



Harvard Model Congress Boston 2024

BARRIERS TO ORGANIZING UPDATE

By David Sauer

The most notable shift in the world of worker organization in the past months did not come from the legislative branch, but rather from the unions themselves. The six-week long strike of the United Automobile Workers (UAW) at various automobile companies' factories showcased a new wave of strategic planning on the union's side. Companies in many industries, but especially the automobile industry, are usually able to respond to strikes and walkouts by shifting production within their redundant supply chains to different locations. In the past wave of walkouts organized by UAW, union members succeeded, however, in targeting chokepoints in the supply chains in a manner that was unpredictable for the companies.

The tentative agreements they were able to achieve are remarkable against traditional standards, granting more power to the union at large. For example, union elections are not necessary at some factories have yet to unionize; rather, the employees can unionize themselves (Scheiber, 2023).

Partially in response to the Biden administration's attitude towards the UAW strike, but also reflective of their general policy on unions, the U.S. Chamber of Commerce (USCC) published a report harshly criticizing the current government's effort to strengthen unions and expand the applicability of antitrust law. The report details a multitude of executive actions taken by the Biden government to achieve said goals. They underscore arguments brought forward by advocates of right-to-work legislation, emphasizing the individual freedoms of workers and the autonomy of employers. (US Chamber of Commerce, 2023)

Within the legislative branch, a group of 115 representatives, gathering around the Representative Donald Norcross, introduced a bill titled "No Tax Breaks for Union Busting (NTBUB) Act." This bill, already introduced unsuccessfully in 2022, aims to reform the Internal Revenue Code to prevent employers from claiming tax deductions for anything related to influencing employees within the context of labor organizations. Additionally, more stringent reporting requirements for employers with regards to such expenses were introduced. (H.R. 5456, 2023)

On the other side of the aisle, Representative Scott Perry introduced the “Freedom From Union Violence Act of 2023” which aims to amend 18 U.S. Code §1951 (Hobbs Act). This section was introduced to make violence and similar conduct during a labor dispute, or action that had the capacity to impede trade, a specifically punishable offense. The proposed amendment would specifically exempt incidental behavior during “labor disputes” that was not part of a concerted effort from the consequences detailed in this section (H.R. 5314, 2023).

BIBLIOGRAPHY

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