

Nonprofits: Unions & The Pandemic

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In 1636, a group of fishermen working on an island off the coast of the Massachusetts Bay Colony went on strike. It was reportedly the first collective bargaining action in the New World.

Contrary to what most of us think we know about labor disputes in our nation, that “history ... substantially precedes the revolutionary period.” Of course, the peak of organized labor’s power was in the mid-1950’s, when “unions had successfully organized approximately one out of every three non-farm workers.” Although the United States labor movement was “once the core institution fighting for average workers,” over the decades since that heyday “its ranks have been decimated.” The union movement – organizing against business-sector employers – retrenched in large part because of relentless pushback by the business community and its political allies that helpfully enacted union-crushing legislation. See *The rise and fall of US labor unions, and why they still matter* (March 27, 2015) Jake Rosenfeld, University of Washington Associate Professor, *The Conversation*.

Public-sector unions have been on a different track than counterparts in the for-profit world; it wasn’t until the 1960s and 1970s that they formed and grew rapidly due to new enabling legislation. By 2009, the total membership in U.S. public-service unions surpassed that of private-sector unions for the first time. But they, too, have been beaten back, primarily by hostile state legislatures and conservative groups.

Aside from well-established unions at large healthcare and educational institutions, the nonprofit sector has not been the focus of much serious or successful union organizing – until recently. See *Workers are forming unions at nonprofits and think tanks. Their bosses aren’t always happy* (February 4, 2020) Eli Rosenberg, *The Washington Post*; also, *Nonprofit Workers Join the Movement to Unionize* (November 19, 2019), Sarah Jaffee, *The Progressive* [“The past few years have seen a rash of union victories in supposedly white-collar workplaces, from prestige publications to art museums to nonprofit think tanks and service organizations.”]

Then the pandemic struck.

Conventional wisdom might lead to a conclusion that the extreme disruption and chaos would necessarily curtail this nascent union organizing. But – as is the case so often with conventional wisdom – that hasn’t happened.

It’s apparently full-steam-ahead in 2020 for the labor movement among nonprofit-organization workers in the United States.

Nonprofit Workers & Unions

By way of a bit of background, experts and observers from the nonprofit sector have wondered for more than a little while about the historical absence of the labor movement in rank-and-file organizations. See for instance *Nonprofit Groups Turn to Unions to Organize Workers and Collaborate on Common Causes* (November 21, 2002) Jennifer C. Berkshire, *The Chronicle of Philanthropy* (paywall); *Unions and the Nonprofit Workforce: A Few Considerations* (August 8, 2013) Rick Cohen, *The Nonprofit Quarterly* [“There are few topics in the nonprofit sector likely to create as much discomfort as the idea that nonprofits should be unionized.”]

In *Unions help address the unique needs of nonprofit workers* (September 16, 2018), *The Hill*, authors Kayla Blado and John Schmitt make the case for the expansion of union presence in a period of serious government pullback of funding for the services that many nonprofits are called upon, more and more, to provide. Ms. Blado and Mr. Schmitt speak for the Nonprofit Professional Employees Union (npeu.org), an organization that is having substantial success in current organizing drives.

According to Bloomberg Law’s Andrew Wallendar, in *Nonprofit Workers Turn to Unions During Pandemic Uncertainty* (May 11, 2020), in the course of a sixteen-day span in April 2020, seven workplaces announced organizing campaigns with the Nonprofit Professional Employees Union. That local’s total of bargaining units grew 35% in less than a month.

“There has been a legitimate boom in nonprofit union campaigns. All of those that have gone public have been successful,” according to Hamilton Nolan in *A Quiet Frenzy of Union Organizing Has Gripped the Nonprofit World* (May 19, 2020). “Alongside the recent rise in unionization at media outlets, museums and cultural institutions, nonprofit workers are part of an unprecedented uprising of labor organizing in white collar professions.”

In *Mission-driven and worker-driven: Inside the wave of nonprofit organizing* (May 28, 2020), journalist Rachel Cohen writing in *Strikewave* quotes the organizing director of NPEU’s parent organization, Paul Thurston: “A lot of these campaigns were going on before this whole pandemic, but I think the uncertainty has really brought into clear relief the need for a collective voice in both things like safety and PPE when we eventually come back to the workplace, and how funding cuts and all that is going to be dealt with.” Mr. Thurston adds: “It’s just getting people to the realization that you’re better off in an uncertain situation when you have the ability to advocate for yourself as opposed to whatever your boss dictates.”

Conclusion

We'll revisit this important topic again – soon – including what nonprofit employers need to know about union drives as well as updates on examples of ongoing union actions.

So far, there's no word on how that 1636 fishermen's strike turned out.

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