Construction Union Agreements:
Union Organizing in Historical-Comparative Perspective*

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US Building Trade unions organize their workers differently. Most labor unions compel employers to negotiate, but the Building Trades engage in voluntary negotiations, relying on workers' skill levels rather than strike leverage. This approach correlates with their frequent political deviations from the broader US labor movement, particularly in opposing progressive environmental policies, aligning more closely with the petrochemical industry on environmental issues, and not supporting single-payer healthcare. One view is that unions pursue their members' interests narrowly, sacrificing broader working-class interests if they feel it is necessary to secure work for their members, and some suggest that the conservative stance of the Building Trades stems from their craft union tradition, in which workers are organized by craft and skill instead of by industry. However, using historical-comparative methods, I show that these arguments do not hold. Petrochemical unions have supported progressive policies, and other craft-based unions have endorsed single-payer healthcare. However, unlike the Building Trades, those unions have never used voluntary agreements. Consequently, they have experienced more conflicts with employers. These findings challenge traditional views and suggest that the Building Trades' conservative negotiation strategies significantly shape their political and policy positions and reinforce an employer-union dynamic that limits challenging management.

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1. INTRODUCTION

Do the ways that unions organize affect their political stances? US construction unions have a distinct approach to organizing their workers vis-à-vis other labor unions. While most labor unions typically compel employers to negotiate through secret ballot elections or work stoppages, the Building Trades take a different route by engaging in voluntary negotiations.[1] Their strategy hinges more on the skill levels of their workers than the leverage of strikes or official National Labor Relations Board (NLRB) elections, which use the state to compel the employer to negotiate. At the same time, the Building Trades are often outliers in the US labor movement. They frequently oppose progressive environmental policies, and thus align more closely with their employers in the petrochemical industry than with other labor or environmental organizations on environmental issues. Additionally, they are not supportive of single-payer healthcare or other social wage policies.[2] Why have the Building Trades taken these positions?

One potential explanation is that unions with many workers in the petrochemical industry will align with the employer on environmental policy if they believe environmental policies might be "job killers." That is, the Building Trades' opposition to an environmental policy meant to attenuate global warming might simply be a function of the union's interest in keeping their members working. The building trades have many members working on projects in the petrochemical industry, and from this perspective, this is what one would expect from workers and their unions in that industry. After all, why would they support something that might cause unemployment?

Still, others argue that the conservative stance of the Building Trades originates from their tradition of craft unionism, where workers are organized based on craft and skill rather than industry (Rogin 1974; Perlman 1922; Isserman 1976; Foner 1996). Craft unions were some of the earliest

[1] See Section 4 for a discussion of the history of secret ballot elections and how the Building Trades negotiates.

[2] To be sure, not all non-Building Trades unions endorse or support single-payer healthcare, but *no* Building Trades unions do at the national level.

labor organizations in the US. Their focus on organizing narrowly based on craft distinctions (e.g., plumber) rather than by industry (e.g., construction worker) often corresponded with nativist and racist policies and more conservative positions (e.g., anti-communism and redbaiting), while industrial unions more often opposed racism and were more militant (Foner 1994). In short, craft unions have tended to look out for "their own" more than workers more broadly.[3] The Building Trades unions continue to operate as craft unions today.[4] From this perspective, the Building Trades' conservativism stems from their narrow, craft-based unionism.

However, these views offer an incomplete picture. For instance, some unions with many members working in the petrochemical industry, such as the United Steelworkers (USW), have backed progressive policies, including environmental policies, and other craft-based unions, such as the International Association of Machinists and Aerospace Workers (IAM), have endorsed single-payer healthcare despite organizing along craft lines instead of industry. The key distinction between these unions and their disparate political stances lies in the Building Trades' use of voluntary agreements, which minimizes conflicts with employers and constrains their ability to challenge management.[5]

2. LITERATURE REVIEW

Nearly every project completed since the 1980s that has studied construction unions begins with an acknowledgment that construction unions have been underresearched. Alas, not much has changed in the last 40 years. From historians and economists, national-level histories are sparse and dated (Segal 1970; Christie 1956). These provide valuable data on the early origins of the unions but, of course, do not tell one much about the present state of affairs. Like national-level analyses,

[3]There are dissenting views concerning how politically conservative the AFL craft unions were. See Cobble (2013) for a dissenting scholarly article, and Parker (2008) for a union activist's perspective on the nature of craft and industrial unionism.

[4]One can find a union for almost every construction craft—electricians, plumbers, bricklayers, and so on—but good luck finding a union called the "Construction Workers Union."

[5]I have excluded the IAM from this abbreviated version of the thesis. It can be found in the unabridged version at https://bit.ly/SocThesis

local- and regional-level histories have been sparse, and many were completed in the 1990s or earlier (Schneirov 1993; Kazin 1989). These works have also tended to be more idiographic, so while they offer extremely valuable insight, they have generally not been in conversation with one another in an attempt to build a more general theory of construction union organizing and leverage.

Sociologist Marc Silver (1986) provides a structural account of union power dynamics. He contends that power relations in the construction industry are heavily influenced by the structural advantages associated with the location in the production process. These structural advantages include factors such as the complexity of work, the centrality of production functions, and the union's size. For instance, workers in trades that require high technical skills or are central to the construction process, such as electricians and operating engineers, generally possess more bargaining power (Silver 1986:89). This power stems from the contractors' dependence on these skilled workers, who are not easily replaceable. Structurally, the unions' power is derived from their position in the production process and their ability to control the labor supply. Unions with more central roles in production processes, such as those involved in foundational tasks, have more influence. Silver (1986:84) finds that these "core unions," which usually have larger memberships with more skills than the "peripheral unions," tend to use cooperative tactics with management and have stronger relationships with larger employers. In contrast, peripheral unions, with less skilled workers and smaller memberships, tend to rely more on militant tactics. This results in a disadvantage for peripheral unions, as they must more often resort to riskier practices (Silver 1986).[6]

3. METHODS

I use comparative-historical methods to analyze the inter-union (building trades vs. non-building trades) cases. Following Lange (2013), I employ both within-case and between-case (comparative) methods. This paper's within-case analyses are of the individual unions and their histor-

[6]The literature review has been abridged to meet the page limit for PhD applications. The full literature review is in the original thesis: https://bit.ly/SocThesis

ical trajectories; this is the ideographic or historical element of the analysis. I trace each union's history and how institutions formed within the unions (e.g., the apprenticeship and hiring hall). This method offers a thick account of how the unions have evolved, challenged management at points, fought for or against policies, and made compromises at times. It also pays close attention to each moment's context to prevent a linear, teleological account of history that suggests that the present state was inevitable because of something that happened in the past. I draw primarily from secondary sources for these historical accounts. Additionally, I interviewed a former Oil Chemical and Atomic Workers Union (OCAW) official to supplement the historical account and gather more recent data about the current state of affairs of the union.[7] The comparison or between-case analysis focuses both on the differences in features of the union and on the differences in their historical trajectory.

A specific question guided my research: "Why has an oil union like the United Steelworkers (USW) supported a transition away from petrochemical jobs to green energy, while the building trades have not?" Thus, support for Just Transition is the outcome that I am interested in measuring and explaining.[8]

4. BARGAINING TYPOLOGIES

Industrial Bargaining

The National Labor Relations Act (NLRA) was originally designed to be consistent with how industrial unions are organized. The NLRA sets forth the process workers must follow to unionize a workplace. National Labor Relations Board (NLRB) administers the NLRA. The typical process begins with an effort to determine if there is a general interest in forming or joining a union among workers already hired. If there appears to be enough interest,

[7] Now part of the United Steelworkers (USW).

[8] I have excluded the IAM from this abbreviated version of the thesis. It can be found in the unabridged version at https://bit.ly/SocThesis

> employee organizers [will] typically collect union interest cards, petitions, or other written statements from co-workers to show interest in union representation. Organizing efforts may be supported by an established union seeking to represent workers in the workplace. Workers may also form an independent union. (DOL n.d.:"How can I form a union?").

If enough cards are collected to demonstrate majority status, workers can ask the employer to voluntarily[9] recognize the union. If the employer denies recognition, workers can strike or request an NLRB election to certify the union (DOL n.d.:"How can I form a union?"; NLRB n.d.). Once majority support is established, the union and employer will negotiate an initial agreement. If the employer refuses to negotiate, the union can file an "unfair labor practice." They can also strike or conduct other work stoppages until the recalcitrant employer meets their demands or agrees to negotiate. These are *coercive* strategies that are meant to compel the employer to act or not act in a particular way or to exact concessions. These strategies are also *relatively more conflictual* vis-à-vis the Building Trades' approach.

Building Trades Bargaining

In contrast, construction and building trade unions typically do not organize workers in the workplace and instead establish voluntary agreements with employers. Since these agreements are voluntary, employers have no obligation to continue bargaining once they expire, leaving the unions in a weaker bargaining position. These agreements, called pre-hire agreements, can be established before workers are hired,[10] and have a long history that predates their legitimation by Congress in 1959 with the passage of the Landrum-Griffin Labor-Management Reporting and Disclosure Act (LMRDA). Prior to this, the NLRB refused jurisdiction over building and construction trades due to pre-hire agreements being a technical violation of the NLRA. It was only with the 1959 LMRDA that an official exception for construction unions was established in Section 8(f). Therefore, the situation

[9]This is distinct from the voluntary negotiations in construction unionism. In this case, the employer may voluntarily recognize the union because they are certain that the majority of the workers want the union in the workplace, and conducting an election would be futile. However, in practice, this rarely happens.

[10]The union does not need to organize the workers. The union only needs to convince the employer to *voluntarily* enter into an agreement with the union.

regarding pre-hire agreements is not a case of construction unions being forced into conservative organizing methods.

Each contract type signifies a distinct organizing approach. The "industrial" path (Figure 1; left) begins with already hired employees and involves organizing around workplace issues, often using strikes or state intervention to compel negotiations. In contrast, building and construction trade unions focus on attracting employers through their members' skills and training (Figure 1; right). This voluntary agreement means employers can exit the bargaining relationship upon contract expiration, necessitating a more employer-friendly stance from construction unions.

A building trades union wields the greatest power when the employer has a sophisticated project that requires highly skilled workers (Figure 2). However, "highly skilled" is only relative to the skill level of the non-union workers (i.e., those without union training). If non-union training improves and the trade is "deskilled" (i.e., new materials and installation techniques are introduced that are easier to install), the union has to be cautious regarding how strongly it pressures employers. For example, when flexible plastic PEX piping was introduced, which is much easier to install than copper tubing, it threatened the plumbers' union's leverage because its installation requires little training. The United Association of Plumbers and Pipefitters (UA) fought unsuccessfully against its adoption as an acceptable building material in the California Building Code (Faloon 2002; *California Caught in Debate Over Acceptability of PEX Piping* 2004). For the UA, this represents a substantial loss and a victory for the non-union, insofar as union training is now less valuable to some extent.

5. DAKOTA ACCESS PIPELINE AND STANDING ROCK

The controversy surrounding the Dakota Access Pipeline (DAPL) brought to the fore the political differences vis-à-vis the Building Trades' unions on the one hand and the rest of the labor movement on the other. The plan to build a 1,168-mile crude oil pipeline, called the DAPL,

stretching from the Bakken and Three Forks production region of North Dakota to Patoka, Illinois, was announced in 2014 by Dakota Access, LLC (O'Connell 2018; Saha 2016; US Army Corps of Engineers n.d.). The opposition to the pipeline culminated in protests in Sioux County, North Dakota, in 2016. The pipeline was slated to run through the Standing Rock Sioux Tribe reservation, which opponents of the project contended would "endanger[] sacred sites and drinking water" (Saha 2016). The Standing Rock Sioux Tribe filed a lawsuit against the US Army Corps of Engineers in an attempt to halt the project. On September 9, 2016, a federal judge denied the tribe's request to halt construction. However, within hours of the court's ruling, the Obama Administration ordered the Army Corps of Engineers to put the project on hold and "determine whether it will need to reconsider any of its previous decisions regarding the Lake Oahe site under the National Environmental Policy Act (NEPA) or other federal laws" (Office of Public Affairs 2016).

Many labor organizations supported the Standing Rock Sioux tribe and the environmentalists. For example, the Service Employees International Union (SEIU) emphasized that more than jobs were at stake; the pipeline would threaten the health and safety of "low-income communities and communities of color, including those where many SEIU members live and work" (NLF 2016). Other unions, including the National Nurses United and the Communication Workers of America, also expressed these solidarities with the environmental movement and Standing Rock (NLF 2016). Additionally, a coalition of trade unions and labor groups, the Labor Coalition for Community Action (LCCA), collectively issued a statement opposing the pipeline. This coalition included the A. Phillip Randolph Institute, the Asian Pacific American Labor Alliance, the Coalition of Black Trade Unionists, the Coalition of Labor Union Women, the Labor Council for Latin American Advancement, and Pride at Work (APALA 2016).

North America's Building Trades Unions, a trade department of the AFL-CIO representing 14 constituent building trades unions, issued a statement within days condemning the actions of the

Obama Administration. On September 14, 2016, they expressed their "disappointment" with the Obama Administration's willingness to "halt the lawful construction" of the DAPL, emphasized that the advanced training of their skilled craftworkers would ensure that the job would be completed safely, and contended that many safety redundancies would be in place while the project was underway (NABTU 2016). Further, they chided the Executive Branch for its "disregard" of "the facts," the "exhaustive permitting and review process, stakeholder engagement," and "the ruling of a Federal Court Judge," and they lamented the loss of construction jobs with "family-sustaining wages and benefits" (NABTU 2016).

6. UNION MEMBERS AS SHAREHOLDERS

The NABTU has clearly taken a very different position from the rest of organized labor. But why are the building trades taking such a different stance? One might think that they also would be guided by a broader notion of unionism; after all, their members also live and work in the communities that are being harmed by global warming. What principles guide this sort of unionism?

A 2015 interview with Sean McGarvey, President of NABTU, provides some answers. McGarvey met with Martin Durbin, President and CEO of America's Natural Gas Alliance (ANGA), for an interview. When Durbin asked McGarvey how he thought the relationship with management had been progressing, McGarvey responded:

> It's really been interesting to work on building these relationships. We have so much in common as opposed to the things we disagree with, and we've gotten together and said, "Let's really examine these things we have in common," and then once we examine them, we said, "Well, how do we partner to move the issues along that we really agree with that are in the best interest of our country and our economy?" And [we've had] the opportunity to work with really smart people in really iconic great companies that have been around for a hundred years or have been around for 20 years... I serve a membership; my job is to create economic opportunity for my membership... That's what I'm supposed to do and when you run a company, you have a board of directors, and you have shareholders to answer to if you're publicly traded. Both of those things are true, but then there's this meeting in the middle: how do we create value for shareholders? How do I create value for

> my members and do it in a responsible way, working with partners who want to work with us responsibly to create value for their shareholders?... [W]hen you have the opportunity to have those conversations you say, "gosh there [are] so many things that we can do together and do better together," and I [have] got to tell you... it's always kind of been the way [of] the building trades. If you go back to a great quote from George Meany, back when he was a plumber in New York City and a local leader, they never went on strike; they never had a strike, even during that tumultuous time down there. It's because [the union's] contractors needed to be successful for his plumbers to work. (*The Next Infrastructure Challenge* 2015)

McGarvey's answers exemplify the class collaborationist approach taken by the NABTU. In contrast to other unions, the NABTU has prioritized its relationship with industry over solidarities with the Native American tribes and environmental groups. McGarvey made very clear that he thinks the building trades should prioritize their relationships with management by finding the things that they have in common over policies that might benefit workers or the community more broadly. The analogy of a building trades leader to essentially a CEO is equally telling. From this perspective, the union members become not much more than "shareholders," who pay dues and other fees in exchange for a "return" in the form of employment covered by a collective bargaining agreement. Rather than these agreements being forged as a result of workplace organizing, where work stoppages or other such actions are the crux of such struggles, they are forged in labor-management board meetings, where the parties find ways to collectively create "value" for their shareholders or members. Indeed, as the George Meany reference makes clear, strikes are rare to nonexistent by design.

7. THE UNITED ASSOCIATION OF PLUMBERS AND PIPE FITTERS (UA) LOCAL 189

The United Association of Plumbers and Pipe Fitters (UA Local 189 in Columbus, Ohio) was formed in the late 1880s, a time when plumber and pipe fitter unions were typically temporary and fragmented (Schneirov 1993:58). A significant development was the American Federation of Labor's (AFL) eight-hour-day movement, which addressed the fact that many tradesmen were

working upwards of ten hours a day (1993:11, 43–45). This movement expanded worker solidarity across "all nationalities, races, trades, industries, skills levels, and genders" (1993:43), and united both union and non-union workers, "cementing union sentiment" among them (1993:45). This solidarity led to a nationwide eight-hour-day strike on May 1, 1886, although it faced a setback when the Haymarket Square bombing occurred three days later, resulting in the deaths of seven police officers (1993:45).

Yet, the eight-hour movement's efforts proved to be more durable, and on November 15, 1889, it gave rise to the formation of the first union of journeymen plumbers and pipe fitters Local 5180 in Columbus (Schneirov 1993:45). The plumbers and pipe fitters were well positioned to exact concessions from the master plumbers (1993:45–46). The master plumbers agreed to a reduction in work hours without a loss in pay. However, the Local was inexperienced in negotiations with the master plumbers, and they were willing to make concessions to the employers that would severely restrict the time when overtime pay would start (1993:46–47). The union sought the advice of the AFL founder Samuel Gompers, who disabused the local union from making concessions (1993:46–47). They eventually reached a written agreement, the first of its kind in the trade.

This encouraged the formation of the city's first Building Trades Council (BTC). Despite earlier challenges in uniting the trades, the Council brought all crafts together under the banner popularized by the Knights of Labor: "An injury to one is the concern of all" (Schneirov 1993:47). This inter-union solidarity set the stage for even more militancy. The BTC opted, in the words of the Columbus Dispatch, "for 'radical measures' at the opening of the ensuing building season" (1993:47). They demanded that union workers, no matter the craft or trade, perform the work on every union job site (1993:47). If their demand was not honored, the BTC threatened not to "touch any job" where non-union workers were present.

The plumbers and pipe fitters union continued to be involved in the BTC and the Trades

and Labor Assembly in an effort to "advanc[e] labor's political strength" (Schneirov 1993:50). One leader, Louis Bauman, epitomized the class-based orientation of the era. Bauman was the vice president of the Trades and Labor Assembly in 1893, and, beginning in 1894, he also served as the president of Local 57 of the plumbers and pipe fitters. He "was a Labor-Populist, aligned with radical farmers in the Farmers' Alliances and the National People's party and with the union men who felt that something should be done to change an economic system in which workingmen were impoverished while Wall Street banks and national corporations dominated the government" (1993:50).

However, the radicalism of the nascent pipe trade union was fraught with contradictions. In the early 1890s, the union had moved to exclusive agreements. These agreements offered lucrative benefits to entice the master plumbers into a contract, but they also required union plumbers and fitters to work exclusively for the master plumbers, precluding workers from "handl[ing] any materials not purchased by their immediate employers" (Schneirov 1993:54). In exchange, the master plumbers agreed to allow "the union to set standard rates for the trade" and "offered local unions benefits that they had great difficulty winning otherwise: a closed shop, the eight-hour day, and stable or increased wages" (1993:54). But these agreements limited employment opportunities for union members because non-signatory contractors could not employ union members even when paying union wages and adhering to union rules (1993:54). Eventually, the contractors' demands undercut the union's power so much that the union abandoned the practice of exclusive agreements in 1899 (1993:54–55).

Ironically, the abandonment of exclusive agreements did not result in increased union militancy. By the early 1900s, unions had largely abandoned their commitments to improving working conditions and broader labor solidarities. Instead, they focused on achieving stability, following the example of British craft unions, by raising dues and establishing a quasi-welfare state (Schneirov

1993:51–54). Increased dues allowed the Columbus Plumbers and Pipe Fitters to hire full-time business agents to monitor job sites for contract and jurisdiction violations, enroll new members, and resolve disputes (1993:60). In November 1907, the union also created a hiring hall, which would later be fundamental to construction unionism. These changes made the union a more resilient institution.

Many elements of fin-de-siècle pipe trades unionism are still present in many construction unions today. Schneirov (1993) contends that the plumbers and pipefitters have had to balance between two sometimes contradictory identities. One is that they are workers with a set of common class interests with other workers in a labor movement built around solidarity for "union brothers and sisters." But from another perspective, they are part of a craft community that values craftsmanship, and that takes pride in its work, a value that they share with their employer (Schneirov 1993:3–4). A construction journeyworker is distinct in this regard from other blue-collar workers, such as factory workers on an assembly line, who do a repetitive task (Schneirov 1993:5).

Membership in a craft community can also come with a much higher degree of collaboration and a much closer relationship with the boss. In fact, in Local 189, as is the case with many other plumber locals across the country, the line could be blurred between employer and union member. Some union collective bargaining agreements even allow for contractors, that is, the owners of the enterprises, to work on projects alongside union employees (Schneirov 1993:5). This is the case with UA Local 342 in the San Francisco Bay Area. Local 342 allows employers no more than one owner of the company to "work with the tools," so long as "the Individual Employer has not more than two (2) journeymen and one (1) apprentice dispatched" (Local 342 MLA). Many of these employers who also "work with the tools" are members of the union. For example, Brown 3 Plumbing in Oakland, California, is owned by William Brown, a Local 342 member who also works on many of his company's projects (Brown Plumbing n.d.). Similarly, LJ Kruse Company in

Berkeley, California, has members of the Kruse family who also work on the job site. Will Kruse has completed both the 5-year apprenticeship and serves as the company's Vice President and Service Manager (LJ Kruse n.d.). He can be seen on the company's website donning construction gear with a dirty high-visibility vest and jeans on a job site with a pile of steel framing in the background. At Local 159 in Martinez, California, Brian Lescure, part of the Lescure family that owns Lescure Company, is both the Union's Apprenticeship Coordinator and elected to the Union's Examining Board (Lescure 2023).

This overlap can give workers a sense, much more so than in other industries, that both employer and employee are on the same "team." Unlike an industry such as manufacturing, where large amounts of capital are necessary to start a business, starting a plumbing business is not unrealizable. One survey found that half of a large plumbers' local "had thought of entering business on their own at one time or another, though most had not done so" (Schneirov 1993:5). Put straightforwardly, this means that half of the local union's workers, that is, sellers of labor power, also imagine a future as buyers of that same labor power. Schneirov contends that this blurring of the lines and class collaborative dynamic creates a "craft community" where employers and workers share a common background that "breed[s] an ethic of cooperation among individuals based on mutual respect for craft knowledge, skill, and ingenuity," and "[e]ven those union members who have never considered contracting have often bid independently on small jobs and are familiar with the psychology of being an entrepreneur" (Schneirov 1993:5–6).

8. THE OIL CHEMICAL AND ATOMIC WORKERS & UNITED STEELWORKERS

The United Steel Workers (USW) and the Building Trades both have substantial work in the petrochemical industry. This makes the USW an ideal comparative case to analyze whether or not unions simply stand behind their employer when threatened with job loss. Recall that

the United Association of Plumbers and Pipefitters (UA) stood behind the petrochemical pipeline companies when the Dakota Access Pipeline protests threatened their jobs. The USW, however, has taken a much different approach with respect to climate change issues and has even advocated for plans that would end many of their jobs, so long as workers are protected by the *Just Transition* program that would ensure that they find other employment and are protected by a generous social safety net.

The Oil, Chemical and Atomic Workers Union (OCAW) represented workers in the petrochemical industry for much of the 20th Century, but by the 1980s, membership numbers began to decline significantly. They merged with several other unions to form the Paper, Allied-Industrial, Chemical, and Energy Workers International Union (PACE) in 1999. However, that merger only lasted six years, and they merged with the USW in 2005.

The OCAW was much more radical than other unions. As Mark Dudzic, a former leader and retired member, once described it, "The oil industry never really accepted the union as a junior partner. The union was never able to win the union shop and all the other accouterments of class peace. As a result, the culture of militancy was deeply embedded in the union" (Leopold 2007). Though the OCAW is now dissolved and has gone through two mergers, it is worth tracing the history to the present day to analyze if their radical history has had any lasting effect and if the lack of class peace persists.

Unlike the Building Trades, the USW is currently a supporter of the Labor for Single Payer Health Care campaign, which is a broad social-wage political effort. From that perspective, the USW is not just focused singularly on the interests of its members but instead is committed to broader political struggles. Strikingly, the USW even supports a transition from dirty energy jobs to clean energy jobs. This is significant for a union that has many workers in the petrochemical industry. Such a transition would end their employment at oil refineries and require a new, more

challenging struggle to establish a union foothold in new clean-energy sectors, sectors that have been highly resistant to unionization. Nevertheless, the USW has adopted a broader, long-term vision, one that is solidaristic with environmental activist groups, unlike the Building Trades.

OCAW and Tony Mazzochi. Les Leopold, in *The Man Who Hated Work but Loved Labor*, recounts the story of Tony Mazzocchi, former Oil, Chemical and Atomic Workers Union (OCAW) official and organizer. Union leaders of the left-leaning District 65 recruited Mazzocchi to raid an anti-communist CIO union and bring it into District 65. At that time, District 65 was the largest left-leaning union in New York City and had disaffiliated from the Retail, Wholesale, and Department Store Union (RWDSU) due to pressure from the Taft-Hartley Act, which severely limited union power (Leopold 2007:16). Mazzocchi was to obtain employment at a unionized New York City cosmetics plant, Helena Rubinstein Incorporated, as a "colonizer", with the goal of organizing a progressive cadre within the rank-and-file of the Gas, Coke, and Chemical Workers (UGCCWA) local union at the plant (Leopold 2007:71). Through this initiative, Mazzocchi began his career as a union organizer.

In the years before Tony Mazzochi entered the union, anti-communism was in full force. The UGCCWA local union Mazzocchi had joined had a close affiliation with the Communist Party. Several prominent leftist union leaders, such as Fred Hamilton and Charles Doyle, were key to the union's strength and survival. Not only had several leftist leaders organized the Rubinstein plant that Mazzocchi worked in, but the founding convention of the UGCCWA was held near Doyle's home area of Niagra Falls (Leopold 2007:81). Moreover, the UGCCWA was forthright in its opposition to discrimination. They were early adopters of anti-racist policies and practices. They passed resolutions condemning racist discrimination at their founding convention and urged for the promotion of more women in union leadership. Suffice it to say that despite the reactionary tide, the union managed to forge a genuinely progressive agenda.

Anti-communism did not predominate among the union's rank and file either. For example, in 1946, the union voted to "provide financial support for the CP-dominated United Electrical Workers during its difficult Phelps-Dodge strike" (Leopold 2007:84). Notwithstanding the strong CP presence within the union, it still counted anti-communists amongst its ranks, though they managed to work together relatively peacefully until 1946 (Leopold 2007:84). It was at that time the anti-communists began plotting to take over the union and push the communists out. They eventually purged Charles Doyle from the union by holding a convention in Canada. Doyle did not have legal immigration status in the US. The anti-communists tipped off the INS so that when Doyle tried to reenter the US, he would be denied. This effectively ended his OCAW tenure. After, Jack Curran, an anti-communist, rose to power within the OCAW.

Mazzocchi had connections with the CP through family and relatives, though Mazzocchi himself was not a member of the party. He was, however, politically active and looking for a job. At the same time, the purged communists were looking for revenge and to take back the union from Curran and the anti-communists. Mazzocchi got his start in the union as part of this effort. Curran had been ineffective at warding off the "power grabs" by management. Furthermore, the chief steward had let grievances pile up unaddressed (Leopold 2007:90). This presented an opportunity for Mazzocchi to step in and slowly organize to win workers over to his vision. He started by agitating around the inadequate handling of grievances and eventually ousted the conservative steward at the plant. Slowly, he worked through the ranks of union leadership and was eventually elected to the local committee at the Gas-Coke District Council by speaking up about issues at union meetings (Leopold 2007:97–98).

Over the years, the union maintained a progressive voice within the labor movement. Despite having so many members in industries that work with environmentally hazardous chemicals, the union developed a plan for what it called a Just Transition: an effort to advance a politics

that both protected the environment from hazardous chemicals and emissions and the workers who would be affected the most by transitions away from those processes and usage of those chemicals. Additionally, in the 1990s, the union spearheaded the effort to build the US Labor Party, a party independent of the Democrats and Republicans anchored in the trade unions. It also was instrumental in the creation of the U.S. Chemical Safety and Hazard Investigation Board (CSB) after an explosion at the Phillips Chemical Plant in Pasadena, Texas, killed 23 workers.[11] The OCAW pushed for the passage of the Occupational Safety and Health Act, which created a federal agency to enforce occupational safety laws, and the union was also a driving force in the passage of the Environmental Protection Agency (Leopold 2007).

But the OCAW shed members throughout the 1980s and 1990s, largely due to the offshoring of production, automation, and deindustrialization. For example, plants that used to require 10,000 workers to operate could now be run with as few as 600 or 700 (Dudzic 2024). In 1999, to "stop the bleeding," the OCAW merged with the Paper, Allied-Industrial, Chemical, and Energy Workers International Union (PACE). Dudzic described this merger as disastrous:

> The [Paper Workers (UPIU) had] the opposite tradition in terms of internal governance. It was very top-down and very closed; officers basically ran the show. They had these district directors who manipulated politics in the various districts, so it was very opposite of the OCAW. Some people in our Union felt that we could shake things up; they promised to allow for some more democratic structures in the new Union, but they quickly closed the doors on that after the merger. The hope was that the paper workers were. . . the structures of the industries were very similar, these large manufacturing facilities dominated by multinational corporations; the Paper Workers, like the Oil and Chemical workers OCAW, had a lot of people in the South and rural areas. There was some sense that there could be some synergy there, but the leadership was backward, incompetent, and intent from the very beginning on purging any kind of militancy and progressive politics from the Union. (2024)

The merger also threatened the Just Transition framework that the OCAW had pioneered:

> [The UPIU] didn't like it [Just Transition]. We had this big fight about chlorine, which is a key ingredient in the paper-making process, but there [are] other technological ways to make paper without using chlorine. And we, the Oil, Chemical Atomic Workers (OCAW), had called for a ban on chlorine. And the Paper Workers sided with the industry and

[11] Author correspondence with Mark Dudzic (2024).

> opposed that ban; that was one of the first fights we had after the merger, and we lost, and that was sort of the defeat of the worker-centered, just transition model as opposed to an industry-supportive, "keep pumping the poisons out as long as you can" model. (2024)

However, the merger was short-lived. In 2005, PACE was absorbed into the United Steelworkers (USW). Though the merger with the USW was also conducted in a top-down fashion (Dudzic 2024), it had the effect of stabilizing the union, which had remained in a precarious position after the previous merger. The two mergers have effectively wiped out many of the OCAW's democratic rank-and-file decision-making processes and replaced them with more bureaucratic methods. For example, instead of talking directly with workers and "work[ing] from the bottom-up on... bargaining", much of the negotiating activity is now carried out by "technicians," who closely study the economic trends and advise the union what to do (Dudzic 2024). At the same time, the OCAW culture around health and safety has survived. According to Dudzic, the USW had "always [been] a partner with the OCAW, from the days going back to the passage of the OSH Act in 1970" (Dudzic 2024). The USW's Health and Safety Department is also named after Tony Mazzocchi. It is called the Tony Mazzocchi Center for Labor and Environmental Health.

This pro-environmental tendency persists, even in 2023. To wit, USW Local 675 in Carson, California has been supportive of several environmental initiatives and efforts. The Local, which is an oil local, commissioned the 2021 Pollin Report. The report charts a path away from dirty fuel sources to clean energy (Pollin et al. 2021). More recently, in 2023, Norman Rogers, vice president of USW Local 675, was quoted in the *Los Angeles Times* as a supporter of a transition from fossil fuel to clean energy jobs (Roth 2023). Several local unions in the area have launched a political coalition to lobby Sacramento to protect workers while the transition occurs. From that perspective, perhaps the most enduring feature that has survived from the OCAW days is the Just Transition framework.

9. CONCLUSION

The way in which a union organizes is associated with its willingness to challenge management and embrace more progressive political stances. The differences in political stances and policy preferences between the United Steelworkers (USW) and the United Association of Plumbers and Pipefitters (UA) offer a clear illustration of this. While the UA and other building trades unions embrace nearly any construction project so long as it keeps their members working, the USW has taken an approach that conceives of working-class interests as extending beyond the job site and into the community. The USW has been at the forefront of efforts to fight pollution and global warming while also maintaining that the workers most impacted by a transition from fossil fuels to clean energy should *not* be pushed into low-wage employment. Thus, they reject the false dilemma of "jobs vs. climate."

Significantly, by not having voluntary agreements with employers, the USW has more leeway to challenge management and take positions that may conflict with their employers' interests. This is because they rely on conflictual organizing strategies, which concentrate the union's organizing strength in labor actions such as striking or through the National Labor Relations Board (NLRB), another tool that unions can use to compel recalcitrant employers to negotiate. By contrast, construction unions such as the UA, which enter into voluntary agreements that employers can leave when the contract expires, are in a weaker position. These unions must emphasize class collaboration to avoid upsetting their signatory employers, who might otherwise leave the relationship.

Future Research

This paper primarily focuses on the public political stances taken by unions. However, future research could explore the connections between union organizing methods and the degree of control that unions and their members have over workplace conditions. Additionally, it would be

valuable to examine how effectively unions defend contract terms once they are established. This type of research may take longer to complete due to the challenges of accessing workplace and union data, but it would shed light on an underexplored aspect of union dynamics. Furthermore, social network analyses could be used to investigate the dynamics within hiring halls and how favoritism and discrimination against union activists, people of color, and women might perpetuate a conservative, narrow construction unionism. Overall, this area presents significant potential for productive research.

10. APPENDIX: TABLES

Union	Similarity	Difference	Outcome
Machinists (IAM)	Craft unions	• Industrial mode of organizing • Involuntary agreements	• Supports progressive social-wage policy (e.g., single-payer healthcare).
Plumbers/Pipefitters (UA)		• Voluntary agreements	• No/limited support for social-wage policy.

Table 1: The IAM and UA are similar in that they are both are craft unions, but only the UA is a construction union with voluntary agreements.

Union	Similarity	Difference	Outcome
Oil Chemical & Atomic Workers/Steelworkers (OCAW/USW)	Petrochemical work	• Industrial mode of organizing • Involuntary agreements	• Supports progressive social-wage policy. • Supports the Pollan Report (creation of clean -energy jobs) and a transition from fossil fuels.
Plumbers/Pipefitters (UA)		• Voluntary Agreements	• No/limited support for social-wage policy. • Has defended the construction of new oil pipelines. • Opposed reforms and regulatory policies that might hamper new refinery projects

Table 2: The OCAW/USW and UA are similar in that they both have petrochemical work, but only the UA is a construction union with voluntary agreements.

Characteristic	Non-construction Unions	Construction Unions
Initial Relationship	Involuntary: employers do not seek the union for workers	Voluntary: employers seek the union for their "pool of skilled labor"
Employer Obligations	Employer has an obligation to continue bargaining after the contract expires	Employer has no obligation to continue bargaining after the contract expires
Employment Duration	Ongoing, long-term, or permanent	Usually temporary; project-based
Hiring	Hired directly by the employer	Dispatched by the union to meet the employers' needs
Organizing Method	Workers organize around their interests irrespective of the employer's desires	Union convinces employers of the union's benefit to them
Majority Status†	Required	Not Required

Table 3: The charactersitics of each mode of organizing and contract type.

† Whether the majority of the workers must want a union. This requirement makes it necessary to "organize the workers."

11. APPENDIX: ADDITIONAL FIGURES

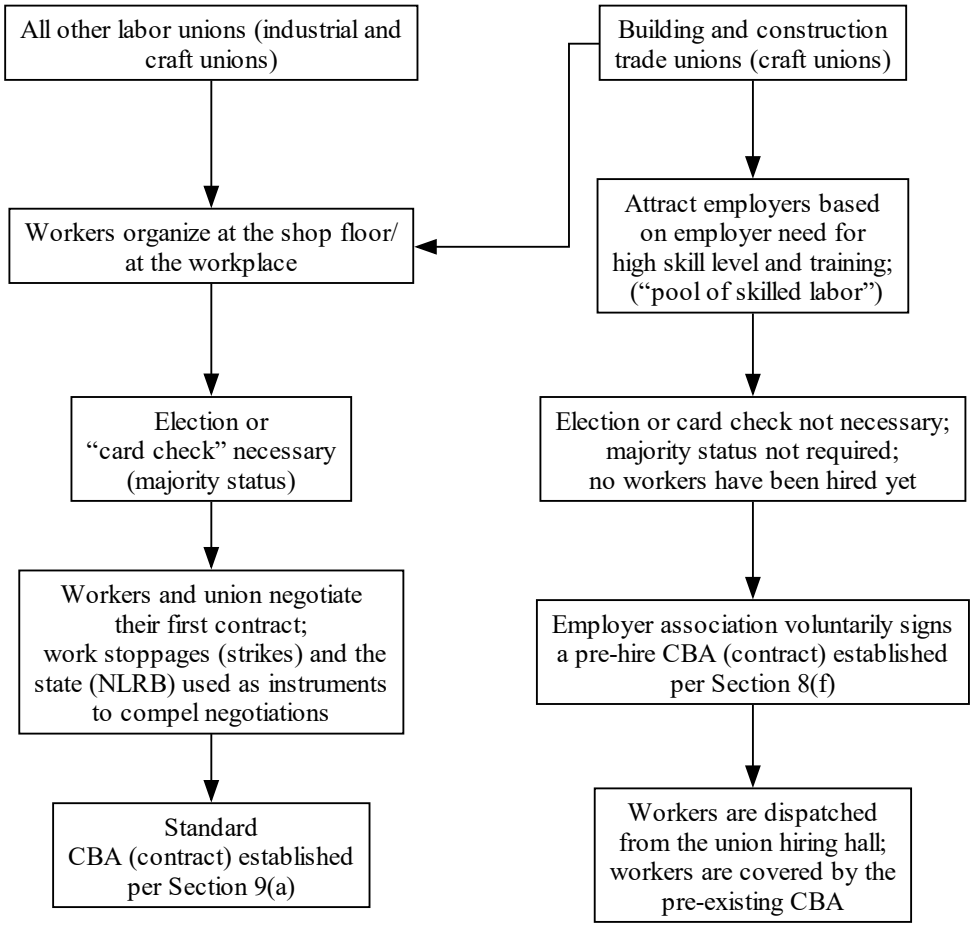
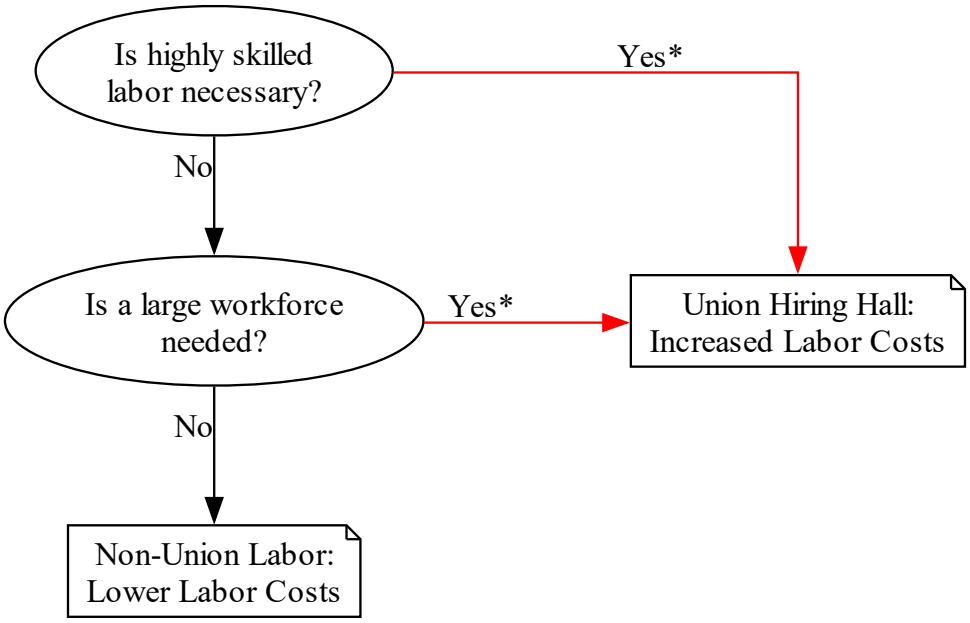


Figure 1: The industrial mode of organizing (left) and the construction mode of organizing (right). Construction unions may follow either path, but other unions may not voluntarily negotiate the way that construction unions can.



*Red "Yes" responses indicate points of leverage favorable to the union.

Figure 2: Since negotiations between construction unions and employers are voluntary, construction unions typically have more leverage where the employer requires a more skilled workforce or where the job is large and requires many employees.

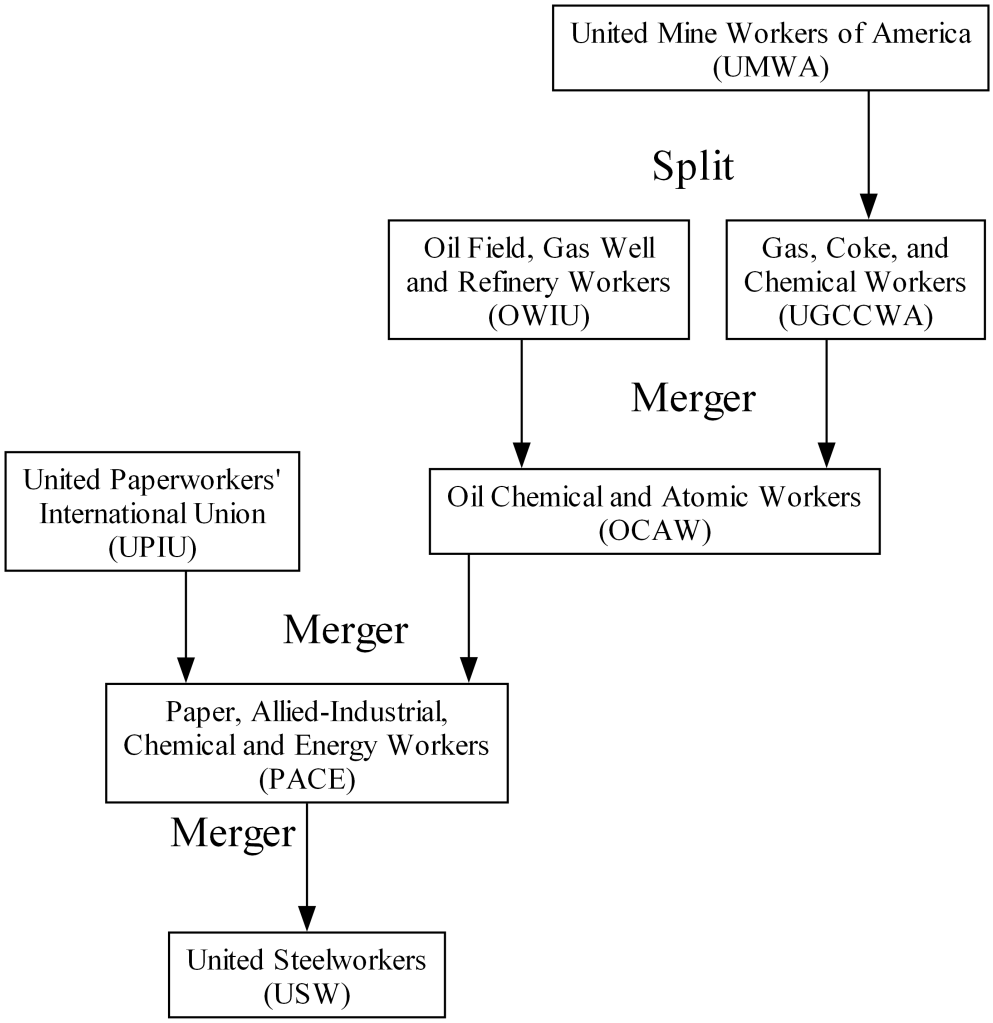


Figure 3: Oil, Chemical and Atomic Workers Union (OCAW) was the product of a merger between the OWIU and United Gas, Coke, and Chemical Workers of America (UGCCWA). It merged with the United Paperworkers' International Union (UPIU) in 1999 to form PACE. The OCAW is now part of the United Steelworkers (USW)

REFERENCES

APALA (Sept. 19, 2016). *AFL-CIO Constituency Groups Stand with Native Americans to Stop the Dakota Access Pipeline*. Asian Pacific American Labor Alliance. URL: http://www.apalanet.org/2/post/2016/09/afl-cio-constituency-groups-stand-with-native-americans-to-stop-the-dakota-access-pipeline.html.

Brown Plumbing (n.d.). *Executive Summary*. brown3plumbing. URL: https://www.brown3plumbing.com/executive-summary.

California Caught in Debate Over Acceptability of PEX Piping (Feb. 2, 2004). Plumbing and Mechanical Engineer. URL: https://www.pmengineer.com/articles/84155-california-caught-in-debate-over-acceptability-of-pex-piping.

Christie, Robert A. (1956). "Empire in Wood : A History of the Carpenters' Union / by Robert A. Christie." Ithaca: Cornell University.

Cobble, Dorothy Sue (Dec. 1, 2013). "Pure and Simple Radicalism: Putting the Progressive Era AFL in Its Time". In: *Labor* 10.4, pp. 61–87. DOI: 10.1215/15476715-2348700. URL: https://read.dukeupress.edu/labor/article/10/4/61/14540/Pure-and-Simple-Radicalism-Putting-the-Progressive.

DOL (n.d.). *WORK Center - Unions 101*. U.S. Department of Labor. URL: http://www.dol.gov/general/workcenter/unions-101.

Dudzic, Mark (Jan. 2, 2024). *Interview*.

Faloon, Kelly (Oct. 1, 2002). *California Consumer Groups Support PEX Lawsuit*. Plumbing & Mechanical Magazine. URL: https://www.pmmag.com/articles/85565-california-consumer-groups-support-pex-lawsuit.

Foner, Philip S. (1994). *History of the Labor Movement in the United States. 2: From the Founding of the A. F. of L. to the Emergence of American Imperialism*. New York: Internat. Publ. 357 pp.

— (1996). *History of the Labor Movement in the United States*. New York: International Publishers.

Isserman, Maurice (1976). "God Bless Our American Institutions: The Labor History of John R. Commons". In: *Labor History* 17 (Summer), pp. 309–328.

Kazin, Michael (1989). *Barons of Labor: The San Francisco Building Trades and Union Power in the Progressive Era*. The Working Class in American History. Urbana: University of Illinois Press.

Lange, Matthew (2013). *Comparative-Historical Methods*. SAGE Publications Ltd. DOI: 10.4135/9781473914223. URL: https://methods.sagepub.com/book/comparative-historical-methods.

Leopold, Les (2007). *The Man Who Hated Work and Loved Labor*. White River Junction, Vt: Chelsea Green Pub. Company.

Lescure, Brian (2023). *LinkedIn*. URL: https://www.linkedin.com/in/brian-lescure-aa15a745/.

LJ Kruse (n.d.). *About Us*. URL: https://ljkruse.com/about-us/.

NABTU (Sept. 14, 2016). *Statement on Obama Administration Action to Halt Construction of Dakota Access Pipeline*. NABTU: Building Construction Trade News on Union Construction Industry. URL: http://web.archive.org/web/20160930005716/http://www.bctd.org/Newsroom/Statement-on-Obama-Administration-Action-to-Halt-C.aspx.

NLF (Sept. 30, 2016). *Unions Weigh in on the Dakota Access Pipeline*. New Labor Forum. URL: https://newlaborforum.cuny.edu/2016/09/30/unions-weigh-in-on-the-dakota-access-pipeline/.

NLRB (n.d.). *The NLRB Process*. National Labor Relations Board. URL: https://www.nlrb.gov/resources/nlrb-process.

O'Connell, Patrick M. (Jan. 4, 2018). "Dakota Access pipeline a mix of angst, potential for those near central Illinois tank farm". In: *Chicago Tribune*. URL: https://www.chicagotribune.com/news/breaking/ct-met-patoka-tank-farm-20171220-story.html.

Office of Public Affairs (Sept. 9, 2016). *Joint Statement from the Department of Justice, the Department of the Army and the Department of the Interior Regarding Standing Rock Sioux Tribe v. U.S. Army Corps of Engineers*. United States Department of Justice. URL: https://www.justice.gov/opa/pr/joint-statement-department-justice-department-army-and-department-interior-regarding-standing.

Parker, Mike (Aug. 25, 2008). "Are Industrial Unions Better than Craft? Not Always." In: *Labor Notes*. URL: https://labornotes.org/2008/08/are-industrial-unions-better-craft-not-always.

Perlman, Selig (1922). *History of Trade Unionism in the United States*. New York: MacMillan Company.

Pollin, Robert et al. (June 10, 2021). *A Program for Economic Recovery and Clean Energy Transition in California*. Department of Economics and Political Economy Research Institute (PERI), University of Massachusetts-Amherst. URL: https://www.peri.umass.edu/publication/item/1466-a-program-for-economic-recovery-and-clean-energy-transition-in-california.

Rogin, Michael (1974). "Comment". In: *Failure of a Dream?: Essays in the History of American Socialism*. Ed. by John H. M. Laslett and Seymour Martin Lipset. Garden City, NY: Anchor Press, pp. 147–156.

Roth, Sammy (Oct. 24, 2023). "Can Climate Activists and Labor Unions Find Common Ground?" In: *Los Angeles Times. Climate & Environment*. URL: https://www.latimes.com/environment/newsletter/2023-10-24/boiling-point-can-climate-activists-and-labor-unions-find-common-ground-boiling-point.

Saha, Devashree (Sept. 14, 2016). *Five Things to Know about the North Dakota Access Pipeline Debate*. Brookings. URL: https://www.brookings.edu/articles/five-things-to-know-about-the-north-dakota-access-pipeline-debate/.

Schneirov, Richard (1993). *Pride and Solidarity: A History of the Plumbers and Pipefitters of Columbus, Ohio, 1889-1989*. Ithaca, N.Y: ILR Press. 189 pp.

Segal, Martin. (1970). *The Rise of the United Association: National Unionism in the Pipe Trades, 1884-1924*. Wertheim Publications in Industrial Relations. Studies in Labor-Management History. Cambridge: Wertheim Committee, Harvard Univ.; distributed by Harvard Univ. Press.

Silver, Marc L. (1986). *Under Construction: Work and Alienation in the Building Trades*. SUNY Series in the Sociology of Work. Albany: State University of New York Press. 251 pp.

The Next Infrastructure Challenge (May 14, 2015). *The Next Infrastructure Challenge: Conversation with Sean McGarvey*. URL: https://www.youtube.com/watch?v=r89lKwockYY.

US Army Corps of Engineers (n.d.). *Dakota Access Pipeline*. Dakota Access Pipeline. URL: https://www.usace.army.mil/Dakota-Access-Pipeline/.

ACRONYMS

AFL	American Federation of Labor. 2, 9, 10
AFL-CIO	American Federation of Labor-Congress of Industrial Organizations. 7
ANGA	America's Natural Gas Alliance. 8
BTC	Building Trades Council. 10
CIO	Congress of Industrial Organizations. 15
CSB	U.S. Chemical Safety and Hazard Investigation Board. 17
DAPL	Dakota Access Pipeline. 6, 8, 14
IAM	International Association of Machinists and Aerospace Workers. 2
LCCA	Labor Coalition for Community Action. 7
LMRDA	Landrum-Griffin Labor-Management Reporting and Disclosure Act. 5
NABTU	North America's Building Trades Unions. 8, 9
NEPA	National Environmental Policy Act. 7
NLRA	National Labor Relations Act. 4, 5
NLRB	National Labor Relations Board. 1, 4, 5, 19
OCAW	Oil, Chemical and Atomic Workers Union. 4, 14–18, 26
OWIU	Oil Workers International Union. 26
PACE	Paper, Allied-Industrial, Chemical, and Energy Workers International Union. 14, 17, 18, 26
RWDSU	Retail, Wholesale, and Department Store Union. 15
SEIU	Service Employees International Union. 7
UA	United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry. 6, 9, 12, 14, 19
UGCCWA	United Gas, Coke, and Chemical Workers of America. 15, 26
UPIU	United Paperworkers' International Union. 17, 26
USW	United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union. 2, 4, 13–15, 18, 19, 26