



Why Labor Organizing Should Be a Civil Right: Rebuilding a Middle-Class Democracy by Enhancing Worker Voice

Richard D. Kahlenberg, Moshe Z. Marvit

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American society has grown dramatically more unequal over the past quarter century. The economic gains of American workers after World War II have slowly been eroded—in part because organized labor has gone from encompassing one-third of the private sector workers to less than one-tenth. One reason for the labor movement's collapse is the existence of weak labor laws that, for example, impose only minimal penalties on employers who illegally fire workers for trying to organize a union. Attempts to reform labor law have fallen short because labor is caught in a political box: To achieve reform, labor needs the political power that comes from expanding union membership; to grow, however, unions need labor law reform. *Why Labor Organizing Should Be a Civil Right* lays out the case for a new approach, one that takes the issue beyond the confines of labor law by amending the Civil Rights Act so that it prohibits discrimination against workers trying to organize a union. The authors argue that this strategy would have two significant benefits. First, enhanced penalties under the Civil Rights Act would provide a greater deterrent against the illegal firing of employees who try to organize. Second, as a political matter, identifying the ability to form a union as a civil right frames the issue in a way that Americans can readily understand. *Why Labor Organizing Should be a Civil Right* explains the American labor movement's historical importance to social change, it provides data on the failure of current law to deter employer abuses, and it compares U.S. labor protections to those of most other developed nations. It also contains a detailed discussion of what amending the Civil Rights Act to protect labor organizing would mean as well as an outline of the connection between civil rights and labor movements and analysis of the politics of civil rights and labor law reform.

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