

Counting strike threats

To the editor:

Contrary to Bureau of Labor Statistics (BLS) reports on tracking strike activity, more workers are involved in strike activity in the United States than is publicly reported. According to our survey of published news and government reports on strike-related activity conducted during the winter and spring of 2017, the number of workers threatening to strike between 2012 and 2016 was 199 percent higher than the number who actually did strike according to BLS.

Threatening to strike can be measured along a continuum of willingness and capacity to strike that is more or less credible. However, without any official estimate of the number of strike threats, we are unable to accurately measure the credibility of strike threats. For this reason, BLS should count strike threats. Although not the focus of this survey, by estimating the number of strike threats, BLS would provide the necessary information to allow an assessment of their credibility, which would be useful to employers, industry groups, investors, unions, and various state and federal agencies.

What makes a strike threat?

Significant differences exist between a strike threat and a strike. First, strike threats can take several forms. A threat may be made as an official declaration by workers or their union that they intend to strike. Threats may also be informal, such as when workers engage in organizing actions such as collecting pledges to strike, informational picketing, or engaging in a sickout preceding and during collective bargaining. Official declarations often follow intangible strike threats but need not if the employer and union compromise following actions that are considered a strike threat.

Workers in a recognized union that has engaged in collective bargaining with the employer may only threaten to strike after a long process governed by state or federal labor law is exhausted. Workers in some industries, such as transport, are covered under different labor laws. State and local public workers are covered by state laws, which also impose limits on striking or ban strikes entirely. In contrast, workers who do not have a recognized union may strike at any time. Some workers who issue a strike threat will announce the day the strike will begin and frequently how long it will last and when it will end.

Our findings

From the literature, we found 134 reported strike threats between 2012 and 2016. Of these, 97 strike threats were settled without a strike in firms of any size workforce involving 701,700 workers. Of the 134 strike threats, 73 occurred in workplaces with fewer than 1,000 workers, strikes not counted by BLS. Of these 73 strike threats, 20 resulted in strikes involving 8,573 workers, 6 strike threats had an unknown outcome at the time of the study, and the remainder resulted in no strike. In contrast, BLS reported 72 strikes in firms with 1,000 or more employees involving 352,000 workers. In addition to the number of workers threatening to strike being nearly twice the number

that actually did strike, the number of threats was 134.7 percent higher than the number of strikes during this time. It is possible to conclude from our findings that BLS is significantly underreporting strike activity in the United States by failing to count workers who are actually threatening to strike.

Recommendations

Measuring the number of strike threats would be of interest to employers, unions, and the public. For this reason, we make the following recommendations:

1. BLS should include strike threats in its strike reports.
2. BLS should count strike threats and strikes in all workplaces, regardless of the number of employees.
3. BLS should survey employers and unions to record the number of strike threats.
4. Employers and unions should be required to report strike threats, lockouts, and other strike-related activities.
5. Employers and unions should be required to report exact numbers of workers and other data related to strike threats, lockouts, and other strike-related activities.
6. The Federal Mediation and Conciliation Service should report details of the outcome of settlements resulting from its intervention in strike threats and strikes.

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The BLS response:

Thank you for your letter and for your interest in the work of the Bureau of Labor Statistics (BLS). We have reviewed your recommendations and have responded to them.

1. BLS should include strike threats in its strike reports.

The purpose of the [Strike Report](#) produced by the BLS Current Employment Statistics (CES) program is to provide data users with insight into effects that strikes might possibly have on CES estimates—a Principal Federal Economic Indicator (PFEI). The report is not an estimate of the number of strikers, and survey respondent data are not used in its production. Instead, it is an aggregation of publicly available data compiled to provide supplemental information about CES estimates. This is why the report conforms to [CES employment definitions](#); specifically, to be included, strikers must be out for the entirety of the pay period that includes the 12th of the month. Because strike threat information would not provide insight into CES estimates, including it in the strike report would not serve the purpose of the report.

In addition, the [Work Stoppages program](#) has provided the number of work stoppages beginning in the reference period, number of workers involved, and days idle (number and percent of estimated working time) since 1947. The Work Stoppages program uses strike threats throughout the month to monitor work stoppage activity. However, the program is unable to identify all threats because many do not receive press coverage and only a small number of threats result in work stoppages each month.

2. BLS should count strike threats and strikes in all workplaces, regardless of the number of employees.

The CES Strike Report does currently include strikes in all workplaces; it is the total number of strikers rather than the size of the workplace that is the criteria for inclusion. Only strikes involving more than 1,000 workers are included in the report. This, again, is due to the report's purpose of providing insight into CES data. Since CES estimates round to thousands of workers, strikes of fewer than 1,000 have little meaningful effect on employment data. Including these strikes in the report, therefore, would not serve to further an understanding of CES data.

The Work Stoppages program does not have the resources to monitor strikes involving fewer than 1,000 workers. However, the [Federal Mediation and Conciliatory Service](#) provides information about notices of dispute and work stoppages for all establishment sizes in private industry.

3. BLS should survey employers and unions to record the number of strike threats.

All BLS programs must work within time, resource, and statutory constraints. Surveying employers and unions on the number of strike threats, the number of strikes, the number of lockouts, and the number of people involved in all these would add significantly to CES and Work Stoppages programs' workload and costs. It also could possibly detract from the time and resources dedicated to the CES program's main mission of collecting and producing employment, hours, and earnings estimates. Collecting these data would also impose an additional burden on survey respondents. In addition, a new framework would have to be developed to collect these data, since CES estimates are produced using a statistical sample from a subset of the employer universe and there is no frame from which to derive a population count of strike-related data. Furthermore, the only data currently collected from unions are the same payroll data collected from other employers—data used to produce employment, hours, and earnings estimates of nonfarm establishments. A survey designed to collect activities of union members is well outside the scope of current data collection and estimation. At present, BLS attempts to provide a census of stoppages that meet the definitions used for the Strike Report and the definitions used for Major Work Stoppages. These data, in turn, provide users with a measureable impact on the U.S. economy.

4. Employers and unions should be required to report strike threats, lockouts, and other strike-related activities, and 5. employers and unions should be required to report exact numbers of workers and other data related to strike threats, lockouts, and other strike-related activities.

In most states, BLS does not have the authority to compel employers or unions to report data to BLS. The CES [data collection forms](#) indicate that responding to the CES survey is mandatory only in three states and Puerto Rico. Therefore, mandating the reporting of strike-related data would require considerable statutory changes at the state and federal levels.

6. The Federal Mediation and Conciliation Service should report details of the outcome of settlements resulting from its intervention in strike threats and strikes.

The Federal Mediation and Conciliation Service is an agency independent of BLS, and the BLS is unable to address your suggestion concerning it.

In summary, collecting data on all strike- and lockout-related activity is not relevant to the central mission of the CES program and outside the scope of the data series provided by the Work Stoppages program. The proposed changes would impose significant cost and workload increases on BLS and require extensive methodological and substantial statutory changes. Thank you for your recommendations and interest in strike- and lockout-related data.