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Chapter 6

Helots No More: A Case Study of the Justice for Janitors Campaign in Los Angeles

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On June 15, 1990, striking janitors and their supporters held a peaceful march and demonstration in the tony Century City district of Los Angeles, where Local 399 of SEIU was seeking a union contract for the workers who clean the huge, glittering office towers that dominate this part of the city. The SEIU's Justice for Janitors (JfJ) campaign had been under way in L.A. for about two years, and this was one of many such demonstrations that had been launched over that period. But, unlike previous demonstrations, this time the L.A. police brutally attacked the marchers, seriously wounding several people and causing a pregnant woman to miscarry.

Although SEIU's organizers initially feared that the police violence might put an end to their effort, the demonstration proved to be a turning point in the campaign to unionize the janitors, most of whom were immigrants from Mexico and Central America. Widespread outrage at the police action, both locally and in SEIU offices around the country, led International Service Systems (ISS), the cleaning contractor for nearly all the buildings in Century City, to sign a union contract soon afterward in the largest private-sector organizing success among Latino immigrants since the United Farm Workers' victories nearly two decades earlier.

Southern California hardly seemed a likely setting for this drama. Never as strong as in the northern part of the state, organized labor had lost legions of well-paid, blue-collar members in the region in the 1970s and 1980s. With the decline of heavy industry, first in the civilian sector and

later in defense, union density had declined sharply in this massive manufacturing center. Meanwhile, a new world of labor had emerged—a burgeoning immigrant population employed in low-skilled, low-paying manufacturing and service jobs. For a while it seemed that the advent of this new labor force would still any protest: so long as the newcomers compared a minimum-wage job in the garment center with an unyielding plot of land in Mexico's central plateau, not to mention a visit from El Salvador's death squads, employers could count on their workers being quiescent.

But the tide seems to be turning, as militant union activity among newcomers in a variety of industries suggests that the days of the immigrant helots are over. Emblematic of this shift is the JfJ campaign, which successfully reorganized the building services industry, ultimately bringing more than eight thousand largely immigrant workers under a union contract, in what has become a model for JfJ's national organizing efforts.

This chapter analyzes the recent growth of janitorial unionism in Los Angeles against the background of the previous history of the rise and decline in unionism in the city's building services industry, asking how and why JfJ succeeded in L.A. and whether its success will last.¹

Origins and Early Growth

JfJ may be a bright new star on the otherwise dim labor firmament, but in many ways organizing janitors today does not differ much from the circumstances under which JfJ's parent organization, then called the Building Service Employees International Union (BSEIU), first emerged in Chicago in 1920. The union's "founding members were drawn from society's poorest ranks. Then, as now, building service workers were disproportionately first- and second-generation Americans and minority workers" (Service Employees International Union 1992:1). Of course, this continuity begs the very question with which this chapter is concerned, namely, how poor immigrant workers built a successful and enduring organization. Historically, the phenomenon of organizing immigrants is not an oddity, but the labor historiography does not usually suggest that an old-line AFL union

1. In addition to the sources cited herein, this chapter is based on, among other sources, a Lexis/Nexis search of periodical and other references relevant to the Justice for Janitors campaign and the contract cleaning industry; the public-use microdata samples of the 1980 and 1990 censuses of population; and in-depth interviews conducted with nine union officials, four management spokespersons, and four rank-and-file leaders. Interviews lasted from an hour to the equivalent of an entire day and were recorded both in written notes and, for the important union interviews, on audiotapes that were subsequently transcribed. Unless otherwise noted, interviews are the source for all quotations.

like the Building Service Employees would grow by recruiting "the dregs," as one veteran union official put it (cited in Piore 1994:529).

Whatever the original impetus to organize, the BSEIU took on many of the defining characteristics of the old AFL. Among them were high levels of local autonomy, on the one hand, and a relatively weak, underfinanced, thinly staffed international, on the other. The reversal of these characteristics has created the conditions for organizing janitors today. Locals were autonomous in part because building services was a local industry: the employers were the building owners, most of whom were hometown capitalists, so that the relevant market had relatively narrow geographic bounds.

In the 1930s, the BSEIU spread beyond Chicago, the Depression the catalyst for expansion. New York's janitors organized in 1934; San Francisco's followed suit shortly thereafter. From that bastion of labor radicalism, janitorial unionism was exported to L.A. just after World War II. The newly born Local 399 recruited in-house janitors who cleaned downtown buildings housing the entertainment and financial industries, as well as movie theaters.

Starting in the 1950s, commercial real estate took on a different ownership mix, as local owners were increasingly replaced by national and even international investors. These new owners found it more efficient to purchase cleaning services from a specialized vendor rather than organize a workforce for their diverse and scattered buildings directly.

The advent of contracting initially had an adverse effect on Local 399's membership, but the structure of the industry enabled the union to recoup its losses. As the city grew, the union successfully chased after the employers in each of the newer office centers.

Expansion allowed Local 399 to upgrade conditions significantly, and by the late 1960s, it had upgraded jobs to a full-time basis. The next decade was the union's heyday, and in 1978 membership peaked at about five thousand: "Neither the union leadership nor its militant labor force... [was] entirely satisfied with the job conditions that prevailed in 1975. Wages had more than doubled from those available a decade before, but still were only \$3.75 an hour. Members also felt that benefits were too low and an eight-hour day too long" (Mines and Avina 1992:436).

Consequently, the local pushed hard to improve conditions and compensation further. Between 1976 and 1983, union wages rose an average of \$.50 a year. Union contractors ultimately provided a benefit package that included eleven paid holidays and full medical, dental, vision, and prescription coverage. By 1982, total compensation in the union sector had risen to more than \$12.00 an hour, as opposed to \$4.00 an hour in the nonunion buildings.

Decline

But then the bottom fell out. By 1985, membership in the janitorial union had fallen to eighteen hundred, a sharp drop from the peak of the late 1970s. The sources of the decline were numerous. First, the local's push to improve conditions and compensation motivated cleaning contractors to explore nonunion options. Cleaning is highly labor intensive, with direct labor making up the single largest part of a company's expenses.

Second, the unionized part of the industry—the larger, more heavily capitalized firms—was under particular cost pressure. The big operators suffer from discontinuous economies of scale. Once a firm meets a certain size/asset threshold (needed to cover large payroll and insurance costs), there are few economies of scale, and none on the labor side, making it hard to pass on wage increases to building owners and resulting in a fiercely competitive industry.

The industry's previous drift away from building owner management had made for increasingly fragile relationships. Since contracts were written so as to permit very short notice of termination, union members could lose work almost overnight if a building owner switched from a union to a nonunion service.

Under these circumstances, motivation and opportunity made for murder. By early 1983, as Richard Mines and Jeffrey Avina recount, "a small group of mid-sized, aggressive firms sensed the union's vulnerability and made their move" (1992:476). Some of the new operators were actually veteran managers who had experience in large, unionized firms. Others were direct or indirect offshoots of a unionized parent, dressed up in nonunion garb. Whatever the provenance, the new, nonunion entities proved to be formidable competitors.

The local tried to fight back with the election route, but to little avail. The last master agreement was signed in 1983; shortly afterward, all increases in wages and benefits were frozen because Los Angeles was going nonunion; the desire to retain members at any price led to a proliferation of concession-ridden side agreements. Only downtown retained a unionized workforce of measurable proportions, and even there, union ranks barely attained 30 percent.

Countywide, the situation was more dismal still—barely one janitor in ten was a member of Local 399. The union had failed to keep up with the city's rapid growth. In the 1980s, downtown L.A.—until then, a collection of old, obsolete structures—underwent an extraordinary building boom, and office construction in the outlying areas grew even faster. But it was not simply that union density fell as the industry grew; the *absolute* number of janitors in Local 399 declined as well. While the local had been recruiting

Kaiser hospital workers during this period, so that its total membership continued to grow, its janitorial membership was hemorrhaging, as employers mounted their counterattack. And with the union all but broken, wages plummeted.

Enter the Immigrants

Scratch a low-paid service worker, find an immigrant. So it goes in the evolving caste society that is late-twentieth-century L.A. But even Southern California once looked different—and not so long ago. In 1970, service work was still largely the province of the region's African American population, which had substantially expanded during the previous twenty-five years. African Americans then made up 33 percent of the region's janitors—yielding overrepresentation by a factor of 4.6—whereas Latino immigrants were a small presence, accounting for barely seven out of every one hundred janitors. Though a menial job, janitorial work was beginning to generate economic dividends for its black incumbents: up until the early 1980s, African Americans comprised half of Local 399's members, and they were both the causes and the beneficiaries of the improvements in compensation that the local delivered during the 1960s and 1970s (Grant, Oliver, and James 1996).

But now immigrants were moving into Southern California, and it was they who would supply the workforce for the emerging nonunion cleaning contractors. Eight percent of the region's population had been foreign born in 1960; thirty years later, the proportion was 27 percent, and the concentration was 10 percentage points higher in the city of L.A., where Local 399 has its employment base. Moreover, the immigration flow accelerated rapidly during the 1980s, precisely when the nonunion sector of the industry began to burgeon (Waldinger and Bozorgmehr 1996).

Like immigrants everywhere, newcomers to L.A. gravitated to the jobs where their kin and hometown friends were employed. By 1970, there was already a significant presence of Latinos among the city's janitors, although the absolute level of employment was still relatively small. But even without initial contacts, the expanding janitorial occupation was an easy port of entry for immigrants with little formal education, in part because of its casual hiring practices. Meanwhile, as wages fell and the union's power waned, blacks left the occupation. Increased turnover accelerated this exodus. "It wasn't that [employers] would actually fire the blacks; [but] with attrition, the replacement pool was Latinos."

"The nonunion firms almost exclusively hired Latinos," explained one union organizer. That the immigrants would work for lower wages was only part of the motivation for employers to recruit among the foreign

born: "I think 'cheap' was less of a question as sort of 'cheap' in addition to 'controllable.'"

By virtue of its past history, Local 399 was ill equipped to respond to the influx of the new type of worker. "The union had done a good job of being representative of membership and had black reps. Then the industry switched to Latino workers and disconnected the workforce from the union, because the union couldn't fire its reps the way management could change its workforce."

At the outset, new arrivals from Mexico furnished the bulk of the immigrant recruits streaming into the industry. By the early 1980s, however, events in Central America yielded a new element, as refugees fleeing civil war and violence in El Salvador and Guatemala began converging on L.A. The region's Central American population, which had grown from 43,400 in 1970 to 147,500 in 1980, quadrupled over the next decade. The Central Americans quickly filtered into janitorial work, for all the reasons noted above, plus one: the geographic proximity of the downtown and westside office complexes to the city's Pico-Union neighborhood, which became the principal point of absorption for the newest arrivals to the city.

By 1990, then, the face of janitorial work in L.A. had been utterly transformed. Spurred by the building boom of the 1980s—one-third of L.A.'s office space was built after 1980—the industry burgeoned, employing 28,883 janitors by 1990, more than twice as many as in 1980. Almost all the new jobs went to Latino immigrants, whose share of employment rose from 28 to 61 percent. Among the newcomers, Central Americans had the biggest gain; by 1990, they comprised 26 percent of the workforce, just under the 31 percent share held by foreign-born Mexicans.

The industry's expansion meant that net employment among blacks essentially held steady. But relatively, native-born blacks slipped badly, declining from 31 to 12 percent of the workforce. Native-born whites also lost share, dropping from 24 to 11 percent (calculated from 1990 census of population public-use microdata sample).

The influx of immigrants coincided with a change in the gender composition of the janitorial workforce, presumably also a product of the occupation's dramatically reduced wage rates. "Early on," as one union organizer told us, "the nonunion workforce was more female." In 1980, 60 percent of the Central American janitors were women; the huge gains made over the next ten years left that ratio virtually unchanged. Women comprised 30 percent of Mexican immigrant janitors in 1980; a figure that grew to 43 percent a decade later.

Meanwhile, among those black workers still in the occupation, the proportion of women actually fell, even as earnings for the shrinking pool of black janitors rose. The industry did poorly by all the women it recruited:

between 1980 and 1990, real earnings declined substantially among women of all ethnic groups, yielding a universally large male-female earnings differential (calculated from 1990 census of population public-use microdata sample).

In this situation, union organizing confronted obstacles aplenty. Building services, as with so many other industries that employ high percentages of immigrants, used network recruiting both to mobilize labor and to keep it under control. Front-line supervisors often oversaw the immigrants' relatives. One union activist described a foreman who employed his brother and his cousin and "treated them well."

But regardless of ties to kin and relatives, the ethnic mix often proved combustible, as Central Americans and Mexicans did not always perceive the affinity that labor solidarity would prescribe. "I've been into buildings where the Salvadorans and the Mexicans don't like each other," explained one experienced, Mexican-born union organizer, "and they hate and they are separate and they eat separate."

Gender differences yielded another complicating factor, though not in the stereotypical way: "Women took the lead in Century City," explained a lead organizer. "Men were the meeting folks; women were the action folks." Still, it was not always easy for women to take action, especially as many worked day jobs as house cleaners.

The influence of machismo and the prevalence of patriarchal family relations provided a further stumbling block. As the same organizer explained, "Sometimes for the Latino women, if they're married, you have to sometimes be sensitive to start talking to the men. Sometimes you have to organize the husband and then the wife comes around."

The immigrant influx coincided with Local 399's troubles, but it would be misleading to suggest a causal link. The building services industry recruited immigrants in virtually any city where they were to be found, but with varying consequences for both wages and union shares. In New York, for example, immigrants comprised 60 percent of the building services workforce, just under the level in L.A.; nonetheless, the immigrants in New York's building services industry earned \$7,000 more than their counterparts in L.A. (U.S. Department of Commerce 1990), and New York never experienced the deunionization of janitors that L.A. suffered in the 1980s. Closer to home, San Francisco also experienced an infusion of immigrants, but wages and union density did not take the battering they did in L.A. San Francisco janitors always enjoyed higher wages than their L.A. counterparts, but during the early 1980s janitors' wages in L.A. slipped behind even further.

The Union Returns to Town

While Local 399 was crashing, its parent was taking on new form. SEIU had grown during the 1960s and 1970s, largely through diversification into health-care and public-sector jurisdictions. In the first years of John Sweeney's regime, which began in 1980, these trends continued. But before long, as Michael Piore has recounted, Sweeney "transformed the organization, especially after 1984" (1994:528). He doubled the per-capita tax, historically the lowest in the AFL-CIO, and increased the national staff from twenty to more than two hundred between 1984 and 1988. The new staff members were recruited from the ranks of the not-so-new left; in Piore's view, since few unions were hiring staff during the 1980s, SEIU "had its pick of these 'new' labor militants" (1994:528). These changes were part of the development of a new organizational structure and strategy, one that Piore characterizes as follows:

The planning process the SEIU has instituted involves considerable staff and leadership training. And another distinguishing characteristic of the SEIU [has] been its willingness to invest in this training. Ironically, and most notably, the union has contracted with the American Management Association to provide it. . . . It is an integrated structure, self-consciously devised and instituted by Sweeney and his staff. The ideas that underlie it were drawn from the business management literature. The staff read widely in the business press and the more scholarly literature as well. Their single most important source was probably the *Harvard Business Review*. (1994:524, 528)

In effect, the institutional changes made SEIU a more sophisticated and more militant union and infused it with at least some of the spirit of the old CIO.

But not until the mid-1980s did SEIU focus its efforts on its home base—building services. Though the founding locals (Chicago, New York, and San Francisco) were still holding fast, the rest of the building services division was in deep trouble, losing ground to nonunionized competitors and getting battered by unionized employers in search of concessions. What is now a codified set of campaign practices under the rubric of Justice for Janitors emerged gradually; a campaign in Denver, where the union raised "enough hell in the downtown area that the industry caved," became the model.

It arrived in Southern California in 1988, but not without trepidation, if only because "it was really huge. . . . Going from little Denver to monstrous L.A. was like, 'Are we ready for this?'" The campaign began in the downtown area, taking responsibility for both representing the remaining

union base and organizing the nearby nonunion buildings. The plan involved targeting the nonunion wings of the "double-breasted" companies (firms with both union and nonunion operations under different names) and taking advantage of internal company competition, by letting the unionized companies pick up work at low rates, with the understanding that they would move to union standards once half the market had been organized.

This initial campaign focused on Century Cleaning, a small local player with union and nonunion components and an owner whom the union could "get a handle on." In some respects, this first effort proceeded along traditional lines: contacting workers, making house calls, signing cards, identifying leaders in both the union and nonunion buildings. Otherwise, the game plan was different. Most important, there was no expectation that the drive would eventuate in an election. Part of the thinking on this matter reflected what has since come to be counterconventional wisdom: "Elections are controlled by the bosses and set up for them. It's an alienating process for workers, and takes the concept of power between workers and bosses and separates the union from the workers. The union is the workers." But the aversion to traditional procedures was also influenced by considerations specific to the industry, namely, an awareness that the employer was little more than a straw boss and that decision-making power lay in the hands of the property owners, whose interests the board process concealed and protected.

Although this first campaign never ended up reaching the "people who have power in the market," it successfully engaged the company on a variety of fronts. One involved the "in-your-face" protests for which Jfj has since become well known, doing street theater at a popular restaurant that the company's owner frequented or taking a group of workers to the owner's golf club, where they "raised a ruckus, chanting and screaming."

But the union also learned that "it didn't take a contract to redefine the relationship with the company." Jfj pressured employers by activating agencies such as CalOSHA or other state agencies charged with worker protection, which heretofore had turned a blind eye to contractors' lack of compliance with the law.

In the end, the continuing battle took the cleaning contractor "out of the fight," with the union redefining victory as "if the [building] owner would bounce Century Cleaning from the building." This claim was not entirely hollow since some of Century's contracts slipped to union firms.

The next major target, Bradford, the nonunion wing of the national firm American Building Maintenance, proved a formidable enemy—in part because its president was vehemently antiunion, in part because of its larger size. Yet the campaign registered slow but steady progress, and by April 1989, Local 399 had negotiated a master agreement, the first in downtown L.A. since the early 1980s.

Then, in the summer of 1989, the focus of the campaign shifted to Century City, a large westside office complex employing 400 janitors, of whom 250 were employed by a single cleaning contractor, ISS. Jfj marshaled a variety of tactics to put pressure on ISS. As one janitor told a writer for the *Los Angeles Times*, "The strategy is attack, attack, attack" (Nazario 1993). As it had done downtown earlier on, Jfj also staged various in-your-face publicity stunts to draw the attention of Century City building tenants to the janitors' plight; tenants often complained to building managers about Jfj activities, indirectly intensifying the pressure on ISS.

By late spring 1990, the union concluded that employer intransigence left it no alternative but to strike and that it had the strength to take on that challenge. On May 29, 1990, "we pulled the buildings." From that point on, the pace of activity escalated sharply.

The rule was, if you're on strike, you have to come out and do actions. We had daily actions, every morning we walked along the median strip with human billboards, traffic was really tied up. And on some days we had big actions. On the first big one, we stormed through every single building in Century City, every single one. We had a lot of community people, it was about three or four hundred people. We went marching through the buildings, chanting and banging on drums, saying, "What do we want? Justice! When do we want it? Now!" Pretty simple, straightforward things.

... The LAPD called a citywide tactical alert that day. They just completely freaked out. They were getting panicked calls from every building in Century City, which was the power center of the westside, and in some ways the power center of the city.

This set the stage for the events of June 15, when the L.A. police attacked a peaceful march of Jfj strikers and supporters as they walked from nearby Beverly Hills to Century City. In full view of the media, and recorded on videotape, the police charged the crowd, injuring many, including children and pregnant women. Organizers feared that workers would be intimidated into a retreat, but at a meeting for the strikers shortly after the event, it became clear that the police action had only strengthened the workers' resolve. "It was like, 'Let's go back on Monday. Put the word out, we're going back on Monday, and we're going to be bigger, we're going to be badder! You can't scare us out of Century City.' This was not the organizers' message to the workers, this was the workers' message to the union."

Public outrage at the police attack (which occurred prior to the Rodney King beating) added fuel to the campaign. Then-mayor Tom Bradley came under pressure to act. And in New York, Gus Bevona, the powerful president of SEIU Local 32B-32J, who had previously been unwilling to exert any pressure on ISS, which was unionized in New York, was moved to lend

a hand after seeing a video of the L.A. police beating strikers: "Bevona called the president of ISS [headquartered in New York] into his office and, after making him wait in the front office for two and a half hours, threatened that if he did not recognize the L.A. union, all hell would break loose. The contract with ISS was signed that day."

We lack evidence on the motivations that led Bevona to act when and as he did. But bringing ISS to the table undoubtedly involved the expenditure of considerable political capital. As one Local 399 official told us: "People are always calling [Bevona] up saying, 'I can't solve my own problem, you solve it for me.' He's a powerful guy in New York, but there is just so much he can do." In this case, successful mobilization in L.A. created the context in which Bevona was motivated to cash in his chips. And without that mobilization, pressure from afar would not have had much impact: "Gus Bevona could have done this earlier. But if we weren't in a position to hang on to our membership, if the building owners said, 'We don't care what Gus Bevona says, you're out of here,' there's not much that Gus Bevona can do about real estate developers in L.A. Unless we're in a position where we can use that help, it would have been a meaningless gesture on his part." In any case, with ISS brought to its knees, JfJ won the battle for Century City, and this victory in turn paved the way for other successes in L.A. and nationwide.

The Ingredients of Success

In any successful social movement, many factors—some of them unique to the particular moment—combine to produce victory. We can identify three ingredients critical to JfJ's dramatic success in L.A.: centralized union leadership, an industry-specific strategy and tactics, and the presence of a critical mass of class-conscious immigrant workers. The first two elements are typical of JfJ nationwide, and indeed the campaign also succeeded in some cities where immigrants were not present in large numbers; however, JfJ's more spectacular showing in L.A. was due to a special dynamic created by the presence of vast numbers of immigrants from Central America and Mexico in its janitorial labor force.

Centralization

JfJ is widely seen as a bottom-up campaign. That it is, but it also has a crucial top-down component. In part, the importance of centralization comes down to a matter of dollars and cents and the "money thing," as one organizer explained, "is not cheap by any stretch of the imagination." Although SEIU has its origins in AFL unionism of the most traditional, decentralized type, it has evolved a different structure, which effectively redistributes resources from organized to unorganized workers. The *Wall*

Street Journal (Ybarra 1994) reports that 25 percent of SEIU's budget goes to organizing, as opposed to an average of 5 percent for the rest of organized labor, and only passing familiarity with the JfJ campaign indicates why. The campaign is labor intensive, requiring substantial personnel. The local staff includes at least one researcher, from whom there can be no immediate payoff. Further, the campaign involves a substantial legal component, costly in itself. And the high-visibility tactics are also high-risk tactics, especially when the union runs up against owners or developers with particularly deep pockets.

Although only the international would be likely to possess the resources required for such a campaign, a fat treasury is not sufficient. The campaign also requires perseverance. The payoffs are always uncertain; they were surely more so at the early stages when no one could have known how events would unfold. After the first two years of organizing in L.A. (prior to the Century City breakthrough), the yield was not very promising—namely, the addition of janitors from only a handful of buildings to the union fold, at the price of half a million dollars a year.

Moreover, local leadership has been less than enthusiastic; indeed, effective organization has often meant taking matters out of the hands of local leaders. "The leadership in 1987 was old school, conservative," reflected one of the lead JfJ organizers on the mood at the onset of the campaign. "There was concern that they would bail when things got hot." Indeed, the local head of 399's building division was completely cut out of any responsibility for organizing, and JfJ became the downtown building services union, with responsibility for organizing and representation. In early 1989, the L.A. local put a halt to its material support for the campaign, and had the international not intervened, it is unlikely that janitorial unionism in L.A. would have developed as it has.

Nor is L.A. unique in this regard. JfJ has frequently been exported through trusteeships, which were imposed on the San Diego, Atlanta, San Jose, and Santa Clara locals. One seasoned union source with experience in several cities reported that local staff and leaders were frequently resistant to the JfJ model and often threw up roadblocks to organizing. Although local conservatism may reflect economic considerations, other factors are likely to be in play: it is not difficult to imagine that an incumbent leadership will opt for the status quo, especially in light of the political ramifications of a sudden infusion of new, possibly ethnically distinctive members.

Thus, on the one hand, a centralized structure that allowed the international to bypass local decision makers and make direct investments in organizing was a necessary condition of JfJ's success. On the other hand, this structure was not a sufficient condition: the very considerable resources that the international devoted to organizing could have been misspent.

Strategy and Tactics

JfJ's basic strategy is to seek control over all the key players in a local labor market, with the goal of taking labor costs out of competition. "One industry, one union, one contract" is the slogan on a union leaflet. JfJ seeks to compel employers "to fight on our terms, not theirs," as Stephen Lerner, former director of building services organizing for SEIU and the architect of the strategy, has described the basic plan (1991:8). If management is not unappreciative of just how much that strategy has changed the rules of the game—"brilliant" was the term used by one informant to describe the union's *modus operandi*—management understandably describes the strategy in somewhat different terms: "You can't fight the SEIU in the gutter. They are good at that."

JfJ deliberately abandoned the traditional NLRB election approach to organizing, in part because of the peculiar structure of the building services industry. Instead, JfJ developed the idea of a "comprehensive campaign," in the words of a key organizer, "a war against the employers *and* the building owners, waged on all fronts [without] leaving any stone unturned." The war plan had several key elements:

Intelligence. Along with its 1930s-style spirit, JfJ has brought 1990s-style organization and technology to the cause of janitorial unionism; indeed, the union's strategy began with a business-oriented understanding of the industry. From its inception, the L.A. campaign "had a full-time research/corporate person" functioning exclusively as an "information-gatherer and utilizer." Data supplied by researchers at SEIU headquarters in Washington supplemented information collected at the local level. As one impressed management informant put it, SEIU had the ability to "ferret out the weaknesses" of the ownership/management structure in any particular situation. Intelligence plays still another role, having to do with activation of the membership base. "Our economists know how to crunch the numbers . . . the real numbers. Someone will get pissed if they learn that it costs the owner one cent to give them a raise." Understanding the industry also becomes a tool in the hands of the workers, allowing them to see how and why they have the potential to change the conditions they endure.

Effective gathering of intelligence requires the appropriate personnel and technology as well as the investment needed to bring these human and capital resources together. Consequently, access to and mobilization of highly skilled, often college-educated organizers and researchers, combined with the ability to command the technological resources that enable them to be effective, were essential to the JfJ's effectiveness.

Guerrilla legal tactics. While abandoning the election route, JfJ found instruments in the NLRA and other legal protections that could be used to

gain leverage over employers. JfJ filed complaints with the NLRB over employer violations, such as discrimination against union activists and other "unfair labor practices" prohibited by laws the NLRB is charged with enforcing. "If the company violated Section 7 rights, then we could file Board charges, and we aggressively used the Board for those kinds of things," an organizer explained. This approach also permitted janitors to go on strike under certain conditions with legal protection against being permanently replaced.

Use of such guerrilla tactics served two ends. First, as one management informant told us, they "beat down the contractors economically"; those unprepared to "spend a fortune on lawyers . . . settled pretty quickly." Second, guerrilla tactics transformed the union into the effective, if not the legal, representative of the workers.

The SEIU's proclivity for in-your-face media-oriented events corresponds with management's description of a "fight in the gutter." Such tactics brought public embarrassment to key individuals in the industry while also making life difficult for building tenants. Of course, the ability to carry off such efforts depended heavily on the union's research capacity. While JfJ deliberately cultivated particularly aggressive tactics, it had to do so carefully to avoid being forced by employers into an NLRB election.

In particular, the legal prohibition against secondary boycotts means that in-your-face activities must be handled gingerly. The SEIU has generally been successful in walking the thin line distinguishing acts of free speech protected by the First Amendment from activities that would trigger Board action to protect such "innocent" parties as building owners.²

Coalition building. Yet another means of targeting owners involved the political realm. JfJ had the good fortune of beginning in the halcyon days of the 1980s, when investors were falling over themselves to build property in downtown L.A. Since construction could not begin without approval from the city's Community Redevelopment Authority (CRA), the union had a powerful lever on which to lean. During most of the 1980s, the head of the L.A. County AFL-CIO sat on the board of the CRA, as did other potential allies; consequently, no office tower built after 1987 opened up without a unionized cleaning crew.

Most important, the union was able to connect with and move its friends in high places; of particular importance were links to local political leaders. It was not a matter of ending the marriage between L.A.'s political establish-

2. We are aware of one case, from the San Francisco area, in which the NLRB specifically addressed JfJ tactics aimed at owners and issued a cease-and-desist order against the union. That case, *Trinity Building Maintenance* (312 NLRB 715 [1993]), now stands as a potential threat to JfJ tactics.

ment and real estate interests but simply altering it so that the deals that political leaders cut with property owners would occasionally yield dividends for someone else. As we have noted, SEIU's allies on the CRA played precisely this role during the late 1980s. In 1990, after the savage police beating at Century City, the union, with help from the county AFL, was able to mobilize then-mayor Bradley, who phoned the principal ownership interest at Century City to voice his concern over the incidents that had arisen in the course of the organizing.

Another important source of strength was support from unions representing janitors in other cities. When janitorial unionism declined in L.A. and other metropolitan areas, it remained strong in such traditional citadels as New York, Chicago, and San Francisco. Most of the key players on the industry side are made up of nationally or internationally operated firms that do business with the union where they must, and such firms are vulnerable to pressure from their unionized employees. But, as we have already noted, SEIU has a tradition of decentralization; and although conditions have changed since the union's early days, negotiations still occur at the local, not the national, level, leaving solidaristic actions subject to local considerations. The story of Gus Bevona's role in securing a contract with ISS after the police beatings in Century City is revealing on this score; only when mobilization had reached a boiling point was he willing to intervene.

Mobilizing the rank and file. Ultimately, the ability to pressure employers derived from the union's success at striking a chord among the rank and file and moving them to action in ways that generated legal charges, caught the attention of the mass media, and forced the hands of other actors, including politicians and such SEIU leaders as Gus Bevona. As one of our informants emphasized: "The reason that L.A. is the shining star of the union is that we've had the highest percentage of workers participation, have the highest worker turnout, and the highest percentage of workers going to jail and getting arrested. At heart and soul, there has to be a mobilized workforce." This brings us to the third and final ingredient in Jfj's L.A. success: the role of immigrants.

Role of Immigrants

In the period of Local 399's earlier decline, employers used the social structures of immigration to evade the union and to secure a more compliant labor force. But the fact that the workforce was bound by a series of interlocking networks meant that now the same structures could be put to a different purpose. "If you can get into the [hiring] chain, then the chain works both ways." The convergence of ethnicity, residence, and occupational concentration made the union's task easier. An organizer recalled, "I would go to a building in Pico-Union looking for someone from Premier [a

cleaning contractor] and someone would say, 'Oh, she's downstairs—with someone else from Premier.'"

Moreover, the peculiar conditions of building services work created a sense of occupational community: working at night, when few others did, the janitors formed a somewhat isolated group. Thus, "even though L.A. is famous for no community, . . . we found a community of janitors." Other common experiences seem to have made that community particularly organizable. One organizer reported a "high level of class consciousness," apparently rooted in the societies from which the immigrants came: "One of the good things about organizing Latino workers is that there is a positive view of unions. They know what they are. There is a saying that is much more common there: *La union hace la fuerza*. Everyone knows it. If you ask, '*Que piensa de la union?*', they answer, '*La union hace la fuerza*. If the rest of the people want to be in the union, I want to be in it.'"

Among the Central Americans, there was also a sizable component of seasoned activists with a background in left-wing or union activity back home. That experience did more than impart organizing skills or develop a proclivity toward making trouble; it also put the risks entailed in a union drive in a totally different light: "With the Salvadorans, you find different attitudes. Sometimes you found people who fought there. And there, you were in a union, they killed you. Here, you [were in a union] and you lost a job at \$4.25."

True, the janitorial workforce included former activists along with their prior enemies—"You find other ones, 'I was the one who killed that trade unionist'"—and erstwhile members of the middle class, as well as peasants and proletarians. But the organizers reported that "no matter what their political background in their country, here they were working class and understood the idea of sticking to your class."

Compared with the situation in the early 1980s, when Local 399 collapsed, by the end of the decade, many immigrant janitors had considerable U.S. experience. For these veterans, the prospects of returning home—a plan that often inhibits organizing—must have seemed increasingly dim. And if one can generalize from the experience of one rank-and-file leader who described herself as having "learned in the university of daily life and gained a diploma in exploitation," settlement in the United States may also have played an embittering, and thereby catalytic, role. As one key rank-and-file leader put it, "We Latino workers are a bomb waiting to explode."

Although there is other evidence to suggest that Latino immigrant workers are demonstrating a militancy and commitment to labor "not seen in many years" (McMahon, Finkel-Shimshon, and Fujimoto 1991), the immigrant presence seems unlikely to have been either a necessary or a sufficient

condition of success. Immigrants are certainly capable of spontaneous outbreaks, but the power relations in the building services industry are simply too uneven to imagine that immigrant janitors could have unionized without the extraordinary financial and human investment of the SEIU international and without the strategy the Jfj leadership developed. Nor are immigrants uniquely disposed toward organizing—or else Jfj would succeed only in cities where immigrants are a sizable presence. At the same time, few if any organizing campaigns succeed without mobilizing rank-and-file workers. And in this respect, the Jfj campaign was probably better off with the immigrants than without them, for all the reasons adduced above.

Defeat Snatched from the Jaws of Victory?

In the aftermath of Jfj's successes in the early 1990s, unrest moved from the streets into Local 399 itself. The local union leadership, made up of people highly supportive of the Jfj effort, was turned out of office in the spring of 1995. The international SEIU responded by placing the local in trusteeship. It was not possible for us to determine fully the nature of the dispute, but this turn of events raises the distinct possibility that the future of Local 399 may not be as bright as its recent past.

A pessimistic view would suggest that the union's hold on the industry is very precarious and that the earlier collapse of Local 399 may be recapitulated in the future. Notwithstanding the gains generated by unionization, wages remain very modest, too low to cement attachment to the industry, which means that the workforce will continue to turn over at high rates. Instability is an inherent source of union weakness, requiring the local to continually reorganize the workforce lest the contractors supplant union members with nonunion workers and then go nonunion before anyone is the wiser. Some employers claim that if they pay workers union rates, they can take any given workplace nonunion and that the "union will never know." Although this may be largely bravado, the union's internal precorruptions would suggest that it may be more than an idle threat.

Moreover, there may be less to today's pacific relations with employers than meets the eye: since wage increases in the five-year contract signed in 1995 are back-loaded, employers may grow restive when faced with the thirty-cent-an-hour raise due in 1999. Given that some of the nonunion contractors have not yet been brought to heel, even a marginal decline in Local 399's strength may swing the balance of power back to the nonunion side.

The possibility that employers may turn more obstreperous has much to do with the currently depressed state of the real estate market, and a revival

of demand for office space in L.A. may well bode ill for janitorial unionism. Owners differ in their degree of exposure to the pressures that Jfj can apply; since the mid-1980s, it has had the good fortune of confronting institutional investors who find themselves highly vulnerable to the tactics that Jfj deploys. Moreover, bad times make all owners concerned about occupancy: they may be more likely to succumb to union pressure when tenants are scarce and difficult to replace. But if and when good times return to L.A., institutional investors may sell out to more hard-nosed owners who are less concerned with sullying their public image and less fearful of losing tenants who will, in turn, have fewer options.

But there is also an optimistic interpretation of today's internal travails. In this view, the union's current problems are a normal, perhaps even an inevitable, result of such a massive organizing effort. As in other similarly competitive industries, unionized employers have been quick to find virtue in a union that can take wages out of competition, as long as it does so, they may be quite willing to bid nonunion times good-bye. Stable relations are eased by the presence of the large national, even international contractors, who live with unions wherever they must and who have accommodated to the return of janitorial unionism to L.A. While it is true that workers in an industry like building services have to be reorganized continually, this was always true in such labor-intensive, small-establishment industries as restaurants, garment manufacturing, and construction. For much of the twentieth century, these were environments in which unions thrived. And as the pessimist would never have predicted the very considerable success that Jfj has achieved so far, we suspect that one would do better to listen to what the optimist has to say.