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## advantage one is the wage gap

#### Women have been hit hard by the pandemic and disproportionately earn low wages

Mullen 21, Caitlin Mullen, The, 3-23-2021, "The gender pay gap had been narrowing. Then the pandemic hit," Business Journals, <https://www.bizjournals.com/bizwomen/news/latest-news/2021/03/the-gender-pay-gap-had-been-narrowing-then-the-pa.html?page=all>

As the Covid-19 pandemic’s economic fallout threatens years of progress on pay equity, more are pushing for legislation and policies aimed at helping working women and closing the pay gap. On average, women make 82 cents for every dollar men make. Wednesday, March 24, is [Equal Pay Day](http://www.equalpaytoday.org/equal-pay-day-2021) in the U.S., symbolizing how many days into the new year women must work to make the same pay men received in 2020. Broken down by race, the day falls much later into the year for some: It’s Aug. 3 for Black women and Oct. 21 for Latina women. Experts have said these factors over the last year [will likely widen the gender pay gap](https://www.nber.org/system/files/working_papers/w27660/w27660.pdf). It’s remained at about 18% for the past 10 years, but the pandemic fallout could increase that figure by five percentage points, per Business Insider. But the pandemic’s devastating toll on employment and pay, especially for women, is set to stall progress made on the gender wage gap. Industries employing large numbers of women, like hospitality and education, were hit hard by the pandemic, leaving many without jobs, furloughed or having pay or hours cut. [Glassdoor](https://www.glassdoor.com/blog/covid-19-pay-survey/) recently found 1 in 4 U.S. workers had their pay cut during the pandemic, and the majority of women haven’t asked for a raise in the last year. Women’s labor force participation rate is at its lowest level in more than three decades, according to JPMorgan research, reports [Business Insider](https://www.businessinsider.com/economy-women-workforce-childcare-paid-leave-policies-labor-participation-jpm-2021-3). More than 2.3 million women have left the workforce.  One year into the pandemic, fewer women than men are back to work. Compared to other demographics, far fewer Black and Hispanic women are working now, according to [The New York Times](https://www.nytimes.com/interactive/2021/03/09/business/economy/covid-employment-demographics.html). To re-enter the workforce, some might be forced to take a job that pays less. “The pandemic highlighted the reality that our economy is both dependent on the labor of women yet simultaneously undervalues that labor,” said Charmaine Davis, southeast regional administrator for the U.S. Department of Labor’s Women’s Bureau, per CBS affiliate [KKTV](https://www.kktv.com/2021/03/18/how-the-pandemic-is-affecting-the-gender-pay-gap/) in Colorado. To counteract the pandemic’s threat to pay equity progress, the Visier report advises organizations to consider key demographics during recruiting and promotion decisions, and how certain actions will affect women specifically.  Shrinking the labor participation gap would boost U.S. gross domestic product, and JPMorgan researchers called for more action by Congress on issues like paid-leave policies, guaranteed family leave, public childcare or early childhood education to bring women back to the workforce. “It’s clear that the pandemic may erase the gains that women, particularly women of color, have made in recent decades, so stronger equal-pay laws would send a clear message that employers cannot take advantage of the hardships they face in the market,” Shirley Lin, professor at the New York University School of Law, told [Bloomberg Law](https://news.bloomberglaw.com/daily-labor-report/pandemic-racial-protests-driving-new-wave-of-pay-equity-bills).

#### The gender wage gap fuels a vicious cycle of poverty and economic decline that disproportionately affects women of color

Bleiweis 20, Robin Bleiweis, Diana Boesch, Alexandra Cawthorne Gaines, 8-3-2020, "The Basic Facts About Women in Poverty," Center for American Progress, <https://www.americanprogress.org/article/basic-facts-women-poverty/>

In the United States, more women than men live in poverty. According to U.S. Census Bureau data, of the 38.1 million people living in poverty in 2018, 56 percent—or 21.4 million—were women.\*1 The coronavirus pandemic has put individuals and families at an increased risk of falling into poverty in the United States, as they face greater economic insecurity, due in large part to unprecedented unemployment that has disproportionately affected women.2 Congress’ emergency unemployment assistance during the first few months of the pandemic staved off a predicted spike in the poverty rate; federal economic support must be extended throughout the duration of this fluctuating crisis to prevent an increase in the number of families living in poverty in the long term.3 Moreover, research has shown that the cost and financial burden of medical expenses in the United States pushes millions of families into poverty—a foreboding fact to consider in the midst of a global health pandemic.4 Illustratively, before the Affordable Care Act (ACA) expanded coverage and lowered certain health costs, a leading cause of personal bankruptcy was medical debt, resulting from unexpected or unaffordable medical expenses.5 Women experience higher rates of poverty than men. In 2018, 12.9 percent of women lived in poverty compared with 10.6 percent of men.\*10 Nearly 10 million women lived in deep poverty, defined as falling below 50 percent of the federal poverty line.11 Black women, Latinas, and AIAN women are also disproportionately represented among women living in poverty. (see Figure 2) While Latinas represent 18.1 percent of all women in the U.S. population, they constitute 27.1 percent of women in poverty. Similarly, Black women represent 22.3 percent of women in poverty but make up only 12.8 percent of all women in the U.S. population. The effects of sexism and racism on institutional structures and across society limit the employment opportunities available to women, availability of caregiving supports, access to public social assistance programs, and more, leading to higher rates of poverty among women, particularly women of color, compared with men. Some of the interrelated causes include the following factors. The gender wage gap. On average, women earn less than men—and the wage gaps are wider for most women of color. Based on 2018 U.S. Census Bureau data, women working full time, year-round earn an average of 82 cents for every $1 earned by their male counterparts.17 For every $1 earned by white, non-Hispanic men, Latinas earn 54 cents, AIAN women earn 57 cents, Black women earn 62 cents. Asian women overall earn about 90 cents, however women belonging to certain Asian subgroups experience much larger wage gaps.18 Not only do more women than men struggle to cover everyday expenses due to the gender wage gap, but the gap compounds over a lifetime, meaning women end up with fewer resources and savings than men. This represents a significant factor contributing to the gender disparity in poverty rates among women and men age 75 and older. The gender wage gap is driven by a host of factors, including, but not limited to, differences in jobs or industries worked, hours worked, and years of experience—although differences in occupation or education level do not explain away the gap.19 Discrimination based on gender, race, and/or ethnicity plays a significant role in the wage gap, depressing women’s earnings both directly, by paying women unequally, and indirectly, through sex- and race-based structural biases that can influence the jobs women hold and the number of hours they work. Women are less likely to have the savings and wealth necessary to weather financial shocks and provide for themselves and their families throughout their lifetimes. The gender wealth gap is informed by numerous factors, including the fact that women earn less than men; are more likely to be denied mortgages and to be overcharged for them; are particularly vulnerable to predatory lending; hold more debt; and face other obstacles that undermine their ability to build wealth and savings.20 For example, women hold two-thirds of U.S. student loan debt, and Black women in particular graduate with more debt than any other group, regardless of gender.21 On average, a Black woman borrows a total of $37,558 to finance her education compared with $35,665 for a Black man and $31,346 for a white woman. Essential to note is that the wealth gap is significantly larger for women of color, who face both a wage gap and a wealth gap informed by both gender and racial discrimination.22 Women are disproportionately represented in certain occupations—particularly low-wage jobs—due to pervasive gender roles, expectations that women’s work is low skilled, and the systemic undervaluing of women’s labor. These factors cause women, especially women of color, to be segregated into low-wage jobs and make low wages a defining feature of women-dominated jobs.23 For example, in 2018, two of the top occupations for women had a median weekly wage of close to or below the 2018 weekly poverty threshold, $490, for a family of four: Women who are child care workers earned a median weekly wage of $492, and women who are maids and housekeepers earned $457 per week.\*24 Women represent about two-thirds of workers earning the federal minimum wage—$7.25 per hour—or a few dollars above it and nearly 70 percent of tipped workers, for whom the federal subminimum wage is $2.13 per hour.25 Conversely, women are underrepresented in high-wage occupations such as engineers, in part due the professions’ demand for long hours in the office and lack of flexibility for caregiving. Lifting women out of poverty requires a variety of robust policy solutions that will ensure women’s long-term economic security. These include: Closing the gender and racial wealth gaps: It is crucial that policymakers pursue efforts to close the gender and racial wealth gaps alongside investments in efforts to build wealth among women—particularly women of color. To lift women out of poverty, policy solutions must address the myriad ways that structural and societal sexism and racism uniquely burden women, depress their wages, and limit their opportunities. This includes improving vital public assistance programs, addressing workplace disparities, ensuring work-family benefits, and expanding access to lifesaving supports. These robust solutions must prioritize the needs of women of color, who are at heightened risk of poverty due to the combined effects of gender and racial discrimination. Poverty among women is not inevitable, and only intentional efforts to expand opportunities and supports for all women will ensure lasting economic security for women and their families.

#### Governments are currently enacting unfair policies that restrict the r2s – an unconditional right to strike is uniquely key

Vogt 20, Ruwan Subasinghe and Jeff Vogt, Equal Times, 4-1-2020, "Will fundamental workers' rights also fall victim to COVID-19?," <https://www.equaltimes.org/will-fundamental-workers-rights?lang=en#.YXh4nNlKjPi>

The COVID-19 pandemic has exposed in stark terms the fact that our economies are built on the systematic exploitation of workers, whether at our local grocery store or in distant farms, factories and offices producing food, clothing and other necessary goods and services. These workers were already in a difficult situation before the pandemic, working for low pay and often hired through unstable non-standard forms of employment or in the informal economy. Now, tens of millions of workers face layoffs, and many of those who do not have the luxury of teleworking are now in workplaces that are putting their health, and indeed, their life at risk in order that essential goods and services are available to the public. This crisis has also highlighted major shortcomings in labour market institutions in many countries, including national and sectoral collective bargaining coverage – which shrank significantly after the 2008 financial crisis. Since the global outbreak of COVID-19, workers around the world have resorted to strikes to protect themselves. Self-organised groups of food delivery riders, Instacart shoppers and Amazon warehouse workers have been among those demanding fit-for-purpose personal protective equipment (PPE) and workplace safety measures. Workers like Chris Smalls, an Amazon warehouse worker in Staten Island, New York, organised a work stoppage over the lack of protective gear and hazard pay, and was predictably fired. Indeed, the demand for access to adequate PPE and hazard pay is the major motivation for strikes, including Carrefour workers in Belgium, doctors, nurses and lab technicians in Lesotho and garment workers in Myanmar. At the same time, many governments are enacting emergency measures to restrict the right to speech, assembly and association – including the right to strike. Portugal became the first country in Europe to prohibit strikes in economic sectors vital to the production and supply of essential goods and services to the population and indeed ordered striking dockers at Lisbon’s port back to work on 18 March. In April, Cambodia issued a far-reaching law that gives the prime minister sweeping powers which could certainly be used to prohibit strikes. In Myanmar, while workers are still riding packed transportation to report for work in factories, the government passed an indefinite measure to ban meetings of more than five people which, like in Cambodia, threatens to be less about protecting public safety and more about limiting rights. And, several countries have formally registered derogations from their treaty obligations to respect freedom of association, including Ecuador and Estonia (to Article 22 of the International Covenant on Civil and Political Rights, ICCPR) and Albania (to Article 11 of the European Convention on Human Rights, ECHR). The right to strike has been firmly established in international and regional legal instruments for decades. These include Convention 87 of the International Labour Organization (ILO), the International Covenant on Economic, Social and Cultural Rights (Article 8) and the ICCPR (Article 22) at the global level, and the ECHR (Article 11) and the American Convention on Human Rights (Article 16) at the regional level. Indeed, the right to strike is now recognised as customary international law. While governments can derogate from certain legal obligations during public emergencies “threatening the life of a nation,” they can do so only to the extent strictly required by the exigencies of the situation. The ILO’s tripartite Committee on Freedom of Association (CFA) has held that a general prohibition of strikes can only be justified in the event of an “acute national emergency” and then only for a limited period and to the extent strictly necessary to meet the requirements of the situation. This means a genuine crisis, such as those arising as a result of a serious conflict, insurrection or natural, sanitary or humanitarian disaster, in which the normal conditions for the functioning of society are absent. Even in such situations, responsibility for suspending a strike on the grounds of public health should not lie with the government, but with an independent body which has the confidence of all parties concerned. While the COVID-19 public health crisis may qualify as an acute national emergency, it is also evident that outright strike prohibitions would not be strictly necessary to meet the requirements of the situation, especially where other restrictions, such as minimum operational services or limits on physical gatherings and picketing, are available. Further, freedom of association provisions in other international instruments already provide exceptions to maintain public order or public health making derogations unnecessary and disproportionate. Indeed, the inability of trade unions to easily call their members out on strike in situations where they are compelled to work in unsafe work environments may even exacerbate the public health crisis. The CFA has consistently held that strikes are “essential means available to workers and their organizations to protect their interests”. This would necessarily mean that strikes to demand adequate PPE, a safe workplace or the closure of non-essential businesses would fall well within this scope of protection. The right to take collective action over occupational safety and health issues is also intrinsically linked to the right of workers to remove themselves from dangerous work without fear of retaliation. This right, enshrined in ILO Convention 155 is especially important for workers in non-standard forms of employment who may not enjoy the right to freedom of association and are in any event 50 per cent less likely to be in a union than workers in open-ended contracts. In terms of strikes to put pressure on governments to introduce fiscal and monetary support packages, the CFA has held that workers may engage in collective action, including protests and strikes over matters beyond the traditional ambit of wages and conditions of work. So long as the strike is not “purely political” in nature, such as an insurrection, the CFA has stated that, “organizations responsible for defending workers’ socio-economic and occupational interests should be able to use strike action to support their position in the search for solutions to problems posed by major social and economic policy trends which have a direct impact on their members and all workers in general, in particular as regards employment, social protection and standards of living.” While it has not yet had occasion to consider a strike over economic and workplace responses to a pandemic, it is clear that the CFA is likely to find such strikes to be protected. Governments around the world have been publishing lists of workers who provide ‘essential services’ and can therefore continue to go to work despite general lockdown measures. While the aim of such lists is to ensure the functioning of critical supply chains and public services during the pandemic, key workers risk having their right to strike restricted for the duration of the designation period. The ILO has held that strikes could be restricted or even prohibited in essential services “whose interruption would endanger the life, personal safety or health of the whole or part of the population”. What is meant by essential services in the “strict sense of the term” will depend on the particular circumstances prevailing in a country. We fully recognise the severity of the COVID-19 public health crisis and acknowledge that international law permits governments to exercise emergency powers, within limits, in response to such situations. However, governments simply cannot prohibit outright the right to strike or enact other disproportionate restrictions, which will certainly have a chilling effect on the right to freedom of association. Indeed, the right to strike is perhaps more important during this emergency, in order to be recognized as a worker, to hold employers to account over failures to provide protective equipment, to contest sweeping layoffs or, as a last resort, to demand wages owed and other benefits. And, we need the right to strike to press governments to enact laws extending social protection, including wage and income support. None of this will happen on its own, without working people organising to make it happen.

#### Unions and collective bargaining increase wages and leads to better social benefits which spills over to non-union workers

McNicholas 20, Celine Mcnicholas,, 8-25-2020, "Why unions are good for workers—especially in a crisis like COVID-19: 12 policies that would boost worker rights, safety, and wages," Economic Policy Institute, https://www.epi.org/publication/why-unions-are-good-for-workers-especially-in-a-crisis-like-covid-19-12-policies-that-would-boost-worker-rights-safety-and-wages/

The COVID-19 pandemic has exposed a reality that U.S. workers have long confronted—U.S. labor law fails to protect working people. For decades, union leaders and workers’ rights advocates have called on policymakers to reform a badly broken system, warning that the erosion of unions—and of worker power more broadly—was contributing to extreme economic inequality and threatening our overall democracy. In spite of efforts to push policy reforms, the U.S. entered the COVID-19 pandemic with a weak system of labor protections, historically low rates of union density, and extreme economic inequality. As a result, working people, particularly low-wage workers—who are disproportionately women and workers of color—have largely borne the costs of the pandemic. While providing the “essential” services we rely on, these workers have been forced to work without protective gear, have no access to paid sick leave, and when workers [they] have spoken up about health and safety concerns they have been fired. Clearly, a system that allows this dynamic must be reformed. Research shows the advantages workers in unions have over nonunionized workers. Workers with strong unions have been able to set industry standards for wages and benefits that help all workers, both union and nonunion (Rhinehart and McNicholas 2020). Never in recent history has this dynamic been more clear. Never has it been more important that all workers have a voice in the workplace and access to a union. Workers’ lives and the health and safety of working families depends on their ability to have a say in how they do their jobs. The right to a union and collective bargaining is also directly relevant to our urgent national conversation around racial inequality in its various forms, including economic disparities by race. Unions and collective bargaining help shrink the Black–white wage gap, due to the dual facts that Black workers are more likely than white workers to be represented by a union and Black workers who are in unions get a larger boost to wages from being in a union than white workers do (Farber et al. 2018).1 This means that the decline of unionization has played a significant role in the expansion of the Black–white wage gap over the last four decades, and that an increase in unionization could help reverse those trends (Wilson and Rodgers 2016). The challenges of the COVID-19 pandemic have been felt broadly, but not equally. Low-wage workers have experienced vastly greater job loss due to the fact that low-wage jobs are concentrated in sectors that are getting hit particularly hard because they involve more social contact (such as restaurants and bars, hotels, personal services, events, and brick-and-mortar retail). Further, due to racial and ethnic differences in labor market outcomes caused by occupational segregation, discrimination, and other disparities rooted in systemic racism, Black, Latinx, and Asian American/Pacific Islander (AAPI) communities have experienced much greater job loss. While white non-Hispanic workers saw a peak unemployment rate of 12.8%, Black non-Hispanic workers saw a peak unemployment rate of 16.7%, Hispanic workers saw an unemployment rate of 18.5%, and AAPI workers saw an unemployment rate of 15.0%. This recession also saw greater job loss among women than among men, and, at the intersection of race and gender, unemployment rates peaked at incredibly high rates for women of color: 17.3% for Black non-Hispanic women, 20.5% for Hispanic women, and 16.1% for AAPI women.3 While a common conception may be that “everyone is working from home,” survey data from the Bureau of Labor Statistics find that in fact fewer than 30% of workers can work from home (BLS-ATUS 2019).4 Black and Hispanic workers are even less likely to have the opportunity to telework. Less than one in five Black workers (19.7%) and only one in six Hispanic workers (16.2%) can telework (Gould and Shierholz 2020). Workers who can’t work from home but whose jobs have survived the pandemic include the millions of workers who are on the job providing “essential” services. The majority of essential workers are employed in health care; food and agriculture; and the industrial, commercial, and residential facilities and services industry (such as construction workers, building cleaning services workers, and maintenance workers). Women and workers of color make up the majority of all workers in the top three “essential” industries (McNicholas and Poydock 2020a).5 On average, a worker covered by a union contract earns 11.2% more in wages than a peer with similar education, occupation, and experience in a nonunionized workplace in the same industry; this wage advantage is known as the “union wage premium.”16 And unions don’t just help union workers—they help all of us. When union density is high, nonunion workers benefit, because unions effectively set broader standards—including higher wages, as noted by Rosenfeld, Denice, and Laird (2016)—that nonunion employers must meet in order to attract and retain the workers they need (and to avoid facing a union organizing drive themselves). The combination of the direct effect of unions on union members and this “spillover” effect to nonunion workers means unions are crucial in raising wages for working people and reducing income inequality. Research shows that deunionization accounts for a sizable share of the growth in inequality between typical (median) workers and workers at the high end of the wage distribution in recent decades—on the order of 13–20% for women and 33–37% for men.17 Unions help raise women’s pay. Hourly wages for women represented by a union are 5.8% higher on average than for nonunionized women with comparable characteristics. Rigorous research shows that unions reduce gender wage gaps within given employers: For example, Biasi and Sarsons (2020) show that the expiration of teacher collective bargaining agreements led to a gender gap in wages between male and female teachers with similar credentials. Unions also help close wage gaps for Black and Hispanic workers. Since collective bargaining lifts wages of Black and Hispanic workers closer to those of their white counterparts, Black and Hispanic workers get a larger boost from unionization. White workers represented by union are paid “just” 8.7% more than their nonunionized peers who are white, but Black workers represented by union are paid 13.7% more than their nonunionized peers who are Black, and Hispanic workers represented by unions are paid 20.1% more than their nonunionized peers who are Hispanic. Union workers are more likely to be covered by employer-provided health insurance. More than nine in 10 workers covered by a union contract (94%) have access to employer-sponsored health benefits, compared with just 68% of nonunion workers. Further, union employers contribute more to their employee’s health care benefits. Union employers pay 86% of workers’ health care premiums while nonunion employers pay 79% of their workers’ health care premiums (BLS-EB 2019a). Union workers also have greater access to paid sick days. Nine in 10 workers covered by a union contract (91%) have access to paid sick days, compared with 73% of nonunion workers. Almost all union workers in state and local government (97%) have paid sick days, compared with 86% of their nonunion peers. In the private sector, 86% of union workers have paid sick days compared with 72% of their nonunion peers (BLS-EB 2019b).

#### Wage growth offsets short-term costs and benefits the economy long-term

Willingham 21, Caius Z. Willingham, 2-25-2021, "Small Businesses Get a Boost From a $15 Minimum Wage," Center for American Progress, https://www.americanprogress.org/article/small-businesses-get-boost-15-minimum-wage/

Policymakers need not choose between a $15 minimum wage and small-business recovery. Research shows that these ends are not at odds. Minimum wage increases during recessions are not uncommon. (see Figure 2) Indeed, the minimum wage was first adopted during the Great Depression, when mass unemployment suppressed wages far below subsistence levels and the necessity of a federal wage floor became painfully evident. In fact, a $15 minimum wage, combined with further federal relief for small businesses, will benefit small and medium-sized enterprises in the long run. Economic literature has found that increases in worker productivity, reductions in turnover, and aggregate increases in consumer spending offset a large portion of the increased payroll costs.13 American workers desperately need—and deserve—a raise to at least $15 per hour. The current federal minimum wage is simply not enough to cover living expenses, even for a full-time worker. If the minimum wage had been adjusted automatically to reflect increases in productivity over the past 80 years, the minimum wage would now be more than $20 per hour.14 Raising the federal minimum wage incrementally to $15 by 2025 would increase the income of 32 million workers.15 Furthermore, establishing automatic increases to this wage tied to growth in median wages would ensure that all workers benefit from a growing economy, as well as provide a critical dampener on economic inequality.16 Not only would a minimum wage increase benefit millions of workers—it would also make the economy more equitable and drive growth. The workers who would benefit the most would be Black or African American, Hispanic or Latino, and Asian workers, who—thanks to a long legacy of deeply embedded structural racism—are more likely to work low-wage jobs.17 Women, who on average make just 82 cents for every $1 the average man makes, would also receive a significant leap forward. As a result, minimum wage increases can help shrink the racial and gender wage gaps.18 Moreover, many of these workers serve on the front lines of the battle against the coronavirus, working in grocery stores, nursing homes, and hospitals. These workers deserve a significant raise for the health risk they assume in supplying essential services. Small businesses can reap several benefits from a higher minimum wage that may offset the increased payroll costs. A survey from CNBC found that a majority of small businesses can absorb the rise in labor costs resulting from increases in state and local minimum wages in January 2021.19 A growing number of business owners have recognized the benefits of paying a fair wage, paying living wages to their employees, and even supporting a national wage increase. Businesses represented by Business for a Fair Minimum Wage welcomed the wage increases that went into effect in several states at the beginning of 2021, stating in a press release, “Businesses depend on customers who make enough to buy what they are selling, from food to car repairs. Minimum wage increases will go right back into local economies, helping workers and businesses get through the pandemic and economic crisis.”20 One of the reasons that large job losses do not tend to accompany increases in the minimum wage is that the increase in low-wage workers’ incomes generates increased spending in the local economy. The workers who would receive this wage increase are more likely to spend it than high-earning households—injecting local economies with a wave of consumer spending—to the benefit of local businesses.21 The Economic Policy Institute found that raising the minimum wage to $15 per hour could increase a worker’s annual salary by $5,100, which would likely go toward daily necessities.22 A study by the Federal Reserve Bank of Chicago estimates that a $1 raise for a minimum wage worker translates to an additional $2,080 in consumer spending by their household over the course of a year.23 One of the first types of spending to increase when workers get raises is dining—an effect that will provide some relief to the struggling restaurant industry.24 The increase of spending by low-income workers on household necessities and other consumer goods will help juice the economy and boost the revenue of small businesses. As David Cooper of the Economic Policy Institute aptly puts it, “The number one problem for businesses right now isn’t excessive labor costs, it’s a lack of demand.”25 In addition to enjoying higher consumer demand, small businesses that adopt living wages benefit from a more productive workforce with fewer incidental payroll costs.26 Quite simply, employees that make a fair wage are able and willing to work harder. When workers experience less economic anxiety, they are better able to focus on their tasks. Moreover, better pay is related to better health outcomes, meaning workers take fewer sick days. It also means that employees are more invested in their work and are less likely to be late, miss a shift, or have other disciplinary problems.27 In total, [meaning]worker productivity and the quality of service increases, potentially allowing a firm to increase its prices to compensate for the higher pay.28 For example, a study of nursing home staff performance after a minimum wage increase showed a significant increase in the quality of care received by residents.29 In addition to higher productivity from individual workers, small businesses benefit from lower staff turnover.30 The time and money needed to recruit, interview, and train a new employee eats up significant resources. By some estimates, it costs about one-fifth of a worker’s annual salary to replace them, and low-wage jobs such as retail and food service are among those with the highest turnover rates.31 In the long term, raising the minimum wage will likely bring cost savings to small businesses that find it easier to retain employees after the wage increase.

## advantage two is sexual harassment

#### Sexual harassment in the workplace disproportionately affects women ­– squo training fails and threat of retaliation prevents reports

Golshan 17, Tara Golshan, 10-15-2017, "Study finds 75 percent of workplace harassment victims experienced retaliation when they spoke up," Vox, https://www.vox.com/identities/2017/10/15/16438750/weinstein-sexual-harassment-facts

The US Equal Employment Opportunity Commission, a government agency responsible for processing the sexual harassment complaints that do get reported, says nearly one-third of the 90,000 complaints received in 2015 included a harassment allegation — but the agency notes that that number is far too low to reflect reality. They also estimate that 75 percent of all workplace harassment incidents go unreported altogether. In 2016, the EEOC released a comprehensive study of workplace harassment in the United States, which concluded that “anywhere from 25% to 85% of women report having experienced sexual harassment in the workplace.” It’s a strikingly wide gap, but one that is very substantial even in its most conservative estimate — statistically predicting one in four people are affected by workplace sexual harassment. Sexual harassment is not an industry-specific problem, but some environments are worse, according to Emily Martin, general counsel and vice president for workplace justice at the National Women’s Law Center: In male-dominated industries like construction, where women are seen as interlopers, women experience high levels of harassment. Service-based industries, in which employers rely on tips and customer approval, can also breed an environment of harassment. Reports have also indicated customer behavior can impact how supervisors treat their employees. Women in low-wage jobs, like hotel cleaners or farm workers, experience high levels of harassment because they do not have bargaining power to push back. “Part of what sexual harassment is is an expression of power and expression of hostility,” Martin said. “When there aren’t women there to do the job, some men think women can’t do the job. When there are fewer women in the workplace, they are more isolated in general.” Unionized workforces often see women being paid more equally and earning higher wages, which could help foster a more open culture around harassment reporting — unionized workforces in general aim to offer workers protections that could make victims less fearful of coming forward. But that doesn’t make them void of this kind of issue. While workplace sexual harassment is often discussed in terms of women, men also experience sexual harassment in the workplace. According to a Washington Post survey, 10 percent of men have experienced sexual harassment at work. According to the EEOC, reports of men experiencing workplace sexual assault have nearly doubled between 1990 and 2009, from 8 percent to 16 percent of all claims. “One 2003 study found that 75% of employees who spoke out against workplace mistreatment faced some form of retaliation,” the EEOC report found. In Weinstein’s case, the Hollywood executive would threaten up-and-coming actresses’ careers if they did not engage with him, or place negative stories about them in the media to mire their names in scandal. These tactics aim to isolate and silence victims. When people do come forward, Vox’s Anna North explained, it’s usually when others around them do — strength in numbers. Once some of Weinstein’s accusers came out, more followed. Formal reporting is the “least common response” among men and woman who have experienced harassment in the workplace — “approximately 30% of individuals who experienced harassment talked with a supervisor, manager, or union representative,” the EEOC study said. It continued: Unwanted physical touching was formally reported only 8% of the time; and sexually coercive behavior was reported by only 30% of the women who experienced it. ... Studies have found that 6% to 13% of individuals who experience harassment file a formal complaint. 63 That means that, on average, anywhere from 87% to 94% of individuals did not file a formal complaint. Company sexual harassment training is easily mocked — and often brushed off in popular culture. “Much of the training done over the last 30 years has not worked as a prevention tool — it’s been too focused on simply avoiding legal liability,” its report says. According to the EEOC, in 1994 the Merit Systems Protection Board, a federal agency that oversee the abuses targeting federal employees, conservatively estimated that “as a result of sexual harassment, job turnover ($24.7 million), sick leave ($14.9 million), and decreased individual ($93.7 million) and workgroup ($193.8) productivity had cost the government a total of $327.1 million.”

#### Harassment creates a toxic and unsafe work environment in which women are disproportionately targeted, trapping them in the lower rungs of management

Mclaughlin et al 12, Heather Mclaughlin, Christopher Uggena, Amy Blackstone University Of Minnesota University Of Maine corresponding Author, 7-2-2012, "Sexual Harassment, Workplace Authority, and the Paradox of Power," SAGE Journals, https://journals.sagepub.com/doi/10.1177/0003122412451728

Power is at the core of feminist theories of sexual harassment, although it has rarely been measured directly in terms of workplace authority. Popular characterizations portray male supervisors harassing female subordinates, but power-threat theories suggest that women in authority may be more frequent targets. This article analyzes longitudinal survey data and qualitative interviews from the Youth Development Study to test this idea and to delineate why and how supervisory authority, gender nonconformity, and workplace sex ratios affect harassment. Relative to nonsupervisors, female supervisors are more likely to report harassing behaviors and to define their experiences as sexual harassment. Sexual harassment can serve as an equalizer against women in power, motivated more by control and domination than by sexual desire. Interviews point to social isolation as a mechanism linking harassment to gender nonconformity and women’s authority, particularly in male-dominated work settings. Sexual harassment is classified as a form of sex discrimination under Title VII of the Civil Rights Act of 1964. The U.S. Equal Employment Opportunity Commission (EEOC) defines it as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature” that interferes with one’s employment or work performance or creates a “hostile or offensive work environment” (U.S. EEOC 2011). Due, in part, to varying definitions and indicators, prevalence estimates vary dramatically (Welsh 1999), leading many researchers to adopt a strategy of triangulation that considers multiple forms or measures (e.g., Houston and Hwang 1996; Uggen and Blackstone 2004). Feminist scholarship situates sexual harassment within broader patterns of discrimination, power, and privilege, linking harassment to sex-based inequality (MacKinnon 1979). Quinn’s (2002) research on “girl watching,” for example, ties patriarchal gender relations to everyday workplace interactions. Quinn argues that other men, rather than women, are often the intended audience of sexist gestures and comments. Although men often view “girl watching” as light-hearted and playful, and seem surprised when women take offense, such activities demonstrate men’s power to sexually evaluate women.1 Similarly, Martin (2001) finds that men “mobilize masculinities” in ways that often exclude and cause harm to women as a group, even when this is not their intention. Connell’s (1987) theory of hegemonic masculinity, which argues that society privileges a single normative ideal of male behavior, provides a broad sociological framework for understanding harassment, gender, and power. Men may be vulnerable to harassment if they are perceived as feminine (DeSouza and Solberg 2004; Waldo, Berdahl, and Fitzgerald 1998), and women may be targeted if they challenge their subordinate position in the gender system. Sexual harassment may thus act as a tool to police appropriate ways of “doing gender” in the workplace and to penalize gender nonconformity (West and Zimmerman 1987). Research on contrapower harassment suggests that gender, race, and class positions imbue harassers with informal power, even when targets possess greater organizational authority than do their harassers (Rospenda et al. 1998). Women holding authority positions thus offer an intriguing paradox for theory and research on sexual harassment, and scholars have advanced two distinct positions. The first, the vulnerable-victim hypothesis, suggests that more vulnerable workers—including women, racial minorities, and those with the most precarious positions and least workplace authority—are subject to greater harassment. The second, the power-threat model, suggests that women who threaten men’s dominance are more frequent targets. Although the matter is far from settled, research has found greater support for the paradoxical power-threat model, in which women in authority positions are most likely to face harassment (Chamberlain et al. 2008) and discrimination (Stainback, Ratliff, and Roscigno 2011). Women supervisors, who hold authority over some men, directly challenge the presumptive superiority of men. Women continue to be underrepresented in positions of authority or relegated to the lower rungs of management (Elliott and Smith 2004; Gorman 2005; Kalev 2009; Reskin 2003; Reskin and McBrier 2000). When women are able to crack the glass ceiling and attain leadership positions, stereotypical gender beliefs about their “natural” abilities continue to shape perceptions of their job performance (Davidson and Cooper 1992; Eagly and Carli 2007). Moreover, while men in traditionally female occupations reap the rewards of a glass escalator to leadership positions (Hultin 2003; Williams 1992), women supervisors are often isolated and seen as undeserving of their positions (Ridgeway and Correll 2004; Ridgeway and Smith-Lovin 1999). In fact, women are unlikely to be promoted to management unless a sizeable proportion of women are already in place, highlighting the difficulty of gaining initial entry to such positions (Cohen, Broschak, and Haveman 1998). Taken together, these processes point to women supervisors as potential targets for harassment. The idea of masculine overcompensation—in which men react to threats to their manhood by enacting an extreme form of masculinity (Willer 2005)—also helps explain why men may harass women in power. Maass and colleagues (2003), for example, find that male participants in a computer image-sharing task sent more pornographic and offensive images to females identifying as feminists than to females adhering to more traditional gender roles. Along similar lines, Das (2009) concludes that females who are “too assertive” threaten the gender hierarchy and are denigrated through harassment. Correspondingly, De Coster, Estes, and Mueller (1999) find that females with greater tenure, independent of age, are more likely to view sexual harassment as a problem for them at work, concluding that the practice is used instrumentally against powerful females who encroach on male territory. Each of these findings suggests that women supervisors may be more likely than other working women to experience sexual harassment. Supervisory authority and expressions of gender are also tied to other forms of sex-based discrimination (Stainback et al. 2011). Berdahl (2007a:644) reconceptualizes sexual harassment as sex-based harassment, defined as “behavior that derogates, demeans, or humiliates an individual” based on sex. Sex-based harassment is driven by a motivation to protect sex-based social standing. As a result, targets are most likely to be females who threaten males’ status. For example, Berdahl (2007b) finds that females who perform gender in stereotypically masculine ways (e.g., assertive, dominant, and independent) are more likely to experience harassment. She argues that harassers reinforce masculine dominance by relegating women to the “low status of being a means to a man’s sexual ends” (Berdahl 2007a:649). When men are targeted by other men, harassers “prove” their own manhood by undermining their targets’ masculinity. Holly suggested her isolation as a woman in management may have been a key mechanism linking her supervisory status to her harassment. Her story also shows how hegemonic masculinity operates through collective practice (Connell 1987; Martin 2006; see also Pascoe 2007 on compulsive heterosexuality). Although her co-workers noticed the harassment, it went on for hours before anyone took action to stop it. Even after others stepped in, it was only to encourage Holly, and not her harasser, to leave the event: Regardless of organizational rank, sexual harassment objectifies workers and reduces women to sexual objects in ways that “may trump a woman’s formal organizational power” (Quinn 2002:392). Indeed, our qualitative interviews help to explain why women in authority positions are targeted for harassment. Women supervisors repeatedly spoke about feeling isolated and of harassment by co-workers and subordinates directed toward putting them “in their place.” Still, they tolerated such harassment to keep their jobs. Social isolation may also represent an important mechanism linking expressions of gender and industry sex ratios to harassment, in keeping with our second and third hypotheses. Whether attempting to prove they could lead a team of workers or prove themselves as women in masculine fields, women’s isolation in these positions repeatedly left them vulnerable to harassment. Women supervisors were told “this is no place for women,” and men and women who diverged even slightly from rigid gender expectations elicited taunts and more menacing responses. Theory and research on gender stratification often make the implicit assumption that problems such as sexual harassment, sex discrimination, and workplace bullying will recede if and when women attain greater power at work. Yet power in the form of supervisory authority also provokes backlash from clients, subordinates, and fellow supervisors. This paradox of power represents a challenge and an opportunity for existing frameworks. Beyond gender, characteristics such as race and class may similarly trump formal organizational authority in determining workplace power. Firms are increasingly adopting policies to increase diversity in management (Kalev, Dobbin, and Kelly 2006), but this study points to a new obstacle for women and, perhaps, racial minorities in leadership positions (but see Hirsh and Lyons 2010). To test the latter idea, an extension of this analysis might examine whether racial minorities who supervise others are subject to greater racial harassment. Although legal and organizational responses to sexual harassment have evolved rapidly in the past three decades, the cultural image of harassers and targets has not kept pace with changing workplace realities. Many still view the typical harassment scenario as one involving a sleazy male boss and a powerless female secretary. As this article shows, the reality is far more varied. Moving away from such stereotypes is a critical step for improving organizational policies and training procedures on sexual harassment. Effective training must go beyond male boss/female subordinate role-playing exercises and better reflect the diversity of harassment experiences. Effective grievance procedures must also enable targeted workers to come forward without undermining their own authority. For women who become bosses, their positions create a paradox of power in a gender system that continues to subordinate women. In taking on positions of authority, they also take on a greater risk of sexual harassment.

#### Unions and collective bargaining are key to addressing the underlying causes of harassment

AFLCIO 19, 2-28-2019, "Addressing Sexual Harassment in the Workplace: There Is Power in my Union," American Federation of Labor and Congress of Industrial Organizaitons, https://aflcio.org/reports/addressing-sexual-harassment-workplace-there-power-my-union

Confronting harassment requires addressing the underlying conditions that drive abuse—particularly a lack of access to basic labor rights, job security and protection from retaliation. Unions are uniquely positioned to take on these challenges. Our collective bargaining agreements can empower women by paying them fairly and protecting them from discrimination, harassment and abuse. Union members have access to a grievance process that is designed to ensure justice is served. For these reasons, expanding the freedom to organize and bargain collectively would go a long way toward ending the sexual harassment epidemic. But the labor movement has an even greater responsibility. AFL-CIO President Richard Trumka made clear that labor can and must be part of the solution: “We can combat sexism with solidarity. We can tear down misogyny with movement building. We can use our contracts to discourage bad behavior and punish bad actors.” Sexual harassment is widespread, and we are in a critical moment to meaningfully change that reality. Sexual harassment occurs in virtually every workplace, in every industry and at every level within organizations. The issue received renewed attention in the wake of the #MeToo movement, which exploded onto the national stage in October 2017. Brave individuals, primarily women, came forward en masse to describe their experiences and demonstrate how pervasive sexual harassment remains in our society. The revived media scrutiny also brought much-deserved attention to some of the dedicated activists who have been pushing employers and the government to address this issue for decades. None of the issues highlighted by #MeToo is new, but we are at a pivotal moment to organize for lasting change. Sexual harassment is about power. Sexual harassment and other forms of gender-based violence stem from a social and political hierarchy that values and enforces traditionally defined masculinity as an expression of power and prestige. Too often, media coverage focuses on the salacious details of abusive sexual conduct by famous men when, in fact, sexual harassment takes many forms. Sexual harassment is rooted in discrimination and is about not only unwanted sexual advances, but also attempts to demean or belittle a particular sex or gender identity through offensive comments and other misconduct. Harassment is a tool used to preserve the unequal position of women and other marginalized groups in the workplace and in society. Women are subjected to harassment at much higher rates than men, and men are usually the perpetrators. An individual’s sexual orientation, immigration status, gender identity and expression, race, ethnicity, religion and age can all interact to enhance the likelihood a person will be targeted. Sexual harassment is a pernicious barrier to women’s equal treatment and participation in the labor market. Sexual harassment prevents many women from advancing or even participating in specific jobs and within industries and sectors. A recent study found that 80% of women who experienced harassment changed jobs within two years, with many choosing to enter an entirely new field of work. Capturing a complete picture of sexual harassment and gender-based violence at work is incredibly difficult, as only a tiny percentage of victims come forward to report cases of abuse. One 2015 report concluded that while 50% to 80% of women experience sexual harassment at work, only 25% tell anyone at all, and only 5% file any kind of formal complaint. This echoes findings from a 2016 report from the U.S. Equal Employment Opportunity Commission, which concluded that reporting is “the least common response to [sexual] harassment,” with most who experience it instead choosing to “avoid the harasser, deny or downplay the gravity of the situation, or attempt to ignore, forget or endure the behavior.”  Many victims do not come forward because they fear retaliation or that they will not be believed. Studies suggest this fear often is grounded in reality—one from 2003 found that 75% of those who reported harassment faced retaliation afterward. Economic insecurity, particularly precarious and low-wage employment, makes workers more vulnerable to harassment and abuse. Workers without stable employment or economic security are less likely to report abuse. Precarious working arrangements, particularly those involving multiple levels of subcontracting or other contingent arrangements, decrease oversight and accountability. Workers at smaller companies and independent contractors do not receive protections from federal anti-discrimination legislation. Women are the majority of part-time and temporary workers in the United States, as well as the majority of low-paid workers and those making minimum wage. Many live paycheck to paycheck and cannot afford even a brief break in employment. Confronting harassment at work requires addressing the gaps in the law, as well as the underlying conditions that drive abuse—particularly a lack of access to basic labor rights, job security and protection from retaliation for reporting abuse. Unions create space for workers to openly discuss, identify and address sexual harassment in the workplace, and help workers defend their fundamental right to be free from discrimination. Through education, support and effective representation, unions can help end the culture of silence and ensure meaningful accountability. Ensure workers know their rights on the job and where to find support and file claims. Educate all members about harassment and empowering and supporting workers who come forward. Use membership surveys and other tools to get a sense of the scope and scale of the problem, and how it manifests in specific sectors. Foster a supportive environment for women, people of color, LGBTQ and other individuals more likely to be subjected to harassment to speak out about the issue and lead on developing solutions. Partner with broader social movements for gender, racial and economic justice—including local women’s rights groups and other community organizations with specialized knowledge and training—to develop safe spaces for members to discuss and address the issue. Develop guidance and best practices for representing members subjected to sexual harassment. Develop training guides for officers, staff members and shop stewards on handling sexual harassment claims. Collective bargaining is one of the most effective tools unions can use to combat sexual harassment. Contract language can exceed the protections offered in federal and state law, and respond to the unique ways sexual harassment manifests in different worksites and industries. UNITE HERE has won contract language in several jurisdictions addressing sexual harassment in the hospitality industry, including Chicago, Los Angeles, New York, Seattle and Washington, D.C. The industrywide agreement between the New York Hotel and Motel Trades Council and the Hotel Association of New York City, which is available online, requires employers to provide panic buttons as part of the safety equipment for hotel housekeepers, and either provide security or allow workers to refuse service to rooms if guests behave inappropriately. The contract reaffirms that employers must respond to reports of sexual harassment and refrain from retaliation against workers who come forward. In an agreement with Hyatt in Los Angeles, the contract specifies that Hyatt’s code of conduct for employees also applies to guests. In 2016, promotoras from SEIU United Service Workers West came together to successfully lobby for passage of a statewide bill, the Property Service Workers Protection Act, which requires employers to institute mandatory sexual harassment trainings and keep records on workers and workplace conditions. Several promotoras went on a hunger strike to win passage. Restaurant Opportunities Centers United (ROC United) has been pushing for a fair wage for restaurant workers, through state and local legislation and ballot initiatives. As documented in the 2014 report “The Glass Floor,” restaurant workers face particularly high rates of sexual harassment due to the precarious nature of the job, with workers generally paid below minimum wage and dependent on tips, which requires currying favor and tolerating abuse. The campaign has won recent victories in Maine; Flagstaff, Arizona; and Washington, D.C., and is actively organizing in Massachusetts, Michigan and New York.

#### A right to strike is a right to resist workplace domination and exploitation, recognition is key

Gourevitch 16, Alex Gourevitch (Assistant Professor of Political Science at Brown University). “Quit‑ ting Work but Not the Job: Liberty and the Right to Strike.” American Political Science Association Vol. 14, No. 2. June 2016. JDN. https://www.cambridge.org/core/journals/ perspectives‑on‑politics/article/abs/quitting‑work‑but‑not‑the‑job‑liberty‑and‑the‑ right‑to‑strike/27B690FEDDBCF002FB20FB50E852D6A3 //tw

My basic thought is that the right to strike is a right of human freedom claimed against the social domination that the typical modern worker experiences. Ordinarily, the right to strike is thought to be an economic right whose purpose is to maintain a certain kind of bargaining relationship among self-interested economic actors. However, it is better understood as a political right that individuals claim against an unjust system of law and property in the name of justice and emancipation. It is a political right even when most strikes do not have explicitly political ends. Put another way, one reason strikes are political is the way they threaten the normal distinction between politics and economics itself. They do so by challenging the idea that the logic of commodity exchange and private contracts should govern labor relations. The best justification of the right to strike lies in the way strikers claim their liberty not just as abstract persons but as socially-situated agents, who find themselves in the historically specific relationships of domination associated with the labor market. It is this connection to resisting domination that makes the right to strike political. The facts described in the previous three paragraphs remind us why our thinking about the right to strike matters. If the right to strike is just a derivative right, with the same general structure and function as rights of association, contract, and property, then many, if not all, of the laws or precedents described above are defensible. These restrictions flow from a rejection of the view that workers have an enforceable right to the job they strike; from the requirement that collective action remain voluntary; and from a refusal to accept that workers as a whole have shared interests as a consequence of their social position. Unions may, at most, operate closed shops and enjoy a formal right to strike, but they may not interfere with the core property rights of employers, contract rights of workers, nor claim that the interests of workers expand beyond a narrow range of issues in the workplace itself. If, however, we take the right to strike to be a distinct kind of right, protecting an independent interest, in which workers do legitimately have a right to the job over which they strike, then we would have to reject many existing restrictions on strike activity. In other words, many of the current legal restrictions on workers make some kind of sense if we accept the voluntarist position. To understand why this voluntarist view is wrong, we must move to the world of social theory. Specifically, we have to understand the way in which the labor market subjects workers to overlapping forms of unfreedom. So long as we view the labor market as a series of voluntary agreements to which workers and employers freely consent, we cannot make adequate sense of the right to strike. There are two interconnected forms of compulsion to which workers are subject that undermine any such view. Drawing on what has become known as the republican theory of freedom, I propose that we see these interconnected compulsions as forms of “domination” where domination means being subject to the uncontrolled or arbitrary power of another.44 On this view, I am subject to another person’s will if that person has the capacity to interfere with me, even if he does not actually interfere. The dominator might be benevolent or malicious, but in either case, he dominates because he can interfere in an uncontrolled way. That is what distinguishes the republican position from the more common, liberal view of freedom as non-interference, where I am unfree only if someone actually interferes with my choices. Philip Pettit, who has done more than anyone to promote and develops this neo-republican theory, tends to take the view that structural domination does not exist because to be dominated means that one person is directly subject to another person’s will.45 One employer might dominate an employee, simply by having the power to harass or interfere with her, but a group of individuals cannot, in themselves, be dominated nor can a background distribution of property be dominating. As Pettit puts it, “the property system ... will not be a source of domination so far as it is the cumulative, unintended effect of people’s mutual adjustments.” 46 However, as I and others have argued elsewhere, given both the history of republican thinking and the inner logic of the theory of freedom, there is no special reason to restrict the concept of domination to only interpersonal relations. Individuals can be dominated in a more structural way, by the distribution of property or by general features of a labor market that involve submission in a more anonymous or impersonal way. There are various kinds of economic dependence that subject some individuals to the uncontrolled power of others.47 Here we shall encounter just this kind of structural domination. The concept of domination is useful for my argument because it illuminates certain relations of power and helps explain the sense in which the right to strike emerges out of a demand for freedom, not just for higher wages or safer conditions, though those substantive concerns are always also in play.48 However, while I believe the republican theory is particularly useful, even those who doubt its value as a concept still ought to be persuaded by my argument for the right to strike. Although I cannot get into all the reasons why, the principle reason is the following. The background argument for the right to strike is that it is a remedial response to the substantial economic injustice that these compulsions entail. While I make sense of that injustice in terms of the nature and distribution of domination, a fellow-traveling reader could make sense of this injustice by using other conceptions of injustice and unfreedom. In that case, the right to strike would be adequately justified to them as a demand for freedom against unjustifiable denials of that freedom. That is all I can say about that issue here. Let us proceed, then, to the social analysis. The two relevant kinds of domination are structural domination, which renders workers vulnerable to exploitation, and personal domination, which is the array of legal authority and social power that gives employers arbitrary control over workers in a particular workplace. If we recognize these as ineliminable features of the capitalist market for labor, then the right to strike makes sense not as a relic of feudal guild privileges nor just as an economically rational effort by some to maximize wages, but as a form of resistance to the modern labor market itself. Let us begin with structural domination and the problem of exploitation. The problem with the real freedom of contract view is that it is based on faulty social analysis. The labor market is not just another commodity market in which property owners are, or can be made, free to participate or not participate. Here some social theory is inescapable. Workers who have no other consistent source of income than a wage have no reasonable alternative to selling their labor-power. That is because in capitalist societies most goods are only legally accessible if you can buy them. There is no other way of reliably acquiring necessary goods. The only way for most workers to get enough money to buy what they need is by selling their labor power. Their only alternatives are to steal, hope for charity, or rely on inadequate welfare provision. These are, generally speaking, unreasonable alternatives to seeking income through wages. If workers have no reasonable alternative to selling their labor-power they are therefore forced to sell that labor-power to some employer or another.56 This forcing exists even when workers earn relatively high wages, since they still lack reasonable alternatives, though the forcing is more immediate the closer one gets to poverty wages. The key feature of this forcing is that it is consistent with voluntary exchange but it is not some occasional or accidental feature of this or that worker’s circumstances. It is a product of the distribution of property in society. People are forced to sell their capacity to labor when, on the one hand, everyone has property rights in their own capacity to labor and, on the other hand, some group of individuals monopolize all or nearly all of the productive assets in that society. These are the necessary conditions to create a labor market sufficiently robust to organize production. That is to say, a society in which the primary way of organizing production is through a labor market is one in which most people are forced into that labor market. Or, put another way, a society in which most people were truly free to enter or not enter the labor market would be one in which labor is so radically decommodified that the mere formal possibility of a labor market could not serve, on its own, to guarantee social reproduction. Relations among workers and employers would be truly free and thus truly contingent. It is only when there is a sufficiently large population of individuals who have nothing but their labor-power to sell that the mechanism of social forcing guarantees a constant supply of labor through the labor market itself. But this means that, in a society based on the commodification of labor, the conditions that would make the buying and selling of labor-power a truly free set of exchanges would require utterly transforming that market-based production relationship itself. It would require giving workers a reasonable alternative to selling their labor—say through a sizable, unconditional basic income and universal public goods, or through giving all workers the possibility of owning or cooperatively owning their own enterprise. Such measures would amount to a radical de-commodification of labor-power, an overcoming of the very social conditions that give rise to the labor market’s self-image as a site of free exchange. As Ira Steward, a nineteenth-century American labor reformer, once said, “if laborers were sufficiently free to make contracts ... they would be too free to need contracts.” 57 The foregoing social analysis is familiar enough, but its implications for the right to strike are rarely considered. The right to strike begins to make more sense if we reflect upon the fact that workers who are forced to sell their labor power are vulnerable to exploitation. Exploitation just is the word for structural domination in the domain of economic production.58 Some workers will accept jobs at going wage rates and hours, others will be unable to bargain for what they need, and most can be made to work longer hours, at lower pay, under worse conditions than they would otherwise accept. Many employers know this and will take advantage of it.59 Even if employers do not intentionally take advantage of it, they do so tacitly by making numerous economic decisions about hiring, firing, wages, and hours that assume this steady supply of economically-dependent labor. So it is not just the force of necessity, but the fact that this forcing leaves workers vulnerable to exploitation and the further fact that this is a class condition that is relevant to our thinking. It explains why workers might seek collective solutions to their structural domination and why they might refuse to believe that they can overcome their exploitation through purely individual efforts. The right to strike springs organically from the fact of structural domination. Striking is a way of resisting that domination at the point in that structure at which workers find themselves—the particular job they are bargaining over. It is not that workers believe they have some special privilege but quite the opposite. It is their lack of privilege, their vulnerability, that generates the claim. Structural domination makes its most immediate appearance in the threat of being exploited by a particular employer, even though the point of structural domination is that workers can be exploited by any potential employer. The sharpest form that the structural domination takes is through the threat of being fired, or of never being hired in the first place. The claim that strikers make to their job is therefore, in the first instance, a dramatization of the fact that their relationship is not voluntary, it is not accidental and contingent. They are always already forced to be in a contractual relationship with some employer or another. The refusal to perform work while retaining the right to the job is a way of bringing to the fore this social and structural element in their condition. It vivifies the real nature of the production relationship that workers find themselves in. Quitting the work but not the job is a way of saying that this society is not and cannot be just a system of voluntary exchanges among independent producers. There is an underlying structure of unequal dependence, maintained through the system of contracts, that even the “most voluntary” arrangements conceal. This is not just a dramaturgical fact about strikes, though the drama has, in many cases, been nearly Greek in its intensity and tragedy. It is a point about power. It would not have the drama if it were not a power play. By demanding the job as a matter of right workers do not just publicize their domination, they attempt to challenge the forcing to which they are subject. Limiting the employer’s ability to make contracts with others, and preventing other workers from taking those jobs, is a way of reversing the power relationship. It is a way of neutralizing the threat of losing the job, which is the most concrete, immediate point of contact with that background structure of domination. If you cannot lose your job, you are less vulnerable, less immediately economically dependent. Of course, this does not do away with the background structure itself, but a particular strike can never do that. Though even here, there are times when a strike, as it becomes a more generalized rejection of structural domination—say in large-scale sympathy strikes or general strikes—can begin to challenge the broad structure of economic control itself.60 This is a challenge to the logic of the capitalist labor market that begins from within, at the location of the strike itself. At that point in the system, strikers temporarily reverse the relationships of power by eliminating that employers’ ability to use the threat of jobloss against them. They do that not just by claiming the job but by claiming it as a matter of right. The thought is that the exploitation of workers is unjustifiable, an unjustifiability that appears in the terms of the employment itself. Workers have the right to the job, and therefore to interfere with the employer’s property rights and other workers’ contract rights, because it is unjustifiable to subject workers to exploitative conditions. To put this all another way, though strikes are still about bargaining, and in that sense like market exchanges, they are simultaneously a challenge to the market as the appropriate standard by which to judge the fairness of workers’ compensation. The market is unfair because of workers’ structural disadvantage. Over and against the market value, strikers can argue that there are shared, or at least shareable, standards of fair compensation that employers should adhere to. While here again we see the echoes of feudal theories of “just price” and equity jurisprudence,61 we must note that in principle the claim is not, or does not have to be, based on special privilege. Rather, it begins by challenging the view that labor “freely” finds its value on the market. Workers are always already in relationships with employers and they cannot leave the basic relationship of earning money only by selling labor power, no matter how many jobs they might quit. The standards we use for evaluating those kinds of forced relationships, like the state, are different, based on shared conceptions of justice and human need, not private agreement. The strike is, again, one way of challenging this authority by attacking the idea that, since they appear like sellers of their capacity to labor, workers may be treated as subordinates. The strike is a way of pressing the claim that workers, too, should exercise control rather than submit passively to managerial prerogatives. There are many historical examples of resistance to this kind of personal domination, such as “control strikes,” strikes over the introduction of new technology, and even strikes over seemingly lesser issues like “abolition of the luncheon privilege.” 74 The general point being that strikes that target decisions usually falling under the domain of “core of entrepreneurial control” are not just about instrumental considerations regarding compensation and conditions but about resisting the very logic of contract and property that supports the manager’s authority in the first place.75

## framing

#### The standard is minimizing structural violence.

#### Vote aff to prioritize the slow violence and everyday war against disenfranchised populations.

Hunt 18 (Dallas Hunt, PhD Candidate, University of British Columbia, Canada., Chapter 10 “Of course they count, but not right now”: Regulating precarity in Lee Maracle’s Ravensong and Celia’s Song, in Biopolitical Disaster Edited by Jennifer L. Lawrence and Sarah Marie Wiebe, 2018 Routledge, JKS)

“There is a hierarchy to care”: theoretical concerns and applications

In Frames of War (an extension and preoccupation with similar issues she outlines in her text Precarious Life), Judith Butler focuses on the ways in which particular, violent perceptions of everyday life are normalized and propagated as legible or granted “intelligibility” (through numbers, statistics, etc.). According to Butler, Frames of War follows on from Precarious Life ... especially its suggestion that specific lives cannot be apprehended as living. If certain lives do not qualify as lives or are, from the start, not conceivable as lives within certain epistemological frames, then these lives are never lived nor lost in the full sense. (2010: 1) For Butler, then, a primary concern is how these intelligibilities allow “a state to wage its wars without instigating a popular revolt” (xvi). Although Butler is writing within the context of the Iraq War and the “War on Terror,” her insights on precarity and modes of state violence exceed their immediate rele- vance. Indeed, as is clear below, the notions of war and settler-colonialism and the biopolitical rationalities they allow are eminently applicable to a local, Canadian context. The frames of war, Butler argues, are not circumscribed to combat zones with the mobilization of weapons. Instead, to Butler, “perceptual weapons” are acting on populations consistently to naturalize violences and enlist citizens to tacitly consent to (and, in some cases, actively participate in) violent forms that authorize dehumanization: “[w]aging war ... begins with the assault on the senses; the senses are the first target of war” (xvi). These perceptual violences resonate with Rob Nixon’s formulation of “slow violence” as well. To Nixon, slow violence is “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space, an attritional violence that is typically not viewed as violence at all” (2011: 3). Further, and “[c]rucially, slow violence is often not just attritional but also exponential, operating as a major threat multiplier; it can fuel long-term, proliferating conflicts in situations where the conditions for sustaining life become increasingly but gradually degraded” (4). Conditioning the senses or what is intelligible, then, functions as the way in which state violences are legitimized, as the frames of war dictate the “sensuous parameters of reality itself” (ix). According to Butler, the task at hand is not only to “understand ... these frames, where they come from and what kind of action they perform” (2010: 83), but also to find and articulate “those modes of representation and appearance that allow the claim of life to be made and heard” (81). While Butler is exam- ining conditions of precarity, (in)security, and disposability in the context of “the War on Terror,” and Palestine–Israel, her examination of an imperial/ colonial power exerting force and enacting violence on vulnerable and racialized populations (and in the process producing and reproducing these vulnerable populations) can be fruitfully employed in the Canadian context, though not without some alteration. Although we may not perceive the more mundane, i.e. non-military, violences visited upon Indigenous communities as “war” strictly speaking, Sora Han’s oft-cited phrase that we must think of the United States (and settler-colonial nations more broadly) not “at war” but “as war” is useful here (cited in Simpson 2014: 153, emphasis in original). If we view the biopolitical man- agement of Indigenous populations and Indigenous territories as rationalities rooted in the organizing frame of settler-colonialism, then the states of emer- gency putatively thought to be produced through war are “structural, not eventful” – that is to say, war is the very condition of settler-colonialism and not a by-product of it (154). Indeed, the largest ever domestic deployment of military forces in North America took place within Canada, in the context of the so-called “Oka crisis.” As Audra Simpson writes, the “highest number of troops in the history of Indigenous-settler relations in North America was deployed to Kanehsatà:ke, as this was the most unambiguous form of exceptional relations, that of warfare. There were 2,650 soldiers deployed...” (2014: 152). And, as Roxanne Dunbar-Ortiz and others have noted, Western imperial powers still refer to “enemy territories” abroad as “Indian Country” and to “wanted terrorists” as “Geronimo” (2014: 56). I follow the lineages of these Indigenous theorists who view settler-colonialism as a kind of permanent war, drawing parallels between the so-called everyday violences (displacement, sexual violence) inflicted upon Indigenous peoples in the US and Canada and the death-delivering reaches of empire embodied by the West more globally. Or, to echo Mink, the transformer/shapeshifter narrating the events in Mara- cle’s Celia’s Song: “This is war” (2014: 9). For Butler, there are varying tactics for distributing “precarity” differently, or what she describes as “that politically induced condition in which certain populations suffer from failing social and economic networks of support,” producing a “maximized precariousness for populations ... who often have no other option than to appeal to the very state from which they need protec- tion” (2010: 26). In the depictions provided in her writing, as well as that of Maracle, violence is deployed not only as “an effort to minimize precarious- ness for some and to maximize it for others,” but also as a mode of shaping the perceptions of citizens in order to make such acts legible, and hence, in a sense justifiable (Butler 2010: 54). Ultimately what Butler is advocating for is a new ethico-political orientation, one with the potential to disrupt the violent regimes of the sensible, as well as the ways in which precarity is currently allocated and distributed. Paraphrasing Jacques Rancière, Jeff Derksen also advocates for political movements that disrupt “regimes of the sensible”: “a politics of the aesthetic could ... redistribute and rethink the possibility of the subject (potentially an isolated figure) within the present and within a com- munity to come” (2009: 73). In sum, Butler’s text illustrates the ways in which State-sanctioned (and induced) precarity “perpetuate[s] a way of dividing lives into those that are worth defending, valuing, and grieving when they are lost, and those that are not quite lives” (2010: 42), as well as the resistive practices that might disrupt the naturalization of “differential distribution[s] of pre- carity” (xxv). The remainder of the chapter considers to what extent Mara- cle’s texts offer such a disruption of the mundane frames of settler-colonial war within the context of an exceptional moment (an epidemic), and asks how her work gestures toward the alternatives that might be offered by Indigenous frames.

## underview

#### 1ar theory is cool

#### a] we get it bc otherwise the neg can engage in infinite abuse, making debate impossible

#### b] fairness and education are voters – debate’s a game that needs standards to evaluate it and it teaches portable skills that we use lifelong

#### c] dtd – theory skews the already short 1ar kills substance debate and education

#### d] 1ar theory first – it’s a bigger percentage of the 1ar and only the 2nr has time to win multiple layers