



Berry, J. (2005). Competitive Unionism: Good, Bad, or Indifferent for Contingent Faculty?  
*Workplace*, 12, 56- 63.

JOE BERRY

**COMPETITIVE UNIONISM:**  
*Good, Bad or Indifferent for Contingent Faculty?*

Note: This article is drawn largely from my dissertation, “Contingent Faculty in Higher Education: An Organizing Strategy and Chicago Area Proposal,” 2002, Union Institute and University, available in full at [www.chicagococal.org](http://www.chicagococal.org) under resources.

1.1. With the rise of a movement among contingent faculty and the declining percentage and, in many institutions, declining absolute number of full-time, tenure-track (FTTT) faculty, it was probably inevitable that national unions such as NEA and AFT, as well as the faculty advocacy organization AAUP and unions from other traditional jurisdictions, such as United Auto Workers and Communications Workers of America, would become more interested in contingent faculty and that competition to represent contingent faculty bargaining units would ensue. Competition to represent specific sectors of workers is nothing new. We have the precedent of the AFT/NEA representational wars in the public schools in the 1960s-1980s.<sup>1</sup> Even in higher education this has occurred before, most especially in places where the common pattern was combined contingent/FTTT units, such as the public sector in California and New York. Now, however, we see the phenomenon recurring, especially with the rise of contingent-only units. This has been the case in public universities and community colleges; it has also been the case in the private sector, where the contingent faculty are safe from the roadblocks of the *Yeshiva* decision, the 1980 U.S. Supreme Court ruling which largely halted private sector FTTT faculty organizing by declaring FTTT faculty managers of their institutions.

1.2. In this article I will examine the various arguments that have been made for and against union competition in higher education from the point of view of contingent faculty in particular and will include examples of how this competition has affected faculty. Drawing from parallel experiences in other labor sectors, I make the argument that the debate on competitive (or dual) unionism is largely misplaced and that a new analysis needs to focus on how any tactic or strategy serves contingent faculty’s need for a democratic, social-movement unionism. I conclude with an argument for what has been called the inside-outside strategy, working within existing larger groups, but also building independent formations of specifically contingent faculty.

**A Little History**

2.1. As with most complicated and developing phenomena, a little history is necessary. One of the earliest major faculty bargaining units in higher education came in the public sector in New York, specifically

the City College (now the City University) of New York system. That unit, perhaps unique in the United States, has come to include all FTTT faculty, all adjunct faculty, and all graduate employees (considered adjuncts at CUNY). Dating from the late 1960s, this bargaining unit, represented by the Professional Staff Congress, AFT/AAUP, has a peculiar history and one that—because of its size and its location in the nation's largest city—has exerted a great influence on the movement generally. However, the pattern of placing graduate employees within a combined all-faculty unit has not been generally reproduced.<sup>2</sup> The PSC faculty unit has always been led by FTTT faculty who, because of their numbers and their geographic location, have also been major figures in the national AFT and hence in the national faculty union movement. Their long-time local president Irwin Polishook was for years the leading elected higher ed officer in the AFT until his recent retirement and the defeat of his chosen successor by an insurgent caucus, which included the self-organized independent organization of contingent faculty, CUNY Adjuncts UNITE!

2.2. Another of the earliest faculty units organized was in the Chicago City Colleges, also in the later 1960's, as an FTTT-only unit represented by the Cook County College Teachers Union (CCCTU), AFT Local 1600. This unit, through its long-time leader Norman Swenson likewise wielded considerable influence in the national faculty union movement and its pattern of FTTT-only units has been the dominant pattern in the Midwest and much of the rest of the nation.

2.3. In the huge California Community College and California State University systems, (but not the University of California) the pattern has been to establish combined *unions* with one union local representing both FTTT and contingent (of whom all are PT in the CA community colleges) faculty. The pattern has further been to establish combined bargaining *units* with one collective bargaining contract covering both, with some sections applying only to one or the other faculty group. This has also been the general pattern in the Washington State community colleges, though with exceptions in both of these places.

2.4. The major point to be made here is that, until recently, the decision of which union would represent contingent faculty was generally made in conjunction with, and usually subordinate to, the decision of which union would represent FTTT faculty. The contingent-only units that existed were basically the exceptions that proved the rule, and they generally existed either for very peculiar historical reasons or because local full-time faculty leadership was hostile toward the notion of combined units. Most higher ed bargaining units nationally, however, were and are FTTT only, with the contingents unorganized (Hurd et al 1998). This pattern has begun to change since 1998 and there are a rising number of contingent-only bargaining units now being formed. Therefore the potential for competition between the major unions for representation rights in contingent faculty-only units is now greater than it once was. The increasing number of contingents relative to FTTT faculty only adds fuel to this fire.

2.5. What follows is a review of some of the arguments for and against competitive unionism in the contingent faculty union movement. The issue of whether or not having various organizations competing to organize adjunct faculty has been debated on a number of contingent faculty list-serves ("Adjunct Mailing List" [adj-l@listserv.gc.cuny.edu](mailto:adj-l@listserv.gc.cuny.edu) archived at Web Interface at: <http://lyris.gc.cuny.edu/read/?forum=adj-l>, among other locations). Therefore, I make no claim to originality for many of the items and lists that follow, but I have attempted to compile and evaluate them in a coherent way for purposes of a summary discussion.

### **Arguments Against Union Competition**

3.1. Arguments against competitive unionism have included the following: One, it tends to confuse and ultimately demobilize members of the proposed bargaining unit because a major focus of the organizing campaign inevitably becomes the competing unions' attributes as opposed to contingent faculties'

working conditions and their treatment at the hands of their employer. The net result of the competitive election tends to be a lower level of rank-and-file contingent participation; a higher level of cynicism; and, ultimately, a weaker union, which puts the contingent faculty union at a disadvantage when attempting to negotiate a first contract. The very process of the competitive campaign tends to reduce the propaganda to a level of “what we can do for you” and the sale of a particular union as the better insurance agency (staff levels, expertise, etc.) rather than focusing on building an activist workers’ movement from the grassroots up. In other words, competition tends to drive the organizing down to the lowest common denominator—service and business unionism.

3.2. Two, a competitive campaign tends to move the decision making regarding the organizing campaign from the grassroots leadership to staff, who assume a larger role, are more numerous, and generally run the campaign in an organization-specific, one-size-fits-all manner. This is in stark contrast to the grassroots model where the campaign develops organically from the particular conditions of the situation, through the emergent bargaining unit leadership. This is especially clear with regard to timing, such as when to circulate authorizations cards or file for an election.

3.3. Three, competitive unionism confuses potential allies, especially other unions on campus, students, and other community allies, and lowers the level of potential support for unionization in general among these groups. Active public and private support from these sorts of allies, especially full-time faculty, is very important in helping to break down the level of fear and fatalism among contingent faculty. Anything that lowers the level of allied support ultimately hurts the movement and can lower the level of volunteer member participation.

3.4. Four, in most situations where unions are competing for representation, the administration, rather than openly pushing a non-union option (no agent), frequently picks which union they would rather deal with as the most amenable and supports that effort sub rosa. The years of competitive unionism in higher education in California—through the 1970s and into the 1980s—demonstrated this pattern over and over again.<sup>3</sup> There are cases of employers even approaching their “union of choice” and inviting them to enter a campaign, with secret employer assistance. While this situation usually results in union representation being won, it may result in a weaker, less militant union with less member participation, as the bargaining unit is partly made up of people who would otherwise have voted “no union” and are not really committed unionists.

3.5. Five, competition can be very costly. The economic and other resources used during a competitive union campaign could better be used for additional organizing or for training and education of contingent activists for leadership. These costs, which can reach thousands of dollars per vote, also tend to make many in the rank and file more cynical about the national and state leaderships, the governance structures of all unions involved, and the allocation of dues monies. This encourages a parochialism toward the broader union movement that we can ill afford.

3.6. Finally, competitive unionism can leave a bitter taste in the mouths of the leadership of whatever new union emerges victorious as well as the leadership of the local group of the union that loses. These animosities can persist for years, fueling decertification campaigns, sectarian opposition to agency shop, and sparking—even decades later—individual and group challenges to agency fee determinations and “duty of fair representation” charges. These can, obviously, constitute a continuing weakening of the organizational effectiveness of the bargaining agent to the detriment of faculty. These long-term grudges can also lead to discriminatory treatment of the leading participants in representing them on grievances or in bargaining their issues with the employer.

## Arguments for Union Competition

4.1. On the other hand, a number of arguments have been made, both in principle and in specific terms, for competitive unionism. They have included the following: One, the principle of exclusive representation has not always served American workers well and is not even the most common system of representation in the industrial world. Exclusive representation in a single bargaining unit, which is nearly universal in U.S. labor law, means that once a unit is defined as including a certain group of workers, a single organization is then chosen to represent all the workers in that unit and no other union can legally bargain with the employer for these workers. Having multiple unions—perhaps bargaining jointly as a council and representing multiple perspectives—that workers can then individually choose to join may sharpen the level of discussion around employment issues while at the same time not necessarily undermining worker unity against the employer. Much of Western Europe has a system of multiple representation, with France being the leading example.<sup>4</sup>

4.2. Two, U.S. labor history includes numerous examples of competitive unionism as the engine that drove labor advances. The very founding of the American Federation of Labor (AFL) was partly as a “dual union” to the Knights of Labor in the 1880s. The growth of the AFL between 1900 and 1920 is hard to imagine without the prod of the radical and more inclusive Industrial Workers of the World (IWW) and the Socialist Party. Likewise, the tremendous growth of the AFL after 1935 is impossible to imagine without the formation and competition from the Congress of Industrial Organizations (CIO), both of which grew by organizing previously unorganized factory workers and others. Looking specifically at the education unions, the evolution of the National Education Association (NEA) into a union (actively recruiting working teachers, excluding administrators, acting as a collective bargaining agent, calling strikes, etc.) after 1900, and especially after the 1960s, was stimulated almost exclusively by the growth of the American Federation of Teachers (AFT). The argument can be made that however messy, uncomfortable, and expensive competitive unionism may be in the short run, in the long run, at least when openly tied to principled differences, it has served American workers well by pushing both the level of political activism and the energy of the union movement forward. Counterexamples, especially in specific localities and industries, could easily also be listed.

4.3. Three, the argument has also been made that, especially with regard to groups that have historically been ignored or discriminated against by the unions, such as contingent faculty within the general faculty union movement, competitive unionism can force attention to these marginalized groups and cause the union leadership to make commitments and expend resources on their behalf that they never would have done otherwise. Under this scenario, whichever union wins will be a better union than either would have been without the competition. One could draw this conclusion from the history of the struggle to unionize public higher education in California in the 1970s and 1980s, where the state AFT affiliate found itself forced both by principle and by organizational rivalry, into arguing for combined contingent/tenure-track bargaining units against the NEA affiliates, who only wanted to organize the FTTT faculty. In this case, obvious organizational advantage dovetailed with principled solidarity and clearly resulted ultimately in better conditions for the vast majority of contingent faculty in the community colleges (where AFT affiliates became the majority rep) and the state universities (where the NEA affiliate won) than would have been the case otherwise in either system.

4.4. Four, a final argument to be made in favor of competitive unionism is that having competing unions actually builds the movement in two other ways. It causes more discussion and activity between contingent faculty and their allies than would take place otherwise, and it encourages contingent faculty, or at least some activists, to look beyond the FTTT-dominated unions for additional means for pursuing their own specific interests and building the contingent faculty movement. In other words, competitive unionism helps to open the door to additional national and local intermediate structures such as the Coalition for Contingent Academic Labor (COCAL), the California Part-time Faculty Association

(CPFA), and the Coalition of Graduate Employee Unions (CGEU), all of which function across organizational lines and act as pressure groups upon broader education unions.

### **My Own Conclusion: The Inside-Outside Strategy**

5.1. While many useful points are made on both sides of the union competition debate, the fundamental argument being conducted is the wrong argument. The decades-long debate over “dual unionism” generally has been a red herring that has not served the labor movement or the U.S. working class well. I would argue that the question is not one, two, three or many unions, but what is the political and class content of those organizations and to what degree do they actually represent mobilized democratic, participatory bases among the workers. The assumption of much of the anti-dual union forces over the history of the American labor movement has been that all divisions will be exploited by employers—especially in the hostile context of the American political economy—and must, therefore, necessarily be avoided whenever possible. This can lead one to support centralization at all costs, under the guise of rationalization and one union per industry. (Of course, many of these same forces have put their own opposition to dual unionism on hold in practice when their own survival or political convictions seemed threatened or when they wish to expand outside their traditional jurisdiction. The Cold War era raids against progressive unions are just one example.) The number of counterexamples historically that the pro-competitive unionists cite clearly demonstrate that organizational variety and competition are not axiomatically weakening.

5.2. On the other hand, it is certainly easy to make long lists of examples of competitive union campaigns where one side or the other was clearly, if not openly a company union, at least the bosses’ choice in an attempt to deprive workers of the most militant and democratic participation and representation possible. The Teamsters vs. United Farm Workers struggle in the fields in California in the 1960s and 1970s, along with the earliest portion of the fight between the NEA and the AFT would be merely the top two examples of a long list reaching back to the company unionism of the 1920s and 1930s and before.

5.3. Here again though, the issue is not multiple unions or union competition, but the content of the struggle. One can find examples of Teamster locals that formerly functioned as “cat’s paws” for the employers during the farm workers’ struggle that have since been transformed into militant, democratic instruments of workers’ struggle. Likewise, one can point to victorious NEA affiliates that, having gone through the wringer of competition with the AFT and come out the other side, have found themselves transformed into unified, democratic, militant, and effective unions. The California Faculty Association in the CSU is one of the largest examples of this.

5.4. If, as I argue, the proper perspective on this debate is not for or against competitive unionism but rather for or against democratic, participatory social-movement unionism, then the question that must be asked is: What actions will best bring this about? Workers in general, and contingent faculty in particular, need structures that will allow them to best exercise the highest possible degree of solidarity and class consciousness. In other words, what organizational structure in a particular situation will best provide an unscreened funnel for the maximum amount of activism and class consciousness? This will usually include multiple organizational forms, but not necessarily competing unions. One of the lessons of competitive unionism is that multiple avenues of discussion of and multiple plans of attack for particular problems can stimulate change and growth within unions and other faculty organizations. In other words, “movement building,” as opposed to narrow “institution building” alone, is what is needed. This *can* mean competitive unionism but it *can also* mean non-union bodies such as COCAL, CPFA, contingent caucuses in professional organizations (and unions), and other structures that have not yet been fully explored but are likely to be invented in the context of the struggle.

5.5. The principle that is being applied here is not one of unitary, mechanical, formal solidarity but rather a flexible vision of solidarity that strives in the long run to unite all who can be united in practice while isolating those who are fundamentally enemies. Others before, their origins now lost (at least to me), have termed this the “inside-outside” strategy. Its pursuit represents the highest level of strategic thinking available to us in the contingent faculty movement at this time. The historical precedents for such a strategy range from the dual card holders of the IWW who also worked in their AFL unions, to similar actions by Trade Union Educational League (TUEL) activists in the 1920s, to women and minority caucuses and other formations within hundreds of unions in the 1960s and since. Perhaps the most striking example of this strategy was represented by the Revolutionary Union Movement (DRUM, etc.) and the League of Revolutionary Black Workers vis-a-vis the UAW and its local and national leaders in the late 1960s. While the success of that strategy was cut short by the disinvestment decisions of the owners of the Big Three automakers, among other reasons, the experience of that work and its impact upon the UAW is an example that has never been fully studied with an eye toward applying its general principles to marginalized subgroups of workers in other times, places, and industries. This inside-outside strategy has found a partial reflection even within the official AFL-CIO structure with the recognition of the need for such “constituency groups” as the A. Phillip Randolph Institute (APRI), Latin American Council for Labor Advancement (LACLA), Coalition of Black Trade Unionists (CBTU), Asian Pacific American Labor Alliance (APALA), Pride at Work (PAW), and Coalition of Labor Union Women (CLUW).

5.6. In sorting out the many strategic arguments regarding union competition in organizing, the fundamental question to be answered in each case is what process is most likely to create a form for contingent faculty to express their needs through democratic, participatory, social movement unionism. While many of the factors traditionally cited in the “dual union” debate are valid, none of them alone constitute a principled guide for action. These factors all need to be evaluated in the context of the overarching principle. This means that we must all think deeply about our particular situation rather than just apply recipes from outside. Luckily for those of us who are contingent faculty, this is what we do for a living in our classes and in our personal survival strategies. Together, we can figure out how to advance our interests through this thicket of choices. The future of the academic union movement and of higher education as a whole depends on how well we do this.

## Notes

1 After gaining collective bargaining (CB) in New York City in the early 1960’s, AFT began a national strategy to gain CB in school districts. NEA opposed this initially, favoring “professional consultation” over actual union CB. As AFT won in more and more places, especially major cities, NEA was forced to change its position and become a CB union as well. Years of competition for CB rights between the two unions followed in many states.

2 Although not exactly the same configuration, the Rutgers Council of the AAUP, which includes a combined full-time/graduate assistant bargaining unit, a part-time faculty bargaining unit, and a counselor bargaining unit, is an example of another “wall-to-wall” academic union.

3 Both in numerous community college campaigns as well as in campaigns on many campuses of the CSU system, the administrations pursued a secret or not-so-secret policy of aiding any organization that would successfully block the AFT affiliate’s victory.

4 The major union federations in France (CGT, FO, and CFDT), represent distinct political perspectives and often each have affiliates at major workplaces. They customarily bargain jointly at both the national (industry-wide) and local levels. A similar pattern is common in Italy. In both nations, unions generally are seen by most workers (and other citizens) as representing the interests of the entire working class and labor force and not just those of their dues paying members. Consequently when they call for general job

actions, many beyond their membership respond, such as the general strikes in France in the 1990's over privatization of public services.

### Works Cited

Hurd, Richard and Jennifer Bloom with Beth Hillman. *Directory of Faculty Contracts and Bargaining Agents in Institutions of Higher Education*, Vol. 24. New York: National Center for the Study of Collective Bargaining in Higher Education and the Professions, Baruch College, CUNY. 1998. Hand updated 2002.

Joe Berry is a chair of the Chicago Coalition of Contingent Academic Labor (COCAL) and currently teaches labor education at University of Illinois and history at Roosevelt University. He earned a Ph.D. in Labor Studies in 2002 with a dissertation on contingent faculty organizing, which will be published in revised form as [\*Reclaiming the Ivory Tower: Organizing Adjuncts to Change Higher Education\*](#) (Monthly Review Press) in October 2005, in time for Campus Equity Week. He is also active in his local union Roosevelt Adjunct Faculty Organization, IEA/NEA and was the chair of the Conference on Contingent Academic Labor (COCAL VI) held in Chicago.