
Trade union strategy in fashion retail in Italy and the USA: Converging divergence between institutions and mobilization?

Stefano Gasparri

University of the West of England, Bristol, UK

Peter Ikeler

State University of New York at Old Westbury, USA

Giovanna Fullin

University of Milan-Bicocca, Italy

European Journal of

Industrial Relations

2019, Vol. 25(4) 345–361

© The Author(s) 2018

Article reuse guidelines:

sagepub.com/journals-permissions

DOI: 10.1177/0959680118817681

journals.sagepub.com/home/ejd



Abstract

We investigate trade union strategies in fashion retail, a sector with endemic low wages, precarity and a representation gap. Unions in Milan organized ‘zero-hours contract’ workers, while their counterparts in New York established an alternative channel of representation, the Retail Action Project. We argue, first, that the dynamics of both cases are counterintuitive, displaying institution-building in the USA and grassroots mobilization in Italy; second, union identity stands out as a key revitalizing factor, since only those unions with a broad working-class orientation could provide an effective representation for fashion retail workers.

Keywords

Fashion retail, flexible work, industrial relations institutions, union identity, union revitalization, worker centres, zero-hours contracts

Introduction

Retail is one of the largest low-wage industries in OECD countries. It employs large numbers of historically marginalized groups such as women, youth and immigrants

Corresponding author:

Stefano Gasparri, University of the West of England, Bristol, Bristol BS16 1QY, UK.

Email: stefano.gasparri@uwe.ac.uk

(Grugulis and Bozkurt, 2011; Ikeler, 2011, 2016) and exhibits a low-road pattern in which union density is low (Carré et al., 2010; Coulter, 2014). Can union weakness be remedied? Some focus on industrial relations institutions and emphasize cross-country differences in union experience (Doellgast et al., 2018; Frege and Kelly, 2004; Murray, 2017); others frame these challenges within a larger neoliberal trend and highlight the need for grassroots mobilization (Clawson, 2003; Ibsen and Tapia, 2017; Turner, 2009; Voss and Sherman, 2000). Our argument builds upon these two perspectives and on the ‘converging divergences’ thesis (Katz and Darbishire, 2000; Locke, 1995): revitalization pathways are shaped by institutional contexts but move towards similar holistic approaches (Heery, 2001).

We examine processes and outcomes of two recent union campaigns in the fashion retail sector, one in Milan, the other in New York City (NYC), both directed at similar global retailers: Abercrombie & Fitch (A&F) in both countries and Zara in the USA. Italy and the USA are contrasting institutional contexts: Italian unions can rely on a relatively inclusive framework to coordinate employment regulation with employers and the state (Baccaro et al., 2003a; Regalia, 2012), while weak institutional support in the USA creates the need for social movement unionism to overcome outsider status and bring employers to the table (Baccaro et al., 2003b; Ibsen and Tapia, 2017).

Our research illustrates how and why retail unions have been able to achieve better conditions for highly precarious workers in such different contexts, by organizing ‘zero-hours contract’ workers in Milan and by establishing an innovative institution, the Retail Action Project, in NYC. In both cases, beyond the expected role played by industrial relations institutions in setting opportunities and constraints for trade union action, we recognize union identity (Hyman, 2001) and, specifically, a renewed sense of class orientation (Umney, 2018), as key revitalizing factors enabling some unions to represent fashion retail workers effectively. This advances the understanding of the ambiguous nature of unions as social agents between institutions and movements: union revitalization can pass through unexpected and counterintuitive stages.

Union strategies for revitalization

The revitalization literature rehabilitates unions as proactive agents capable of reversing declines in membership and power. Since the study edited by Frege and Kelly (2004), research has explored the relationship between union strategies and industrial relations institutions, mainly focusing on structural factors rather than internal dynamics such as union framing processes. Strategies are thus shaped by the ‘degree and type of institutional embeddedness’, with institutionally weak unions induced to raise their political power through rank-and-file activism, and institutionally strong ones relying on collective bargaining or codetermination (Baccaro et al., 2003b: 128–129). This approach involves two problems, however. First, the concept of union strategy has been overstretched to allow cross-national comparisons and to avoid academic ethnocentrism (Hyman, 2004). Second, unions often develop multiple and contradictory strategies, from moderation to militancy (Dundon and Dobbins, 2015) or from partnership to organizing (Heery, 2002), in part reflecting the tension between the logics of influence and of membership (Offe and Wessenthal, 1980).

We may identify three broad approaches to analysis of union strategies. The first, the ‘varieties of unionism’ thesis (Frege and Kelly, 2004; Murray, 2017), has strong parallels with the ‘varieties of capitalism’ perspective (VoC) (Hall and Soskice, 2001), investigating the strategies which offer the ‘best fit’ with national institutional contexts. This results in a distinction ‘between labor movements that focus revitalization efforts on *mobilization*, and those that focus on *institutional position*’ (Frege and Kelly, 2004: 6–7); cross-class coalitions are likely to emerge in coordinated but not in liberal market economies. This indicates an analogous underlying logic with VoC – similar institutional conditions favour similar strategic responses – and an analogous weakness, that institutions obstruct change and agency (Mahoney and Thelen, 2010). Such framework resonates in a recent and exhaustive research project on union strategies by Doellgast et al. (2018), whose analysis moves from two ideal-typical sets of conditions linking inclusive as against fragmented institutions and inclusive as against exclusive actors with the virtuous or vicious circles of low or high precarity.

The second approach identifies a convergence in international union strategies towards ‘social movement unionism’ in reaction to the erosion of industrial relations institutions under neoliberalism (Baccaro and Howell, 2011). This approach originated where market fundamentalism and employer hegemony were manifest, as in the USA (Clawson, 2003; Milkman, 2013; Voss and Sherman, 2000) and was imitated even where unions hold an insider position, as in Germany (Turner, 2009). Studies of Central and Eastern Europe also identify growing recourse to mobilization (Bernaciak and Kahancová, 2017) after decades of union passivity and EU-driven ‘illusory corporatism’ (Ost, 2011). The key lesson is that industrial relations institutions can only be revitalized if unions rediscover their movement side, including ‘aggressive’ organizing within a broader strategy of democratic participation (Dörre et al., 2009; Ibsen and Tapia, 2017).

A third approach integrates the two previous perspectives and affirms that revitalized unions act as institutions *and* as movements, even where constraints favour only one of these. There are parallels with the ‘converging divergences’ thesis, which identifies growing employment similarities within sectors across countries, alongside growing diversity among sectors within countries (Bechter et al., 2012; Katz and Darbishire, 2000; Locke, 1995). Heery (2001) makes a similar point, arguing that US labour ‘is handicapped by a weak institutional inheritance and needs not just to reverse the decline but to create new institutions, including new forms of unionism’, whereas in Europe, though the ‘institutional inheritance is stronger... labor is in decline and has shown little of the dynamism and sense of movement that characterizes the ‘new’ American labor movement’ (p. 307, 317). This ‘learning from each other’ may seem contradictory: Heery is suggesting unions add what they typically lack, but is in fact consistent with the dual nature of unions as both institutions and movements.

Beyond these three directions, much revitalization scholarship proceeds from an implicit view that union goals amount to a generic search for power. Organizing, for instance, is often seen as ‘simply a toolbox of tactics’ rather than ‘an end vision of... renewal’ (Simms and Holgate, 2010: 165–166). Two contributions buck this trend and stand out for their theoretical depth. One, known as ‘constructivist neo-institutionalism’, insists that institutions and ideas are mutually constitutive (Morgan and Hauptmeier, 2014) and considers union identity as principled beliefs providing a framework to

understand the world and act accordingly (Hauptmeier and Heery, 2014: 2477). The other is the 'essence of trade unions' framework (Hodder and Edwards, 2015: 5), which posits multiple levels consisting of 'identity' at the top, followed by 'ideology', 'purpose', 'strategy' and 'action/outcomes'. In both cases, the core issue remains how to assess union identity or, as Frege and Kelly (2003) put it, 'the need to make a convincing argument that union identities are independent, and not entirely shaped by the institutional setting of industrial relations, including the actions of employers and the state' (p. 13). A way out, partly explored in the comparative employment relations literature (Benassi and Vlandas, 2016; Connolly and Darlington, 2012; Marino, 2015; Papadopoulos, 2016), is found in Hyman's (2001) triple polarization of market, class and society, from which it is possible to draw ideal types of union identity such as business unionism, class unionism and social partnership unionism. Our plan is therefore to investigate connections between union identities and effective revitalization strategies in the fashion retail sector, with effectiveness understood in terms of working conditions and in light of 'the wider features of union structures and policies, the behaviour of employers, and the wider context' (Simms, 2015: 398).

Research design and background

The retail sector is particularly suitable for examining these three approaches (Mrozowicki et al., 2018). It is critical in terms of occupational size and economic relevance, especially in post-industrial Western countries; and it is also a setting in which union weakness seems driven by 'hard' facts related to the workforce (often young, with low occupational attachment), the job (low skill) and the workplace (small and fragmented, at the end of supply chains). Even if better dressed than manual workers and employed in well-furnished, air-conditioned stores, workers belong squarely in the less privileged segment of the workforce, given their low wages, precarious working conditions and lack of training (Carré et al., 2010; Grugulis and Bozkurt, 2011). In other words, 'structural' factors run against union revitalization in fashion retail, but we hold these largely constant, thanks to the identity of the firms and the close similarity of their jobs. Yet these similarities do not negate the country-level differences between Italy and the USA, particularly those regarding industrial relations.

Italian unionism largely comprises three confederations CGIL (*Confederazione generale italiana del lavoro*), CISL (*Confederazione italiana sindacati lavoratori*) and UIL (*Unione italiana del lavoro*), and their industrial federations, representing about one-third of the workforce. In retail, union density is lower, at about 15 percent, and FILCAMS-CGIL and FISASCAT-CISL are the two most relevant unions, accounting, respectively for 53 and 32 percent of the total retail membership (Rinolfi, 2011). In Hyman's terms, Italian unions remain rooted between class and society, with CGIL tending more towards class and CISL more towards society. Marino (2015), Benassi and Vlandas (2016) and Durazzi (2017) have identified the particular ideological position of Italian unionism as a key factor behind its inclusive strategies, both towards migrant workers and temporary agency workers. At workplace level, Italian unions follow the principle of multiple unionism, since there is no monopoly of representation and negotiation rights. Collective bargaining has a two-tier framework, with national sectoral

agreements setting the pace for decentralized negotiations (Pedersini and Regini, 2013). Collective agreement coverage is high, at around 80 percent, and even higher in the retail sector (Rinolfi, 2011).

In the USA, with 11 percent density nationally (6 percent in the private sector), unions are increasingly minor players while in the retail sector they have even less membership (about 4 percent; Hirsch and Macpherson, 2017). This picture is only partly different in New York State and City (Milkman et al., 2012), where density is about 25 percent, but about 10 percent in the retail sector, where the United Food and Commercial Workers (UFCW) and its semi-autonomous division Retail, Wholesale and Department Store Union (RWDSU) are the main organizations (Milkman and Luce, 2016). In the early post-war era, many non-union employers matched the generous wages and benefits of their unionized counterparts in order to attract qualified workers (Jacoby, 1997) and most American unions developed a pragmatic approach, protecting the small domains of established collective agreements and dues flows already achieved (Eidlin, 2015). It is not surprising that US unions have traditionally displayed an identity so close to the market pole as to be an archetype of business unionism. RWDSU, in this regard, is in part an outlier because it once had a broader class vision (Opler, 2007): a Communist-influenced origin in the 1930s, much of which was subsequently lost. Today, however, RWDSU defines itself as a 'progressive' union and often depicts its members raising a clenched fist, while its umbrella organization, UFCW, claims to be 'a proud union family' expressing 'a voice for working America'.

Our study focuses on union campaigns in NYC and Milan against iconic global retailers, A&F and Zara. The first company is well known for its provocative marketing strategies (especially the sexualization of the brand) and the rise and fall of its sales and reputation (skyrocketing until 2010 and plummeting afterwards), while the Inditex group, which owns Zara and other smaller chains, is one of the largest fast fashion multinationals in the world (it has 152,000 employees and more than 7200 stores in 93 countries). The two cities chosen for the comparison, although very different in terms of population, have similar commercial streets in the city centre. As two of the four capitals of fashion (together with London and Paris), they have some streets devoted to high fashion stores as well as other areas with many fast-fashion clothing stores.

Our analysis is based on research carried between 2011 and 2016. Data were collected in three ways: 50 semi-structured interviews, extensive documentary analysis and participant observation. In NYC, we conducted 30 interviews with staff, activists and members of a union (RWDSU) and the Retail Action Project (RAP), as well as several hundred hours of first-hand observation at meetings, rallies, training classes and daily office life. In Milan, we conducted 20 interviews with staff from the local sections of FILCAMS and FISASCAT, as well as with store-level union delegates and workers. In addition to straightforward information on how individual campaigns started and progressed and what strategies unions deployed, we aimed to elicit the guiding ideas and identities behind each set of institutional actors. Participant observation and documentary analysis were used to codify the internal structure of organizations, the political orientations of their functionaries and members and the internal dynamics that lead to the adoption of specific strategies and actions.

Organizing zero-hours contract workers in Italy

Zero-hours contracts were legalized in 2003 in Italy, where they are known as *lavoro a chiamata* (on-call work). They provide no guaranteed hours and a worker can be called upon at short notice. Such contracts are permitted only for those aged less than 25 and above 45, and require a written form, specifying the tasks to be accomplished and where. A non-discrimination principle applies: such workers cannot be paid less per hour than others performing similar tasks. In 2006, a newly elected centre-left coalition abolished zero-hours contracts, except for those already existing and for the hospitality sector. However, in 2008 the new Berlusconi coalition reinstated zero-hours contracts. CISL supported the move; according to Giorgio Santini, one of its National Secretaries in 2010, 'zero-hours contracts, ideologically depicted as work exploitation, are an effective instrument which does not lower labour rights and seems particularly suited for fragmented industries such as hotels, retail and restaurants'.

Zero-hours contracts proliferated in workplaces with little or no union presence. This was the case in retail, where non-permanent employment contracts are now widespread, even if in most stores there is a core of workers with permanent contracts, though more often part-time than full-time. The case of A&F is, in the Italian context, one of extreme precarization: when the company opened in Milan in October 2009, it hired almost 900 workers, nearly half of whom were on zero-hours contracts. Unions discovered this in 2011, when workers brought them grievances regarding working conditions (loud music, excessive air-conditioning), equipment ('flip-flops' were required despite being dangerous for the work involved) and job tasks broader than defined in the contract, as well as complaining of the insecurity caused by the unpredictability of work. The first to contact the union were cashiers, mostly graduate students, who approached CGIL. Then came warehouse workers, mostly Catholic Filipinos, who sought out CISL. Both unions supported the workers' complaints. At the same time, A&F worried about the legal status of zero-hours contracts and started to consider union involvement as a way to reduce uncertainty and the related risk of conflict. Despite their political differences, both unions were willing to explore this opportunity to access a largely unorganized workplace:

Workers join a union on the basis of their needs, not on union determination to convince them to do so. That's why our doors are constantly open, but we do not chase them. And we do not like pitting workers against employers by promoting individual legal disputes. We are not labour lawyers but unionists, so we aim to provide collective, rather than individual solutions. (local CISL official)

The easiest solution was to sue the employer, but we opted for opening a bargaining table for three reasons. First, legal action constitutes a cost, since expected compensation for wage theft was not high, while legal services might turn out to be expensive. Second, a legal dispute involves a risk, since the classification of hybrid jobs in between stylist/model and shop assistant was rather uncertain. Third, legal action... pushes the company towards dismissing zero-hours contract workers. (local CGIL official)

The local section of FILCAMS-CGIL invested major resources in organizing A&F: it arranged meetings and assemblies with workers (during the day for cashiers and shop

assistants, during the night for warehouse workers); it exceptionally set a low membership fee for zero-hours workers (a lump sum of €30), rather than the typical 1 percent of monthly salary; it developed campaigns at the community level on key issues for retail workers, without directly targeting any specific employer but involving the media through initiatives like *Noi i diritti li socializziamo* (we socialize rights), with leaflets, sit-ins and flashmobs in the town centre. Negotiations between the unions and the company led to two agreements regulating zero-hours contracts. The first, signed in June 2012, established: a new job classification with pay increases of €100 to 200 per month on average (therefore, preventing de facto wage theft); ‘conciliation’ deals in which every worker renounced the right to sue the company for past grievances; a lump sum payment of about €100 per worker; and a commitment by management and unions to cooperate in implementing any future legal reforms to zero-hours contracts. The second agreement, signed in September 2013, stated that while the parties still disagreed over the use of zero-hours contracts, the company accepted the unions’ request to transform 10 percent of its zero-hours contracts into open-ended part-time contracts with 20 hours a week. The criteria adopted to select these 50 workers were: a formal request, seniority, age, family dependents and the absence of pending disciplinary sanctions. Beyond these two agreements, the unions and the company established a standing body to discuss other specific issues, which eventually led to an agreement about holiday plans (especially important for migrant workers from distant countries such as the Philippines) and the opening of a union contact point within the company, available twice a week to receive individual grievances.

As a result, CGIL became the main union actor at A&F and led negotiations with the company. CISL also signed both agreements on zero-hours contracts with A&F but lost its appeal to its core constituency, overnight warehouse workers, who all joined CGIL in January 2016. A central reason was CISL’s acquiescence in the flexibilization of the labour market at national and sectoral levels, an approach which made it harder for CISL to handle the growing dissatisfaction of flexible workers at the company level. This occurred even though CISL helped to create the legal and fiscal conditions (mostly through partnership agreements with employers’ associations) for giving workers non-statutory benefits such as health and retirement plans, scholarships, training and reskilling courses (Tiraboschi, 2013). To a large extent CGIL supported these initiatives, but also warned against setting union priorities too far from the workplace itself:

We cannot accept the idea that unions just operate within bureaucratic structures in close partnership with employers. These structures can provide even the best services in the world, or being of great support to workers, but I am sure that unions go beyond that. Besides, when we are not active within workplaces, we realise that workers remain unaware of such services and opportunities. (local CGIL official)

CGIL (unlike CISL) firmly opposed the diffusion of zero-hours contracts by inviting all its branches to exclude these contracts from the bargaining agenda so as to avoid the risk of legitimizing this form of flexibility. FILCAMS-CGIL thus campaigned for limitations on flexible contracts. Its local section in Milan shared the principle, but then negotiated terms and conditions for zero-hours workers, arguing that this was not in contradiction to CGIL policy because achieving initial representation for extremely precarious

workers was a strategic priority for a class-oriented union such as CGIL. To verify this point, CGIL members active in A&F store in Milan called for a referendum on the first agreement: 705 workers participated (85 percent of the workforce), with an overwhelmingly 698 supporting it. It must be noted here that the role of workplace referendums constitutes a recurrent controversy between CGIL and CISL: the former sees it as a standard practice to gain legitimacy for collective agreements; the latter considers them obstacle to union officials' mediation between workers and management:

When we arrange a workers' assembly, although the main concerns regard workplace-related grievances, we also discuss recent proposals for labour law reforms. Clearly on these occasions we promote our own positions and, if negative, the initiatives against such reforms. Workers have been quite responsive to our calls: only few took part in the general strike but many signed our petitions to abolish the most precarious employment contracts. (local CGIL official)

I would not say that we called for a real referendum. As usual, we have run workers' assemblies during which we discussed our bargaining strategies with the workers, to generate consensus over these strategies. In this case it is true that workers voted for the proposed company agreement, but this is part of conversations we always have with workers through assemblies. (local CISL official)

Overall, CGIL succeeded in organizing around 500 A&F workers, achieving 55 percent union density among both permanent and zero-hours contract workers (similar percentages for both groups). This result is not trivial because, in the Italian context, union membership is not automatic for workers in a unionized establishment and is not necessary to benefit from collective agreements; it is rather an active sign of personal involvement or support, and therefore quite remarkable for a segment of the workforce long depicted as almost impossible to organize. However, although the campaign at A&F strengthened the union's capacity to pursue other retailers, it was no guarantee for success. In 2016, for instance, H&M expanded its use of zero-hours contracts, often after dismissing full-time permanent employees. Unions, led by CGIL, opposed this move and organized public protests, including a 1-day strike, several flashmobs and a social media campaign, but so far the company has not budged:

I oppose the diffusion of flexible contracts such as zero-hours contracts, but clearly workers in A&F don't follow you just on the basis of this simple argument. Instead what we have done there to include them in our bargaining platform goes in the right direction. Although we quickly lose track of some of the members we have because of the high turnover in the fashion industry, we also find that some of these former members contact us once they move to another job, helping us to access companies where we were traditionally ignored. (local CGIL official)

Creating a new 'institutional' actor in the USA

The RAP emerged in 2005 as one of the few 'worker centers' which were not ethnically but industry-focused, aiming to address the needs of precarious retail workers in Manhattan's fashionable SoHo district. Whereas many such centres start as legal services for immigrants or even faith-based groups and hence cater to a particular

‘population’ (usually a linguistic, cultural or religious denomination), the RAP was started by a union and was designed to appeal to retail workers in NYC of any race or ethnicity (Ikeler and Fullin, 2018). RAP is a project of the RWDSU and was founded in collaboration with a community-based organization, Good Old Lower East Side (GOLES), focused primarily on low-income tenants’ rights in the Manhattan neighbourhood. By early 2015, RAP had a network of 3600 workers, 120 dues-paying members (though dues were eliminated as a condition of membership in 2016) and an activist core of about 50 volunteers, in addition to its director and staff organizers. Like most ‘worker centers’, RAP is registered as charitable organizations and as such it is not banned from secondary boycotts or picketing (as are unions) and its interactions with workers are not governed by the heavily codified and employer-biased procedures of the National Labor Relations Act. The flipside is that ‘worker centers’ cannot by law bargain collectively with employers, a prerogative reserved solely for formal unions:

In the American context, what RAP does is operate almost like a European trade union in that any worker can join it. And they don’t have to be covered by the union or a collective bargaining agreement. So if A&F workers or Zara workers come to us we say ‘well it will be really hard for you to make a union at your workplace, but you can join RAP today’. And even though we won’t have legal rights to represent you we can help you deal with your unemployment insurance, we are going to find you a new job, we can give you advice, we can hook you up with a lawyer, if your rights are being violated. (RWDSU activist)

Workplace campaigns have been a central component of RAP’s work over the course of its 12-year history. Some were successful and led to workers joining the RWDSU. In others unionization was clearly unattainable, but RAP kept addressing worker grievances through legal options and direct-action. RAP also offers Customer Service Training and Visual Merchandising courses every month, which are completely free of charge and attended by 20–30 people every month, mostly African American or Afro-Caribbean, often also immigrants. Both programmes include training on workers’ rights and, upon completion, students receive certificates from a local community college. These training sessions are a conscious attempt at ‘infusing a craft identity’ into a largely non-craft industry with scarce formal training provided by most retailers. At the same time, RAP develops a network of workers who can be involved in other activities. RAP trainers systematically gather information on working conditions in participants’ stores and thus open the door to grievances from a wide range of retailers. In this respect, training sessions serve as fishing nets for violations that can provide inroads to collective action:

We look at it as an opportunity to talk to workers, see how their workplace is and see whether there are issues that we can organize around; and if there are maybe employers that we didn’t know who have good practices, then we can also document that. So we would say RAP has a services-to-organizing model... Most of them are people who just walked in here for a class. (RAP activist and trainer)

In autumn 2011, RAP embarked on a survey project to interrogate the conditions of NYC retail workers. Enlisting an army of volunteers, the organization canvassed

hundreds of non-union retailers across Manhattan to gather data on wages, schedules and working conditions from more than 400 frontline workers. The resulting *Discounted Jobs* report placed RAP more firmly in public view and also deepened the organization's grassroots connections. Workers from outlets of the Spanish retailer Zara were surveyed and several of them then brought grievances of erratic scheduling and managers' disrespect. Thus began #ChangeZara, one of the most visible and successful RAP campaign that ultimately yielded substantial wage gains, an end to on-call shifts and formal unionization for workers. A 'bottom-up' component involved worker committees formed at five out of six Zara stores, spearheading petition drives among their colleagues and the wider public which were presented to managers at high-traffic shopping times, and organized public protests in front of their stores. A 'top-down' component consisted in coordination of these efforts to maximize media impact and to garner solidarity from UNI International (via RWDSU), in both cases to pressure Zara's Spanish headquarters. These multiple fronts of attack, combined with growing movements for the US\$15 wage and the right to organize Walmart, forced Zara's NYC managers into ending on-call shifts, dismissing a particularly abusive manager and raising wages up to US\$14 an hour. In January 2015, five Manhattan stores also signed a contract with the RWDSU, bringing more than one hundred Zara workers into the union fold. The Zara campaign was very time and energy consuming, and training classes were again used to get in contact with workers:

The campaign organizer at that time was fully involved with it, and the whole of our organizing team in the RWDSU, all of them, every day they were there, talking to the workers, trying to build a bigger and bigger committee inside the store, get more information... and then communicating it back to RWDSU, and RWDSU was working with us. They would even send folks to come to our classes and see whether there are Zara workers. They would get some Zara workers to come and you know, watch, and listen to what we were saying. (RAP coordinator of training activities)

In 2012, RAP launched a campaign against A&F for cutting hours, labour law violations and racial discrimination, targeting its flagship store on Fifth Avenue in Manhattan, where managers used to send workers home before the shift ended without paying for the hours workers lost, in breach of NYC law that requires payment for at least 4 hours. The campaign started thanks to a saleswoman who, during the customer service training classes, discovered that the company was violating her rights. Thanks to RAP support, she addressed a letter to the HR manager, complaining about racially discriminatory practices and asking for better working conditions. A&F managers, showing an anti-union attitude very common in the sector, ignored the letter. RAP then collected 7500 signatures in 1 month and delivered the petition to A&F managers, who again ignored it. So RAP members stood in front of the store as a sign of protest. After that, A&F improved the working conditions of the single worker who triggered the campaign, giving her more hours. At this point, RAP members solicited other workers to join the action, but they did not. Notwithstanding, RAP launched a larger initiative, leading to another survey among workers in clothing chain stores. The resulting report, *Short Shifted*, formed the basis for a new *Just*

Hours Campaign for better working conditions in the retail sector. The report caught the attorney general's attention, who started an investigation targeting a few stores. Step by step, the RAP's activities gained traction, achieving a remarkable result in June 2017, when the NY City Council signed a bill that effectively bans the use of on-call scheduling:

We did the report, and we launched the report, shared it with everyone, and then started following it up with campaigns. Like talking to city council members, sending our members to the White House to testify on boards. Like boards that have to do with childcare, or family care, or work/life balance. We'll send our workers to go and testify and just share the experiences around how the on-call shifts are affecting them and their families. (RAP coordinator of training activities)

Overall, RAP has proceeded significantly down two parallel paths: occupational unionism and community-building. The first is an innovative attempt to raise the labour market power, occupational identity and confidence of retail workers. The second is a clear attempt to socialize a new generation of workers to the collective agency and culture of the labour movement, while at the same time re-thinking and re-imagining that culture. In this regard, RAP has been highly successful in reaching, motivating and organizing young workers; it is an organically 'cool' organization that attracts many millennials, a large share of whom are immigrants or persons of colour, and to which hundreds have volunteered their time and effort. During RAP meetings and also its leadership development programme, discussion often touches on broader issues like racial justice, immigrants' rights or welfare, not directly centred on retail, aiming at developing a collective consciousness:

A broader set of politics in our curriculum deals with gentrification and trans-phobia and police brutality and sexism and women in leadership. So it is much more grounded in what they go home to as opposed to just issues at their retail job. A lot of which also exists at the retail job but it takes consideration of the whole person and them as members of communities and not just as workers. So they get tethered to the organization with something more lasting than just being a retail worker. (RAP director)

A big problem, faced also by Italian unions in the same sector and with a similar workforce, is that young workers are also more likely to have a short-term orientation to retail, inhibiting long-term engagement in RAP activities. Nevertheless, as with the CGIL in the Italian case, RAP members remained convinced of the long-term value of their work to the development of a workers' collectivity, despite the difficulty of holding onto a very transient and mobile workforce:

As they moved through different stores in the sector, they brought their leadership and organizing skills to addressing injustice that they experienced across the retail sector. And so it really taught me the importance of building sustainable relationships with people when you're doing long term organizing work, and it also informed how I thought about a model of retail organizing. Because if you do the right political education and leadership development early on, you have a life, you develop a movement leader, right? (RAP founder)

Strategies, institutions and identity in union revitalization

Our two cases expose similar sets of problems for retail workers. In Milan, A&F workers were mostly concerned with unpredictable scheduling, wage theft and health and safety issues. In New York, workers reported cases of wage theft and racial discrimination, as well as abusive scheduling practices. In both cases, economic precarity related to workers' flexible employment status constituted a strong reason for their interest in union assistance. The trigger to collective action was different in each context, because of the different industrial relation institutions. In Milan, workers asked for support from unions, which are weak in the retail industry but societally still recognized as an agent of worker defence, even by young people; in NYC, RAP used training classes and surveys to disseminate information on workers' rights and as a fishing net to find cases of rights violations.

Employers' reactions also differed in the two contexts, leading to different solutions to workers' grievances. In Italy, A&F signed two collective agreements, accepting some of the unions' demands (compensation for lost wages, new job classifications, expansion of a few permanent positions, regular meetings) and obtaining in return their acceptance of zero-hours contracts. The unions, before closing the deal, sought workers' approval. Almost all workers backed the unions' initiative and 55 percent, including many zero-hours contract workers, joined the union, demonstrating a direct link between mobilization and membership growth. By contrast, results in the USA at workplace level were more mixed. At Zara, RAP achieved a moratorium on on-call shifts, the firing of an abusive manager, a pay rise to US\$14 an hour and the unionization of more than 100 workers; at A&F results were more modest, lacking any formal unionization and yielding only the payment of a single worker's claim as well as a promise to end on-call scheduling in the future. Beyond the workplace, RAP also contributed to successful legislative campaigns to end on-call scheduling in NYC and, as part of a much wider movement, to raise the minimum wage in New York State. In this regard, RAP is a potential game-changer whose actions have effects beyond the organizational level, presenting a case of institution-building that is transforming industrial relations in certain US regions.

Comparing these cases, we acknowledge that industrial relations institutions explain much of the difference in the strategies pursued by unions in the two settings. At the same time, we point to the importance of internal union dynamics, in terms of both organizational structures and framing processes (Bernaciak and Kahancová, 2017; Connolly and Darlington, 2012; Marino, 2015), to shed light on apparently ambiguous and incoherent sets of strategies (Dundon and Dobbins, 2015; Heery, 2002). Identity and normative projects affect the strategies unions devise, including those about resources and organizational form, and help explain why they exploit some institutional opportunities rather than others, and how this is related to revitalization. In Italy, only the progressive and class-oriented CGIL committed to organizing and representing precarious retail workers, while CISL, a union more oriented to social harmony, remained rather passive in the workplace and became an interlocutor with policymakers wishing to liberalize the labour market. In the USA, it was a traditionally militant, once-radical and now progressive union, the RWDSU, that set up a non-union 'worker center' in conjunction with local activists. Our findings demonstrate that the most promising revitalization strategies

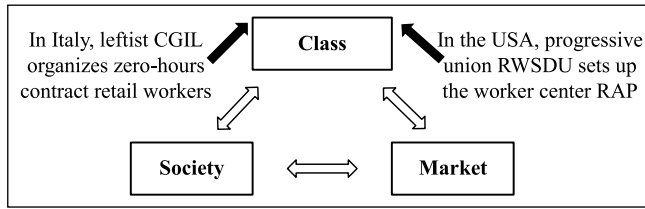


Figure 1. Union revitalization strategies and union identity.

in low-wage service industries such as fast-fashion retail are those that follow what we consider a renewed working class orientation (Umney, 2018). We underline the diffusion of broad themes that go beyond the immediate interests of retail workers to challenge racial and sexual oppression, precarity of employment and housing and economic inequality generally. Within the framework proposed by Hyman (2001), this is a movement towards the class pole of the triangle of union identities, but from the society-class axis in Italy and from the market-class axis in the USA (see Figure 1).

In both cases, the movement towards the class pole sheds new light on the debate over union revitalization. In Italy, trade unions have often been portrayed as a successful example of social partnership (Frege and Kelly, 2004; Regalia, 2012). Evidence comes from the 1990s, when unions helped solve long-standing economic and social problems through social pacts. Yet critical observers noted that ‘the resurgence of tripartite negotiations did nothing to prevent the continuous erosion of the unions’ representation capacity among active workers, especially in the private sector’ (Baccaro and Howell, 2011: 542–543). Our findings shed light on the interplay between class- and society-based unionism typical of the Italian case (Benassi and Vlandas, 2016; Durazzi, 2017) and demonstrate that successful revitalization initiatives in the retail sector display a shift in orientation from ‘society’ to ‘class’. In the USA, a well-established debate about union revitalization emerged with points of consensus being first, the broken, counterproductive character of US labour law; second, the need for new organizational forms beyond the workplace-centred model; and third, the idea that labour struggles are enmeshed in struggles against racism, sexism, nativism and the like. In response to these challenges, American unions have pursued several innovative practices (Clawson, 2003; Fine, 2006; Milkman, 2013; Voss and Sherman, 2000), all moving them from their traditional market orientation, exactly as our evidence confirms.

Conclusion

Our findings show that the most effective union strategies in fashion retail differ in form according to context. Sometimes unions act as institutions, sometimes as movements (Offe and Wiesenhal, 1980), but their strategies are increasingly similar in orientation and inspired by a renewed working-class identity (Hyman, 2001; Umney, 2018). In Italy, a relatively progressive union, CGIL, was able to organize zero-hours workers at the A&F flagship store in Milan. In the USA, labour activists and union supporters linked to the RWSDU created an innovative channel of representation through a new ‘institutional

actor', the RAP, which became a reference point for fast-fashion retail workers and contributed to legislative reforms on key issues for the whole low-end service sector (minimum wage and scheduling practices). We therefore recognize the presence of divergent union strategies in different countries, a result of institutional heterogeneity, but these differences go beyond expected patterns of revitalization through partnership where industrial relations institutions are relatively strong (Italy), and organizing where they are weak (USA) (Baccaro et al., 2003b).

The lessons to be drawn from this comparison are twofold. First, our analysis demonstrates that union revitalization was enabled by institutional opportunities as well as a more critical union identity. The role of framing processes underlying unions' strategic choices is consistent with previous insights (Benassi and Vlandas, 2016) and an emerging set of approaches that are sensitive to the ideational components of industrial relations such as 'constructivist institutionalism' (Morgan and Hauptmeier, 2014) and 'union essence' (Hodder and Edwards, 2015). Our study and the theoretical models it supports can enrich an area of study, comparative employment relations, that has traditionally focused on structural and institutional, but not ideological explanations (Meardi, 2011; Sisson, 2007). These findings shed new light on debates about union strategies and, specifically, revitalization (Doellgast et al., 2018; Frege and Kelly, 2004; Heery, 2001; Ibsen and Tapia, 2017; Murray, 2017). What we report is a partly counterintuitive dynamic, according to which unions attempt what is institutionally 'unconventional': institution-building on the top of social movement unionism (USA) and mobilization/organizing on the top of social partnership unionism (Italy). Simply put, among the three previously identified perspectives ('varieties of unionism', 'social movement unionism' and 'converging divergence') the third provides the most convincing account of union revitalization in the cases examined here.

Acknowledgements

The authors thank Todd Dickey, Paul Marginson, Sarosh Kuruvilla and Jimmy Donaghey for helpful comments on earlier drafts. We are also grateful to the participants of the ESA and IREC conferences in 2017 where we presented earlier versions. We also thank the editor and the two anonymous reviewers for their insightful comments.

Funding

The author(s) received no financial support for the research, authorship and/or publication of this article.

References

- Baccaro L and Howell C (2011) A common neoliberal trajectory: The transformation of industrial relations in advanced capitalism. *Politics & Society* 39(4): 521–563.
- Baccaro L, Carrieri M and Damiano C (2003a) The resurgence of the Italian confederal unions: Will it last? *European Journal of Industrial Relations* 9(1): 43–59.
- Baccaro L, Hamann K and Turner L (2003b) The politics of labour movement revitalization: The need for a revitalized perspective. *European Journal of Industrial Relations* 9(1): 119–133.
- Bechter B, Brandl B and Meardi G (2012) Sectors or countries? Typologies and levels of analysis in comparative industrial relations. *European Journal of Industrial Relations* 18(3): 185–202.

- Benassi C and Vlandas T (2016) Union inclusiveness and temporary agency workers: The role of power resources and union ideology. *European Journal of Industrial Relations* 22(1): 5–22.
- Bernaciak M and Kahancová M (2017) *Innovative Union Practices in Central-Eastern Europe*. Brussels: ETUI.
- Carré F, Tilly C, Van Klaveren M and Voss-Dahm D (2010) Retail jobs in comparative perspective. In: Gautié J and Schmitt J (eds) *Low Wage Work in the Wealthy World*. New York: Russell Sage Foundation, pp. 211–268.
- Clawson D (2003) *The Next Upsurge: Labor and the New Social Movements*. Ithaca, NY: Cornell University Press.
- Connolly H and Darlington R (2012) Radical political unionism in France and Britain: A comparative study of SUD-Rail and the RMT. *European Journal of Industrial Relations* 18(3): 235–250.
- Coulter K (2014) *Revolutionizing Retail: Workers, Political Action, and Social Change*. New York: Palgrave Macmillan.
- Doellgast V, Lillie N and Pulignano V (2018) *Reconstructing Solidarity: Labour Unions, Precarious Work, and the Politics of Institutional Change in Europe*. Oxford: Oxford University Press.
- Dörre K, Holst H and Nachtwey O (2009) Organizing: A strategic option for trade union renewal? *International Journal of Action Research* 5(1): 33–67.
- Dundon T and Dobbins T (2015) Militant partnership: A radical pluralist analysis of workforce dialectics. *Work, Employment and Society* 29(6): 912–931.
- Durazzi N (2017) Inclusive unions in a dualized labour market? The challenge of organizing labour market policy and social protection for labour market outsiders. *Social Policy & Administration* 51(2): 265–285.
- Eidlin B (2015) Class vs. Special interest: Labor, power, and politics in the United States and Canada in the twentieth century. *Politics & Society* 43(2): 181–211.
- Fine J (2006) *Workers' Centers: Organizing Communities at the Edge of the Dream*. Ithaca, NY: Cornell University Press.
- Frege C and Kelly J (2003) Union revitalization strategies in comparative perspective. *European Journal of Industrial Relations* 14(3): 455–487.
- Frege C and Kelly J (2004) *Varieties of Unionism: Strategies for Union Revitalization in a Globalizing Economy*. Oxford: Oxford University Press.
- Grugulis I and Bozkurt O (2011) *Retail Work*. Basingstoke: Palgrave Macmillan.
- Hall P and Soskice D (2001) *Varieties of Capitalism: The Institutional Foundations of Comparative Advantage*. Oxford: Oxford University Press.
- Hauptmeier M and Heery E (2014) Ideas at work. *International Journal of Human Resource Management* 25(18): 2473–2488.
- Heery E (2001) Learning from each other: A European perspective on American labor. *Journal of Labor Research* 22(2): 307–319.
- Heery E (2002) Partnership versus organising: Alternative futures for British trade unionism. *Industrial Relations Journal* 33(1): 20–35.
- Hirsch B and Macpherson D (2017) Union membership and coverage database from the CPS. Available at: <http://unionstats.com/>
- Hodder A and Edwards P (2015) The essence of trade unions: Understanding identity, ideology and purpose. *Work, Employment and Society* 29(5): 843–854.
- Hyman R (2001) *Understanding European Trade Unionism: Between Market, Class and Society*. London: SAGE.
- Hyman R (2004) Is industrial relations theory always ethnocentric? In: Kaufman B (ed.) *Theoretical Perspectives on Work and the Employment Relationship*. Champaign, IL: IRRRA, pp. 265–292.

- Ibsen C and Tapia M (2017) Trade union revitalisation: Where are we now? Where to next? *Journal of Industrial Relations* 59(2): 170–191.
- Ikeler P (2011) Organizing retail: Ideas for labor's ongoing challenge. *Workingusa: The Journal of Labor and Society* 14: 367–392.
- Ikeler P (2016) *Hard Sell: Work and Resistance in Retail Chains*. Ithaca, NJ: Cornell University Press.
- Ikeler P and Fullin G (2018) Training to empower: A decade of the retail action project. *Workingusa: The Journal of Labor and Society* 21(2): 173–191.
- Jacoby S (1997) *Modern Manors: Welfare Capitalism since the New Deal*. Princeton, NJ: Princeton University Press.
- Katz H and Darbishire O (2000) *Converging Divergences: Worldwide Changes in Employment Systems*. Ithaca, NJ: ILR Press.
- Locke R (1995) The transformation of industrial relations? A cross-national review. In: Wever K and Turner L (eds) *The Comparative Political Economy of Industrial Relations*. Madison, WI: Industrial Relations Research Association, pp. 9–31.
- Mahoney J and Thelen K (2010) *Explaining Institutional Change: Agency, Ambiguity and Power*. Cambridge: Cambridge University Press.
- Marino S (2015) Trade unions, special structures and the inclusion of migrant workers: On the role of union democracy. *Work, Employment and Society* 29(5): 826–842.
- Meardi G (2011) Understanding trade union culture. *Industrielle Beziehungen* 18(4): 336–345.
- Milkman R (2013) Back to the future? US labour in the new gilded age. *British Journal of Industrial Relations* 51(4): 645–665.
- Milkman R and Luce S (2016) *The State of the Unions 2016: A Profile of Organized Labor in New York City, New York State and the United States*. New York: CUNY, Murphy Institute.
- Milkman R, Gonzalez A and Ikeler P (2012) Wage and hour violations in urban labour markets: A comparison of Los Angeles, New York and Chicago. *Industrial Relations Journal* 43(5): 378–398.
- Morgan G and Hauptmeier M (2014) Ideas and institutions: The evolution of employment relations in the Spanish and German auto industry. In: Hauptmeier M and Vidal M (eds) *Comparative Political Economy of Work*. Basingstoke: Palgrave Macmillan, pp. 162–185.
- Mrozowicki A, Bembič B, Kall K, Maciejewska M and Stanojević M (2018) Union campaigns against precarious work in the retail sector of Estonia, Poland and Slovenia. In: Doellgast V, Lillie N and Pulignano V (eds) *Reconstructing Solidarity*. Oxford: Oxford University Press, pp. 144–165.
- Murray G (2017) Union renewal: What can we learn from three decades of research? *Transfer* 23(1): 9–29.
- Offe C and Wiesenthal H (1980) Two logics of collective action: Theoretical notes on social class and organizational form. *Political Power and Social Theory* 1: 67–115.
- Opler D (2007) *For All White-Collar Workers: The Possibilities of Radicalism in New York City's Department Store Unions, 1934–1953*. Columbus, OH: Ohio State University Press.
- Ost D (2011) 'Illusory corporatism' ten years later. *Warsaw Forum of Economic Sociology* 2:1(3): 19–49.
- Papadopoulos O (2016) Youth unemployment discourses in Greece and Ireland before and during the economic crisis: Moving from divergence to 'contingent convergence'. *Economic and Industrial Democracy* 37(3): 493–515.
- Pedersini R and Regini M (2013) *Coping with the crisis in Italy: Employment relations and social dialogue amidst the recession*. Working Paper no. 50. Geneva: ILO. Available at: http://www.ilo.org/ifpdial/information-resources/publications/WCMS_223695/lang-en/index.htm

- Regalia I (2012) Italian trade unions: Still shifting between consolidated organizations and social movements? *Management Revue* 23(4): 386–407.
- Rinolfi V (2011) Representativeness of the European social partner organisations: Commerce – Italy. Available at: <http://www.eurofound.europa.eu/eiro/studies/tn1008018s/it1008019q.htm>
- Simms M (2015) Accounting for Greenfield union organizing outcomes. *British Journal of Industrial Relations* 53(3): 397–422.
- Simms M and Holgate J (2010) Organising for what? Where is the debate on the politics of organising? *Work Employment & Society* 24(1): 157–168.
- Sisson K (2007) *Revitalising industrial relations: Making the most of the 'institutional turn'*. Warwick Papers in Industrial Relations no. 85. Coventry: IRRU. Available at: https://warwick.ac.uk/fac/soc/wbs/research/irru/wp/ir/wp/ir_85.pdf
- Tiraboschi M (2013) Bilateralism and bilateral bodies: The new frontier of industrial relations in Italy. *E-Journal of International and Comparative Labour Studies* 2(1): 113–128.
- Turner L (2009) Institutions and activism: Crisis and opportunity for a German labor movement in decline. *Industrial and Labor Relations Review* 62(3): 294–312.
- Umney C (2018) *Class Matters: Inequality and Exploitation in 21st Century Britain*. London: Pluto Press.
- Voss K and Sherman R (2000) Breaking the iron law of oligarchy: Union revitalization in the American labor movement. *American Journal of Sociology* 106(2): 303–349.

Author biographies

Stefano Gasparri is a Senior Lecturer in Human Resource Management at the University of the West of England, UK.

Peter Ikeler is an Assistant Professor in Sociology at the SUNY College at Old Westbury, USA.

Giovanna Fullin is an Associate Professor in Sociology of Work and Employment at the University of Milano-Bicocca, Italy.