

Chapter 2: The Twin Track Model of Employee Voice: An Anglo-American Perspective on Union Decline and the Rise of Alternative Forms of Voice

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1. INTRODUCTION

The effect of trade unions on firms and workers has been a core concern of labour and industrial relations (IR) scholarship ever since IR emerged as a distinct field of study (Webbs, 1897; Dunlop, 1944). Indeed, some labour historians have argued that the debate over the “labour problem” that emerged in the wake of the Industrial Revolution was instrumental in the birth of the new science of industrial relations during the late 19th and early 20th century (Kaufman, 2010). Essentially, industrial relations experts were “in demand” to solve real tractable problems like absenteeism, sit-down strikes and violent clashes between workers and management (Derber, 1967). One of IR scholarship’s earliest recommendations was for workers to have some mechanism for collective representation at the workplace (Feldman, 1928) and independent trade unions were seen as the closest embodiment of this goal (Commons, 1935).

Although labour scholarship no longer uses terms like “industrial man” or the “labour problem” (Dunlop, 1958) to frame the debate over unions and worker representation, current concerns about employees lacking voice are remarkably similar to those of nearly a century ago. In particular, the fostering of industrial democracy (the original term for employee voice and representation used by scholars like the Webbs (1897) and Commons (1935)) was actively debated well into the 1970s (Milton, 1970) and is now, after a long period of dormancy, making a return (e.g., the 2016 British government green paper on Corporate Governance Reform with its call for worker

representation on public company directorships). The main problem facing scholarship in the area of employee voice today, especially in the Anglo-American world, is that the main vehicle for providing voice to workers (i.e., the trade union) has witnessed a near universal decline (see Figure 1). This raises the question of just how important voice and representation is in the context of post-modern/post-Fordist economies (Thompson and Newsome, 2004).

[Figure 1]

We begin this chapter by presenting a simple framework for understanding union decline that follows some of our own work in this area (Freeman, 1998; Freeman and Rogers, 1999; Bryson and Gomez, 2005; Willman, Bryson and Gomez, 2006, 2014; Bryson, Willman, and Forth, 2017). We model the decline in unionisation in Britain, Canada and the US as a shift by workers and firms from representative (collective) to direct (individual) voice. We discuss the channels that link a rise in “direct (individual) voice” with a commensurate fall in “representative (collective) voice” to specific subgroups of firms and workers, focusing on two alternative hypotheses: (1) the loss of unionised jobs and a decline in union density in established firms and among older workers; versus (2) new workers and new firms adopting alternative forms of non-union voice or no voice at all.

We show that it is the latter channel, the rise of so-called ‘never-membership’ and rise of alternative voice systems in newly established firms, which has contributed to the majority of union density decline. This is especially so in Britain where we have the longest time series data on workplace voice, but it is also apparent in the US (Booth, Budd and Munday, 2010) where never-unionization rates have been increasing

amongst new labour market entrants (e.g., in the mid-1980s 58.1 per cent of 23-year olds had never been unionized, but by the mid 2000s, that figure had risen to 70.6 per cent, even after adjusting for demographic and structural changes).

We end with a discussion of how the decentralised form of labour relations that prevails in the Anglo-American world – specifically the Wagner-Act model with its emphasis on organizing individual workers and workplaces –not only accounts for rising never-membership but has also fostered a “twin track” model of employee voice. Twin-track refers to the split that exists between workers with relatively high rates of union representation (e.g., those employed in sectors with high-barriers to entry, stable product markets and/or service delivery monopolies) and the majority of workers in private sector firms with no union representation. These latter workers are largely voice free, but in some cases have access to employer provided voice and increasingly it seems access to self-organized on-line worker forums and social-justice campaigns led by non-governmental organizations (NGOs). The difficulty in this area is that it is very hard to move beyond anecdotal cases given that these new employee advocacy groups have not appeared in a systematic way on many nationally representative surveys. The challenge then becomes to locate these new forms in the data we do possess and in the context of the theories and models discussed in this chapter.

2. DECENTRALISED BARGAINING AND THE RISE OF TWIN TRACK UNIONISM

The early 1980s marked the high-water point for union representation across the Anglo-American world (see Figure 1). In 1980, for example, five out of ten workers (51 percent) were represented by trade unions in Britain but by 2014 that number had fallen

to just one in four workers (25 percent). In the United States, representation was always on the low end of the cross-national scale but this overall decline masked an even sharper fall in private sector unionism. Whereas union density rose in the public sector during the late post-war period in the United States, in the private sector it has been falling since the mid 1960s (Figure 2). The same pattern of high public sector density and declining private sector membership prevails in Britain and Canada.

[Figure 2]

The three panels for the US, Canada and Britain look very much like unionism has been on a “twin track” for some time. Several questions arise.

- First, why is the decline in collective representation concentrated amongst private sector workers?
- Second, does this decline call into question the relevance of trade unionism or the need for any other form of employee voice?
- Lastly given the shifting nature of work and employment under what has come to be known variously as the ‘4th industrial revolution’, ‘gig economy’ or ‘new world of work’, what forms (if any) of collective representation and voice might be possible in the Anglo-American world?

To answer these questions, we first examine the Anglo-American model by which employees secure union representation and voice. Though each country differs, the Anglo-American model contains a set of features common to all systems where certified bargaining agents acquire exclusive representation rights and where the employer has no statutory obligation to deal with sectoral bargaining agents or

minority unions. In this system -- sometimes termed “exclusive representation with majority support” or simply the Wagner Act Model (WAM) -- workers who have certified bargaining agents are “unionized” or “organized” while those with no certified agent are referred to as “non-unionized” or “unorganized”. Though different mechanisms exist for securing trade union representation (e.g., some jurisdictions invoke easier certification processes while others go so far as to prevent agency-provisions), the Anglo-American model in its essential form displays the following seven characteristics (Weiler, 1989):

a. “Seven” Key Features of Representation Systems in the Anglo-American World

i) A non-union / no-voice default setting for employees – i.e., whether working in a bank branch or retail outlet there is no system of worker representation in nascent organizations. That is, private sector workplaces are set up in an entirely unorganized, unrepresented, non-union condition. As a result, private sector employees, for the most part, work in non-union workplaces and have no access to formal representation systems.

ii) If an employee has access to collective representation within the workplace, it is because the majority of workers were first organized to undertake the process of joining an independent union, securing certification from a labour board and then signing a first collective agreement with the employer. For the typical worker, possessing no experience with unions or certification procedures, this process can appear lengthy and complicated. In cases where employers are opposed to unionisation, the process tilts against workers gaining certification (Doorey, 2013). In

particular, the use of mandatory vote certification procedures (as opposed to card-based certification, which exists across some Canadian jurisdictions) has had a negative effect on certification success rates and on union density (Johnson 2002, 2004). Slinn and Hurd (2011) argue that in Canada certification delays often arise from unfair labour practices (ULP) applications and hearings related to employer conduct during organizing while in the US a similar pattern prevails (Ferguson, 2008). Moreover, there is evidence that employer ULPs are more effective at defeating unionization under mandatory elections than under card check certification (Riddell, 2001).

Though British employees face similar hurdles in organizing their employer, getting to first contract is not an issue in the same way because although in law a collective agreement can be directly binding, it is usually the case that collectively agreed upon terms are *implied* terms in individuals' contracts of employment.

iii) Non-union employers can be averse to unionisation drives and deploy a variety of tactics to head off incipient unionism (Riddell, 2001; Slinn, 2008; Doorey 2012). Though these tactics have been associated more closely with US labour relations (Logan, 2006), comparative research has shown that managers in other countries report equal, if not greater, negative attitudes towards unions than their American counterparts (Beaumont, 1986, 1994; Campolieti et al., 2007, 2013; Lipset and Meltz, 1997; Saporta and Lincoln, 1995; Taras, 1997). Many non-union employers also engage in sustained efforts to persuade and supplant independent trade unions while others will coerce and suppress incipient unionism (Thomason and Pozzebon, 1998). Furthermore, although there is evidence that major companies headquartered outside of the US have a lower likelihood of opposing unions than US counterparts

(Thompson, 2001), union acceptance amongst employers in Canada and elsewhere, as Rose and Chaison (1996: 92) presciently observe, “is most likely the result of a low probability of escaping unions rather than a [less inherent antagonism]”. There is also a British employer response to unions, which can best be termed “apathy”; a recognition that organizing a workplace is difficult, such that expending valuable resources in opposing a union is not only unnecessary but possibly counterproductive (Amosse, Bryson, Forth, and Petit, 2016).

iv) As a result of these difficulties in establishing collective representation, unionisation can be conceived of as ‘experience-good’, defined by Nelson (1970) as any good or service whose quality cannot be truly discerned before purchase. For workers (and employers) unionisation is an experience good in that most union benefits (procedural justice, job security, the provision of family-friendly policies) are hard to observe before joining a union or working in an organized workplace. Experience goods in turn have certain properties that make them hard to ‘market’ to potential adopters who have never sampled membership. This means that groups like young workers or immigrants are particularly likely to by-pass union organizing unless already employed in a unionised workplace and otherwise compelled to join (Gomez and Gunderson, 2004). Moreover, even if union attributes are visible (through information campaigns) union provided benefits are still of indeterminate quality (i.e., “you don’t know how good a union is until after you join”) and hence still subject to the same experiential marketing challenges. The indeterminate nature of benefits associated with unionisation can generate hesitation/skepticism on the part of non-union workers. This is why some unions in the UK and Australia (e.g., the Independent Education Union (IEU)) have

experimented with a “try-before-you-buy” approach offering “free” membership for students and newly hired teachers (Costa et al., 1997).

v) Most workers are members of large (more than 100,000 members) unions. This is natural given that large national (or international) unions that have i) ample resources to overcome the fixed costs associated with new certification drives and with ii) experience organizing under the Wagner model and thereby able to lower the marginal costs associated with representing new workers. Large national/international unions are less successful, however, at unionising new firms and small-to-medium sized enterprises in the private sector; instead, they deploy scarce organizing funds to certify public sector organizations or large well-established firms with large bargaining units (Willman, 2001). Rightly or wrongly, many non-union employees also perceive larger unions as having a distinct impersonal and bureaucratic flavour (Weiler, 1989).

vi) Partly as a result of i) through v) there has been a steady decline in unionisation in the private sector and a growth in “frustrated demand” for employee representation (Freeman and Rogers, 1999). This is generally greater for younger workers. Bryson *et al.*, (2005: 165) found youth (<25 years) representation gaps of 36 percent in Britain (e.g., 50 percent wanted union representation but only 16 percent had access), 44 percent in Canada (57–13 percent), and 42 percent in the U.S. (47–5 percent). The corresponding adult (25-64 years) representation gaps were 11 percent (46–35 percent), 12 percent (48–36 percent), and 37 percent (53–16 percent) respectively in each country.

vii) This large representation “gap” has been filled, in part, by a growing array of statutory provisions (e.g., minimum notice periods), regulatory mechanisms (e.g.,

minimum wage laws), employer initiatives (e.g., joint consultative committees) and bottom-up social movements/“alt-labor” groups (Economist, 2013, Hackman, 2014; Eidelson, 2013). Unfortunately, universal regulatory standards are subject to the problem of “unfulfilled legal promise” (Weil, 2007). Unless there is an indigenous base of union representation or workplace oversight, the vigilance required to make the universal employment standards programme a reality is often lacking and compliance is attenuated (Barbash, 1987; Meltz, 1989). Similar problems bedevil employer-led initiatives and social organizing models, i.e., without independent autonomy or statutory enforcement, alternative worker participation schemes tend to fizzle out.

Given the problems associated with decentralised majority-based collective bargaining outlined above, the rest of the chapter identifies an analytical framework to understand union decline in Anglo-American economies.

3. A FRAMEWORK FOR UNDERSTANDING UNION DECLINE AND THE RISE OF NON-UNION VOICE

We argue that the fall in private sector unionism and the high and relatively stable rates in the public sector can be accounted for by a model of unionism where union growth (or decline) is part of a “bottom-up” process (Freeman, 1998) embedded in a wider set of competing and complementary voice channels – all of which exist in a solution market for employee voice. Each voice channel – union, non-union or some dual form hybrid – has a bundle of attributes, requires a set-up ‘cost’ and has to be experienced first in order to discern true quality and the full scope of benefits.

This idea is captured by the “experience-good model of employee voice” (Bryson and Gomez, 2003, 2005; Gomez and Gunderson, 2004; Budd, 2010) which borrows

some basic elements of consumer theory to predict the way in which voice provision differs amongst groups and how voice provision has shifted over time. In terms of union voice, the 'experience good' in question has three essential attributes: 1) A right to have a say over the conditions of work and pay (i.e., voice), 2) Some measure of bargaining power such that a greater share of profits flowing to workers than would otherwise be the case (i.e., wage premium), and 3) Some job security provided via internal grievance procedures and just cause termination provisions (i.e., insurance). All three elements reveal themselves to workers only after they have secured representation, i.e. they are hard-to-observe attributes that are unknown prior to 'purchase'.

We highlight both supporting and conflicting evidence. Bryson and Freeman (2013) find a correlation between increasing problems at work and the desire for 'union-like' solutions, suggesting that there is clear evidence of a union representation gap. However, as with any desire (we all may want to drive a Lamborghini) there are costs that workers have to overcome in order to be unionised, and relative to benefits, union costs may be too high. Troy (1999) and other authors have used this fact to advance the claim that collective representation has simply been overtaken by self-representation and individualised contracting as the preferred (lower cost) employee modes of employment.

We disagree with this reading and instead rely on the 'incumbency effect' (Freeman and Diamond, 2001), which states that any established employee voice system (provided it meets a minimum standard of acceptability) will typically win-out over a proposed alternative, even if that alternative is preferred and better in some objective way. The acquisition of switching-costs for workers (and firms) is one of the

key elements in experience good-theory that ties the incumbency and experience-good models together, such that an incumbency effect is captured by the added “cost” and/or “risk” of switching out of one employee voice system to another of lesser-known quality (Willman et al, 2014). Switching costs can keep employees locked-into sub-optimal employment relationships just as they can keep consumers locked-into sub-optimal mobile service contracts or bad banking relationships.

There is evidence that is potentially consistent with our version of experience good theory but is driven by other causes. For example, there is increasing evidence that the standard labour organization itself– i.e., the modern trade union – has significant “cost-disease” attributes (Willman, Bryson and Forth, 2017) which might explain their current lack of large-scale organizing success despite an apparent appetite amongst many workers for union representation.

Our conclusion is that the experience-good hypothesis is an accurate depiction of why unionism has slowly ebbed as the default form of voice in Anglo-American economies. It falls short, however, as a full explanation for the decline of unions and the evolution of alternate forms of voice from the early 2000s to the present. A theory compatible with experience-good unionism and rise of alternate voice forms is one which sees the emergence (or decline) of unions as part of a “bottom-up process” in which individual actors make decisions, adopt new strategies and/or engage in behaviours that (cumulatively) generate sharp changes in trends or likewise contribute to long periods of union stagnation or decline. This is the so-called “spurt-theory” of union growth and decline (Freeman, 1998).

Though it seems like union decline has been the dominant theme since the 1980s, this is not to say that traditional unions have become irrelevant, or that recent changes to their organizing strategies have had *no* effect on certain groups of previously unorganized workers (i.e., organizing public sector workers in the 1960s and 1970s or extending their reach through Justice for Janitors campaigns in the 1990s etc.). There were clearly innovations in union organizing over the past 30 years and it seems likely that these changes had *some effect* on new groups of workers (Erickson et al., 2002). Rather, we argue that while existing models of unionisation can account for the presence of a pretty stable group of unionised workers and firms, industrial relations theory, up to now, has not been particularly helpful in understanding the shifts in the structure of new forms of voice and the birth of “do-it-yourself” organizing that has occurred in Anglo-American labor markets over the last decade.

We believe it is time to re-evaluate the rise of individualised and increasingly digitally infused forms of worker voice that have emerged in the first quarter of the 21st century. We begin, however, with a look at ‘never membership’

a. The Rise of the “Never- Member”

We wish to focus on a finding first observed in Britain. We do this in order to point out that irrespective of underlying causes, the proximate cause of union decline has more to do with Wagner-style representation systems than anything else.

Bryson and Gomez (2005) were the first to track the rise in the percentage of employees in Britain who had never become union members (‘never-members’) since the mid-1980s (see Figure 3). The data for Britain showed that never-membership had

increased markedly between 1986 and 2006 whilst ex-membership had remained roughly constant. By the early 2000s, never joining a union had grown steadily for the average 30-year old worker outstripping changes in other major life-course events such as marriage and university attendance. Bryson and Gomez (2005) went on to show that it was this reduced likelihood of ever becoming a member and not the loss of existing members which accounted for the decline in overall union membership in Britain since the 1980s.

[Figure 3]

In the US, though we do not have a comparable never membership figure, we know from Budd and Booth's (2010:42) analysis of successive waves of NLSY data that it "does indeed appear that never-unionization rates in the United States are increasing as new cohorts enter the labour market, even after adjusting for demographic and structural changes." Such a view is also consistent with what has occurred in Canada, where since 1997 the unionized workforce has actually grown in absolute terms. Presently, roughly 4.56 million workers are members of unions or are covered by collective agreements, up more than 800,000 since 1997. We also know that de-certification in Wagner-style systems offering first-contract arbitration is rather rare (Baker, 2012). So why then has union density declined across Canada? The reason is that the growth of the non-unionized workforce, which grew by about 2.5 million over the same period, outstripped union membership expansion. In other words, new workers were not organized at a sufficient rate to increase union representation as a share of the overall workforce, which means never-membership is rising in Canada as it has in Britain and in the United States (Booth, Budd, and Munday, 2010).

The rise in never-membership however is still only the “proximate” cause of union decline in Anglo-American economies. To understand the deeper processes at work we need a more ‘general theory’ of union growth (and decline).

b. The “Spurt Theory” of Union Growth

As noted by Freeman (1998) two types of models can generate changes in union growth. The first, and probably most often used in IR scholarship, are models in which massive shocks or environmental changes generate commensurately large responses in otherwise stable union membership. The second are models in which the *process of growth* creates nonlinearities that produce “phase transitions” when certain conditions are met, generating models of tipping-point, contagion, self-organized complexity and so on.

A more recent catchall term refers to these latter models as “agent-based” (Dawid and Neugart, 2011) because of their stress on the cumulative effect of individual actions taken by agents, in this case individual workers, unions and firms. The focus of agent-based modelling is on how organization occurs and the behavior of many individual actors acting in response to one another. The former models stress the exogenous shock, usually generated by political forces which is perhaps why legal scholars and labour historians gravitate to these explanations and generally interpret the growth or decline of unionism in their respective country as resulting from one (or more) of these “one-off” legislative changes: i.e., unions declined in the United States because of Reagan’s firing of PATCO strikers, in Britain they fell because of Thatcher’s crushing of the coal-miners, in Canada they grew because of the enactment of PC

1003, and so on. Without denying the importance of particular laws or external events as catalysts for the growth process, Freeman (1998) lays out a model in which sudden sharp changes in union density (what he calls 'spurts') do not depend upon "external environmental changes" but rather arise endogenously from individual actions and the process of union organization.

There is an affinity between Freeman's spurt model and a related theory of industrial mobilisation proposed by Kelly (1998), which generates a similar tendency for explosions in industrial militancy and union growth. These shift-changes coincide with critical turning points in "long wave" political-economic developments. Kelly's use of mobilisation theory reveals the problems faced by workers in pursuing a course of collective action to settle grievances and promote their own goals. In particular, Kelly's model emphasises the importance of workers acquiring a collective awareness of injustice emanating from the social relationship between capital and labour, where employers and employees pursue different and/or opposing sets of interests. The question is how can this collective awareness emerge or be 'mobilised'? Mobilisation, according to Kelly, depends on the accessibility of effective worker organisations and the availability of labour leaders willing and able to head workers' struggles. The opportunity to take collective action, however, can be curtailed by employers via sticks (threats such as firings and plant closures) or carrots (inducements like profit sharing or internal grievance procedures). The state can also enter the labour-capital relationship typically (though not always) on the side of employers with legislation and actions that thwart worker organizing efforts.

What's interesting is that Freeman's (1998) model identifies the same forces of 'union mobilisation' (organizing) and 'employer threats' (opposition) identified in Kelly's theory of discontinuous union growth and decline, but formalises them into union "organizing" and employer "opposition" behavioural functions. Freeman's model can explain and anticipate the nonlinearities present in union density over time and across space as functions of divergent union and employer behaviours. As such, we see the two theories ('mobilisation' and 'spurt' theory) as complimentary to each other. The key to Freeman's model, however, is that employer opposition is linear in that anti-union efforts decline as union density rises while union organizing is non-linear (i.e., weakest at the lowest and highest union density levels). The reason is that at very low-density levels unions lack resources to mobilise, whereas at high levels there is little incentive for unions to organize given that the small number of non-union workers have little incentive to join given positive union-spillover effects. The union organizing function therefore rises and falls in an inverted-U fashion with increasing union density.

There are two stable equilibria in the Freeman model, a zero union density equilibrium (though Freeman acknowledges that in practice there would naturally be some unionism at the theoretical 'zero' mark due to the difficulty in removing unions where they are present) and a high (though not 100 percent) union density equilibrium. A low (non-zero) union density level generates instability in a positive or negative direction for unionisation. Moves in a negative direction are initiated by employers given their opposition to unions increases as density declines (i.e., no employer wants to be the single employer encumbered by a collective agreement or having to pay a union premium). Given the difficulties in organizing at the best of times, moves in a positive

direction from a low union starting point generally coincide with a confluence of external factors but more importantly with union innovations in organizing that appear to shift the organizing function upward. The well-noted “strategic-choice” approach advocated by Kochan, Katz and McKersie (1983) to explain how differences in labour-management outcomes can emerge under similar external environments is therefore compatible with Freeman’s “spurt theory” of union growth. Innovations can emerge locally from actors facing otherwise similar external constraints but it is only when they spread in quick succession to others that innovations in worker organizing become transformative.

The empirical evidence highlighted by Freeman (1998) shows that all union density spurts were generated by all unions (new and old) adding members. However, a much larger proportion of the growth in the 1930s and 1940s (the largest era of union growth in the US) occurred through “new” CIO industrial unions emerging and organizing *new* workers in *new* ways, which explains the uniquely large growth experienced in that period relative to previous spurts.

The spurt in public sector unionism that occurred in North America and in the UK in the 1960s and 1970s shared properties similar to the private sector growth noted above -- i.e., rapid expansion of unionism into new areas with new or changed organization forms such as the switch of employee associations like the National Education Association [NEA] into certified unions -- and growth of existing unions under the help of legal changes (Freeman and Ichniowski, 1988). It is interesting to note that the levels of unionisation achieved in the public sector across most of the Anglo-American world (and as noted in Figure 2) have been high and stable for some time. It might be that they have reached (for a given level of employer opposition in each

national context) the high-level equilibrium anticipated in Freeman's model. In Britain, US and Canada the public sector unionisation rate is roughly five-times the rate present in the private sector and the gap has persisted for over 40 years in the case of the US and Canada and even longer in the case of Britain.

c. Spurt Theory and the Rise of Right-to-Work Laws

Given that bottom-up processes rather than external shocks are implicated in Freeman's (1998) theory of long-run changes to union growth, one would expect that employer (and or State) opposition to unions is triggered when organized labour is already weak and in decline rather than when unions are strong and on the ascent.

Such a tendency emerges when we look at the US in more detail especially since the 1960s. It was a decade or more after this membership peak that individual states began enacting right-to-work (RTW) laws, which limited trade unions ability to collect dues from workers and, it is alleged, hampered unions' ability to organize. The passing of the Taft-Hartley act in 1947 led to an immediate adoption of RTW laws by historically low-density Southern states, but then a thirty-year period of stasis emerged during which not a single State enacted a RTW law until 1976 whereupon states began enacting RTW laws such that by 2017 more states had RTW laws than did not.

We compiled data (shown in Table 1) on when states (since the post 1960s union peak) enacted RTW laws and compared union density at the time of the law passing. In each case, a RTW law was passed only when union density was *below* (and well below in most cases) historical highs. Never was it the case that a RTW law was enacted when union density was higher than its historical average. Rather, laws

“restricting” union organizing emerged when density was at or near the state’s historical low.

[Table 1]

What can we infer from the RTW experience? As it relates to the “spurt” theory of union growth the answer is clear once we visualise the data contained in Table 1. As shown in Figure 4 the first four states that enacted RTW laws were Louisiana (1976), Idaho (1985), Texas (1993), and Oklahoma (2001). They share the distinction of occupying the bottom four lines in the graph; that is, they were the four “lowest density states” and were below the US average at the time they enacted RTW laws. In fact, in all cases but one – Michigan – US states enact a RTW law only *after* state union density falls *below* the US average (dotted line). This is a remarkable finding because it supports Freeman’s model of bottom-up processes rather than external “shocks” through “legal changes” as leading the decline of unions. Recall as well that the union “opposition” function in Freeman’s model predicts just such behaviour in that union opposition is inversely related to union density e.g., (low density engenders higher opposition). Laws and legal changes are more like “trailing indicators” of organizational or movement strength/weakness rather than generators of them.

[Figure 4]

d. The Experience Good Model of Unionisation and Implications for Employee Voice

The rise in never-membership, decline in overall density and the spurt model of union growth documented above have several important implications for the future of traditional collective representation.

First, when unions are present in an establishment they extend the benefits of union representation to a wider set of workers than just the ones they represent. Whether it is through the “threat effect” (i.e., the inclination of non-union employers to match or even supersede certain contractually bargained outcomes in an effort to forestall union interest) or by lobbying government for improved legislated outcomes, a strong union movement also affects labour conditions outside of the organized sector.

Second, unions are successful in organizing workplaces when workers possess considerable knowledge of what unions can do through mobilisation (Kelly, 1998) or when there is strong demand for collective representation amongst workers (enough to overcome the significant hurdles associated with majoritarian representation). As a result, any decline in the number of workers who have ever sampled unionism makes the task of organizing individual workplaces harder.

Third, to the extent that unionism is an “experience good” then worker and sector composition matters. If the bulk of workers who have never-sampled union membership are concentrated in new sectors of the economy and amongst new workers, it is hard to see how the majority-based workplace model -- designed as it was to organize workers with some knowledge of how unionism functions and how certification is achieved -- can ever recover in a private sector dominated increasingly by new (often hostile or apathetic) employers and new (often uninformed) workers.

In short, gradual union decline is more likely when the default representation system is one in which workers have to continually organize individual workplaces, however small or newly established, with a majority vote. As Bryson and Gomez (2003:73) assert, “a ‘key feature of unionization’ in decentralised majority-based union

representation systems is that ‘increasing the flow of members into unions is far more difficult than maintaining the existing stock’” (Bryson and Gomez, 2003). This statement assumes that the trade union movement, as it stands, is incapable on its own to educate and attract workers in small firms and new industries. This, of course, is not a given and a new strategy by unions may emerge to target these workplaces and workers. Indeed the last section of our chapter is devoted to just such possibilities.

Two caveats, however, in the experience-good/never-membership story bear mentioning in order to fully account for the declines in unionisation witnessed in the private sector and the wide disparity of trade union representation observed between the public and private sectors.

The first issue revolves around the role of employer opposition (e.g., requiring employees to attend anti-union speeches by the employer, meeting between supervisors and small groups of bargaining unit employees, the distribution of anti-union literature, threats against union supporters, and promises of higher wage or benefits) in reducing support for the union and the probability of certification. There is evidence that public sector employers do not resort to the same degree of employer opposition as private employers do (Freeman and Kleiner, 1990).

The second issue has to do with establishment size. As seen in Figure 5, for the largest establishments in Canada (i.e., those with 500+ employees) the incidence of unionisation is well over 50 percent. In other words, roughly one out of two workers in large employment settings is currently in a trade union. In contrast, the level of union representation for the smallest employers (those employing fewer than 20 employees) is 14 percent in Canada, or roughly one in seven workers, a figure almost in line with

the overall union density rate observed in the US. Small employers also contain the largest concentration of private sector employment (close to 30 percent) as compared to just over 17 percent in the public sector (see Statistics Canada. Table 282-0075). The average establishment size in the public sector is therefore larger than it is in the private sector, i.e., more public sector workers are employed in large establishments than is the case in the private sector (26 versus 12 percent respectively). There is necessarily then a confounding relationship at work suggesting that part of the reason the public sector is more heavily unionised has to do with a “need for voice” (arising both on the employee and employer side) that emerges in any large establishment. These data are even more striking in their consistency across jurisdictions sharing decentralised workplace model of representation (i.e., UK and the US share similar gradients in union density as firm size increases).

[Figure 5]

One implication of the data in Figure 5 is that as newer (and presumably) smaller private sector workplaces become the norm in most Anglo-American countries; it becomes difficult and inefficient for large national unions, from an operating standpoint, to organize these workers. This could therefore provide a justification for a number of remedies such as allowing more informal voice mechanisms to emerge gradually, a “broader” bargaining model and/or expanded powers for labour relations boards to revamp and resize bargaining units. This is essentially the argument first advanced by Willman (2001) – himself a former union organizer -- and made in the context of why UK unions were in decline amongst small private sector establishments. A more detailed

elaboration of this idea – formalised as an extension of the Baumol “cost-disease” argument -- is put forth by Willman et al., (2017) and discussed next.

e. The Union ‘Cost Disease’ Argument

Union organisation processes are not costless. In order to develop representation structures around an existing membership, unions must solve two collective action problems. The first is to encourage employees to join unions under circumstances where the benefits of such collective action may be available to free riders (Olson 1965; Olson and Zeckhauser, 1966). The solution to this problem is twofold: 1) selective incentives via the introduction of private goods dependent on membership to supplement the public benefits of collective action and 2) special conditions to coerce or form constraints to encourage membership. Where these are possible, free riding is curtailed since membership may be consistently preferable to non-membership.

However, this sets up the second collective action problem: provision of such mechanisms have costs, and these costs must remain lower than the benefits of union membership to avoid the free riding problem. A central organisational problem for unions is how to control such costs, and a central dilemma is how to balance the costs of servicing existing membership with those of recruiting a larger one (Willman 2004).

This is exacerbated because union organisations suffer from what Baumol and colleagues have termed the ‘cost disease’ (see Baumol and Bowen, 1966; Baumol, 2012; Flanagan, 2012). This affects several sectors of the economy that deliver personal services – the main examples are healthcare, education and the performing arts – in which costs tend to rise consistently faster than productivity and inflation,

because the labour input of service delivery is difficult to replace with capital and technology.

Baumol characterises these as ‘stagnant sector services’ (the stagnation referred to is in productivity growth) and contrasts them with ‘progressive’ sectors – the examples he uses are computers and electronics – in which technology leads to rapid increases in productivity, reduction in real unit costs and thus the prices of goods. Costs in the ‘stagnant’ sector do not in this approach rise primarily because of general inflation, or because of excessive wage demands. The problem is rather *relative* productivity growth. Salaries in the ‘stagnant’ sector tend to rise at broadly the same rate as those in ‘progressive’ ones, but since the percentage of total costs represented by labour costs is falling rapidly in the latter, but maintained in the former, only the former suffer from the ‘cost’ disease. Cost disease organisations tend to experience cost and price rises, such that their services require an ever-higher proportion of disposable income. One characteristic of such organisations is that unit costs increase in real terms consistently over very long periods. A second is that prices follow.

The evidence from the UK, using one of the longest-running and most extensively analysed dataset, shows that unions taken together display consistent long-term real expenditure increases. This is true over a period of almost a century (Webb and Webb, 1907; Roberts, 1956; Latta 1972; Willman et al. 1993; Willman et al. 2017). However, they also suffer from pressures not to increase prices (subscriptions, membership dues) in real terms; these pressures are primarily from competition between unions and competition with non-membership. The result is a consistent pressure on union financial reserves such that, in the UK, the trade union movement in

the aggregate is asset-poor and reserves are at historical lows. This affects the ability of unions to seek membership expansion over servicing of existing members.

Put simply, what the cost-disease argument reveals is that the 'business model' of UK and other Anglo-American unions is extremely fragile, pointing to the need to develop other revenue streams and organisational models that avoid (or suffer less from) cost disease in order to sustain collective voice.

f. Make or Buy Dynamics in Explaining Employer Voice Choices

Finally what role does the employer play in this discussion? We know from the analysis of 'spurts' in union growth that their behavior can be a contributing factor in union decline or ascendancy. The question is whether they in fact thwart unionisation by negative (anti-union) or positive (formal provision of their own brand of non-union voice) means or by some combination. Before we can answer this question, we need to look a little closer at the nature of voice and its provision by either unions or employers.

Defining voice as any formal mechanism for communication between management and workers, we can distinguish *voice regimes* from *voice types*. A voice regime refers to whether a union or the firm provides the voice mechanism for workers and a voice type refers to whether voice is direct or representative in nature. Non-union voice can be representative (such as statutory works councils or a joint consultative committee) or direct (such as employer led team briefings or problem solving groups) whereas union provided voice is (in its current version) always representative in nature. Voice regimes and types mix at the workplace level such as when an existing managerial practice that provides voice to workers (an innovation circle) mixes with a

collective agreement. There is also the possibility of *no voice* employers in which unions are absent and there is no formal mechanism for engagement with employees.

If we assume that firms play a key role in the provision of workplace voice then we need to know why some workplaces provide 'no voice', opt to create their own joint consultative committees ('make'), allow unions to form and provide voice ('buy'), or allow for both employer-provided systems to co-exist with union voice ("dual/hedge").

Answering this question relies on transaction cost economics and institutional theory. In essence, we are dealing with bounded rational choices by employers who subsequently face high switching costs once a voice regime/type is chosen. A short primer on the transaction costs approach is followed by an application to workplace voice.

Transaction cost economics suggests that in exchanges characterised by asset specificity, frequency of interaction and uncertainty, choices about transaction governance structures are required. In particular, the choice whether to make or buy, or, more accurately, own or contract. All else equal, the more idiosyncratic the investments, the greater the frequency of interaction (and duration of exchange) and the greater the uncertainty facing the buyer, internalising the function rather than buying from the market will be preferred (Williamson, 1975, 1987, 2013). The vertical integration decision by the firm is the paradigmatic example.

This choice of governance mechanism is made by parties operating under bounded rationality, faced with the possibility of seller opportunism and operating on a risk neutral basis. The unit of analysis is the transaction and variance in governance modes is generated by differences in, and the interaction among, three actor variables:

i) boundedness of rationality, ii) trust between parties (i.e. expectation of opportunism) and iii) risk preference. Where one allows for variance in risk preferences, as in Chiles and McMackin (1996), one in effect shifts the unit of analysis from ecological to cognitive, focusing directly on managerial decision making and operating with a subjective conception of costs, i.e. as experienced by managerial decision makers. Focusing on conditions at the moment of regime choice allows consideration of different patterns among the three actor variables, but at the expense of predictive power. However, it also allows consideration of cohort effects and switching costs.

We can read this over into the analysis of employer voice regimes in the following way. With no idiosyncrasy, single interactions (the temporary employee paid by the piece) and no uncertainty, the employer will not need any voice and will therefore likely be a 'No Voice' workplace; the classic example might be the longshore hiring hall while a contemporary one would be Uber and its platform-economy which can recruit drivers on a daily basis and monitor their quality through customer feedback. However, the employer not operating under these narrow conditions and wanting voice faces a governance choice problem when seeking to 'obtain' a voice-producing workforce. Such an employer faces three options.

The first option is 'making', which involves full provision of those mechanisms which might engender employee voice, including those perceived as legitimate by employees. Specifically, this would involve provision of non-union voice through internal employer-made structures (be they direct or representative). 'Buying' voice is the second option and would, in extremis, involve the subcontracting out to a union of all aspects of voice provision. 'Dual' forms, which involve a mixture of union and non-union

voice are a third possibility and might be differentiated in terms of variance in the nature of the transaction (asset specificity, frequency and uncertainty) or of the purchasing party (boundedness of rationality, expectation of opportunism and risk preference).

Our central concern in this section is with explaining differences in voice regimes and types across employers and we argue this difference can be partly explained in terms of employer decision making under uncertainty. Such an approach can explain a central feature of the evolution of voice regimes in Britain and elsewhere in Anglo-American economies— i.e., the move towards non-union voice as part or all of workplace voice regimes.

Competition in the product market appears to encourage the shift towards non-union voice. Traditionally, this would be interpreted as a rent issue; in competitive product markets rent sharing possibilities disappear and the benefits of unionisation for employees diminish. But for employers, the disappearance of a union wage premium should have made union voice more attractive suggesting that an explanation relying on risk management is at least worth considering – i.e., employers facing high product market risk seek to control labour supply risk through internal voice-making decisions. This move was likely accelerated by the hollowing out of union density itself, raising questions about unions' ability to aggregate worker preference and increasing the risk of “buying” over “making” voice in the period under analysis.

One theoretical conjecture is that there have been declining costs (and risks) in employer-provided voice in Anglo-American economies over time, from the paradigmatic choice of union voice in the 1960s (buying) to the non-union dominated world of the 1990s (making). This decline in cost of ‘making’ voice-- perhaps through the

increasing availability of Human Resource (HR) professionals and the spread of HR benchmarking available – has had the effect of lowering the make/buy threshold for firms across all risk appetites. Supporting evidence for this conjecture has recently been presented in a meta-analysis of union-effect studies where the authors conclude that the “decline in the union effect of productivity in manufacturing, from...positive...in Brown and Medoff (1978) to...negligible...in later studies, could reflect the spread of “good labor practices” over time as non-union firms copied attributes of union workplaces...[such as] seniority systems, job posting,...systems for filling vacancies rather than relying on supervisors to promote workers, establishing formal wage scales, grievance systems and mechanisms for employee voice and so on” (Doucouliagos et al., 2017:155).

Indeed, many studies have documented the spread of high-commitment workplace practices in the 1980s and 1990s, pioneered by unionized firms but adopted in non-union settings. To the extent that these practices provided a productivity edge to union firms in the 1930s through to 1970s, their spread to the non-union sector eroded the union advantage over time (Foulke, 1981, Lewin, 1990, Colvin, 2012). Another factor in explaining the shift away from “buy” to “make” and from “representative” to “direct” voice is the deregulation of economies and the opening up to global trade that increased product market risk thus compounding the move away from representative union voice and towards employer-provided direct channels. It is clear that in the private sector at least, the default option in the choice of voice regime has shifted from union to non-union, from make to buy, from representative to direct, according to changes in the values of risk and cost variables (assuming of course that returns were equal). The

presence of switching costs in our model, however, makes regime choice ‘sticky’ rendering radical switching (from union to non-union and vice versa) rare. This, as we shall see, is consistent with evidence presented in Section 4.

4. FILLING THE VOID: CHANGES IN EMPLOYEE VOICE IN THE EARLY 21ST CENTURY

a. The Shift from Union to Non-Union and from Representative to Direct Voice

Relying on the best available dataset for charting voice over time, the Workplace Employment Relations Survey (WERS), we display the evolution of workplace voice regimes in Britain for the private sector since the 1980s. The US and Canada have had their versions of WERS over the years but nothing close to the consistency of measures found in the British survey. Where findings have a uniquely British character we shall take note.

Table 2 Panel A, shows that the proportion of workplaces with no voice has been roughly constant over nearly three decades (e.g., 24 percent in 1984, 22 percent in 2004 and back to 24 percent in 2011). The first three rows of Table 2 demonstrate the growing share of non-union voice over the period 1984 to 2011. The most common form of voice at the start of period was dual channel voice (at 30 percent. By the end of the period, dual voice had fallen to 14 percent while non-union voice constituted 58 percent of all private sector workplace voice regimes in Britain, up from 25 percent in 1984. This stands in sharp contrast to the steep decline in union-only voice (18 to 3 percent between 1984 and 2011).

[Table 2]

Panel B of Table 2 shows the parallel shift from representative forms of voice (irrespective of the union or non-union source) to direct forms since 1984. Direct forms of voice which include regular meetings with employees, to team briefings and problem solving groups now occupy the majority of voice provision at 43 percent in 2011 as compared to just 9 percent with representative voice alone.

While the *scale* of the decline in private sector union voice and representative voice has been well documented (in the form of falling union density and representation figures), the *scope* of the decline is often overlooked. By scope we mean the multiple dimensions in which union decline has manifested itself beyond just membership decreases. In Table 3 we see that whereas almost 60 percent of private sector workplaces had at least some union members at the start of the period, union presence dropped dramatically by the mid-to-late-2000s. It has continued to fall reaching 28 percent in 2011. On-site union lay representation declined continuously, falling from 38 percent in 1980 to 13 percent in 2011 (Table 3, last row), suggesting a loss of unions' ability to represent workers effectively even where unions continue to be recognised by the employer (Willman and Bryson, 2009). Finally, we see a fall in union recognition across British workplaces from 50 to 17 percent between 1984 and 2011.

[Table 3]

The type of voice has also changed. From Table 3, we see that the decline in representative voice was more general, extending to its non-union (employer-sponsored) forms. For instance, the percentage of workplaces with a functioning joint consultative committee (JCC) meeting at least once a quarter fell from 26 percent in 1984 to 16 percent by 2011. Though there was a small increase in non-union employee

representatives at the workplace, the decline in JCC's suggests that representative voice – in both its union and non-union forms -- suffered a substantial decline in the private sector from 1984 to 2011.

By contrast, direct voice types have been either constant or increasing in coverage since 1984. The incidence of team briefings for example has risen by more than half (31 percent at the start of the period rising to 51 by the end of the period). Regular meetings between employees and senior management became more prevalent over the period 1984-1990 and have remained common (37 percent) ever since. Overall, the decline in representative voice has been gradual in the private sector whereas the incidence of direct voice rose dramatically between the 1980s and mid 2000s and has remained high ever since.

b. Notable Developments in Workplace Voice since the 1980s

Three developments stand out.

First, voice coverage (in all forms) is as extensive in 2011 as in 1984; there are as many workplaces offering no voice to workers today as there were in 1984. This is because the prevalence of voice regimes and voice types have shifted substantially over the period in question, moving from union to non-union and from representative to direct forms of voice. On balance, non-union forms have filled the void left by declines in unionisation.

Second, employers chose voice regimes up to the 1960s in circumstances where union-based voice regimes were common exemplars and where there were normative and mimetic pressures to avoid non-union only regimes. The costs of opposing unions

were also higher. The risk-averse option was dual voice. Over time, the compositional shift from manufacturing to services and inward investments by companies with higher levels of asset specificity offered examples of non-union voice to many employers. By the 1990s, cohort effects dominate with almost all new entrants choosing non-union voice. Where union voice persists, it is highly likely to be found as part of a dual channel voice regime and very rarely on its own.

Finally, in North America a divergence has emerged. In Canada, private sector companies are free to establish non-union labour relations approaches, which facilitate (and mimic) formalized union mechanisms for employee voice outside of a union-only structure. This is not a system that is legally available to US employers and employees because of the peculiarities of section 8 2(d) of the National Labor Relations Act (NLRA), which prevents most non-union forms of workplace voice that are not certified unions (Taras, 2006). Typically, such non-union forms of employee voice take place via employer sponsored groups and committees that may deal with issues that are of particular interest to employers such quality, cost issues, or issues related to improving organizational outcomes (Taras, 2006) These approaches also allow for voice on working conditions and offer an effective platform for employee management on workplace productivity and innovation related issues. An example recently in Canada is WestJet, the second largest domestic air carrier, which saw its regional pilots reject certifying as a union in the summer of 2015 and continue under the umbrella of the company's own non-union labour relations model, while its main carrier pilots voted to certify as a union in spring 2017. This "dual" voice channel persisted until late 2017 when the regional pilots finally voted to certify.

c. Some Possible Futures for Employee Voice

Explanations of union decline in Anglo-American countries have often focused on employer opposition, macro-economic environment (high-unemployment in the 1980s to early 1990s period and low inflation) and politics (an unfavourable legislative and social climate over the period). These explanations are better at explaining decline in unionisation in the neo-conservative political climate of the 1980s and early 1990s than the subsequent failure of revitalisation in what could be described, at the very least, as a neutral organizing environment (Kelly, 1998; Fernie and Metcalf, 2013) in which voice was still being provided to workers, albeit in non-union ways.

Union decline in the Anglo-American world may be part of a broader bottom-up pattern of change in voice systems. The WERS evidence suggests that direct voice may be replacing representative voice in the private sector, whether that representative voice is union or employer-generated. Future work examining why direct forms of voice have replaced representative forms could hold the key to understanding union decline.

We are not the first to tread this ground. In 1999 I argued that most workers prefer individual (direct) as opposed to collective (representative) voice. The “product” the unions are selling—their services in negotiating and administering a collective labor contract—is one that, according to Troy, many workers have come to see as unattractive or irrelevant. A key reason in Troy’s model for the shift to individualised contracting is that business managers have become, on the whole, far more sophisticated in their handling of workers than they were in the era of advancing unionism. This is not a wholly unreasonable argument but it fails to consider the

considerable costs involved in organizing under the existing Wagner-Act model and does not acknowledge the consistent “latent” demand for representation found in representative surveys in the US, Canada and the UK. It also overlooks the many forms of what can best be termed “bespoke unionism” that have emerged in the 21st century amongst a new generation of workers –millennials -- born after the 1980s.

The millennial population is the first generation to be fully immersed in digital technologies. They are, in the parlance of the current age, “super-conversant” with it. Accordingly, e-platforms become a standard, “second-nature” technology that they are willing to access at any time for near any type of need. The obvious question is whether new generations will utilise this new technology to tackle workplace-based problems.

Initial signs suggest the answer is ‘yes’. Various “alt-labor” groups (Economist, 2013, Hackman, 2014; Eidelson, 2013) now pursue the once ‘far-out notion’ of workers sharing information openly about organizing campaigns and gaining collective power to improve their economic situation through modern communication technology (Bryson, Gomez and Willman, 2010; Freeman and Rogers, 2002). If firms like Uber and AirBnB can upend traditional business practices and grow suddenly through Internet-based networked platforms (Parker et al., 2017), it seems reasonable that groups of workers can use similar technologies to upend traditional union practices, resurrect collective action, and improve worker well-being.

The group that has obtained the most attention in this regard is OUR Walmart, which originally adopted a Facebook-based strategy for campaigning within Walmart and has now developed an App technology with support from IBM Watson as a virtual expert and advisor. The App can be modified by other workers depending on their labor

practices and policies and thus can be viewed as an experiment with potential extensions to other firms. OUR Walmart has a miniscule staff (4 people) and comparably small budget and by necessity operates by providing platform tools for workers to self-organize. When the App was unveiled in 2016, Walmart advised workers not to download it – a sure sign that the firm viewed it as a potential danger to its mode of operating. OUR Walmart believes that its activities over the past two years spurred the February 2016 increase in minimum pay at Walmart, which induced its main competitors to increase their pay commensurately. Even if OUR Walmart was only a partial factor, it is a remarkable achievement as Walmart is the largest employer in the US, with 1.5 million “associates”, whose labor practices influence those of other retail firms throughout the country. It is also adamantly opposed to traditional unions.

OUR Walmart and some of these “alt-labor” groups receive traditional union support – such as Workers Action Centres (WACs) that have led the ‘fight-for fifteen’ campaigns across many North American cities -- but most are on their own, with few resources. They resemble the start-ups of the dot.com period; all it takes is for at least one of them to succeed and traditional unions will likely imitate their strategies or amalgamate/merge and transform the way they operate.

The union explosion that occurred during the Great Depression was initiated by groups using the “new” CIO industrial union model of the time, which was then copied by the more ‘conservative’ AFL craft unions. We have clearly been here before, but just as history never repeats itself in exactly the same way, there is room for yet another employee representation “track’ to emerge which can channel the views and interests of workers for the century ahead.

5. CONCLUSION

This chapter reviewed the evidence on union decline in the Anglo-American world, focusing on the connection this has had to provision of employee voice, with a particular emphasis on the rise of alternative forms of workplace voice and representation. Our conclusion is that trade union representation and employee voice have been on a “twin track” for some time in Canada, Britain, and the United States, the focal countries of our work. The most obvious case is the difference in unionisation found in all major Anglo-American economies between the private and public sectors, with the latter seemingly able to achieve a high and stable union-density coverage rate while the latter has been in decline for over for 30 years (more in the case of the US) and approaching historically low levels. In addition, there was other evidence of “twin-track” unionism such as the division found between large well-established employers (where representative union voice still prevails) and smaller newer organizations that seem to have eschewed unions and representative forms of voice completely.

We found that an agent-based model of unionism-- the “spurt’ model of union growth first formalised by Freeman (1998) -- is consistent with these trends. This model -- with its emphasis on bottom-up processes of organizing and union and employer responses to union density level changes -- is also consistent with other approaches such as mobilisation theory (Kelly, 1998), strategic-choice theory (Kochan Katz and McKersie, 1983), the experience-good model of unionism (Gomez and Gunderson, 2004) and the make-or-buy dynamics of transaction cost theory applied to employer-provided voice choices (Willman et al., 2014).

We ended our chapter with some possible futures for employee voice, having concluded that the decline in traditional workplace-based collective bargaining does not portend the 'end' of representative employee voice as some have suggested (Troy, 1999). The periods of representative voice explosions (up-to-now all union-based) have coincided with innovations in institutional forms and new grassroots organizing, something we contend is still possible given the evidence over the past century in Anglo-American economies. We know in theory that labour innovations can reduce the union cost disease problem by 'farming out' union organising and services to committed volunteers – the so-called 'off balance sheet' work of unions. But perhaps more importantly there appears to be a fluidity to the organisational form that these new on-line union tools take which means they do not conform to standard models of trade union representation that pivot around collective bargaining rights at a specific workplace. In military terms the analogy we have in mind is conventional ground forces (old unions) versus guerilla forces (new unions). Given that these new “guerilla” forms of worker representation are emerging from young union activists who sense an opportunity to help non-union workers with particular issues, it is perhaps an opportune time for labour relations scholars to begin tracking the prevalence of these new organizing models, analysing their outcomes and identifying correlates of their success or failure.

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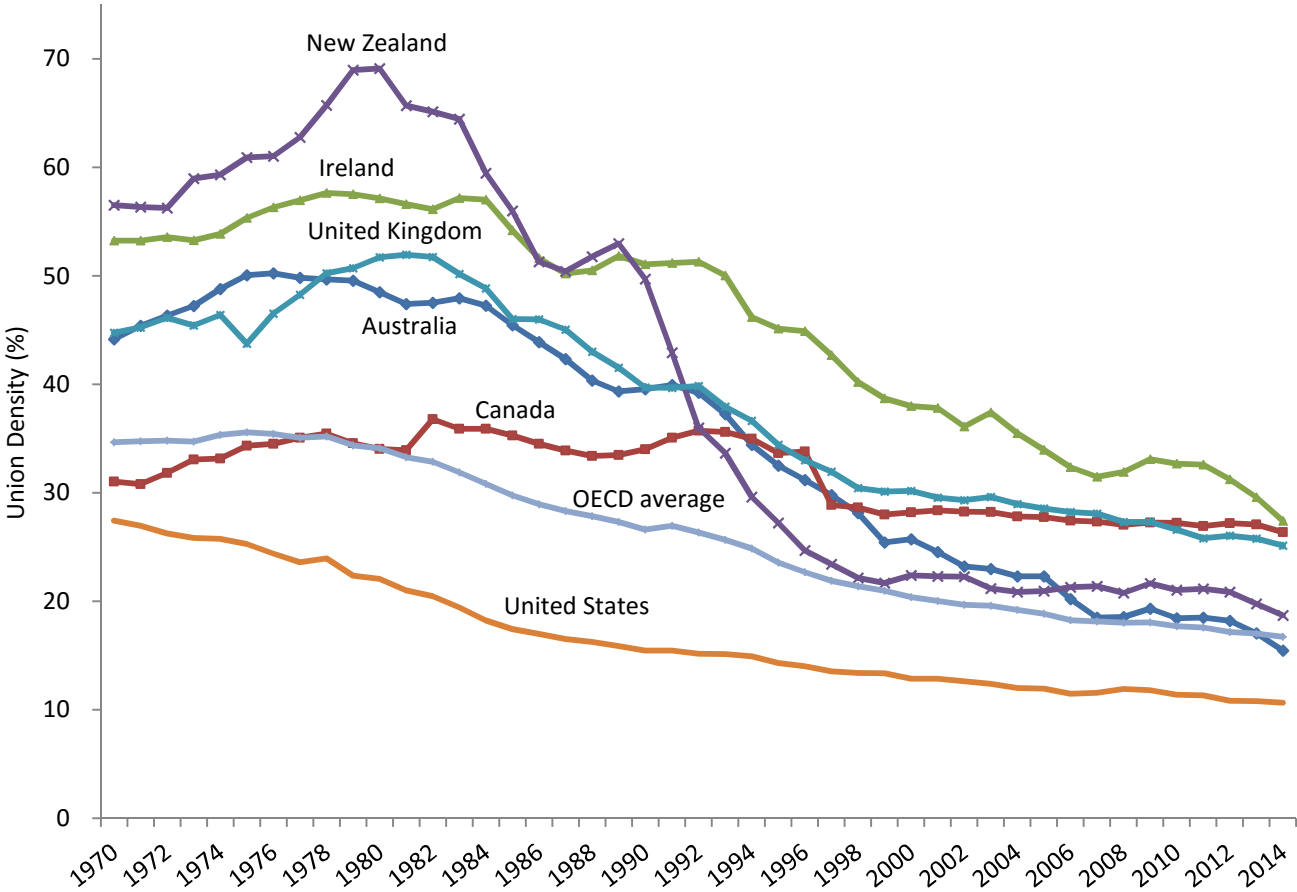
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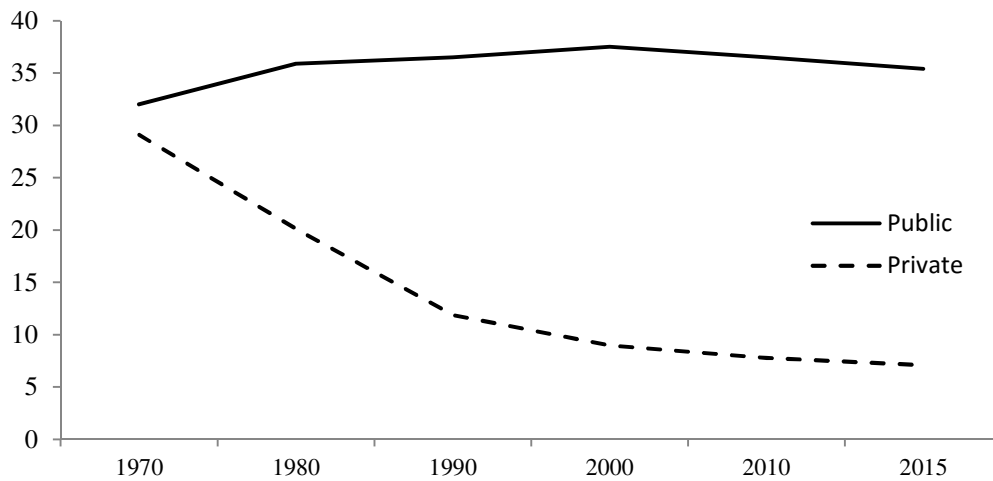
Figure 1: Union Density in Six English Speaking Countries, 1970-2014



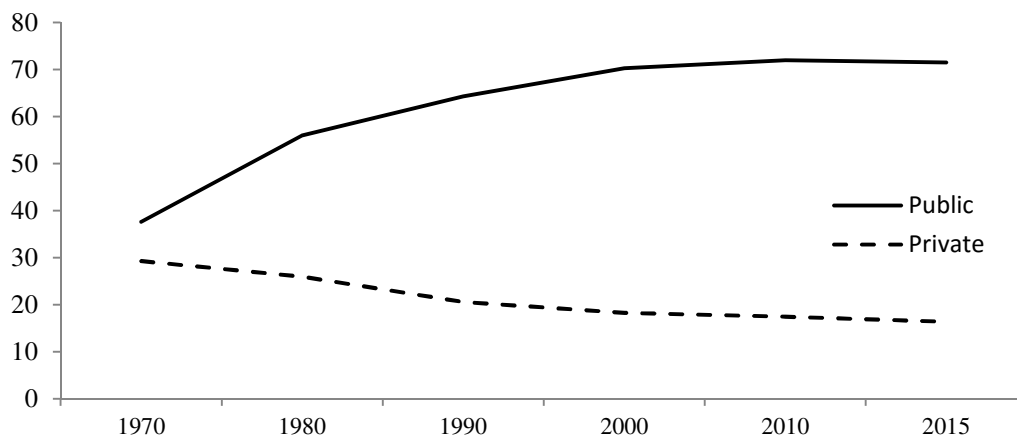
Source: OECD, accessed on *OECD.stat* June 7 2017.

Figure 2: Union Density (%) in Public versus Private Sector, 1970-2015

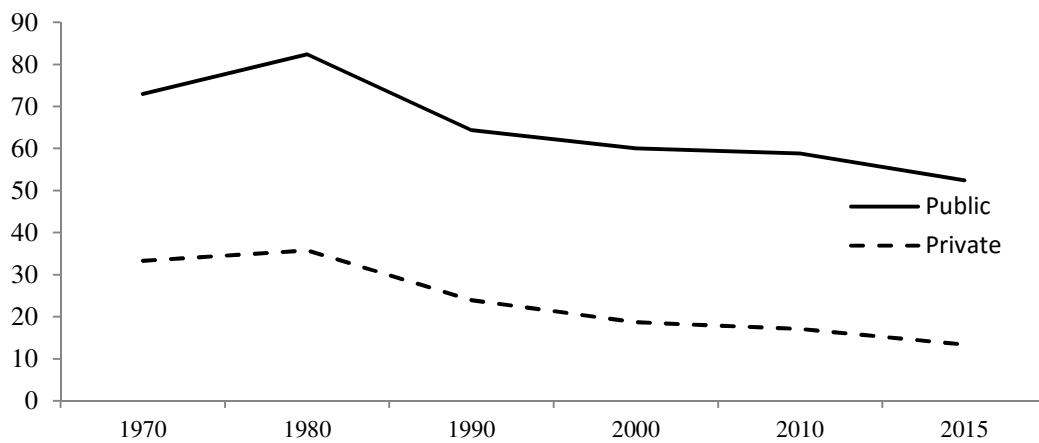
a) United States



b) Canada

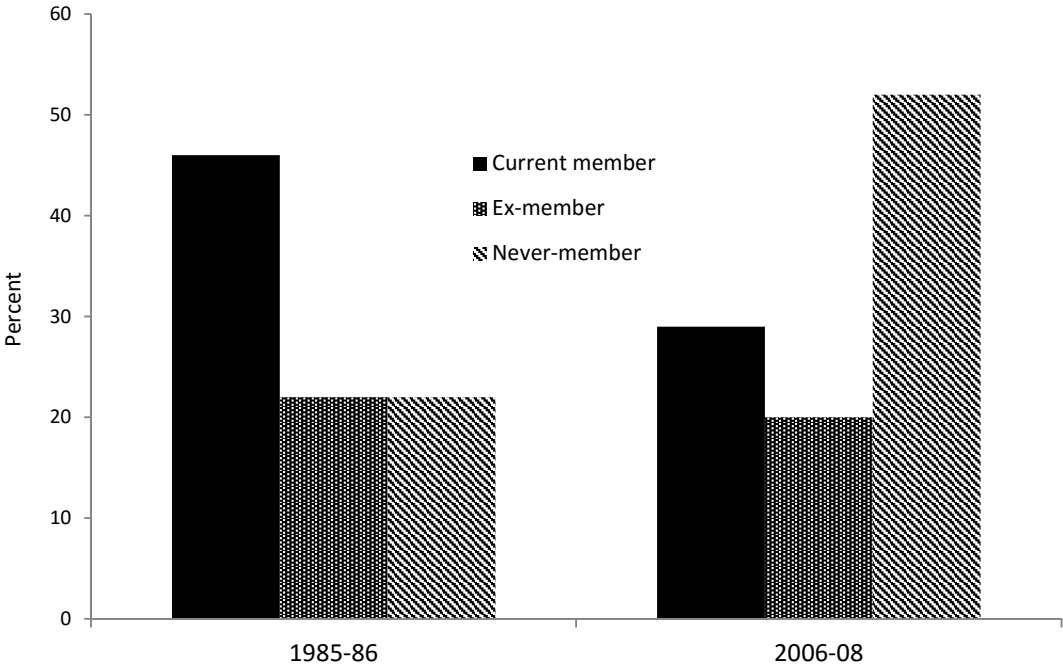


c) United Kingdom



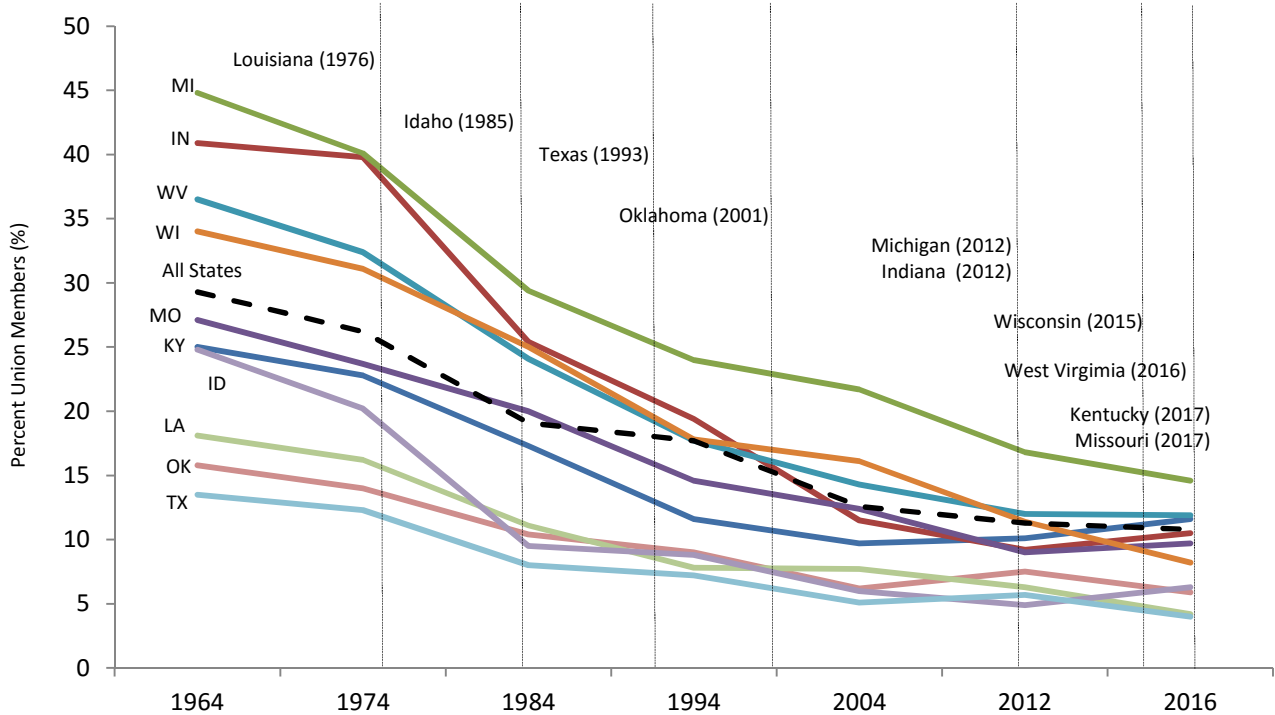
Source: Bureau of Labor Statistics (BLS); Statistics Canada (StatsCanada); and Office of National Statistics (ONS)

Figure 3: Current, Ex and Never Union Membership Rates in Britain, 1986-2008



Source: Adapted from Forth and Bryson (2010), Figure 4.

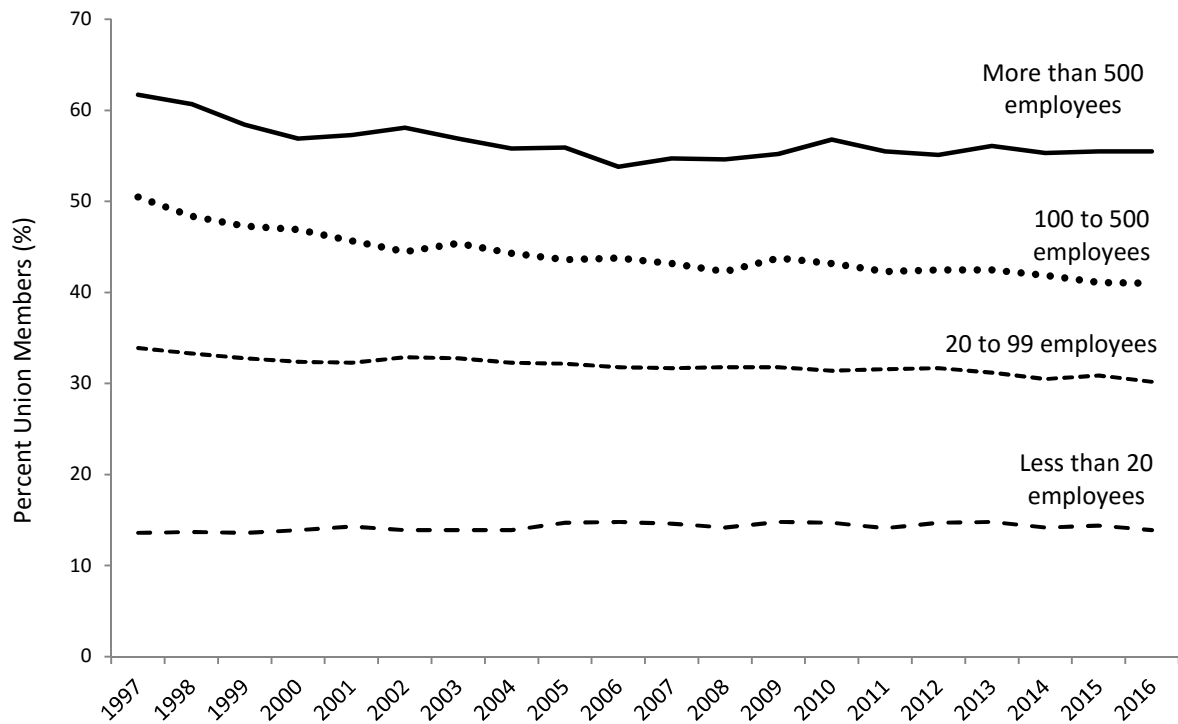
Figure 4: Union Density and Timing of U.S. State-level Right-to-Work Laws, 1964-2017



Source: Barry T. Hirsch, David A. Macpherson, and Wayne G. Vroman, "Estimates of Union Density by State," *Monthly Labor Review*, Vol. 124, No. 7, July 2001, pp. 51-55. Accompanying data for 2001 to 2016 online at www.unionstats.com.

Notes: Figures represent the percentage of each state's non-agricultural wage and salary employees who are union members. The vertical lines indicate the year when the state "right-to-work law" was passed outlawing union shop (which allows for hiring non-union employees, provided that the employees then join the union and pay dues within a certain period) and agency shop (in which employees must pay the equivalent of the cost of union representation, but need not formally join the union) provisions in their jurisdictions.

Figure 5: Union Density by Size of Establishment in Canada, 1997-2016



Source: Statistics Canada. Table 282-0224 - Labour Force Survey estimates (LFS), employees by union status, and establishment size, Canada, annual (persons unless otherwise noted).

Notes: Union density is calculated by members of a union and / or covered by a collective agreement as a proportion of all employees. Beginning January 1997, the number of employees at the location of employment (for example, building or compound) is collected from employees. Responses are recorded according to the following size groups: less than 20, 20 to 99, 100 to 500, more than 500. The concept of location of employment approximates the concept of establishment used by many Statistics Canada business surveys.

Table 1: Union Density and Timing of State Right-to-Work (RTW) Laws, 1964-2017

State	Right-to-Work Law		Union Density	
	Year passed	Union Density	High (year)	Low (year)
Louisiana	1976	17.3	18.1 (1964)	4.2 (2016)
Idaho	1985	12.2	25.0 (1968)	4.7 (2013)
Texas	1993	7.6	13.8 (1970)	4.0 (2016)
Oklahoma	2001	8.5	16.8 (1970)	5.4 (2016)
Michigan	2012	16.8	44.8 (1964)	14.6 (2016)
Indiana	2012	9.2	40.9 (1964)	9.2 (2012)
Wisconsin	2015	8.4	34.0 (1964)	8.2 (2016)
West Virginia	2016	11.9	36.5 (1964)	10.6 (2014)
Kentucky	2017	11.2	25.4 (1970)	8.7 (2008)
Missouri	2017	9.7	27.1 (1964)	8.4 (2014)
Overall	2004	11.3	28.2 (1966)	7.8 (2014)
Average				

Source: Barry T. Hirsch, David A. Macpherson, and Wayne G. Vroman, "Estimates of Union Density by State," *Monthly Labor Review*, Vol. 124, No. 7, July 2001, pp. 51-55. Accompanying data for 2001 to 2016 online at www.unionstats.com.

Table 2: Prevalence of Voice in British Private Sector Workplaces, 1984-2011

	1984 (%)	2004 (%)	2011 (%)	Percentage Point Change
Panel A: Voice Regimes				
Union voice only	18	5	3	-15
Dual voice †	30	17	14	-16
Non-union voice only	25	55	58	+33
No Voice	24	22	24	No change
Panel B: Voice Types				
Representative voice only	23	11	9	-14
Representative + Direct voice	35	26	24	-11
Direct voice only	17	40	43	+26
No voice	24	22	24	No change

Notes: This voice typology is constructed using the voice items which are present in the data throughout the period 1984-2011 for private sector workplaces with more than 25 employees. All values are column percentages. Columns may not add up to total voice percentages due to rounding and missing information on some workplace. † Dual voice refers to presence of union and non-union voice systems in the same workplace.

Source: Authors calculations. WERS survey various waves.

Table 3: Prevalence of Voice Types in British Private Sector Workplaces, 1984-2011

	1984 (%)	2004 (%)	2011 (%)	Percentage Point Change
Panel A: Non-Union Voice				
<u>Representative Voice</u>				
Join Consultative Committee (JCC)	26	20	21	-5
JCC that meets regularly	24	15	16	-8
Non-union employee representative	10 [†]	16	15	+5
<u>Direct Voice</u>				
Regular meetings with employees	34	37	37	+3
Team briefings	31	48	51	+20
Problem-solving groups [†]	30	28	25	-5
Panel B: Union Voice				
Any union members	60	35	28	-32
Any recognized union	50	22	17	-33
Any on-site lay union representative	38	14	13	-25

Notes: This voice typology is constructed using the voice items which are present in the data throughout the period 1984-2011 for private sector workplaces with more than 25 employees. All values are column percentages. Columns may not add up to total voice percentages due to rounding and missing information on some workplace. [†] This question was only asked starting in 1990.

Source: Authors calculations. WERS survey various waves.