University would gather relevant market data for the E1 benchmark jobs.

As jobs progress in difficulty and skill level required, the range of wages that organizations are willing to pay for those jobs grows. The Market Reference Point B is set using this concept. The difference between the zone minimum and Market Reference Point B for jobs in Band D is 25%. As you progress up the Bands, this difference between the minimum and Market Reference Point B increases. By the time you reach Band H, there is 37% difference between the minimum and Market Reference Point B. Market Reference Point A is the midpoint between the minimum and Market Reference Point B.
Union Position:
The Employee Organization proposed to replace all existing contract language with ten new sections and an appendix to the contract, as follows:

A. The pay scales and wage rates for all bargaining unit classifications will be set forth in Appendix A of this Agreement and made a part hereof.

B. Newly-hired employees will be placed in Step 1 of the appropriate pay scale for their classification and will advance to Step 2 of the pay scale upon the completion of their initial probationary period. Thereafter, each employee will advance to the next step of the pay scale on his/her anniversary date of hire until the top step of the scale is reached by the employee.

C. An employee who is promoted will go into the step of the pay scale for the classification into which he/she has been promoted that reflects at least a 5% increase over the pay the employee was receiving immediately prior to the promotion. Thereafter, a promoted employee will advance through the steps of the pay scale annually upon the anniversary date of the employee’s promotion.

D. An employee who transfers to a different classification that is in the same pay scale as the one held by the employee will continue to advance through the pay scale on the original anniversary date used at the time the employee entered the pay scale.

E. All current employees will be slotted into the step of the pay scale that represents at least a six percent (6%) wage increase. Those employees who are in a wage that is above the wage in their respective pay range will receive all across-the-board wage increases granted under this Agreement, including 6% in each year of the Agreement.

F. Any employee who demotes to a lower paying classification, either voluntarily or as a result of a layoff or disciplinary action, will be placed in the step of the lower pay scale that reflects the smallest possible decrease in wages. Such employee will subsequently advance through any remaining steps upon the anniversary of the date he/she was placed in the lower paying classification.

G. Any employee who performs the duties of a classification in a higher pay scale will receive the higher rate of pay for all hours worked in the higher classification in the same step of the higher pay scale as the one in which the employee is currently serving in his/her regular classification.

H. Employees will receive longevity pay based upon total years of service with the University. Each employee with five (5) or more years of service will receive four (4) cents per hour for each year of service. For example, an employee with five (5) years of service will receive twenty cents ($0.20) per hour, while one with six (6) years of service will receive twenty-four cents ($0.24) per hour and so on for each year of service. Such longevity pay will be added to the employee’s regular hourly rate.

I. Any employee who holds a special license that is related to the duties that he/she performs for the University that is in addition to any license or certifications which must be held as a basic qualification for the position will receive an additional 2% on the base rate of pay.

J. In the event any classified staff who are not a part of the AFSCME bargaining unit covered by this Agreement receive an across-the-
board wage increase that is greater than the wage increases set forth in this Article for the bargaining unit employees, the difference shall be applied to bargaining unit employees and the wage rates set forth in this Agreement will be adjusted accordingly.

**APPENDIX A**

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>PAY RANGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assistant Sales Clerk</td>
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</tr>
<tr>
<td>Building and Grounds Assistant</td>
<td>E1</td>
</tr>
<tr>
<td>Building and Grounds Coordinator</td>
<td>F1</td>
</tr>
<tr>
<td>Building and Grounds Specialist</td>
<td>G1</td>
</tr>
<tr>
<td>Building and Grounds Supervisor</td>
<td>G1</td>
</tr>
<tr>
<td>Building and Grounds Technician</td>
<td>F1</td>
</tr>
<tr>
<td>Food Service Assistant</td>
<td>E1</td>
</tr>
<tr>
<td>Food Service Operations Coordinator</td>
<td>F1</td>
</tr>
<tr>
<td>Maintenance Engineer</td>
<td>G2</td>
</tr>
<tr>
<td>Maintenance/Repair Specialist</td>
<td>F2</td>
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<tr>
<td>Maintenance/Repair Technician</td>
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</tr>
<tr>
<td>Master Trades Specialist</td>
<td>G2</td>
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<tr>
<td>Materials Handling Aide</td>
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<tr>
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<td>E2</td>
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PAY RANGES - HOURLY RATES

EFFECTIVE June 21, 2003

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</table>

The Union is proposing that in Year 2 of the contract, the above scale be increased by 6% and in Year 3 of the contract, subsequent 6% across the board wage increase be added to the scale.

Management Position:

The Employer proposed a continuation of the present pay structure, but with each unit employee receiving general wage increases of 3% effective August 15, 2003; 2% effective July 1, 2004; and 2% effective July 1, 2005. The University also proposes to delete contract language referring to non-bargaining unit personnel and any impact which pay increases for non-unit employees might have on bargaining unit compensation.

Findings of Fact:

The Union characterized the wage issue as the purest economic clause in the agreement, and the major issue. The Union asserted that, by any standard, the University pays very low wages to this bargaining unit. The 1995-96 Mercer Report concluded:

Miami’s average pay position for both the all participants sample and selected University participants is significantly below the market... Miami’s overall structure positioning appears to be approximately 18% to 19% below market... Miami’s average midpoint pay position relative to average midpoint pay is slightly less competitive than midpoint position relative to average market pay... The University’s minimum position is lower than their midpoint competitiveness while their maximums are more competitive.

There has been nothing done since this report issued, the Union contends, which would have changed the situation for this bargaining unit.

During the 1980 – 1995 hiatus in bargaining, roughly in 1990, the University unilaterally implemented its wage structure, removed the step system which had been in place under the collective bargaining agreement, and established new starting rates under which employee advancement beyond the rate depends on across-the-board increases and incentives made available to them. The end result is shown in Union Exhibit 6, which
breaks down the wages of 887 employees receiving 431 different wage rates. In 1997 the University instituted "broad banding," putting some job classifications together, but they failed to broaden the wages. Most employers which do broad banding will put the employees in a band at the same rate of pay, generally the highest rate received by any job in each band, but the University did not do that. Employees in pay range D2, who earned $7.16 per hour in 1997 currently earn $7.73; those in E1 were getting $7.53 and now get $8.14, and so on. Starting wages have not been adjusted since September, 2001.

The Union explained that bargaining unit members work in jobs in pay ranges D2 through G2. The very few D2 employees are the least skilled positions; most entry level jobs in the bargaining unit are in wage bracket E1; and G2 is where the most skilled positions are placed. Of the 24 employees in D2, who earn five different rates of pay, 21 make less than $8 per hour, and one makes $11.69. The Union found that the employees whose compensation rate was set under the former step structure were well above everybody else, and they were able to retain that differential; employees hired under the broad banding structure have fared considerably worse.

There are more bargaining unit employees in E1 (524) than any other bracket, and they receive 161 different rates of pay, ranging from $8.14 to $15.85. Most of the E1 employees (307) earn between $8.00 and $8.99. Several hundred employees make less than $10 per hour, 37% in the $8.00 to $8.99 range. The 2002 Department of Health and Human Services Guidelines considers a family of four with annual income of $18,100 to be in poverty. That amounts to about $8.70 per hour, so the 353 bargaining unit employees (about 40% of the unit) who earn less than $9 per hour are hovering around the poverty level if they are providing for a family of four.

Union exhibits show that the University's supervisory, administrative and technical support staff (including clerical employees not represented by a union) received a 4.25% wage increase, plus merit awards, in June 2003. The University's police officers have received increases totaling 44% since 2001, raising their average from $15 to $21.90 per hour. University administrative officers (executives) received increases averaging 5.68% from 2000 to 2002.
The Union’s wage survey of current contractual pay rates paid by comparable public employers shows that the Employer’s bargaining unit employees start at a lower rate, and do not progress. For example, employees in the University’s E1 pay range start at $8.14, while the lowest minimum among the comparable jurisdictions is $8.98 (building custodians at Shawnee State University as of November 2000). Custodians at Central State University, and Toledo University start at $9 per hour, and at the University of Cincinnati they start at $8.99. A Service Worker I for the City of Oxford starts at $11.71 per hour. Ohio University custodians start at $10.50 and progress to $14.08 in five years. The Union asserted that the Employer’s wages are not competitive with comparable employers, and the University does not claim an inability to pay more. In summary, the system is broken and needs fixing, so the Union has proposed optimum wage rates.

Local 209 President Randy Marcum testified that the starting custodian’s pay has gone up only $1.52 per hour from their rate under the previous contractual step system, which is ten cents per year. Under the former contractual pay schedule, a custodian progressed to the top of his pay schedule in four years. Under the 1997 pay scale introduced by the Employer, an employee in E1 classification receiving a 3% increase annually would top out at $12.80 in 19 years. Under the current wage scale an employee in the E1 classification is projected to top out at $19.18, but it would take 30 years. Annual increases were not keeping up with the pre-9/11 rate of inflation. The cost of houses was going up 5% per year, and at those pay rates, the $28 per month for Union dues has seemed to be a lot.

In short, President Marcum testified, employees lost both step increases and longevity pay during the hiatus in collective bargaining, and the Employer would not give them back. Employees who are below the poverty level need a living wage.

The Employer characterized the Union’s wage proposal as a frontal attack on the very structure and foundation of the compensation plan which was developed carefully and has been accepted by the Union in a series of Agreements. The compensation package goes beyond wages to include the group insurance discussed below and other employee payments. Over and above the across the board increases which the University
plans to give during the term of the next contract, the Employer encourages and rewards employees who improve themselves, which the Union's proposal ignores. The University plan pays rates competitive in the relevant labor market. The existing structure is the status quo, and the Employer proposes to enhance it with reasonable annual wage increases.

The Union's proposal is unacceptable because its automatic progression schedule is contrary to the goal of rewarding employees who seek self improvement, and it would be too costly (a 10.7% increase in costs the first year alone, without longevity payments, and 13.3% with them). The University's proposal, wage increases of 3%, 2%, and 2%, would cost $578,662 in the first year, as compared with $6,768,057 for the first year of the Union's proposal. The Union agreed in 2000 that the archaic wage step interval plan of previous contracts were out of date, that a market driven pay plan should replace it, and that starting rates should be reduced $3.00 to the market rate.

Now, about 75% of the bargaining unit receive only annual general increases and are eligible for job enrichment increases, awards and other valuable benefits. The overall compensation package has been sufficient to hold the employee turnover rate down. Wage increases enjoyed by the bargaining unit have more than kept up with inflation; since 1994, employee wages rose 28.5% while the consumer price index went up 22.6%. Those employed by other employers, including those covered by union contracts, have not done as well as that. Other Ohio public universities gave median annual wage increases of 3.25% in their current contracts with AFSCME. Unlike Miami, some of those universities have laid off employees and plan to do so in the future if State budget cuts occur. Without considering the University's ability to pay the proposed increases, the University is nevertheless obligated to exercise prudent stewardship of public funds, which are on the decline.

The Employer's 2001 collective bargaining agreement with the Fraternal Order of Police, which covers only 20 employees, rectified a pay scale which resulted in excessive turnover among police officers and inability to attract the best qualified candidates. The facts of the labor market dictated the large increases for the police, but the facts pertaining to the bargaining unit involved in this proceeding do not support a large increase.
The University contended at the hearing that the issue is market equitable wages. In the Union's exhibit, "Previous Step Raise System" for 1988, the bargaining unit was in pay ranges 1 through 12. It is not true that most employers give annual pay raises. The data presented by the Union represents only union-organized employees, and government statistics show that less than ten percent of U.S. employees are represented by unions, so the Union's comparables are unrealistic. The Ohio University collective bargaining agreement's Appendix A rates were "grand fathered," but new hires are on pay bands. The Union's "1997 Pay Scale," which shows employees in the G2 classification topping out at $38,983, is out of line with market surveys of wage rates.

The Employer observed that it disagrees with the Union on how to determine wage levels, and what is the market to be surveyed. In a survey of the market, the University's median pay is 95% to 100% of the market rate, and the University gives multiple benefits not available from other employers. The proof of the adequacy of the Employer's pay is its turnover rate, which was just over 5% in Fiscal Year 2002-2003 for this bargaining unit. In other words the retention rate is quite good. The Fact Finder should not expect the University to live with the antiquated pay structure depicted in Local President Marcum's presentation.

The Union agreed to the current pay structure in 1997, and has agreed to continue it in subsequent contracts. The revolutionary change proposed in the pay plan is not appropriate for a fact finder's award. The Union's argument about the poverty level ignores that most families now have multiple incomes and that bargaining unit employees receive valuable benefits in addition to their paychecks. University wage rates have increased more rapidly than the cost of living, and the Union's proposed increases would be too costly. The Employer introduced into evidence the 2002-2005 Agreement between AFSCME and Ohio University, and pointed out that Articles 17 "Pay Plan" and 18 "Wages" those employees had no guaranteed wage increase this year; the "me too" provision, which would result in an increase if non-unit classified staff received a higher raise, did not result in such an increase.

Kate Stess, Assistant Director of Compensation, Employment & Technology for the University, described the broadbanding classification plan, as set forth on page 20,
above. She testified that, in 2001, the minimum rates were adjusted upward by 8%, and a 3% general increase was added, resulting in an average wage increase of 5.26% for the bargaining unit. In exceptional cases involving jobs at a high level of difficulty, the market may dictate paying more than the band covers, such as the G2M rate provided for stationary engineers. The job enrichment program provided 150 increases from promotions in place (for example a maintenance employee developing skills and being reclassified as an electrician), and 176 bonuses last year. Since 2001, 533 bargaining unit employees have received awards.

The market survey is similar to the Mercer study, referred to above, but has undergone some improvements, Ms. Stoss stated. The Spring 2003 survey included eight state supported institutions of higher learning, three area cities (Fairfield, Hamilton, and Oxford), the local hospital, and Union County. University job titles were compared with average and weighted average wage data from two to twelve of those organizations. The largest groups of unit employees are in pay zone E1, including 331 Building and Grounds Assistants whose average hourly rate of pay is $10.04, and 176 Food Service Assistants who receive an average of $8.94. Pay zone E2 includes 62 Maintenance/Repair Technicians whose average pay is $12.15, and 53 Senior Food Service Assistants whose hourly average is $10.92 for cooks and $9.89 for bakers. Pay zone F1 includes 46 Building and Grounds Technicians who earn an average of $12.73, and pay zone G2 includes 47 Master Trades Specialists whose average pay ranges from $15.58 (carpenter) to $16.56 (plumber).

Considering the unit employees’ average pay rates, Ms. Stoss testified, the University pays large groups of employees 96% of the market weighted average. The chart shows Building and Grounds Assistants and Food Service Assistants, in pay zone E1, at 92.96% and 95.92% of the market weighted average, respectively. The bargaining unit’s highest wages paid are generally more than 100% of the market’s average highest rates, with the exception of a few technician positions in the high 80 percent and 90 percent range.

Ms. Stoss said that employees with at least ten years of service with the University as of December 1 of each year are eligible for a lump sum payment, which varies
depending on the ability of the University to make the payment. She pointed out the benefits provided to employees, including waiver of tuition for University courses, which is extended to the employee’s spouse and dependents after three years of employment; housing grants up to $10,000; 50% discounts on membership in the recreational sports center, interest free loans for computer purchases, and discounted meals at University dining locations. University employees also are eligible to purchase tickets to a dozen entertainment and educational venues in the region. The Employer submitted a document summarizing job enrichment bonuses paid to unit employees in the past two years, averaging over $1000 per employee each year; and leadership development bonuses paid to Physical Facilities Department employees which totaled $4800 in 2001-2002, and $3200 the next year. Promotion in Place increases averaging $1060 were paid to 119 unit employees in 2001-2002, and 156 employees received an average of $906 last year.

In summary, the Employer says its system of paying employees according to how they do their jobs is better than the Union’s proposal to pay according to what they do. The Union has accepted the broad banding system, and its criticism does not take into account the bonuses and valuable benefits employees receive. The Employer has already compromised with the Union, proposing annual wage increases during the term of the contract, which other University employees are not certain to receive.

Fact-Finder Recommendation and Rationale:

This is a complex issue, with many valid arguments and facts supporting each party’s position, as is evident from the foregoing narrative. There is a large disparity between the present broad banding system, in which the University unilaterally establishes benchmark wage rates and the various individual rates of pay, and the Union’s proposal, which would establish fixed rates and predictable progression by employees.

The flaw which I perceive in the Employer’s current practice is illustrated by the following extract from the foregoing summary from the University’s evidence (page 28):

The largest groups of unit employees are in pay zone E1, including 331 Building and Grounds Assistants whose average hourly rate of pay is $10.04, and 176 Food Service Assistants who receive an average of $8.94. Pay zone E2 includes 62 Maintenance/Repair Technicians whose average pay is $12.15, and 53 Senior Food Service Assistants whose hourly average is $10.92 for cooks and $9.89 for bakers. Pay zone F1 includes 46 Building and Grounds Technicians who earn an average of $12.73, and pay zone G2 includes 47 Master Trades
Specialists whose average pay ranges from $15.58 (carpenter) to $16.56 (plumber).

The wide disparity in wages within a pay zone lends some support to the Union’s assertion that employees perceive the pay system as subjective. If Food Service Assistants have a level of skill and responsibility similar to Building and Grounds Assistants, who are also in pay zone E1, then why are they paid an average of 11% or 12% less? Why is there a wage differential of $2.26 per hour between Maintenance/Repair Technicians and Bakers, both of whom are in pay zone E2? The disparity cannot be wholly attributed to one group of employees taking advantage of promotions in place, while the other group did not, so far as I can tell. The broad banding system which provides the Employer with a great deal of flexibility offers the employees no certainty regarding their levels of compensation. The Union has a legitimate complaint in this regard.

The Employer’s contract with the Fraternal Order of Police, which covers only 20 employees, established a pay structure with 16 pay grades and six tiers, with each cell on the grid assigned a specific wage rate for each year of the contract. The bargaining unit in this case, with nearly 900 employees and 22 job titles, is considerably more complex, however, and adoption of the Union’s proposed pay system would be a major undertaking which I will not recommend.

In the opinion of the undersigned, the Employer’s broad banding compensation and classification plan, which was already incorporated into the Agreement by reference, should be modified to meet the needs of the bargaining unit and it should be described in the contract to the extent necessary. The disparities in pay levels among jobs within a pay zone should be moderated by ensuring that employees will be brought up to Market Point A no later than the third anniversary of their placement in the pay zone.

The minimum pay rates should be adjusted upward to reflect contractual wage rates of newly hired employees of the comparable public employers. The “Market Reference Point A” rates should be similarly adjusted upward to more closely approximate the rates received after three years by unionized public employees. Inasmuch as the Market Reference Point B was not reported to have created wage inequities, I will not recommend any contractual restriction on the Employer’s establishment of that reference
point. These adjustments will affect only the bargaining unit covered by this collective bargaining agreement, and the Employer, of course, will be free to determine the minimum rates and market reference points of its other employees.

For the second and third years of the contract, I will recommend across the board increases of 3.0%, which is the rate of increase experienced by this bargaining unit under the recently expired contract and is consistent with my understanding of current trends in wage levels.

It is hereby recommended that the parties include the following language in their new contract:

ARTICLE 26

Wages

The current classification and pay program will continue in effect, as modified herein. Classification of positions will remain as set forth in Appendix A. Market Reference Point B will be determined by the Employer's periodic wage surveys. Pay rates for the Minimum and Market Reference Point A for each year will be as set forth in Appendix A. Employees will be paid within their pay zones as in the past, except that employees will be brought up to Market Point A no later than the third anniversary of their placement in the pay zone.

APPENDIX A

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<thead>
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<th>CLASSIFICATION</th>
<th>PAY RANGE</th>
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Postal Services Assistant  
Sales Clerk  
Senior Building and Grounds Assistant  
Senior Building and Grounds Specialist  
Senior Building and Grounds Supervisor  
Senior Food Service Assistant  
Senior Maintenance/Repair Specialist  
Senior Maintenance/Repair Technician  
Supplies Assistant  
Trades Assistant  
Trades Specialist  
Transportation/Delivery Assistant  
Transportation/Delivery Specialist  

APPENDIX B
July 1, 2003 – June 30, 2004

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July 1, 2004 – June 30, 2005

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July 1, 2005 – June 30, 2006

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**Issue 6: Article 27, Insurance**

The recently expired contract included the following:

The University will continue to provide to benefit eligible employees in the bargaining unit the group insurance plan (hospitalization, basic medical, major medical, dental, life and accidental death and dismemberment) as approved by the Board of Trustees. However, the University reserves the right to modify that coverage, either in terms of benefit levels and/or cost to the employee, in the same manner and effective on the same date(s) as it may choose to alter such benefit levels and/or costs to all other University employees covered by said Plan. Additionally, the University reserves the right to change the present or successor insurance carriers, and to designate an alternate carrier or carriers of its own choice, in lieu thereof, so long as the same benefit levels remain unchanged.

Optional, additional, accidental death and dismemberment coverage will continue to be made available for employee purchase. The University will implement the Anthem Advantage program prior to August 31, 2000.

**Union Position:**

The Employee Organization proposed to:

- guarantee no change in benefit levels, at no further expense to employees, by changing the first paragraph above to add "at no cost" to the first sentence,
- delete the language providing that the Board of Trustees approves the insurance plan, and delete the provision permitting the Employer to modify the coverage with respect to either benefit levels or cost to the employee
- omit the final sentence about implementing the Anthem Advantage program
- add the AFSCME Care Plan to the agreement, in which case it would forego the current dental benefit (paragraph B, on the following page).
NOTE: This document is under contention. Members of the Fair Labor Coalition say this is the public version of the memo, not the version sent to employees. The webmaster is attempting to track down proof, right now all there is to go on is what's on the university site.

DATE: September 11, 2003
TO: AFSCME Bargaining Unit Employees
FROM: Dennis E. Deahl, Sr. Director, Personnel and Benefit Services
RE: Strike questions and answers

During the course of the negotiations process, Miami has received a number of questions from AFSCME bargaining unit employees. Many of the questions have centered around individual rights and striking. Since the Union has announced that strike authorization has been received from Union membership, and at least one Union representative has stated that a strike is a 99.5% certainty, we feel obliged to provide accurate answers to these questions. We have listed the most commonly asked questions and our replies.

Q. If I am in a bargaining unit position, but am not a member of the Union, can I go out on strike?
A. Yes. It is your legal right to strike if the Union gives appropriate strike notice to the University, and you choose to strike.

Q. If I am in a bargaining unit position, am I required to go out on strike?
A. No. It is your choice as to whether or not you will strike.

Q. If I strike will I be paid?
A. No.

Q. If I go out on strike, will I lose my benefits?
A. The University has the legal right to withhold paid benefits for striking employees, but no decision has been made yet.

Q. Will it impact my retirement?
A. Contact the Ohio Public Employees Retirement System (OPERS) at 1-800-222-7377.

Q. Will I be disciplined by the University for going out on strike?
A. No.

Q. Will I be disciplined by the University for not going out on strike?
A. No.

Q. If I choose not to strike and cross a union picket line, will the Union discipline me?
A. The Union can only discipline members of the Union. If you resign your membership in the Union before you cross a picket line, or otherwise act in a manner contrary to the interest of the Union, you will not be subject to enforceable Union discipline. In order to resign from Union membership, you must provide AFSCME Local Union 209 with written notice of your resignation. That would be done through a written and dated note stating that, "I hereby resign my membership in the Union, and intend my resignation to be immediate." You also should be able to show that the Union received your resignation before you cross the picket line.
Q. If I choose to cross the picket line, will the University provide security so that I can go to work safely? Will my vehicle be protected?
A. Yes. The University intends to provide security.
Q. Since the University does not have a contract with the Union, can I have the University stop my dues check-off?
A. Yes. If you make a written request to the University Personnel Office to stop or revoke your dues check-off, the University will cease the dues deductions. You should also see that the Union receives a copy of your written request to the University.
Appendix 3: Mr. Crutcher's Memo to Faculty and Staff

September 15, 2003

To: All Faculty and Staff, Academic Affairs Division
From: Ronald A. Crutcher, Provost
Re: Maintaining the academic program in the event of an AFSCME strike

The University has received official notice from AFSCME Local 209 of its intentions to strike on Thursday, September 25, 2003. The fact that notice has been given does not compel AFSCME to strike and the University will be continuing its efforts in the interim to resolve an equitable contract and avert a strike.

It is important for all to recognize that the academic mission of the University is not to be disrupted or compromised should there be an AFSCME strike. Irrespective of our personal views, we will be expected to conduct business as usual and in a manner respectful of our colleagues and students. In the event of a strike, please be mindful of the following:

Instructional and unclassified staff are free to cross picket lines should these be established. The University does not have the physical capacity to provide alternative classrooms or workspace to accommodate individuals who might otherwise prefer to honor picket lines.

The failure of a faculty member, graduate award holder or unclassified staff member to fulfill contractual obligations constitutes cause for disciplinary action. Faculty, Graduate Assistants and Teaching Fellows are to fulfill their contractual obligations, teach assigned classes at their regularly scheduled times and meet all other responsibilities related to their appointments. Unclassified staff are to report to work as usual and fully execute their assigned duties and responsibilities.

Students should continue to be held accountable for class attendance and assignments. Under no circumstance should students' in-class or out-of-class positions toward the strike or its related issues influence how they are evaluated.

If any individual attempts to interfere unlawfully with instructional activities or the conduct of business, you are to report this activity immediately to your supervisor or campus police. We anticipate no such problems, and expect that our community will respect the rights of individuals in the bargaining unit who choose to strike or elect not to strike.

c: President, Vice Presidents, Directors of Personnel, Academic Personnel Services and Safety
Appendix 4: Letter from Vice President of Student Affairs, Richard Nault

September 30, 2003

Dear Miami student,

Last Friday, members of the union on campus that represents many persons who work in housing, dining, and maintenance positions began a strike against Miami University. You have observed workers from the unit picketing outside several buildings on campus.

During a strike emotions run high. Arguments about what constitutes a just or equitable wage are complex. In this letter we want to provide you with background information on the strike and urge you to become more informed about the issues involved by studying the information such as that given you by persons participating in or supporting the strike and consulting the University Web page that includes the University's position on the strike.

The disagreement that has led to the strike involves the University and Local 209 of the American Federation of State County and Municipal Employees (AFSCME), the union that represents a "bargaining unit" of about 900 custodians, maintenance staff, and food service workers. A worker in the bargaining unit may or may not be a union member; in Miami's case, somewhat less than half of the bargaining unit pay union fees and thus belong to AFSCME. Only AFSCME members can vote on a contract proposal or elect union leadership.

Entry-level workers in the AFSCME unit, such as a staff member who may serve food, do grounds maintenance, handle trash disposal, etc., earn $8.14 per hour. The average worker in the bargaining unit makes $11.06 per hour. In addition to hourly wages, the members of the bargaining unit receive health care coverage, retirement benefits, sick pay, dental coverage, and free tuition to Miami for employees and their families. An entry-level service worker at Miami receives a benefit package worth 35 percent of his or her salary.

AFSCME and Miami had a three-year agreement that ended June 30. That contract was extended into August when discussions did not result in an agreement on a cluster of key issues: how much wages should be increased, the union's request to require all employees in the bargaining unit to pay the union an agency shop or "fair share" fee, minimum starting wages, health care coverage, and a few other issues. For example, AFSCME wants minimum starting wages increased; the University says this should be done only after a thorough review of hourly wages for all employees, not just the union. The University believes employees should decide individually whether to pay any fees to the union. AFSCME has asked that all members of the bargaining unit be required to pay union fees. AFSCME has raised concerns about the impact of the University's plan to begin requiring employees to pay for health insurance coverage. Today, employees pay no premiums for health care, but after January 1, 2004, Miami workers will pay a portion of their health care costs. Most hourly employees will pay between $6.61 and $19.84 a
month for health care coverage for their families. The University will provide a corresponding payment of $100 per year to each employee to see that employees at the low end of the pay scale are not adversely impacted in 2004.

These issues have been the subject of negotiations and were addressed again during a lengthy session Thursday, September 25, and what emerged was a proposal from Miami for a three-year contract including among other items:

* A 4.25 percent wage increase to equal the raise given other hourly employees at Miami this year;
* A 3 percent increase in each of the next two years;
* A guarantee that if non-union hourly workers receive more than a 3 percent increase in 2004 and 2005, bargaining unit members would receive an equal increase;
* Limits on any increases hourly workers will see in health care costs;
* A guarantee that two bargaining unit representatives would be appointed to a committee that will review hourly pay minimums, and that the review would result in an increase of at least 4 percent to the starting wages.

The union leaders, who presented it to the general membership for a vote, approved this proposal. The union announced that 55 percent of the approximately 315 people who voted rejected the University's proposal and called for the strike. Under the law, any of the workers in the bargaining unit can strike, no matter how they voted and regardless of whether they are in a union. Likewise, they are free to cross picket lines to go to work. The persons who currently are on strike have exercised their right to picket the University. This is the right of workers in our society. Other workers in the union have chosen to continue working. This, too, is their right. The University has hired some temporary replacement workers.

The persons who are on strike as well as those who have chosen not to strike have in their work and commitment to Miami made this a better place for all of us. During this period we believe it is our obligation to continue to study and learn more about the arguments advanced by both sides in this strike and to treat all persons involved, regardless of our personal views, with respect.

We urge you to be as informed as possible about these often very difficult and complex issues.

Sincerely,

Richard Nault
Vice President for Student Affairs

Susan Mosley-Howard
Associate Vice President and Dean of Students
Appendix 5: Open Letter to Miami Faculty, from Miami Administrators

October 7, 2003

Dear Colleagues:

We know that there is great interest among the faculty about the labor dispute with AFSCME Local 209. Several academic departments have passed resolutions in support of the striking workers, and faculty in other departments have expressed a desire to know more about the university’s stance on the matter. The purpose of this open letter is to provide some background information, as well as our general perspective on the issue. For up-to-date information on the negotiation status and other matters related to the dispute, we refer you to the university Web site, http://www.miami.muohio.edu/labor_relations/.

At the outset, let us note that all of the departmental resolutions expressed concern for the well-being of Miami’s lowest-paid employees. A common thread through the resolutions was respect for staff members as individuals as well as admiration for the value they bring to the campus. We share this sense of pride in our staff. Many of the staff members in the AFSCME bargaining unit are our friends. They are responsible, caring people who work hard for a living, and they bring enormous credit to the university.

Unfortunately, we find ourselves in the difficult position of wanting to be fully supportive of them as individuals, and yet opposing some of the policies and practices advocated by their union. Miami has always taken pride in treating its people with respect and gratitude. Doing so is a hallmark of this institution and is deeply ingrained in our culture. It is no accident that one often hears of a “Miami family,” because this tradition goes back many decades. It is important to keep in mind that this tradition did not suddenly disintegrate during the past few weeks of this contract dispute.

With respect to wages, several of the resolutions stressed the importance of fairness. The black world studies resolution, for example, noted that “we feel it is only just that our workers receive at least a fair and decent wage.” Similarly, sociology and gerontology urged the university to “take a leadership position toward full-time workers’ efforts to earn fair and decent wages.” Several departments – comparative religion, for instance – also raised the issue of morality, arguing that ethical and moral principles should guide the university’s actions. The gist of this argument, which was reiterated in a number of e-mails from students, is that to do right by our employees is to pay them a “living wage,” as opposed to a wage that is driven purely by the impersonal forces of supply and demand.

We will return to this notion of a living wage in a moment, but first let us address the question of fairness. It goes nearly without saying that almost everybody who works for a living wishes to have more income. For Miami’s lowest paid employees, who work hard at their jobs, this desire is especially understandable. While it is obviously important that their concerns about wages be taken seriously, a desire for higher pay, however fervently
expressed, is to some degree a separate issue from whether or not Miami’s pay structure fairly values the labor of its work force. There are several ways to address the issue of valuation. For example, one might observe that if the university were consistently to offer below-market wages to any group of employees, be it groundskeepers or full professors, then the university would be unable to attract and retain the quality of personnel it sought. In essence, this argument is that the mobility of an open labor market automatically determines whether a wage structure is fairly valued. In pure economic terms, therefore, fairness is synonymous with wage competitiveness. Of course, “fairness” also has implications of moral and ethical behavior, but before we address that aspect of the concept, it is important to examine this question of competitive valuation.

Miami monitors the overall competitiveness of its wage structure by frequently comparing itself to other employers. In fact, the university employs a full-time compensation specialist who is an expert in making wage and benefits comparisons and who performs these comparisons on a continuing basis.

As one might imagine, comparing wage structures among different organizations is a complex and difficult task. Comparisons involve looking at minimum, mean, average and maximum wages for each position category, as well as rates of increase, length of time spent at each pay level, paycheck deductions and copayments for benefits, parking and other expenses, quality and extensiveness of health, disability and life insurance plans, regional variations in the cost-of-living, special employee entitlements such as tuition discounts, and so forth.

It should be clear that one cannot draw accurate conclusions about wage competitiveness by simply picking and choosing isolated numbers to make one’s case. However, based on a comprehensive analysis of our wages, vis-à-vis those paid by other employers, we believe that our bargaining unit compensation (which averages $23,670, exclusive of benefits) compares quite favorably with that of other organizations.

This conclusion is validated both by our own statistical studies, and also by a great deal of anecdotal evidence. For example, a large majority of the temporary workers used to fill gaps in service caused by the strike have submitted résumés and taken our application test for permanent employment. To these workers, many of whom now earn $6.50 an hour ($1.56 below Miami’s lowest wage) from their company with no health care, insurance or job security, the opportunity to work in a clean, safe environment, with free (or nearly free) family health care, as well as all the other benefits enjoyed by Miami employees, seems extraordinarily attractive. We would invite any persons doubting this assessment to drop by a dining hall and chat with some of the “temps” for a few minutes.

Many of the departmental concerns about bargaining unit wages are based on a “fact-finder” report about the dispute, which the university declined to accept. Black world studies, for example, urged us to “concur with the fact-finding report, and pay our workers what is only right.” The faculty and staff of the geography department were “deeply concerned” that the university rejected the fact-finder’s recommendations, and urged us to reverse our position. Similarly, the classics department faculty urged us to
“accept the reasonable conclusions of the SERB factfinder’s report.” The comparative
religion faculty concluded that our rejection of the fact-finder’s recommendations were
evidence that the university had “passed up an opportunity to practice justice” and to
bargain in good faith, and the history faculty urged the university “to use the fact-finder
report as the basis to resolve [the dispute].”

Persons drawing these conclusions appear to see the fact-finder as a kind of neutral
arbiter – an objective third party, whose recommendations are untainted by bias or self
interest. In this context, therefore, the university’s rejection of the factfinder proposals
can be seen as a kind of hard-headed resistance to doing “what is only right.”

In our opinion, such a conclusion grows out of a misunderstanding of a factfinder’s role
in the negotiation process. Under state law, both parties in a difficult contract dispute are
required to participate in a fact-finding process. Fact-finders are not State Employee
Relations Board employees, but rather are selected from a roster of volunteers that
typically consists of arbitrators, labor relations professionals and faculty members.
Choosing a particular fact-finder is analogous to selecting a jury. The two sides are given
a list of five names, and each side is allowed to reject two. Obviously, each side rejects
those individuals who are believed to make decisions that primarily favor the other side.
The one who is left becomes the fact-finder.

Despite the name, fact-finders do not conduct an independent investigation and they do
not seek to discover facts. Instead, they review the information presented by each side
and then issue a report expressing their opinions. While the fact-finder must comment on
all the issues of the dispute, the fact-finder does not have to choose one side’s position
over the other’s. Each party has seven days to consider the report. It is important to
understand that neither side can “pick and choose” portions of the report, but must accept
or reject it in its entirety. In this negotiation, the university’s board of trustees rejected the
fact-finder’s report, and the union negotiating team offered no opinion on it.

Last year in Ohio, there were 145 fact-finder reports, and more were rejected than were
accepted. The university’s board of trustees rejected this fact-finder report primarily for
three reasons. One is because the fact-finder proposed that the university adopt a “union
shop” rule that would require non-union employees (a majority of the bargaining unit) to
pay fees to the union. The university’s stance has always been that it is inappropriate to
require Miami employees to pay union fees unless they want to do so voluntarily.

Secondly, the fact-finder recommended that the university serve as the collection agency
for the AFSCME Political Action Committee (PAC). The board believes that providing
this service, either for the union or any other organization, would constitute a misuse of
university funds.

And finally, the trustees rejected the fact-finder’s report because of its wage proposal.
Hoping to draw the parties together, the fact-finder attempted to meld the university’s
broad-banding pay structure into the union’s seniority-based step system. While this may
have been a laudable goal, our analysis determined that the resulting hybrid structure
would have created broad inequities across campus, as well as considerable disparities between AFSCME and SATSS employees. For example, under the proposed plan, some supervisors would have earned less than the employees reporting to them, nearly 300 bargaining unit members would have received no pay increase at all in the first year of the contract, and some proposed starting wages would have exceeded the median wages for comparable positions across the state.

Given the complexity of any wage system, these sorts of unintended consequences are not surprising. Our current pay system took over a year to develop, using the assistance of the nation’s top compensation consulting firm. It is simply unrealistic to hope that one individual who is not a compensation expert, however well intentioned, could develop a workable plan for a complex institution in two weeks. That said, we do not want to give the impression that the fact-finding process was not helpful. In fact, the university agrees with 6 of the 9 recommendations in the report, and subsequent to studying the report modified its negotiating position accordingly. Furthermore, the fact-finding process helped us identify some issues with starting wages in several job categories.

In this connection, we might note that the university reviews starting wages every few years and is scheduled to initiate another such review this semester. Bargaining unit representatives will participate in that assessment. It is important to note, however, that adjusting starting wages is only one small part of the exercise. The entire wage scale, including the scale for employees outside the bargaining unit, has to be readjusted in order to prevent inequities. For example, an employee who had worked at the university several years would think it unjust if the university brought in new, inexperienced workers at the same pay. Similarly, an employee who had successfully completed a job-enrichment course in order to receive a pay increase would reasonably object if other workers (who had not taken the course) received the same pay. We expect to complete our analysis and implement changes in our wage structures before the end of the fiscal year.

And now let us return to the topic of a “living wage.” The living wage movement began a few years ago at Wesleyan and Harvard universities and has gradually spread to other campuses throughout the nation. The goal of the movement is to focus attention on the plight of the lowest paid workers in our society – the “working poor,” who earn too little to afford decent housing, medical care and many of the other necessities of life. The movement has had varying impact, but in some communities and campuses has led to an increase in the minimum wage paid certain classes of employees. One of the obstacles faced by living wage advocates is the challenge of developing a compensation plan that accurately tags wages to the differential needs of workers. The resistance to the concept does not so much reflect an insensitivity by university and township administrators to the need of employees, but rather to the conceptual and practical problems with implementation.

Miami’s living wage student activists argue that, despite the university’s marketcompetitive pay structure and benefits, some of our own employees are to be found among the working poor. Although they may have exaggerated the numbers in the
passion of debate, there is little doubt that the students are basically correct: some university employees struggle greatly to make ends meet, and one reason for their struggle is because they do not earn a high enough income.

The debate, therefore, is not over the existence of a problem, at Miami and elsewhere, but rather over the solution to the problem. To many students and their supporters, the solution seems straightforward: the university should simply “do the right thing” by raising its starting wages so that all employees earn at least a living wage.

Here is how the reasoning goes. Is it not possible for Miami University, with its high tuition and manicured lawns and well-paid administrators, to come up with enough money to help its least fortunate workers provide for their families? Should we not be setting an example for our society? How can we speak of a “Miami family,” and of treating each other with dignity and respect, when we do not pay some of our own people enough to have the quality of life that most of us take for granted? How can we be so hypocritical? How can we be so hard-hearted?

We phrase the challenge in this stark way to make a point: the living wage movement is fundamentally an appeal to our innate sense of humanity. One would have to have a beanbag for a heart not to be troubled by the fundamental inequities of life, and for those of us who live and work and study at an institution that espouses humane values, it is especially troubling to find these ugly inequities on our own campus. What reasonable person could possibly fault our students for being passionate about this issue?

But it is the hallmark of maturity to realize that difficult problems do not have simple answers. And of all the problems that the human race has faced throughout the centuries, few have been more challenging than the unjustness of economic inequality. Wars have been fought and great civilizations have fallen because of this issue. It is one of the great worldwide challenges of our time, and the living wage movement is the embodiment of that challenge on college campuses. Our role as educators is to help our students dig beneath the surface of this complex issue and to understand its philosophical, economic and social implications, so that their humane desires to improve the lives of the less fortunate can be channeled into constructive directions.

So why can’t Miami just pay everybody a living wage?

One reason is the difficulty in defining the concept. For example a single 18-year-old, fresh out of high school, still living at home, might well find $7.00 an hour to be a living wage. But a single mother with several small children may need to earn much more than that amount to support her family. One can try to compute an average living wage, based on various assumptions about family size, regional housing costs, etc., and for Butler County, these estimates range from $6.50 to $16.00. Such computations obviously mean little to people whose circumstances depart from the assumptions of the models. Because a true living wage reflects each individual’s life choices and circumstances, a one-size-fits-all definition is clearly an impossibility.
But a more fundamental difficulty, however, is that in America wages reflect the price of labor and not the cost of living. In other words, in our society the amount a person is paid depends on the work provided and not on the needs of the worker.

It has not always been that way. A century ago, for example, married men were paid more than women who performed the same job. The reason for the disparity is that employers assumed that men had families to support while women needed only pin money. Over the course of the century, it became apparent that this practice led to discrimination, stereotyping and repression, and today it is against the law to take the needs of employees into account. People are paid only according to the work they perform.

Marxist economies, with their central planning, state-owned means of production and prohibition against free markets, are perhaps the purest distillation of the attempt to tie wages to worker needs. But history has shown that Marxist experiments have generally failed, again because of unforeseen consequences. Although Marxism’s economic egalitarianism appeals to some, the lack of economic mobility and the failure of these societies to reward and encourage individual achievement have turned out to be their Achilles’ heels. Few in this country would want to embrace the economic systems of, say, Cuba or North Korea.

On the other hand, some social democratic countries, Sweden for example, have been more successful at raising the standard of living of citizens through the distribution of wealth. But most of these countries import large numbers of workers to perform their least desirable and lowest-paid jobs, and these “temps” do not have access to the benefits enjoyed by citizens. In that sense, even these countries have a “living wage” problem.

A still more subtle reason why the living wage concept is difficult to implement pertains to free market economics. Miami University is not an island, but is coupled to a larger society where the price of labor is governed by the laws of supply and demand. Sometimes these laws lead to results that violate common sense, such as the fact that the labor of the school teachers who educate our children is worth less than one percent of the labor of professional baseball players. The prevalence of such anomalies, however, illustrates the enormous and virtually unstoppable power of a market-driven economic system. As a practical matter, neither Miami University nor any other university or business can unilaterally buck that system.

By highlighting these problems – and there are others as well – we do not intend to disparage the intent of the living wage movement. On the contrary, we wish all of our employees could earn a living wage. But Miami’s approach is to provide opportunities for employees to move up the economic ladder, as is consistent with our academic mission. Thus, we have provided incentives for workers to upgrade their skills, bonuses that reward performance and initiative, and tuition waivers for employees and their families. Our hope is that all of our employees, especially those at the low end of our wage scales, will take advantage of these opportunities and thereby raise the standard of living for themselves and their families. The great success of America’s economic system
has been the economic mobility it has provided for most of her citizens, and we want Miami to lead other academic institutions in making certain that our own employees benefit from that mobility.

Please note that we said “most” of her citizens. To its credit, the living wage movement has drawn attention to the fact that there are those among us who have not experienced the growing prosperity enjoyed by the majority. The growing income disparity between rich and poor is the dark side to America’s economic system. As the new century unwinds, this growing income gap may turn out to be our country’s largest social problem. Thus the living wage movement provides an important educational opportunity for the university community to study these larger social and economic issues. We hope that one positive outgrowth of the current dispute is to awaken our students to these important social issues and to prompt a thoughtful and reasoned discussion about them.

Thank you very much.

Sincerely,

James C. Garland
President

Ronald A. Crutcher
Provost

Richard M. Norman
Vice President for Finance and Business Services
Appendix 6: Life at the Top at Miami

Life on the Top at Miami

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Life on the Bottom at Miami

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Tell James Garland, the President of Miami University, to provide the workers of Miami a Livable Wage: President Garland’s phone: 529-2345; email: garlanjc@muohio.edu

Support AFSCME Local 209