LABOR'S LAST STAND? THE GREAT RECESSION AND PUBLIC SECTOR COLLECTIVE BARGAINING REFORM IN THE AMERICAN STATES

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Dedication

This dissertation is dedicated to my father, Lawrence Eugene Wade, who imparted to me the virtues of patience, persistence, and presence.

Abstract

This project enhances understanding of the politics surrounding public sector labor relations reforms pursued and enacted across the American states surrounding the Great Recession. First, I examine the relationship between state-level patterning in the direction and intensity of state collective bargaining reform agendas and key political and fiscal characteristics of states. Next, I provide a detailed analysis of the content of collective bargaining reforms pursued and enacted across the states during the Great Recession. I find that partisanship and labor union influence shape lawmakers' choices in meaningful ways: states with strong public sector unions and Democratically-controlled legislatures were reluctant to pursue union *formation* restrictions, presumably because they did not want to upset their influential labor allies. Nonetheless, Democratic lawmakers still sought to limit the *influence* of entrenched labor unions in the context of a weak state economy, especially with a Republican Governor at the helm. Finally, I assess the relationship between state political and economic characteristics and occupational targeting in the reform agenda. I find that where teachers unions are more influential in state politics, measured in terms of their average yearly political campaign donations (to any party or issue), there were more anti-teacher reforms on state legislative agendas. Conversely, I find a significant negative relationship between Republican-friendly state teachers unions and a reform agenda predominantly aimed at weakening teachers' collective bargaining rights. I conclude that the prominence of "anti-teacher" legislation in many states' collective bargaining reform agendas has an important political basis: weakening teachers unions and their Democratic political allies.

Table of Contents

List of Tables……………………………………………………………………………...v

List of Figures…………………………………………………………………….....vi

Chapter 1……………………………………………………………………………..1

Chapter 2……………………………………………………………………………43

Chapter 3…………………………………………………………………...….84

Chapter 4……………………………………………………………….……114

Chapter 5……………………………………………………………………..157

Bibliography………………………………………………………………………172

Appendix I…………………………………………………......…………………182

Appendix II………………………………………………………………………..189

Appendix III……………………………………………………………………….191

List of Tables

i. Table 1. Introduced labor relations reform bills, pooled sessions…………………………47

ii. Table 2. Introduced labor relations reform bills, 2007-2014, by session………………....47

iii. Table 3. Legislation passed by at least one chamber, by session……………………..…48

iv. Table 4. Enacted legislation, by session…………………………………………….....48

v. Table 5. Legislation vetoed and vetoes overridden (OR), by session……………………..48

vi. Table 6. Labor relations reform components………………………………....................49

vii. Table 7. "Pro-employer" states, introduced bills…………………………..................54

viii. Table 8. "Pro-employee" states, introduced bills………………………………...…..54

ix. Table 9. Battleground (or borderline) States…………………………………………..….55

x. Table 10. "Pro-employer" states: enacted bills……………………………………………55

xi. Table 11. "Pro-employee" states: enacted bills………………………………..………56

xii. Table 12: The direction and intensity of the state labor reform agendas……………..…78

xiii. Table 13. Counts of introduced labor-restrictive bills……………………….………80

xiv. Table 14. State reform clusters……………………………………………………….…97

xv. Table 15. Ex Ante and Ex Post Facto reform states, pooled sessions………………….…102

xvi. Table 16. Ex Ante and Ex Post Facto reform states, session #3……………………….102

xvii. Table 17. Occupational category specified, all introduced bills, pooled sessions…….116

xviii. Table 18. Labor-restrictive reforms targeting teachers……………………………….117

xix. Table 19. Bill counts for labor-restrictive reforms targeting public safety personnel…126

xx. Table 20. State-based teachers unions political donations to Democrats………………130

xxi. Table 21. State-based teachers unions political donations to Republicans…………….131

xxii. Table 22. Labor-restrictive legislation targeting K-12 teachers, event count model.....138

List of Figures

i. Figure 1. Collective bargaining and union organizing bills, introduced……………..182

ii. Figure 2. Collective bargaining and union organizing bills, enacted………………..182

iii. Figure 3. Employment terms and contract negotiations bills, introduced………......183

iv. Figure 4. Employment terms and contract negotiations bills, enacted……………...183

v. Figure 5. Impasses, mediation, and strikes, introduced bills………………………...184

vi. Figure 6. Impasses, mediation, and strikes, enacted bills…………………………...184

viii. Figure 7. Union politics, money, and influence, introduced bills…………………185

ix. Figure 8. Union politics, money, and influence, enacted bills…….………………...185

x. Figure 9. Public contracts and project labor agreements, introduced bills…………..186

xi. Figure 10. Public contracts and project labor agreements, enacted bills……..……..186

xii. Figure 11. Restrictive collective bargaining bills…………………………………..187

xiii. Figure 12. Permissive collective bargaining bills………………………………….187

xiv. Figure 13. Restrictive contract negotiations bills………………………………….188

xv. Figure 14. Permissive contract negotiations bills…………………………………..188

xvi. Figure 15. Anti-labor introduced reforms, by session……………………………..189

xvii. Figure 16. Anti-labor enacted reforms, by session………………………………..189

xviii. Figure 17. Pro-labor introduced reforms, by session……………………………..190

xix. Figure 18. Pro-labor enacted reforms, by session………………………………….190

CHAPTER 1: THE GREAT RECESSION AND THE NEW RIGHT-TO-WORK ERA IN THE AMERICAN STATES

A fierce battle over the future of the American labor movement is playing out across the American states—and it is not being fought by those you might expect. At present, teachers, police officers, firefighters, and other public employees comprise the majority of the unionized American workforce. They are thus serving on the front lines of a war over their collective bargaining rights in an era where 70% of the public supports the enactment of "right-to-work" laws, and 40% hold a negative perception of government employee unions (Jones 2014).

State lawmakers have apparently taken note of the public's increasingly critical assessment of organized labor. Coinciding with the height of the Great Recession in the United States, a surge of state legislative activity seeking to restrict the labor organizing rights of public employees began in 2009. By 2010 the public's overall favorable opinion of labor unions had decreased 17%, to an all-time low of 41% (Pew 2011). Propelled by negative public sentiment (or perhaps contributing to it), the contemporary anti-union movement has gained considerable traction in the post-Recession era. A wave of labor-restrictive activity gained momentum following the 2007-2008 global financial crisis, peaked in 2011-2012 following the GOP's decisive midterm victory, and continues at the time of writing. By 2015, three former notably labor-friendly states—Indiana, Wisconsin, and Michigan—had enacted sweeping right-to-work-laws in four years, while legislatures in Ohio and Missouri passed similar laws that were later overturned through a voter referendum and Governor veto, respectively. Around this same time, dozens of states across the country pursued and enacted various laws aimed at weakening the formation and influence of public employee unions.

I suggest that the backdrop of the Great Recession provides a useful lens through which to examine contemporary labor relations because it inarguably kicked off an intensive public sector workforce reform agenda that state governments have sought to carry out with varying ferocity and success. Unique aspects of this particular downturn lend insight into the resulting reform agenda because a commensurate level of public sector reform activity accompanying previous financial crises is conspicuously absent from the record. Legislative battles occurring across key states surrounding the Recession provide further insight into key structural changes occurring in the public sector that are shaping the future trajectory of an American labor movement heavily reliant upon public employee unions.

This project provides a bird's eye view of these contemporary legislative battles occurring across the American states. To do this, I examined over 2500 bills related to labor union organizing and collective bargaining rights introduced across the fifty states from 2007-2014. I then categorized and coded individual bills based on their partisan (introducer) origin, policy content, occupational target, and status outcomes. With this data, I identify patterns in the direction, intensity, approach, and occupational target of state collective bargaining reform agendas. I then discuss what these patterns indicate about the factors contributing to the surge of labor-restrictive reforms by more closely examining the content of proposed and enacted reforms in certain states and "clusters" of states. Specifically, I assess how local political and economic contexts shape state governments' approaches to reforming the public sector. Finally, I consider what my findings reveal about the persisting influence of organized labor generally and public employee unions in particular as political forces in American Politics.

At the time of writing, exactly half of the American states have a form of statutory or constitutional provision governing labor relations known as a "right-to-work" law on the books. Such laws bar labor organizations from collecting fees from individuals who choose to opt-out of union membership. The legacy of right-to-work can be traced to the late-1940s after the Taft-Hartley Labor Relations Act of 1947 outlawed the closed or "union shop." Following Taft-Hartley, which amended the National Labor Relations Act (NLRA) of 1935, belonging to a union could no longer serve as a prerequisite for employment in many of the nation's leading industries. Consequently, unionization in the private manufacturing and construction sectors began to steadily decline. The American labor movement never recovered, however, pockets of resistance to declension are identifiable across particular states and occupational sectors.

This is because the NLRA and therefore the Taft-Hartley amendment does not apply to government employees, leaving it up to state governments to pass laws stipulating the conditions of collective bargaining for state and local employees. What accompanied Taft-Hartley, then, was an initial surge of right-to-work laws being enacted across the American states. Notably, twenty of these laws were passed in a "wave" occurring between 1944 and 1963. After this, the pace of subsequent right-to-work law enactments continued slowly, at a rate of less than one per decade, until the early 2000s (NCSL 2015). Soon came the Great Recession, a Democratic "shellacking" across state legislatures, and the election of Governors like Scott Walker (WI), John Kasich (OH), and Rick Snyder (MI) who vocally decried public employee unions while championing a new wave of labor-restrictive legislation. Lawmakers enjoying unified Republican government in a "Rust Belt turned red" have thus led the charge toward a new right-to-work era in state government. However, many solidly blue states have also sought collective bargaining restrictions in the contemporary area. What explains this phenomenon?

TALES OF POLITICAL MANEUVERING AND FISCAL NECESSITY

Critics of the recent wave of collective bargaining reform activity have offered a general narrative to explain the reform frenzy: that such reforms are part of a carefully orchestrated, politically-conservative, union-breaking agenda aimed at weakening an important source of revenue and support for the Democratic Party. This view is concisely summarized by Cantin:

> Since the onset of the Great Recession, anti-union conservatives have been hammering out an arguably bogus yet politically potent argument: collective bargaining with government workers is unaffordable as their wages, health benefits, and pensions are driving states into deficits. What is going on in Wisconsin and other states ought to be seen for what it is: an attempt to exploit the economic crisis to win an eminently political victory over organized labour and allied Democrats. (2012)

According to Cantin, the proponents of such "anti-union" reforms are merely taking advantage of the economic crisis to implement laws that serve primarily political ends. The counterpoint to Cantin's argument, then, is that state collective bargaining reforms have thrived out of fiscal necessity.

State lawmakers, Republican and Democratic alike, proffered this rationale to justify spending cuts and reductions to the state and local workforce. Faced with an $11 billion dollar budget deficit in 2010, Chris Christie-R of New Jersey remarked: “I don’t think we have any alternative...We’ve been pushing this problem under the rug for 20 years. It’s time to deal with it” (Christie 2010). Similarly, when asked about California’s budget woes in 2011 Governor Jerry Brown responded: "You either cut or you tax. There is no third way, there is no alternative," he said. California faced a $13 billion budget shortfall this year, and according to Governor Brown the Republican-controlled legislature would not approve tax increases. By such accounts, addressing state budget crises required slashing big spending items like public workers’ salaries and pensions. Collective bargaining restrictions were also increasingly sought in order to facilitate such cuts.

These competing narratives suggest that the wave of restrictive collective bargaining reform activity pursued across the states surrounding the Great Recession was motivated either by political opportunity or economic necessity. However, I argue that it is false to juxtapose the enactment of “right-to-work” laws and other collective bargaining restrictions as being either politically-subversive or fiscally necessary. This is because *not all collective bargaining restrictions are created equally*, nor were they applied evenly across all segments of the public workforce surrounding the Great Recession. Instead my research reveals significant patterning in state collective reform agendas, as well as economic and political factors shaping policy outcomes. I offer various empirical observations to support these assertions from my original data collection efforts.

I collected legislative content and outcome status information for over 2500 labor relations bills introduced across the fifty states during the four legislative sessions occurring between 2007-2014. By concentrating on the legislative sessions that bookended the financial crises, this original dataset aims to capture the universe of labor-related reforms being pursued during this time. My analyses of this data reveals that negative state economic indicators such as strained budgets and underfunded pensions appear correlated with more intensive labor-restrictive reform agendas. However, this observation is complicated by two further observations. First, that not all labor relations reforms had the same intended consequence of labor union organizing and influence, and second, that not all *occupations* were targeted evenly for collective bargaining restrictions, with K-12 teachers facing the brunt of reforms.

To reveal that not all reforms are created equally, I coded and categorized individual collective bargaining bills based upon their content. I then identified two core objectives that bills aimed to satisfy: 1) restricting the *formation* of unions; and 2) weakening the *influence* of unions. Using this information I assessed the degree to which identifiable "packages" of legislation seeking to satisfy either objective were present in state legislative agendas. Upon finding that states pursued distinct labor relations reform packages (with unique objectives), I sought to identify the political and economic determinants of states' preferences. My research indicates that partisan forces are particularly important in determining whether states sought to restrict the formation of unions versus seeking to merely restrict their influence in collective negotiations. In other words, there are political forces at work shaping the content of state reform agendas.

Moreover, the prevalence of occupational targeting in state reform agendas sheds light on another important political objective of these reforms: weakening the formation and influence of *teachers unions*. This is particularly true in states where teachers unions have been prolific campaign contributors, but not to Republican candidates. At the same time, public safety personnel like police officers, fire fighters, and other first responders have frequently been exempted from pursuits to restrict public employees' collective bargaining rights. I conjecture that Republican-controlled governments have disproportionately targeted teachers for collective bargaining reform because teachers unions tend to be more friendly toward the Democratic party, whereas public safety unions tend to be either mixed in their partisan loyalties or relatively pro-Republican, insulating them from attack.

In sum, lawmakers pursued a multi-prong approach to addressing the "problem" of powerful public employee unions during the Recession. On the one hand, ambitious Republican Governors like Scott Walker of Wisconsin, John Kasich of Ohio, and Rick Snyder of Michigan seized upon the fiscal crisis theme and worked with friendly legislatures to enact sweeping restrictions to public employees' collective bargaining rights. On the other hand, reformers from both parties also worked to enact various legal changes aimed at weakening the political influence of unions in order to facilitate much-needed fiscal reforms to public pensions and healthcare plans. Finally, there are many instances in which sweeping reforms targeted K-12 teachers but exempted public safety personnel from the changes, lending weight to the argument that particular aspects of state reform agendas are rooted in partisan political maneuvering. Resultantly, a new right-to-work era has descended upon public employees, one that is notably impacting teachers living in Republican-controlled, fiscally-stressed Midwestern states.

THE AMERICAN WELFARE STATE AND STATES POLICY AGENDAS

Diminishing public sector employment, unionization, and collective bargaining rights in the US following the 2008-2012 recession run counter to both longitudinal trends and academic projections. In light of this observation, my scholarly contribution is to establish a framework specifying the conditions under which key state-level labor union organizing and collective bargaining reforms were more likely to be introduced and enacted. Significant variation and patterning found across the states presents a challenge and an opportunity when seeking to explain what spurred and facilitated labor-restrictive reform agenda. It is challenging because national-level regime characteristics are complicated by federalism, hence making it unclear what individual states will do when faced with a crisis. Examining state variation also provides dual opportunities to examine state-level policymaking and national-welfare state developments. Ideally, this will advance our scholarship beyond regime-level approaches to broaden our understanding of the relationship between sub-national politics and national welfare state developments.

For these reasons, this project aims to bridge the national/subnational divide in the scholarly literature on American social policy (Howard 1999). This is important because federalism affects many aspects of social policy-making in the American case (Quadagno 1987; Rom 1996; Petersen 1995). Moreover, as Howard argues: "this separation produces dubious generalizations about the structure of the American welfare state and incomplete explanations for its development" (Howard 1999, 421). I suggest that state-level reform activity is driving nationally observable trends in public sector employment and unionization in the United States. Previous examinations of social policy-making in the United States have illustrated that state-level policies influence national longitudinal trends (Skocpol 1996; Amenta, et al. 1988; Amenta and Skocpol 1986; Skocpol 1986). I hypothesize that the prevalence and intensity of state reforms helps explain what occurred during the Great Recession to facilitate an unrivaled restructuring of the public sector workforce. Following this logic, my examination of collective bargaining reforms introduced across US states in the wake of the Great Recession compliments three prominent research programs in the social sciences: comparative political economy, US state politics, and labor studies.

Studies that seek to situate the "exceptional" American case in a comparative welfare states framework have been quick to attribute the US's lag in social spending and the development of comprehensive, national social insurance programs compared to western European welfare states to federalism and a weak labor movement (Wilensky 1975; Stephens 1979; Korpi 1980, 1983; Castles 1982; Huber, Ragin, and Stephens 1993; Esping-Andersen 1990; Pierson 1995; Robertson 1981; Quadagno 1987; Korpe and Palme 1998). Similarly, the "New Politics" of the welfare state framework points to federalism and the political influence of labor unions (or lack thereof) to explain the reform agenda in mature welfare states (Huber and Stephens 2001; Stephens, Huber and Ray 1999; Pierson 2001). National-level research has been slower, however, to integrate findings from examinations of policy-making under federalism that explore the determinants of state-level variation in social programs and spending (Dawson and Robinson 1963; Dye 1966; Fry and Winters 1970; Plotnick and Winters 1985; Peterson and Rom 1990; Mettler 1998; Gottshalk 2000; Karch 2010).

Howard (1999) observes that the literatures on US national and state-level social policy-making seldom converse because fundamentally different questions motivate each strand of research. Most national-level scholarship seeks to explain the US's remarkable lack of national social insurance programs, while state-level examinations tend to focus on state variation in social spending, thus reinforcing their separation (Howard 1999). As a consequence, the relationship between US state politics and national trends remains under-theorized. My research helps to elucidate this relationship by examining state-level public sector reforms that are ostensibly restructuring the American welfare regime in line with neoliberal rationality. Moreover, national economic trends are seen shaping state collective bargaining reform agendas. My analysis thus concurrently contributes to US state social policy-making research and comparative welfare states reform literature. Further, as collective bargaining restrictions threaten to undercut public unions' resources and membership base, I assess the conditions under which state employee unions have been more or less successful in opposing reforms. In doing so, I aim to further our understanding of the policy-making influence of public sector unions in the American case, and in mature welfare states generally.

This is an important topic of inquiry because political science suffers from a notable dearth of research examining the influence of US labor unions on policy-making.

This is primarily because "power resources" theorists have commonly attributed the US welfare state's laggard status to the relative weakness of American labor as a mobilizing force for the political left (Korpi's 1980, 1983; Stephens 1979; Huber and Stephens 2001). Resultantly, relatively few studies have examined the influence of labor unions in shaping US social or fiscal policy at either the national or sub-national levels. Instead, most political science scholarship on labor unions has concentrated on explaining the downward spiral of the US labor movement since the 1940s through the proliferation of state "right-to-work" laws (Farhang and Katznelson 2005; Dixon 2005; Lichtenstein 2010). However, several points of departure on the topic of labor unions in political science should be noted.

Most recently, in 2012 various political scientists and labor scholars came together to seriously consider the evolving influence of organized labor in American Politics. In a special issue of *The Forum*, scholars considered several key issues organized along this theme. These included: the structural and political factors contributing to organized labor's rise and decline; the emergence of an alliance between public sector unions and the Democratic Party; the influence of unions on elections; the impact of teachers unions on education reform; and the ways structural economic changes have differently impacted the fortunes of private versus public sector unions in the postwar era.

Additional studies by Gottschalk (2000), Moe (2009, 2011, 2012), Berkman and Plutzer (2005), and Saiz (1998) have contributed to our understanding of the ways in which labor unions influence public policy outcomes. However, similar political science studies linking state policy outcomes to public sector labor union influence remain few and far between. This is a considerable omission, given the upward trajectory of public sector unionism in recent decades and the observation that public sector union density is higher than 50% in over a dozen US states (McCartin 2007; unionstats.com). As such, my research seeks to broaden our understanding of labor union influence on state policy-making. Moreover, a context of growing union density should have favorably positioned public employee unions to preserve their members' interests by blocking workforce reforms. Nonetheless, financial resources, political strategies, and the ability to court and win public opinion are essential aspects of labor union influence shaping public policy in the United States. As such, it is important to examine whether and why public sector unions' influence diminished during the 2008-2012 crisis, and how waning union strength was related to states' reform agendas. Further, because union density may not adequately measure the political influence of particular labor unions, my research considers the interplay of union density, resources, and state political and economic factors in shaping state policy outcomes.

According to Moe, [teachers] unions are: "centrally concerned with their membership base and financial resources, and thus with protecting teacher jobs, attracting members, and keeping dues coming in" (2009, 158). It is presumable, then, that public sector unions naturally oppose reforms that aim to reduce their membership base or restrict their collective bargaining rights. So it follows: why weren't putatively powerful public employee unions more successful in blocking public sector reforms during the Great Recession? Is the "insider" status of public sector unions beginning to wane?

LABORS LAST STAND? PUBLIC EMPLOYEE UNIONS AS INSIDERS NO MORE

The so-called “Great Recession” reached its peak in the United States between late-2009 and early-2010. Responding to the proliferation of bankruptcies, mortgage loan defaults, and unemployment claims dominated the national political agenda during this time against a backdrop of mounting federal debt. Around the same time, ambitious Governors sparred with state lawmakers over which expenditures to cut in response to worsening state fiscal conditions. Confronted with double-digit budget deficits and record revenue shortfalls, Rust Belt politicians claimed that the public sector had gotten too big. A particularly distinctive and severe retrenchment of the state and local workforce followed, with numerous teachers, cops, and firemen being purged from the payrolls (Oliff, Mai and Palacios 2012).

This retrenchment was brought to the attention of the American public when the Democratic president called for additional federal aid to prevent further layoffs of teachers, cops, and firefighters by struggling state and local governments. Alternatively, a Republican presidential hopeful attempted to rally his base by vocally opposing further stimulus to hire more firemen, policemen, and teachers, arguing that it was time to “cut back on government and help the American people” (Dwyer 2012). Notwithstanding the imminent election, President Obama and Governor Romney’s characterization of the situation was far from sensational. Personnel costs (wages, salaries, and benefits) consume roughly half of state and local government expenditures; consequently, state lawmakers seeking to “cut back on government” in response to the Great Recession targeted the public workforce for considerable downsizing measuring including layoffs, redundancies, and early retirements (McNichol 2012).

However, in the minds of many reformers, such measures do not go far enough in addressing the source of state budget woes. A more permanent solution, lawmakers posited, requires diminishing the *collective bargaining power* that public employees had amassed in recent decades. It was through successful negotiations at the bargaining table that public employees had managed to ensure the regular cost of living allowances, defined-benefit pensions, and employer-subsidized health plans that were driving up state and local expenditures to “unsustainable” levels. This is because permissive labor laws and strong unionization are key mechanisms through which public employees have come to enjoy considerable “insider” status through their privileged position in the labor market. As a result, public employees via their unions are both poised to oppose reforms that might alter their privileged status and empowered enough to successfully block them.

By such accounts, comprehensive public sector reform aimed at shrinking government would not be accomplished through workforce downsizing alone. What was additionally needed were provisions to eviscerate public employees’ rights to collectively bargaining over such conditions of their employment *forever more*. Further, the unions who represented public employees in their resistance to belt-tightening reforms would necessarily be weakened in the process. Collective bargaining rules determined at the state level are a significant determiner of public employee unions’ abilities to attract and retain members. Resultantly, public employee unions have increasingly become powerful actors in state politics due to permissive labor laws, which have enabled them to increase their membership bases and financial resources, and hence political clout over the years.

In light of such observations, the pursuit of comprehensive labor relations reform across the US states during the Great Recession represent a puzzling departure from historical trends. This is particularly true in traditionally pro-labor “rust belt” states like Ohio, Michigan, and Wisconsin, where public employee unions enjoyed a supportive political and institutional environment for half a century while their private sector counterparts were experiencing a steady decline in membership, resources, and political influence. As such, the “insider status” enjoyed by politically influential public employee unions in many states may explain why the US public sector has historically been resilient to large-scale reform in spite of domestic economic pressures and international downsizing trends. Following this, the possibility that public employee unions are being rendered ineffective and obsolete through the enactment of reforms aimed at weakening union organizing and contact negotiation rights is a consequential development.

This becomes apparent when one considers that in the post-WWII-era public worker unions became ascendant while blue-collar manufacturing unions marched steadily toward obsolescence. In fact, by the 1980s, about twice as many (30-40%) state and local government workers where unionized compared to private sector employees (15-20%). Moreover, in the decades that followed public employee unions continued to maintain a sizeable and stable membership while private sector unionization steadily decreased to less than 10% by 2013 (Statistics 2013). Indicative of this, the Association for Federal, State, County, and Municipal Employees (AFSME) is today 50 percent larger than the United Auto Workers (McCartin 2006). Consequently, labor historians quite recently argued that the trajectory of public sector unionism in the US directly challenges the mainstream "death of labor" narrative (McCartin 2006). Activists have similarly hoped that an empowered public workforce might revitalize a half-century atrophied US labor movement (Clawson and Clawson 1999; Schmitt and Warner 2009).

Moreover, the notable existence of pockets of relatively high private sector union density in states like Alaska, Hawaii, New York, and Nevada, suggest that the dominant narrative about the decline of private unions — and the reasons cited to explain it are also overdetermined and simplistic. Further, public employee unions, especially those representing specific occupational constituencies like teachers, police officers, and fire fighters, frequently remain highly unionized in so-called "right to work" states as a result of occupation-specific laws that have enabled them to maintain considerable union membership and financial resources, and hence political influence for decades.

However, recent trends suggest that history may be catching up with public sector unions: public sector unionization fell over one percent from 2012-2013, and in 2014 continued to sit at its lowest level since the 1930s due in large part to declining union membership among teachers and public sector losses due to layoffs, hiring freezes, and ostensibly, recently enacted laws limiting collective bargaining rights (Chumley 2013). In Wisconsin, for instance, where Republican lawmakers recently limited union bargaining rights for teachers and other "non-uniform" public employees, union membership in the public sector decreased to 37.6 percent in 2013, from 53.4 percent in 2011, the year the legislation was enacted (Higgins 2014).

It is noteworthy that during the Great Recession the insider status of public employee unions was successfully challenged on various fronts across the America states. "Insider-outsider" theories of political behavior assume that some labor market actors hold more privileged positions than others, and hence greater influence over employment-related policies (Lindbeck 2001). So-called "insiders" derive their political clout by being seemingly irreplaceable—or at least expensive to substitute in the labor market. Therefore, as labor turnover costs such as hiring, relocation, and training increase, those employees currently working in an industry or firm exercise disproportionate influence in the market compared to their costly potential replacements, contributing to their insider status. Insiders thus maintain an interest in keeping labor market costs high and will exercise political influence to increase such costs by engaging in rent-seeking activities like institutionalizing severance pay, seniority rules, and other legal protections against dismissal. Following this logic, the insider-outsider theory helps us to see the ways in which labor unions exercise influence over markets and politics:

> Unions provide leverage for these turnover costs since firms are more likely to grant wage increases when the alternative is the replacement of all unionized employees than when the alternative is just firing a single employee. Unions also provide new tools of rent-seeking, such as strikes, work-to-rule activities and picket lines, which tend to be more effective when workers act in unison. Moreover, unions act as interest groups in the political process, lobbying for job security legislation and other sources of labor turnover costs. (Lindbeck 177)

In line with Lindbeck, various studies illustrate the ways in which public employee unions exert influence over politics and policymaking in the American case. For instance, Chandler and Gely's (1995) examination of the relationship between the electoral political activities of police and firefighter unions and outcomes related to these union members' pay and employment levels found that the electoral political activities of protective service unions are significant determinants of wages and employment for police and fire personnel. Similarly, Obrien (1994) finds nearly identical results in his article examining the impact of union political activities on public-sector pay, employment, and budgets. Recent work by Anzia and Moe (2015) also frames the relationship between strong public sector unionization and higher wages, salaries, health benefits, employment levels, and pension liabilities in terms of cost-related outcomes to arrive at a comparable result.

On the policy spectrum, the relationship between teachers unions and education policy outcomes is well documented by the work of Moe (2011, 2012), Berkman and Plutzer (2011), and Weber et al. Additionally, Kellough and Selden assessed the diffusion of various personnel reforms implemented by the federal government to state and local governments. They find that while state-level legislative professionalism is positively associated with reform, unemployment levels and the percent of state employees that are unionized are negatively associated with reform. They conjecture that the reason the probability of reform declines as union density increases relates to unions' opposition to increased managerial discretion over policies pertaining to their members (Kellough 2003).

Finally, several mechanisms through which unions are able to assert their influence in opposing or promoting particular policies are highlighted by Francia's (2013) analysis of organized labor's contemporary political resources. These are: 1) vast financial resources, as indicated by the observation that labor unions (especially those representing public employees) comprised twelve of the top twenty PAC donors from 1989-2009 and are also among the leading donors in independent expenditures; and 2) substantial grassroots mobilization capacity as a result of having immense human capital to draw from when waging get-out-the-vote and issue education campaigns. Nonetheless, Francia notes that notwithstanding such resources, union membership is still "ever-declining" (2013). This observation, coupled with the dramatic restructuring of public sector labor relations that is underway across many states indicates that public employee unions' insider status is increasingly threatened. So it follows: how did state fiscal crises coinciding with the Great Recession pave the way for such a dramatic reordering of labor relations in the public sector? (Francia 2013)

FROM ENVY TO ENMITY: WHY AMERICANS NO LONGER SUPPORT UNIONS

A unifying theme in much of the labor studies and political economy scholarship on unions observes that the fate of organized labor would have seemed far bleaker had it not been for the uptick in union organizing among public employees, which served to obscure the massive declination occurring in the private sector. Moreover, this divergence is also the root of labor's persisting inability to build a movement, particularly during periods of economic austerity where public and private sector workers are pitted against each other in a zero sum contest over labor protections and wages and benefits. For instance, according to Camfield, the global economic crisis created an environment in Canada that was particularly friendly to neoliberal reforms aimed at restructuring the public sector.

Such works bring to light the fraught relationship that the American public has with labor unions, particularly those representing government employees. Multiple interrelated perspectives to account for this are offered. For instance, Salvatore argues that Americans have long been ambivalent about labor unions because the heyday of organized labor following the end of WWII was remarkably brief. He notes that, "Labor's predicament is not simply the product of a perennial struggle with capital, or its own strategic errors" (2012). Rather, the emergence of a conservative political vision among the working class has shaped the trajectory of the American labor movement, effectively thwarting its advancement.

As a result, most members of the working class have never formed a class consciousness derived from their membership in a union and in fact more commonly feel pitted in antagonism to the few remaining unionized segments of the workforce. This feeling might be summed up by simply stating that American workers are skeptical of labor unions, while remaining envious of union members' advantages in the economy. According to Salvatore, this is because "…many working people themselves never understood their lives through the prism of a union identity…" (2012).

Extending this observation, Alquist (2012) finds that in contexts where private sector workers have never experienced strong unionization, public sector unions face considerable challenges to their growth because they need this alliance to cultivate working class solidarity. As such, Alquist argues that the battles occurring in Wisconsin and other Rust Belt states over public employees' collective bargaining rights reveal the institutional weakness of organized labor. This is because in spite of widespread mobilization in opposition to Scott Walker's Budget Repair Bill, Walker was not successfully recalled and he was also re-elected two years later and later yet ran for the Republican presidential nomination.

The reason for public employee unions' inherent structural weakness, argues Alquist, is that they have not effectively allied with private sector workers to create a unified working-class front (2012). Instead, public sector unions have used electoral politics, and campaign monies to Democrats in particular, to primarily advance the interests of public employees who operate as political "insiders." By not bringing private sector employees into the fray—either out of tactical error or because private sector unions remain a weak mobilizing force themselves—public sector movements have taken on a divisive character that fails to unify the working class.

Alquist writes:

> With the erosion of private sector unionism and the broad compositional shifts in the labor market, private sector workers, especially those without college degrees, have seen their pay stagnate, their rights at work diminished, and have come to bear a larger share of the costs and risks associated with sickness, unemployment, skill training, and retirement…It is therefore unsurprising that calls for class consciousness ring hollow when uttered by college-educated workers whose job security and (relatively) generous health insurance and pension benefits are paid out of public tax revenues.

Moreover, rather than contributing to apathy, such circumstances might actually create antipathy toward public employees and their unions. A good example of this was seen during the Scott Walker recall attempt in Wisconsin in 2012. According to exit polls from the election, there was a clear distinction in the voting patterns of union members and those living in "union households." Union members, as expected, turned out heavily in support for removing Governor Walker and placing Democratic Milwaukee Mayor Tom

Barrett in his place, by a margin of 71 to 29 percent. Voters merely living with a union member (i.e. a private sector worker married to a teacher), however, only favored the Walker recall by a margin of 51 percent to 48 percent (Blake 2012).

Such findings indicate that significant political divisions within union households exist. The possibility that these divisions may have motivated family members to vote against one another's material interests in an election that was explicitly about labor rights suggests a precarious position for organized labor in the 21st century. What explains the inability of labor unions to garner political support from even their own members' families?

According to Wilson, one potential explanation for societal and even intra-household divides regarding support for organized labor relates to the "politics of envy" (2012). Wilson notes that although the American Labor Movement survives largely in part of the past several decades of growth in the public sector, the overreliance on public employee unions to fill out labor's ranks has been a double-edged sword for the movement. Public sector unions' successes, in other words, has made public employees, "objects for resentment and anger among the rest of the workforce" (Wilson 2012). A primary reason for this is because public employees have interests that may be seen in conflict with other key constituencies. For instance, Wilson observes: "…unions' shift into representing public sector workers has the disadvantage that union interests necessarily conflict with the short term interests of homeowners (hence property tax payers) in minimizing the costs of running local government services such as schools…" (2012).

So, when teachers unions negotiate for higher pay and reduced class sizes, the implication is that property taxes will be increased to pay for them. The predominantly non-unionized constituency of homeowners views their interests in antagonism to public sector unions as a result, making them viewed unsympathetically by large swaths of society. As Wilson observes, this is exactly what motivated differences of opinion among the public during epic battles over public employees' collective bargaining rights: "many low income voters resented what they saw as the privileged treatment of public sector workers with somewhat better incomes and decidedly better benefits (especially health insurance) than private sector workers" (2012).

Following this, Wilson argues in agreement with Alquist that antipathy toward unions is a major cause for the declining influence of organized labor in the United States. He further links this to the shift in US unionism away from manufacturing and trades and toward the public sector. By highlighting this conflict of interest between unionized public employees and largely non-unionized voters and taxpayers, Wilson draws attention to the paradox of 21st-century unionism: organized labor no longer no longer draws ideological support from wide swaths of the working and middle classes. He observes: "Given the inherent conflicts of interest between taxpayers and public sector unions, it is perhaps less surprising that teachers have been attacked with even more vehemence; at times it has seemed as if grade school teachers not bankers caused the global financial crisis of 2008" (2012).

In light of these tensions, Wilson argues that these attacks on public sector unions surrounding the Great Recession should have been anticipated. Moreover, as increasing numbers of workers remain non-unionized, and thus not political mobilized along economic lines, the labor movement's linkages to the Democratic Party and the political left are also increasingly tenuous. However, Wilson cautions reading too much into these developments, including declining union membership, increasing public wariness of organized labor, and weak linkages to the left, especially when considered from a comparative perspective.

In Wilson's view, "One of the lazy comments made often made in comparative politics is that American unions are not politically engaged. This has long been untrue." As evidence of such, Wilson harkens to the sheer lobbying influence that public employee unions wield in American politics. In line with Francia, who also seeks to examine the influence and strength of organized labor by assessing *electoral influence* more than sheer union density, Wilson asserts that unions are major interest group players in spite of dwindling membership numbers.

For instance, Wilson shows that labor organization comprised fourteen of the top thirty largest political donors to candidates for federal office between 1989-2012. And in spite of the so-called tenuous links to activists on the left and voters from the working-class, much of this money is still funneled to Democratic candidates. Moreover, under the post *Citizens United* campaign finance regime, unions are able to spend limitless amounts to advance candidates that are sympathetic to labor's cause. In light of these observations, Wilson cautions making a false association between union decline and "disappearance." He asserts, "Substantially weakened, American unions survive." He makes a good point – what other interest group's membership hovers around 12% membership among the general American population? However, the potential for long-term union survival is mitigated, he acknowledges, because much of it depends on the sustained power and influence of increasingly maligned public sector unions.

As a result, private sector workers now more frequently view labor unions as the enemy of the working class instead of an ally. Resultantly, the working class is much more likely to mobilize around taking away union members' existing collective bargaining rights than in demand of attaining their own legalized labor protections. Many scholars argue that such sentiments are heard more loudly under contexts of creeping societal neoliberalism during periods of austerity. If this is the case, why was everyone so surprised when Scott Walker and a host of Republican Governors led the charge to strip public employees of collective bargaining rights? Neoliberalism and labor unions are antithetical social forces—or are they?

NEOLIBERALISM AND THE DECLINE OF AMERICAN PUBLIC SECTOR UNIONS

According to Camfield, deficit-reducing fiscal policies have stark implications for the public sector (2007). This is because so-called "neoliberal" economic and social reforms seek to use the power of the state to reorganize welfare regimes around market-driven principles such as efficiency and economic competitiveness. Related to this, neoliberal reformers, contrasted with Keynesians, are staunchly opposed to running budget deficits. What follows from this is a desire to diminish social programs and reduce the size of the public sector in order to shrink the state.

Most clearly, there are the expected effects like workforce downsizing, wage freezes, and benefit reductions. However, there is also a more subtle effect resulting from the neoliberal fixation on budget deficits: increased hostility toward the public sector. Camfield states, “the influence of the idea that deficits and debt must be reduced contributes to an ideological climate that is more hostile to the public sector. In such a climate it is easier for governments to redesign the public sector in neoliberal ways” (2007). Moreover, as Camfield observes, cost-cutting in not the only thing that neoliberal public sector restructuring aims to accomplish. Other key aspects of the agenda include shrinking states in the name of competitiveness as well as enabling the privatization of public sector functions so that profit-driven firms can begin to provide key social services. But is the inability of organized labor to defend itself against neoliberal trends that intensified during the Great Recession really anything new?

Even during the period preceding the recession, public sector unions had had little success in opposing neoliberal reforms (Camfield 2007). Moreover, reforms aimed at restricting collective bargaining rights for public employees are part and parcel of the “lean state project” underway across various countries since the 1980s. The lean state, is the “neoliberal” state. Camfield writes:

> The lean state project is to reorganize social reproduction in ways that facilitate the spread and consolidation of lean production methods of work organization. It involves a new mode of the political administration of civil society by state power, a host of legal and administrative measures to produce ‘flexible’ workers and ‘lean’ persons. Within the public sector, lean state formation involves reducing the number of workers, introducing more precarious employment relations, and shifting service delivery into the hands of non-profit agencies and private corporations. (Camfield, quoting Sears, 1999).

In this way, public sector reforms that seek to curtail collective bargaining rights for public employees are understood as one part of an essentially neoliberal process that seeks to restructure capitalist societies in order to build states capable of thriving in line with an ethos of "lean production" (Camfield 2007).

In conclusion, Camfield argues that, "the challenges that public sector workers experience have roots that are both systemic and global." What then, can a comparative analysis of public sector reforms underway across the American States reveal about the "systemic and global" process they are a part of? Is asserting that these reforms are part of a broader project of neoliberalism another way of saying that they are pre-determined, inevitable, and being compelled by forces much greater than state politics, partisanship, and economics? Or rather, does thinking about what is occurring in terms of neoliberalism help further our understanding of why public employee unions that are seemingly "insiders" in American politics, especially at the state level in key places like New York, California, and formerly Wisconsin and Michigan, have been unable to fight the tide of neoliberal reforms?

Comporting with the literature on this topic, Camfield argues that public sector unions can be most effective when they are able to frame their demands in line with the greater good, thus opposing neoliberal reforms as being adverse to the interest not only of union members but as the users of public services. The wave of right-to-work style legislation descending upon the American states surrounding the Great Recession provides a good indication of what occurs when the users of such services are dissatisfied and actually *blame unions and public employees* for the current state of affairs (2007).

As political insiders with massive lobbying influence, public sector unions should have been able to fend off the tide of neoliberal reforms aimed at undercutting their members' collective bargaining rights, especially the most draconian ones. But the experience has varied, with wins (or "draws") and losses for organized labor. However, the record suggests that organized labor has suffered far more losses than gains. Why, then, have these political insiders be so ineffective in preserving their status? Are public sector unions [still] the goliaths in American Politics that researchers like Moe (2009, 2011, 2012) have demonstrated them to be? What does thinking about these reforms as part of a greater neoliberal project reveal about the persisting influence and putative "insider status" of public employee unions in the American context?

A great deal, according to a recent examination of North American Labor Movements by MacDonald (2014). According to MacDonald, trade unions no longer serve as instruments of the working-class. Resultantly, prospects for labor movement "renewal" (led by ascendant public employee unions, as many labor scholars have hoped) are significantly diminished. As evidence of this, MacDonald draws attention to tactical and institutional changes impacting both the Canadian and US labor movements since the 1980s that have created a "contradictory reorganization of organized labor along neoliberal lines and the impasse of the renewal project" (2014). Following this, the recent wave of union-restrictive reform activity occurring across the American states is nothing novel or isolated. Rather, it is best conceptualized as part of a process of neoliberalism that has been occurring for decades.

MacDonald writes: "The 2008 crisis has resolved itself into another moment in this recurring pattern, affording capital the opportunity of sloughing off workers' accumulated benefit claims, introducing lower wage and benefit tiers and extending precarious forms of employment" (2014). In this way, the fact that public employees were the primary focus of the wave of anti-union restrictive activity says less about the unique nature of public employment and public sector unionism than it does about the reality that public employee unions were just the only ones left. MacDonald further suggests that rather than resisting neoliberal processes, unions have accommodated them by hollowing out the content of collective bargaining (by agreeing to a narrowed bargaining scope, for instance) for the sake of maintaining status quo forms of collective bargaining. Examples of this come to light in my examination of introduced and enacted collective bargaining reforms. I find that roughly equal numbers of labor-restrictive reforms may be viewed as accommodations made with some agreement by organized labor and Democratic lawmakers. I discuss these in chapter two under the context of union influence- restricting versus union formation-restricting collective bargaining reforms.

According to MacDonald, neoliberalism has emerged as the norm in advanced capitalist economies to the detriment of social democratic and socialist projects. In this way, the worldwide economic collapse of 2008-2009 and the Great Recession that followed merely renewed a neoliberal project that was already well underway. As such, efforts to dismantle public employee unions as the last remaining bastion of the labor movement are seen as a return to the status quo by this form of capitalism that sees trade unions as anathema to its central neoliberal tendencies (MacDonald 2014). However, MacDonald cites several examples to show that unions have managed to coexist with neoliberal capitalism, for instance, collective bargaining agreements that increase profits by compressing wages and extending shift times. The key issue of importance is that unions have *themselves* reorganized along neoliberal lines. As a result, small victories for organized labor are frequently taken out of context if they are taken as a loss for neoliberalism. Rather, where unionism still exists, it is because it has adapted to neoliberalism, not overcome it.

This is particularly harmful for the fate of public employee unions, according to MacDonald, because repeat accommodation may begin viewed as an admission of culpability. "When public sector unions bargain concessionary contracts in periods of austerity, they similarly reinforce a spurious neoliberal notion that public sector workers are responsible for budget deficits" (2014). Another issue with concessionary contracts is that they frequently drive wedges between different classes or categories of union-members within the same bargaining unit, for instance between new hires and old-timers, part-time versus full-time workers, women versus men, etc). Moreover, when these accommodations are placed in context of increasing or at least union density holding steady, as in the case of public employee unions in the US, sheer membership numbers are revealed to be a weaker indicator of union influence and mobilizing capacity. This might explain why unions were actually most vulnerable where they were strongest, not only did they have the most to lose, but they also were not as capable of preventing reforms as membership numbers and union density might indicate.

Another reason that union density is not a straightforward indicator of union capacity is because not all union members are equally politically active and savvy. This is because today, most workers become union members when they are hired into an occupation that is represented by an existing bargaining unit, rather than because they rose up, allied with fellow workers to demand representation from a (potentially hostile) employer. These divergent experiences among unionized workers have a direct impact on whether workers view their relationship to the union in instrumental terms versus a vehicle for their workplace and political activism. In other words: demanding union representation is very different than being handed it (or having it imposed, as some may view it). And in fact, many younger employees and recent hires may opt out of union membership altogether because they perceive little to gain when many of the major workplace issues have long been settled. This is why recent reforms that require annual union recertification are expected to have such a profound impact on union membership numbers. With the bargaining scope significantly narrowed, and costs associated with supporting a union increased, younger and/or newer hires will likely lack any strong pro-union consciousness leading them to vote in support of recertification. Over time, the number of bargaining units will dwindle.

There will remain cases of new bargaining units being certified and specific unions winning in collective negotiations, however, the implication of such “small victories” must be measured against the ongoing tides of neoliberalism. Rather than serving as catalysts that might encourage other classes and occupations of workers to demand greater workforce protections, union victories in the neoliberal era where labor markets are polarized and the working classes are fragmented and largely unorganized seek to stoke antipathy rather than inspiring similar activism. Therefore, as union protections becoming more seemingly out of reach for increasing majorities of workers in places like the US or Canada, non-union workers have begun to view their relationship to unionized workers as a zero sum game, particularly in the context of miniscule private sector unionization compared to somewhat stable, sizable unionization in the public sector. Gains for unionized public employees amount to tax increases for other. The result: resentment and even enmity:

According to MacDonald: “Emulation is not seen as a viable strategy given the many obstacles raised to unionization and collective bargaining in the private sector. Rather than emulation, envy engenders rage at strikes borne of union refusal to agree to concessions. This forms the basis for an ugly, irrational politics of resentment that now cuts through North American working classes and is directed with particular vehemence at public sector workers” (2014). Moreover, this impulse may be heightened during times of economic decline, when the majority of non-union protected workers do not have employment protections to insulate them from economic shocks.

As evidence of this, scholars such as Kersten (2011) observe that political leaders have used the “rhetoric of class warfare” in justifying their appeals for collective bargaining reform. For example, during a campaign debate:

> Walker asserted that Wisconsin had a “have and have-not” problem. But by turning this class analysis on its head (and leaving the wealthy elite completely out of the equation), he claimed that the ‘haves’ were the unionized state workers and the “have-nots” were the rest of the state’s citizens. He promised to rectify that by taking wages and benefits *away* from state workers. (Kersen 2011, original emphasis)

Propped up by the logic of “class warfare”, legislation aiming to restrict or altogether repeal public sector collective bargaining rights proliferated across the American states during the Great Recession. Myriad bills sought to tip the scales [back] toward the employer, i.e. the government, in labor negotiations over items like wages, benefits, staffing, and work conditions. Such legislation had one overarching goal - to diminish the bargaining power of [public] employee unions in order to elevate the [government] employer's status in relation to their employees. Moreover, according to critics like Kersten, who maintains that "the idea that state workers are the haves and private workers are the have-nots is ludicrous," Republican politicians capitalized on widespread economic uncertainty caused by the Great Recession to largely manufacture state budget crises in order to justify their politically-motivated collective bargaining reform agendas.

It is easy to understand why Andrew Kersten, a Wisconsin native, labor historian, and faculty member in the University of Wisconsin (UW) system was ruffled by this surge of labor-restrictive activity occurring across the states during the Recession. In 2011, the Governor of his state signed into law a now infamous piece of legislation, Wisconsin Act 10, referred to as the "Wisconsin Budget Repair Bill." This legislation addressed a $3.6 billion dollar budget gap by making changes to [most] public employees' sick leave, compensation, retirement, and health insurance benefits. At the same time, it severely restricted public employees' collective bargaining rights: the permissible bargaining scope was narrowed to wages only, constrained by the requirement that future wage increases be capped to Cost of Living Allowances determined by the Consumer Price Index; limited the length of collective bargaining contracts to one year; required bargaining units undergo annual recertification elections; outlawed the assessment of "fair share" fees; and stripped UW employees of their right to collectively bargain while eliminating the collective bargaining units previously established to represent UW employees.

Claims similar to Kersten's assertion that Walker was "ginning up a political crisis so that he can force a solution that transforms Wisconsin from a progressive state to a conservative, privatized state," have been a common refrain among leftist academics, labor activists, and public employees responding to the surge of labor-restrictive reforms occurring surrounding the Great Recession (2011). For instance, Cantin places the legislative developments in Wisconsin in broader economic and political context, arguing that, "The legislative attack on public sector unionism that gave rise to a political firestorm in Wisconsin and other union strongholds since the election of 2010 was not just a reaction to the contemporary economic difficulties faced by the government. Rather, it was the result of a longstanding political hostility of the USA's modern conservative movement to unionism and collective bargaining per se" (2012).

Cantin proceeds to argue that three main factors have increased public employee unions' vulnerability to political attack "under the guise of the politics of austerity" (2012). First, the "private-public divergence" in unionization, employment protections, and compensation has created antipathy toward public workers. Second, the Great Recession, and the popularity of "Austerity Policies" in response to fiscal crises. And finally, the rise of the anti-government, Tea Party movement among conservative Republicans. McCartin (2011) additionally argues that enemies of public sector unions had actually been waiting for decades for the opportunity (i.e. a deep and protracted recession) to curtail public sector unions through the justification of fiscal necessity and the assignment of blame.

Moreover, particular public sector employees and their unions might disproportionately be a target of reforms during bad economic times in spite of their notable political influence in recent decades. For instance, my research reveals that teachers unions were highly vulnerable to labor-restrictive reforms during the Great Recession. This is somewhat surprising when considered in light of research by scholars such as Moe (2012) and West et al (2012) who have revealed teachers unions to be "by far the most powerful groups in the politics of education reform," and engaged in a "classic iron triangle" in American politics. However, Moe begins to shed light on why the Recession provided an opening for recent attacks on teachers' collective bargaining rights. He observes, "…the financial crisis that began in 2008, compounded by the crushing obligations of teacher pensions and retiree health benefits, has forced districts to be more confrontational with their unions over money and organization."

Moe points out how teachers unions have acted to stall education reform at the local and national levels for decades, concluding that under normal circumstances they would retain such power ("you can't take away the power of powerful groups, because they will use their power to stop you"), but then adding the caveat that "these are *not* normal times." In fact, according to Moe, various events have coalesced recently to create just the type of critical juncture that might be necessary to weaken the formidable teachers unions. These were in their early stages in 2012, according to Moe but still serve to illustrate underlying weakness. First, is that education reformers began going on the offensive against “bad teachers” while publically criticizing unions for defending them. This course has been facilitated, asserts Moe, by the “perfect storm” of state fiscal crises arising out of the Great Recession and the 2010 Republican midterm victories, which “emboldened [Republicans] to use the financial crisis as a vehicle for major change. This was Republicans’ opportunity to overcome the usual checks and balances, enact education reforms the teachers unions had long blocked—and go after collective bargaining itself, the unions’ power base, which heretofore has been politically untouchable.”

However, just as state economies have rebounded, at least somewhat, Moe acknowledges that “the perfect storm will pass.” The question, then, is: will the decline of teachers unions (and public sector unions broadly) continue? According to Moe, there is one additional, perhaps more important reason to believe that teachers unions are in dwindling – they are losing support among their Democratic base.

> With many urban schools abysmally bad and staying that way, with accountability putting the spotlight on poor performance, and with school choice offering attractive opportunities for escape that the unions systematically snuff out, respected advocates for the disadvantaged are fed up. More than ever before, they are demanding real reform, and they are overtly critical of the unions for obstructing it. Moderate and liberal opinion leaders—writing in Time, Newsweek, and other major outlets—regularly excoriate the unions for putting job interests ahead of children. (Moe 2012)

In sum, political and economic changes are occurring in state economies that have impacted the abilities of public employee unions to defend their members’ interests against various affronts to their collective bargaining rights. In an attempt to understand the political underpinnings and distributional implications of public sector workforce restructuring, I examine state and sector-level differences in public sector reforms pursued and enacted across the US states. Through these analyses, I aim to illuminate the conditions under which public employees' "insider" status is more likely to be threatened in state legislative agendas. I additionally assess what the winners and losers (or those who "lost less") of recently enacted public sector workforce reforms indicates about the political influence of particular public sector workers and their unions.

In chapter 2, I provide a detailed description of the period of heightened collective bargaining reform activity that ensued across the US states surrounding the Great Recession. I do this through an examination of state legislative agendas using the original data set categorizing approximately 2600 collective bargaining reforms introduced across state legislatures from 2007-2014. These labor relations bills variously sought to: extend or restrict collective bargaining rights for certain classes or occupations of workers; alter the collective bargaining scope and contract negotiation process; change impasse resolution procedures; regulate public contracting; and restrict labor unions' political and activities.

Examining frequencies of bill introductions for specific reform components I find that the roughly one-fifth of all proposals related to the assessment of union dues and fees, over 400 bills sought to change the collective bargaining scope and/or alter mediation procedures, while 240 sought to establish or alter bargaining unit certification processes. I further observe that roughly equal numbers of labor-restrictive versus labor-permissive legislation were introduced across state legislatures, with collective bargaining reform activity surging during the 2009-2010 legislative session, coinciding with the Recession's peak. I then assess the influence of such factors on the frequency of "anti-labor" compared to "pro-labor" proposals on state legislative agendas using event count models and statistical stimulation techniques to reveal that labor reform agendas were more intensely directed against organized labor in states where private sector incomes and home price values were weak, and yet public sector unionization remained strong.

These findings suggest that ostensibly partisan public sector reform agendas have important material bases, too. Following this, I conjecture that discontent over the economy heightened public perceptions that government employees in union-friendly states are uniquely (and unfairly) insulated from economic shocks. By stoking this discontentment among disgruntled private sector workers, I argue that Tea Party-endorsed lawmakers and market fundamentalist interest groups like the American Legislative Exchange Council were able to seize upon a unique opportunity to hobble formerly formidable public employee unions while dramatically restructuring employer-employee relations in the government sector.

Next, in chapter 3, I provide a more detailed analysis of the *content* of collective bargaining reforms pursued and enacted across the States during the Great Recession. First, I group labor relations proposals into two broad reform categories or "packages" based upon whether their provisions seek to alter: 1) labor union membership, or 2) labor union influence. I then provide a justification for classifying labor laws in this way based upon the observation that states tended to pursue one reform package over the other. I argue this suggests that these packages represent two distinct ways of resolving the same concern: what to do about labor unions in the midst of the Recession. Next, I analyze potential explanations for why states might pursue one type of labor-restricting reform package over the other. I find that partisanship and labor union influence shape lawmakers' choices in meaningful ways: states with strong public sector unions and Democratic-controlled legislatures appear reluctant to pursue union *formation* restrictions, presumably because they do not want to upset influential labor allies. Nonetheless, Democratic lawmakers still sought to limit the *influence* of entrenched labor unions in the context of a weak state economy, especially with a Republican Governor at the helm.

Finally, in chapter 4, I examine an under-explored aspect of the Great Recession-era public sector collective bargaining reform movement: the occupational target of such reforms. Using the original dataset categorizing collective bargaining reforms based on the occupational category of workers they seek to affect, I show that public primary and secondary (K-12) school teachers were the primary subject of labor-restrictive reforms introduced during the Great Recession. I then compare the prevalence of K-12 teachers on state reform dockets to that of public safety employees. Finally, I assess the relationship between state political and economic characteristics and occupational targeting in the reform agenda.

I find a significant relationship between the presence of a Republican governor in a state and disproportionate labor-restrictive reforms targeting teachers. I further find that where teachers unions are more influential in state politics, measured in terms of their average yearly political campaign donations (to any party or issue), there were more anti-teacher reforms on state legislative agendas. Conversely, I find a significant negative relationship between Republican-friendly state teachers unions and a reform agenda predominantly aimed at weakening teachers' collective bargaining rights. Additionally, I find that a weak state economic situation diminishes rather than increases the proportion of labor-restrictive bills aimed at teachers.

I surmise that when a state is in greater fiscal dire straits and more public sector reforms are introduced overall, the legislative focus on teachers is diluted as additional occupational groups are targeted by reforms. Moreover, I find no similar relationship between state political, economic, and fiscal characteristics and the percentage of labor restrictive reforms targeted toward other public sector employees like police and corrections officers. I conclude that the prominence of "anti-teacher" legislation in many states' collective bargaining reform agendas has an important political basis (i.e. weakening teachers unions in states where they are politically active), while general public employee reforms may be more firmly grounded in fiscal necessity.

Ultimately, my research reveals significant patterning in states' approaches to resolving the fiscal challenges presented by the Great Recession via various public sector reforms. Some states pursued and implemented more draconian collective bargaining restrictions, while others sought compromises with public employee unions that have enabled unions to maintain key aspects of their collective bargaining power such as the ability to levy union fees on people who opt out of joining the union. However, much as MacDonald (2014) suggests, many of these so-called "gains" for labor are really just efforts to stem the tide of restrictive activity and come at the expense of hollowing out collective bargaining process of any real issues of consequence, for example by narrowing the bargaining scope so much that there is little room for union influence in contract negotiations. Unions have also made considerable concessions and political compromises that have driven wedges between new hires versus longer-term employees, as well as school teachers versus public safety providers. Finally, although the national Recession officially ended in 2014, state labor relations reform projects remained very much underway. For instance, going back on his promise to not make Wisconsin a right-to-work state, Governor Scott Walker did just that in 2015. In the post-Recession era, state legislatures and Governors have also been increasingly seen at loggerheads over the issue of collective bargaining rights, especially during occasions of divided government.

In Missouri, for example, both [Republican-controlled] houses of the state legislature vote to make the "show-me" state into a right-to-work state in full awareness that the Democratic Governor intended to veto any such legislation (he did just that). Then, in a role reversal, the Republican Governor of Illinois, Bruce Rauner, issued an executive order upon assuming office in 2015 that barred public employee unions from collecting "fair share fees" (which is essentially a right-to-work reform) in spite of opposition from the state lawmakers who enjoyed Democratic supermajorities in both houses. The court later struck down Governor Rauner's executive order, and the legislature subsequently put "right-to-work" up for a symbolic vote that received not one single "yay" vote because all the Democrats opposed it, and all the Republicans either voted "present" or abstained from the vote by taking a walk. Various Republican Governors, including Rauner have also sought to establish local right-to-work zones in cases where they do not enjoy enough legislative support to enact a state-level law.

In closing, it is incontrovertible that the Great Recession sparked a collective bargaining reform movement that has resulted in a very polarized legal and political environment for organized labor. With half of the states now falling into the category of right-to-work, the question remains as to how long organized labor can hold the line before becoming a total political outsider in a majority of the states. As my research reveals in the chapters that follow, this will have a lot to do with the political and economic characteristics of individual states, as well as private sector workers' attitudes toward organized labor moving forward.

CHAPTER 2: THE GREAT RECESSION AND AN “ASSAULT” ON ORGANIZED LABOR

The tendency for the incumbent President’s party to lose ground during midterm elections rang especially true in the midst of the Great Recession. In addition to the Democrats being notoriously “shellacked” on the national stage, 2010 marked a pivotal time in state party politics: In a spectacular reversal of partisan control, a new wave of Tea-party-endorsed conservatives unseated Democratic lawmakers and governors all across the country. Legislatures in several “rust belt” states with legacies of Democratic or bi-partisan control notably flipped for the Republican Party. Newly empowered Republican leaders seemingly held a mandate to address imminent state fiscal crises according to conservative principles. Governors like John Kasich of Ohio, Rick Snyder of Michigan, Mitch Daniels of Indiana, and Scott Walker of Wisconsin promised to shrink government, reduce taxes, and make government friendlier for business during their election campaigns. As public employees working in these states would soon find out, a key component of this agenda entailed restructuring public sector labor relations through the enactment of labor-restrictive collective bargaining reforms. This chapter examines the politics of collective bargaining reforms pursued across the American states during the Great Recession, paying particular attention to the political and economic foundations of state labor reform agendas.

In Wisconsin, for example, those familiar with the state’s legacy as the first to grant public employees collective bargaining rights were astonished when Republican lawmakers under the leadership of Governor Scott Walker ushered in a new “right-to-work" era for government employees. These reforms, implemented in 2011 as part of an omnibus reform package referred to as the "Budget Repair Bill" were startling in their draconian nature. In this legislation, lawmakers utilized two widely held legal maneuvers to reduce unions' abilities to attract and retain members. First, they banned the hallmark collective bargaining practice of public employees being required to pay fees to a union even if they do not wish to become members (otherwise known as the "fair share fee" for being covered under a union-negotiated contract). Secondly, the law restricted union members from having their dues automatically deducted from their paychecks, thereby increasing the time costs associated with membership. Next, rights to exclusive union representation were eliminated for faculty and academic staff at the University of Wisconsin campuses, home health-care workers, nurses, and other health-care workers at the UW Hospitals and Clinics. Finally, approximately 200,000 public employees lost the right to collectively bargaining over issues related to promotion, seniority, and pensions and health benefits, while future wage increases were pegged to the cost of living index, effectively removing salaries from the bargaining scope as well. Moreover, all state bargaining units would have to undergo annual recertification elections, and those unions that did not win majority support would subsequently be disbanded. Incidentally, the public sector reform agenda in Wisconsin notably (and some have argued strategically) exempted police officers, state troopers, and firefighters (Ballotpedia 2011).

Following the enactment of the now infamous "Budget Repair Bill," a highly publicized battle over collective bargaining rights in the state ensued led by an uproar of organized labor that attempted to (unsuccessfully) recall Governor Walker from office.

However, the affront that labor leaders and supporters felt notwithstanding, the events that led up to clashes between labor unions and reformist lawmakers in Wisconsin were neither novel nor isolated. As Cantin points out: “What makes Scott Walkers assault on labor unions so striking, is that in its prominence it called attention to a wave of anti-public-sector-collective-bargaining statutes that were introduced across dozens of states following the 2010 mid-term congressional and state elections” (Cantin 2012). Hard fought battles over public employees’ collective bargaining rights in Wisconsin, Ohio, and Michigan merely served to publicize a nation-wide surge of labor-restrictive lawmaking activity that ensued surrounding the Great Recession.

For instance, Indiana Governor Mitch Daniels actually came out ahead of the curve in 2006 when he rescinded public employees’ collective bargaining rights. Then, in 2012, Indiana lawmakers shifted their attention toward private sector workers to pass legislation making Indiana the 23rd “right-to-work” state. Michigan and Ohio also followed Wisconsin’s lead to implement similar collective bargaining restrictions for both public sector workers (in the case of Ohio) and all workers (as in Michigan). Chris Christie also signed an executive order on his first day in office that restricted public employee unions in the state from making political campaign contributions, and has engaged in numerous struggles with public employee unions over salaries, pensions, and health care benefits.

To shed light on this nationwide phenomenon, I have compiled an extensive original data set containing bill content and status information for these and similar reforms introduced across state legislatures between 2007-2014. This data was obtained utilizing a combination of state legislative archives key word searches and the National Conference of State Legislatures Collective Bargaining database. With this information I categorized individual bills according to their purpose in restructuring labor relations. So, bills seeking to change labor relations in ways that advantage employees and their unions are considered to be “pro-labor,” while those that would give the advantage to the employer at the detriment of workers and unions are classified as “anti-labor.” My data collection efforts reveal that Cantin’s (2012) observation about the “wave of anti-public-sector-collective-bargaining statutes” was potentially understated. Indeed, approximately 2500 bills seeking to weaken, strengthen, or preserve workers’ union organizing and contract negotiation rights were introduced across a majority of states surrounding the economic downturn. In the sections that follow, I offer more detailed descriptions of the content of this legislation while shedding light on how state labor relations agendas evolved over the course of the Recession.

THE LABOR RELATIONS REFORM AGENDA IN THE STATES

Collective bargaining rights are legal protections extended to workers permitting or requiring employers to meet with employees regarding the terms and conditions of their employment. However, collective bargaining rights for state and local government employees are not generally extended or restricted through a single legal provision; myriad occupation-specific laws regulate union organizing and contract negotiation rights. For this reason, state lawmakers pursued a multi-prong approach to reforming public sector labor relations during the Great Recession. This is indicated by the wide-ranging content of bills related to union organizing and employee rights introduced in state legislatures from 2007-2014.

I find that over 1000 labor-restrictive bills were introduced across the American states from 2007-2014. Notably half of these bills were introduced during the 2011-2012 legislative session, indicating a dramatic increase in labor relations reform activity following the midterms. Moreover, in earlier sessions, the number of pro-labor proposals actually exceeded the number of anti-labor reforms. The “anti-labor” bent that the reform agenda took following the 2010 midterms indicates that a sea change in public sector labor relations was underway: between 2011 and 2012 nearly 5 times as many employer-advantaging or labor restricting bills were introduced compared to the 2007-2008 session. (See Tables 1& 2).

Table 1. Introduced labor relations reform bills, pooled sessions

Session	Pro-labor	Anti-labor	Neutral
2007-2014	1216	1195	151

Table 2. Introduced labor relations reform bills, 2007-2014, by session

Session	Pro-labor	Anti-labor	Neutral
2007-2008	312	119	18
2009-2010	288	198	14
2011-2012	359	523	68
2013-2014	257	355	51

Similarly, we observe significant changes over time in the frequency of state labor-restrictive legislation being either passed by at least one chamber of the legislature or enacted into law. In fact, the data reveals somewhat of a gradual reversal of course for organized labor occurring from the ‘07-‘08 session to the ‘09-‘10 session, which then increases more dramatically by ‘11-‘12. (See Tables 3&4). For instance, in the first session included in the dataset, only eight total labor-restrictive or “anti-labor” reforms were either engrossed or enacted, compared with 60 pro-labor reforms that were at least partially successful in ascending through state legislative processes. Then, by 2011-2012 over 90 bills with a labor-restrictive bent were passed by at least one state house or enacted across the states.

Table 3. Legislation passed by at least one chamber, by session

Session	Pro-labor	Anti-labor	Neutral
2007-2008	26	4	0
2009-2010	20	18	1
2011-2012	18	23	2
2013-2014	13	18	3

Table 4. Enacted legislation, by session

Session	Pro-labor	Anti-labor	Neutral
2007-2008	34	4	3
2009-2010	31	13	3
2011-2012	44	71	15
2013-2014	41	39	10

Additionally, we find significant divergence between executives and legislatures during the observed timeframe, with 39 pro-labor bills being vetoed by (mostly Republican) Governors in 2007-2008 and handfuls of both pro-labor and anti-labor reforms being vetoed by Governors of both stripes, with the occasional veto being overridden by a legislative supermajority, in later sessions. (Table 5.)

Table 5. Legislation vetoed and vetoes overridden (OR), by session

Session	Pro-labor	Anti-labor	Neutral
2007-2008	39 (1 OR)	3 (1 VOR)	0
2009-2010	7 (3 OR)	1	0
2011-2012	7	6	0
2013-2014	9	5	0

A content analysis of this legislation further elucidates roughly 11 components of the labor relations reform agenda (Table 6). As indicated by the bill content analysis, various aspects of state labor relations bills introduced surrounding the Recession sought to: extend or restrict collective bargaining rights for certain classes or occupations of workers; alter the collective bargaining scope and contract negotiation process; change impasse resolution procedures; regulate public contracting; and restrict labor unions' political and activities.

Table 6. Labor Relations Reform Components, Bill Introductions 2007-2014*

Labor Relations Reform Components*	Total # of Proposals
Representation and Bargaining Rights	**1017**
(1) Restricts: 436	
(2) Expands: 581	
Mandatory Bargaining Scope	**437**
(1) Narrows: 192	
(2) Widens: 245	
Impasse Arbitration	**410**
(1) Restricts: 121	
(2) Expands: 289	
Contracts and Negotiations	**92**
(1) Voter/legislative approval required: 28	
(2) Public posting required: 15	
(3) Continuation/expiration clauses: 49	
Union Certification and Election Procedures	**240**
(1) Secret Ballot: 171	
(2) Majority Card Check: 60	
(3) Legislative Recognition/Exempt from Election: 9	
Employee Strikes	**129**
(1) Striking prohibited: 116	
(2) Striking permitted or punishment lowered: 13	
Transparency of Bargaining and Union Activities	**75**
(1) Favors transparency: 56	
(2) Favors confidentiality: 19	
Union Security/Agency Shop Provisions	**318**
(1) Agency Shop prohibited: 194	
(2) Agency Shop negotiable: 87	
(3) Agency Shop compulsory: 37	
Union Dues Deduction Provisions	**189**
(1) Dues check-off prohibited: 80	
(2) Dues check-off negotiable: 32	
(3) Dues check-off compulsory: 51	
(4) Dues check-off requires authorization: 26	
Politics, Money, and Influence	**129**
(1) Regulates union organizing: 28	
(2) Regulates union political expenditures: 82	
(3) Regulates union financial reporting: 19	
Contracting Out and Privatization:	**152**
(1) Authorizes/enables: 105	
(2) Permits within guidelines: 39	
(3) Restricts: 8	

* Components are not mutually exclusive

Examining frequencies of bill introductions for key reform components I further found that the roughly one-fifth of proposals sought to change provisions related to the collection of union dues and fees, over 400 bills sought to change the mandatory bargaining scope and/or alter mediation procedures, while 240 sought to establish or alter union certification processes. (A further description of introduced and enacted legislation in each category can be found in Appendix 1.)

I consider the proposals detailed in Table 6 to be components of a broad labor reform agenda following Boehmke because they reflect various ways of altering the institutional or political framework in which employees collectively negotiate contracts and resolve impasses with their employers (Boehmke 2009). So, individual components of the larger collective bargaining reform agenda might include provisions related to union certification, representation, dues, political activities, or public contracts. In this way, components of state labor reform agendas might be complementary or alternative ways to accomplish the policy objective of restructuring labor relations in the public sector. Moreover, an individual bill may contain none, some, or all these components. Considering this assortment of labor-related policy proposals in a comprehensive analysis, then, permits conceptualization of the various methods through which states seek to accomplish the policy goal of weakening (or strengthening) public employee unions.

WHERE **WILL PUBLIC EMPLOYEES SOON BE "BARGAINING ALONE"?**

Labor scholars and activists argue such heighted collective bargaining reform activity amounts to an assault on organized labor and question whether state lawmakers will soon pound the final nails into the coffin of the American labor movement (McCartin 2011). Scholars of state politics and public policy, on the other hand, are interested in identifying the set of circumstances that coalesce to shape state policy reform agendas. As public employees are increasingly forced to "bargain alone" to secure workforce protections, this project sheds light on the economic determinants of the Great Recession-era labor relations reform agenda. The time frame of the analysis additionally spans economic and partisan changes occurring across states during the peak and recovery phases of the recession. I assess the influence of such factors on the frequency of "anti-labor" compared to "pro-labor" proposals on state legislative agendas using event count models and statistical stimulation techniques.

Clearly, the enactment of draconian collective bargaining restrictions targeting government employees is a significant development with stark implications for public sector unionism. (Observers are already assessing the damage in terms of declining public sector union membership in Wisconsin and Michigan, and the prognosis is not good, especially for teachers unions). Further, I suggest that the explosion of anti-labor bill introductions surrounding the Great Recessions is also consequential, irrespective of individual bill passage or failure. This is because bill introductions are an important "position-taking" activity engaged in by lawmakers (Rocca 2010; Schiller 1995). As such, introducing legislation that is identifiably labor-restrictive or permissive yields important information about legislators' preferences while signaling their existing (or aspirational) relationships with interest groups.

The proliferation of anti-labor legislation, then, may indicate that relationships between state lawmakers and organized labor have become strained in the current fiscal and political environment. Legislators seeking to court support from a different donor class (thereby distancing themselves from increasingly unpopular unions) may seek to signal these preferences by introducing labor-restrictive bills even in instances when they know they are unlikely to be adopted. In support of this, journalists, scholars, and labor activists have called attention to the role the American Legislative Exchange Council has played in providing lawmakers with “boilerplate” union-busting legislation since the financial crisis ensued (Vail 2013; Lafer 2013).

Nonetheless, critics may assert that bill introductions are relatively “costless” (and hence, uninteresting) because few states limit bill introductions and variations on the same proposal can be introduced session after session, *ad infinitum*. I argue, however, that it may be particularly “profitable" for lawmakers to introduce bills favored by interest groups (like ALEC or public employee unions). For instance, Rocca and Gordon (2010) have linked the positions that House Democrats take through bill sponsorship to campaign contributions from labor and gun control PACS. Lazarus (2013) similarly found a positive relationship between the number of policy-related bills introduced by a Member of Congress and his or her constituents’ heightened interest in that policy. Such research suggests that bill introductions data is a valuable source of information about lawmakers’ constituent preferences and interest group loyalties. This is because sponsoring legislation is a visible, traceable way for lawmakers to signal the *direction* and *intensity* of their preferences on an issue regardless of whether a bill is likely to make it to a floor vote or survive an executive veto. This may explain why Republicans in states where Democrats enjoy legislative dominance still introduce labor-restricting legislation and why one fervently pro-labor bill introducer exists in even the deepest red, Right to Work states.

For this reason, I suggest that lawmakers used bill introductions during the Great Recession to convey information to interest groups and voters about the direction and intensity of their preferences related to organized labor, fiscal policy, and/or free market principles. Following this, I categorize labor reform proposals based on their direction: pro-labor or anti-labor. I then use this information to assess how intensely lawmakers in a state supported a labor-restrictive versus labor- permissive reform agenda in response to the financial crisis. My examination of the data reveals that most states cluster into identifiable anti-labor or pro-labor reform camps. So, although the labor relations reform agenda pursued across the states during the recession ostensibly aimed to strengthen the [government] employer in labor negotiations, dozens of states actually aimed to extend or reaffirm existing labor protections. States additionally sought to implement labor relations reforms with varying intensity: In 21 states, greater than 1.5 times as many anti-labor bills were introduced compared to pro-labor bills. Pennsylvania and Michigan, for example, introduced over forty more bills that aimed to advantage the employer versus employees in labor relations. Conversely, 15 states including New York, Massachusetts, and Maryland, introduced 25% fewer anti-labor than pro-labor bills (See Tables 7&8.). A detailed description of introduced and enacted collective bargaining reform legislation broken down by "pro" versus "anti" labor for each legislative session contained in the dataset can be found in Appendix 2.

Table 7. "Pro-Employer" States: Greater than 1.5x as many anti-labor bills were introduced

State	Anti-labor	Pro-labor
FL	22	0
MS	12	1
OK	22	2
KS	9	1
VA	26	3
SC	17	2
GA	8	0
MT	8	0
UT	8	1
LA	7	0
ID	18	3
TN	44	12
CO	17	5
IN	35	11
WY	3	1
MI	67	24
PA	70	26
MO	44	17
IA	23	11
AR	8	4
NV	13	7

Table 8. "Pro-Employee" States: Greater than 1.5x as many pro-labor bills were introduced

State	Anti-labor	Pro-labor
AK	13	17
HI	51	68
WV	12	16
KY	11	15
RI	57	85
AZ	36	59
WI	20	34
CA	26	53
DE	5	11
VT	9	20
SD	3	7
MA	29	80
MD	21	72
WA	21	72
NY	35	155

Table 9. Battleground (or borderline) States

State	Anti-labor	Pro-labor
OH	11	7
NH	24	18
MN	39	30
NE	7	6
IL	59	53
OR	38	35
NJ	63	60
CT	26	26
TX	14	14
ME	13	13
NM	11	11
ND	2	2
AL	14	15
NC	9	10

Looking at enacted legislation, similar patterns emerge, with Michigan being revealed as the most labor-restrictive reformist state (Tables 10&11). Under the leadership of Rick Snyder, the unified Republican-controlled government (after 2010) was one of the leading public sector reformers.

Table 10. "Pro-Employer" States: Greater than 1.5x as many anti-labor bills were enacted

State	Anti-labor	Pro-labor
MI	18	1
ID	9	1
FL	7	0
TN	7	1
OK	6	0
VA	6	0
IN	6	1
AZ	5	1
RI	5	3
KS	4	0
SC	4	0
UT	4	0
PA	3	0
AL	2	0
GA	2	0
LA	2	0
MO	2	0
NJ	2	0
ND	2	0
SD	2	0

Ostensibly, fiscal crises occurring in this deindustrializing state and the city of Detroit suggest that steep budget deficits, underfunded pensions, high unemployment rates, and weak housing markets potentially created a "perfect storm" for lawmakers seeking to impost draconian collective bargaining reforms in order to push for neoliberal reforms while weakening the political influence of organized labor in the state.

Conversely, several states with presently strong public employee unions (in terms of union density and permissive collective bargaining laws which have contributed to significant political influence in terms of voter mobilization and campaign contributions) emerge as being either stanchly "pro-labor" during this period, or at least labor-permissive. These are Maryland, California, Illinois, Washington, New York, and to a lesser extent, Maine, and Massachusetts. Overall, these are also states that mostly enjoyed unified Democratic control of the government for at least part of the 2007-2014 timeframe. These are also states with notably smaller "gaps" in private compared to public sector union density (due to relatively higher private sector union density than in other states), and states were relatively larger numbers of overall workers are covered by a union contract.

Table 11. "Pro-Employee" States: Greater than 1.5x as many pro-labor bills were enacted

State	Anti-labor	Pro-labor
MD	0	26
CA	1	17
IL	3	14
WA	1	12
NY	1	10
MN	0	8
MA	0	5
DE	0	4
HI	1	5
OR	1	5
NH	3	6
WI	3	6

VT	2	4
CT	0	2
TX	0	2
ME	2	3

In 2009, the average union density for private workers *across* the states was roughly 6.5%, while it was 34.2% for public employees. However, in many "pro-employee" reform states, private sector union density was more likely to be above average. For example, private sector workers enjoyed 12.6% union density in Washington state and over 21% union contract coverage. In Maryland, private sector unionization as a weak 7.3% but nearly twice as many workers were covered by a union contract, while in Illinois, almost 11% of private sector workers were unionized but 18% are contract protect, and in New York over 27% of workers are. I argue that such findings suggest states cluster both in their legal environments related to collective bargaining rights and their relationships to organized labor. The Great Recession brought these relationships under an intense amount of stress, but the preexisting linkages to organized labor coupled with state fiscal and political characteristics presumably shaped states' responses (Hirsch 2014).

As these descriptions of both introduced and enacted legislation in state labor reform agendas reveal, states exhibited significant patterning in their approaches to tackling labor relations in light of the fiscal challenges and political opportunities presented by the Recession. What, then, explains variation in the direction and intensity of the labor reform agendas pursued across the states in response to the Great Recession? In particular, what factors contributed to the labor-restrictive tone of much of the legislation arising following the 2010 midterm elections? Ostensibly, legal moves to restrict or extend collective bargaining can be seen as a matter of policy, or a matter of politics, or both. One the one hand, weakening public employee unions may be regarded by lawmakers as an essential component of government downsizing operations because public employee unions stand in the way of the mass layoffs, pay freezes, and benefit reductions that they seek. On the other hand, reforming labor relations in ways that weaken unions may be seen as part of a political strategy aimed at de-unionizing particular segments of the workforce in order to weaken the political influence of unions who are generally supportive of Democratic causes and candidates.

Related to this, collective bargaining reform crusaders proffered various rationales to justify their labor-restrictive agendas. Some clearly expressed a desire to weaken unions, while others offered more veiled justifications using arguments framed about enhancing worker freedom and spurring job creation. For example, Ohio's Governor John Kasich campaigned on fiscal responsibility, supported pre-existing legislation aimed at restricting public sector collective bargaining, and spoke publically about the need to "break the back of organized labor in the schools" (Rowland 2010). Similarly, Wisconsin State Senate majority leader Scott Fitzgerald claimed that the goal of the Wisconsin legislation was, "to break the power of unions…once and for all" (Slater 2012). However, not all leaders were as open about their union-restricting intentions in their promotion of collective bargaining reforms.

For instance, Lawmakers in Michigan appeared to acknowledge their state's legacy as the birthplace of the American labor movement during the halcyon days of the UAW by avoiding the use of anti-union rhetoric. Instead, when discussing the state's pursuit of a union-restricting right-to-work law, leaders described the legislation in terms of worker *choice* rather than union-busting unions. Senate majority leader Randy Richardville stated: “If I were you, I'd join that union…But I think it would be wrong to not have a choice to join that union.” Michigan’s Speaker of the House Jase Bolger added that the legislation was not anti-union, but rather “pro-worker,” stating: “this is not about Republican vs. Democrat, this is not management vs. labor, this does not change collective bargaining, this is not anti-union…This is about Michigan's hard workers” (Woods 2012). Governor Snyder also framed lawmakers’ efforts in making Michigan a right-to-work state in terms of worker “freedom” (from being forced to pay fees to a union as a requirement of employment). Similarly, Sen. Carlin Yoder, the chief sponsor of the Indiana right-to-work bill stated that it was “about jobs” and proclaimed that unions would thrive in spite of it, while Governor Daniels touted the law’s potential for boosting statewide economic investment.

The undeniable subtext in each of these narratives—that public employees bankrupted state finances and labor unions prevent economic growth—implies that restricting collective bargaining is essential in healing ailing economies. Right-leaning media outlets further perpetuate this narrative: The *Wall Street Journal* has repeatedly characterized public-sector unions as potentially the “single biggest problem” with the US economy, while *National Affairs* suggested that public sector unions were at the root of state debt problems because elected officials feared crossing influential public sector unions (Disalvo 2010). The 2012 *Republican National Convention* platform additionally lauded efforts of Republican state lawmakers to weaken public sector unions while casting reforms as a fiscal imperative. The platform stated: “We salute Republican governors and state legislators who have saved their states from fiscal disaster by reforming their laws governing public employee unions” (RNC 2012).

Leftists, on the other hand, vociferously argue that labor relations reforms are about no less than busting unions in order to cut off an important revenue stream for the Democratic Party. In a pithy account of the lead-up to the Wisconsin “battle” over public sector collective bargaining rights, labor historian and Wisconsin-native Andrew Kersten argues: “Public unions are the last bastion of the labor movement, and everyone from the kindergarten teacher to the conservative pundit in the corporate-sponsored think tank knows it. The goal of the latest breed of Republican politicians is to smash those unions once and for all” (2011). Similarly, in an article bluntly titled: “The Politics of Austerity and the Conservative Offensive against US Public Sector Unions, 2008-2012” Étienne Cantin asserts: “What is going on in Wisconsin and other states ought to be seen for what it is: an attempt to exploit the economic crisis to win an eminently political victory over organized labour and allied democrats” (2012).

The common thread in such assessments of state collective bargaining reforms is that fiscal crises have been somewhat contrived in order to promote an anti-labor agenda. In support of this, Kersten asserts, “Walker has manufactured a budget crisis in Wisconsin so that he can apply the principles of his political faith and create a new Wisconsin” (2012). Cantin similarly argues: “Since the onset of the Great Recession, anti-union conservatives have been hammering out an arguably bogus yet politically potent argument: collective bargaining with government workers is unaffordable as their wages, health benefits, and pensions are driving states into deficits" (2012). It has been further noted that the "rhetoric of class warfare" is frequently deployed in political appeals supporting collective bargaining reform (Kersten 2012). For example, Governor Scott Walker justified the dramatic restructuring of public sector labor relations in the midst of the recession through claims that Wisconsin had a "haves and have-nots" problem in which unionized state workers were the "haves" while everyone else were the "have nots." Governor Daniels of Indiana similarly framed the impetus for the reforms he pursued in 2006 in terms of class warfare by asserting that government workers comprised a "new privileged class in America," who, rather than being lowly public servants were now "better paid than the people who pay their salaries" (Smith 2010).

In light of such observations, the politics surrounding state labor reform agendas seem mired in the economic crisis and worker discontent on the one hand, and partisan maneuvering on the other hand. In the analyses that follow, I consider what characteristics of states, both political and economic, may have compelled the pursuit of comprehensive labor-restrictive agendas in the wake of the Great Recession. I find that during the recession, negative state fiscal characteristics related to budget reserves, underfunded pensions, housing prices, and unemployment rates contributed to more intense "anti-labor" reform agendas. Additionally, conservative state ideology and greater divergence in unionization rates for private versus public sector workers further intensified anti-labor reform agendas.

Highlighting these relationships between state economic and political conditions and collective bargaining reform agendas sheds light on three key changes occurring in the American political economy contributing to organized labor's diminishing influence in the post-Great Recession era: 1) Economic uncertainty among the working class stoked by the weak housing and job markets; 2) Envy experienced by non-unionized private sector workers toward the more job-secure public sector in high unionization states contributing to enmity rather than a desire for emulation; and 3) Real fiscal stress experienced by states in the form of budget shortfalls and underfunded pensions. I conjecture that the confluence of these factors coinciding with a partisan "sea change" across state governments in the midst of a worldwide financial crisis created a political opening for reformers seeking to facilitate greater neoliberal reform projects (and advance political objectives) through the implementation of collective bargaining restrictions aimed at weakening the "insider" status of public employee unions.

THE 2010 MIDTERMS AND A RUST BELT TURNED RED

During this so-called "Tea Party" revolution, the GOP rested control of twenty-one state legislative chambers from Democrats to secure party control in 25 state legislatures compared to the 16 controlled solely by Democrats. 11 governorships also flipped to Republican, resulting in Republican Party unity in 21 state governments across the US in 2010; this increased to 23 in 2012 (NCSL 2010). A dramatic restructuring of public sector labor relations followed. As noted, between 2011 and 2013 four formerly pro-labor "rust belt" states—Indiana, Wisconsin, Ohio and Michigan—enacted laws barring unions from collecting fees from non-members while placing additional restrictions on union formation and contract negotiations. Windfalls of comparable labor-restrictions were also introduced in nearly all of the states on the heels of historic gains made by Republicans in state elections in 2010. It is further important to note that each of the "big four" (Indiana, Wisconsin, Ohio, and Michigan) are not historically Republican-dominated states. Rather, these are deeply divided states that are neither solidly red nor blue: for over two decades Midwestern Governorships have alternated between the parties while state legislatures have frequently experienced Democratic and split control. In fact, Republicans had not seen a majority in Wisconsin until the early 2000s, and even then it was short-lived. Indiana further has a long history of split legislative control: between 1990 and 2010, neither the Republican nor Democratic Party could secure a legislative majority, except in 2004 when the state went Red briefly before returning to split control in 2006. Michigan has a similar history of split legislative control, as does Ohio, although Ohio has trended toward Republican control since the mid-1990s (NCSL 2014).

Ostensibly, then, the nation-wide uptick in labor-restrictive lawmaking activity appears to have followed the partisan tides. However, Republicans handedly defeated the Democrats in 2010 for an important reason: the economy. Unemployment soared, housing prices plummeted, and voters demanded that someone—initially the incumbent party, but soon thereafter public employees—share in their distress. However, not all states experienced the recession in the same way. Economic characteristics including dominant industries, workforce demographics, compensation trends, and housing markets vary significantly across the states. For this reason, I suggest that state economic indicators like employment levels, home values, and income growth should be considered as key factors that may have emboldened partisan lawmakers to pursue comprehensive public sector reforms in particular times and places.

Further, by illuminating the relationship between material economic conditions and state-level variation in the direction and intensity of the labor reform agendas, I shed light on another key outcome of interest: the dwindling popularity and political clout of American public employee unions. I argue that the recent advent of a wholesale reform movement targeting public employees and their unions is a puzzling turn of events. This is because at the dawn of the 21st century, public employee unions enjoyed considerable "insider" status in American politics and as such, should have been able to exercise their leverage to successfully block threatening proposals.

However, if the assertion that labor unions are insiders in American politics seems counterintuitive, it is because organized labor occupies a paradoxical place in American politics. Echoing Lindbeck, it is important to recognize that the distinction between an insider and an outsider "is a matter of degree" (Lindbeck 2001). Roughly 10 percent of workers today belong to labor unions, compared to 20% in the 1980s (BLS 2013). However, *public employee unions* enjoy far greater strength in numbers and political influence than these figures indicate. While unionization among workers in manufacturing and the construction trades rapidly declined during the latter-half of the 20th century, it significantly increased among public employees. By the 1980s, about twice as many (30-40%) state and local government workers were unionized compared to private sector employees. Indicative of this, the Association for Federal, State, County, and Municipal Employees (AFSME) is today 50 percent larger than the United Auto

Workers (McCartin 2006). Resultantly, state and local government employees backed by influential labor organizations have come to function as politically powerful insiders in state and local politics with the numbers and resources (via membership dues) to access lawmakers and mobilize voters to influence policy outcomes. Public employees like schoolteachers, police officers, and firefighters have come to enjoy a significant degree of job security, coupled with generous fringe benefits like low premium health insurance and "defined benefit" pension plans as a result of their insider status.

Moreover, labor unions exert considerable influence in national elections. In sum, unions contributed nearly a billion dollars to federal candidates from 1990-2014. So, in spite of dwindling overall union membership, campaign contributions from labor unions steadily increased over recent decades, reaching a peak of over $143 million in 2012. This is because public employee unions like the National Education Association and the American Federation of State, County, and Municipal Employees are among the top labor donors. In the 2014 election cycle, public employee unions donated over ten million dollars to Congressional campaigns, with Democratic candidates receiving the over 94% of these funds (Open Secrets.org 2014).

Public sector unions also assert considerable political clout trying to influence state and local politics. The growing influence of public employee unions, especially teachers and public safety officers unions, on state and local politics and policy-making has been documented (Page 2008; Moe 2009; Grissom 2010). Related to this, a 2012 Wall Street Journal analysis found that organized labor spends significantly more money on politics and lobbying in state and local elections than on federal campaigns (Mullins

2012). This makes sense because as federal labor protections do not apply to state and municipal government employees, state and local employees are governed by a unique set of labor laws and hence rely on a favorable state institutional environment in order to maintain their political influence. In states with permissive laws governing union formation and dues collection, then, public employee unions maintain significant membership and financial resources.

Further, the experience of public employee unions within a state may differ markedly from that of their private sector counterparts because states may restrict union organizing and bargaining rights for certain classes or occupations of workers. The most common way of restricting union formation is by barring unions from requiring non-members to pay them a "service fee" in return for receiving union-negotiated protections in the workplace (Moore 1998). States with provisions like this that apply to all workers are referred to as "Right-to-Work" (RTW) states because membership or non-membership in a labor union is not a legal requirement for work in these states.

Right-to-work provisions restrict the ability of labor organizations to attract members and raise revenues because they incentivize free-riding. At their core, such legislation is designed to reduce the attractiveness of joining a labor organization by enabling non-members to receive the benefits of a union-negotiated contract without having to pay union membership dues or representation fees. Because the potential to free ride in a so-called right-to-work state creates a disincentive to unionize, there is significant variation in labor union density, and potentially, union influence across the US states as a function of labor-related legislation (Moore 1998). Over time, in the context of right-to-work laws and other labor negotiation restrictions, union membership declines as the incentive to join a labor union is weakened.

Right-to-work laws are thus largely credited with the declining membership of private sector manufacturing and construction unions, and overall union density is lower in such states. However, even within right to work States, public employee unions representing teachers and police officers often enjoy occupation-specific collective bargaining rights that enable them to attain and maintain substantial membership bases. For example, in 2012, although teacher union density averaged 58% in RTW states, compared to 85 % in non-RTW states, teachers in “outlier” RTW states like Alabama and Nebraska enjoyed density levels hovering around the non-RTW average of 85%, while states like Idaho (62.2), Missouri (76.6), North Dakota (74.7), Texas (62.7) and Utah (63.6) maintaining above average sized memberships for RTW states. Resultantly, public sector union density even approaches upward of 50% in Republican-dominated right to work states where trade and manufacturing unions are practically non-existent (Hirsch 2014).

In contrast to private sector unions, labor unions representing state and local government employees have persistently enlarged their membership bases and financial resources in the postwar era. Economists have even characterized state and local government employment prior to the Great Recession as historically “recession-proof” (Polak and Schott 2012). Favorable state institutional and economic conditions have facilitated this course. For this reason, the enactment of laws restricting collective bargaining by barring dues collection from non-union public employees in Michigan, Wisconsin, Ohio, and Indiana following the Great Recession received significant attention in the news media, and from labor organizers and activists. Does the proliferation of reforms specifically targeting public employees following the 2008-2009 financial crisis suggest that history is catching up with public sector unions?

Recent trends indicate that membership losses due to layoffs, hiring freezes, and ostensibly, recently enacted laws limiting collective bargaining are weakening public sector unions. In Wisconsin, for instance, public sector unionization fell over 15%, from 53.4 percent in 2011 to 37.6 percent in 2013. Nationwide public sector unionization also fell over one percent from 2012-2013, and in 2014 continues to sit at its lowest level since the 1930s, due in large part to declining union membership among teachers (Chumley 2013).

During the Great Recession, fiscal imperatives, public discontent, and interest group activity appear to have combined to create a perfect storm for unified Republican governments to pursue sweeping labor relations reforms. The enactment of laws restricting public employees' collective bargaining rights in several Republican-controlled states suggests that this reform movement has political underpinnings. However, anecdotal evidence from the most visible cases like Michigan, Ohio, and Wisconsin do not tell the complete story of the reform agenda across the states. These cases highlight major losses (and subsequent wins in the case of Ohio) for public sector unions, however, they lack context. My research seeks to provide a more comprehensive overview of the political and economic contexts that state legislative agendas arose out utilizing bill introductions data from the four legislative sessions that surrounded the

Great Recession, from 2007-2014. By revealing the contours of state reform agendas, I aim to highlight characteristics present in individual states that contributed to the pursuit of sweeping changes to public sector labor relations.

As noted in tables 7-11, variation in the frequency of bill introductions indicates that states "cluster" in their reform agendas, with some states decidedly favoring the government/employer in labor relations, and others identifiably favoring labor unions and public employees (or at least favor maintaining the status quo). Moreover, several "battleground" states also emerge in which there was significant activity on both sides, suggesting pro-labor bill introductions may have risen *in response to* the uptick in anti-labor activity, resulting in a "tit for tat" reform agenda in which pro-labor lawmakers sought to offset their constituents' potential losses by pursuing subsequent gains for labor unions.

Highlighting changes occurring over time in the intensity and direction of individual state legislative agendas also reveales interesting variation. This is where we find that prior to the 2011-2012 session, many states were more pro-union in their legislative activity than is popularly known (Tables 1&2). For example, before the 2010 midterm elections, Wisconsin has formerly been a Democratic stronghold, introducing 22 and enacting 6 pro-labor bills from 2007-2010. It was not until the election of a Republican governor and legislature in 2010 that anti-labor collective bargaining reforms dominated the state's agenda. What explains the surge of anti-labor legislative activity in the 2011-2012 session, relative to 2007-2008? Moreover, why did some states pursue more intense labor reform agendas during this time than others?

Prior to the Great Recession, public employee unions enjoyed relatively favorable political and institutional conditions across a majority of states. Exemplary of this, recessions occurring in the 1980s 1990s, and early 2000s also did not compel state lawmakers to pursue significant labor relations reforms (Polak and Schott 2012). I suggest this is because public sector unions were previously more influential in their ability to shape (particular) states' legislative agendas to block reform proposals coming out of the gate. Such an expectation follows from the understanding that public sector unions are well-documented as powerful policy players because they possess strength in both numbers and resources, exercising veto power over unpopular policies in their abilities to influence electoral politics (Page 2011; Berkman and Plutzer 2011; More 2011, 2012; Francia 2013; Anzia and Moe 2015;).

Gottschalk, however, observes that labor union strength is not attributable to manpower alone (Gottschalk 2007). Financial resources, political strategies, *and the ability to court and win public opinion* are essential aspects of labor union influence in shaping public policy. Indeed, research suggests that public sector unions derive their considerable influence from having support from the public gained through strategic alliances with other interest groups and waging successful public imagine campaigns (Johnston 1994; Page 2011). Drawing on this important lesson, we should expect *unpopular* unions, no matter how expansive or well financed, to exert less influence over state political agendas. While I do not have public opinion data to assess the relationship between aggregate public attitudes and policy outcomes at the state level, national opinion polls taken during the recession suggest that significant public majorities came to support collective bargaining reform during downturn (Rasmussen 2012). I conjecture that this relates to working class discontent over the economy coupled with envy-born enmity toward government workers resulting in weakening the popularity and hence influence of public employee unions. This, taken with my analyses that indicate that anti-labor reforms were more likely to be pursued in states with weaker housing and job market conditions, coupled with greater public-private sector unionization divergence, suggests that labor union influence is also impacted by economic conditions that may affect the public's attitudes toward so-called labor market insiders.

According to scholars like Salvatore (2012) and Alquist (2012), the sharp divergence in union membership among private sector workers compared to public sector employees that began following WWII has contributed to significant problems for organized labor. This is because the working class is not mobilized equally by labor unions and the idea of working-class solidarity based around class consciousness cannot take root when the private sector has never experienced significant union membership. This lack of an alliance between private sector workers and public employees (as a result of unionization divergence) makes organized labor institutionally weak and movements for the protections of public employee rights inherently divisive. Moreover, as Wilson observes, the relationship between non-unionized private sector workers and the heavily unionized public sector is fraught by the "politics of envy" (2012). Following Wilson's logic, private sector workers come to angrily resent public employees when they feel as though their interests as taxpayers and homeowners conflict with the demands of public employees for higher wages and benefits, which may result in higher income and property taxes with no net gain for private sector employees. Extending Wilson's logic, it would make sense that times of economic uncertainty (like the Great Recession) would stoke the envy of the private sector toward the unionized public employees who do not appear to be fairly sharing in the pain of recession, resulting in antipathy toward unions (who are the seeming or actual defenders of public employees insider status). Resultantly, reformist lawmakers may be able to harness working-class discontent among the private sector to weaken the influence of public employee unions to oppose reforms that seek to restrict their members' collective bargaining rights.

Related to this, McCartin (2011) contends that adversaries of public sector unions have been waiting for decades for the opportunity (i.e. a deep and protracted recession) to curtail public sector unions through the justification of fiscal necessity and the assignment of blame. As such, I expect that in states with weaker economies marked by budget and pension crises, housing price depreciation, high unemployment, stagnant incomes, and greater divergence between the unionized public and private workforce, there will be more intense anti-labor reform agendas pursued. Conversely, in states with stronger economies, working-class discontent was weaker and lawmakers did not feel as emboldened to pursue comprehensive public sector restructuring, resulting in a less prolific reform agenda.

My data provide abundant empirical evidence to allow us to consider such relationships by examining relationships between legislative agendas and fiscal characteristics of states. In sum, the collective bargaining bill data that I have collected reveals significant variation in the labor relations reform agenda coming out of the Great

Recession. State-level differences in the direction and frequency of introduced legislation suggest that states cluster in either "anti-labor" or "pro-labor," camps, while states that experienced heightened reform activity on both sides emerge as "battleground states" in which some of the fiercest labor relations debates occurred. Moreover, the observed changes in the tone and intensity of state legislative agendas across sessions indicate that economic factors may have propelled partisan collective bargaining reform agendas.

However, I challenge the common wisdom offered by conservative lawmakers that state budget crises and unfunded pensions offered no alternative but to pursue labor restrictive reforms in order to balance state budgets and get the economy back on track. I additionally question arguments on the left that claim this reform movement is *strictly* partisan and fail to consider its economic foundation. Instead, I argue that lawmakers on both sides of the aisle pursued public sector reforms during the Great Recession because they were responding to (or taking advantage of) constituent discontent stemming from the poor economy. Indeed, many voters supported the actions taken against unions by Governor Scott Walker of Wisconsin and Rick Snyder of Michigan; Walker even survived a union-orchestrated recall election following his efforts to strip public employees' of their collective bargaining rights. In light of such developments, it is important to acknowledge that voter support for efforts to "take on the unions" may have been reflected in state legislative agendas.

To advance this argument, I highlight economic determinants related to variation in the direction and intensity of state labor relations reforms pursued surrounding the Great Recession. First, I consider the relationship between state fiscal characteristics and the direction and intensity of the reform agenda. Next, I turn to market conditions to explain the reform agenda in the states. Following this, I expect that in states where wages have stagnated, housing prices depreciated, and unemployment is the highest there will be more intense anti-labor reform activity. I further suggest that in states with higher public/private sector unionization divergence there will be more anti-labor reforms. I conjecture that greater demand for reforms spurs not only from lawmakers' desires to empower the employer (in this case the government) in labor relations, but also for bringing public sector employment more in line with the private sector: insecure, lowly remunerated, and most importantly–deunionized.

DATA AND METHODS

Constructing the Dependent Variable

Data on state collective bargaining bill introductions was obtained from the National Conference of State Legislatures Collective Bargaining database, as well as each states' online bill archives database. Search terms used to locate and identify relevant legislation included "collective bargaining," "labor union," "public employee," and "right to work." Bill content returned through these searches was coded for reform type and intention, and organized into four legislative sessions[1]:

Session 1: 2007-2008
Session 2: 2009-2010
Session 3: 2011-2012
Session 4: 2013-2014

[1] In states with "off-year sessions" that do not map onto this timelines, the following dates were used: Session 1: 2006-2007; Session 2: 2008-2009; Session 3: 2010-2011; Session 4: 2012-2013.

In line with with Boehmke (2005), I collapse bill introductions data over each 2-year legislative session. For each state, there four state-session observations, N=200. State legislative agendas during each two-year legislative session are then described in three ways using ratio variables constructed from the frequency of bill introductions in each state-session across two categories: 1) Anti-labor introduced bills; and 2) Pro-labor introduced bills. Neutral bills are omitted from the current analysis. These variables alternatively serves as the dependent variable in each of two statistical models used in the analysis.

Independent Variables

In most instances, the date chosen for the independent variables corresponds with the value of the variable during the first year of the legislative session. In states with off-year sessions the independent variables are lagged in order to maintain consistency across predictors. Information on state budgets “days in budget reserve” was obtained through the Center on Budget and Policy Priorities.[2] Unfunded pension liabilities for 2007-2012 were obtained from a *Morningstar* consulting firm report (Barkley 2012). State-level data on private (non-farm) annual income compensation growth averages, unemployment rates, and public/private sector union membership divergence were obtained from the Bureau of Labor Statistics. House Price Index changes from the 2006-2008 peak were calculated using HPI index data from the Federal Housing Agency.

[2] FY2014 data shows no budget gaps or is not available yet, so FY2013 data is substituted. Another way might be to drop the 4th session data or make all values "zero" for this year, if all states have indeed recovered. However data from 8 states suggest that they haven't fully addressed budget gaps.

Additionally, following Banducci (1998) and Boehmke (2005), I include controls for party majority in the legislature, legislative professionalism, and state ideology. Data on partisan composition of state legislatures was obtained from the National Conference of State Legislatures database (NCSL 2014) The hypothesis about the relationship between partisanship and the reform agenda is directional, so in the anti-labor bill introduction model as well as the pro-labor bill model I control for Republican control of the legislature using a dichotomous variable. Next, the level of "professionalism" in a legislature, conceived of as an index including how many days a legislature is in session, how much legislators are paid, how much staff support and resources they have is controlled for with the most recently available (2003) State Legislative Professionalism rankings from Squire's 2007 article. Squire's index assigns state legislatures a value ranging from least professional, 0 to most professional 1. For example, California ranks as the most professional legislature with a score of .626, while New Hampshire ranks as the least professional with a score of .034. More professional legislatures are expected to produce a greater number of bill introductions per session, as lawmakers have more time, resources, and monetary incentives to research and write legislation (Maestas 2000).

Citizen and government ideology in a state are also expected to shape policy outcomes in conservative or liberal directions. Some scholars argue that state ideology is a better predictor of policy outcomes than partisan control of government because it can better account for "variation in the meaning of party labels across states" (Fording et al 1998). Partisanship notwithstanding, more liberal states are expected to protect and extend collective bargaining rights, while conservative states are expected to restrict them. I use Fording's measure of state ideology to examine linkages between ideology and labor reform agendas to provide an index on a scale of 0 to 100, with 100 being perfect liberalism and 0 being perfect conservatism.[3]

These models are first estimated first using negative binomial regression, with robust clustered standard errors (by state) to control for cross-case dependency. Significant statistical relationships between the predictors and the outcomes of interest are detected at this stage. Next, I use Clarify statistical simulation package described in King (2000) to simulate expected values for the dependent variable.

RESULTS – EVENT COUNT MODEL USING NEGATIVE BINOMIAL REGRESSION

Using Clarify statistical simulations software (King 2000) to estimate a "baseline" model for the expected number of labor-restrictive bill introductions in a state-session, I find that when all continuous predictors are held at their means and dichotomous at "0", roughly 5 anti-labor bills would be introduced. In the negative binomial regression for anti-labor introduced bills, I additionally found significant and positive relationships between higher levels of unfunded pensions, unemployment, and public/private sector union divergence, and significant and negative correlations between liberal state ideology, a stronger budget outlook, and housing price appreciation (See Table 12).

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[3] For each state-session, I use the state's ideology in the beginning of the first session, or the most recent data that is available. So, for the 2011-2012 and the 2013-2014 session, I use Fording's ideology measure from 2010 which is less than an ideal measure.

Table 12: Explaining the Direction and Intensity of the State Labor Relations Reform Agendas: Expected change in the number of introduced bills when predictor is set at one s.d. above mean[4]

Baseline bill introductions:	**Anti-labor**	**Pro-labor**
Expected values (standard errors)	5.02 (.75)	5.63 (.95)
Expected value + 1 s.d.		
Days in budget reserve	4.21** (.63)	5.28 (.87)
Republican-controlled legislature	5.86 (1.03)	3.54 (.79)
Legislative professionalism	6.13 (1.47)	8.21* (1.97)
Ideology	3.66** (.49)	7.01 (1.07)
Unfunded pensions	6.54** (1.09)	5.78 (1.08)
Incomechange	5.24 (.90)	6.52 (1.21)
Hpichange	3.97* (.59)	3.97* (1.14)
Unemployment	6.14+ (1.01)	5.08 (1.17)
Public/Private union gap	7.11** (.95)	6.78 (1.40)
RTW state	3.33 (.77)	3.11+ (.96)
Number of original observations	200	200
Number of simulations	1000	1000
Prob> chi2	0.000	0.000

+ Significant at the .10 level *Significant at the .05 level. **Significant at the .01 level.

[4] Note, this table is not displaying coefficients of the original analysis. Rather, following King (2000) I have used Clarify statistical simulation techniques to calculate expected values of the dependent variable based upon increasing the values of the predictors by one standard deviation. The values in this table indicate the expected change in the mean number of introduced bills to occur by increasing the value of the predictors from their mean by one standard deviation, or by increasing the dichotomous predictors from zero to one, holding all other predictors at 0 or their means.

To illustrate, if the measure of unfunded pension liabilities in a state-session is increased from its mean of 23.55% by one standard deviation, the baseline anti-labor bill count expected value is increased by over one. Next, increasing the rate of unemployment from its mean of 6.9% to over 9% would also result in an additional anti-labor bill being introduced. Similarly, increasing the divergence between public and private sector unionization in a state from its mean of 26.9% to 42.9% increased the expected value of anti-labor bill introduction with all other predictors held at their means by roughly two bills.

Conversely, increasing the predictor value for the number of days in a state's budget reserve from a mean of about 46 to roughly 95 decreases the expected number of anti-labor bill introductions by almost one, as does increasing the housing price index change from an average of -8.36 (recall that the period in question is one of significant home value appreciation) by one standard deviation, to 2.78 (indicating positive growth). Finally, increasing ideology from a mean of 52.41 by one standard deviation to 68.43 (indicating a more liberal state) also decreases the number of expected anti-labor bill introductions in a state by over one.

Next, in the opposite direction—the pro-labor reform agenda—a less clear picture emerges. The only factors that significantly impact the number of "pro-labor" bills being introduced are: legislative professionalism, stronger housing prices, and presently being a right-to-work state. This leads to the supposition that different factors were driving labor restrictive versus labor-permissive reform agendas during the Great Recession. The insider status enjoyed by organized labor in many American states has already been noted as a potential explanation for this, so I next concentrate on illuminating the relationship between state economic characteristics and labor-restrictive reform agendas. To illustrate, I manipulated quantities of the significant independent variables from their minimum to maximum values in order to demonstrate the strength of the aforementioned relationships between anti-labor bill introductions, fiscal characteristics, and union density using real examples from the states. To summarize, here are the Min→Max effects expressed as mean expected values for the *significant* continuous predictors.

Table 13. Counts of introduced labor-restrictive bills (mean expected values)

Predictor	Min →	Max
Days in budget reserve**	5.70 (.90)	1.03 (.43)
Ideology**	10.24 (3.36)	2.35 (.53)
Unfunded pension liabilities (%of total)**	2.51 (.61)	9.82 (2.33)
Housing Price Index (changes from peak)*	15.45 (9.97)	2.25 (.93)
Public/private sector union density gap**	3.11 (.93)	10.23 (2.15)
Unemployment rate+	3.56 (1.01)	8.99 (2.74)

+Significant at the .10 level. *Significant at the .05 level. **Significant at the .01 level.

For example, setting unfunded pension liabilities to their minimum of -12.2 (Oregon's pensions in FY2008 were overfunded, along with several other states one or two fewer anti-labor bills were introduced than in states with totally funded (or overfunded) pensions. Moreover, setting unfunded pensions at the maximum of 56.6% (Illinois in 2013-2014) we find that the number of anti-labor bill introductions increases dramatically, from fewer than 5 (at the minimum) to between 7 and 16 bills, with a mean of 11. Setting ideology at the minimum value of 18 (Oklahoma in 2012-2013) the results indicate that, all else equal, roughly 12 anti-labor bills, or from 7-20 were introduced in the most conservative states. What about the most liberal? Setting ideology at the max of 91.8 (Massachusetts) we find that a mean of nearly 10 fewer anti-labor bills were introduced in the most liberal compared to the most conservative states. There is also a lot less variance in anti-labor bill introductions in liberal states compared to conservative states, which indicates that factors other than ideology are important in driving the anti-labor reform agenda even in the most conservative states.

Moreover, when housing price index changes from the 2006-2007 peak are set at the minimum level, a colossal HPI depreciation of -54.61% (Nevada in 2011-2012) we find that a mean of 23 anti-labor bills were introduced, or anywhere between 2 and 11 times the number of anti-labor bills introduced in the baseline model. On the other hand, in times and places of substantial positive HPI growth (32.7% in North Dakota in 2013-2014) we observe the same trend of exceedingly few anti-labor bills being introduced as we did with income growth. (Keeping in mind that these are all Republican-controlled non-RTW states with mean values of all the other predictors.)

My findings suggest that the ostensibly partisan public sector reform agendas promoted by Tea Party-endorsed Governors like Scott Walker of Wisconsin and Rick Snyder of Michigan have important economic bases. I argue that public discontent over the economy heightened perceptions that public employees in union-friendly states are uniquely (and unfairly) insulated from economic shocks. De-unionized private sector workers, after all, are hardly provided a modicum of security during a recession. Public employees, on the other hand, are protected by collective bargaining agreements that prevent against dismissal while providing for generous pay and benefits without regard to market whims. In response to this “awakening” among disgruntled private sector workers, strategic lawmakers have seized upon a unique opportunity to pursue the most comprehensive overhaul of collective bargaining rights in the United States in over half a century.

CONCLUSION AND DISCUSSION

The unprecedented pursuit of public sector labor relations reforms that occurred across the US states during the Great Recession presents a puzzle of substantive academic and political interest. The particularly intense anti-labor focus of the reform agenda departs from the historical record in which public sector unions have been remarkably influential in state and local politics, and hence resilient to retrenchment. I argue that public demand for weakening collective bargaining rights for government employees is best understood by taking into account broader changes occurring in the American economy during the Great Recession. I conjecture that public opinion turned against state employees and their unions due to the negative economic climate.

Related to this, my research suggests that state-level economic factors help explain why the public sector workforce was targeted for reform during the Great Recession. The global financial crisis and American housing market crash resulting in rapid home value depreciation and high unemployment rates was felt more acutely in some states than others. Ostensibly, the Recession’s impact was also felt more acutely by some segments of the workforce than others. Private sector workers in particular experienced a heightened sense of economic insecurity as a result of the faltering economy. Behind a backdrop of genuine fiscal stress exacerbated by state budget shortfalls and underfunded pensions, public sector job protections, wages, and benefits arrived at through collective bargaining were increasingly scrutinized by elected officials and the media. A sweeping reform project aimed at weakening public employees' collective bargaining rights for public employees then descended upon the American states.

My analysis of these reforms reveals that in states with weaker housing and labor markets and greater divergence between the unionized public sector and nonunionized private sector, a more intense, labor-restrictive reform agenda materialized. In states where these reforms have been successfully implemented, such as Wisconsin, Michigan, and Indiana, public sector unionization has notably decreased, and organized labor has been substantially been hobbled. Such findings comport with McCartin's (2011) supposition that organized labor's enemies seized upon the Great Recession as an opportunity to implement a long-sought project of deunionization and union-busting. By this account, working-class discontent was high, providing conservative politicians and interest groups with the needed justification for pursuing public sector collective bargaining restrictions designed to diminish the "insider" status of public employees. In the chapters that follow, I more closely consider the content and intended outcome of state collective bargaining reforms.

CHAPTER 3: ADDRESSING THE "UNION PROBLEM" DURING THE GREAT RECESSION: STATE POLICY REFORM APPROACHES

In the previous chapter, labor relations or collective bargaining reforms were broadly conceived of as any legislation pertaining to union organizing, contract negotiations, and political influence activities. These reforms were then categorized as either "pro-labor" or "anti-labor" based upon their intention in either restricting or enabling employee organizations to form and negotiate gains for their members. Using this information I was then able to account for the determinants of the direction and intensity of state labor reform agendas. I found that in addition to partisanship, state labor reforms agendas have important economic foundations; strained budgets and unfunded pensions, coupled with weak housing prices and high unemployment rates were all associated with more intense anti-labor reform agendas.

In this chapter, I provide a more detailed analysis of the content of collective bargaining reforms pursued and enacted across the states during the Great Recession. My research highlights two key approaches states took toward resolving labor issues in the midst of the financial crisis. First, I group labor relations proposals into two broad reform categories or "packages" based upon whether their provisions seek to alter: 1) labor union membership, or 2) labor union influence. I then provide a justification for classifying labor laws in this way based upon the observation that states tended to pursue one reform "package" over the other. I argue that this suggests that these packages represent two different ways of resolving the same concern: what to do about labor unions in the midst of a recession. Next, I evaluate potential explanations for why states might pursue one type of labor-restricting reform package over the other. I find that partisanship and labor union influence shape lawmakers' choices in meaningful ways: states with strong public sector unions and Democratic-controlled legislatures appear reluctant to pursue union *formation* restrictions, perhaps because lawmakers do not want to upset influential labor unions. Nonetheless, lawmakers still sought to limit the *influence* of entrenched labor unions in the context of state with a weak economy and a Republican Governor at the helm.

In sum, this chapter further contributes to our understanding of the politics surrounding collective bargaining reform during the Recession by shedding light on and offering explanations for states' unique approaches to resolving labor issues, i.e. "addressing the union problem" during the recession.

SOLVING A PROBLEM LIKE UNIONS: OPTIONS FOR REFORM

A significant amount of attention was called to the myriad "problems" associated with labor unions, and in particular, government employee unions during the Great Recession. The image of greedy teachers and police union bosses defending their members' profligate salaries and pensions while the rest of the American workforce suffered deep losses in earnings and real estate became synonymous with government waste, greed—and even corruption. Public employees, in the words of former Minnesota Governor Tim Pawlenty, were "over-benefited and overpaid" (Kimball 2010). On this topic, New Jersey Governor Chris Christie hedged, adding: "I don't think teachers are the problem. I think unions are the problem" (Portnoy 2013). Such logic extends from the observation that in many states, public employee unions have become quite effective in their ability to negotiate for the “overly generous” benefits and salaries enjoyed by teachers and other public employees.

In an era where so few among the American working class belongs to a labor organization (12.4% overall, and merely 7.6% among private sector workers), an unfavorable view of labor unions also prevails among large swaths of the American public: in 2009, fewer than half of Americans reported to *Gallup* that they supported unions (Saad 2009). Moreover, by 2010, a Pew Research poll found that almost 60% of Americans had an unfavorable view of unions and felt they had too much power (Surowiecki 2011). Around this same time, a barrage of academic and media reports sought to show that public employees *are* paid more than their private sector counterparts. However, such research proved inconclusive and dependent on both geography and how public employee compensation is measured (Biggs 2014; Wilson 2013; Orr 2011).

Objective reality notwithstanding, compared to the private sector, public employees are still deemed to be in an enviable position, especially during a protracted recession. Some suggest this stems from covetous feelings felt by private sector workers toward the generous pensions and benefits of unionized government employees. Olivia Mitchell, economist and executive director of the *Pension Research Council,* has coined a term to describe this feeling: “pension envy” (Schurenberg 2010). And it is easy to see why: public employees may very well represent the only segment of the American workforce that is still guaranteed (at least until the recent reform movement) a retirement package with defined benefits paying out amounts approaching 90% of peak salary. As

Schurenberg observes: “Only two sorts of people survived the Great Recession with their retirement plans intact. The first were a handful of market geniuses who moved their portfolios to safety in late 2007, just before the crash. The second were…well, garbage collectors” (2010).

Tongue-in-cheek aside, the issue of public sector pensions is highly politicized, and has become even more due to the flagging economy. This is because, according to Schurenberg, public pensions are seen by envious non-government workers as “the last, most profligate manifestation of the pre-401(k) era.” As such, “the mismatch between the average worker’s post-crash retirement prospects and that of the average government employee has started to rankle voters” (Schurenberg 2010). Moreover, pundits and politicians politicize public employee unions when they draw attention to their members’ occasional 6-figure salaries, “double-dipping” by pensioners, gold-plated health care plans, job tenure, and *union-negotiated* pay increases in the midst of a recession. In this way, those on the Right who had been waiting for an opportunity to weaken the unions that serve as chief financiers of their political competition, seized upon the Recession as an opportunity to cast unions as a problem that needed to be solved. Justification supported by anecdotes drew clear lines from government inefficiency, to the financial crisis, to public employees and their unions, and then back to government inefficiency. This proved to be a popular position as anti-government sentiment mounted among voters discontented by the economy.

Accordingly, public employee remuneration presents both a problem *and an opportunity* for elected officials in states facing steep budget deficits. On the one hand, many states faced legitimate fiscal shortfalls exacerbated by public pension liabilities. In such instances, somewhat goliath-like public employee unions who are naturally resistant to pension reductions for their members present a problem that must be addressed in order to move forward with cost-saving reforms. One the other, as hot-button issues, purportedly lavish public employee compensation and benefits may be heralded to justify a long-sought program of collective bargaining reform aimed at weakening the influence of public employee unions in state politics once and for all.

Further, the popularity of the "public employment = government inefficiency" meme coupled with growing anti-union sentiment also meant that public employee unions posed a unique problem for Democratic lawmakers, many of whom rely upon continued union support to defend their offices and repeatedly run on pro-labor platforms. This is because even in Democratic strongholds like Massachusetts and New York, strained state finances stoked demand for public sector reforms. Public pension reform has been deemed an essential component of addressing state budget deficits; increasing public employees' health care payments has also been prominent on the reform agenda. Making such changes in the face of opposition from organized labor has been an especially difficult task for Democratic lawmakers. Unlike their Republican counterparts, Democrats need to enable employers (in this case, state governments) to circumvent labor unions in contract negotiations while still supporting them as interest groups who hold significant sway during election time.

I argue that state lawmakers faced these dual imperatives in their efforts to address the "union problem" during the Recession, and they are largely mediated by partisanship. Both may want to weaken unions, but in different ways to serve different ends. Republicans, then, may introduce reform packages aimed at reducing overall union density to ultimately extricate organized labor from politics. The passage of “right to work” legislation (which restricts the collection of union fees from non-members to thwart union formation and growth) under unified Republican governments in Indiana and Wisconsin exemplifies this policy-making approach.

Democrats, on the other hand, may feel pressure to restrict unions’ leverage in collective negotiations in order to restructure public employees’ salaries, pensions, and benefits as part of a larger project of fiscal reform. Following this, instances of labor-restrictive reforms being passed by Democratically-controlled legislatures in Massachusetts and New Jersey can be better understood. Backed up against a wall (or large budget deficit, Democratic lawmakers allied with Republicans to respond to the union problem by weakening unions’ influence so that putatively necessary fiscal reforms could occur. By leaving unions’ organizing rights intact, however, such policy reform approaches signal a much different approach (and end game) than the more sweeping union formation restrictions pursued by Republican-controlled governments during this time.

In this way, the reform packages that I identify represent two different approaches to solving the labor problem during the Great Recession. I argue that the first motive—the eradication of unions—can be seen through the pursuit of various labor reforms that seek to weaken the ability of unions to certify new bargaining units or to entice members to join existing ones. Right-to-work provisions in legislation provide an example of this.

The second motive, subtly diminishing union influence in contract negotiations, may be seen in a second constellation of reforms that seek to make technical changes to bargaining terms and mediation procedures while leaving union organizing rights intact. Provisions that aim to remove wages or pensions from the mandatory bargaining scope are an example of this.

Following these observations, I offer a parsimonious classification scheme for grouping labor-related legislation into two broad categories based on whether bill provisions seek to structure incentives for labor union formation and membership outright, or instead seek to restructure the influence of labor unions in both contract negotiations and electoral politics. I refer to bills in the first category as "ex ante" reforms because they seek to preclude or encourage the formation of strong unions "before the event" by creating an institutional environment that is initially un/favorable to union certification and dues collection. Conversely, I refer to bills in the union influence restricting category as "ex post facto" reforms because they seek to weaken or strengthen the position of existent labor organizations "after the fact" (of union formation) during contract negotiations, impasses, and in political activities. In the analyses that follow, I further subdivide these categories into proposals that are either labor-restricting (anti-labor) or labor-enabling (pro-labor), paying particular attention to the factors associated with states pursuing *labor-restricting* forms in either category.

LABOR REFORM PACKAGES: STATE APPROACHES AND CLUSTERS

I have argued that public sector unions presented a problem for both Republican and Democratic lawmakers seeking to soothe state budget crises in the wake of the 2007-

2008 financial collapse. For Republicans, however, resolving the "union problem" promised a twofold victory: public sector pay and benefits could be reined in via reforms aimed at eroding unions' membership bases, thereby reducing union influence and shrinking the public sector at the same time. For Democrats, however, addressing the union problem potentially proved trickier—and more costly. This is because strategies for reducing steep budget deficits coupled with public support for government belt-tightening had to be considered alongside the potential backlash from public sector unions should reforms go too far. Democratic lawmakers, then, could not pursue sweeping "right-to-work" style reforms aimed at thwarting union formation because they could not risk eradicating their union allies from the political playing field. Rather, they needed to devise ways to erode the influence of public employee unions while keeping their membership bases intact.

As I have previously shown, state political and fiscal characteristics play an important role in shaping the direction (pro-labor versus anti-labor) and intensity (frequency of introduced legislation) of state legislative agendas. In particular, intense anti-labor reform agendas are related to negative state fiscal conditions. Nonetheless, not all labor-restrictive reforms are created equally; lawmakers on both sides of the aisle may want to implement labor reforms but may pursue different tactics for doing so. In this section I develop a classification scheme that elaborates the types of reforms pursued by state government seeking to address the union problem in line with other (particularly partisan and fiscal) prerogatives. First, I classify labor reform proposals into two broad reform "packages" including several types of provisions. Categorizing reforms in this way is both novel and useful because it reveals two distinct approaches to reforming labor relations that necessarily have arisen due to the unique commitments of states. Further, it enables me to parse a substantial amount of bill content data into a manageable conceptual schema. Next, I examine the characteristics of states that shape the reform tools pursued by governments seeking to address the union problem in the midst of a recession.

To do this, I first divided the universe of collective bargaining legislation included in my dataset (approximately 2600 bills introduced across the 50 states from 2007-2014 into 5 reform types (see below). Next, I collapse categories 1 and 5 together to form the *ex ante* reform package, and categories 2-4 to form the *ex post facto* reform category. I argue that the reform proposals contained within these categories reflect two very different approaches to reforming labor relations. I further find good cause to disaggregate bills in this broad way because states do exhibit clear tendencies in preferring one reform package over the other. Indeed, states appear to fall into two distinct reform "clusters" based on the distinct reform packages that they pursued during the Great Recession.

Labor Relations Reform – Broad Types

Referring back to Chapter 2, Table 6, various components of state labor relations reforms were identified by my content analysis of the state collective bargaining reform dataset. These eleven components can be summarized along with their intended consequence as follows:

1) Union representation and bargaining rights: restrictive/expansive
2) Mandatory bargaining scope: narrows/widens

3) Impasse arbitration and mediation: restricts/expands
4) Contracts and negotiations: approval required/public posting /continuation or expiration
5) Union certification and election procedures: secret ballot/card check/legislative
6) Employee strikes: prohibited/permitted or punishment lowered
7) Transparency of bargaining and union activities: favors transparency/confidentiality
8) Agency shop provisions: agency shop prohibited/negotiable/compulsory
9) Dues deductions: check-off prohibited/negotiable/compulsory/require authorization
10) Politics, money and influence: regulates union organizing/expenditures/reporting
11) Contracting out and privatization: authorizes/permits within guidelines/restricts

Upon further examination of these provisions, I find that reform components can be "packaged" based upon whether they: 1) impact the formation of unions by making it easier or harder to certify new bargaining units and collect dues and fees from members and nonmembers; or 2) alter the influence of existing unions by shifting the balance of power in contract negotiations and/or political activities toward or away from the government-employer. In the section that follows, I elaborate on these reform packages and provide examples of each.[5]

Labor Relations Reforms "Packages" - *Ex Ante Reforms*

These reforms preclude/encourage the formation of strong labor unions "before the fact." In the labor-restrictive context they do so by erecting roadblocks before the bargaining unit certification and dues assessment and collection phases of union organizing. The labor-friendly variant of these reforms makes union organizing easier by establishing exclusive representation rights for labor organizations and streamlined procedures for certifying bargaining units and collecting union fees. This also includes

[5] Note, it is important to understand that reforms are not mutually exclusive; any individual piece of legislation may contain provisions that relate to both union formation and influence. In such instances, bills are labeled as "omnibus" labor relations reforms if they include provisions that seek to alter both union formation and influence, and as such are categorized as *ex ante* reforms.

requirements that project labor agreements be used or not depending on the direction of the legislation. In sum, nearly 1200 bills were introduced that included provisions in the *ex ante* reform package. There were slightly more pro-labor bills introduced than anti-labor, and roughly equal numbers of bills that affected union representation and certification and dues collection and deductions were also introduced (see summary below).

Ex Ante Labor Reforms Summary

Anti-labor: 557
Pro-labor: 619
Neutral: 10
Union Representation and Certification: 584
Dues Collection and Deduction Rules: 605
Enables/Restricts Contracting Out: 195

Some examples of enacted *ex ante* labor reforms from the period surrounding the Recession, from 2007-2014 are as follows:

- **Illinois 2009: SB2497** amended the *Illinois Public Labor Relations Act* to redefine "public employee" to include peace officers employed by school districts, thereby extending collective bargaining rights including rights to exclusive representation to school district peace officers.
- **Tennessee 2011: HB1605** outlawed the practice of a labor organization establishing any “maintenance of membership clause” that prohibits employees from withdrawing from a union or employee organization prior to an agreement's expiration.
- **Utah 2011: SB206** required that employers cease the automatic deduction of union dues from an employee’s paycheck upon the written request of the employee. Further stated that fulfillment of such requests could not be conditions by a labor organization's advance notice or consent.
- **Alabama 2011: HB64** proposed an amendment to the Constitution “to provide that the right of individuals to vote for public office, public votes on referenda, or votes of employee representation by secret ballot is guaranteed.”
- **Indiana 2012: HB1001** made it a Class A misdemeanor to require an individual to: “become or remain a member of a labor organization, pay dues, fees, or other charges to a labor organization…as a condition of employment or continuation of employment.”

- **Colorado 2013: SB25** granted firefighters the right to negotiate collectively through an exclusive representative establishing "the right to organize, form, join, or assist an employee organization or refrain from doing so."
- **Georgia 2013: HB361** amended the Code of Georgia to establish employees' rights to participate in secret ballot elections (for union certification) and employers' rights to refuse to recognize a labor organization based upon a review of authorization cards until a secret ballot election has been conducted in adherence with federal labor laws.

Ex Post Facto Reforms

These weaken or strengthen the position of public employees in bargaining situations "after the fact" (of certification or membership). They do this by restricting the ability of labor unions to secure gains for their members "after the fact" of being covered by an exclusive bargaining unit. Anti-labor variants of such provisions do not restrict union formation or membership, but rather narrow the bargaining scope, place restrictions upon contract negotiations, require increased transparence, reduce unions' political influence, and weaken arbitration and mediation rights. Conversely, labor-enabling reforms extend impasse procedures and seek to tip the scales toward employees during contract negotiations with employers. In this reform package, we find that much like the *ex ante* reforms, where are roughly equivalent numbers of reforms introduced on both sides, however in this package the advantage goes for the labor-restrictive reforms. Moreover, we see that impasse resolutions procedures were an important part of this reform package, as were provisions related to the mandatory bargaining scope and contract negotiation process.

Ex Post Facto Reforms Summary

Anti-labor: 624
Pro-labor: 594
Neutral: 141
Impasse Resolution Procedures: 592

Contracts & Negotiations: 451
Narrows/Widens Bargaining Scope: 360
Regulates Political Activities: 144
Procedural/Miscellaneous: 195

Some examples of Ex Post Facto reforms that passed the legislature during this time include:

- **Michigan 2011: SB0158** made it a requirement for collective bargaining agreements between a public employer and public employees to include a provision that allows an “emergency manager” to reject, modify, or terminate the collective bargaining agreement as provided in the Local Government and School District Fiscal Accountability Act. **HB4152** (also enacted in 2011) additionally required that wages and benefits for certain public employees be frozen during contract negotiations, and that retroactive wage or benefit levels could not be awarded upon commencement of negotiations.
- **New Hampshire 2011: SB1** eliminated the requirement that the terms of a public employee collective bargaining agreement automatically continue if an impasse is not resolved at the time of the contract’s expiration.
- **Louisiana 2012: HB89** prohibited collective bargaining agreements involving public employers from being accepted or presented for acceptance until the agreement has been made publically available (online) for a specified period.
- **Idaho 2013: HB261 p**rovided that decisions to institute layoffs and the selection of employees subject to termination is the sole discretion of a board of trustees and not to be made based solely on consideration of employee seniority or contract status.
- **Missouri 2013: SB29** requires authorization by employees before labor unions may use dues and fees to make political contributions. Also bars unions from withholding earnings from paychecks for political purposes. (This was not signed into law but was passed by both houses.)
- **Vermont 2014: SB241** prohibited teachers and school administrators from striking and school boards from imposing contracts, establishing mandatory binding arbitration as an ultimate impasse resolution procedure.
- **California 2014: AB1611** made it a requirement for public school employers to give written notice to of any intent to make changes to matters within the scope of representation of employees represented by an exclusive bargaining representative, i.e. employee organization

Finally, illustrative of the usefulness of my categorization schema two findings stand out. First, roughly equivalent numbers of reforms fit into either category, with about 1300 on each side. Next, when state reform agendas were modeled using the frequency of introduced legislation in either category, I find that states most states exhibit a clear preference for one reform package over the other. Indeed, in 34 states at least 40% more bills in one reform package were pursued than the other; in many states this preference was upwards of 80%. Further, when “low reform activity” states like Wyoming, West Virginia, Montana, and North Dakota are discounted I find that roughly equal numbers of states pursued *ex ante* versus *ex post facto* union restricting reforms. Such findings suggest that my scheme for classifying reforms in terms of their overall intention is illuminative: states do tend to “cluster” in their pursuit of a more draconian and highly visible approach to restricting union formation altogether, or a more technocratic and obscure approach to weakening unions’ abilities to secure gains for their members in contract negotiations. (See Table 14)

Table 14. Reform Clusters: States favoring at least 20% more reforms in either package:

Ex Ante/Union Formation Reform States <u>(Percent of introduced ex ante reforms)</u>	**Ex Post Facto/Union Influence Reform States** <u>(Percent of introduced ex post facto reforms)</u>
Alabama (85.7)	California (85.7)
Colorado (100)	Connecticut (76.9)
Delaware (60)	Florida (68.2)
Georgia (85.7)	Hawaii (72.5)
Indiana (80)	Idaho (66.7)
Kansas (77.8)	Illinois (81.3)
Kentucky (90.9)	Massachusetts (75.9)
Louisiana(62.5)	New Jersey (87.7)
Maine (76.9)	New York (73.9)
Maryland (90)	Oregon (75.7)
Missouri (75)	Rhode Island (82.5)
Montana (75)	South Dakota (66.7)
New Hampshire (75)	Utah (75)
New Mexico (72.7)	Vermont (100)
North Carolina (88.9)	Wisconsin (75)
North Dakota (100)	
South Carolina (100)	
West Virginia (100)	
Wyoming (100)	

However, I am not arguing that labor-restricting reforms in either category are *quantifiably* less devastating for the influence of organized labor in a state. For example, individuals may be less inclined to support a union when they know that the legal bargaining scope is very narrow, for example. But narrowing the bargaining scope is categorized as a reform that weakens unions "after the fact," not before. However, these reform packages still have arguably distinct aims. A question that follows, then, is: what is the difference between states *union formation restricting* versus *union influence restricting* reforms?

EXPLAINING VARIATION IN ANTI-LABOR STATE REFORM APPROACHES

In this section, I analyze potential explanations for why states might prefer to adopt one type of labor-restricting reform package over the other. I theorize that party dynamics and labor union influence shape government labor reform agendas because they determine the costs associated with the pursuit of reforms that seek to impose losses on organized labor. In line with this expectation, I find that states with Republican Governors but Democratic legislatures pursued more *ex post facto* reforms that sought to limit the extant *influence* of relatively strong public employee unions. On the other hand, states with relatively weak unions and Republican legislatures were more likely to pursue *ex ante* reforms aimed at preventing increased unionization.

Ex Ante Reform States

To reiterate, the goal of the anti-labor variant of *ex ante* collective bargaining reforms is to restrict the formation of strong unions by making it harder to certify new bargaining units or extract monies from employees covered by a bargaining unit.

Following this, a few observations about states that cluster into this reform pattern stand out: first, a considerable number of ex ante reform states have already been "right-to work" states for private sector workers for some time. This is particularly true among the southern states in this cluster—with Alabama, Georgia, Kansas, and North Carolina having been right-to-work states since the 1950s and Louisiana, since the 1970s. Resultantly, these states have low (single-digit) levels of private sector union density. Moreover, they also have much lower levels of public sector unionization than the national average of around 35%. Ostensibly, lawmakers in these states intend to keep unionization low by placing further restrictions on the formation of unions, particularly in the public sector who may not be covered under existing private sector right-to-work laws.

Conversely, states like Colorado, Delaware, Montana, Maine, and New Hampshire have relatively high levels of public sector unionization, but also displayed a preference for ex ante reforms. This may be in part due to the occasion of such states turning redder during the Recession following the 2010 midterms. In these states it appears that partisanship promoted the pursuit of a reform agenda aimed at reducing union density more so than state finances. Simply put, states with strong unions that trended Republican following the recession tended to pursue the most decisive package of public sector union-formation restrictions. This was also true regardless of whether they had support from the Governor. An additional goal of this particular constellation of reforms, then, may be to restrict the growth of labor unions to enable such states to remain red.

Ex Post Facto Reform States

Next, post facto reform states were more likely to be those with a legacy of divided government. In particular, such states tend to have Democratic-controlled legislatures but Republic Governors. Examples abound: California, Connecticut, Hawaii, and Vermont (until 2011), New Jersey under Christie, Rhode Island, Wisconsin, and Idaho. Moreover, these are states that are typically union-friendly with strong unionization and relatively labor-friendly policies: in 2007, California, Connecticut, Hawaii, Illinois (44.2), MA, New York, New Jersey, Oregon, Vermont (42.6) and Wisconsin all had public sector union density rates of at least 10 points higher than the national average of 33% at that time. These are also more ideologically liberal states. Arguably, public employee unions operate as political "insiders" in these states and enjoy a fair amount of institutional support from elected officials in return for their political and financial support.

However, there are several seeming outliers that displayed a preference for post facto reforms—Florida, Idaho, South Dakota, and Utah. First, except for Florida these are right to work states with low unionization overall. Moreover, two of these outliers are "low intensity" reform states: Utah introduced 9 union-restricting reforms of either type during the 8-year period; South Dakota only introduced 10. Clearly, these are states where public employee unions on the whole do not enjoy much political or institutional support. Hence, they are not perceived as a problem to be solved or a threat to be extricated with union-restricting legislation. Nonetheless, *individual* public employee unions in these states may wield political or budgetary influence, like teachers unions in

Idaho and Florida; lawmakers in these states have accordingly have tried to reduce the ability of *key unions* to negotiate gains for their members.

Following these observations, I examine the extent to which union presence and partisan control of government correlate with a state's preferred "package" of union restricting reforms. Fiscal imperatives were still present in most of the American states that faced serious budget shortfalls during the Recession. However, I suggest that the political will to eradicate unions altogether was weaker in the states that pursues ex post facto reforms (with the exception of Michigan and Wisconsin, which became de facto right-to-work states for public employees during the Recession.) This is best explained by acknowledging that not all reforms are created equally. Moreover, the Wisconsin "Budget Repair Bill" contained aspects that both restricted union formation and influence, as did the Michigan bill. These examples may indicate that unified Republican governments are more likely to enact *ex ante* reforms once they assume power, but may pursue more technocratic *ex post facto* changes until then.

To evaluate these possibilities I ran several multiple linear regression analyses, both with pooled and individual state sessions that correlated the percentage of anti-labor reforms in either package with state political and fiscal characteristics. My findings are reported below for both the pooled sessions data and session #3, which I identify as the "Bellwether" legislative session because it occurred both following the height of the Recession (2011-2012) and the Republican's midterm elections victory, and represents the most active legislative session for labor relations reform activity. The results of the analyses that follow basically comport with the explanations offered: partisanship, union influence, and state financial indicators all appear to matter in determining the type of reform package that states pursued. (Tables 15&16)

Table 15. Pooled Sessions, Summary:

EX ANTE UNION FORMATION RESTRICTING	**EX POST FACTO/ UNION INFLUENCE RESTRICTING**
Non-Republican Governor*	Republican Governor*
Stronger Finances/More Budget Reserves*	Weaker Finances/Lower Budget Reserves*
Weaker Public Employee Unions**	Stronger Public Employee Unions**
N = 200 **Also included in the model, unreported because not found significant at the p > .10 level:** Legislative Professionalism (Squire), Ideology, Unfunded pensions, HPI Change from peak, Income change from peak, Unemployment rate.	

Table 16. By "Bellwether" Session #3:

EX ANTE/UNION FORMATION RESTRICTING	**POST FACTO/UNION INFLUENCE RESTRICTING**
Republican-Controlled Legislature*	Non-Republican Controlled Legislature*
Non-Republican Governor*	Republican Governor*
Stronger Finances/More Budget Reserves*	Weaker Finances/Lower Budget Reserves*
Weaker Public Employee Unions**	Stronger Public Employee Unions**
N = 50 **Also included in the model, unreported because not found significant at the p > .10 level:** Legislative Professionalism (Squire), Ideology, Unfunded pensions, HPI Change from peak, Income change from peak, Unemployment rate. **(This analysis uses 2011-2012 state political and economic characteristics)**	

In summary, labor relations reform packages have been pursued across the board—in states with strong and weak unions, governed by Democrats and Republicans alike. However, much less attention has been paid to the reforms pursued by Democratic lawmakers than the highly publicized efforts of Republican administrations to weaken labor unions with sweeping union-organizing restrictions. The story of reforms pursued and enacted by Democratic legislatures is important, I argue, because they reveal the sheer magnitude of the union problem states were tasked with addressing during the Great Recession.

It is noteworthy that Democratic states experiencing strained finances exhibited a clear tendency to pursue post facto/union influence restricting reforms in response to the Recession. Was the pursuit of such reforms a mere technocratic approach to an intractable budget situation? In this way, did Democratic lawmakers who moved to restrict union influence hope to avoid permanently disrupting their states' "pro-labor" ethos? Unlike their Republican counterparts who pursued more sweeping reforms with a clearer union-formation restricting intention, it is plausible that even Democrats felt intense pressure to weaken the influence of their union allies in order to implement collective bargaining restrictions aimed at enabling fiscal reforms in response to the Great Recession.

In New Jersey, for example, a Democratic-controlled legislature has repeatedly compromised with minority Republicans to enact various collective bargaining restrictions promoted by the Christie administration. Next, in Massachusetts, the passage of a series of union-influence restricting reforms in late 2011 represented the first successful effort by a "solid blue" state to impose serious collective bargaining limitations on public employees, leading observers to question whether Massachusetts wasn't becoming "Wisconsin-like" in its approach to resolving labor issues. I next discuss these cases in greater detail to illuminate the constraints faced by lawmakers in addressing the union problem in the midst of a state fiscal crisis, and to shed light on why

Democratic lawmakers have even been seen signing onto collective bargaining reform in this particular formation.

EX POST FACTO REFORM STATE CASES: NEW JERSEY AND MASSACHUSETTS

The advent of Republican Governors like Walker and Kasich leading the charge for collective bargaining reform during the Recession has received widespread attention. A straightforward reading of such events suggests that Republican Governors were able to pursue labor reforms of the more draconian *ex ante* variety because they enjoyed unified government in the midst of severe state fiscal crises. One of the major accomplishments of this legislation, for instance, was removing the "fair share fee," the element of the legislation that made Wisconsin a right-to-work state for public employees. However, the highly publicized cases in Ohio, Wisconsin, and Indiana, where Republican governments imposed collective bargaining restrictions tell only part of the reform story occurring across the States during this time.

Indeed, many Democratically-controlled and divided state governments quietly pursued a particular variety of labor reform in response to hard economic times during the Recession. In both Massachusetts and New Jersey, for example, Democratic lawmakers enacted major legislation aimed at weakening the influence of labor unions in these states during contract negotiations over pensions and health care benefits. More, while such reforms may appear "Wisconsin-esque," I argue that they differ in that they are "ex post facto" reforms intended to weaken the influence of extant unions, rather than "ex ante" reforms seeking the ultimate eradication of unions from public sector labor relations. My rationale stems from the observation that these reforms were enacted in states where public employee unions are important political actors. As such, they are not entities to be easily or entirely dismantled by [Democratic] lawmakers. Nonetheless, Democratically-controlled legislatures moved to constrain unions in many states in an effort to address fiscal problems exacerbated by ballooning public pensions and health care spending. To illustrate, I highlight New Jersey's and Massachusetts' enactment of key ex ante reforms during the Great Recession.

Christie "Delivers Democrats" in Support of Pension and Health Care Reform

Chris Christie ran for the Governorship of New Jersey at the height of the global financial crisis while the state was embroiled in a severe fiscal crisis. In his campaign, Christie laid out "88 Ways" he would fix New Jersey's economy, education, and ethics. Prominent on his list of promises included repairing state finances by reducing employee health and retirement benefits and making full use of his veto powers to shape legislative budget policy (Reitmeyer 2010). Upon assuming office in 2010, Christie's administration inherited a 1.3 billion dollar budget deficit. Then, roughly a month into his term, on February 11, 2010, Christie declared a "state of fiscal emergency" in the State of New Jersey via Executive order. A series of budget battles ensued between New Jersey Democrats who controlled the legislature and Governor Christie. Many of these related to public sector pensions and health insurance reform. The primary focus of Christie's political agenda during this time centered on reducing New Jersey's budget deficit. Collective bargaining reform aimed at enabling changes to public pensions and benefits were deemed an important component of this project.

Two examples reveal the nature of this reform agenda as being directed at weakening union influence “after the fact” or *ex post facto* of already strong unionization. The first occurred a year into Christie’s term, when he signed a controversial public pension and benefit reform bill that passed the legislature with support from Democratic leadership in the Assembly and Senate. The law required state and local government employees, including teachers, police and firefighters, to pay more toward their pensions and health insurance while barring collective bargaining on healthcare issues for at least four years. It was considered controversial for two reasons: first, because it split the Democratic Party. In order to secure a majority, a handful of Democrats let by Senate President Stephen Sweeny (and Iron Workers Union VP) joined with minority Republicans to pass legislation that was “virulently opposed” by two-thirds of Democratic lawmakers in the state. Secondly, it was controversial because it stripped public employees of their right to collectively bargain on the issues they value most, the act of which seemed strikingly reminiscent to Wisconsin (Magyar 2011). By narrowing the bargaining scope in an effort to shore up New Jersey’s budget problems, union influence has been greatly restricted in the state. In this way, the reform is quintessentially an *ex post facto* measure.

The next example of union-influence restricting reform enacted with bi-partisan support was a two percent cap on base salary increases for public employees in arbitration awards; it was reauthorized at the beginning of Christie’s second term, in 2014. By capping interest-arbitration awards the measure weakens the ability of unions to negotiate for pay increases that are outside of the constraints set by the law. This, coupled with restrictions on collective bargaining over pensions and benefits, means that unions now wield far less influence in contract negotiations. However, New Jersey has strong unions, with the New Jersey Education Association and the New Jersey Communication Workers playing major roles in state politics. In acknowledgement of this, Democrats in the legislature have attempted to walk a fine line by agreeing to changes that restrict the influence of labor unions while resisting bigger changes to union certification and membership rules.

In this way, these reforms do not appear to share the same broad goal of de-unionizing the state of New Jersey as the right-to-work style reforms pursued by some unified Republican governments during the Recession. Presumably, this is because Democrats to not want to weaken the important political ally they have in organized labor. Still, New Jersey's case highlights the willingness of Democratic lawmakers to compromise with Republicans during the Recession in order to enact what were deemed as necessary cost-saving collective bargaining reforms. In the case of Massachusetts, however, a different scenario emerged, with Democrats leading the charge for reform absent any pressure from Republican leadership. I argue that this shows the pressure lawmakers *on both sides* felt to address the union problem while further illustrating the distinctness of the approaches pursued by more liberal, pro-labor state governments compared to the right-to-work style reforms sought in Republican-controlled states.

Massachusetts Democrats curtail collective bargaining, but it's "not Wisconsin"

Massachusetts is one of the "bluest" states in the US. The state legislature has been controlled by a Democratic supermajority for decades and Democrats enjoyed unified government control under Deval Patrick for the duration of the Great Recession, from 2007-2014. Commonly used measures of citizen ideology also place Massachusetts toward the most liberal end of the scale (Fording 2012). Correspondingly, although a slew of Republicans occupied the Governor's Mansion during the 1990s and early 2000s, and a Republican was recently elected to the position for 2015, Republican Governors from Massachusetts (like Mitt Romney and Paul Cellucci) tend to hold liberal views on key social issues, and even gun control in Cellucci's case (Finucane 1998). Labor unions are also relatively strong in Massachusetts: overall state union density has remained roughly twice the national average over the past decade, peaking at 16.6% in 2009, and then falling to just under 14% in 2014 (in line with nation-wide de-unionizing trends following state legislative activity to curb collective bargaining). Moreover, public employee unionization in Massachusetts was particularly strong in the 2000s and early 2010s, peaking at over roughly 63% in 2011, significantly higher than the nation-wide public sector union average during this time of roughly 37% (Macpherson 2015).

Now, the fact that organized labor has a relatively stronger presence in Massachusetts than the national average and many other states is unsurprising given the state's ideological and partisan composition. What is puzzling, however, is that such a liberal, pro-labor state with a unified Democratic government moved to severely restrict public employees' collective bargaining rights during the Great Recession. Indeed, on the heels of the sweeping collective bargaining reforms that were enacted in Ohio and Wisconsin in 2011, Massachusetts became the first solidly blue state to restrict public employee collective bargaining rights with legislation that stripped police officers, teachers, and other municipal employees of the right to collectively bargaining over health care. Moreover, a noteworthy observation of this particular charge to constrain collective bargaining rights is that it was led by Democrats, passing the Massachusetts House by a resounding 111 to 42 margin. Although all but two of the House Republicans voted in favor, the bill would have still passed without a single Republican vote (Goodnough 2011). It was also signed into law by a Democratic Governor Deval Patrick who enjoyed overwhelming union support in his bid for the Governorship and maintains longstanding political and financial ties (like many Massachusetts Democrats) to the state's public employee unions (CapeCodToday.com 2006).

As a result of this legislation, the design of municipal employee health plans would no longer be a permissible subject of collective bargaining. This came after the legislature had been urging municipalities to rein in health care costs for the past seven years. It was intended to bring local costs for health care "in line" with state costs because localities could now alter copayment rates or deductibles without entering into arduous collective negotiations with all the affected local bargaining units. Democrats who supported the legislation thus asserted the change was needed to avoid cost-driven layoffs and service reductions. According to Democratic chairman of the House Ways and Means Committee and co-author of the bill, Representative Brian Dempsey, the legislation was necessary to curb rising health care costs and avoid "disastrous" reductions in public safety and education services. Of the bill's passage, he said, "We have to get a handle on this," he said. "The fact of the matter is costs are going up and the money is not going to the areas we desperately need it to" (Goodnough 2011).

Like most of the US states during the recession, Massachusetts faced a steep budget deficit as demand for services outpaced state revenue growth. Massachusetts problems were also particularly severe, with a projected Debt/GDP ratio of over 20%, Massachusetts ranked among the top 3 most indebted US states in 2009 with steep unfunded pensions liabilities (37%) and health care liabilities (98%) (Snow 2010) According to lawmakers who supported the collective bargaining restrictions, the state's fiscal problems were exacerbated by long-standing issues related to the rising cost of public employee health benefits in the state. The state's fiscal situation coupled with rising healthcare costs, spurred significant changes to public employees' collective bargaining rights. As such, a popular justification of the legislation is that this particular restriction of collective bargaining was necessary in order to save union members jobs. Said Michael J. Widmer, the president of the Massachusetts Taxpayers Foundation, a nonpartisan watchdog group that supported the plan, "Yes, it's a small curtailment of their collective bargaining powers…but with the corollary that it will save lots of their members' jobs." Further, Mark Jefferson, the Wisconsin Republican Party's executive director, naturally praised the legislation, stating that it was "refreshing" to see liberal Democrats from Massachusetts finally acknowledging the importance of collective bargaining reform (Goodnough 2011).

Nonetheless, Massachusetts labor leaders and public employees expressed mixed feelings about the passage of this legislation. For instance, Geoff Beckwith of the Massachusetts Municipal Association, acknowledged the necessity of enacting legislation aimed at curbing healthcare costs, adding that it still left employees with significant bargaining power, making it “galaxies away from Wisconsin’s” (Smith 2011). Others felt outright betrayed by their supposed Democratic allies in the legislature. Massachusetts A.F.L.-C.I.O. President Robert J. Haynes signaled his dismay, stating, “It’s hard for me to understand how my good friends in the Massachusetts House, that have told me they support collective bargaining, could do this.” A local fire Captain, Doug Conrad, similarly stated that he felt betrayed by Democrat lawmakers that supported the legislation, many of whom he had considered loyal friends (Smith 2011).

Finally, comparisons to Wisconsin also abounded. But the key point about these comparisons it that they highlight not so much the similarity, but the difference in these cases. So, although some like the fire captain Conrad worried Massachusetts may be “going the way of Wisconsin in one of the bluest states in the nation." Others have noted that the Massachusetts reform is quite different in its intention. AFL-CIO President Robert Haynes, for instance, had this to say: "I would not equate what happened in the House as Wisconsin-esque. I may have said it in a fit of anger here and there. But it is Wisconsin-like ... that you take pieces — particularly important pieces of collective bargaining away from us."

Director of labor studies at the University of Massachusetts, Amherst, Eve Weinbaum, also acknowledged the significance of the reform occurring in a solidly Democratic state because “we don’t expect this kind of attack,” while adding the caveat “it's not same as Wisconsin, but it's part of the same trend." According to Weinbaum such legislation has arisen out of a “perfect storm” due to the heightened public awareness of public employees’ generous benefits during a time of growing economic uncertainty among the working-class and distrust of government (Smith 2011).

I argue that these observations from New Jersey and Massachusetts show that although such reforms may appear to be Wisconsin-like, it is important to evaluate the reforms pursued by state lawmakers for their intention and long-term potential effects on the position of organized labor. Moreover, by contrasting reforms implemented in Massachusetts that clearly limit the bargaining scope with more draconian reforms that limit the bargaining scope while also cutting unions off from their key source of revenue – union fees and fair share fees – we see two very different approaches being pursued by lawmakers who addressed the union problem during the Recession. On the one hand, Democratic lawmakers pursuing ex post facto reforms argued that they had no alternative, while Republican lawmakers made similar arguments they imposed reforms that could not be justified solely out of fiscal necessity.

CONCLUSION AND DISCUSSION

I have shown that states "cluster" in terms of the labor reform agendas they pursued during the Recession. My analyses of the patterns associated with state reform packages indicates that partisanship and labor union influence, combined with economic factors combined in states to determine the possible menu of reforms they pursued. I argue that during the Great Recession, state fiscal conditions provided lawmakers with the necessity and impetus to pursue public sector labor reforms. However, state governments had choices in the approach to reform they pursued, and exhibited clear preferences based on legislative partisanship, economic conditions, and the existing political influence of public employee unions.

Therefore, unified Republican-controlled governments pursued comprehensive union formation-restricting packages of reform, while Democratic-controlled legislatures resisted full-scale de-unionizing reforms to instead pursued union influence restrictions. Such reforms aimed at tipping the scales toward the employer in contract negotiations to enable reductions in public employee salaries and pensions while leaving union organizing somewhat intact. By highlighting the cases of New Jersey and Massachusetts, I have illustrated that even Democratic-controlled legislatures felt immense pressure to resolve the "union problem" during the Recession in order to force union concessions on public employee pensions and benefits.

Still, a question is begged by these findings: were all public employees viewed equally problematic from the perspective of lawmakers during the Great Recession? Were reforms aimed at addressing the "union problem" applied evenly across all occupations, or were particular segments of the state and local workforce more apt to be targeted for reform? In the next chapter, I consider this underexplored aspect of state labor relations reform agendas: the occupational target of these reforms.

CHAPTER 4 : OCCUPATIONAL TARGETING AND THE WAR ON TEACHERS IN STATE COLLECTIVE BARGAINING REFORM AGENDAS

This project has so far highlighted variation in the direction, intensity, and content of labor relations reform agendas pursued across the American states in response to the Great Recession. I have shown that state reform agendas exhibit identifiable labor-restrictive or labor-permissive characteristics and connected such state-level patterning to key fiscal and political determinants. I have further shown that states cluster in their approaches to addressing the "union problem" in the midst of a financial crisis, with some states exhibiting a clear preference for reforms that seek to restrict the *formation* of strong unions, and others pursuing reforms that aim to restrict the *influence* of presently strong unions. With such analyses, I have tried to clarify the *where*, *what*, and *why* of the Great Recession-era collective bargaining reforms pursued across American state governments.

Based on these impressions, I suggest that such contemporary "assaults" on public employees' collective bargaining rights may be emblematic of a global project of neoliberalism that is playing out across the American states due to the federated structure of public sector collective bargaining law in the US. In this chapter, I shed light on another important aspect of this putatively neoliberal labor relations reform movement: the occupational target of the reforms. I do this by examining which workforce sectors (state and local government vs. private) or personnel categories (K-12 teachers, police officers, transit workers, etc.) were specified by individual labor relations proposals pursued by state lawmakers in response to the Recession. With this data, I reveal significant occupation-based targeting in state reform agendas in order to illuminate *whose* collective bargaining rights were "under assault" during this period.

First, I show that although public employees are widely known to have been the broad target of the Great Recession-era collective bargaining reform movement in the American states, the personnel category most frequently specified in labor-restrictive legislation was primary and secondary (K-12) school teachers and staff. Next, I compare the prevalence of proposals directed at K-12 teachers on state reform dockets to that of other government workers, noting that Scott Walker's infamous "Budget Repair Bill" exempted uniformed public safety personnel like police officers and firefighters, while significantly curtailing K-12 employees' collective bargaining rights. Finally, I assess the relationship between political and economic characteristics, unions' political activities and partisan loyalties, and occupational targeting in state reform agenda.

I find significant and positive relationships between more intense "anti-teacher" labor reform agendas and state-based teachers unions' campaign contributions to Democratic candidates, legislative professionalism, underfunded pension liabilities, unemployment rates, and teacher union membership density. Conversely, I find significant and negative relationships in "Republican-friendly" states where teachers are more prolific political donors, budgets are stronger, and the electorate is more liberal.

I take these findings to indicate that attacks on teachers' collective bargaining rights are politically motivated. I then use these observations to forward the argument that political maneuvering and policy objectives more so than fiscal necessity has directed state labor relations reform agendas specifically toward the restriction of K-12 teachers collective bargaining rights over other occupations in the public sector. I suggest that strategic Republican leaders are undertaking such actions in order to diminish an important revenue stream for the Democratic Party while weakening the Democratically-aligned teachers unions who oppose market-driven education reforms

IDENTIFYING OCCUPATIONAL TARGETING IN THE REFORM AGENDA

Because public policy regarding non-federal government employees is set at the local level, states have various laws stipulating public employee collective bargaining rights that refer to either all public employees in the state, or particular categories of public employees like police officers, firefighters, transit workers, K-12 teachers, etc. I ascertained the relative vulnerability of various occupations by reading through the legislation in the original collective bargaining reform data set and coding individual bills based on which occupational class or category of employee they would impact (if enacted). I identified 11 categories of workers that legislation repeatedly referred to, described in Table 17.

Table 17. Occupational category specified, all introduced bills, pooled sessions

Occupation/Sector	Count
State	242
Local/Municipal/County	185
K-12 Teachers/Staff	385
Higher Ed Faculty/Staff	81
State Police and Public Safety	171
Municipal Fire	115
Municipal Police	129
Medical and Caregiving	108
All Public Employees/Workers	1063
Contractors	165
Other/Private Sector	69

Next, I distinguished between labor-restrictive versus labor-permissive bills targeting each category of workers. I found that in addition to “blanket” reform legislation that aimed to impact the collective bargaining rights of all public employees, restrictive bills targeting K-12 teachers were the second most commonly found in the data. In fact, teachers faced a veritable onslaught of collective bargaining restrictions all across the county: in 21 of the states upwards of 15% of the universe of anti-labor reforms introduced from 2007-2014 specifically aimed to weaken the collective bargaining rights of teachers. This includes states with some of the highest levels of overall reform activity like Michigan, Rhode Island, Pennsylvania, New Jersey, and Indiana (See Table 18). In light of these observations, two questions are raised: why teachers? Why now?

Table 18. Bill counts and percentages for labor-restrictive reforms targeting teachers

State	All Anti-labor	Anti-teacher	Percent anti-teacher
Vermont	9	6	66.67%
Idaho	18	11	61.11%
Utah	8	4	50.00%
Rhode Island	57	25	43.86%
Wyoming	3	1	33.33%
Indiana	35	11	31.43%
Wisconsin	20	6	30.00%
California	28	8	28.57%
Michigan	73	20	27.40%
Tennessee	44	11	25.00%
Arkansas	8	2	25.00%
New York	37	9	24.32%
Colorado	17	4	23.53%
Pennsylvania	77	18	23.38%
Alaska	13	3	23.08%
Kansas	9	2	22.22%
Iowa	23	5	21.74%

New Jersey	74	14	18.92%
Minnesota	39	6	15.38%
Maine	13	2	15.38%
Illinois	59	9	15.25%

WHY TEACHERS? WHY NOW?

Competing mainstream narratives have been offered to explain state lawmakers' fixation on curtailing teachers' collective bargaining rights during the Recession. The first, favored by elected officials and neoliberal school reformers is that costs for K-12 education have risen to "unsustainable" levels in recent years and have not been accompanied by commensurate increases in student performance. By this account, teachers unions hinder the implementation of necessary cost-saving and outcome-improving reforms because they drive up salaries and benefits while protecting ineffective teachers from dismissal. Such arguments, although identifiable in public discourse surrounding the implementation of No Child Left Behind, gained increased traction during the Great Recession. As state budget crises threatened fiscal solvency across the American states, Republican Governors responded with education budget-slashing austerity measures and revenue-reducing tax cuts. Justified from both a fiscal and policy perspective, weakening the influence of teachers unions through collective bargaining restrictions was simply part of the necessary package of education and fiscal reforms pursued during this time.

However, the idea that teachers unions are to blame for state budget woes and lagging student performance is not a pill readily swallowed by labor sympathizers or educators. Indeed, those on the progressive left offer an alternative narrative to explain lawmakers' pursuit of steep education spending cuts and draconian collective bargaining restrictions surrounding the recession. In this account, such actions amount to an assault on teachers by those seeking to fundamentally restructure the American public education system. The media's fixation of late on bad teachers aka "rotten apples" and the union-negotiated protections that make their removal nearly impossible serves as evidence of this.[6] So does the education reform movement, marked by Michelle Rhee's tenure as the Chancellor of the Washington DC public schools and the proliferation of Teach for America, coupled with increasing political support for school vouchers and charter schools. In this narrative, state lawmakers are waging a war on teachers and their unions in order to remove the stranglehold that teachers unions hold on public education (and the Democratic Party).

These mainstream accounts seem to imply that state government initiatives to restrict teachers' collective bargaining rights have arisen for either mostly economic or mostly political reasons. In the following sections, I evaluate the strengths and weaknesses of such assessments. I then estimate several empirical models in an effort to shed light on the factors that coalesced to increase the presence of K-12 teachers on state reform dockets. I find that indeed, fiscal and political characteristics of states are correlated with more intense "anti-teacher' reform agendas.

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[6] See Newsweek's cover story: "The Key to Saving American Education: We must fire bad teachers (3/15/10); Time Magazine's cover story "Rotten Apples: It's Nearly Impossible to Fire a Bad Teacher" (11/3/2014); New Yorker article: "The Rubber Room" (2009); and 2010 documentary film of the same name.

Related to this, I conjecture that political and policy objectives appear to best explain reformers' fixation on curtailing teachers' union organizing and contract negotiation rights surrounding the Great Recession.

EXPLANATION #1 FISCAL IMPERATIVES – THERE IS NO ALTERNATIVE

Following from the (accurate) observation that k-12 education is the "single largest budget item for each of the 50 states," laying off teachers and/or reducing their compensation became synonymous with "shrinking government" during the Great Recession as a cure-all for state fiscal woes (Conniff 2011). This is a novel development, according to the *Center for Public Education*, because education spending is traditionally viewed as a future investment that is popular with both partisan camps (Hull 2010). As such, education spending is usually one of the last budget items to be reduced. This changed during the Great Recession, however, because school districts suffered steep declines in both state and local funding as a result of reduced local revenues from real estate taxes following the housing market collapse combined with strained state finances at a time of increased service demand (Hull 2010).

For example, a survey conducted by the American Association of School Administrators (AASA) found that 78 percent of districts anticipated budget cuts in 2010-11, up from 64 percent in 2009-10. Moreover, many districts confronted reduced revenues for several years in a row during the recession, with four out of five districts suffering decreased funding from state and local revenues at the height of the recession in 2010-2011 (Hull 2010). Policymakers addressed resulting budget gaps through a combination of revenue increases and spending cuts, particularly to K-12 education.

Given that education budgets are primarily consumed by personnel costs related to salaries and benefits, reductions consequentially took the form of teacher layoffs, pay freezes, furlough days, and reductions to health and retirement plans.

Moreover, as one of the largest, most visible, segments of the public sector workforce, teachers may have served as a convenient scapegoat used by reformist lawmakers to stoke working-class discontent in order to shore up support for their political agendas. This is because teachers are increasingly known to enjoy high levels of job security coupled with low-to-no premium health insurance plans and defined-benefit pensions that might be characterized as lavish by current American standards. Teachers also receive (or are perceived to enjoy) 3-month long summer vacations. Compared to the average American worker in private industry, especially during the Recession when unemployment reached double digits, teachers occupy an ostensibly privileged economic position.

As Jay Greene of the *Manhattan Institute* observes (pre-Recession): “[In 2005] the average public school teacher was paid 36% more per hour than the average non-sales white-collar worker and 11% more than the average professional specialty and technical worker. Nationwide, public school teachers earn more than the average workers with whom they are grouped into categories by the BLS" (Green and Winters, 2007). *Similarly, Frederick Hess of the Hoover Institution argues:* "Public educators also receive generous benefits, including 'defined-benefit' pensions that do not require any contribution from the teacher. A career teacher, without ever having to contribute a nickel, can normally retire at age 55 and receive close to 70 percent of his or her salary for life. There are hundreds of thousands of retired teachers drawing annual pensions of $40,000 or more — many young enough to begin second careers" (Hess 2004).

In light of such observations, we begin to understand how reformers may have seized upon the narrative of teachers as an overpaid, yet underperforming class of workers in order to justify the repeal of their collective bargaining rights in the name of much-needed education and fiscal reform. Motivated by a challenging fiscal climate, restricting teachers' collective bargaining rights has been deemed an essential, practically unavoidable component of curtailing state expenditures. This is because the growing influence of teachers unions has frequently been credited (and blamed) for this situation. One recent analysis produced by the conservative Cato Institute, for instance, highlights the effectiveness of teachers unions in satisfying several core objectives, including raising their members' wages and opposing the implementation of "performance pay" policies (Coulson 2010). Academic research, particularly in economics, has also highlighted the relationship between teacher union strength (frequently measured in terms of density) and educator compensation, per-pupil education expenditures, and other K-12 policy outcomes (Hoxby 1996; Lemke 2004; Lieberman 1997; Lovenheim 2009; Stinebrickner 2001).

In light of such findings, claims that teachers unions have driven up their members' compensation (and hence education expenditures) are considered "entirely uncontroversial" by conservative commentators like Coulson (2010) However, Coulson adds an important caveat, stating that the link between unionization and higher teacher pay cannot be attributed solely to teacher union success at the bargaining table. Rather, he argues that this situation has been arrived at as a result of the inordinate political clout wielded by the two largest teachers unions (and their state-based affiliates): the National Education Association and the American Federation of Teachers. Coulson conjectures: "The NEA and AFT spend large sums on political lobbying so that public school districts maintain their monopoly control of more than half a trillion dollars in annual U.S. K-12 education spending…We are paying dearly for the union label, but mainly due to union lobbying to preserve the government school monopoly rather than to collective bargaining" (2010). Lieberman makes a similar argument in a polemical book, *The Teacher Unions*, "the NEA/AFT are geared to political action, not as a supplement [to collective bargaining] but as a primary focus of union activity" (1997).

A host of recent studies highlight the sheer magnitude of teachers unions' political clout while linking permissive state legal environments (assessed in terms of collective bargaining regulations) to teacher union size, strength, and influence. Notable examinations by Berkman and Plutzer (2005), Moe (2011), and Winkler (2012), for instance, shed light on the upward trajectory of teachers unions in American politics, highlighting effects of increased unionization on teacher pay and benefits, education policies, and K-12 expenditures. A conclusion from this literature is that teachers unions have emerged as Goliath-like figures in American politics, with significant implications for teacher pay, working conditions, and public school policy.

Adding insult in injury, teachers and their unions have arrived at this position at the same time that the political clout of private sector workers via unions has dwindled substantially. Private sector unionization was at an all-time low of around 7.4% at the beginning of the Recession in 2008, and has dipped further to 6.6% in 2015. At the same time, teachers continue to be unionized at a rate of upwards of 50% of their overall ranks (although recent numbers show that state legislative efforts to weaken unions are shrinking these numbers) (BLS.com).

Political figures have additionally trumpeted claims connecting underfunded state budgets to bloated teacher pay and benefits, ipso facto attributing state fiscal crises to teacher unions. For instance, when New Jersey Governor Chris Christie sought a wage freeze and benefit contribution hike for teachers in 2010 he stated, "When you put salaries and benefits together, [teachers] are making a significant amount of money" (Statehouse Bureau Staff 2010). Christie further called the New Jersey Education Association to task for their refusal to reopen contract negotiations so that he could pursue such education spending cuts founded in reducing teacher remuneration (as opposed to teacher layoffs): "If they care more about their status as the 800-pound gorilla, then they won't reopen the contracts, and they'll just lose members" (Heininger 2010).

The message being broadcasted to the "800-pound" teachers unions during the Recession was that by refusing to accept concessions they had given lawmakers faced with budget deficits no choice but to seek collective bargaining restrictions. This is because ostensibly, permissive collective bargaining regimes have empowered teachers in contract negotiations, resulting in unsustainable education personnel costs. Such a narrative offers one explanation for why K-12 teachers' collective bargaining rights were particularly ripe for reform during the Recession. Fiscal imperatives, combined with perceptions that teachers (via their unions) have contributed to state budget deficits created a perfect (and perhaps unavoidable) storm for lawmakers' pursuit of collective bargaining reforms aimed specifically at teachers. Government officials tasked with balancing state budgets sought to renegotiate the employer-employee relationship because they had no alternative.

However, such rationales are called into question by the observation that no broad pattern of heightened collective bargaining reform activity targeting other segments of the state and local workforce is detectable. For instance, one might also expect lawmakers to concentrate on restricting public safety officers' collective bargaining rights for many of the same reasons provided to justify reforms affecting teachers. Police officers are, after all, among the "heavily unionized" occupations according to the Bureau of Labor Statistics, and workers in the "protective service occupations," which includes police and corrections officers, as well as firefighters, enjoy nationwide union density of over 35% (Bureau of Labor Statistics 2015). Police, fire, and corrections officers are also generously remunerated in many states, and numerous studies have linked police officer pay to unionization and collective bargaining rules (Hall 1977; Ehrenberg 1973; Bartel 1981; Feuille 1986). More recent work by Chandler et al (1995), Page (2013), and Anzia and Moe (2015) has linked public safety officer union *political strategy* to cost-related outcomes involving wages, benefits, and employment levels for police and corrections officers.

As such, public safety officers unions are arguably as draining to budgets and politically influential as teachers unions. Nonetheless, few states pursued reform agendas targeting public safety professionals (and some states, notably Michigan and Wisconsin exempted such individuals from comprehensive reform). Only two states pursued a higher proportion of labor-restrictive reforms targeted toward public safety personnel (which includes municipal police, state police, and corrections guards) than K-12 teachers: Illinois and South Carolina (Table 19).

Table 19. Bill counts for labor-restrictive reforms targeting public safety personnel*

State	All Anti-labor	Anti-safety	Percent anti-safety
Illinois	59	21	35.59%
South Carolina	17	5	29.41%
Texas	14	2	14.29%
Oklahoma	22	3	13.64%
New Jersey	74	9	12.16%
Pennsylvania	77	9	11.69%
Oregon	38	4	10.53%
Rhode Island	57	6	10.53%
Maryland	21	2	9.52%
Washington	21	2	9.52%
Florida	22	2	9.09%
Michigan	73	6	8.22%
New York	37	3	8.11%
Massachusetts	29	2	6.90%
Wisconsin	20	1	5.00%
California	28	1	3.57%
Hawaii	51	1	1.96%

*Includes municipal police/peace officers, state troopers, highway patrol, and corrections

In observation of this, it is puzzling that state lawmakers appear to have disproportionately targeted K-12 teachers for labor-restrictive reforms while sparing public safety officers from similar legislative activity. Must we conclude that Republican Governors like Scott Walker and Rick Snyder believe that *teachers* create *deficits*, but cops and firemen do not? What else might explain their fixation on restricting public school teachers' access to collective bargaining during the Great Recession, while leaving public safety employees labor rights largely intact?

EXPLANATION #2 – THE WAR ON TEACHERS, EXTENDED TO THEIR UNIONS

Voices on the left point out that collective bargaining reforms have broader implications than mere education expenditure reductions. While the latter cause temporary hardship to those teachers who have been required to forgo salary increases, take furloughs, and contribute more toward their pensions and health benefits, the former seek to permanently reduce the ability of teachers to influence policies impacting their long-term remuneration and working conditions (Donn 2013). In this way, repealing collective bargaining is viewed not as a fiscal adjustment strategy but rather as part of a concerted effort to reshape the teaching profession, and K-12 education along with it. Collective bargaining reforms aimed at teachers may thus amount to yet another assault against public education in an ongoing "war" against teachers.

According to Joseph Ricciotti, a public schools advocate in Connecticut and retired educator, this "war on teachers" began with the George W. Bush Administration's implementation of No Child Left Behind and has continued under the Obama Administration's "Race to the Top" program. Ricciotti argues that these programs exemplify a "test and punish" system that aims to rank students and grade schools, while "demonizing teachers" for the inadequacies of the public education system (Ricciotti

2014). Republican governors have also pursued aggressive education reform agendas in the post-No Child Left Behind era. As 18 new Republican governors assumed office in 2011, education reform efforts accelerated in conjunction with fiscal reforms. In addition to promoting the “school choice” movement through voucher programs and charter schools, proposals impacting teacher pay, promotion, tenure, and dismissal were also prominent on the agenda.

Examples of successful initiatives undertaken by Republican Governors around this time abound: Gov. Rick Scott (FL) established merit pay and eliminated teacher tenure for new hires; Gov. Tom Corbett (PA) pushed for teacher merit pay, property tax reform, and the ability for school districts to furlough employees during a fiscal crisis; Gov. Mary Fallin (OK) signed a law streamlining the teacher dismissal process, making it easier to terminate teachers; while Gov. Bill Haslan (TN) raised the bar for teacher tenure and promotion (RGA 2015). Naturally, teachers unions oppose education reforms that threaten to weaken the job security and working conditions of their members. As such, reformist state lawmakers seeking to enact many of the aforementioned education innovations may find it advantageous (or downright necessary) to simultaneously restrict teachers collective bargaining rights. Otherwise, unwieldy teachers unions may block proposals at the bargaining table or wage public issue campaigns opposing them. Understood as such, collective bargaining reform agendas targeting teachers may signify the pursuit of broader political and policy objectives as well.

At this point, an addendum may be offered to explain lawmakers’ excessive focus on curtailing teachers’ union organizing rights: the reform movement is also transfixed with *breaking teachers unions* in order to weaken the Democratic Party. This narrative has been proffered by those on the political left, including labor scholars and activists, who argue that the disproportionate targeting of teachers and their unions during the Great Recession should be seen for what it is: an attack on the Democratic Party, who enjoys generous political support from teachers unions (Cantin 2012; Kirsten 2011; McCartin 2011).

This assessment stems from several observations. First, state-based teachers unions reported contributing over 57% of their overall political donations in recent decades directly to Democratic candidates. Next, this is over five times more than the meager 11% that teachers unions contributed to Republican candidates, while the remaining 32% was donated to a combination of non-partisan issue campaigns or 3rd party candidates. Finally, there exists significant state-level variation in teachers unions partisan loyalties and political commitments, with state-based teachers unions ranging from staunchly pro-Democrat and prolific in their campaign contributions, to being moderately Republican-friendly and politically inert. (Appendix 3).

For instance, 5 states contributed upwards of 90% of their political donations directly to Democratic candidates, including prolific contributors Iowa and Indiana, whose average yearly campaign contributions amounted to over two hundred thousand and half a million dollars, respectively. Next, over a dozen states contributed 70-80% to Democrats, including big spenders like Alabama (838k annual average overall) and Pennsylvania (638k annual average overall). In sum, over 2/3 of the states donated upwards of 50% of their campaigning coffers to Democratic candidates (Table 20).

Table 20. State-based teachers unions political donations to Democrats, 1980s-today

STATE	$ to Democrats (as percent of overall)
Rhode Island	94.70%
West Virginia	94.01%
Iowa	93.00%
Vermont	91.66%
Indiana	91.01%
North Carolina	86.59%
Tennessee	83.96%
Alabama	83.06%
Arkansas	81.68%
Louisiana	80.09%
South Dakota	78.93%
New Hampshire	78.79%
Virginia	78.74%
Pennsylvania	78.51%
South Carolina	77.65%
New Mexico	76.06%
Wyoming	71.73%
Kansas	71.47%
Montana	69.22%
Texas	68.11%
Nevada	67.85%
Georgia	66.83%
New Jersey	66.63%
Delaware	63.88%
Maryland	62.66%
Florida	61.04%
Hawaii	59.24%
Mississippi	59.00%
Michigan	58.62%
Illinois	56.67%
New York	55.38%
Alaska	54.02%
Kentucky	52.56%

Moreover, this does not mean that they simply donated the other half to Republicans. This opposite is actually true. No state teachers unions contributed as much as half of their political donations to Republican candidates. Rather, many states donated significant sums to third-party candidates and issue campaigns in addition to Democratic candidates, thus diluting their overall contribution to Democrats while not correspondingly increasing it to Republicans. In California, for example, where teachers unions are a veritable behemoth contributing an average of over 11 million dollars per year, they only contributed 15% of their overall donations to Democratic candidates, but they contributed nothing to Republicans. The rest, it seems, went directly to support education issue campaigns in a state rife with initiatives. However, there are still roughly a dozen states that donated sizeable percentages of their overall campaign contributions to Republians (Table 21). These additionally include states in which teachers unions are relatively large donors such as Illinois ($1.6m annual average overall) and New York (961k annual average overall).

Table 21. State-based teachers unions political donations to Republicans, 1980s-today

STATE	$ to Republicans (as percent of overall)
Missouri	39.21%
Mississippi	31.97%
Delaware	28.48%
Texas	27.18%
Wyoming	27.08%
Georgia	26.61%
New Jersey	26.27%
Illinois	25.57%
New York	23.27%
South Carolina	21.72%
Alabama	19.25%
Kansas	18.83%
Pennsylvania	18.32%
Kentucky	16.68%
Virginia	15.83%
Louisiana	15.37%
North Dakota	14.55%
Tennessee	13.42%
South Dakota	13.02%
Alaska	11.78%

Next, as further evidence that collective bargaining reforms are compelled by dual motives to weaken teachers unions and undercut the Democratic Party (as opposed to fiscal necessity alone), critics have pointed out that the American Legislative Exchange Council (ALEC) has spearheaded much of the reform movement. ALEC describes itself as a non-partisan association of state lawmakers, industry leaders, and average citizens that, "works to advance limited government, free markets and federalism at the state level" (ALEC.org). Observers on the left, however, characterize ALEC as a powerful "corporate bill mill" that provides state lawmakers with ready-to-use legislation like the right-to-work style bills that proliferated in state legislatures all over the country surrounding the Great Recession (CMD 2014). Moreover, much of the model ALEC legislation cropping up during this time specifically targeted K-12 teachers for reform. For instance, the Indiana Education Reform Package incorporates model ALEC legislation related to teacher collective bargaining rights, evaluations, and licensing, as did myriad other bills introduced across state legislatures (Riley 2012).

Ostensibly, such reforms driven by ALEC appear to be motivated by policy objectives. As a market fundamentalist interest group, ALEC supports efforts to restructure the American education system according to what might be appropriately deemed "neoliberal" principles. Moreover, critics of neoliberalism observe that various aspects of the American public sphere—from education to government partnerships with business—have been transformed according to market-driven agendas. This phenomenon is also not isolated to the United States. In 2008, before the Recession's peak, the president of the largest teachers union in Europe, Lois Weiner, published a collection of essays written by scholars, educators, and union leaders providing various perspectives on the "global assault on teaching, teachers, and their unions" (Weiner 2008). The core argument of the book is that global economic competition has driven advanced democracies to alter the meaning and goals of public education. Rather than being seen as a public good, education at all levels has been transformed into a product to be consumed. Parents and students are customers in this model, while teachers are like retail clerks, delivering a narrow set of curriculum while working under serious performance and resource constraints. Efficiency is being forced on teachers by increasing classroom sizes, standardizing course content and delivery methods, and routinizing assessment procedures.

By examining neoliberal education reforms occurring in diverse locales including Denmark, Mexico, England, China, Australia, South Africa, Germany, and the United States, Weiner's volume shows that neo-liberal education reforms are neither novel nor isolated to the United States surrounding the Great Recession (2008). Rather, they should be viewed as part of a global set of processes that have been occurring for decades. Related to this, the surge of restrictive collective bargaining reforms aimed at primary school teachers may be viewed as a logical component of restructuring the public education system in the United States. This is because under the neoliberal education model, teacher evaluation procedures connected to student performance serve as important carrots and sticks in forcing teachers to comply with encroachments upon their intellectual freedom while responding to market-driven pressures to deliver a particularized educational product. An integral part of applying such performance pressures to K-12 educators, has been the loosening of collective bargaining rights and the weakening of teachers unions.

For instance, reformers may seek to narrow the mandatory bargaining scope for K-12 teachers in an effort to implement performance pay measures, weaken (or eliminate) teacher tenure, increase class sizes, or alter other working conditions such as prep time, the length of the school day/year, etc. Therefore, a correlation is expected between the pursuit of market-driven education reforms and the restriction of teachers' collective bargaining rights. In line with this, I argue that the nationwide surge in (state-level) collective bargaining reform activity is indicative of a neoliberalizing trend aimed at shrinking the public sector by bringing it in line with market rationality and efficiency motives. Weakening public employee unions is important in this project because they oppose reforms that reduce their members pay, benefits, and job security. Moreover, weakening collective bargaining rights for particular sectors of the public workforce might provide insight into the content of neoliberal reforms being promoted. I find that K-12 teachers were disproportionately targeted for reforms in a majority of labor-restrictive reform states. If collective bargaining restrictions are viewed as such we begin to see why.

Following this, I suggest that the ultimate goal of labor-restrictive reforms aimed at teachers unions is not merely to bring certain public employees' remuneration more in line with the private sector in order to curb government spending. Rather, it is to weaken the teachers unions who have in recent decades emerged as influential political actors that tend to align with Democratic candidates and causes. In this way, the budget-cutting effect is secondary to the larger aims of facilitating neoliberal education reforms while undercutting an important campaign contributor and ally to the Democratic Party.

EVALUATING THE COMPETING NARRATIVES

I have outlined various factors which may help explain lawmakers' efforts to curtail teachers' collective bargaining rights in response to the Great Recession. Building from research identifying a relationship between teacher union density, compensation, and teacher-friendly education policies, the first underscores mainstream narratives purporting that teachers unions have driven up their members' compensation to unsustainable levels, propelling state budget crises. Insomuch as teachers unions refused to cede concessions in negotiations over members' pay and benefits, leaders in cash-strapped states sought collective bargaining restrictions in order to regain control over ballooning education spending. I call this explanation the "fiscal necessity narrative."

This framing of the fundamental issue assumes that states experiencing budget and pension crises disproportionately targeted teachers because they are simply the best paid and benefited public employees. Hence, lawmakers had the most to gain by reforming teacher collective bargaining in order to reduce current and future K-12 personnel expenditures. In order to evaluate the relationship between fiscal necessity and the reform agenda, I assess the influence of state fiscal indicators like the budget reserves, housing price changes, and unfunded pension liabilities alongside teacher union density on the proportion of a state's total collective bargaining reform agenda targeted toward K-12 teachers.

An alternative explanation is that teachers unions, as significant contributors to the Democratic Party, were the primary target of collective bargaining restrictions aimed at reducing an important revenue stream for the Democratic Party. I call this the "political opportunity narrative." Republican lawmakers disproportionately targeted teachers for labor reforms in order to break the behemoth teachers unions because they are huge (800-pound!) supporters of the Democratic Party. To assess this account, I analyze the relationship between the proportion of anti-teacher reforms in a state legislative session and partisan campaign contributions from the top-two teachers unions. I characterize states that contributed at least some significant proportion of their donations to Republican candidates as being "Republican-friendly" as opposed to "pro-Republican."

Put differently, although there are no states that contributed more money to Republicans than Democrats, there are still a handful of states that contributed above average amounts to Republican candidates including Missouri (39%), Mississippi (32%), Texas (27%), and Illinois (26%) (See table 21). Now, in each of these states campaign contributions to Democrats outweighed those to Republicans, but we might still characterize these states as Republican-friendly rather than being outright antagonistic to Republicans like a states such as Iowa and Rhode Island, where only 1% of donations went to Republicans while over 90% went to Democrats.

Following these observations, I anticipate that where teachers unions overwhelmingly support Democratic candidates, their members will be disproportionately targeted in the state labor reform agenda. Conversely, I expect that where teachers unions make more donations to Republican candidates, the opposite will hold true and teachers will be more insulated from collective bargaining restrictions. I further anticipate that there will be a positive relationship between the average annual amount of political donations made by teachers unions and the proportion of reforms targeting teachers.

However, it may also be the case that teacher-centric reforms were also pursued to complement policy other objectives. This is because teachers unions oppose many education reform projects promoted by politicians of both stripes such as school choice, vouchers, and charter schools. Therefore, weakening teachers unions also has potential policy goals in mind. Resultantly, I suggest that political and policy objectives should be evaluated alongside state fiscal characteristics to explain why K-12 teachers have emerged as the primary target of collective bargaining reform agendas. An additional justification for collective bargaining restrictions targeting teachers, then, is that they aim to facilitate greater education reform. I call this the "policy objectives narrative." Insomuch as Republican governors have spearheaded the kind of education reforms opposed by teachers unions, I expect that the presence of a Republican Governor in a state will be positively associated with a disproportionately strong anti-teacher collective bargaining reform agenda. In sum, I seek to evaluate the relationship between state economic, political, and policy environments and the prominence of reforms targeted specifically at teachers in a state's collective bargaining reform agenda. I expect that over and above fiscal necessity, political goals and policy objectives explain why many states went on the offensive against K-12 teachers' union organizing and contract negotiating rights surrounding the Great Recession.

Table 22. Labor-restrictive legislation targeting K-12 teachers, bill counts

	Expected values (standard errors)	Change in baseline model + 1 s.d. or from O → 1
Baseline model	**0.61** **(.18)**	
Expected value + 1 s.d.		
Campaign $ to Democrats	1.16** (.42)	+0.55
Campaign $ to Republicans	0.37** (.13)	-0.24
Average annual political spending	0.42** (.12)	-0.19
Republican-controlled legislature	0.58 (.20)	-0.03
Republican Governor	0.93 (.29)	+0.32
Legislative Professionalism	1.40** (.47)	+0.79
Ideology	0.28** (.09)	-0.33
Unfunded pension liabilities	0.80* (.28)	+0.19
Days in budget reserve	0.44** (.17)	-0.17
Unemployment	0.76 (.23)	+0.15
Teacher union density	1.14** (.31)	+0.53
RTW state	0.27 (.31)	-0.34
Number of original observations	200	
Number of simulations	1000	
Prob> chi2	0.000	

+ Significant at the .10 level *Significant at the .05 level. **Significant at the .01 level.

RESULTS OF EVENT COUNT MODEL: SIMULATED EXPECTED VALUES

Similar to the count models described in Chapter 2, correlations between collective bargaining restriction for teachers and various predictors were first estimated using negative binomial regression with robust clustered standard errors (by state) to control for cross-case dependency. Significant statistical relationships between the predictors and the outcomes of interest were then detected and Clarify statistical simulation software (King 2000) was used to simulate expected values for the dependent variable at various quantities.

In this model, I examine the relationship between the number of restrictive (aka anti-labor) proposals specifically targeting K-12 teachers in state labor relations reform agendas and other political and fiscal characteristics. According to the negative binomial regression the predictors positively and significantly correlated with more labor-restrictive proposals directed toward teachers are: higher teacher union campaign contributions to Democrats (as a percentage of overall contributions), more professional legislatures, larger underfunded pension liabilities, and greater teacher union density. Alternatively, the predictors negatively associated with more anti-teacher proposals are: higher teacher union campaign contributions to Republicans, larger overall annual political contributions by state teachers unions, more liberal state ideology, and stronger budget reserves.

Further, using Clarify (King 2000) to estimate the “baseline model” in which all continuous variables are held at their means and dichotomous variables at zero, we find that 0.61 bill proposals specifically targeting K-12 teacher are predicted. However, this quantity is nearly doubled (to 1.16) when the percentage of campaign contributions to Democratic candidates is increased from its mean of roughly 57% by one standard deviation, to 83%. Alternatively, it is almost halved (to 0.37) when campaign contributions to Republicans are increased by one standard deviation from a mean of over 10% to 21%.

The identification of such correlations between the partisan composition of teacher union campaign donations, other economic variables, and the number of labor-restrictive proposals aimed at K-12 teachers supports claims that collective bargaining reforms targeting teachers are both fiscally and politically motivated. First, the percentage of overall political donations contributed to Democratic candidates by state-based teachers unions is correlated with a more intense, anti-teacher reform agenda. Conversely, higher percentages of donations to Republicans by teachers unions has the opposite effect of diminishing the number of proposals aimed at weakening K-12 teachers' collective bargaining rights. Next, larger annual amounts spent on political activities and campaigns (to candidates from either party) by teachers unions also has a muting effect on the occupational targeting of teachers in state reform agendas. In other words, in states where teachers unions have a stronger legacy as political actors, they were less vulnerable to being singled out for reform during the Recession. Lawmakers alternatively sought more frequently to target teachers for reforms when they were more likely to be seen as an exclusive ally of the Democratic Party. Conversely, in places where teachers unions contributed more money to *Republican* candidates, they were more likely to be *insulated* from collective bargaining reforms. Such findings suggest that where teachers unions are friendly to both parties, rather than just the Democrats, they managed to avoid more concerted attacks on their collective bargaining rights.

Moreover, I previously highlighted the lack of an equivalent reform agenda directed toward public safety personnel in spite of the observation that public safety occupations enjoy a high degree of union influence—and hence compensation, job security, and fringe benefits—that is relatively comparable to that of K-12 employees. As such, it appears contradictory for state legislative agendas to have primarily targeted teachers for reputed cost-saving reforms while recusing police and corrections officers from the agenda. I therefore argue that attacks on teachers unions were largely politically motivated. The questions then becomes: can this logic be extended to account for the relative *lack* of reform activity targeting the collective bargaining rights of police officers, state troopers, and correction guards?

Put differently, if teachers are being more vigorously targeted in states where their unions are antagonistic to the Republican Party, then perhaps public safety unions *aren't* being targeted in states where they are historically more Republican-friendly. In the sections that follow, I ask whether the dearth of labor-restrictive reforms directed specifically at public safety unions is explained by politics motivations as well. In light of the observation that public safety unions are not wholly antagonistic toward the Republican Party, and in fact are sometimes decidedly pro-Republican, I consider the relationship between public safety unions' partisan loyalties and their vulnerability to collective bargaining restrictions.

IF TEACHERS, WHY NOT COPS?

Nationwide, K-12 teachers were particularly vulnerable to efforts aimed at curtailing their collective bargaining rights during the Great Recession. Additionally, some states stand out as being more antagonistic toward teachers and their unions than others during this time. I discuss several factors that may help explain this phenomenon including underfunded state budgets, lawmakers' policy objectives, and unions' political commitments. While my research utilizes state variation to expand our understanding of the political and policy objective underpinning reforms targeting teachers, I do not seek to discount the genuine fiscal pressures that lawmakers confronted surrounding the downturn, and that many continue to grapple with during the "post-recovery" phase. Indeed, I acknowledge the impossibility of balancing state budgets *without* making cuts to public education, as K-12 education remains the largest expenditure from state funding sources (NASBO 2014).

However, as I have also previously argued: not all collective bargaining reforms are created equally. I maintain that there is a fundamental difference between proposals that require public school employees to contribute more toward their pensions and health care, and the right-to-work legislation that states like Wisconsin and Michigan enacted that strips teachers of core collective bargining abilities. Furthermore, if stripping collective bargaining rights is to be lumped in with less-restrictive, "fiscally necessary" reforms, then why weren't other large segments of the state and local workforce equally exposed to such efforts? If teachers, then why not cops?

Public safety employees' salaries and benefits are paid out of the second largest state expenditure category (Kyckelhahn 2014). And yet, uniformed personnel like police officers and fire fighters were conspicuously exempted from sweeping right-to-work legislation enacted in Wisconsin and Michigan that leadership touted as fiscally necessary to repair state budgets. Further, my examination of bill introductions data reveals that these are not isolated cases. Rather, I find a notable dearth of collective bargaining restrictions aimed at public safety employees being introduced across the vast majority of states during the Great Recession. If lawmakers' budget-based claims are true, then why weren't police officers and correction guards at equal risk of having their collective bargaining rights curbed as part of states' fiscal adjustment strategies?

Various perspectives seek to illuminate what appears as a "teachers versus cops" phenomenon in state collective bargaining reform agendas. First, many maintain that because the work of police officers and other first responders is unique, they rightly should enjoy a higher standard of workforce protections. (This argument is however complicated by Governors who tout right-to-work laws as being about increasing "fairness" in the workplace). Related to this, perhaps citizens hold a deep-seated commitment to maintaining public safety and order that leads us to *prefer* that lawmakers leave police officers out of the fight over collective bargaining. After all, who wants to tick off the people tasked with protecting and defending us, particularly during a time of economic discontent? In this way, lawmakers may actually be trying to avoid electoral punishment by concentrating on teachers instead. However, others reflect that lawmakers utilized public distrust in government and economic discontent surrounding the downturn as an opportunity to "divide and conquer" the public sector. Finally, claims that exemptions for uniformed personnel can be traced to blatant, politically-motivated preferentialism abound. I next elaborate upon the justifications that have been offered by lawmakers, labor leaders, and media outlets to explain why public safety employees have been largely insulated from recent assaults on public employees' collective bargaining rights

Republican Governors like Rick Snyder (MI), Scott Walker (WI), and most recently, Bruce Rauner of Illinois have offered similar rationales to explain why their states' efforts to curtail public employees' collective bargaining rights did not include "uniformed personnel." Namely, that occupational exemptions are rooted in the unique nature of the duties that certain employees perform. For instance, when asked to explain why police officers and firefighters were exempted from the public sector collective bargaining restrictions that went into effect in 2011, Wisconsin Gov. Walker cited public safety concerns. Specifically, Walker said that he did not want to risk police and firefighters walking out on their jobs in protest of the rule changes, saying "that's not an area to mess around with" (Bice 2011). Gov. Rick Snyder offered a similar justification for the framing of his state's 2012 right-to-work legislation. This law repealed public employee unions' abilities to levy "fair share fees" on non-members and prohibited striking, among other things. However, it did not apply to thousands of workers covered by the approximately 1700 bargaining units in that state representing municipal police officers and firefighters. According to Snyder, such workers are in a "unique circumstance" due to the "dangerous nature of their work" that places them in a different category than other public employees (Daum 2012).

Echoing this, Michigan lawmakers who supported the legislation said that it did not apply to police and firefighters because they were already barred from striking and subject to resolving disputes through binding arbitration instead, which the new law made applicable to all [other] public employees. Additionally, when asked to comment on why teachers unions, who were also previously restricted from striking were included under the act, lawmakers remarked that it was because they have a history of disregarding the law and striking anyway (Haglund 2012). Interestingly, in 2015, Republican state Representative Gary Glenn sought to extend Michigan's right-to-work legislation to include public safety personnel, saying that he "never understood" why the original law did not apply to police, fire, and state troopers. However, another [Democratic] state lawmaker responded skeptically to Glenn's proposal, saying: "Attempting to cut costs by weakening unions that are looking out for the best interests of our police and firefighters doesn't just hurt those public servants - it puts the public safety at risk" (Tower 2015). Such sentiment aligns with previous comments offered by Republicans to explain for why police and fire were left out of the initial legislation.

Finally, a few "post-Recession" (but not post-state budget crisis) reforms underway in Oklahoma and Illinois in 2015 are also worthy of mention. Bruce Rauner of Illinois, for instance, appears to be emulating Walker and Snyder's "targeted" approach to restricting public employee collective bargaining rights. After assuming office in 2015, Rauner went on the immediate offensive against state public employee unions by signing an executive order barring them from assessing “fair share” fees. Shortly thereafter, the Governor presented his budget proposal to the Illinois legislature outlining steep cuts to pensions for all public employees—except, notably—police officers and firefighters. In defending this particular policy innovation during his budget address, Rauner stated: “Those who put their lives on the line in service to our state deserve to be treated differently” (Scheiber 2015). By the same token, an Oklahoma “paycheck protection” act was enacted in April of 2015 that barred teachers unions from collecting dues via automatic payroll deduction, while exempting police officers and firefighters unions from such restrictions (Murphy 2015).

Such examples suggest that the trend of lawmakers exempting public safety personnel from broader public employee reforms has continued beyond the time frame considered by my analysis of state bill introductions. Detractors have pointed out, however, that many of the justifications offered to support restricting teachers’ collective bargaining rights but not police officers fall flat when assessed on their merits. Rather, they point out, these exemptions have the effect of driving a wedge between different groups of workers. As such, they may be part of a long-term political strategy aimed at permanently diminishing the influence of organized labor.

Public safety employees and labor leaders expressed mixed reactions to being left out of sweeping public sector collective bargaining reforms enacted in Wisconsin and Michigan surrounding the Great Recession. On the one hand, some agreed that they indeed warranted special consideration due to the unique and potentially dangerous nature of their work. Said Dave Hiller of the Michigan Fraternal Order of Police, “Our position is, given conditions we work under, we believe we are held to a higher standard than the average labor union," (Hagland 2012). On the other, many felt uneasy about being pit against their labor brethren. However, driving a wedge between different groups of public employees might have been an essential part of the political strategy to enact public sector right-to-work laws.

This is because garnering public support for such proposals tends to hinge on the popularity (or unpopularity) of the groups they target (Schreiber 2015). Perhaps, then, lawmakers carve out exemptions for police officers and firefighters when pursuing collective bargaining restrictions simply because it helps in courting public support (or avoid political punishment). As labor relations professor at the University of Illinois, Robert Bruno, observes: "When you get into structural differences, you're hard pressed to see why anyone would argue that one group should be left out…This has to have more to do with the fact that it's politically dangerous to attack these people" (Scheiber 2015). Therefore, as long as police officers and firefighters are viewed heroically by large swaths of the public (which might not be for much longer following recent controversies over police officers' shootings of unarmed black men), it might be easier to exempt them from the reform agenda.

The idea that lawmakers may have a strategic interest in dividing organized labor in order to conquer is given further credence by examples from state initiative, referendum, and recall campaigns occurring in Michigan, Ohio, and Wisconsin over collective bargaining rights. For instance, police and fire fighters didn't work alongside Michigan teachers unions to support a statewide initiative campaign that would have enshrined collective bargaining rights in the constitution. Resultantly, Michigan's "Proposal 2" failed to pass, paving the way for the state legislature to enact right-to-work legislation (exempting public safety) a few months later (Haglund 2012). Conversely, Ohio's Senate Bill 5, a right-to-work law that would have impacted all public employees in the state, was decisively repealed by voter referendum in 2011 after a successful state-wide campaign led by firefighters, police officers and teachers.

Finally, in the wake of imposing draconian collective bargaining restrictions on teachers, but not cops and firemen, Wisconsin's Scott Walker was able to both survive a massive recall effort in 2012 and win reelection in 2014. Walker was also endorsed by key public safety unions in his 2014 gubernatorial bid. Citing the Governor's "strong commitment to public safety," the Milwaukee Police Association, the Milwaukee Police Supervisors' Organization, and the Milwaukee Professional Firefighters Association expressed their support for the Walker's re-election (ScottWalker.com 2014). Such examples suggest that exempting public safety personnel from right-to-work laws may be a crucial element to their success and durability. Accounting for the political ambition of these reforms' architects further indicates that driving a wedge between organized labor is viewed as a savvy political strategy by those with higher aspirations. Walker's success in his 2016 presidential bid will certainly shed light on whether this calculation is proven correct.

Now, there plenty of reasons to assume that public safety unions are not antagonistic toward, and may in reality be supporters of the Republic Party. The first is demographic; the vast majority of police officers, state troopers, and correction guards are men, and among these about 75% are white (Bureau of Justice Statistics 2015). In observation of recent trends in the partisan identification and voting behavior of white men, it seems plausible, then, to assume that rank-and-file public safety union members are not strong Democrats. This is because about 43% of white men identify as independents and 33% identify as Republicans, while only 20% identify as Democrats. The next is ideological: public safety unions are concerned with issues related to law and order. They promote policies like “3 strikes” laws and tougher sentencing guidelines, and support “stop and frisk” and “broken windows” community policing strategies. Resultantly, public safety unions are likely to align with Republican candidates due to the Party’s longstanding efforts to appear “tough on crime” by supporting of such mechanisms for promoting law and order (Piven and Cloward 1993; Beckett 1997; Soss 2011; Page 2013). Finally, remaining on good terms with the Republican Party may just be a wise strategy for unions to employ.

Joshua Page illustrates the logic underpinning the relationship between public safety unions and the Republican Party in his analysis of the California Correction Peace Officers Association (CCPOA):

> Whereas other large public sector unions in California such as the California Teachers Association and California State Employees Association predictably align with Democrats, the CCPOA is—and has been from its inception—nonpartisan…The organization’s commitment to nonpartisan politics flows from its politically realistic philosophy. The CCPOA builds relationships with politicians who advance its cause, regardless of party label. (Page 2013, 54).

According to Page, the CCPOA has risen in stature in California politics over the years as a direct result of behaving in what he terms as a “politically realistic” strategy whereby political friends are rewarded and enemies are punished. Nonpartisanship is an essential element of this strategy because it allows the CCPOA to remain uncaptured, and hence able to take advantage of its ability to threaten and reward political leaders into compliance with its policy objectives. He argues: “Because the CCPOA is nonpartisan, both Democrats and Republicans seek (and get in almost equal measure) the CCPOA’s endorsement and money” (Page 2013, 55). In support of this, Page observes that the CCPOA contributed 63% to Democrats and 37% to Republicans in 2005 and over 1.7 million and 1.4 million dollars to the California Democratic and Republican Parties, respectively, over the decade beginning in the early 2000s. As such, Page’s analysis sheds light on importance of remaining uncaptured by either political party to the CCPOA’s political success. Taken together, demographic, ideological, and strategic concerns serve to demonstrate that public safety unions are not automatic Democratic loyalists or Republican antagonizers.

My data collection on the partisan composition of political donations made by the largest police, corrections, and trooper unions in each state confirms this. Public safety officers unions (omitting firefighters) are significant contributors to the Republican Party, however, this is not to say that they do not also contribute to Democrats. Averaged over the past 30 years, the “top two” state public safety unions have contributed roughly 28% of their overall contributions to Republican candidates and 44% to Democrats. Moreover, when you incorporate the “top three” public safety unions, donations to Republicans increase to 34% while Democratic donations remain the same. **(See Appendix 4).**

This reflects the fact that in any given state, there exist several municipal and state-based police, corrections, and highway patrol organizations who may have opposing or mixed partisan loyalties. Moreover, although public safety unions in aggregate appear to favor Democrats, there are many states in which they contribute decisively more to Republicans, or at least roughly equivalent amounts. For example, Republicans received over half of public safety unions' political donations in in ten states including New York, Arizona, and Texas. The GOP further received at least 25% of overall political contributions from the "top two" public safety unions in half of the fifty states, including Wisconsin, where police unions contributed over 40% of their overall campaign donations to Republicans. Might this explain why public safety employees were exempted from Wisconsin's and Michigan's sweeping right-to-work style public sector reforms?

Moreover, the "top two" state-based teachers unions have contributed a meager 11% of their overall campaign dollars to Republican candidates over the past 30 years; this figure was 57% for the Democratic Party. Indeed, there are a few outliers like Missouri, where Republicans received 39% of donations and Illinois where the GOP received roughly 25%. But overall, the difference between teachers unions and police unions is stark: in 30 of the 50 states, teachers unions contributed fewer than 10% of their campaign dollars to Republican candidates and in no states did teachers unions donate a majority of their funds to Republicans. Such evidence suggests that teachers unions are largely "captured" by the Democratic Party in the vast majority of the American States. Public Safety unions, on the other hand, are a mixed bag whose partisan loyalties (and coffers) are potentially up for grabs. This may explain why Republican politicians aggressively sought to restrict teachers' collective bargaining rights while remaining more neutral toward public safety officers: they had nothing to lose (in provoking teachers unions), but everything to gain (by appeasing police unions).

THE IMPLCATIONS OF OCCUPATIONAL TARGETING

Ohio, Michigan, and Wisconsin serve as important cases in point to illustrate my overall contention that reforms directed at teachers were politically motivated, and that being aligned with or at least not antagonistic toward the Republican party may have served to protect police officers bargaining rights. In all three states, we find unified Republican governments undertaking comprehensive public sector collective bargaining overhauls under the leadership of Governors Kasich, Walker, and Snyder. In Ohio, however, Kasich targeted all public employees for the repeal of their collective bargaining rights, whereas Michigan and Wisconsin's laws carved our special exemptions for public safety personnel. When you compare the partisan breakdown of these two states campaign donations you also find that in Wisconsin, public safety unions were considerably more active and pro-Republican than in Ohio, where public safety unions only gave between 13-15% of their donations to either party.

Interestingly, Wisconsin's collective bargaining reforms have also proved considerably more durable than Ohio's. Ohio's reforms were unable to withstand a voter referendum, but in spite of multiple court challenges to key provisions of his legislation, most of Wisconsin's reforms remain in effect at the time of this writing. Walker withstood a recall election and was then reelected. This may explain why Walker was emboldened to extend his measures to the private sector in 2015, making Wisconsin the 25th "right-to-work" state. While I am unable to conclude that being a major campaign contributor to Republican candidates helped to insulate public safety unions from attacks on their collective bargaining rights, I do conjecture that being anti-Republican hurt teachers, and that being more ambivalent (or perhaps strategic) in their partisan loyalties appears to have helped public safety employees. Finally,

As we have seen, various political, fiscal, and economic rationales can be offered to explain why restricting public sector collective bargaining was a prominent part of state legislative agenda surrounding the Great Recession. Nonetheless, even in states pursuing intense anti-union agendas, legislative activity often targeted particular sectors within the government workforce for reform, notably K-12 teachers, while exempting or remaining silent on other public employees' rights. Related to this, I have revealed an additional, crucial distinction in the content of labor relations proposals: the occupational target of reforms. Academics and activists tends to assume that public employees were uniformly targeted for collective bargaining restrictions during the Recession. This is because conservative lawmakers were met with dual incentives to pursue cost-saving, union-weakening public sector workforce reforms during the Recession: personnel costs driven up by health insurance and pensions consume roughly half of state expenditures (McNichol 2012). However, divergent vulnerability to reform is also identifiable within the public sector, with K-12 teachers standing out as an occupational group most likely to be targeted by labor-restrictive legislation.

In light of such observations, we begin to understand how reformers may have seized upon the narrative of teachers as an overpaid, yet underperforming class of workers in order to justify the repeal of their collective bargaining rights in the name of much-needed education and fiscal reform. However, as a counterpoint to such arguments, or perhaps a point of clarification, I suggest that this notion that union-empowered K-12 teachers occupy a privileged economic position (but somehow police officers and firefighters do not) needs to be placed within the broader political economy of the American labor market, and in particular, to be understood in light of observable gendered dimensions of the Great Recession and Recovery.

CONCLUDING THOUGHTS: "PENSION ENVY" AND THE "GREAT MANCESSION"

The term "pension envy" has been used to describe the jealous resentment expressed by private sector workers toward public employees, whom they perceive enjoying superior fringe benefits like defined-benefit pensions and low-deductible, employer subsidized health care plans (Anderson and Mitchell 2009). A fair amount of debate centering on this issue arose during the Great Recession, pitting the private workforce and "Tea-party" conservatives against public pensioners and labor unions. However, a host of recent scholarship identifying gender-based patterns of dislocation during the recession and recovery phases surrounding the 2008-2009 economic crisis brings another perspective to this discussion. Following this, I posit: what becomes of pension envy when the *gender profile* of workers in major industries is taken into account? Put differently, what difference does it make that the majority of those with such "enviable pensions" are women employed by the government, while the majority of those with "pension envy" are actually men working in private industry?

During the economic downturn, observers called attention to the narrowing gap between men's and women's workforce participation as a result of increases in male unemployment relative to women's. At the height of the recession, it thus became fashionable to emphasize the dislocation of male workers from the labor market as evidence of a "Man-Cession" plaguing the US economy (Contessi and Li 2013). Because the manufacturing and construction trades experienced more job losses than the (heavily feminized) public sector, at least initially, the recession was characterized as a major economic and psychological blow to male workers. Peterson observes: "In broader social commentary, the 'Mancession' loomed large as a threat to the 'American Dream', and the rise in women's share of the work force was viewed as a manifestation of men's declining power and status" (2015). So it was highlighted during the recession that men lost far more jobs than women simply due to the fact that labor markets are gendered, with a preponderance of men working in the manufacturing and construction trades, which are highly vulnerable to economic shocks, while women tend to occupy service and public sector jobs in education and health care, which are more resistant to market forces.

However, various transformations to the US economy have occurred since the latter-half of the 20th century to ostensibly weaken the economic status of male workers relative to their female counterparts. I suggest that the Great Recession (or Mancession) merely served to highlight the significance of these ongoing processes, which include: technological change, globalization, and the decline of the US manufacturing sector, the growth of the service economy, private sector wage stagnation and benefit restructuring, the feminization of the public sector, and the divergence of public and private sector unionization. By drawing attention to male private-sector workers' "disproportionate" (or proportionate, when male labor force participation rates are factored in) job losses during the downturn compared to the relative job security enjoyed by the heavily feminized public sector, reformers and the mainstream media pit working men and women against each other in a zero-sum game in which protecting the jobs and benefits of (female) K-12 teachers is seen as coming at the expense of male employment and income in the form of increased taxes.

Reforming teachers' collective bargaining rights, then, becomes justifiable as part of an economic policy aimed at "getting the men back to work." Additionally, factoring in gendered beliefs about breadwinning and what is "fair" compensation may shed light on why the advent of male software engineers or construction workers earning 80k+ a year seems more palatable to the American public than female school teachers with equal or more education earning 60k, plus full pension and health care benefits (Contessi and Li 2013). Finally, If the proliferation of "right-to-work" laws and other de-unionizing efforts serve as any indicator, it appears that private workers seeking to take a feminized public workforce and K-12 teaching profession "down a peg" (by bringing their compensation and benefits more in line with theirs) have largely won the argument.

CHAPTER 5: ARE UNIONS *STILL* THE "MOST POWERFUL FORCE IN THE COUNTRY"?

In a special issue of *The Forum* on Labor in American Politics in 2012, Fred Siegal avowed public employee unions to be the "most powerful political force in the country." As evidence of this, Siegal maintains that public sector unions have flourished in both good times and bad—especially at the local level—whereby police officers, firefighters, and teachers have been typically insulated from making concessions (as opposed to federal and state government employees). He argues that this is due to the local political entrenchment of unions who effectively "elect their bosses" and then deploy an army of professional negotiators to protect their members' interests in resultantly friendly employer-employee negotiations. In this way, Siegal's account exemplifies the reading of public employees as political "insiders" who are able to shape government policy due to their unique ability to reward loyalty and punish opposition.

Moreover, these friendly relations found between politicians and public employees via their unions are primarily occurring within the Democratic Party, where public sector unions have come to serve as an important local mobilizing force. Resultantly, the interests of the working class have been subordinated to the interests of public employees, whose generous salaries and benefits are rationalized as a model for all workers, to be realized through government intervention. As such, Siegal argues that there is a "utopian element" underlying the support of public sector unions because (by securing gains for a narrow segment of the new working class) they represent "an embossed version of an idealized future that's been realized on a limited terrain" (2012). Siegal states, "The argument is that public employees are the vanguard of the working class. As such, the benefits they achieve will eventually have to be matched by private sector employers" (2012). Public employee unions have thus managed to expand their political power as a result of maintaining friendly alliances with Democratic politicians while garnering popular support for the plight of government employees under the auspices that the job protections and benefits will somehow "trickle down" to the working class at large. But are public employee unions still such a powerful force? Will they continue to be, moving forward?

On this topic, Siegal concludes his polemic agnostically (which was published shortly before a coalition of labor unions failed to unseat Scott Walker from the governorship of Wisconsin). However, there is no question that during the Great Recession, the alliances that public sector unions rely upon to fuel their political influence began to break down, first because working-class resentment toward public employees increased as the financial crisis dragged on, and second, as Democrats lost political control of many state legislatures and governorships during the 2010 midterms. By identifying relationships between state economic and political conditions and the direction, intensity, and occupational target of collective bargaining reform agendas this project contributes to our understanding of where and why organized labor lost influence in the era surrounding the Great Recession.

I argue that the crippling downturn caused by the collapse of housing and financial markets stoked economic uncertainty among the working class. As a result, the predominantly non-unionized private sector began to feel envious toward public employees due to their disproportionate job security and relative insulation from the crisis, especially in contexts and sectors of strong unionization. Finally, in states experiencing protracted fiscal stress materializing in budget crises a political opening was created for strategic politicians awaiting such an opportunity to weaken the influence of organized labor in order to both diminish their political opponents' base of support and facilitate market-driven policy reforms, particularly in the field of public education. Consequentially, the "insider" status of public employee unions has been diminished in states that successfully implemented reforms.

Overall unionization now sits at a historic low, with around 11% of the American workforce reporting belonging to a union in 2014. Much of this nationwide decline can be attributed to significant drop-offs in states like Michigan where unionization dropped from 16.3% to 14.5% between 2013 and 2014 after the enactment of sweeping right-to-work legislation. However, between 2010 and 2014 many states that did not have a right-to-work laws in place (at that time) experienced diminished unionization due in particular to the enactment of collective bargaining restrictions imposed upon public employees (effectively right-to-work laws targeting just public employees). In Wisconsin (which became right-to-work in 2015), for example, union membership declined from 14.2% in 2010 to 11.7 percent by 2014. Similarly, in Indiana, unionization declined by 2.3 percent during this period. Much steeper declines were also observed in Pennsylvania (13.7%), Washington (13.4%), Connecticut (11.3%), Ohio (9.3%), and Minnesota (9.1%) (Milewski 2015).

Such findings suggest that the pace of deunionization has continued well into the recovery phase of the recession. This is because although prominent American economists began declaring that the American recession was over in the summer of 2009, the impact of the downtown continued to reverberate across the American states for several years thereafter (The Economist 2015). Indeed, the “Great Recession” eviscerated state revenues more than any single economic downturn on record. In 2012, state revenues still lagged 5.5% below pre-recession levels, and by the summer of 2015 several states including Illinois, New Jersey, Pennsylvania, Louisiana and Wisconsin still confronted significant budget shortfalls approaching fiscal year 2016 (Oliff 2012; Bosman 2015). Such persisting budget problems can be attributed to a combination of policy decisions including neglect of payment for pension obligation, tax cuts failing to boost economic inactivity, still-stagnant housing markets, and flagging oil revenue. The array of spending-reducing policy solutions also continues to include things that impact public employees such as layoffs, furloughs, benefit reform, and restrictions to collective bargaining. As the recovery continues, albeit slowly and unevenly across the states, public employees continue to be cast as convenient scapegoats for state budget woes by strategic lawmakers seeking to use public sector unions as political pawns.

CONVENIENT SCAPEGOATS AND POLITICAL PAWNS

By highlighting state-level patterning in collective bargaining reform agendas, my research draws attention to the widespread labor relations reform project occurring across the American states surrounding the Great Recession. A resounding observation emerging from this project and similar studies is that reformist state lawmakers went on the offensive against organized labor during the Recession (Kersten 2011; McCartin 2011; Slater 2012; Vail 2013). Nonetheless, disagreement exists about the factors underlying the push for reform. On the one hand, politicians have repeatedly cited dire state economic conditions for creating the impetus to restructure public sector labor relations in order to reduce government spending on public pensions, health care benefits, and other personnel costs. On the other hand, critics (mostly from the left) decry the recent wave of collective bargaining reform activity as a concerted partisan maneuver aimed at hobbling public sector unions as the last bastion of the American labor movement—and the Democratic Party along with them.

For instance, according to McCartin (2011), public workers proved to be "convenient scapegoats" for newly-empowered Republican lawmakers tasked with balancing state budgets following the 2010 midterms in the midst of Recession. Myriad examples of state governments successfully restricting collective bargaining rights for broad segments of the workforce serve to support this assessment. My analysis in chapter 2 of bill introduction patterns occurring from 2007-2014 also comports with this account: I show that labor-restrictive reform activity surged during this eight year period and spiked during the 2009-2010 session coinciding with the Recession's peak and the GOP takeover of many state governments. However, I complicate the received wisdom that these reforms are merely political by showing that states with worse economic conditions did indeed pursue more intensive anti-labor reform agendas. Public employees may have been "scapegoated" during the recession, but fiscal factors appear to have enabled this course.

I argue that such findings indicate that not all labor-restrictive reforms were rooted solely in political maneuvering—genuine fiscal imperatives also existed to compel reforms. This is observable when the substance of public sector reforms pursued by states experiencing fiscal strain is evaluated. In chapter 3, I take the content of collective bargaining reforms into account to reveal that states cluster in their preferred reform toolkits or “packages” aimed at addressing the “union problem” during a fiscal crisis. Citing examples of enacted reforms in both Massachusetts and New Jersey, I illustrate that labor reforms putatively aimed at reducing government spending in response to revenue shortfalls are not all created equally.

Following this, I maintain that state reform agendas rooted in restricting labor union *influence* rather than labor union *formation* reflect fundamentally different ways of restructuring labor relations. Reform agendas characterized by the former, for instance, may reflect an earnest effort to rein in public pensions and health care spending by restricting labor union influence during contract negotiations. Reform agendas characterized by the latter, however, are more illustrative of the labor offensive observed by McCartin (2011) because they readily seek to impede bargaining unit certification and dis-incentivize union membership. Such reforms pose stark implications for the destiny of organized labor in the states where they have been successfully implemented.

As we have seen, various political, fiscal, and economic rationales have been offered to explain why restricting public sector collective bargaining became a prominent component of state legislative agenda surrounding the Great Recession. Nonetheless, even in states pursuing intense anti-union agendas, legislative activity often targeted particular sectors within the government workforce for reform, notably K-12 teachers, while exempting or remaining silent on other public employees' collective bargaining rights. Related to this, I seek to reveal an additional, crucial distinction in the substance of labor relations proposals: the occupational target of reforms.

Academics and activists tends to assume that public employees were uniformly targeted for collective bargaining restrictions during the Recession. This is because conservative lawmakers were met with dual incentives to pursue cost-saving, union-weakening public sector workforce reforms during the Recession. First, personnel costs driven up by health insurance and pensions consume roughly half of state expenditures (McNichol 2012). Next, public employee unions have grown in membership and political influence in recent years, emerging as important actors in state and local politics who tend to support Democratic candidates and causes. Resultantly, restricting collective bargaining for public employees was desirable as both sound fiscal policy and savvy political strategy.

Private sector workers and their unions, on the other hand, were not at the locus of debates occurring over labor relations during the economic downturn. Although some bills aimed at private sector workers did crop up in state legislatures across the country, especially prevailing wage and project labor agreement restrictions, these mostly applied to government contractors. This is because private sector unionization is miniscule in most states, and even where it is relatively high (like Alaska), such workers' salaries and benefits (unless they are contracts) are not paid by taxpayers. Beginning from a weakened political position and deemed less relevant to state and local revenues, the unionized segment of the private workforce was understandably less vulnerable to efforts aimed at weakening their collective bargaining rights than public employees. However, divergent vulnerability to reform is identifiable within the public sector, with K-12 teachers standing out as the occupational group most likely to be targeted by labor-restrictive legislation (See Table 17).

In chapter 4, I draw attention to the disproportionate focus on restricting teachers' collective bargaining rights in state labor relations reform agendas, as well as variation in the intensity of such targeting. I observe that in 17 states, upwards of 20% of labor-restrictive reforms pursued between 2007-2014 aimed to specifically curtail teachers' union organizing and contract negotiating rights. I then seek to evaluate key rationales that have been provided to explain the scapegoating of public employees broadly, and teachers particularly, during the Great Recession. Following the revelation that state fiscal characteristics such as weak budget reserves, underfunded pension liabilities, and high unemployment rates are related to more intense-anti-labor reform agendas, I examine the relationship between the political loyalties (assessed in terms of partisan campaign contributions) of state-based teachers unions and their vulnerability to reform. I find that campaign contributions to Democrats by teachers unions (as a percentage of overall political donations) are positively correlated with labor-restrictive bill introductions specifically targeting teachers. Conversely, when *Republican* candidates receive a larger portion of teachers unions' political donations, fewer "anti-teacher" labor relations reforms were introduced. Finally, as teachers unions' average annual political spending (to any party, or to issue campaigns) is increased, fewer teacher-restrictive collective bargaining reforms are also found.

In light of these observations, I conjecture that K-12 teachers were less likely to be singled out for collective bargaining restrictions where their unions are more politically active and “uncaptured” by either party. Under such contexts, teachers unions are able to operate as true political insiders, exercising their clout by flexing their financial resources to award loyalty and punish dissent. In a state like Missouri, for example, teachers unions have historically contributed nearly 40% of their overall political donations to Republican candidates. Resultantly, significantly fewer labor-restrictive reforms singling out teachers were introduced by lawmakers in the state during the timeframe included in the analysis. Moreover, when right-to-work legislation was passed by the Republican-controlled Missouri legislature in 2015, it would have applied to all sectors and categories of workers (had it not been vetoed by Democratic Governor Jay Nixon).

However, the reality is that most state-based teachers unions overwhelmingly back Democratic candidates and causes. In sum, over two-thirds of state-based teachers unions donated over half of their monies to Democratic candidates (with 16 of these donating over 75%). Therefore it makes sense that teachers were particularly vulnerable to the retrenchment of their collective bargaining rights coinciding with the recession and 2010 GOP mid-term takeover of many state legislatures and governorships, especially in contexts where teachers unions are most active supporters of the Democratic Party. In this way, teachers have come to serve as pawns in partisan political contests, with their collective bargaining rights increasingly at stake in contexts where strategic Republican lawmakers are seeking to undercut their Democratic rivals through the weakening of an important base of support in state teachers unions.

Following this, I seek to explain another aspect of occupational divergence in state collective bargaining reform agendas: the exemption of public safety personnel such as police officers and firefighters from many states' labor-restrictive agendas. This is observable both at the level of individual bill introductions targeting public safety workers, which were much less frequent that those targeting K-12 employees, and at the level of enacted sweeping legislation like Wisconsin's Budget Repair bill, which notoriously exempted uniformed personnel from its most draconian provisions such as annual bargaining unit recertification and barring the practice of collecting "fair share fees" from non-union members.

I suggest that the notable exemption of public employees like police officers and fire fighters from state reform agendas might be related to the partisan loyalties of public safety unions in a similar, but inverse way to teachers unions. This assessment stems from the observation that public safety unions are not uniformly supportive of the Democratic Party. Indeed, significant state-level variation exists in police, corrections, and firefighter unions' partisan candidate endorsements and campaign contributions. For example, in roughly one-third of the states, the top two state-based police officers unions directed 15-40% of their political donations to Republican candidates (See Tables 20 & 21). As such, I conjecture that public safety unions were a less desirable target for Republican lawmakers who seized upon the recession as an opportunity to impose collective bargaining restrictions on [some] public sector workers in order to weaken the Democrats' base of support.

In sum, this project indicates that the Great Recession ushered in a new, more precarious era for public employee unions in the United States. This is a significant development, given that influential unions representing government employees had come to operate as political insiders, particularly at the state and local levels. As such, I suggest that several factors will continue to impact the political influence of public sector unions—and negotiating power of public employees along with them. These are union density, union strategy, the legal playing field, public opinion and state fiscal conditions. In particular, the ability to work with *both* parties in order to avoid being captured (or targeted) may prove particularly advantageous for public sector unions in the post-Great Recession era. For example, although the International Association of Firefighters (which has state-level affiliates across the country) acknowledges that there were a "large number of Republican governors" who wanted to "eviscerate" [unions], they are still a self-proclaimed "leaning-right union" who willingly entertained speeches by Republican Presidential candidates at a 2015 forum.

Moving forward, future research should be attuned to examining whether public sector unions have begun to shift their strategic alliances by flexing their considerable financial clout in order to court favor from both sides of the aisle. Additionally, scholarship should consider the ways in which labor relations reforms aimed at public sector restructuring serve to promote projects of neoliberalism related to public education and government service provisioning. Finally, I argue that the 2016 election cycle will provide a unique lens into the current state of organized labor, as politicians situate themselves in debates related to minimum wage laws, public sector compensation, workers' rights, "right-to-work" and the role that labor unions can and should continue to play in defending the interests of the working class.

CONCLUDING THOUGHTS GOING INTO THE 2016 ELECTIONS

Although my data collection on collective bargaining reforms proposals encapsulates the time period between 2007-2014, various recent examples suggest that labor-restrictive activity will remain on the menu for state lawmakers and governors confronting challenging budget climates. Indeed, several ongoing confrontations between public employee unions and politicians serve to highlight the ongoing tension between organized labor and leaders in state government. In Nevada, for instance, Republican lawmakers introduced legislation in 2015 that the Service Employees International Union (SEIU) quickly dubbed the "Union Armageddon Bill." This legislation would diminish public sector collective bargaining rights by preventing government supervisors and administrators from unionizing, requiring public posting of contract offers, ending binding arbitration for impasse resolution, and expanding local governments' control over hiring and firing decisions. However, in spite of enjoying unified Republican government control, the controversial bill has languished in committee, perhaps as a result of SEIU's successful opposition efforts in a state where overall union density is relatively high at 14.6% (2013) as a result strong private sector unionization among hotel and casino workers coupled with a public sector unionization rate of 38% (Rindels 2015).

Similarly, the Republican governor of Illinois, Bruce Rauner, has been embroiled in a series of policy fights over public employees' collective bargaining rights, salaries, and benefits since assuming office at the beginning of 2015. Rauner's labor-restrictive proposals, which are vehemently opposed by public sector unions and the Democratic supermajority in the Illinois legislature, have included an executive order restricting public employee unions from collecting representation fees from nonmembers and a bill that would eliminate pensions, pay, and health benefits from collective bargaining.

Moreover, the 2016 presidential bid has brought together various Republican contenders with strong union-busting bonafides. Republican primary candidates Chris Christie, Scott Walker, John Kasich, and Jeb Bush have all publically clashed with public employee unions during their tenures as state governors. As such, vocally opposing labor unions for straining budgets and thwarting policy changes is a common refrain from Presidential hopefuls. Governor Jeb Bush, for example, has been a longtime critic and adversary of teachers unions in his state of Florida. According to Bush, teachers unions are primary culprits in blocking policy innovations in public education. Bush who has stated that public schools operate as "13,000 government-run, unionized and politicized monopolies who trap good teachers, administrators and struggling students in a system nobody can escape," has frequently clashed with state teachers unions over the expansion of school choice programs, merit pay proposals for teachers, and school testing accountability programs (Reinhard 2014).

As the Governor of Louisiana, Bobby Jindal also worked to implement a series of education reforms that the state's teachers unions fervently opposed. Such proposals included expansions to charter schools, school voucher programs, and online education as well as weakening teacher tenure protections (Allen 2013). Next, Ohio's John Kasich is also no friend to public employee unions, having publically stated that he wants to break the back of teachers unions while also previously championed a failed movement to restrict their collective bargaining rights in 2011. Kasich came out in 2015 by proposing a budget with three anti-union provisions including a ban on the use of project labor agreements in public construction bids, a restriction on charter school teachers who unionize being able to join the State Teachers Retirement System pension fund, and the curtailment of college faculty members' unionizing rights. Chris Christie has also repeatedly quarreled with public employee unions over pension contributions and health care plan payments, although he has not advocated for transforming New Jersey into a right-to-work state. Finally, Scott Walker, took his crusade against organized labor even further in 2015 by signing legislation making Wisconsin the 25th right-to-work state as he ramped up his bid for the White House.

In conclusion, the observation that many of the numerous Republican presidential nominees also ferociously fought to curtail collective bargaining rights as core planks of their gubernatorial platforms suggests the 2016 may be a watershed moment for the future of organized labor in the United States. As the first regular election occurring since a majority of states have exited their fiscal crises under the context of an incrementally improving national economy—will the outcome provide any indication to the continued utility of pursuing right-to-work laws as a vote-courting, fiscal adjustment strategy? For instance, if a union-busting former governor is elected as the 45th president of the United

States, along with Republican majorities in the US Congress and the majority of state legislatures, will this mean the final death knell for organized labor in American Politics? Or, will an improved national economy have muted the private sector's thirst for blood from the unionized public sector? Future research should thus be attuned to the interplay of politics and economics as these events unfold to determine whether the Great Recession was indeed labor's last stand.

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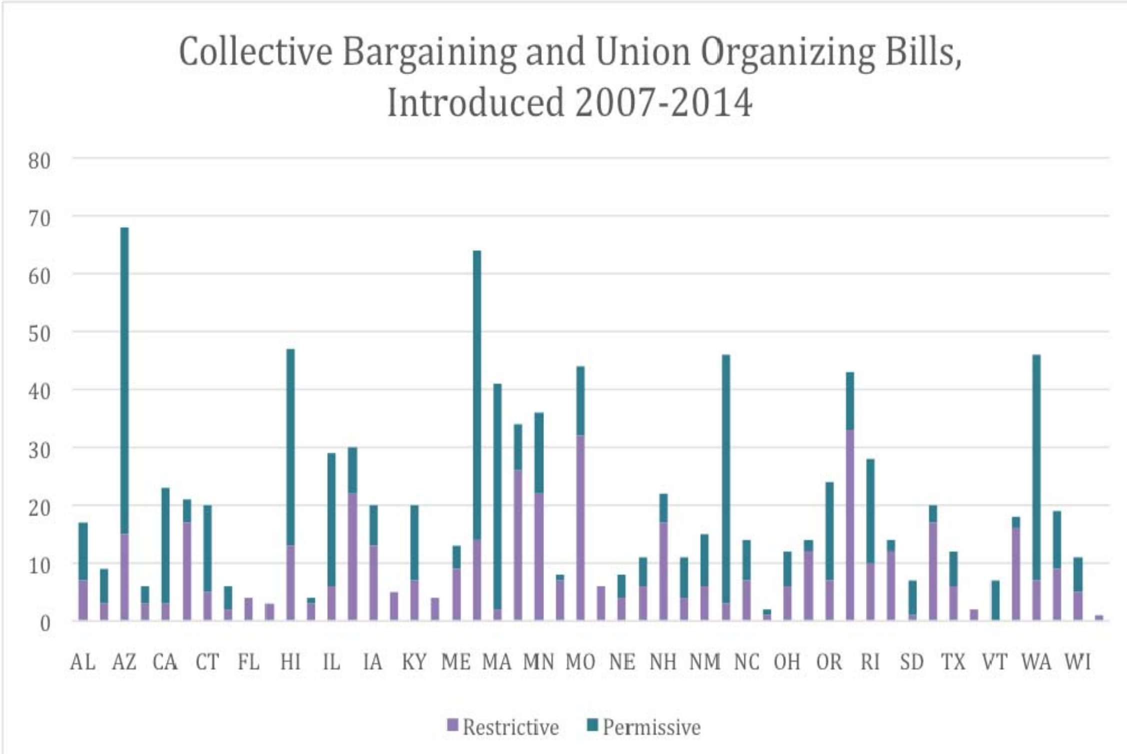
APPENDIX 1, FIGURE 1



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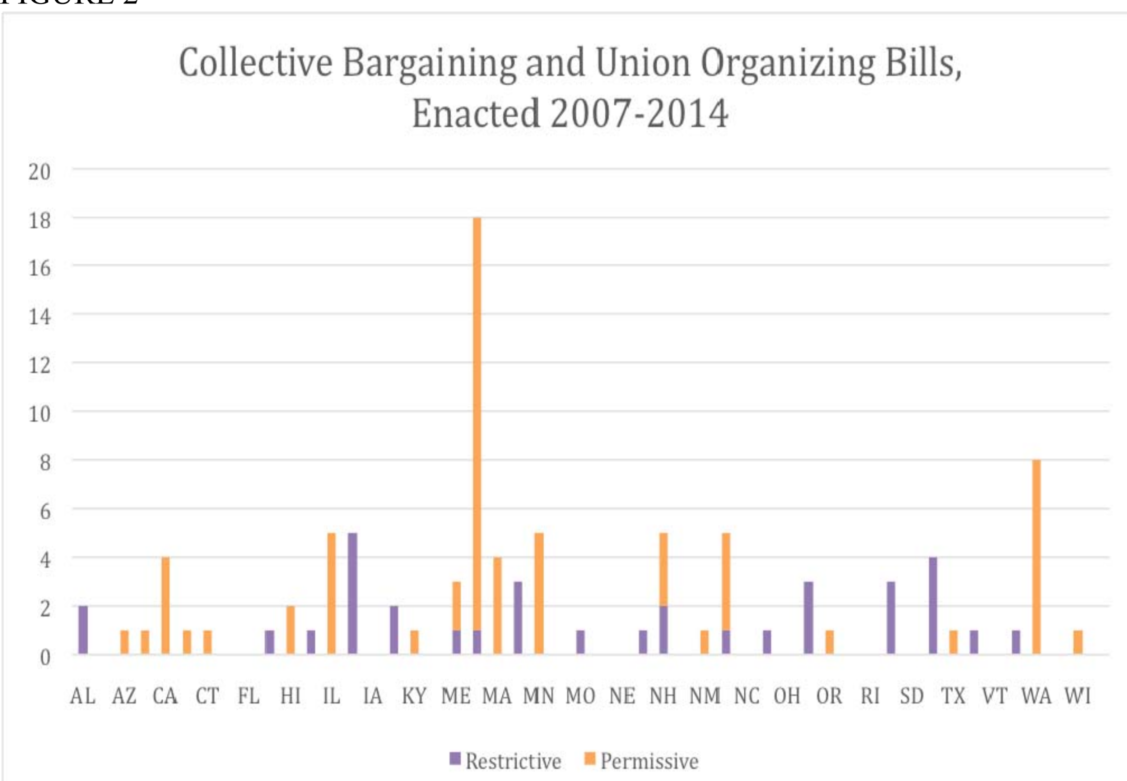

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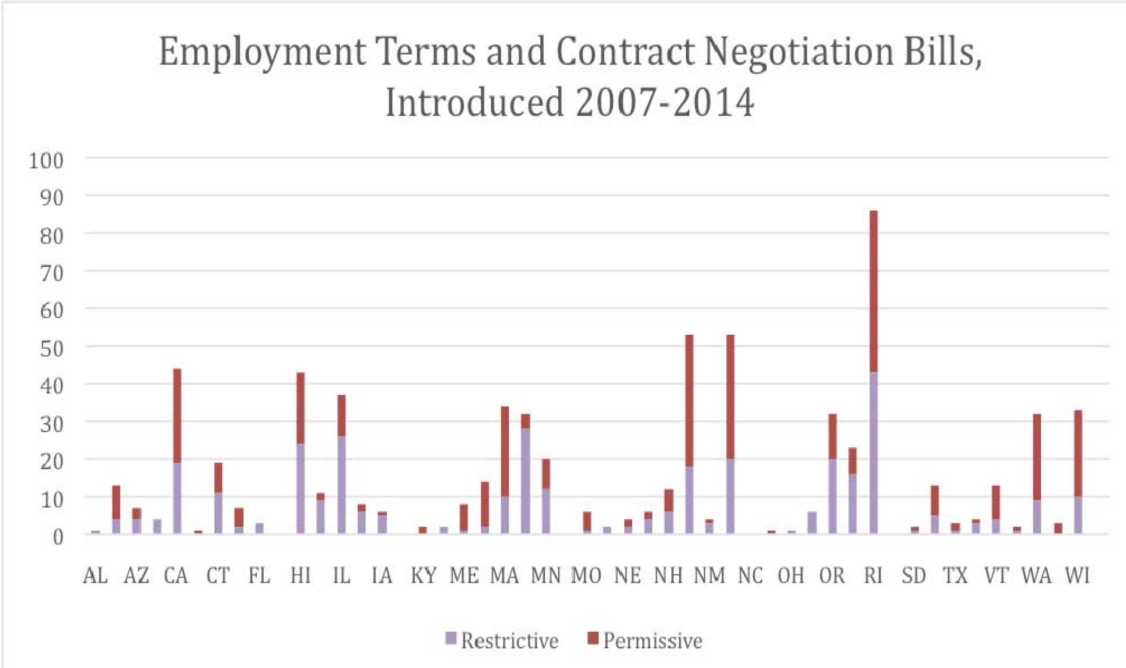

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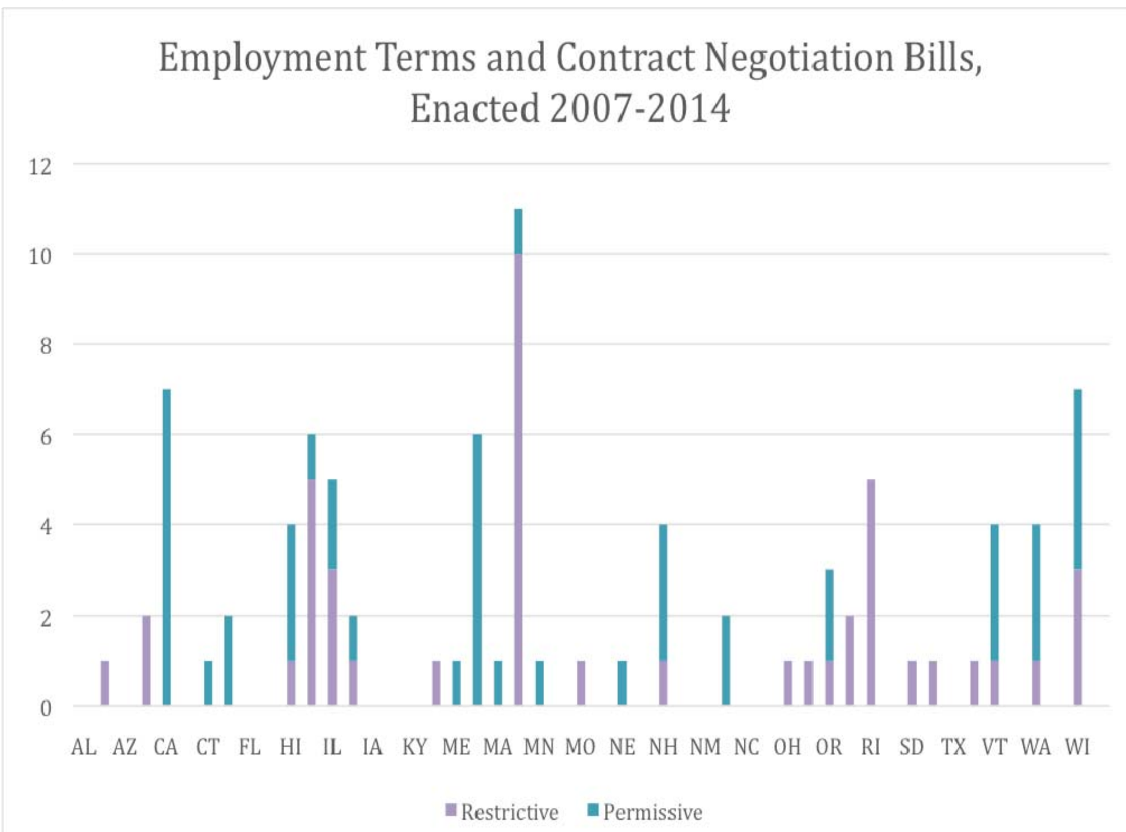

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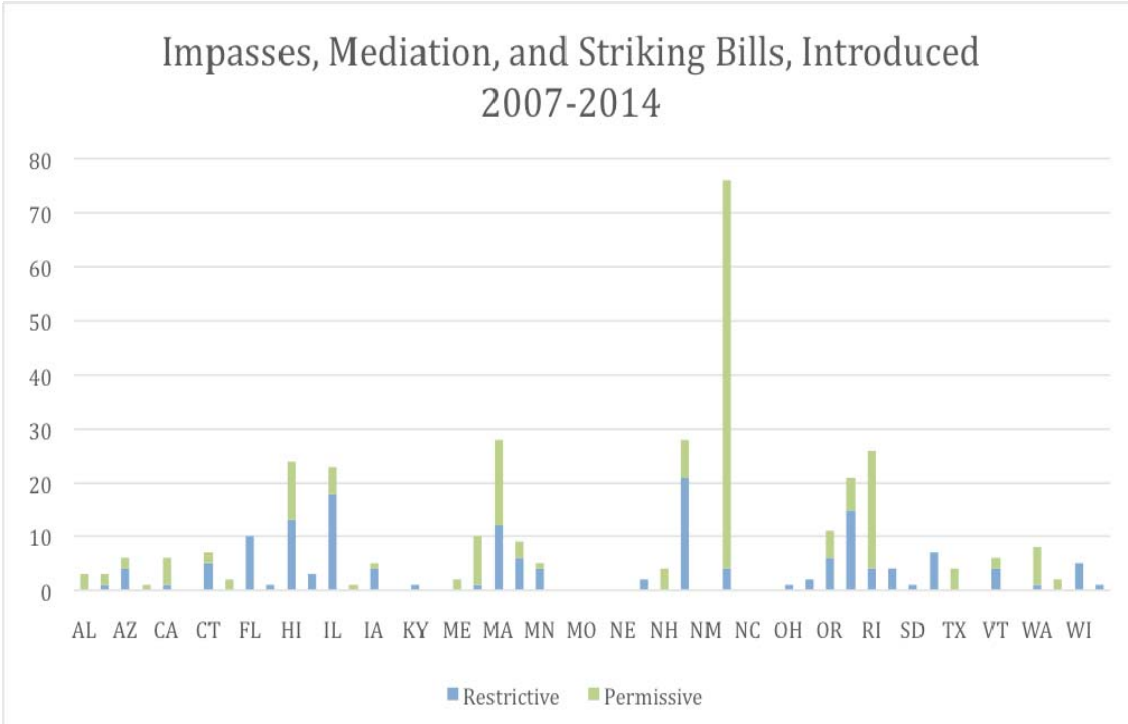

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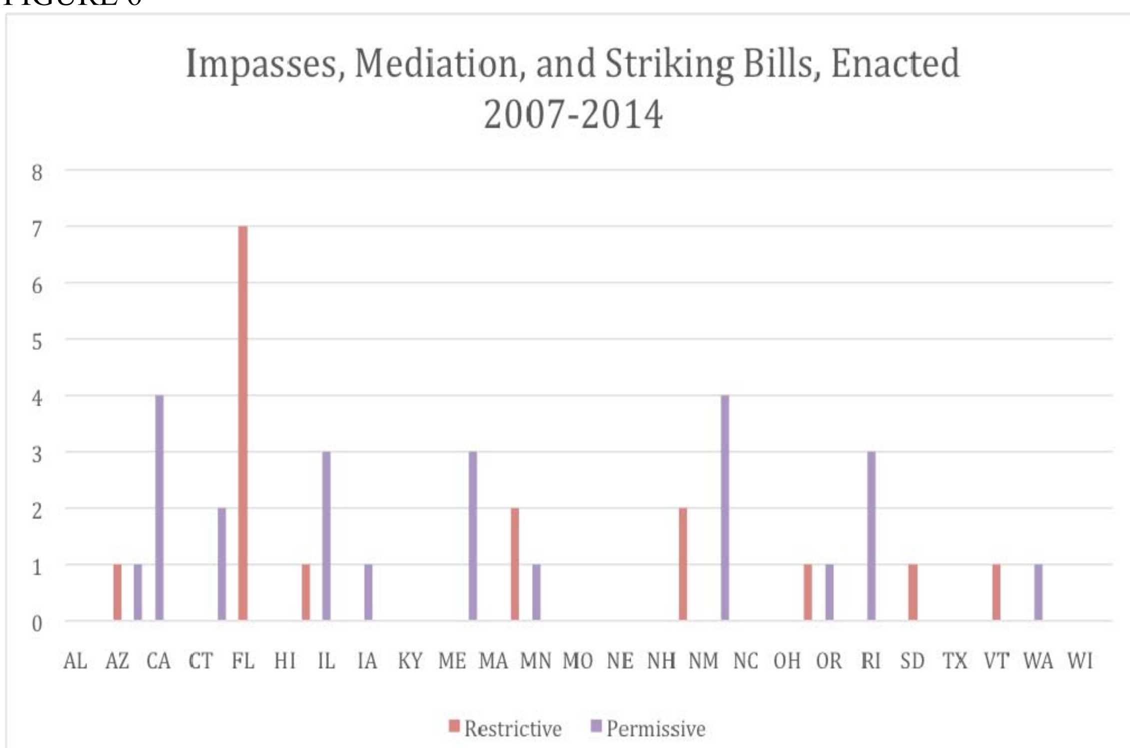

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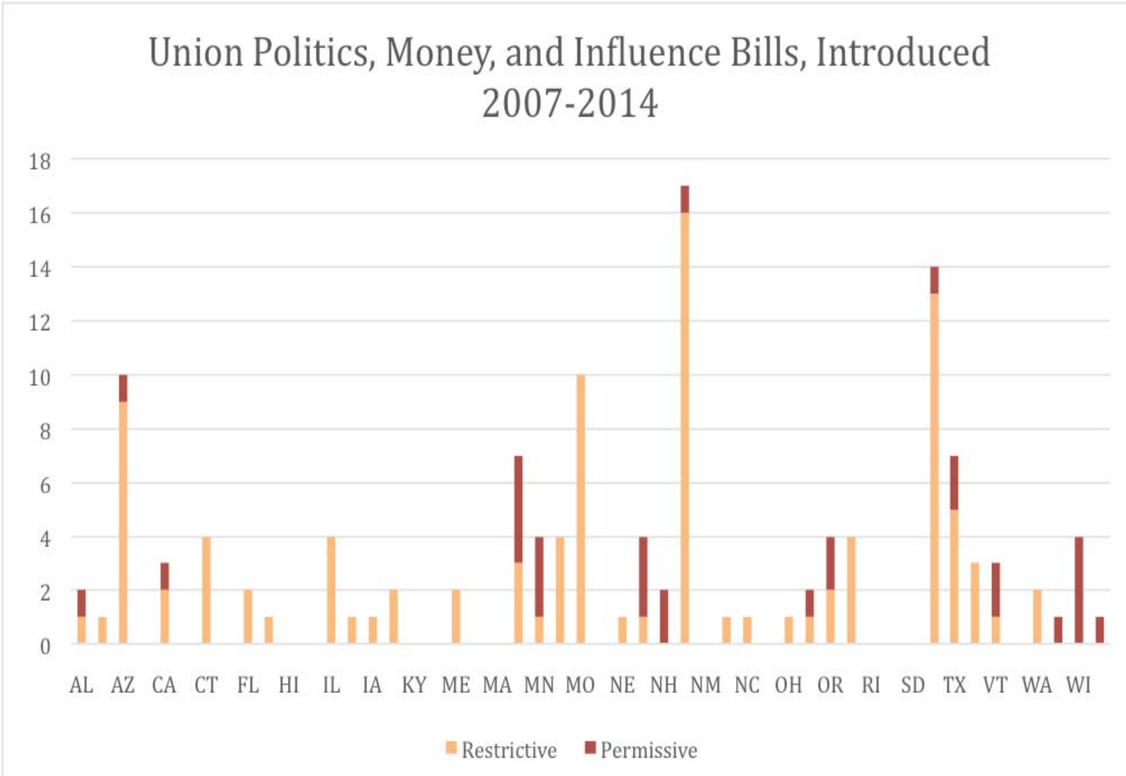

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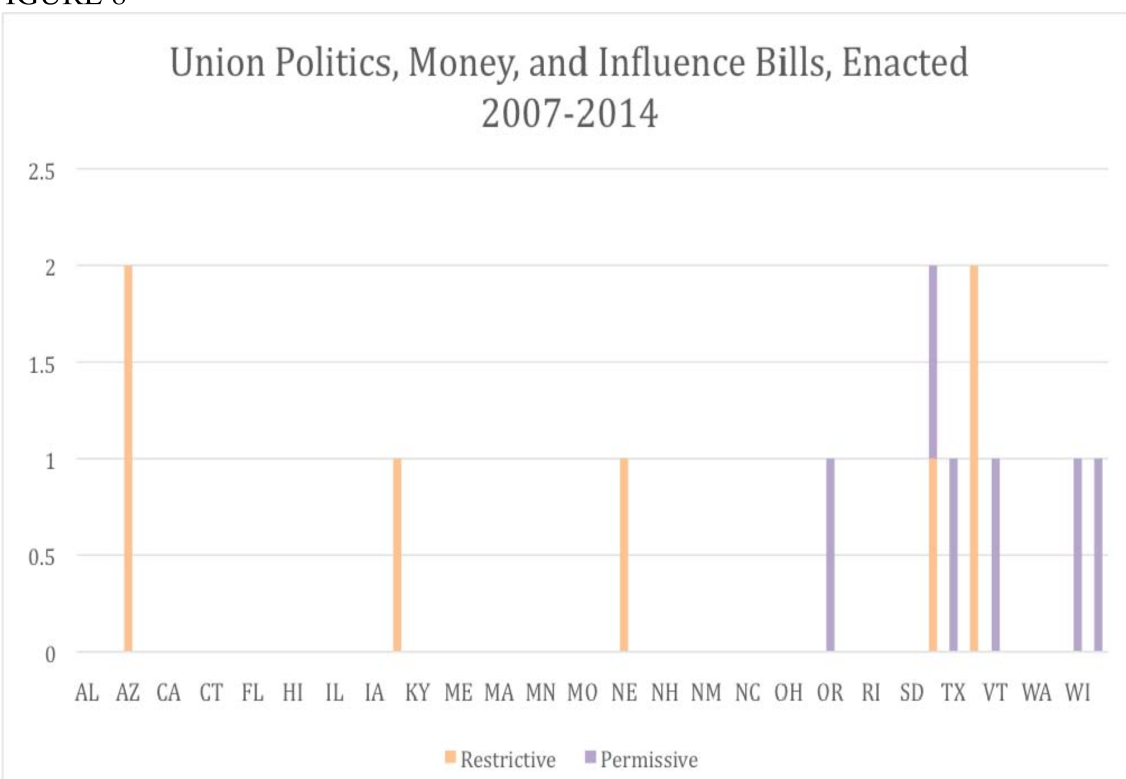
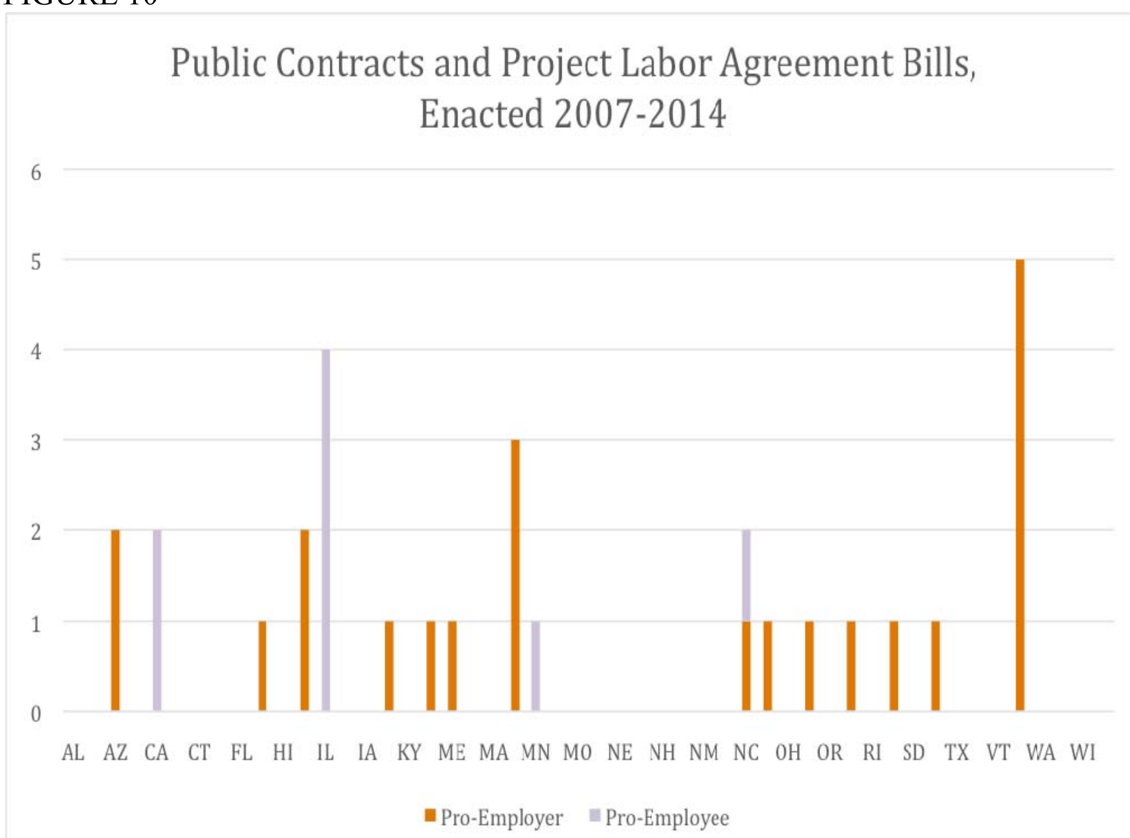


FIGURE 9

FIGURE 10



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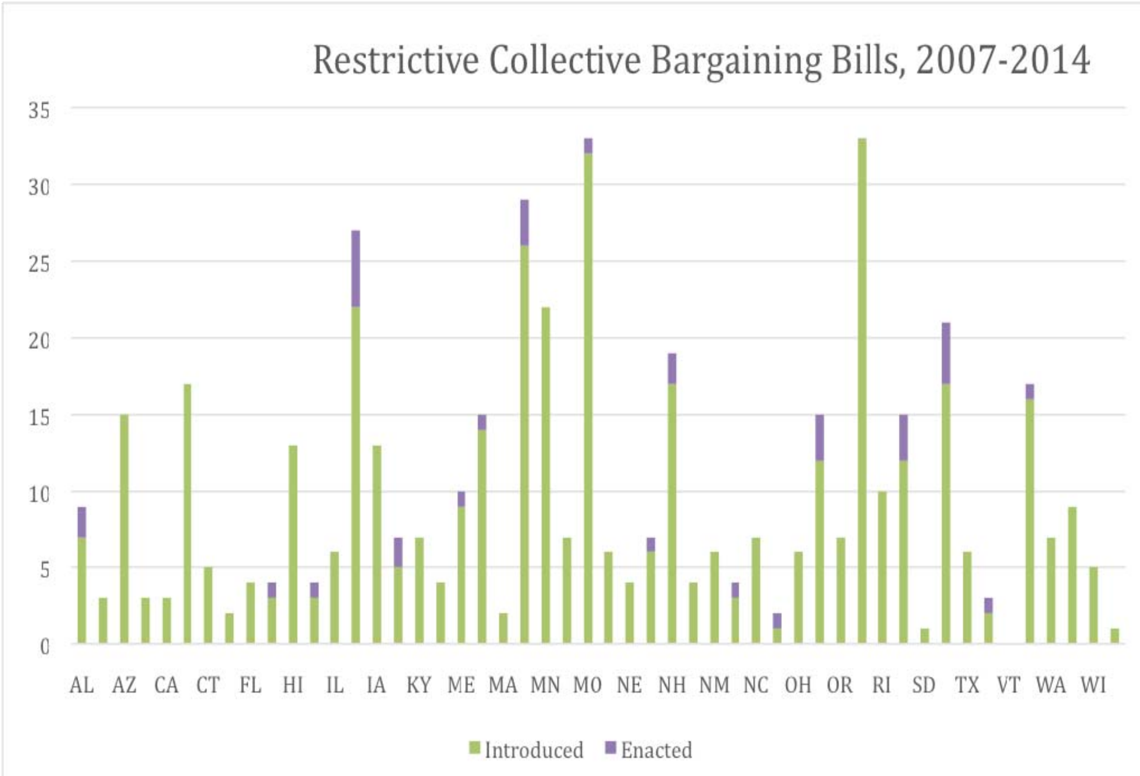

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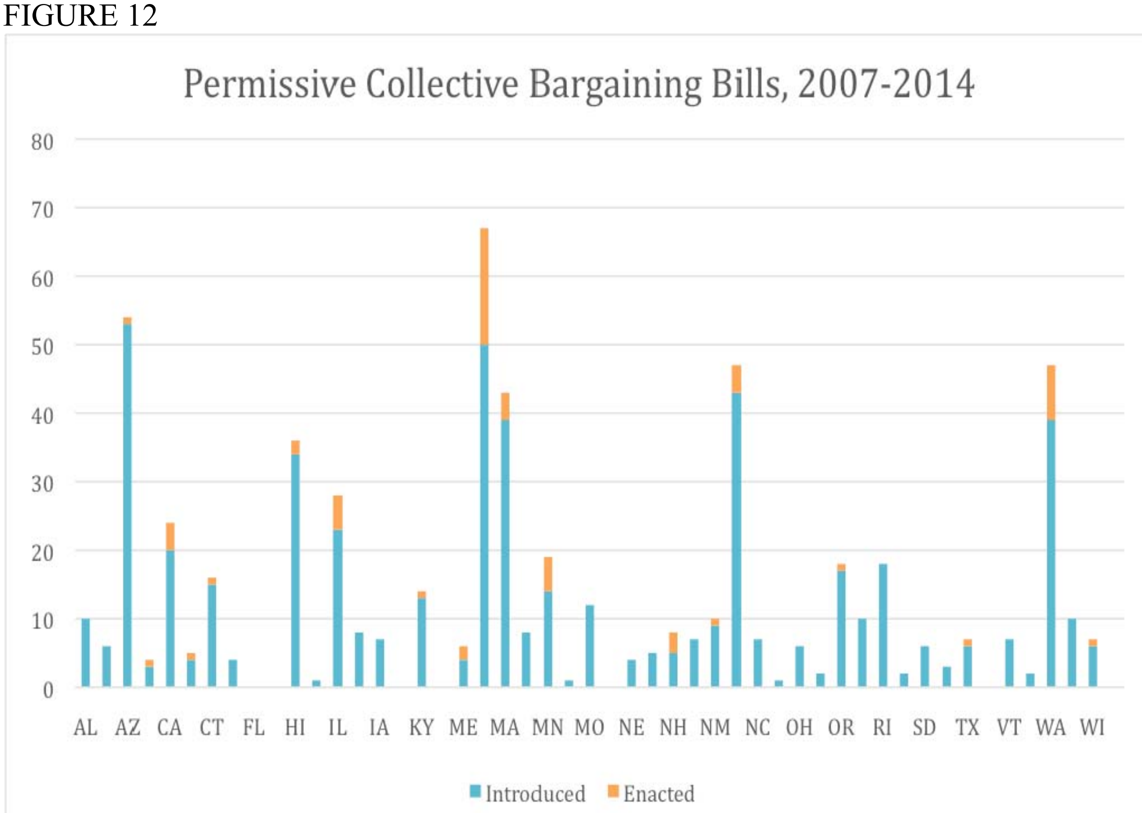

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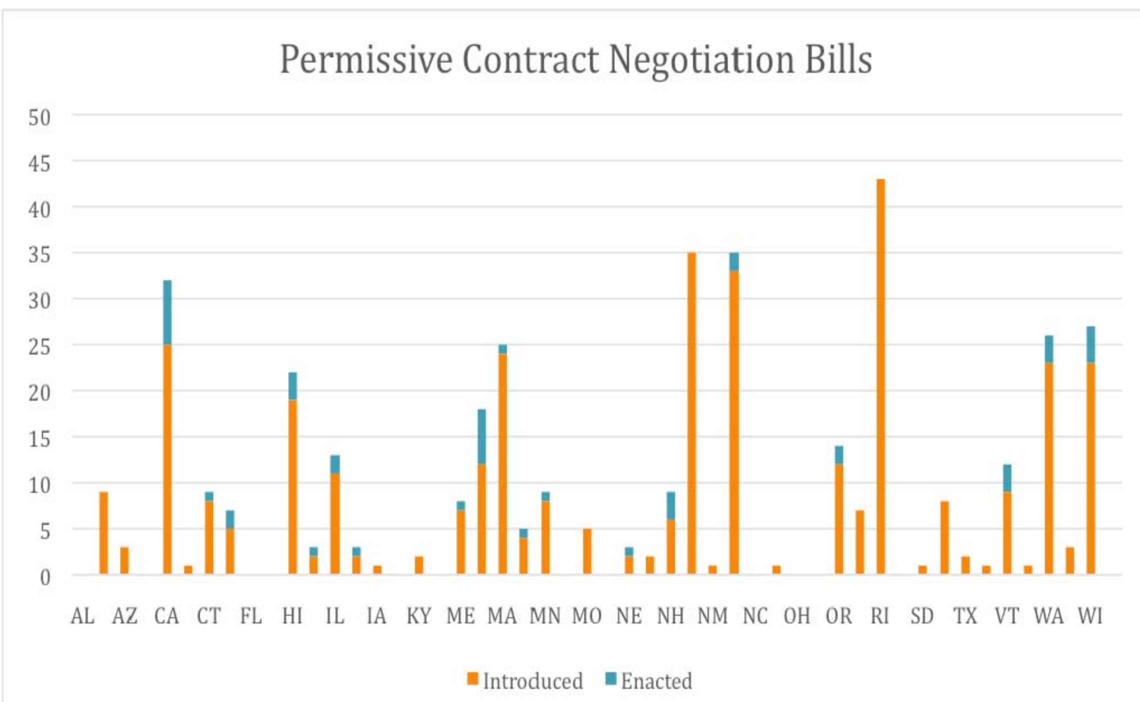

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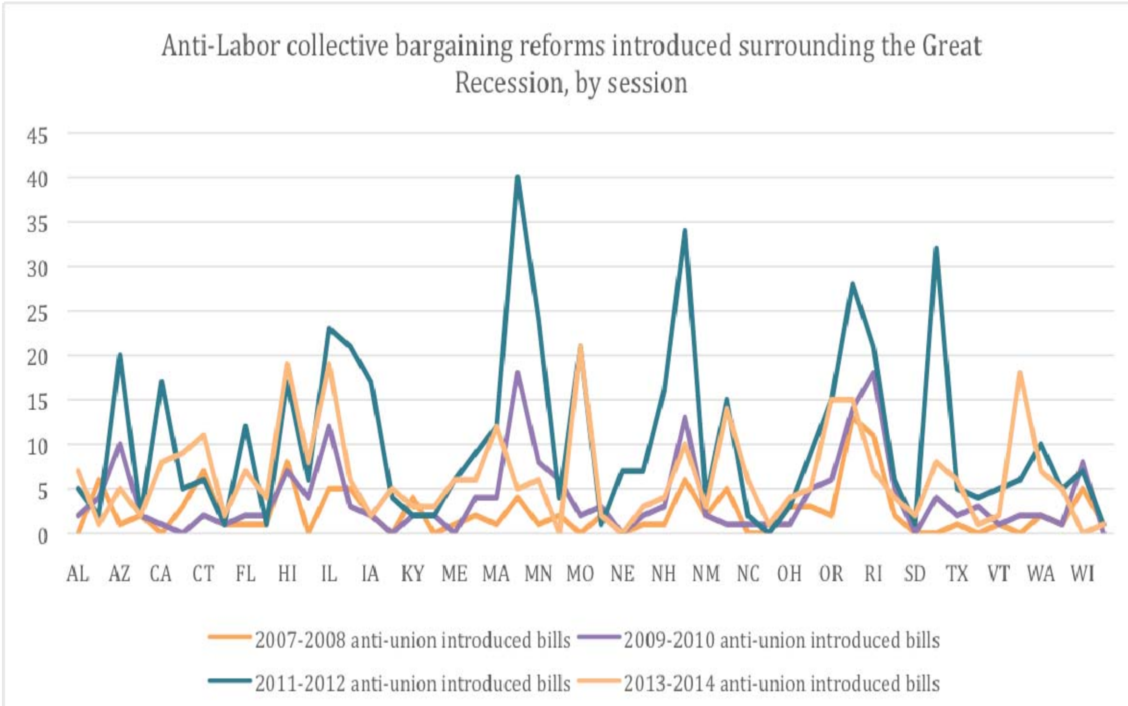

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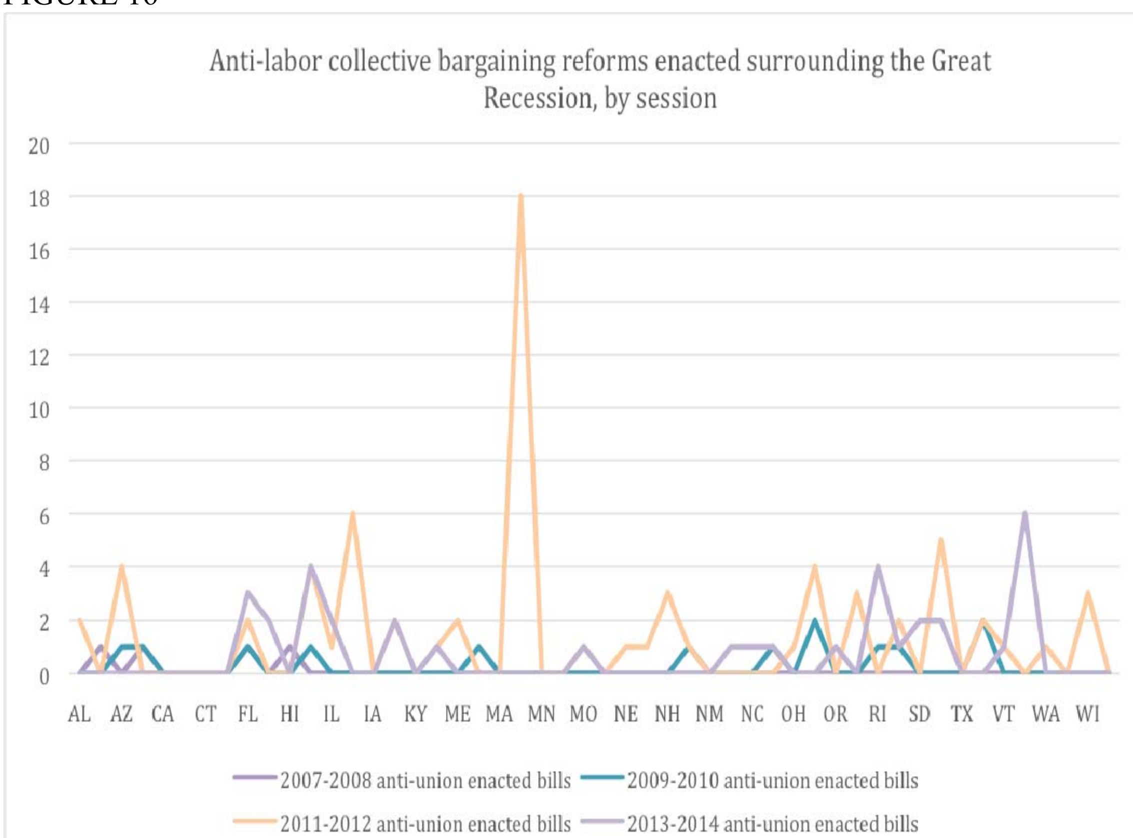

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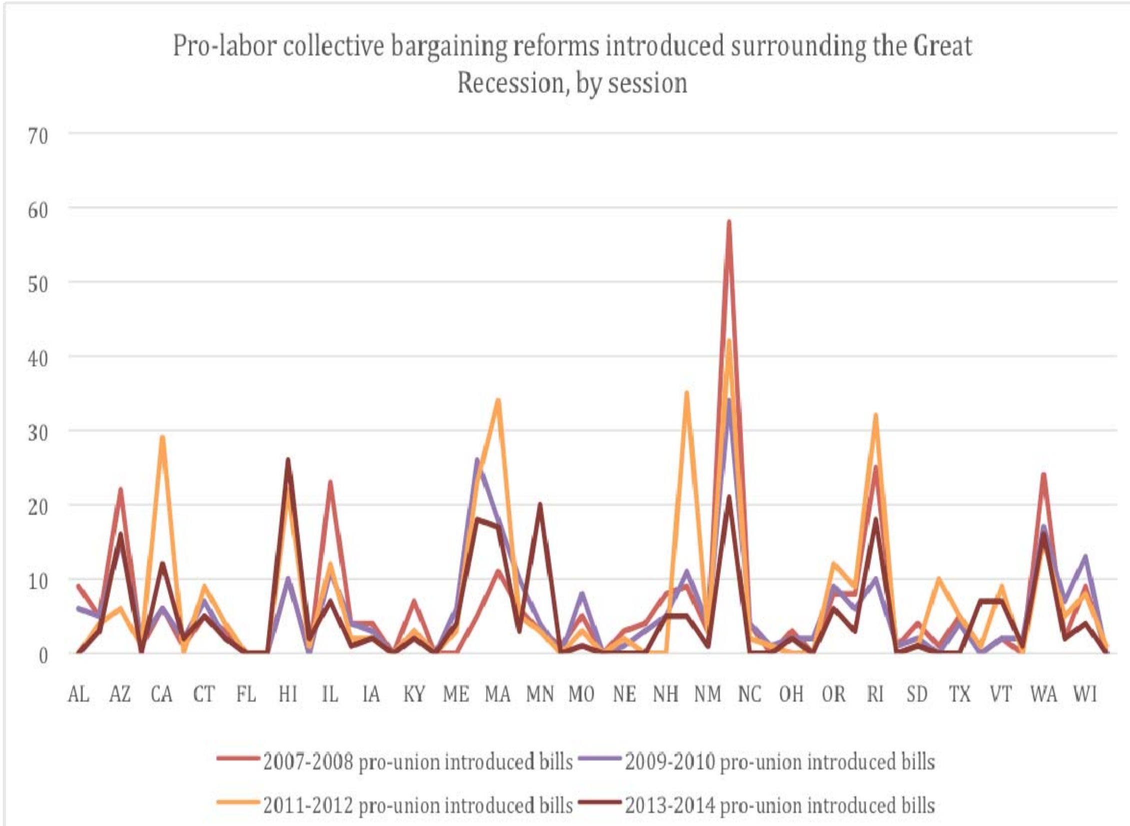

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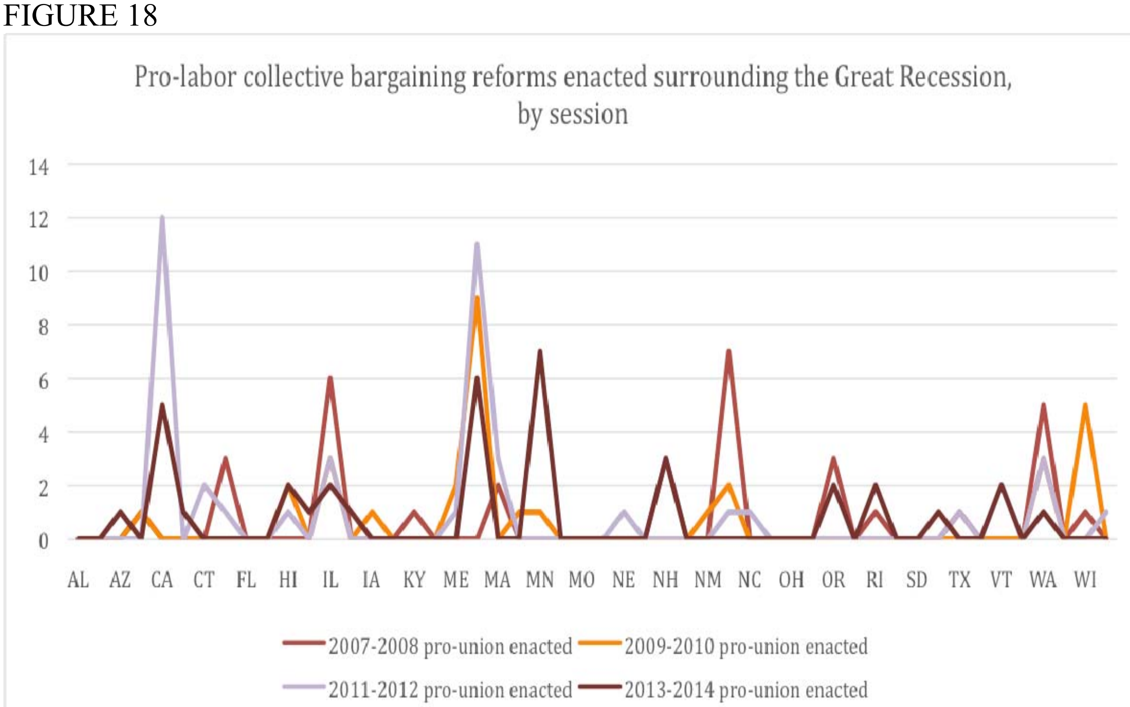

APPENDIX 3

Statewide political expenditures and campaign contributions by the "top two" teachers unions:

State	Overall Political $	# of years recorded	Average annual $
Alabama	15922704.00	19	838037.05
Alaska	535191.00	16	33449.44
Arizona	1945567.00	16	121597.94
Arkansas	324921.00	16	20307.56
California	198326071.00	18	11018115.06
Colorado	6615837.00	16	413489.81
Connecticut	880006.00	17	51765.06
Delaware	259636.00	16	16227.25
Florida	10793592.00	16	674599.50
Georgia	1464019.00	21	69715.19
Hawaii	782427.00	19	41180.37
Idaho	3510389.00	20	175519.45
Illinois	36145406.00	22	1642973.00
Indiana	9200949.00	17	541232.29
Iowa	3563619.00	17	209624.65
Kansas	1378074.00	18	76559.67
Kentucky	1825987.00	19	96104.58
Louisiana	967127.00	18	53729.28
Maine	1074328.00	18	59684.89
Maryland	1492419.00	6	248736.50
Massachusetts	8449982.00	16	528123.88
Michigan	15602131.00	21	742958.62
Minnesota	11317336.00	19	595649.26
Mississippi	376600.00	14	26900.00
Missouri	523200.00	17	30776.47

Montana	791594.00	17	46564.35
Nebraska	2339515.00	18	129973.06
Nevada	6054972.00	19	318682.74
New Hampshire	269825.00	17	15872.06
New Jersey	4780458.00	17	281203.41
New Mexico	1108010.00	19	58316.32
New York	17301331.00	18	961185.06
North Carolina	1680987.00	21	80047.00
North Dakota	389901.00	15	25993.40
Ohio	27851988.00	20	1392599.40
Oklahoma	1367871.00	16	85491.94
Oregon	21451737.00	20	1072586.85
Pennsylvania	13403480.00	21	638260.95
Rhode Island	582942.00	19	30681.16
South Carolina	550375.00	21	26208.33
South Dakota	500452.00	14	35746.57
Tennessee	2355433.00	18	130857.39
Texas	2425075.00	18	134726.39
Utah	3610763.00	15	240717.53
Vermont	30462.00	14	2175.86
Virginia	1297392.00	18	72077.33
Washington	12707203.00	22	577600.14
West Virginia	1340738.00	16	83796.13
Wisconsin	8547630.00	23	371636.09
Wyoming	510421.00	17	30024.76

Partisan political expenditures and campaign contributions by the "top two" teachers unions:

STATE	$ to Dems	% to Dems	$ to Reps	% to Reps
Alabama	13226094.00	83.06%	3065547.00	19.25%
Alaska	289113.00	54.02%	63047.00	11.78%
Arizona	453642.00	23.32%	69522.00	3.57%
Arkansas	265396.00	81.68%	16700.00	5.14%
California	29039173.00	14.64%	769677.00	0.39%
Colorado	1359756.00	20.55%	50315.00	0.76%
Connecticut	359572.00	40.86%	44775.00	5.09%
Delaware	165863.00	63.88%	73948.00	28.48%
Florida	6588455.00	61.04%	56900.00	0.53%
Georgia	978348.00	66.83%	389555.00	26.61%
Hawaii	463504.00	59.24%	29375.00	3.75%
Idaho	1330037.00	37.89%	253794.00	7.23%
Illinois	20482481.00	56.67%	9242372.00	25.57%
Indiana	8373370.00	91.01%	778030.00	8.46%
Iowa	3314165.00	93.00%	43430.00	1.22%
Kansas	984846.00	71.47%	259478.00	18.83%
Kentucky	959789.00	52.56%	304500.00	16.68%
Louisiana	774605.00	80.09%	148693.00	15.37%
Maine	207358.00	19.30%	6050.00	0.56%
Maryland	935180.00	62.66%	22699.00	1.52%
Massachusetts	184433.00	2.18%	4629.00	0.05%
Michigan	9145654.00	58.62%	657772.00	4.22%
Minnesota	4509963.00	39.85%	228913.00	2.02%
Mississippi	222200.00	59.00%	120400.00	31.97%
Missouri	250865.00	47.95%	205152.00	39.21%

Montana	547919.00	69.22%	14170.00	1.79%
Nebraska	199769.00	8.54%	191591.00	8.19%
Nevada	4108388.00	67.85%	346016.00	5.71%
New Hampshire	212590.00	78.79%	5785.00	2.14%
New Jersey	3185397.00	66.63%	1255994.00	26.27%
New Mexico	842763.00	76.06%	14725.00	1.33%
New York	9580614.00	55.38%	4025890.00	23.27%
North Carolina	1455627.00	86.59%	95846.00	5.70%
North Dakota	128716.00	33.01%	56725.00	14.55%
Ohio	8680481.00	31.17%	1329914.00	4.77%
Oklahoma	522685.00	38.21%	130826.00	9.56%
Oregon	8380464.00	39.07%	365357.00	1.70%
Pennsylvania	10522536.00	78.51%	2455998.00	18.32%
Rhode Island	552017.00	94.70%	7100.00	1.22%
South Carolina	427350.00	77.65%	119525.00	21.72%
South Dakota	395006.00	78.93%	65146.00	13.02%
Tennessee	1977653.00	83.96%	316180.00	13.42%
Texas	1651793.00	68.11%	659178.00	27.18%
Utah	697389.00	19.31%	212455.00	5.88%
Vermont	27922.00	91.66%	300.00	0.98%
Virginia	1021629.00	78.74%	205333.00	15.83%
Washington	2984176.00	23.48%	149599.00	1.18%
West Virginia	1260438.00	94.01%	74850.00	5.58%
Wisconsin	1357931.00	15.89%	119550.00	1.40%
Wyoming	366120.00	71.73%	138216.00	27.08%

APPENDIX 3
State teachers unions:

STATE	# 1 Teacher Union	# 2 Teacher Union
Aabama	Alabama Education Assocation	N/A
Alaska	NATIONAL EDUCATION ASSOCIATION ALASKA	N/A
Arizona	Arizona Education Association	ARIZONA FEDERATION OF TEACHERS
Arkansas	Arkansas Education Association	N/A
California	CALIFORNIA TEACHERS ASSOCIATION	CALIFORNIA FEDERATION OF TEACHERS
Colorado	COLORADO EDUCATION ASSOCIATION	COLORADO FEDERATION OF TEACHERS
Connecticut	CONNECTICUT EDUCATION ASSOCIATION	CONNECTICUT FEDERATION OF TEACHERS
Delaware	DELAWARE EDUCATION ASSOCIATION	N/A
Florida	FLORIDA EDUCATION ASSOCIATION	FLORIDA EDUCATION ASSOCIATION SOUTH
Georgia	GEORGIA ASSOCIATION OF EDUCATORS	PROFESSIONAL ASSOCIATION OF GEORGIA EDUCATORS
Hawaii	HAWAII STATE TEACHERS ASSOCIATION	N/A
Idaho	IDAHO EDUCATION ASSOCIATION	N/A
Illinois	ILLINOIS FEDERATION OF TEACHERS	ILLINOIS EDUCATION ASSOCIATION
Indiana	INDIANA STATE TEACHERS ASSOCIATION	INDIANA EDUCATION ASSOCIATION
Iowa	IOWA STATE EDUCATION ASSOCIATION	N/A
Kansas	KANSAS NATIONAL EDUCATION ASSOCIATION	KANSAS FEDERATION OF TEACHERS
Kentucky	KENTUCKY EDUCATION ASSOCIATION	KENTUCKY FEDERATION OF TEACHERS
Louisiana	LOUISIANA FEDERATION OF TEACHERS	LOUISIANA ASSOCIATION OF EDUCATORS
Maine	MAINE EDUCATION ASSOCIATION	MAINE TEACHERS ASSOCIATION
Maryland	MARYLAND STATE EDUCATION ASSOCIATION	MARYLAND STATE TEACHERS ASSOCIATION
Massachusetts	MASSACHUSETTS TEACHERS ASSOCIATION	MASSACHUSETTS FEDERATION OF TEACHERS
Michigan	MICHIGAN EDUCATION ASSOCIATION	MICHIGAN FEDERATION OF TEACHERS
Minnesota	EDUCATION MINNESOTA	MINNESOTA FEDERATION OF TEACHERS
Mississippi	MISSISSIPPI ASSOCIATION OF EDUCATORS	MISSISSIPPI FEDERATION OF TEACHERS
Missouri	MISSOURI STATE TEACHERS ASSOCIATION	MISSOURI FEDERATION OF TEACHERS

Montana	MONTANA EDUCATION ASSOCIATION	MONTANA FEDERATION OF TEACHERS
Nebraska	NEBRASKA STATE EDUCATION ASSOCIATION	NEBRASKA EDUCATION ASSOCIATION CAPITOL DISTRICT
Nevada	NEVADA STATE EDUCATION ASSOCIATION	CLARK COUNTY EDUCATION ASSOCIATION
New Hampshire	NEW HAMPSHIRE EDUCATION ASSOCIATION	NEW HAMPSHIRE FEDERATION OF TEACHERS
New Jersey	NEW JERSEY EDUCATION ASSOCIATION	NEW JERSEY FEDERATION OF TEACHERS
New Mexico	NEW MEXICO FEDERATION OF TEACHERS	NEW MEXICO EDUCATION ASSOCIATION
New York	NEW YORK STATE UNITED TEACHERS	NEW YORK STATE EDUCATION ASSOCIATION
North Carolina	NORTH CAROLINA ASSOCIATION OF EDUCATORS	n/a
North Dakota	NORTH DAKOTA EDUCATION ASSOCIATION	n/a
Ohio	OHIO FEDERATION OF TEACHERS	OHIO EDUCATION ASSOCIATION
Oklahoma	OKLAHOMA EDUCATION ASSOCIATION	OKLAHOMA FEDERATION OF TEACHERS
Oregon	OREGON EDUCATION ASSOCIATION	FEDERATION OF TEACHERS OREGON
Pennsylvania	PENNSYLVANIA STATE EDUCATION ASSOCIATION	PENNSYLVANIA FEDERATION OF TEACHERS
Rhode Island	NATIONAL EDUCATION ASSOCIATION RHODE ISLAND	RHODE ISLAND FEDERATION OF TEACHERS & HEALTH PROFESSIONALS
South Carolina	SOUTH CAROLINA EDUCATION ASSOCIATION	n/a
South Dakota	SOUTH DAKOTA EDUCATION ASSOCIATION	n/a
Tennessee	TENNESSEE EDUCATION ASSOCIATION	n/a
Texas	TEXAS CLASSROOM TEACHERS ASSOCIATION	TEXAS FEDERATION OF TEACHERS
Utah	UTAH EDUCATION ASSOCIATION	UTAH FEDERATION OF TEACHERS
Vermont	VERMONT EDUCATION ASSOCIATION	n/a
Virginia	VIRGINIA EDUCATION ASSOCIATION	n/a
Washington	WASHINGTON EDUCATION ASSOCIATION	WASHINGTON STATE FEDERATION OF TEACHERS
West Virginia	WEST VIRGINIA FEDERATION OF TEACHERS	WEST VIRGINIA EDUCATION ASSOCIATION
Wisconsin	WISCONSIN EDUCATION ASSOCIATION COUNCIL	WISCONSIN FEDERATION OF TEACHERS
Wyoming	WYOMING EDUCATION ASSOCIATION	n/a