# 1NC

**I negate.**

**In this round, I value consequentialism.**

Sinnott-**Armstrong,** W. **(2015).** Consequentialism. In E. N. Zalta (Ed.), The Stanford Encyclopedia of Philosophy (Winter 2015). Retrieved from<http://plato.stanford.edu/archives/win2015/entries/consequentialism/>  Consequentialism, as its name suggests, is the view that **normative properties depend only on consequences**. This general approach can be applied at different levels to different normative properties of different kinds of things, but the most prominent example is consequentialism about the moral rightness of acts, which holds that **whether an act is morally right depends only on the consequences of that act** or of something related to that act, such as the motive behind the act or a general rule requiring acts of the same kind. consequentialist as opposed to deontological because of what it denies. It denies that moral rightness depends directly on anything other than consequences, such as whether the agent promised in the past to do the act now. Of course, the fact that the agent promised to do the act might indirectly affect the act's consequences if breaking the promise will make other people unhappy. Nonetheless, according to classic utilitarianism, what makes it morally wrong to break the promise is its.

**This is the only topical lens to view the round through as the resolution asks us to evaluate a policy action. Government actions determined by policy makers will inevitably lead to trade-offs between citizens. The only justifiable way to resolve these conflicts is consequentialism.**

**VC: maximizing social well being**

**Observation- the negative only needs to prove that 1 instance of a conditional strike is good to win the debate**

**Contention 1: The Economy**

**The Global Economy is stabilizing and set for increases in 2021 but is still vulnerable to shocks**

**World Bank 6-8** 6-8-2021 "The Global Economy: on Track for Strong but Uneven Growth as COVID-19 Still Weighs"<https://www.worldbank.org/en/news/feature/2021/06/08/the-global-economy-on-track-for-strong-but-uneven-growth-as-covid-19-still-weighs>

A year and a half since the onset of the COVID-19 pandemic, **the global economy is poised to stage its most robust post-recession recovery in 80 years in 2021**. But the **rebound is expected to be uneven across countries**, as major economies look set to register strong growth even as many developing economies lag. Global **growth is expected to accelerate to 5.6% this year,** largely on the strength in major economies such as the United States and China. And while growth for almost every region of the world has been revised upward for 2021, many continue to grapple with COVID-19 and what is likely to be its long shadow. **Despite this year’s pickup, the level of global GDP in 2021 is expected to be 3.2% below pre-pandemic projections**, and per capita GDP among many emerging market and developing economies is anticipated to remain below pre-COVID-19 peaks for an extended period. As the pandemic continues to flare, it will shape the path of global economic activity.

**Strikes hurt the Economy – two warrants:**

**1] They hurt critical core industries that is necessary for economic growth**

**McElroy 19** John McElroy 10-25-2019 "**Strikes** Hurt Everybody"<https://www.wardsauto.com/ideaxchange/strikes-hurt-everybody> (MPA at McCombs school of Business)

This **creates a poisonous relationship between the company and its workforce.**  Many GM hourly workers don’t identify as GM employees. They identify as UAW members. And they see the union as the source of their jobs, not the company. It’s an unhealthy dynamic that puts GM at a disadvantage to non-union automakers in the U.S. like Honda and Toyota, where workers take pride in the company they work for and the products they make. Attacking the company in the media also **drives away customers**. Who wants to buy a shiny new car from a company that’s accused of underpaying its workers and treating them unfairly? Data from the Center for Automotive Research (CAR) in Ann Arbor, MI, show that **GM loses market share during strikes and never gets it back. GM lost two percentage points during the 1998 strike, which in today’s market would represent a loss of 340,000 sales**. Because GM reports sales on a quarterly basis we’ll only find out at the end of December if it lost market share from this strike. UAW members say one of their greatest concerns is job security. But causing a company to lose market share is **a sure-fire path to more plant closings and layoffs.** Even so, unions are incredibly important for boosting wages and benefits for working-class people. GM’s UAW-represented workers earn considerably more than their non-union counterparts, about $26,000 more per worker, per year, in total compensation. Without a union they never would have achieved that. Strikes are a powerful weapon for unions. They usually are the only way they can get management to accede to their demands. If not for the power of collective bargaining and the threat of a strike, management would largely ignore union demands. If you took away that threat, management would pay its workers peanuts. Just ask the Mexican line workers who are paid $1.50 an hour to make $50,000 BMWs. But strikes don’t just hurt the people walking the picket lines or the company they’re striking against. They hurt suppliers, car dealers and the communities located near the plants. The Anderson Economic Group estimates that 75,000 workers at supplier companies were temporarily laid off because of the GM strike. Unlike UAW picketers, those supplier workers won’t get any strike pay or an $11,000 contract signing bonus. No, most of them lost close to a month’s worth of wages, which must be financially devastating for them. GM’s suppliers also lost a lot of money. So now they’re cutting budgets and delaying capital investments to make up for the lost revenue, which is a further drag on the economy. According to CAR, the communities and states where GM’s plants are located collectively lost a couple of hundred million dollars in payroll and tax revenue. Some economists warn that if **the strike** were prolonged it **could knock the state o**f Michigan – home to GM and the UAW **– into a recession.** That prompted the governor of Michigan, Gretchen Whitmer, to call GM CEO Mary Barra and UAW leaders and urge them to settle as fast as possible. So, while the UAW managed to get a nice raise for its members, the strike left a path of destruction in its wake. That’s not fair to the innocent bystanders who will never regain what they lost. John McElroyI’m not sure how this will ever be resolved. I understand the need for collective bargaining and the threat of a strike. But there’s got to be a better way to get workers a raise without torching the countryside.

**2] Strikes create a stigmatization effect over labor and consumption that devastates the Economy**

**Tenza 20**, Mlungisi. "The effects of violent strikes on the economy of a developing country: a case of South Africa." Obiter 41.3 (2020): 519-537. (Senior Lecturer, University of KwaZulu-Natal)

When South Africa obtained democracy in 1994, there was a dream of a better country with a new vision for industrial relations.5 However, the number of violent strikes that have bedevilled this country in recent years seems to have shattered-down the aspirations of a better South Africa. South Africa recorded **114 strikes in 2013 and 88 strikes in 2014, which cost the country about R6.1 billion** according to the Department of Labour.6 The impact of these strikes has been hugely felt by the mining sector, particularly the platinum industry. The biggest strike took place in the platinum sector where about 70 000 mineworkers’ downed tools for better wages. Three major platinum producers (Impala, Anglo American and Lonmin Platinum Mines) were affected. The strike started on 23 January 2014 and ended on 25 June 2014. Business Day reported that “the five-month-long strike in the platinum sector pushed the economy to the brink of recession”. 7 This strike was closely followed by a four-week strike in the metal and engineering sector. All these **strikes** (and those not mentioned here) were characterised with violence accompanied by damage to property, intimidation, assault and sometimes the killing of people. Statistics from the metal and engineering sector showed that about 246 cases of intimidation were reported, 50 violent incidents occurred, and 85 cases of vandalism were recorded.8 Large-scale unemployment, soaring poverty levels and the dramatic income inequality that characterise the South African labour market provide a broad explanation for strike violence.9 While participating in a strike, workers’ stress levels leave them feeling frustrated at their seeming powerlessness, which in turn provokes further violent behaviour.10 These strikes are not only violent but **take long to resolve. Generally, a lengthy strike has a negative effect on employment, reduces business confidence and increases the risk of economic stagflation.** In addition, such strikes **have a major setback on the growth of the economy and investment** opportunities. It is common knowledge that consumer spending is directly linked to economic growth. At the same time, if the economy is not showing signs of growth, employment opportunities are shed, and poverty becomes the end result. The economy of South Africa is in need of rapid growth to enable it to deal with the high levels of unemployment and resultant poverty. One of the measures that may boost the country’s economic growth is by **attracting potential investors** to invest in the country. However, this might be **difficult** as investors would want to invest in a country where there is a likelihood of getting returns for their investments. The wish of getting returns **for investment may not materialise if the labour environment is not fertile** for such investments as a result of, for example, unstable labour relations. As a result of this strike, the platinum industries lost billions of rands.29 According to the report by Economic Research Southern Africa, the platinum group metals industry is South Africa’s second-largest export earner behind gold and contributes just over 2% of the country’s Gross Domestic Product (GDP).30 The overall metal ores in the mining industry which include platinum sells about 70% of its output to the export market while sales to local manufacturers of basic metals, fabricated metal products and various other metal equipment and machinery make up to 20%. 31 The research indicates that the overall impact of the strike in 2014 was driven by a reduction in productive capital in the mining sector, accompanied by a decrease in labour available to the economy. This resulted in a sharp increase in the price of the output by 5.8% with a **GDP declined by 0.72 and 0.78%.**32

#### The impact is recession.

**Anderson 20** [Somer Anderson “What Causes a Recession” 9/15/20 <https://www.investopedia.com/ask/answers/08/cause-of-recession.asp>] AG

The standard [macroeconomic](https://www.investopedia.com/terms/m/macroeconomics.asp) definition of **a recession is** two consecutive quarters of **negative** [**GDP growth**](https://www.investopedia.com/articles/economics/08/genuine-progress-indicator-gpi.asp)**.** Private business, which had been in expansion prior to the recession, scales back production and tries to limit exposure to systematic risk. Measurable levels of spending and investment are likely to drop and a natural downward pressure on prices may occur as aggregate demand slumps. **GDP declines and** [**unemployment rates**](https://www.investopedia.com/terms/u/unemploymentrate.asp) **rise because companies lay off workers to reduce costs.**

**Contention 2: Essential Workers**

**Subpoint A) Nurses**

#### Nursing strikes can cause harm well beyond labor relations with negative effects on a patient’s safety, finances, and a hospital’s reputation.

**Masterson 17**[Les Masterson, August 15, 2017, “Nursing Strikes Can Cause Harm Well Beyond Labor Relations”,<https://www.healthcaredive.com/news/nursing-strikes-can-cause-harm-well-beyond-labor-relations/447627/>] AG.

A study on nurses’ strikes in New York found that labor actions have a temporary negative effect on a hospital’s patient safety. Study authors Jonathan Gruber and Samuel A. Kleiner found that **nurses’ strikes increased in-patient mortality by 18.3% and 30-day readmission by 5.7% for patients admitted during the strike. Patients admitted during a strike got a lower quality of care,** they wrote. “We show that this deterioration in outcomes occurs only for those patients admitted during a strike, and not for those admitted to the same hospitals before or after a strike. And we find that these changes in outcomes are not associated with any meaningful change in the composition of, or the treatment intensity for, patients admitted during a strike,” they said. They said a possible reason for the lower quality is fewer major procedures performed during a strike, which could lead partially to diminished outcomes. The study authors found that patients that need the most nursing care are the ones who make out worst during strikes. “We find that patients with particularly nursing-intensive conditions are more susceptible to these strike effects, and that hospitals hiring replacement workers perform no better during these strikes than those that do not hire substitute employees,” they wrote. Allina Health’s Abbott Northwestern Hospital in Minneapolis faced a patient safety issue during a strike last year that resulted in the CMS placing the hospital in “immediate jeopardy” status after a medication error. A replacement nurse administered adrenaline to an asthmatic patient through an IV rather than into the patient’s muscle. The patient, who was in the emergency room (ER), wound up in intensive care for three days because of the error. Allina said the error was not the nurse’s fault, but was the result of a communication problem. The CMS accepted the hospital plan of correction, which included having a nurse observer when needed and retraining ER staff to repeat back verbal orders. Hospitals also take a financial hit during strikes. Even the threat of a one- or two-day nurse strike can cost a hospital millions. Bringing in hundreds or thousands of temporary nurses from across the country is costly for hospitals. They need to advertise the positions, pay for travel and often give bonuses to lure temporary nurses. T**he most expensive** recent **nurse strike was when about 4,800 nurses went on strike at Allina Health in Minnesota two times last year. The two strikes of seven days and 41 days cost the health system $104 million. The hospital also saw a $67.74 million operating loss** during the quarter of those strikes. Even the threat of a strike can cost millions. Brigham and Women’s Hospital in Boston spent more than $8 million and lost $16 million in revenue preparing for a strike in 2016. The 3,300-nurse union threatened to walk out for a day and much like Tufts Medical Center, Brigham & Women’s said the hospital would lock out nurses for four additional days if nurses took action. At that time, Dr. Ron Walls, executive vice president and chief operating officer at Brigham and Women’s Hospital, said the hospital spent more than $5 million on contracting with the U.S. Nursing Corp. to bring on 700 temporary nurses licensed in Massachusetts. The hospital also planned to cut capacity to 60% during the possible strike and moved hundreds of patients to other hospitals. They also canceled procedures and appointments in preparation of a strike.

#### The status quo requires doctors to file a 10 day notice which is key to preventing death

**National Labor Relation Board** [NLRB “Right to Strike <https://www.nlrb.gov/strikes>]

**Section 8(g) prohibits a labor organization from engaging in a strike,** picketing, or other concerted refusal **to work at any health care institution without first giving at least 10 days’ notice** in writing to the institution and the Federal Mediation and Conciliation Service.

#### The impact is death

**Wright 10** [​​Wright, Sarah. 7/10 “Evidence on the Effects of Nurses' Strikes.” <https://www.nber.org/digest/jul10/evidence-effects-nurses-strikes>] AG

U.S. hospitals were excluded from collective bargaining laws for three decades longer than other sectors because of fears that **strikes by nurses** might **imperil patients' health**. Today, while unionization has been declining in general, it is growing rapidly in hospitals, with the number of unionized workers rising from 679,000 in 1990 to nearly one million in 2008. In **Do Strikes Kill? Evidence from New York State** (NBER Working Paper No. [**15855**](https://www.nber.org/papers/w15855)), co-authors [**Jonathan Gruber**](https://www.nber.org/people/Jonathan_Gruber) and [**Samuel Kleiner**](https://www.nber.org/people/Samuel_Kleiner) carefully examine the effects of nursing strikes on patient care and outcomes. The researchers match data on nurses' strikes in New York State from 1984 to 2004 to data on hospital discharges, including information on treatment intensity, patient mortality, and hospital readmission. They conclude that **nurses' strikes were costly to hospital patients: in-hospital mortality increased by 19.4 percent and hospital readmissions increased by 6.5 percent for patients admitted during a strike.** Among their sample of 38,228 such patients, an estimated 138 more individuals died than would have without a strike, and 344 more patients were readmitted to the hospital than if there had been no strike. **"Hospitals functioning during nurses' strikes do so at a lower quality of patient care**," they write.

#### Subpoint B) Teachers

#### ​​Teacher strikes can be disastrous and hurt student growth.

**Norton and Hernandez 18** [Hilary and Tracy. *Hilary Norton is BizFed chair and executive director of FAST (Fixing Angelenos Stuck in Traffic).* *Tracy Hernandez is the founding CEO of the Los Angeles County Business Federation (*[*BizFed*](http://www.bizfedlacounty.org/)*) and president of IMPOWER Inc.*. “Commentary: A teachers strike is bad for our students, families and economy ”. 10-10-2018. No Publication. http://laschoolreport.com/commentary-a-teachers-strike-is-bad-for-our-students-families-and-economy/.] SJ//VM

While a strike looms within our nation’s second-largest school district, the business community of Los Angeles urges the Los Angeles Unified School District and United Teachers Los Angeles to resolve their differences in a way that doesn’t put students at risk. As the organized, grassroots voice of the business community in Greater Los Angeles, BizFed works to support the public institutions that serve our community and the families that work to build our region’s economy. BizFed represents 390,000 businesses that employ nearly 4 million people throughout Los Angeles County. The majority of these employees are working to support their families, many of which include LAUSD students. It is important that the needs of students are placed first in the negotiations. Last week, BizFed wrote a letter to the LAUSD board and the UTLA executive officers urging them to do everything possible to avoid a strike. We received appreciative and positive feedback from LAUSD Board President Mónica García and Superintendent Austin Beutner as well as UTLA President Alex Caputo-Pearl. **When schools are closed due to strikes, students miss learning opportunities, parents must take days off from work and our region is disrupted. Beyond hurting families, this strike will hurt our businesses and their ability to sustain and create new jobs.** This **potential strike by LAUSD teachers will be the first in nearly three decades. The strike in 1989 lasted nine days; the most recent teachers strike in West Virginia lasted seven days. For a family living paycheck to paycheck, over a week of unpaid time off to watch their children should not be the deciding factor between paying the rent and putting food on the table; the entire family’s livelihood is threatened.** Imagine a single mom who is a nurse and has no one to watch her children. She must choose between leaving her children at home or missing a shift. That money cannot be paid back. **Every day that a student is not in the classroom, they lose learning opportunities. Students fall behind the content standards set by the California State Board of Education, and teachers have to add those lost days into their curriculum. Students lose daily social interactions with their peers, which helps build character and good citizenship.** Think of a student who has the dream of being a doctor. They miss school and now are discouraged and lose the aspiration of being a doctor. At-risk youth are the most vulnerable when there are school closures. **If parents don’t have the ability to skip work during a teacher strike, can’t afford childcare or don’t have family that can help out, that means students are left unsupervised. Anyone who has children knows that the course of their lives can change in an instant. We must avoid putting our children’s health and safety at risk.** In LAUSD, over 84 percent of the students qualify for free or reduced-price meals; the district serves over 700,000 meals each day. For many of these students, this is their only chance to eat a healthy breakfast, lunch and supper after school. A child’s nutrition should not be compromised at the hands of this potential strike. **As business leaders, we value the importance of treating teachers fairly while maintaining fiscal solvency. We urge LAUSD and UTLA to find a resolution that accomplishes both. Employers care deeply for the strength and effectiveness of our K-12 educational systems.** These students will also become the workforce that will grow our economy into the future. **We understand that LAUSD needs more resources and support from the state, but they do not need to exacerbate the problem by cutting off the current stream of per-pupil state funding each day the strike occurs.** The business community is ready to stand with its school district and teachers to support our public education system. We implore LAUSD and UTLA to avoid public fights, come to a resolution and work with the larger community to improve our city’s education system for all. Keep our future leaders learning!

#### Teacher strikes hurt student outcomes and worsen income inequality

[**Illinois Policy**, 10-2-**19**, “Teacher strikes hurt student outcomes and may worsen income inequality”<https://www.illinoispolicy.org/press-releases/teacher-strikes-hurt-student-outcomes-and-may-worsen-income-inequality/>] // SC SD

CHICAGO (Oct. 2, 2019) – As the Chicago Teachers Union plans to announce this afternoon whether it will walk out on more than 360,000 students, [**studies show**](https://illinoispolicy.us1.list-manage.com/track/click?u=7fe208d3c85ffa1d03aeaade4&id=5ecc6a508a&e=0b391c8e91) **strikes negatively affect student academic outcomes.**

**Research published in the National Bureau of Economic Research indicates strikes can temper growth in elementary student test scores by 2.2%. Given 90% of Chicago Public School students in 2018 were minority and 83% were classified as low-income, this means a strike will disproportionately harm those most in need and leave them to endure the long term negative consequences.**

Experts from the nonpartisan Illinois Policy Institute are available to comment on how a strike would hurt minority and low-income students, potentially worsening income inequality.

**How strikes harm student populations:**

**Test score decline: Expert consensus finds strikes have long-term negative effects on students. One study published by the NBER discovered that long strikes of 10 or more days have a significant negative effect on math test scores. Another published by Columbia University economists found extended disruptions, such as a strike, have negative effects on math and English achievement.**

**Less instruction: Unless the educational time lost during a strike is made up – such as by extending the school year – students lose the corresponding time in the classroom. In addition, students may require extensive review of material to get back up to speed.**

Underperforming state averages: CPS already underperforms state academic achievement benchmarks. Its average SAT scores are 56 points lower than the state average, its four-year graduation rates are 11 percentage points lower and the percentage of CPS teachers rated proficient or excellent is 11 percentage points lower. A strike could exacerbate this.

#### Income inequality leads to poverty

**Gould 14** [Elise Gould “Inequality is the Main Cause of Poverty” EPI January 8, 2014, <https://www.epi.org/blog/inequality-main-persistent-poverty/>] AG

I couldn’t agree more with Paul Krugman’s [blog post](https://krugman.blogs.nytimes.com/2014/01/08/on-fighting-the-last-war-on-poverty/?_r=0) this morning when he says, “**the main cause of persistent poverty** now **is high inequality of market income.”** We looked at precisely this question in the latest edition of [State of Working America](http://stateofworkingamerica.org/). (And the White House Council of Economic Advisors cited our work on this in their [War on Poverty 50 Years Later Report](https://www.whitehouse.gov/sites/default/files/docs/50th_anniversary_cea_report_-_final_post_embargo.pdf), released today.) In the roughly three decades leading up to the most recent recession, looking at the officially measured poverty rate, educational upgrading and overall income growth were the two biggest poverty-reducing factors, while **income inequality was the largest poverty-increasing factor.** Relative to these factors, the racial composition of the U.S. population over this period (the growth of nonwhite populations with higher likelihoods of poverty) and changes in family structure (the growth of single mother households) have contributed much less to poverty, particularly in recent years.

## Case

**I will now move on to my opponent’s case**

**Guerin** [Lisa Guerin, J.D., “Workplace Retaliation: What Are Your Rights?”, Nolo,  <https://www.nlrb.gov/about-nlrb/rights-we-protect/the-law/causing-or-attempting-to-cause-an-employer-to-discriminate>]  AK.

**Federal law protects employees from retaliation when employees complain—either internally or to an outside body like the Equal Employment Opportunity Commission (EEOC)—about workplace discrimination or harassment.** That's true even if the claim turns out to be unfounded, as long as it was made in good faith. The law also protects employees who cooperate in EEOC investigations or serve as witnesses in EEOC investigations or litigation. A recent Supreme Court case confirms that an employee's participation as a witness in an internal investigation is protected, too. And various federal laws protect other types of activities, such as "whistleblowers" who complain of unsafe working conditions or those who take legally-protected FMLA leave. (For more information, see Nolo's article Assert Your Safety Rights Without Fear of Retaliation.) In addition, some state laws prohibit employers from retaliating against employees for other reasons—for example, for filing a workers' compensation claim.

### 1

#### Public pressure means democracies are more likely to initiate war. Prefer longitudinal studies.

Velasco ‘18 [Emily; writer for the American Journal of Political Science and Caltech; 7-18-2018; "Democracies More Prone to Start Wars – Except When They're Not"; California Institute of Technology; https://www.caltech.edu/about/news/democracies-more-prone-start-wars-except-when-theyre-not-82879; Accessed 3-30-2021; AH]

Leaders of democratic nations actually have stronger incentives to start and exacerbate conflicts with other countries than their autocratic counterparts, suggests a new study published by the American Journal of Political Science. The difference boils down to public pressure, say the study's authors, Michael Gibilisco of Caltech and Casey Crisman-Cox of Texas A&M University. Because of pressure from voters to not back down and appear weak, democratic leaders tend to act more aggressively in international conflicts. An autocrat, on the other hand, is answerable to no one and can back down from a conflict without facing personal consequences. "If an elected leader makes a threat during a conflict with another country and the threat isn't followed through**,** they may face a decrease in approval ratings, or they may lose an election," says Gibilisco, assistant professor of political science. In democracies, he notes, voters can punish their leaders for appearing weak—these punishments or consequences are known as "audience costs" in political science parlance. To avoid those costs, leaders in representative governments become more aggressive during disputes. In their study, Gibilisco and Crisman-Cox, who is also an assistant professor of political science, first developed a mathematical model of dispute initiation between countries and then fit the model to data of actual conflicts that occurred among 125 countries between 1993–2007. They also estimated audience costs for the countries in their sample using existing databases containing country-by-country information on levels of democracy and press freedom. In general, they found that audience costs are highest in democracies with strong protections for a free press. However, they also found that audience costs are much lower in democracies that have a rival that threatens their existence. (For example, South Korea's existential rival is North Korea.) One reason, the researchers say, is that a nation's voters will give their leader more leeway in deciding how to resolve a conflict with an existential rival, because survival is more of a concern than saving face. In contrast to democracies, dictatorships tend to have low audience costs, but here, too, Gibilisco and Crisman-Cox found an exception. Dictatorships that provide a legal mechanism for removing a leader—as was the case in China before it abolished term limits this past March—have higher audience costs. Once the researchers produced an audience-cost estimate for each country, they considered how changing a country's audience costs affects its willingness to engage in conflict. Overall, they found, increasing a country's audience costs, perhaps by strengthening democratic institutions, makes it more likely to start a conflict. However, Gibilisco and Crisman-Cox found that other dynamics are at play that create more nuanced international dynamics. For example, while democratic leaders may be less likely to back down during a crisis, they can also be moreaggressive and prone to initiate conflict, because they know their opponent won't want to get in a fight against a country that will hold its ground, even if it leads to war. Alternatively, a democratic leader may be less likely to initiate a conflict in the first place, as they know that they won't be able to easily stand down from it.

#### Aff gets circumvented.

Lanard 17 [Noah Lanard, editorial fellow. Donald Trump just took another swipe at the labor unions that helped elect him, Mother Jones, 7-19-2017, Accessible Online at http://www.motherjones.com/politics/2017/07/trumps-labor-board-appointments-are-another-blow-for-unions/]

Trump’s NLRB nominees are expected to create further challenges for workers seeking to unionize. Emanuel is a shareholder and longtime lawyer at Littler, the world’s largest management-side employment law firm. Sen. Elizabeth Warren (D-Mass.) has called it is one of the nation’s “most ruthless” union-busters. Emanuel’s clients include Uber and other companies accused of violating workers’ rights, according to his ethics disclosure form.

Outside of his legal practice, Emanuel has decried California’s “terrible climate for job creation,” citing the state’s generous overtime and break requirements for employees.

Kaplan was previously an attorney for the House education and labor committee. In that role, he drafted a bill to reverse an NLRB rule, dubbed the “ambush election rule” by conservative critics, that allowed workers to vote on unionization as soon as 11 days after a petition was submitted. The bill, which did not pass, would have also reversed the board’s recognition of micro-unions.

At Emanuel and Kaplan’s nomination hearing last week, Sens. Al Franken (D-Minn.) and Warren were particularly concerned by Emanuel’s record of defending the mandatory arbitration agreements that Carlson and many others have signed. Pressed by Franken, Emanuel declined to criticize arbitration agreements that prevent women who are sexually harassed from suing their employers in court. In theory, the legality of the arbitration agreements is now in the Supreme Court’s hands. But Ronald Meisburg, a former NLRB board member, has said it’s possible the NLRB could revisit the decision before the court decides. Emanuel told Warren he does not expect to recuse himself if the issue comes up.

The committee’s approval of both nominees along party lines on Wednesday follows other moves under Trump that are less than friendly to labor. Trump’s nominee for deputy labor secretary, Patrick Pizzella, was criticized last week for working with disgraced lobbyist Jack Abramoff to advocate for what was compared to sweatshop labor in the Northern Mariana Islands, a US commonwealth, in the early 2000s. The goods, which were often made by Chinese and Filipino workers, had the advantage of being stamped “Made in the USA.”

Neil Gorsuch, whom Trump appointed to the Supreme Court, has a long record of siding with employers in labor disputes. In the court’s upcoming term, Gorsuch will hear arguments in a case that will decide whether mandatory arbitration agreements violate the National Labor Relations Act.

#### Dem lead %?

### 2

#### only illegal strikes have the potential to be successful and change minds – the aff can’t solve for resisting oppression

Reddy 21-- Diana S. Reddy [Diana Reddy is a Doctoral Fellow at the Law, Economics, and Politics Center at UC Berkeley Law]; “There Is No Such Thing as an Illegal Strike”: Reconceptualizing the Strike in Law and Political Economy; Jan 6 2021; Yale Law Journal; <https://www.yalelawjournal.org/forum/there-is-no-such-thing-as-an-illegal-strike-reconceptualizing-the-strike-in-law-and-political-economy>. (AG DebateDrills)

In recent years, consistent with this vision, there has been a shift in the kinds of strikes [are] workers and their organizations engage in—increasingly public-facing, engaged with the community, and capacious in their concerns.178 They have transcended the ostensible apoliticism of their forebearers in two ways, less voluntaristic and less economistic. They are less voluntaristic in that they seek to engage and mobilize the broader community in support of labor’s goals, and those goals often include community, if not state, action. They are less economistic in that they draw through lines between workplace-based economic issues and other forms of exploitation and subjugation that have been constructed as “political.” These strikes do not necessarily look like what strikes looked like fifty years ago, and they often skirt—or at times, flatly defy—legal rules. Yet, they have often been successful. Since 2012, tens of thousands of workers in the Fight for $15 movement have engaged in discourse-changing, public law-building strikes. They do not shut down production, and their primary targets are not direct employers. For these reasons, they push the boundaries of exiting labor law.179 Still, the risks appear to have been worth it. A 2018 report by the National Employment Law Center found that these strikes had helped twenty-two million low-wage workers win $68 billion in raises, a redistribution of wealth fourteen times greater than the value of the last federal minimum wage increase in 2007.180 They have demonstrated the power of strikes to do more than challenge employer behavior. As Kate Andrias has argued: [T]he Fight for $15 . . . reject[s] the notion that unions’ primary role is to negotiate traditional private collective bargaining agreements, with the state playing a neutral mediating and enforcing role. Instead, the movements are seeking to bargain in the public arena: they are engaging in social bargaining with the state on behalf of all workers.”181 In the so-called “red state” teacher strikes of 2018, more than a hundred thousand educators in West Virginia, Oklahoma, Arizona, and other states struck to challenge post-Great Recession austerity measures, which they argued hurt teachers and students, alike.182 These strikes were illegal; yet, no penalties were imposed.183 Rather, the strikes grew workers’ unions, won meaningful concessions from state governments, and built public support. As noted above, public-sector work stoppages are easier to conceive of as political, even under existing jurisprudential categories.184 But these strikes were political in the broader sense as well. Educators worked with parents and students to cultivate support, and they explained how their struggles were connected to the needs of those communities.185 Their power was not only in depriving schools of their labor power, but in making normative claims about the value of that labor to the community. Most recently, 2020 saw a flurry of work stoppages in support of the Black Lives Matter movement.186 These ranged from Minneapolis bus drivers’ refusal to transport protesters to jail, to Service Employees International Union’s Strike for Black Lives, to the NBA players’ wildcat strike.187 Some of these protests violated legal restrictions. The NBA players’ strike for instance, was inconsistent with a “no-strike” clause in their collective-bargaining agreement with the NBA.188 And it remains an open question in each case whether workers sought goals that were sufficiently job-related as to constitute protected activity.189 Whatever the conclusion under current law, however, striking workers demonstrated in fact the relationship between their workplaces and broader political concerns. The NBA players’ strike was resolved in part through an agreement that NBA arenas would be used as polling places and sites of civic engagement.190 Workers withheld their labor in order to insist that private capital be used for public, democratic purposes. And in refusing to transport arrested protestors to jail, Minneapolis bus drivers made claims about their vision for public transport. Collectively, all of these strikes have prompted debates within the labor movement about what a strike is, and what its role should be. These strikes are so outside the bounds of institutionalized categories that public data sources do not always reflect them.191 And there is, reportedly, a concern by some union leaders that these strikes do not look like the strikes of the mid-twentieth century. There has been a tendency to dismiss them.192 In response, Bill Fletcher Jr., the AFL-CIO’s first Black Education Director, has argued, “People, who wouldn’t call them strikes, aren’t looking at history.”193 Fletcher, Jr. analogizes these strikes to the tactics of the civil-rights movement. As Catherine Fisk and I recently argued, law has played an undertheorized role in constructing the labor movement and civil-rights movement as separate and apart from each other, by affording First Amendment protections to civil rights groups, who engage in “political” activity, that are denied to labor unions, engaging in “economic” activity.194 Labor unions who have strayed from the lawful parameters of protest have paid for it dearly.195 As such, it is no surprise that some unions are reluctant to embrace a broader vision of what the strike can be. Under current law, worker protest that defies acceptable legal parameters can destroy a union. Recasting the strike—and the work of unions more broadly—as political is risky. Samuel Gompers defended the AFL’s voluntarism and economism not as a matter of ideology but of pragmatism; he insisted that American workers were too divided to unite around any vision other than “more.”196 He did not want labor’s fortunes tied to the vicissitudes of party politics or to a state that he had experienced as protective of existing power structures. Now, perhaps more than ever, it is easy to understand the dangers of the “political” in a divided United States. Through seeking to be apolitical, labor took its work out of the realm of the debatable for decades; for this time, the idea that (some) workers should have (some form of) collective representation in the workplace verged on hegemonic. And yet, labor’s reluctance to engage in the “contest of ideas” has inhibited more than its cultivation of broader allies; it has inhibited its own organizing. If working people have no exposure to alternative visions of political economy or what workplace democracy entails, it is that much harder to convince them to join unions. Similarly, labor’s desire to organize around a decontextualized “economics” has always diminished its power (and moral authority), given that the economy is structured by race, gender, and other status inequalities—and always has been. During the Steel Strike of 1919, the steel companies relied on more than state repression to break the strike. They also exploited unions’ refusal to organize across the color line. Steel companies replaced striking white workers with Black workers.197 Black workers also sought “more.” But given their violent exclusion from many labor unions at the time, many believed they would not achieve it through white-led unions.198

### 3

#### Teacher strikes disproportionately hurt female participation in the workforce

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Temporary school closures are common features of education systems across the globe, and a relatively large literature has investigated how TSCs impact the short- and long-run education and 25 labor market behavior of students. A neglected but equally important question relates to how TSCs affect the labor market behavior of parents. This is the first paper to present a detailed analysis on this topic. First, we provide a framework for thinking about the decision problem faced by parents in the event of a disruption to their children’s school services. Second, we exploit a novel identification strategy coupled with a rich and newly created data set to test the predictions of the model and examine the reduced-form effect of school disruptions on parental labor market decisions. To obtain plausibly exogenous variation in TSCs, we use variation in teacher strikes within and across provinces over time between parents with and without children in primary school. Results indicate that school disruptions negatively affect the labor force participation of mothers. These adverse labor supply effects translate into economically meaningful reductions in earnings and wages: a mother whose child is exposed to ten days of TSCs experiences a decline in earnings equivalent to 2.92% of the mean. Through auxiliary analysis we find that these effects are predominantly driven by low-skilled mothers at the margin of employment, such that TSCs disproportionally hurt an already vulnerable subgroup of mothers. A back-of-the-envelope calculation suggests that the average mother would be willing to forego more than 1.6 months of earnings in order to ensure that there are no TSCs while her child is in primary school. While we do not find any effects among fathers in general, fathers who are married to women with higher predicted relative earnings also experience negative labor market effects: A father who earns less than his wife and whose child is exposed to ten days of TSCs suffers a decline in his hourly wage equivalent to 2.09% of the mean. This result suggests that the labor supply response of parents depend, at least in part, on the relative income of each parent. However, this group of households is small, such that women are disproportionally affected by TSCs. These results thus imply that interruptions to core childcare services may exacerbate existing labor market and intra-household gender inequality by disproportionately affecting mothers. Our findings illustrate the importance of providing stable childcare options to mothers in order to maximize their ability to participate in the labor market and to prevent an augmentation of labor market and intra-household gender inequality. While the effect of TSCs on student outcomes can be reduced by offering make-up days at the end of the semester, this type of policy intervention would be unsuccessful in reducing the impact of TSCs on parental labor market behavior. An increased awareness of how TSCs affect parental labor market outcomes is therefore imperative for guiding the development of future childcare policies and establishing policy responses to TSCs

#### Increased strikes sabotage the economy – they cause major disruptions and lower income for workers.

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Labor strikes can cause major disruptions to industry, commerce and the lives of many people who aren't even connected to the strike itself. The Professional Air Traffic Controllers Association strike in 1981 resulted in the firing of thousands of air traffic controllers, and the New York City transit strike in late 2005 affected millions of people. The history of strikes and labor unions is a key chapter in the story of the Industrial Revolution.

While the reasons behind strikes can be complex, they all boil down to two key elements: money and power. In this article, we'll find out how labor strikes have affected the balance of power between corporations and workers, what laws regulate strikes and learn about some important strikes in history.

It's difficult to say when the first real labor strike occurred. The word "strike" was first used in the 1700s, and probably comes from to notion of dealing a blow to the employer [ref]. In 1786, a group of printers in Philadelphia requested a raise and the company rejected it. They stopped working in protest and eventually received their raise. Other professionals followed suit in the next few decades. Everyone in a city who practiced the same profession agreed to set prices and wages at the same rate. Members would shun anyone who diverged from the agreement, refusing to work in the same shop and forcing employers to fire them. By the 1800s, formal trade societies and guilds began to emerge.

To have a strike today, you must have a union (though not necessarily an official union) -- an organization of workers that bargain collectively with an employer. Workers form unions because an individual worker is powerless compared to an employer, who can set low wages and long working hours as long as it adheres to labor laws. When workers combine to form a union, they collectively have enough power to negotiate with the employer. The main weapon the union has against the employer is the threat of a strike action.

At its most basic level, a strike occurs when all the workers in the union stop coming to work. With no workers, the business shuts down. The employer stops making money, though it is still spending money on taxes, rent, electricity and maintenance. The longer the strike lasts, the more money the employer loses. Of course, the workers aren't getting paid either, so they're losing money as well. Some unions build up "war chests" -- funds to pay striking workers. But it isn't usually very much, and it's often not enough for a prolonged strike.

Strikes help explain why unions are more powerful than individuals. Imagine if an employer refuses to give a raise to an individual worker. She then decides to stop coming to work in protest. The employer simply fires her for not coming to work. That one worker has no power to influence the employer. However, it can be very costly for an employer to fire every single worker when a union goes on strike (though it has happened)..

### 4

**Other actors will solve**

* **Biden green policies**
* **Gnd**
* **Paris accord**

**Climate strikes are not the only way**

**Strikes in climate industries mean that ppl don’t’ work and only strikes in the squo will work – reddy proves**

#### Extinction from warming requires 12 degrees and intervening actors will solve before then

Farquhar 17 [(Sebastian, leads the Global Priorities Project (GPP) at the Centre for Effective Altruism) “Existential Risk: Diplomacy and Governance,” 2017, <https://www.fhi.ox.ac.uk/wp-content/uploads/Existential-Risks-2017-01-23.pdf>] TDI

The most likely levels of global warming are very unlikely to cause human extinction.15 The existential risks of climate change instead stem from tail risk climate change – the low probability of extreme levels of warming – and interaction with other sources of risk. It is impossible to say with confidence at what point global warming would become severe enough to pose an existential threat. Research has suggested that warming of 11-12°C would render most of the planet uninhabitable,16 and would completely devastate agriculture.17 This would pose an extreme threat to human civilisation as we know it.18 Warming of around 7°C or more could potentially produce conflict and instability on such a scale that the indirect effects could be an existential risk, although it is extremely uncertain how likely such scenarios are.19 Moreover, the timescales over which such changes might happen could mean that humanity is able to adapt enough to avoid extinction in even very extreme scenarios. The probability of these levels of warming depends on eventual greenhouse gas concentrations. According to some experts, unless strong action is taken soon by major emitters, it is likely that we will pursue a medium-high emissions pathway.20 If we do, the chance of extreme warming is highly uncertain but appears non-negligible. Current concentrations of greenhouse gases are higher than they have been for hundreds of thousands of years,21 which means that there are significant unknown unknowns about how the climate system will respond. Particularly concerning is the risk of positive feedback loops, such as the release of vast amounts of methane from melting of the arctic permafrost, which would cause rapid and disastrous warming.22 The economists Gernot Wagner and Martin Weitzman have used IPCC figures (which do not include modelling of feedback loops such as those from melting permafrost) to estimate that if we continue to pursue a medium-high emissions pathway, the probability of eventual warming of 6°C is around 10%,23 and of 10°C is around 3%.

24 These estimates are of course highly uncertain. It is likely that the world will take action against climate change once it begins to impose large costs on human society, long before there is warming of 10°C. Unfortunately, there is significant inertia in the climate system: there is a 25 to 50 year lag between CO2 emissions and eventual warming,25 and it is expected that 40% of the peak concentration of CO2 will remain in the atmosphere 1,000 years after the peak is reached.26 Consequently, it is impossible to reduce temperatures quickly by reducing CO2 emissions. If the world does start to face costly warming, the international community will therefore face strong incentives to find other ways to reduce global temperatures.

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