

Can Construction Unions Organize New Immigrants Workers? A Conversation with Tony Martinez of the Carpenters' Union

by Gregory DeFreitas

As the decade-long building boom has sharply expanded construction employment across the country, it has also forced American workers and their unions to confront the immigration issue. The immigrant population of the U.S. has soared to over 36 million people today, an 80 percent jump since 1990. The fact that nearly one-third of them, about 12 million newcomers, are thought to be unauthorized migrants has reignited national debate about their impacts on native-born workers' job and pay prospects. Immigration is still today at least as controversial and divisive an issue among union rank and file as among the wider public. But, more and more unions appear to be recognizing the crucial importance to their future of rethinking past union practices of indifference, and often hostility toward unauthorized migrant workers. And many immigrants, including the undocumented, have been supporting, as well as leading, a number of major recent organizing drives, including the successful campaigns to unionize office building cleaners ("Justice for Janitors"), health care aides, limousine drivers and food service workers.¹ In fact, the number of foreign-born union members increased by 48 percent, to 1.8 million, between 1996 and 2003 – in contrast to a 5.7 percent decline in native-born membership.² In the fall of 2000, the AFL-CIO voted to support a new federal amnesty program for qualified undocumented immigrants and demanded that they be guaranteed "full workplace rights." At the same time, it supported more effective border enforcement and new policies of skill upgrading for native-born workers.

Those unions committed to active organizing and member mobilization are reaching out as seldom before to the foreign-born worker. This is nowhere more striking than in the building trades, historically among the least receptive to the undocumented. One clear measure of this change is the hiring of Spanish-speaking organizers to improve their outreach efforts in the immigrant community. In the New York metropolitan area, one of the largest union locals taking this new approach has been the Empire State Regional Council of Carpenters. Its national parent, the United Brotherhood of Carpenters and Joiners of America (UBC), was founded in 1881 by a New Yorker, Peter J. McGuire -- himself a son of Irish immigrants. In its 125 years, the UBC has expanded into one of the country's largest labor organizations, now representing over one-half million carpenters and building tradespeople. The Empire State Regional Council of Carpenters has won praise from *Newsday* for adopting "one of the most positive and constructive" approaches to the issue of immigrant day laborers clustering for work on suburban street corners: to organize them into a union.³

Antonio Martinez has, since 2001, been a Salvadoran-born organizer for the UBC's Long Island regional headquarters. After the civil war in his homeland drove his mother to obtain U.S. residency status and move the family to the U.S. in the early 1980s, he attended Long Island schools before earning a political science degree at SUNY-Oneonta. After graduation, he began to develop organizing skills while employed by local nonprofit organizations, before shifting to work as a carpenter in the late 1990s. Gregory DeFreitas spoke with him recently at the union's Hauppauge offices.

Q: How did you become a union organizer?

TM: After college, I worked for Catholic Charities for five years in a program called Food and Nutrition. It is kind of an equivalent of the WIC [Women, Infants and Children, a federal anti-poverty program]. I've got to thank Catholic Charities, because they kind of opened me up to different experiences. They were members of Long Island Congregations, Associations and Neighborhoods [CAN], an affiliate of the Industrial Areas Foundation. I ended up as a manager for the inventory department and the mobile unit that provided supplemental foods to women and children and also seniors throughout Long Island. I liked it there, because I felt like I was helping people. But, at the end, it also showed me that I was just putting on a Band-Aid, because, in my five year there, I continued seeing the same faces I had seen my first year. They just had different kids. So I thought that I wasn't really changing the world much.

I ended up leaving Catholic Charities to work as an organizer for Long Island CAN. Then I worked for the East Brooklyn Congregations, EBC, another affiliate of the Industrial Areas Foundation. I think a lot of people know of Sol Alinsky [IAF founder]. But they also know of Mike Gecan. He's the regional director of IAF in the Northeast and just recently wrote a book, *Going Public*. So I worked for the East Brooklyn Congregations and, through the IAF training, they teach people to reflect about their lives and to ask: "If you had the power to change something, what would it be?" That's a question that a lot of us don't ask and we should. And the organization, asks us to reflect on how we're doing as organizers. Are we managing our time correctly? Where do we want to go? All this reflection kind of made me reflect about what I wanted to do.

My grandfather was a carpenter and I have fond memories of working with him in the shop. I always wanted to be a carpenter, but family pressures were always on me to go to college, to get an education. You know, most parents want their kids to be doctors or lawyers, or accountants, teachers. They usually don't want them to be tradespeople, electricians, or carpenters. And so I ended up leaving the IAF, the East Brooklyn Congregations and went to work for a nonunion carpentry contractor eight years ago.

Q: And did you get your training to do that?

TM: I've always kind of like putzed around, but you never really know the trade until you really do it. So my training was there with this nonunion guy on the job. Good company: Verity Construction. I started earning ten bucks an hour -- a significant cut from what I was earning before. But I made a decision; I realized that I didn't want to be 55 years old or older and not have done something that I really wanted to do. So I worked for this company for about two years in Long Island, doing mostly high-end renovations, construction, houses.

Q: But there was no sort of apprenticeship, no formal training?

TM: No formal training.

Q: And that was common with this company, you think?

TM: Yes, they would take whoever. All they wanted you to have were your own tools and transportation.

Q: And what about safety training or precautions?

TM: No, nothing. And I have stories about that. I mean, I could have killed myself a couple of times. Making them work on the roof, putting in a heating unit when it's snowing out and the plywood gets wet and slippery, without any full protection. These are some of the things that happen in the nonunion sector. So, I worked for these guys for about two years, and then I said, "You know, let me go try it by myself." I started doing site jobs on my own, putting in windows, doing little decks, just starting small, mostly for friends and friends of friends. I was making money now.

But there was something missing within me, because I enjoyed organizing too and I felt like my brain was becoming a vegetable. I needed the different stimulus; I needed to fight. But fight for a cause. I've always fought for justice, perhaps because of where I come from. You see a lot of injustices. And so I kind of felt, if I'm not fighting, I'm not happy.

The Empire State Regional Council of Carpenters saw the influx of immigrants doing carpentry work here, and felt that they needed a Latino, Spanish-speaking organizer. Through people who knew me when I worked with Catholic Charities, with the Long Island CAN or East Brooklyn Congregations, my name surfaced. And so my two worlds came together. What a perfect story. I'm doing something in the memory of my grandfather, who was a good carpenter and did not have representation. And here I am doing something that I like to do: perhaps just a little change, not the world, but in our area.



Tony Martinez

And so I was hired in 2001 by the Empire State Regional Council of Carpenters. It covers all of New York State except New York City. I'm assigned to the jurisdiction of Region 1, Local 7, covering Nassau and Suffolk Counties. Local 7 is the only carpenters' local in Long Island. What happened, over the past 10 years is that it's been restructured. Our national president, Douglas McCarron, felt that there were too many little kingdoms. And it was true: there were five in Nassau County, about another five in Suffolk County. And what was happening is you would have one contractor going from one area to another, and it was just too bureaucratic, too many jurisdictions. So he merged them all and that's part of his whole vision to have more power -- power for our carpenters to earn a decent living..

Q: How many organizers does Local 7 have?

TM: We have four organizers and three service representatives that, in the past, were known as business agents.

Q: How many of the organizers presently are Spanish-speaking?

TM: Two.

Q: So that's a big change in the last few years?

TM: Sure. If you think about it -- two out of seven -- it's a huge change.

Q: Any women organizers yet?

TM: Not here in this region, but we have two women in Upstate New York.

Q: And how do you feel about how the union in recent years has been supporting organizing? Have you seen more resources shifted towards supporting new organizing?

TM: Yes. The carpenters' union building in Washington, DC. is rented out to businesses and the proceeds of that go to organizing. We have a great resource in organizing. Our council and the international provides a lot of monies to the organizing effort: \$100 million last year.

Q: Was more organizing one of the major issues that President McCarron came into office on?

TM: That's right.

Q: What kind of training do your organizers get these days?

TM: We have our core training and that's being revamped, so we're not going to have that until next year. We have quarterly or annual training in Atlantic City in different types of issues, like top-down organizing versus bottom-up organizing. We just came back from a training on how to put together an effective PowerPoint presentation. It's more and more geared to today's world. Things change; the old rules sometimes don't apply. And the carpenters see that and they understand that we've got to work together with contractors. Because, if the contractors are not profitable, then our men can't work. We will never be cheaper than the nonunion, but our product is a better product and that's how we've got to sell it. And our carpenters work safely, are productive and provide good quality.

Q: Do you use the COMET training system?

TM: Yes, we have used the COMET training system. I think that's changing; that's the one that they're revamping. I did not go through the COMET. I came up from outside, but the ten-day training I received from the Industrial Areas Foundation gave me a good foundation and I've done pretty well with it.

Q: Do you bring members into organizing very much or do you presently mainly rely on your core, full-time organizers?

TM: Oh, no, we are nothing without our membership. They're the ones who fight for everything, really. They're the army on the field and, without their support, you know, we'd be dead on the water. Our shop stewards are the Green Berets. They're the Volunteer Organizing Committee, the VOC. And they work not just in organizing campaigns, but also in volunteer projects and political action.

Q: In being volunteer organizers, do they get time off the job through contract agreements or something to organize?

TM: No, no. This is all on their own time. And we have union participation where members have two or three days a year that they are giving to their union. But it's their responsibility and there's a mechanism that they can ask somebody else to do it for them. But, those shop stewards are there all year 'round.

Q: Could you describe briefly the carpenters' major organizing drives now on Long Island?

TM: Sure. I'll go through the one that we just completed. Now it's kind of got a life of its own. Then I'll explain to you where we're going now with a different type of campaign. When I first started, we already had a prevailing wage campaign, in schoolwork, fire departments, police departments -- public works. "Prevailing wage" is the rate of pay for specific trades in a specific area. For example, right now, in Long Island, for carpenters, the prevailing wage is \$57.53. That's \$33 and change in wages and the rest in fringe benefits. Other trades have similar rates, based on the bargaining agreements of the unions. On public jobs, it is required that these prevailing rates are paid. The reason behind that is so there is a level playing field. Everybody's bidding apples to apples. It depends on your overhead and much you really want to make.

So it's to have an even playing field. Because you're paying the same amount for wages and benefits. Material doesn't change much either, unless you're a big contractor and you buy a lot of, let's say, metal studs like the carpenters use or sheet rock. Maybe you'll get a penny of savings, but really the material and the labor is the same. So it all depends on how good your numbers are, and so that's the prevailing rate.

So what was happening in the prevailing rate, especially in the concrete industry, was that these rates were not being paid. And our contractors, we work very closely with our contractors, our contractors are saying, "You guys gotta do something, because, otherwise, we're going to go out of business." And we ended up putting together a campaign, a concrete/prevailing wage campaign, because it has not just been concrete, it's been other -- you know, dry wall, ceilings, etc., contractors that have been doing that kind of work.

And what was happening was that a lot of these concrete contractors were hiring undocumented workers. We don't have anything against undocumented workers; I'm an immigrant myself. Neither does our council nor the international. Our mission is to organize all the carpenters, to elevate the standard of living for all carpenters. They're all brothers. In 2001 we started researching and finding out specific companies that were not doing the right thing. We were interviewing the men, using salting tactics. Salting is when you put a union worker to work in a company to get some information back. And what we were finding was that, instead of paying the guys the prevailing rate back then – it was like \$52 and change -- they were only paying \$16 an hour! That's getting rich off the sweat and blood of the worker.

Q: Was this common in many contracts?

TM: Yeah. So, \$52 minus \$16 -- we're talking about \$36 an hour that a contractor was stealing. That's not on top of what he would put on Workers' Compensation liability insurance, to put a little more in his pocket. All he had to do is be like 10% less than our union contractor that pays the benefits, the wage, the liability insurance. So it was very unfair.

Q: And so that meant that there was no health insurance being offered either.

TM: Exactly, exactly.

Q: And concrete work is probably pretty demanding, physical, dangerous work?

TM: Absolutely, it's hard work. And some of the schemes were that they would get an extra two hours per worker a day. I actually salted myself and I was asked to get to the yard at 6 in the morning and we had to load and unload trucks for the first hour and then we get to the first job and they start counting at 7 o'clock.

Unpaid labor. Another scam that they had was that, after 40 hours, they pay you cash. I was making \$16 an hour, on the books. But then, after 40 hours, I'd get it cash because since the contractor has to pay taxes on that money, he would discount \$2 off your wage. So, instead of making time and a half after 40 hours, I was making \$14 an hour straight and I'd be getting it in cash.

So we were able to work with the district attorney, Mr. Thomas Spota. And we had given a commitment that we would not say, "Look, that guy is cheating, that guy is cheating over there." We told them that, if he was elected, we'd give him the proof that criminality was happening. And he said, "If you show me that, I will work with you." And this is how my boss, Mike Conroy and John Fuchs, got this ball rolling there.

Q: What kind of proof were you able to give them?

TM: Pay stubs, pay stubs, pictures. I would meet with the district attorneys, detectives after work and give him everything that I had. What the district attorney understood and learned was that there's no way you can be a nonunion contractor and pay prevailing rate and be cheaper than a union contractor. The reason behind that is because of the burden package, the fringe benefits. Let's say, this nonunion contractor was supposed to pay Social Security and Workers' Compensation on the whole package of \$52. Our union contractor only pays it on the wages, because the fringe benefit funds are exempt from the Social Security and Workers' Compensation. Because it's a state approved fringe benefit fund. So, then our contractor would be just paying Workers' Compensation and Social Security on the wages, not on the whole package. That's a savings of about 18%. Working with the DA over the past three years, we were able to recoup over \$3 million in back wages, predominantly for immigrant workers.

Q: What other approaches have you been using in organizing?

TM: That's been one part. Because that's where we found that the abuses of the immigrant carpenter were happening. And it was hurting our contractors. Some contractors ended up signing. Others were arrested and closed shop. Some contractors saw the light with their immigrant workers and decided to come on board.

Q: You mean they signed up with the union? Why do you think they did that?

TM: Why? Because I think they learned, at the end that, yes, it is cheaper to work with the union. Also, my boss gives this analogy: you can go on the LIE every day at 85 miles per hour. But, one day, somebody gets stopped and then, the following day, you know that someone got stopped on that specific area and you're going to slow down and look around and see if the cops are around this time. Some people just decide to change their ways and say, "You know what? Perhaps if I'm going to be around in this business for the long haul, perhaps I can work well with the carpenters' union."

And we show them how they can work well with us, because a lot of them have a lot of worries that \$57.53 is a lot of money. And they don't just do prevailing wage all the time; they do houses, too. So we tell 'em, "Well, listen, we have different rates. We have different agreements and that can work for you. You can be working on a prevailing wage job one day and then you can go pour a foundation for a single house another day." So sometimes what happened in these areas when all these cases were going on, some people started asking, "Are you looking at me? Are you looking at me?" And they said, "You know what? Perhaps you can show me how we can we work together."

Q: What other approaches have you been using to organize the unorganized, besides the prevailing wage campaign?

TM: The other one has been the housing industry. We ended up going into the residential area and that's the campaign we've been doing for about a year now. And it's been mostly a combination of top-down, bottom-up.

Q: Can you describe what you mean by "top-down"?

TM: Top-down is talking to the contractors themselves as business, from a business perspective. But, at the same time, working from the bottom with the workers, gathering information, letting them know about the carpenters, what the prevailing rate is, etc. In this case, you have three parties. You have developers, the contractors and the workers. We feel that the developers are the ones who are allowing some things to happen on their jobs.

You see, in the residential industry, it's -- the prices to build a house haven't changed since the late '70s, early '80s. And what's happening is that in this area there's a whole abuse of independent contractors, 1099 issues and also cash.

Q: Could you describe what you mean by 1099 issues?

TM: A 1099 is a form by the IRS that says that it's miscellaneous income and it's usually given to independent contractors. For example, on a job site, you could have independent contractors. You could have, on a job site, a contractor that comes in, sets his own time, takes orders from himself and gives orders to another person. This contractor can get a 1099, but he has to pay his workers. They have to be on his payroll. What happens is that a lot of times, these independent contractors treat their employees as independent contractors, too. And then the workers cannot claim Social Security or unemployment insurance because they're independent contractors and all the liabilities are on the worker. They've got to pay their own Workers' Compensation and Social Security.

But what happens is that they usually don't claim this 1099 income because they know that they're going to have to pay more taxes at the end of the year. So it's a way for the contractors to take the burden off Workers' Compensation and liability insurance from them. And, again, creating an uneven playing field with legitimate contractors who carry their own payroll, the Workers' Compensation and Social Security.

So the type of organizing here that's going on is three-pronged, working with all three. All three are the targets and it is top-bottom organizing: talking to the men, educating them about the 1099 and the cash issue. That will be an issue in the event that they are undocumented or if they are documented workers who want to be citizens or permanent residents in the future, and this system doesn't work for them. Because the first thing they ask you when you go to an interview to INS, now IS, is if you have proof of paying your taxes.

This cash system doesn't work for anybody: it hurts legitimate contractors who cannot compete; it hurts our municipalities because taxes are not being levied, and yet they have to provide services to these workers; and, most importantly, it hurts the worker who cannot claim unemployment benefits and, if he gets injured, has no workers' compensation or disability insurance.

We've been using the 1099-cash issues as a selling point to everybody, and we tell them that it's best to play by the rules. Some Long Island developers and contractors are feeling the pressure and we are beginning to see some results. We're on the cusp of building two residential projects, because of all this political pressure and education of workers. My colleague, Omar Lopez, is actually the key guy in that area, working with these projects.

The residential construction industry is a mess. We have found that many "contractors" are just paper contractors -- they sub out the work. For example, a framing contractor could be getting \$6 a square foot to frame a house, but he subs it to a subcontractor, maybe an immigrant subcontractor who pays his employees in cash, because he can't carry payroll, because he's framing the house at \$2.50 per square foot. So the contractor is making more than double the price on a guy that's hurting his own workers. The subcontractor doesn't want to do it, but that's the way it is -- the contractor is the guy with the connections.

It's like a modern-day indentured servitude. That's happening here! But, these guys that are getting \$2.50 want to be this guy; the subcontractor wants to be the contractor. We're working with these contractors down here that see the injustice that is going on, with an understanding and a commitment from them and us that they will organize with us.

Q: So you're talking to the men and then you're talking to the developer too?

TM: Oh, yeah, we bring all these issues to the developer. A perfect example, in today's *Newsday*, is the National Home Builders are here in Long Island. They have a presence now in Long Island and are competing with the local homebuilders. We went to sit down with a major developer whose stock is like \$70 per share. And we went to sit down with them because of a concrete contractor who was doing their work. We did a lot of research and found that under Workers' Compensation, they were showing that said they only had ten employees -- but they really had 42 employees. For the past three years, he had only claimed ten people, but he's building like over 1500 homes here on Long Island! We sat down with the developer and let him know one of his contractors is not really claiming all his employees. He said he was going to investigate it And it turned out that there was an insurance audit coming up for this guy, who, for this audit, claimed thirty workers. So it's going to cost him a little more money now. The developer saw that and probably said, "You either fix your act or get out." That's what we're assuming happened. We're still talking with this concrete contractor. Hopefully, he will sign an agreement with us.

The impact that happened to the immigrants there we're not very happy about. Some of those workers did not have any type of documentation. Workers' Compensation is based on payroll. If you don't have a legitimate Social Security, sometimes you can't be on payroll. But, obviously, the government has thought about all these things and there's the tax identification number that's got the same amount of numbers. So we kind of help these guys to get their ID number. We were concerned that perhaps they would lose their job, but they did not. They're not union members, but they know that they have a friend with us. These workers want to come on board, so now it's our work to make sure that we get to do this work. It's all about relationships and we continue to build that relationship. We could turn the contractor, but if we don't turn the developer whose numbers may rise because, yes, he's going to pay a little more. Then we have a contractor that is not getting any work.

Q: So you try to get both the workers and the contractors to put pressure on or to talk to the developer?

TM: It's all three, because they're interconnected. The developers, the owner -- they provide the jobs, they give out the work. The contractor sometimes tries to compete with other guys doing the 1099 issue or paying cash.

There's no one watching the store, in other words. It's not a level playing field. Everybody's going to continue going lower, if there are no checks and balances here. And the one that hurts is the worker. And also the education that happens on the outside to our public officials, letting them know what's going on.

Q: Do you find that the Department of Labor and the wage and hours enforcers are any help or are they understaffed?

TM: They're completely understaffed. They are very helpful on the prevailing wage area on public works, very helpful. But they are understaffed -- through no fault of their own, because I know 'em well -- but they have a tremendous backlog. So we try to find the criminality here, so we can provide it to the labor unit in the district attorneys' offices, both here in Suffolk County and Nassau County, because it is fraud to not claim your Workers' Compensation. So what we did on the prevailing wage, as I explained before, is what we're going to do to put a stop on the abuses of paying cash, because it is an underground economy. So we've got to put a stop to this underground economy, because it's going to hurt the economic vitality of Long Island.

Long Island is one of the most expensive places to live in the country, and people making seven bucks an hour can't live here. That's why you had a case two days ago where sixty men were living in one house. So our issue is to make sure that people are paying their Workers' Compensation, they're paying their liability insurance, and they're not paying cash. And this is the way we're doing it: educating the men, talking to contractors, and educating the developer, because everybody's been looking at it completely the other way. That's what happened in New England Regional Council of Carpenters. They worked together with Harvard University to put together a study on the socioeconomic consequences of misclassification of workers and paying cash. It's a cancer in our industry.

Q: What are some of the major components of the community coalition? Do you have churches? Immigrant groups?

TM: It's mostly a Latino community, but there's also a black community and a white community. We're trying to get everybody together, churches civic groups, politicians like Phil Ramos, the first Latino elected to high office in Long Island. He's the Sixth Assembly District Assemblyman. There's a large Salvadoran population there and we're working with the Salvadoran general counsel, Luis Montes Brito. It's a nice melting pot in Brentwood. Mr. Wolkoff is saying that he's going to provide jobs to the community, too.

But what we're saying is there's no benefits. So, after fifteen years -- that is about how long that project's going to last-- they will just have fifteen years of pay stubs but nothing else to show for it. We're saying to the community that if he's really committed to providing jobs, they should be good-paying jobs with apprenticeship with a trade and a career. If you learn a trade then, after fifteen years of working in that project, you could end up with a substantial amount in your annuity. You would have some retirement money in your pension. We're saying is, "If you go with Mr. Wolkoff on this project with the jobs and pay that he would provide to you, you'd be like renting. If you were to really demand that there are high-paying jobs with benefits, then you'd be like buying a house, because, at the end of this project, you'll end up with some equity."

Q: You've mentioned a variety of tactics and approaches that the union's been using. The carpenters have used other methods in other places, and I wonder if, at present, you're relying on some of them. One is called "stripping," where, when the developer isn't being very helpful, a union will try to organize key skilled nonunion workers. That makes it tougher for people to build in that area because they can't get those workers.

TM: Yes, it's something that we do, usually, on a campaign with a specific contractor. We do it often because, first, we know that they're already skilled workers. And, number two, they're usually not getting what they really want. They make their own decisions, because we don't force anybody to come into the union. And we don't make false promises, either. But, if he's a good, skilled man and he'd like to try the union, we'd definitely welcome him.

Q: Another approach that's been, I know, controversial within unions has been with "funded market recovery" -- where you sort of subsidize a job for a union contractor. Is that something that has been useful at times?

TM: Sure it is. And it sure infuriates the nonunion sector. But they create job competitiveness. So, sometimes, we just come in and help a contractor for a specific project. It has parameters that we must follow because, otherwise, we're better off just lowering our wages.

Q: But what do you say if members were to say, "Well, wait a minute, you're sort of using our dues money, in a sense, to subsidize our employers?"

TM: It's not really to subsidize the employer. It's really so the employee, the carpenter continues getting his benefits and his regular wage. And they still get the same amount of money. The way they work is, let's say, there's a \$20 million job and this contractor is bidding against this nonunion contractor. Then he says to us, "You know, I think I can get it, if I could get help with this much." Then it goes through a union committee that figures if it's really true, and then they decide, "All right, we'll give you so much for that project," you know? Usually it will be for a specific job that's going to create more jobs for us.

For example, a contractor, a big corporation could say, "You know what? I don't want to use the union." And we say, "But, listen, you will be very happy with the project. We can show you that we can provide a good product and this isn't going to be your only work. Let's not butt heads. Let's give us a shot with this project. We'll figure out how to help our contractor. But give us a shot, all right?" So then they give us a shot and, yes, we help the contractor by giving him something per hour per guy, let's say. I really don't know how it works; I'm just giving you generalizations. But the ultimate thing is for us to get more work from this contractor. And, the next time, it'll be at the regular rate. It's kind of like a special, onetime offer. So we can get the rest of the stuff.

Q: Is there any pattern to how you choose which contractors or developers to organize? Is it mainly through research? Or is it a "hot-shop" approach, where some workers call you up, they say, "Hey, this guy's nonunion and there's some of us who'd like a union?"

TM: No. The way we do it is through research.

Q: You go after the bigger jobs?

TM: Yes. A lot of times, these are contractors saying: "I'm bidding a lot and this guy keeps coming in with these numbers -- there's no way he can do it with those numbers." Or they feel that they are being completely underbid by somebody. Or it's a contractor that just keeps popping up and popping up. So we go see through, say, *Construction Data News* or *Dodge Reports*. These are reports with jobs at a planning stage, bidding stage and award stage, and these show us where the jobs are. Now, our bosses don't want us in the office. Talk about accountability again! They don't want us in the office. They want us talking to the men, because the best way to organize is talking to the men. I've spoken a lot about "top-down," but we get to the top because we already done the work at the bottom -- talking to the men, finding out really how much they're earning, doing all the research on the company. Most of our work is on the job sites. We go visit job sites and we speak to the men, "How you doing? I'm so-and-so, I'm with the carpenters' union, how is everything?"

Q: But is it difficult to be allowed to talk to them on job site?

TM: Sometimes it is and sometimes we give 'em a union pencil, a carpenter pencil and say, "Give us a call. You want any information?" We give them literature that tells them what you're supposed to be earning on the job. You'd be surprised how many people call us back, because they're not getting that. And that's how we get a lot of these cases. It's like, "Listen, I've been working here and I've been getting this kind of money, and you show me I'm supposed to be getting *this* money. What can you do for me?"

Q: What do you say, in terms of some of the common fears that nonunion workers have? For example, if they say, "Well, you're going to get me fired." How do you answer that kind of fear?

TM: We tell them that, first of all, they can't fire you for talking to somebody from the union. That's an unfair labor practice. There's 35 things your contractor can't do, and we explain that to him. I will also say, "If you feel very uncomfortable right now, but you really would like to talk, can I give you a call?" And we get a name and phone number.

Q: What about dues? When I talk about unions with young people, someone always says: "Well, wait a minute, won't that cut like a dollar an hour off my wage?" How do you talk to them about dues?

TM: We tell them: "This building has electricity, mail's gotta go out, phone's gotta be paid. A lot of people join gyms and pay dues because you want to have a place where you go and work out. Well, this is a place that provides you with the training, the safety, the jobs. So you have to contribute to your union. Everybody pays it; it's like part of doing business. Our dues are \$114 a quarter; that's \$38 a month. When you earn \$57 an hour and change, you can pay your dues from three hours that you've worked.

Q: Another issue is always strikes. Do you get many questions or worries about that?

TM: No, we don't get a lot about that, or about dues. Most ask, "Will I work steady?" A lot of people that we speak to want to be in the union. Their issue is working steady. "Will you keep me working 52 weeks of the year?"

Q: And what do you say?

TM: No. I can't keep you working – you've got to keep yourself working. Because, in our industries, the more you know, the more you work. No corporation guarantees anybody full employment year-round either. The nonunion doesn't provide them. The reason why he's been working 52 weeks out of the year with the contractor is because he's making money for the contractor. If he was not producing for the contractor in this job, then he wouldn't be working all that time.

Q: Immigration, obviously, is a very controversial issue across the country and certainly in the building trades. Historically, a position some have taken has been: "They are threatening our jobs. Let's keep them out of the union." What do you say to workers who feel that the union shouldn't be organizing immigrants, whether they're legal or not?

TM: I won't tell you that we have some of those members. That could be a very good platform for some to run on, because you could find a scapegoat in anything, and, historically, the scapegoat is the new immigrant. What's happened is that, in the way we are set up, our structure now is different. My boss, John Fuchs, the ESD, and Douglas McCarron are very, very clear on our organizing. The reality is it's very hypocritical to be against workers when you're a worker yourself. These men are being exploited by contractors who are just filling their pockets with extra money on the blood and sweat of men.

What happened, historically, has been unions have been very anti-immigrant and they closed the doors. But John Fuchs gives the example all the time that he'd also want Long Island or the state to go through what Florida went through. In Miami, there was a very strong carpenters' union. But then there came the influx of Cubans and the union closed its doors. They didn't want to deal with the new immigrant. What happened was that Cubans are very entrepreneurial and they started building and organizing themselves and they ended up building Miami. And the carpenters' union in Florida is not very strong any more.

So he doesn't want to close the doors; he wants to embrace the immigrant and not just the worker, but also the Latino entrepreneur. Because, sometimes, that's the best way to raise all boats. You go with the contractor who wants to bring them up because, usually, a contractor tends to hire his own people. And so that's one of our strategies: to elevate the contractor, the Latino contractor with these workers.

Q: So do you see, among the non-immigrant membership, their attitudes changing on this issue?

TM: Oh, yeah, absolutely they're changing. Last spring, we had a district attorney here to give out \$400,000 to immigrant workers, before our shop stewards' meeting. The majority of stewards are American-born, white.

Some are immigrants. And everybody was applauding and very happy to see that. And now they try to help 'em. They have seen that all this work to help the immigrants has also meant more work for them. Because we went from like having very little on the prevailing wage, to almost having 90% on prevailing wage public works.

Gregory DeFreitas is Professor of Economics at Hofstra University, Director of its Labor Studies Program, and Director, Center for the Study of Labor and Democracy.

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Notes

¹ See, for example, the accounts in Delgado, Hector. 2000. "Immigrant Nation: Organizing America's Newest Workers," *New Labor Forum* (Fall/Winter): 29-39.

² Migration Policy Institute, 2004. For economic research showing similar unionization propensities among immigrant and native youth, see DeFreitas, Gregory 1993. "Unionization Among Racial and Ethnic Minorities." *Industrial and Labor Relations Review* 46 (Jan.): 284-301.

³ Newsday Editorial Board, "One Answer for Farmingville Day Workers: Unions," *Newsday* (12/2/03).