Gompers Redux? or, Does Labor Need the State to Meddle?

Posted on December 14, 2012 by Randi Storch

I am finding it hard these days to get in the holiday spirit. In the wake of Michigan's Republican and corporate assault on collective bargaining rights, despair abounds. Governor Scott Walker of Wisconsin had moxie, but then Governor Rick Snyder of Michigan outdid him. Not even Governor Walker went after everyone's collective bargaining rights. No, to Governor Walker it was just our public servants who were unworthy of democracy in the workplace. For Governor Snyder, however, it is all working people who fall into this camp. So here we are on the edge of the so-called "fiscal cliff" with big questions of economic fairness hanging in the balance and Republicans acting as though they have a political mandate to enact austerity measures and undermine basic workplace rights.

It would be nice, at times like these, to be cheered by labor's leaders. And while looking for cheer at the top of the labor movement is generally not recommended, I found Mary Kay Henry of the Service Employees International Union, who appeared on the Rachel Maddow show the other night, to be at least provocative. (See her interview here) According to Henry, the labor movement is going to come back from these latest assaults with a strong worker-community movement. This work is difficult and long-term, but kudos to her for talking in these terms. More interesting to me than the community reference, however, came later in the clip when Henry suggested that the government should not interfere in the relationship between workers and their employers. Labor laws, she rightly claims, are flawed, broken, and pro-business. But instead of advocating for a legislative solution to fix them, Henry channeled the spirit of Samuel Gompers and suggested that labor should fight to get the state out of employer/employee relations.

Is she on to something or entering dangerous territory? What would happen if labor gave up on state "protections" and tossed out the whole structure of the NLRB and PERBs? In light of a long series of failed attempts to reform labor law, a corporate assault on workers' rights at the state level, and the nasty nature of politics today,

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maybe this is the best, clear-headed approach to labor's woes. And then again what would it look like to have government out of the labor business? Surely, corporate America would not start amassing weapons to protect their property. (In the aftermath of the Memorial Day massacre of 1937, the Congressional LaFollette Civil Liberties Committee exposed Tom Girdler of Republic Steel for doing just such a thing). Maybe Henry needs to slow down and think about winning gun reform before she commits to throwing away what little protections unions have.

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