To Strike or Not to Strike:
The University of Minnesota Clerical Workers’ Decision

U of M clerical workers will walk off the job and go on strike on Tuesday morning at 6:30 a.m. The union negotiating committee spent Sunday and Monday in negotiations attempting to come to a fair settlement. But management will not meet us halfway in negotiating a fair contract to avert a strike.

Notice to all members of AFSCME Local Union 3800, October 20, 2003.

In the fall of 2003, the University of Minnesota (commonly referred to as the “U”) saw the first strike on its campuses in 60 years. Members of the union, the American Federation of State, County, and Municipal Employees (AFSCME) Local 3800, representing 1,700 workers on the Twin Cities, Crookston and Morris campuses, and AFSCME Local 3801, representing 200 workers on the Duluth campus walked off the job. These unions, whose membership is roughly 94% female, had long been disregarded by the local labor scene as ineffectual and unable to stand up to management. Union members found themselves wanting to support the union but unable to go without pay and benefits.

The difficult negotiations were the culmination of several years of built up hostility between the University of Minnesota Board of Regents, U administration (especially Carol Carrier as director of Human Resources and the administration’s public face for labor and employment issues) and the workers covered by collective bargaining agreements at its four campuses. The four main unions, AFSCME 3800/AFSCME 3801, Teamsters 320 (including food service and Facilities Management workers), AFSCME 3937 (technical workers) and AFSCME 3260 (Boynton University Health Care Center workers), all operated under collective bargaining agreements (or “contracts”) that expired during the summer of 2003. AFSCME 3800 (Duluth) and 3801 (Crookston, Morris, and Twin Cities), both representing clerical workers, are covered under a common collective bargaining agreement. The other unions worked with separate contracts. During the 2003 negotiations, the administration insisted that all University unions accept a wage freeze and a health insurance premium increase. These two changes together would represent a deep cut in compensation. The administration couched these demands for concessions by the unions in the terms of “sharing the pain” that all other University employees were similarly bearing.

Kristen Houlton wrote this case for the Center on Women and Public Policy in 2004-2005 as part of a graduate course on case studies on women and public policy. The Center on Women and Public Policy provided supporting funds. © Center on Women and Public Policy 2005.
Throughout the summer of 2003, as negotiations faltered, leaders of AFSCME 3800, AFSCME 3937, and the Teamsters 320 conducted votes of their members to determine how the rank and file would react to contract concessions. AFSCME 3800’s vote was a non-binding measure intended to determine whether the members were willing to strike—or make a credible strike threat—in order to achieve a better negotiating position. From a strategic perspective, after a history of disappointing negotiation outcomes, by holding a vote, union leaders meant to push the question of what the clerical workers were willing to do to make a change. Of those voting in this non-binding election, 88% approved the strike option. Teamsters 320 leadership intended their strike vote to determine the will of the membership if the proposed contract terms did not improve with additional negotiations. Teamster 320 members overwhelmingly voted to strike if they did not see any changes. An important difference between the two unions at this point was the broad decision-making authority AFSCME members had over their negotiating position. The members of Teamsters 320, in keeping with the larger Teamster organizational structure, had less control. Voting to strike was not necessarily an assurance that this negotiating strategy would be made available to them by Teamsters leadership. For AFSCME, the strike vote was intimately connected to a larger strategy to gain credibility for the union on campus. A yes vote would have real repercussions.

Union Climate at the University of Minnesota

The University of Minnesota was founded in 1851, seven years before Minnesota became a state. The U reopened in 1867 after closing during the Civil War and was established as Minnesota’s land grant university. There are now over 370 fields of study supported across four campuses: Twin Cities (one location in Minneapolis, a second smaller site in St. Paul), Duluth (including a medical school and several graduate programs), Morris (a campus fashioned as a small liberal arts college), and Crookston (in rural Northern Minnesota). The U is the state’s only research university and was the recipient of over $520 million in grant and contract awards from federal, state, and private sources in fiscal year 2004. The University of Minnesota is a member of the Big 10 Conference and supports eleven women and men’s varsity sport teams. In 2004 there were approximately 65,000 students enrolled at the U—about 40,000 of those were undergraduate students making enrollment at U the second highest of any public university in the country. To support all of these programs and students, the University of Minnesota employs approximately 30,310 workers.

Employees at the University of Minnesota fall into five general groupings: professors, graduate student workers, Civil Service employees, Professional and Administrative (P&A) staff and the unionized employees. With the exception of the faculty working on the Duluth campus, only the latter group is unionized, though there have been several unsuccessful drives to unionize professors and the graduate
student workers in the past.¹ The P & A unit encompasses adjunct faculty, supervisory administrative workers and various classifications of administration employees.² The composition of the Civil Service unit is equally diverse. As a result of this amalgamation of people with dissimilar employment interests into common units, the number of U workers who have successfully organized into a union is comparatively small. All told, approximately 4,500 U workers are unionized.

The University of Minnesota is a public employer. As such, the State of Minnesota has provided for certain terms of employment for U workers in the state’s Public Employment Labor Relations Act (PELRA) (see Appendix A). PELRA grants bargaining rights to specific categories of employees at the U—making provisions for graduate employees, technical workers, hospital workers, and clerical and office workers. Minnesota labor law specifically creates the legal protection for University workers to organize into unions. The law also provides for another important consideration for U workers, clerical workers included. Everyone in the unit benefits from collective bargaining agreements negotiated for unionized employees regardless of their membership in the union. PELRA Section 179A.06 allows for Minnesota’s position as a fair share fee state.

Union security arrangements for a bargaining unit come in three types: union shop, agency shop and open shop. In a union shop, when a majority of the membership of any unit votes to be represented by a union, all members of that unit will automatically become union members. At the polar opposite of this is the concept of open shop. In an open shop, employees may choose whether or not to join the union representing their unit. The open shop situation places an intense burden on the union, since it must work for all employees in the unit it represents, even if only a small fraction of those workers support it financially. The agency shop represents the middle ground. Under the agency shop, workers who are a part of a unit for which a union has been designated the exclusive representative have the option of whether or not to join the union. A worker who does not join generally forfeits the right to vote on union business—notably including whether to accept a contract offer or whether to strike. What differentiates the agency shop from open shop, however, is that the law recognizes that all workers in the unionized unit will benefit from the work of the union. Consequently, all are mandated by the agency shop arrangement.

¹ For graduate students, these drives coincided with a student push for tuition waivers (1974), health insurance (1990) and dependant care coverage and preventative dental care (1999). Graduate students failed in a fourth attempt at unionization in 2005. Faculty at the Twin Cities Campus narrowly defeated a union after the Regents considered discontinuing or modifying tenure. Faculty at University of Minnesota-Crookston voted in February 2005 to join the existing Duluth faculty union in bargaining with the administration.
² P & A or “CAPA” workers generally have similar benefits as professors. The major exception to this is tenure, which they often do not have. Their relatively appealing level of compensation coupled with the fact that the P & A unit represents both rank-and-file and supervisory workers has meant that the P & As are unlikely to ever unionize. P & A workers generally work under yearly appointments so they have tenuous job security. Since lengthy notice must be given if a P & A worker’s contract is going to be terminated, many workers are put in the position of receiving their termination notices from the administration in the same envelope as their appointment notice for the year. (Thanks to David Bernstein, CAPA member, Theater Department for this information.)
to pay a portion of dues—called an agency fee—even if they are not union members. Agency fees are allowed at a rate of up to 85% of full dues.

In Minnesota, state law provides for all public employees in accordance with one standard labor security arrangement—the agency shop. Minnesota’s PELRA calls the agency fee a “fair share” fee, but the intent is the same. Any single bargaining unit of Minnesota public employees, including those of the University employees, operates under the fair share fee arrangement. AFSCME 3800/3801 represents nearly 600 fair share fee payers out of their combined 2,000 clerical and technical workers.

**AFSCME Organizes the University of Minnesota Clerical Workers**

As I was growing up my father took care of me, when I got married my husband took care of me. When I went to work I had a boss to take care of me. But when I signed my union card I did it for myself.

Gladys McKenzie, AFSCME organizer recounting a perspective heard in several organizing drives (Oppenheim 1991, 53.)

The clerical workers had a history of attempted unionization at the University. In the early 1980s, a group called Concerned University Employees, or CUE, attempted to establish a clerical union with AFSCME. This movement was sparked when the administration withdrew clerical workers’ step increases (seniority pay)—a benefit preserved for the unionized employees by their collective bargaining agreements. The union’s drive failed in the face of widespread sentiment that it was a monolithic third party not in touch with clerical workers’ needs on the ground. AFSCME’s leadership is predominantly male. Some felt that their lack of understanding of the workforce was exemplified by the use of complicated newsletters and gifts of flowers to try to persuade workers to support a union. Six years later, the AFSCME union started another clerical worker organizing drive under a very different organizing model: the “person-to-person” approach. This type of organizing, which some commentators have described as the “feminine model,” emphasizes personal relationships and face-to-face conversations to build the union. Leaders solicit and rely on active member support. Members form an organizing committee to coordinate outreach and volunteer to talk to their fellow workers about the union. Organizing using the person-to-person model meant that organizers developed relationships with, hopefully, every worker.

This new model differed from a more traditional organizing strategy in several important ways. First, the traditional model tends to rely heavily upon paid union organizers structured in a centralized hierarchy. The person-to-person approach favors empowering the workers themselves to spread the word about their union in a decentralized, informal way. This strategy relies upon existing trust relationships to introduce what are often new concepts to workers. Another difference is the premium placed on the personal relationships between organizers and every single worker. To that end, organizing using the person-to-person model involves conversations about the union rather than the use of campaign flyers or
brochures. Traditional organizing often uses the “broadcast” approach of stuffing employee mailboxes with a piece of campaign literature, or using e-mail to speak for the union. Oftentimes, this more impersonal approach fails to build a solid organization able to withstand employer attacks. A union campaign can represent a period of great insecurity for the workers who are trying to decide if they want union representation. Employers often use their authority to send clear messages that a union is not a good thing. In order to bring a union campaign to completion, reach each worker with the union’s message, and then inspire each worker to vote in favor of the union in a recognition election, it is important that the confidence of the workers in their union does not waiver. To that end, many unions have found the person-to-person model helps them keep in better contact with their members during the campaign and to quickly demystify any negative messages put out by the employer or anti-union workers.

Clerical workers’ union at Harvard University refined the person-to-person approach of avoiding newsletters and union flyers in favor of personal conversations. The strategy was actually born out of economic necessity. The Harvard Union of Clerical and Technical Workers (HUCTW) was so poor in the beginning, having suffered several defeats in past attempts to organize the union, that they simply could not afford the production costs—not to mention the paper—for campaign literature. They were forced to go out into the campus to visit workers in person and soon realized that they had struck upon a much more effective way to organize a union. Adopting the slogan “It’s not anti-Harvard to be pro-union,” organizers, with leader Kris Rondeau, rejected the confrontational us-against-management approach to organizing adopted by many unions. Rather than using paid outside organizers to promote the “bread and butter” issues that had been the staple of previous Harvard drives, Rondeau built an army of mainly volunteer organizers who fanned out across the campus with a message of dignity and respect. While workers received partially employer-paid health care benefits, pension benefits and some child care, Harvard “still remain[ed] a caste system,” according to one former dean, and white collar support staff felt their work was devalued. In response to Harvard administration-produced booklets meant to dissuade union membership, HUCTW produced a booklet filled with union members pictures and stories called “We Believe in Ourselves” (this booklet was a strategic exception in an otherwise nearly paperless person-to-person campaign). After an intense period of campaigning by both sides, an election was held for all employees in the unit on May 17, 1988 with the result of 1,530 to 1,486 in favor of HUCTW.

The final AFSCME union drive at the U officially began August 1990 when the union filed a petition for an election for the then 3,200 clerical workers in the unit. In the six years since the last campaign, material conditions had changed dramatically for clerical workers. The gap between their pay and benefits and those of the University’s unionized employees had widened. Clerical workers at other campuses across the country had successfully formed unions. AFSCME organizers adopted the person-to-person model that worked at Harvard in their campaign to represent the University’s clerical workers.
The organizing committee made up of workers volunteering to build their union grew to over 300 members. The six month campaign culminated in an on-campus election on February 20, 1991 and the union was victorious with a 51% majority.³

The goal at the U—as at Harvard—was to build an emotional connection between the members and their union. AFSCME organizers in Minnesota recognized that joining the union, especially for the most isolated and downtrodden workers, is “an act of personal courage” (Kris Rondeau quoted in Oppenheim 1991, 47). The person-to-person approach is about “transforming the culture of the workplace, building the community.” For the clerical workers, the union became their mechanism to meet each other and realize that they were part of a group of people with similar interests, forming connections “with other workers whom we had once known only through memos” (Gladys McKenzie quoted in Oppenheim 1991, 48). Organizers placed a premium on building and maintaining relationships. To beat anti-union strategies, union members must understand that they have joined a democratic, participatory organization that will be responsive to their needs. The person-to-person approach used at Harvard and the U epitomized grassroots organizing. For workers who had suffered the devastating defeats of previous unionization attempts, person-to-person organizing was the way to win.

AFSCME’s Struggle for Respect and Fair Contracts

Though considered one of the University’s weaker unions, AFSCME had been building up strength in the years before the 2003 negotiations broke down. AFSCME had been involved in some important University-system-wide advances in cooperation with other University unions. Notably, in coordination with their 2001 contract negotiations, the AFSCME unions launched a successful drive for a “living wage.” This successful campaign brought the base pay for University workers up to $12.35 per hour. AFSCME clerical workers, as the least paid employees at the U, were the primary beneficiaries of this increase. Many received a significant jump in their pay to reach the $12 mark.

Despite this success, AFSCME remained in a comparatively shaky negotiating position. AFSCME negotiated contracts every two years, and rather than gaining advances with each round of negotiations through the 1990s, had been faced with increasing threats to their benefits and compensation. A particular blow to the union’s strength was the decreasing number of clerical workers it was able to retain in the unit. This decrease, according to union leadership, was a result of a dwindling in their numbers due to University layoffs and department “reorganizations.” By the fall of 2003, the number of workers in the AFSCME bargaining unit was just over half the 3,200 who were in the unit at the time of the union’s recognition election on campus. Layoffs had, according to AFSCME leaders, reached

³ This election result is complicated by the fact that a competing union, the Teamsters, was vying for the right to represent the clerical workers simultaneously. The complete election results were: 51% for AFSCME representation, 10% for Teamsters representation, and 31% voting against any union representation.
epidemic proportions in the period between the summer of 1999 through the spring of 2000. The University laid off 500 workers in the period between January 1 and August 11, 2003 alone.\textsuperscript{4} In addition to these layoffs, the bargaining unit was gutted further by the reorganization of the labor structure in departments. Managers eliminated unionized clerical positions, changed the job duties of the workers to move them out of the unit, and promoted clerical workers into supervisory positions. In many instances, a clerical worker may be “supervised” by people who had been fellow union members. Also problematic was the situation for many clerical workers who found themselves reporting to multiple supervisors, a situation they saw as an outcome of having more workers promoted out of the unit than the demand for supervisors warranted.

AFSCME had a difficult time in negotiations since it won formal recognition. As far back as their first contract negotiations, leaders of AFSCME complained of sexism and claimed that they were not being taken seriously specifically because they represented a union that was predominantly female. This problem was not unique to AFSCME Local 3800, however, and was experienced by the other AFSCME locals at the U. These AFSCME locals had consistently been offered inferior compensation and terms of seniority during contract negotiations as opposed to the Teamsters, a largely male union. AFSCME members, according to Susan Wittel, at the time the Principal Administrative Specialist in the Philosophy Department who spent twelve years as a Teamsters-represented clerical worker prior to transferring to an AFSCME-represented position, had always been treated like “the girls.” They never received the same respect in negotiations as the Teamsters. The AFSCME locals were lucky if they could get what the University offered the Teamsters in previous negotiations; Teamster contracts were the acknowledged standard.

These factors conspired to undermine AFSCME’s negotiating position and reinforced the importance of cooperation with the other stronger, more established unions to win contract improvements. Unfortunately for AFSCME, however, as September progressed, one by one the other unions agreed to the terms of their new contracts. With every union that made a deal with the administration, AFSCME’s position became more precarious. There is strength in numbers, and AFSCME was hoping for an alliance with the other unions to bolster its own less powerful position. It was not a new situation for AFSCME to be stuck in protracted negotiations even after the other unions had reached agreement. Yet this year AFSCME needed the cooperative presence of several unions doing collective action in order to ensure maximum success of any strike. Isolated, their potential strike started to look more quixotic than pragmatic.

\textsuperscript{4} These layoffs were University-wide, not restricted to clerical workers. AFSCME leadership felt that the layoffs were clear evidence of the administration’s willingness to balance the University budget by treating its labor force as expendable.
Communication with Members: Continuing the Person-to-Person Model to Build Support for a Strike

AFSCME leadership made it a top priority to keep the membership informed of the progress in negotiations. This pattern of frequent union-member contact was in keeping with their overall strategy of building awareness to what they saw as sexist and unfair treatment by the U administration, with the goal of mobilizing the membership to strike. The union’s treasurer and webmaster, Brad Sigal, maintained a daily weblog (or blog) on the AFSCME website with updates from the negotiating team. Members could read daily direct quotes from U administration officials and see for themselves what types of offers (or lack thereof in the negotiators’ view) the U was presenting at each stage (see Appendix B).

The working conditions of the clerical workers presented an obstacle to effective organizing for support amongst the AFSCME rank and file. Clerical workers tend to work in isolation from each other; AFSCME has workers in 200 buildings across the campuses. The diffusion of membership geographically had prevented the union from maintaining the level of personal connection that organizers had used during the start of the union. This diffusion resulted in clerical workers starting jobs at the University and not even knowing there is a union to join. The payroll department would deduct the fair share fee out of the clerical workers’ paychecks and it was left up to the union to track down new employees. Reaching this constantly changing community and maintaining a presence in the various departments was an arduous process.

To deal with this situation, members of AFSCME’s Contract Action Team (CAT)—a group of active union members who serve as point people in their departments for the union—with union stewards began an aggressive membership drive in anticipation of the strike. It was vital to the strength of the union that as many fair share fee payers became full union members as possible. The CAT strategy flowed from the person-to-person organizing model AFSCME had employed at the union’s beginning. To help demystify the strike option for the AFSCME members, the CAT organizers participated in a half-day outreach blitz in the beginning of October 2003. On that day, union leadership fanned out across the campuses trying to reach as many people as possible, informing them about the benefits of paying a couple of dollars more per month in dues in order to get a vote, and news of what a strike would mean to them. At the beginning of the drive—roughly coinciding with the early summer breakdown in negotiations—union membership increased from approximately 60% to roughly 74% of the bargaining unit. Leadership saw this increase in membership numbers as vital if they were to consider recommending a strike to win better contract offers.

To make the ramifications of the administration’s proposed contract real to members, AFSCME organizers assembled on the union’s website the U of M Clerical Worker Pain Calculator. It enabled workers to see exactly how much their paychecks would decrease if the combined wage freeze and health
care cuts were to go through (see Appendix C). By selecting the type of health insurance plan the worker had, the number of prescriptions filled and clinic visits yearly, whether or not she had dependents, and then calculating her bi-weekly salary, an AFSCME worker could determine the union’s estimate for the percentage of her pay cut if the administration’s contract offer were accepted. The calculator became an important rhetorical tool for the union leadership working to inspire reluctant workers to consider striking. Under the administration’s proposal, many workers would lose the equivalent of (on average) one week in pay annually. The case was made by the union that the administration’s contract offer was going to hurt real people in tangible ways.

Building the Strength to Strike with Student, Faculty and Community Support

Other labor actions across the country emboldened AFSCME leadership in their decision to recommend a strike, notably the successes of the Yale University clerical workers earlier that fall. The Hotel and Restaurant Employees Union (HERE) Local 34 representing Yale clericals walked off the job during the first day of classes in the fall of 2003. Even though only about 35% of the union members participated in the strike, the union was able to win considerable gains for its members in part because they were joined by the food service and custodial workers of HERE Local 35. Lori Young-Williams, Principal Accounts Specialist in the Office of the Senior Vice President and member of the AFSCME Executive Board at that time, remembers that the Yale clerical workers’ success inspired the Board to recommend to the membership that they vote to reject and strike. Leadership had twice previously called for votes by AFSCME membership to strike during past negotiations. Like the 2003 vote, these earlier votes had followed protracted negotiations during which the administration followed a hard line and refused to make any concessions in exchange for proposed cuts. This vote was, however, the first vote for which the AFSCME Executive Board explicitly recommended that the members vote to reject and strike.

In the union leadership’s favor was the perceived smug attitude of the administration, personified by President Robert Bruininks, in the face of changes that would target the University’s lowest-paid workers (see Appendix D). He perpetuated an image of the University as a benevolent employer in tough times, telling the student newspaper that he thinks “the University’s effort to compensate its employees [is] somewhat heroic” (Weyer and Weaver October 21, 2003). Clerical workers, already inclined to see the administration as the enemy, were further roused by Bruininks’ “State of the U” address given to the University Senate at the start of the 2003-2004 school year. During a question and answer period that became heated, silent protestors stood in the audience with signs reading “Repeal The Tuition Hikes,” “Cut Corporate Welfare, Not Worker’s Wages,” and “Cut Bruininks $340,000 Salary, Not Worker Benefits.” Bruininks came head to head with AFSCME President Phyllis Walker whose turn had come at the microphone. She publicly questioned the fairness of the administration’s contract offer, noting that
several University administrators made more than the governor (see Appendix E) and that Bruininks himself enjoys a free mansion, Eastcliff, as a perk of his employment. Bruininks responded by trying to devalue this entitlement, stating that “believe me, living in Eastcliff is no free lunch.”

To support and inspire the clerical workers in anticipation of a strike, AFSCME 3800 established a Labor and Community Strike Support Committee in September 2003. Community outreach was particularly important at this point since AFSCME 3800 and 3801 members would be striking on their own, as it looked likely that the other unions would accept their contracts. AFSCME needed a coalition to embolden its members and show the administration that the clerical workers had broad support. In the event of a strike, it would be important to shame the administration into offering better terms in contract negotiations. The larger and more influential the group demanding contract improvements for the clerical workers, the better the odds that they would succeed.

To honor and support departmental staff and the workers who process their payroll and help them with class registration, U students and faculty joined with community and union members to support AFSCME in the Strike Support Committee. The Committee planned on-campus support actions and coordinated the work of educating the University community about AFSCME’s concerns. Students and faculty planned teach-ins, professors and graduate instructors spoke before their classes to rally undergraduate support, and the Strike Support Committee members began circulating petitions throughout the campuses. The students staged actions such as the October response to President Bruininks’ “State of the U” comment about Eastcliff. A group of law students delivered trays of food to the President’s Morrill Hall office in mockery of his “no free lunch” comment (see Appendix F). The work of the students and professors in the weeks of September and early October of 2003 were meant to make it clear to the clerical workers that they would not be alone if they chose to strike.

Division Within AFSCME—To Strike or Not to Strike?

The official, binding strike vote took place on-site at designated places across the U campuses in October of 2003. Members not near a voting location received ballots in the mail. Per AFSCME bylaws, only full dues-paying AFSCME members should be allowed to vote. Though fair share employees were technically not allowed to voice an opinion on this union matter, as a gesture of good faith the union stretched the rules to accommodate them. Fair share employees were allowed to sign a union membership card at a voting table on Election Day, vote, and then rescind their full membership if they chose. Some fair share employees did vote by means of this process.

Of those AFSCME members and fair share employees who took advantage of the opportunity to vote in the election, 67% approved the reject and strike strategy recommended by leadership. Union leaders saw this as a strong mandate to proceed with this action that they believed to be vital to improving the contract as well as shoring up their reputation for future negotiations. Once the union informed the
administration of its intent to strike, a 10-day cooling off period mandated by state law ensued. It was during that time that expectation for the strike on U of M campuses reached a fevered pitch. Attendance at union membership meetings soared.

After the strike vote, the administration began sending “rights and responsibilities” memos to clerical workers regarding a potential strike. Memos came from Human Resources head Carol Carrier and detailed the administration’s interpretation of the law regarding strikes (see Appendix G). Many clerical workers felt intense pressure to not strike and to cross the picket line should one be set up. Middle management was called in for frequent meetings and, according to AFSCME members, given anti-strike messages to pass on to the clerical workers they supervised.

Those who were wary of striking or refused to participate completely fell largely into three categories: disgruntled fair share employees, workers who felt the University compensation was fair, and those who could not afford to stop working. Clerical workers who opted out of joining the union could, if they so choose, strike with rest of the unit if a strike were to occur. Despite the fact that AFSCME leadership had allowed fair share employees a means of participating in the strike vote, several of them felt alienated by the process and refused to participate in any union activities. The union saw this alienation as a problem of identity. Fair share employees did not recognize the degree to which they benefited from the union’s bargaining. For those clerical workers who saw the deduction of the fair share fee from their paycheck as an act against their will, however, the union was an impediment to their work and collegiality with their non-unionized co-workers. One fair share fee payer in particular, Michael Teachout, began an active letter-writing campaign to the Minnesota Daily to raise his concerns and solicit support from other fair share employees:

I will not take part in a strike if one is held, although I am classified as part of the union. I am part of the group of employees called Fair Share, which means we pay 85 percent of the union dues, but are not allowed any voice in the decision-making process that decidedly affects us. We are told that if we want to participate we must contribute 100 percent of the dues, which would include funds donated to political campaigns that are extremely liberal…. If you are fair-share and feel like you have been left out of the vote, please contact me.

Other clerical workers felt that the administration’s contract offer was fair, especially considering the University’s budget problems. This position was especially prominent on the University campuses outside the Minneapolis/St. Paul metropolitan area. University of Minnesota-Morris workers saw a difference between the local economies of the Twin Cities and Morris. In Morris, University jobs are among the best around. Laura Thielke, clerical worker at UM-Morris and AFSCME steward, found it particularly difficult to rally support among Morris’ 65 clerical workers for a potential strike. Morris workers felt relatively well compensated given other employment opportunities in their area. Even those
who were sympathetic to the union’s contract struggle generally were not interested in participating in any actions that could jeopardize their jobs. This sentiment was felt at other campuses as well. The negotiator from AFSCME 3801 in Duluth, Sheri Pihlaja, created confusion for union members when she went against the rest of the negotiating team, publicly informing her members and the media that she did not feel a strike would be in the best interests of Duluth’s workers.

Another serious concern for clerical workers who were mulling over a strike was how they would support themselves during the walkout. As small locals, neither AFSCME 3800 nor 3801 possessed a strike-support or “defense” fund. Any support money would have to come from the state or national-level union organizations, a slow process operating on a reimbursement basis. Many clerical workers simply did not feel they could afford to abandon their jobs and paychecks for an indeterminate amount of time. Moreover, if the strike were to last more than two weeks, standard University employment policy dictated that they would lose their health insurance as well. AFSCME leadership fought to make the case to these workers that striking would be in their long-term interest. Ultimately, the members of the Executive Board made a conscious choice to avoid applying any pressure to workers whose financial situation would not allow them to strike. “Our members were already living simply,” said Jess Sundin, Community Support Committee Coordinator and AFSCME clerical worker, “despite this reputation that clerical workers on campus were just wives who were supported by and received the health-care benefits of their husbands. To ask single people with no support to strike was a serious request and we knew that” (personal interview 2004). Most clerical workers who resisted striking were motivated by these financial fears. For many, their position was clear: they supported the union but could not walk off the job unless the union could support them financially. Jon Jacklitch, a senior administrative specialist in the Department of Family Practice and Community Health, supported the union’s goals, but could not agree to strike. Jacklitch said he became a full union member before the strike vote specifically so he could cast a ballot to reject the University’s contract, but if he were to walk off the job he would be unable to support himself and his daughter.

The Decision Hits Home: One Clerical Worker’s Perspective

For Donna Armstrong, at the time a Senior Office Specialist in the School of Social Work, a decision to strike would have serious personal ramifications. Donna’s husband was out of work on disability leave, suffering from heart failure and complications from diabetes. They were both relying upon Donna’s health insurance and income. She was the chief breadwinner for the family at that time, 5

5 Technically, they needed to work one day in each two-week pay period in order to maintain their health benefits. Though the administration sent out messages stating that no striker would be allowed to return to work more than once from the strike, strikers could have returned the last day of the next pay period and effectively preserved their employer-subsidized insurance. After that they were eligible for COBRA; a contract settlement can include a provision that the employer will pay any lost health care benefits.
which now included her son, who had moved home to help care for his father. The union did not have any savings for financial support for members, so a strike would mean the loss of her paycheck. To strike and risk losing their benefits would represent a burden for many AFSCME members, but it would have been unthinkable for Donna. From Donna’s perspective, the union leadership seemed to think a strike was the only option, but for her it would represent a tremendous hardship. No one could guess how long a strike might last. How would she support her family? How could she jeopardize her health care coverage while in the midst of her husband’s medical emergency? “They wanted us to strike, but strike with no back-up,” she recalls (all quotes from personal interview 2005).

Donna had worked at the U since February 1979. Her first role was on the Teamster-represented building and grounds crew until a work accident caused lung damage and a debilitating sensitivity to chemicals that impaired her ability to work. She eventually relied upon her background in office work to secure a clerical job in the School of Social Work. The department proved incredibly supportive of Donna, especially regarding her chemical sensitivity. In 1993, the entire department—students, staff and faculty—voted to establish a “scent-free” environment to prevent perfume and cologne from aggravating Donna’s sensitive lungs. This scent-free policy was the first such policy at a U department and would become a national model. Experiences such as this, as well as a good working relationship with the department director, made Donna very loyal to her department. She joined AFSCME after a brief period as a fair share fee payer in order to ensure continued consideration for her health issues rather than because of any sense of being ill-treated on the job.

Donna’s loyalty to the U as well as a sympathetic perspective on the administration’s budget constraints led Donna to disagree with the reject-and-strike position of many of her fellow union members. She looked at the national situation and saw that workers were experiencing cuts in their health care benefits everywhere. Even locally, the U workers’ situation was not unique. Newspaper reports told of the employees of Minnesota corporations like Honeywell and 3M workers accommodating themselves to changes in their benefits. Though she knew that health care benefits were undoubtedly of vital importance to her family, Donna insisted that, under the big picture as she saw it, AFSCME workers “didn’t have it that bad.” While many of the other union concerns, such as probation after lateral transfers and step-increase erosion, resonated with Donna, she just believed “the time wasn’t right” for a strike. A major factor in this assessment was that the other University unions were, one by one, accepting their contracts—however begrudgingly. How could the clerical workers do it by themselves?

During the fall of 2003, Donna had to rush home from work each night to relieve her son and take her shift caring for her husband, who could not be left alone. She had too many demands upon her time to participate in the union meetings at which the negotiation issues were discussed. Yet Donna could not complain about lack of communication from her union. She was glad that the union leadership went out
of their way to keep her and other members who, like her, were experiencing family crises apprised of developments through e-mail and regular lunches. The School of Social Work is on the small St. Paul branch of the Twin Cities campus, at which, in comparison with the more populated Minneapolis location, the union presence felt muted. Donna started meeting with the few AFSCME members in her area and they had a lot of “what if?” conversations. Donna talked through what she would do during a strike with one co-worker in particular, a single mother. Neither felt that they could afford to strike if it meant going without pay and especially if the action jeopardized their health care coverage. Then, as the negotiations progressed and faltered, and strike talk on campus rose to a din, they started to pay attention to other considerations. Donna’s co-worker figured out that, if the union was forced to accept the proposed wage freeze coupled with health care premium increase, she may no longer be able to afford dental care for her children. And both women became increasingly incensed in response to the administration’s rhetoric during this time. The administration’s memos—coming from Carol Carrier and ostensibly informing clerical workers of their legally required conduct during a strike—were largely seen as anti-union. No one knew how much of the information to believe, and the confusion helped create a climate of fear about striking.

As a former Teamster, Donna had long acknowledged what other Teamster-turned-AFSCME members saw, that a “women’s” union often does not get the same respect from the administration as the male-dominated Teamsters. This feeling of disrespect toward clerical work and clerical workers was brought into sharp relief during this time. She says, “We may be low-paid and not have the background of the upper-crust, but we’re the foundation of this University.” Donna still did not see what positive outcome a strike could possibly produce. Yet, the administration’s public handling of the labor dispute was actually driving many clerical workers like Donna to support a strike mainly out of indignation.

As the fall progressed, though she wished her union would abandon the strike recommendation, Donna knew “in my gut that there would be a strike.” She felt silenced at the few union meetings she was able to attend when she tried to voice her belief that this was “the right cause, just the wrong time.” What should she do if a voting majority of her fellow union members decided a strike was a strategic imperative, when for her it might be a financial impossibility? How could union leadership ask the rank and file to risk their livelihood when they had dependents relying on them? Donna was in an impossible situation. She worked in a supportive department, had a good supervisor and believed that the administration probably needed to pass on health care costs to employees out of economic necessity. Yet she was becoming increasingly unified with her fellow union members under attack and “could not imagine” crossing a picket line. What should she do?
References


Kang, Susan. “Person-to-Person Organizing’: A History of AFSCME 3800/3801.” We Support U of M Workers: Union and Community Solidarity in the Clerical Worker’s Strike (AFSCME Student Solidarity Committee, self-published) 1:9.


Milsten-Fiedler, Marie (Principal Administrative Specialist, Department of American Studies and AFSCME 3800 2003 Negotiation Team Member). 2004. Personal Interview.


Sundin, Jessica (Principal Administrative Specialist, Department of Physiology and AFSCME Community Support Committee Coordinator). 2004. Personal interview.


Wittel, Susan (Principal Administrative Specialist, Department of Philosophy). 2004. Personal interview.

Young-Williams, Lori (Principal Administrative Specialist, Office of the Senior Vice President and former AFSCME 3800 Executive Board member). 2004. Personal interview.
To Strike or Not to Strike:
The University of Minnesota Clerical Workers’ Decision
Epilogue

Members of AFSCME Locals 3800 and 3801 struck from October 21 until November 4, 2003 on all University of Minnesota campuses. Though the unions do not have exact numbers of those who actually left their jobs to strike, the estimate is approximately 1,000. (This number is an estimate that represents the number of people who were recorded to be participating in picket line actions. There were many picketers who were not union members but instead were student and faculty supporters and many striking workers came and went throughout the day.) According to AFSCME leadership, many striking workers did not join the pickets because of the need to stay home with their children to save childcare expenses during the strike, due to ill health, or because they were seeking temporary work to cover their looming bills.

Support from students, faculty and the community inundated the clerical workers who were braving the cold weather to picket outside. A food shelf was set up to help tide the clerical workers over. Local food stores both donated food and money and also collected donations from customers. Staff from the Hard Times Café loaded a massive thermos of coffee on the back of a bicycle and rode around campus daily delivering hot drinks to the strikers. Faculty worked with the Strike Support Committee to find off-campus locations to hold classes so students would not have to cross the picket lines. In the first two days of the strike alone, 150 classes affecting 4,000 students in the Twin Cities were held off campus.

The strike gained national attention, especially within the labor movement. Laura Smith, president of the Yale clerical workers union, flew to Minnesota with Shirley Lawrence of the Yale food service and custodial workers union to join in a strike rally. Clerical workers were further emboldened when AFSCME 3260, a small union representing medical assistants at Boynton Health Center—the University’s student health facility, voted to reject the administration’s offer and entered their 10-day cooling off period. The negotiators for AFSCME 3260 had faced hurdles similar to the other AFSCME unions on campus. One AFSCME 3260 worker was fully prepared to strike because she believed the administration’s contract offer would mean that she would not receive a raise in pay for another eight

Kristen Houlton wrote this case for the Center on Women and Public Policy in 2004-2005 as part of a graduate course on case studies on women and public policy. The Center on Women and Public Policy provided supporting funds. © Center on Women and Public Policy 2005.
years—just when she was due to retire.  

Ultimately, the “need to show unity” with her union inspired Donna to join the strike. She went out for one week, after which time she was forced by financial concerns to return to work. Then, after the union prevailed in a disagreement with the administration about clerical worker’s freedom to join their striking colleagues during their lunch hours, Donna went out to join the picket line every day during her lunchtime.

Several days into the strike, the administration refused to return to the negotiating table with union leadership. Approximately 100 members of the Strike Support Committee began what became a three-day sit-in within and around President Bruinink’s office in Morrill Hall. Students lined the hallways and waved from the windows down to the picketing workers below. Under increasing media scrutiny, a few members of the administration, including Carol Carrier, agreed to meet with the students to hear their demands. The students requested that the administration immediately bargain with AFSCME 3800 and 3801 in a sincere and flexible manner. Horrified by the idea of having U students placed under arrest for trespassing, with increasing pressure from the Board of Regents to resolve the labor dispute, and as the public was watching, President Bruininks and the administration agreed to resume bargaining with AFSCME negotiators.

After the second week of the strike, AFSCME leadership and the U administration agreed upon a collective bargaining agreement for the 2003-2005 cycle; the AFSCME rank and file quickly ratified the contract (see Appendix H). Members individually believe that the experience of going on strike was transformative for the union. Clerical worker Marlene Parkhurst said, “we gained respect, and you can’t put a dollar figure on that” (Drey November 6, 2003). Showing that they were not going to submissively accept unsatisfactory contract terms tangibly changed the level of respect AFSCME members received as employees, and in relation to the Teamsters union at the U. The Teamsters of Local 320—the primarily male union—were chagrined when “the secretaries” walked off the job and stood up for a better contract when they did not. Many Teamsters were among the most ardent strike supporters, delivering sandwiches and coffee to the “ladies” out on the picket lines.

Another important outcome of the strike was the establishment of a coalition of University unions—University Unions United (also known as the “Triple U”). This group meets regularly to map out a common strategy toward future contract negotiations.

Though many believe the strike was a successful unifier for AFSCME, leadership acknowledges that the odds of gaining actual contract improvements would have been greater if the members of more University unions had voted to go on strike as well. At least one other University union leader, Candace Lund of AFSCME 3937, has pledged that “never again” will her members cross AFSCME picket lines.

---

6 Quoting outpatient clinic assistant Cindy Osiowhemu.
The unions together are readying themselves for the next round of contract negotiations, set to begin the spring of 2005.