

North Carolina AFL-CIO: How a Small State Federation Builds Political and Legislative Power without Money or Numbers

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North Carolina connects with the two main themes laid in the other case studies explored in this *Working USA* issue. Like New York, the labor movement went through the New Alliance process facilitated by the national AFL-CIO. As with Atlanta, labor leaders have wrestled with how to building power in the hostile climate of the American South. This case adds a new dimension in that the focus for coalition building and an expanding political program has been through the state federation. Unlike New York or Georgia, low union density and geographical dispersion makes resourcing local and regional AFL-CIO bodies difficult – establishing the state the natural level to develop strategies for building power.

Introduction

It would not be surprising if in a state like North Carolina, whose union density is less than 3% and whose labor budgets are small and tight, that the state federation concentrated on a traditional labor agenda of only servicing the remaining union members in an effort to merely survive. All of the main ingredients of building effective labor power – deepening relationships with community partners, developing a progressive agenda, electing and holding accountable political champions, leadership development, and support for organizing – all require significant resources. Yet, because the resource base is small, the state federation has become the natural base from which to grow such strategies. By pooling resources to hire talented staff and by fostering deep relationships among community players with key resources the North Carolina AFL-CIO has been able to have an impact far greater than it paper strength.

In 1999, the national AFL-CIO developed the New Alliance program and agenda to “rebuild its state and local power.”¹ North Carolina AFL-CIO President James Andrews saw the need to reinvigorate the North Carolina AFL-CIO and made the decision to “get on board” with the New Alliance agenda beginning in 2001.² Andrews

serves on the national AFL-CIO State Federation Advisory Council, a position that enabled him to acquire a lot of information about the New Alliance agenda and regional power building work. North Carolina was one of the first states to fully adopt the New Alliance agenda to increase the affiliation rate of unions in the state. The state federation increased the number of affiliated unions with the National Association of Letter Carriers (NALC) representing letter carriers.³ The Teamsters also agreed to increase their affiliated membership in the federation by adding 300 – 400 new members. The North Carolina AFL-CIO still experienced losses with some of the Communication Workers of America terminating their affiliation, costing the state federation 4,000 members, and the closures of unionized textile plants and a large Continental Tire facility in Charlotte.⁴ The hard work of the federation leadership to increase affiliation and funds has been offset by the loss of union members due to deindustrialization and outsourcing as well as some political turmoil with the CWA which will be discussed in more detail later in the paper.

The North Carolina AFL-CIO adopted a new agenda based on principles of the New Alliance and drafted a document outlining the core programs for the state federation and Central Labor Councils. These core programs include the following:

- **Political and legislative action** – Coordinating labor’s efforts to promote a working families agenda, electing worker-friendly public officials at every level and coordinating labor’s representation on state and local boards and commissions.
- **Organizing support** – Mobilizing union members and the community in support of organizing campaigns and contract fights.
- **Mobilization and coalition building** – Building relationships with community partners around all of labor’s work and building structures that enable us to mobilize our members and the community when necessary.
- **Education and information** – Providing a coordinated membership education, information and image building campaign.

This paper will explore how the North Carolina AFL-CIO has worked to build and strengthen these programs.

North Carolina Overview

North Carolina is one of the fastest growing states in the south with an increasingly diverse economy and population. As of 2005, the population estimate is 8,683,242 - a 7.9% increase since April 1, 2000. Approximately 68.6% of the people are non-Hispanic white, 21.8% are African-American, 6.1% are Hispanic or Latino, and the remainder is Asian or Native American.⁵

The economy and working environment of North Carolina is distinctly divisible. The coastline is the wealthiest, as it thrives on tourism. A few miles inland, in what is termed the “Eastern part” of the state, one finds the poorest section, dependent upon tobacco farming, hog farming, and food processing plants. Workers in this area perform physically demanding, low-paying jobs and issues concerning minimum wage and work injuries have a significant impact.⁶ The Piedmont region of central North Carolina is the state's most urbanized and densely-populated section. It includes Raleigh, the state capitol, and Charlotte, its largest city, famous for its major banking industry. The Piedmont is home to the “Research Triangle”, a significant metropolitan region consisting of Raleigh, Durham and Chapel Hill. Besides higher education, most of the industry and employment in the “Triangle” consists of hospitals, medical research, and vibrant high-tech companies.

North of Charlotte is a former industrial area hit hard by the changing economic climate. Formerly a manufacturing Mecca, the area is presently littered with abandoned

furniture and textile factories, as production has moved overseas.. In 1999 this area had an unemployment rate of 2%; in 2002, this figure had increased to 10%⁷ . Many of the workers here who have been able to find work are working in low-paying jobs at places such as Wal-Mart. The western part of the state is mountainous and less-populous. Here you will find retirees and migrant workers who work in service and agricultural jobs. North Carolina has historically been a rural state, with most of the population living on farms and in small towns. However, over the last 25 years the state has undergone rapid urbanization, and today the residents of North Carolina live primarily in urban areas, as is the case in most of the United States.

The North Carolina labor movement has a loss in union members due to plant closings. The central part of North Carolina has historically been dependent on textile manufacturing and much of the union presence represented textile workers. In 1999, after nearly thirty years of fighting and struggling, UNITE won a contract at Fieldcrest Cannon Mills for 5,000 workers in five mills in the Kannapolis area. The victory was short-lived as four years later the mills closed. Similarly, another major textile employer, whose workers were represented by UNITE, Sara Lee, closed its doors a few years ago. Overall, nearly 100,000 textile jobs were lost in North Carolina between 1997 and 2002, and this drastic loss greatly affected the union density in this area.

Currently, the Teamsters have the most members in the state. Trucking remains a vital industry with the Teamsters representing between 8-9,000 workers in Greensboro, Charlotte and Asheville.⁸ The Teamsters now are involved in organizing public employees, primarily school bus drivers, custodians and related fields. The United Steel Workers (USW), the American Federation of Government Employees (AFGE) and the

Communications Workers of American (CWA) are three other large unions in the state. AFGE represents thousands of federal workers at Veterans' Administration hospitals, Social Security offices and military bases. USW has 2,000 members at Goodyear (on strike since October 2006) and another 3,000 - 4,000 at its other locals. The United Autoworkers (UAW) represents about 4,000 workers with its primary plants in Cleveland and Mount Holly and most recently 650 members at the Thomas Built truck plant in High Point, North Carolina.⁹

North Carolina AFL-CIO: Profile

Located in the heart of Raleigh, just a few blocks off the campus of North Carolina State University (NCSU), stands the headquarters of the North Carolina AFL-CIO. The office is housed in a restored antebellum home, complete with a sun-lit, wrap-around patio, ideal for meetings and coalition building. The state federation consists only of two full-time officers, James Andrews, President and MaryBe McMillan, Secretary-Treasurer, and one full-time staff person, general operations manager, Jeremy Sprinkle. At busy times, community volunteers drop by and perform other office tasks as needed.

The federation's building has a distinct homey feel and a welcoming atmosphere. As you enter, you pass through a high-ceilinged room, furnished as a living room. Inside and upstairs, there are offices for the staff and several other organizations that are able to utilize the space and rooms for their own needs. There is a food bank operated by the A. Philip Randolph Institute whose state office is located here as well.¹⁰ The Raleigh CWA's local office is here, despite the fact that the local has disaffiliated itself from the AFL-CIO in North Carolina. James Andrews, president of the AFL-CIO noted that the

federation and the CWA “get along great. They pay rent, they just don’t pay dues.”¹¹ On the top floor of the house is the Alliance of Retired Americans, an institution often aligned with the AFL-CIO on legislative matters involving retirement issues, work injuries and elderly workers. Also on the top floor, is the office for “Justice at Smithfield” a United Food and Commercial Workers (UFCW) organizing campaign aimed to organize the 5,500 employees at Smithfield Packing in Tar Heel, North Carolina, the world’s largest hog production plant. The UFCW remains part of the state federation through a solidarity charter.

This is a low-budget, high energy operation and exists with the help of a \$30,000.00 annual grant from the national AFL-CIO.¹² Spirit and enthusiasm also compensate for the low staff numbers. With volunteers and visitors associated with the federation and all the other various groups milling about, there is a true sense of action happening all the time.

MaryBe McMillan, the recently elected Secretary-Treasurer, is young and well-educated, with a doctoral degree in Sociology from NCSU. She is a labor activist and North Carolina native who had her first experience with unions as a student when the United Electrical Workers had an organizing drive aimed at NCSU service workers. She worked with the Rural School & Community Trust, and as a researcher for the Common Sense Foundation in 2000 where her focus was examining the status of workers in North Carolina. She first started working for the North Carolina AFL-CIO in 2002 as a Union Community Fund Coordinator. Her abilities as an effective fund coordinator translated into a full-time program staff position with grant funding. She then ran for the position of Secretary-Treasurer in 2005 with James Andrews’ support and won. MaryBe is the first

female officer in the history of the North Carolina State AFL-CIO and a member of IUOE.

Jeremy Sprinkle started working for the AFL-CIO while a political science undergraduate student at University of North Carolina at Greensboro as part of an internship. According to the AFL-CIO's website, as an intern, Jeremy participated in the Immigrant Workers' Freedom Ride and Justice at Smithfield. Upon graduating in December 2003, Jeremy explored union organizing under the AFL-CIO's Organizing Institute and trained with SEIU 1199 Ohio and IBT 391 in North Carolina.¹³ It is important to note that the state federation, rather than relying upon nepotism or other standard methods of staffing its office, was open to involving college students in the office work. Jeremy's internship eventually turned into a full-time position. He manages the entire office operation, serving as administrative assistant, meetings & special events planner, bookkeeper, client technologies technician, and web designer & manager.¹⁴ He is a member of IUE-CWA.

Another key person, though not a member of the staff is the federation's general counsel, Mike Okun. Okun has been associated with the North Carolina AFL-CIO in some fashion for over twenty years. He was its general counsel beginning in the 1980's and also served as Secretary-Treasurer for the federation for a short period of time while Andrews was President.¹⁵ There is a strong bond of trust and friendship between Andrews and Okun. As general counsel he provides not only legal support and advice, but also strategic assistance on tough political issues.¹⁶ Like all of the people involved with the state federation, Okun is energetic and politically active. Okun worked closely with the AFL-CIO on matters such as workers' compensation. And, as is true of

Andrews and McMillan, Okun is also willing to take on issues like consumer rights and immigration, that many might consider non-traditional for labor, especially in a state where the union density is so small.¹⁷ The strong tie between the state federation and Okun is one of the major components of the success of the state federation in political and legislative matters.

The President of the North Carolina AFL-CIO, James Andrews, is a dynamic union leader. His ability to work in collaboration with union members, community groups and political figures remains one of the greatest strengths of the state federation. James' background and life experiences have led him to his role as a collaborator and activist. James Andrews grew up on a farm just north of Raleigh. In 1973, he and his coworkers at a non-union pickle plant worked successfully with the United Food and Commercial Workers (UFCW) to organize the facility.¹⁸ The experience sparked in James a desire to work on behalf of labor, and he took a position working for Frontlash, an AFL-CIO constituency group for youth. After a year working with them, the North Carolina AFL-CIO asked James to serve as the outreach director for North Carolina, a position funded partly by a \$5000 per year grant from the A. Phillip Randolph Institute. This position, which he began in March 1975, made James one of the first African American to hold a paid, full-time field staff position within a state AFL-CIO federation.

James continued working for the North Carolina AFL-CIO as a staff person and ran for the Secretary-Treasurer position in 1983. Andrews lost this election, but in 1984 was asked to step in as Secretary-Treasurer when the newly elected officer experienced legal problems. In 1985 James ran for the position of Secretary-Treasurer and won, making him the first full-time African American officer of an AFL-CIO state federation.

He held the position of Secretary-Treasurer and worked closely with the then President, Chris Scott -- former history professor.¹⁹ Scott moved the state federation in a more political direction with his lobbying efforts on behalf of labor and workers. In 1997, Chris Scott was asked to serve as a workers' compensation administrative law judge and decided not to run for another term as AFL-CIO president. James ran and won the presidency, vowing to continue Chris' work on legislative issues and to strengthen the coalition work of the state federation.

One of James' leadership qualities is his ability to surround himself with educated, hard-working people who have devoted their lives to the profession of unionism and social power building. With James often out of the office running about the state speaking or meeting with various unions or community leaders, the staff of the federation must confidently and professionally handle both the daily rigors of the office, but also the ever-changing and often intense situations that develop with the handling of political campaigns or legislative issues.

James' success as a state federation president stems from his ability to build relationships with many different organizations within North Carolina. Because of his background as an outreach coordinator, he has extensive experience working with groups in coalition.²⁰ The work that the state federation has done with the NAACP around the minimum wage and payday lending issues was facilitated by James' experience as a past NAACP chapter president. The state AFL-CIO also has a very strong relationship with the A. Phillip Randolph Institute in large part because of James' previous work with them.²¹ In addition, the North Carolina Justice Center holds James in the highest regard and turns to him when they need assistance lobbying or making important networking

connections within the state. The North Carolina Justice Center, an off-shoot of North Carolina Legal Aid, is in Raleigh, staffed with attorneys and data researchers who represent the interests of poor persons in the state. Coalitions with organizations like the Justice Center play a significant role in James' ability to get his agenda and message across to legislators and the public.

James' commitment to coalition-building along with the respect that he receives from community, labor, and political organizations has made him an effective leader who has pushed the North Carolina AFL-CIO towards a more encompassing agenda than just maintaining business as usual for labor. Andrews has helped turn the state federation into a powerful lobbying force within the North Carolina political arena and as a vocal and recognized voice for workers by the state's media outlets.

Most labor unions in North Carolina seem to genuinely embrace the state federation's bold vision of legislative work and coalition-building. There are of course exceptions, and James openly admits that the state federation's relationship with the Communication Workers of America (CWA) locals in North Carolina has been strained because a number of the CWA locals claimed to be unhappy with the political focus of the state federation.²² Most of the CWA locals have in fact disassociated from the state AFL-CIO²³. This is disconcerting given that CWA has an 85 percent affiliation rate nationally.²⁴ James remains the consummate leader as he has continued to remain open to working with CWA locals and their leaders, keeping them on the federation's email listserv and inviting them to attend meetings and conventions.

Part of the state federation's mission is to work more closely and energize their relationship with the state's various Central Labor Councils (CLCs). The North Carolina

AFL-CIO is comprised of eight CLCs.²⁵ The CLCs are a necessary tool in coalition building in North Carolina for they handle candidate screenings, endorsements, and otherwise act as a campaign or mobilizing liaison between the federation and the locals in the various counties. Like so many states, especially in the south, the CLCs in North Carolina do not have full-time staff.²⁶ Instead, the CLCs are made up of persons from locals who are already working his or her own full-time job and are often unable to dedicate much time to developing a strong CLC. As a result, the state federation has to take a more hands-on approach to most of the CLCs in order to insure that issues and campaigns important to the federation are somehow conveyed to the locals in counties far removed from the federation's base in Raleigh.²⁷ Andrews also admitted that there is a need to better develop and train leaders to head the CLCs because they presently are only able to hold training once or twice a year on topics like how to run a meeting and how to handle a union budget.²⁸

The CLCs face numerous challenges because in addition to their lack of full-time staff, they operate with very little funding and struggle with maintaining membership numbers. They often need financial assistance from the North Carolina AFL-CIO.²⁹ There has also been a dramatic decline in CLC membership in the Eastern Piedmont CLC because of the closure of UNITE-represented textile plants in the region. (UNITE had essentially controlled and funded this CLC).³⁰ The CLC in Charlotte was also weakened when a Cannon plant there closed with a loss of even more UNITE-represented workers.

The Legislative Agenda

The North Carolina AFL-CIO is a force on legislative issues. The legislative agenda includes classic labor issues such as workers' compensation, unemployment, and health and safety. Current Governor Mike Easley was heavily supported by labor and has been a friend of labor's causes during his two terms. Mike Okun, legal counsel for the state federation, noted that "[T]he North Carolina AFL-CIO has political clout way beyond its numbers."³¹ Because of its lack of union density, the federation and local unions understand that they must reach out beyond members to accomplish what they want.³²

In recent years, the state federation has seen significant victories achieved primarily through tireless energy and effective coalition work. Their basic strategy is to work first with the particular state agency (e.g. Department of Labor or Unemployment Commission) involved in the issue and convince the agency of labor's position, often involving a change in legislation. Along with the agency, they secure community partners on the issue and then approach key members in the state legislature. As a recent example, due to some intense preliminary lobbying by the state federation, labor representatives on the Employment Security Commission helped argue and defeat an effort designed to cut unemployment benefits during economic downturn.

Before each legislative session, the state federation also conducts eight information sessions with the CLCs. Here, local union members meet with the legislators to discuss upcoming legislation and other matters of interest to their local unions.³³ These sessions help educate local members making it easier for the state federation to call upon them for assistance later when legislative battles begin.

Through their work on key legislative matters, the federation has been able to develop strong and lasting binds with many other groups in North Carolina who share some of the goals of labor. The success on these issues is due to the ability of the state federation to develop and work with a variety of community groups and political organizations, many of whom are not traditionally viewed as partners with labor. The federation accomplishes this by working with these groups on issues that matter to them, then seeking assistance from them on issues of major importance to labor and tangential importance to the non-traditional groups, such as the Academy of Trial Attorneys, the American Association of Retired Persons (AARP) and the American Lung Association.

Workers' Compensation Legislation

For many years, North Carolina could boast that its workers' compensation statutes offered injured workers quality coverage, especially for workers in the south and for states whose union density is so low.³⁴ In 2005 a major effort was undertaken by several insurance interests and employer groups, including the state's largest employer groups, the North Carolina Citizens for Business and Industry and the North Carolina Chamber of Commerce, to repeal many of the more worker friendly aspects of the statute. The proponents' stated mission was to impose significant changes that would streamline the administration of the law, reduce costs to insurance interests and reduce litigation costs.³⁵ Proponents wanted to alter existing language within the statutes to insure that payment of benefits went "only to those who are physically unable to work as a direct result of their workplace accident."³⁶

Their campaign charged that North Carolina had too many workers who fraudulently claimed benefits. Proponents argued that insurance companies were fleeing the state due to rising costs, and claimants' attorneys were feasting upon the system. The proposed provisions did not specifically address any of the law's current provisions concerning fraudulently claiming benefits. Instead the bill's real intent, according to the North Carolina Justice Center, was simply to increase the profitability for insurance companies handling workers' compensation claims.³⁷ The proponents got many state senators to draft and offer the bill. The result was Senate Bill (SB) 984 and it became one of the hottest issues of debate within the state capitol in a long time.

AFL-CIO counsel Mike Okun described SB 984 as a "Draconian bill and a tremendous threat to injured workers."³⁸ A major provision of SB 984 was to arbitrarily impose new time limitations on benefits for disabled workers. No data was offered by the proponents to support such a requirement. Other proposed changes included eliminating confidentiality for workers' medical information, eliminating benefits when a disabled employee refused any possible "suitable work" regardless of age, experience, or education, and eliminating benefits for workers suffering from work-related asbestosis and silicosis and permitting employers to delay responding to an initial claim from the current requirement of 14 days to 90 days.³⁹

In order to secure easy passage, proponents of the SB 984 managed to get twenty-one of the fifty state senators to sign on as "authors" of the bill.⁴⁰ One of the signatories on the bill included State Senator Tony Rand whom labor had considered one of its allies.⁴¹ With a bi-partisan authorship, and needing less than a handful of the remainder

of the senate to insure passage and submission to the House, the proponents were confident of victory.

James Andrews realized that fighting this measure was going to be difficult. He met with general counsel Mike Okun and Hank Patterson, of the Academy of Trial Lawyers, and discussed a strategy to oppose the bill. Cognizant that the bill was going to have statewide ramifications, and in order to bring into play interests of several groups, they decided it was crucial to form a coalition of diverse organizations. The organizations included the North Carolina Academy of Trial Attorneys, AARP, Health Access Coalition, North Carolina Justice Center (NCJC), State Employees Association of North Carolina (SEANC), American Lung Association and many local unions and churches in North Carolina.

The coalition decided to focus their energies on those aspects of the proposed bill that would most dramatically harm disabled workers. They argued that the time limits would effectively and arbitrarily hurt those workers who are most impaired and do away with the concept of wage replacement for the duration of the disability. The coalition publicly pointed out and argued that the “suitable work” provisions had been written to deny a disabled worker benefits any time an insurance company could locate work the worker could perform anywhere in the state, regardless of the workers’ age, education or prior work experience.⁴² The coalition also concentrated on the medical privacy proposals which would destroy the physician-patient privilege currently enjoyed by other citizens in the state.

The Academy of Trial Lawyers’ role within the coalition was to work with the AFL-CIO publicly in press releases and privately in lobbying legislators in person. The

Academy assisted in organizing attorney opposition to the proposed bill. And, because of a resource unique to lawyers handling workers' compensation claims and elderly disabled workers, the Academy and the AARP insured the physical presence of hundreds of disabled workers and clients who frequented the halls and grounds of the North Carolina legislature while SB 984 was being considered.⁴³

The Justice Center armed the coalition with data, newsletters and publicity information.⁴⁴ James Andrews credits the Center, particularly Sorien Schmidt, Legislative Director of NCJC and Bill Rowe, General Counsel for NCJC, for uncovering two crucial pieces of data that directly and effectively refuted the basic claims of the proponents of the bill. The Center found and made public data to reflect that North Carolina had what was considered a stable workers' compensation system that actually had much lower than average costs to employers and insurance carriers. The Center issued statements pointing out that the Charlotte Chamber of Commerce told prospective employers in the area that the North Carolina workers' compensation rates are lower than 42 other states.⁴⁵

The Center also uncovered research by Professor John Burton of Rutgers University, editor of *Workers Compensation Policy Review* and noted expert in the field of workers' compensation. Professor Burton compared the costs and benefits of workers' compensation programs for North Carolina to each of the other 49 states and concluded that "North Carolina is below the national average for every single comparison..."⁴⁶ The Center compiled his information with accompanying table and chart putting the information out on the Internet and making such information known to the press, public and legislators alike in the form of newsletters and flyers.

The AFL-CIO actively lobbied legislators with the data, and the truth behind SB984.⁴⁷ Local unions situated in areas where crucial state senators were located were contacted. Members telephoned citizens, met personally with legislators and representatives and wrote letters lobbying them to vote against SB 984. The firefighters' union publicly and privately put pressure on legislators in their respective districts. Several local unions were instructed to target their representative senator specifically. The UAW local located in Mount Holly, representing over 1,000 workers, successfully directed its efforts on its senator Democrat David Hoyle who had signed onto the bill initially.⁴⁸ A 2,000 member Steelworkers local 959 at Goodyear met and worked with Senator Tony Rand who had originally signed onto the bill. The local was a force in his district. This was a particularly strong maneuver in that Goodyear was part of the large employer coalition originally proposing the bill. USW Local 959 also used its Rapid Response program to get the word out on SB984 and mailed nearly 2,000 letters in its effort to help the fight. Jack Cipriani, President of Teamsters Local 391, lobbied senate minority leader Phil Berger (R) directly as Cipriani's local, representing approximately 8,000 people in Piedmont and eastern North Carolina, was a major community player in Berger's district.⁴⁹

The work of the coalition was rewarded finally in the summer of 2005. SB 984 was withdrawn from consideration as a settlement was reached based on the efforts of the coalition. The settlement provides for renewed studies into the realities of the costs and benefits programs of the North Carolina workers' compensation. Rand assisted in developing the settlement. This was considered a major victory and the success was loudly celebrated at the federation's 2005 convention in September.

Minimum Wage Issue

Another significant product of coalition building by the North Carolina AFL-CIO was its 2006 victory to increase the state's minimum wage. The issue had lingered about the state legislature for years. Previously, the North Carolina minimum wage was tied to the federal rate.⁵⁰ Alma Adams, a labor-friendly, African American legislator from Greensboro, North Carolina, had been introducing legislation calling for an increase of some kind for over a decade. Her interest in this issue began years ago when she attended one of the informational sessions at the local Central Labor Council in her district.⁵¹ Essentially despite her efforts, the bill rarely made it out of committee and never was subjected to a full vote of both houses.

In 2005, Adams drafted legislation this time calling for a \$0.80 cent increase in the wage. Around the same time, a poll was taken by Elon University in North Carolina in February and March, 2005 which revealed that 79% of North Carolinians were in favor of an increase in the minimum wage.⁵² The North Carolina AFL-CIO joined with the North Carolina Justice Center and other groups to form a coalition "North Carolinians for Fair Wages." The coalition included such groups as the North Carolina Council of Churches, the State chapter of the NAACP, North Carolina Fair Share⁵³, ACORN, A. Philip Randolph Institute, North Carolina National Organization for Women, and Working Families Win.⁵⁴

The minimum wage campaign began with emphasis on welfare reform and a need to raise the wage level to assist working families to get off welfare.⁵⁵ One of the key players in the coalition was the Justice Center, North Carolina's leading private, nonprofit, anti-poverty 501(c)(3) organization..⁵⁶ The Center not simply proved an

invaluable research and statistical resource, but since it is not federally funded, it is able to be more actively involved in political campaigns than typical legal service operations.⁵⁷ In this campaign, its primary duties were to provide economic data research and legislative advocacy, develop informational brochures, and, along with the AFL-CIO, handle the relations with the press, including press conferences. The Center actively encourages coalition work and makes such work a priority within their organization.⁵⁸

Sorien Schmidt, an attorney and Legislative Director for the Justice Center, was the front person for both the Center and the North Carolinians for Fair Wages coalition. Schmidt had worked with the state federation on past issues and had developed strong ties with James Andrews and MaryBe McMillan. In her view, an alliance with labor was “a natural” because issues important to defeating poverty necessarily involve working families.⁵⁹ “Personal relationships tie the organizations together,” noted Schmidt and that was apparent in the mutual high regard held between her and the staff of the AFL-CIO.

While North Carolina has a growing economy, it has a large percentage of poor working persons for whom the minimum wage was the going wage. This is especially true in those areas where tobacco growing and other agricultural issues dominate the economic landscape. 27% of North Carolina workers earn less than \$9.28 hour, the amount needed to lift a family of four above the national poverty level and approximately 16% of the total population lives in poverty.⁶⁰ Poverty crosses racial lines in North Carolina as 13% of whites, 32% of black and 38% of Hispanics were poor in 2003.⁶¹ There are 100 counties in North Carolina. According to Sorien Schmidt, “[T]wenty of them are doing great, and eighty of them are struggling.”⁶² The North Carolina Justice

Center estimates that forty of the counties are “devastatingly poor” where families’ earnings fall below the poverty line average.

The North Carolina AFL-CIO directed the coordinated activities with the local unions throughout the state and had to educate the members about the importance of the minimum wage issue. The members responded by participating in the campaign with telephone calls and letters to the representatives in the locals’ respective districts.⁶³

There were rumblings that the minimum wage legislation was going to pass, and Schmidt recalled one legislator telling her that she “need not worry.”⁶⁴ Cognizant of the business-friendly nature of the state legislature, the coalition stepped up its campaign. Rather than relaxing, they stepped up their campaign. Indeed, shortly before the Senate bill was being considered⁶⁵ the coalition learned that an amendment was going to be proposed to the bill to allow for “training wages” below the proposed minimum for workers under the age of 18 for their first three months of employment. The justification was that it was mostly teenagers working in fast food restaurants who earn the minimum wage. Immediately the coalition directly refuted the claim that minimum wages are primarily earned by teenagers and the amendment was withdrawn.

The coalition’s outcry was heard throughout the state and ultimately resulted in legislation providing a one dollar increase in the minimum wage. Newspapers hailed the campaign as the “largest grassroots effort” the state of North Carolina had ever seen.⁶⁶

Consumer Rights Legislation

The North Carolina AFL-CIO joined a coalition of organizations including the AARP, the NAACP and the North Carolina Justice Center to defeat legislation that would

allow payday lending companies to operate in the state. North Carolina's usury law prohibits loans with an annual percentage rate of more than 36%.⁶⁷ In 1997 the General Assembly granted payday lenders a special interest rate law that permitted them to operate in North Carolina. The state legislature, however, allowed the law to sunset in 2001, making payday lending illegal in the state. Lobbyists on behalf of payday lenders then began a campaign to promote legislation that would make payday lending legal for North Carolina.

The coalition against this effort argued that payday lending is disastrous for those who utilize it because borrowers are loaned money based on the amount of their next paycheck and are charged what amounts to annual percentage rates of between 300 and 600 percent. The loans must be paid within a week or two and most borrowers pay them off with cash from their paycheck but are then forced to take another loan, a process known as "flipping." Most individuals who take out payday loans "flip" their loans an average of thirteen times which then places them in a cycle of debt, where lenders can make more than double the amount of the original loan.⁶⁸

Although the North Carolina AFL-CIO did not take the lead on the coalition against payday lending, they did place the issue on their agenda and offered support to the organizations who were leading the campaign.⁶⁹ According to Al Ripley, the Consumer Action Network Director at the North Carolina Justice Center and one of the key people who worked on the payday lending issue, "the North Carolina AFL-CIO offered resources to the coalition because of their grassroots base and their legitimacy in the legislature."⁷⁰ The state federation sent email messages to their contact list regarding the dangers of payday lending and the need for union members to contact their

legislators. The federation also actively lobbied legislators and spoke adamantly about the need to keep payday lenders out of North Carolina. Andrews particularly had such an impact that lobbyists for the payday lending companies called him (along with members of the AARP who were also lobbying against payday lending) to a meeting where they pressured them to cease their lobbying efforts against payday lending. James and the others, however, remained firm in their position and did not back down.⁷¹ As a result of the entire coalition's efforts, payday lending is now officially illegal in North Carolina, and the payday lending organizations have left the state.

The North Carolina AFL-CIO's work on the payday lending issue was significant not only because it proved to be a victory for their members, some of whom had fallen victim to the high interests rates of payday loans, but also because it enabled the state federation to work again in coalition with a number of powerful organizations. Al Ripley of the North Carolina Justice Center also serves as the chair of the North Carolina NAACP's Labor and Industry Committee. Ripley acknowledged that although the national NAACP has a pro-labor agenda, the North Carolina NAACP had rarely in the past worked with labor on issues.⁷² Following the election of a new president in 2005, Dr. Reverend William J. Barber II, the North Carolina NAACP has worked with the NC AFL-CIO on a number of issues including outlawing payday lending and increasing the minimum wage. Reverend Barber joined James Andrews in lobbying legislators and speaking publicly against payday lending, and this partnership proved to be an effective and major positive change for labor. The campaign was successful in strengthening a weak relationship the AFL-CIO had with the state's NAACP. Later during the minimum

wage campaign, the relationship again paid dividends as the NAACP joined with the AFL-CIO to fight for a minimum wage increase.

Election of Doug Berger

In addition to their intense lobbying efforts, the North Carolina AFL-CIO has an aggressive political agenda, somewhat different than many other states that have a large geographical area and low union density. The AFL-CIO has adopted the 10 Point Program for its political work. They are especially focusing on being selective with their endorsements. According to James Andrews, “we are working to get a group of legislators that will understand labor’s issues.”⁷³ Their efforts have been directed at the state level, where they have worked to elect state legislators who pledge to support labor’s key areas of concern including maintaining the strength of workers’ compensation and unemployment benefits and protecting the health and safety of workers throughout the state.

The state federation remains most proud of being able to help elect Doug Berger, a candidate who won a state senate seat (7th District) in 2005. Berger is an attorney from the rural eastern part of North Carolina. He grew up working in tobacco farming and worked as a public school teacher before earning his law degree. Before being elected to the North Carolina Senate, Berger served as a Deputy Commissioner for the North Carolina Industrial Commission for ten years, where he presided over workers’ compensation trials throughout the state, issuing over 60 opinions. As a strong advocate for workers’ compensation, Berger was a natural choice for the North Carolina AFL-CIO to support.⁷⁴

The seat that Berger occupies had previously been held by African Americans so Berger's decision to run was not made until after he had canvassed the civil rights organizations in his region with whom he has had a close relationship to see if an African American candidate wanted to run for the Democratic Party nomination. On the last day of filing for candidacy, Berger learned that Darryl Moss, an African American and the mayor of Creedmoor, North Carolina, had decided to run. Moss did not show up to the AFL-CIO sponsored CLC interview, but Berger did, impressing the state federation and CLC leaders with his pro-labor stance. The North Carolina AFL-CIO encouraged Doug Berger to run because of his strong background on workers' issues. The first primary election led to a run-off between Berger and Moss. The state federation sent an educational mailing to their members about Berger's stance on workers' issues and engaged in automated phone calls, for a get-out-the-vote effort in support of Berger.⁷⁵ The State Employees Association of North Carolina (SEANC), UNITE and the CWA also called on their members to support Berger in the run-off, and in the end he won by 300 votes.⁷⁶

The state federation has been extremely pleased with their decision to support Doug Berger in part because he led the effort in the state senate to protect and strengthen workers' compensation benefits, one of the main priorities of the state federation. Berger fought hard against the attempt in 2005 to rewrite the workers' compensation legislation. Berger, again with the support of labor, successfully was reelected in 2006.

Election of Linda Coleman

Another candidate that the AFL-CIO was especially happy to endorse and work for was Linda Coleman, an African American Democrat who ran and won a seat in eastern Wake County, House District 39. Coleman's opponent in the Democratic primary was a popular white male attorney who, while generally good on issues, was not as actively pro-labor publicly nor privately during the interview process with the AFL-CIO. President Andrews noted that Coleman, on the other hand, was quite impressive. Supporting her would be riskier than supporting the other Democrat, who was generally favored to win the primary. District 39's seat was held by Sam Ellis, a conservative and religious Republican, and no African American female had ever won a seat in this district. The state federation determined it was necessary to further its goal of selectively supporting those candidates who are most labor-friendly no matter the risk.

Coleman is a retired Human Resources Manager with the North Carolina Department of Administration (1993-2001) and the North Carolina Department of Agriculture (2001-2004) who understood issues important to working families. She holds a masters degree in Public Administration from the University of Pittsburgh and is active in church and civic affairs. She had some political experience, but generally this campaign was her first major entry into the political forum.

The state federation had known Coleman from her time as a Commissioner for the Wake County Commission (1998-2002; Chair, 2001-02). She had consistently supported workers and consumers on issues presented to her as a Commissioner. In her bid for a state house seat in 2004, she was an outspoken supporter of teachers and education. Her candidacy was based on promoting good jobs in her area, raising the quality of education, and fighting for affordable health care.⁷⁷

The state federation was proud to endorse her and Coleman showed her appreciation by proudly reminding the public of the endorsement. She won the primary and took on the Republican long-time incumbent Sam Ellis, a religious conservative who had been ranked 117 out of 119 in effectiveness on employees' issues by the State Employees Association of North Carolina (SEANC). The North Carolina AFL-CIO made endorsements in a large number of races, but knew that with its resources, it could only effectively and actively support a select handful of candidates who were openly and wholeheartedly in favor of labor-friendly issues. The AFL-CIO decided that defeating Ellis was a priority and chose Linda Coleman as the candidate the federation would actively support with funding and energy.

As with the Berger campaign, the state federation sent an educational mailing to their members about Coleman's position on workers' issues and engaged in "robo-calling." SEANC and the North Carolina Association of Educators (NCAE) worked with the AFL-CIO to help Coleman get elected. These groups called upon their members to be active in their support of Coleman. SEANC and SEIU gave Coleman significant financial assistance in the form of contributions and independent expenditures.⁷⁸ Following her election in 2004, she championed the cause of state employees and public employees and introduced several pieces of legislation seeking raises for state employees. Coleman successfully won her bid for the House seat by approximately 3,000 votes, receiving over 54% of the total.

Following her election, she was true to her word in ardently supporting issues favorable to labor and working families. She was selected as chairman of the Democratic Freshman Caucus. She introduced several bills calling for increased benefits and wages

for public and state employees. Andrews called her the “champion of labor’s cause” within the House.⁷⁹ She helped lead the effort in the state legislation to raise the minimum wage and is an active member of the “Friends of Workers Group.” “Friends of Workers Group” is a group of 35-40 legislators in the state house and senate who stay informed about labor and working family issues. The group was a creation of James Andrews who based it on the National Labor Caucus of State Legislators.⁸⁰

Coleman fought in the House against the attempt in 2005 to gut the workers’ comp system. While a Representative, she has signed up with the National Labor Caucus of State Legislators. During her two years as House Representative, she received numerous awards by a variety of community and labor groups for her work as legislator including the State Employees Association of North Carolina Award for 2005 and was ranked 38th of 120 House members in the effectiveness rankings compiled by the N.C. Center for Public Policy Research. Coleman's ranking is the highest ever for a first-term female House member and the fifth highest ever for a freshman.⁸¹ She ran for reelection in 2006 with strong opposition from the business community. She defeated her opponent by a nearly identical margin as her 2004 victory.

A. Philip Randolph Institute

As part of its 2004 Unity ’04 campaign, the A. Philip Randolph Institute nationally placed great emphasis on getting persons registered to vote, in areas where there was a large number of unregistered African Americans.⁸² The Institute was quite active in North Carolina during the 2004 elections, especially in local elections where an extra 100 votes could be the difference.

The North Carolina AFL-CIO joined with A. Philip Randolph in many endeavors in 2004, but most particularly, in a local election battle in Raleigh. The AFL-CIO's representative was Melvin Montford, IAMAW Business Representative and Organizer and state President of the North Carolina A. Philip Randolph Institute and Vice-President of the CLC in Wake County. Montford has been a union activist for over twenty years and is actively involved in politics.

In 2004, the North Carolina AFL-CIO was seeking check-off authorization for public employees⁸³ in Raleigh, North Carolina. According to Montford, labor was "two votes short on the city council".⁸⁴ Three voting precincts in the south and southeast of the city historically had a low voter turnout, seldom greater than 20%.⁸⁵ Potential voters in each of the three areas were mostly African Americans. Montford, the Institute, and the state federation joined forces to get people in those areas registered, and to educate and encourage them to vote in the upcoming election. The drive was highly successful. Using "youth chapters" of African Americans between ages 13-16, who went door-to-door, the joint effort resulted in a voter turnout that was the highest in history for these areas and more than double the usual turnout.⁸⁶ Labor's candidates were successful, and the result was that in 2005, check-off for public employees was realized.

In addition to his other jobs and positions, Montford runs a mentoring program for children, in conjunction with his position at A. Philip Randolph, where he takes them to sporting events and out-to-eat regularly. As compensation for the children's efforts in getting out the vote, the Institute and the AFL-CIO made sure the children had their fill of pizza. In the 2004 election, utilizing tools he gained from his experience as a union organizer, he stressed person-to-person contact with follow-up to insure the message of

voting was instilled in people who for most of their lives had never thought of the power of the vote. He recognizes and teaches that many of the public employees in North Carolina are minorities and as such unionization, to the extent it can be achieved in this right-to-work state, is crucial for those employees to have some power and control over their lives at the workplace.⁸⁷

A Philip Randolph Institute's state office is located in the AFL-CIO building. This location has been an asset to the state federation on many levels. Part of the working relationship between the entities involves the federation assisting the Institute in preparing and mailing flyers. The federation also makes its offices, their telephones and facilities available to the Institute at night which is a valuable asset in voter registration drives. The location of this office also means that visitors and volunteers working for the Institute become familiar with the state federation, its goals and missions and the people associated with the federation. Andrews noted that "Kids come by the office all the time during elections and it affords me the chance to educate them about labor and what we're doing in North Carolina."⁸⁸

In 2006, a different set of 2 or 3 local voting precincts, with about 6,000 potential voters, were targeted by the Institute as low turnout areas heavily populated by African Americans with a voting registration approaching 20%.⁸⁹ The federation assisted the Institute by sending out flyers and providing volunteers who helped voters get to the polls on election day with a vigorous "Do you need a ride to vote?" campaign. Montford was confident that the coalition with the Institute and the state federation was one on solid ground and growing stronger. Andrews is excited that young African Americans are

being introduced to labor in this fashion and sees the relationship with the Institute as not only mutually beneficial, but necessary to the growth of unionism in North Carolina.⁹⁰

Montford is also pleased to report that in 2006 many of those same children contacted him and were eager to be involved in this year's elections.⁹¹ Although there were no local elections as crucial to the local labor movement as the one in 2004, Montford was confident that the coalition with the Institute and the state federation was one on solid ground and growing stronger.

2006 Election

The state federation coordinated the Labor 2006 Campaign in North Carolina. This entailed maintaining the phone bank lists and making calls to union households; producing and distributing leaflets; and educating local unions and CLCs on how to utilize the national AFL-CIO's custom voter outreach program available on the web.⁹² The 11th Congressional District, where Democrat Heath Shuler defeated Republican incumbent Charles Taylor, was one of the key targets for the Labor 2006 Campaign. Two postal workers, three letter carriers, and three machinists from local unions in North Carolina were given paid time off to work in the 11th District on behalf of Shuler.⁹³ In the 8th Congressional District, the race between Republican incumbent Robin Hayes (who notoriously switched his "No" vote on CAFTA to a "Yes") and Democratic challenger Larry Kissell was so close that a recount of votes has been issued.⁹⁴ Labor initially did not place as much emphasis on this district as they did on 11th, but as it became clear a few weeks before the election that the race would be close, some volunteers were sent to the area, including one North Carolina steelworker who received paid time off from his

local unions, a native North Carolinian from the Longshoreman's international office and a few individuals from the national AFL-CIO office.⁹⁵ The state federation also targeted a number of state House and Senate seats. Of the nineteen endorsed candidates in the North Carolina Senate, sixteen won their elections, and in the North Carolina House twenty-seven of the thirty-five endorsed candidates won.⁹⁶

Organizing Public Employees

In addition to their community and coalition work, the AFL-CIO has a strong commitment to organizing workers. There are currently two major organizing campaigns in North Carolina – one involving public sector employees throughout the state and another, a long-running, large, and ugly campaign at the Smithfield processing plant in Tar Heel, North Carolina. Since 1959 North Carolina law under NC G. S. 95-98 has prohibited state and local public employees from negotiating contracts with their employers - the state and local governments.⁹⁷ In the fall of 2001, a coalition was formed called Hear Our Public Employees (HOPE) that consists of the State Employees Association of NC (SEANC); Professional Fire Fighters and Paramedics of North Carolina; North Carolina Coalition of Police (NCCOPS); North Carolina Public Service Workers Union (UE 150); Teamsters Local 391; American Federation of Teachers/North Carolina (AFT); the Service Employees International Union (SEIU); and the North Carolina State AFL-CIO. The coalition was formalized in January 2002, and during that year a convention was held to discuss the agenda of the coalition.

The primary goal of HOPE remains repealing North Carolina G.S. 95-98 so that public employees will have the right to engage in collective bargaining. HOPE believes

“public employees should have the right to bargain collectively for enforceable agreements that govern the conditions of their employment, a right already enjoyed by most private sector workers.” In order to achieve this goal, HOPE has a four-track agenda:

1. Building support among public employees (presentations to workers and having core organizations educate their members);
2. Reaching out to the general public;
3. Directly lobbying the legislature and governor; and
4. Building on the UE campaign to bring pressure internationally (UE has an international worker justice campaign that holds public hearings and gives presentations).⁹⁸

HOPE has experienced a victory in the form of a 2006 executive order from the governor that allows worker organizations with more than 2000 members to meet with state workers at the workplace. The executive order also set up an annual meeting between organizations and representatives from the governor’s office, a step towards “meet and confer.”⁹⁹

The North Carolina AFL-CIO has been an active member of this coalition and has served as a mediator between all of the organizations in the coalition. The Teamsters belong to the coalition because they have organized school district employees including janitors, maintenance workers and bus drivers and would like to continue organizing public employees.¹⁰⁰ The UE has also organized municipal workers and state employees at the Department of Health and Human Services, the Department of Administration and at the University of North Carolina.¹⁰¹ SEIU hopes to organize state employees and has an agreement to work with the State Employees Association of NC, a non-union dues driven association that represents state employee interests primarily through lobbying efforts.¹⁰² Secretary-Treasurer MaryBe McMillan serves as an active member of HOPE,

attending all of their meetings and events, while President James Andrews offers his support through working to bring the coalition member together when conflict arises.

The state federation's support for HOPE was made evident at the 2006 North Carolina AFL-CIO convention, where HOPE had an exhibit table set up in the main reception area for the convention. Members of the coalition staffed the table, passed out educational materials and signed up members who are asked to contribute to HOPE through annual dues. The willingness of the state federation to embrace the efforts of public employees to organize even if it does not directly serve their own interests as an organization remains a testament to the federation's willingness to see the bigger picture of the need to improve the lives of all working people throughout the state.

Smithfield Organizing Campaign

The largest current private sector organizing effort in North Carolina involves the United Food and Commercial Workers (UFCW) attempt to organize workers at the Smithfield Packing plant in Tar Heel, North Carolina. The Smithfield plant is the largest hog processing operation in the world and has 5500 workers working in a plant over one million square feet in size and slaughtering 32,000 hogs per day.¹⁰³ The workforce consists almost entirely of workers of color and is nearly evenly divided between African American and Latino workers. Many of the Latino workers are undocumented immigrants who fear deportation. The work is extremely grueling with fast line speeds and unsafe equipment causing many workplace injuries. The conditions are so dire at the plant that Human Rights Watch has cited Smithfield for violating international human

rights standards, including denying workers' compensation to injured workers and retaliating against those who report injuries.

The UFCW attempted to organize the Smithfield workers in 1994 and 1997, with no success. Smithfield was charged with numerous unfair labor practices during these organizing drives as well during the current drive. The National Labor Relations Board upheld by the United States Court of Appeals for the District of Columbia Circuit in 2004 found that Smithfield used threats, intimidation and violence against workers trying to organize. The UFCW fears that if another election were to be held that the company would use the same dirty tactics so they are trying to push for management to voluntarily reach an agreement to recognize the workers' union.

The strategy for accomplishing this involves the UFCW building a coalition of allies for the organizing drive consisting of community groups, civil rights organizations and churches who can then work to raise public awareness. Members of the coalition include the NC Council of Churches, the Southern Churches Labor Council, and a number of Presbyterian, United Church of Christ and progressive Baptist churches. They have a postcard campaign, where people are encouraged to send postcards to Smithfield's corporate offices. On Labor Day 2006, the coalition also released a health and safety report, detailing the violations and injuries occurring at the plant. They are also trying to organize consumers and to educate them about where their pork is processed and are launching a holiday campaign to get consumers to buy pork processed elsewhere.¹⁰⁴

The largest show of worker solidarity came in the form of a two day walkout on November 16th and 17th, 2006 when hundreds of Smithfield workers left the plant in protest of the unfair practices of the company. In the weeks before the walkout,

Smithfield fired dozens of workers, including union supporters and immigrants over social security discrepancies.¹⁰⁵ Supporters from national religious, civil rights and immigrant rights organizations were contacted via the internet and encouraged to call the company to request that they meet the demands of the workers. Organizations that showed their support included the North Carolina State AFL-CIO, the National Baptist Convention, the Progressive Baptist Convention, the Southern Christian Leadership Conference, the North Carolina NAACP, the National Council of Churches and Rainbow Push.¹⁰⁶ Representatives from the company met with workers and their representatives during the walkout and agreed to increase the times allowed for employees to respond to “no match” letters from the Social Security Administration; to allow workers laid off for Social Security issues to return to work while the issues are being resolved; to have a Smithfield human resources manager designated to help process Social Security issues and respond to questions; to correct mistakes made involving the processing of Social Security; to not discipline workers who participated in the walkout and to have the plant manager Larry Johnson meet with the workers.¹⁰⁷ The walkout was considered to be a great success and a step towards establishing the union in the plant.

The North Carolina AFL-CIO has been extremely supportive of the Smithfield organizing effort. The state federation has arranged for Libby Manly, the head organizer on the campaign, to have an office in the state federation’s headquarters and has provided her with offices supplies, technical support and personal contacts with community groups and leaders.¹⁰⁸ At the 2006 North Carolina AFL-CIO convention, Smithfield organizers were given an informational table, where they passed out educational literature about the campaign, encouraged people to sign postcards and sold “Justice at Smithfield” t-shirts.

Libby Manly also was granted time during the convention to speak about the status of the organizing effort and was warmly received.

Organizing Successes

In addition to these ongoing and vibrant organizing drives at Smithfield and for public employees, the state federation has enjoyed great success in working with unions and community groups in organizing several companies in the state. One of the larger successes in recent years, involved the federation's work with the UAW in organizing DaimlerChrysler AG's Freightliner division in Gastonia, Cleveland, and High Point, North Carolina. While each victory tasted sweet, the organizing effort at Thomas Built Bus in High Point may have been the sweetest. At Thomas Built, the UAW was faced with a tremendous battle from the national Right to Work organization who challenged the card check arguing that workers were coerced into signing union cards. Following a hearing before the NLRB, the union decided to avoid more legal delays and agreed to set aside the card check and hold a second election in June 2005, where a significant majority (59%) of the 1,200 workers voted in favor of the UAW.¹⁰⁹ Previous successful organizing efforts by the UAW in 2003 and 2004 involving Freightliner workers in North Carolina had added more than 6,500 workers.

The organizing efforts at Thomas Built Bus were greatly helped by the community alliance building efforts of the state federation. Strong connections with churches in the area were crucial to keep the workers in High Point united during the stressful times. The workers held meetings in churches and church halls. Many community organizations joined with religious groups to rally in 2003 for the workers in

High Point. The solidarity shown by the community helped defeat the strong anti-union efforts of the national Right to Work group and further insured that the representation election would be a huge success.

Community alliances played a large role in the Farm Labor Organizing Committee's (FLOC's) successful campaign at the Mount Olive Pickle Company in Mount Olive, North Carolina. FLOC is an affiliate of the North Carolina AFL-CIO and represents migrant farm workers throughout the South and Midwest. Mount Olive Pickle Company is a North Carolina-based food processor and one of the country's largest pickle producers and a company that had been a target of FLOC representation efforts for many years.¹¹⁰ Frustrated by company tactics to rebuke representation, FLOC had called for a boycott of Mount Olive products in 1999. The other key party was the North Carolina Grower's Association (NCGA) which counts among its members many of the growers and suppliers of Mount Olive. The NCGA is an association of approximately 1,000 growers in North Carolina organized to recruit workers under the federal guest worker program. The NCGA had been accused of blacklisting workers who support the union and encouraging its members to avoid hiring workers who support FLOC.¹¹¹

The boycott was mildly successful, but the ultimate victory rested with the coalition of community and labor groups who publicly supported FLOC's organizing drive. More than 300 organizations endorsed the campaign, including the AFL-CIO, the Catholic Bishops of Raleigh and of dioceses across the country, the National Council of Churches, the General Board of Church and Society of the United Methodist Church, the United Church of Christ, Black Workers for Justice, the National Farm Worker Ministry, and many other labor unions, grocery stores, churches and community and student

organizations.¹¹² As the campaign developed, armed with information that one of the key players for Mount Olive was a deacon in the Methodist church, FLOC and the state federation, particularly MaryBe McMillan, decided to call upon the North Carolina Council of Churches and Barbara Zelter and the United Methodist Church for assistance.¹¹³ As a result of the combined efforts of the federation and the Council, the United Methodist Church's General Conference (the church's governing body) issued an endorsement of the FLOC boycott in May, 2004. It is largely believed that once the Methodist church became involved, efforts to fight back the union at Mount Olive began to lessen.¹¹⁴

The collective bargaining agreement signed by FLOC and NCGA covers an estimated 8,500 federal guest workers primarily from Mexico who work on North Carolina farms each year.¹¹⁵ The union contract is believed to be a first in North Carolina agriculture and for an H-2A employer and the "H2A Program" guest workers who become the first such workers in the history of the United States to win union representation and a contract.

Coalitions with Churches

Some of the strongest supporters in the North Carolina AFL-CIO's effort to mobilize and build union strength through coalitions are the different organizations of churches. Most notably, one of the strongest and most reliable for the past five years has been the North Carolina Council of Churches who has had a long-standing relationship with the federation even before Andrews became president because of a prior coalition to fight a food tax over 20 years ago. Most recently, Andrews decided that the two

organizations were “natural partners,” and he has made sure that the two groups actively seek out ways to work together on issues of mutual importance, as well as issues that may have more importance and relevance to one and not the other.¹¹⁶

The North Carolina Council of Churches has a strong tradition of addressing issues relevant to working families. A new staff person within the Council of Churches, Barbara Zelter, a program associate, is extremely motivated around worker concerns and sees union strength as a vital component in her work with the Council.¹¹⁷ She had served on the Union Community Fund Board (the fund headed by MaryBe McMillan prior to McMillan’s taking over a position as officer with the federation). For the past fifteen years Zelter has been active in organizing around economic justice and minority issues. MaryBe McMillan and James Andrews rely on her often as the contact person when either believes the Council of Churches could help on a particular issue, and she has consistently come through. The Council of Churches has been active in working with the UFCW and FLOC in their respective organizing efforts at such places as Smithfield and Mount Olive Pickle Company and many other union campaigns where the issue involves the plight of workers, particularly workers of color.

James Andrews’ philosophy is to build long-standing relationship with his various coalition partners and accomplishes this by building it through short-aimed projects. Andrews is quick to note that the federation does not always agree with some positions of his church partners. For example, the state federation takes no position on the death penalty which is an issue of importance to the Council. Still, the two are hard-working, natural partners on the broader issues of workers’ rights and working family issues.

Another church group that has been instrumental in the success of the AFL-CIO to secure political and legislative power beyond its numbers is the Pulpit Forum/Beloved Center, a group of African American churches arising, in part, out of their leader Nelson Johnson's activities as chair of the national board for the Interfaith Committee. Johnson and Andrews are friends and both share common goals for working families in North Carolina. Andrews knew Johnson through their mutual experiences with the NAACP. "I knew him in my other life," says Andrews about Johnson. Andrews is not a church official although he attended divinity school for some time but believes "fairness and honesty" in one's works and talk are the means to attracting church folk.¹¹⁸

The Pulpit Forum has an active Worker Center, headed up by an ex-CWA organizer, which is active in building community power and assists dislocated workers as well as providing workers with information on their labor law rights. The Pulpit Forum was an active partner in the UFCW's recent fight with Kroger and was involved with the AFL-CIO and UNITE campaign to organize workers at the K-Mart distribution center in Greensboro several years ago. Currently, the Forum works closely with UFCW at Smithfield both through the Worker Center and through the Forum's state-wide network to inform and educate the Forum's members about the struggles of the workers at Smithfield. The Pulpit Forum's network and assistance was deployed to help the Teamsters organize the Raleigh bus drivers and to assist in the UAW Thomas Built Bus campaign.

Analysis and Lessons Learned

What can small state federations glean from the experiences of North Carolina? This paper highlighted many of the successes enjoyed by the North Carolina AFL-CIO despite having only three staff members, a tiny budget and an environment with less than 3% union density. Its success has come primarily through dedicated coalition building with the community and other like-minded social groups.

The North Carolina federation obviously has found great strength and has built its power base on some typical and atypical resources. The federation has a dynamic president who has surrounded himself with a young and energetic staff, all of whom are dedicated to the building of union identity and power in North Carolina. Each of the staff is non-traditional; they did not come up from the ranks; their backgrounds are not what one expects to see when visiting a state federation office, and they reflect more of a concern for politics and social issues than for day-to-day union administration, i.e. grievance handling, arbitration and collective bargaining.

The importance of the partnership that the state federation has built with the North Carolina Justice Center cannot be over-emphasized in that the free legislative research and legal advice provided by the NCJC is instrumental in the AFL-CIO successes. Their work has enabled James Andrews and MaryBe McMillan to have more time to engage in lobbying activity and coalition building as well as providing the federation with a great amount of credibility in the public's eyes and vice-versa.

The North Carolina AFL-CIO concentrates on working with all unions in the state whether or not they are affiliated with the AFL-CIO and with any social group whose mission or projects could be helpful to working people, even if it does not directly impact on union members. The federation has a broad agenda and stresses inclusion not

exclusion. The organization is working to create a social movement in North Carolina and reaches out to groups to get on board.

At the September, 2006 state convention for the North Carolina AFL-CIO, the commitment of the federation to coalition work and community alliances was apparent in the meeting rooms, the convention ballroom, and the hallways throughout the hotel. There were tables for such groups as the Justice at Smithfield campaign and “Hear Our Public Employees,” as well as tables representing various community and church groups who actively work with the state federation on legislative and political matters. The convention was vibrant, and there was a distinct air of confidence, strength and unity. Andrews used the convention not only as a tool for messages from the state federation, the locals unions and the central labor councils, but also brought in speakers who represented the various community groups with whom the federation had allied itself for the different political and legislative battles in the past two years. The speakers included representatives on the minimum wage issue (Sorien Schmidt of the North Carolina Justice Center), the workers’ compensation victory (Mike Okun) and the organizing battle at Smithfield (Libby Manly, organizer for the UFCW). It is clear that Andrews intends that the convention be more than just a two day “business as usual” event. Instead, it is an opportunity for the local union delegates to see how the coalition building strategy of the federation is working and a chance to educate the locals on the issues presently planned and the various community and socially active groups involved. If one considers the number of t-shirts being worn by convention delegates advocating the campaigns and community action groups present, then Andrews’ plan must be considered a huge success.

This being said, the North Carolina AFL-CIO's method of building power in the state is not without weaknesses and potential gaps that must be addressed and mended in order that the movement can continue or have lasting impact in the state. The piece that is missing from this paper is the piece that is missing in North Carolina – the local union leadership's role in building the labor movement. Although local union leaders recognize the importance of a strong state and local labor movement, few have the time and resources to devote to it. The local leaders admittedly have a lot on their plate; they work full-time jobs for their employers and manage the day-to-day operations of their local unions. Grievance handling, arbitration preparation, collective bargaining and just meeting the needs of their members remain the focus of their labor work. This leaves little time to participate in the CLCs or the activities of the state federation. Local union leaders in North Carolina also struggle with these union administration tasks and frequently call on the state federation, especially General Counsel Mike Okun for assistance with grievance, arbitration and collective bargaining issues.¹¹⁹

There is a real need for more educational programming and skill-building. Although the North Carolina AFL-CIO holds an annual Labor School for 70 – 80 union members (mostly new union stewards and leaders), the federation or local unions could offer more courses. This would also help address another of the issues facing the state federation – fostering and mentoring new leadership.

Despite the need for leadership building, the story of the North Carolina AFL-CIO definitely is one of success. Their ability to achieve legislative and political wins and to build strong community coalition with a small staff, limited budget and low union density exists as dramatic victory for labor. Finally, James Andrews demonstrates the

importance of inclusive leadership and the ability to think outside the traditional labor box. Other state federations can learn a great deal from the North Carolina case about building labor's power.

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¹ AFL-CIO, "Building the Labor Movement in our Communities: The New Alliance," August 3, 1999.

² Interview with James Andrews, August, 24, 2006.

³ Interview with James Andrews, November 14, 2006.

⁴ Ibid.

⁵ U.S. Census Bureau (2005).

⁶ Interview with Sorien Schmidt, September 20, 2006.

⁷ U.S. Dept. of Labor, Bureau of Labor Statistics (2003).

⁸ Interview with Chip Roth, October 19, 2006.

⁹ Interview with Andrews, November 14, 2006.

¹⁰ Ibid.

¹¹ Ibid.

¹² Interview with Andrews, August 26, 2006.

¹³ NC AFL-CIO Web site: <http://www.aflcionc.org/staff.htm> .

¹⁴ Ibid.

¹⁵ Interview with Mike Okun, September 20, 2006.

¹⁶ Interview with Andrews, August 26, 2006.

¹⁷ As discussed herein, Okun and McMillan were instrumental in getting the AFL-CIO involved in the Ethics and Lobbying Bill passed in 2006. Labor was not the major player in the coalition formed around the Ethics bill but provided substantial lobbying.

¹⁸ Interviews with Andrews, August 24 and August 28, 2006.

¹⁹ Interview with Okun.

²⁰ Interview with Andrews, August 28, 2006.

²¹ Ibid.

²² Ibid.

²³ Interview with Okun.

²⁴ AFL-CIO website www.aflcio.org .

²⁵ The eight CLCs are Western North Carolina, Southern Piedmont, Triad, Greater Sandhills, triangle, Eastern Piedmont, Southeastern NC and Eastern NC. For more information, including those counties specifically covered by each CLC, check out the state federation's web site.
<http://www.aflcionc.org/clcs.htm> .

²⁶ Interview with Andrews, November 14, 2006.

²⁷ Interview with Okun; Interview with Andrews, August 28, 2006.

²⁸ Interview with Andrews, November 14, 2004.

²⁹ Ibid.

³⁰ Ibid.

³¹ Ibid.

³² Interview with Andrews, August 24, 2006.

³³ Interview with Andrews, August 28, 2006; Interview with Rachel Offenstein, EB Member, USW L. 959, September 21, 2006.

³⁴ Interview with Okun. According to Okun, North Carolina was the top state in the south and near the top in the nation for benefits per injured claimant.

³⁵ *North Carolina Policy Brief*, publication of the NC Justice Center, May 2, 2005.

³⁶ Ibid.

³⁷ Ibid.

³⁸ Interview with Okun.

³⁹ Specifically, SB 984 would have required benefits to cease either after 500 weeks or when the claimant reached the age of 65 whichever came first. The proposed bill inserted new language to allow employers and insurance carriers to obtain any and all of the injured workers' past medical records without prior approval or notice to the worker. Private conversations between insurance carriers and the worker's doctor would be allowed and sanctions were to be imposed against any physician who refused to cooperate. Other provisions changed the current review standard for the North Carolina Industrial Commission, who is the highest administrative review board, to require the Commission to halt permanently all benefits to any claimant who refused suitable work. The law proposed redefining "suitable work" to any job that may exist within the worker's physical limitations and not whether such a job had been offered. The proposals also required a permanent cessation of benefits upon a worker being reemployed even if the worker subsequently loses the work due to his disability. Presently, North Carolina law provides only a temporary cessation of benefits.

⁴⁰ Interview with Andrews, August 24, 2006; Interview with Okun, September 20, 2006.

⁴¹ Interview with Okun.

⁴² Interview with Okun. Interview with Andrews, August 24, 2006. Interview with Chip Roth, International Representative and Business Agent, Teamsters L. 391, September 21, 2006.

⁴³ Interview with Okun.

⁴⁴ Interview with Sorien Schmidt, September 20, 2006. Interview with Andrews August 24, 2006.

⁴⁵ *North Carolina Policy Brief*, May 2, 2005.

⁴⁶ Ibid.

⁴⁷ Teamster International Representative Chip Roth called Andrews an "omnipresence in the legislature." Interview with Roth, September 21, 2006.

⁴⁸ Interview with Andrews, August 24, 2006.

⁴⁹ Interview with Andrews, August 24, 2006. Interview with Roth. Also, Homepage of Teamsters Local 391, http://www.teamsterslocal391.org/abt_us.htm.

⁵⁰ North Carolina was among other states with similar statutes. The federal government has not increased the minimum wage in over a decade - the longest period of time without an increased since World War II.

⁵¹ Interview with Okun.

⁵² The Elon University Poll was conducted Feb. 20-23 and Feb. 26-March 2 by the Elon University Institute for Politics and Public Affairs.

⁵³ North Carolina Fair Share is a group that works on health care and economic security issues, specifically geared to lower-income families.

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- ⁵⁴ Working Families Win is organized in over a dozen key districts in the U.S., including North Carolina's 8th Congressional District. Working Families Win relies on face-to-face, neighbor-to-neighbor contact. Their agenda includes affordable healthcare, minimum wage and rights of workers. For further information on "North Carolinians for Fair Wages" see their Web site: <http://www.ncfairwages.org/endorsers.htm>.
- ⁵⁵ Interview with Schmidt. Interview with MaryBe McMillan, September 20, 2006.
- ⁵⁶ North Carolina Justice Center Web site: <http://www.ncjustice.org/about/index.php>
- ⁵⁷ Interview with Schmidt.
- ⁵⁸ Ibid.
- ⁵⁹ Ibid.
- ⁶⁰ Economic Policy Institute, analysis of 2004 Current Population Survey; [FAST FACTS - About Human Needs & Inequality in North Carolina](#), a publication of the North Carolina Justice Center, February 21, 2006.
- ⁶¹ Henry J. Kaiser Family Foundation.
- ⁶² Interview with Schmidt.
- ⁶³ Ibid.
- ⁶⁴ Interview with Schmidt.
- ⁶⁵ The Senate bill called for an increase of \$1.00 an hour.
- ⁶⁶ Interview with Schmidt, citing an article from the *Raleigh News and Observer*.
- ⁶⁷ North Carolina Justice Center, "Payday Lending in 2005: Where Things Stand and Where the Issue Might be Headed," *North Carolina Justice Center Policy Brief*, Volume 3, Number 4, February 21, 2005.
- ⁶⁸ Ibid.
- ⁶⁹ Interview with Andrews, August 28, 2006.
- ⁷⁰ Interview with Al Ripley, Raleigh, NC, September 21, 2006.
- ⁷¹ Ibid.
- ⁷² Ibid.
- ⁷³ Interview with Andrews, August, 24, 2006.
- ⁷⁴ Doug Berger website <http://www.dougbergerforsenate.com>
- ⁷⁵ Interview with Andrews, August 28, 2006.
- ⁷⁶ Interview with Andrews, November 14, 2006.
- ⁷⁷ In her reelection bid in 2006, she continued this platform, along with a fight against the use of methamphetamine. As a representative during the past two years she was instrumental in passing legislation more severely attacking the use and distribution of the drug.
- ⁷⁸ SEANC Website, <http://www.seanc.org>. *News and Observer*, <http://www.newsobserver.com>, October 6, 2005.
- ⁷⁹ Interview with Andrews, August 2006.
- ⁸⁰ Interview with Andrews, August 28, 2006
- ⁸¹ *The News and Observer*, <http://www.newsobserver.com> April 13, 2006.
- ⁸² *The National Coalition on Black Civil Participation, 2004 Year in Review*
- ⁸³ North Carolina is one of ten states that have no statutes that extend bargaining or "meet and confer" rights to any group of public employees.
- ⁸⁴ Interview of Melvin Montford, September 21, 2006.
- ⁸⁵ Ibid.
- ⁸⁶ Ibid.
- ⁸⁷ Ibid.
- ⁸⁸ Ibid.
- ⁸⁹ Interview with Andrews, November 14, 2006
- ⁹⁰ Ibid.
- ⁹¹ Interview with Montford, September 21, 2006.
- ⁹² Interview with MaryBe McMillan, November 20, 2006.
- ⁹³ Ibid.
- ⁹⁴ <http://www.larrykissell.com>
- ⁹⁵ Ibid.
- ⁹⁶ North Carolina AFL-CIO website www.aflcionc.org
- ⁹⁷ Here Our Public Employees, www.nchopecoalition.org, September 26, 2006.
- ⁹⁸ HOPE, 2006.

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- ⁹⁹ Interview with Andrews, August 26, 2006
- ¹⁰⁰ Interview with Chip Roth IBT International Representative and Business Agent, October 16, 2006.
- ¹⁰¹ Interview with Ashaki Binta, UE Coordinator of Collective Bargaining for North Carolina and HOPE operations committee member, September 21, 2006.
- ¹⁰² Interview with Russell Herman, UAW member and HOPE operations committee member, September 21, 2006.
- ¹⁰³ Interview with Libby Manley and Erica Bratz, UFCW organizers for Smithfield campaign, September 22, 2006.
- ¹⁰⁴ Ibid.
- ¹⁰⁵ UFCW Justice at Smithfield Campaign website, www.smithfieldjustice.com, assessed November 21, 2006.
- ¹⁰⁶ Ibid.
- ¹⁰⁷ Ibid.
- ¹⁰⁸ Interview Manly and Bratz.
- ¹⁰⁹ North Carolina AFL-CIO Website, <http://www.aflcio.org>
- ¹¹⁰ *Goldsboro News Argus*, <http://www.newsargus.com> September 16, 2004.
- ¹¹¹ *FLOC in the News* <http://www.floc.com> April 20, 2004, accessed November 21, 2006.
- ¹¹² National Council Of Churches press release, September 16, 2004, <http://www.nccusa.org/news/04pickleboycottends.html>
- ¹¹³ Interview with Barbara Zelter, November 21, 2006.
- ¹¹⁴ Ibid.
- ¹¹⁵ FLOC News, <http://www.nfwm.org/pdf/boycotts/flocrelease.pdf> September 26, 2004.
- ¹¹⁶ Interview with Andrews, November 16, 2006.
- ¹¹⁷ Interview with Zelter.
- ¹¹⁸ Interview with Andrews, November 16, 2006.
- ¹¹⁹ Interview with Okun.