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America's most pro-union president ever?

Donald Trump did little to help US workers. Joe Biden wants to change that by strengthening unions. But that will require abolishing the filibuster

Americans love to boast that the United States is the world's richest nation, but when it comes to how workers are treated, the country is nowhere near the top. Indeed, in terms of worker standards, the US often ranks last among industrial nations.

The US is the only industrial nation that doesn't have a national law guaranteeing workers paid family and parental leave or guaranteeing paid vacation or guaranteeing paid holidays. Similarly, the US is the only industrial nation that doesn't have a law guaranteeing all workers paid sick days. Moreover, the US is part of a minuscule group of nations that don't have a law guaranteeing female workers paid maternity leave – the only other nations are Suriname, Papua New Guinea and a few tiny Pacific Island nations.

Workers in the European Union's 27 nations are guaranteed at least four weeks' paid vacation, while in the US there's no such guarantee, and many workers, especially low-wage ones, receive no paid vacation at all. As is well known, the United States is also the only industrial nation that doesn't have universal health coverage. That can have cruel consequences; for example, the US is the only industrial nation where if a factory, call center, or retail store with 300 workers closes, those 300 workers and their families can lose their health coverage as a result.

In my recent book, *Beaten Down, Worked Up: The Past, Present, and Future of American Labor*, I write that the US suffers from 'anti-worker exceptionalism.' A big reason for this exceptionalism is that worker power and labour unions (the main instrument of worker power) are much weaker in the US than in other advanced nations.

The US has the lowest percentage of workers in unions among industrial nations, except for France, although in France 98 per cent of the

workforce is covered by collective bargaining agreements – such agreements use the collective might of workers to win better wages and conditions. In contrast, just 12 per cent of American workers are covered by collective bargaining agreements. That is far lower than in Italy (100 per cent), Sweden (88 per cent), Spain (80 per cent), Germany (54 per cent) and Britain (27 per cent).

Donald Trump wasn't 'pro-worker'

This weakness in worker power helps explain these unfortunate statistics. According to the OECD, 23 per cent of American workers are defined as 'low pay', meaning that they earn less than two-thirds of the median wage. The US has the highest percentage of low-paid workers among industrial nations. The OECD also found that the U.S. has extraordinary wealth inequality – it's the only industrial nation where the richest 10 per cent of households own 80 per cent of overall wealth. In no other industrial nation does the top 10 per cent own more than 70 per cent.

In contrast to Trump, Biden is working hard to deliver on his promises to make life better for American workers and their families.

Donald Trump often talked about how American workers were being screwed, but the truth is he did very little to help workers, except indirectly (for example, he scrapped many business regulations, helping corporations grow faster and ultimately hire more workers, although those deregulatory moves helped business far more than workers). Trump didn't lift a finger to raise the federal minimum wage, which has been stuck at USD 7.25 an hour since 2009. Nor did Trump do anything to strengthen unions or worker power.

Indeed, Trump's appointments to federal agencies and the judiciary were overwhelmingly anti-union and repeatedly sided with business over unions and workers. For instance, his first Supreme Court appointee, Neil Gorsuch, provided the pivotal vote in a case that was designed to weaken government-employee unions along with their treasuries and political power. The court ruled 5-4 that government workers can't be required to pay a penny in dues or fees to the unions that bargain for them and fight for them if they get demoted or lose their jobs.

The ghost of Roosevelt

In contrast to Trump, Biden is working hard to deliver on his promises to make life better for American workers and their families. He has backed legislation to more than double the federal minimum wage to

USD 15 an hour. Republican lawmakers have, at least for now, blocked passage of such legislation, but meanwhile, Biden has issued an executive order requiring federal contractors to pay their employees at least USD 15 an hour.

Biden has also championed an idea, since enacted by Congress, to send most families USD 300 per month per child – a move inspired by similar programmes in Europe and expected to cut US child poverty nearly in half. Biden has also issued an executive order that aims to ban 'noncompete' provisions, which corporations use to prohibit their employees from going to work for competitors, a practice that economists say holds down workers' pay.

By far the most important thing Biden is doing to increase worker power and strengthen unions is to adopt robustly pro-union rhetoric and to push for passage of the Protecting the Right to Organize Act (the PRO Act), which would be the most comprehensive, pro-union law since Franklin Roosevelt was president. The PRO Act would help unions increase their membership in many ways. Under current law, employers face no fines whatsoever if they break the law to beat back unionisation drives. For instance, companies can't be fined if they fire the ten rank-and-file workers leading a union drive. The PRO Act would allow fines of up to USD 50,000 per violation.

The PRO Act would ban a common and highly effective anti-union practice, one that Amazon used repeatedly to help defeat the recent unionisation drive at its warehouse in Bessemer, Alabama. The PRO Act would prohibit employers like Amazon from requiring workers to attend meetings where high-priced anti-union lawyers or consultants hold forth for 30 or 45 minutes with union-bashing spiels, often maintaining that unions are greedy institutions that do nothing for workers and only want their dues money.

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The PRO Act would make it easier to unionise gig economy workers by making it difficult for Uber, Lyft, DoorDash, and other companies to treat their drivers and delivery workers as independent contractors rather than employees. Under American law, if workers are considered independent contractors, they're not allowed to unionise, but if they are classified as employees, then they have a right to unionise.

Biden must end the filibuster

This important pro-union legislation faces one huge obstacle: the Republican Party. That party is one of the few major parties in the Western world that is dead set on weakening labour unions in every way it can. There are numerous reasons for this. Republican lawmakers often heed the wishes of their corporate and billionaire donors. Many GOP lawmakers have a libertarian streak and see unions as harmful nuisances that impede free enterprise and profit maximisation. And many Republicans dislike unions because unions usually support the Democratic candidates — no surprise considering how hugely pro-corporate and anti-worker most Republican politicians are.

The House of Representatives has passed the PRO Act, but with Democrats and Republicans each controlling 50 seats in the Senate, getting the Senate to approve the PRO Act will be exceedingly difficult so long as the filibuster remains in palace. At least 60 votes, including 10 Republicans, would be needed to overcome a filibuster.

President Biden talks eloquently about the importance of increasing the power of workers and unions, but unless he helps get rid of the filibuster, his hopes, and many workers' hopes, of increasing worker power may prove an elusive dream.



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