

The Role of Labor Struggle in the Shifting Ethnic Composition of Labor Markets

Kathleen C. Schwartzman
University of Arizona

One dominant theme of the current immigration debate is that immigrants (and particularly the undocumented) fill jobs that nobody wants. While it is sometimes recognized that immigrants fill occupations previously occupied by African Americans, commentators seldom acknowledge that in some cases, this substitution is a response to rising labor conflict. The article presents quantitative and qualitative evidence that allows the rejection of the conventional wisdom (jobs that nobody wants) and advances an alternative hypothesis: immigrant hiring was a management strategy to deal with rising native labor agitation. I use the case of poultry processing in the southeastern United States to elaborate this argument.

Keywords: *African Americans; unions, jobs; poultry*

Much of the pro-immigration discourse emphasizes that immigrants (and particularly the illegal)¹ fill occupational slots that have been rejected by native workers. In a 2006 Gallup poll, 74 percent of the respondents agreed that “illegal immigrants mostly take low-paying jobs Americans don’t want.” The debate highlights the work that immigrants do in the agricultural sector, such as lettuce and fruit picking. In fact, lettuce pickers could epitomize the “hard-working immigrants” doing the job that no native worker wants to do. A closer examination of specific industries, however, reveals that all jobs currently occupied by immigrants have not historically been in the hands of immigrant labor. Poultry processing is one of several industries where the ethnic composition of the labor force shifted from African American to Hispanic. What accounts for this shifting ethnic composition? The hypothesis advanced and evaluated in this article is that immigrants were hired to substitute the native labor force and that this was management’s response to heightened labor conflict. I propose a schema for analyzing the labor-management regime and utilize it to examine the question of immigrant hiring.

Author’s Note: The author would like to thank Alphonso Parks and Lisa Thiebaud for assistance, the Rogers Program in Law and Society, University of Arizona Rogers College of Law for financial support, and anonymous reviewers for their comments and suggestions.

Table 1
Poultry Production by State

	Number of firms (1997)	Number of Paid Employees	% Value of U.S. Shipments
Alabama	30	19,944	7.34
Arkansas	43	33,409	15.58
Georgia	41	29,587	12.02
Mississippi	25	15,952	5.25
North Carolina	29	18,166	8.95
Subtotals %	168 (35.59%)	117,058 (52.34%)	49.14
Florida	10	4,137	1.02
Louisiana	8	2,108	0.65
Minnesota	19	6,305	3.03
Missouri	24	12,215	6.24
South Carolina	9	6,526	2.75
Tennessee	14	5,263	2.42
Texas	18	10,792	5.08
United States	472	223,663 (100%)	100

Source: U.S. Economic Census 1997

Sample: This article gives more emphasis to Alabama but the data come from a five-state project. More than 50 percent of the U.S. poultry workers can be found in these states.² Alabama had thirty poultry processing plants (6.36 percent of those in the United States), a payroll of \$199,440, and a 7.34 percent share of U.S. sales (it ranked fourth, behind Arkansas, Georgia, and North Carolina—see Table 1). These five states, not traditional destinations for immigrants (Bean and Stevens 2003, 213), experienced large increases in their Hispanic populations from 1990 to 2000.³ In short, between 1990 and 2000 these five states have seen significant increases in poultry processing *and* in their Hispanic populations. The motivation of this five-state study is to take a detailed look at how global and national economic transformations affect local labor markets. Poultry processing is not the totality of southeastern manufacturing or immigrant employment. However, by spotlighting one industry in a limited geographic area, this analysis focuses on African Americans who have been identified as more vulnerable to an immigrant-effect, and it focuses on a region (the Deep South) that had not been the site of labor conflict.

Logic of Inquiry: The scholarship analyzing “immigrant impact” typically is based on either case studies or aggregate quantitative studies. The most persuasive methodology might be a case study of a firm (or place) over time, chronicling the labor shift. While revealing, it would be a less compelling methodological approach for adjudicating among the three hypotheses presented here. What constitutes proof that one explanation is better? Since no single source seemed adequate, this research was triangulated with multiple data sets. First I use reports, narratives, and ethnographies.

These suggest a link between union activity and immigrant hiring. However, a more systematic analysis is needed to conclude that the labor-conflict hypothesis is more plausible than the others are. For this, I turn to documents from the U.S. Supreme Court, Department of Labor (DOL), and National Labor Relations Board (NLRB),⁴ and aggregate statistics reported by those agencies, the U.S. Census, and others. This data fusion may appear awkward to some because of the customary divide between case studies and quantitative work, but it helps to create a fuller understanding of the shifting struggles and labor markets. Good narratives need data and good data need narratives. Both are interpreted in light of a proposed schema for analyzing the labor-management regime.

Speaking Spanish on the Chicken Line⁵

“[I]f there weren’t Hispanic workers, nobody in America would be eating chicken” said a plant manager (Guthey 2001, 61). By 2000, a good many of the poultry workers in certain parts of the United States were Hispanic and immigrant. The U.S. Government Accountability Office (GAO), in reporting on all meat and poultry plants nationwide in 2003, identifies workers as 32 percent white, 20 percent African American, and 46 percent Hispanic, with 26 percent of those being foreign born (U.S. GAO 2005). An even larger percentage of the production and sanitation workers in the meat and poultry industry—38 percent—are foreign-born noncitizens. Hispanic representation is up from 25 percent in 1994. Other government sources support this observation. In reference to a lawsuit against Tyson for back wages, Elaine L. Chao, Secretary of Labor, was quoted in a U.S. Department of Labor (DOL) News release saying “Most poultry workers are immigrants who earn less than \$7.00 an hour” (DOL 2002).

Industry, union, mass media, academic studies, and court records affirm that Hispanics are likely to be the majority of the work force in some poultry firms, and a substantial portion in others. In the late 1990s, “according to a court testimony, 600 to 700 Hispanics made up nearly 75 percent of the [Tyson-Shelbyville] plant’s workers” (Rosenbloom 2003). Another source reports that by the late 1990s the overall Tyson work force was very heavily Hispanic—40 percent according to Tyson and 60 percent according to Union Officials (Stein 2002). An indirect indication of a Hispanic immigrant work force is the regular bus service provided by one employer between Gainesville, Georgia (which calls itself the poultry capital of the world), and Mexico. In reporting on union organizing at the Koch Foods poultry plant in Tennessee, the reporter notes that of the “700 poultry workers here, most of them [are] Mexicans . . .” (Greenhouse 2005). Ethnographic reports echo this. Striffler, who did ethnographic work inside a plant in Springdale, Arkansas in 2001, made two observations about the demographic profile of workers. First, about three-quarters were Latin American, with Southeast Asians and Marshallese accounting for a larger percentage

of the remaining workers; and second, two-thirds of the workers were men (Striffler 2002, 307). Hiring, of course, varied by plant and region (Griffith 1990, 165).

Pinpointing the earliest years of labor substitution is essential for this argument because once employers have hired immigrants, chain migration and networks supply additional workers. As Massey depicts it, once a few immigrants are established in a new location, kin, friends, and fellow villagers follow. Each act of migration lowers the costs and risks of movement, and increases expected returns for subsequent immigrants (Massey, Durand, and Malone 2002, 19). Recruitment was self-generating in Morgantown, North Carolina, as word of jobs spread through family and friendship networks in Guatemala (Fink 2003). The use and benefits of networks have been well documented for both employers and job-seekers, albeit with variations depending on the skill level of the jobs (Berg and Kallenger 2001). Network hiring reduces personnel costs. Waldinger (1997) found that employers use immigrant networks for recruiting to the exclusion of native-born workers. Griffith reports that network recruitment in poultry was the norm, and while whites seem to use networks least, and blacks next, Hispanics used them the most. About 34.4 percent of plants provided bonuses to workers who recruited friends and kin, and they also hired convicts on work release programs (Griffith 1990, 176). For a while, some plants had a policy of paying for each worker that an existing Hispanic brought to the company. "I called my cousin, he called his cousin, his brother-in-law. . ." (Guthey 2001, 64). Scholars have noted the lower use of networks among African Americans in other locations. Aponte (1996) found that the black-immigrant differences in employment rates (in Chicago in 1986) could be explained by immigrant use of social networks. In more recent work, Smith demonstrates that it is not simply the absence of this social capital (deficient networks) among blacks that prevents job acquisition, but that in some cases networks are actually eschewed (Smith 2005, 44). Therefore, through network processes, immigrants could come to dominate an industry (Enchautegui 1998).

Reports from groups associated with or studying the poultry industry locate the ethnic shift in the middle 1990s. The U.S. Census Bureau state and county data point to the substantial rise in the Hispanic population between 1990 and 2000. A third data source is the Social Security Administration (SSA), which recorded a vertiginous rise in the number of illegal immigrants employed (nationally) during this period. This inference is drawn from the rise in the number of wage items entered into the Earnings Suspense File (ESF) for employees whose social security numbers do not match those in the SSA's Master Earnings File (MEF).⁶ In 1993, the SSA conducted a survey of the top hundred companies with "no match" items submitted. One Alabama company (name and industry not disclosed) made the top ten in Tax Year (TY) 1993 with 1,391 "no match" employees. In the TY1996 follow-up, that same company had a "no-match" increase of 77 percent, and in the TY2000 follow-up, it had an increase of 64 percent over 1996 (U.S. SSA 1999, 2003). In 1995, the national number of new wage items placed into the ESF overtook the all-time high of 1986, and continued a steep climb.

Table 2
Selected Bivariate Correlations for Alabama counties (N = 67)

	1990 Population and the 1992 SIC Code (2015)	2000 Population and the 1997 NAICS Code (311615)
% black population	-.207(*)	-.230(*)
% Hispanic/Latino population	0.017	0.607(**)

Note: SIC = Standard Industrial Classification; NAICS = North American Industry Classification System.

*significant at the .01 level (1-tailed)

**significant at the .05 level (1-tailed)

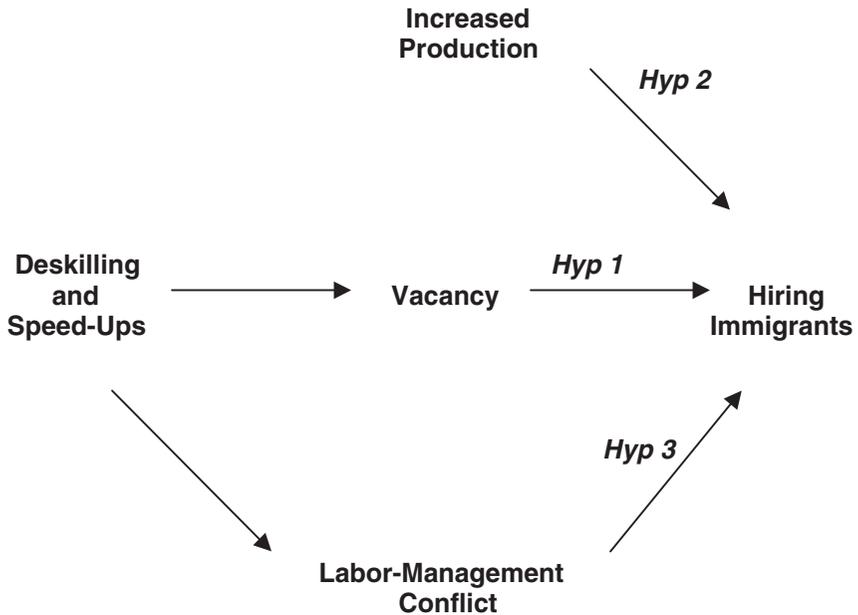
The ethnic composition of Alabama has changed. According to the U.S. Census, Alabama's Hispanic population increased 207.8 percent between 1990 and 2000 (in contrast to an overall statewide population increase of 10.1 percent). Furthermore, certain Alabama counties were favored destinations of Hispanic migrants. The bivariate correlations for two variables—percentage population of Hispanic origin and poultry-plant presence—reveal the absence of a relationship in 1990 (.017) and the presence of a relatively large and significant one by 2000 (.607**) (see Table 2). This decennial census data shows the movement of Hispanics into Alabama between 1990 and 2000 but does not afford a year-by-year description of the influx.⁷ Taken together, however, the multiple data sources (U.S. Census, media, and ethnographies) point to the middle of the 1990s as the time of a substantial shift in the ethnic composition of the labor force.

Labor-Market Shifts: Replacements, Additions, or Displacements?

Many industries of the traditional south have undergone a labor transition. Hispanics have come to represent a substantial proportion of a work force that was previously dominated by African American female workers. Did these recently arrived immigrants take jobs disdained by native workers (Hypothesis 1, Figure 1), did they supplement the existing native labor force in the face of a labor demand that outpaced the native labor supply (Hypothesis 2), or did they displace native workers (Hypothesis 3)?

Hiring was labor displacement. This management-strategy account looms large in the historical records and narratives of the period. Perhaps one better-known story illustrates some of the elements incorporated into Hypothesis 3. It demonstrates that hiring of illegal immigrants was not merely a welcoming of workers; rather, it was active and intentional. This example comes from the Department of Justice's December 2001 thirty-six-count federal indictment against Tyson unsealed in the Federal District Court in Chattanooga, TN. The indictment was the result of an

Figure 1
Three Hypotheses



Immigration and Naturalization Service (INS) undercover action (Operation Everest). Tyson managers were accused of a seven-year scheme (1994 to 2001) to recruit and hire hundreds of illegal immigrants from Mexico and Guatemala, to transport them across the border, to assist them with illegal documents, and to distribute them to their chicken-processing factories in twelve states. The sting caught Tyson managers on audio and videotape plotting to recruit and hire illegal immigrants for plants. The indictment claimed that Tyson paid \$100–\$200 per head to smugglers. The government said it found documents that showed payments from Tyson to smugglers, and indications that the company used temporary employment agencies to cover up actions (Barboza 2001a, 2001b). Although no Tyson executive or plant manager was convicted, a former employee was.

A second element incorporated into Hypothesis 3 is the fact that the 1980s began a new chapter for labor in the south. It heralded a southern divergence from the national trend of declining unionization, and from the south's stalwart antiunion tradition. In the 1980s, unions seem to be in dispute with poultry processors. The early confrontations singled out aspects of the production process: health and safety, working conditions, and pay. Later confrontations added complaints regarding employer violations of the National Labor Relations Act (NLRA).

In the early 1980s, reporters noted historic “firsts”: a first strike for a particular company, a first strike for a particular town, the first unionization in decades, and notably, the first unionization for African American workers. Reporters also cited union innovativeness, such as their willingness to transport the labor struggle beyond the individual plant, either by simultaneously organizing at the state level or by organizing national product boycotts. A sample of these early reports also documents the concern with working conditions, which play an important role in my explanatory model.

In February 1979, some two hundred people—mostly black women—struck at the Sanderson chicken processing plant in Laurel, Mississippi (McCarthy 1980). The workers, represented by the International Chemical Workers Union (ICWU), struck because the company ignored complaints about the working conditions—pace on the production line (at a speed of sixty-eight birds/minute), gases, heat, and limited bathroom breaks. The bitter strike lasted through December of 1980. By then, the ICWU had spent \$130,000 on the strike and called for a boycott of Sanderson products.

In 1980, the United Food and Commercial Worker’s Union, (UFCW, AFL-CIO) launched a nationwide boycott against Perdue chickens as part of a campaign to organize the company’s 3,500 poultry workers. This was a new effort to organize and to win bargaining rights for workers in Perdue’s five plants. Complaints against the company focused on the harsh and unfair treatment of workers and a lack of job security (Hamilton 1980).

In June 1984, half of the nine hundred workers from Marval, a turkey plant in a Harrisonburg, Virginia, walked out. The union wanted salary increases, and contended that the plant imposed harsh working conditions by speeding up the turkey-killing lines and imposing stringent work rules. During the six-week strike, the AFL-CIO called for a boycott of Marval Turkeys—the nation’s largest turkey processor. The strike was the first ever in Virginia’s \$250-million-a-year turkey industry. The UFCW was prepared to spend \$100,000 per month advertising and promoting the turkey boycott (Perl 1984).

The year 1986 was a momentous year for labor organizing in Mississippi. The UFCW successfully unionized the Delta Pride catfish processors (Gilliam 1986). In 1990, those unionized workers struck, in what was described as the largest strike by African American workers in the history of Mississippi. The workers overwhelmingly rejected the company’s proposed wage increases and 1,200 walked off the job. There were incidences of violence, as striking workers were shot at and one was beaten by a policeman. In addition, the UFCW called for a national boycott.

In 1988, about one thousand of 1,140 workers, a majority of whom were poor black women, walked out of the House of Raeford Farms Inc. North Carolina plant (Hezter 1989). The demands that precipitated their wildcat strike included better pay, better benefits, and shorter hours. And, in 1989, workers represented by the Retail, Wholesale, Department Store Union (RWDSU) struck against Cagle Inc. in Georgia. They demanded improved pay, benefits, and working conditions. And when seventy-seven Holly Farms drivers joined the International Brotherhood of Teamsters and

went on strike in 1990, it was the first time the time the Teamsters had tried to organize in Wilkes County, North Carolina, since the 1950s (Swoboda 1990). These stories chronicle the presence of a relatively new conflict between labor and management in the 1980s. As unions directed their organizing efforts toward southern industries, management responded by securing immigrant workers.

These stories may seem anomalous and far from representative of the south. This assertion—of a rise in labor activity in the south—presents two paradoxes. First, it is somewhat at odds with the national downward trend, and second, it is at odds with the conventional wisdom regarding organized labor in the south, particularly under conditions of labor surpluses.

National union membership has suffered a precipitous decline, from around 36 percent in 1950 to about 12 percent in 2004.⁸ Since the 1970s, there has been a general decline in the number of NLRB certification elections, and a decline in the percentage of elections won. In addition, the scope of coverage allowed by the NLRB and collective bargaining agreements has been shrinking (Goldfield 1987; Perusek and Worcester 1995; Stone 1992). This weakening of labor has been attributed to a number of factors including: (1) net job losses from deindustrialization and globalization, (2) the organizing failures of unions because of their strategies and their overdeveloped bureaucracies (Dickens and Leonard 1985; Perusek and Worcester 1995), and (3) the challenges presented directly by business, and indirectly by the ongoing weakening of the national legal framework under which unions function (Goldfield 1987; Stone 1992).

One such weakening came from the NLRB's 1986 interpretation of the 1938 Mackay Doctrine. The Mackay Doctrine held that employers could hire permanent replacements for strikers when business survival required it. The 1986 NLRB decision involving Harter Equipment Inc. (a New Jersey manufacturing firm) and the International Union of Operating Engineers allowed companies to hire temporary replacement workers during a lockout. Now the "employer is clear to lock out and continue operating with temporary replacements" (Serrin 1986). This is an important tool for employers to temper demands of overzealous unions, even to the point of union destruction (Weiler 1993, 686).⁹

A New Chapter in the History of Labor Struggle

The south has diverged from the national trend since the New Deal. In contrast to the north, wages in the south have always been lower and the percentage of union shops smaller. The failure of "Operation Dixie," the post-World War II Congress of Industrial Organizations (CIO) unionization drive that was to follow the northern unionization drive, left the south without union strength (Goldfield 1995, 94). In the 1970s, as U.S. union membership dropped, the percentage unionized in the south was also falling. In 1970, the national average was 27.8 percent. Alabama's came closest

with 22.8 percent. Arkansas was second with 15.7 percent, and Georgia, Mississippi, and North Carolina registered 13.7, 15.0, and 8.8 respectively (Hirsch, Macpherson, and Vroman 2001). Nevertheless, there were some (minor) counter cyclical trends. Between 1970 and 1978, union density in the southern states held steady or gained slightly compared to the losses in the traditional industrial belt. Perhaps, as Goldfield suggested, the difficulty of organizing is a misreading of the south (1987, 140).

Those 1980s strikes described by journalists were the product of increased unionization. Alabama retained the highest level of union density (albeit with the greatest volatility) and North Carolina recorded the lowest union density with the least volatility. The three other states had middle-level union density. The contrast is even greater within the private sector, where, from 1983 to 2000, Alabama's rates surpass the national average (by 3.7 percent in 1993).

Taylorism in the Hen House

Labor-management struggle began with the reorganization in the poultry industry. The industry evolved from millions of small backyard flocks, where meat was a byproduct of egg production, to a highly specialized agribusiness (USDA 2002). Industry restructuring involved geographic concentration, technological upgrading, pharmaceutical innovations, vertical integration, mergers, and acquisitions. Geographic concentration was a response to two factors: first, the financial incentives offered by southern states along with an antiunion environment and second, a shift toward vertical integration that placed a premium on proximity to growing out farms (independent contract growers that raise the birds).¹⁰ By the end of the 1990s, approximately half of all poultry processing was concentrated in four low-wage, antiunion states: Alabama, Arkansas, Georgia, and North Carolina (Fink 2003, 12).

Technological innovations offered new possibilities for slaughtering, feather plucking, and entrails removal. Volume rose to speeds of up to ninety-one birds a minute. The use of antibiotics facilitated the raising of thousands of animals in a single building. This mass production "rivals anything Detroit has produced" (Serrin 1980). The vertical integration involved not only the chick farmers, but in some cases feed, freezing and packaging plants, and distribution networks. Tyson, by vertically integrating its business, controlled every step of production—from the hatchery to the processing plant. Tyson also grew through acquisition and diversification (McGraw and Simons 1994). In 1981, ConAgra purchased river terminals, barges, and grain elevators, and was involved in agricultural chemical distribution (*New York Times* 1981). ConAgra, Tyson, and others were all active buying up smaller establishments. As a result of mergers in the 1980s, eight large processors controlled two-thirds of the market (Fink 2003, 12).¹¹ By 2005, the GAO reported that the top five companies cornered 50 percent of the business.¹² These factors all contributed to productivity improvements which nearly tripled from 1960 to 1987 (Behar 1992). In 1994,

Feedstuffs reported that broiler companies experienced higher returns because of the increased domestic demand and export markets (Brown 1994, 21). This restructuring had a positive effect on the profit margins, which increased fourteen-fold from 1980 to 1990 (Behar 1992).

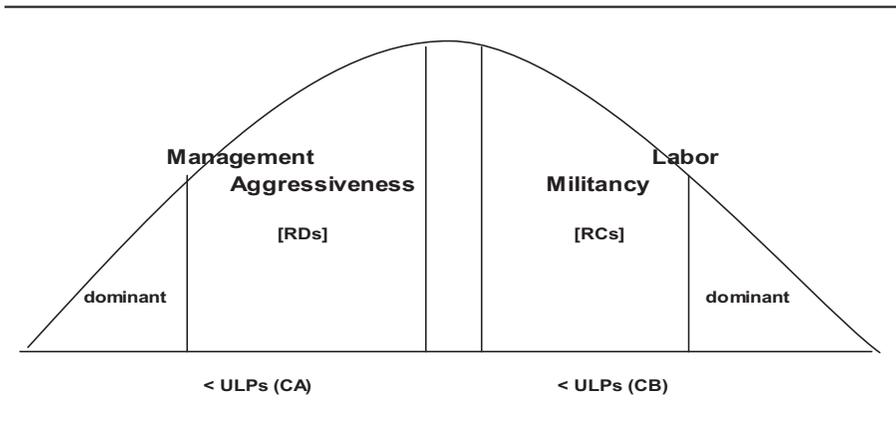
A growing political influence accompanied this restructuring. At the request of the meat industry, the Reagan administration altered the policy regarding the frequency of meat inspections conducted by the Food Safety Inspection Service of the Department of Agriculture and, as of 1984, allowed certain plants to increase their output up to 91 birds a minute (Hughes 1983).¹³ Poultry lobbyists were able to secure some loopholes in the 1986 tax reform. It was estimated that this would deprive the U.S. Treasury of \$1 billion over five years and provide about \$10 billion in tax breaks (Uehling 1986). Tyson benefited from about \$12 million in tax breaks for expansion projects during the Clinton governorship (McGraw and Simons 1994). Accusations of lobbying and corruption were also leveled against Tyson. Espy, Clinton's first Agriculture Secretary, was charged with receiving about \$34,000 worth of sports tickets and other favors from Tyson. He was acquitted by a Federal jury in 1998 following the four-year independent-prosecutor's investigation initiated by U.S. Attorney General Janet Reno. Tyson Foods pleaded guilty to making illegal gifts to Mr. Espy and agreed to pay \$6 million (a \$4 million fine and a \$2 million contribution to the investigation) (Lewis 1998).

Taylorism's arrival brought profit to the owners and distress to the labor force. With the productivity increases workers complained that their work conditions became increasingly difficult. Despite having few employment alternatives, employees became disgruntled and quit within a year (Behar 1992). Workers complained about the increased line speed and the decline of real salaries. Older injured workers sometimes were forced to quit, and 30 to 50 percent of the employees had some form of repetitive-motion disorder. The strikes and walkouts in the 1980s and early 1990s emphasized these conditions. Taylorism had led to a deterioration of working conditions, but it had led also to a geographic concentration of the work force. This facilitated union organizing. In short, the industrial restructuring simultaneously enriched companies, created objectionable working conditions, energized unions to respond, and provided the companies with both the reasons and the means with which to resist these labor actions. These circumstances led to the labor-management conflict that emerged during the 1980s and early 1990s.

Labor Regimes and Institutional Shifts in the Power of the Actors

I conceptualize the labor-management regime as an interactive relationship. Each party could be totally dominant or completely dominated. Between the two extremes lies a zone of struggle, where each party engages in either militant/aggressive or

Figure 2
Labor-Management Regimes



defensive actions (Figure 2). Management aggressiveness and labor militancy are initiated in response to exogenous and endogenous conditions. For management, exogenous conditions that would foster aggressiveness against workers could include a profit crisis, changes in the technology of production, or restructuring of the poultry industry. For workers, exogenous conditions include changes in the work conditions (increased speeds on the chicken line) or changes in the national union environment (a commitment of a union to increase representation or to unionize a plant). By endogenous conditions, I refer to management's defensive attempts to minimize or eliminate the actions of labor as guaranteed by the NLRB. Labor defensiveness includes complaints against the employer for violating NLRB guaranteed rights. These individual actions are clearly interactive. Defensive actions are animated by previous aggressiveness, etc. The outcome of struggle depends on the relative power of the two major actors.

The organizational capacities of both labor and management underwent changes during this period. Management was empowered by a number of laws and decisions emanating from the NLRB and the Supreme Court such as the above-described 1986 Harter Equipment Inc. decision. For industry, both economic reorganization and political influence empowered management and influenced the observed labor conflict.

Labor likewise was newly empowered. Even though unions were suffering a national decline, two factors contributed to the rise in southern labor activity. First, unions representing poultry workers had reorganized. Second, labor activity received significant input from the civil rights and community groups. The rise in labor-management conflict can be explained, in part, by the strengthened union structure that resulted from union mergers. In 1968, the Amalgamated Meat Cutters and Butcher Workmen merged with the United Packerhouse Workers of America (UPWA). In

1979, this union merged with the Retail Clerks to form the UFCW. Although some judged it less aggressive and more cautious, the 1979 merger established one of the first modern multijurisdictional megaunions. It had a “million-member-plus” organization and gave workers a unified voice in the food industry, from the packinghouse to the grocery store (UFCW 2006). The Retail, Wholesale, and Department Store Union (RWDSU) affiliated with UFCW in 1993. Then, in 1995, the UFCW and the Laborers’ International Union of North America (LIUNA) joined forces in the National Poultry Alliance. In 1995, LIUNA represented nearly 750,000 workers in the United States and Canada in food processing, maintenance, clerical, construction, environmental remediation, the public sector, and the postal service, and the UFCW represented more than one million workers in food processing, retail, and commercial industries (Brueggemann and Brown 2003; *PR Newswire* 1995; UFCW 2007).

These union mergers contributed to a rise in labor activity. The UFCW claimed a 10 percent growth in the southern region in the late 1980s—three to four points higher than their nationwide growth (Greer 1992). Following the formation of the UFCW, they engaged in a number of prominent labor struggles in meat processing (including pork and turkey). Particularly noteworthy were the struggles against the large meat processors who were withdrawing from the master agreements, agreements that created industry-wide benefit levels and wage rates (Brueggemann and Brown 2003; Fink 2003; Horowitz 1997; Stull and Broadway 2004). That strike against the Virginia turkey processor and the unionization of the Delta Catfish workers reflected the attention that the UFCW was giving to the South.

From 1985 to 1999, the UFCW was involved in an increasing percentage of all the NLRB elections held in four of the five states (Arkansas is the exception). There was an upward trend in the number of Unfair Labor Practice (ULP) complaints filed against employers by the UFCW after 1991. In fourteen of the fifteen years (1985–2000), they participated in at least 75 percent of the NLRB elections, and in eight years, they were involved in 100 percent of the elections (as either the winner or the loser). The UFCW, its affiliates, e.g., RWDSU, and LIUNA were key players responding to poultry management aggressiveness and defensiveness.

The second contribution came from civil rights and community activists. While whites’ national affiliation in private sector unions decreased by 9 percent from 1983–1991, the percentage of black affiliation held steady (Greer 1992). The growing receptivity to, and the active leadership of African Americans in the labor movement, along with the support from former civil rights notables, all invigorated labor activity. The literature on African Americans and southern unions documents, first, the historic antagonisms between the two, and subsequently, the role of organized labor in fostering the civil rights movement. The UPWA was the first union to join Martin Luther King Jr.’s drive for civil rights during the 1950s (Halpern and Horowitz 1996). In the postwar period, however, movement spillovers were in the other direction—from the civil rights to labor (Isaac and Christiansen 2002). The community-wide contribution to the labor movement is notable in numerous cases. When the UFCW

launched the largest strike by black workers in Mississippi, it drew attention from the Congressional Black Caucus and Rep. Bill Clay, D–St. Louis, who arrived at Indianola, Mississippi to hear the testimonies of Delta Pride’s striking workers. Similarly, Rev. Jessie Jackson, in his appearance following the Hamlet fire in 1991, compared the fire to the civil rights battle in Birmingham. And, in 1995 when the workers at the Perdue poultry plant in North Carolina filed for representation elections, they were joined by Congressman John Lewis, D–GA, an original civil rights activist and participant in Freedom Summer (*PR Newswire* 1995).

Both union reorganization and support from the successors (and survivors) of the civil rights movement contributed to southern union success. Associations, such as the National Poultry Workers’ Alliance, joined these elements. The 1995 Perdue organizing campaign in Lewiston, North Carolina, for example, represented the first cooperative effort of the two unions (UFCW and LIUNA) to share resources through the National Poultry Workers’ Alliance (Fink 2003, 109). The Alliance, headquartered in Lewiston, made plans to spearhead “Freedom Summer ’95”—a large and comprehensive organizing campaign. Describing the Alliance, Rev. Jackson said, “It’s what the real ‘New South’ and a new labor movement are all about” (*PR Newswire* 1995).

New Labor Struggle in Poultry

Management used traditional (although illegal) tactics such as firing union organizers and members, discouraging new unions, and encouraging the decertification of existing ones. As Chris Marston, a labor official in Mobile, Alabama reported, “It’s so easy to come up with workers now, because the economy is so bad. In many places, the strike is almost a management weapon. It gets rid of the so-called agitators and brings in the docile workers” (McCarthy 1980). In a similar case, one of the workers testified to a conversation in which the plant manager told him that he was “going to ‘starve’ the employees out to defeat the Union as they had done in a prior union campaign at another of Respondent’s plants” (NLRB 1993).

Management went on the offensive against employee resistance, bringing in anti-labor consulting firms, promoting lengthy election delays, and initiating elections of decertification (RD). Regarding his Arkansas plants and the absence of unions in twenty-one of the twenty-three plants, John Tyson said, “In 1984 we bought a plant in Dardanelle. . . . Last year [1991] 80 percent of the workers signed a petition to get rid of the union. They just didn’t want it.” In July 1992, a judge overturned that decertification election because the employee who led the drive was an “agent” of Tyson who “threatened” new hires into signing the petition (Behar 1992). Management also borrowed tactics from the meat business, such as closing unionized plants (sometimes with the aid of bankruptcy filings) and reopening new nonunionized ones, to abrogate master wage agreements. In 1983, even though the UFCW union accepted a forty-four-month wage freeze, Wilson Foods Corporation in Oklahoma City filed

for bankruptcy and abrogated its union contract. One worker recalled the shock of hearing that wages would be cut by 40 percent to \$6.50 an hour. This decision by Wilson—and an announcement by Greyhound Corporation the same year, that it planned to close and sell its twenty Armour Food Co. packing plants—followed the pattern: (1) selling, closing, or declaring bankruptcy, (2) eliminating the “master contract,” and then (3) dropping the compensation paid to nonunion or low-wage operators. In a similar move, Dubuque Packing Co. had sold three meat plants to a group of executives. Two weeks later the executives reopened the plants under the name FDL Foods Inc.—at pay rates of \$6.50 an hour instead of \$10.69 and without dozens of restrictive work rules (*Business Week* 1984).

An extreme and unusual case of management defense appeared in the 1986 report of the President’s Commission on Organized Crime. It concerned Frank Perdue, an East Coast poultry producer. He already had established contact with Paul Castellano, Sr. (a boss in the Gambino crime family) to market his poultry. He turned again to Castellano in 1980 when the UFCW tried to unionize his plant at Accomac, Virginia, and again in 1981 when the union planned to picket a Perdue restaurant in New York. Perdue was unsuccessful in both cases and, according to the 1986 President’s Commission Report, broke no law (*U.S. News & World Report* 1986). These examples depict a contested labor-management regime. Unions were more militant and management embarked on actions that were more aggressive.

Industry Crisis

Perhaps this labor-management struggle could have persisted in this manner—management aggressively transforming industry and labor militantly attempting to unionize and improve working conditions. The conflict, which began in times of industry growth and profit, became increasingly adverse for management in the middle 1990s. Smith reports that from 1995 to 2001, the industry had a rough time as companies “struggled with overproduction, low pricing and minimal to negative returns” (Smith 2002, 11). Poultry executives pointed to overproduction, particularly on the part of smaller producers that did not pull back to the same extent that the major producers did. This produced difficulty in pricing. From 1996 to 2002, the chicken industry had some of its first losses in the history of modern chicken with 1999 on being particularly bad.

There were several feasible responses to this crisis. Tyson’s business plan was to continue elevating its product mix to higher-quality, higher-value-added products, including convenient, prepared, refrigerated foods that consumers want and that return higher margins (such as boneless, breaded chicken). Further industry consolidation was a second option. Promoting additional pharmaceutical innovations would also help reduce the production costs and ameliorate the profit crisis. Cobb-Vantress, a Tyson company located in Siloam Springs, Arkansas, was conducting genetic research to decrease growing time and increase each bird’s breast meat (Cobb 2004).

A fourth option would be geographic relocation—for industries to capitalize on lower labor costs by moving operations offshore. Although two companies had already set up plants in Mexico,¹⁴ a number of factors impeded wholesale relocation. Cornelius (1993) attributes the slowness of fresh fruit and vegetable production to move offshore to the fact that they are both labor and capital intensive. He identifies hurdles such as the combination of higher interest and lower labor productivity in Mexico, in contrast to the U.S. advantages of superior cooling and handling facilities, and immediate access to U.S. transport system without border delays (Cornelius 1993, 490). These factors shed some light on why production intended for U.S. consumption might not have moved offshore.

Hiring Was Intentional and Proactive

A fifth option would be to reduce labor costs. However, Taylorism had put management and labor in conflict. If industry wanted to lower the wage bill, it would have to deal with labor resistance. Hiring immigrants was an alternative solution. As identified in the above-described indictment against Tyson (Operation Everest), hiring was not merely a passive welcoming of workers who presented themselves at the factory door looking for a job. The companies advertised on the radio in Mexico, distributed leaflets, showed videos, and hired immigrant smugglers (Barboza 2001a). Plants also sought workers through classified ads in *El Diario*, a newspaper published in Juarez, Mexico. These were placed by an employment agency based in Dallas that recruited about five hundred workers in Texas and Mexico for the Union City, Tennessee plant. Griffith found that plants expanded their recruitment and then built or utilized nearby trailer parks to house Hispanic workers (Griffith 1990, 166). Fink also describes the efforts of Case Farms to secure initial lodging for new workers in a trailer park and an old hotel revamped into apartments, to organize a van pool and distribute bicycles, and to provide private postal service to send money home to families (Fink 2003, 18).

That they willfully hired illegal immigrants is clear. However, was this to displace, replace, or supplement the native labor force? Evidence for the displacement argument comes from four sources: statements from the industry of why they preferred to hire Hispanics, complaints from African Americans that they unsuccessfully continued to seek these jobs, demographic evidence of the continued availability of workers in the area, and some indication of a wage reduction. Scholars have established the presence of an employer preference for immigrant workers in a variety of work environments (Kirschenman and Neckerman, cited in Waldinger 1997, 366). Poultry managers also expressed preference for immigrant workers. Native workers had high rates of absenteeism and turnover, while immigrant workers lacked access to alternative sources of employment or income, and had those human capital traits that employers desired such as a work ethic, readiness for work, discipline, and

adherence to work schedules. While reliability would rank highly on any employer's list of preferred worker traits, industry records reveal something else. In an internal memo made public during a Pennsylvania lawsuit, Tyson explicitly encouraged the hiring of Hispanics. Their lack of understanding of English and of their legal rights meant that they were less likely to take any action, legal or otherwise, against the company (Stein 2002).

Union and U.S. Government reports confirm that African Americans maintained active interest in these jobs. Cobb describes the judgment of Carney (a former poultry worker and Vietnam vet) who had helped organize three Mississippi plants in the early 1990s: two Sanderson Farms plants and one run by Peco Foods. After tough union certification drives and harassment by plant managers, things started to look up. The industry was booming and the union had won wage hikes and other benefits.

Then, the immigrants began arriving. . . . line-speeds increased and new jobs were filled by workers from Mexican towns The immigrants worked harder, faster, and never complained. Labor contractors brought in groups of immigrants and paid them separately from other workers, often deducting a cut for their "services." Seemingly overnight, immigrants became the majority on the line at Peco Foods and a significant part of the Sanderson Farms plant.

Labor contractors fired them after exactly ninety days so they would not be eligible under the union contract, only to rehire them the same day under a new name and Social Security number. He discovered that workers who complained about not receiving overtime were fired on the spot, but even after massive firings, the poultry plants were able to bring in new immigrant workers without missing production quotas (Cobb 2004, 6). Carney said he "fields calls daily from African American job seekers who claim to have been turned away from plants even as more immigrants are brought on." In another case, Tyson was found to have engaged in discriminatory hiring practices against qualified female and minority applicants who were denied entry-level jobs at its Forest, Mississippi plant from January 1, 1996 through June 30, 1997. The DOL mandated Tyson Foods to pay \$230,000 to settle the allegations of the African American women who filed the suit (*PR Newswire* 2000). The hiring objective was to minimize the power of labor.

This shift in the ethnic composition had negative consequences for working conditions and wages. Wages stagnated or dropped (although it is impossible to say what would have happened to wages without labor substitution). Perez and Dade (2007) describe a plant in Stillman, Georgia, where the percentage of African American workers was about 77 percent in 1996 and down to 14 percent by 2005, and "(W)ages stagnated at about \$6 an hour, just above the U.S. minimum wage of \$5.15." In response to an Immigration and Customs Enforcement (ICE)¹⁵ raid that hauled away 120 employees, two of which were arrested for running a false documentation mill, the company president said that they never "skewed their hiring toward any ethnic group" and did not know that there were so many undocumented.

Labor-Market Shifts: Neither Replacements nor Additions

Minimizing unions and hiring Hispanics were two aspects of a single, conscious strategy. I outlined three possible explanations for the ethnic substitution and made a case for the third. But can the first two hypotheses (immigrants take jobs disdained by native workers and they supplement the existing native labor force) be rejected? Beyond the industry, union, newspaper, and academic reports, is there alternative evidence? In this section, I address these questions using data from the U.S. Census and the NLRB.

The first hypothesis needs little elaboration. Because native labor finds (or historically has found) certain jobs undesirable, immigrant workers fill a labor vacuum. In the last decade, the dominant discourses of business and immigrant-advocacy groups have converged on this theme—"they take jobs that nobody wants." The claim—that recently arrived immigrants take poultry jobs traditionally disdained by native workers, filling a labor-market vacuum (Hypothesis 1, Figure 1)—misrepresents the historical reality. Despite the fact that employees, the Occupational Safety & Health Administration (OSHA), union organizers, and academic and journalistic muckrakers all describe poultry work as distasteful, stressful, and dangerous, African Americans had worked those jobs. The U.S. Census counted very few Hispanics in those southeastern states that now lead in poultry production. Those states were not traditional destinations for immigrants. Alabama had 1.1, .8, .6, and 1.7 percent of Hispanics in 1970,¹⁶ 1980,¹⁷ 1990,¹⁸ and 2000¹⁹ respectively. Industries located in these states had to have operated with a black and white labor force. Second, industry, union, academic, and newspaper reports make constant reference to the preponderance of the African American work force in poultry in the 1970s and 1980s (see Schwartzman 2007 for a detailed presentation and discussion of this evidence).

Employment Accompanies Rising Chicken Production

Perhaps something altered the balance between the demand and supply of labor. This gives rise to Hypothesis 2, namely, that immigrants were hired to supplement the existing labor supply. Below I discuss why the labor demand changed, and examine some of the factors that may have altered the labor supply in the 1990s. The data offer moderate grounds for rejecting the hypothesis. The qualitative data offer support for both sides; management professed a need, while unions and others disputed the claim. The quantitative data, albeit indirect and requiring more assumptions, fail to support the argument of a labor shortage.

U.S. chicken production has been on the rise since the 1930s. The increase in number of broilers produced between 1934 and 2000 was 24,000 percent! This growth is the result of many changes, notably the move of chicken processing out of an

informal and highly fragmented economy into the formal and regionally concentrated (and therefore measurable) one, and the enormous increase in demand.

Production followed the domestic demand. American per capita chicken consumption rose from an average of 23.52 pounds in 1960 to 89.6 pounds in 2000! Americans have consumed far less pork and beef over the years and far more chicken because of increased concerns regarding health, lower poultry prices, product innovations (e.g., Chicken McNuggets), and changes in the American lifestyle such as the popularity of fast foods and fast-food restaurants (Behar 1992). The shift to processed chicken is reflected in the fact that by 2000 nearly 90 percent of chicken volume was sold as pieces (Fink 2003, 12).

A rise in chicken production also accompanied the rise in the international consumption of U.S. chicken. Major changes in the international diet after the middle 1970s drove up U.S. production (Cobb 2004). In Japan, poultry consumption increased ten times between 1960 and 1980. In the 1990s, there was a 500 percent increase in U.S. poultry exports, with China and Russia being large consumers (White, Kilman, and Thurow 2004). Tyson also followed fast-food giants such as McDonalds and Kentucky Fried Chicken, and it identified several potential foreign markets—Brazil, Mexico, India, Eastern Europe, and China—as the best bets for growth.

Labor needs resulted from increased poultry production. “When Tyson food expanded into processed, branded chicken products in the late 1970s, the company developed an insatiable appetite for labor . . . Between 1980 and 1990, the company’s work force increased from 8,000 to 44,000” (Stein 2002). Nationally, the number of poultry workers increased between 1992 and 1997 (U.S. Economic Census 1997). Hetrick (1994) argues that the 96 percent increase in employment between 1972 and 1992 was a result of the increased demand for chicken. This demand was not met by investment in technology. Rather, it was met with increased low-wage labor. For a slightly different period, Horowitz (1994) reports that it is the second-fastest-growing factory job in America since 1980 and now [1994] has a work force of 221,000, roughly equal to that of steelworkers. Thus, it would seem reasonable to hypothesize that there was a rising unmet labor demand.

The ethnographic accounts give support to both sides of the argument, although attention to timing sorts that out somewhat. Reports from the 1980s attest to an adequate labor supply. In areas with limited employment options, poultry plants were the best-paying jobs (Applebome 1989). Management had confidence in an adequate labor supply. For example, in 1978 when workers organized a strike against a Mississippi plant, the company drew on a labor pool of friends and relatives of the picketers (McCarthy 1980). Even in 1991, some areas in the poultry belt seemed to have labor surpluses. Choctaw Maid Farms made a decision not to hire back those employees in the evisceration and cut-up department who had walked off the job in a labor dispute. The Personnel Manager told his assistant to hire more people and by 10:30 a.m. on Monday, Watts decided that he had enough people. Some were hired on that very Friday of the walkout and others were instructed to attend a mass orientation on

Saturday morning when the company hired eighty-two new people. Names mentioned in this NLRB decision show no evidence of a Latino presence (NLRB 1992). In the 1980s, additions to the Arkansas labor pool came from industry layoffs in metals, lumber and wood products, textiles, and stone and glass. Plants that were leaving the south also laid off workers. Alcoa, for example, was producing automotive wiring systems at plants in two Mississippi towns. In 1982, it moved its factory production to a new plant in Mexico (Dillon 2001).

In contrast, reports of labor shortages appear with more frequency in the early 1990s. Fink suggests employers faced a crucial labor shortage once the surplus labor of the depressed southern farming areas was exhausted and/or drawn to the booming Sunbelt by more favorable employment (Fink 2003, 14). Fink cites a Case Farms manager who reported that in the period 1988–1991 there was a struggle to find adequate labor. Employers argued that the insufficiency of native workers forced them to hire immigrants. Employers at Showell Farms (Maryland), the target of an INS raid in 1995, say that the local unemployment rate was low and it was difficult to hire U.S.-born workers (Constable 1995).

The immigration literature delineates a number of ways that native working-age populations become unavailable (Enchautegui 1998). First, geographic relocation in search of better opportunities reduces native availability. Second, same-place alternative employment weakens labor-force attachment. Welfare, income transfers, or informal-economy activities, including illegal ones, lower the unemployment rates. Fourth, the presence of immigrant labor could induce native labor (who remained in the area) to invest in human capital resulting in better jobs and elevated earnings (Reed 2001; Griffith 1990). These processes, which all merit serious consideration, would explain why employers needed additional workers.

One way to evaluate the supply argument would be to undertake case studies, tracing the path of native workers—“where did they go?” Methodologically, this would entail interviewing African Americans who left poultry work in the early 1990s. I approach the hypotheses indirectly using demographic data to appraise the plausibility of each of the native-labor depletion conjectures. The indirect logic involves answering several questions. Was there still an African American population in those counties when the shift to a Hispanic labor force was occurring? Did unemployment rates decrease over time? Did the informal economy reduce the level of poverty? Alternatively, could new investment in the South have created higher skilled and better-paying jobs? To answer these questions, I draw from U.S. Census data.

Did African American workers leave the area between 1990 and 2000? First, the percentage of the African American population in the poultry counties in 2000 was not different from that in 1990. At the state level, the African American population²⁰ grew faster than the total population. In Alabama, the African American population increase in poultry counties was 68,676, while the number of new poultry employees in the whole state increased by 144.²¹ The same conclusion can be drawn by comparing the bivariate correlations (at the Alabama county level) of percentage African

Table 3
State Unemployment and African American Rates

	1980 State	1981 African American	1990 State	1990 African American	2000 State	1998 African American
Alabama	8.4%	21.0%	6.3%	13.9%	4.1%	8.4%
United States	7.1%	15.6%	5.6%	11.4%	4.0%	8.9%

Note: State unemployment = twelve-month nonseasonally adjusted unemployment (U.S. Department of Labor BLS 2005) and African American rates = twelve-month unemployment rate for blacks aged sixteen and over. This series begins in 1981 and stops at 1998.

American population in 2000 (-.230) and the presence of poultry plants in 1997 with that bivariate for 1990 and 1992 (-.270) (Table 2). The two correlations are essentially the same. Depopulation, geographic mobility, or spatial mismatches can be rejected as explanations for the labor force replacement.

Physical presence, of course, is not a sufficient condition for labor-force attachment.²² The availability of labor is a demographic and social process. If workers were present but underage or otherwise occupied, employers would have been compelled to seek alternatives. Was there a drop in the unemployment rates? The state-level data (for all-races) indicate that unemployment declined from 1980 to 2000. In Alabama, the average unemployment rate in those counties with poultry plants dropped from 7.6 percent in 1990 to 5.1 in 2000. Although this downward trend holds for African Americans, their unemployment rates remained at about twice the state average²³ (Table 3).

Geographically present, unemployed, or underemployed are still not sufficient conditions to conclude that the native population was available for poultry work. Those workers “classified” as unemployed could have been active in an informal economy from which poultry typically drew workers. Griffith attributes the weak labor-force attachment to informal and small-scale domestic production such as fishing, gardening, baking, honey sales, furniture repair, income tax preparation, and palm reading (Griffith 1990, 162). Because the schedules for these activities sometimes conflicted with routine plant work, they contributed to absenteeism. Hiring immigrants was a way to compensate. While it is difficult to measure directly these alternative income streams, we might expect to find lower poverty levels in poultry counties with active informal economies.

This seems to be the case at the state and poultry-county levels (Table 4). The percentage of the population living below the poverty line dropped from 1990 to 2000. However, poverty data offer mixed support for the labor replacement hypothesis. First, the poverty rates in 2000 remain quite high. Second, for counties with a high percentage of African Americans, both the employment and poverty worsened. Between 1990 and 2000, the correlation with unemployment rose from .391 to .515, and with poverty, from .602 to .752. Poultry-counties had slightly reduced

Table 4
Alabama Poverty Rates

	% Living Below Poverty Line	
	1990	2000
Alabama—state total	24.7	19.3
Counties with poultry plants	22.2	16.2

unemployment in 2000, but slightly worsened poverty rates (–.133 and –.114 in 1987 and 1997 respectively).

Employers may have found it necessary to seek out new workers because of the skilling-up or upward mobility of the native population. Southern states have been receiving new investment and experiencing job growth. Alabama had more than two hundred foreign companies within its borders (Alabama 2007). From 1993 through 1998, Mercedes Benz (1993), Honda, Hyundai, Toyota, and Boeing (1997) were among industry investors, and by 2002, Alabama had gained about eighty-four thousand jobs. These would have provided job competition for the poultry industry. However, why then was there increased poverty in counties that had a majority African American population? Tomaskovic-Devy and Roscigno (1997) argue that greater employment in “core sectors” (durable manufacturing, transportation, utilities, wholesale trade, and construction) did not significantly reduce poverty in part because employers were seeking cheap, nonunion labor. In Alabama, new investment in the 1960s and 1970s was concentrated in white-majority counties. Schulman says companies refused to relocate in heavily black neighborhoods because they hoped to avoid racial conflict and evade affirmative action strictures, and they believed black workers were more likely to join unions (Schulman 1991, 161–79). Breckenfeld (1977) also reported that employers strategically avoided counties with African Americans because of their willingness to unionize. Thus, investment and new jobs may not have contributed to an African American labor shortage.

It is plausible that a tight labor market made immigrant-hiring necessary, but the evidence is mixed. The ethnographic reports and the U.S. Census data on (1) geographic presence, (2) unemployment, and (3) poverty could be used to accept or reject the hypothesis. Since the evidence is insufficient to reject unequivocally Hypothesis 2, we must accept the conservative conclusion that a labor shortage could have played a part.

The Changing Labor-Management Regime in Poultry

I examined the first two hypotheses using a combination of statistical data from official sources and qualitative data from a range of reports. I have also used the

qualitative reports to construct a chronology. First, southern poultry experienced a new labor struggle that resulted from two exogenous circumstances: Taylorism moving into the “hen house” and union reorganization. Second, these changes put workers in conflict with management. Third, the resolution to this struggle and an industry profit crisis was the use of illegal immigrant labor. Heeding the principle that good narratives benefit from data, I supplement the narrative with NLRB data. The NLRB issues public records of the labor-management conflicts that it oversees. The annual frequency counts provide an opportunity to estimate and characterize changes within the labor-management regime (as conceptualized above). I use the election and Unfair Labor Practice (ULP) data sets (from 1984 to 2000, containing 62,691 and 537,798 cases respectively).²⁴

Naturally, the number of NLRB elections in the poultry industry is small. Between 1983 and 2000, Alabama held twenty-two elections, an average of 1.29 per year. A certification of representative election (RC) follows a petition, normally filed by a union seeking to determine whether employees wish to be represented for collective-bargaining purposes by a specific labor organization. RC elections made up 85.7 percent of all poultry-sector elections in the five-state sample for the 1983–2000 period.²⁵ Over time, the lowest number of RC elections occurred in the 1995–2000 period.

ULPs allege conduct that interferes with the rights of workers or employers in the process of union organizing, collective bargaining, and the like, as guaranteed by the NLRA. The number filed reflects an overall level of labor and management activity.²⁶ ULPs scores speak more to the procedural aspects of the labor-management regime than to specifics of production. From 1984 to 2000, 92.76 percent of all ULPs filed in the five states were against employers. Lastly, a labor-management regime can be viewed from the perspective of labor’s successes. Here I look at the percentage of RC elections won by the unions and the percentage of ULP claims decided in favor of unions. Unions were successful in gaining representation in only 35.3 percent of all poultry elections in the five states.

The data on elections and ULPs can be used to plot changes overtime in the labor-management regime. Elections are subdivided into RCs, representing labor militancy, and RDs, representing management aggressiveness. ULPs are likewise subdivided. The ULPs filed by employees against an employer (CAs) allege that the employer committed an unfair labor practice in violation of the NLRA (section 8(a)(1–5)). They represent labor defensiveness. ULPs filed by employers against a labor organization (CBs) allege that a labor organization committed an unfair labor practice in violation of the NLRA (section 8(b)(1–3, 5, 6) and represent management defensiveness. The CAs made up an average of 88 percent of the ULPs filed in Alabama. For those filed by unions against employers (CAs), I have collapsed the three codes that catalog employers’ attempts to interfere with organizing (8(a)(1), 8(a)(2), and 8(a)(3)). The other CA violations allege discharging or discriminating against an employee for giving testimony under the Act (8(a)(4)), and employer refusal to bargain (8(a)(5)).

The three groupings denote slightly different management defensive strategies. The refusal to bargain (8(a)(5)), for example, can only follow a successful representation campaign. If unions are undermined, this NLRA article becomes moot.

ULPs, as an indicator of defensiveness, might seem to lack external validity. A drop in ULPs could signify a satisfactory compromise—employers feel no need to file grievances against unions, and unions have no reason to file against employers. Alternatively, the drop in ULPs could mean that employers had successfully undermined union strength, the very agent needed for ULP filing. This indicator uncertainty can be mitigated only by using multiple data sources.

Findings and Conclusion

The level of labor militancy in Alabama, as indicated by statewide public and private unionization rates, was on the decline from a high of 24 percent in 1979. This slow decline, albeit with substantial activity and surges in the 1992–1995 period, ended with a unionization rate of 11 percent. For the poultry sector, labor’s militancy appears to have increased (calling for more RC elections), but its electoral success did not. The single decertification (RD) election was held in the last period. Victories in RCs, which had reached a high of 55.6 percent in the 1990–1994 period, dropped to 22 percent in the 1995–2000 period (Table 5).

Labor’s defensiveness also dropped. Over 85 percent of all the poultry-related ULPs in Alabama were filed by unions. However, the actual number of CAs filed dropped dramatically over time (from sixty-one to twenty-four). This drop is reflected in the case codes of the CAs. The average number of 8(a)(1-3)s (alleged violations regarding union participation) dropped from 20.3 to 7.2 in the latter period. The numbers of alleged violations for harassing a witness 8(a)4 or refusing to bargain 8(a)5 were more or less stable. As suggested above, the significance of this downward trend is ambiguous—either labor is very strong and there was no need to file, or labor is so weakened that filing became futile. These are opposite ends of the labor-regime continuum and cannot both be true. The “weakness” interpretation gains credence when combined with the two other trends of (1) less union representation, and (2) fewer ULPs decided for unions.

Labor’s defensiveness was likely blunted by its lack of success in ULP hearings. The percentage of pro-union decisions dropped from 34.8 percent to 17.9 in the 1995–2000 period. Even that latter percentage may give an optimistic reading of labor success. To underscore the decline, I created a “CA-win weighted score” (percentage decided for the union weighted by the actual number of CAs). The score, with a maximum of eighteen (if all ULPs in any given year were CAs and decided in favor of the union), drops drastically from the first period to the end (Table 5). Annual counts reached a high of seven in 1984 and a low of zero in 2000.

Table 5
Components of Alabama's Labor-Management Regime in Poultry

	1984–1989	1990–1994	1995–2000
Labor-Management Activity			
Number of elections	4	9	9
Number of ULPs	69	60	28
Labor Militancy			
% unionization (state)	15	13.8	11
Number of RC elections	4	9	8
% RC elections	100	100	88.9
% RC wins/all	50	55.6	22.2
Labor Defensiveness			
Number of ULPs [CA]	61	54	24
% ULPs [CA]	88.4	90	85.7
% CA wins	34.8	23.3	17.9
CA wins weighted	4.6	2.9	0.8
Average number 8(a)(1-3)/year	20.3	20.6	7.2
Management Aggressiveness			
Number of RD elections	0	0	1
Management Defensiveness			
Number of ULPs [CB]	7	6	4

Note: ULPs = unfair labor practice; RC = certification of representative election; CA = ULPs filed by unions against employers; CB = ULPs filed by employers against a labor organization.

The small number of elections and ULPs (poultry in Alabama) does not allow for generalizations. Conservatively put, however, three things stand out. First, labor was more successfully militant in the middle period. Second, despite maintaining that level of militancy after 1995, its success rate declined. By the 1995–2000 period, labor had lower rates of defensive actions and less success with those actions. Third, although management did not undertake many NLRB procedures (only one RD in the last period) it was the beneficiary of the failed union actions in the later period. What accounted for elevated activity in the middle period? What accounted for the declines and losses after 1995? The answers, which cannot be derived from the data, can be gleaned from the narratives described above. The final period coincides with the ascendancy of immigrant labor. It was also the time of union and DOL complaints from African American workers who were denied positions in the industry.

In the case spotlighted here, the causal ordering between immigrant labor and native labor was the reverse of the convention wisdom (Hypothesis 1). African Americans had worked those jobs. They also continued to live in the counties and had relatively high rates of unemployment and poverty (Hypothesis 2). I used a theoretical schema to interpret a combination of qualitative and quantitative data. This

theoretically informed analysis led me to allege the weakness of Hypotheses 1 and 2 and advance the third—substituting an immigrant labor force was an intentional strategy of management in the face of labor conflict (Hypothesis 3). The debate on immigration must look beyond lettuce workers. As immigrants move beyond the traditional gateway states and the traditional agricultural occupations, one must ask if these were really jobs that “nobody wants.” It is mandatory to put the “labor” back into an understanding of the role of immigration and U.S. labor.

Notes

1. Labels applied to the immigrant population are social constructs and emerge from the current political debate. While pro-immigrant groups prefer terms such as “entrants” or “undocumented” and anti-immigrant groups favor the term “illegal,” the branches of the U.S. Government use various labels. These include “unauthorized noncitizen workforce” and “unauthorized noncitizens resided illegally.” Since the debate is principally over illegal immigrants, I use the term “illegal” or “immigrants” as the short forms of those definitions offered by the U.S. Government. In a similar fashion, many sources, including the U.S. Government, use “black” and “African American” interchangeably. Quotes and paraphrases contain terms found in the original sources.

2. The five states (Alabama, Arkansas, Georgia, Mississippi, and North Carolina) have a concentration of poultry processing plants—35 percent of the enterprises, 52.34 percent of the paid employees, and 49.14 percent of the value of U.S. shipments. Most of the excluded states had only a few plants but important exceptions include Minnesota, Pennsylvania, California, and Missouri. Although Missouri captured 6.24 percent of national sales in 1997 in contrast to Mississippi’s 5.25 percent, Mississippi had one more plant, a larger payroll, and 3,737 more employees (see Table 1) (U.S. Economic Census 1997).

3. The connection between growth of the Hispanic population and presence of poultry plants, observed at the state level, can even be seen at the county level. For the 483 counties of the five states, there is a positive association (a bivariate correlation of .385, significant at the .01 level between the presence of Hispanics in 2000 and of poultry firms in 1997 versus .163 in 1990). The maximum number of plants for any county is ten (Hall County, Georgia), which also recorded a high 19.6 percent Hispanic (U.S. Census Bureau 2000). These are in contrast to the two correlations for percentage African American, which were weaker and remained about the same between the two periods. While statistically significant, these correlations measure Hispanic presence at the county level, not the firm level, and second, the U.S. Census estimates that it undercounts illegal immigrants by about ten percent.

4. The NLRB is the Federal agency that administers the National Labor Relations Act by conducting elections to determine whether or not employees want union representation, and investigating and remedying unfair labor practices by employers and unions (NLRB 2007).

5. Not all the immigrants from Mexico speak Spanish. In a Tennessee court case of child neglect, the Judge ordered the immigrant mother before him to “learn English”. The journalist noted that in Lebanon,

a city 20 miles east of Nashville with a population just over 20,000, it was once rare to hear a foreign . . . language. Now Lebanon has become home to more than 1,200 foreign-born agricultural and manufacturing workers, including about 400 whose primary language is Mixteco, a language indigenous to Mexico. (Barry 2005)

6. For Tax Year 2003 (calendar year 2004), the SSA sent out about one hundred and thirty thousand letters to employers and 7.5 million letters to employees. The five states had seven firms in the top one hundred in 1993.

7. These are approximations. First, the census count of percentage with Hispanic origin and percentage Latino (as defined by the 1990 and 2000 Censuses respectively) do not include illegal immigrants. Second, the correlations are based on county statistics and workers are certainly free to cross county lines to work.

8. Numbers vary depending on the base: some include public and private and most exclude agriculture. Because Dickens and Leonard use nonagriculture and nonconstruction private wage and salary workers, they have a slightly higher value of 39.2 percent in 1954.

9. This NLRB decision “ratified” the 1981 actions of the Reagan administration. Following the Professional Air Traffic Controllers Organization’s (PATCO) illegal walkout and refusal to obey Reagan’s back-to-work order, the 11,400 striking air traffic controllers were denied re-employment, their union was decertified (1982), strikers were barred from work in other branches of the federal government, and permanent replacement workers were hired.

10. Tyson, in 2007, reported that it had contracts with 6,500 growers. Independent “growers” receive chicks (usually after twenty days), feed, and the technical assistance from Tyson. The grower provides the facility, the labor, and utilities. The contract guarantees a consistent price regardless of what feed or grocery markets are doing (see Stull and Broadway 2004, 43–9 for description).

11. The meat industry was undergoing a similar contraction. By 1979 the shakeout was peaking, smaller firms were being absorbed by agribusiness. Some agribusinesses (e.g., ConAgra) were involved with both meat and poultry.

12. Tyson even expanded offshore by entering into a partnership with Trasgo, a Mexico-based poultry company in 1989.

13. During the Carter administration, allowable inspection speeds had risen from forty-five to seventy birds per minute.

14. Pilgrim’s Pride entered Mexico in 1988 (UNA 2003).

15. U.S. Citizenship and Immigration Services are no longer handled by the INS, Department of Justice. Following the creation of the Homeland Security Act of 2002, these government functions were assigned to ICE, part of U.S. Department of Homeland Security.

16. 1970 data based on 5 percent sample of households taken by U.S. Bureau of the Census. (U.S. Census Bureau 1970). This was the first census to include a separate question especially on “Spanish” origin. The short form did not ask about citizenship.

17. 1980 data from U.S. Census Bureau, 1981. Since 1980, this question has appeared on all of the short forms. See <http://ask.census.gov/cgibin/askcensus.cfg/php/>.

18. 1990 data from U.S. Census Bureau, 1991.

19. 2000 data from U.S. Census Bureau, 2001, 28.

20. In the 2000 U.S. Census, respondents could identify themselves as “Black or African American alone,” or “Black or African American in combination with one or more races.” This raises the question of comparability with the 1990 census, which did not present the second option. For 2000, I use the Census total (“Black or African American in combination with one or more races”). In Alabama, this is 1.13 percent higher than “Black or African American alone.”

21. There is not perfect compatibility between the 1992 Standard Industrial Classification (SIC) industrial code and the 1997 North American Industry Classification System (NAICS) code. The U.S. Census estimates that for this industrial category, the overlap is around 97 percent.

22. It is impossible, with county-level data, to sort out the willingly unemployed and voluntarily idle from the upwardly mobile or the displaced. Further, county-level data also have an obvious drawback—workers can cross county lines.

23. And, as with all Current Population Survey (CPS) unemployment rates, they may be higher if one adds to the unemployed (those who had no employment during the reference week, were available for work, except for temporary illness, and had made specific efforts to find employment sometime during the four-week period) the “marginal attached workers,” including the “discouraged workers,” welfare recipients, and those who were “part time for some economic reason.” For the United States as a whole,

that augmented rate in 2000 was estimated at 7.0 percent compared to an official unemployment rate of 4.0 percent.

24. Data provided by Food and Allied Service Trades (FAST).

25. The major difference is made up by RD elections. These elections follow a petition which can be filed by an employee, groups of employees, or any individual acting on their behalf, seeking to determine whether the current union should continue to act as a bargaining representative of employees.

26. I take this number as an approximation of labor activity because of the following cautionary note. When a union files a claim, it may choose to embed multiple violations in one claim, file them separately, or amend it later. Different forms of filing may reflect different union strategies or simply different book-keeping procedures. I use the “date filed” (rather than date resolved) as the date of labor activity because the NLRA requires that allegations of unfair labor practice violations be filed and served within six months of the occurrence, while resolution may take years. Because the FAST data set does not provide an industry code for ULPs, I selected out companies with names known to be associated with poultry processing. The FAST data set is missing some company names. In the later years, many of those cases were CBs filed against the union. For example, UFCW Local 204 (North Carolina) was listed in the “company name” column against which a ULP was filed (docket #01552 filed on May 13, 1987). Thus, my coding of poultry companies may have led to an undercount of ULPs. At the same time, overcounts may have resulted from multiple filings that the NLRB later consolidated into one.

References

- Alabama. 2007. *International Investment & Trade*. http://www.ado.state.al.us/Alabama%20Profile.htm#_INTERNATIONAL.
- Aponte, Robert. 1996. Urban employment and the mismatch dilemma: Accounting for the immigration exception. *Social Problems* 43 (3): 268–83.
- Applebome, Peter. 1989. Worker injuries rise in poultry industry as business booms. *New York Times*. November 6.
- Barboza, David. 2001a. Meatpackers’ profits hinge on pool of immigrant labor. *New York Times*. December 21.
- . 2001b. Tyson foods indicted in plan to smuggle illegal workers. *New York Times*. December 20.
- Barry, Ellen. 2005. Learn English, judge tells moms. *Los Angeles Times*. February 14.
- Bean, Frank D., and Gillian Stevens. 2003. *America’s newcomers and the dynamics of diversity*. New York: Russell Sage Foundation.
- Behar, Richard. 1992. Arkansas pecking order. *Time*, October 26. <http://www.time.com/time/magazine/article/0,9171,976831,00.html>
- Berg, Ivan, and Arne L. Kallenberg, eds. 2001. *Sourcebook of labor markets: Evolving structures and processes*. New York: Kluwer Academic.
- Breckenfeld, Gurney. 1977. Business loves the Sunbelt and vice versa. *Fortune*, June.
- Brown, Robert H. 1994. Broiler companies show increasing returns. *Feedstuffs*. December 21.
- Brueggemann, John, and Cliff Brown. 2003. The decline of industrial unionism in the meatpacking industry: event-structured analyses of labor unrest, 1946–1987. *Work and Occupations* 30 (3): 327–60.
- Business Week*. 1984. Hormel: Trying to trim the industry’s fattest wages to keep making money in meat. September 10.
- Cobb, Russell. 2004. The chicken hangers. *INTHEFRAY Magazine*. February 2. <http://inthe fray.com/html/article.php?sid=208&mode=thread&order=0> (accessed April 19, 2004).
- Constable, Pamela. 1995. Poultry plant workers face deportation—27 Latinos arrested in raid by immigration officials. *Washington Post*. July 23.
- Cornelius, Wayne. 1993. The uncertain connection: Free trade and rural Mexican migration to the United States. *International Migration Review* xxvii:484–512.

- Dickens, William T., and Jonathan S. Leonard. 1985. Accounting for the decline of union membership, 1950-1980. *Industrial and Labor Relations Review* 38 (3): 323-34.
- Dillon, Sam. 2001. Profits raise pressure on U.S.-owned factories in Mexican border zone. *New York Times*. February 15.
- Enchautegui, Maria E. 1998. Low-skilled immigrants and the changing American labor market. *Population and Development Review* 24 (4): 811-24.
- Food and Allied Service Trades (FAST) Department AFL-CIO. <http://www.fastaflcio.org/> (in 2007 changed to <http://www.fastraa.com/>).
- Fink, Leon. 2003. *The Maya of Morganton*. Chapel Hill: University of North Carolina Press.
- Gallup Organization. 2006. *Gallup Poll*. June 8-25. <http://www.pollingreport.com/immigration.htm>.
- Gilliam, Dorothy. 1986. Unions and minorities. *Washington Post*. October 20.
- Goldfield, Michael. 1987. *The decline of organized labor in the United States*. Chicago: The University of Chicago Press.
- . 1995. Was there a golden age of the CIO? In *Trade Union politics*, ed. Glenn Perusek and Kent Worcester. New Jersey: Humanities Press.
- Greenhouse, Steven. 2005. Union organizers at poultry plants in south find newly sympathetic ears. *New York Times*. September 6.
- Greer, Richard. 1992. Labor in the South 58 years after a bitter strike sapped their power. *Atlanta Constitution*. September 7. LexisNexis (accessed March 6, 2004).
- Griffith, David. 1990. Consequences of immigration reform for low-wage workers in the southeastern U.S.: The case of the poultry industry. *Urban Anthropology* 19 (1-2): 155-84.
- Guthey, Greig. 2001. Mexican places in southern spaces: Globalization: Work and daily life in and around the north Georgia poultry industry. In *Latino Workers in the contemporary South*, ed. Arthur D. Murphy, Colleen Blanchard, and Jennifer A. Hill. Athens: University of Georgia Press.
- Halpern, Rick, and Roger Horowitz. 1996. *An oral history of black packinghouse workers and their struggle for racial and economic equality*. New York: Monthly Review Press.
- Hamilton, Martha. 1980. AFL-CIO Union plans boycott against Perdue. *Washington Post*, November 18.
- Hetrick, Ron L. 1994. Why did employment expand in poultry processing plants? *Monthly Labor Review* 117 (6): 31-5.
- Hetzer, Michael. 1989. Labor lays an egg. *Business North Carolina* 9 (3).
- Hirsch, Barry T., David A. Macpherson, and Wayne G. Vroman. 2001. Estimates of union density by state. *Monthly Labor Review* 124 (7): 51-5.
- Horowitz, Tony. 1994. Nine to nowhere. *Wall Street Journal*. December 1.
- Horowitz, Roger. 1997. *Negro and white, united and fight*. Urbana: University of Illinois.
- Hughes, Kathleen A. 1983. Inspected meat. *New York Times*. March 2.
- Isaac, Larry, and Lars Christiansen. 2002. How the civil rights movement revitalized labor militancy. *American Sociological Review* 67 (October): 722-46.
- Lewis, Neil A. 1998. Espy is acquitted on gifts received while in Cabinet. *New York Times*. December 3.
- Massey, D. S., J. Durand, and N. J. Malone. 2002. *Beyond smoke and mirrors: Mexican immigration in an era of economic integration*. New York: Russell Sage Foundation.
- McCarthy, Colman. 1980. Striking a blow for unions in the South. *Washington Post*. May 18.
- McGraw, Dan, and John Simons. 1994. The birdman of Arkansas: Don Tyson revolutionized the nation's chicken business; now he's hatching a global food empire. *U.S. News & World Report*. July 18.
- NLRB. 1992. Choctaw Maid Farms, Indiana and Retail, Wholesale and Department Store Union, AFL-CIO. Cases 15-CA-11462 and 15-CA-11551. August 31. Decision and Order. By members Devaney, Oviatt, and Raudabaugh.
- NLRB. 1993. Marshall Durbin Poultry Company and United Food and Commercial Workers International Union, AFL-CIO and Billy Johnson. January 11. Decision and Order. 310 NLRB NO. 14, P 71.
- NLRB. 2007. <http://www.nlr.gov/>.
- New York Times*. 1981. ConAgra positioning for future. January 31.

- Perez, Evan, and Corey Dade. 2007. An immigration raid aids Blacks for a time. *Wall Street Journal*. January 17.
- Perusek, Glenn, and Kent Worcester, eds. *Trade Union politics*. New Jersey: Humanities Press.
- Perl, Peter. 1984. AFL-CIO calls for a boycott of Marval turkeys; company is hit by six-week strike. *Washington Post*. July 13.
- PR Newswire. 1995. LIUNA: National Poultry Workers' alliance proves its strength in North Carolina. June 29.
- . 2000. United States Department of labor: Tyson foods will pay \$230,000 to settle pay discrimination allegations at Mississippi plant. February 29.
- Reed, Deborah. 2001. Immigration and males' earnings inequality in the regions of the United States. *Demography* 38 (3): 366–73.
- Rosenbloom, Joseph. 2003. Victims in the heartland. *The American Prospect, Inc.* July–August. http://www.prospect.org/cs/articles?article=victims_in_the_heartland.
- Schulman, Bruce J. 1991. *From Cottonbelt to Sunbelt*. New York: Oxford University Press.
- Schwartzman, Kathleen C. 2007. Lettuce, segmented labor markets, and the immigration discourse. *Journal of Black Studies*. April 19. <http://jbs.sagepub.com/cgi/rapidpdf/0021934706297009v1>.
- Serrin, William. 1986. Industries, in shift, aren't letting strikes stop them. *New York Times*. September 30.
- Smith, Rod. 2002. Demand grows as industry follows consumer lifestyles. *Feedstuffs* 74 (i5): 11–12.
- Smith, Sandra Susan. 2005. "Don't put my name on it": Social capital activation and job-finding assistance among the black urban poor. *American Journal of Sociology* 111 (1): 1–57.
- Stein, Nicholas. 2002. Tyson son of a chicken man. *Fortune*. May 13. <http://www.fortune.com/fortune/articles/0,15114,367405,00.html>.
- Stone, Katherine Van Weizel. 1992. The legacy of industrial pluralism: The tension between individual employment rights and the new deal collective bargaining system. *University of Chicago Law Review* 59:575–644.
- Striffler, Steve. 2002. Inside a poultry processing plant: An ethnographic portrait. *Labor History* 43 (3): 305–13.
- Stull, Donald D., and Michael J. Broadway. 2004. *Slaughterhouse blues: The meat and poultry industry in North America*. Belmont, CA: Thomson, Wadsworth.
- Swoboda, Frank. 1990. Labor's love lost at Holly Farms; N.C. chicken producer embroiled in dispute with Teamsters. *Washington Post*. May 3.
- Tomaskovic-Devey, David, and Vincent Roscigno. 1997. Uneven development and local inequality in the U.S. South: The role of outside investment, landed elites, and racial dynamics. *Sociological Forum* 12 (4): 565–97.
- Uehling, Mark D., with Rich Thomas. 1986. Tax reform: Congress hatches some loopholes. *Newsweek*. September 29.
- UNA 2003. Noticias: Al Alza, la Produccion de Carne de Pollo Mexicano. October 6. <http://www.una.org.mx>.
- United Food and Commercial Workers. UFCW. 2006. http://www.ufcw.org/about_ufcw/.
- . 2007. http://www.ufcw.org/about_ufcw/.
- U.S. Census Bureau. 1970. *Census of population: Subject reports*.
- . 1981. *Statistical abstract of the United States. 1981*. Washington D.C.
- . 1991. *Statistical abstract of the United States. 1991*. Washington D.C.
- . 1997. *Economic census*. Washington, D.C. <http://www.census.gov/epcd/ec97/industry/E311615.HTM#T4>
- . 2000. <http://factfinder.census.gov/servlet/>
- . 2001. *Statistical abstract of the United States. 2001*. Washington D.C. <http://www.census.gov/prod/ec02/ec0231i311615.pdf>.
- U.S. Department of Agriculture (USDA). 2002. *U.S. broiler industry structure released*. National Agricultural Statistics Service (NASS). November 27. Agricultural Statistics Board, Washington, D.C.

- U.S. Department of Labor (DOL). 2002. News release. Labor Department files suit against Tyson foods. May 9. <http://www.dol.gov/opa/media/press/opa/OPA2002287.htm>.
- U.S. Department of Labor Bureau of Labor Statistics. 2005. <http://data.bls.gov/map/servlet/map.servlet.MapToolServlet?survey=la&map=county&seasonal=u>.
- U.S. Government Accountability Office (GAO). 2005. Workplace safety and health. Safety in the meat and poultry industry, while improving, could be further strengthened. <http://www.gao.gov/news.items/d0596.pdf>.
- U.S. News & World Report*. 1986. Frank Perdue: Chatting up a mob boss. March 17.
- U.S. Social Security Administration Office of the Inspector General. 1999. Patterns of reporting errors and irregularities by 100 employers with the most suspended wage items. <http://www.ssa.gov/oig/ADOBEPDF/auditpdf/98-31009.pdf>.
- . 2003. Follow-up review of employers with the most suspended wage items. <http://www.ssa.gov/oig/ADOBEPDF/A030313026.pdf>.
- Waldinger, Roger. 1997. Black/immigrant competition re-assessed: New evidence from Los Angeles. *Sociological Perspectives* 40 (3): 365–86.
- Weiler, Paul. 1993. One strike and you're out? Creating an efficient permanent replacement doctrine. *Harvard Law Review* 106 (3): 669–86.
- White, Gregory L., Scott Kilman, and Sprin Thurow. 2004. The farms race: Chicken fight. *Wall Street Journal*. December 15.

Kathleen C. Schwartzman is an associate professor of sociology and is interested in the connections between labor, immigration, and international trade.