Union petitions spike in Wisconsin

By WisPolitics

The number of annual union petitions in the state has more than doubled in recent years, suggesting interest in unionization is on the rise even as the share of Wisconsin workers in unions has fallen substantially.

Wisconsin had a total of 47 union petitions filed with the National Labor Relations Board in fiscal year 2024, which ran from Oct. 1, 2023 to Sept. 30, 2024. That marked a 114% increase since fiscal year 2021, when 22 petitions were filed. That number was 28 for fiscal year 2022 and 25 for fiscal year 2023.

The increase in Wisconsin is part of a regional trend, the NLRB figures show. Midwest states had a 138% increase in union petitions over the same period, which is the highest percentage increase of any region in the country.

By percentage, Wisconsin is on the low end for these increases: Ohio had a 226% increase; Indiana had a 187% increase; Michigan saw a 160% increase; and Minnesota had a 124% increase. Among nearby states, only Illinois had a smaller percentage change with 95%.

Laura Dresser, a clinical associate professor and associate director for UW-Madison think tank High Road Strategy Center, says this trend supports the notion that U.S. workers are increasingly interested in unions.

In a recent interview, she pointed to public opinion polls showing the popularity of unions is “back to levels not seen since the 1960s,” especially among younger workers. She attributed the increase in petitions to the tight labor market that has persisted since the
COVID-19 pandemic.

“The number of work stoppages and other sorts of actions that organized workers in union plants are taking are also increasing,” she said. “And also here, this is evidence that more workers want to move into the process to certify a union … That, I think, goes hand-in-hand with this other evidence of workers demanding more of work and finding different ways to do that.”

Stephanie Bloomingdale, president of the Wisconsin AFL-CIO, says the increase in petitions “shows there’s growing demand to be able to negotiate together for a better life” through a union.

“Since Joe Biden took office, new union organizing petitions at the NLRB doubled nationally and in Wisconsin,” she said in a statement. “Yet, labor law remains outdated and too many obstacles remain for workers to get to a first contract.”

Filing a union petition with the NLRB is just the first step toward unionizing, and the process of moving from an election to signing a contract with an employer often results in “a pretty substantial waiting game,” Dresser said. Despite the interest indicated by the rise in petitions, she noted the share of unionized workers in the workforce has actually been declining.

Between 2000 and 2021, the percentage of employed Wisconsinites in unions plummeted from 17.8% to 7.9%, putting the state below the national average of 10.3% for the year. That’s according to a Wisconsin Policy Forum report from 2022 documenting the decline of
unions in the state.

Ben Straka, research and government affairs associate for the Washington-based conservative think tank Freedom Foundation, argues the NLRB union petition data “don’t bear out the picture that union leaders and their allies in government would like to paint.” He also noted union membership rates continue to decline.

“What’s arguably more interesting than the total number of filings touted by (President) Biden’s NLRB is the frequency of employee decertification efforts that the current administration has actively made it harder to pursue,” Straka said in an emailed statement. “Over the past eight years, for every three attempts made by unions to organize workers in Wisconsin, there’s been at least one attempt by employees to change or get rid of their union.”

But Dresser says employers are playing an antagonistic role in the unionization process. For worksites with a lot of turnover, she noted “employers tend to know the longer they wait, the more turnover they have in staff, the less momentum and commitment they’ll have from workers” for unionizing.

“The balance is still tipped so heavily against successful unionization,” she said, arguing the state’s “right-to-work” laws make it harder to maintain private sector unions while Act 10 has had a dampening effect on public sector unions. Still, she noted other external factors are playing a role in the trend.

“As specific industries shrink or grow … that impacts unionization as well,” she said. “When we shifted from manufacturing to service, because our labor movement was more concentrated in manufacturing, that brought down the unionization rate.”

While small businesses typically don’t employ union labor, National Federal of Independent Business State Director Bill Smith notes the increase in union organizing “comes at a time when small business uncertainty is at a record high level.” He argues labor union organizing contributes to that uncertainty as small business employers look to plan for the future.

“As small business deals with high uncertainty, persistent inflationary pressures, and 90 percent reporting few or no qualified job applicants, it seems it would be difficult to make a valid case for the need for union representation, at least in the small business workplace,” he said in an emailed statement on the NLRB figures.

In addition to the union petition figures released last week, the NLRB is highlighting a 52% increase in the number of unfair labor practice charges filed with the agency’s regional Midwest offices from fiscal years 2021 to 2024. In Wisconsin, the number of annual charges filed rose from 171 to 281 over that period, an increase of 64%. Dresser says that figure shows “when workers ask for unions, they tend to face resistance from their employers.”

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