

**Ensuring Respect for Human Rights In Employment  
IRRA Presidential Address  
by Sheldon Friedman<sup>i</sup>  
Fairmont Hotel, University Room  
New Orleans, Louisiana  
12:30 p.m. - 2:15 p.m.  
January 6, 2001**

Thank you, Maggie, for that kind introduction. It is a great honor and privilege for me to speak here today.

As many of you know, “Ensuring Respect for Human Rights in Employment” is the theme I chose for this annual meeting. In my view, our profession faces no greater challenge in the 21<sup>st</sup> century. Today, I want to address one of the most important aspects of that challenge...

Namely, respect for freedom of association in the workplace--the freedom of workers to unionize and bargain collectively. Both are widely recognized as fundamental human rights, on a par with other basic freedoms such as the freedom of religion or the right to be free from discrimination based on race, gender or sexual orientation. In the United States, freedom of association—despite being enshrined in the Constitution—stops when you enter the workplace door.

The evidence is no further away than your TV screen...

Last year, the ABC news magazine 20/20 featured the story of Gary McClain, an employee of Tenneco (now Pactiv) in Beach Island, SC who was handcuffed, detained, and involuntarily committed to a mental institution. His crime? Trying to form a union.

This case represents an extreme example of something that happens every day all across the country - employers interfering with their workers' freedom to choose a union.

Here's the story ABC News told.

In 1999, Mr. McClain, a 17-year employee with no history of violence on the job and no criminal record, joined together with co-workers in an effort to form a union affiliated with the International Union of Operating Engineers. In July, at a mandatory anti-union "captive audience" meeting called by Tenneco management, Mr. McClain challenged his plant manager to allow workers to hear the pro-union side of the story. The next day, Tenneco contacted the county sheriff's department, which sent a SWAT team to arrest Mr. McClain and haul him into a hospital emergency room--where he was drugged, sent involuntarily to a mental institution, and held for two weeks until a judge released him.

A law professor interviewed on the program said Mr. McClain's case reminded him of the treatment of many dissidents in the former Soviet Union—except, and here I quote, "in the former Soviet Union there was greater respect for due process."

Mr. McClain's case is extreme, but the bottom line is that the United States has a dismal record when it comes to protecting the basic freedom of working Americans to join unions and engage in collective bargaining. This dismal record should be of concern to everyone in this room, and to all members of the labor relations profession—regardless of where you sit at the bargaining table.

Why? Because the freedom to join a union and engage in collective bargaining is, and should be, recognized as a fundamental human right. What does it mean to call something a human right? As Hoyt Wheeler—a past president of our Association--explains it, calling something a fundamental human right "means that it is a moral right that prevails over considerations of convenience or efficiency, and gives way only to other moral rights."<sup>i</sup> If something is a fundamental human right, according to Wheeler, "then it trumps mere economic interests of employers or the public."

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<sup>i</sup>. Hoyt N. Wheeler, "Viewpoint: Collective Bargaining Is a Fundamental Human Right," Industrial Relations (forthcoming).

As Roy Adams, another distinguished member of our Association, has put it:

“Human rights are rights possessed by all human beings solely by virtue of their humanity. They are rights that do not depend for their existence on legislation, and they cannot be eradicated by legislation. They are rights that all governments have a responsibility to uphold and promote, and which all individuals and employers have a responsibility to respect.”<sup>ii</sup>

Measured with this yardstick, workers almost invariably suffer pervasive, serious violations of their fundamental human rights when they try to form or join a union in the United States today. Workers who seek to form a union nearly always face a broad array of well-honed and devastatingly effective employer tactics designed to suppress their freedom to organize.

Why are freedom to join a union and engage in collective bargaining fundamental human rights? Because workers have a moral right to determine jointly with their employer the terms and conditions of their employment, by means of democratically elected representatives and through organizations which workers themselves control. These are minimum conditions for workplace democracy. The alternative, unchallenged unilateral employer determination of all terms and conditions of employment--workplace autocracy--is an unacceptable state of affairs in a modern democratic society. At the most fundamental level, denial of any worker's right to participate in work-related decisions is an affront to human dignity.

The idea that freedom to join a union is a fundamental human right has deep roots. In the Judeo-Christian tradition, for example, according to the 1986 pastoral letter on Catholic Social Teaching and the U.S.

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<sup>ii</sup> Roy J. Adams and Sheldon Friedman, “The Emerging International Consensus on Human Rights in Employment,” *Perspectives on Work*, Vol. 2, No. 2, 1998, pp. 24-27.

Economy, “the Church fully supports the right of workers to form unions...to secure their rights to fair wages and working conditions...No one may deny the right to organize without attacking human dignity...”<sup>iii</sup>

This notion is also deeply rooted in international human rights law. Freedom to join a union is a subset of the freedom of association, which was recognized as a human right in the 1947 Universal Declaration of Human Rights. Provisions on freedom of association can also be found in the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights (ICCPR).<sup>iv</sup>

Probably most of you are familiar with International Labor Organization (ILO) Conventions 87 and 98, which guarantee the freedom of association and the right to organize and bargain collectively. Convention 87 states that “workers...shall have the right to establish and...to join organizations of their own choosing...Each member of the ILO for which this Convention is in force undertakes to take all necessary and appropriate measures to ensure that workers...may exercise freely the right to organize.”

Even though the United States has not ratified Conventions 87 or 98, most international law experts agree that the U.S. has a duty to uphold and protect the right to organize and bargain collectively.

That is because--independently of Conventions 87 and 98--the right to organize and bargain collectively is widely recognized as a “core” labor right, along with prohibition on the use of forced or compulsory labor, a minimum age for the employment of children, and non-discrimination in employment. As a consequence, all nations have an obligation to uphold and protect these rights, whether or not they have ratified the underlying

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<sup>iii</sup>. Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy, 1986, pp. 53-54.

<sup>iv</sup>. Virginia A. Leary, “The Paradox of Workers’ Rights as Human Rights,” in Lance Compa and Stephen Diamond, Human Rights, Labor Rights and International Trade, University of Pennsylvania Press, 1996, p. 24.

ILO Conventions, and even whether or not they are members of the ILO.<sup>v</sup>

This U.S. obligation under international law was reinforced in 1998 by the Declaration of Fundamental Principles and Rights at Work, which committed all ILO member nations to “respect, promote and realize in good faith” core labor rights, including the freedom to organize. This Declaration was adopted with the support of all U.S. delegates to the ILO, including the employer representatives.

So, to recap briefly: workers’ freedom to organize is a fundamental human right, there are good reasons why it should be a fundamental human right, and workers everywhere including the United States are entitled to this right. This means that the U.S. government at all levels, individuals, and businesses have a duty to uphold and protect workers’ freedom to organize.

So, how are we doing? Are American businesses respecting the freedom of workers to join unions? Is government doing everything it can to uphold and protect this freedom?

Anyone remotely familiar with the labor relations scene in the United States today, which includes everyone in this audience, knows the answers to these questions. And you know that the answers aren’t pretty. Human Rights Watch, one of the world’s premier human rights organizations, recently undertook a careful, in-depth, year-long study of the freedom of association in the United States workplace.<sup>vi</sup> Their report is a powerful indictment of the failure of the United States to meet its obligations under international law to protect workers’ fundamental rights.

Jim Gross, a distinguished member of our association, reached a

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<sup>v</sup> Virginia A. Leary, “The Paradox of Workers’ Rights as Human Rights,” in Lance Compa and Stephen Diamond, Human Rights, Labor Rights and International Trade, University of Pennsylvania Press, 1996, p. 29.

<sup>vi</sup> Human Rights Watch, *Unfair Advantage: Workers’ Freedom of Association in the United States Under International Human Rights Standards*, Washington, D.C., 2000. The report is available on the web at [www.hrw.org/reports/2000/uslabor/](http://www.hrw.org/reports/2000/uslabor/).

similar conclusion in an important 1999 paper.<sup>vii</sup>

Roy Adams has described our situation as “a sort of labor relations holocaust.”<sup>viii</sup> Strong language, to be sure—but the sad truth is that Roy’s analogy fits the labor relations situation in our country today.

A large and growing percentage of all workers today have no legally protected freedom to form or join a union—none whatsoever—including supervisors, most agricultural workers, independent contractors, household workers, and state and local government employees in the 14 states without collective bargaining laws.

This means, in the case of supervisors, that not only is it legal to fire them for trying to form a union, but they can also be fired for refusing to participate in their employers’ anti-union campaigns during organizing drives. I wonder how many supervisors would decline to participate in suppression of union organizing if they had legal protection against job loss or other economic harm? And what impact might this have on the ability of employers to carry out anti-union campaigns?

Not only do these huge gaps in coverage leave millions of workers completely unprotected; they also create running room for employers who want to use procedural delays to tie the rights of covered workers up in knots.

And what about workers whose freedom to unionize supposedly still does have legal protection? It turns out that their situation is not much better.

When working people try to exercise their freedom to organize unions today, the vast majority face aggressive, coercive employer-led campaigns

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<sup>vii</sup> James A. Gross, “A Human Rights Perspective on U.S. Labor Relations Law: A Violation of the Freedom of Association,” *Employee Rights and Employment Policy Journal*, Vol. 3, No. 1, 1999, pp. 65-103.

<sup>viii</sup> Roy J. Adams, “Labor Rights Are Human Rights,” *Working USA*, July/ August 1999, p. 72.

designed to “change” their minds.

Kate Bronfenbrenner’s research tells us that in 94 percent of organizing drives, private sector for-profit employers force workers to attend “captive audience” meetings.<sup>ix</sup> And what is a captive audience meeting? It is a meeting on company time during which a strong, one-sided anti-union message is presented. Workers can be fired for refusing to attend. Workers who support the union can be forbidden to attend. No equal time--or indeed any time--is allowed during working hours for rebuttal, or for the union side to be presented.

In 79 percent of organizing efforts, supervisors pressure workers in one-on-one meetings to vote against joining the union. In 62 percent of organizing campaigns, employers show anti-union videos.

Though it is nominally illegal, each year employers discharge thousands of workers because they are seeking to form or join a union in their workplace. Employers illegally fire workers in nearly a third of all organizing drives. Illegal discharges of workers seeking to exercise their freedom of association in the workplace have reached epidemic proportions. According to Human Rights Watch:

“In the 1950s...workers who suffered reprisals for exercising the right to freedom of association numbered in the hundreds each year. In the 1960s the number climbed into the thousands, reaching slightly over 6,000 in 1969. By the 1990s more than 20,000 workers each year were victims of discrimination leading to a back-pay order by the NLRB—23,580 in 1998.”<sup>x</sup>

In 58 percent of all organizing campaigns employers threaten or

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<sup>ix</sup>. See Kate Bronfenbrenner's September 2000 report, written for *the U.S. Trade Deficit Review Commission*, "Uneasy Terrain: The Impact of Capital Mobility on Workers, Wages and Union Organizing." To access the report on the web, go to [www.ustdrc.gov/research](http://www.ustdrc.gov/research) and download the file [bronfenbrenner.pdf](#).

<sup>x</sup> Human Rights Watch, *Unfair Advantage: Workers' Freedom of Association in the United States Under International Human Rights Standards*, Washington, D.C., 2000, p. 8.

“prophesize” that if workers vote for a union, their workplace will move or close. The prevalence of such threats is even higher in organizing campaigns in mobile industries; in manufacturing, it is 71 percent.

In workplaces with high proportions of undocumented workers, during more than half of all organizing drives the employer threatens to call the INS if the workers vote to unionize.

If strong-arm tactics such as these aren’t enough, employers seeking to frustrate the freedom of workers to organize can and do take advantage of a wide range of legal and administrative stalling tactics and delays.

These are just a few of many aggressive employer tactics that rob American workers of their freedom to choose a union today. These tactics form the building blocks of comprehensive employer anti-union campaigns—in which the tactics are used in combination and co-ordinated by experienced anti-union consultants in order to send a devastating message to workers seeking to exercise their freedom to unionize.

Even though not all workers seeking to unionize are directly victimized by the most extreme of these tactics, such as discharge, the employers and anti-union consultants who use these tactics do so in order to produce the maximum chilling effect—to deprive all workers of their rights by singling out a few for special treatment. The logic, if that is the right word, is the same as shooting deserters from the military or prisoners of war caught trying to escape—not only is the guilty party punished, but their colleagues very quickly get the idea that it would be foolhardy for them to try anything similar.

We even have an entire industry in the United States of anti-union consultants whose sole purpose is to suppress the freedom of workers to join unions—that is, to snuff out a fundamental human right.

In a powerful memoir of the 20 years he spent as an anti-union consultant, Martin Levitt describes in detail the strategies and tactics that enabled him to defeat the union in all but four of the 200 certification election campaigns in which he was paid to call the shots. Even one of the four elections he “lost” wasn’t a defeat for Levitt in the end, since the employer kept him on to orchestrate a successful anti-first contract campaign.

According to Levitt:

“The enemy was the collective spirit. I got hold of that spirit while it was still a seedling; I poisoned it, choked it, bludgeoned it if I had to, anything to be sure it would never blossom into a united workforce.”<sup>xi</sup>

Would we tolerate an entire industry of consultants whose major purpose was to suppress any other fundamental human right, other than the freedom to organize? What about freedom from discrimination? As Roy Adams puts it:

“Imagine an employer saying, ‘I don’t want any people of color working for me, but if they show up I will follow the law.’ Does such a statement infringe upon the civil and human rights of minorities? Most of us would say that it certainly does.

U.S. “companies openly pursue ‘union free’ workplaces. Imagine the uproar that would be provoked by a company that openly pursued a ‘black-free’ workplace or a ‘female-free workplace’ or a ‘gay-free’ workplace.”<sup>xii</sup>

The consequences of failing to protect the freedom of workers to organize go way beyond the loss of wages, benefits and dignity and respect on the job, serious though these are. They also include the

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<sup>xi</sup>. Martin Jay Levitt and Terry Conrow, Confessions of a Union Buster, Crown, 1993

<sup>xii</sup>. Roy J. Adams, “Labor Rights Are Human Rights,” Working USA, July/ August 1999, p. 75.

silencing of workers' voices in the political process, and the weakening of the counterweight against corporate power that is so essential to the preservation of democracy.

Those who seek to justify employer interference with the freedom of workers to form unions often argue that in opposing unionization, employers are simply exercising their freedom of speech. But many of the tactics used routinely by employers to snuff out the freedom to unionize are highly coercive.

Why should behavior that is intended to deprive individuals of their fundamental human rights, such as their freedom to unionize and bargain collectively, deserve protection as "free speech"? If sexually offensive language can be considered harassment rather than free speech, then what is language that is intended to harass workers who are exercising their right to form a union? Can anyone seriously contend that speech by an employer during an organizing campaign is no more coercive and therefore deserving of the same protection as speech by a politician during a political election campaign?

It is a bitter irony that virtually the only labor relations speech being restricted these days is workers' freedom to criticize corporate behavior. Through the use of injunctions, RICO suits and other litigation, many employers and courts appear to have no problem in judging labor free speech by an entirely different standard.

Another common argument is that employer opposition to workers' freedom to unionize isn't the problem; rather, workers no longer need and no longer are interested in unions today. But if workers aren't interested in unions, isn't it odd that employers spend millions of dollars on anti-union campaigns? In reality, employer interference can have a devastating impact on workers' freedom to choose a union. According to a paper by Phil Comstock and Maier Fox, 36% of "no" voters in union representation elections explain their vote as a response to employer pressure, and 86% of those mention fear of job loss specifically. <sup>xiii</sup>

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<sup>xiii</sup>. Phil Comstock and Maier B. Fox, "Employer Tactics and Labor Law Reform," in Sheldon Friedman, et.

Given the obstacles and the risks and the personal costs, it testifies to the resilience of the human spirit that so many workers continue to fight for the freedom to join unions. According to a poll by Richard Freeman and Joel Rogers, 32% of non-supervisory, non-union employees want to join a union.<sup>xiv</sup> That's more than 30 million people. Freeman and Rogers find that the "natural" unionization rate in the mid-1990s—if there was a "free market" for union representation—would be 44%—the highest in U.S. history.<sup>xv</sup>

Even this huge figure is probably a low estimate. If workers didn't have to struggle and endure employer opposition to win union representation and the right to collective bargaining, it is hard to believe that very many of them would opt for no representation and "individual bargaining" instead. Anyone who knows what is going on in today's economy knows that the economic security and advancement of working families requires an effective countervailing force to employers — and that force is unions.

To quote Roy Adams again—if we lived "in a world in which employers actually did respect the human rights of their employees...in which they were willing voluntarily to recognize and bargain with any freely chosen representative" ...then

"In that circumstance it is pretty hard to imagine any group of working people willfully refusing to select a bargaining representative in order to participate in the shaping of conditions critical to their welfare.

"What group of employees would say to their employer, 'No, we don't want to participate. We want you- unilaterally and without our input- to make up all the rules about our pay and conditions, about our health and safety, about our employment security'?"

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al. (eds.), Restoring the Promise of American Labor Law, ILR Press, 1994, pp. 90-109.

<sup>xiv</sup> Richard Freeman and Joel Rogers, *What Workers Want*, p. 67.

<sup>xv</sup> *Ibid.*, pp. 6 and 89.

“It is preposterous to believe that they would do so...”

Now I return to my opening point: the fact that the United States falls so far short of its obligation to “respect, to promote and to realize in good faith” the freedom to organize and bargain collectively, both of which are fundamental human rights, should be deeply troubling to all of us in the labor relations profession.

You may say, but many of the most potent practices for depriving workers of their rights are perfectly legal under U.S. law. And many others, while technically illegal, are lightly penalized and the law is poorly enforced. True enough.

Which means, sooner or later, we will have to change the law.

What kind of legal framework would it take to protect workers’ freedom to organize and bargain collectively? First, it would require the law to recognize that the right of workers to form unions is a fundamental human right analogous to freedom of speech, freedom of religion, and the right to be free from racial or sexual discrimination—and deserving of the same kind of protection as these other fundamental rights.

To achieve this goal, we must take employers out of the decision-making process as to whether or not workers choose to exercise their right to be represented by a union.

We must also ensure that workers who choose to be represented by a union have a meaningful right to bargain that ultimately results in a contract on fair terms -- even if that means giving a third party authority in certain instances to settle those terms, a practice that is not uncommon in the public sector.

And we must hold lawbreakers truly accountable, with punishment that “fits the crime,” so that violations of our nation’s labor laws will be dealt with as seriously as violations of our other laws.

Furthermore, we must extend the protections of the law to all workers who need it, regardless of their placement in such easily manipulated workforce categories as “independent contractor,” “supervisor,” “temporary” or “seasonal,” consistent with our recognition of changing employment relations in the new economy.

But changing the law is a long term goal. Justice in the workplace can't wait that long. We must act now to change the climate in the country so that more employers respect workers' freedom to join a union. There must be more employers out there with a conscience who would want to do the right thing—and who, with proper information, would do the right thing—despite the inadequacy of current law.

Because not all employers are this enlightened, at the AFL-CIO we've launched the Voice@Work campaign. The purpose of this campaign is to educate the public about the widespread denial of workers' freedom to organize, to expose repressive employer practices to the light of day, and to change the climate both in specific organizing drives and nationally so that workers' freedom to organize is respected and protected despite the inadequacy of current U.S. labor law. Voice@Work enlists religious, community and political allies to persuade employers to desist from suppressing the freedom to unionize.

Although our program is at an early stage, it has already begun to pay off. For example, in Toledo, Ohio, nearly 3,000 employees of St. Vincent's Hospital took their campaign to form a union to the public through hearings and forums and a coalition with community groups. And despite an aggressive effort by the hospital to keep workers from joining together, workers successfully organized.

There are other examples – in Cleveland, the mayor helped convince a company to recognize the decision by workers to form a union instead of fighting the workers' union. In Stamford, Connecticut, a broad coalition of civil rights groups, housing activists, clergy and public officials helped city workers win a good contract.

But what about other members of our Association apart from trade

unionists? What about academics, government officials, neutrals and management representatives who are concerned about the widespread denial of workers' rights to organize and bargain collectively, and who want to do something about it?

Labor relations scholars have a critical part to play in your teaching, research, and consulting, and in your role as experts and community leaders. The climate in the country as far as workers' rights to organize and bargain collectively are concerned won't change for the better without your help.

You can teach the next generation of managers and advise the current generation of managers to respect the right of workers to join a union.

You can refuse to devise or participate in union avoidance and union busting—and urge your students and your colleagues to refuse as well.

You can challenge the conventional wisdom that managers' careers should suffer when workers they are managing decide to unionize. When workers opt for workplace democracy over workplace autocracy by unionizing, there is no reason for this to be viewed as a negative for a manager's career.

You can write op eds and letters to the editor explaining the importance of the right to organize and bargain collectively, and publicizing violations of these rights.

You can provide expert assistance in support of the freedom of workers to organize, at your university and in your community.

You can direct your research and that of your students on behalf of the freedom of workers to organize and bargain collectively.

Research is needed in two broad areas: (1) the nature and effects of employer interference with the freedom of workers to form or join

a union, and (2) why employer interference matters – what are the economic, social and political consequences for the individual, the firm, the community, and the nation, and what would happen on all of these levels if workers were free to form unions without fear.

Among the many potential adverse consequences of failing to protect the freedom of workers to unionize are increased inequality and poverty, suppression of wages, reduced ability of women and people of color to close economic gaps, stunting of civil society, lack of any countervailing force against corporate power, and the silencing of workers' voices on the job and in the political process.

A great deal of excellent research on these and other closely related topics has been done, but much of it is getting old and needs to be updated and expanded.<sup>xvi</sup> Unfortunately, academics – even industrial relations academics – are paying less attention to these subjects in their research than they used to years ago, when unions were a bigger factor in the workplace and the economy. When they do pay attention, often their work focuses on the procedural side of labor relations (arbitration, dispute resolution, etc.), de-emphasizing the right to organize and bargain collectively.

If any of the academics in the audience are interested, I can share with you a research agenda developed by the AFL-CIO which suggests additional important topics on which research is badly needed in support of workers' rights. We welcome your comments on the agenda, and we want your help in carrying it out.

What about managers—what can you do? First and foremost, you can do the right thing and respect the freedom of workers to unionize and bargain collectively. Your company doesn't have to wait until a change in the law requires you to do this. This need not be entirely altruistic on your part. Why shouldn't your company reap the well-documented benefits of

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<sup>xvi</sup>. Recent examples of useful research and scholarship in these areas include the special edition of the *Labor Studies Journal* on organizing, Vol. 24, No. 1, Spring 1999, and Kate Bronfenbrenner, et. al. (eds.), *Organizing to Win: New Research on Union Strategies*, Cornell Press, 1998.

positive labor-management relations, rather than poison the well by using every trick in the book to suppress workers' freedom to unionize?

It seems to me there is an important role for all members of our Association in developing and implementing codes of conduct to assure respect for the freedom to organize. Never mind what kind of conduct the law allows or penalizes too lightly to deter—let us focus instead on what is right. What is to prevent members of our Association, acting on their own, from developing model codes of conduct designed to protect the freedom of workers to join a union? What is there to prevent us from doing what we can to encourage employers and unions to abide by these voluntary guidelines?

Many of the fact-finding, mediation and arbitration skills possessed in great abundance by members of our Association and used regularly where there are established collective bargaining relationships are equally applicable, in principle, to union organizing situations.

In some parts of the country, for example, commissions or boards have been set up on a voluntary basis to review the facts and issue non-binding reports to publicize the parties' conduct during union organizing campaigns. Members of our Association could volunteer to serve on such boards and could establish such boards in communities where they are needed but do not yet exist. Members of our Association could volunteer to conduct and monitor community-based union representation elections outside the cumbersome framework of the NLRB.

The whole area of agreements between companies and unions governing conduct by the parties during organizing campaigns has recently been opened up as a topic for scholarly research by the work of Adrienne Eaton and Jill Kriesky.<sup>xvii</sup> While they have begun to answer many important questions they have also raised others, and much work in this area remains to be done. Their work also helps point the way, in my view, for practitioners interested in developing model voluntary codes of conduct and

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<sup>xvii</sup>. Adrienne Eaton and Jill Kriesky, "Neutralizing Employer Opposition: Union Organizing Under Neutrality and Card Check Agreements," unpublished, November 1999.

model voluntary dispute resolution procedures for use during organizing campaigns.

These are examples of positive steps that members of our Association could take to help change the climate in the country and in specific organizing campaigns. They could all be done here and now, without waiting for labor law reform--to promote respect for the right to organize and the right to bargain collectively, two fundamental human rights which are being denied on a widespread basis in the United States.

In the process, these steps could help us learn new ways to reform a system of labor law and administration which has so clearly broken down--which is falling so far short of protecting workers' rights.

Thank you very much.

## Endnotes

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<sup>i</sup> AFL-CIO Department of Public Policy. The author welcomes comments on this speech, especially by e-mail. Please e-mail your comments to [sfriedma@afcio.org](mailto:sfriedma@afcio.org) . Many thanks for helpful comments on an earlier draft to: Roy Adams, Kate Bronfenbrenner, Jim Gross, David Jacobs and Andy Levin—none of whom should be held responsible for the final product.