Project Working Group I.A. & B. Convening on:
Levels, Actors and Scope of Bargaining

Framing Questions for International Discussants
Craig Becker, General Counsel AFL-CIO

1. Historically, what was the relationship between the structure of unions – their degree of centralization or decentralization and their sector or amalgamated organization, the organization of employers, the level of collective bargaining and the law, i.e., did the law in so far as it regulates the level of bargaining, reflect existing union and employer organizations and relationships or help to constitute them?

2. What is the role of the law or state actors in defining sectors for purposes of bargaining and how are sectors defined and redefined as the economy changes?

3. Absent an election or a requirement that a union meet some threshold of membership throughout a sector, how is the question of which union will represent workers in a sector resolved?

4. How do unions acquire and maintain legitimacy as the representative in a sector if not via the democratic choice of workers in the sector expressed in an election or by voluntary membership?

5. Has sectoral bargaining helped unions to maintain membership and bargaining power or has it weakened the incentive to organize and maintain democratic unions at the enterprise level where workers interact face-to-face?

6. Can you imagine a route to sectoral bargaining from a position where unions represent less than 7% of workers in the private sector?