

in Working in the Service Society  
edited by Cameron Lynne Macdonald  
and Carmen Sirianni (Philadelphia:  
Temple University Press, 1996)

# The Prospects for Unionism in a Service Society

• Dorothy Sue Cobble

**M**idway through teaching one of my first undergraduate courses at Douglass College — a 1990 honors seminar on “The Future of Work” for first-year **women** — the question of the relevancy of unions surfaced. “So, how many of you have ever belonged to a union?” I queried, knowing that many of them had extensive work histories and that close to a quarter of the New Jersey work force was still unionized (Johnson 1995). The class giggled at such a far-fetched notion. “What? Unions for baby-sitters?” someone finally said as I looked at them quizzically, unable to interpret their laughter. The rest of the class was now emboldened. “Yeah, that’s ridiculous? “Of course, we haven’t belonged to a union. There aren’t any unions for waitresses or salesclerks or **file clerks.**” “Part-timers can’t join unions. Can they?” “And what exactly do unions do for people who don’t work in factories anyway?” The objections and skeptical questioning continued at a torrential pace for the rest of the session.

About a month later, we moved into the policy section of the course and returned once more to unions. But this time the discussion was shockingly different. ‘We’ve looked at legal and legislative remedies; I began, “and the reforms initiated by employers. But what about the need for employee organizations—you know, groups like unions that are organized independently of the employer and whose representatives meet with employers to discuss problems, resolve grievances, and make suggestions for workplace reform?” The response was swift and pointed. “Why, of course, employees need a collective and independent voice. We don’t want to have to beg:’ one student asserted indignantly. To a woman, their heads nodded in militant agreement.

These two class sessions, I later came to understand, laid out in a simple yet powerful way the challenges unions must face if they are to represent the twenty-first-century work force. Women comprise 39 percent of all union members, and manufacturing employees represent less than a **third** of the unionized work force (Johnson 1995; Spalter-Roth, Hartmann, and Collins 1994b; U.S. **Department of Labor 1994**), but many still perceive unions as organizations whose primary and even sole constituency is the blue-collar male worker. Of equal importance, although slightly less than half of American workers would vote for a union at their workplace, **60** percent approve of unions and 90 percent approve of “employee organizations” (Freeman and Rogers 1993: 33). In other words, although many workers perceive today’s union institutions as not meeting their needs, the central premise of unionism — the notion that collective representation is necessary for the protection and advancement of the interests of employees — is still widely accepted. The new work force does not reject *unionism* per se; it rejects *the particular form* of unionism that is dominant today.

This chapter is in part what I would have liked to have said to my students. It is also a continuation of my ongoing research on the transformations in the world of work and the implications of those changes for employee representation. I will look first at the relationship between unions and women, focusing in particular on women service workers. The labor movement, historically and in the present, has been quite diverse — both in terms of who it has represented and the forms it has taken. Baby-sitters may not have organized, but waitresses, flight attendants, nurses, teachers, and even Playboy bunnies did. In the past, unions successfully represented women and service workers — two major components of today’s new work force’ — and they are still doing so today, despite the increased power of capital and the **outmoded** public policy governing labor-management relations.

Nevertheless, if the labor movement is to organize the vast numbers of women and service workers now outside its ranks, it must reform not only its agenda but its institutional practice. The old-style factory unionism of the **1930s** is no longer appropriate for many sectors of today’s work force.<sup>2</sup> The second part of this chapter will analyze this mismatch between the current work force and the inherited models of unionism. How does the new work force differ from the work force of the **1930s**? What are the implications of these changes for employee representation? I will conclude by describing some of the new models of unionism that are struggling to be born and the changes in public policy that would nurture their progress.

### ***The Feminization of Unions?.***

Women's share of union membership grew steadily in the decades following World War II as the feminization of the work force picked up speed. For the first time, women made up a sizable if not majority constituency in a number of unions. Women employed primarily as telephone operators and clericals comprised 40 percent or more of the Communication Workers of America (CWA), for example. Waitresses, maids, and women working in a variety of other hospitality occupations claimed close to a majority in the Hotel Employees and Restaurant Employees Union (HERE).<sup>3</sup>

In the 1960s and 1970s an even more dramatic change in the gender balance of organized labor occurred as unionism spread into female-dominated sectors of the economy such as education; federal, state, and municipal government; and, to a more limited degree, health care. In 1954, women comprised 17 percent of organized workers; by the early 1980s, the figure had almost doubled (Milkman 1985). Many of the most powerful and vocal internationals within the labor movement—the American Federation of State County, and Municipal Employees (AFSCME), the Service Employees International Union (SEIU), and the teacher unions — now had large female constituencies (Cobble 1993).

In the 1980s, these unions provided national leadership on a wide range of women's concerns, from pay equity to parental leave (Blum 1991; Cobble 1993). They also pioneered more democratic, participatory approaches to organizing and representation (Eaton, Chapter 12; Hoerr 1993; Hurd 1993). Their sensitivity toward and successful advocacy of women's issues have helped undermine the longstanding feminist critique of unions as bastions of male power and privilege.<sup>4</sup>

In part because of the increased power of women in certain sectors of the labor movement, women (as compared to men) are now reaping enhanced economic dividends from unions. Union membership has always offered both women and men higher earnings.<sup>5</sup> But in the public sector and in white-collar jobs, where women have achieved the most power within their unions, the union premium (or the amount unionization raises wages) is now much higher for women than for men (Freeman and Leonard 1987). Indeed, overall, unions not only raise wages but reduce income inequality between men and women as well as between white workers and workers of color (Spalter-Roth et al. 1994a: 39; 1994b: 202-3). Unions, of course, also continue to provide women other benefits, such as a greater voice in decisions that affect their working conditions, increased job security, due process rights through grievance and arbitration procedures, and health and other fringe benefits (Cobble 1993; Spalter-Roth et al. 1994a).

But problems remain. Women have been feminizing an institution in rapid decline. Union density in the United States has fallen continuously since the early **1950s**, making U.S. unionization rates among the lowest of any industrialized country. In **1991**, 17 percent of the U.S. work force was organized, contrasting sharply with the rates of Sweden (85 percent), Denmark (73 percent), the United Kingdom (42 percent), Germany (34 percent); and even Japan (27 percent) (Freeman and Rogers 1993: 15). And, of equal importance, in part because of their declining membership, unions have less power to deliver enhanced earnings, job security, and other workplace benefits either through collective bargaining or legislative initiative. Much of this decline can be traced to factors largely beyond the control of union institutions: structural shifts in the economy away from heavily organized sectors, the globalization and deregulation of markets, technological disruption and **de-skilling**, and an increasingly unsympathetic political and legal establishment.

Yet, ironically, labor could do much to reverse its decline if it were willing to feminize even more. The changes that have occurred—the increase in the proportion of union members who are women and the new awareness of the gender-specific needs of women currently represented by unions — are necessary but insufficient. To move beyond its shrinking base and organize the 87 percent of working women outside its ranks (Johnson 1995), labor must be willing to recognize itself as a gendered institution whose very structures and institutional forms must be feminized. The labor movement as we know it today was created to meet the needs of a male, factory work force. If it is to appeal to women and in particular to the majority of women who work in service occupations, it must rethink its fundamental assumptions about organizing and representation. Labor as an institution must be transformed to meet the needs of a transformed work force: those outside the factory gates in the restaurants, hotels, hospitals, and offices that dominate the landscape of the service society.

But some would argue that labor has been acting rationally. A movement with limited resources, it focused its effort on organizing those workers where it perceived the return to be the greatest. For the labor movement of the 1930s and **1940s**, that meant targeting male workers in large industrial work sites. And, in the **1960s**, as opportunities opened outside of manufacturing, labor shifted its priorities. Organizing successes in such female-dominated settings as education and public-sector clerical employment helped dispel long-held beliefs that women were “unorganizable.” Academic writings helped undermine remaining prejudice. Surveys revealed that women favored unions more than men and that this sympathy translated into more frequent union election victories (Bronfenbrenner n.d.; Kochan 1979).<sup>6</sup>

Anew myth, however, has replaced the old. The old idea that women were

unorganizable has now been superseded by the unsubstantiated notion that certain kinds of jobs (almost all of which are female-dominated) are unorganizable. The reasoning here is circular. The sectors of the work force that are the least organized have certain identifiable characteristics, particularly in the private sector. The service industries — for example, business services, retail trade, and personal services—are disproportionately nonunion when compared to the goods sector: 12 percent as opposed to 34 percent. Only 7 percent of part-time workers belonged unions in 1993; full-timers enjoyed 18 percent organization (U.S. Department of Labor 1994: 248). The figures contrasting all nonstandard employees (those working on a part-time, part-year, contracted, temporary, or at-home basis) with standard employees (those working as full-time, full-year, on-site, **regular** “hires”) would be even more dramatic were they available. Similarly, large work sites tend to be more unionized than small. Workers in firms with more than one hundred employees constitute by far the largest share of union members, over 80 percent for both men and women (Brown, Hamilton, and **Medoff** 1990; Spalter-Roth et al. 1994b: 199).

Yet these statistics really tell us more about who has *not* been organized than about who *can*. Although large numbers of those working in **service**-sector jobs, at small work sites, or on a part-time, part-year, or contingent basis remain unorganized, that does not mean these jobs are unorganizable. Instead, I would argue that organization lags among these groups of workers because they require different models of organization and representation. Until the distinctive characteristics of these jobs are recognized and the implications of these differences for employee representation are explored, these groups of workers, the heart of the service society, will indeed remain ipso facto “**unorganizable.**”

### *How the New Service Work Force Differs from the Old*

But what is so different about the work lives of the new, so-called postindustrial work force? Aren't the problems plaguing them largely the same ones that have always troubled workers? Hasn't the proposition that the postindustrial work force would be a radical departure from the old— that it would mean the disappearance of the working class and the emergence of a bright new work world comprised of white-collar technicians and professionals (Bell 1973) —been thoroughly discredited? Well, yes and no.

Currently, the fastest growing occupations are not the highly skilled and well-paid knowledge jobs but those such as food server, janitor, and retail

salesperson- jobs that are low-paid, lack promotion opportunities and benefit coverage, and exhibit high turnover (Nussbaum and Sweeney 1989; Silvestri and Lukasiewicz 1985). Given this new working poor, the wisdom has been that the primary implications for unions of the rise of the service sector are obvious. Workers need the basics unions have always provided: wages, benefits, improved working conditions, and job security. I agree. These issues will remain central for the new work force just as they were for the old. Yet there are discontinuities as well as continuities that warrant attention.

At least four **fundamental** transformations are reshaping the world of work. First of all, 90 percent of all new jobs in the last decade have been created in the service sector. These new service jobs (as well as the "old" service jobs) differ in significant ways from the blue-collar factory jobs that for so long have dominated conceptions of work and the work environment. Many of these jobs — both low-level and professional — involve personal service or interaction with a client, customer, or patient. The employment relationship is not the classic one described by Marx nor even the conventional adversarial one. A new third party, the customer, complicates and transforms the old dyad. Many service workers may perceive this third party as *more* important in determining their wages and working conditions than the employer (Cobble 1991a: 44-48; Hochschild 1983: 174-84). This attitude may prevail regardless of whether the worker's income is derived wholly from the customer (the professional in private practice or the self-employed home cleaner), only partially so (the waiter, bartender, or cab driver), or not at all (the nurse or teacher).

Many of these service jobs also **differ** from the typical manufacturing job in that the line between employee and employer is more indistinct than in the traditional blue-collar, mass production factory. Service-sector workers (with the exception of government services) tend to be found not only in smaller establishments (restaurants, dental offices, retail shops) but in situations of close personal contact with their immediate boss (for example, clerical).<sup>8</sup> **Employee-employer** relations may be personal and collaborative rather than adversarial, formalized, and highly bureaucratic.

Of equal importance, many **nonfactory** workers have always engaged in certain "**managerial**" functions such as making decisions **affecting** the quality and delivery of service. Since genuinely friendly service and attentive caring cannot best be extracted through authoritarian and close supervision, many service workers enjoy more autonomy from management. Especially in the direct service environment, employees may work in semiautonomous, **self-managing** teams where the senior member takes responsibility for organizing the flow of work, supervising less skilled co-workers, and maintaining work quality. This blurring of managerial and worker roles contrasts sharply with

the **Taylorist** model of factory relations in which efficient production was to be achieved through strict separation of managerial and worker functions, detailed work rules, narrow job classifications, and a hierarchical **decision-making** structure (for examples, see Armstrong 1993; Benson 1986; Cobble 1991a).

Second, in addition to the rise of service work, the new postindustrial work world appears to be increasingly characterized by the growth of what many term “nonstandard” or “atypical” employment (**Cordova** 1986). The dominant employment arrangement (at least since World War II) consisted of on-site employees who worked full-time, full-year, with the expectation of long-term tenure, benefits, and promotion opportunities. This traditional relationship—with its defined boundaries and its deepening mutual obligations as employees increased in seniority, pension contributions, and presumably skills and productivity—is eroding. Roughly one-quarter or more of all workers in the United States now fall outside this “standard” work arrangement: they are part-time, part-year, temporary, leased, on-call, subcontracted, off-site workers. Few put in a nine-to-five work week at the office, shop, or factory, and fewer still have long-term continuous relations with a single employer (Christensen and Murphree 1988; **Plewes** 1988). This “**casualized**” work force may not see the employer as either friend or enemy: their relationship with individual employers is brief, distant, and often mediated by a subcontractor or temporary agency.

Third, work sites themselves are changing. Economic restructuring and the growth of service work have meant the proliferation of smaller work sites and the decentralization of production. Even industrial workplaces have followed this pattern (Nussbaum and Sweeney 1989). Home-based workers — the seamstresses, legal transcribers, or business consultants toiling alone in home work sites scattered across the decentralized residential **landscape**— represent one aspect of this **deconcentration** of the work force (Boris and **Daniels** 1989). The “**virtual** office”-“not a place but a nonplace” (Patton 1993: 1) where a mobile, plugged-in corps of insurance sales agents or other technologically sophisticated professionals can “converse” periodically — is yet another indication of decentralization. In this instance, the workplace has not only shrunk but has almost disappeared as a spatially rooted entity.

Fourth, the longstanding separation between home and work is being challenged. With the phenomenal entry of women into the waged sphere beyond the home, the dissolution of the traditional family, and the aging of the work force, the problems of household production and human reproduction have become business concerns. Those juggling work and family — primarily women but some men as well — are demanding family support services such as child care and family leave. But they are also calling for a “**new** work ethic” and

asking that the workplace adjust to family needs rather than vice versa. Why, for example, should waged work be structured along the traditional male model of a nine-to-five, five-day (or more) week? Why should intermittent, noncontinuous, and part-time work be penalized? Why should productivity gains be taken in the form of higher wages rather than shorter hours? Why should leisure or retirement years **all** be taken in one's sixties — a time when many women are still quite healthy and are free of child-care responsibilities? Why not, as Swedish economist Gosta Rehn suggests, provide paid time off **from** wage work in one's early and middle years when household responsibilities are the greatest? (AFL-CIO 1990; Hochschild 1989; Howe 1977; Schor 1991; for **Rehn's** ideas see **Ratner** 1979: 427-28). When the *New York Times* can report that 59 percent of women and 32 percent of men would give up a day's pay for a day of free time (Kerr 1991), what Carmen Sirianni (1988) has called "the politics of time" must be given more attention.

### *Reconceiving Collective Representation*

But in what ways is factory unionism, based as it is on the male-dominated, blue-collar industrial plant, a poor "fit" for today's work force? For one, with the advent of a female-dominated work force and the changed relation between home and work, the bargaining agenda of the labor movement must shift to incorporate the needs of these workers. Demands for child care and paid parental leaves must be joined to those that question the male model of work with its presumption of continuous, full-time work made possible by a stay-at-home, supportive spouse (for examples, see **Briskin** and **McDermott** 1993 or **Cobble** 1993).

Of equal importance is the need to rethink the very assumptions embedded in the institutional practices of a unionism centered on the factory workplace. Under the New Deal/post-New Deal framework of labor relations, both labor and management accepted certain Taylorist principles of work organization. These premises were inscribed in governmental labor policy and incorporated into numerous contracts governing the behavior of employers and employees. Yet Taylorist notions of strict and clear demarcations between employee and employer and of a single, one-dimensional adversarial relation between worker and boss are inappropriate to the service and **white-collar** work world with its heightened **personalism**, its blurring of employer-employee roles, and its concern with the service encounter as much as the boss-employee relation. Union campaigns based merely on an **antiboss** message may have little appeal, for example.

Similarly, the factory model of labor relations in which management retains full authority over the design and organization of work and employees are denied any control over quality, work organization, or standards for worker competency may not be attractive to the new work force. The service worker is on the front lines of the feedback loop. Of necessity, poor service is as much their concern as it is management's. Indeed, for many service workers, the quality of service they provide and the amount of control they exert over the service interaction is as central to their **financial** security as to their dignity and job satisfaction. Preserving the intrinsic rewards of the service **encounter**—seeing the patient's health improve, humoring a group of hungry, irritable diners, calming a distraught three-year-old—must be seen as a critical aspect of employee representation. Improving the quality of the service relationship may be as important to lessening service worker exploitation and alienation as transforming their relationship to management.

The unionism of the 1930s also assumed a long-term, continuous, on-site, and full-time commitment to a single employer—what I have termed its **fundamentally “work-site”** orientation (Cobble 1991a). The long, drawn-out elections required for union recognition; the small, site-based bargaining units of full-time employees certified by the National Labor Relations Board (**NLRB**) ; and the tying of union benefits to long-term tenure with a single employer — all these aspects of unionism fit poorly if at all with the changed employment structures of the new work **world**. Organizing and representing workers on a site-by-site basis, for example, is problematic not only for those who are mobile or contingent, but for those employed at small work sites or who lack work sites at all. A representational system based on employee ties to an individual work site when work sites are mobile or nonexistent is doomed to fail.

### *Signs of Change: The Emergence of New Models*

A number of unions have begun rethinking traditional models. By devising new agendas and representational models that are suited to those long thought unorganizable, these unions are calling into question the notion that unionism is outmoded in a service society. In the following section, I will describe the emergence of this new-style unionism by looking at innovative union campaigns among a range of service workers — **clericals**, nurses, waitresses, flight attendants, janitors, and home health-care workers. I will conclude by discussing the kinds of changes in public policy that would facilitate the emergence of these new and other alternative models.

The Harvard Union of Clerical and Technical Workers (HUCTW) is one of the best examples of a union 'that is attuned to the particular needs of the workers it seeks to represent' (see Eaton, Chapter 12). The union reflects its female-dominated, service-worker constituency not only in its bargaining agenda but in the actual institutional structures it has built. Kris Rondeau, one of the lead organizers of HUCTW, proclaims the approach "a feminine style of organizing" (Hoerr 1993). It is also a "style of organizing" that reflects the occupational work culture and concerns of clerical employees.

As epitomized in their slogan "You don't have to be anti-Harvard to be pro-union," the Harvard organizers eschewed an antiboss, antiemployer campaign. They assumed that clerical workers cared about the enterprise in which they worked and about the quality of the service they delivered. Part of the role of the union would be to improve the services clericals offered and to enhance the reputation of the university (Hurd 1993).

Harvard clerical workers also rejected Taylorist principles of top-down, bureaucratic decision-making and of strict demarcation between labor and management. They created an inclusive, democratic unionism that offered workers an opportunity for participating in decisions affecting them. Their grass-roots, bottom-up approach to union organizing relied upon personal, face-to-face contact rather than mimeos, leaflets, and letters. The union was about creating relationships among workers, not convincing them of a particular message. Indeed, the organizers consciously avoided developing specific goals or demands for the organization before the majority of workers belonged. Instead, they emphasized open-ended concerns such as dignity, recognition of the value of clerical services, and democratic decision-making in the workplace. In Rondeau's words, "we didn't organize against the employer. Our position was that the employer was irrelevant. It didn't matter how the employer acted, what our working conditions were like, or what our pay or benefits were. Our goals were simply self-representation, power, and participation" (Green 1988: 5; Oppenheim 1991-92).

Similarly, once HUCTW secured recognition in 1988 and began negotiations with Harvard, the union insisted on a nontraditional approach to collective bargaining and workplace governance. Collective bargaining sessions took place in the style of the Polish Solidarity negotiations, with large numbers of small teams grouped around tables, working out compromises on specific issues. Collective bargaining also involved, according to Rondeau, "many initial days where our people simply told their life stories. You see, management needed to know the realities of our lives and to know that our lives were as important as theirs" (Rondeau 1991). The distinctions between work and family, between the personal and technical, between labor and management, were being dissolved.

The first round of negotiations produced **significant wage gains for clericals**, new child-care and **family-leave policies**, and a **decide&y nontraditional** form of workplace **governance**. Instead of the older **industrial model of problem-solving** in which management takes **responsibility for productivity, duality, and discipline**, the **HUCTW-Harvard** agreement called for an elaborate system of joint **committees**. These **committees would resolve disputes** between workers and supervisors and recommend **improvements in service delivery and working conditions** (Hoerr 1993; Hurd 1993).

Some academic and **union commentators view the involvement of unions** in these kinds of participatory cooperative structures as a sign of declining **militance** and union weakness. The **Harvard model** suggests otherwise: It demonstrates that **militance** and employee' **solidarity** need not be based on unwavering opposition to management. The **union combined adversarial and cooperative approaches** (Hurd 1993). Their **collective bargaining** agreement, based on "principle rather than **rules**," points to how worker rights **can be protected** and entranced **without rigid rules and strict boundaries** between **labor and management, boss and worker** (Hoerr 1993). **In short, their more flexible, open-ended, and "cooperative" structures enhanced their power vis-à-vis management.** By creating structures that encouraged **clerical worker, involvement, the union forged an organization in which commitment and creativity flourished.** Their faith in the power, competency, and **skill** of the membership paid off. **Within a short time after contract implementation, front-line supervisors wanted a return to the traditional, rules-bound contract.** With it, they felt they had some protection **from** vocal, opinionated, and persuasive employees who in many cases had better ideas about how to run the university than management.

The unions and associations that represent female-dominated professions such as nurses, teachers, and social workers also have eschewed certain aspects of the factory model **of unionism**. Before the spread of **collective bargaining** in the **1960s, the professional associations in this sector focused on what they defined as "professional concerns": status, control over workplace decisions affecting the worker-client relation, ability to set standards for competence, and the overall health of the enterprise or sector.** **Gradually, these organizations shifted their emphasis to more traditional union matters**2 salaries, **benefits, seniority rights, and job protection.** They **also** dropped their **opposition** to such confrontational union tactics as strikes and collective **bargaining** (Brooks 1971; Murphy 1990).

Yet, as Charles **Kerchner** and Douglas Mitchell (1988) **observe** for teacher unions; many are now moving toward a "third stage of unionism" in **which they** are as concerned with the welfare of the overall educational system and with meeting the needs of their clients as with protecting their own **interests** as

employees. Indeed, the strongest organizations for female professionals may be those who extract the best of both the professional association and collective bargaining traditions and meld them into a new amalgam that will fit the particular needs of women service professionals.

In her work on nurses, for example, Pat Armstrong (1993) argues that, taken separately, neither the male model of professionalism nor traditional collective bargaining unionism “neatly fits” the needs of nurses. The male model of medical professionalism preached a “scientific paradigm with a considerable amount of specialization, organized in a hierarchical fashion with doctors on the top, and focused on treatment rather than care.” Nursing was based on “alternative principles” (Armstrong 1993: 309). Similarly, the unionism that many nurses embraced by the 1970s offered them advantages, but it also excluded “management? nurses, ignored the regulation of professional conduct, and tended toward adversarial, hierarchical bargaining structures. Armstrong (1993) maintains that nurses care about “retaining the particular character of nursing work, about ethics, and about a commitment to care” (p. 311). In her view, a reconceived nurses organization would concern itself with preserving the “ethic of care” as well as the status of the occupation. It would build on the best of the professional traditions -its concern for “collegial participation, individual rights, and for influencing public policy:’ without abandoning the **union** emphasis on “equity, collective rights, and improving conditions of work and pay” (Armstrong 1993: 320).

### ***Waitresses and Occupational Unionism***

Nonprofessional, or “blue-collar:” service workers also have relied upon models of unionism quite unlike the industrial or factory model.<sup>9</sup> From the turn of the century to the 1960s, for example, waitresses practiced a surprisingly effective form of unionism that I have termed “occupational unionism.” Beginning in 1900 with the founding of the Seattle waitresses local, waitresses established all-female unions and joined mixed culinary locals of waiters, cooks, and bartenders in numerous communities across the country. **Affiliated** almost exclusively **with** the Hotel Employees and Restaurant Employees (HERE), these food service locals survived the pre-New Deal period intact and experienced unprecedented growth in the 1930s and 1940s. By the end of the 1940s, union waitresses had expanded their ranks to nearly a fourth of the trade nationally, and in union strongholds such as San Francisco, New York, and Detroit, a majority of food servers worked under union contract (Cobble 1991a; 1991b).

For waitresses, craft or occupational identity was one of the prime elements of their work culture and overall world view. (Armstrong [ 1993] has noted a similar orientation for nurses, terming it their “vocational commitment” [p. 312]). The unions built by waitresses reflected this emphasis on protecting and advancing the interests of the occupation. They sought not only to enhance wages, provide job security, and other economic benefits but to improve the image and standing of the occupation. Although **society** at large and their culinary union “brothers” thought otherwise, waitresses argued that **their** work required skill and was worthy of being considered, in **the** words of Chicago waitress leader Elizabeth Maloney, “a real trade by which any girl might be proud to earn her living” (Franklin 19 13 : 36).

Like professional associations, waitress unions devised entrance standards for their trade, oversaw training, developed guidelines for acceptable work performance, and took responsibility for enforcing those standards at the workplace. The union controlled the selection of supervisors (they had to be union members), and union members could be brought up before their peers when infractions of work rules occurred. Wayward members might be fined and in some cases removed from their jobs. Waitresses themselves policed these standards and meted out the appropriate discipline (Cobble 1991a; 1991b).

Locals held trials in which members accused by employers of inattention to duty were brought before their sister waitresses. One such trial, held before the executive board of the San Francisco local in 1951, for example, involved “**the** trouble at Jeanettes with a customer.” The waitress, appearing in her own defense, said she had been “very busy working her station . . . and [only] threw her tray at the customer . . . after he called her a **slob.**” **As it was** her first offense, the waitress escaped with a warning and a lecture on handling offensive customers (Hotel Employees and Restaurant Employees 195 1).

This concern for what I have termed “peer **management**” makes the occupational unionism of the past a potentially useful model for organizing and representing service workers today, both of the nonprofessional as well as the professional and technical rank. A unionism that emphasized occupational identity and shouldered responsibility for upgrading and monitoring occupational standards would appeal to some so-called blue-collar service workers as well as to teachers and nurses. Many blue-collar service workers, like their better-paid counterparts, want an organization that assists them in improving the image of their occupation, in achieving **professional** recognition, and in performing their work to the best of their abilities. Organizing campaigns among restaurant workers in the high-priced, high-profit sector of food service — the traditional bastion of restaurant unionism — have suffered **from** a widely held view among food servers that unionization would lower performance standards and that inept, “overprotected” employees would drive away

customers, hence reducing tip income (Cobble 1991b; Cobble and Merrill 1994). In an ironic reversal of its status fifty years ago, HERE membership now connotes *inferior* skill and competence.

HERE could take some steps to recover its lost traditions of peer management. It could invest more in training, for example, and initiate more participatory or joint decision-making labor relations structures. But the current legal framework severely hampers the ability of unions to set entrance requirements for the trade, to oversee job performance, and to punish recalcitrant members. Almost by necessity, HERE has had to adopt a more factorylike model of employee representation.

Where HERE has continued to innovate, however, has been in responding to the particular needs of a “sexualized” service work force. Many service jobs involve not only nurturing or what Arlie Hochschild (1983) has called “emotional labor” but also the selling of one’s sexual self— from flight attendants to TV news reporters to Playboy bunnies. With the backing of HERE International Vice-President Myra Wolfgang, Detroit Playboy bunnies organized into HERE in the early 1960s, and eventually HERE negotiated a national contract covering Playboy Clubs across the country. Wolfgang mounted an astute public relations campaign, attacking the Playboy philosophy as “a gross perpetuation of the idea that women should be obscene and not heard” and praising the Playboy bunnies who had guts enough to “bite back.” After winning their first contract with the Detroit club in 1964 and ending the employer’s “no wage” policy — the bunnies had been expected to live solely on tip income — attention turned to issues of female sexuality and attractiveness (Cobble 1991a: 128-30).

Disputes ranged from who would define “attractiveness” and its relation to competency to who would control when and in what way bunnies could “sell” their sexuality. When management fired bunnies in New York, Detroit, and other cities, claiming “loss of bunny image,” the women contested the firings using the various state commissions on human rights, the EEOC, and the union grievance procedures. Although the Playboy Club publicly defined “bunny image” as having “a trim youthful figure . . . [and] a vibrant and charming look,” bunnies claimed that defects cited in the Playboy literature included “crinkling eyelids, sagging breasts, varicose veins, stretch marks, crepey necks, and drooping derrieres.” Not all of the fired bunnies regained their jobs, but in Detroit and other cities, the arbitrator ruled in the union’s favor and reinstated the “defective” bunnies. Hugh Hefner had finally been “displaced as the sole qualified beholder of bunny beauty,” quipped Wolfgang (Cobble 1991a: 128-29).

What servers would wear at work was another contested issue. In national negotiations during the 1970s, HERE and the Playboy Clubs International de-

bated just how much of the server's body would be revealed by the bunny costume. In other less publicized negotiations in the 1970s involving cocktail waitresses and "barmaids," HERE restricted employer choice of uniform, arguing in one case that the employers provide "uniforms that fit — [some employers refused to buy uniforms over a size 12] — and adequately covered all parts of the body normally covered by personal clothing" (Cobble 1991a: 131).

The issue remains very much alive today. The HERE local in Atlantic City, New Jersey, recently threatened a "panty hose arbitration" over the sheerness of the pantyhose management required casino waitresses to wear. The waitresses preferred thicker, less sheer pantyhose because they experienced less harassment. Heavier "support" hose also were more comfortable, helped tired legs, and covered varicose veins (Cobble and Merrill 1994).

The history of flight attendant unionism is rife **with** similar kinds of controversies over who would define "attractiveness" and who would determine when to "use" it. Courts helped the struggling airline food servers in the 1960s and 1970s by ruling illegal certain airline practices: the bans on married women and on women over thirty. But less blatantly discriminatory policies remained in place. Since the **1950s**, flight attendant unions have complained about management's control over their weight, clothing, hair style, and make-up. They also pressed for more leeway in customer-client interaction and disputed management's continuing allegiance to the notion that the customer is always right, whether belligerent, sexually overbearing, or abusive. In one recent showdown, American Airline flight attendants struck successfully for higher wages, more control over their schedules, and an end to management practices such as sending attendants home who report to work with pimples and firing workers who return incivility in kind. A mandatory "Commitment to Courtesy" class in which instructors divided flight attendants into small groups and assigned them to draw pictures on flip charts showing "attendants being nice" particularly galled the women, one activist explained. "People got livid" (Ciotta 1994; Kilborn 1993; Lewin 1994; Neilsen 1982; Rapport 1986).

Clearly, curtailing the abusive server-customer relationship should be an integral part of any successful service unionism. Sexual service workers have received the most attention in recent decades, in part because of the shifting legal climate **defining** sexual harassment in the workplace as illegal and holding employers and unions accountable. Yet service workers, from retail clerks to social service professionals, **suffer** not just emotional and sexual abuse but physical violence from customers, clients, and the general public. One-third of emergency room nurses, for example, are assaulted on the job each year. Indeed, the leading cause of death on the job for women is not faulty or dangerous equipment or hazardous chemicals but homicide. Forty percent of women who die on the job are murder victims, due partially to the **concen-**

tration of women in retail trade and other interactive service occupations (Rosier 1994a; U.S. Department of Labor 1993).<sup>10</sup>

### *Organizing the Contingent, Nonstandard Work Force*

Aspects of occupational unionism hold promise for organizing and representing the proliferating contingent work force. Unlike the factory unionism that **came** to dominate in the **1930s**, occupational unionism was not a **work-site-oriented** unionism. Occupational unionism focused on fostering ties between workers within a given occupation rather than uniting **all** those employed at a **particular** site. Occupational unionists recruited and gained union recognition on an occupational-local market basis. Once organized, they stressed employment security rather than job rights at an individual work site; they also offered portable rights and benefits. Benefits and union privileges came by virtue of membership in the occupation and were retained as **workers** changed employers or moved from site to site (Cobble 1991b).

An alternative to site-based unionism is essential if today's more mobile and contingent work force is to be organized. A mobile work force, whether **full-** or part-time, does not stay with one employer long enough to utilize the conventional election procedures and card-signing associated with **NLRB-style** site-based **organizing**. Part-time, at-home, and contracted workers are often ineligible to vote because of their more tenuous relation to the work site and to a single employer. Employees at small, individual work sites have minimum economic leverage against a multinational corporate employer or a chain-style enterprise.

Based largely on their occupational and professional ties, some groups of contingent workers have organized themselves into **guilds** or **associations**.<sup>11</sup> For example, home-based clericals, a group deemed inhospitable to **u.**, by many, are organizing across work sites. Their associations provide **critical** services to their members: information about job referrals, data on the reliability of prospective employers, and training opportunities. They also **function** to set minimum occupational standards by making wages and working conditions a group rather than an individual decision (Christensen 1993). Although these organizations do not bargain formally with employers, they, like unions, exist to advance the interests of a group of employees. Indeed, they **offer** many of the same services that occupational unions provided historically.

Other **nonstandard** workers, notably janitors and home health-care aides, have built successful union organizations in the last decade, relying by and

large on non-site-based organizing approaches. SEIU (Service Employees International Union), for example, launched its "Justice for Janitors" campaign in the early 1980s and in ten years organized thousands of cleaning workers. Currently a fifth of all janitors now belong to unions, some two hundred thousand workers (Ybarra 1994). The strategic key to their organizing victory, according to Stephen Lerner (1991), director of the Building Service Division of SEIU, was a rejection of site-by-site NLRB organizing and the substitution of a geographically based or regionwide approach. Rather than organize the individual subcontractors or cleaning vendors who hire and supervise a janitorial work force scattered across hundreds of cleaning sites in downtown office buildings, they targeted the entire industry in a particular city or region. They used civil disobedience, political pressure, community boycotts, and "shaming" publicity, going after the subcontractor's employer — mainly commercial landlords — and their tenants (Howley 1990).

Home health-care aides relied upon a similar array of nontraditional approaches. Currently the fastest growing occupational group in percentage terms, home health-care workers offer an alternative to institutionalized care assisting the elderly and the disabled in their own homes (Kilborn 1994). Steeped in the community-based organizing approaches of the National Welfare Rights Organization, the United Farm Workers, and the Association of Community Organizations for Reform Now (ACORN), many of the leaders of the home health-care organizations brought these strategies into their labor organizing in the early 1980s. They orchestrated campaigns that embraced a home health-care aides within a particular locale and that drew upon local institutions and community leaders for support (Kelleher 1986, 1994; Mitchell 1991; Walker 1994). Some home health-care groups reached out to their clients as well, making the case that raising wages for aides would help clients maintain quality service. Since social service agencies often pay the wages of home-care aides from Medicaid and other public funds (although clients may hire and supervise their aides), clients frequently supported wage increases for their "employees." Clients did express fear, however, that unionization might lessen their control over aides (Walker 1994). By 1995, some 45,000 home health-care workers had organized in California alone, securing improved wages and benefits. Flourishing locals also exist in Chicago, New York, New Orleans, and other cities, bringing the total unionized to over 70,000 ("Homecare Workers Join SEIU" 1994; Kilborn 1995; Rosier 1994; SEIU 1994).

Many of today's successful organizing drives among mobile, contingent workers combine this communitywide grass-roots approach with "top-down" organizing, that is, they pressure employers for voluntary recognition instead of securing recognition by winning an NLRB-conducted election of employees.

ees.<sup>12</sup> The work force must be solidly organized, however, since it is the workers themselves who hold demonstrations, picket, and generally make life unpleasant for nonunion employers. In the case of janitors and home health-care aides, ethnic and racial bonds as well as occupational ties helped forge and sustain solidarity. In Los Angeles, for example, where the "Justice for Janitors" campaign secured its initial critical breakthrough, four-fifths of cleaners are Hispanic, with many recent immigrants from Mexico (Pastreich 1994). Similarly, home health-care workers are overwhelmingly African American and Latina women (Kilborn 1994).

Present-day unions are turning to another technique relied upon historically by occupational unions: the use of union employment exchanges, hiring halls, or job registries. In the early 1900s, for example, waitresses in Butte, Montana, organized against the "vampire system" of high-fee employment agencies. For the next half-century, no waitress worked in Butte unless she was dispatched from the union hiring hall. The Los Angeles waitress local, founded in the 1920s, had a thriving hiring hall as late as 1967, where, according to the *Los Angeles Times*, 350 "extras" were sent out on a typical weekend (Cobble 1991a; 1991b). The local's secretary likened the hiring hall to Travelers Aid, where transient and impoverished waitresses came in search of help. "Some of them come to town with children in the car, no money, and somebody here comes up with money for a hotel room and a job" (Cobble 1991a: 138). These worker-run employment agencies bound workers together and created a structure for ongoing and positive contact with the union. Hiring halls also facilitated organizing because they offered the employer a valuable service: a steady source of trained, reliable labor.

Union-run employment agencies would appeal to today's mobile work force. Many workers desire mobility between employers and a variety of work experiences (Olesen and Katsuranis 1978: 316-38). In particular, those balancing work and family are concerned with shortened work time and flexible scheduling. Well-run agencies could provide such variety and flexibility. They could also offer high-quality benefits that would not penalize work-force intermittence, and, presumably, pay higher wages than an agency run for profit.

A number of settings appear ripe for union-run agencies. In addition to the cleaning and food service sectors mentioned, the health-care industry offers a potential site for union-run agencies. The use of temporaries in the health-care industry has burgeoned. On the one hand, this restructuring is a form of employer cost-cutting; on the other, at least among nurses, the workers have demanded more flexible schedules. The increased reliance on nurse registries has been one solution. In response, unions have negotiated protections involving the use of these commercial registries; they have also experimented with providing the employer with a unionized pool of temporary or

short-term workers (Engberg 1993). In other words, through the union the nurses themselves have taken over the function of the commercial agencies.

### ***Reshaping Public Policy to Encourage Postindustrial Unionism(s)***

The new models of unionism emerging among service workers will only be sustained at great cost and are unlikely to expand to broad sectors of the work force unless the public policy governing labor relations is reformulated. Factory unionism has been dominant in the United States since the 1930s in large part because court and legislative decisions made it difficult for other kinds of unionism to function effectively. Ironically, the industrial paradigm spread in the postwar era even as the **number** of workers for whom it was appropriate declined. Exceptions under the law for construction trades, garment workers, and other nonfactory unions were deleted; court and National Labor Relations Board rulings were made with the factory shop-floor foremost in **mind** (Cobble 1991a; 1994a). Space precludes offering a full discussion of the **labor** law reforms that would be necessary for the realities of women's work and of the new service economy to be recognized. A number of concerns, however, do appear paramount.

The exclusion of broad sectors of the work force from coverage under the current labor law is a crucial issue. By my conservative estimates, a third of the private-sector work force (some 32 million workers) are now explicitly exempted from exercising collective bargaining rights under the National Labor Relations Act (Cobble 1994a). Domestic and agricultural workers, the self-employed, and others were originally excluded under the Wagner Act in 1935. Later legislation and legal rulings rescinded the bargaining rights of supervisors, managers, professional employees deemed "managerial," and "confidential" employees. These workers are not defined as "employees" in part because they do not resemble blue-collar industrial workers: their work is not "industrial"; nor are they behind the Taylorist curtain, removed from "managerial" knowledge and responsibility. The law needs to be amended to open up eligibility to this growing sector of nonfactory workers.

In addition, many workers are effectively barred from collective representation because they have nonstandard employment relations. As has been discussed, the traditional site-by-site organizing and representational system creates innumerable barriers to their participation. Although some unions have cleared these hurdles and organized janitors and home health-care workers, their continuing success and the success of subsequent groups (man

without access to the resources of a national union) are tenuous without legal reform.

In particular, if a mobile, decentralized service work force is to have representational rights, unions must once again have the ability to exert many of the economic pressures on employers that were once legal. The millions of **nonfactory** workers—teamsters, longshoremen, waitresses, cooks, musicians, and others—who successfully organized before the 1950s relied on mass picketing, recognitional picketing (prolonged picketing with the explicit goal of gaining union recognition), secondary boycotts (putting pressure on one employer to cease doing business with another), “hot cargo” agreements (assurances from one employer that “he” will not handle or use the products of another nonunion or substandard employer), and prehire agreements (contracts covering *future* as well as current employees), all tactics now illegal under current labor law. Making them legal again would facilitate the organizing of workers from home-based legal transcribers and domestic cleaners to the millions of fast-food workers toiling for minimum wages. McDonald’s, for example, is unionized in Denmark, Finland, Mexico, Australia, and other countries in large part because of the legality of secondary boycotts and other kinds of economic pressures. Unionized employees at milkshake supply centers, truckers, and printers all helped bring McDonald’s to the bargaining table by refusing to produce and deliver goods to the chain (Cobble 1991a; Cobble and Merrill 1994).

Yet even when **employer** recognition is achieved, the small bargaining units typically decreed by the NLRB make meaningful bargaining difficult. Decentralized, firm-based bargaining fuels employer resistance by heightening the economic burdens on the few unionized **employers**.<sup>13</sup> It also demands an inordinate degree of union staff and resources. The Hotel Employees and Restaurant Employees, for example, cannot negotiate individual contracts with the thousands of independent and family-owned eating establishments that exist in even one metropolitan area.

Changes in the law would help remedy this situation. Employers who withdraw from voluntarily constituted multiemployer agreements could be penalized. Legislation could encourage the extension of collectively bargained standards to other employers on an industry, occupational, or geographical basis, as is true in Canada and many European **countries**.<sup>14</sup> Removing the restrictions on the economic weapons allowed to labor also would encourage multiemployer and marketwide bargaining. Increasing the power of unions historically often has meant that employers—especially small employers in highly competitive markets—voluntarily sought multiemployer bargaining (for example, see Feinsinger 1949).

These fairly specific recommendations would do much to facilitate new

forms of employee representation. On the most fundamental level, however, the framework of our current labor relations system is in need of wholesale reconceptualization. **Fully** integrating the realities of women's work and of service work into labor relations theory and policy **would cause** a reevaluation of the most basic premises upon which **our** labor law and institutional practice rely. The male worker and the factory shop floor must be dislodged as the basis upon which generalizations are made. The work lives and work needs of the new majority **must** be seen not as deviant or as belonging to a special interest group but as the norm, as expressive of the dominant reality.

History **tells** us that diversity is not new. People have long done many different kinds of work, and the environment in which that work has taken place has also been diverse. Over its century and a half of existence, **the American** labor movement has accommodated that diversity, as the variable practices of representation among waitresses, teachers, janitors, **construction** workers, and others attest. The labor movement must once again **thii** in terms of multiple and competing forms of unionism. The test of unionism in the **twenty-first-century** service society will be whether it can recover and extend that tradition of multiple unionism.

#### NOTES

1. The most frequently noted aspect of **the** new work force is its multiethnic, multiracial, and female character. Minorities will comprise close to a **fourth** of **the** work force by **the** year 2000, **with the** greatest increases posted by Hispanics and Asians. **Women currently** make up **46%** of waged workers and may be half by the end of the century ( AFLCIO 1990). Yet, as I argue herein, **the** new work force also is defined by **the nature** of **the** jobs they do.
2. A number of commentators have called for models of unionism **that** move beyond **the industrial** or factory model of **the** 1930s. See Armstrong (1993), Heckscher (1988), O'Grady (1992), and my own work on occupational unionism (Cobble 1991a; 1991b; 1994a). Although no agreement has emerged on **which** alternative models hold **the** greatest promise, a **consensus** of **sorts** has been reached: **the** issue is no longer whether new models are needed but what form these new models should take.
3. See Cobble ( 1994b) for a fuller discussion of the postwar feminization of unions and for documentation on **the** gender-conscious activities of women **trade** unionists **in this** period.
4. Although earlier **feminist** literature on the relation between women and unions judged unions harshly (Hartmann 1976; Kessler-Harris 1975), more recent evaluations see unions as more flexible **institutions** and judge their impact on women workers **as** beneficial (Milkman 1993; Spalter-Roth, Harrmann, and Collins 1994b).
5. In 1994, for example, women union members earned \$130 a week more than nonunion women (\$504 versus \$374) **and** union men earned \$118 more **than nonunion men** (\$608 versus \$490). Unionization also raises **the** wages of African American and **Hispanic** women and men more **than those** of **whites** (Oravec 1994).
6. Kochan's 1979 findings **that** 40 percent of **women** would vote for a union if given **the**

chance (as compared to only 33 percent for all nonunion workers) has been confirmed by other, more recent research (Kruse and Schur 1992). Bronfenbrenner's (n.d.) analysis of AFL-CIO organizing data revealed that unions won 59% of elections in units with "a substantial majority of women" and 33% where women comprised less than half of the unit.

7. The following section draws heavily upon Cobble (1993: 13-16).
8. According to Wial's (1993) calculations, the average service-producing establishment has about 13 workers; the average manufacturing about 51. In the private sector, women are much more likely than men to work for small firms and at work sites with fewer people (Brown et al. 1990: 1-15).
9. The first three paragraphs of this section draw on Cobble (1991b).
10. In response to increasing workplace violence, some unions petitioned for a federal standard on workplace violence under the Occupational Safety and Health Act; others have pushed for laws requiring retail stores to improve lighting, install surveillance cameras, and provide immediate 911 access (Rosier 1994).
11. Despite high job turnover, the new service work force often demonstrates a strong occupational stability, moving from employer to employer yet remaining in the occupation for a long time (Butler and Skipper 1983). Many carry job skills from site to site, encouraging an investment and identity with their occupation although not with an individual employer.
12. Although the law restricts union activities in this regard, some locals won a form of "prehire" agreement (termed "Recognition Process Agreements") from individual vendors in which the vendors promised organizers access to work sites, neutrality throughout the union campaign, and recognition of the union once a majority of workers signed cards. These campaigns have sometimes lasted upwards of five years or more, draining the limited resources of these fledgling locals (Gallagher 1994; Kelleher 1986).
13. Employers in the United States, as Jacoby (1991) observes, are "exceptional" in their resistance to unionism. In part, their antagonism is based on strongly held cultural notions of "management rights" that presumably flow from property ownership. But additionally, the anti-unionism of U.S. employers is fueled by the higher economic costs of being unionized in the United States. The wage gap between unionized and non-unionized employers is higher in the United States than in many other countries, for example, and the unionized sector in the United States is small and often competes with a large number of nonunionized firms.
14. For the Canadian system of sectoral bargaining as it exists and is being proposed, see Fudge (1993). The extension of prevailing wage legislation to sectors other than the construction industry would establish a floor below which wages and benefits could not fall and lower the union premium for unionized employers. Prevailing wage legislation requires that all employers in an area pay a rate equal to that prevailing in the area among similar employers. For the first time in 1994, AFSCME, working with a church-based community organization in Baltimore, succeeded in passing a prevailing wage law in Baltimore that required "a living wage" for all workers employed on service contracts by the city (Bureau of National Affairs 1995).

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