I stand in affirmation of the resolution “A just government ought to recognize an unconditional right of workers to strike.”

# Observation: The resolution states “a just government” the argument here is not to debate whether governments become just by recognizing right to strike, but rather if an already theoretical just government would recognize it.

# Definitions: a refusal to work organized by a body of employees as a form of protest, typically in an attempt to gain a concession or concessions from their employer

# Value:

# Criterion:

# Contention 1: Strike activity is on the rise

# (Greenhouse Oct 21)

1. US labor unions have been on the defensive for decades but this October there has been a surprising burst of worker militancy and strikes as workers have gone on the offensive to demand more. Experts are predicting more actions to come but whether “Striketober” can lead to permanent change remains an open question. The scale of industrial action is truly remarkable. Ten thousand John Deere workers have gone on strike, 1,400 Kellogg workers have walked out, as well as a walkout threatened by more than 30,000 Kaiser Permanente workers, all inflamed by a profound disconnect between labor and management. America’s strike wave is a rare – and beautiful – sight to behold. Many frontline workers – after working so hard and risking their lives during the pandemic – say they deserve substantial raises along with lots of gratitude. With this in mind and with myriad employers complaining of a labor shortage, many workers believe it’s an opportune time to demand more and go on strike. It doesn’t hurt that there’s a strongly pro-union president in the White House and there’s more public support for unions than in decades. But some corporations are acting as if nothing has changed and they can continue corporate America’s decades-long practice of squeezing workers and demanding concessions, even after corporate profits have soared. This attitude doesn’t sit well with Chris Laursen, who earns $20.82 an hour after 19 years at Deere’s farm equipment factory in Ottumwa, Iowa. Laursen is upset that Deere is offering just a one-dollar-an-hour raise and wants to eliminate pensions for future hires even when Deere anticipates a record $5.7bn in profits this year, more than double last year’s earnings. “We were deemed essential workers right out of the gate,” Laursen said, noting that many workers racked up lots of overtime during the pandemic. “But then they came with an offer that was appallingly low. It was a slap in the face of the workers who created all the wealth for them.” Many Deere workers complain that the company offered only a 12% raise over six years, which they say won’t keep pace with inflation, even as the CEO’s pay rose 160% last year to $16m and dividends were raised 17%. Deere’s workers voted down the company’s offer by 90% before they went on strike at 14 factories on 14 October, their first walkout in 35 years.“We really showed up during the pandemic and kept building equipment for them,” Laursen said. “Now we want something back. The stars are finally lined up for us, and had to bring the fight.” Thomas Kochan, an MIT professor of industrial relations, agreed that it was a favorable time for workers – many corporations have substantially increased pay in response to the labor shortage. “It’s clear that workers are much more empowered,” he said. “They’re empowered because of the labor shortage.”Kochan added: “These strikes could easily trigger more strike activity if several are successful or perceived to be successful.” Robert Bruno, a labor relations professor at the University of Illinois, said workers have built up a lot of grievances and anger during the pandemic, after years of seeing scant improvement in pay and benefits. Bruno pointed to a big reason for the growing worker frustration: “You can definitely see that American capitalism has reigned supreme over workers, and as a result, the incentive for companies is to continue to do what’s been working for them. It’s likely that an arrogance sets in where companies think that’s going to last for ever, and maybe they don’t read the times properly.” Keisha Richardson, a 15-year Kellogg employee, waves to cars honking as they pass by the picket line outside the cereal maker’s headquarters in Battle Creek, Michigan, this week. Kevin Bradshaw, a striker at Kellogg’s factory in Memphis, said the cereal maker was being arrogant and unappreciative. During the pandemic, he said, Kellogg employees often worked 30 days in a row, often in 12-hour or 16-hour shifts. In light of this hard work, he derided Kellogg’s contract offer, which calls for a far lower scale for new hires. “Kellogg is offering a $13 cut in top pay for new workers,” Bradshaw said. “They want a permanent two-tier. New employees will no longer receive the same amount of money and benefits we do.” That, he said, is bad for the next generation of workers.Bradshaw, vice-president of the Bakery, Confectionery, Tobacco Workers and Grain Millers union local, noted that it made painful concessions to Kellogg in 2015. “We gave so many concessions, and now they’re saying they need more,” he said. “This is a real smack in the face during the pandemic. Everyone knows that they’re greedy and not needy.” Kellogg said its compensation is among the industry’s best and its offer will help the company meet competitive challenges. Deere said it was determined to reach an agreement and continue to make its workers “the highest paid employees in the agriculture industry”.There are many strikes beyond Deere and Kellogg. More than 400 workers at the Heaven Hill bourbon distillery in Kentucky have been on strike for six weeks, while roughly 1,000 Warrior Met coalminers in Alabama have been on strike since April. Hundreds of nurses at Mercy hospital in Buffalo went on strike on 1 October, and 450 steelworkers at Special Metals in Huntington, West Virginia, also walked out that day. More than 30,000 nurses and other healthcare professionals at Kaiser Permanente on the west coast have voted to authorize a strike.Sixty thousand Hollywood production employees threatened to go on strike last Monday, unhappy that film and TV companies were not taking their concerns about overwork and exhaustion seriously. But seeing that the union was serious about staging its first-ever strike, Hollywood producers flinched, agreed to compromises, and the two sides reached a settlement. Noting that Kaiser Permanente, a non-profit, had amassed $45bn in reserves, Belinda Redding, a Kaiser nurse in Woodland Hills, California, said, “We’ve been going all out during the pandemic. We’ve been working extra shifts. Our lives have been turned upside down. The signs were up all over saying, ‘Heroes Work Here’. And the pandemic isn’t even over for us, and then for them to offer us a 1% raise, it’s almost a slap in the face.” Redding is also fuming that management has proposed hiring new nurses at 26% less pay than current ones earn – which she said would ensure a shortage of nurses. “It’s hard to imagine a nurse giving her all when she’s paid far less than other nurses,” Redding said.Kaiser said that its employees earn 26% more than average market wages and that its services would become unaffordable unless it restrains labor costs. Healthcare workers take part in a strike to protest against working conditions in hospitals amid the pandemic, at Mercy hospital in Buffalo, New York, this month. Healthcare workers take part in a strike to protest against working conditions in hospitals amid the pandemic, at Mercy hospital in Buffalo, New York, this month. On a smaller scale but in an industry in increasing demand, striking workers at one of the world’s largest bourbon producers were scheduled to vote on a new contract on Saturday, a day after announcing a tentative agreement with Heaven Hill, the producer of Evan Williams bourbon. About 420 members of United Food and Commercial Workers Local 23D went on strike about six weeks ago, forming picket lines at the company’s operations in Bardstown, Kentucky, with the dispute revolving around healthcare and scheduling. Meanwhile, many non-union workers – frequently dismayed with low pay, volatile schedules and poor treatment – have quit their jobs or refused to return to their old ones after being laid off during the pandemic. In August, 4.2 million workers quit their jobs, part of what has been called the Great Resignation. Some economists have suggested this is a quiet general strike with workers demanding better pay and conditions. “People are using exit from their jobs as a source of power,” Kochan said. As for unionized workers, some labor experts see parallels between today’s burst of strikes and the much larger wave of strikes after the first and second world wars. As with the pandemic, those catastrophic wars caused many Americans to reassess their lives and jobs and ask: after what we’ve been through, don’t we deserve better pay and conditions? Professor Bruno said that in light of today’s increased worker militancy, unionized employers would have to rethink their approach to bargaining “and take the rank and file pretty seriously”. They can no longer expect workers to roll over or to strong-arm them into swallowing concessions, often by threatening to move operations overseas. Bruno questioned whether the surge in strikes will be long-lasting. He predicts that the improvements in pay and job quality will be long-lasting, adding that that was more likely than unions substantially increasing their membership. He said that if workers see others winning better wages and conditions through strikes, that will raise unions’ visibility and lead to more workers voting to join unions. Despite the recent turbulence, Ruth Milkman, a sociologist of labor at City University of New York, foresees a return to the status quo. “I think things will go back to where they were once things settle down,” she said. “The labor shortage is not necessarily going to last.” She sees the number of strikes declining once the labor shortage ends. In her view, union membership isn’t likely to increase markedly because “they’re not doing that much organizing. “There’s a little” – like the unionization efforts at Starbucks in Buffalo and at Amazon – “but it’s not as if there’s some big push.” A big question, Milkman said, was how can today’s labor momentum be sustained? She said it would help if Congress passed the Protecting the Right to Organize Act, which would make it easier to unionize workers. That law would spur unions to do more organizing and increase their chances of winning union drives. “That would be a real shot in the arm,” Milkman said.

This card is from October 2021 (Which is this month) The recency of this card shows that strikes are currently at an all time high as we speak. People are striking on purpose, and without recognizing their right to perform these strikes, thousands of people would face issue.

# Contention 2: Protest

# Contention 3: Just Governments

# (Rhinehart 21)

Striking is realistically the only way workers can fight back against oppressive employers.

When it was passed in 1935, the National Labor Relations Act declared that its purpose was to promote the practice of collective bargaining, where workers and their union sit down with their employer to negotiate over wages, safety, fairness, and other important issues. But over time, this promise has become hollow because weaknesses in the law have been exploited by [employers and the courts](https://www.epi.org/unequalpower/publications/private-sector-unions-corporate-legal-erosion/) to undermine workers’ bargaining power. Here are six ways the Protecting the Right to Organize (PRO) Act helps to level the playing field and restore workers’ bargaining power: **The PRO Act has a process for reaching a first collective bargaining agreement.**When workers first form a union, too often employers drag out the bargaining process and avoid reaching an initial agreement, because there are no monetary penalties in the law for bad faith bargaining. A year after forming their union, [more than half](https://www.epi.org/publication/bp235/) of all workers do not yet have an initial bargaining agreement with their employer. This leads to worker frustration, which employers exploit to undermine the new union. The PRO Act addresses this problem by establishing a mediation and arbitration process for reaching an initial agreement.

1. **The PRO Act requires employers to continue bargaining instead of taking unilateral action.**Current law gives employers too much power to force its position on workers by unilaterally declaring that the parties have reached an impasse in bargaining and then either locking out workers—preventing them from working and getting paid—or implementing the employer’s proposals. This power, either alone or combined with the restrictions on workers’ ability to strike or put other economic pressure on the employer, puts employers in the driver’s seat in bargaining and greatly undermines workers’ bargaining power. To address this problem, the PRO Act prohibits employers from declaring impasse and locking out workers—a so-called “offensive lockout.” And the PRO Act requires employers to maintain the status quo on wages and benefits during bargaining—no more unilateral changes to put pressure on workers to cave in to the employer’s demands.
2. **The PRO Act gets the economic players to the bargaining table.**Under current law, staffing firms, contractors, temporary agencies, and other employers try to evade their responsibility to bargain with workers and their union even when they have power over workers’ health and safety, schedules, wages, and other key issues. This leaves workers without the real economic players at the bargaining table. The PRO Act fixes this problem by adopting a strong joint-employer standard that will bring employers with power over wages or working conditions to the bargaining table.
3. **The PRO Act eliminates the ban on so-called “secondary” activity.**In order to win a wage increase, a voice on new technology, safety improvements, or other bargaining priorities, workers need leverage to put economic pressure on their employer to accept their demands. But current law robs workers of their leverage in many ways, including a prohibition on so-called “secondary” activity that was enacted by Congress in 1947. In fact, current law instructs the National Labor Relations Board (NLRB) to give top priority to shutting down so-called “secondary” activity. These cases are given even higher priority than cases alleging that employers have illegally fired union activists, and statistics show this has in fact been the case. For example, in the first 12 years after the restriction on secondary activity was first implemented, the number of injunction proceedings against unions for engaging in illegal secondary activity [skyrocketed by 1,188%,](https://www.epi.org/unequalpower/publications/private-sector-unions-corporate-legal-erosion/) while virtually no injunction proceedings were brought against employers for violating workers’ rights. This restriction on secondary activity forbids workers from picketing or otherwise putting pressure on so-called “neutral” companies other than their employer, even if those companies could influence their employer’s practices by, for example, withholding purchases until workers and their employer reach a collective bargaining agreement. The restriction has been interpreted so broadly as to prohibit janitors from picketing a building management company over sexual harassment by its janitorial subcontractor. The Trump NLRB General Counsel [unsuccessfully tried to argue](https://www.huffpost.com/entry/biden-labor-appointee-frees-scabby-the-rat-from-legal-peril_n_6022e83dc5b6c56a89a4fa6a) that floating an inflatable Scabby the Rat balloon at a labor protest was illegal secondary activity, even though courts have consistently said such protests are protected by the First Amendment. Given the prevalence of subcontracting and the interrelated nature of business relationships, the ban on secondary activity does not reflect the realities of today’s business structures. It deprives workers of an important tool in the bargaining process and unfairly tips the power balance to employers. To correct this imbalance, the PRO Act repeals the ban on secondary activity.
4. **The PRO Act prohibits employers from permanently replacing strikers.**Workers’ ultimate leverage in bargaining is to withhold their labor—in other words, to strike. The law technically protects workers from being fired when they go on a lawful strike, but this right has been gutted by a 1938 decision by the U.S. Supreme Court that stated that employers can permanently replace, i.e., terminate, workers who are on strike over economic issues. Despite a slight increase in strike activity last year, [the number of strikes continues to be at a historic low](https://www.epi.org/publication/2020-work-stoppage-report/) in part because of this weakness in the law. The PRO Act restores the right to strike by prohibiting employers from permanently replacing economic strikers.
5. **The PRO Act overrides state “right-to-work” laws that weaken unions.**So-called right-to-work laws have nothing to do with getting or keeping a job—they are about weakening workers’ collective voice on the job. Under the law, unions are required to represent all workers protected by the collective bargaining agreement, but so-called right-to-work laws prohibit unions and employers from voluntarily agreeing that all workers covered and protected by the agreement should share in the costs of union representation through union dues or fees. This creates a “free rider” problem, where workers get the benefits of unionization but do not contribute toward the costs, creating a financial drain on unions. The PRO Act overrides state right-to-work laws and allows unions and employers to negotiate fair share agreements whereby all workers covered by the collective bargaining agreement share in the cost of representation.

This Act would be just one example of an act a just government could propose to offer the most protections for those trying to strike, in reference to the observation

The card may be US centric, any just government would enact these laws to recognize an UNCONDITIONAL right to strike. This also shows it is realistic and possible.

# Impacts:

Recency : The cards are from 2021 and even this exact month, showing this is a current issue to be regarded.