

Captive Audience Meetings, from Amazon Warehouses to Southern Auto Plants to...Station 5?

This spring, Mayor London Breed's office announced her intention to visit every firehouse in the SFFD to meet with all on-duty personnel. The tour began with Station 5 and Station 22, followed by a meeting at Station 17 that excluded officers. The plan to continue the visits remains in place.

The motivation behind the visits, during what looks to be a very competitive election year, is not difficult to understand. But the format of the meeting borrows from what are known in the labor movement as "captive audience meetings." Captive audience meetings are compulsory meetings of workers, convened by their employer, to present the employer's views on political, religious, or labor-related topics. These meetings are usually held by managers trying to stop workers from organizing, but they also feature employers and politicians pushing a political agenda.

Captive audience meetings are illegal in six states, and legislation has been introduced in the California State Senate to make them illegal here too. The National Labor Relations Board (NLRB) General Counsel issued a memorandum in 2022 finding these meetings to be in violation of federal labor law. So why, in liberal San Francisco, is the Mayor stealing a page from the anti-union playbook to corral firefighters?

Fear of a Thinking Workforce

Employers trying to derail a union organizing drive and politicians trying to win an election share one thing in common: fear. Fear that things are not going their way and that workers are making choices for themselves. Exercising what they claim as free-speech rights, employers and politicians use their power in the workplace to force-feed messages to a employees who have no option but to listen.

Amazon.com managers and consultants have used this technique in warehouses around the country to discourage workers from forming unions. The pace of these meetings picked up steam after workers at an Amazon warehouse in Staten Island, New York tuned out the employers in 2022 and voted to join the Amazon Labor Union (ALU). In 2023 alone, Amazon spent \$3.1 million on hired consultants to conduct these anti-union meetings. (huffpost.com, 3/31/24)

Foreign automakers in the American South relied heavily on captive audience meetings during the United Auto Workers' (UAW) early attempts to organize their plants. These same companies are now operating in full panic mode in the wake of the UAW's historic strike victory against GM, Ford and Stellantis last year. Southern autoworkers have been signing union cards in record numbers, driving plant managers to double-down on propaganda meetings and threats against union activists.

Employers aren't the only ones using the workplace to pitch their ideas. Tennessee Governor Bill Lee shut down the assembly lines at a Chattanooga Volkswagen plant in 2019 to sell the workers on his election campaign and his vision of a union-free Tennessee. (Labor Notes, 4/29/19)

Until 2022, the NLRB agreed with employers that the First Amendment protected their right to trap workers in these meetings. However, the Board's current General Counsel disagrees. Jennifer Abruzzo issued a memorandum on April 7, 2022, stating, "This license to coerce is an anomaly in labor law, inconsistent with the (National Labor Relations) Act's protection of employee's free choice. It is based on a fundamental misunderstanding of employer's speech rights." Abruzzo agrees that employers have a right to express themselves in company meetings, even on political or religious issues, but that employees can't be forced to attend or listen.

In the wake of General Counsel Abruzzo's memorandum, six states – Connecticut, Maine, Minnesota, New York, New Jersey, and Oregon - have passed laws banning compulsory workplace meetings on political or religious topics. (Economic Policy Institute, 10/24/23) In California, Senator Aisha Wahab has introduced SB399 which, if passed, will ban captive audience meetings in the state starting next year. Depending on how the final wording of the law impacts public safety workers in the public sector, a future San Francisco mayor might be restricted from using captive audience meetings in the same way as Mayor Breed.

A Real Debate

But, they will still be able to meet with us in the only way that counts, at a candidate debate organized by Local 798 and open to all mayoral contenders. As has been explained to Mayor Breed, she and all other candidates will be invited to address the membership as a whole in a free and fair debate. Only after that will the membership vote by secret ballot for the candidate they want the union to endorse.

Until then, the Mayor can still use the power of her position, and existing law which allows for our compulsory attendance, to gain an advantage over her competition at these firehouse meetings. But in the end, each candidate's arguments and track history will have to hold up in a fair, open and transparent debate. May the best candidate win.