THE POLITICS OF UNION DECLINE: AN HISTORICAL ANALYSIS

DISSERTATION

Presented in Partial Fulfillment of the Requirements for

The Degree Doctor of Philosophy in the

Graduate School of The Ohio State University

By

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The Ohio State University
2007

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This dissertation examines relationships between politics and labor unions. Unions are important because they can reduce income inequality and are the primary advocates for policies that benefit workers and the poor. But union membership has experienced a severe decline with reductions from about 35 percent of the non agricultural labor force in 1954 to less than 10 percent today. The substantial literature on union decline has primarily focused on how broad economic shifts, increased employer resistance, and shortcomings in union organizing strategies weaken organized labor. But the state controls union organizing. Surprisingly few scholars examine the politics of labor’s decline. I extend the union decline literature by emphasizing how political arrangements matter for labor outcomes in three separate but related analyses.

The first study focuses on the National Labor Relations Board (NLRB). This federal agency is the primary overseer of labor disputes in the United States. The NLRB is managed by presidential appointees that have vast discretion to interpret labor law. Their decisions are crucial because they establish the legal parameters that guide labor-management relations. Labor law transgressions by unions, workers, and employees are called Unfair Labor Practices (ULPs). ULPs primarily occur in the union organizing process. I content code the Board’s annual list of most significant ULP cases between 1970 and 2002 (N=1123). I use clustered logistic regression to examine whether political partisanship influences NLRB decisions.
The literature suggests that when conservative politicians hold office, their policy preferences favor businesses and other affluent constituents. My analysis supports this argument. When Republican presidents are in office and when their appointees dominate the NLRB, ULP decisions favor employers. In addition, I make a novel contribution with an analysis of changes in the NLRB’s composition. Business attorneys are increasingly appointed to the Board. I control for political and macroeconomic conditions and find that an increase in the proportion of management lawyers on the Board is associated with more employer-friendly rulings.

The second study analyzes labor unions' ability to build membership with workplace recognition elections. Workplaces are organized through recognition elections. But unions cannot grow if such elections are rare. Halting elections before they occur is thus a key strategy for union avoidance. I examine whether political arrangements influence the frequency of union elections. In addition, this analysis attempts to locate a structural break in the relationship between Republican control of the presidency and union election frequencies. I use a macro national-level time series analysis applied to quarterly NLRB data from 1962 to 2002 (N=141 quarters).

Political partisanship theory suggests that when more conservative politicians are in power, unions should be less successful in gaining and winning workplace elections. My key findings show that when Republican presidents are in office and when the NLRB is dominated by Republican-appointed lawyers, unions are significantly less able to hold recognition elections. Partisanship theory is therefore supported. But the most interesting finding suggests that there is indeed an historical break in this process. Specifically, these political factors matter most during the Republican administrations of
Ronald Reagan and subsequent Republican presidents. This suggests that shifting political arrangements, marked by the rise of a particularly conservative administration, had a deleterious influence on organized labor.

The final study draws upon theories of political partisanship and racial threat to analyze the frequency of union representation election victories across the U.S. states. This state-level panel analysis (N = 1550 state-years) allows me to address whether relatively localized political and racial arrangements matter for labor. Because their political survival depends on it, governors are heavily vested in the economic stability of their respective states. And there is a long history of governor intervention in labor disputes. In addition, a large body of research indicates that the racial divisions that grew from our exceptional racial history have not disappeared. And prior studies suggest that racial conflicts can be particularly acute when employment concerns are at issue. Hence, expansions in minority populations may interfere with worker solidarity and thus hamper unionization efforts. But few have employed a framework that examines both race and politics in labor organizing.

My findings show that political partisanship theory operates at the state-level just as it does at the national level. Unions win fewer elections in states with Republican governors. Racial arrangements also matter. Initial growth in the black population is associated with higher rates of unionization. But after the black population passes a threshold, unions become significantly less likely to win recognition elections. This suggests that expansions in minority populations can hamper unionization efforts. My findings are consistent with historical and case-based studies that show that white
resistance to minority workers as well as employer exploitation of racial divisions matter in unionization processes.

Taken together, my analyses show that political factors have contributed to union decline. Because the results of labor-management disputes are crucial to economic stability, the state plays a large role in labor regulation. Political arrangements that influence this process are therefore vital to labor outcomes. It follows that unions cannot ignore politics. Recent proclamations that unions should focus more on organizing are well-taken. But organizing alone cannot alter the political-legal arrangements that restrain unions. Unions, therefore, must also increase their efforts to influence labor laws. The key to any major labor resurgence lies in changes in the political-legal order that promote unionization and collective bargaining.
For Kristin & Mitchell
ACKNOWLEDGMENTS

A dissertation is the product of interactions with many other people. Family, friends, and colleagues provided a great deal of support and guidance through my dissertation process. The National Science Foundation provided financial support for much of the data collection. And the Ohio State University Graduate School and the Department of Sociology selected me for a fellowship to complete my dissertation. This support was invaluable. Archivists and librarians were also very helpful. Archivists at the National Archives in College Park, Maryland and librarians at the State Library of Ohio, and the Ohio State University library also assisted in tracking down historical documents for this project.

I would like to thank my committee members who provided guidance and crucial insights that improved my research. Vinnie Roscigno helped me think broadly about labor relations and politics. Vinnie’s quick wit, humor, and support throughout my time at OSU contributed greatly to my success in graduate school. Andrew Martin is a wonderful friend and colleague. Andrew led me to important literature and helped me work through various arguments and data issues.

My advisor, David Jacobs, provided support throughout the dissertation process. He read numerous drafts and helped me clarify and strengthen my arguments. His sharp editorial eye and his refrain that “vigorous writing is concise” improved my writing immensely. I especially appreciate Dave’s eagerness to mentor rookie sociologists. He
is always available for his students – even on weekends. His tireless work ethic is admirable.

I cannot say enough about others who helped along the way – Randy Hodson, Steve Lopez, Bob Kaufman, Marc Dixon, Ryan Light, Jill Harrison, Lindsey Chamberlain, and Martha Crowley. All of these individuals read portions of my work, discussed pieces of it with me or otherwise encouraged or inspired me along the way. I am in their debt.
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Non-refereed:


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Major Field: Sociology
Concentrations: Political Sociology
Organized Labor
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abstract</td>
<td>ii</td>
</tr>
<tr>
<td>Dedication</td>
<td>iii</td>
</tr>
<tr>
<td>Acknowledgments</td>
<td>iv</td>
</tr>
<tr>
<td>Vita</td>
<td>v</td>
</tr>
<tr>
<td>List of Tables</td>
<td>vii</td>
</tr>
<tr>
<td>List of Figures</td>
<td>viii</td>
</tr>
</tbody>
</table>

Chapters:

1. Introduction.......................................................................... 1
2. Political Partisanship and the NLRB.................................. 18
3. The Politics of Union Recognition Elections...................... 44
4. Politics and Racial Threat in Labor Organizing................... 75
5. Conclusions......................................................................... 101

Appendix A.............................................................................. 110

List of References.................................................................... 127
# LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.1</td>
<td>Estimates of the U.S. Union Wage Premium</td>
</tr>
<tr>
<td>A.2</td>
<td>NLRB Members, From President Truman to President Clinton</td>
</tr>
<tr>
<td>A.3</td>
<td>Correlation Matrix of all Variables</td>
</tr>
<tr>
<td>A.4</td>
<td>Predicted Signs and Descriptive Statistics</td>
</tr>
<tr>
<td>A.5</td>
<td>Logistic Regression Predicting Pro-Employer NLRB Votes</td>
</tr>
<tr>
<td>A.6</td>
<td>Expected Signs, Means, Standard Deviations</td>
</tr>
<tr>
<td>A.7</td>
<td>Correlation Matrix with all Variables First-Differenced</td>
</tr>
<tr>
<td>A.8</td>
<td>Initial Models of the Determinants of the Number of Union Recognition Elections</td>
</tr>
<tr>
<td>A.9</td>
<td>Final Models of the Determinants of the Number of Union Recognition Elections</td>
</tr>
<tr>
<td>A.10</td>
<td>The Predicted Signs, Means, and Standard Deviations</td>
</tr>
<tr>
<td>A.11</td>
<td>Coefficients from Random Effects Panel Models Predicting the Frequency of Union Representation Victories, 1970-2002</td>
</tr>
<tr>
<td>A.12</td>
<td>Coefficients from Random Effects Panel Models Predicting the Frequency of Union Representation Victories, 1970-2002</td>
</tr>
</tbody>
</table>
LIST OF FIGURES

<table>
<thead>
<tr>
<th>Figure</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.1</td>
<td>Union Membership in the United States</td>
<td>113</td>
</tr>
<tr>
<td>A.2</td>
<td>Public Support for Labor Unions</td>
<td>114</td>
</tr>
<tr>
<td>A.3</td>
<td>The Number of Union Recognition Elections and Victories Graphed on Time</td>
<td>119</td>
</tr>
<tr>
<td>A.4</td>
<td>The Number of Union Recognition Elections and the Fitted Values, along with a View of the Residuals Graphed on Time</td>
<td>120</td>
</tr>
</tbody>
</table>
CHAPTER 1
INTRODUCTION

WHY UNIONS MATTER

Unions are among the strongest advocates for American workers. In the nineteenth century, union protests influenced the institution of a shortened workday (Mirola 2003). And in the early 1900s, organized labor lobbied for child labor restrictions, and workers’ compensation laws (Levine 1988). In subsequent years, unions endorsed other worker-friendly legislation such as minimum wage laws, and unemployment insurance (Amenta 1987 et al.; Moody 1988; Jenkins and Brents 1989). More recently, labor unions actively supported the passage of the Family Medical Leave Act (Freeman and Rogers 1999; Weil 2003). Such legislative landmarks broadly benefit workers. Unions are important for many reasons. But labor scholars have especially emphasized unions’ influence on income inequality, their capacity to give voice to employee concerns, and their pursuit of legislation that benefits workers and the poor (Freeman and Medoff 1984; Moody 1988; Yates 1998). In what follows, I discuss some of labor unions’ most salient contributions.

**Material Benefits.** Labor unions reduce income inequality. Through the 1960s and 1970s, most analysts believed that unions generated income inequality. Friedman (1962: 124) argued that “Since unions have generally been strongest among groups that would have been high-paid anyway, their effect has been to make high-paid workers higher paid at the expense of lower paid workers” (also see Johnson 1975). But research
in the 1980s and subsequent more sophisticated analyses show that unions’ net effect is to reduce income inequality (Freeman and Medoff 1984; Griffin et al. 1989; Freeman 1993; Card 1992; Gosling and Manchin 1995). Card, Lemieux, and Riddell (2004) review research on unions and income distribution. They find that the beneficial union influence on earnings distributions holds up rather well across time. Studies that use different models and investigate different types of workers find the same relationship between union strength and inequality (also see Freeman 2005).

But union membership has drastically declined in recent decades. And this trend is associated with a substantial increase in wage inequality at least since the late 1970s (Freeman 1992, 1996; Card et al. 2003). Blue-collar and non-college educated workers have been hit especially hard by union decline. Decreased union coverage means that fewer of these workers can take advantage of the better benefits and higher wages of unionized jobs. These workers are thus left with fewer well-paid job prospects (Mishel and Walters 2007: 185-187). This growing imbalance, moreover, means that many workers have increasingly restricted access to America’s economic rewards.

Research on the union wage premium shows that union members earn about 20 percent more than comparable nonunion workers. The studies presented in Table 1 illustrate how this higher wage finding holds across numerous analyses that rely on various data sources and control for factors such as occupation, education, race, and industry.

[Insert Table A.1 Here]

In addition to increased wages, unions have won improved benefits for their members. The benefit premium, or the greater value of benefits received by union workers, is even
larger than the wage premium (Freeman 1981; Pierce 2001). As health care costs increase and fewer companies offer pension plans, a quality benefit package is an increasingly valuable component of employment.

Unionized workers are far more likely to receive company-sponsored pensions and health benefits than are the nonunionized. And the value of those benefits is likely to be greater. Union members are about 22.5% more likely to receive a pension plan and are 18.3% more likely to receive health benefits (Pierce 2001; Mishel et al. 2003). The value of these benefits is also substantially higher – approximately 56% greater for pensions and around 77.4% higher for medical benefits (Pierce 2001). On a related point, DiNardo and Valetta (2001) find that employers absorb a greater share of the costs of health care coverage for unionized workers and union members tend to pay lower premiums for their health coverage.

No doubt, unions benefit those covered by bargaining agreements most. But strong unions aid nonunion workers as well. Research indicates that in industries with a substantial core of unionized firms, nonunion firms respond by providing compensation comparable to that of unionized workplaces. This phenomenon is usually referred to as a “union threat effect”. Companies provide similar compensation in an attempt to preempt unionization (Freeman and Medoff 1984; Farber 2003). In addition, unions have helped facilitate workplace norms that advantage many employees. Numerous job benefits such as health insurance, paid sick leave and company sponsored pensions, for example, began as part of union contracts and later became more common in nonunionized workplaces (Yates 1998). But, as union strength has declined, their capacity to maintain these benefits is diminished.
**Workplace Protections.** Organized labor has been a key actor in securing important workplace legislation. For example, labor organizations lobbied strongly for the passage of The 1970 Occupational Health and Safety Act. This Act created the Occupational Safety and Health Administration (OSHA), which enforces safety standards at workplaces. OSHA attempts to limit work-related injuries and illnesses caused by unsafe working conditions. Unions also have been at the forefront of legislative battles over minimum wage, overtime pay, health insurance, and worker’s compensation – central components of working life in America.

Unions help ensure that employers abide by labor legislation. This is largely done through unions’ capacity to educate employees about their rights and through dispute mediation (Hirsch, DuMond, and Macpherson 1997; Weil 2003). Research in this area suggests that union members are much more likely to file claims and report abuses than are nonunion employees. For example, during furloughs and other temporary layoffs, many workers avoid filing for unemployment insurance because they are unaware of their eligibility (Wandner and Stettner 2000). Similarly, union members are more likely to file for worker’s compensation benefits (Hirsch, DuMond, and Macpherson 1997), and notify employers of workplace safety violations (Weil 1991). Some might think that labor laws are sufficient substitutes for unions. But the evidence suggests that employers cannot be relied upon to facilitate worker filings of claims and violations that may be costly to employers. Because unions attempt to ensure that labor laws are followed, they provide crucial advantages to their members.
THE STATUS OF ORGANIZED LABOR IN THE UNITED STATES

In recent years prominent labor leaders have repeatedly called for increased efforts to recruit new members. When John Sweeney won the AFL-CIO leadership in 1995, the cornerstone of his campaign was the need to engage in more organizing (Clawson 2003). And since that time, other labor leaders have echoed his sentiments. Many labor officials have shifted additional resources into organizing. It remains to be seen to what degree the rhetoric matches the reality, but the resource reallocations and the change in union leaders’ language is noteworthy (Fiorito 2003). Inasmuch as labor’s ability to bargain on the shop floor as well as in the political arena is reliant on their membership base such changes are important. It appears that these moves constitute a shift in unions’ strategizing.

Unions’ reinvigorated commitment to organizing comes when union membership is at its lowest point since the 1930s. Figure 1 tracks the percentage of the total workforce belonging to unions between 1900 and 2005. This chart shows the dramatic decline in union membership over the past few decades. In the middle of the last century, about one third of nonagricultural workers were union members. By 2005 only about 12% of the workforce belonged to unions. If we were to just look at the private nonagricultural workforce, the 2005 figure is less than 10%.

[Insert Figure A.1 Here]

In order to merely maintain current proportions and compensate for union losses from economic shifts and growth in the labor force, unions must gain over 300,000 new members each year (Bronfenbrenner et al.1998; Clawson 2003). In aggregate, unions
gain approximately 366,000 new members per year. These figures might suggest that unions are fairing rather well. But an extrapolation tells us that if current conditions persist, it is unlikely that labor will experience a substantial resurgence. Suppose that labor could double its annual number of new members. If we take this into account and control for the projected changes in the size of the workforce and union membership it would take thirty years for twenty percent of the workforce to be unionized (Clawson 2003:15).

UNION DECLINE

With membership rates at such an anemic level, organized labor is at an important juncture. Millions of additional workers must be organized if labor is to recover to even a fraction of its early post World War II membership. In recent decades, many studies have analyzed the determinants of labor’s shrinking membership (Dickens and Leonard 1985; Goldfield 1987; Farber 1990; Western 1993,1995; Wallerstein and Western 2000; Farber and Western 2001). Three explanations are commonly advanced in this literature. Some posit that large-scale economic and workplace changes are at the root of union decline. Others suggest that heightened resistance by employers has severely damaged labor. And, an idea that has gained much traction in the industrial relations literature is that ineffective organizing tactics by unions are to blame. In what follows I discuss each of these arguments.

Economic Change. Labor scholars concur that important changes in the economy have contributed to labor’s challenges. International competition between firms and capital mobility away from traditional union strongholds toward the more union-
resistant south and southwest, as well as the broader movement toward a service-oriented economy have contributed to the displacement of unionized workers (Harrison and Bluestone 1998; Cowie 2001; Western 1997). Similarly, technological changes and altered work arrangements, such as the growth of team-based work organization and the concomitant increased reliance on flexible or contingent workers generates another level of challenges for organized labor (Thomas 1994; Besser 1996; Smith 2001). Yet, economists have argued that regardless of the importance of these factors they account for less than one-third of the decline in union membership (Chaison and Rose 1991).

[Insert Figure A.2 About Here]

Despite these broad changes in the economy and the workplace, some wonder whether cultural shifts reflected in worker attitudes explain union troubles (Cornfield 1991; Lipset 1995; Lipset and Meltz 2004). Researchers have argued that the U.S. has no collectivist tradition. Rather, individualism is a dominant value and hence a detriment to organized labor (Kaufman 1997; Lipset and Katchanowski 2001). But, union decline cannot be explained by attitudes. Indeed, Gallup Poll data (see Figure 2) suggest that average support for unions was approximately the same in 1941 as it was in 2006 (approximately 60%), albeit with some shifts in these years, but no precipitous drop in approval. Other research shows that over one-third of nonunionized workers would support a union if they were given the opportunity to vote for representation (Lipset 1986; Bronfenbrenner et al. 1998). Another fact that might bode well for unions is that support among women, and racial and ethnic minorities, and the young is on the rise (Freeman and Rogers 1994; Lipset 1996).
**Employer Opposition.** Employer resistance to organized labor deters unionization. This has especially been the case in the U.S., where employer resistance is the most virulent among western industrialized nations (Kimeldorf 1999). The historical record indicates that businesses have called upon private militias, strikebreaking firms, state and local police and the National Guard, as well as politicians and judges to engage in antiunion activities (Brody 1993; Fones-Wolf 1994; Smith and Molloy 2003).

Employers who aim to avoid unionization, can draw upon a range of legal strategies. One of the most common tactics is to file unfair labor practice charges against unions. Such charges frequently result in long delays in the union election process and reduce a union’s likelihood of victory (LaLonde and Meltzer 1991). In addition, various discriminatory behaviors against union supporters, threats of firm relocation or closure, and even personal threats are among the well-documented illegal strategies employers use to dampen union support (Fantasia 1988; Kliner 2001). Kochan (1985) provides an image of trends in unfair labor practices: “From 1960 to 1980 the number of all employer unfair labor practice charges rose fourfold; the number of charges involving a firing for union activity rose threefold; and the number of workers awarded back pay or reinstated into their jobs rose fivefold.”

Similarly, a late 1990s study sponsored by the U.S. Trade Deficit Review Commission found that in relatively mobile industries such as manufacturing, and communications, 70 percent of all employers threaten to relocate during organizing campaigns (Bronfenbrenner 2000). This message is hardly subtle. In these industries, when the tactic was reportedly used, unions lost over two-thirds of the certification elections (Bronfenbrenner 1997, 2000).
Cross-national studies have also examined employer opposition to unions. Freeman and Rebick (1989) report that in the United Kingdom, there has been decreased legal and institutional support for voluntary union recognition since the early 1980s. This change has contributed to greater resistance by employers. Similarly, they argue, the decline in Japanese union membership since the mid-1970s, is associated with employers’ reduced willingness to accept unions. But, it is noteworthy that in countries where union density has remained high and where centralized bargaining is most common, management opposition has been much less vigorous (Freeman 1989).

Freeman argues that the main reason for this is that the fiscal incentive to oppose unions is diminished by centralized wage negotiations. Centralized bargaining agreements, that affect entire economic sectors, do not induce asymmetric competitive pressures on firms. It is also the case that such arrangements foster interdependence among, employers, unions and the state (Western 1993). It follows that the legal-political arrangements of some nations stimulate robust union. And such arrangements reduce employer resistance.

An examination of the U.S. and Canada provides an interesting contrast. Union density in Canada grew from 27.5 percent in 1960 to 30.8 percent by 1994. In the same period, U.S. union density went from 28 percent to 13.9 percent (Ebbinghaus and Visser 2000). Both countries have many of the same companies. And workers in both the U.S. and Canada must deal with equivalent economic issues such as new technology, capital mobility, downsizing, and outsourcing. Nevertheless, Canadian unions have fared much better.
Labor is more intertwined with politics in Canada than in the U.S. Lipset and Meltz (2004) report that Canadian social democratic parties are exceptionally strong at the provincial level. This is crucial because “provincial governments are responsible for labor legislation that covers approximately 90 percent of the Canadian workforce” (2004:18). The potency of political parties with labor ties affects the legal environment in which unions operate. Leftist governments are more likely to support unions during conflicts, as well as pursue union-friendly legislation. Because of these arrangements, Canadian firms are more likely to accept unions as a normal part of doing business (Verna and Thompson 1989).

In contrast, “The American legal scheme allows rather than encourages [collective] bargaining, and … it also allows comparatively free play to the considerable forces opposed to it” (Huxley, Kettler, and Struthers 1986; also see Lipset 1995). Among western industrialized nations, U.S. employers have been the most hostile to unions (Freeman 1986; Moberg 1992; Smith 2003; Kliener 2001). The U.S. trend is away from employers’ relative acceptance of unions toward union avoidance (Goldfield 1987: 109; Edwards and Podgursky 1986; Kliner 2001). This includes resistance to new union organizing campaigns as well as resistance to union contracts. Employers’ union avoidance strategies have resulted in increased concessionary bargaining, where unions relinquish benefits (Moody 1988). There has also been a proliferation of human resource programs advanced as union alternatives (Chaison and Rose 1990; Besser 1996).\(^1\) The Canadian unions, however, have been more militant and less likely to accept

\(^1\) These union alternatives or employee involvement programs include workplace arrangements such as quality circles and types of team-based work organization. Some of these arrangements deal with issues that would be under the purview of unions if the company were unionized. Hence, many argue that they are legally questionable (Rundle 1998).
concessionary bargaining or employer-sponsored union alternatives (Swartz 1993). This
difference is in large part, due to the political-legal environment that allows more fierce
anti-union activity in the United States. Canadian unions have greater legal protections
than do U.S. unions (Verna and Thompson 1989; Lipset 1990). U.S. labor law alone,
then, should not be viewed as an effective worker protection.

Ineffective Union Strategies. In recent years there has been much speculation
about union revitalization. The rise of John Sweeney to head the AFL-CIO inspired
much hope among union supporters. Sweeney, along with partners Richard Trumka of
the United Mine Workers and Linda Chavez-Thompson from AFSCME made organizing
new members the centerpiece of their campaign. They argued that organized labor, were
it to survive, must become more social movement than sluggish bureaucracy. This
reorientation toward organizing drew much interest from union leaders and scholars
alike. Labor analysts began to seriously interrogate the issue of revitalization and the
amount of organizing that would be needed to alter labor’s fortunes (Clawson 2003).

The majority of union revitalization research focuses on organizing tactics
(Bronfenbrenner et al. 1998; Nissen 1999; Turner, Katz, and Hurd 2001). These studies
are grounded in the idea that unions bear some of the responsibility for their declining
membership. This area of research is in its infancy. Some case studies of organizing
campaigns give attention to union strategies (Hurd 1989; Fenton and Braden 1990). But,
quantitative approaches are rarer. Because of limited data, most studies of labor decline
do not examine union strategies in the organizing process. Hence, this body of work is a
welcome complement to other approaches.
Traditional union organizing drives involve routine practices, such as calling employees to elicit support, and little if any workplace disruption. And until recently, it was unclear whether unions could adapt and update their well-worn strategies. But recently, some unions have broken out of the traditional bureaucratic mold (Voss and Sherman 2000). Unions, such as the SEIU, now use confrontational tactics such as massive street demonstrations, and other innovative activities like corporate campaigns, which interfere with employers’ relations with important groups such as clients or shareholders (Manheim 2001). Voss and Sherman (2000) show that bureaucratic labor organizations can indeed change into more movement-oriented entities.²

Kate Bronfenbrenner is probably the most prominent union strategy scholar. In her well-known 1997 study she argues that several union tactics are important to winning workplace elections. First, unions benefit from a person-to-person effort to build union commitment and prepare workers for employer resistance. Second, unions should encourage multiple “solidarity days”. On these days, workers wear items that have a union insignia to publicly show their solidarity. Unions also build increased support by emphasizing issues such as respect and dignity rather than focusing only on traditional wage and benefit concerns. Also, having more workers complete “contract surveys” that indicate the issues employees most want addressed in the first contract helps build worker commitment. And finally, she argues that establishing a bargaining committee prior to the election helps build confidence that the union will be certified and be able to bargain a first contract.

² But many unions still do not participate in significant organizing efforts. And, those who are organizing often rely on older strategies (Bronfenbrenner and Juravich 1998). And Fiorito and Jarley (2003) argue that the idea of union reallocation of substantial resources to organizing is more talk than action.
Studies of union strategies are a meaningful contribution. But, Bronfenbrenner and Juravich take this argument further by suggesting that union tactics may matter more than other factors in union elections (1998:21,33). She acknowledges the occurrence of substantial employer resistance, for example, but argues that union tactics can overcome such hostility. It is noteworthy that her quantitative models show that economic conditions matter for union election outcomes. And the same is true for a majority of her employer resistance measures (1997:207). Unfortunately, she downplays these results. While it is highly likely that organizing tactics matter for union victories, it may be an overstatement to suggest that they matter more than other factors.

It is the case, moreover, that unions have not been able to agree on organizing strategies. These disagreements have sometimes been related to whether labor should continue to organize under the rules of the NLRB. The Service Employees International Union (SEIU), for example has opted to bypass the Board and use aggressive corporate campaigns that pressure businesses into union recognition (Lopez 2004). Corporate campaigns employ disruptive tactics that require much effort from the workers. The SEIU Justice for Janitors campaign, for example, relied on acts of civil disobedience and marches that disrupted traffic and sometimes typical business operations as well (Waldinger et al. 1998). Other tactics have included the unruly intrusion of workers into restaurants frequented by management and disruptions of business owners’ leisure pursuits such as golf outings. This approach is a strategy that catches employers off guard because it is unlike traditional labor activity and falls into a legal gray area.

Yet, the implementation of highly disruptive organizing campaigns is decidedly contentious even among labor leaders. The rather successful Justice for Janitors
campaign is a case in point. The union local, which was supposed to be responsible for the campaign, was reluctant to support the militant strategies. Ultimately, the SEIU international placed the local in trusteeship and the existing leadership was removed (Waldinger et al. 1998; Erickson et al. 2002). This speaks to the complexities of unions and the challenges they face. Tactical innovations that are well received and effective in one geographic region or economic sector may not fare as well in other environments. In addition, some labor leaders are resistant to particular strategies. Personal distaste for militancy may be part of this reluctance. But some scholars have noted a concern among union representatives that as the rank and file members play a more central role in organizing campaigns, they may erode or supplant the power of established local union leadership (Voss and Sherman 2000: 321).\(^3\)

For union sympathizers, the general message from research on organizing tactics is rather positive. While particular techniques have been emphasized, there is no consensus on the best strategies to organize a workplace. But overall, these studies suggest that when done well, organizing is not futile. Nevertheless, scholars following this tradition must recognize that what unions can do is not open ended (Weiler 1983; McCammon 1990). Most union activities are regulated by the state. This is why greater attention to the political-legal environment is crucial.

**A POLITICAL APPROACH**

The prior discussion of union decline studies tells a significant part of the story. Economic changes, employer resistance, and union tactics matter for the health of

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\(^3\) The government has taken notice of aggressive strategies that bypass the NLRB. In 2002, Congressional hearings examined this issue at length (See the *Subcommittee on Workforce Protections*). At this time, such tactics remain legal.
organized labor. But, union strength is also determined by the rules that dictate what unions are able to do. For example, some rules prohibit solidarity strikes and particular types of boycotts while others allow employers to hire replacement workers during strikes (Gross 1995). The regulatory activity of the state is given little attention by labor analysts.

Most labor studies that explicitly address political factors are cross-national analyses. In these studies, the primary political determinants of union membership tend to be the strength of leftist political parties and the presence of centralized bargaining arrangements (Western 1993, 1995). Labor organizations with close links to governing leftist parties can influence policies to protect their interests (Neumann et al. 1991; Scruggs 2002). Most European countries saw declines in union membership in the 1980s in large part because of the rise of conservative political parties who implemented policies that weakened unions (Western 1997). Centralized bargaining, as discussed above, commits employers to broad wage agreements. Because all employers must provide the same wage, this reduces competitive pressures and employer resistance (Western 1993).

Less attention, however, has been given to the role of political influence on labor decline in the United States. Unions have long been involved in American politics (Wilson 1979). And because labor-management relations are crucial to economic stability, the state has established measures to formally regulate labor disputes. Because the state defines the legitimate range of union activity, changes in the administration of such rules should be important to labor’s ability to meet their goals. More attention
should be given to how shifting political arrangements affect organized labor in the United States. In this dissertation, I address this shortcoming in the literature.

**SUMMARY OF SUBSEQUENT CHAPTERS**

In the following chapters, I present three studies. The first study focuses on the National Labor Relations Board (NLRB). I use a clustered logistic regression analysis to examine whether political partisanship influences NLRB decisions. This agency is managed by political appointees and it is the primary overseer of labor disputes in the United States. NLRB members have much discretion in interpreting the law. And their interpretations establish the legal parameters by which subsequent labor disputes will be judged. Hence, the decisions rendered by this regulatory body are crucial to labor-management relations.

The second study uses a macro time-series approach to analyze the frequency of union recognition elections in the United States. Workplaces are organized through recognition elections. But, unions cannot grow if such elections rarely occur. Halting elections before they occur is thus a key strategy for union avoidance. I examine whether political arrangements influence the frequency of union elections. In addition, this analysis attempts to locate a structural break in the relationship between Republican control of the presidency and union election frequencies.

The final study uses pooled time-series to analyze the frequency of union representation election victories across the U.S. states. I situate this analysis at the state level because it allows me to address more localized political arrangements. I can determine whether state and national politics affect labor outcomes in a similar fashion. This analytic strategy also enables me to assess racial threat theory. It is likely that the racial divisions that grew from our exceptional racial history have not disappeared. And
prior studies suggest that racial conflicts can be particularly acute when employment concerns are at issue. Yet, few have employed a framework that examines both race and politics in labor organizing simultaneously.
CHAPTER 2

POLITICAL PARTISANSHIP AND THE NLRB

Is the National Labor Relations Board biased in its decision making? The NLRB regulates labor-management relations in the United States. And, Board decisions affect labor laws that cover most workers. More than half a century has passed since Congress passed the National Labor Relations Act (NLRA), which created the Board and brought formal state regulation to bear on labor-management relations. Since that time, politicians, workers, labor organizations, employer groups and employers have all declared that the Board is biased. This study considers such claims by examining historical changes in the Board’s composition and the Board’s legal decisions.

Aside from the few historical episodes of substantial labor legislation, labor regulation is largely left to the National Labor Relations Board (hereafter NLRB or the Board). This is a rather influential agency comprised of Presidential Appointees. The NLRB is only two steps removed from the U.S. Supreme Court. Labor disputes not resolved by the NLRB may be sent to an appeals court. And cases that remain in dispute may be considered by the Supreme Court. It is uncommon for congress to formally focus on labor law. The Board is therefore the crucial arbiter of labor law in the U.S.

Government regulation is a central topic in political sociology and political science (Wilson 1982; Moe 1985; Gilbert and Howe 1991; Wahl and Gunkel 1999). Most regulatory politics studies are rooted in capital-dependence theory. This approach
argues that because class relations are part of state institutions, government policies reflect the privileged political position of business over other groups (Offe 1975; Gold, Lo and Wright 1975; Therborn 1978; Jones 1984). In particular, governmental policies are fundamentally conditioned by their dependence on capitalist economic investment (Przeworski and Wallerstein 1988). Conditions that adversely affect “business confidence” must be corrected. This is in large part due to the nature of democratic politics. Elected officials must act to bolster the economy or they risk declines in public support and diminished reelection potential. Offe, moreover, argues that “the ultimate political sanction is non-investment or the threat of it” (1984: 244). Capital investment is crucial because it affects the state’s capacity to finance itself through taxes and borrowing (Block 1977:15).

Because of the state’s dependence on business confidence, regulatory agencies temper their activities so that they do not generate undue burdens on firms. Wood and Anderson (1993), for example, analyze antitrust enforcement by the Department of Justice. They find that periods of high inflation, which raise the costs of doing business, are associated with less regulatory interference from the Department of Justice. And several analysts have examined the Occupational Safety and Health Administration OSHA, which monitors and enforces workplace safety laws. One study finds that the Reagan administration restricted OSHA’s ability to enforce workplace safety regulations during poor economic conditions. The secretary of labor disallowed some existing
regulations and other state managers ensured a substantial budget cut for the agency (Calavita 1983). In a related analysis, Szasz (1984) argues that in the interests of “regulatory relief,” the Reagan administration appointed agency administrators who were hostile to business regulation.

The prior discussion of the capital dependency thesis provides general contours for thinking about regulatory politics. But, this approach tends to assume a monolithic state. It overlooks the role of political partisanship. The dominant political parties in the United States differ markedly on policy preferences. Their different approach to macroeconomic policy is particularly noteworthy. Republicans are more concerned with inflation control whereas the Democrats emphasize unemployment reduction (Hibbs 1987). Along with Democrats’ concern with unemployment, they are the party that is more sympathetic to organized labor (Dark 1999). These differences should be important for appointments to government agencies and the associated regulatory outcomes. And because economic concerns are central to these partisan divisions, politics should be particularly meaningful for labor regulation.

In contrast to other federal agencies, much less attention has been paid to the National labor Relations Board. Because the NLRB is the primary interpreter of workplace laws, it should receive far more consideration. A primary function of the Board is to adjudicate labor disputes by deciding unfair labor practice (ULP) cases. This process is clearly bound up in sociological processes. Yet, the few existing quantitative

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4 Unfair labor practices are legal violations committed by employers, unions, or workers. Grievances not settled at the regional level are delivered to the National Labor Relations Board for adjudication. These charges are usually the result of actions carried out during labor disputes (such as strikes) or during the union organizing process.
studies of ULP decisions are found in industrial relations (Delorme, Hill and Wood 1981; Cooke and Gautschi 1982; Cooke et al. 1995), and political science (Moe 1985). Sociologists have been more concerned with the formation of the legislation that spawned the NLRB (Domhoff 1986; Quadagno 1984; Skocpol and Amenta 1985) and have paid less attention to the agency’s activities. Analysts who study NLRB decisions examine both macro-level exogenous factors as well as traits of the Board members. But, they have completely overlooked important historical changes in the character of the Board – namely, the increased appointment of management attorneys. I use both historical records and quantitative techniques to investigate this trend. I first provide the theoretical and historical underpinnings of this study, which includes an examination of the historical pattern of NLRB appointments. And finally, I present a logistic regression analysis of NLRB Unfair Labor Practice decisions.

THEORETICAL AND HISTORICAL FRAMEWORK

Presidential Ideology and Partisanship. Regulatory agencies are supposed to operate as independent governmental units. But, ample research indicates that this notion is illusory at best. Analyses of the Occupational Safety and Health Administration (Scholz, Twombly, and Headrick 1991), the Securities and Exchange Commission (Moe 1982), the Federal Trade Commission (Weingast and Moran 1983) and other agencies (Gilbert and Howe 1991) suggest that partisan politics affect agency performance.

Presidents have a particularly strong influence on regulatory bodies because they make agency appointments. And, those chosen to lead such organizations tend to reflect

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5 This section draws largely from Gross (1995) and Flynn (2000).
the president’s ideological sentiments. Presidents are also able to monitor these agencies through the Office of Management and Budget (OMB). The OMB tracks budgetary information and other resource allocations. “The real question of presidential influence is not whether presidents have the means to bring their policy preferences to bear, but whether they are seriously committed to doing so” (Moe 1982: 1101). Other regulatory politics studies have examined the role of the president. Waterman (1989), for example, finds that the president may influence a variety of agencies including the Department of Housing and Urban Development and the Environmental Protection Agency.

But, my focus is on labor-management relations. The two dominant political parties have different perspectives on labor issues. Conservatives view collective bargaining as an infringement on free trade (Barzel 1997; Thorne 1990). And, because they see union efforts to influence the workplace as a violation of property rights, conservatives do not support pro-labor policies. This stems in part from their propensity to favor economic policies that benefit their affluent supporters. When conservatives hold the presidency, for example, macroeconomic policies tend to favor the wealthy (Blank and Blinder 1986; Bartels and Brady 2003). Republicans have thus been much more critical of organized labor than have the Democrats (Dark 1999; Gerring 1998). For these reasons, I hypothesize that when a Republican President is in office, NLRB decisions will favor business.

The Changing Character of the Board: From Eisenhower to Clinton. One way to examine historical change is to track organizational shifts over time. I provide evidence of changes in the NLRB by illustrating the increased appointment of
management attorneys to the Board since the Eisenhower administration. I highlight conflicts in the appointment process for two reasons. First, the contentious nature of appointment hearings shows the struggle for political power over the NLRB. I document efforts to alter long-held appointment practices in order to show how groups attempted to influence the Board composition. Second, these episodes reveal the ideological position of NLRB appointees and help illustrate the increasingly partisan nature of the Board. I do not discuss all presidencies because not all of them appointed management attorneys. This is particularly the case for Democratic Presidents. In addition, I begin with Eisenhower because he was the first to appoint a business attorney. This marked the initial turn away from traditional appointment practices.

In 1935, congress passed the National Labor Relations Act (NLRA or Wagner Act), which established the National labor Relations Board. Under this Act, the federal government made a commitment to encourage collective bargaining and regulate labor disputes through the NLRB. During congressional hearings on this legislation, the idea that the board should act in the public interest carried much weight (see Hearings on S.2926. Reprinted in Legislative History of the NLRA). As such, it was declared that the Board should be staffed with impartial representatives. In the early years of the NLRB, appointees were drawn mostly from academia or government posts. Because the Board was supposed to be impartial and function in the public interest, pro-labor or pro-business appointments were understood to be forbidden. Yet, this was not a formal provision of the Act. And, over time the Board would not maintain this nonpartisan spirit.

**The Eisenhower Board.** The Eisenhower administration engaged in much debate about the future of the NLRB. With the election of a new Republican president,
business organizations saw an opportunity to affect labor-management regulations. The Chamber of Commerce, the National Association of Manufacturers, and other groups lobbied Congress and the White House to overhaul the Board structure. At the same time, southern Democrats and conservative Republicans in Congress suggested that the NLRB should be abolished. Because labor-management disputes involved “private rights,” they argued, such conflicts should be dealt with through private litigation rather than by government overseers (Scher 1961).

In 1953, two members of the Board resigned. This provided Eisenhower with a unique opportunity to quickly alter the composition of the Board. He did not heed calls to completely overhaul or abolish the Board. Eisenhower declared that appointees should have a political philosophy “in line with the Administration’s” and his advisor Michael Bernstein suggested that they should take action to “free the Board from undesirable [pro-labor] attributes so frequently described” (quoted in Gross 1995: 95). Eisenhower decided to go beyond the traditional pool of appointees. He became the first president to appoint an NLRB member with a business legal background.

In 1953, Eisenhower appointed Guy Farmer to chair the Board. Farmer was a Rhodes Scholar with a distinguished legal career. He had been employed by the NLRB for seven years and had risen to the second highest post in its legal division. Farmer’s tenure as a business lawyer received little attention in his confirmation hearing. He was conservative, to be sure. But, he repeatedly called for impartiality in administering the NLRA (Gross 1995: 97). After his tenure with the NLRB, Farmer provided a telling comment during an interview. He suggested that the President did not direct the Board’s activity. But, he described the pressure to decide cases with the “philosophy that he
thought his administration wanted him to project… The pressure is great because this is not pinochle we’re playing here. It’s not penny-ante. This battle is over control of one of the most powerful agencies that ever existed in Washington … this is no tea party” (quoted in Gross 1995: 98).

Eisenhower also appointed Albert Beeson, who was not a lawyer but had worked in business management for many years. Unlike Farmer, labor representatives viewed Beeson as a pro-business partisan. CIO representative, James Carey, argued against biased appointments when he stated that Republicans would be outraged if the president nominated a union attorney to serve on the Board (U.S. Congress 1954). In response to accusations of bias, Beeson and his supporters argued that such a background is an asset rather than a liability because it provided him with expertise and insight into daily labor-management relations. Beeson was approved only after harsh critique by Senate Democrats and a close 45-42 vote for his nomination (U.S. Congress 1954). The appointment of Beeson probably received such criticism because he was the fifth member appointed and was seen as tipping the balance in favor of employers.6

The Nixon Board. Presidents Kennedy and Johnson continued the practice of making relatively neutral appointments to the NLRB. Nixon, however, took a different approach. In 1970, he nominated Edward Miller to chair the Board. Miller had spent most of his legal career defending business interests. The AFL-CIO mounted a fierce opposition campaign that argued for the rejection of all partisan candidates. George

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6 Much of the criticism of Beeson was not about his business background. Rather, he was accused of lying under oath about severing ties with his former employer. And there was concern that he was too much of a friend to Guy Farmer and would not be an independent voice on the Board (see Senate Committee on Labor and Public Welfare, Nomination of Albert C. Beeson to be a Member of the National Labor Relations Board, Supplemental Minority Views. No. 83-2, part 2. 1954).
Meany, the AFL-CIO President, noted that many government appointees move in and out of private sector employment. NLRB appointments hoping to return to a career in business, he argued, could not be expected to render impartial decisions. Moreover, Meany emphasized that organized labor had never pushed for a union official to serve on the Board. And, all prior Democratic Board appointees were from impartial backgrounds. Meany stated: “We believe that no one should be appointed to the Board from the ranks of labor or management, and that includes union lawyers and employer lawyers … its members are supposed to represent the general public, and not the special viewpoints of labor or management” (Hearings on Nomination of Edward B. Miller 1970:35).

Similar to the events in Beeson’s confirmation hearing, Miller’s supporters framed his prior experience as an asset. In short, they declared that his real-world experience as a management lawyer provides invaluable practical knowledge. And, they argued: “… any of us who understand the function of advocacy recognizes that … attorneys speak for one side or another [and approach cases with] … some basic sense of fairness and personal integrity” (Hearings on Nomination of Edward B. Miller 1970: 19).

In addition, Beeson supporters argued that the real threat to impartiality was the appointment of unknowledgeable Board members from government service rather than from the private sector.

Ultimately, the Miller nomination was accepted. Somewhat surprisingly, the committee that reviewed Miller’s background, was largely Democratic. The Presence on the committee of well-known liberal Democrats like Walter Mondale and Edward Kennedy did not affect the outcome. And, Meany’s testimony did not sway the
committee. Miller did not receive any “No” votes from the committee or the Senate. Gross (1995: 220) attributes this to the perception that Miller was the “least objectionable” of the potential Nixon appointees. For some, congress’ receptivity to Miller marked a change in attitudes about the Board. The traditional practice of impartial appointments to the Board was eroding.

*The Reagan and Bush Boards.* President Reagan created the greatest historical shift in Board appointments. He initially sidestepped the traditional pool of attorneys for his NLRB appointments: “President Reagan … departed dramatically from the approach taken by his Republican predecessors. Reagan’s initial nominees were not establishment-type management representatives with a basic commitment to the NLRA’s purposes and processes. Rather, they were apostles for union avoidance …” (Brudney 2005: 248). His first nomination was for John Van de Water as NLRB chairperson. Van de Water was not an attorney. Rather, he was a management consultant with particular expertise advising firms on how to avoid unionization. During his confirmation hearing, an AFL-CIO official remarked on Van de Water’s union busting legacy. He provided a particularly damning quote from a lecture in which Van de Water declared: “In the last 130 union elections I’ve been involved in, where we had to go to an election … the unions lost the election in 125 of the cases” (Senate Committee on Labor and Human Resources, Hearings on the Nomination of John R. Van de Water 1981: 38.). In the same hearing, an opponent of his nomination produced a letter authored by Van de Water.

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7 While Nixon and Ford drew some appointments from the ranks of management attorneys, President Carter continued the pattern of not appointing members with either management or labor backgrounds. Ford’s appointment of management attorney Peter Walther received less contentious debate as he was generally viewed as less “far to the right” than NLRB member Kennedy who preceded him (Gross 1995: 232.).
This letter, to be used by management to discourage union support, suggested that unionization efforts may result in chaos, bombings, murder and brutal violence. Thomas Donahue, of the AFL-CIO, argued that this type of appointment was a greater violation of the public trust than even a management attorney would be. The committee vote ended in a tie and his nomination failed. Yet, he served under a recess appointment from August of 1981 through December of 1982.

Reagan’s next appointment was Donald Dotson. Dotson was a corporate legal consultant, who specialized in union avoidance. He was Reagan’s Assistant Secretary of Labor prior to the NLRB appointment and had worked for conservative Senator Jesse Helms. The Dotson confirmation received little opposition. This was probably in part because he had already been confirmed as assistant secretary of labor. Having spent much energy on opposing the Van de Water nomination, organized labor said little about Dotson.

Questions about Dotson’s ability to issue impartial decisions arose in subsequent hearings about NLRB operations. A House committee presented several letters Dotson authored and submitted to law journals. In one he argued that the NLRB acted as “a legal aid society and organizing arm for unions” and that collective bargaining was a “labor monopoly” that destroyed the “marketplace as the mechanism for determining the value of labor.” In this hearing he criticized prior Boards as being ignorant of the “laws of economics” and thereby contributing to U.S. industries’ weakened position with regard to their foreign competition (Joint Hearings: Oversight of the NLRB 1984: 80). Dotson’s tilt toward business interests was clear.
Reagan also appointed Robert Hunter, an aide to Republican Senator Orrin Hatch, to serve on the Board. Hunters’ supporters portrayed him as conservative but fair (U.S. Congress 1981). But his published work contradicted this position. Hunter authored a chapter in a Heritage Foundation book that criticized past NLRB’s as having a pro-union bias. His chapter also argued that private sector collective bargaining experience should be the prime criteria for holding an NLRB post. His distaste for government regulation of business was not limited to the NLRB. Hunter also criticized the Occupation Safety and Health Administration among others (Heatherly 1981). Reagan followed this appointment with Patricia Diaz Dennis, another management attorney. Criticism against Dennis emphasized her inexperience as she had only been out of law school for ten years. Nevertheless, both Hunter and Dennis were appointed to the Board without substantial opposition.8

Faced with the increasing presence of business attorneys on the Board, organized labor changed its argument about partisan appointees. Lane Kirkland, AFL president, declared that times had changed: “In the past … we sought the appointment of individuals who … had not been the agents of management or labor… These nominations … are evidence that there will be no reciprocal restraint… as a matter of practical self-protection we hereby renounce our prior position in this regard. Like our management counterparts, we will no longer bind ourselves with any limitations and we will act on the premise of this administration – that the appointees to the Board need not have a significant record in the filed but only need be ideological supporters of the tendency in

8 Hunter had also been the coordinator of the filibuster that ended the attempt at reforming labor law in the late 1970s. This earned him a strong anti-union reputation among labor.
power” (Daily Labor Report. Feb. 1, 1983). Other union leaders made similar statements. Lane Kirkland suggested that the Board was transformed into an instrument of anti-union employers. And, Kirkland suggested that perhaps labor should mount a political drive for the repeal of the National Labor Relations Act, because labor would be better off without it as it was being administered (Trost and Apcar 1984).9

The Bush NLRB was a subtle continuation of the Reagan Board. Bush appointed two management attorneys in Clifford Oviatt and John Raudabaugh. Perhaps because they were growing accustomed to the trend of partisan appointments, the AFL-CIO did not publicly oppose these nominations. Both men were private attorneys who specialized in labor law, from the business side. The Bush Board is generally viewed as a somewhat moderate board that did not emphasize overturning precedents. Rather, it attempted to maintain the regulations established under Reagan’s NLRB (Gross 1995).

*The Clinton Board.* Clinton continued the trend of partisan appointments. But, he appointed both pro-management and pro-labor members. He was the first Democratic president to appoint a management lawyer to the Board. In fact, he appointed three. And, Clinton’s appointees also included three union attorneys. Indeed, he was the first president to appoint union attorneys.

The most vigorous confirmation battle after Reagan’s John Van de Water, was that of Roger B. Gould IV—Clinton’s choice for chairman. Gould seemed well-suited for the position. He was a Stanford law professor and a labor lawyer who had previously worked for both labor and management. But, his published work troubled some

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9 Reagan also appointed Rosemary Collyer, Marshall Babson, and Mary Cracraft, all of whom were management lawyers.
congresspersons. Some argued that his work showed his pro-union bias and others accused Gould of unethical practices in his prior legal career. And, in a revival of 1950s anticommunism, some congressional staff members suggested that he was associated with communist organizations (Gould 2000; Bodah 2001). Nevertheless, Gould was approved by a slim margin.

Clinton faced a particularly conservative and combative congress. Republican leaders on the Senate Labor and Human Relations Committee intimated that they would block all NLRB appointees unless Clinton included their preferred candidates (Flynn 2000; Bodah 2001). The chosen management attorneys received high praise from the U.S. Chamber of Commerce and other business groups (Bernstein 1997).

By the 1990s, congressional leaders increasingly accepted the idea that the NLRB should explicitly represent the competing interests of labor and business. And, this led to the increased use of “packaged” appointments (Brudney 2005). Hence, Clinton’s appointment of management attorneys helped him win congressional approval for his other nominations (Kline 1999). Under these conditions, the Board had been transformed from its foundation as an impartial body that acted in the public interest into an organization riven with blatant partisanship. Table A.2 shows all of the NLRB members since the Harry S. Truman administration. The management attorneys are listed in bold print. Management attorneys are much more likely to be present in the later years. In addition, the presence of both union and management attorneys on recent Boards marks the increasingly adversarial nature of the NLRB.

[Insert Table A.2 About Here]
The appointment process is fundamental to presidential power. To the extent that they are able to do so, presidents appoint individuals with ideologies similar to their own. Appointments sometimes cross party lines. Nevertheless, winning favor with the president is an important method of retaining one’s position and gaining reappointment. NLRB members administer the Labor Management Relations Act (LMRA). The LMRA is subject to interpretation. Some believe that the Act should encourage collective bargaining, and others think it should ensure workers’ freedom of association. This legal ambiguity opens the door for members to issue decisions based on partisan tendencies or in the interests of self-preservation. Given the prior historical discussion, I expect that an increase in the proportion of NLRB members appointed by a Republican president will be associated with an increase in pro-business ULP decisions.

Other quantitative studies of the NLRB have completely ignored the increased tendency of presidents to appoint management attorneys (see Table A.2). As prior discussion showed, there has been a good deal of debate about appointing management attorneys to the Board. Much of this discourse was about whether such appointees could put their prior careers aside and serve as neutral adjudicators of labor disputes. Some argued against management attorneys because their strong ties to the business community are a fundamental conflict of interest. Brudney (2005: 246), moreover, reports that about four fifths of the management-side attorneys who served on the Board returned directly to management representation upon leaving the Board. A NLRB appointment, it appears, is merely a brief interlude in a long career of direct management advocacy for some Board members. Given this situation, it is unlikely that management attorneys would jeopardize
their future careers by supporting organized labor while serving on the Board. Are former management attorneys able to issue nonpartisan decisions? In an unguarded moment, Peter Hurtgen seemed to provide an answer. Hurtgen, a long-time business attorney appointed to the Board in 1997, openly discussed how NLRB members work in the interests of particular “constituents.” (Emphasis mine. Daily Labor Report. 2000, January 10). This comment reflects the ideological cleavages on the Board. I expect that an increased proportion of management-side attorneys on the Board will be related to more pro-business decisions.

**Economic Conditions.** Class-based state theories (Block 1977; Offe and Ronge 1984) argue that the government and the economy operate in symbiotic fashion. Political leaders are held accountable for economic conditions. Politicians presiding over economic recessions are much less likely to be reelected (Hibbs 1987). The Presidency of Jimmy Carter is a case in point. Carter’s inability to win a second term reflected public displeasure with economic conditions during the 1970s.

Yet, presidents do not entirely control the economy. A capitalist economy requires investment. But, perceptions of economic health and business confidence affect investment behavior. When the economic outlook is strong, investments are likely to increase. When the economy seems unstable or weak, investment will decline and the economy may suffer. Policies or directives that bolster the economy are therefore a key component of maintaining political power. And, facilitating business confidence is an important way to generate capital accumulation and state legitimacy.

This arrangement bestows implicit power on businesses. Conditions that harm business profits may induce unemployment and an unhappy citizenry. Hence, presidents
and other political leaders pursue policies and practices that will encourage prosperous economic conditions (Lindblom 1977; Poulantzas 1969, 1980). As Offe and Ronge (1984) argue: “the material content of state power is conditioned by the continuous requirements of the accumulation process” (Offe and Ronge 1984: 121). It follows that business political power occurs in the absence of direct political pressure. The prospect of a decline in business confidence is enough to prompt state managers to take corrective measures (Block 1979). When the costs of doing business are high, the state may be reluctant to impose additional costs on employers. Gross Domestic Product (GDP), which is the market value of all goods and services, is often used to track economic conditions. I account for economic growth with a measure for real GDP. Hence, I expect that all else being equal, during economic contractions the Board will favor employers. And, during economic expansions, the Board will be more likely to vote in labor’s favor.

The percentage of unemployed workers is another pertinent economic condition. Other analyses of the NLRB find that Board decisions favor labor when unemployment is high (Delorme et al. 1981; Moe 1985; Cooke et al. 1995). But these studies suggest that the reason for this relationship is unclear. It may be the case that individual Board members are more sympathetic to workers when their potential for displacement is high. But another consideration is in order. If state managers are indifferent to the suffering generated by high unemployment, they will face reduced support and diminished reelection prospects. NLRB members, like members of other federal agencies, should be influenced by appointing Presidents (Wood and Waterman 1993, 1994; Moe 1987; Durant 1992). And Presidents that hope to avoid declines in legitimacy may encourage regulatory agencies to grant some measure of relief to workers who fear for their jobs.
Given the findings of prior studies, I expect that increased unemployment rates will be associated with decreases in pro-employer NLRB decisions.

**Congressional Influence.** Congress holds influence over the NLRB through appointment confirmations, appropriations, and oversight and investigative processes. The Board is a nominally independent agency. But historical accounts suggest that congress has, at various times, monitored and attempted to influence NLRB decisions. Congressional interest in the Board is partly rooted in representatives’ and senators’ efforts to support their labor or corporate allies. But ideological proclivities also influence congressional interference with the Board.

Some in congress consider the NLRB to be an extension of organized labor into the governing apparatus. Hence, conservative congress members have been particularly observant of Board activities. Roger Gould, President Clinton’s NLRB Chair, provides some relevant accounts. Gould made several public statements that opposed laws that may harm unions. After these statements, he was repeatedly questioned in oversight hearings about his ability to make impartial decisions. And during a 1995 oversight hearing, Representative Randy Cunningham (R-California) characterized the Board as a pro-labor entity and asked the NLRB chairman: “Why should we support your organization when millions of dollars are dumped into Democratic campaigns … where over 90 percent of the dollars go to Democrats from the unions” (U.S. Congress 1995)? In light of repeated interrogations, Gould declared that he felt like congressional “Republicans’ number one enemy” (Gould 2000: 255).

Congress is also willing to encourage action on particular NLRB cases. Bodah (2001) documents written correspondence between congress and the Board. In one case,
the Board received more than a dozen letters from congress members about a pending case against *Overnite Transportation Company*. Some of these letters contained threatening statements about the agency’s budget: “It is important to realize that the U.S. is entering a time of fiscal austerity… all parts of the federal government are being reviewed for ways to cut spending …” The Board also received a letter signed by twelve House members regarding the *Roadway Package System* case, which considered whether temporary workers could acquire union representation: “Although a decision is not expected for several months we would like to stress our concern on these very important labor issues … We find it particularly troubling that you would consider changes in such sensitive areas of the law … Any sudden changes in these interpretations could have a seriously destabilizing effect on the U.S. economy” (Bodah 2001: 712). These are but a few documented instances of congressional attempts to influence the NLRB.

Congressional actions toward the NLRB are related to political partisanship and associated ideas about the role of government in labor-management regulation. Republicans have been much more critical of labor’s agenda. When Republicans took control of congress in 1994, they recommended cuts in the NLRB budget. And they used an appropriations hearing to attack Board decisions and question other aspects of NLRB operations. Republican congressional leaders also attempted to directly influence the Board by attaching “riders” to its appropriation (Gould 2000). *A Republican-dominated congress should be associated with NLRB decisions that are more favorable to employers.*
A STATISTICAL APPRAISAL OF BOARD DECISIONS

**Research Design.** My data are from the *Annual Report of the National Labor Relations Board* for each year between 1970 and 2002. This report is a rich resource for information on many aspects of the Board’s behavior. I content-coded the section on Unfair Labor Practices from each report and obtained 1123 cases.

The Unfair Labor Practice cases discussed in the *Annual Reports* are a subset of all cases reviewed by the Board. These cases are highlighted as the most significant and or most complex for each year. It is likely that such cases are qualitatively different from more mundane issues addressed by the Board. This is because the most significant cases are more likely to influence important aspects of labor law. It follows that more complex cases involve a greater amount of interpretation. And because NLRB members have much discretion in interpreting labor law, their partisan inclinations should be more evident in these cases.

**Dependent Variable and Estimation.** I created a dummy variable for each ULP case outcome. Cases decided in favor of the employer are coded as 1 and decisions against the employer are coded as 0. Standard logistic regression assumes that error terms are uncorrelated across observations. But, this assumption is violated when the data have a nested structure. That is, when units in one group are more similar in some way than they are to those in other groups. To account for this, I use logistic regression with robust variance estimation for clustered data in STATA version 9. I specify that observations are independent across Boards but not within Boards. There are twenty-five distinct NLRB configurations in this analysis. This technique yields unbiased estimates.
of coefficients and standard errors and are appropriate given the nature of my data (Aldenderfer and Blashfield 1984; Williams 2000). 10

**Explanatory Variables.** I include a dummy variable that equals one when a Republican president is in office. The percentage of Republican appointees on the NLRB is drawn from official staff lists available from www.nlrb.gov. I also use a measure of the percentage of management attorneys serving on the Board. Data on the prior careers of NLRB appointees were coded from *Who’s Who in American Law* for various years, and Flynn (2000). I include a measure for the percentage of Republicans in the U.S. Senate and the House of Representatives. This item is from *The Statistical Abstract of the United States* for various years. I gauge economic conditions with measures for real gross domestic product and unemployment. These items were obtained from the *Compustat* business statistics service. I also include two control variables. I use a dummy indicator for whether the type of case under consideration by the Board is a complaint about employer interference in union activity. And I include a yearly linear trend variable.

[Insert Table A.3 about Here]

**Specification.** The prior discussion indicates that the coefficients on five predictors should be positive in this analysis. GDP and unemployment should be negative. A general specification of the logistic model that predicts whether NLRB unfair labor practice decisions will favor employers is:

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10 The model passes STATA’s linktest, which detects model misspecification due to omitted variable bias. And it passes the Hosmer-Lemeshow test for goodness of fit.
\[ \ln(\text{PROEMP}/1-\text{PROEMP}) = b_0 + b_1\text{RPRES} + b_2\text{RAPPT} + b_3\text{MGMNT} + \\
b_4\text{RSENATE} + b_5\text{RHOUSE} + b_6\text{GDP} + b_7\text{UNEMP} + b_8\text{EMPINTER} + \\
b_9\text{YEAR} + e \quad (1) \]

Where \( \ln(\text{PROEMP}/1-\text{PROEMP}) \) is the probability that the NLRB will issue a pro-employer decision. \( \text{RPRES} \) is whether a Republican president is in office. \( \text{RAPPT} \) is the percentage of NLRB members appointed by a Republican President. \( \text{MGMNT} \) is the percentage of management attorneys on the Board. \( \text{RSENATE} \) is the percentage of Republicans in the U.S. Senate. \( \text{RHOUSE} \) is the percentage of Republicans in the U.S. House of Representatives. \( \text{GDP} \) is the national gross domestic product. \( \text{UNEMP} \) is the national unemployment rate. \( \text{EMPINTER} \) is a dummy for whether the case is about employer interference with organizing. And \( \text{YEAR} \) is a linear time trend. Table A.3 shows the expected signs, the means, and standard deviations.

**ANALYSIS AND FINDINGS**

Table A.5 presents the logistic regression results on the determinants of NLRB decisions that favor employers. Model 1 focuses mainly on political factors. It assesses the effects of Republican presidency, Republican appointments to the Board, the percentage of management attorneys on the Board, and whether the Senate and House are dominated by Republicans. The findings for this model show that when a Republican president is in office the likelihood is greater that the NLRB will favor employers. Similarly, when the Board is dominated by Republican presidential appointments employers are favored. Interestingly, Republican dominance in both the Senate and House do not have a significant effect on NLRB unfair labor practice decisions.
In Model 2 I add two control variables. I include a measure for whether the case was based on employer interference in union organizing. And I add a linear trend term to control for the temporal trend in ULP decisions. The measures for both the employer interference cases and the linear time trend are not significant.

In Model 3 I add variables that gauge macroeconomic conditions. The important political findings from Model 1 persist. Having a Republican President, and an increase in the number of Republican-appointed NLRB members are all associated with increased support for employers. And, in this more comprehensive model, Republican dominance in the Senate is associated with more business-friendly NLRB decisions. Expansions in the percentage of management attorneys on the Board also continue to contribute to pro-employer ULP decisions. The gross domestic product measure is not significant. This suggests that the Board does not bias decisions based on broad concern for business confidence. Similarly, the findings suggest that during expansions in unemployment the Board will favor unions and workers.

CONCLUSIONS AND IMPLICATIONS
The findings show that some macroeconomic conditions influence ULP case outcomes. The NLRB seems willing to assist workers and unions when employment conditions are unfavorable. When unemployment is high, unfair labor practice decisions favor unions and workers. This suggests that the Board is not completely indifferent to workers’ concerns. Aiding workers lends legitimacy to the state. But, I find no evidence that the state tilts toward labor when the economy is expanding or toward businesses during economic contractions. Recall that capital-dependency theory suggests that during
economic downturns, the state will grant “regulatory relief” to businesses. My findings suggest that broad economic shifts are not crucial determinants of NLRB decisions. Hence, the assumptions of capital-dependency theory are not supported. But, the political determinants of NLRB decisions are more central to my theoretical concerns.

I found evidence for political influence on NLRB unfair labor practice decisions. The configuration of constituents that rely on Board decisions make it fertile ground for political manipulation. When Republican Presidents are in office, employers are favored. And when Republican appointments dominate the Board its decisions benefit employers. It follows that political partisanship theory is supported in several ways. This should not be surprising given the dominant political parties’ ideological differences over labor-management relations. On the other hand, the Senate has held heated confirmation hearings about NLRB appointments and engaged in attempts to sway Board decisions. In light of these efforts, a greater proportion of Republicans in the Senate was not shown to be significantly associated with unfair labor practice decisions in all models. But, Republican dominance in the Senate is associated with increased pro-employer ULP decisions in my most comprehensive model. This indicates that the role of the Senate is not entirely benign.

The evidence also suggests that the increased appointment of management attorneys to the NLRB poses additional challenges for labor. Recall that during confirmation hearings, some critics suggested that having former management attorneys on the Board was a troubling practice. Many assumed that former management lawyers would hold partisan anti-union beliefs that would affect their decisions. And others suggested that management attorneys could not be impartial because their future career
prospects rested on their amicable relations with business. Brudney (2005:246) reiterates this point: “The prediction that appointees selected from the management bar would effectively use their service on the Board to enhance their partisan status in subsequent career moves has turned out to be disturbingly accurate. Nearly four-fifths of the Board appointees who came directly from management positions returned straight to management representation upon leaving the Board.” The increased presence of business attorneys on the Board does not bode well for labor.

What occurs at the workplace is vital to the economic and social fate of most Americans. The oversight of workplace relations has undergone a fundamental shift over the past three decades. But little attention has been paid to this change.

The major political parties are polarized over labor-management relations. And it is clear that some in congress view the NLRB as a labor ally that must be restrained. This situation has probably increased attention to NLRB affairs by union’s congressional allies and adversaries. But, perhaps most importantly, the rise of a particularly conservative brand of politics has fueled the appointment of management attorneys to the Board. What better ways to generate “business confidence” than to allow former (and probably future) management representatives to regulate labor-management relations?

Both the 1935 Wagner Act and the 1947 Taft Hartley amendments include statements about the aims of labor-management regulation. This process is to be in the interests “inimical to the general welfare” (LMRA 1947; 61 Statute 136). But, decisions based on political partisanship and business affiliation, rather than the public interest seems to be more common. This is particularly the case in the NLRB’s most important cases.
In recent years, unions have made much ado about revitalization. The recent fracturing of the AFL-CIO was in large part due to differences over how best to improve organized labor’s position. Most revitalization arguments emphasize the need for a massive increase in union organizing. But union organizing activities are regulated by the state. And an unreceptive state translates into hard times for labor unions. These findings suggest that an overemphasis on organizing to the exclusion of political action is an error. A healthy labor movement requires a state that respects workers’ rights. If labor cannot yield political gains then its fate is likely sealed.
CHAPTER 3

THE POLITICS OF UNION RECOGNITION ELECTIONS

What factors hinder the ability of unions to build membership by winning workplace recognition elections? An important explanation for success in conflicts between labor and management is external to the workplace. To control these occasionally violent and often costly disputes, states have adopted legal provisions to closely regulate these contests. Such statutes make labor-management disputes intensely political as the ways in which these legal provisions are administered are essential determinants of success. A political emphasis fits with another explanation for union success. Many scholars have gained analytic power by treating unions as social movements (Johnston 2001; Isaac and Christiansen 2002; Dixon and Roscigno 2003; Lopez 2004), but a major determinant of movement success rests on the political opportunities available to movements (Jenkins and Perrow 1977). For all these reasons the disputant who is successful in the political arena and thereby gains a favorable legal environment is far more likely to win workplace struggles (Form 1995).

This study attempts to isolate the main factors in union political environments that contribute to their ability to gain legal recognition as a collective bargaining agent. My primary goal is to detect a political turning point in labor's fortunes. U.S. union membership has experienced a severe decline with reductions from about 35 percent of the non agricultural labor force in 1954 to less than 10 percent today. Before the New Deal, these disputes were not closely regulated, but the passage of the Wagner Act and the creation of the National Labor Relations Board (NLRB) produced a web of laws and an agency...
dedicated to the regulation of business-labor disputes, particularly the union recognition process. A dramatic shift in the ideology of the politicians who controlled the NLRB leads to the plausible conjecture that this political departure should help explain labor's recent failure to gain members by organizing new workplaces. Suggestions that there was a critical disjuncture in U.S. labor politics are common in the literature, yet few scholars have paid systematic attention to this possibility (see Goldfield 1987 for an exception).

These considerations suggest that labor's fluctuating fortunes can be profitably viewed through a state centered theoretical lens (Dubofsky 1994). Surprisingly, most explanations for union decline paid little attention to the politics of the union certification process. The sociological studies that dealt with labor-state relations typically examined policy episodes such as the creation of the NLRB, the subsequent Taft-Hartley Act, or periods of exceptional labor militance (Piven and Cloward 1979; Wallace, Griffin, and Rubin 1989; Cornfield 1991; McCammon 1993, 1994). An analysis that focuses on the political environment in which labor and management conduct their disputes offers the promise of new findings that may show how the potentially contingent effects of political and other historical forces have contributed to the decline of the labor movement. These results also may help refine our theories about state-movement interactions.

A few studies have used statistics to show how the political environment has been influential on other aspects of the relationship between labor and management (Freeman and Pelletier 1990; McCammon 1993, 1994). The explanatory power of political explanations suggests that added research should be fruitful. I attempt to fill these gaps with a time-series design designed to uncover the historically contingent effects of the political factors that contribute to the number of certification elections in the last 40
I focus on the determinants of recognition elections because this certification process is one of the most important ways that unions can grow. There can be few new members if such elections rarely occur. Halting these elections before they happen therefore is one of the least costly ways to block unionization. The literature in fact suggests that this tactic has been repeatedly used by businesses and by their anti-labor political allies (Levitt 1993; Farber and Krueger 1993; Kleiner 2001) especially since 1981 after a remarkably conservative Republican administration took office.

Figure 1 illustrates the potential influence of this preemptive strategy as it shows the timing of an abrupt change in the number of recognition elections. The solid line at the top of this graph indicates that soon after the conservative Reagan administration that was hostile to unions gained control of the presidency and the NLRB, recognition elections decreased sharply. And, as one would expect in light of this abrupt decline, the lower dotted line in Figure 1—that shows a concurrent drop in the number of union election victories—reveals the success of this approach. Figure 1 also illustrates why it is important to focus on the number of recognition elections, but absent controls, this picture is only suggestive. In what follows, I present time-series analyses of the frequency of certification elections using quarterly data from 1962 to 2002 to discover if this

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11 If at least 30% of the employees in a workplace sign a petition for a certification election, the NLRB must conduct such a procedure to determine if a union has the right to act as a bargaining agent for the employees in question. In practice, because management can reduce support for unionization before an election takes place, unions will only petition for an election if a significant majority of the employees in question have petitioned. Employers have well-developed repertoires for interfering with this process (Goldfield 1987; Kleiner 2001). Inducements include pay increases, programs that make employees feel that they have a voice, and profit sharing. Harsher tactics involve harassment or firing suspected union sympathizers (Levitt 1993; Kleiner 2001). Although union attempts to avoid these elections by getting potential members to sign cards have recently become an increasingly popular way to gain recognition, this alternative was almost never used in the period I study.

12 A large literature explores union failures in recognition elections but almost all of these studies stress individual and organizational-level explanations for these failures (Cooke 1983; Maranto and Fiorito 1987; Fiorito, Jarley, and Delaney 1995; Bronfenbrenner 1996) while ignoring political explanations.
conservative political shift helps explain union recognition after many additional explanatory factors have been given an opportunity to explain this outcome. Results based on statistical models that assess multiple explanations are most accurate (Johnston 1984), but such an inclusive approach means I must present the theoretical basis for many explanations.

[Figure A.3 about here]

THEORETICAL FRAMEWORK

Foundations

The state is embedded in an environment in which there are perennial conflicts over distributive political issues. Developments in political sociology (Evans, Rueschemeyer, and Skocpol 1984) suggest that political decisions about these issues are not solely determined by external social forces that act on the state. Instead, the ideology of state officials and their need to please core constituencies is an important cause in its own right as these officials often act autonomously to pursue their own interests and those of their most reliable supporters. I therefore treat the regulation of contests between labor and management as a political outcome that is largely determined by shifts in the national partisan and ideological climate. Political opportunities clearly are a powerful explanation for movement success (Jenkins and Perrow 1977; Jenkins, Jacobs and Agnone 2003). It follows that the political opportunity perspective in the movement literature complements the state centered approach in political sociology, so I use these mutually reinforcing perspectives as the conceptual foundation for this analysis. This combination should be informative because the relationships shown in Figure 1 suggest that a sharp
disjuncture in labor's fortunes occurred because union organizational opportunities were systematically eliminated after national political actors who were ideologically hostile to this movement took office.

With this theoretical combination in mind, I begin by deriving theoretically based hypotheses about the union recognition process. I first present explanations for the frequency of recognition elections that focus on the ideological and partisan attributes of the national political officials who took control the executive branch and the NLRB in 1981. I go on to discuss the potential influence of some added political considerations such as the ideology of the representatives on the Congressional NLRB oversight committee and the timing of presidential elections and their effects on the incidence of certification elections. After presenting reasons for examining the effects of business and labor militancy, I end this theoretical section by presenting some plausible claims about the ways in which macroeconomic conditions should help either management or labor by altering these election frequencies.

**Specific Political Influences on the NLRB**

*Presidential Ideology and Partisanship Effects.* As ideology is so fundamental to the state centered approach, it is useful to begin by discussing such claims. Conservatives view collective bargaining as an unwarranted restraint on free trade (Barzeg 1997; Thorne 1990). Because they regard union efforts to control the workplace as inequitable transgressions against property rights, conservatives do not support policies that strengthen unions. This stance partly results from their inclinations to champion economic measures that benefit their affluent core supporters. Hibbs (1987), Blank and Blinder (1986), and Bartels and Brady (2003) show that when conservatives hold the
presidency, macroeconomic policies benefit the prosperous. Other findings show that distributive measures that enhance the after tax incomes of the affluent are likely in Republican rather than in Democratic presidencies (Allen and Campbell 1994).

It follows that particularly after a sharp reduction in the influence of moderates in this relatively conservative party, Republicans should have become far more resistant than Democrats to policies that favor labor. As Gerring (1998: 20) notes “one party has adhered to the interests of business and the advance of a capitalist economy, whereas the other has often been more critical of this advance.” These partisan inclinations suggest that the regulation of labor-management relations will favor management after an especially conservative Republican administration takes office. Claims "that there was in the Reagan-Bush era a systematic attempt to reverse as much labor law doctrine as possible so as to make it difficult for unions to have a fair opportunity to test employee sentiment at the ballot box.” (Dark 1999: 177) fit with my state centered approach that stresses the ideology of political actors. Such considerations and the relationships depicted in Figure 1 suggest that findings should support a political opportunity hypothesis that: The election of Reagan and subsequent conservative Republican presidents led to sharp reductions in union recognition elections.

This relationship should be present in part because regulatory agencies do not exist in an ideological vacuum (Gould 2000: 122). A president's ability to appoint individuals with philosophies similar to his own “is a fundamental mechanism of presidential influence” (Moe 1982: 200). Although presidents may not directly control the NLRB, “the chairman and appointed staff nonetheless constitute a potential core of presidential partisans who are uniquely situated to shape … [regulatory agency] behavior” (Moe 1982: 202). Before the 1980s, with few exceptions, Presidents from either party appointed NLRB members who received at least some support from both business
and labor. Yet Reagan broke with this tradition as his list of Board appointees contained no members who leaned toward labor (Delorme et al. 1975; Schmidt 1991). Reagan instead selected four corporate lawyers to sit on the Board as well as a chairperson who linked collective bargaining to the “destruction of individual freedom” and declared that “unionized labor relations” have been among “the major contributors to the decline and failure of healthy industries” (quoted by Sexton 1991: 222). These considerations lead to an expectation that shortly after Reagan took office and during the terms of subsequent Republican presidents: Republican appointments to the Board should have produced reductions in union recognition elections.

**Congressional Oversight Committee Ideology.** Other political bodies can influence NLRB policies. Congressional oversight committees often have been active participants in Board decisions as well. Congress can alter NLRB policies primarily because this body controls the agency's budget. This control has meant that some members of the Congressional oversight committee have been closely involved in NLRB affairs (Gould 2000; Bodah 2001). According to Bodah, for example, “The House has used appropriations hearings to attack Board decisions and question its administrative practices. It has also taken direct action against Board policy by attaching ‘riders’ to its appropriations” (2001: 703).

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13 Reagan’s first choice for Board chairman was John Van de Water, a business consultant who specialized in defeating unions. Van de Water had created numerous documents and videos on how to stop union organizing campaigns (Business Week, July 6, 1981). He served for a year and a half as a recess appointee before his nomination was blocked. Reagan’s subsequent non recess appointments (three business attorneys including chairperson Dotson), however, were confirmed. But it was only after the Clinton administration took office that the first attorney who had actually worked for a union was appointed to the NLRB (Flynn 2000). Note that although presidents before George W. Bush followed tradition and nominated members to the NLRB board so the incumbent party would maintain a 3 to 2 majority, the Democrats nominated by conservative Republican presidents were not union supporters. The dominant trend in these appointments helps explain why Figure 1 does show an increase in recognition elections during the Democratic interlude when Clinton was president. Clinton appointed two management attorneys to the NLRB; in fact their votes were as conservative as the decisions of Donald Dotson, the NLRB chairperson appointed by Reagan.
A former chair of the NLRB provides added support for these claims by writing that “... many members of Congress sought to influence or halt decision making altogether—firing shots across the bow designed to intimidate the adjudication before a decision could be made.” Industries and corporations who thought they had been or might be harmed by Board decisions sought help from Congressional conservatives who "had considerable success in their attempts to induce the Board to retreat.” (Gould 2000: 168). Gould provides a specific example when he discusses efforts to stop NLRB attempts "to speed up the processing of cases involving single verses multi-location bargaining units that conservative members viewed as likely to expedite recognition elections." These considerations lead to a prediction that: Shortly after expansions in the proportion of conservative representatives who sit on the House oversight committee, the NLRB will be more likely to favor business and recognition election frequencies will decrease. I focus on committee member ideology rather than their party because conservative Democrats who sit on this committee may have been as likely as Republicans to obstruct union recognition.

**Election Timing and Union Resources.** Other political events may contribute to fluctuations in these elections. After the labor legislation in the 1930s and the resulting close political regulation of disputes between labor and management, unions have become heavily involved in presidential elections (Greenstone 1977). Because shifts in partisan control over the executive branch and NLRB probably have such a close relationship with labor's fortunes (see Figure 1), it should not be surprising that unions devote substantial resources, including both money and labor, to help the presidential candidates who sympathize with their interests (Greenstone 1977). The resulting short-run drain on limited union resources and fatigue should produce subsequent reductions in the resources unions can devote to gaining certification elections after a presidential election.
Hence: *Reductions in recognition elections should occur in the first quarter after a presidential election.* But explanations in addition to those linked to the combined state centered political opportunity approach need to be examined as well.

**Employer Resistance and Labor Militancy**

*Employer Resistance.* Older studies in political sociology focused on the owners of small enterprises who were said to fear the power of big business and big labor. Trow (1958) describes small business owners as nineteenth century liberals who value economic freedom but fear the economic behemoths that threaten their livelihood. Hamilton (1975) claims that these employers favor policies that obstruct unionization for economic reasons. Small businesses often exist in an intensely competitive environment (Scherer and Ross 1990). In contrast to small enterprises, large firms are likely to sell their products in oligopolistic markets in which competition is restricted (Scherer and Ross 1990). Because small enterprises cannot benefit from economies of scale, their costs tend to be higher than those of their large counterparts (Scherer and Ross 1990). Both considerations suggest that the operators of small enterprises should be fiercely resistant to unionization because they face greater difficulties passing increased labor costs forward to buyers (Freeman and Medoff 1984). In areas where small businesses are most common, ideological hostility to public policies that favor unions is greatest (Reynolds, Masters, and Moser 1991). States dominated by such enterprises are more likely to enact Right-to-Work laws (Jacobs and Dixon 2006) that undercut unionization. Hence: *Employer resistance to union recognition elections should be enhanced after a growth in the proportion of small enterprises.*

Complaints about the recognition process to the NLRB also should reduce the frequency of recognition elections. After a complaint, an election is left in limbo until the NLRB rules on the dispute, but delays benefit employers by giving them added time
to erode employee support for unionization (Roomkin and Block 1981). Case processing
delays are used by the NLRB to decide cases contrary to precedent by postponing a
decision "until a case with a more favorable fact pattern is sent for review” (Schmidt
1991: 485; Brownstone 1986-87; Kauffman 1987-88). Historical accounts indicate that
this tactic was used often in the early 1980s. For example, “In 1983, [a] House
Subcommittee found that this practice was responsible for the large backlog of cases
pending at the NLRB, . . . and an inordinately large number of policy reversals among
those decisions it did process” (Schmidt 1991). Because such complaints help employers
resist unionization, I expect that: *Reductions in union recognition elections should occur
after expansions in the number of employer complaints to the NLRB.*

**Labor Militancy.** A strike is the ultimate weapon that is available to employees in
their disputes with management. The plausible threat of this tactic should make
employers less likely to resist union recognition partly as a result of the probable cost of a
strike but also because union recognition is likely to give employers the opportunity to
negotiate with experienced labor officials who understand how costly strikes can be to
both parties. Studies have relied on strike based measures to gauge labor militancy
(Rubin 1986; Grant and Wallace 1994; McCammon 2001). It follows that: *Increased
union successes in gaining recognition elections can be expected after expansions in the
number of major strikes.*

**The Macroeconomy and Labor-Management Conflict**

Labor-management relations are embedded not only in a political context, but also in a
macroeconomic environment. Business cycle conditions may increase employer
resistance or labor militancy (Hirsch and Addison 1986). When unemployment rates are
low, labor scarcity should make employers less likely to obstruct labor's organizational
efforts (Goldfield 1987) because the resulting strife may interfere with the increased sales
that can be expected in an expanding economy. Yet when jobs are scarce but workers are not, employers can easily replace workers. Enhanced unemployment rates thus reduce strikes and other forms of labor militancy as workers risk losing scarce jobs if they become combative during recessions (Lalonde and Meltzer 1991). Joblessness rates are higher when Republicans hold the presidency and control macroeconomic policy levers (Blank and Blinder 1986; Hibbs 1987; Bartels and Brady 2003). Inasmuch as Republican control over the NLRB and enhanced unemployment often appear together, there good reasons analyze both conditions that may weaken unionization efforts.

But the relationship between unemployment rates and union certification elections need not be linear. Labor militancy and union recognition elections may initially increase as joblessness rates begin to expand, but after a point in this growth, the enhanced employee dependence on their employers that results from higher unemployment rates should trump labor militancy and weaken labor's organizational efforts. This logic, that follows Jenkins, Jacobs, and Agnone (2003), suggests that the relationship between unemployment rates and recognition elections ought to be quadratic because: A growth in unemployment rates initially should produce increased labor militancy and more recognition elections, but if growth in unemployment rates continues, sharp reductions in the number of these elections can be expected.

Empirical work by economists suggests that economic growth may influence this outcome as well (Hirsch and Addison 1986). An expanding economy and the prospect of enhanced profits should make employers less willing to oppose unionization and risk workplace strife when economic growth is likely to produce increased sales. And employers need not fear higher labor costs as much during economic expansions because these costs can be more easily passed forward to buyers in such periods. Perhaps a growth in real gross domestic product rather than decreased unemployment may produce
additional union recognition elections. I therefore expect that: *Expansions in real GDP should lead to a growth in the number of union certification elections.* In the statistical analyses that follow I test each of these italicized hypotheses.

**METHODS**

**Research Design, the Dependent Variable, and Estimation**

I use national data to discover if conservative control of the presidency alters the frequency of union certification elections. I analyze the logged (all logs are to the base e) number of these elections from the first quarter in 1962 to the third quarter in 2002 because the source (NLRB Monthly Reports) does not provide data before 1962. After necessary corrections for serial correlation at multiple lags that remove the initial cases in the union election series and the first-differencing that removes another case, the analyses are based on at least 141 quarters. Statistical tests including both the Phillips-Perone and the Adjusted Dickey-Fuller procedure show that this dependent variable has a unit root. To correct this threat to the standard errors, recognition elections and all explanatory variables are first-differenced. This transformation also is useful because it helps remove any spurious effects based on shared trends in variables that have not been completely captured by the explanatory variables in the models. As Figure 1 suggests, significant seasonal effects are present in these elections, so in all analyses I include three quarterly dummy variables to remove this extraneous variation.

*Estimation.* In comparison to OLS corrected for serial correlation, count estimators such as negative binomial are inappropriate for important reasons. Count procedures are questionable because these estimators are designed to explain modest counts, but the mean number of these elections is 1307. And corrections for serial cor-
relation are not well developed for such estimators (Cameron and Trivedi 1998: 221). This difficulty makes count estimators particularly unsuitable because the quarterly series I analyze must be corrected for serial correlation at multiple lags. In addition to the problems eliminating serial correlation, the differencing that corrects unit root problems but produces many negative values in the dependent variable cannot be employed when models are estimated with dedicated count estimators as such procedures cannot analyze a dependent variable that has negative values. Note as well that when all variables are differenced, the interpretation of the coefficients is identical to the correct interpretation when variables remain in level form.

Other considerations eliminate all other statistical objections to least squares. Least squares, when an outcome has many zero limit scores, is inconsistent, but the minimum number of elections in any quarter is .579. Statistical tests in fact show that both election counts and their residuals are normally rather than Poisson distributed after I log and then first-difference this series. Note as well this variable has an almost perfectly balanced distribution with a skewness moment equal to -.099. For all of these reasons, least squares clearly is the best estimator (for precedent, see Hanson and Spilimbergo's [1999] econometric study that used least squares in a time-series analyses of large counts).  

14 The authors of what probably is the most definitive text on count models write "Time series models for count data are in their infancy. These models, although conceptually and in some cases mathematically innovative, are generally restrictive. For example, some models restrict serial correlation to being positive. At this stage it is not clear which, if any, of the current models will become the dominant model for time series count data" (Cameron and Trivedi 1998: 221).

15 In the absence of theoretically based expectations about the presence of accelerative relationships, all explanatory variables including those coded either zero and one should be first-differenced because the dependent variable is first-differenced (Kennedy 2003). Although the results from different unit root tests indicate that variables must be differenced if the standard errors are to be accurate, analyses based on variables in level rather than differenced form produce results (not shown) that are almost theoretically identical to those in the reported models. Only the proportion of small enterprises is not significant in an analysis without differencing that uses the most accurate specification (see Model 4),
**Explanatory Variable Measurement**

Because Republicans are less likely to support unionization than Democrats, I create a dummy variable coded "1" when Republicans controlled the presidency and zero otherwise. It should take a year for a presidential administration to gain sufficient control over the NLRB and the other political levers that influence the union recognition process, so I follow precedent and lag this explanatory variable by four quarters.

But Figure 1 and theoretical considerations suggest that the relationship between Republican control of the presidency and certification elections should have become increasingly negative after 1981 when Reagan and other conservative Republican administrations held office. To capture this contingent relationship, I construct two dummy variables: the first is coded "1" for all quarters before the Reagan administration took office in the first quarter in 1981 and zero otherwise; the second is coded "1" for all quarters after the last quarter in 1980 and zero otherwise. To discover if the effects of Republican control of the Presidency differed before and after the first quarter of 1981, I create two Republican presidency variables with the products of these period specific dummy variables and the dummy variable coded "1" when Republicans held the presidency. Different coefficients on these two Republican president measures computed with product terms will suggest that historically contingent effects are present. Theoretical expectations suggest that conservative Republican control over the presidency after 1981 will have the stronger negative effect on recognition elections.

To measure another political effect I gauge regulatory influence by calculating the proportion of Republican appointees to the NLRB in each quarter. Because the historical literature on the NLRB during the critical period after Reagan took office suggests that

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but that minor departure is readily explained (see note 7). Unit root tests and all other statistical procedures were conducted with the EViews (version 5.1) econometric package.
this and subsequent conservative Republican administrations selected board appointees who were unlikely to support labor, I also multiply the proportion of Republican appointees by the two period specific dummy variables. The first of these explanatory variables captures the effects of the proportion of Republican appointees before the conservative shift exemplified by Reagan; the second captures the effects of the Reagan and the post-Reagan Republican appointees to the Board.

Because the effects of new board members on NLRB policies should not be immediate, these variables are lagged by one quarter and they are transformed with a two-quarter moving average. I use this moving average transformation because this and other explanatory variables should have multi-quarter cumulative effects. Board composition is lagged less than the two Republican presidential variables because it should not take as long for new appointees to the Board to alter NLRB policies. These board proportions are in square root form to eliminate skewed distributions and outliers because log transformations cannot be used when variables have the zero values that are produced by the product of continuous indicators and the period specific dummies. When I include product terms to gauge historical contingencies by capturing effects that may differ in separate historical periods, I also include a main effect variable coded "1" for all quarters after the last quarter in 1980.

To assess the effects of recent presidential elections, I create a dummy variable coded "1" if there was a presidential election and lag this explanatory variable by one quarter. I use Americans for Democratic Action (ADA) liberalism-conservatism scores based on roll-call votes to measure the ideology of congressional members of the NLRB oversight committee (the House Appropriations Committee has jurisdiction; member data
comes from the Congressional Directory). This variable should have a positive relationship with recognition elections because the ADA ratings give representatives with the most liberal voting records higher scores.

I measure employer resistance with the proportion of small enterprises with 19 or less employees, but this variable is only available by year. It is converted to quarterly frequencies with the cubic spline procedure in EViews 5.1. The number of unfair labor practice complaints to the NLRB also is only available by year so I employ the same procedure to convert this variable to quarters. Labor militancy is measured with the number of strikes involving more than 1000 workers and it also is converted to quarterly frequencies with the same transformation. Because the effects of these three explanatory variables should be cumulative, so their influence occurs over multiple quarters, they are converted to four-quarter moving average form before differencing. Counts tend to be log normal, so these variables are in log form. Joblessness is measured with unemployment rates. To capture the nonlinear relationship I expect, the square of this variable is entered in all models but the first. Economic growth is assessed with gross domestic product in 2000 dollars to correct for inflation; I follow macroeconomic convention and transform real GDP into log form before differencing.

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16 Data on the total number of strikes became unavailable shortly after the Reagan administration took office. The correlation between the logged number of total strikes and the logged number of strikes involving at least 1000 strikers before 1981 is .87. Although the more comprehensive strike counts do not exist for a large proportion of the quarters included in this analysis, major strikes involving at least a 1000 workers nevertheless should capture the most influential aspects of labor militancy.
Specification

Equation 1 provides one important specification for these time-series models

\[
\begin{align*}
\text{dlog(RECOGELECTION)} &= b_0 + b_1[d(UNEMP)] + b_2[d(UNEMP)^2] + \\
b_3[d\text{log(REALGDP)}] &= b_4[d\text{PRESELECT}_{t-1}] + b_5[d\text{CONGIDEOL}_{t-1}] + \\
b_6[d\text{REPRES}_{t-4} \times \text{EARLY}] &= b_7[d\text{REPRES}_{t-4} \times \text{LATE}] + b_8[d\text{REPNLRB}_{t-1} \times \text{EARLY}] + \\
b_9[d\text{REPNLRB}_{t-1} \times \text{LATE}] &= b_{10}[d\text{log(STRIKES)}] + b_{11}[d\text{log(COMPLAINTS)}] + \\
b_{12}[d(TREND)] &= b_{13}[d(LATE)] + e. 
\end{align*}
\]

where \(d\) indicates the first-difference operator, RECOGELECTION is the quarterly number of union certification elections, UNEMP is the unemployment rate, UNEMP\(^2\) is that rate squared, REALGDP is quarterly GDP in 2000 dollars, PRESELECT indicates quarters in which a presidential election occurred, and CONGIDEOL is mean ideology of the representatives on the NLRB oversight committee. REPRES x EARLY indicates all quarters before the first quarter in 1981 with a Republican president, REPRES x LATE indicates quarters after the last quarter of 1980 with a Republican president. REPNLRB x EARLY is the proportion of Republican appointees to the NLRB before the first quarter of 1981. REPNLRB x LATE is the same variable after the last quarter of 1980, STRIKES is the number of strikes, COMPLAINTS is the number of NLRB employer complaints, TREND is a quarterly linear trend variable, and LATE is a main effect dummy variable coded "1" for all quarters after the last quarter in 1980. Because the direction of all relationships has been derived from theory, the significance tests are onetailed save those on the intercepts and the trend variable.

ANALYSES

Descriptive Statistics and the Multivariate Analyses

The first column in Table A.6 shows the expected signs while subsequent
columns present the means, standard deviations; in this table all variables are in undifferenced (or level) form.\textsuperscript{17} Table A.7 shows the correlation matrix after these variables have been differenced.

\textit{Specification of the Models in Table 3 and Findings.} In Table A.8 I report the initial regression results. In the first base-line model that is included to highlight contrasts with the results in subsequent models that test for the historically contingent effects, in addition to the controls for seasonality, I enter two macroeconomic explanatory variables, along with variables that capture the effects of a recent presidential election, the measure of the ideology of the members of the House oversight committee, and a dummy variable coded "1" for the presence of a Republican president. In the next models (see Model 2) I add the square of the unemployment rate to capture a nonlinear relationship between unemployment and recognition elections. In Model 3, in accord with the literature and the departure revealed in Figure A.3, I specify a structural break in Republican administration effects on union recognition elections by replacing the dummy variable for all Republican presidents with the two Republican party variables interacted by period. This model therefore captures the effects of Republican presidencies on these elections before and after the Reagan administration took office.

[Table A.6 and Table A.7 about here]

The findings in Model 1 show that expansions in economic growth as indicated by shifts in real GDP have the anticipated positive effect on recognition elections. A recent presidential election in the prior quarter, however, reduces the number of

\textsuperscript{17} First-differencing has the added advantage of improving the potential explanatory power of variables that in level form have little variation relative to their mean. Although the mean proportion of small enterprises is .8723 and its standard deviation is .0076, after this variable is differenced, it mean becomes -.000263 and its standard deviation becomes .002875 producing a coefficient of variation (or the standard deviation divided by the mean) of 4.692.
certification elections probably as a result of fatigue and the reductions in the union resources that are available after union expenditures on the recent presidential election. These results also show that recognition elections expand after the representatives who sit on the NLRB congressional oversight committee become less conservative. And my expectations about the effects of Republican Presidencies are confirmed because the coefficient on this variable is both significant and negative, but this association may become stronger in models that capture a structural break in this relationship. In Model 2 I find that the theoretical implications do not change after the square of unemployment is added to the variables in Model 1 but now both unemployment variables are significant. These findings suggest that a growth in unemployment at first leads to increased certification elections, but after a threshold, increased unemployment produces fewer elections (I defer reporting the inflection point until I present the best model).

[Table A.8 about here]

The results in Model 3 that test for the effects of a structural break after a conservative Republican took control of the presidency are more interesting. The same macroeconomic and political effects persist in this model. Yet the contrast in the coefficients on the Republican presidency variables that capture the relationships between partisan control of the Presidency before and after the last quarter of 1980 show that the departure illustrated in Figure 1 can be attributed to the Reagan presidency. Shortly after Reagan took control over the executive branch and the NLRB, there was a sharp reduction in recognition elections and this departure persisted during the next two Republican administrations. The change in the AIC coefficient from Model 2 to Model 3 suggests that a specification that captures this shift sharply improves model fit.

**Specification of More Comprehensive Models and Findings.** Yet I still need to discover what happens when other effects are held constant. Model 4 in Table A.9
differs from Model 3 in Table A.7 because I add two periodized variables that assess the effects of the proportion of Republican appointments to the NLRB before and after the Reagan administration took office. I add the proportion of small enterprises to capture employer resistance in this model as well. Model 5 differs from Model 4 only because the number of strikes is included to gauge labor militancy; in Model 6 I include another measure of business resistance to union recognition by entering employer complaints to the NLRB.

[Table A.9 about here]

The coefficients in Model 4 show that the same macroeconomic and political variables that mattered in Model 3 continue to explain the incidence of union recognition elections with the same signs. These new findings also suggest that a growth in Republican appointments to the NLRB decreased recognition election frequencies, but only if these appointments were made by the conservative Republican presidents who held office after 1980. Such results suggest that NLRB appointments give conservative administrations an effective way to alter the regulation of labor-management relations. But the coefficient on the conservative Republican administration variable continues to be significant after I include NLRB appointments. This finding suggests that, although Board appointments are important, they are not the only way that conservative Presidents can resist union organizational efforts.\(^\text{18}\) The addition of the variables that gauge the partisan composition of the Board and the proportion of small enterprises again increases model explanatory power as the AIC statistic falls from –2.607 in Model 3 to –2.77 in Model 4. Finally, the theoretically relevant findings in Model 5 and in Model 6 do not

\(^{\text{18}}\) For example, presidents frequently use rhetoric, or what Theodore Roosevelt called the bully pulpit, to influence both elites and the public. Their embodiment of the interests of the nation and their position as leader of their political party are additional symbolic but powerful resources that presidents often successfully employ to get what they want from both the public and from influential political actors.
depart from the results in Model 4 after the number of strikes is entered in Model 5 and after the number of employer complaints to the NLRB is added in Model 6.

**Other Results.** A simple calculation using the coefficients in Model 4 can provide estimates of the inflection point or the point where the relationship between unemployment and the number of certification elections shifts from positive to negative. This calculation suggests that the association between unemployment and certification elections remains positive until the unemployment rate reaches about 6.8 percent or .77% above this variable's mean in the quarters sampled. But after these rates expand beyond that point, additional growth in unemployment decreases union certification elections. Such results support a conjecture that labor militancy increases when unemployment rates below the mean start to grow, but soon after joblessness expands past this midpoint, labor's ability to obtain additional recognition elections is sharply reduced.

Additional evidence suggests that the models reported in Table 4 give an accurate picture. For example, using the percentage of workers in unions or the percentage of employment in manufacturing as explanatory variables in models not shown had no effects on the significance of the explanatory variables in Table A.9.19 I also entered dummies that capture oil price shocks in the 1970s. To gauge the effects of a vivid display of the Reagan administration's opposition to labor, I included a separate dummy coded "1" for the quarter when this administration broke the PATCO air controllers strike and I entered a dummy for the periods after a potential union reformer (Sweeney) who pledged to increase organizational efforts, took charge of the AFL-CIO. To assess

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19 When serial correlation is eliminated and explanatory variables are lagged, bias due to simultaneity will not be present. It follows that findings based on the use of the lagged percentage of the workforce in unions on the right side of equations predicting union recognition elections should not be subject to this bias.
business resistance in another way, I included the number of decertification elections. I also followed McCammon (2001), and included real corporate profits as well as the inflation rate, but none of these variables had any explanatory power in analyses not shown. Finally, shifts in attitudes toward unions probably cannot account for these results.\textsuperscript{20}

Diagnostic tests lead to the same conclusions about the accuracy of these results. In light of the sharp discontinuity in the relationship depicted in Figure 1, the best models should be tested to discover if they have captured the structural break in election frequencies that occurred in 1981. Multiple Chow forecast tests—that isolate any structural breaks that remain in the residuals—always indicate that the models reported in Table 4 capture this discontinuity. An illustration showing that there is no pattern in the residuals should enhance model plausibility. To discover if any departures from randomness remain after these models have predicted election frequencies, the top of Figure 2 shows the over time relationships between the residuals and the number of recognition elections while the lower part of this figure presents a magnified picture of these residuals. Although ocular econometrics can be misleading, this figure supports the Chow forecast tests that indicate a structural break is not present. The residual values in 1981 do not appear to be larger than their counterparts in other periods.

[Figure A.4 about here]

And as might be expected in light of the considerable explanatory power of these

\textsuperscript{20} Attitudes about unions apparently are stable. A Gallup report (Moore 2002: 1) states that "For over six and a half decades Gallup polls have found Americans expressing widespread support for labor unions." Gallup surveys have asked "Do you approve or disapprove of unions." The results suggest that, albeit with some shifts, support for labor unions has been generally steady over the years. The approval rate in 1941 was 61%; 64% in 1958; 64% in 1962; 60% in 1972; 58% in 1985; 60% in 1997; and 65% in 2003. (See: http://www.gallup.com). Absent substantial changes in public opinion, it is unlikely that attitudinal factors could account for the drastic decline in union membership since 1954.
models (especially when it is remembered that all variables are differenced) the
illustrations in Figure A.4 suggest that Model 4 captures the most extreme shifts in the
actual values of the dependent variable. If I compare the largest dependent variable
values with their residuals, I find that residual magnitudes are only modest fractions of
the actual values of when the dependent variable reaches extreme values.21 In any event
the absence of any discernable patterns in these residuals provides added reassurance
about model accuracy.

In addition, the White test for heteroskedasticity always indicates that this threat
to the standard errors is not present. In all instances the reported models pass the
Breusch-Godfrey Lagrange Multiplier test for serial correlation at from 1 to 10 combined
lags (I do not report the Durbin-Watson statistic—which in any event always suggests
that serial correlation is not present—as this test only assesses serial correlation at one
lag). The similarities in the significance test results across models, the multiple factors
held constant, the encouraging diagnostic test results, and model explanatory power even
though all variables are differenced imply that the reported analyses have captured the
primary factors that influence union recognition election frequencies.

21 Compare the largest absolute value of this differenced dependent variable in 1982:1 of -.575 with its re-
sidual of -.0325 or the next largest (-.443) absolute value of the dependent variable in 1975:1 with its
residual of only -.0278 or the third largest absolute value (-.398) with its residual of -.042. The largest
positive dependent variable value is .352 in 1969:1, yet its residual is only .079. Note as well that
although my primary political variable cannot explain the modest beginnings of the downturn in union
recognition elections that started in the mid 1970s (see Figure 1), the residuals shown in Figure 2
suggest that other explanatory factors included in the models, such as the diminished economic growth
and the increased unemployment in this period, capture the earlier (and smaller) downward trend in
these certification elections. A visual inspection of associations between these shifts supports this
interpretation.
DISCUSSION

The Results

Although my primary theoretical emphasis was on the shifts in the political context and how fluctuations in various political factors influenced union organizational efforts, the results show that macroeconomic considerations had substantial explanatory power. Net of the other influences, growth in real GDP always had a positive effect. Such results suggest that election frequencies increased during periods of economic growth. This unsurprising finding enhances the plausibility of this analysis, but the unemployment findings are somewhat novel. I find that initial expansions in unemployment when these rates are below the mean enhance certification election probabilities, but after a these rates expand past this value, joblessness has the expected negative effect on certification elections. Such results lead to a conclusion that labor militancy intensifies when below normal joblessness rates start to grow. Further expansions in unemployment rates, however, and the resulting increases in worker dependence on their employers reverse this trend and undercut labor's organizational efforts.

My primary theoretical emphasis was on the contingent effects of the shift to conservative Republican control of the executive branch. Yet exactly as one might expect with a perspective in mind that emphasized the political context in which these disputes occur, other political factors had explanatory power. First, the findings show that unions cannot obtain as many recognition elections immediately after a presidential election. This result is plausible as employers probably have deeper pockets than their adversaries. In contrast to unions, the resources employer groups provide for sympathetic presidential candidates probably do not represent as great a drain on the resources employers use to resist recognition elections. Another finding supports a political emphasis. As might be expected in light of the relationship between political ideology
and inclinations to support either labor or management, I find a close association between diminished recognition election frequencies and conservative or liberal majorities in the House oversight committee that decides NLRB appropriations and other agency policies.

Yet the results about the historically contingent relationships that involve the shift to conservative political control over the national executive and the subsequent decreased ability of unions to organize new workplaces probably are most important. The findings show that Republican control of the presidency reduces union recognition election frequencies, but the sharpest reduction only occurred after the change in 1981 to a particularly conservative Republican administration. The added results showing how equivalent contingent shifts in NLRB appointments by this administration and its conservative descendants led to similar reductions in the number of these elections increase the plausibility of this story. This evidence clearly supports claims that shifts in the political climate explain success in these contests between labor and management.

But when I enter variables that capture labor or business militancy, I find that only one matters. In contrast to their larger counterparts, the operators of small enterprises find that it is difficult to pass increased labor costs forward to their buyers, so they should be particularly likely to resist union organizational attempts. The results do not contradict this supposition as they show that expansions in the proportion of small enterprises lead to subsequent decreases in recognition elections. Yet neither employer complaints to the NLRB nor strikes help explain election frequencies. Despite claims to the contrary (Goldfield 1987; Fiorito, Jarley, and Delaney 1995; Kleiner 2001) I find only limited evidence that increased employer resistance or decreased labor militancy is the best explanation for union organizational failures. Instead, and again in contrast to Goldfield's claims in his exemplary analysis, my results repeatedly suggest that political factors have much greater explanatory power.
Democratic Presidents and Labor Unions

One critique of this study could be that it presents Democratic presidents and their appointees in an overly favorable light. Some have called the relationship between unions and Democratic politicians an “enduring alliance” (Dark 1999). Yet, it is clear that Democratic administrations have not had uniformly or completely amicable relations with organized labor. In the following, I discuss some salient episodes in Democratic presidential-labor relations since the 1960s.

President John F. Kennedy is generally known as a labor ally. Under his watch labor found much to appreciate. The Kennedy years brought a raise in the minimum wage, budget increases for federal worker training programs, and most important, the issuance of an executive order that granted federal employees the right to organize and collectively bargain (Congress and the Nation 1965; Zagoria 1972). But at the same time, Kennedy believed in the need for labor regulation and suggested that “the Executive Branch should possess a wider arsenal of tools” to end nation-wide strikes (Theodore Sorensen 1965:440). And perhaps most tellingly, in an interview with the Chicago Sun-Times, Kennedy stated that he “wouldn’t give [labor leaders] the time of day, but in politics you simply have to” (Martin 1983: 138).

Like Kennedy, Lyndon B. Johnson is a recognized organized labor supporter. He received a record 66% of the union vote in his bid for this Presidency (Form 1995). Johnson was particularly close with AFL-CIO president George Meany and frequently met with the United Auto Workers’ president Walter Reuther (Dark 1999). Meany stated that “Every week there would be two or three telephone calls and visits [with President Johnson]. I was in the White House sometimes two and three times a week” (Goulden 1972: 338). Similarly, Reuther spoke of weekly phone conversations with Johnson and dinner invitations to the White House (Lichtenstein 1995). Under Johnson, labor was
well integrated into the top political circles. In terms of key policy outcomes, the
President supported amendments to labor law that extended prevailing wage provisions.
He also pushed for the expansion of the Fair labor Standards Act to cover an additional
nine million workers (Boyle 1995). Some suggest that the alliance between democrats
and organized labor in this period was essential to advance Johnson’s social welfare and
civil rights agenda. During this period labor unions enjoyed political access unheard of
in recent times (Greenstone 1977; Dark 1999).

President Carter’s relationship with organized labor was more strained than that
of either Kennedy or Johnson. His greatest win for labor was legislation that affected the
mining industry. The Federal Mine Safety and Health, and Black Lung Benefits Acts
outlined steps to improve mine working conditions and afforded benefits to disabled
miners and to the families of deceased miners (Congress and the Nation 1981). But,
Carter was unable to overcome differences with the leader of the largest labor
organization, The AFL-CIO. George Meany thought of himself as organized labor’s vital
link to the White House. Yet, he found his access restricted and his opinions ignored. In
response, Meany publicly disparaged Carter on several occasions (Dewar and Barbash
1978). In addition to personal conflicts, economic challenges drove a deeper wedge
between the White House and labor leaders. Carter ultimately consulted with labor in an
attempt to devise a plan to control the sinking economy. In the end however, the Carter
administration’s inflationary control strategies displeased unions and proved ineffective.
Carter’s legacy of labor relations was rather uneasy.

Unlike Carter, President William Jefferson Clinton has a favorable rating among
union leaders. Clinton showed his support for workers when he signed the Family
Medical Leave Act. And, unions were especially pleased when he issued an executive order that prohibited federal contracts worth more than $100,000 being awarded to any employer who had permanently replaced striking workers. Clinton also opposed a Republican-sponsored bill that would institute right-to-work laws nationally (Congressional Quarterly Weekly Report 1996a).

Perhaps his strongest defense of unionization came from his veto of the 1995 “Teamwork for Employees and managers Act”. Labor opposed the bill because it legalized company unions. Clinton declared that the bill would abolish protections that ensure independent and democratic workplace representation (Congressional Quarterly Weekly Report 1996b).

Yet, not all of Clinton’s labor-related actions were welcome by unions. He angered labor leaders by supporting the North American Free Trade Agreement (NAFTA). And, according to some lobbyists, Clinton “worked the Congress very hard” for NAFTA’s passage and he criticized unions for their “muscle bound” lobbying against the act. Republicans, pleased with NAFTA’s passage, sometimes credited Clinton’s criticism of labor as generating needed support from congress members (Congressional Quarterly Almanac 1995:172). So, while viewed as generally supportive of organized labor, Clinton also engaged in politics that were unfavorable to unions.

These historical snapshots illustrate the complex nature of presidential-labor relations. These relationships have much potential for both conflict and cooperation. As the preceding discussion shows, Democrats cannot be expected to heed labor’s every demand. But, with no formal labor party in the United States, labor unions have linked their political fortunes to the Democrats. Indeed, unions’ policy efforts operate almost
exclusively through the Democratic Party. Union leaders tend to have cooperative relationships with congressional Democrats (Dark 1999). And, in part because labor continues to commit substantial resources to their political activities, Democratic presidents are more receptive to labor’s agenda. But, Democratic leaders have been reluctant to push for large-scale changes in the labor-management relations arena. Rather, Democratic Presidents tend to support the general trajectory of policy in this area. I suggest that all things considered, Democratic leaders are at best wary union allies.

**Wider Implications**

The macro approach used here can uncover relationships that otherwise would be unobservable if research on labor was restricted to micro level analyses. Although some historical researchers have suggested that partisan control of the presidency can help explain labor's recent organizational failures (Davis 1986; Sexton 1991), I find little research that documents the strong association between Republican administrations and public policies that hurt the labor movement. This is so probably because such political effects are difficult or impossible to detect without macro level statistical analyses that can uncover general relationships that appear only after other explanatory effects have been held constant. Perhaps additional results like those reported here may contribute to a reawakened interest in the critical, but now all too often overlooked associations between the national political climate and the recent expansions in economic inequality that are at least partly a consequence of labor's diminished political influence.22

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22 And because I focused on counts rather than (in this case) quite misleading rates, I found a theoretically interesting political contrast that otherwise would have remained obscured. Surprisingly, the percentage of union victories in these elections has a V shaped relationship over time. Even more surprisingly, this percentage reached its nadir just after Reagan began his first term (in quarter 4 of 1981 unions won only 40.8% of these elections). Then the union victory percentage exhibited a steady linear increase during the period when Reagan and subsequent conservative Republicans held the Presidency, reaching a maximum post Reagan value of 59.1% in the second quarter of 2002. Yet these
The findings also suggest that statistical approaches that are sensitive to historical contingencies can provide an informative supplement to the many instructive historical studies about labor. There is no reason, of course, to believe that statistical procedures can replace the rich, theoretically stimulating insights generated by the interpretive approach favored by such historically oriented labor scholars. The results of the research reported here and additional statistical studies that uncovered other historically contingent relationships (Isaac and Griffin 1989) nevertheless suggest that scholars who have criticized statistical approaches because they completely ignore the contingent nature of historical reality may have overstated their case.

Another aspect of my approach is somewhat novel. It is unfashionable in the disciplines that study politics to emphasize differences in the results of partisan control over influential political offices. Political scientists seem to view research that highlights such contrasts as less than objective. Left leaning political sociologists instead often presume that there are only trivial differences between the major political parties in nations with largely market based economic arrangements. Yet my findings suggest that it is a fundamental mistake to overlook the substantial differences in the policies that U.S. parties enact after they gain control over the most powerful offices. This is particularly the case because the effects of the conservative labor policies I have uncovered help to sharpen contrasts in the already disparate fortunes of those who are prosperous and those who are not.

Voting based on class divisions almost certainly has been attenuated in recent national elections in part because conservatives have successfully used appeals that

\begin{quote}
percentages give a quite deceptive picture as Figure 1 shows that the number of union victories fell sharply in the first stages of period that began in 1981 and remained at this modest level after 1981 when the Reagan and other conservative administrations held the presidency and controlled the NLRB.
\end{quote}
emphasize wedge issues such as conservative religious values, deviance particularly by the minority underclass, and other non economic issues to gain substantial support from working and lower middle class voters. As a result of the increased economic security created by economic growth and these effective conservative tactics, economic issues with important distributive implications have been largely ignored in recent presidential campaigns. Yet these recent reductions in class voting certainly do not mean that the contrasts in the policies the two U.S. parties enact after they win influential offices have only trivial effects on the distribution of economic resources. Perhaps the most fundamental implication of my findings is the evidence they provide about how conservative Republican administrations successfully undermined the movement that probably once was the most reliable and influential political ally of workers and the least affluent.

My results help explain the exceptional departure in labor's fortunes that has inspired so much speculation in the literature. Although the downward trend in union membership began well before this politically determined shift in union organizational success, my findings nevertheless indicate that the onset of these anti union conservative policies led to a sharp transition that severely damaged the labor movement. These findings highlight the explanatory power of political accounts. Because the perennial conflicts between labor and management are subject to such intense political regulation, it is difficult to believe that the contestant with a close political ally who controls the presidency and the NLRB would not be far more likely win such disputes. These findings and the rich descriptive literature about the NLRB both point in the same direction. When conservative opponents of labor control the presidency and the Congressional oversight committee, union growth by organizing new workplaces with recognition elections will be severely restricted. It follows as well that because the success of closely regulated movements depends so much on the political opportunities provided by
the politicians who control the regulatory process, a combined state centered-political
opportunity theoretical approach can help us reach new empirically grounded insights
about the factors that lead to the success or failure of such movements.
CHAPTER 4
Politics and Racial Threat in Union Organizing

What factors determine labor unions’ success in winning recognition elections? Unions expand their membership through victories in workplace elections but the frequency of such elections has decreased markedly over time. Because fewer elections take place than in the past, winning such contests has become increasingly important for labor’s survival. The health of organized labor is significant for a number of reasons but perhaps most importantly, the weakening of this institution is linked to growing income inequality (Card 1992; Freeman 1997). The burgeoning literature on union decline emphasizes organized labor’s inability to adequately maintain or substantially build membership and provides multiple explanations for this trend (Goldfield 1987; Cornfield 1991; Clawson and Clawson 1999; Wallerstein and Western 2000; Farber and Western 2001).23

Conventional quantitative analyses of unionization emphasize one of several causal frameworks. First, important arguments link macroeconomic changes to declining union membership and unions’ inability to grow or even maintain their numbers (Farber 1985; Troy 1990; Chaison and Rose 1991; Farber and Western 2001). Other studies focus on employer resistance to unions. This convincing body of work illustrates the array and effectiveness of tactics employers use to dissuade workers from unionizing.

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23 Organized labor has been in decline for decades. In the 1950s about one-third of all workers were union members. By 2005 that number declined to about 12.5%. Union density has fallen to its lowest level since the depression era. The pattern of union decline has inspired much research and discussion on the causes of unions’ weakened state (Farber 1990; Masters 1997; Goldfield 1987; Cornfield 1991; Western 1993; Farber and Western 2001, Lipset 1990; Bronfenbrenner 1997).
Macro-economic changes as well as organization and individual-level factors are clearly important contributors to unions’ status. But, in terms of winning new members one should not lose sight of the role of proximate organizing environments. Two aspects of this context are particularly meaningful for labor’s ability to win new members: political and racial arrangements. Analyses bereft of racial and political considerations miss an opportunity to track general patterns that have long-influenced U.S. labor relations (Asher and Stephenson 1990; Dubofsky 1994). This study fills these gaps in the literature by attempting to examine such important relationships. I ask how broader political and racial arrangements in union organizing environments affect unions’ ability to win elections.

In order to maintain control of the levers of economic stability, western nations heavily regulate labor-management relations. This means that politics play a central role in the regulation of labor conflicts. And, parties who are successful in the political arena hold an advantageous position in labor disputes. Some scholars have gained theoretical leverage by conceptualizing labor as a social movement, albeit a rather institutionalized one (Johnston 1994; Clawson and Clawson 1999; Clawson 2003). Drawing on the social movement literature I propose that political opportunities matter for labor organizing
outcomes. Political opportunity research has proliferated in recent years (Tarrow 1994; Jenkins and Klandermans 1995; Rucht 1996; Andrews 2001; Van Dyke and Soule 2002; Meyer and Minkoff 2004). Few of these studies address labor. This perspective argues that exogenous political factors explain the effectiveness of movement strategies, the advancement of particular ideas, and prospects for mobilization (Amenta and Zylan 1991; Almeida and Stearns 1998; McAdam 1999; Jenkins, Jacobs, and Agnone 2003). Movement successes often hinge on such opportunities. Given that union organizing activities are intensely regulated by the state, studies of the U.S. labor movement should benefit from the insights of this approach.

In addition, there is a body of historical research that contributes much to our understanding of labor-management relations and unionization efforts. Many of these studies provide insight into the role that racial dynamics have played in worker solidarity and union formation (Foner 1982; Arnsen 1993; Stevenson 1993; Sugrue 1996). Brueggemann (2000), for example, illustrates how employers exploit racial antipathies to foment distrust and divide potential inter-racial labor coalitions. Similarly, another study illustrates how features of organizing campaigns and the particular unions involved can have a deleterious influence on solidarity among racially diverse workers (Brown 1998). Such studies lead to the expectation that racial dynamics should be an important ingredient in unionization outcomes. But, the case-oriented approach of these studies covers only a limited temporal period and may yield idiosyncratic findings.

For these reasons, statistical analyses that gauge the explanatory power of hypotheses drawn from both the literature on labor politics and race and labor activism should be informative. Despite the importance of these factors for union organizing, gaps
remain in the literature. It is uncommon to find studies that address how both the political and racial environment affect labor organizing across time and place. I extend the research in this area by following such an approach with a pooled time-series analysis of union election frequencies from 1970 to 2002.

THEORETICAL FRAMEWORK

The fundamental problem that labor faces is the problem of organizing new members. I draw primarily from two perspectives to address this issue. First, because organizing is strictly regulated by government officials, political arrangements figure prominently in labor outcomes (Dubofsky 1994). The majority of organizing activity occurs through the National Labor Relations Board (NLRB), which oversees the entire process from verifying initial worker support to counting the election votes. A second approach exemplified by Brown (1998) emphasizes that racial divisions have hampered efforts to build and maintain worker solidarity. While, I emphasize the role of political and racial arrangements, I also consider the potential influence of economic conditions, employer resistance, and union prevalence across jurisdictions.

Political Arrangements and Labor Outcomes

Partisanship. The dominant political parties in the U.S. differ in their philosophy about labor-management relations and macro-economic policy (Alvarez, Garrett, and Lange 1991; Alesina and Rosenthal 1995). While the Republicans have a generally adversarial relationship with organized labor, Democrats have been more receptive to labor’s goals (Gerring 1998; Dark 1999). Public anti-labor spectacles, such as President Ronald Reagan’s firing of over eleven thousand air traffic controllers in 1981 signals to labor unions as well as the broader community the difficulties labor is likely to face under
Republican administrations. Similarly, a number of analyses indicate that conservative politicians have been far more likely to champion economic legislation that benefits the affluent at the expense of the poor (Kirschen 1964; Blank and Blinder 1986; Hibbs 1987). And, when Republicans are in power they tend to advocate tax laws that favor their wealthy supporters (Jacobs and Waldman 1983; Allen and Campbell 1994). These partisan tendencies may restrict what supporters of labor and the non-affluent can achieve. That is, they limit political opportunities.

The importance of politics is not confined to the national level. Historically, state-level political actors have played an important role in labor disputes. Governors are heavily vested in the economic stability of their respective states. Poor economic performance frequently translates into decreased support at the ballot box. These state managers have thus engaged in strategies to build and support economic infrastructure as well as efforts to regulate labor-management relations (Hansen 1999). And, history has shown that when faced with particularly disruptive labor conflicts, governors have relied on legal maneuvers and in some instances military force to suppress strikes and related protests (Brecher 1997; Beik 2005).

More recently, governors have used political tactics to alter the legal landscape in which these disputes are conducted. In 2005, the Republican Governor of Indiana issued an executive order that eliminated fifteen years of bargaining rights and existing contracts for over 25,000 public workers (DeAgostino 2005). During the same year, the Republican Governor of Missouri used an executive order to rescind bargaining rights and existing contracts for over 34,000 workers. This order targeted state employees who were given the right to unionize and bargain under an executive order issued by
Missouri’s Democratic Governor in 2001 (Tanner 2005). Conversely, Oregon’s Democratic Governor Kulongoski has a different perspective on organized labor. In 2006 he personally delivered a letter, signed by Oregon’s Congressional delegation, to the National labor Relations Board urging them to hold hearings on proposed legislation that could weaken a variety of worker protections. He stated that “My efforts to protect Oregon’s middle class and create a strong and fair economy are dependent upon a healthy labor movement in our country. Oregonians deserve to be heard in decisions that could weaken worker rights and core labor protections” (Kulongoski 2007).

From the episodes discussed above it is clear that partisan political shifts may affect labor organizing and member retention in both structural and symbolic ways. The governors of Indiana and Missouri generated structural-legal changes through executive orders while Oregon’s governor sent a clearly supportive signal to organized labor. Actual policy changes may also be signals because they send a message to groups about how receptive the government will be to their cause. What is more, given the ideological differences about labor relations between the two dominant political parties, simple shifts in partisan power may also serve as important opportunity signals. Implicitly drawing on similar insights, Cooke (1983) reminds us that in communities in which the public perceives unions as having little political clout, efforts to gain new members will be restricted. These political considerations suggest that when Republicans are in office labor should have a more difficult time gaining members.

Restrictive Legal Framework. Existing legal parameters may also help explain labor successes and failures in the states. In the post World War II era, employers hoped to curtail the expansion of union membership. A significant part of this strategy involved
popularizing anti-union messages and pushing for legal changes that would strengthen employers’ bargaining position (Moore 1998). Prominent employer organizations such as the Chamber of Commerce and the National Association of Manufacturers coordinated national campaigns to promote legal restrictions on unions (Fones-Wolf 1994). The Right-to-Work laws resulting from these efforts were and continue to be an important legal impediment to building union membership.

It is traditional that union contracts require all covered workers to formally join the union. But, in states with Right-to-Work laws such a requirement is illegal. Rather, workers are allowed to receive the benefits of membership without bearing any of the associated costs. Some argue that the passage of Right-to-Work laws has a large psychological influence because the presence of such legislation damages unions’ credibility. The instance of Right-to-Work’s defeat in Missouri is a case in point since after the legislation was defeated, labor organizing increased dramatically (Ellwood and Fine 1983: 32). I expect that unions will be less likely to gain membership through elections where Right-to-Work laws exist.

Citizens’ Political Ideology. Conservative individuals resist organized labor because they view collective bargaining as an offense against the free market (Barzel 1997). In this view, the rules and regulations that unions impose on firms are seen as an excessive burden to business because they interfere with the free market and property rights. Similarly, many conservatives argue that union shop contracts, which require union membership as a condition of employment, violate workers’ rights as they are “coerced” into joining the ranks of organized labor (Sexton 1991; Gall 1998). This suggests that in more conservative regions it will be difficult for unions to build support
and political arrangements will not favor unions. Liberals, conversely, are much more likely to support labor’s agenda. From this discussion I hypothesize that where conservative ideology is strongest, labor will be less successful in recruiting new members.

Minority Threat and Labor Outcomes

**Racial Threat.** Racial cleavages are among the most important social divisions in the United States (Myrdal 1944; Omi and Winant 1994; Goldfield 1997). Racial animus should reduce labors’ capacity to win workplace elections because it disrupts worker solidarity (Bonacich 1976; Foner 1982; Roediger 1999). A number of studies illustrate employers’ manipulation of this division to break prospective and existing labor coalitions (Asher and Stephenson 1990; Brown 2000). Pronounced racial divisions that obscure workers’ shared grievances and ambitions make it easier for employers to defeat organized labor. While overt workplace and other discrimination has arguably declined, racial antipathy lives on in diverse forms with important consequences (Pager and Quillian 2005; Bonilla-Silva 2001; Royster 2003).²⁴

Some racial inequality analysts conclude that substantial progress has been made over time. Farley (1997), for example, argues that the trajectory of inequality for African Americans has been mixed albeit with some areas of substantial promise. His analyses reveal minority gains in education, earnings, and occupational status. Yet, he concedes that significant challenges remain with regard to unemployment, family well-being, and

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²⁴ Racial cleavages have implications that reach far beyond the workplace. Analyses of the role of race in policy outcomes, for example, speak to the broader and enduring affect of racial perceptions. Studies that examine social policy illustrate that when minority groups are perceived as the primary beneficiaries such policies are less likely to be enacted into law (Quadagno 1990) or are ultimately less generous (Zylan and Soule 2000). Similar studies indicate that taxation is less progressive in states with greater proportions of African Americans (Jacobs and Waldman 1983).
poverty (also see Heckman 1998). Schuman et al. (2001) found that over 90 percent of white survey respondents stated that white and non-white applicants should be considered equally by employers. A number of other recent surveys suggest marked declines in mass racial antipathy (Sniderman 1997; Schuman 1997).

But, Pager and Quilian (2005) generate important insights by not taking survey responses at face value. Instead, they match telephone survey data from employers with audit studies of employment seekers. The survey data suggest a high degree of employer willingness to hire from all racial categories. In contrast, they find that actual hiring practices heavily favor white applicants. The authors caution against believing that more liberal attitudes on surveys will produce less discrimination.

Many labor unions have a history of racial discrimination. Efforts to preserve white racial privilege in unions are well documented (Gould 1977; Foner 1982). Unions frequently discriminated against minorities by organizing them in separate locals. And, sometimes unions’ constitutional provisions contained clearly discriminatory clauses (Asher and Stephenson 1990). Roediger (2003:168) notes that although there is an historical record of discourse among labor leaders about the need for black-white alliances, early labor history illustrates that “Race riots and hate strikes versus Black workers were far more common than biracial labor struggles.” And Marshall (1972: 295) emphasizes the resonance of race in labor disputes by indicating that “The extent to which Negroes were used as strikebreakers probably has been exaggerated … and while white workers also were used to break strikes … Negroes, seeming far more conspicuous, were far more resented.”
The sizeable body of theory, historical study, and quantitative analyses in this area suggest that racial divisions are likely to undermine worker solidarity. Some unions have recognized the need to explicitly recruit and build alliances with minorities. And, workers sometimes could resist racially-divisive managerial tactics. This was the case in New Orleans during the 1890s when black and white port workers defied employers’ attempts to sew racial divisions by agreeing to share their work (Rosenberg 1988). But such coalitions were often difficult to create (Foner 1982; Gall 1988). The legacy of race relations at the Alabama Red Mountain mine during the 1940s and 1950s provides a particularly interesting case. White workers made repeated attempts to oust blacks from union leadership positions. But, because of equal representation clauses, they were unsuccessful. They responded by signing a petition to recognize a competing union. In particular, they sought a union that promised to cater to their racial interests (Jensen 1954). The opposing union won the ensuing election but thereafter black workers refused to join and were unable to regain their influence in the iron ore mines (Huntley 1990).

Over time labor has pursued a more inclusive strategy in terms of race relations. But such deep-rooted divisions in the broader population are not easily overcome. And, even if they were driven from formal labor organizations, this would not mean that racial resentments have been driven from the workplace. Some race scholars maintain the

25 But there are episodes of interracial working-class solidarity. For example, see Zeitlin and Weyher (2001) in the *American Journal of Sociology*.

26 The civil rights movement increased the pressure on unions to end their racially exclusive practices. This was particularly the case for skilled construction unions, which often relied on referrals from other workers in determining who to hire (Gould 1977). Beck (1980) argues that labor unions have traditionally been part of a “white man’s movement.” Many unions have a “white protectionist” history and were in conflict with organizations such as the NAACP as late as the 1960s. But, by the 1970s, unions began to accept minorities at rates comparable to whites (Schutt 1987).
existence of a post-civil rights era brand of race relations. This approach, often referred to as “the new racism,” argues that racist attitudes have become more sophisticated, covert, and seemingly nonracial or colorblind (Tuch and Martin 1997; Krysan 2000). And, work based on in-depth interviews (Bonilla-Silva 2001) as well as participant observation (Hartigan 1999) speaks volumes about the enduring importance of race and the subtleties of race-oriented perceptions and behaviors. Such contemporary animosities are not as explicit as those of earlier eras, but they nevertheless remain in more nuanced forms and as part of broader social, economic, and political relations (Omi and Winant 1994). The “new racism” studies are consistent with Pager and Quillian’s (2005) findings that employers say one thing and do another. Judging from this body of work, we have every reason to believe that racial divisions continue to be important.

Given the prior discussion, racial threat theory is pertinent here because it provides important insight into worker relations and taps into group struggles to climb social and economic hierarchies (Blalock 1967; Quillian 1995). Bobo and Hutchings (1996) explain that racial threat is a complex phenomena that operates through individual notions of self-interest, group position, prejudice, and ideas about stratification. This approach suggests that increases in minority populations will generate conflict with dominant groups and thus thwart the potential for worker solidarity. Because they are viewed as unwelcome economic competitors, increases in racial minority populations may spur hostile reactions from majority whites (Taylor 1998). Olzak (1989), for example, shows that expansions in racial minority populations in urban labor markets are associated with increased levels of race-based conflict. This legacy of racial conflict
suggests that the increased presence of African Americans should harm worker solidarity and will be associated with declines in the frequency of union recognition elections.

Alternative Explanations for Union Election Frequency

Unemployment. Labor market conditions clearly influence union membership levels (Ashenfelter and Pencavel 1969; Fiorito, Gallagher, and Greer 1986). High unemployment rates reduce the likelihood of union support because workers may feel that their jobs are in jeopardy. This is particularly the case if workers sense that their employer is hostile to unions. This makes unionization efforts unattractive because of increased competition for scarce jobs and the ease with which employers can replace employees. Unions, moreover, have greater leverage in dealing with employers and are thus more appealing to workers when unemployment is low (Goldfield 1987:164). Workers’ perceptions of the strength of the union figure into this process as does the perceived strength of the economy and available opportunities. I expect that higher unemployment rates are associated with fewer workplace election victories.

Employment in Manufacturing. The manufacturing sector is often viewed as a labor stronghold as unions have traditionally found their greatest support in the U.S. among blue-collar workers (Goldfield 1987). Given the traditional strength of labor in manufacturing, it should be no surprise that some analysts find an association between union membership decline and the broader shift away from industrial work toward more service and white-collar occupations. Employment growth in industrial sectors has been
less than that of traditionally less unionized sectors (Voos 1983; Troy 1990). It stands to reason that expansions in the proportion of individuals employed in manufacturing should be associated with increases in union membership.

**Labor Prevalence and Militancy.** Unions are the primary vehicle through which employees can influence their work-life (Yates 1998). The size of union membership in a given jurisdiction is indicative of the strength of labor and it is suggestive of workers’ capacity for collective action (Korpi 1983). Higher unionization rates illustrate a stronger organizational base and associated resources. Greater union visibility also provides an exemplar for would be union members. Learning that other workers have mobilized raises one’s awareness of the possibility of collective action. Likewise, learning successful tactics provides inspiration and allows workers to adopt similar strategies. And hearing that others have successfully organized workplaces or won strikes for improved workplace conditions raises hope and influences perceptions of potential success. Such information can unite workers with common aspirations.

Biggs (2003) examines historical patterns of union militancy from efforts to obtain an eight hour work day. He argues that workers derive “information” and “inspiration” from labor activity in their environment.

“As more and more workers gained eight hours … Activists fostered interdependence and inspiration. At a meeting to organize brewery workers … speakers pointed to the powerful brewers’ union in New York City, and to the recent organization of other workers in Chicago. Brewery workers exhorted the chairman, ‘must finally understand that unity is strength, and that going hand-in-hand with the organized workers of other industries would only be to their advantage.’” (Biggs 2003: 236).
Conell and Cohn (1995) make a similar argument. They assert that labor mobilization is bound up in patterns of contagion or spread. In particular, successful acts of labor militancy foster additional rebellious acts against employers. In their view, information is a resource: “strikes transmit information about grievances, opportunities … and the favorability of bargaining conditions” (1995: 367). Episodes of labor solidarity and conflict are thus important for consciousness raising and the sharing of tactical information.

The prior arguments are consistent with the notion that the frequencies of union recognition elections as well as strikes in a particular jurisdiction are rough indicators of the intensity of union activity (Chaison and Dhavale 1990). Regions with an historical legacy of union strength should have a more receptive population. But, such activity may also illustrate where unions are most active and where they are devoting substantial resources. I expect that receptivity to unions will be higher in states with more union members and therefore the frequency of success in union elections should be higher. In addition, I expect that increases in the frequency of large strikes will increase labor’s election victories.

**Small Enterprises.** Small firms operate in intensely competitive environments and face increased costs due to the absence of economies of scale. Because of these economic conditions, small businesses have a more difficult time passing increased costs onto consumers. This situation makes smaller enterprises resistant to changes that will increase their labor costs. Reynolds et al. (1991), for example, find that areas with concentrations of small businesses show increased hostility toward pro-union legislation. Other research shows that small business owners and their representatives were strong
advocates of anti-labor Right-to-Work laws (Canak and Miller 1990). While larger firms have not been necessarily pro-labor, studies suggest that smaller businesses have been among the most vocal labor opponents. I therefore expect that increased proportions of small businesses will contribute to fewer recognition elections.

**Unfair Labor Practices.** In the course of organizing a workplace employers are legally required to abide by regulations set forth in the federal Labor Management Relations Act. Violations of this act are called unfair labor practices (ULPs) and they have increased substantially in recent decades. A report from the Dunlop Commission illustrates that the frequency of ULPs increased from 9,067 in 1960 to over 24,000 by 1990 (Commission on the Future of Worker-Management Relations 1994). Transgressions by employers have long been considered a key factor in unions’ failure to build membership in workplace elections (Freeman 1985; Kliner 2001). Because firms face only minor fines for such abuses, some have argued that it is not in the firm’s interest to avoid engaging in these tactics (Moody 1988). Employer threats to fire or layoff union supporters, and intimations that unionization will mean firm closure or relocation are among the most common violations (Freeman and Rogers 1999; Kleiner 2001). I thus expected that states where complaints of illegal antiunion activities are most common should experience fewer election victories.

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27 Unions must follow laws during unionization efforts. Violations by either employers or unions may adversely affect unions’ potential for success. This is because unfair labor practice complaints lead to lengthy investigations and delays which tend to erode union support (Moody 1988). Unions’ own ability to defend themselves through legal means may therefore actually work against their efforts.
METHODS

Research Design. I use a pooled time-series approach to explain the frequency of labor union victories in workplace elections from 1970 to 2002. I use state-level explanatory variables, save for one predictor, which I discuss below. As is standard with this type of design, my predictors are lagged by one year to allow sufficient time for relationships to be completed. Lagging variables also helps eliminate potential simultaneity problems. I also include an AR(1) term to control serial correlation. And I use STATA’s robust correction for heteroskedasticity. This strategy enables me to move beyond case-oriented or cross-sectional designs and explore more general patterns across both time and place.

Dependent Variable and Estimation. The dependent variable in this analysis is the annual number of recognition election victories by labor unions in each state between 1970 and 2002. I use population-averaged estimation which is a form of random-effects (Liang and Zeger 1986; Pendergast et al. 1996; Prentice and Zhao 1991). Because most of the variation in union election victories is across states (see Table 1) random-effects modeling is appropriate. Panel analysis has multiple benefits. Multicollinearity is less likely in panel designs than in standard time series because it captures both over-time and cross-sectional variation. The cross-sectional component adds variability, or more information, which in turn produces more consistent parameter estimates (Kennedy 2003; Baltagi 2005). And finally, a random effects approach can account for both time-varying and time-invariant indicators.

I use a count model because analyses of the proportion of union election victories can be misleading. For example, in 1991, unions in Washington won 60% of their
elections compared to only 45% in 1975. This suggests that unions fared better in 1991. But, in 1991 this greater proportion amounted to only 57 wins versus 103 victories in 1975. Similar scenarios can be found throughout the data on unionization in the states. Colorado unions won 57% of the time in 1998 but this consisted of only 12 elections. And, Colorado unions won only 45% of the time in 1977 and ended up with a more favorable 65 victories.

**Explanatory Variables.** The political-legal environment is gauged with several indicators. Republican strength is measured with a dummy variable denoting whether a Republican Governor is in office. The existence of Right-to-Work laws is also a dummy coded 1 if they are present. I also include a measure for the percentage of votes in each state for the last Republican Presidential candidate. And finally, I tap citizen ideology with an index developed by political scientists (Berry et al. 1998). This index is based on the ideological ratings of Congress members constructed by COPE and the Americans for Democratic Action. Each group generates an annual conservatism-liberalism rating based on the members’ voting record. Berry et al. then estimate citizen ideology for each state congressional district using the ideology score for the incumbents and an estimated score for their opponent in the prior election. Scores are weighted by the vote margins for each district and averaged for each state. The highest scores indicate more liberal states (see Soule and Olzak 2004).

I consider the economic environment by including measures of the official unemployment rate and the percentage of workers employed in manufacturing. Employer resistance is measured by the percentage of small firms with nineteen or fewer
employees and the number of unfair labor practice charges filed against employers. These charges are known as section 8(a)(3) violations and involve employer efforts to discourage union support. The unfair labor practice data are from The Annual Report of the National Labor Relations Board for various years and the small enterprise data are from County Business Patterns.

I assess labor prevalence with measures of the percentage of the workforce belonging to unions and I control for the number of recognition elections held in each state. A national measure of the number of strikes involving one thousand or more workers taps labor militancy. I use the national measure because a complete and consistently measured state-level time-series indicator is not available for this item. And, following studies in crime control (Jacobs and Carmichael 2002) and political sociology (Jacobs and Tope 2007) minority threat is assessed with a measure of the percentage of the state population that is African-American. To control for regional variation I include eight of the nine census regions as dummy indicators with New England as the reference category.

**Specification.** The above discussion of explanatory measures indicates that the coefficients on five predictors should be positive while the others are likely to have negative effects. The percentage employed in manufacturing, the percentage unionized, the frequency of large strikes, the number of elections held, as well as a more liberal
citizen ideology should show positive relationships. A general specification of this model is:

\[
\text{Frequency of union election victories} = b_0 + b_1 \text{Unemp} + \\
b_2 \%\text{Manuf} + b_3 \%\text{Union} + b_4 \text{Unionelect} + \\
b_5 \%\text{Smlent} + b_6 \text{ULP} + b_7 \text{RTW} + b_8 \text{Repgov} + \\
b_9 \text{Strike} + b_{10} \text{Citideol} + b_{11} \text{Perblk} + e \tag{1}
\]

ANALYSES

**Descriptive Statistics.** Table 1 presents the expected signs for each predictor, the means, and the overall standard deviations. The final two columns present the separate cross-sectional and over time standard deviations. These figures indicate that the dependent variable has ample over time variation and is thus amenable to pooled time series analysis.

[INSERT TABLE A.10 HERE]

**Random-Effects Panel Analyses of Union Election Victories.** Table 2 presents the random effects panel analysis findings about the determinants of union election victories. Model 1 introduces a simple specification that includes measures of the unemployment rate, the percentage of workers employed in manufacturing, the percentage of unionized workers, and whether a state has Right-to-Work laws, as well as controls for region. In this brief model, higher unemployment levels are associated with fewer recognition election victories while the percentage employed in manufacturing and the percent unionized are positively related to union victories just as we would expect. A
restrictive legal environment, measured by the presence of Right-to-Work laws, is associated with fewer victories.

Model 2 adds indicators for the percentage of African-Americans living in the state as well as the proportion of small enterprises, and controls for the number of recognition elections held. The significance patterns from Model 1 persist. Neither the number of recognition elections nor the presence of small businesses affect union victory rates. Most importantly, however, the size of the black population and its quadratic transformation are significant. The presence of some African-Americans is positively associated with union victories. But when the population reaches a particular threshold, the presence of racial minorities has a negative influence on union victory rates. This suggests that historical accounts and theoretical arguments about how racial divisions affect worker unity are accurate. I defer reporting the threshold until discussion of the final model.

The results from Model 3 are similar to prior models because all prior significant effects persist. Here, I add a more comprehensive set of political measures, as well as unfair labor practices. The presence of a Republican governor, as expected, has a negative influence on union victories. Citizen ideology operates in the anticipated direction – a more liberal population experiences more union wins. But, the citizen ideology indicator never reaches significance. And, contrary to expectations, increases in unfair labor practice filings are associated with more union victories rather than less. But, Roomkin (1981) and Kleiner (1984) find a similar pattern for unfair labor practices (ULPs). Roomkin shows that both unions and employers file more ULP charges as more elections are held. He argues that this pattern is part of the litigious nature of labor
disputes. Legal advisors for both businesses and labor unions advocate aggressive counter claims and the adversaries oblige. In short, legal charges yield more legal charges. Kleiner (1984) draws a complementary conclusion. He finds that many firms are repeat offenders and suggests that the meager penalties incurred by illegalities do not discourage such activity. Perhaps the role of ULPs is more nuanced than I am able to capture in this analysis.

Models 4 and 5 are nearly identical. In Model 4 I retain all previously discussed measures save for citizen ideology. But, I add the number of major strikes involving one thousand or more workers in each state. Increases in strikes are positively related to union election victories. And, the frequency of union elections becomes significant but the direction and significance patterns of the other predictors remain unchanged. Model 5 presents the complete model including both strikes and citizen ideology. The patterns from model 4 persist. Overall, the results show that my explanatory framework is supported. Theories and measures based on political and racial arrangements help account for union victories in recognition elections. The presence of Republican governors and Right-to-Work laws dampen the likelihood of union victories. Similarly, growth in the black population generates sufficient resentment to interfere with union recognition victories. Research on union support indicates that minorities are more likely than other groups to join (Lipset 1986; Cornfield and Kim 1994; Freeman and Rogers 1999). So, it is not particularly remarkable that initial growth in the black population contributes to more union elections. It is noteworthy, however, that after this group expands past 19% of the population, the incidence of union election victories declines
significantly. It is likely that the increased conspicuousness of this group contributes to episodes of white resistance and associated declines in worker solidarity. These results persist despite a generous list of controls.  

CONCLUSIONS AND IMPLICATIONS

Findings. I found evidence that growth in African-American populations can adversely affect unions’ ability to win new members. Minority group presence poses difficulties for unionization in two interrelated ways. First, the heightened visibility of minority group members may stimulate racial animus in coworkers. These resentments may be based on real or perceived threats to one groups’ dominant social, economic, or political position. This is reflected in an example from Minchin’s (1998) study of interracial unionism in the southern U.S. Reflecting on the challenges of uniting a multiracial workforce, a union organizer said: “I think that there was this fear of competition, that the black worker would take their job from them, and then there was this attitude that they were … superior to the black worker, and they just, they didn’t want to work with them … I think it was a fear of competition and just a superiority complex” (112). And, more broadly, Minchin notes that in the 1960s and 1970s, virtually every major textile company was involved in racial discrimination lawsuits.

Aside from indicators included in the model, I used another measure for political arrangements across states. I ran models that substituted the citizen ideology measure with an indicator of citizens’ self-identification as liberal or conservative by McIver, Erickson, and Wright (2001). This predictor never approached significance and did not affect the significance patterns of the other measures. I also experimented with several interaction terms in order to gage the joint influence of political environment and employer resistance. I interacted republican governor with unfair labor practices, unfair labor practices with Right-to-Work, and Right-to-Work with small business. None of the interactions approached significance or substantially altered the model.
Second, because racial caste maintenance reinforces some groups’ superior position, employers are able to instigate race-based fear and conflict. There are ample instances of employers’ exploitation of racial cleavages to disrupt unionization. For example, in the *Bush Hog, Inc.* case, the National Labor Relations Board (NLRB) found that employers used racial appeals to discourage union support. One worker reported that the employer told him that “if the Union went in … we would have to work with Negroes.” And, the employer hung a poster in a highly visible area that showed an African American man smoking a cigar. The caption on the poster read “Us and that Union are going to change things around here” (*Bush Hog, Inc.* 1961). In the *United Packinghouse v. NLRB* case, a federal court declared that racism contributes to docility and demobilization among workers (*United Packinghouse v. NLRB* 1969; also see Frymer 2005:380). And, recent episodes at North Carolina’s Smithfield foods, the largest hog slaughterhouse in the world, provide a contemporary case in point. NLRB and federal court hearings found that the employer exploited racial cleavages to divide workers and discourage union support during two organizing drives in the 1990s. Smithfield was found guilty of over thirty violations of the National labor Relations Act (*LeDuff* 2000). Despite our advances in some aspects of racial inequality, racial cleavages endure.29

29 One thing that influences union growth is the degree to which workers feel that they benefit by joining. Studies indicate that minorities are now more likely to join than whites. This suggests that to some degree, unions have shed their image of a white man’s organization (*Lipset* 1986; *Freeman and Rogers* 1994). And, there is some positive movement on the solidarity front if we consider recent west-coast labor activism. California has become an important proving ground for interracial and interethnic solidarity. In Los Angeles, for example, the Service Employees International Union has successfully organized diverse groups including numerous immigrants. But, social cleavages among workers remain and they constitute a major challenge for labor’s future.
Economic findings were also informative. Increases in unemployment reduce the likelihood of unionization. This is consistent with the ample literature on unions and slack labor markets. When unemployment is high, employers are likely to pursue cost control measures by resisting unions. In addition, workers’ fear of job loss limits their willingness to engage in labor activism. Yet, regions with higher union membership levels are associated with a significantly greater incidence of union election victories. And jurisdictions with greater proportions of workers in manufacturing have a positive association with union wins. This suggests that traditional union strongholds continue to be potentially fruitful regions for union growth.

Importantly, the results also show that politics matters for labor organizing. While it is accurate that the original 1935 Wagner Act explicitly supported labor organizing, partisan ideologies have interfered with this goal. Specifically, I find that Republican governors contribute to fewer union election wins. This is consistent with my expectations, given the partisan ideological inclinations of Republican political leaders and their largely contentious relationship with organized labor. It is unlikely that Republicans will have large prolabor constituencies. And, a strong labor presence may seem contradictory to the probusiness economic environment Republicans desire. They are therefore more likely to pursue policies that limit labor’s capacity to act. In addition, Republicans are more inclined to promote economic growth in traditionally nonunion areas such as small businesses, and services (Grant and Wallace 1994). Political decisions based on this partisan outlook therefore limit the opportunities of organized labor.
**Broader Implications.** This study focuses on important relationships that are often overlooked in quantitative analyses of labor organizing. Much of the foundational literature that addresses either political or racial issues is historical or case-oriented. Quantitative labor studies that use theoretical perspectives from both race and politics are uncommon (but see Brown and Boswell 1995). My state-level approach is useful for examining such patterns.

My central claims, drawn from theories of racial threat and political partisanship, are supported. Even while controlling for a host of other explanatory factors, these indicators remain significant. What does this suggest about the contemporary challenges of labor organizing? Numerous labor scholars argue that unions must fundamentally rethink their approach to organizing (Turner et al. 2001; Bronfenbrenner 1997). And, it appears that there is general consensus among labor leaders that much introspection is in order. Yet, focusing only on the internal arrangements and operations of organized labor is inadequate. It is, of course, not possible to dismiss broad macroeconomic changes nor unions’ own organizing strategies. And, as my results show, one should also not overlook the fact that other aspects of the labor organizing context matter.

Offe and Weisenthal (1985) emphasize that a substantial power differential exists between workers and businesses. To compensate for this disparity, they argue, workers must have high levels of interaction and cohesion. Disruptions or cleavages that harm the potential for solidarity are thus fundamental impediments to worker power. And racial divisions have often been an Achilles heel that harms worker solidarity. Labor’s future rests, in part, on its capacity to overcome such deep-rooted animosities.
At the 2005 AFL-CIO Constitutional Convention, John Sweeney argued that “Organizing and politics go hand in hand” (Sweeney 2005). Shortly thereafter, several large unions seceded from the AFL-CIO. This dispute revolved largely around disagreements about resource allocation. The breakaway unions argued that more funds should be directed toward organizing rather than electoral politics. But, as my results show, Sweeney makes a valid point. Labor cannot survive without both organizing efforts and political action. While more organizing is surely necessary, union leaders and others have convincingly argued that the political-legal framework that regulates labor-management relations is broken (Forbath 1991; Geoghegan 2004). Hence, the political sphere must be a target of labor’s larger agenda. And electoral politics must therefore be a cornerstone of union revival.

The labor movement is struggling to reinvigorate itself. In a time when many workers are faced with an increasingly tenuous economic outlook and rising inequality, it is important to examine the institution that has probably been the strongest supporter of workers and the least affluent. Such analyses should be important because they speak to issues of power and inequality, which have traditionally been at the core of our discipline.
CHAPTER 5

CONCLUSIONS

My goal in this dissertation is to shed light on relationships between politics and organized labor. Union involvement in politics is nothing new (Wilson 1979). But, given the marked reduction in union membership and the expansion of research on union decline it is surprising that little labor research emphasizes how political arrangements matter for unions. The prior analyses attempt to narrow this gap.

Organized labor’s strength has fluctuated considerably over time. And the roots of these changes are complex. The dominant perspectives argue that labor’s contemporary status is largely the result of macroeconomic change, employer resistance, and shortcomings in union organizing. These approaches provide important insights into labor’s dramatic decline. But the political-legal environment cannot be omitted from our repertoire of explanations. The state is crucial because it establishes the rules for labor-management relations and can help or hinder union efforts. In what follows, I review the central findings from my analyses and discuss the broader political implications for U.S. labor unions.

Political Partisanship and the Changing Character of the NLRB. In Chapter 2, I ask “Is the National Labor Relations Board Biased?” To address this question, I draw on theoretical perspectives from the political partisanship literature. Because of ideological preferences, more conservative presidents should be less supportive of labor
unions. And most NLRB members should possess ideological positions similar to the president who appointed them. In addition, the fact that labor is a long-time supporter of the Democratic Party and devotes substantial resources to their political campaigns provides reasons to suspect a partisan division in union support. The logistic regression confirms this argument. When the Republican Party holds the presidency, unfair labor practice decisions by the NLRB tend to favor employers rather than workers or unions. Similarly, there is some evidence that a Republican-dominated Senate is associated with increases in pro-employer NLRB decisions.

I also examine historical changes in the Board. There has been a distinct shift in the NLRB composition over time. Former management attorneys are now frequently appointed to Board posts. Complaints about the latent bias of appointments with strong corporate connections have not curtailed this practice. Rather, it appears that the Board has grown more ideological in recent years and partisan appointments are now commonplace. My analysis shows that when a greater proportion of former management attorneys hold positions on the Board, key NLRB decisions more frequently support business interests. This is extremely important because these decisions specify how labor laws are to be interpreted. And these interpretations lay the foundation for subsequent labor-management disputes.

The results also show that NLRB decisions are associated with particular macroeconomic conditions. When unemployment is high, unfair labor practice decisions tend to go against employers. This benefits workers who may fear job loss. But, there is no evidence that during economic expansions, when employers are better able to afford
increased labor costs, Board decisions favor workers. These findings suggest that the state is somewhat sympathetic to worker interests under particular conditions.

*The Political Determinants of Union Recognition Elections.* In Chapter 3, I ask “What factors hinder the ability of unions to build membership by gaining workplace recognition elections?” Unlike other analysts, I focus on unions’ political context over time. Several political factors proved significant. Unions are unable to gain many recognition elections in the aftermath of a presidential election. This is conceivable because unions provide substantial resources to these contests. The period immediately after a presidential election is probably a recovery period for organized labor. In addition, the composition of the House committee that oversees the NLRB matters for recognition elections. Fewer elections occur when this committee is dominated by more conservative members.

Most importantly, this study was also concerned with historical shifts in the presidency. Republican control of the presidency is associated with a decline in unions’ ability to hold workplace elections. But, the most substantial reductions in union elections occurred after 1981 with the rise of the particularly conservative Reagan administration. This historical shift also occurs with the NLRB. The appointment of conservative and sometimes overtly anti-union Board members under Reagan and subsequent administrations led to similar negative outcomes for organized labor. These findings support the argument that changes in the political climate affect labor dispute results. The broad pattern of union decline, however, was probably not initiated by
political action. But the rise of particularly conservative political leaders in the 1980s advanced the decline and helped ensure labor’s weakened condition in subsequent years.

I also examined economic factors that may affect labor outcomes. Economic expansions, indicated by growth in gross domestic product, are associated with increased numbers of union elections. When unemployment is relatively low, more workers are willing to support a union election. When unemployment expands to 6.8 percent or beyond, however, workers become less willing to support unionization. This suggests that growth in unemployment dampens labor militancy. This finding is plausible since difficult economic conditions make workers more reliant on their employers and less likely to instigate conflict for fear of job loss.

**Politics and Racial Threat in Labor Organizing.** In Chapter 4, I ask “What factors determine labor unions’ success in winning recognition elections?” I draw theoretical insights from the literature on racial threat and political partisanship. The findings suggest that expansions in black populations weaken unions’ capacity to build membership. This relationship stems from the cleavages generated by historical and ongoing racial animus. Racial and ethnic hostilities as well as competition for jobs are part of this story. But another aspect of racial conflict in union organizing is employers’ capacity to sew and exploit racial and ethnic divisions. Labor organizers have noted the difficulty of building solidarity among diverse groups. And the multitude of legal cases about employers’ use of race to interfere with organizing provides additional support for claims that workforce racial composition can affect organizing. My findings suggest that

---

30 Some argue that the passage of the 1947 Taft-Hartley Act set the stage for labor’s decline. And there is reason to believe that this legal shift did indeed contribute to diminished union power (Gross 1995). An in depth treatment of this issue is, however, beyond the scope of this project.
racial animus continues to affect U.S. workplace relations and is likely to inhibit unionization.

Economic conditions also affect organizing. Expansions in unemployment are associated with a decline in union election victories. High unemployment rates advantage employers. Employees who fear job loss and competition in a tight labor market are unlikely to pursue activism that may anger their employer. Interestingly, my findings also indicate that regions that are traditional union strongholds are associated with increased union election victories. Perhaps the legacy of strong unionism in these locales contributes to contemporary labor union support.

My findings also show that political arrangements are important for labor organizing. States with Republican governors experience significantly fewer election victories. This result is consistent with my prior analyses that find that political partisanship affects labor. Republicans rarely gain the support of labor leaders. And their distaste for union interference in the workplace induces them to pursue policies that are antithetical to organized labor.

**DISCUSSION**

I now turn to the broader implications of my political results. Taken together, the prior analyses illustrate that politics is extremely important for organized labor. Because the results of labor-management disputes are crucial to economic stability, the state plays a large role in labor regulation. Political arrangements that influence this process are therefore vital to labor outcomes. More specifically, my analyses show that politics can
Given this situation, I suggest that unions cannot leave politics alone, because politics will not leave unions alone. Declarations that unions should focus mostly on organizing are therefore problematic.

There are few probable candidates to represent the broad interests of workers and the nonaffluent. Labor unions are the logical contender and have filled this role for many years. The decline of labor has important ramifications. Democracy does not function solely on individuals’ capacity to vote. Organizations that provide collective voice to those who lack political and economic power are also vital. Weak labor unions mean that there is limited protection for workers’ rights and probably little means to generate new legal protections. Labor unions are certainly not perfect. But they remain the principal agent that fights for workplace protections and policies that benefit the lower classes.

If necessity drives invention, then the contemporary political-legal environment that regulates labor unions has one important virtue: it makes it imperative for unions to develop new creative strategies to meet their goals. Most analysts that focus on union strategies emphasize worker and firm-level activities. But a broader political approach must be part of any substantial revitalization.

I turn to Lopez (2004) to illustrate how innovative political action can help labor in organizing campaigns. The Service Employees International Union (SEIU) is engaged in a long-term effort to organize nursing homes and similar service-oriented workplaces.

---

31 But the inverse relationship is important as well. Weaker unions cannot fight for adequate legal protections. This is perhaps best illustrated by the fact that the most significant labor laws that aided unions were enacted when labor was perceived as strong or perhaps even problematic by the state (Goldfield 1989).
Lopez provides an ethnographic account of their effort to unionize nursing home facilities in Pennsylvania.

The SEIU faced a fiercely anti-union company with a history of labor law violations as well as health and safety problems. Political tactics were a crucial component of a multi-pronged strategy to make the company accept workers’ desire to unionize. SEIU staff engaged the local political community by focusing on city councils. Nursing home workers gave presentations to city councils that detailed their harsh working conditions and unlawful treatment by employers. The councils, in turn, passed resolutions that condemned the company’s behavior. In a public statement about this case, The Pittsburgh City Council declared that companies that engage in illegal anti-worker behavior should not receive tax dollars.

The SEIU also lobbied successfully to bring the U.S. congress into their struggle. Twelve Pennsylvania congressional representatives signed a letter that urged the company to alter their anti-union activity. Additional congress members sent individual letters in opposition to the company’s practices. This political support provided pressure the union could not exert on their own and it helped legitimate the workers’ effort to unionize (Lopez 2004: 205).

The union also used a political maneuver to affect the company’s revenue stream. Nursing homes receive lucrative contracts through the U.S. Veteran’s Administration (VA). And this company received substantial funding through such contracts. The union pressured the VA to cease business relations with the company until it could show it had improved employee-management relations. This was done through a partnership with the
Veterans of Foreign Wars (VFW) and the American Legion. These veteran groups sent letters to VA officials to protest their relationship with the company.

Perhaps most importantly, the SEIU sought the help of Pennsylvania’s Republican governor, Tom Ridge. In order to spur action from the state, the union bussed workers to demonstrate at the capital. A group of workers disrupted traffic around the capital while they demanded that Ridge pressure the company to obey labor laws. The union organized several other rallies and protests at the state capital. On one occasion, a number of workers sat in the governor’s office and would not leave until they were arrested. In the end, Governor Ridge agreed to intervene. He held personal meetings with company and union representatives and appointed a mediator to represent his position at negotiations. Union representatives and workers declared that the mediator was an enormous help to their cause.

An SEIU organizer said that the governors’ involvement was crucial to their eventual success. This organizer also remarked on a unique aspect of this case:

“If you [anger] the people who decide whether you can get public money and how much, you have a problem. If the governor wants to hurt a nursing home operator, he can send inspectors to live in those nursing homes. And, you know, if you are [angering] a Republican governor there is something wrong with your approach” (quoted in Lopez 2004: 207).

It is difficult to know the degree to which this is an anomalous case. But the message is clear – political action matters. Most labor scholars have paid insufficient theoretical and empirical attention to how the state matters for organized labor. More work should be done in this area and my project is a step in this direction.32

---

32 This episode of SEIU labor mobilization actually involves a blend of strategies. But, political tactics are a crucial component of the SEIU approach. I emphasize the political techniques since they are most
The literature suggests that some unions are crafting new organizing strategies, new political tactics, and in some cases new community-based coalitions. They must continue this process if they are to survive as effective employee advocates. But labor leaders must also realize that labor organizing directly affects only a limited number of people. And organizing workplaces will probably not generate a broadly popular image of unions as constructive social forces. Organizing alone, moreover, cannot alter the political-legal arrangements that restrain unions. Unions, therefore, must also increase their efforts to influence labor laws. The key to any major labor resurgence lies in new government labor policies that promote unionization and collective bargaining. And the degree to which unions can be successful depends on the duration and breadth of a revised political-legal order.

pertinent to my study and illustrate how union activity can stretch beyond the shop floor (see Lopez 2004, Chapter 7).

110
APPENDIX A
<table>
<thead>
<tr>
<th>Data Source</th>
<th>Wage Premium*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Household Surveys</strong></td>
<td></td>
</tr>
<tr>
<td><em>Current Population Survey (CPS)</em></td>
<td></td>
</tr>
<tr>
<td>Hirsch &amp; Macpherson (2003)</td>
<td>17.80%</td>
</tr>
<tr>
<td>Hirsch &amp; Schumacher (2002)</td>
<td>18.40%</td>
</tr>
<tr>
<td>Hirsch &amp; Schumacher (2002) adjusted</td>
<td>23.20%</td>
</tr>
<tr>
<td><em>Survey of Income and Program Participation</em></td>
<td></td>
</tr>
<tr>
<td>Gunderson (2003)</td>
<td>24.50%</td>
</tr>
<tr>
<td><strong>Employer Surveys</strong></td>
<td></td>
</tr>
<tr>
<td><em>National Compensation Survey (NCS)</em></td>
<td></td>
</tr>
<tr>
<td>Pierce (1999)</td>
<td>17.40%</td>
</tr>
<tr>
<td><em>Employment Cost Index (ECI)</em></td>
<td></td>
</tr>
<tr>
<td>Pierce (2001) wages</td>
<td>20.30%</td>
</tr>
<tr>
<td>Pierce (2001) total Compensation</td>
<td>27.50%</td>
</tr>
</tbody>
</table>

*These estimates are from analyses that employ controls for worker and employer characteristics, industry, and occupation. See Mishel & Walters 2003 at http://epinet.org for more details.

Table A.1 Estimates of the U.S. Union Wage Premium
Figure A.1 Union Membership in the United States.
Figure A.2 Public Support for Labor Unions.
<table>
<thead>
<tr>
<th>Member Name</th>
<th>Occupational Background</th>
<th>Appointing President</th>
<th>Member Name</th>
<th>Occupational Background</th>
<th>Appointing President</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paul Herzog</td>
<td>Public Service</td>
<td>Truman</td>
<td>Robert Hunter</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
<tr>
<td>James Reynolds</td>
<td>Public Service</td>
<td>Truman</td>
<td>John Van de Water</td>
<td>Business</td>
<td>Reagan</td>
</tr>
<tr>
<td>Abe Murdock</td>
<td>Public Service</td>
<td>Truman</td>
<td>John Miller</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
<tr>
<td>Copeland Gray</td>
<td>Business Manager</td>
<td>Truman</td>
<td>Donald Dotson</td>
<td>Business Attorney</td>
<td>Reagan</td>
</tr>
<tr>
<td>Paul Styles</td>
<td>Public Service</td>
<td>Truman</td>
<td>Patricia Dixo</td>
<td>Business Attorney</td>
<td>Reagan</td>
</tr>
<tr>
<td>Ivar Peterson</td>
<td>Public Service</td>
<td>Truman</td>
<td>Wilfred Johansen</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
<tr>
<td>Philip Ray Rodgers</td>
<td>Public Service</td>
<td>Eisenhower</td>
<td>James Stephens</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
<tr>
<td>Albert Benson</td>
<td>Business Manager</td>
<td>Eisenhower</td>
<td>Mary Crackraft</td>
<td>Business Attorney</td>
<td>Reagan</td>
</tr>
<tr>
<td>Boyd Leedom</td>
<td>Public Service</td>
<td>Eisenhower</td>
<td>John Higgins</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
<tr>
<td>Stephen Bean</td>
<td>Public Service</td>
<td>Eisenhower</td>
<td>Dennis Devaney</td>
<td>Public Service</td>
<td>Reagan</td>
</tr>
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<td>Joseph Jenkins</td>
<td>Business Attorney</td>
<td>Eisenhower</td>
<td>Clifford Orvatt</td>
<td>Business Attorney</td>
<td>Bush</td>
</tr>
<tr>
<td>John Fanning</td>
<td>Public Service</td>
<td>Eisenhower</td>
<td>John Randmabagh</td>
<td>Business Attorney</td>
<td>Bush</td>
</tr>
<tr>
<td>Arthur Kumball</td>
<td>Public Service</td>
<td>Eisenhower</td>
<td>John Traesdale</td>
<td>Public Service</td>
<td>Clinton</td>
</tr>
<tr>
<td>Frank McCulloch</td>
<td>Public Service</td>
<td>Kennedy</td>
<td>William Gould</td>
<td>Academia</td>
<td>Clinton</td>
</tr>
<tr>
<td>Gerald Brown</td>
<td>Public Service</td>
<td>Kennedy</td>
<td>Margaret Browning</td>
<td>Union Attorney</td>
<td>Clinton</td>
</tr>
<tr>
<td>Howard Jenkins</td>
<td>Academia</td>
<td>Kennedy</td>
<td>Charles Cohen</td>
<td>Business Attorney</td>
<td>Clinton</td>
</tr>
<tr>
<td>Sam Zagorski</td>
<td>Public Service</td>
<td>Johnson</td>
<td>John Traesdale</td>
<td>Public Service</td>
<td>Clinton</td>
</tr>
<tr>
<td>Edward Miller</td>
<td>Business Attorney</td>
<td>Nixon</td>
<td>John Higgins</td>
<td>Public Service</td>
<td>Clinton</td>
</tr>
<tr>
<td>Ralph Kennedy</td>
<td>Public Service</td>
<td>Nixon</td>
<td>Sarah Fox</td>
<td>Union Attorney</td>
<td>Clinton</td>
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<tr>
<td>John Petello</td>
<td>Public Service</td>
<td>Nixon</td>
<td>Wilma Liebman</td>
<td>Union Attorney</td>
<td>Clinton</td>
</tr>
<tr>
<td>Betty Murphy</td>
<td>Private Attorney</td>
<td>Ford</td>
<td>J. Robert Brane</td>
<td>Business Attorney</td>
<td>Clinton</td>
</tr>
<tr>
<td>Peter Walther</td>
<td>Business Attorney</td>
<td>Ford</td>
<td>Peter Hurten</td>
<td>Business Attorney</td>
<td>Clinton</td>
</tr>
<tr>
<td>John Traesdale</td>
<td>Public Service</td>
<td>Carter</td>
<td>John Traesdale</td>
<td>Public Service</td>
<td>Clinton</td>
</tr>
<tr>
<td>Don Zimmerman</td>
<td>Public Service</td>
<td>Carter</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table A.2 NLRB Members, From President Truman to President Clinton.
<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
</tr>
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<tbody>
<tr>
<td>1</td>
<td>Pre-Employer Decision</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Republican President</td>
<td>0.228</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>% NLRB Appt by Repub</td>
<td>0.173</td>
<td>0.574</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>% Management Attorneys</td>
<td>0.105</td>
<td>0.337</td>
<td>0.239</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>% Republican in Senate</td>
<td>0.094</td>
<td>0.145</td>
<td>-0.117</td>
<td>0.481</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>% Republican in House</td>
<td>-0.006</td>
<td>-0.146</td>
<td>-0.368</td>
<td>0.117</td>
<td>0.700</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Gross Domestic Product</td>
<td>-0.028</td>
<td>-0.397</td>
<td>-0.329</td>
<td>0.116</td>
<td>0.464</td>
<td>0.641</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Unemployment</td>
<td>0.030</td>
<td>0.300</td>
<td>0.249</td>
<td>0.232</td>
<td>0.083</td>
<td>-0.454</td>
<td>-0.397</td>
<td>1</td>
</tr>
<tr>
<td>9</td>
<td>Employer Interf. Case</td>
<td>0.032</td>
<td>0.022</td>
<td>-0.023</td>
<td>0.037</td>
<td>0.042</td>
<td>0.000</td>
<td>0.049</td>
<td>0.048</td>
</tr>
<tr>
<td>10</td>
<td>Year</td>
<td>-0.023</td>
<td>-0.339</td>
<td>-0.288</td>
<td>0.141</td>
<td>0.492</td>
<td>0.592</td>
<td>0.987</td>
<td>-0.272</td>
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</tbody>
</table>

Table A.3 Correlation Matrix of all Variables.
<table>
<thead>
<tr>
<th>Predicted Sign</th>
<th>Mean</th>
<th>Std. Dev.</th>
<th>Min</th>
<th>Max</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro-Employer NLRB vote</td>
<td>0.439</td>
<td>0.496</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Republican President</td>
<td>+</td>
<td>0.618</td>
<td>0.486</td>
<td>0</td>
</tr>
<tr>
<td>% Appointed by Republican</td>
<td>+</td>
<td>0.532</td>
<td>0.149</td>
<td>0.2</td>
</tr>
<tr>
<td>% Management Attorneys</td>
<td>+</td>
<td>0.216</td>
<td>0.166</td>
<td>0</td>
</tr>
<tr>
<td>Republican Dominated Senate</td>
<td>+</td>
<td>0.463</td>
<td>0.057</td>
<td>0.378</td>
</tr>
<tr>
<td>Republican Dominated House</td>
<td>+</td>
<td>0.410</td>
<td>0.056</td>
<td>0.329</td>
</tr>
<tr>
<td>Gross Domestic Product</td>
<td>-</td>
<td>6070.012</td>
<td>1600.501</td>
<td>3771.900</td>
</tr>
<tr>
<td>Unemployment</td>
<td>-</td>
<td>6.502</td>
<td>1.318</td>
<td>4.02</td>
</tr>
<tr>
<td>Employer Interference Case</td>
<td></td>
<td>0.740</td>
<td>0.439</td>
<td>0</td>
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Table A.4 Predicted Signs and Descriptive Statistics (N=1136 NLRB Cases).
Table A.5 Logistic Regression Predicting Pro-Employer NLRB Votes (N=1136).

<table>
<thead>
<tr>
<th></th>
<th>Model 1</th>
<th>Model 2</th>
<th>Model 3</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Coef</td>
<td>Std. Error</td>
<td>Coef</td>
</tr>
<tr>
<td>Republicans</td>
<td>0.657</td>
<td>*** 0.203</td>
<td>0.721</td>
</tr>
<tr>
<td>NLRB Appt. by</td>
<td>1.191</td>
<td>* 0.523</td>
<td>1.148</td>
</tr>
<tr>
<td>% Management</td>
<td>0.846</td>
<td>* 0.354</td>
<td>0.808</td>
</tr>
<tr>
<td>Attorneys</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Republicans in Senate</td>
<td>1.819</td>
<td>1.762</td>
<td>1.407</td>
</tr>
<tr>
<td>% Republicans in House</td>
<td>0.179</td>
<td>1.228</td>
<td>-0.166</td>
</tr>
<tr>
<td>Gross Domestic Product</td>
<td>-0.001</td>
<td>0.001</td>
<td></td>
</tr>
<tr>
<td>Unemployment</td>
<td>-0.234</td>
<td>*** 0.074</td>
<td></td>
</tr>
<tr>
<td>Employer Interference</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Case</td>
<td>0.121</td>
<td>0.212</td>
<td>0.117</td>
</tr>
<tr>
<td>Year</td>
<td>0.008</td>
<td>0.010</td>
<td>0.142</td>
</tr>
<tr>
<td>Constant</td>
<td>-2.405</td>
<td>0.711</td>
<td>-18.407</td>
</tr>
<tr>
<td>Pseudo R2</td>
<td>0.048</td>
<td>0.049</td>
<td></td>
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</tbody>
</table>

Note: Clustering on NLRB, there are 25 distinct NLRBs in this time period. *

\ *p \leq 0.05, **p \leq 0.01, ***p \leq 0.001 \ (one-tailed tests)
Figure A.3 The Number of Union Recognition Elections and Victories Graphed on Time (vertical lines denote partisan shifts in the presidency).
Figure A.4 The Number of Union Recognition Elections and the Fitted (or predicted) Values, along with a (magnified) View of the Residuals Graphed on Time.
<table>
<thead>
<tr>
<th>Variable</th>
<th>Expected Sign</th>
<th>Mean</th>
<th>Std. Dev.</th>
</tr>
</thead>
<tbody>
<tr>
<td># of Elections</td>
<td></td>
<td>1307.16</td>
<td>600.80</td>
</tr>
<tr>
<td>% Unemployed</td>
<td>+</td>
<td>6.04</td>
<td>1.56</td>
</tr>
<tr>
<td>% Unemployed&lt;sup&gt;2&lt;/sup&gt;</td>
<td>-</td>
<td>38.88</td>
<td>20.33</td>
</tr>
<tr>
<td>Real GDP</td>
<td>+</td>
<td>6115.97</td>
<td>1902.90</td>
</tr>
<tr>
<td>1 if Presidential Election&lt;sub&gt;-1&lt;/sub&gt;</td>
<td>-</td>
<td>.13</td>
<td>.34</td>
</tr>
<tr>
<td>Congressional Ideology&lt;sub&gt;-1&lt;/sub&gt;</td>
<td>+</td>
<td>50.60</td>
<td>13.90</td>
</tr>
<tr>
<td>1 if Republican President&lt;sub&gt;-4&lt;/sub&gt;</td>
<td>-</td>
<td>.54</td>
<td>.50</td>
</tr>
<tr>
<td>Proportion Republican Appointees NLRB&lt;sub&gt;-1&lt;/sub&gt;</td>
<td>-</td>
<td>.49</td>
<td>.40</td>
</tr>
<tr>
<td>Proportion Small Enterprises</td>
<td>-</td>
<td>.87</td>
<td>.01</td>
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<tr>
<td># of Strikes</td>
<td>+</td>
<td>137.12</td>
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</tr>
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<td># of Unfair Labor Practice Complaints</td>
<td>-</td>
<td>9101.87</td>
<td>1972.96</td>
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Table A.6 Expected Signs, Means, Standard Deviations (N = 141 quarters; values in this table are not logged or first-differenced).
Table A.7  Correlation Matrix with all Variables First-Differenced
(N = 141 quarters from 1966:4 to 2001:4)."
Table A.8 Initial Models of the Determinants of the Number of Union Recognition Elections with all Variables First-Differenced (N = 147 quarters from 1963:1 to 2001:4).a

<table>
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<tr>
<th></th>
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<tbody>
<tr>
<td></td>
<td>Coefficient</td>
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<td>Coefficient</td>
</tr>
<tr>
<td>1 if First Quarter</td>
<td>-.224***</td>
<td>.008</td>
<td>-.226***</td>
</tr>
<tr>
<td>1 if Second Quarter</td>
<td>.014*</td>
<td>.006</td>
<td>.016**</td>
</tr>
<tr>
<td>1 if Third Quarter</td>
<td>-.065***</td>
<td>.005</td>
<td>-.068***</td>
</tr>
<tr>
<td>% Unemployed</td>
<td>-.032</td>
<td>.021</td>
<td>.142*</td>
</tr>
<tr>
<td>% Unemployed^d</td>
<td></td>
<td></td>
<td>-.012**</td>
</tr>
<tr>
<td>Ln Real GDP</td>
<td>1.951*</td>
<td>.876</td>
<td>2.295**</td>
</tr>
<tr>
<td>1 if Presidential Election</td>
<td>-.027**</td>
<td>.009</td>
<td>-.020*</td>
</tr>
<tr>
<td>House Oversight Committee Ideology^c</td>
<td>.033**</td>
<td>.011</td>
<td>.004***</td>
</tr>
<tr>
<td>1 if Republican President</td>
<td>-.076*</td>
<td>.037</td>
<td>-.075*</td>
</tr>
<tr>
<td>1 if Republican President x 1 if before 1981</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 if Republican President x 1 if after 1980</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 if after 1980</td>
<td>.018</td>
<td>.066</td>
<td>-.001</td>
</tr>
<tr>
<td>Intercept</td>
<td>-.026***</td>
<td>.007</td>
<td>-.029***</td>
</tr>
<tr>
<td>R^2 (corrected)</td>
<td>.885***</td>
<td>.891***</td>
<td>.900***</td>
</tr>
<tr>
<td>AIC Statistic</td>
<td>-.2475</td>
<td>-.2520</td>
<td>-.2607</td>
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</table>

Significance levels: * ≤ .05  ** ≤ .01  *** ≤ .001 (1-tailed tests).

aSerial correlation is corrected with ar(1), ar(4), and seasonal ar(8) terms and with a ma(1) and a seasonal ma(8) term. Coefficients on the House Oversight Committee Ideology variable have been divided by 10.
### Table A.9  Final Models of the Determinants of the Number of Union Recognition Elections with all Variables First-Differenced (N = 141 quarters from 1966:4 to 2001:4)

<table>
<thead>
<tr>
<th>Explanatory Variables</th>
<th>Model 4 Coefficient</th>
<th>Std. Error</th>
<th>Model 5 Coefficient</th>
<th>Std. Error</th>
<th>Model 6 Coefficient</th>
<th>Std. Error</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 if First Quarter</td>
<td>-.217***</td>
<td>.008</td>
<td>-2.18***</td>
<td>.008</td>
<td>-2.21***</td>
<td>.008</td>
</tr>
<tr>
<td>1 if Second Quarter</td>
<td>.019**</td>
<td>.007</td>
<td>.018**</td>
<td>.006</td>
<td>.018**</td>
<td>.006</td>
</tr>
<tr>
<td>1 if Third Quarter</td>
<td>-.066***</td>
<td>.006</td>
<td>-.066***</td>
<td>.005</td>
<td>-.068***</td>
<td>.005</td>
</tr>
<tr>
<td>% Unemployed</td>
<td>.142***</td>
<td>.040</td>
<td>.143***</td>
<td>.040</td>
<td>.186***</td>
<td>.055</td>
</tr>
<tr>
<td>% Unemployed²</td>
<td>-.010***</td>
<td>.003</td>
<td>-.011***</td>
<td>.003</td>
<td>-.014***</td>
<td>.004</td>
</tr>
<tr>
<td>Ln Real GDP</td>
<td>2.444***</td>
<td>.712</td>
<td>2.423***</td>
<td>.709</td>
<td>1.762**</td>
<td>.686</td>
</tr>
<tr>
<td>1 if Presidential Election</td>
<td>-.030***</td>
<td>.008</td>
<td>-.028***</td>
<td>.008</td>
<td>-.027***</td>
<td>.008</td>
</tr>
<tr>
<td>House Oversight Committee Ideology³</td>
<td>.021**</td>
<td>.009</td>
<td>.020*</td>
<td>.009</td>
<td>.021*</td>
<td>.009</td>
</tr>
<tr>
<td>1 if Republican President 1 x 1 if before 1980</td>
<td>.050</td>
<td>.045</td>
<td>.049</td>
<td>.047</td>
<td>.012</td>
<td>.050</td>
</tr>
<tr>
<td>1 if Republican President 4 x 1 if after 1980</td>
<td>-.122***</td>
<td>.035</td>
<td>-.124***</td>
<td>.035</td>
<td>-.113***</td>
<td>.034</td>
</tr>
<tr>
<td>Repub. NLRB Appt. 1 x 1 if before 1980</td>
<td>.108</td>
<td>.072</td>
<td>.112</td>
<td>.076</td>
<td>.146*</td>
<td>.076</td>
</tr>
<tr>
<td>Repub. NLRB Appt. 4 x 1 if after 1980</td>
<td>-.200***</td>
<td>.046</td>
<td>-.198***</td>
<td>.046</td>
<td>-.241***</td>
<td>.048</td>
</tr>
<tr>
<td>Proportion Small Enterprises</td>
<td>-5.143*</td>
<td>2.236</td>
<td>-3.093*</td>
<td>2.226</td>
<td>-4.236*</td>
<td>2.103</td>
</tr>
<tr>
<td>Ln # Strikes</td>
<td>-----</td>
<td>-----</td>
<td>-0.040</td>
<td>.040</td>
<td>.023</td>
<td>.044</td>
</tr>
<tr>
<td>Ln # Unfair Labor Practice Complaints</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
<td>-----</td>
</tr>
<tr>
<td>1 if after 1980</td>
<td>-.067</td>
<td>.049</td>
<td>-.073</td>
<td>.049</td>
<td>-.072</td>
<td>.047</td>
</tr>
<tr>
<td>Trend</td>
<td>-.000</td>
<td>.000</td>
<td>-.000</td>
<td>.000</td>
<td>-.000*</td>
<td>.000</td>
</tr>
<tr>
<td>Intercept</td>
<td>-.020**</td>
<td>.008</td>
<td>-.019*</td>
<td>.009</td>
<td>-.002</td>
<td>.011</td>
</tr>
<tr>
<td>R² (corrected)</td>
<td>.918***</td>
<td>.917***</td>
<td>.918***</td>
<td>.918***</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AIC Statistic</td>
<td>-2.772</td>
<td>-2.760</td>
<td>-2.755</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Significance levels * ≤ .05  ** ≤ .01  *** ≤ .001 (1-tailed tests).

⁶Serial correlation is corrected with ar(1), ar(4), and seasonal ar(8) terms and with a ma(1) and a seasonal ma(8) term. Coefficients on the House Oversight Committee Ideology variable have been divided by 10.

Table A.9  Final Models of the Determinants of the Number of Union Recognition Elections with all Variables First-Differenced (N = 141 quarters from 1966:4 to 2001:4)
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td># of Election Victories</td>
<td>-</td>
<td>49.899</td>
<td>71.279</td>
<td>58.529</td>
<td>40.072</td>
</tr>
<tr>
<td>% Unemployed</td>
<td>-</td>
<td>1.703</td>
<td>0.374</td>
<td>0.191</td>
<td>0.323</td>
</tr>
<tr>
<td>% Unionized</td>
<td>+</td>
<td>17.622</td>
<td>8.030</td>
<td>6.663</td>
<td>4.573</td>
</tr>
<tr>
<td># of Union Elections</td>
<td>+</td>
<td>102.108</td>
<td>142.905</td>
<td>120.128</td>
<td>79.188</td>
</tr>
<tr>
<td># Major Strikes</td>
<td>+</td>
<td>106.818</td>
<td>106.378</td>
<td>0.000</td>
<td>106.378</td>
</tr>
<tr>
<td>1 if Right-to-Work Laws</td>
<td>-</td>
<td>0.391</td>
<td>0.488</td>
<td>0.476</td>
<td>0.126</td>
</tr>
<tr>
<td>1 if Republican Governor</td>
<td>-</td>
<td>0.440</td>
<td>0.497</td>
<td>0.189</td>
<td>0.030</td>
</tr>
<tr>
<td>Citizen Ideology</td>
<td>+</td>
<td>46.751</td>
<td>15.738</td>
<td>13.908</td>
<td>7.617</td>
</tr>
<tr>
<td>% Black</td>
<td>-</td>
<td>1.569</td>
<td>1.384</td>
<td>1.389</td>
<td>0.157</td>
</tr>
<tr>
<td>Small Enterprises</td>
<td>-</td>
<td>0.876</td>
<td>0.017</td>
<td>0.014</td>
<td>0.009</td>
</tr>
<tr>
<td># Unfair Labor Practices</td>
<td>-</td>
<td>463.152</td>
<td>573.729</td>
<td>559.989</td>
<td>134.762</td>
</tr>
</tbody>
</table>

Table A.10  The Predicted Signs, means, Standard Deviations (1550 state-years).
Table A.11 Coefficients from Random Effects Panel Models Predicting the Frequency of Union Representation Victories, 1970-2002.

<table>
<thead>
<tr>
<th></th>
<th>Model 1</th>
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<th>Model 2</th>
<th></th>
<th>Model 3</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Coef</td>
<td>Std. Error</td>
<td>Coef</td>
<td>Std. Error</td>
<td>Coef</td>
<td>Std. Error</td>
</tr>
<tr>
<td>Economic Environment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unemployment</td>
<td>-0.089</td>
<td>* 0.047</td>
<td>-0.096</td>
<td>* 0.057</td>
<td>-0.113</td>
<td>* 0.057</td>
</tr>
<tr>
<td>% Employed in Manufacturing</td>
<td>0.008</td>
<td>*** 0.002</td>
<td>0.010</td>
<td>*** 0.003</td>
<td>0.010</td>
<td>*** 0.003</td>
</tr>
<tr>
<td>Labor Prevalence</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Unionized</td>
<td>0.026</td>
<td>*** 0.006</td>
<td>0.032</td>
<td>*** 0.007</td>
<td>0.037</td>
<td>*** 0.006</td>
</tr>
<tr>
<td>Number of Union Elections</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>Major Strikes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Political-Legal Environment</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Right to Work Laws</td>
<td>-0.274</td>
<td>* 0.138</td>
<td>-0.325</td>
<td>** 0.142</td>
<td>-0.398</td>
<td>* 0.146</td>
</tr>
<tr>
<td>Republican Governor</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizen Ideology</td>
<td>0.001</td>
<td>0.002</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Racial Composition</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Black</td>
<td>0.165</td>
<td>*** 0.040</td>
<td>0.145</td>
<td>*** 0.033</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Percent Black²</td>
<td>-0.004</td>
<td>*** 0.001</td>
<td>-0.004</td>
<td>*** 0.001</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employer Resistance</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Enterprises</td>
<td>1.677</td>
<td>2.078</td>
<td>1.351</td>
<td>2.184</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unfair Labor Practices</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Census Regions¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East South Central</td>
<td>0.671</td>
<td>0.477</td>
<td>0.035</td>
<td>0.456</td>
<td>0.182</td>
<td>0.380</td>
</tr>
<tr>
<td>East North Central</td>
<td>1.410</td>
<td>*** 0.472</td>
<td>0.761</td>
<td>0.481</td>
<td>0.612</td>
<td>0.412</td>
</tr>
<tr>
<td>Middle Atlantic</td>
<td>1.766</td>
<td>*** 0.475</td>
<td>0.950</td>
<td>** 0.505</td>
<td>0.708</td>
<td>0.431</td>
</tr>
<tr>
<td>Pacific</td>
<td>1.343</td>
<td>** 0.757</td>
<td>1.210</td>
<td>** 0.641</td>
<td>0.555</td>
<td>* 0.502</td>
</tr>
<tr>
<td>South Atlantic</td>
<td>0.750</td>
<td>0.504</td>
<td>1.210</td>
<td>0.511</td>
<td>0.073</td>
<td>0.427</td>
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<tr>
<td>West North Central</td>
<td>0.515</td>
<td>0.536</td>
<td>0.578</td>
<td>0.473</td>
<td>0.611</td>
<td>0.413</td>
</tr>
<tr>
<td>West South Central</td>
<td>0.893</td>
<td>0.569</td>
<td>0.203</td>
<td>0.555</td>
<td>0.224</td>
<td>0.466</td>
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<tr>
<td>Mountain</td>
<td>0.057</td>
<td>0.503</td>
<td>0.313</td>
<td>0.445</td>
<td>0.386</td>
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<tr>
<td>Constant</td>
<td>2.488</td>
<td>0.456</td>
<td>0.278</td>
<td>2.034</td>
<td>0.391</td>
<td>2.026</td>
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<tr>
<td>Chi Square Test</td>
<td>166.85</td>
<td>***</td>
<td>255.91</td>
<td>***</td>
<td>720.18</td>
<td>***</td>
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</table>

Note: N=1250. Variables are lagged by one year. *p ≤ .05, **p ≤ .01, ***p ≤ .001 (One-tailed tests).
¹New England is the comparison group.
Table A.12 Coefficients from Random Effects Panel Models Predicting the Frequency of Union Representation Victories 1970-2002.

<table>
<thead>
<tr>
<th>Economic Environment</th>
<th>Model 4</th>
<th>Model 5</th>
</tr>
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<tbody>
<tr>
<td>Unemployment</td>
<td>-0.143</td>
<td>-0.151</td>
</tr>
<tr>
<td>% Employed in Manufacturing</td>
<td>0.009</td>
<td>0.009</td>
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</table>

<table>
<thead>
<tr>
<th>Labor Prevalence</th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Percent Unionized</td>
<td>0.038</td>
<td>0.037</td>
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<tr>
<td>Number of Union Elections</td>
<td>0.001</td>
<td>0.001</td>
</tr>
<tr>
<td>Major Strikes</td>
<td>0.001</td>
<td>0.002</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Political-Legal Environment</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Right to Work Laws</td>
<td>-0.264</td>
<td>-0.246</td>
</tr>
<tr>
<td>Republican Governor</td>
<td>-0.082</td>
<td>-0.082</td>
</tr>
<tr>
<td>Citizen Ideology</td>
<td></td>
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</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Racial Composition</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Percent Black</td>
<td>0.119</td>
<td>0.117</td>
</tr>
<tr>
<td>Percent Black</td>
<td>-0.003</td>
<td>-0.003</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Employer Resistance</th>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Small Enterprises</td>
<td>-2.839</td>
<td>-3.128</td>
</tr>
<tr>
<td>Unfair Labor Practices</td>
<td>0.000</td>
<td>0.001</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Census Regions</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>East South Central</td>
<td>0.284</td>
<td>0.372</td>
</tr>
<tr>
<td>East North Central</td>
<td>0.432</td>
<td>0.466</td>
</tr>
<tr>
<td>Middle Atlantic</td>
<td>0.488</td>
<td>0.492</td>
</tr>
<tr>
<td>Pacific</td>
<td>0.388</td>
<td>0.614</td>
</tr>
<tr>
<td>South Atlantic</td>
<td>0.155</td>
<td>0.231</td>
</tr>
<tr>
<td>West North Central</td>
<td>0.618</td>
<td>0.671</td>
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<tr>
<td>West South Central</td>
<td>0.342</td>
<td>0.442</td>
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<tr>
<td>Mountain</td>
<td>0.398</td>
<td>0.483</td>
</tr>
<tr>
<td>Constant</td>
<td>3.932</td>
<td>3.991</td>
</tr>
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</table>

| Chi Square                                | 1412.500 | 1461.500 |

Note: N=1550. Variables are lagged by one year. *p ≤ .05, **p ≤ .01, ***p ≤ .001 (One-tailed tests)

New England is the comparison group.
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Research on Union Strategies Edited by Kate Bronfenbrenner, Sheldon Friedman, Richard W. Hurd, Rudolph A. Oswald, and Ronald L. Seeber.


