

Labor News Digest

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Steel Industry Needs "Extraordinary Response" From Variety of Sources

Since mid-1998, steel worker jobs in the U.S. have been disappearing at the rate of 1,000 a month and mainline American steel companies are falling like dominoes. Twenty-six U.S. steel companies are bankrupt, including three of the nation's largest steel producers: Republic, LTV, Bethlehem Steel.

All the while, demand and consumption of steel continues to rise in the U.S. On average, the U.S. has been purchasing more than 22 million tons of foreign-produced steel every year over the past four years.

Last November, steel employment had fallen to 204,000, according to federal figures, about 40 percent of its level in 1975. The November figure reflected a one-month drop of 2,500, and was 17,000 lower than the previous year. Since 1998, the industry has lost 31,000 jobs.

The culprit is low-cost imported steel, and, as Leo Gerard, president of the United Steelworkers of America (USWA), says, there are more than jobs at stake. As the U.S. loses its capacity to make steel, the nation's security is compromised.

"It does not make sense to have proprietary specifications for sophisticated defense steel fall into the hands of foreign suppliers who could also sell to adversaries of the U.S. This is what could happen if the U.S. were forced to go offshore for its critical steel," Gerard points out.

U.S. steel companies are as efficient as their foreign rivals, but so-called "legacy costs"—primarily for health insurance for active and retired workers—give foreign producers a price advantage because in other nations those costs are paid by the government.

Gerard says it will take extraordinary measures to revive the U.S. steel industry, including a stern government response to impose tariffs on imported steel. The union has substantial evidence to back up its charges, including findings by the federal International Trade Commission (ITC) that tariffs are in order.

USWA is fighting a war on several fronts to protect its members' jobs. Lawyers for the union were in court at the end of December to force LTV to keep its ovens fired up while the union secures \$250 million in emergency funding.

The union is also urging Congress to enact a \$1 billion legislative package to limit imports to pre-1998 levels, to tax steel production to pay for retiree health care costs, and to provide funding for modernization of the industry.

Health, Safety Rights Face Threat of Spending Cuts, Extinction

While President George W. Bush says he places "high priority" on working families, his actions point to the weakening or deletion of existing workplace health and safety rights and refusal to support new protections.

Bush released his proposed budget for 2003 on February 4, and advocated the following health and safety actions:

- Proposed a seven percent cut in discretionary spending for the Department of Labor, which funds most worker protection programs. Bush wants to cut workplace safety and health standards, enforcement, and federal contract compliance.

- Even though workers were the main victims of September 11 and the anthrax attacks, Bush proposed to cut the budget for the National Institute of Safety and Health (NIOSH) by \$28.3 million. NIOSH is the only health research agency that focuses on worker health and safety.

- Proposed to cut the OSHA budget by \$9.0 million.

- The budget does not propose any funds to address ergonomic (repetitive motion) hazards, despite the administration's pledge last March that it would pursue addressing ergonomic hazards.

In January, Bush bypassed congress to appoint Eugene Scalia as the U.S. Labor Department solicitor, even though he is known to be opposed to worker safety.

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Health, Safety Rights Face Threat of Spending Cuts, Extinction

(Continued from page 1)

Under pressure from big business and the U.S. Chamber of Commerce, the Bush administration rejected a Labor Department proposal requiring employers to separately report musculoskeletal injuries as part of a workplace injury record-keeping rule. These problems, including carpal tunnel syndrome and back sprains, accounted for more than one-third of the 1.7 million workplace injuries reported in 1999.

In April 2001, the Bush administration canceled OSHA grants for 19 workplace health and safety programs that had been approved previously.

In March 2001, the Bush administration failed in its attempts to weaken the program that compensates workers who suffer from illnesses they acquired building and maintaining the U.S. nuclear arsenal. The administration wanted to shift the running of the Energy Employees Occupational Illness Compensation Act from the Department of Labor to the Justice Department. The Justice Department is inadequately staffed to administer claims, and historically had fought compensation claims by these workers, many of whom are PACE members.

Bush supported and signed the first-ever congressional repeal of an Occupational Safety and Health Administration worker protection rule. The ergonomics standard would have prevented hundreds of thousands of workplace injuries due to repetitive motion each year.

Contact Congress Now!

The administration's overall proposals for Medicare and Medicaid reforms, including prescription drug coverage, are based on unsupported and unrealistic numbers. Moreover, the president's proposal for prescription drug coverage provides too few resources and would not give meaningful help to all seniors who need relief from skyrocketing out-of-pocket drug bills.

The proposed response to the crisis of the uninsured through a new tax credit and expansion of medical savings accounts would not provide enough money to purchase adequate insurance in the individual market.

Let your elected officials know that you object to workers losing these and other health and safety rights by doing the following:

- Contact your Senator at www.Senate.gov
- Contact your Representative at www.house.gov
- Letters to Congress at <http://congress.org>
- Monitor www.pacepower.org for updates on these issues.

Pace International Union, P.O. Box 1475, Nashville, TN 37202.

Financial Setbacks Threaten Ship Construction in the U.S.

A series of financial setbacks is threatening the resurgence of private ship construction in the U.S. and some 2,500 jobs. Two major projects—one at Ingalls Shipyard in Pascagoula, Mississippi, and a second underway at the Kvaerner Shipyard on the grounds of the former Philadelphia Naval Shipyard—have been set as harbingers of a revival of private-industry ship building in the U.S.

At Ingalls, construction on a pair of luxury ocean liners for American Cruise Lines was halted when the parent company declared bankruptcy. The interruption initially idled 2,500 Ingalls workers, but most of them have been reassigned to other projects.

The first of the American Cruise Line vessels is about half completed, but Northrop-Grumman said that future work will not proceed unless Congress authorizes loan guarantees and a new owner takes responsibility for the project. If and when the ship is completed, it would be the first cruise ship built in the U.S. in 45 years.

The Pascagoula Metal Trades Council and IBEW Local 733, which represents the majority of Ingalls employees, joined forces to encourage congressional delegations from Mississippi and surrounding states to authorize the guarantees. To date, no resolution is in sight.

The Kvaerner situation arises out of financial troubles that have beset the shipyard's parent company for the past five years. The Norwegian-based conglomerate assumed a massive debt load when it took over a British conglomerate in 1996. More recently, Kvaerner posted a loss of \$3.68 million in the third quarter of 2001.

Kvaerner's newly-designated corporate leadership has assured workers at the Philadelphia yard that the company intends to continue its operation there.

In recent years, Kvaerner received some \$400 million in assistance from various economic development agencies in the region as an investment in reviving shipbuilding in the area. The company says it will uphold its end of the bargain to train shipyard workers and expand its workforce at the Philadelphia yard.

The Philadelphia yard's first ship is scheduled for sea trials this Spring.

Union Label & Service Trades Department, 815 16th St., NW, Washington, DC 20006.

Shop Smarter: Read the Labels

When your doctor writes a prescription for you and a pharmacist fills it, you rely on their expertise. All you have to do is to take the medicine as directed and perhaps let the physician know whether it worked or not, or if you had any side effects.

When you choose to "prescribe" for yourself by buying products off the shelf, you become in effect your own expert. It's not hard to do. Simply read the labels.

First, let's answer a question some patients ask: Why do some health products require a prescription and others do not? Prescription drugs are for conditions in which the medicine is potent enough to require medical diagnosis and supervision.

Over-the-counter (OTC) drugs are considered safe for self-medication if used according to the instructions on the label.

Dietary supplements are not "drugs" in the regulatory sense. The makers and marketers of these products have a lot of leeway in making claims for their wares. However, they are not allowed to make medical claims without a disclaimer that says they don't have FDA (Food and Drug Administration) approval.

Keep these differences in the level of regulation in mind when you shop for self-help remedies. The knowledge can make you a smarter health shopper.

Here are some other useful tips for label-smart shopping. The suggestions are taken from an article in the May-June issue of *Arthritis Today* by Judith Horstman, contributing editor of the publication.

With OTC drugs, look for the following:

1. Active ingredients, listed in descending order with the highest listed first.
2. Purpose of the remedy.
3. Symptoms and conditions relieved.
4. Warning. Look under this heading for potential interactions and other dangers.
5. Directions for use. Do not take more than the recommended dose without talking to your doctor.
6. Expiration date. Don't buy anything that's out of date; it may have lost the potency to do you any good.

With dietary supplements, look for the following:

1. Dose or serving size suggested by the manufacturer.
2. Active ingredients, with amount per dose. Compare the actual amounts with the claims or promises on the front of the package.
3. Percent Daily Value (DV). This tells the percentage each ingredient provides of the recommended daily intake (RDI). If the RDI has not been determined, you will see an asterisk (*).
4. Inactive ingredients. If you have allergies, this information can help you avoid products that contain ingredients that are commonly allergenic.
5. Instructions for use.
6. Storage information. Some products lose potency if not stored properly.
7. Cautions. Similar to "warning" on some labels. It tells about allergic reactions, interactions and other possible problems.

Always keep all medication in its original container so you always have the label information available.

Help for Kids and Grandkids Without Health Insurance

Parents and grandparents know how important it is for children to grow up strong and healthy. But many families can't afford health insurance for their children, a major component in healthy growth. In fact, today, over 11 million children in the United States have no health insurance at all.

But there is help! Every state now has a program to provide free or low-cost health insurance for kids. These programs cover regular check-ups, immunizations, prescription drugs, dental care, vision and hearing testing, hospital visits, and more. And these programs are not just for the poor. They provide health insurance to families with average incomes who cannot afford health insurance.

The application process is simple. In most states, families can request an application through the mail and simply return it once it is filled out.

It is easy to find out about your state's program. Just call the toll-free number 1-877-KIDS-NOW (1-877-543-7669). you will automatically be connected to the appropriate agency in your state. Or, you can visit the Internet site, www.insurekidsnow.gov, to find out more about these programs.

If your children or grandchildren don't have health insurance, call to see if they qualify for free or low-cost protection. Also, if you know other children who are without health insurance, encourage their families to find out about these programs. Keeping kids healthy is a community concern!

Labor Report

Living Wage Victories

Chalk up two more wins for the living wage campaign. The Massachusetts Federation of Labor, the Boston Central Labor Council and the Association of Community Organizations for Reform Now convinced the Boston City Council to increase an existing living wage from \$8.71 per hour to \$10.25. The legislation also expands the coverage to twice as many workers who toil for city contractors. And in Eastpoint, Michigan, the Chamber of Commerce challenged a living wage ordinance approved in 2000, got a referendum on the ballot against it and lost. Voters approved the living wage 1,728 to 1,413.

Oklahoma Becomes Right-to-Work State

On September 25, in a setback for organized labor, Oklahoma voters amended the state constitution to make Oklahoma the 22nd state with a right-to-work law on the books.

The results took place after a well-orchestrated campaign by organized labor to defeat the bill. The new constitutional amendments makes it illegal for unions and employers to negotiate contracts that require payment of dues to a labor organization to get or keep a job. Employment contracts that require membership in any labor organization also are banned. Payroll deduction of union dues to labor organization will now require approval by the individual employee affected.

The Oklahoma Legislature passed a measure (H.J.R. 1033) in April 2001 setting up a special election on the issue. It was the first statewide vote on the right-to-work question since 1964, when it was narrowly defeated.

Labor Ready Loses, Again

Union representatives peppered executives of Labor Ready, Inc., with questions about the company's poor record on workers' rights and other concerns during the annual stockholders' meeting in Tacoma, Washington. Over the past year, the AFL-CIO Building and Construction Trades Department has confronted Labor Ready, one of the nation's largest manual labor temporary employment agencies, on National Labor Relations Board charges that it punished workers trying to organize.

Workers employed by Labor Ready in New Hampshire scored a major victory when the state Superior Court ruled that the nation's largest blue-collar temporary employment agency had illegally deducted money from the workers' pay. Labor Ready charged the workers for rides to job sites. The court agreed with the workers that it was an illegal deduction and ordered four Labor Ready offices in the state to repay the workers more than \$140,000.

All Together

In Detroit, about 20 union leaders, auto industry executives, and cabinet members joined to show their commitment to preserving the nation's economic viability. Noting that "this great nation was built by workers," UAW President Stephen Yokich said that workers, industry, and government will work to rebuild and revitalize the economy following the September 11th terrorist attacks. Yokich, ALF-CIO President John Sweeney, Steelworkers President Leo Gerrard, Iron Workers President Joe Hunt, and Carpenters President Doug McCarron were joined at the General Motors assembly plant September 19 by Labor Secretary Elaine Chao, Commerce Secretary Don Evans, GM CEO Richard Wagon, Jr., and other industry and government officials.

Canadian Construction Forecast Predicts Constricted Growth Rate Through 2003

The ongoing North American economic slowdown will constrict growth in construction activity and employment through 2003, but the sector will return to stronger growth starting in 2004, Michael Atkinson, president of Canadian Construction Association, said.

"The productions that we are releasing today reveal that construction, like most other industries, will be hit by the slowdown in the North American economy that began in the fall of 2000," he said. "However, unlike past downturns, this one should be relatively short-lived. Within two and a half years, the industry should once again be growing at a healthy pace."

"It remains unclear what impact the recent terrorist attacks on the United States will have on the prospects for Canada's construction sector," Atkinson explained. "If the aftermath of the attack significantly weakens the North American economy, then growth in the Canadian industry will be lower, but if government and the private sector invest heavily in security-related construction, the growth figures could increase significantly."

Union-Only Products Website Has Flags

With the entire country facing a shortage of flags after the terrorist attacks, there's one sure place to get them: the nation's first union-products only website. The address is www.buyunion.com/store and flags and accessories are available for fast shipping.

Labor Federation Picks Six for Executive Council

The newest members are Joe Hunt, president of the Iron Workers; Cheryl Johnson, president of the United American Nurses; Bruce Raynor, president of the Union Needletrades, Industrial and Textile Employees (UNITE!); Cecil Roberts, president of the United Mine Workers; Ed Sullivan, president of the AFL-CIO Building and Construction Trades Department; and Clyde Rivers, president of the California School Employees Association.

What Does Your Birth Order Say About Your Personality?

Although there is no magic formula to determine your personality, it is believed that your birth order actually has a powerful influence on your character, strategies for dealing with others, and even the occupation you choose.

Psychologists have distinguished a variety of personality traits they believe are related to birth order. See for yourself if these characteristics are relevant to you or someone you know:

In the beginning... Firstborns generally display high motivation to achieve. They are characterized as reliable perfectionists who are also organized, loyal, and scholarly. Many firstborns are attracted to jobs that require precision, concentration, and mental discipline. It is no wonder the majority of astronauts sent into outer space and U.S. presidents have been firstborns.

The one and only. Only children are often "special jewels" that are spoiled and treated like little adults. Only children are organized, reliable perfectionists, but may be very critical of others and have a tendency to want to take control. They hold very high expectations of themselves and others.

Stuck in the middle. Middle-born children often have a wide variety of characteristics. Some may branch off in the opposite direction of their older siblings in an effort to fight the tendency to become "lost in the shuffle," while others enjoy being laid-back, easy going, and take life in stride. Because of their birth order, middle borns are often successful negotiators with a talent for compromise.

Last but not least. Youngest children are typically outgoing, persuasive charmers who are great at motivating others. They are creative people persons with an "I'll show them" attitude, often making them successful salespeople.

One key point to remember is that birth order can be changed by dynamic variables within a family, such as gender, the number of years between children, or the blending of families. While birth order gives clues about a person's personality, it's not set in stone. It is just another way to help us understand why we are the way we are.

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The Eleventh National Labor-Management Conference

The largest labor relations event ever to take place in the United States will be held at the Hyatt Regency Hotel, May 29-31, 2002. The Eleventh National Labor-Management Conference is expected to draw some 2,000 business and union practitioners, attorneys, arbitrators, facilitators, and mediators from the private and public sectors located in virtually every state of the country as well as several foreign nations.

The Conferences will feature 60 sessions covering issues dealing with all aspects of labor-management cooperation, high-performance work organizations, socio system design, shared decision making, and interest-based bargaining in manufacturing, utilities, the construction trades, and a variety of public sector entities. A variety of sessions will focus on take-home tools for labor and management to improve and expand cooperative process..

Keynote Speakers

This years invited keynote speakers will include John Sweeney, president of the AFL-CIO and Riley Bechtel, chairman and CEO of Bechtel Corporation. We have also invited The Honorable Richard M. Daley, Mayor of Chicago. The Conference will hear keynote addresses from C. Richard Barnes, director of the Federal Mediation Service, Nancy Mills, executive director, Working for American Institute, AFL-CIO, K.E. Hedman, North American Contractor Association, and Professor Barry Bluestone, director, Center for Urban and Regional Policy, Northeastern University.

Attendees can interact with conference participants using electronic brainstorming throughout the Conference. You can participate in an electronic dialogue with conference participants and provide your input and thoughts about the current issues and trends facing labor and management in our current economic environment. This will be the first time the National Labor Management Conference will provide an opportunity to engage all participants in a dialogue about the challenges facing the labor relations community in the new millennium!

Conference Information

Conference sessions will begin each day at 9:00 a.m. The conference will end by 12:00 noon on May 31. This year's conference registration fee is \$375 per person (\$425 after May 6). The fee covers admission to all sessions, conference materials, two luncheons, and the conference reception (including round-trip shuttle transportation) at the Field Museum.

Hotel Information

The conference will take place at the Hyatt Regency Hotel located at 151 East Wacker Drive, Chicago, IL. The Hyatt's special conference rate is \$130 (plus tax) single occupancy and \$155 (plus tax) for double occupancy. However, rates are only guaranteed if reservations are made on or before May 1, 2002.

Additional Information

For additional information on making reservations or to be an exhibitor at the conference, please call (202) 606-3631. For hotel reservations please call 1-800-223-1234 and be sure to mention that you are attending the National Labor-Management Conference in order to get your discount. Additional information on the conference can be found at www.nlmc2002.org

Employer Snooping: What Rights Do Workers Really Have?

By Ron Bigler and Will Petzel

In the aftermath of September 11, the desire for increased security is understandable. But there is also the real potential for unwarranted invasions of privacy and the exploitation of the security threat to intimidate and harass ordinary citizens. Fortunately, the U.S. Constitution protects the rights of citizens and provides a means to challenge intrusive and unjust searches and seizures by the government.

But what about privacy in the workplace? In this age of high-tech surveillance and increased paranoia, do employees of private companies have any reasonable expectation of privacy?

As the following report shows, the reality is that employers generally have the freedom to install surveillance cameras, listen to business-related phone calls, track Web site visits, monitor employee e-mail, and require lie-detector and drug tests. In extreme cases, an employee may be able to sue an employer for invasion of privacy. But for the most part a union collective-bargaining agreement is the only real power workers may have to challenge and limit employer snooping.

More than three-quarters of major U.S. firms (82.2%) are actively recording and/or reviewing employee communication and behavior in the workplace, according to a 2001 study by the American Management Association (AMA).

In a separate study, the Privacy Foundation reported that 40 million of the 140 million workers in the U.S. are "on-line," and that 35 percent of these workers are under "continuous on-line surveillance."

As more and more offices become dependent on the Internet and e-mail to do business, it isn't surprising to find that the number of workers being electronically monitored has doubled since 1997.

It follows that with the wider availability and affordability of surveillance software, these numbers will only continue to grow. The Privacy Foundation estimates that the cost of continuously monitoring an employee can be as low as \$5.25 a year per employee.

The standard argument that companies make in defense of snooping is their desire to ensure that workers are not wasting company time or using computers to look at offensive material that could lead to harassment lawsuits.

E-Mail and the Internet

Generally, private-sector employers can snoop with minimal restrictions, especially if they inform their employees that they are under surveillance. The courts, for example, have ruled that when an employer notifies workers that they will be monitored, employees can no longer make the claim that the surveillance violated a "reasonable expectation of privacy."

Though there are restrictions in place regarding surveillance of personal phone calls (courts have established that an employer must stop monitoring an employee's phone conversation if the subject of the call is personal) and the usage of video cameras to monitor employees (there are limits for video with sound and hidden cameras), there are few, if any, laws regarding computer-related communications and the legality of storing and reviewing e-mails, Web sites visited, and computer files stored on company hard drives.

Although still an evolving area of law, the courts have generally upheld the right of employers to monitor e-mail transmitted on company computers. To date, no judge has found an employer liable for invading an employee's privacy by reading that employee's e-mail messages or tracking Web site visits.

Courts have been consistently finding that no reasonable expectation of privacy exists with e-mail. The standard line of reasoning is that since the company owns the computers, it also owns the contents, which include e-mail and other personal files stored on the hard drive or network server. One judge, however, has argued that this logic should not go unchallenged.

In the early 1990s, legislation was introduced in Congress that would have required prior notification to both employees and customers of electronic monitoring. Known as "the Privacy for Consumers and Workers Act," the bill prohibited undisclosed monitoring of restroom, dressing room, and locker room facilities, except when the employer suspected illegal conduct.

The California state legislature passed a bill in 2000 that would have prohibited employers from secretly monitoring employee e-mail, unless the employees have all been advised in advance of the policy. California Governor Gray Davis vetoed the bill, however, arguing that it would be too costly to businesses.

Though these bills were not passed, they do illustrate that there might be a political avenue for workers to protect privacy in the workplace, if they can build support for the issue.

Unions and E-Mail

While employers have so far been granted broad freedoms to monitor employee e-mail, a different set of issues has arisen around the right of workers to discuss union-related issues through company e-mail.

Under the National Labor Relations Act (NLRA), employees have the right to organize without facing interference or coercion from employers. This means that a company cannot prohibit workers from posting union information in non-work areas or discussing union matters during non-work hours.

The National Labor Relations Board (NLRB) has handed down a few decisions on the rights of workers to use company e-mail to discuss "concerted activities" that are protected under the NLRA.

In *E.I. du Pont de Nemours & Co.*, the NLRB ruled that the company's email policy — which allowed the e-mail system to be used for non-business communications but not for union-related distribution of literature — was discriminatory and violated section 8(a)(1) of the NLRA.

The NLRB has also ruled that an employer cannot fire an employee for discussing union issues or other protected activities under the NLRA. In *Timekeeping Systems Inc. v. Leinweber*, the NLRB held that a company committed an unfair labor practice when it fired an employee for sending an e-mail message criticizing the company's vacation policy to other employees. The NLRB ruled that the employee's e-mail communication was "protected concerted activity" and that it was unlawful for the company to terminate the employee for this reason. Generally, "protected concerted activity" is group activity which seeks to modify wages or working conditions.

These cases suggest a heightened NLRB scrutiny of whether a computer network is a "work area." But they are only the first steps in clarifying the rights of workers to use company e-mail to organize and discuss other union-related matters protected under the NLRA. With the Bush administration's new anti-labor majority at the NLRB, however, more restrictive rulings in the future are likely to limit workers' rights, which means the issue will have to eventually be fought in appeals courts.

Is E-Mail Written or Oral Communication?

Another important issue that arises with unions and the use of e-mail is whether it is technically a written or oral form of communication. The NLRB divides protected union activity into two categories: oral solicitation or written distribution.

Oral solicitation, i.e. workers speaking to other workers, may occur anywhere on the business premises, but only during non-work hours.

Written distribution is limited to non-work areas during non-work times, unless workers have no reasonable access to a non-work area. Written union literature may only be distributed in areas such as the parking lot, break room, or the cafeteria, and only during non-work hours. Because written items such as fliers and papers are permanent, the NLRB reasoned that employees could save the material and read it later.

So where does e-mail fit? An e-mail can be viewed as either an oral or written communication, depending on your definition.

An e-mail can be responded to immediately, creating a back-and-forth dialogue between the two members, similar to speaking. As long as the correspondence is taking place during non-work or break hours, it could be considered a protected form of oral communication by the NLRB.

An e-mail can also be stored and saved for later reading, outside of the workplace. As long as it isn't read at the work station, is printed out after work hours, and is read in a designated non-work area, it could also be considered a written communication that is equally protected.

The NLRB has yet to clarify this issue, so there is still room for unions and workers to challenge attempts to restrict the use of company e-mail for union-related activities. Moreover, as the law evolves, unions may be able to win the right to use company e-mail for oral solicitation, even if the employer otherwise bans the personal use of e-mail.

Surveillance Policies as Bargaining Subjects

Unions have historically been viewed as organizations that fight for improved wages and benefits. But a union contract also requires employers to bargain over working conditions.

When a company seeks to introduce video surveillance, monitor e-mail, conduct random searches, or other workplace surveillance policies, it is attempting to change working conditions, according to the NLRB. As a result, the terms of these policies are considered a "mandatory subject" of collective bargaining and must be negotiated with the workers' union. Unions, for example, can negotiate limits on the use of information collected by employers, establish grievance procedures that give workers a chance to defend themselves against accusations, and demand that non-work areas remain surveillance free.

In addition, if a company makes surveillance videos of employees discussing union matters, it may be considered an unfair labor practice, since the workers were engaged in protected activity under the NLRA.

An Issue of Power and Control

In the modern private-sector workplace, surveillance is quickly becoming the norm. And going to work is feeling more and more like eight hours in a state penitentiary. Increasingly, the perception among employers is that all workers are potential thieves, slackers, or maniacs.

Unfortunately, the law accords few rights to private-sector employees who feel humiliated and oppressed by these conditions. Essentially it is an issue of who wields the most power and control over the working day: labor or management. For the 90 percent of private-sector workers who are non-union, the answer is typically management.

In the workplace of today, battles over control cannot be waged effectively by individual employees. It takes collective action for workers to gain the voice and power needed to negotiate over working conditions and other terms of employment. Business owners, however, want to dictate the terms, not negotiate them. But the law gives workers the right to organize. If workers have the courage to stand up for themselves, they may be able to gain some control over their lives on the job and retain some degree of privacy and respect.

Without a workers' union to challenge them, employers hold all of the cards and are free to impose intrusive and coercive surveillance policies that humiliate workers and create intolerable working conditions.

Hopefully new laws limiting the ability of employers to monitor employees will eventually become a reality. But even with new laws, workers will still need the power of a union to defend their rights and interests on the job.

The Surveillance Boom

<u>TYPE OF SURVEILLANCE</u>	<u>%</u>
Monitoring Internet connections	62.8
Storage & review of e-mail messages	46.5
Storage & review of computer files	36.1
Video recording of employee job performance	11.9
Recording & review of telephone conversations	7.8
Storage & review of voice mail messages	7.8
Total, active monitoring of communications	77.7
Telephone use (time spent, numbers called)	43.3
Video surveillance for security purposes	37.7
Computer use (time logged on, keystroke counts, etc.)	18.9
Total, all forms of electronic monitoring	82.2

Source:AMA study of 1,627 U.S. Businesses, 2001.

