
**The New Realities of Working-Class Jobs:
Employer Practices, Worker Protections, and
Employee Voice to Improve Job Quality**

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What would it take for an economic recovery to improve the quality of working-class jobs? (working class: less than 4-year college education required)

- 1. How employer practices over the last forty years have structured instability and insecurity into working-class jobs and restricted employee voice in the employer-employee relationship**
 - Why economic growth/recovery is unlikely to significantly improve working-class jobs without explicit policy attention to rebalancing the terms of employment toward worker interests.
 - 2. Safety net policies to improve job quality**
 - lessons from the policy response to Great Recession and Covid-19
 - 3. Employment policies (regulation) to improve job quality**
 - minimum standards for basic employment conditions – wages, hours, and benefits
 - 4. Importance of worker power for improving working-class jobs**
 - new forms of worker organizing and voice
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Background

Economic changes, enabled by public policy choices and new managerial strategies have especially hurt low- and moderate-income workers, disproportionately workers of color, women, and those with limited education.

- **Four decades of economic change have resulted in:**
 - Shifting balance of power in employer-employee relationship
 - Increasing share of economic risk passed from firms and government to workers and families
 - Fundamentally altered workplace arrangements and employer practices

(e.g., Howell & Kalleberg, 2019; Weil, 2014; Applebaum & Batt, 2014; Lambert, 2008)

Common employer practices in today's working-class jobs

Goal is to contain/minimize outlays for labor:

- **Nonstandard workplace arrangements that reduce fixed labor costs (hours and benefits)** (Kalleberg & Howell, 2019; Weil, 2014; Farrell & Greig, 2016)
 - independent contractor arrangements, part-time status, “fissuring”
 - **Employer scheduling and staffing practices that provide labor flexibility** (Lambert, 2008; Lambert, Henly & Kim 2019; Schneider & Harknett, 2019; Golden, 2016)
 - scheduling workers for different shifts week to week
 - making last minute adjustments to the schedule
 - keeping head count high to maintain a ready pool of workers
 - **Noncompliance with employment and labor laws** (Bernhardt, Spiller, & Theodore, 2013)
 - misclassification of employees as contractors
 - working off the clock
 - paying less than minimum wage
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Enter COVID into this employment context

- **Like Great Recession, COVID recession is exacerbating *but not did cause* economic precarity among low- and moderate-income workers.**
 - **COVID affects everyone but not in same way or with same consequences**
 - Bottom quintile faces 2x job loss (Cortes and Forsythe 2020) and most hour cuts (Golden & Kim, 2020). Most financially insecure prior to pandemic.
 - Inequality in who works at home vs. onsite (BLS, 2020). Front-line essential workers are disproportionately workers of color and immigrants (Kinder, Sateler, & Du, 2020). White women, more highly educated workers, and workers with higher incomes more likely to work from home.
 - Black, Latinx, immigrants, women, and less-educated workers most affected largely because of sectors in which they work and their disproportionate caregiving responsibilities (Blau, Koebe & Meyerhofer, 2020).
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Improving working-class jobs: Safety net policies

Lessons from Great Recession and COVID-19

- **GR recovery efforts were effective at alleviating hardship and preventing further economic decline but did not address systemic forces contributing to deteriorating job quality/precarity.**
 - 2009 ARRA spending on SNAP, EITC, UI → poverty reduction, but too small and ended prematurely (Danziger ANNALS 2017 issue)
 - COVID stimulus may have similar fate and may not improve job quality

- **Possibilities in the CARES Act for improving job quality (benefits)**
 - Extends UI to nonstandard employment, e.g., indep. contractors and part-time workers
 - Treats separations from work due to caregiving as a legitimate reason for UI
 - Mandates employers to provide sick pay and paid leave (well, some employers...)
 - mandates paid sick leave when absence due to Covid-19
 - paid leave when employee is unable to work due to a child's school/care unavailable related to COVID-19

Provisions improve the quality of working-class jobs and lives by helping ensure workers at bottom of labor market have access to benefits already available to more advantaged workers, e.g., paid sick days and UI, and to (future) initiatives to support caregiving, e.g., child care and paid medical and family leave (as discussed by others in this volume).

Improving working-class jobs: Employment policies

Regulating employer practices

- Based in 1938 FLSA, current federal law is minimal, replete with worker and occupation exemptions and weakly enforced (Berg, Bosch, & Charest, 2014)
 - The fingerprint of employer power is apparent in the absence of standards on work hours
 - no floor on minimum number of hours; most salaried employees exempt from overtime premiums; no regulation of schedule instability or predictability
 - Ample labor flexibility for employers; little stability for employees
 - New employment protections at the local and state level
 - Fair scheduling laws, ban-the-box, minimum wage hikes
 - These ordinances important but limited in scope due in part to continuing accommodation of employer interests
 - EX: Fair workweek laws (Lambert, 2020)
 - do not guarantee minimum hours or restrict changes to schedule; ERs just pay a bit more for changes (and they can even avoid this)
 - workers in nonstandard arrangements are excluded from protections
 - *Fair workweek laws protect labor flexibility for employers at the cost of schedule and earnings stability for workers.*
 - Recommend strengthening federal standards to raise floor on job quality
 - We provide evidence of how this could be good for business and the economy as well as workers.
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Improving working-class jobs: Policies to support unions & “alt-labor”

Worker Organizing and Voice

- ***Workers are not simply the subjects of employer practice and policy, they are also agents in their creation.***
 - **Despite union decline, evidence of worker power** (Fisk, 2020; Milkman & Luce, 2017)
 - Traditional and new forms of organizing, especially since GR (“Alt-labor”)
 - Worker centers, sector and occupational organizing, community alliances work to advocate for specific workers, organize actions against employers, and work directly with city and state policy makers on enforcement and strengthening labor laws.
 - Domestic Workers Bill of Rights in nine states
 - Work stoppages at 35-year high in 2018-2019 (Sheirholz & Poydock, 2020)
 - Fight-for-\$15 successfully changed national conversation on minimum wage (Lathrop, 2018) and many of same organizers are leading other initiatives to improve employer practices
 - ***We contend that the collective strength of workers – expressed through traditional unions and increasingly through alternatives to the traditional structures – is a critical factor in setting the terms and structure of employer practices and improving the quality of today’s working-class jobs.***
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