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More Than Just Words: Credible Strike Threats in the US, 2012-2016

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“We may take an analogy from war. The actual immediate benefits of war are rarely significant, either to victor or defeated. But the benefits which may be gained by the *threat* of war may be considerable: and yet the threat carries no terrors if the sanction of war is never used.”
—historian EP Thompson (1971)

In 2016 26,000 tenured and non-tenured faculty of the California State University (CSU) system threatened to go on strike. Only days before it was to begin the strike was called off. The CSU system moved towards meeting some of the demands of the faculty and a new contract was settled and soon ratified by the membership. Did the faculty make a *credible* strike threat that ultimately served to avoid the disruption of a strike? As a member of the CSU faculty who participated in making the strike threat the question of what makes a strike threat credible has never been investigated. That is the object of this study. In our study of strike threats using an on-line survey and in depth phone interviews, we have found that if strike threats are included in the count it would nearly double the prevalence of strike activity in the US between 2012 and 2016. This estimate of strike activity is not only significantly higher than the US Bureau of Labor Statistics (BLS) estimate. Identifying what makes a strike threat credible is certain to have significant lessons for the resurgence of the labor movement. The higher than reported strike activity is bound to raise questions about the impact on economic and political conditions in the US.

Counting Strike Threats

Contrary to popular belief and BLS reports tracking strike activity, more workers than ever are involved in strike activity in the United States. According to our on-line survey conducted during the Winter and Spring of 2017, between 2012-2016 the number of workers threatening to strike was 199 percent higher than the number who actually did strike according to the BLS. While the number of strikes has continued on a steady decline over the past few decades, the evidence points to more workers ready and willing to strike. We call the willingness to strike, and the capacity to do so, a *credible strike threat*, and argue that it should be counted as strike activity.

But credible strike threats should be more than counted. They should also be assessed for whether they accomplish the goal of workers who make them, whether it be demands for wages

¹ I am deeply indebted to Dr. Helena Worthen who suggested the need to study credible strike threats and provided invaluable feedback on the manuscript. I also would like to thank Gabriela Crowley for her invaluable research assistance. This study would not have been possible without SJSU’s financial support for the research. SJSU does not endorse the findings of this study which are exclusively that of the author.

and benefits, working conditions, or control, without actually striking. If they do achieve their goals it must be asked what made them *credible*. Inversely, if they failed what necessary characteristics did they lack that would have made the threat credible.

Credible Strike Threats in the Literature

Credible strike threats have remained marginal to research into unions and strikes. Our review found only a single article published since 1987 focused on strike threats and no book or report. While credible strike threats receive periodic mention in the popular and academic press they tend to be associated with specific labor conflicts.² Nevertheless, credible strike threats have received passing mention in assessments of collective bargaining and the declining number of strikes.

Becker has observed that the National Labor Relations Board and court rulings have impeded the use of tactics such as restrictions on secondary activities essential for making a credible strike threat.³ Without credible strike threats workers and unions lack effective pressure to compel employers to negotiate.⁴

Credible strike threats have also been raised in legal cases testing the legality of public workers' right to strike. In a 1985 case, the California Supreme Court found that a credible strike threat can alter the balance of power in such a way as to prevent an illegal strike from taking place. "Without the right to strike, or at least a credible strike threat, public employees have little negotiating strength. This, in turn, produces frustrations which exacerbate labor-management conflicts and often provoke 'illegal' strikes."⁵ The court observed that a credible strike threat can reduce the incidences of strikes by raising their potential costs.

In the absence of some means of equalizing the parties' respective bargaining positions, such as a credible strike threat, both sides are less likely to bargain in good faith; ... this in turn leads to unsatisfactory and acrimonious labor relations and ironically to more and longer strikes. Equally as important, the possibility of a strike often provides the best impetus for parties to reach an agreement at the bargaining table, because both parties lose if a strike actually comes to pass. Thus by providing a clear incentive for resolving disputes, a credible strike threat may serve to avert, rather than to encourage, work stoppages.⁶

There is disagreement about the perception of potential costs to workers from making credible strike threats. Maranto and Fiorito suggest that a union's record of striking and making credible strike threats may produce bad publicity and negative public opinion thereby increasing the cost to the union during a representation election if workers perceive possible income loss from potential strikes.⁷

² Winslow, 2015.

³ Becker, 1994, p. 362; and Becker 1998, p. 9.

⁴ Lindbeck and Snower, 1987, p. 762; and Kilgour, 1990, p. 269.

⁵ County Sanitation Dist. No. 2 v. Los Angeles County Employees' Assn. (1985) 38 Cal.3d 564 , 214 Cal.Rptr. 424; 699 P.2d 835. <https://scocal.stanford.edu/opinion/county-sanitation-dist-no-2-v-los-angeles-county-employees-assn-28417>

⁶ Ibid.

⁷ Maranto and Fiorito, 1987, pp. 327-8.

Lindbeck and Snower's study of credible strike threats and lock outs is the only article focused on credible strike threats published in the past 30 years. They provide a quantitative expression of "the union's formulation of wage proposals so as to preserve strike threat credibility."⁸ Such wage proposals are calculated based on the interaction between wages, profits, costs of hiring and firing, fiscal policy such as unemployment benefits and income taxes. They argue that the probability of a strike is not due to merely to labor market demand but what they call "union punch"—that is the expected cost to the employer from a credible strike threat. In contrast to Maranto and Fiorito, Lindbeck and Snower find that even if workers lose the strike and return to work the cost of making a strike threat is lower than losing their income due to replacement.⁹ While Lindbeck and Snower's conclusion provides a useful tool to assess the role of a wage demand in the credibility of a strike threat, it overlooks the tactical and strategic factors that make a strike threat credible. The workers themselves play no role in the analysis.

Findings

We found 134 strike threats between 2012 and 2016 in our survey of published news reports on strike related activity. Of these, 97 strike threats were settled without a strike in firms of any size workforce involving 701,700 workers. 73 of the 134 strike threats occurred in workplaces with fewer than 1,000 workers, strikes not counted by the BLS. Of these 73 strike threats, 20 resulted in strikes involving 8,573 workers, 6 strike threats had an unknown outcome at the time of the study, and the remainder resulted in no strike.

In contrast, the BLS reported 72 strikes in firms with 1,000 or more employees involving 352,000 workers. The number of threats was 134.7 percent higher than the number of strikes during this time and involved was 199 percent—nearly double the number of workers than went on strike.

Our findings do not tell us whether the strike threats were credible. While it is difficult to thoroughly examine the outcome of each strike threat we will explore several characteristic examples of strike threats that were not credible, failed to result in the employer making acceptable concessions, and thus resulted in strikes. We will also examine strike threats that could be deemed credible and were settled without a strike.

However it is possible to conclude from our findings that the BLS is under-reporting strike activity in the US because it fails to count workers who are actually organizing and threatening to strike. The underreporting of strike activity may be motivated by and have certain consequences. Because strike activity corresponds to higher labor and political costs it is in the interests of the federal government to underreport strike activity for several reasons. Reporting lower than actual strikes can keep wages down by discouraging workers from joining unions and engaging in strike activity. Why join a union or go on strike if few others are willing to take the risk of also doing so? It can also serve to keep wages down for employers who can demand wage, benefit and other concessions without fear of strike related disruption. Lower strike numbers also impacts interest rates, job growth, investment, profits, wages, and most importantly the strategy of

⁸ Lindbeck and Snower, 1987, p. 781.

⁹ Lindbeck and Snower, 1987, p. 761.

much of the labor movement which has increasingly avoided the perception or reality of engaging in strike related activities. Lower strike related numbers are also associated with lower political costs. Whichever political party controls the presidency, Congress, and particular state governments is less likely to suffer at the ballot box for higher inflation, job loss, and the other effects.

Methods

Our methods for collecting strikes threats is similar to the way the BLS gathers its information about strikes. Surprisingly, for a federal government agency the BLS count is not very systematic. There is no requirement that a strike be reported so the BLS relies on interviews, voluntary reporting, and media coverage. The BLS reports that

Information on work stoppages is obtained from reports from the Federal Mediation and Conciliation Service, state labor market information offices, BLS Strike Report from the Office of Employment and Unemployment Statistics, and from media sources. Parties involved in the work stoppage (employer, association, union) are contacted to verify the duration and number of workers idled by the stoppage.¹⁰

In addition, the BLS estimates the number of strikes through its Current Employment Statistics (CES) survey. Like the BLS Strike Report the CES obtains its information about strikes involving 1,000 or more workers from public sources including the media and company or union information that is available publically. The survey is intended to estimate the impact of strikes on monthly employment estimates. The CES differs from the BLS Strike Report because the later defines “work stoppages” to “include all stoppages lasting a full shift or longer, while the CES Strike Report only includes strikes lasting the entirety of the survey reference pay period.”¹¹

There are several problems with relying on media coverage to measure the number of strike threats. First, there are virtually no full-time professional journalists covering labor issues. Second, labor conflicts are often ignored by the media until they actually result in a strike. As a result, relying only on the media to estimate the number of strike threats relative to strikes is likely to result in an undercount and is also much harder to estimate. Lastly, despite the media coverage of strikes in workplaces with fewer than 1,000 employees the BLS does not record the information. By rounding to the nearest hundred, and reporting company and union data that is possibly rounded, the BLS may be undercounting the number of striking workers.¹²

While we also used a review of the news coverage we supplemented it by also proactively contacting union officers and rank and file members directly by email and phone and by posting announcements in a labor magazine email newsletter, and on discussion lists and Facebook walls that we sought union staff, officers, and active members involved in strike threats to answer our on-line survey and volunteer to be interviewed. A combination of an on-line survey and structured phone interviews were conducted over a period of four months from February to May 2017. The questions were drafted by Dr. Ovetz with input from Dr. Helena Worthen.

¹⁰ See https://www.bls.gov/wsp/wspfaq.htm#Question_9, Accessed June 27, 2017.

¹¹ Mullins, 2015.

¹² https://www.bls.gov/wsp/monthly_listing.htm

In total, 48 answered the survey and 10 were interviewed on the phone for about 20-30 minutes. Of the 48 respondents to our on-line survey, nearly half reported that they belonged to or worked for a union that had made a strike threat that resulted in a positive outcome thereby avoiding the strike (25), a little less than one third did not answer (14), and about one fifth answered no (9). The respondents self-identified as elected union leader (13), union staff (10), rank and file member (9), supporters of union activism (2), and no identified role (14). Although 19 of the 48 did not finish answering the survey or skipped questions we used all of the answers provided.

We also conducted 10 structured phone interviews with 11 union officer and staff (one interview included two respondents) lasting between 25-40 minutes each. One of the interview respondents is an elected officer, one is a retired staff member, and the remaining respondents are current staff members. As much as possible we qualify whether our data originates from the “survey” or “interviews.” Interview subjects have been each assigned a name to anonymize them.

The over-representation of leadership and staff among those we interviewed and surveyed illustrates the self-selection bias in our data set. Leadership and staff are more likely to be reading postings and articles in the publications and on the website and social media where we did outreach. They also have more time to answer our questions since they can do it during work hours since it could be considered part of their work duties.

Many survey respondents answered anonymously, requested anonymity, did not disclose their affiliation, or requested prior review of our written reports before they would grant approval to be identified. For this reason we have chosen to not mention any survey or interview respondents by name or their specific union instead calling them a “respondent”. To shield their identity, we refer generally to their sector of work and avoid indicating any other specific details that might identify them. We have not given our results to any of the respondents for their prior review before publication.

The question of anonymity is a crucial issue for the focus of our investigation. We are asking about extremely sensitive issues of tactics, strategies, and objectives that are widely discussed internally in union executive council, staff, and membership meetings that are closed to the public and even many union members. Being a union activist or an advocate for striking today is high risk. Identifying a respondent in this report is certain to be read by management and industry officials. You can be targeted in your employment, find it difficult to obtain work, and risk physical threats.

The questions require confidentiality because they get to heart of the class conflict: the balance of power between workers and employers. We are not aware of anyone researching these questions. There is no historical literature detailing prior disclosures of this information. Even few rank and file members are privy to discussions of tactics, strategies, and objectives in most unions due to differing levels of internal democracy. Due to the lack of internal sources of our respondents’s answers we cannot confidently verify the reliability and credibility of what they reported in their survey and interview responses. For this reason we have attempted confirm relevant details through the literature review.

The act of just investigating the question of credible strike threats by asking these questions places us in a precarious position. We expected the sensitivity of the questions we asked to raise concern, alarm, and suspicion and they did. Despite the investigator and advisor having well established credentials writing about labor issues and having been paid and unpaid labor organizers did not fully satisfy all of the potential respondents approached to complete the survey or interview. It was difficult to even interview a staff member with one of the investigator's own unions which issued one of the largest strike threats in our study. Several staff and elected officers of this union, with which he has been a member for five years and participated in the strike threat either did not respond to emails or phone calls or asked for a detailed explanation of why the research was being done and a biographical background. Eventually we were granted an interview and the survey was answered.

In some ways, this suspicion and difficulty at identifying a willing respondent and respondents willing to go on the record to complete the interviews or survey demonstrates one of the most critical questions facing a union issuing a strike threat: openly communicating with its' membership so as to encourage them self-organize their threatened strike or telling them what to do to prepare. How a union answers this question is one of the key criteria for making a credible strike threat. A union that does not adequately communicate with and among the membership about the threatened strike will not be capable of organizing a credible strike threat. The union and the strike will be perceived by the employer to be staff led and not member led and that the commitment to strike will be shallow.

Data

Our literature review identified a steady number of strike threats made between 2012 and 2015 increasing substantially in 2016. (See Table 1 at the end of this manuscript). While the number of workers involved in the threats fluctuated wildly the number in 2016 was more than three times higher than in 2012. Although this time range is extremely short it did illustrate that while the number of strike threats was steady between 2012 to 2016 the number of workers involved was growing. In total, 72 percent (97 of 134) of the reported strike threats were settled without a strike. Further study is needed to adequately assess the reason for the resulting strikes and whether the outcomes of both the strike threats and resulting strikes were advantageous for the workers involved.

If we compare our findings of strike threats to strikes reported by the BLS (See Table 2 at the end of this manuscript) the annual average number of strike threats (19.4) was also about one third higher than the annual average number of strikes measured by the BLS (14.4).

What Makes a Credible Strike Threat

There are significant differences between a strike threat and a strike which we will focus on here.

First, strike threats can take several forms. It may be made as an official declaration by workers or their union that they intend to strike. They also be intangible as workers threaten to strike if the employer does not recognize and negotiate with them as a self-organized body. Workers who begin taking clearly identifiable actions in preparation for a strike such as raising dues for a

strike fund, educating the membership about strikes, taking “sick outs”, engaging in street actions, picketing, and other actions discussed below, could all be considered making a strike threat. Official declarations often follow intangible strike threats but need not if the employer concedes following actions that are considered a strike threat.

Workers in a recognized union that has engaged in collective bargaining with the employer may only threaten to strike after a long bureaucratic process governed by state or federal labor law is exhausted. Workers in some industries, such as transport, are covered under different labor laws. State and local public workers are covered by state laws which also impose limited or ban strikes. Summarizing the rules that govern when a union may officially threaten to strike is outside the scope of this study. In contrast, workers who do not have a recognized union may strike at any time. Some workers who issue a strike threat will announce the day it will begin and frequently how long it will last and when it will end. Not all threats are equal. This paper will examine why some are more credible than others.

Whatever form strike activity takes or whether it is called a *sick out* or *walkout* a credible strike threat is one in which the preparations to strike are perceived by the employer to result in a strike that will be more costly than conceding to the workers’ demands in order to avoid it. If an employer is sufficiently persuaded of the credibility of strike threat they may settle to avoid the strike. However, if they are not the strike may occur.

However, the act of striking alone is not sufficient to establish that the strike threat was credible. If the workers strike without adequate support from the workers, allies, or a sufficient strike fund

Table 3. Credible Strike Threat Matrix				
	Strike Threat		Strike	
Strike Threat	Not Credible	Credible	Not Credible	Credible
Outcome	Employer ignores, strike results	Employer convinced, concedes to demands, no strike results	Strike occurs, employer does not concede, strike fails	Strike occurs, employer concedes, strike succeeds

they may lose the strike and return with little to nothing gained (See Table 3). Alternately, they may engage in a strike of limited duration in which the workers announce the duration of the strike in advance. This may be considered a symbolic strike. Again, they may return with little to nothing gained. In short, the more credible the strike threat, the more likely the employer is likely to concede to the workers demands without a strike or once the strike occurs and the employer becomes convinced. However, what is little understood is that the act of striking alone does not demonstrate the credibility of the strike. Below, we examine the elements of what makes a strike threat credible.

Second, what we measured is different from what the BLS measures in several important ways. These differences may account for our substantially different outcomes. The BLS only measures

strikes involving 1,000 or more workers. Although only .3% of US business have 500 workers or more¹³ large employers make up the vast majority of the workforce. Our study counted all threats to strike in workplaces with *any* number of workers. The reason we counted any strike threat is to capture a more accurate estimate of how many workers are participating in strike related actions throughout the economy not just in large firms. The BLS's cut off at 1,000 or more workers in reality only counts a tiny minority of all employers and is certain to be a significant undercount of strikes although that has yet to be verified.

Lastly, the BLS does not count any strike threats, only actual strikes and lockouts (eg, capital strikes). We excluded any strike threats in workplaces with greater than 1,000 workers that resulted in either a lockout or strike because the BLS counts those as strikes by either employers or workers. It should also be noted that some of the threats made in 2016 were still ongoing and had not yet resulted in a strike or lockout during our data collection in February to May 2017.

Preparing a Credible Strike Threat

Issuing a strike threat can take different forms. A threat may be specific, indicating the time and date it will begin, the work locations affected, and the length of time it will last. Other strike threats may be made by the act of preparing to strike. While the survey and interview respondents reported a variety of processes to prepare for a strike or issue a strike threat there are several common themes that emerged in the study. The most common factor is the need to communicate with, educate, and organize the membership so as to prepare to strike. Secondly, respondents reflected on the need to organize allies and communicate with the public. Both of these elements are critical to clearly communicating a credible strike threat to the employer in order to move it to settling with the workers to avoid the strike. These factors underlie some of the critical factors for issuing a credible a strike threat.

Communicating with and Organizing the Membership

In all of the cases we examined the workers took a strike vote. To prepare for the strike threat vote survey respondents reported using a range of tactics to educate the membership about the diverse issues including the bargaining process, the need to act on grievances, potential need to strike, the process for striking, the issues they would strike over, the costs and benefits of striking, existing strike benefits, and the danger of crossing the picket line. While nearly all the respondents agreed that a strike threat must be prepared long in advance of the vote, let alone the strike, there were a range of different approaches to both educating and organizing the membership to make the threat credible. These issues were communicated through formal and informational communications tools and techniques.

All of these means of communicating the intent and willingness of the membership to strike could be seen as analogous to drawing on savings in a bank account. If workers make a threat, prepare to carry it out but then do not follow through or follow through and lose the strike the value of their deposit has been diminished. If the workers had recently issued a credible strike threat that resulted in an advantageous outcome the value of its deposit grows. However, if they

¹³ Kiersz, 2015.

have become inactive the value is diminished. Some unions maintain the value of previous credible strike threats by continuously organizing, educating the membership, and engaging in action on grievances for example.¹⁴

Opal summed up the role of a strike threat very succinctly by explaining that “a strike vote can’t be just a threat or a ‘tool’ to give your team bargaining power, the threat needs to be real. Members need to be prepared—solid information, robust strike committees with rank and file members, plan visible and creative actions the employer sees and understands.” A survey respondent emphasized that “we built for a strike. We had every intention of striking, and members prepared themselves for that.” One of these two respondents noted how a previous strike strengthened a later strike threat so as to avoid a strike while the other reported that a successful earlier strike threat was followed by a later strike which was echoed by several interview respondents. These respondents spoke to the credible strike threat as savings account analogy. The value of a credible strike threat accumulates and grows over time if it is reinforced by continuous educating, organizing, and action by the membership.

Possibly the most critical approach to developing a credible strike threat is how union leadership and staff engage with the membership to organize a credible strike threat. The process used illustrates how the respondents saw the union and the rank and file members as separate entities or one and the same. Among the tactics to organize the membership were holding sign making parties, member phone banks, signing commitment cards, and circulating petitions to identify key issues and measure member support. Only two survey and six interview respondents reported using house visits, small group, social activities such as barbecues, or one on one personalized conversations with members to organize them and build commitment for the strike. Allen and Alex noted how the union sets up committees to raise awareness and obtain commitment from spouses and family in addition to members. FAQ noted that a key group of members are the older workers who are relied on to pass along their institutional memory to educate and organize the younger members. Many survey and interview respondents reported starting these communication efforts with members as early as possible before a formal strike threat was issued and some reported doing so before or when bargaining begins. Only one interview respondent reported doing so year around. While no respondent spoke to this, such efforts to educate, organize, and act may be interpreted as a threat to strike whether or not it the threat is formally made.

These communications were conducted by an assortment of staff, elected officers, site representatives, and stewards. They recruited and trained members as picket captains, building alliances with other existing unions, student groups, local and state elected representatives, and religious leaders.

Most of the survey and interview respondents spoke to the use of site reps, stewards, and core rank and file members doing one on one meetings with the membership and using petitions, meetings, and surveys of the membership to identify the key grievances and issues that would motivate the membership to prepare for a strike threat and potential strike. However, several respondents elaborated on how gauging the members’ concerns was not just to obtain the desired

¹⁴ I am indebted to Joe Berry for this analogy.

information but was also simultaneously a strategy for organizing the membership to gain practice, confidence, and skills to strike. They spoke to this dual use as a critical criteria for issuing a credible strike threat.

The objective of communicating with the membership was not merely to identify their issues of concern but which issues they feel strongly enough about to strike over. Issues of concern that could be considered a strike issue in turn drives the tactics and strategy that prepare the membership to strike.

Although the survey respondents identified various issues that led to the strike threat including wages and benefits (8), job security (3), and work control issues (2). The interview respondents identified wages and benefits (8), job security (6), schedule (3), workplace safety and security (2), and job classification and outsourcing (1 each). Wages and benefits are broadly defined as rate of pay, hourly pay, salaries, health care, pensions, and pay cuts. Job security issues include workload, short staffing, retirement, two tiered pay for new hires, and workload. Scheduling issues also included mandatory overtime.

There were several recurrent themes that ran through what we learned from the survey respondents. Several emphasized the critical importance of not only providing information about the issues which a significant number of members feel strongly enough to strike over. They also focused on *how* that information should be delivered in personalized meetings to inform, build commitment, and recruit rank and file leaders to lead the threatened strike. Personalized face to face organizing combined with a wide range of escalating action and alliance building are the crucial elements of a credible strike threat. Some respondents referred to members supporting the strike wearing a certain color of clothing or uniform, button, or sticker to inform fellow members and the employer of the widespread support for the strike. One interview respondent insisted that such shows of commitment should organically originate from the members although few were able to give examples.

Several interview respondents spoke to the need to draw members into the organizing by making personal contact, listening to their issues and concerns, identifying issues members will strike over, and finding ways prepare them to take the lead in the strike campaign. These tactics are implicit in the “bullseye model” of organizing being popularized by *Labor Notes* magazine and its’ *Secrets of a Successful Organizer* book and trainings. Cawley reported little experience with successful strike threats specifically described using the bullseye model. After mapping the membership to identify the engaged members (the center ring) and lesser and unengaged members in the consecutive outer rings with the objective of the engaged members organizing the other members to move everyone into the center ring.

The assumption of the bullseye model is that a strike threat vote and strike cannot be lead by elected leadership and staff because it will not appear widely supported and thus not credible to employer. This is the reason many of the survey and interview respondents spoke to the need for a near consensus of members publicly supporting the strike. When rank and file members, especially those who have rarely or never been active in the union, step up to take the lead or become active organizers, the threat to strike will be credible. If the workers also have potentially disruptive leverage, widespread public support, and positive earned (not purchased) media coverage the

employer's costs will rise as it risks losing customers, clients, and damage to its brand or public image. These are crucial criteria for a credible strike threat. If the employer is cost sensitive the credible threat will be effective in bringing the employer back to the table to concede on key issues to avoid the rising costs.

Mapping the Readiness to Strike

Once this information is collected, respondents spoke to how the union and key rank and file leaders analyzed the composition of the workforce to identify the readiness of the workers to strike. Muna discussed mapping the facility to identify every work unit and every worker in the units to ensure that all of them have been contacted by the point persons, engage the inactive workers, and convert those on the fence or opposed to striking.

While this is a thorough strategy to build widespread commitment and engagement critical to making a strike threat credible it also underlies two problems with the organizing strategy. Just holding mass membership meetings to discuss issues, bargaining, and striking or sending emails or newsletters are insufficient to gauge the necessary level of membership support. Meetings and written communication are all too frequently one way affairs in which leadership and staff produce and send information and the rank and file receive and consume it. This type of structure is hierarchical, flowing downward from staff to stewards to point person to mass membership. If information about valid strike issues flow up and then strategy flows down there will be a power differential between the rank and file and leadership and staff particularly if the latter identify strike issues that do not move or resonate with the membership. At this point when critically sensitive information about strike preparations are less likely to circulate the membership may become disengaged or disenchanted with being sidelined from the strike planning and disempowered from designing and putting their own tactics and strategy into action.

The second problem is that it also relies on convincing and converting those who are not already committed or opposed to the union or the possible strike. Those members will be the least willing to take the risks of escalating action, be unreliable when action is taken, and bring less knowledge and passion to the campaign. For this reason, member to member rather than staff to member organizing was reported to be preferable and more effective by respondents.

For example, Pasha's union used publicly viewable sign up sheets and "why I'm voting yes" videos to build commitment and demonstrate how credible the threat was even though state law prohibits public workers from striking and even penalizes unions when they occur. Uncommitted members are more likely to become committed when they can observe other committed members taking public action and the organizing for the strike is taking place horizontally between the members rather than vertically from the staff. Because this union settled without striking this union involved the largest number of workers of all the strike threats we recorded between 2011-2016.

Communicating the Message to the Public

Most survey and interview respondents identified a range of approaches to communicating their message to the public. Four survey and six interview respondents discussed efforts to generate media coverage for their campaign. One interview respondent explained that their message was designed by a public relations (PR) consultant and several other interview respondents reported

that staff handled media relations and messaging internally. Among the efforts to communicate with the public were posting to bulletin boards and “community outreach,” “official communications,” ads on buses, radio and in newspapers, stickers, marching on the employer’s home, having local and state governments pass resolutions, protesting at shareholder meetings, public letters of support from local prominent persons, using a website and a Facebook page, hiring a PR consultant, meeting editorial boards, writing letters to the editor and op eds, calling in to radio shows, and using a strike trailer.

Many of these respondents emphasized the importance of publicity to get the message of their commitment to striking across to the employer. One respondent discussed how they encourage workers to “talk tough” on the shopfloor with one another and the employer as a tactic to publicize the strike preparations and demonstrating the commitment to striking among the members. However, no respondent explained how media publicity was used strategically to build mass public support or damage public perception of the employer. Among the respondents media publicity seems to be something that needs to be done without an analysis of how it should be done, by whom, and how it compliments the strategy.

Some workers benefit from the already existing positive public perception of their work which makes their effort to build public support easier. Muna attributed the repeated success in issuing effective strike threats that achieve most of what they demand to the positive public perception of her type of hospital care workers. Nurses have widespread public support, Muna pointed out, because the public values them and can relate to them as people and workers. “As nurses we have a huge advantage....Everybody love a nurse...nurses became heroes.”

In the calculus of what makes a credible strike threat, mass public support is a crucial asset that strengthens the weight of the workers’ leverage. Few categories of workers can be said to have such widespread positive normative recognition. Public support for teachers has waned as a result of relentless attacks from the charter industry and politicians tied to claims of “failed schools” and personal attacks on the character, motivations, and skills of teachers. Nevertheless, Catherine reported that parents and students tend to side with teachers in contract disputes although it wasn’t explained when they do not.

This kind of positive public perception is a key strategic component of a credible strike threat. Mass public support due to positive social norms significantly eases the costly and difficult task of buying or earning mass media coverage. It also dramatically raises the costs of a strike to the employer since the public is more likely to stay away from their facilities due to support for nurses, for example, and safety concerns from the use of strike breakers. This is also true for transit workers such as pilots or train workers because customers are hesitant to fly on a plane or take a train driven by less experienced replacement workers. Interestingly, Muna in hospital care work pointed out that the union lacks a permanent strike fund and almost always does one day strikes. Whether those short strikes intended to let workers blow off a little steam or because it demonstrates the level of commitment of the workers to striking is not yet clear. It is also unclear why even predictable symbolic one day strikes are needed if their strike threat is credible.

Setting Up a Strike Fund

Setting up a strike fund is another key tactic in preparing for a strike. However, there was no consensus among the interview and survey respondents as to whether to have one. Several interview respondents reported that their unions lack a permanent strike fund or only start one at the time the threat is issued. One union requires the locals fund themselves, request “grants” from the national union, and seek donations from other unions to provide strike benefits. An interview respondent noted that most strikes in their sector last less than 5 days because their local chapters are responsible for their own funding during a strike.

There is no consistency among the respondents on this issue. One interview respondent observed that their significant strike fund makes their strike threat more credible. Cawley contrasted that with an allied union that struck with them recently. Because it lacked a strike fund the allied union had difficulty presenting a credible strike threat since their members would not last on a long strike.

Allen and Alex noted that although their union has a “major contingency fund” it doesn’t pay strike benefits in order to demonstrate the members’ commitment to striking because of the loss of their salaries by doing so. This raises the question of whether the workers or employer will pay the heavier cost from a strike. The assumption is that because their members are highly paid they are willing to use their personal assets to supplement their lost income during a strike, something that is not available to most workers. At the same time, most of their employers are also very large multinational corporations that could easily outlast them which they observed had led to a strike defeat in the 1980s.

Not paying strike benefits is a problematic strategy. The credibility of a strike threat is not convincing the employer of the workers’ willingness to pay high costs from a strike that might not be recovered by a later contract settlement. A credible strike threat convinces the employer that it will pay the highest costs when the workers strike and would reduce its costs by conceding to the workers demands before they strike.

Although no respondent reported having a permanent strike fund, not having one may allow the leadership to tamp down on the members’ ambition to strike. A leadership that wants to settle by avoiding a strike raises the costs for the members to strike by not having a substantially large strike fund. The members, particularly if they are low waged and lack savings, will perceive the costs of striking as too high and accede to the prerogatives of the leadership to avoid a strike. Because the members and employer, know that a strike would be too costly the union will have not have a credible strike threat. If the leadership’s strategy fails and the workers carry through on their insistence to strike, by voting down an offer to settle for example, it will either be a limited symbolic action or result in defeat when the workers are starved back to work. The lack of a large strike fund is an almost certain indicator of the lack of a credible strike threat.

Escalation

It is possible to make some observations about the role of incremental escalation of tactics to make the strike threat credible to not only the employer and the public but also the workers themselves. There is not a preset list of tactics to be deployed and checked off from the list to make a strike threat credible. Workers devise and draw on a what Charles Tilly calls a repertoire

of tactics.¹⁵ The tactics in the repertoire are the outcome of closely studying their issues, the political conditions, balance of power between workers and employer, member commitment and participation, public support, and the employer's possible responses to each tactic. Understanding the costs and benefits of each tactic give the workers information about which tactics could be used effectively at certain times and under certain conditions. This is a reason why several respondents identified the need for research in preparing a strike threat vote.

Three of the survey respondents and two of the interview respondents described taking “incremental” workplace actions that escalate pressure on the employer to settle. One interview respondent said the union engaged in acts of mass civil disobedience in which disruptive action was expected to lead to arrest. Although it is unclear what the specific tactical steps were the later respondent's suggests that there was an effort to escalate tactics by “turning up the heat” on employers as the strike date approached.

The respondents were exploring relationship between what Tilly called the IOMO factors—interests, organization, mobilization, and opportunity. The workers assessed how the employer responds to certain tactics and if they lead to new opportunities to further their interests they gradually escalated the intensity of the proceeding tactics until the rising costs to the employer pushed them to settle before the strike occurred.

Cawley similarly described how the members build the credibility of their strike threat by mapping an “escalating set of actions” in which they proceed through low intensity tactics through higher intensity tactics in order to build their experience organizing themselves and shoring up their courage to take risks and sense of empowerment to act. Cawley made clear how the most credible strike threat is one in which the members are empowering themselves and drawing increasing commitment from members who are uncommitted or even opposed to striking not merely by signing a petition or card committing themselves to strike but by taking actions of escalating tension to move themselves to act rather than the verbal expression of the need to strike. “As we went through our escalating tactics, we were educating members” and demonstrating their commitment to the employer by their deeds rather than just their words. As more workers demonstrate a willingness to act while intensifying their tactics less or uncommitted workers may take advantage of the opportunity to participate when they sense the potential costs decline and possible gains rise from doing so. Such a strategy uses action not merely words to change the minds of less or uncommitted workers.

This effectively described a strategy for communicating with, organizing, and acting by incrementally escalating tactics to make their strike threat credible *to* the employer. As the *opportunity* to incrementally escalate rises, the advantageous outcomes of doing so demonstrates that the *gains* to the workers and *costs* to the employer will simultaneously rise. This will bring more less or uncommitted workers into the center ring, expand public support, and raise the potential costs of a strike to the employer. Such an escalation of tactics in a “strategy of tension” will demonstrate the credibility of the strike threat and push the employer to settle at a lower cost than might otherwise result from a strike.¹⁶

¹⁵ See Tilly, 1978.

¹⁶ See Ovetz 2018 forthcoming.

The interview respondent whose union engaged in two acts of civil disobedience explained a clear series of escalating actions that raised the tension on the employer with the ultimate expectation that they would proceed to the threatened illegal strike. While the workers were willing to pay both fines and the costs of imprisonment the costs to the employer were higher because they settled on the eve of the strike. In effect, using civil disobedience places the employer in the tenuous position of taking an escalated action that raises its costs by provoking disruption, causing physical harm to workers and allies, and losing public support. If the strike threat is credible civil disobedience puts the question to the employer, “Are you willing to face the higher costs of a strike over this issue?” thereby forcing the employer to choose.

The criteria that make a strike threat credible are self-amplifying. Using tactics that increase the tension against the employer gives the workers confidence, experience, skills, and support that further raises the costs to the employer and makes the threat more credible. This allows the workers to continue making a “deposit” in the “savings bank” upon which they can later draw. The two survey respondents and two interview respondents who referred to taking incrementally escalating actions were making this point. Going beyond mass and one on one membership meetings into the streets and the workplace with marches, sick ins, sick outs, *ca cannying* (eg, work to rule, working inefficiently, badmouthing the employer), wildcat strikes, and other tactics provide leverage to pressure the employer to settle at the risk of greater costs by not doing so and facing a strike.

When a Strike Threat is Not Credible

Using a strategy of tension is an innovative alternative to a predictable formulaic strategy that result in uncredible strike threats. Catherine concluded that a strike threat is not credible when the employer isn’t threatened by the “usual pressure points.” This respondent observed how threatening to strike at the right time may make the threat more credible. For example, Catherine explained, threatening to strike when Average Daily Attendance funding is no longer counted at the end of the school year will not result in a financial cost for the school. And if they do strike it will be ineffective because the school year will soon end and the momentum will be lost. As a result, the threat will not provide the necessary leverage to extract the desired concessions without having to strike. For this respondent, the most credible and effective strike threat is when the employer knows they will pay a higher cost from a strike. For a strike threat to be credible both workers *and* the employer have to recognize that the costs will be highest for the *employer* if the strike occurs. When the *right time* is requires an analysis of when the costs of striking to the employer will rise if it does not settle.

Ian explained how members designed a tactic in which they engaged in mini wildcat strikes by marching on their lunch hour and returning late. This union’s recent strike threat resulted in a region-wide strike that continued as each workplace settled their own unique grievances against different employers. This strategy dramatically raised the costs nationwide as the supply of the crucial product was severely limited by both the strike and an accident at a key plant that shut down production. Nevertheless, the strike threat lacked credibility because a strike followed and was gradually dissipated by settling separately with workers in each workplace. As each local strike was settled the costs to the holdout employers continued to fall. It also turns out that two

consecutive “failed” strike threats resulted in strikes that lasted one to two months with unknown outcomes.

Three interview respondents addressed the role of innovating tactics specific to their industry as leverage to raise the costs to the employer. Attacking some of the employer’s predictable tactics of union-busting and strikebreaking can also reduce the cost of a strike threat to the workers. Terry’s union monitors and reports on the employer’s tactics and makes it available to the public. The union pursues a formulaic attempt to identify and file a credible unfair labor practices (ULP) charge against the employer. But it does so by using the employer’s tactics against them by having members sign up with the strikebreaking contractor and then organize the strikebreakers to walk out in solidarity and prompt the employer to discriminate against pro-union contract workers in order to generate a ULP. While these are creative tactics to generate legal leverage against the employer they are not organizing the members in such a way as to strengthen the credibility of the strike threat. Because the strikes are still occurring the cost to the employer is still too low to make the threat credible.

Allen, Alex, and Terry observed how threatening to strike has greater leverage if the workers are capable of disrupting the industry, sector, or even a major transport hub such as an airport or port. Even a small number of workers going on strike can cause significant disruption raising the employer’s costs if the threat is carried through. There are some types of workers that if withdrawn are sufficient to cause widespread disruption. Workers that are central to operations and not easily replaceable can make credible threats just by their strategic location in the industry. Such strategically placed workers can also provide support to workers who lack similar leverage because all the workers remaining at work cannot function and operations come to a halt.

However, the strategic position of any group of workers or union is not reliable in itself. With the introduction of predictive analytics, robotization, automation, and deskilling, a union that perceives its members to be critically irreplaceable has fallen victim to hubris and may soon find they have seriously miscalculated just how strategically central they really are. Rationalization threatens to weaken the strategic importance of all types of work from fast food workers to lawyers and truck drivers to university professors. Drones are replacing highly skilled pilots with technicians sitting behind a computer, lawyers by outsourcing and automated document review, and teachers and professors are being displaced by artificial intelligence and on-line education. The credibility of a strike threat cannot be anchored on merely the strategic location of the workers or the irreplaceability of their skills because, as the history of class conflict demonstrates, technological innovation and rationalization is driven by the compulsion to discipline and remove well organized, unmanageable, and disobedient workers.¹⁷

Credible Threats and Failed Strikes

It is also possible that a strike threat may be credible but still result in a strike, including one which the workers lose. A credible strike threat may still result in a strike for two reasons. Either the employer may not have accurately assessed the readiness of the workers to strike or the workers may not have adequately communicated it to the employer. As a result, a credible strike

¹⁷ See Ovetz, 2018, forthcoming.

threat may result in a strike which provides an advantageous outcome for the workers. Alternatively, the strike may fail because the costs of the employer conceding to the workers demands is higher than the costs of the strike. In both cases the strike threat was credible because it resulted in a strike although the outcomes were entirely different.

The savings bank analogy of credible strike threats tells us that the recent past matters. A recently successful strike threat or strike that followed a credible strike threat would both provide a disincentive for a cost sensitive employer risking another strike if the workers did not de-mobilize or de-escalate in the intervening time period. Such an employer could be expected to be more likely to concede to a second credible threat.

However, if consecutive strike threats result in strikes, whether they resulted in advantageous or disadvantageous outcomes for the workers, we could question whether the threats have been credible. A strike threat that results in a strike does not necessarily mean the threat was not credible. Rather, the employer may have wrongly assessed the factors that made the threat credible or mis-calculated their costs of a potential strike. But we can also assume that the employer accurately assessed the threats not to be credible and were willing to risk the strike and absorb the lower costs.

We can more closely examine three interviews with respondents who work as staff with unions that have struck several times in the past decade or so. Ian explained how two previous strikes only a few years apart and lasting between one to two months followed “failed” strike threats. The other interview respondent cited the union’s frequent strikes as reflecting the credibility of their strike threats—their willingness to strike in the past demonstrates their willingness to strike in the future. But which one is it? These two respondents seem to take polar opposite positions.

One possible conclusion is that the need for both unions to strike repeatedly demonstrates that their threats are not credible. Although we do not know the outcome of both of these respondents’ strikes the need to repeatedly strike or strike again only a few years after the last strike raises issues about why the employer continues to risk the costs of a strike.¹⁸ It is also possible that the employer is provoking the strike based on an accurate assessment of the lack of credible past and present strike threats. For example, if a strike fund is missing or too small, the employer may expect to outlast the strikers and extract even more concessions from the workers than if they had settled before the strike. In other words, the employer accurately perceived that the cost of conceding to the workers’ demands was higher than the costs inflicted by the strike. The strike

¹⁸ It is possible to assess if a credible strike threat is successful if the threat caused the employer to move in a *positive* direction on a critical issue in bargaining. But what may be considered positive depends on context, conditions, opportunities, and costs of further escalation. While we asked on-line respondents “What was the outcome of the strike threat?” and provided several options and a comment box we did not ask for whether they achieved their original objectives. As a result, we avoid assessing whether the outcome of bargaining, a strike threat, or strike is “successful” for the workers in achieving their objectives for several reasons. First, the workers may vote overwhelmingly to ratify a settlement to receive less than what they intended to achieve if they continued to escalate and on strike. Secondly, the public may widely perceive the workers to have lost while the vast majority of the workers perceive to have made gains from their strike threat. Either way, the outcome may appear to be a gain while substantially less than their intended goals.

threats cannot be considered credible if they resulted in repeated strikes whose outcomes were not advantageous to the workers.

Cawley, who described their bullseye and “escalating set of actions” strategies, spoke to how the failure of their recent strike to achieve their objectives led them back to the negotiating table. But this respondent hesitated to call it a “failure” because it was their first strike against that particular employer and as such is a necessary step in building the basis for later credible strike threats. Cawley assesses the credibility of a strike threat based on whether or not they had previously struck the employer. This was contrasted with a strike against a different employer a year earlier which is perceived to be successful. “At [that employer] we don’t strike every time, but we strike enough that our threats are credible.” In other words, striking periodically is associated with practicing the tactics so as to demonstrate their willingness and capacity to strike to the employer.

This analysis raises the question of whether “practice” with a single prior strike or previous infrequent strikes demonstrate the credibility of a strike threat. Assuming workers need practice striking demonstrates a lack of clarity about what it means for a strike threat to be credible. For example, if workers, such as those this respondent organizes, are in a service industry with high turnover, many of the workers will not have experienced the previous build up to the threat or strike. If economic, social, and political conditions are substantially different from the past strike, regardless of its outcome, there will be little bearing on present circumstances. For example, the entry into that industry by new on-line or low cost competitors since the last strike will change the cost calculus for an employer in several ways.

Just having struck in the recent past does not make a strike threat credible if all the criteria discussed above have not been satisfied. It is true striking does help to make the union and teach workers about their power by exercising it. But if the costs to the employer from the strike are not significantly high enough to force them to concede the strike may have the opposite effect of making strikes appear to be futile and expensive to the workers. Striking just to practice the tactic is insufficient to make a later strike threat credible.

Ultimately, it is unclear whether previous strikes contribute much to a current strike threat if the key elements that make a strike threat credible are inadequate or missing each consecutive time. According to the savings bank analogy, regardless of its outcome a previous strike that is not followed up by educating, organizing and activating membership loses value and puts the credibility of strike threats in doubt. Cawley, who reported the union’s bullseye and escalation strategies, was among the most sophisticated of all the survey and interview respondents. However, because they still needed to strike to assert their demands it would be worthwhile to examine whether they effectively met the criteria for a credible strike threat. By contrast, Terry, whose union strikes frequently, didn’t speak at all to how they prepare a credible strike threat, instead insisting that their record of frequent strikes demonstrated the credibility of the threats.

These three interview respondents interpret workers’ willingness to carry out crippling strikes to demonstrate the credibility of a strike threat. Terry from the transport sector reported that his union participates in one or two strikes per year. One strike three years earlier lasted for six months.

However, Terry was confident that their substantially large strike fund, leadership with strike experience, and record of going on long, well organized strikes reflect the credibility of the strike threat. Describing it as a mistake to perceive striking as a common sign of a failed threat, Terry was instead confident that striking is necessary to give weight to the strike threats. In other words, strikes strengthen the credibility of later strike threats.

These two respondents were perhaps the most enlightening of all the survey and interview respondents. They reflect the assessment of unions with a history of engaging in long and frequent strikes that the strike re-enforces the credibility of the threat not the other way around. Since these workers are in a critical transportation hub a small number of striking workers have been able to amplify the impact of their disruption by paralyzing the entire regional sector. While we do not know whether the strikes resulted in gains for the workers it does raise the question as to why the employers would be willing to risk further costs when previous strikes have already proven costly.

While it may be possible for a few transport workers to inflict high costs relatively quickly on an employer a closer examination is needed to explain why their consecutive strike threats still lead to strikes. How valid is their argument that the strike strengthens the credibility of later strike threats? We do not have enough information to assess the details of the threat but it may be that the strike threat was not credible because the employer's costs from a strike were lower than the union thought meaning that the threat was not credible. But did the consecutive strike occur because the next threat also lacked credibility? Or did the outcome of the first strike produce too little cost to the employer to discourage ignoring the second threat? It is also possible that the employer repeatedly misevaluated the costs or was willing to take the risk of ignoring the threat and facing another strike. However, it could be expected that an employer who misevaluates a first threat is sure to more carefully assess a second in following the dictum of "once burned twice shy." While it is hard for us to answer these questions due to the lack of details of each threat it is something workers making a strike threat can be expected to do.

The tactics, strategy and composition of capital may also be considered in assessing these three respondents' answers. Despite their record of repeated strikes the limited scope of the strikes may actually be less costly than the industry-wide concessions demanded by the workers. This may be especially the case if the strikes are localized and can be resolved under different separate terms, as two of them were.¹⁹ (Cawley and Ian) However, these strikes may be more costly than replacing the workers with automated technology that is expected to hit the third respondent's sector of the transport industry in the near future. (Terry)

Just being willing to go on long and frequent strikes itself is not in itself a formula for a winning strategy. A union that does so should ask if they can achieve the same or more with a credible strike threat thereby avoiding the inevitable higher risks to the workers of having to strike. A strike that fails to gain more than it might have otherwise achieved from settling after making a

¹⁹ This respondent also identified how employers will use public disclosure of union financial reports to bring legal charges against the union for unfair labor practices and claims of sabotage to drain their funds.

credible strike threat could be considered a failure. In such cases it should be asked whether there are other factors contributing to their going on strike.²⁰ Certainly a union that has a history of recent strikes should have the necessary information to adequately assess this calculus.

The Objective of a Credible Strike Threat

When it comes to the question of objectives many of the respondents' focus lay elsewhere. Most referred to a credible strike threat as one that will keep bargaining going, to prepare members for a possible strike, and to make a statement to the employer. Not a single respondent identified the threat as a means to achieving the workers' objectives. For example, one interview respondent explained that the strike threat serves to ensure that the employer knows the workers' demands are important to strike over. But is the objective of making a strike threat merely to convince the employer of workers determination to strike so as to avoid a strike? The objective of making a credible strike threat is not merely a choice between avoiding a strike or striking. Nor is the objective of a credible strike threat to ensure the employer knows the determination of the workers to strike. The objective of the credible strike threat is for the workers' to achieve their desired objectives—be it higher wages, better benefits, more control over work, improved conditions, lower hours, etc.—while minimizing the costs to themselves of direct confrontation with the employer in the form of stopping work. Using a credible strike threat to convince the employer of the workers' determination to strike is the *means* to that objective, it's not the objective itself.

Analysis

Lack of a Consensus on What Makes a Strike Threat Credible

Although some respondents spoke to what makes a strike threat there was not a consensus as to how to evaluate whether or not it is credible. Few of the respondents appear to identify a credible strike threat as one that moves the employer to concede to the workers demands that results in gains for the workers without striking.

While we also found no common criteria for how to prepare a strike threat we have identified a near consensus among the respondents as to the role that education, organization, and action by the rank and file makes for establishing a credible strike threat. That there were many tactics to educate and organize the membership in preparation to strike and the types of actions they would take identified it is due to the varying circumstances of issues, workplace, powers relations, levels of commitment, public support and other factors. That most respondents spoke to the need to combine these three factors in preparing a strike threat indicates that workers, leadership, and staff may be becoming more experienced with making strike preparations.

A Resurgent Labor Movement?

A strike threat is not only credible when the workers are prepared to strike but when the employer is convinced they will and the outcome will be costlier than conceding to their demands. Workers can engage in a wide selection of organizing activities to move the employer to settle

²⁰ This is not merely a question of game theory. Workers and employers have access to virtually all the information they need unlike in the prisoners' dilemma. It could be argued that class conflict is not merely about lowering costs and raising gains but to change the system which is equivalent to ending the game. A union that repeatedly engaged in successful strikes has the capacity to escalate the outcome a strike beyond merely material gains in wages, benefits, and working conditions.

before a strike occurs. Our study clearly shows that the number of strike threats is on the rise. But what does it mean for understanding the state of the labor movement?

Threats that result in successful gains will provide lessons about how unions are effectively educating and organizing their workers to strike. Measuring and understanding strike threats is critically important for providing a wider view of the state of the union movement and worker organization. If about 199 percent more workers are involved in strike activity short of striking (or being locked out) then this tells us that there is substantially more willingness of workers to take action to achieve their demands than thought.

The significant number of strike threats may be an indicator that efforts to transform the unions from the inside have become effective in pushing unions to escalate their tactics and strategy. What we do not yet definitively know is whether the impetus to prepare a specific strike threat is coming from the rank and file or leadership. However, our survey and interview findings suggest that in these specific strike threats the impetus is very much top down. Our respondents commonly used language that indicates a continued dichotomy between the prerogatives of the “union” and the rank and file “membership”. This is likely due to the overrepresentation of union leadership and staff among our respondents who reflect on the strike threat through the lens of their position in the union. Further study of rank and file members may result in different findings.

Because we lack adequate details for each strike threat identified in this study, it would be premature to consider the rising number of strike threats an indicator of a resurgent labor movement. However, the rising number of strike threats may be an indicator that unions are becoming not only more confrontational but moving back towards the organizing rather than service model of unions as they seek to increasingly leverage confrontation to extract gains in bargaining.²¹

What we did not find is much evidence that workers are returning to social movement unionism or what is called “solidarity unionism”. Cawley spoke to how their use of the bullseye model and “escalating set of actions” strategies are predicated on the solidarity principle of worker organizing rather than either the organizing or service models. For Cawley, their strategy is to approach preparation for a strike threat as broader than a single workplace. “I think also as a union, not acting in your narrow interest...thinking of ourselves as a broader movement [for] social justice.” However, we lack sufficient details for all of the strike threats we examined to evaluate how workers acted as part of an organized social movement in a way that differs substantially from the routinized efforts to identify and receive support from allies.

Although there is still more to learn from studying strike threats one thing is clear. Many unions are beginning to make the long overdue shift from the service to the organizing model and use confrontation alongside collective bargaining as a contingency for when negotiation fails.

²¹ The organizing model of unions is best reflected above in the bullseye model in which unions activate their members to act on their own behalf rather than advocate for them. The service model is one in which the union services the contract by representing members in grievances, represent them in workplace issues, and negotiates on their behalf over issues of wages and benefits. These contrast with the social movement model is one in which unions organize around issues of social transformation that connect to the workplace than just wages and benefits of their members.

Whether the membership settles through bargaining or extracting concessions by raising the costs to the employer by striking and other disruptive tactics, credible strike threats are likely to continue to be common in the years to come and should be counted.

Recommendations

Measuring the number of strike threats would be of interest to employers, unions, and the public. For this reason we make the following recommendations:

- The BLS should include strike threats in its strike reports
- The BLS should count strike threats and strikes in all workplaces regardless of the number of employees
- The BLS should survey employers and unions to record the number of strike threats
- Employers and unions should be required to report strike threats, lockouts, and other strike related activities
- Employers and unions should be required to report exact numbers of workers and other data related to strike threats, lockouts, and other strike related activities
- The FMCS should report details of the outcome of settlements resulting from its intervention in strike threats and strikes
- The Office of Employment and Unemployment Statistics should require all states to include a question on unemployment insurance filing forms about whether the unemployed worker is unemployed due to a strike threat

About the Author

Robert Ovetz, Ph.D. is a lecturer in political science at San Jose State University in California. He is the author of the forthcoming book *When Workers Shot Back* (Brill). He is also on the editorial board and book editor of *The Journal of Labor and Society*. He is a member of one of the unions included in the study.

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Table 1. Strike Threats 2012-2016*		
Years	# Work Threats	# of Workers Involved
2012	18	86,755
2013	16	147,742
2014	19	109,585
2015	16	92,323
2016	28	265,295
Total Threats	97	701,700
Average per year	19.4	140,340
% of average strikes**	134.7%	199.3%
*Ovetz, R. 2017		
**Total strikes recorded. See BLS, Work stoppages of 1,000 or more workers, 1947-2016, Accessed June 26, 2016: https://www.bls.gov/news.release/wkstp.t01.htm		

Table 2. Strikes 2012-2016*		
Years	# Work Stoppages	# of Workers Involved
2012	19	148,000
2013	15	55,000
2014	11	34,000
2015	12	47,000
2016	15	99,000
Total	72	352,000
Average per year	14.4	70,400
*See BLS, Work stoppages involving 1,000 or more workers, 1947-2016, Accessed June 26, 2017: https://www.bls.gov/news.release/wkstp.t01.htm		