

## **A History of Labor Relations: Know the Past, Understand the Present, Develop the Future**

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**CASE ABSTRACT:** Labor unions continue to be a major concern for both management and the employee workforce. Nationally, a union represented less than 11% of American workers in 2020. ([www.bls.gov/cps](http://www.bls.gov/cps)) This research presents a brief history of labor unions, which includes the early struggles of the labor movement efforts of the 1800's; the advent of modern unions and the strategies by key union leaders of the time for success; the key legislative efforts and the significance of the federal government's attempt to balance power between management and unions. This research further addresses recent labor relations' activities including the highly publicized legal cases involving Janus V. American Federation of State, County, and Municipal Employees (AFSCME) and the status of the ongoing battle between Amazon and the Retail, Wholesale and Department Store Union (RWDSU). Finally, the status of the desired balance of power between labor and management is addressed with discussion of the current "Great Resignation" phenomenon and its' many challenges including an effective Employee Value Propositions (EVP) which addresses current and future employee trends such as "Boomerang employees" and "Quiet quitting". The case will provide guidance to both parties in labor relations concerning the question: What is the current and future positions of the pendulum regarding the relationship between labor and management?

**Keywords:** Labor Relations, Unions, Management, Great Resignation, Employee Value Proposition (EVP), Boomerang Employees, Quiet Quitting, Amazon

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## **CASE DESCRIPTION**

The issues within labor unions and management are continuously changing. This research case takes an in-depth look at the status, both past, present, and future of the relationship between labor and management. This case will examine the early efforts of the labor movement, including significant riots and strikes, and the federal labor acts that have led to modern unionism. Secondly, this case will examine the effort to balance the pendulum of power and influence between labor and management during the brief history of modern labor relations. Finally, this case looks at the future of labor relations considering the current “Great Resignation” phenomenon and future challenges for an effective “Employee Value Proposition” (EPV) to address current and future employee trends involving “Boomerang employees” and “Quiet quitting”. This case was developed to be appropriate for junior level to first year graduate classes. The case is prepared for two hours of instruction and discussion with the students receiving the case prior to class and preparing to discuss the ramifications of the case together with the instructor.

## **INTRODUCTION**

A “pendulum” is defined as “a body suspended from a fixed point so as to swing freely to and fro under the action of gravity and commonly used to regulate the movements.” (Merriam-Webster.com, 2021) Accordingly, this research case examines the pendulous activity and status of the relationship between labor and management since the 1800’s. The case reviews the long-standing history of these pendulum swings between labor and management in the United States. This history has shaped the way for both private and public organizations currently operating and influencing various parts of our society.

In addition, unions have had considerable influence on both the political and economic climate, having the ability to hinder or enhance different sectors of labor. While this paper will focus on the relationship of private sector labor unions and their management, it will also touch on the status of employees in the public sector and their first amendment rights. Private sector labor unions are unions whose members work for privately operated companies with the goal of making a profit while public sector labor unions are unions whose members are exclusively state, local, and federal workers.

This research will conclude with an ongoing question and one of significant importance to both labor unions and management organizations: What is the current position of the pendulum regarding the relationship between labor and management today?

## **PRIVATE SECTOR UNIONS**

The unions we know today did not exist prior to the 1800’s. There were some small guilds, joint associations of employers, and craftspeople that sought professional standards and restriction of outside competition in large East Coast cities during the late 1700’s. However, by the 1820’s, there had been a few scattered strikes, usually over wages by the two dominant industries of shoemaking and printing. (Mittelman, Edward B., 1966)

In the 1850's and 1860's, the United States experienced the Industrial Revolution with the development of the U.S. factory system, improved transportation, and an increase in product mobility. These were all factors that extended an organization beyond just the local community. During the Civil War Period from 1861 to 1865, mass production techniques were encouraged leading to large groups of semiskilled and low skilled employees working under a single factory roof. This environment created conditions conducive to the organization of labor. (Holley, Ross, & Wolters, 2017)

During the period of 1869 to World War I, three (3) national labor unions emerged consisting of the Knights of Labor (KOL), the American Federation of Labor (AFL), and the Industrial Workers of the World (IWW). Each of these labor organizations had a different philosophy and goals, along with organizational structures, tactics and strategies. The history of labor relations, however, cannot be discussed, nor understood, without noting the three most prominent labor episodes in the beginning of organized labor: the Haymarket Riot of 1886, the Homestead Strike in 1892, and the Pullman Strike of 1894.

### **The Haymarket Riot of 1886**

An important reform sought by many employees in the late 1800's was the reduction of the prevailing ten-hour workday to eight hours. Samuel Gompers, a KOL member, believed that an eight-hour workday would result in employers having to hire more employees to perform the current workload, thus reducing the unemployment problem. This eight-hour workday issue led to strikers in Chicago confronting police resulting in at least four strikers being killed. The next day, May 4, 1886, is known as the Haymarket Riot when a mass rally of approximately 3,000 people led to a bomb being thrown into the gathering of police, killing 7, and wounding dozens of others. The police ended up shooting into the crowd, killing several and wounding over 200. The eight persons supposedly responsible for this riot were arrested with four of the eight being hanged, one committing suicide in prison, and three eventually pardoned by the governor of Illinois. (Holley, Ross, & Wolters, 2017)

### **The Homestead Strike in 1892**

This incident involved the Carnegie Steel Works, located in Homestead, Pennsylvania, and became the scene of one of the more violent episodes in labor history. The owner of these steel works, Andrew Carnegie, initially gave every indication of being receptive to organized labor. However, during negotiations between his mill and the Amalgamated Association of Iron, Steel, and Tin Workers, a 15-foot-high solid board fence, topped with barbed wire was constructed around the building. While Carnegie was vacationing in Scotland during these negotiations, a manager named Henry Clay Frick was delegated to construct this structure around the steel mill. Frick's plan was to use Pinkerton detectives inside the facility to protect the company's property and as strikebreakers to perform work, when and if, a strike occurred. After the company made its last offer, which was rejected due to the inclusion of a reduction in previous wages, the company locked out its 4,000 employees. Workers then began around the clock surveillance of the plant. As a result, 300 Pinkertons travelled up the Monongahela River by barge from Youngstown, Ohio. The striking employees set up two cannons, one on each side of the river, to be used on the Pinkertons. As the Pinkertons attempted to land by the company's beach, a bloody gauntlet resulted, with shooting by both sides continuing for more than 12 hours. The results were three Pinkertons being killed, along with seven townspeople with an additional

50 wounded. The townspeople took the Pinkertons' weapons and captured them, resulting in 8,700 National Guard members being sent in to secure the town.

The Homestead Incident became the steel unions' Waterloo. Only 800 of the original Homestead employees were reinstated, while Carnegie's mills showed a dramatic increase in profits when the union was eliminated. While this incident represented a victory for management, it received more sympathetic newspaper coverage than the prior Haymarket Riot with the press charging Carnegie with provoking the situation. (Holley, Ross, & Wolters, 2017)

### **The Pullman Strike of 1894**

George Pullman was an entrepreneur who recognized the need for comfortable rail cars suited to long distance travel. He began producing these improved sleeper cars along with the first ever dining cars. However, instead of selling these innovative railroad cars, he rented them to the railroads, complete with staff. During the 1893 depression, the Pullman Palace Car Company laid off 3,000 of its 5,800 employees and cut wages 25-40 percent. This resulted in some of the employees having a net two-week pay of \$1 to \$6 at that time. Because of much hostility among the employees, the American Railway Union (ARU) was formed, led by Eugene Debs who initially asked strikers not to damage railroad property. However, the strike took an ugly turn when striking employees burned at least 700 railroad cars in Chicago. There were allegations that some management officials may have provoked the incident by failing to take minimum security measures, such as guarding or locking the railroad cars to prevent damage. This was alleged due to all the burned cars being old and the newer, more expensive Pullman cars were not on the property. This incident resulted in increased negative public opinion of labor unions and increased action by federal troops since federal mail was carried on these railroad cars as a way of getting support from the federal government. In summary, organized labor learned an important lesson from the Pullman strike: altering existing terms and conditions of employment is difficult when faced with a persistent owner, the federal government, and negative public opinion. (Holley, Ross, & Wolters, 2017)

### **MODERN-DAY UNIONISM**

History well documents the trials and tribulations of the early unions; the Knights of Labor (KOL), the American Federation of Labor (AFL), and the Industrial Workers of the World (IWW); and the reasons for their decline, which includes the lack of financial base, sabotage and violence, and the general inability to appeal to the interests of their members. However, the major rise of modern-day unionism began with Industrial Unionism and the formation of the Committee for Industrial Organizations (CIO) and their willingness to organize semiskilled factory workers into industrial unions in mass production industries. Effective union leadership has always involved powerful leaders in both voice and action and, accordingly, John L. Lewis, was elected the first CIO president. He became, without question, the strongest leader in unions, as we know them today. John L. Lewis' approach for the CIO supported both the AFL's "pure and simple unionism" philosophy and our nation's capitalist system when he stated:

"I think most people have come to realize, that we cannot progress industrially without real cooperation between workers and management, and that this can only be brought about by equality in strength and bargaining power of labor and management. Labor is sincere in its desire to help. It looks forward to an industrial procedure which will increase productive efficiency and lower prices to the consumer." (Woolf, S. J., "John L. Lewis and His Plan", 1971)

As a result, union membership increased significantly in the 1930's and 1940's mainly due to the strong leadership of the CIO, realistic goals, and the passage of the National Labor Relations Act of 1935. By the late 1930's, unions affiliated with the CIO had organized 75 percent of the steel industry, 70 percent of the automobile industry, and about one-third of the maritime and textile industries. (Stolberg, Benjamin, 1971)

### **Federal Labor Relations Acts**

With the passage of the National Labor Relations Act (NLRA) of 1935 (Wagner Act), the federal government indicated that collective bargaining was a public policy in the national interest. Private sector employees covered by the law were granted a legal right to form or join unions, bargain collectively, and engage in other concerted acts for mutual aid or protection. Many of the previously common employer tactics utilized to prevent union growth became illegal such as blacklisting, spying, discharging employees for union activity, and creating company unions. The NLRA established a new national policy that sought to ensure the free flow of commerce, create labor peace and stability, and protect the public's interest in the process of collective bargaining and prevent employer interference with the exercise of employee rights defined in the act. The National Labor Relations Board (NLRB) was established and authorized to investigate and determine unfair labor practices (ULP) and conduct representation elections for organizations seeking union representation. (Holley, Ross, & Wolters, 2017)

The key provision of the NLRA was Section 7, which notes as follows:

“Section 7 – Employees shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection, and shall also have the right to refrain from any or all such activities except to the extent that such right may be affected by an agreement requiring membership in a labor organization as a condition of employment as authorized in section 8(a)(3).” (Labor-Management Relations Act, 1947, as amended.)

The NLRA resulted in great criticisms and growing public concerns due to the wave of strikes following World War II since it applied unfair labor practices (ULP) to employers only at the time. Accordingly, in 1947, Congress amended the NLRA by enacting the Labor-Management Relations Act (LMRA) (aka Taft-Harley Act). The LMRA left the NLRA unchanged but added language to direct more attention to the rights of anti-union individuals, protecting them from retaliation of pro-union workers and organizers. A section of unfair labor practices was added declaring it illegal for a union to engage in actions that discriminated against any employee's exercise of right protected under Section 7 of the LMRA. These union actions included the following restrictions:

- threatening workers refusing to join or support a labor union
- paying people to support or vote for a union
- bargaining in bad faith
- pressuring an employer to discriminate against hiring anti-union applicants
- refusing to work to assert the right to a particular job assignment or to protest the assignment of work to members of another union or to unorganized workers – aka jurisdictional strikes
- striking in support of a political cause or candidate – aka political strikes

(Labor-Management Relations Act, 1947, as amended.)

## RECENT UNION ACTIVITIES

With the passage of the NLRA and the LMRA, our nation experienced as close as possible to an equilibrium of the pendulum of power between labor organizations and employers that it had so desperately sought for the past 100 years. This included Wisconsin passing the first state law allowing collective bargaining by state and local government employees in 1959. Also, in 1962, President John F. Kennedy issued Executive Order 10988, permitting federal employees to organize and engage in collective bargaining. One of the most significant labor relations events occurring in this era was the Professional Air Traffic Controllers Union (PATCO) in 1981, when their members engaged in an illegal strike and were discharged by the Reagan Administration. This event was considered by those in the private and public sectors as evidence of a new employer “get tough” policy in labor relations. It led to the advent of union avoidance consultants advising firms how to become or remain “union free.”

Another major development involves the issue of whether unions are violating employees’ first amendment rights by requiring them to pay for membership and was challenged in the 2018 case of *Janus V. American Federation of State, County, and Municipal Employees (AFSCME)*. Mark Janus, a member of the AFSCME, sued the union stating that he did not agree with the union’s stand on certain issues and did not feel that he had to pay for membership as a result. The Supreme Court’s decision shook the world of labor relations when it drew a sharp line between public and private workers by barring governments from automatically deducting “fair share” fees from the paychecks of nonunion members who benefit from collective bargaining. Prior to this case, 28 states had laws that made it illegal to force employees to join a union or pay fees just to work for a company known as right-to-work laws. With the *Janus V. AFSCME* decision, all states in the public sector are now right-to-work states. As a result, private sector union members are seeking avenues of opting out of paying dues or fees as a violation of free association and free speech. (Nagele-Piazza & J. d., 2018)

A recent, highly visible union activity involved the attempted unionization of Amazon’s 5,000 employees at their Bessemer, Alabama center with the Retail, Wholesale and Department Store Union (RWDSU). It is interesting to note that the RWDSU already had a membership of approximately 18,000 members in Alabama with more than 100,000 across the U.S. This vote further garnered worldwide attention because of Alabama’s reputation as a right-to-work state. However, Alabama’s history has shown a persistent, and in many cases, strong history of union action. According to Michael Innis-Jimenez, a professor of American Studies at the University of Alabama, “If you go from California to Maryland, Alabama historically has the highest number of union employees in the Deep South and lower Southwest. Obviously, it does not compare to traditional union states like New York, Illinois, or California, but it is high.” (Sher, David, 2021)

The National Labor Relations Board noted that this unionization attempt was the largest mail ballot election run during the COVID-19 pandemic and caught significant attention as the first major push for a union among Amazon workers since 2014. Another reason of great significance is that Alabama has been a right-to-work state since the early 1950’s which means workers cannot be forced to join a union or pay union dues. Nationally, fewer than 11% of American workers were represented by a union in 2020. According to the Bureau of Labor Statistics, Alabama is beneath that average, at 8%. This is down considerably from the 14.7% peak reached in 1993. Historian Wayne Flynt has written extensively about labor issues in Alabama. He recently related a story his father told about witnessing a fight between union

workers and scabs (replacement workers) brought in during a strike in the 1930's. Baseball bats and axe handles were the order of the day. In addition, in 1934, textile workers in Gadsden, AL and Guntersville, AL walked off the job, touching off a nationwide strike that many consider the largest labor conflict in U.S. history. This effort failed mainly because of the fractured nature of the textile industry. What happened to unions in Alabama in the latter half of the 20<sup>th</sup> century, to a large part, reflected national trends. The influence of organized labor began to diminish with the decline of the industries of steel, coal, and textiles. Also, unions lost influence as America's middle class grew following World War II. (Sher, David, 2021) Hence, the question remains whether the Bessemer, Alabama facility failed unionization attempt at Amazon is predictive of what is to come for the rest of the nation.

### **Labor's Most Recent Vote Outcome**

The Amazon workers voted overwhelmingly against forming a union after a long campaign in which labor hoped to make inroads into the worldwide company. The initial vote was 1,798 employees voting against unionizing as compared to 738 in favor. If it had been approved, the union would have been the first in the United States for Amazon, the US's second largest employer. As the vote was being completed, the RWDSU said it would challenge the vote by filing unfair labor practices with the National Labor Relations Board (NLRB), alleging that Amazon violated labor law with some of its anti-union activity during the seven weeklong window to vote by mail. (Solon, O. and Kaplan, E. 2021)

Amazon employees who sided against unionization reported they had broad concerns about job security and grew convinced that their pay and benefits might not markedly increase with the help of a union. Amazon pointed to its minimum wage of \$15 an hour, double the State of Alabama's minimum wage of \$7.25 an hour, also the federal minimum wage. The company also highlighted its healthcare and retirement benefits. Workers said they were attentive to the cost of union dues and not persuaded that the union would be able to add significantly to their pay or improve benefits. In the end, less than 16% of the Alabama facility's total workforce voted to join the Retail, Wholesale, and Department Store Union. (Herrera, C. 2021)

However, upon the above promised challenge by the RWDSU, the NLRB granted a re-vote pointing to the company's decision to install a mailbox at the facility, which the union said, resulted in the false appearance that Amazon was conducting the election rather than the union and intimidated workers into voting against the union. An official at the NLRB further noted that Amazon improperly polled workers' support for the union during mandatory meetings held for several weeks at the Bessemer, AL facility. These NLRB decisions assure that labor groups, lawmakers, and other Amazon workers who may be looking to organize their facilities will closely watch the second unionization drive. While both Amazon and the RWDSU requested an in-person second election, the NLRB Regional Director made the decision that a mail ballot was the safest and most appropriate method in view of the circumstances created by the pandemic. The U.S. Postal Service will move the mailbox to a neutral location away from the Bessemer facility's entrance and neither Amazon or the union will be permitted to put up a tent, banner or sign around it or make a statement to voters regarding the use of the mailbox for the second election. Elsewhere in the country, Amazon warehouse workers on New York's Staten Island have filed for a union election and a group known as "Amazonians United Chicagoland" has been formed to organize employees in Chicago. (Palmer, A. 2022)

Based upon this continued persistence to organize its' employees, Amazon now finds itself at a theoretical strategic crossroads. Does it continue a "Union Avoidance" strategy of taking a strong stance against union representation through efforts of positive human resources

management and attempt to operate double-breasted? “Double-breasted” is often practiced successfully where one company has two or more subsidiaries, one or more unionized and the others continue to operate as non-union or open shop. Another strategic option for Amazon would be a “codified businesslike” approach to these union efforts to unionize. With this approach, Amazon management would accept the union as the legitimate representative of the employees and conclude that if their employees want a union, management will deal with it. A third strategic option would be an “accommodation or labor-management cooperative” approach where Amazon again accepts the union and develops a union involvement management philosophy with greater employee empowerment. This strategy would involve the union cooperating with management, rather than having an adversarial relationship. Thus, management and the union would actively work together to create an organizational climate that allows employees to participate directly in decisions in the workplace as members of task teams and problem-solving work groups. Regardless of Amazon’s strategic decision, the company will be forced to take one of the above directions in the future. (Holley, Ross, & Wolters, 2017)

The Retail, Wholesale, and Department Store Union (RWDSU) and pro-union employees are also at a theoretical crossroads just like Amazon. This group must now consider the many influences that resulted in the outcome of the first vote. First, the union must know who their supporters are and their beliefs, along with the general public, as to whether unions will provide an advantage to the employees and their community in general. These attitudes and beliefs regarding unions, both general and specific, play a significant role in determining the outcome of a union vote. These factors, along with the employees’ current level of job satisfaction concerning their pay, economic benefits, supervision, and overall work, will determine the level of overall union instrumentality or value added. Accordingly, can a union bring about better pay, more fair treatment, and better management-employee relations? The answer to this question will be the deciding factor as to whether employees vote for or against being represented by a third party representative during the upcoming second election.

## **THE GREAT RESIGNATION**

There is presently a significant phenomenon occurring in our society, which certainly warrants discussion in this review of labor and management balance. Professor Anthony Klotz has defined it as the “Great Resignation” and even predicted the events of its’ arrival. What Professor Klotz saw was employees sheltering in or “hunkering down” during the recent Covid pandemic and delaying any decisions regarding a change in their jobs during such uncertain times. After all, it was a logical decision to not risk their incomes, and particularly, health insurance, during a job change. With the recent indications of recovery from the pandemic, many are anxious for new challenges in their careers and are ready to make the necessary moves. However, the pandemic and anticipated recovery isn’t the only factor Klotz noted as creating this trend of employee turnover. First, there has been a rising rate of resignations in recent years. No longer do employees anticipate spending a 30-40 career with the same company, as the Traditional and Baby Boomer generations once did. With the younger employees, Generation Y (Millennials), born 1980-1995, and Z (Digitals or Zoomers), born 1996-2012, it is more of a three or four year “tour of duty” mentality, before moving on to the next employer. Thus, resignations are far more frequent with more and more mini careers within an employee’s total time spent working in industry. A second factor noted by Klotz is the widespread burnout among today’s workers, leading to them quit their jobs. The recent opportunity to ‘work from home’ during the pandemic provided exhausted employees with a break from the previous emotional work routine. This “break” at home led to a third factor involving an opportunity for



workers to re-evaluate their work priorities and values. Workers had a chance to self-analyze and what they identify with as individuals and within the family unit. Many employees realized they could live without their old employment routine and desired to change the way they completed their work or change their choice of work. A fourth factor was employees' need for autonomy and their reluctance to give up the advantages of working from home. Employee adjustment to remote work led to having far more freedom in how they managed their private lives and work requirements. Employees simply enjoyed this new flexibility and their ability to get more done in both key areas of personal and work productivity to the point of not wanting to give it up. (Klotz, A. 2021) In fact, people are now making these decisions in alarmingly high numbers. The U.S. Bureau of Labor Statistics reported that over 4 million Americans quit their jobs in June 2021. (U.S. Bureau of Labor Statistics, 2021) In addition, a recent Gallup survey indicates that 48% of all workers are looking for a change in jobs or considering it. (Geisler, J. 2021)

### **EMPLOYEE VALUE PROPOSITION (EVP)**

As a result of this “Great Resignation” and shift in careers, management is faced with the necessity of either attempting to retain their current workers or replace them. To be successful in this key endeavor, the participants at the negotiations table will be required to focus on their Employee Value Proposition (EVP) in the future. Employee Value Proposition or EVP can be defined as “a set of associations and offerings provided by an organization in return for the skill, capabilities, and experiences an employee brings to the organization.” (Minchington 2005) Simply put, EVP is the unique balance of rewards and benefits that employees require in return for their performance at the workplace. If management and labor unions desire to retain current employees or meet the challenges of the Great Resignation, the elements of their EVP will require focus in the following areas:

- **Listening to employees about work satisfaction, challenges, and aspirations**  
This area should include conducting comprehensive diagnostics; gathering data through interviews and focus groups across all levels of the organization in an effort to understand the essence of your EVP. Management and unions need to let employees know that their input matters in this area of assessment by developing methods to discuss employee work satisfaction, challenges, and aspirations.
- **Consider more flexibility in employees' work arrangements**  
This area should include possible mobile assignments; autonomy in their work; and greater work-life opportunities. As we have seen during the pandemic, this is possible to accomplish while still meeting reasonable standards for quality, productivity, and service.
- **Be more sensitive about employee customer-oriented complaints**  
Often today, small insignificant complaints regarding delays or errors escalate into unnecessary insulting and abusive language towards employees from customers. Thus, it is important to let employees know that the customer may not always be right and develop systems, procedures, and skills to address and de-escalate such situations.
- **Have a more focused plan for each employee**  
The more valuable an employee is from a skill set, knowledge, initiative, and reliability perspective, the more management and unions will need to focus in retaining them.

Often, when employees with high attributes leave an organization, it results in a drop in overall morale. Also, with this area, the employer can define and articulate the “why” of the organization: why the potential employees you need will be a “fit” and why the organization will be a “fit” for them. (Geisler, J. 2021)

- Consider the rehiring of the “Boomerang” employee  
A boomerang employee is an employee who leaves a company they have worked for, but then later returns to work for that company once again. The boomerang employees usually leave employment for personal or professional reasons. The top four reasons why an employee may temporarily leave their places of employment are: (1) to further their career, learn new skills, or receive higher pay from another opportunity; (2) to try something different, explore other industries, or pursue a passion; (3) to focus on a major life event, such as a spouse’s relocation, caring for a child, or nursing their own medical condition or (4) to work seasonally. (BambooHR.com) Accordingly, today’s employers must disregard the age-old policy of not considering the rehiring of former employees.
- Focus on the EVP for attracting and retaining Generations Y and Z  
These generations are all about recognition and appreciation for their work, so a strong rewards program is a must. Generations Y and Z workers also value a well-defined work culture that includes a variety of areas that are valuable. Gen Y and Z workers desire a culture where a company’s vision and mission are at the forefront. A culture that creates personal value for them as future employees. A culture with a strong brand engagement and one that uses social media to promote their brand. These generations want to be part of an interactive community that understands their values of being connected to other employees, with a defined purpose and up-to-date innovation. Finally, and possibly most important, they desire flexibility and a work/life balance be incorporated into the workplace. (Hendon, M. & Trout, J. 2022)

If managers are unwilling to follow the above steps, a pipeline of potential hires will be necessary to avoid gaps in employment or rushed hires, resulting in further issues. Accordingly, the “Great Resignation” is resulting in another area where management and unions during labor negotiations must have effect strategies for their businesses to be successful. (Geisler, J. 2021) Thus, this new phenomenon further provides yet another opportunity at the bargaining table for labor and management to attempt to balance the power of the pendulum between them. A well-developed EVP consists of five (5) important building blocks: compensation, benefits, career, work environment, and culture. While the focus points in Collective Bargaining always includes two (2) of these blocks (compensation and benefits) the remaining three (3) blocks (career, work environment, and culture) are often overlooked by both management and unions. In future negotiations and efforts to “balance the pendulum”, both parties must focus more on the employees’ perspective of careers. First and foremost, employee careers should include the capability and opportunity to progress and develop, stability of work, opportunity for training and education at work, career development, college tuition and education, consultations, and evaluation and feedback. Second, the work environment should include recognition, autonomy, personal achievements, work-life balance, challenges, and the understanding of one’s role and responsibilities. Finally, the overall culture of the organization, should refer to understanding of the firm’s goals and plans, involvement with colleagues, support of leaders and managers, collaboration and team spirit, social responsibility, and, last, but most important, trust of all parties involved. (TalentLyft, 2022)

In addition to all the above challenges, the latest phenomenon employers (along with management and union teams in labor relations) must address, preferably in their EPV, is making responsible decisions regarding the term known as “quiet quitting”. While this term has nothing to do with actually quitting one’s job, it is about merely doing exactly what the job requires and nothing more. While this response in the workplace may have a new name, it has been around for many generations. Workers are being asked to do increasingly more on their jobs, often exceeding sustainability. Thus, since the pandemic, an increasing number of workers have grown tired of not receiving the recognition and the compensation they feel they deserve for going beyond the performance of the average employee. The employee viewpoint of “quiet quitting” is further intensified by a new sense of agency and self-worth that focuses on balance in the workplace and avoiding the ever-menacing emotional exhaustion of burnout. Accordingly, the leaders in today’s workplace: employers, management, and unions, will be required to incorporate effective EVP provisions that pay more attention to employees’ mental health and personal well-being. (Granger, B. 2022)

## **CONCLUSION**

As we have seen, the pendulum of power between labor and management has had many dynamic turns in our history. These various periods of power, by each of the parties, have played a significant role in our society. Labor relations in the beginning often favored the position of management. However, with the great uprising of labor, particularly in the Industrial Revolution, the tables turned in labor’s favor. The onset of this transition of power is evident with the Haymarket Riot of 1886, the Homestead Strike of 1892, and the Pullman Strike of 1894.

The beginning of unionization, as we know it today, was started by the numerous failures and successes of the initial big three unions consisting of the Knights of Labor (KOL), the American Federation of Labor (AFL), and the Industrial Workers of the World (IWW). These efforts led to federal government legislative actions with the passage of the National Labor Relations Act (NLRA) or Wagner Act of 1935, and Labor-Management Relations (LMRA) or Taft-Hartley Act of 1947, in an attempt to balance the powers of the two great powers.

The last ten years has resulted in an era of major decline in union activity, particularly in the public sector. This decline is well documented in the two most recent significant cases consisting of the Janus V. American Federation of State, County, and Municipal Employees (AFSCME) in 2018 and the Amazon versus the Retail, Wholesale and Department Store Union (RWDSU) unionization effort in 2021. The reasons for the negative vote for the union in the Amazon case in Alabama involve job security and current wage rates and benefits. Unions should carefully consider these reasons to understand the future direction of unionization in the United States.

From a union perspective, without a doubt, labor unions have flourished in the past to improve wages, benefits, and working conditions of their members. However, it must be concluded that labor unions today, particularly in the private sector, have lost a lot of the influence, power, and clout once held. Unions have ceased to be as relevant to the modern worker as in the past, as evidenced by the decline of membership in present time. In these modern times, unions must protect workers from being replaced with machines, robots, and other advanced technologies that could render human workers obsolete. Accordingly, for labor unions to continue to be relevant, they must move beyond securing benefits, wages, and pensions for workers. (Freeman & Hilbrich, 2013)

From a management perspective, a major reason for the decline in union membership is great human resource management teams who are ready and eager to address any issue with employees through an open-door policy. Accordingly, this makes employees feel empowered with the ability to voice their thoughts with human resources resulting in a weakening in the need for “strength in numbers” or the “all for one and one for all” concept. Thus, in most cases, there is a common belief among today’s worker that they do not feel mistreated by management and do not feel they need protection by a union. Historically, unions have moved slowly to the idea of change. However, as we all know in today’s dynamic society, change is inevitable! If unions slow down the transaction of change in business, the business may fail to thrive in today’s ever-changing business environment. (Smith, A., & J. d., 2018, April 11 “Union Membership Down; Experts Say HR’s Responsiveness May Be a Reason”)

In addition, tough global competition has made managers less willing to give in to union demands. Thus, the benefits of unionization are less apparent particularly to many young, skilled workers who no longer expect to stay with one company for their careers. When companies recognize that their success depends on the talents and energies of employees, the interest of unions and management can find common ground in developing, valuing, and involving employees. (Bateman and Konopaske, “Management, Leading & Collaborating in a Competitive World”, McGraw-Hill Education, 2021)

Accordingly, we conclude with the ever-present question to be addressed in this case study: What is the current and future positions of the pendulum regarding the relationship between labor and management? One must only examine the above-mentioned past and present activities to understand the current decline in union membership and answer this question. However, the pendulum always swings in favor of the party making the wisest decisions. As previously stated, “Change is inevitable”. Which party can, and will, embrace change most effectively? Can management and union negotiation teams effectively address the new challenges of the Great Resignation, boomerang employees and quiet quitting in their EVP’s? Can the parties find common ground in labor relations regarding the job and career expectations of our Millennial and Digital generations, soon to become the largest segment of our workforce? The future of labor relations will have to answer these questions.

An analysis of Table 1 below reflecting union affiliation of wage and salary workers by characteristics for 2019 and 2020 should help in answering these questions.

**Table 1. Union affiliation of employed wage and salary workers by selected characteristics, 2019-2020 annual averages**  
 [Numbers in thousands]

Characteristic	2019					2020				
	Total employed	Members of unions(1)		Represented by unions(2)		Total employed	Members of unions(1)		Represented by unions(2)	
		Total	Percent of employed	Total	Percent of employed		Total	Percent of employed	Total	Percent of employed
<b>AGE AND SEX</b>										
<b>Total, 16 years and over</b>	141,737	14,574	10.3	16,383	11.6	132,174	14,253	10.8	15,939	12.1

**Table 1. Union affiliation of employed wage and salary workers by selected characteristics, 2019-2020 annual averages**

[Numbers in thousands]

Characteristic	2019					2020				
	Total employed	Members of unions(1)		Represented by unions(2)		Total employed	Members of unions(1)		Represented by unions(2)	
		Total	Percent of employed	Total	Percent of employed		Total	Percent of employed	Total	Percent of employed
16 to 24 years	18,869	827	4.4	977	5.2	16,744	741	4.4	865	5.2
25 years and over	122,868	13,747	11.2	15,406	12.5	115,430	13,512	11.7	15,074	13.1
25 to 34 years	33,718	2,973	8.8	3,464	10.3	31,444	3,071	9.8	3,455	11.0
35 to 44 years	29,898	3,515	11.8	3,906	13.1	28,473	3,475	12.2	3,836	13.5
45 to 54 years	28,191	3,543	12.6	3,918	13.9	26,364	3,469	13.2	3,868	14.7
55 to 64 years	23,207	2,952	12.7	3,266	14.1	21,838	2,842	13.0	3,175	14.5
65 years and over	7,854	764	9.7	852	10.9	7,311	656	9.0	740	10.1
<b>Men, 16 years and over</b>	<b>73,349</b>	<b>7,950</b>	<b>10.8</b>	<b>8,845</b>	<b>12.1</b>	<b>68,711</b>	<b>7,582</b>	<b>11.0</b>	<b>8,432</b>	<b>12.3</b>
16 to 24 years	9,449	495	5.2	574	6.1	8,463	433	5.1	488	5.8
25 years and over	63,899	7,455	11.7	8,271	12.9	60,249	7,149	11.9	7,944	13.2
25 to 34 years	17,892	1,648	9.2	1,922	10.7	16,648	1,662	10.0	1,865	11.2
35 to 44 years	15,811	1,958	12.4	2,136	13.5	15,073	1,836	12.2	2,016	13.4
45 to 54 years	14,363	1,923	13.4	2,088	14.5	13,591	1,847	13.6	2,035	15.0
55 to 64 years	11,777	1,520	12.9	1,674	14.2	11,125	1,473	13.2	1,649	14.8
65 years and over	4,056	406	10.0	451	11.1	3,812	331	8.7	379	10.0
<b>Women, 16 years and over</b>	<b>68,388</b>	<b>6,624</b>	<b>9.7</b>	<b>7,538</b>	<b>11.0</b>	<b>63,462</b>	<b>6,672</b>	<b>10.5</b>	<b>7,507</b>	<b>11.8</b>
16 to 24 years	9,420	332	3.5	403	4.3	8,281	308	3.7	377	4.6
25 years and over	58,969	6,292	10.7	7,135	12.1	55,181	6,363	11.5	7,129	12.9
25 to 34 years	15,826	1,326	8.4	1,541	9.7	14,796	1,409	9.5	1,590	10.7
35 to 44 years	14,086	1,557	11.1	1,770	12.6	13,401	1,639	12.2	1,820	13.6
45 to 54 years	13,828	1,620	11.7	1,830	13.2	12,773	1,622	12.7	1,833	14.3
55 to 64 years	11,430	1,431	12.5	1,592	13.9	10,713	1,370	12.8	1,526	14.2
65 years and over	3,797	357	9.4	401	10.6	3,499	324	9.3	360	10.3

**Table 1. Union affiliation of employed wage and salary workers by selected characteristics, 2019-2020 annual averages**

[Numbers in thousands]

Characteristic	2019					2020				
	Total employed	Members of unions(1)		Represented by unions(2)		Total employed	Members of unions(1)		Represented by unions(2)	
		Total	Percent of employed	Total	Percent of employed		Total	Percent of employed	Total	Percent of employed
<b>RACE, HISPANIC OR LATINO ETHNICITY, AND SEX</b>										
<b>White, 16 years and over</b>	109,132	11,208	10.3	12,583	11.5	102,142	10,944	10.7	12,221	12.0
<b>Men</b>	57,537	6,280	10.9	6,965	12.1	54,042	5,950	11.0	6,597	12.2
<b>Women</b>	51,594	4,928	9.6	5,618	10.9	48,100	4,994	10.4	5,624	11.7
<b>Black or African American, 16 years and over</b>	18,231	2,043	11.2	2,310	12.7	16,726	2,055	12.3	2,321	13.9
<b>Men</b>	8,440	1,002	11.9	1,132	13.4	7,704	990	12.9	1,123	14.6
<b>Women</b>	9,791	1,042	10.6	1,178	12.0	9,022	1,065	11.8	1,198	13.3
<b>Asian, 16 years and over</b>	9,291	817	8.8	932	10.0	8,573	766	8.9	855	10.0
<b>Men</b>	4,795	384	8.0	438	9.1	4,551	375	8.2	421	9.3
<b>Women</b>	4,496	433	9.6	494	11.0	4,021	392	9.7	434	10.8
<b>Hispanic or Latino ethnicity, 16 years and over</b>	25,417	2,258	8.9	2,590	10.2	23,562	2,315	9.8	2,586	11.0
<b>Men</b>	14,100	1,312	9.3	1,490	10.6	13,270	1,336	10.1	1,485	11.2
<b>Women</b>	11,317	947	8.4	1,099	9.7	10,291	980	9.5	1,101	10.7
<b>FULL- OR PART-TIME STATUS(3)</b>										
<b>Full-time workers</b>	117,584	13,224	11.2	14,822	12.6	110,387	12,987	11.8	14,486	13.1
<b>Part-time workers</b>	23,946	1,329	5.5	1,540	6.4	21,616	1,247	5.8	1,430	6.6

**Footnotes**

(1) Data refer to members of a labor union or an employee association similar to a union.

(2) Data refer to both union members and workers who report no union affiliation but whose jobs are covered by a union or an employee association contract.

(3) The distinction between full- and part-time workers is based on hours usually worked. These data will not sum to totals because full- or part-time status on the principal job is not identifiable for a small number of multiple jobholders.

**Table 1. Union affiliation of employed wage and salary workers by selected characteristics, 2019-2020 annual averages**

[Numbers in thousands]

Characteristic	2019					2020				
	Total employed	Members of unions(1)		Represented by unions(2)		Total employed	Members of unions(1)		Represented by unions(2)	
		Total	Percent of employed	Total	Percent of employed		Total	Percent of employed	Total	Percent of employed

NOTE: Estimates for the above race groups (White, Black or African American, and Asian) do not sum to totals because data are not presented for all races. Persons whose ethnicity is identified as Hispanic or Latino may be of any race. Data refer to the sole or principal job of full- and part-time wage and salary workers. All self-employed workers are excluded, both those with incorporated businesses as well as those with unincorporated businesses. Updated population controls are introduced annually with the release of January data.

(Source: BLS January 20, 2021)

### INSTRUCTORS' NOTES

The following case questions are being provided as suggestions to future instructors. They represent an effort to provide a focus on how best to present the contents of this extensive case study.

#### Case Questions

- Up and through the Civil War the Power Pendulum was with what group, labor or management? Why?  
 Labor relations in the beginning often favored the position of management. Changing existing terms and conditions of employment is difficult when faced with persistent owners, the federal government, and negative public opinion.
- As the US recovered from the Civil War during the beginnings of the Industrial Revolution, the Pendulum of Power began to move in what direction?  
 With the great uprising of labor, particularly in the Industrial Revolution, the tables turned in labor's favor. The onset of this transition of power is evident with the Haymarket Riot of 1886, the Homestead Strike of 1892, and the Pullman Strike of 1894.
- What evidence has been presented in this case study that indicates the Pendulum of Power was/is swayed toward labor?  
 The beginning of unionization, as we know it today, was started by the often failure and successes of the initial big three unions consisting of the Knights of Labor (KOL), the

American Federation of Labor (AFL), and the Industrial Workers of the World (IWW). These efforts led to federal government legislative actions with the passage of the National Labor Relations Act (NLRA) or Wagner Act of 1935, and Labor-Management Relations (LMRA) or Taft-Hartley Act of 1947, to balance the powers of the two great powers.

From a union perspective, labor unions have flourished in the past to improve wages, benefits, and working conditions of their members. However, it must be concluded that labor unions today, particularly in the private sector, have experienced significant loss of influence, power, and clout. Unions have ceased to be as relevant to the modern worker as in the past, as evidenced by the decline of membership in the present time. In these modern times, unions must protect workers from being replaced with machines, robots, and other advanced technologies that could render human workers obsolete. Accordingly, for labor unions to continue to become relevant, they must move beyond securing benefits, wages, and pensions for workers. (Freeman & Hilbrich, 2013)

4. What evidence has been presented in this case study that indicates the Power was/is with management?

The last ten (10) years as resulted in an era of major decline in union activity, particularly in the public sector. This decline is well documented in the two most recent significant cases consisting of the Janus V. American Federation of State, County, and Municipal Employees (AFSCME) in 2018 and the Amazon versus the Retail, Wholesale and Department Store Union (RWDSU) unionization effort in 2021. The reasons for the negative vote for the union in the Amazon case in Alabama involve job security and current wage rates and benefits. Unions should carefully consider these reasons to understand the future direction of unionization in the United States.

From a management perspective, a major reason for the decline in union membership is great human resource management teams who are ready and eager to address any issue with employees through an open-door policy. Accordingly, this makes employees feel empowered with the ability to voice their thoughts with human resources resulting in a weakening in the need for muscle in numbers or the “all for one and one for all” concept. Thus, in most cases, there is a common belief among today’s workers that they do not feel mistreated by management and do not feel they need protection by a union. Historically, unions have moved slowly to the idea of change. However, as we all know in today’s dynamic society, change is inevitable! If unions slow down the transaction of change in business, the business may fail to thrive in today’s ever- changing business environment. (Smith, A., & J. d., 2018, April 11 “Union Membership Down; Experts Say HR’s Responsiveness May Be a Reason”)

5. Why was the organizing attempt of Amazon in Bessemer, AL so significant and widely publicized? Why do you think the first organizing attempt failed in Bessemer, AL? What do you think will be the outcome of all of the organizing attempts currently facing Amazon?

The most recent union activity is the attempt involving Amazon’s 5,000 employees to unionize their Bessemer, Alabama center with the Retail, Wholesale and Department Store Union (RWDSU). The RWDSU already had a membership of approximately 18,000 members in Alabama with more than 100,000 across the U.S. This vote further garnered worldwide attention because of Alabama’s reputation as a right-to-work state. However, Alabama’s history has shown a persistent, and in many cases, strong history of union action.

Answers will vary based upon student responses. However, answers should be along these lines. Unions have ceased to be as relevant to the modern worker as in the past, as



evidenced by the decline of membership in the present time. In these modern times, unions must protect workers from being replaced with machines, robots, and other advanced technologies that could render human workers obsolete. Accordingly, for labor unions to continue to become relevant, they must move beyond solely focusing on securing benefits, wages, and pensions for workers.

6. Utilizing the data in Table 1, what is the current state of union membership? In your opinion, what are the contributing factors for the current state of union membership? What actions should unions take to contribute to a better balance of power with management at various levels of the firm? What is the scalability of your idea(s)?

As noted in Table 1, union membership continues to decline in all sectors of age, gender, and race. From a management perspective, a major reason for the decline in union membership is effective human resource management teams ready to address any issue with employees through an open-door policy. From a union perspective, labor unions have flourished in the past to improve wages, benefits, and working conditions of their members. In today's society, unions must consider other factors of value in an effort to better balance their power with management. An example would be in response to the current "Great Resignation" phenomenon and future union efforts at the bargaining table to assist workers in obtaining the job security, work satisfaction, work aspirations, and work flexibility desired by the current workforce.

7. Consider yourself the CEO of Amazon, which strategic decision would you make based upon the pending relentless effort of the Retail, Wholesale, and Department Store Union (RWDSU) to unionize the employees at the Amazon locations?

Answers will vary based upon student responses. However, answers should follow along with the three strategy choices described herein: Union Avoidance strategy, Codified Businesslike strategy, or Accommodation or Labor-Management Cooperative strategy with detailed explanations as to why.

8. Consider yourself the lead union organizer in the efforts to unionize Amazon, what strategic concerns would you consider in your efforts to win the Amazon employees and communities over to support your efforts?

Answers will vary based upon student responses. However, answers should follow along the lines of convincing the employees and their communities that your union will bring instrumentality or value in the areas of increased pay, benefits, fair treatment, and overall improved relationships between labor and management thus growing the business and benefits of the communities.

9. What is the "Great Resignation" and what are the four (4) factors contributing to this employee turnover as defined by Professor Anthony Klotz?

Employees sheltering in or "hunkering down" during the Covid pandemic and delaying any decisions regarding a change in their jobs during such uncertain times. The four (4) contributing factors are: a rising rate of resignations in recent years, the widespread burnout among today's workers leading to them quitting their jobs, an opportunity to re-evaluate their work priorities and values, and employees' need for autonomy and their reluctance to give up the advantages of working from home.

10. Define Employee Value Proposition (EPV) and discuss the role of an effective EPV in future negotiation between management and labor unions. Can the pendulum of power ever be balanced between labor and management considering the new and unique challenges of The Great Resignation? Support your answer.

Employee Value Proposition or EVP can be defined as “a set of associations and offerings provided by an organization in return for the skill, capabilities and experiences an employee brings to the organization.” (Minchington 2005) Simply put, EVP is the unique balance of rewards and benefits that employees require in return for their performance at the workplace.

The answer to this question will depend upon how willing and effective management and union teams are willing to address and develop strong “Employee Value Propositions (EPV) at the negotiations table. Both parties must develop more effective strategies around the retention of their labor and even stronger monitoring of employee needs in their EPV’s including: listening to employees about work satisfaction, challenges, and aspirations, consider more flexibility for employees’ work arrangements, be more sensitive about their customer-oriented complaints, have a more focused plan for each employee, consider the rehiring of the “Boomerang” employees, and a new focus on the EVP for attracting and retaining Generations Y and Z.

11. What are “Boomerang “ employees and what are the top four (4) reasons for becoming such?

A boomerang employee is an employee who leaves a company they have worked for, but then later returns to work for that company once again. The top four (4) reasons for leaving employment are: (1) to further their career, learn new skills, or receive higher pay from another opportunity; (2) to try something different, explore other industries, or pursue a passion; (3) to focus on a major life event, such as a spouse’s relocation, caring for a child, or nursing their own medical condition or (4) to work seasonally.

12. What does the term “quiet quitting” mean?

Since the pandemic, an increasing number of workers have grown tired of not getting the recognition and the compensation they feel they deserve for going beyond the performance of the average employee. The employee viewpoint of “quiet quitting” is further intensified by a new sense of agency and self-worth that focuses on balance in the workplace and avoiding the ever-menacing emotional exhaustion of burnout.

13. List and discuss the five (5) important building blocks labor and management must consider in an effective EPV. Which three (3) should receive new focus in future labor relations’ negotiations and why?

A well-developed EVP consists of five (5) important building blocks including compensation, benefits, career, work environment, and culture. Most often, career, work environment, and culture are overlooked in labor relations. In future negotiations and efforts to “balance the pendulum”, both parties must focus more on the employees’ perspective of careers. First and foremost, careers should include the ability and opportunity to progress and develop, stability of work, opportunity for training and education at work, career development, college tuition and education, consultations, and evaluation and feedback. Second, the work environment should include recognition, autonomy, personal achievements,

work-life balance, challenges, and the understanding of one's role and responsibilities. And finally, the culture of the organization or the "personality" of the workplace should be addressed by the parties. Culture should refer to understanding of the firm's goals and plans, involvement with colleagues, support of leaders and managers, collaboration and team spirit, social responsibility, and, last, but most important, trust of all parties involved. (TalentLyft, 2022)

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