

## *Can Unions Win at Region-wide Low-wage Organizing? A Conversation with Hector Figueroa of “Justice for Janitors”*

by Gregory DeFreitas

**H**ector Figueroa is Secretary-Treasurer of New York City-based Local 32BJ of the Service Employees International Union (SEIU), now the largest union in the country. Local 32BJ represents over 70,000 building cleaners, maintenance workers, doormen, and other service employees. In April 2001, it launched with other SEIU locals the East Coast “Justice for Janitors” campaign. Its ambitious goal is to pursue a novel region-wide strategy to organize the entire industry of over 15,000 nonunion building service workers in the New York metropolitan area. In its first 2 months, the campaign won union recognition for over 1000 workers in “Wall Street West,” the growing concentration of New Jersey office complexes across the river from Manhattan.

Hector Figueroa was born in Puerto Rico in a family where both parents were active in the teachers’ union. As a college student there, he participated in the student strike of 1980-81, for which he was banned from the university. He completed his college education in New York City, then went to work in 1989 for ACTWU (now UNITE), both as a researcher and an organizer. In his more than 5 years with that union, he took part in several organizing campaigns including efforts to organize textile workers at Fieldcrest Cannon in North Carolina and was also very involved in the campaign against NAFTA. In 1995, he joined SEIU as research director of the Justice for Janitors campaign. In late 1997 and 1998, he went to Puerto Rico as SEIU Organizing Director for the island. He helped lead the successful effort to win a collective bargaining law for public sector employees. In February 1999, he was asked to serve as deputy trustee for Local 32BJ when it was put into trusteeship. In August 2000, he was elected to his current positions as Secretary-Treasurer of Local 32BJ. He also works as Political Director and Education Director for the local.

He was interviewed in late May at Local 32BJ’s headquarters in lower Manhattan by Gregory DeFreitas.

**Q: “Justice for Janitors” has been drawing a great deal of attention lately – both nationally with the new movie about it, *Bread and Roses*, and locally since your East Coast campaign kicked off 2 months ago. How is the organizing in the New York area going so far?**

**HF:** Very well. We have had tremendous success so far at bringing attention to the plight of the janitors. We have been receiving lots of coverage in the media including, for the first time in many years, an editorial in the *Star-Ledger* supporting low-wage immigrant service workers in New Jersey – and specifically the building service cleaners. We have been able to put in motion hundreds of workers and to mobilize 60 member organizers from our union who have been knocking at the doors of janitors to explain their rights and to ask their participation in the campaign. And we have also been able to set up 2 meetings with New Jersey contractors who operate across the whole New York metro area. In those meetings, janitors have been able to make presentations to them about what they are demanding. Even though they have not gotten yet a final agreement, everything suggests that we will be able to get some kind of agreement over the summer, particularly in Hudson County. So all this is thanks to the tenacity and militancy of the janitors. We had a week of strike activity late in April that elevated the campaign quickly to public attention. I’m very impressed with the way that the members have supported the campaign in such a short time period. When we had the first meeting with the contractors, for example, we had 100 workers there witnessing the conversation of their representatives. I think this is a very real campaign. It remains to be seen, if the contractors agree to a “living wage” in Jersey, whether the building owners will honor that, or if they going to choose the low road of replacing their union contractors with nonunion contractors.

**Q: You recently won a big victory at a large nonunion cleaning company in northern New Jersey. How did that happen?**

**HF:** Colin Care is the largest nonunion cleaning contractor in Hudson County, where we started. This is a campaign that goes county-by-county and seeks a master agreement for all of northern Jersey. But we have to organize county-by-county because of resources and also, strategically, it works better than trying to organize the entire state. Colin Care had a lot of work in Hudson County and was committing a lot of violations. The workers went on strike and they got the support of cleaners in Westchester County, who recently became members of our local there when Local 32-E in the Bronx merged with Local 32BJ. That merger allowed us to have good coordination, so that when the Jersey workers went on strike we were able to do selective strikes in Westchester, where Colin Care also

has accounts. That was what finally brought Colin Care to the table: the fact that they knew that, if they did not go along with the desire of the workers in Jersey to join the union, they would have a whole New York metro-area fight. I think that has been a tremendous ingredient in the success of the whole campaign, the willingness of the workers in other areas to even do work stoppages in support of the Jersey workers. If we continue on that road, I think we will have a very good chance of winning this fight.

**Q: What do you find are the main problems on the job that are driving more and more workers to want to join a union?**

**HF:** Obviously pay is a big issue, because most of these workers are getting minimum wage. Even if the cost of living is increasing just 3%, that takes a lot out of their pockets. Most workers are feeling that it's really difficult to provide any kind of standard of living on \$5 or \$6 an hour. So what happens is that workers are working 2 or 3 jobs. The other big issue is overtime, the extra work that low-wage service workers are obliged to do. For example, many of our workers have said that they would rather lose a minimum wage job than continue to have 3 of them, just to sustain their families. So, there's the combination of having to work many hours in a number of jobs and also the intensity of the work. A janitor in New Jersey cleans the equivalent of 6 houses in just one night shift, or 40,000 sq feet over an 8-hour period. This is a tremendous workload compared with Chicago or Manhattan or San Francisco where most of the work is unionized. So those are the driving factors. There is also the sense that the union can be the only mechanism for them to have a degree of job security and some health benefits, training benefits. The janitors are doing it for their children too. It also helps that our union has taken a very strong position on immigrant rights. So they see the union as a vehicle for them to assert not only their rights in the workplace, but also their rights in society. For example, in Newark we had a very well attended march for immigrant rights on May 1st. The janitors felt motivated to take part in the campaign when they saw the union marching alongside immigrant advocacy groups, clergy, and elected officers demanding more rights for immigrant workers. So I think it's a combination of the kind of campaign we're running: very grounded in the community and in the specific demands of this workforce. And also the unbelievable amounts of exploitation and low pay that the janitors are suffering.

**Q: Do the women janitors with small children have an especially hard time? Since many must work night shifts cleaning these office buildings, how do they manage to arrange childcare with this kind of pay?**

**HF:** Those who don't have relatives who can do childcare bring the children to work. This is one of the issues that we raised when meeting with the contractors. Many of them realized that it's true and shameful that many of the women bring their kids to work and even have them work alongside them to complete their shift. This is basically child labor. We are raising this as an important issue with the industry that we are prepared to litigate if it doesn't get solved through this organizing campaign. But in many sites we have found at least a few workers in a crew of about 15 who either bring their children to work for some time or have them wait near the work area. These are workers who have great difficulty going from work to home and vice-versa at night. Jersey City is now a better city, but it's still dangerous at night. We think these are also important concerns that we want to bring to the attention of building owners.

**Q: What are the most common violations of union organizing rights that you see being committed by these cleaning firms when they hear that there is interest in a union?**

**HF:** The most common ones are threats of being fired for union activity or for wearing union buttons or are distributed flyers. Another threat is in promotion: someone in line for promotion to foreman or forelady may not be promoted because of her sympathy for a union. Another one is moving people's shifts: if you have a day shift and are sympathetic to the union, all of a sudden you are put on the night shift with no real justification. So it goes from firings to making your work more difficult. We've been raising this issue in the campaign. Some of the worst culprits have been companies like Colin Care (before this latest campaign won) and Preferred Cleaning Company, which was cleaning the warehouse of Liz Claiborne. The workers at that site had to go on strike protesting unfair labor practices. When they struck, they got the support of the UNITE workers there. UNITE members refused to cross the janitors' picket line and did not work for 3 hours. We still have issues with that company. Maverick is another company in New Jersey that has been violating workers' rights. In a building of about 20 people, they fired 9. Maverick claims it was for other reasons, but all 9 were activists in the union. We have an unfair labor practice charge pending against them.

**Q: Have you been relying mainly on "salts" in these drives or have you been able to get current employees to organize?**

**HF:** We have been using a combination of techniques. In some cases we have used "salts," workers in the industry who are unionized come to take jobs. More often what we do is have union members in firms in Manhattan or New Jersey take a leave of absence from their regular jobs for 6 weeks. Then they go and meet the workers when they come outside to start a shift or at the end of a shift. These are techniques used many times by Justice for Janitors: worker-to-worker organizing. It proves to be very effective. We also organize meetings of workers on Saturdays or at night near the buildings. We invite the workers from the buildings and they can hear from nonunion workers who have joined the campaign about what they can do to win. It's really a very strong member-driven campaign. We only have 6 to 8 paid organizers, all but 1 of whom came from the ranks, and all but 1 of whom are bilingual and Latino. We have members coming from all over. We have had member organizers who joined the union who were recent immigrants from Yugoslavia.

We have had African-American members who were very supportive in the Jersey campaign. An Asian worker came out and made visits, and even though she didn't speak Spanish she was very excited about bringing these folks into the union.

You need to understand that many of these janitors work for the same contractors that the union members work for in New York. So they can see organizing is in their self interest, since if these contractors can get away with paying \$6 an hour in Jersey, then it's just a matter of time before they start bidding for work in Manhattan at low wages too. So that is a tremendous factor in the recruitment and training of our members who are already in the union to go out there and organize.



**Q: Given what you have said about how often some of these firms violate labor law, what do you say to workers who have a genuine fear that if they get involved with a union they'll be fired?**

**HF:** The question always comes up in the first organizing meeting. We do organizing through committees. Research shows that it works, if you have committed members. One of the very first things we go over with the committee members is that possibility. We don't hide it from them. We say we will fight it. We have a battery of lawyers and supporters who fight for the workers, and we have been very successful in retaining people in our campaigns. But it is a cost of a campaign. So we tell people this happens, we need to be prepared. And when it does happen we fight back very hard to right the wrong. We make sure that they understand that the more workers involved and the more we have a multi-employer kind of activity out in the open, like a strike or rally, then in the end the better off we are. The stakes are much higher for the company when the campaign is very public, when we tell people exactly what we are going to do, and when people already express in writing and verbally exactly what they are going to do, it's better than trying to have a secretive campaign where it would be hard to prove that people were actually involved because nobody knows that they have been part of the effort.

Part of the success of J4J is having the workers in motion. The time between a worker first saying, "OK, I'd like to join the union" and taking an action like a strike is very short in our campaigns. It requires a tremendous amount of effort. Strikes are the method that we organize through. No campaign in J4J has been done without committing workers to strike. The strikes are against unfair labor practices, which unfortunately these contractors are too prone to do. As soon as people express interest in the union, managers and supervisors commit these violations, and that's when the workers have the opportunity to strike and to be able to go public with their demands. These are not economic strikes.

**Q: How big a threat to Local 32BJ's efforts are company unions?**

**HF:** They present a threat because 32BJ dominates the market. This is both a geographic and an industry market in the sense that within the NY metro area contractors grow and die, and building owners operate across the region. Because prevailing wage levels are determined by our master agreement, there is always the possibility that a contractor can say, "Well, I can cover myself, because this is largely a union region. Then I can make a bid on a building and say I have a union." They do that by going to other unions that are willing to negotiate contracts with wages that are far below the prevailing wage of the 32BJ agreement. Very often these are "independent unions" like District 6 or Local 713, which are not in the AFL-CIO.

But, frankly, there are sometimes even AFL-affiliated unions who, in their need to increase membership or because they have been contacted by the workers, may end up negotiating contracts. Because they don't have our industrial strength, their contracts are site-by-site contracts and can only settle for very low wages. So one of the issues we are raising in the AFL-CIO, particularly for janitors, is that we have to have a discussion about jurisdiction. It doesn't help when we have other unions with substandard contracts, it doesn't help when those workers are not in 32BJ. It actually undermines what we are trying to do, and it is not fair for those workers either. We say the same works for us: we do not organize in manufacturing and we do not organize people in retail stores, even if we represent the stores' maintenance workers in the mall. Because we feel that we will not be able to secure a decent contract for them, because the bulk of our membership is not in that industry. I think that that's one of the issues we need to be pushing in the AFL: how can we have industry-based organizing that acknowledges which unions have the capacity because of their density and because of the companies that they represent to organize workers and bring wages up. As opposed to just organizing workers and not be able to increase wages because they don't have real industry power.

**Q: Aside from talking with the AFL-CIO about these affiliated unions, how do you deal with the threat from these other unions that have no AFL affiliation at all?**

**HF:** First of all, we make sure that the workers, many of whom don't even know they belong to these unions, are aware that they are in those unions, and also that they could enjoy better representation if they belonged to 32BJ. We're very open about that. Very often we help those workers. More often than not, those workers already have issues with such independent unions. It's very rare that those unions get into our jurisdiction and try to take workers away from us. Especially in the last few years we have been very aggressive at defending the sites we have. But when we encounter those independent unions, the workers already have many issues there. For example, the PATH trains are cleaned by a company called TUCS. The workers there have been represented by District 6. They saw their wages being cut in half, from \$15 an hour, when the contractor was paying prevailing wage, to a negotiated agreement for \$5 to \$7 an hour for the cleaners. So the workers began to have a series of complaints about the health insurance and about the representation they were getting from the union, and they contacted Local 32BJ. Even though they are in the PATH terminal, we decided to support those workers because they were very motivated to win that fight and be able to join the Jersey campaign. We won a decertification election against District 6 at the PATH and another at the Harborside Financial Center, that last one by a vote of 66-0! Basically what we do is organize the union with those leaders who are already there, already with concerns about the representation they are getting.

**Q: The SEIU has gained a reputation as being one of the unions most successful at adopting an "organizing perspective." About what share of Local 32BJ's budget actually goes to organizing today?**

**HF:** Nationwide, it's about 30% and I believe that the last convention set a goal of 40%. In 32BJ, there was no organizing department before the new leadership came in. So for the last 3 years we have been building that organizing department. Last year we spent 15%. The mandated share for all the locals to reach is 20%. So we are almost there. The SEIU strongly urges all locals to spend 20% of its budget in organizing, if the local is to qualify for organizing subsidies from the international union. So we are pretty much there now, finally, and we think that we are going to commit even more. Last April 2000 we had our convention in Pittsburgh and there was a strong discussion about how can we increase resources for organizing because, despite the success of SEIU, we feel that we have to organize more people. For example, in building services, we have organized over 50,000 people in J4J, but we represent several percentage points less janitors nationwide than 10 years ago because the industry has grown so much. The same thing in health care. So the issue is whether we can catch up or even supersede the rate of growth in the service sector. There was a mandated dues increase of \$20 per month over 5 years for our members and that money is to go primarily to organizing. Our members were willing to accept that increase because they know that the only way we can sustain our standards is by organizing. We don't want SEIU to go through what happened to the auto workers or to other unions. Once they got a critical density, they stopped making organizing a priority, and soon the industry was nonunion again. We don't want that to happen. So there is a tremendous effort in the union at the top of the agenda in terms of personnel, commitment, and obviously money. We ask the members to contribute even more to that, because we don't want other services of the union program to be weakened by organizing. So it calls for more resources.

**Q: What kind of training do you give your organizers?**

**HF:** It varies across the SEIU. At the moment in building services, we feel that we have a model that's adequate to the needs of our industry. What we do is get members out from their jobs either on a leave of absence or on volunteer time, and we formally train them. We offer them a seminar about the industry, we teach them about the cleaning contractors in the area, how the market works. We go through the lesson of how the industry is structured around tenants, owners, and contractors. Once the members understand that, they can then focus on what's next in the training: community outreach, strike activity that we do. Because then they understand that organizing in our industry is not simply about an election that's being held and the majority of workers expressing their desire to join the union. It's about making sure that the building owners will actually respond to the workers' demands to have a living wage and for

a contractor to provide that living wage. If we don't engage the owners and managers into accepting their social responsibility over what the contractors do, our organizing does not succeed.

The members learn that both through formal training and in practice, by participating on the street in the various activities of a campaign. It usually lasts about 6 weeks. The whole member organizing program is an opportunity to learn by doing things. We have had about 120 workers in 32BJ pass through the member organizing brigade. It depends on the capacity of each local. We have had the ability to take members on leave of absence for 6 weeks. Sometimes 20, 40, or 50 at a time, but other locals don't have that capacity. And that's why the international is trying to pull together the big and small locals to be able to contribute percentage-wise to a common solidarity fund. The bigger locals have a responsibility to help small local with resources to enable them to bring members on a leave of absence for the same programs, or for the big locals to develop members who can be sent to the small locals to build their organizing capacity. That's just starting now. For example, the East Coast janitors campaign is from Baltimore to Philadelphia to New Jersey. We have organizers going from New Jersey to Philadelphia and Baltimore, as well as organizers coming from Baltimore and Philadelphia to New Jersey. And, as a big local, we bear the responsibility to make sure that the whole campaign succeeds.

**Q: The regional nature of this organizing drive is really distinctive. Why has the union adopted a broad regional, rather than a more local, strategy?**

**HF:** When J4J started it was a local effort. Even though it was a national campaign with a national theme, it was really a local campaign. Denver, Seattle, Washington, D.C. — all were done as local campaigns. Over 10 years, that's how it was conducted. This new strategy was really imposed on us by the industry. As we were doing local campaigns, more and more of our cleaning contractors grew to regional, national, and even international companies, publicly traded. There was a drive in the industry for the last 15 years to make it more concentrated. And building owners began to go public in the form of REITs [*real estate investment trusts*] and to operate in many cities across the country. And property managers began to operate across cities and states. So, in 2000 we had a national coordinated bargaining effort that included Los Angeles, Cleveland, NY, and Chicago. That was the first time that we really began having more of a regional focus, in a coordinated fashion, both for bargaining and organizing. The West Coast campaign began with a strike in LA, but people were negotiating also for organizing Orange County. So there was a coordinated effort that won significant victories. Orange County brought 3,000 members into the union, and the workers in Los Angeles were able to increase their wages and get health benefits. Same thing in San Diego.

We're trying to replicate that now on the East Coast, to organize Baltimore, Philadelphia, and New Jersey at the same time. Many of the contractors are the same, many of the owners are the same, and it doesn't make sense just to have a local campaign. We can help each other. We can move a strike to Baltimore when we are striking a building owner (if they employ the people directly) or a contractor in New Jersey. Because we have also adopted a set of principles in the union that all locals try to negotiate in contracts. One of them is honoring picket lines. For example, if we have a picket line against Colin Care in New Jersey, we can also put that picket line in Philadelphia. And, if they have in their contract the principle of honoring picket lines, then the workers are not going to cross that line. That's a very powerful instrument in spreading the strike across the region. In our industry, workers can be replaced very easily. So you have to have a multi-site strategy for strikes that involves different cities and adds to the power of the union. A contractor finds it more difficult to sustain a regional strike than a city-wide strike. It's more difficult to replace the workers and more difficult to manage for them.

**Q: Why has the organizing so far not included other parts of the region, like Long Island or the city?**

**HF:** We also have been involved in the city, and not only by sending members to organize. For example, Planned Building Services' workers have been on strike for 100 days in the city, as well as in New Jersey. So when we see an opportunity to strike in both places, we do. In other situations, it doesn't require a strike. It may mean just a one-hour meeting. Or people come late to work because of an orientation, which is a legitimate thing to do. It also depends on the capacity of the union.

The problem we have in Long Island is that unions have ignored it over the last 10 years, to the point that we have to rebuild Long Island in a big way. So unfortunately, Long Island has not been participating yet in this coordinated effort at this time. In Long Island we tried to build our capacity. But we realized both our limited capacity as well as the potential there when Stamford workers who were working for cleaning contractors operating in Long Island or employed by owners with properties in Long Island, went on strike. We did activities in our Long Island buildings to support that strike. We learned both our limits and our potential. So what we are trying to do now in Long Island is build a base that will be able to replicate there what we are doing in Jersey. It will take some time. Long Island is very distinct: the geography is much more dispersed; the office complexes do not necessarily coexist with a downtown. So it is still something that we need to figure out. Most of our campaigns have been from a central district to leveraging the suburbs. Long Island is almost like an entire suburb. It will present some challenges. The same thing is true for Morris County and Bergen County in Jersey. We are still trying to devise a strategy to apply in those situations.

**Q: What are some of the difficulties entailed in a region-wide approach to organizing?**

**HF:** Capacity. The most important thing is having enough members who are good at organizing, who have gone through the training, who can take a leave of absence and commit to the long hours. Having enough organizers who can manage the member organizers and provide enough guidance and development. The other difficulty is that, in an industry where we are physically limited to the work site, if you get too dispersed, it's very difficult to manage a strike. You know, we don't just strike one building and stay there with pickets in front of that building; we take strikers from one building to join strikers at another building so that we can create a critical mass of people who can do rallies and actions. That's more difficult to coordinate on a regional basis. But if you are able to move beyond those obstacles, it's a far more powerful operation. We think it's worthwhile, worth the time you have to put into developing member organizers and to figuring out how you move the workers.

**Q: Has the AFL-CIO played any role in the East Coast organizing drive?**

**HF:** The AFL-CIO was extremely helpful in Stamford in 2000 when we were organizing there. That was part of a joint AFL-CIO effort to also organize in the health care industry and in other sectors. The AFL-CIO Organizing Institute in Stamford was an example of how they can support Justice for Janitors alongside other campaigns. The AFL-CIO has also been helpful in establishing relationships in New Jersey. Where we don't have a very solid base, they have opened doors with local officials and with community organizations. So, that sort of role has been very positive. It could be better if the AFL-CIO was not so fragmented in New Jersey. We have a central labor council in Hudson County, another in Newark, the state AFL-CIO... The CIO and AFL never merged in Jersey, so they have their own separate organizations. New Jersey is a very special place, but we have managed to work with everybody. So far they have been very helpful with the campaign, but I think they could be more helpful if they could establish a very clear agenda for the labor councils and if the councils were more focused on low-wage service workers and immigrants workers in Jersey than they have in the past. But they're making progress. I think that the changes at the top of the AFL are helping bring attention to the need to have more strategy and coordinated work, and also to focus on organizing.

**Q: Later today, a few blocks north of here, the AFL-CIO is holding its convocation to launch the "New Alliance" restructuring plan in New York State. Do you view that as a hopeful effort to try to deal with some of these problems?**

**HF:** We see that as a hopeful effort, but we are a little concerned that other efforts in the past have not been accompanied by a clear strategic discussion about organizing in particular. Most often the efforts of the organization have been more on the side of politics. There are differences of opinion within the affiliates on how important organizing is. Public sector locals may not feel that organizing is as much of a priority with them as it is for private sector, especially low-wage service locals, where it is a matter of survival. So, our only concern with this effort is to what extent will there be a very strong emphasis on organizing – to the point where even if relationships among affiliates may get into conflict, the AFL will be willing to raise the stakes on organizing and to deal with those conflicts that could emerge. Just to make the point that this is the top priority. So this is what remains to be seen. We are just a little more cautious than other unions in the area in trying to figure out if this is just another restructuring that works for politics but does nothing to really cultivate resources for organizing. Or will it open finally the door to massive organizing here in New York.

In New York, there is a tremendous pool of nonunion workers. There is a tendency to forget about that because the majority are public sector unions and very powerful. We think that that should be the number one priority. Another priority is figuring out how affiliates work in such a way that we do not attempt to organize whatever is out there, even if it's out of our jurisdiction, instead of having a coordinated program in which people stick to their jurisdiction and bring in more resources, more help. Because organizing one industry may be harder than another, but the AFL is there to help mobilize entire federations to support the difficulties that some affiliates may encounter. But, that's not what's been happening. There has not been a real, honest, candid discussion about where people organize and how we build industry power.

**Q: So even if it's a "hot shop" drive by one local outside its territory, the AFL just goes along with it?**

**HF:** Most often, the AFL does not challenge hot shop organizing and more often than not the AFL does not call the question of affiliates going into each other's jurisdiction. We feel that the time has come to start raising this as an issue in a friendly and positive manner. We want a strong AFL and we want a strong operation. The other thing that needs to be solved is at the level of central labor councils and the state fed: exactly what is the role for each? If the state fed is to be leading politics, that would be great. And then leave the organizing to affiliates and support affiliates. But, we feel that the real discussion is among affiliates as to what is to be done with organizing. We feel that having the AFL develop its own organizing program doesn't necessarily address that question. We are, of course, committed to support Sweeney and to moving the New Alliance. But it's also clear that, for us, this is not about having the AFL doing organizing. It's about the AFL raising the question about organizing and figuring out how organizing can be done by the affiliates on an industry-wide basis and solving conflicts among affiliates in the process of doing that work. That's my personal opinion in a way, but I think it also reflects the opinions here in 32BJ and within SEIU to an extent. We haven't had really a formal discussion

within SEIU; we have had discussions within 32BJ and they more or less reflect that view. But our president, Mike Fishman, is the one involved in the New Alliance and he can talk about this much more.

***“What we do is try to create a crisis --to create a situation in which the urgency of these workers having to earn a living wage now or having health benefits now becomes very apparent to everybody in the community. These are invisible workers.”***

**Q: Has the New York City Central Labor Council been very involved in Justice for Janitors?**

**HF:** The CLC has been very involved in providing a general framework of support, especially when we have confronted a difficult fight. For example, when a contractor goes union and then they're kicked out. The health insurance concern HIP kicked out a union contractor and then brought in a nonunion contractor who refused to hire the people back. About 150 to 200 people lost their jobs and the Central Labor Council was instrumental in mobilizing the union affiliates who were using HIP for the members' insurance plan to raise their concern about this behavior. I think this helped educate the HIP directors about what they were doing, was it really in their self-interest. And they ended up bringing the work back union and rehiring the workers. Without the CLC, that fight would have taken much longer than it took. It took a few months, but it would have been difficult to win it without the UFT, 1199, and DC 37. Brian McLoughlin was instrumental in getting these folks to participate in our effort. The same thing was true at the Brooklyn Renaissance Plaza, where the building owner was getting a lot of money from the city and the unions with better political relationships with city officials were helpful in bringing those city officials to support the workers. In that sense, it has been very helpful. I think we can always do more. You know, the stakes are so high that we can never be complacent about what we do.

**Q: AFL-CIO President John Sweeney led 32BJ in the 1970s before becoming national SEIU President in 1980 His successor as 32BJ President, Gus Buvona, earned a far less savory reputation. After his fall, the new President, Mike Fishman, promised to undertake reforms. What has changed so far?**

**HF:** I think if you asked members they'd say a lot of changes have taken place. In particular, we have been able to turn the union into a more participatory union. Thousands of activists have been mobilized for different actions and rallies and hundreds have been able to do even more – to take time out of work to do organizing or politics. We think that the degree of member involvement has been significantly higher. We have a very representative executive board that includes folks recent to the local, as well as veterans of 20 years or more. We have Latinos, folks of European descent, African Americans. We have hired more African American and Latino staff than existed ever before in the union. Because we cut salaries and compensation at the top, we were able to keep the payroll at about the same level and actually double the number of people on staff. We have created for the first time a Political Department, with a strong MPO [*Member Political Organier*] program in which 6000 members have participated and have volunteered to give \$2 dollars a week to be in the political action fund. We have built an organizing program for the first time in many years in the local, and we also have a field operation that now includes Westchester and the Bronx, by virtue of mergers. We now have 70,000 members again. We now have every SEIU building service local in the metro area as part of 32BJ. In that sense, I think there has been a lot of progress.

There is still a lot of work to be done. We need to train and involve more workers in organizing. We need to take care of Long Island, and develop a program for Long Island that makes sense and empowers the workers there. The same thing in Westchester. These are two areas we need to focus on a lot. We have started with New Jersey because there are 10,000 to 15,000 building service workers there, the biggest density of nonunion workers in the area. So that if we don't organize there, it will be very difficult to get the owners and the contractors to pay attention to us and to do the right thing in Long Island and Westchester.

I think that the success of the local should be judged by how successful the New Jersey campaign is and by how successful we are in making our members realize that organizing has to be a top priority for them. On the services side, we negotiated the first ever contract in the country that allowed members to have a free computer for minimal training. About 30,000 members have gone through the training and about 24,000 have chosen to get a computer, which is pretty remarkable. We have also been making changes in benefits to improve them. But we have also been very honest with the workers. We tell them that they are the highest paid building

service workers in the country and enjoy great benefits, but that is not enough with the cost of living in New York for people to be treated entirely fairly. But that level of benefits can only improve if we bring in those who are earning \$6 an hour, who have come new to our industry, to raise them to our level and to close the gap. So we have grown a campaign and we have grown a local with the assumption that closing the gap between the lowest-paid and the highest-paid is the top priority.

**Q: You mentioned the new movie *Bread and Roses*, which is based on the J4J drive in Los Angeles. I've noticed that SEIU has been featuring it on its web site. What do you think about that movie? How accurate is it in portraying the LA campaign?**

**HF:** Well, I think we need to distinguish between how accurate it is in portraying the conditions of workers and in portraying the campaign per se. When we showed the movie at Quad Cinema last week, Yoani Luna, one of the striking workers here in Planned Building Services, was in tears afterwards. She went on describing how the behavior of the managers in the movie was almost exactly what she experienced at work in terms of harassment. She cried when she described how many pregnancies happen at work because of relationships between workers and supervisors. Sexual harassment at work is a very real situation in this industry and I am very glad that the movie highlighted that. If you also consider the debates among the workers and the diversity, that's all very real. That aspect of the movie is very realistic, and every time we show it the members either cry or talk about it or say, "Wow! Finally somebody's telling our story."

The organizing campaign is a movie. And I would say that any organizer who behaves like Sam in the movie would be fired! Because organizers don't get involved with members in that way and still be reasonable about what they need to do. And also the role of the organizer in the movie, because of the need for drama, was made the pivotal character: he was the one giving big speeches and doing things. So I think that aspect of it was very fictional and entertaining.

**Q: And he was a white male.**

**HF:** While we have organizers who are white, the majority are actually nonwhite in our campaigns and come from the 32BJ membership. So I think that was fiction. But I think it was accurate in terms of the kind of commitment that it takes and the kind of strategy, which is basically to bring attention to the plight of these workers. And not necessarily going through elections, but through public education of the owners and contractors. And I think it was accurate about the importance of raising the question of immigrant workers. In the movie, it is raised by the director. In practice, in our campaigns it is also something that we rally and organize around. In that sense I think it's a wonderful movie. Even though, every time we show it, the staff has many comments about the organizer and his behavior and the members love it in terms of the actual workers involved.

**Q: One thing about the movie that has drawn some criticism from immigrants I have spoken with is the treatment of the older sister. She's the one who breaks down dramatically and admits that she had to sleep with a supervisor to get her family into the country. Some felt this was insulting to Latinas who work very hard to help their families and don't do that sort of thing.**

**HF:** We got that comment from some members too. I think it's a question of fiction versus reality. When we showed it in LA and New York, the members said: "That's not the way that we are." But Yoani said that she didn't think it was so much that the sister was prostituting herself to get a job or help her family. It was about the reality that immigrant workers sometimes make incredible sacrifices. Part of survival involves making tremendous sacrifices that sometimes are not acknowledged. Like the *NY Times* put it, it's about the costs of survival.

**Q: What are the main challenges that the union tends to experience in organizing immigrants? Immigrant workers are, of course, a subject of great controversy for some unions. But they are central to your organizing, aren't they?**

**HF:** Yes. In New York in particular, one of the biggest challenges is the multinational character of immigration. Contrary to what the movie portrays (which is generally true in California, where most building service workers are Latino immigrants), in New York you have Latino, Eastern European, African, English-speaking Caribbean, Asian. So, one of the issues is always how do you develop unity among these workers. In New Jersey, most of the workers have been Latino, but in New York, it is incredibly diverse. I remember a meeting here of nonunion workers where we had to translate into 5 languages: Serbian, Sri Lankan, Italian – believe it or not, we still have Italians coming into this industry -- and Spanish and English. So, that's one of the challenges: to create unity out of this diversity. The second issue is obviously the fear of intimidation and deportation. That's why we're putting such high stakes on the question of immigrant rights. It will be a lot easier for workers to take action and join the union if they know that deportation is not going to happen and if they had the ability to bring their families and enjoy the fruits of their labor without retaliation from employers. We have found that, more often than not, people are willing to take risks because the conditions of work are so shameful and terrible. But it's not good that people have to overcome this because the conditions are so horrible and they fear deportation. That's not how it should be. So, that's an issue we have to deal with.



Lastly, there's the question of how do you integrate the members into the formation of the union. That's the biggest challenge of the Justice for Janitors campaign. It's still a new campaign and it hasn't gone without difficulty integrating the immigrant workers who are organized into the life of the union and developing the capacity to be leaders of those unions and the people who drive the program of the union. The biggest challenge we'll have long-term is to ensure that people we organize are not just rank and filers but are key protagonists in the whole life of the union in many different ways. It's still always a question of language. But it's also a question of recognition of the special needs of immigrants, and making room for them, both in the course of the campaign and afterwards so they can fully participate in the union. You have to be mindful of the ways that families are valued among immigrants are very different, the way that relationships between them and employers work out are very different. You have to be very mindful of all those things in enabling them to enjoy the benefits of the union. Like we have a training school here, but maybe we should have training schools in Brooklyn and Queens so that immigrants do not have to come all the way here. We have English as a Second Language courses, but many of our Anglo and African-American members want to learn Spanish so they can speak to their co-workers. So it opens up a whole series of issues that I think we have to address.

**Q: What role in immigrant organizing does coalition building play; that is getting community groups, labor-religion folks, academics, students, and others involved?**

**HF:** It plays a critical role, because one way that immigrant workers can have rights at work and be able to participate in society is through the union. So we try to make it very clear with immigrant advocacy groups and others that the union can be very good for them to realize the American dream. And likewise we see that those groups have many needs for them to succeed in advocacy. If unions are supportive of their efforts, with resources and political relationships and with expanding general awareness of the issues, that's what we have to deliver. It has to be a 2-way street. It's difficult to build these coalitions because there's always pressure in organizing campaigns to win one campaign and move on to the next campaign. There's always a tension between how stable and long-term a relation you build and how much immediate involvement of people you have so that the work will succeed. But I think that, in the end, no campaign works unless we have a lasting relationship with the communities and other organizations. That's what we have been learning and developing on the West Coast, building the relationships to the point where we are both advocates on the same issues

**Q: For immigrants who are fearful of getting involved with a union for the first time, does approaching them through their churches and other community institutions help?**

**HF:** It helps, especially in terms of them feeling more committed and trustworthy of the effort. But what we find more often than not, and this may be very surprising, is that the workers are ready to join the union. It's more a question of them feeling that there is enough social support behind them so that, when they get into a big fight or the employer does something bad, there will be enough voices out there saying, "That's wrong!" I think that's what we have found by experience is most useful in the campaigns. When we have religious leaders doing civil disobedience and calling on owners to do the right things for these workers, then the stakes are much higher for these companies violating their rights and the workers feel more comfortable seeing that they have that kind of support.

**Q: Saying that immigrants today are ready to join the union runs contrary to what some union leaders seem to think in unions that have not traditionally had many new immigrant members. Why is this? Besides the working conditions, have many of the immigrants already had some union experience at home?**

**HF:** We have some workers who have had union experience at home, especially Salvadorans, Peruvians, and, to a lesser extent, Mexican workers. They know that unions can fight for them and they come with that consciousness and immediately make you aware of that. Also, many from Puerto Rico and the Dominican Republic. But also it may be a special situation for us. The reality is that in our industry the union-nonunion wage gap is enormous. A cleaner who is union in New York earns \$17 an hour, with pension, health care, training fund, legal services for free. You compare that with a nonunion worker making \$5 or \$6 an hour with no benefits. So the stakes are very high for that worker to join the union. At least in this metro area, joining the union is quite a good proposition for the workers. I think the other issue here is that I am not talking about every worker but about the critical mass of workers we need to succeed. And because we don't do elections, that critical mass has to be big enough so that it can disrupt operations in the course of a strike, can bring enough public attention, and can drive and mobilize the rest of the workers. We don't necessarily strive for an immediate majority of workers to be brought into the fight, we just look for a critical mass. And once they show their coworkers that there is a fight that is public, more often than not the rest of the workers do support one another. You know, solidarity is a very real thing; it's not just an analytical construct. Once you have workers move very quickly from, "Yes, I'd like to have a union in my worksite and be a leader in that effort," to saying, "Yes, I'm willing to strike and to pull my coworkers in a strike and to be able to make my case on the street" – that whole dynamic actually drives people to be very active to support a union. I think it's a more effective way than going through a NLRB election and asking people quietly to vote after being subject to an anti-union campaign by the employer. It's a much different dynamic.

When we have master agreements, we try to create a situation in which the employer will voluntarily recognize the union and sign into the master agreement. When we don't have a master agreement, we try to bring enough employers to the table so that we can figure out what the master agreement will look like. We try to avoid elections, but we don't rule out elections at all, especially when we have competition from other unions. We go after elections to make it absolutely clear that the workers are with us, like the case of Harborside. When we don't have competition from other unions, workers sign union cards very quickly and then it's a question of getting card-check recognition. What we do is try to create a crisis – to create a situation in which the urgency of these workers having to earn a living wage now or having health benefits now becomes very apparent to everybody in the community. These are invisible workers. If they had elections, nobody would care. If they had to go through a bargaining process building-by-building, nobody would care. And the building owner, with 30 days notice, could terminate that union contractor and bring in a nonunion contractor. So the only recourse that these workers have is to be able to bring enough public support behind them. And then, if you get all the contractors to acknowledge the needs of the workers to earn a better standard of living and to get a voice at work, then the issue is getting the building owners to respect that decision of the contractors and to keep them in the building. This may be unique to our industry. I'm not proposing that every union do this. But, at least in our industry it's a more effective way of winning union support and a more effective way of winning contracts and standards.

International solidarity is another aspect of the campaign that we have been developing quietly. The work force is so international that we have very good relations with the unions in the countries our workers come from. Also, the international building service industry has been reorganized and its unions have all joined into one network: Union Network International (UNI). When we meet in Berlin this August, we want to put at the forefront of the agenda the issue of immigrant rights. In some industries that connect internationally through the movement of capital, commerce, and trade, in our industry it is through the movement of workers. And that's what we want to build our international solidarity around. We may participate in a proposed march to the Mexican border in 2003, an international gathering in front of the "new Berlin Wall" there, to demand respect for human rights and better policies.

**Q: Is each master agreement just countywide, or do you try to spread the city's master agreement as far across the region as possible?**

**HF:** Well, the master agreements need to reflect the economics of the region. So, the wages in an agreement on Long Island cannot be the same as in New York, because office rental rates are not the same as in New York. That being said, we try to have a master agreement that has common language across a wide geographical area. So we try to have the same language in New York as in Long Island and New Jersey. Although, if a campaign offers us an opportunity to improve that language, we take that opportunity. And then we try to have wages such that the differential in terms of rents is reflected in the wage differentials, with the understanding that there is always a floor that is necessary for basic human needs that everybody needs to commit to: a living wage. So, in the case of this metro area, it's hard to say. But people should not be living below \$9 to \$11 an hour. Below that you're at less than a poverty level. In the case of Jersey, we think that the areas outside cities should have at least \$9 an hour, if not more, and that the cities there should have a rate not much below New York, because the rental rates and the cost of living are similar. We try to raise the floor and then try to figure out how high the ceiling is. But it's better that it be multi-employer, multi-site and as broad as possible, because then you can defend it better. If not, you can lose a union overnight, because owners just have to put their building up for bid and then the union disappears. What we try to avoid is contractors competing on the basis of how much they pay a worker and get building owners to accept that this is what the cost of labor is in the market. Let the contractors compete on quality of service and hours, but not on the backs of these workers. And that's why we try to establish an area-wide agreement.

**Q: What do you think about the campaign now in New York City to pass an expanded living wage law that would require firms with city contracts or subsidies to pay wages of at least \$10 an hour, plus health insurance?**

**HF:** Yes, that would create a floor for contractors who are one way or another connected to the city and we're all for it. We're for the minimum wage and the living wage, since they raise the floor. And we are also for finding ways that other benefits can kick in for our workers. For example, leave of absence is one thing that we are very serious about in New Jersey, because many of them are immigrants who must go back to their countries to take care of their families, for vacations, whatever. So workers should have the right to take a leave of absence, even if it's unpaid, and come back to work. They should not have to choose between going to attend an ill parent and losing their job.

**Q: What kind of demands does the union make about improving work hours?**

**HF:** Most of the nonunion work around New York is part-time. So, our campaign revolves around 4 demands: first, a living wage; second, family health care; the third is moving part-time work to full-time; and the fourth is other kinds of benefits that are specific to the nature of an immigrant work force, like the leave of absence issue I mentioned, English as a Second Language, and training. We want people to be able to leave this industry and find a better future somewhere else. Who wants to be cleaning toilets all their life? We want the union to be a vehicle to find something better.

**Q: Which of those 4 demands do employers resist most?**

**HF:** Part-time work and health benefits are the ones that they fight to the bone. They claim that part-time work has been imposed by the building owners who want to save energy costs because of buildings operating just part of the day. They even claim that workers want part-time work, which I don't believe at all. Nobody has come to me and said, "Oh, don't work me full-time!" I think it's a way for them to save money. But those are things which we have been able to move in other cities and we are very determined to move it back to what it was. This industry was once full-time and directly contracted by the building owners. Then they started subcontracting, and that's when it deteriorated to the point that it went to part-time. One reason it went part-time is that nobody in her right mind would be willing to have a full-time job that pays so little. That's part of the problem: we have to make these good jobs, and going full-time is part of it

**Q: A few weeks ago, students at Harvard staged a 3-week sit-in at the university's administration building to demand a living wage for janitors there. This drew national attention to the plight of building service workers at a university with a \$20 billion endowment. Events like that, and also the Seattle and Quebec City demonstrations around globalization have raised hopes that youth are getting more concerned about social justice. What do you think unions can and will do in coming years to try to attract more young people?**

**HF:** I think we need to put the message out there, and match that message with the reality of our commitment and resources, that the new civil rights movement for the 21<sup>st</sup> century is fighting for low-wage service workers, many of whom are either people of color or immigrants. And that's where the next fight for civil rights needs to happen. And I think that, if we do that, we're going to have much more of an ability to attract young people. Many of these cleaners are very, very young. That message needs to be out there more, not only for J4J, but for other service workers. Look who does the hotel work – it's mostly young workers. Look who cleans buildings – it's mostly young workers too. So we need to have a movement of young people, at work and in the universities. I don't think we have yet done that very effectively. I really think that this initiative at Harvard and in other cities across the country where students have engaged in the fight against globalization and against sweatshops gives hope that there is the possibility of a youth movement that is concerned about working class issues, and will hopefully bridge again youth with the labor movement. But, for us to be able to do that, the movement has to really make a commitment to organize youth where they work. It's about college students being involved in the fight, having an important role to play. And, when they graduate and get jobs, to bring that social commitment. It's also about us uniting the youth in this country – those who work for miserable wages and get exploited and those others who are in college and can be spokespeople for them. So, I think that if we emphasize that aspect of this, it might be a good thing.

There's too much cynicism in society. Somehow every fight is a generational thing. I think that youth today are following the sixties' youth in the civil rights movement and those of my generation who were in solidarity with Central Americans fighting the Reagan policies there. I think there is continuity among youth in America to be concerned about these issues. The problem is that unions do very little in addressing these issues or being involved in this fight. We want interns in our campaigns and want youth to be part of our campaign. We're having a Union Summer for the children of our members and I think that's part of the fight. So I hope that when we organize on Long Island, we can have some of your college students be a part of it!

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