

Toward a New Understanding of Immigration and American Unionism: Conflict, Policy Activism, and Union Density

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Abstract:

Does immigration hamper union organizing in the United States? The prevailing literature strongly suggests that it does and for two reasons: first, immigrants increase the labor pool and diminish union influence over the labor market. And second, immigrants may be harder to organize than native workers. In this dominant view, unions are well served to restrict immigration and have always done so. But how, then, to explain the fact that American labor has long been deeply divided over the response to immigration? Drawing on new archival research and interviews, this paper uncovers a neglected side of American labor history in which many union leaders have extended solidarity to immigrants and sought to organize them. Moreover, analysis of time series data on immigration and union density corroborates the implicit theory of this alternate account of labor history: immigration has, in fact, no statistically significant effect—either positive or negative—on union density over time. Depending on specific conditions and strategies, unions can and have been successful in organizing during periods of high immigration.

Immigration and the Transformation of American Unionism

Immigration has always posed a formidable challenge for the US labor movement. The fear that immigrant workers will undercut labor standards is common across most national labor movements (Watts, 2002). Such worries have proven especially confounding for a country that has depended upon immigrants to supply the bulk of its industrial labor for generations and that also has been locked in pitched battles over the ethnic, racial, and religious diversity that these newcomers introduce. The United States is a nation built upon immigration, but also one with strong nativist traditions. Within this contest, American labor's struggle to come to grips with immigration defies easy classification. Moreover, the nature of the immigrant challenge and the labor movement's response to it often has varied significantly depending upon the economic sector a union has occupied.

Much previous scholarship on immigration and American unions advances two major claims: (1) that the American labor movement has, until relatively recently, held a uniformly and consistently restrictionist position; and (2) that the labor movement only gains ground during periods of restrictionism. Based on fresh archival research and new quantitative analysis, we will demonstrate that a more accurate historical portrait is that American labor has struggled mightily both within and between labor federations to define its response to new immigration. In contrast to scholarly assumptions that membership in unions has historically increased when the foreign born as a percentage of the population decreased, and vice versa, we will show that when other factors are taken into account, immigration has had no significant effect on union density over time in the United States.

I. Restrictionism and Solidarity: An Unresolved Puzzle in American Labor History

The most prominent academic proponent of these twin restrictionist claims is the Cornell labor economist Vernon Briggs, whose work on the impact of immigration on American organized labor, *Immigration and American Unionism*, remains the most sweeping and frequently cited study on this topic. Briggs finds that the relationship between immigration and unions has been fundamentally adversarial throughout U.S. history. “From the outset, these two forces came into conflict and have remained at odds ever since,” Briggs notes (2001:2) As we will demonstrate, this one-sided view of the interactions between immigration and American unionism over time significantly understates competing, pro-immigration traditions within the U.S. labor movement from its earliest days.

While focusing on national labor federations and their responses to immigration over a long period, we locate our work in the broader context of scholars of particular cities, sectors and unions who have challenged Briggs’ assertions. Milkman’s (2006) account of unionism in Los Angeles traces the expansion of the ILGWU, Teamsters, Carpenters and other construction unions as well as the Building Services Employees Industrial Union (BSEIU, precursor to the SEIU) from the 1930’s through the contemporary period. Milkman demonstrates that from the earliest periods of union organizing in Los Angeles, Mexican workers (male and female) were a key constituency for a diverse set of occupational (largely AFL) unions. Equally important, by charting the rise of the anti-union backlash in Los Angeles, Milkman periodizes the deunionization and subsequent industrial restructuring that transformed trucking, residential construction, building services and the garment industry showing that, despite the claims of some Los Angeles union leaders at the time, it actually preceded the influx of a new wave of foreign-born workers. Sanchez’s (1993) study of Chicano Los Angeles offers compelling evidence of how CIO locals appealed in ethnic terms to Mexican Americans during the first four decades of the 20th century. His research highlights the emergence of influential Latino labor leaders in L.A. and the role that union

activity played in reshaping the political perspectives of Mexican Americans in the city overall.

Equally powerful insights from research on unions and immigrants come from other cities. Writing about New York, Waldinger explains how immigrants came to occupy particular occupational niches in the post-industrial economy as whites deserted certain positions in their “move up the occupational pecking order,” (1999:3) and Ness (2005) draws upon what he calls the changing social geography of work in the city to understand the presence and, more importantly, the absence of unions over time. Cohen’s (1990) account of the 1919-1939 rise of the industrial workforce in Chicago underlines the centrality of second generation ethnics and the homogenizing culture that made broad-based working class organization possible. Gerstle’s (2002) work on the Independent Textile Union (ITU) of Woonsocket, Rhode Island portrays how the intersection of distinctive immigrant traditions placed the ITU at the vanguard of labor militancy in the New England textile industry. Each of these accounts reminds us not only that the United States is a nation built upon immigration, but that immigrants and the second generation have been major players in American unionization over time.

When one looks beyond Briggs’ analysis to other scholarly studies of how *national* labor federations and the larger movement have responded to immigration, two features are especially striking. First, earlier research on the subject generally has been rooted in one of two historical periods: the late 19th and early 20th centuries or the contemporary period of recent decades. Second, depending upon the period studied, this literature provides remarkably different portraits of how U.S. organized labor reacted to immigration and influenced national policy. Lane (1987) and Mink (1990) capture the power of ethnic and racial stratification and the limits of working-class solidarity. Their accounts depict the American labor movement as unhinged by major economic and demographic changes of the

Gilded Age and Progressive Era, and eager to champion draconian and nativist restrictions on what they saw as “servile” and “unassimilable” immigration. A decade later, Haus (2002) and Watts (2002) shifted attention to how contemporary labor unions in the United States (and other rich democracies) addressed immigration. They offered a completely different story of the relationship of American labor toward new immigrants, one in which labor leaders viewed mass immigration as an inevitable outcome of globalization and joined forces with groups seeking to advance immigrant rights and promote realistic and expansive legal immigration.

As a collection, these four influential works serve as bookends on the topic, but they ultimately leave us with rival views of a nativist and restrictionist labor movement, on the one side, and of an increasingly inclusive and pro-immigration one, on the other. Yet period-specific historical and contemporary research tells us little about why organized labor formulated such contrasting approaches to immigration despite enormous internal conflict in nearly every period. They offer even fewer clues about how the movement *traveled from one pole to the other on new immigrants*, a subject that demands broad time horizons. This is especially the case here, we shall argue, because the transformation of American labor’s response to immigration emerged during the 1930s, 1940s, 1950s, and 1960s – crucial decades in which the labor movement organized unskilled industrial workers at unprecedented levels, won more support from the national state than ever before, and gradually rejected restrictive immigration policies it championed so vociferously in the Progressive Era. Our *longue duree* approach to the relationship of the American labor movement toward immigration underscores the formative character of the midcentury decades sandwiched between the early and late focus of Lane, Mink, Haus, and Watts.

To understand how and why something unusual occurred in these years, knowledge of the distinctive environments in which organized labor has responded to immigration in U.S.

history is required. The labor movement has been neither uniformly restrictionist towards immigrants nor uniformly solidaristic with them. Rather, we identify historical moments when organized labor pushed vigorously for sweeping restrictions, moments when solidarity¹ was the order of the day, and still other moments when labor embraced policy positions that were a combination of the two. Moreover, whereas Briggs asserts uniformity, we find heterogeneity in the voices of leaders who held strongly divergent points of view both within a single union as well as within federations of labor. Whereas Briggs asserts that labor's restrictionist stance led to victory, we see a much more checkered result.

Briggs' broad brushstrokes are especially problematic when he characterizes the labor movement as unwaveringly supportive of immigration restriction until the late 1980s. "At every juncture prior to the 1980s," he writes, "the union movement either directly instigated or strongly supported every legislative initiative enacted by Congress to restrict immigration and to enforce its policy terms" (2001:3-4). This is misleading, for it is equally true that at every juncture before and after the 1980s, organized labor has "directly instigated or strongly supported" every national legislative initiative designed to *expand* immigrant admissions and rights. That is, the labor movement has been instrumental in the passage of both restrictive and expansive immigration reforms. By attributing uniformly restrictionist positions to organized labor until the late 1980s, one loses both the lively debates within the movement *at particular times* as well as dramatic transformations in its immigration attitudes and formal policy positions *over time*.

To illuminate the struggles caused by immigration within the labor movement and its concomitant variation in position both within and across periods, the next section provides qualitative evidence of these historical patterns. In particular, it focuses on labor's conflicts and ultimate policy activism in four historical periods in order to highlight the enduring presence of pro-immigration and restrictionist positions both within and between unions and

federations over time. We demonstrate that the solidaristic position seen in much of organized labor today has a much longer lineage and developmental process than previous scholarship credits. Because Briggs looks at the labor movement in the past as uniformly restrictionist, for instance, there is a flatness to his understanding of the contemporary solidaristic period. We find that today, just as in the past, there continues to be major debate and contention, and that contemporary pro-immigration positions trace their origins to Cold War era transformations.

The next empirical section employs quantitative analysis to expose problems in common conceptions of how immigration influences union density. In particular, we take a new look at how immigration inflows have affected US union density over time, focusing on yearly time-series data on immigration and union density between 1880 and 2006.

Descriptive comparison of the trends suggests—consistent with Briggs—that the relationship between union density and mass immigration may be generally negative. But such a general picture is inconsistent with particular trends central in union development, such as major spurts in union organizing in the 19th and early 20th centuries. In any event, we press the analysis further with an estimate of the over-time relationship between immigration and union density, taking account of inertia in the time-series and the role of other factors that can obscure that relationship. Upon doing so, the analysis strongly shows that immigration has typically had no significant effect on union density over time in the United States, and that this “non-effect” is robust to various measures of immigration patterns, to various time periods, and to lags in the possible effects of immigration. Before we present these quantitative findings on immigration and union density, however, let us begin with new archival and elite interview research that provides a fresh portrait of the character and evolution of the labor movement’s relationship toward U.S. immigration policy and politics.

II. Immigration and the U.S Labor Movement: Building a New Historical Narrative

Our qualitative analysis underscores a crucial and enduring tension between two contrasting perceptions of newcomers among American unions. One is the great hope of incorporating fresh waves of workers, while the other is the great dread that capitalists will import servile laborers often viewed as ethnic and racial inferiors. We thus encapsulate labor's enduring dilemma over immigration as one of "solidarity" versus "restriction." A strictly materialist reading of labor's competing imperatives could lead us to conclude that restriction was a defensible strategy in its day. But more than material considerations were at work. Prominent labor leaders such as Samuel Gompers and Terence Powderly often employed starkly racist and xenophobic arguments which make clear that labor's restrictive arguments were hardly color blind. We thus emphasize "two restrictionisms" that have animated the labor movement on questions of immigration—restriction on the basis of defending labor standards and restriction on the basis of racial and ethnic hierarchies. But we also stress "two solidarities"—solidarity on the basis of defending labor standards and solidarity on the basis of unifying diverse races and ethnicities within one labor movement.

We train a spotlight on four periods that capture the internal struggles and evolving activism of the labor movement. First, we begin by examining the American Federation of Labor (AFL) campaign for immigration restriction in the late 19th and early 20th centuries. Second, we look at the divergent immigration paths taken by the AFL and CIO during the New Deal, World War II, and the Cold War eras. Third, we then provide evidence of renewed tolerance and support of robust legal immigration and broad immigrant rights after the AFL-CIO merger of 1955 culminating in the demise of national origins quotas in 1965, and labor's ill-fated struggle to discourage illegal immigration through employer sanctions during the 1970s and 1980s. Finally, we take the story from the 1990s to the present, beginning with the AFL-CIO reversal of policy on employer sanctions in 1999, examining

disagreements specific to certain sectors within the AFL-CIO over its embrace of a solidaristic position, and exploring the split between the AFL-CIO and the breakaway unions of Change to Win over the “amnesty for guestworker” tradeoff. In each phase, we necessarily focus the analysis on key union responses to immigration, necessarily side-stepping other important union developments.

A. The AFL and Immigration Restriction: Constructing a Literacy Test and National Origins Quotas (1890s-1920s)

As a young organization, the AFL, the nation’s most important labor group of the 1890s, was deeply divided about European immigration.² During this decade, the Immigration Restriction League (IRL) worked vigorously to draw labor unions into the restrictionist camp.³ While organized labor passionately advocated Chinese exclusion and bars on contract labor immigration, it remained torn on whether voluntary European immigration should be constrained. At early AFL national conventions, European immigration restriction so deeply divided union representatives that their leaders chose to table the issue. AFL President Samuel Gompers observed that “the labor movement approached the problem of immigration restriction reluctantly,” largely because foreign-born members like himself had “mixed feelings” about denying entry to those they had left behind (Gompers, 1937:153-54, 158). Yet Gompers ultimately embraced the literacy test because he believed large-scale immigration was fundamentally corrosive to the economic security of American workers. In particular, his restrictionist stance also was deeply influenced by what he perceived as a troubling “drift” in U.S. immigration to “unskilled” laborers who “were largely undisciplined in trade union policies” (Gompers, 1937:157-58). While AFL unionism celebrated traditional craft principles, most southern and eastern European immigrants occupied new semiskilled industrial jobs that were unorganized by AFL member unions

(Mink, 1986:165-66). For Gompers, new immigrant workers enabled industrial monopolists to undermine the independence of American laborers, “to substitute machine work in the place of previously indispensable craft skill” (Mink, 1986:158).

Contrary to Briggs’ account, however, Gompers’ views on European immigration were initially resisted by many AFL member unions, and his efforts to win support for the IRL’s literacy test proposal failed at early AFL national conventions. David Black of the Iron Molders’ Union explained the “storm of opposition” to the literacy test and restrictive legislation at the 1896 AFL convention as driven by a cosmopolitan notion of solidarity among all of “the oppressed” seeking labor rights (*Iron Molders’ Journal*, January 1897). Despite potent resistance, Gompers persuaded AFL delegates to empower his Executive Council to study the impacts of new European immigration on American laborers and to recommend an official position. Not surprisingly, Gompers’ Executive Council endorsed stringent limits on southern and eastern European immigration. After heated debate and “sharply divided” votes among the AFL’s membership, the AFL lent its official support to immigration restriction at the start of a new century (*Immigration Referred*, 1897:257; Gompers, 1937:159-60). Throughout the Progressive Era, the AFL made “Literacy Test/Immigration Restriction” a centerpiece of its legislative agenda.⁴ In the years leading up to the 1917 literacy test law, Gompers and the AFL told both Congress and the general public that they did not endorse ethnic and racial hierarchies. These disavowals, however, often were followed by lengthy and approving quotations from the Dillingham Commission report on the poor qualities of southern and eastern European immigrants (Gompers, 1911:17-21). Using eugenicist findings favoring a literacy test and quotas, the AFL’s instrumental arguments for restriction were fortified by racist and essentialist ones.

With the AFL’s strong support, the Immigration Act of 1924 ultimately erected formidable barriers to southern and eastern Europeans and reinforced Asian exclusion. Yet

while the AFL favored strict limitations on Latin and South American migration, the Act was decidedly permissive on Canadian and Mexican admissions. Aliens with ten years continuous residence in a Western Hemisphere country could enter the U.S. as nonquota immigrants. In 1928, Congress reaffirmed a bifurcated system imposing draconian restrictions on European and Asian immigration while remaining open and flexible toward labor inflows from Mexico and other Western Hemisphere countries. Thus, while restrictivism undeniably gained the upper hand in this period, Mexican immigration was an exception that would soon bring the old dilemmas to the fore once again.

B. The Initial AFL and CIO Divides over Immigration: Jewish Refugees, Undocumented Aliens, and the Bracero Program (1935-1955)

The Congress of Industrial Organizations (CIO) recognizing the importance of constructing what Cohen has called a “culture of unity” (1990:324) emerged as a powerful pro-immigration force within the labor movement during the New Deal and Second World War and the great divide that formed between the AFL and CIO over refugee relief and immigration reform in the decades preceding their 1955 merger. Unfortunately, the “restrictivist” narrative tends to omit this important shift.

During the early 1930s, the AFL sharply criticized the Nazi regime for its persecution of Jews and labor unionists in the 1930s, and it joined Jewish organizations in boycotting German goods (Wise, 1949:239). But at its 1933 convention, AFL members still rejected special admissions for German refugees (AFL, 1933:103). In ensuing years, efforts to rescue European Jewry were led by a core of Jewish advocacy groups, Protestant and Catholic organizations, the ACLU, social workers and liberal academics. After *Kristalnacht* in 1938, new support came from prominent artists, entertainers, academics, politicians, the NAACP, and a new force in the American labor movement, the CIO.

In 1938, the Labor League for Human Rights was created to support the rescue of those persecuted by the Nazi regime. AFL president William Green agreed to serve as an honorary chair and AFL secretary George Meany as an honorary secretary. But Green and the AFL remained opposed to refugee admissions beyond quota limits. In the late 1930s, however, the CIO joined a coalition of religious, human right, and progressive groups in advocating special legislation, the Wagner-Rogers bill, to grant emergency visas to 20,000 refugee children. Opponents skillfully appropriated New Deal rhetoric in opposing the bill, frequently reminding lawmakers that refugees would compete with “one third of a nation ill-housed, ill-clad, and ill-nourished.” (Divine, 1957:101) The AFL was among them, asserting that “the quotas should not be enlarged nor should unused quotas of other countries be used.” The AFL’s Washington office argued that “whatever immigrants should come here should come as immigrants and not as refugees.” (Roberts, 1938)

Thus, whereas the AFL remained supportive of national origins quotas, the more racially progressive CIO denounced the country’s immigration policy. James B. Carey, the CIO’s national secretary, told a 1940 conference of the American Council for the Protection of the Foreign Born that American labor needed to recognize that Congressional restrictionists were hostile to the needs of U.S. workers. “The propagandists who preach today that [immigrants] aggravate our unemployment problem,” he declared, “are the very persons who never intended and who do not now intend to do anything about our own, American unemployment” (Annual Committee for Protection of the Foreign Born, 1940:14-17). The labor balance between restrictionism and solidarity was clearly in flux.

Only during the war’s waning stages, did the AFL recognize that “the march of dictatorships in the world” subjected both “free trade unions” and “racial and religious minorities” to vicious suppression. Its leadership later urged members to “wage an unrelenting struggle against groups...spreading the poison of anti-Catholicism, anti-

Protestantism, anti-Semitism, and anti-Negroism and other forms of racial prejudice.” (AFL, 1946:598) However, the AFL was not yet willing to sacrifice national origins quotas, resolving that “any lowering of the immigration bars be opposed, and...all phases of traditional immigration policy be maintained.” (AFL, 1946:250) It was more open when it came to special refugee admissions *after* the war. To aid European Jews and other Displaced Persons who crowded into Allied-controlled zones in 1946, American Jewish groups spearheaded the creation of a nonsectarian and bipartisan Citizens Committee on Displaced Persons (CCDP) comprised of the AFL and the CIO, as well as Catholic and Protestant leaders, captains of industry, social workers, public officials, and academics. To gain AFL support, the CCDP separated the plight of displaced persons from broader immigration reform efforts. The strategy proved successful, as delegates at the 1946 AFL convention endorsed “the immediate entry of immigrants composed of displaced persons in Europe of whom the Jews are a large number,” while opposing broader immigration reform.

Of course, Europe was hardly the only source of potential immigrations. At the start of WWII, Southwestern growers and other business interests, joined by their legislative champions, complained to executive branch officials that war-induced labor shortages necessitated a new Mexican temporary worker program. In response, an interagency committee was formed to facilitate the importation of Mexican guestworkers. In 1942, the State Department negotiated a special agreement with Mexico establishing the Bracero Program that Congress swiftly approved.

From the start, organized labor fervently opposed the Bracero Program as both exploitive of Mexican guest workers and detrimental to the labor standards of native workers. The AFL questioned the motives of employers clamoring for cheap Mexican labor. “The same elements that have always exploited illiterate Mexican labor have used the war emergency as a special plea to waive restrictive immigration laws,” it warned (AFL, 1942).

The CIO worried about “the vicious exploitation and discrimination directed against the Mexican workers” and, in contrast to the AFL, at least rhetorically welcomed them “into the ranks of organized labor in the United States for the improvement of their conditions.” (CIO, 1939)

The AFL unwaveringly backed postwar efforts by influential restrictionist legislators such as Senators Pat McCarran (R-NV) and James Eastland (D-MS) and Representative Francis Walter (D-PA) to guard stringent limits on Asian, African, and southern and eastern European immigration. The McCarran-Walter bill promised to maintain the national origins quota system. As in the past, the AFL pledged support for the national origins quotas, but it joined other labor organizations in expressing alarm that Mexican braceros and unauthorized migrants had “depressed wages and destroyed working conditions.” But many restrictionist legislators, including McCarran and Eastland, were responsive to agricultural growers and other business interests who relied upon easy access to cheap Mexican guestworkers. McCarran and Eastland shepherded reauthorization of the Bracero Program in 1951, claiming that termination would be “unfair to the farmer and the Mexican involved” (Reimers, 1992:54).

The AFL’s failure to curb Mexican temporary worker programs had no bearing on their support of the McCarran-Walter bill. Indeed, AFL lobbyist Walter Mason denounced an expansive Humphrey-Lehman-Roosevelt bill because it promised to undermine “the spirit of the Quota Act of 1924” and “disturb the ethnic equilibrium of this country” (AFL Legislative Department, 1952). In defending the national origins quotas, the AFL upheld the two restrictionisms of labor market standards and race.

After failing to terminate legal guestworker programs, organized labor and the Truman administration urged Congress to impose legal sanctions on those who illegally smuggled aliens into the country and on employers who knowingly hired undocumented aliens. Labor

supported an employer-sanctions amendment to “reduce the volume of...illegal entries by imposing penalties upon those who knowingly employ illegal entrants” (AFL Legislative Department, 1952). But McCarran and Eastland defeated the amendment; the final legislation made it unlawful to transport or harbor undocumented aliens but clarified that “harboring” did not include their employment. This “Texas proviso” highlighted the lengths to which congressional champions of national origins quotas were willing to go to preserve Mexican labor immigration, both legal and illegal. Despite this bitter pill, the AFL continued to endorse the legislation because it sustained restrictive quotas. Delegates at AFL conventions as early as 1950 endorsed “the immediate enactment of legislation to bar the illegal entries of aliens...and further that such legislation provide a criminal penalty for employers who hire such labor.” (AFL, 1950) In 1954, a frustrated AFL Executive Council resolved to give “unceasing publicity” to the “wetback problem.” (AFL Executive Council, 1954)

By contrast, the CIO opposed the racist quota system and temporary Mexican labor, while expressing solidarity with Mexican workers.⁵ As was the case in the 1940s, the CIO joined ethnic associations, religious groups, and other immigration reformers in loudly denouncing the national origins quotas and calling for a more open and just preference system. The Bracero Program endured for almost two decades after the war ended. Guarded by a “cozy triangle” of agribusinesses, Southern and Western congressional committee barons, and a lax immigration bureaucracy, roughly 4.2 million Mexican workers were imported under the Bracero Program. Unauthorized flows across the southern border also continued apace.

C. The AFL-CIO Merger and Pro-Immigration Reform: Drawing Distinctions Between Legal and Illegal Immigration (1955-1998)

In strong contrast to the portrait painted by Briggs, the 1955 merger of the AFL and CIO brought about a momentous and enduring shift in organized labor's role in national immigration politics. Even before its merger with the CIO, key factions within the AFL embraced a liberalization of the existing policy regime. During the early 1950s, state-level Federations of Labor in Massachusetts, Minnesota, and other Northern states challenged the AFL's position on immigration policy. The ascendance of George Meany to the presidency of the AFL in these years, a labor leader who favored both the AFL-CIO merger and liberal immigration reform, was also significant. Meany assumed the helm of the newly-merged labor organization in 1955 and promptly purged the AFL's director of legislative affairs, who was a long-time defender of immigration restriction.

Soon, a top AFL-CIO Executive Committee priority was to secure immigration reform that increased annual admissions to 250,000 and secured the "abolishment of the national origins quota system entirely." The AFL-CIO worked closely with other liberal groups in championing expansive immigration reform. In sharp contrast to labor activists of earlier decades, AFL-CIO leaders assailed the intellectual underpinnings of the existing policy structure. "It is a philosophy which condemns *groups* of people, a philosophy which ranks people as inferior or superior to one another," declared AFL-CIO lobbyist Hyman Bookbinder. "It runs contrary to the democratic philosophy that people ought to be judged as *individuals*" (emphasis in original) (Bookbinder 1958).

During the Kennedy years, organized labor finally got its wish to see the Bracero Program terminated. Federal standards for Bracero wages and working conditions were routinely disregarded by employers, they complained. Worse yet, these violations often occurred with the full knowledge of INS, Labor Department, and other government officials, thereby creating a system that reformers described as a "broken down...state of corruption" (Mitchell and Galarzo, 1958). After the 1960 election, the AFL-CIO lobbied Congress

heavily for the program's termination. The administration and Democratic leaders in Congress lent their support to the effort.

Joining a variety of ethnic and religious lobbies, the AFL-CIO and its member unions also worked closely with the Johnson White House and pro-immigration reformers in Congress to dismantle the national origins quota system in 1965. "[T]he true image of America is the kaleidoscope. It is a mosaic of human beings that is always changing but encased in a basic framework of freedom, of brotherhood, of tolerance, of creativity," the AFL-CIO's Bookbinder told lawmakers. "The national origins quota system has no place on the American statute books" (Bookbinder, 1960). It was a clear renunciation of organized labor's earlier endorsement of restriction on the basis of race. Sweeping immigration reform in 1965 dismantled national origins quotas in favor of a new preference system that emphasized family-based immigration, but it also placed a 120,000 annual ceiling on Western Hemisphere visas (Gonzalez, 1996; Calavita, 1992:163-169). Reformers did not anticipate that this new ceiling and the end of the Bracero Program would swell unauthorized Mexican inflows.

The end of the Bracero Program did not, of course, stem Mexican labor recruitment. Instead, the program's demise combined with new limits on Western Hemisphere immigration sent Mexican labor flows largely underground, where they soon thrived and expanded. The issue of illegal immigration inspired more media attention, public concern, and remedial proposals by policymakers than did any other migratory issue of the 1970s and for organized labor, achieving some form of employer sanctions became a top priority. But whereas previous eras saw large portions of the labor movement vilifying the exploited worker as well as the employer, the 1970's marked a shift—now labor unions largely castigated only the employer and began moving in the direction of supporting amnesty for the undocumented.

During the early 1970s, the AFL-CIO's Legislative Department mobilized broad support in the House for employer sanctions legislation. Employer sanctions appealed to many liberal Democrats because they promised to discourage illegal entries by targeting unscrupulous employers rather than pursuing mass deportation tactics that threatened the civil liberties of Latino citizens and legal permanent residents. If employers could be dissuaded from hiring undocumented aliens, so the argument went, fewer foreign workers would be drawn illegally across national borders by the magnet of American jobs. The AFL-CIO worked closely with pro-labor Democrats in the House on employer sanctions legislation, but over time resistance emerged in the House from fellow Democrats who warned that the measure would lead to job discrimination against Latinos, Asians, and anyone who looked or sounded foreign. (Congressional Record, 1972:30164, 30182-83)

Meanwhile, several unions promoted solidarity towards at least some immigrants. In 1975, the United Farm Workers (UFW) and Cesar Chavez were persuaded by Latino groups to oppose only undocumented aliens who engaged in strike-breaking activities.⁶ The UFW also announced new support for a generous amnesty program. The same year, the International Ladies Garment Workers Union (ILGWU) served notice that it was campaigning to unionize undocumented aliens because of their enduring presence in the garment industry. ILGWU officials publicly explained that their new policy toward unauthorized workers reflected an inability on the part of the federal government "to do anything about illegal immigrants" (*Los Angeles Times*, January 30, 1975). Among prominent Latino labor groups, only the AFL-CIO's Labor Council for Latin American Advancement (LCLAA) remained stridently opposed to illegal immigration.

Beginning in the late 70's, Senator Alan Simpson (R-WY), and Representative Romano Mazzoli, a moderate Kentucky Democrat took the lead in pressing for immigration reform. Early in 1982, the pair introduced omnibus legislation on illegal and legal

immigration, including enforcement measures, employer sanctions, a temporary worker program, and limited amnesty. The measure met fierce resistance from a broad coalition of business interests (the U.S. Chamber of Commerce, National Association of Manufacturers, agribusinesses, the Business Roundtable), ethnic and civil rights groups such as the National Council of La Raza (NCLR) and the Mexican American Legal Defense and Education Fund (MALDEF), the ACLU, religious lobbies, and a new immigrant rights organization, the National Immigration Forum (NIF).

Opposition to the Simpson-Mazzoli initiative came from both right and left. The Reagan administration saw employer sanctions and “national identification cards” working at cross-purposes with its regulatory relief agenda, while House Democrats led by the Hispanic and Black Caucuses, raised familiar concerns about discriminatory impacts of sanctions and other provisions. Three more years of wrangling resulted in the Immigration Reform and Control Act of 1986 (IRCA), a compromise package of watered-down employer sanctions provisions, legalization for undocumented aliens living in the country since 1982, and a new Seasonal Agricultural Worker program to appease grower interests. The measure proved highly successful in granting legal status to nearly three million undocumented aliens, but the AFL-CIO’s long-standing policy goal—employer sanctions—proved to be a “toothless tiger.”

Rather than preventing employers from hiring the undocumented, sanctions actually gave them cover since the law did not require employers to verify the authenticity of workers’ documents. Employers could follow the letter of the law while still hiring large numbers of undocumented workers. Moreover, some employers followed a strategy of selective verification as a tool for foiling union organizing drives (Chishti, 2000:71-76). Thus, several unions most involved in organizing low wage immigrant workers, including the International Ladies Garment Workers Union (ILGWU), the Amalgamated Clothing and Textile Workers Union (ACTWU), the Hotel Employees and Restaurant Employees (HERE) and the Service

Employees International Union (SEIU), although initially supportive of employer sanctions, began passing resolutions calling for repeal as early as 1992 (Haus, 1995:299-304).

By the late 1980s, it was clear that the IRCA had done virtually nothing to discourage illegal immigration. But legislators were eager to shift their attention to the politically painless task of expanding legal immigration. The Immigration Act of 1990 unified ethnic groups, humanitarian organizations, labor unions and the AFL-CIO, business groups, and free market conservatives behind a 40% increase in annual visa allocations that benefited both family-based and employment-based immigration (Tichenor, 2002:ch.9). Tellingly, the same year, the AFL-CIO, long the most strident advocate of employer sanctions, made little effort to press for stronger enforcement amidst new illegal immigration. Instead, AFL-CIO President Lane Kirkland joined fellow members of the Leadership Conference on Civil Rights in lobbying for more vigorous enforcement of job antidiscrimination protections for Latinos, Asians, and legal aliens (Kirkland, 1989). For perhaps the first time, the balance between restrictivism and solidarity in American labor was swinging decisively toward the latter.

D. Championing Foreign-Born Workers: America's Divided Labor Movement (1999-present)

This swing was, it transpired, deeply controversial. Between 1990 and 2000, more immigrants arrived in the United States than during any previous decade in American history. (Schmidley, 2001). By 2005, foreign-born workers accounted for 14% of the civilian labor force. Of these, close to 5% of the labor force was undocumented immigrants. In this context, the AFL-CIO reversed course in 1999 and called for the repeal of the employer sanctions provision it had strongly supported as part of the IRCA. But the same Executive Council resolution that now forswore opposition to employer sanctions also called for expanding the organizing rights of immigrant workers, a broad amnesty for the undocumented, and immigrant admissions based upon family reunification. This approach represented the

culmination of a shift in the Federation's strategy that had begun in the late 1970's when the AFL-CIO first came out in support of amnesty.

The Federation's new position signaled a period of increased union activism on behalf of an expansive immigration policy, but there would be tremendous division within the House of Labor over specifics. In 2005, five AFL-CIO member unions accounting for more than a third of union membership left the Federation and formed a new coalition, Change To Win (CTW).⁷ The split was largely over political control of the Federation, but it also had to do with impatience over the pace of organizing and the AFL-CIO's unwillingness or inability to hold affiliates accountable for making it their top priority.

While not the main cause of the rift, disagreements over immigration policy were a vibrant sub-plot. Four of the five founding CTW unions had the largest numbers of foreign born workers in their membership bases and an ambition to organize millions more.⁸ The SEIU signature campaign was Justice for Janitors, which focused on organizing low wage Latino janitors. In 2006, UNITE-HERE, the merged union of hotel and garment workers, launched the Hotel Workers Rising campaign and organized Latino maids and other "back of the house" workers. Unlike construction and manufacturing unions, these unions focused on the newer, historically less organized sectors of the economy, and their memberships included many new immigrants. Weeks prior to the split, HERE President John Wilhelm resigned as chair of the AFL-CIO Committee on Immigration, having concluded that the Federation's opposition to a guestworker program kept it from forging a workable policy compromise with business. AFL-CIO President John Sweeney then charged Wilhelm with having "acquiesced to the corporate demands of the Republican sponsors of the bill" (Pollack, 2005).

Following their rift, the AFL-CIO, HERE and SEIU all deepened their immigration work. AFL-CIO strategies including lobbying for comprehensive immigration reform, working with affiliates to strengthen local union representation of immigrant members, and

building partnerships with grassroots community-based immigrant worker organizations. In 2006, the AFL-CIO partnered with the National Day Laborer Organizing Network (NDLON), an umbrella organization of day laborer “worker centers” that had sometimes been viewed as competition, especially by building trades unions. With day laborer centers coming under attack from anti-immigrant organizations seeking their closure—NDLON desperately needed the AFL-CIO support in defending the centers in numerous courts, city councils, and county and state legislatures (Fine, 2006).

This worker center alliance represented another significant step along the pathway toward a solidaristic, even expansionist approach to dealing with immigration. But for the AFL-CIO’s fragile internal consensus, the alliance was fraught with danger. Some building trades unions strongly opposed the NDLON agreement, and white collar unions typically opposed any bill that included expansion of guestworker programs. Concerned about white collar immigrant workers being brought in by corporate America through the H1B/L-1 temporary worker program, the AFL-CIO’s Department for Professional Employees (DPE) unfavorably contrasted the AFL-CIO’s strong activism on behalf of immigrant workers with its quiescence on the outsourcing of white collar jobs. The Building and Construction Trades Department of the AFL-CIO came out with its own comprehensive statement on immigration reform, for the first time declaring support for earned legal status for undocumented workers and, like their white collar DPE brethren, taking a strong position in opposition to an expanded temporary worker program.

Meanwhile, SEIU and HERE went in a decidedly different direction. In their view, working with business was a political necessity, and they began to work closely with the Essential Worker Immigration Coalition (EWIC), an alliance of immigrant-dependent industry associations headed by the U.S. Chamber of Commerce. SEIU and HERE concluded that politically viable immigration legislation would require some form of a temporary worker

program (although they preferred one that gave workers portability between employers). Liberated from Federation constraints, they accepted this trade-off in exchange for some form of legalization for the 12 million undocumented workers currently residing in the United States. SEIU and HERE differed with the AFL position on two counts. First, based on the supply of workers currently entering the United States annually, they believed that the number of visas would have to be much higher than the Federation proposal. Second, they believed that handling all future flow through increasing the number of green cards was politically unfeasible.

Legislative politics provided a brief respite from this tension. In 2005, HB 4437, a punitive bill focused on border enforcement passed the Republican-controlled House. It proposed to make illegal presence in the United States a felony and made it a crime to lend support to undocumented immigrants. From March through May 2006, demonstrations against the bill by largely Latino immigrants and their supporters, unprecedented in number and size, took place across the United States (Narro, Wong, and Sahdduck-Hernandez, 2007:49-56; Hing and Johnson, 2007). SEIU, HERE and other unions provided crucial financial support and troops, and the AFL-CIO worked closely with NDLOM to oppose the bill. During that spring, opposition to the punitive House plan offered a divided labor movement an opportunity to stand united, but it was a unity that would not last. Three Senate bills emerged in the Spring of 2006, and while the AFL-CIO opposed all three, SEIU and HERE supported two of them (Kennedy/McCain and Specter), notwithstanding their guestworker provisions.⁹

Congress passed none of the bills, and in November 2006, Democrats gained control of both the House and Senate. President Bush soon began speaking of “a bipartisan effort” on immigration reform. Turning up the pressure for legislative action, US Immigration and Customs Enforcement (ICE) launched an aggressive worksite enforcement campaign,

arresting several thousand undocumented workers (Congressional Research Service, 2006). But while the Bush administration's ratcheting up of enforcement seemed calculated to dramatize the need for immigration reform, grassroots opposition was growing, apparently a backlash from the huge immigration marches the previous spring, led by anti-immigration organizations and fueled by right-wing talk show hosts like CNN's Lou Dobbs.

In March and April of 2007, Senator Edward Kennedy (D-MA) resubmitted the only bill to pass the Senate in 2006 as a starting point for discussion in the Senate, while Representative Luis Gutierrez of (D-IL) submitted his own immigration bill in the House. Both were liberal Democrats, and Kennedy had long been labor's leading ally in the Senate, yet despite AFL-CIO opposition and Democratic control of Congress, both men incorporated expanded temporary worker programs in their proposals. The Gutierrez bill included earned legalization for the 12 million undocumented as well as a large new temporary worker program, but one which included visa portability, the right to travel back and forth, an option to apply for permanent resident status and a "pathway to citizenship." It was embraced as a starting point by SEIU, HERE, the NCLR, the NIF and other allies. By May, a bipartisan Senate coalition put forward the Border Security and Immigration Act of 2007, a "grand bargain" that had the support of President Bush and became the focus of all meaningful subsequent discussion (*New York Times*, May 18, 2007).

The bill included significant new funding for border security and interior enforcement. It imposed criminal penalties for illegal entry and replaced the family and employment based admissions system with a "merit-based" system. The bill provided a new Z visa for undocumented immigrants that covered "a principal or employed alien, the spouse or elderly parent of that alien and the minor children of that alien" currently living in the US provided they pay fees and penalties that could total as much as \$8,000 and meet a "touchback provision" requiring the head of the household to return home before applying for permanent

residency. A temporary Y worker program of about 200,000 would allow admit workers for a two year period, renewable twice if the worker spent one year outside of the US between each admission. Incorporating a White House proposal, the bill contained triggers to be met before the Z or Y visas could begin. These triggers included: 18,000 border patrol hired, construction of 200 miles of vehicle barriers and 370 miles of fencing, resources to detain up to 27,500 persons per day on an annual basis and the use of secure and effective identification tools to prevent unauthorized work.

Labor's divisions shone brightly. The AFL-CIO opposed the bill, while expressing strong support for a broad amnesty, advocating for significant increases in green cards and playing a central role in defending the rights of immigrant workers to organize. The Building and Construction Trades Department vehemently opposed the legislation and played a prominent role in successfully blocking cloture as desired by the bill's Senate supporters. Meanwhile, the SEIU, HERE and UFW along with many business organizations and the White House worked to save the bill. While three CTW unions, the Laborers, Teamsters and UFCW ultimately joined the Federation in opposing the bill, the other three—SEIU, UNITE-HERE and UFW pressed on in their advocacy. Despite expressing major problems with some of its features, those unions believed the best strategy was to push the bill forward and try to improve it when it went to the House.

In June 2007, the grand bargain was defeated for a second and final time. To be clear: the defeat came not at the hands of the labor unions, but at the hands of a powerful grassroots anti-immigration mobilization that ultimately blocked the business lobbies from being able to mobilize the necessary Republican votes to pass the bill. However, the 2007 debate represented a unique moment in the American labor movement's struggles over immigration. Rather than a clear-cut division between "restriction" versus "solidarity" within organized labor, both sides in this debate pursued solidarity and championed immigrant rights. The

differences within the movement over the amnesty for guestworker tradeoff, although bitter, were a portrait of a labor movement wrestling over the best strategy to defend labor standards while welcoming new immigrant workers as the lifeblood of a revitalized labor movement.

What explains the patterns of division among unions through time is a difficult and important question, but also one that we cannot answer at this juncture, beyond the historically contingent conditions involving particular union leaders and rank-and-file members suggested above. But the division among and struggles over union strategies towards immigrants and immigration laws is what we emphasize. And this is key to understanding US immigration politics and labor history – and clearly clashes with prevailing views of both.

III. Does Immigration lower Union Density?

Clearly, then, American labor has been and continues to be deeply divided over its strategic approach to immigration. If empirical evidence showed an unambiguous relationship between immigration and labor strength, this enduring strategic divide would be hard to explain indeed. Presumably, at some point, such clear facts would win out. To be sure, this is essentially the position Briggs stakes out: immigration undermines union bargaining power and membership numbers. Left to explain the AFL-CIO shift in the face of these apparent material facts, Briggs stresses unions “trying to endear themselves to immigrant causes” (1991:177). But where he characterizes this move as hopelessly misguided, we root the strategic divide in a much less clear empirical relationship between immigration and labor success. Demonstrating this empirical ambiguity is the burden of our final section.

As noted at the outset, immigration can be expected to have offsetting implications for union organizing—on the one hand increasing labor supply and on the other hand constituting

new potential organizing pools for unions. Which effect dominates for a particular sector, or for a given union at a specific time, partly depends on union strategies towards immigrants—strategies that, consistent with the above patterns, vary substantially over time and space. Such varying strategies should, we expect, alter any general positive or negative relationship between patterns of immigration and union density.

Although such an expectation finds conceptual resonance in some studies of union organization, it is clearly at odds with those expecting tension between immigration and union power. The large literature seeking to explain US union rise and decline has generally ignored or dismissed the role of immigration, seeing the main culprit of US labor's decline since the 1950s lying not in immigration but in weak labor laws, employer power, and a range of other economic conditions like the decline of manufacturing sectors relative to services (Bernstein, 2001; Freeman, 1998). Such a position is certainly compatible with our own. But those scholars most explicitly focused on immigration and union density take a quite different position, expecting and finding a negative association between immigration and union density. Briggs' strong version of the claim is that "...unions thrive (membership grows) when immigration is low or levels are contracting; unions falter (membership declines) during periods when immigration is high or levels are increasing" (2001:3). This judgment follows the logic that immigration increases labor supply and brings a less integrated, economically vulnerable and docile labor pool, thus complicating organizing efforts and weakening the power of workers relative to employers. Although often stated less starkly than Briggs' formulation, such a view has other adherents in the policy-making community and broader political economy literature (Lee, 2005; Beck, 2001).

Empirical information to adjudicate these views could focus on immigration and union organization over time, but could also focus on such characteristics across countries, and/or regions, and/or sectors within the US. Although Lee (2005) focuses on a short time-series

cross-section of OECD countries and Burgoon and Jacoby (2002) consider state-level cross-sections, the main evidence so far involves US time-series on density and immigration. Such time-series are highly relevant, given the country-specific nature of immigration and industrial relations in the US, and given widely-shared interest in broad tendencies at the US national level and in trends in the plight of organized labor.

Such time-series provide plenty of fodder for claims that immigration is bad news for unions, where there appears to be a negative relationship between trends in foreign-born population or immigration flows and union density (Briggs, 2001; Beck, 2001). For instance the golden age of American unions began only after onset of the immigration-curtailing Immigration Acts of 1921 and 1924. And the post 1950s decline in the fortunes of organized labor coincide roughly with the upward turn in immigration flows following the less restrictive 1965 Immigration Act. Others, however, have highlighted specific exceptions to this pattern, such as how the post-1950 peak of US union density began its steady decline well before the less restrictive 1965 Act (Palley 2001:10; Bernstein 2001:14).

The disagreement justifies another look at such time-series evidence to understand how immigration trends relate to union density. Figure One below paints a descriptive picture of trends in immigration and union density between 1870 and 2006. For measures of union density, we rely on the annual measures of employed union members as a share of all employed wage and salary workers, developed by Richard Freeman, based on a range of data sources, and we extend the measure to 2006 using the “Unionstats” database based on Current Population Survey (CPS) data (Freeman, 1998; Hirsch and Macpherson, 2003; US Bureau of Census, 2008). For measures of immigration inflows, we focus on the number of persons receiving legal permanent-residence status as a percentage of the population (DHS, 2007:Table 1).¹⁰ Related measures are strongly correlated with this, such as naturalization rates and foreign born shares. As a check, we also consider the trends in “foreign born” as a

percentage of the population, though the data here is only available on a decennial basis and is shown with between-decade values interpolated on a linear basis. The foreign-born values in Figure One are measured on the scale of the left-hand, “union-density” y-axis. In order to make the relationships between trends and immigration and union density more visible, the Figure is broken-up into three time periods, from 1870-1910, from 1910 to 1950, and from 1950-2007.

[Figure One here]

Figure One shows clearly why many observers might see a negative relationship between immigration and union density. Except for the first panel (a), for years 1870 to 1909, one can see significant periods of sharply rising union density coinciding with falling immigration or dropping density coinciding with rising immigration. The latter trend is particularly true in the most recent period since the 1950s (panel c), where declining union density tends to coincide with a trend in rising immigration and rising foreign born shares.

Yet there are good theoretical reasons to interpret such trends with care. For example, political dynamics might make apparently hydraulic trends in union density rather non-linear and episodic. Freeman (1998) argues that union-organizing spurts reflect how organizing can have increasing returns and how employer opposition might be particularly strong in low- or non-union settings and softening above saturation points. Looking closer, we see that the trends indeed do paint a more mixed picture. For instance, the first panel captures two such spurts in organizing, 1880-86 and 1897-1904. Coinciding with the first spurt, immigration flows rose first very sharply (having begun a sharp spike in 1877) and then after 1882 fell almost as sharply. And if one considers a one-year lag (or more) in how immigration flows might affect industrial relations, then we can see that this first spurt in union organizing and

density coincides with a spurt in immigration as measured by foreign-born shares. The second spurt between 1897 and 1904 is more obviously correlated with generally increasing immigration flows, though this time less consistently so if one considers lags or the foreign-born shares as measures of immigration. Panel b in Figure One also shows two spurts in union organization, the first of which (1916-1921) overlaps a period of declining and then more sharply rising immigration flows and rather flat foreign-born shares. And the second unionizing spurt from 1934 to 1939 coincides with weakly rising immigration flows. Focusing on the organizing spurts, thus, suggests that rising union organization coincides with widely varying and often positive shifts in immigration.

More generally, many other features of the descriptive tracking of immigration and density trends belie the idea of a simple negative relationship. Considering the many moments of declining union density throughout the 110-year period and not just the last forty years, the relationship between immigration and density is less obviously negative. Marked drops in density between 1893 and 1897 and between 1920 and 1923 coincide with discernible drops in immigration flows and foreign-born trends. Furthermore, the decline in density begins most strongly in the early 1950s when immigration flows are generally flat and foreign-born shares are declining. And if one compares *rates* of growth or decline with *rates* of rising or declining immigration, the trends harbor plenty of periods where a drop in the rate of decline in union density coincides with rises in the rate of increase in immigration. The early 1990s are a recent and important case in point (Bernstein 2001:14).

All these trends suggest an ambiguous picture of the relationship between immigration and union density. This is important to realize, even before taking into account the possibility that any apparent correlation between immigration and union-density trends might be misleading. Most obviously, any correlation between immigration and density might be the result of factors affecting both trends, such as business cycles, making any correlation

spurious. Most scholars discussing time-series information on immigration and union density acknowledge this—including Briggs in his judgment that apparently positive relationships between immigration and union organization might reflect macroeconomic developments.¹¹

Most fundamental, however, is that any apparent correlations between immigration and density may express time dynamics in the data, such as how union density (or immigration) in one year might have strong implications for density (or immigration) in another year—something much literature expects given how past organizing successes or failures have strong implications for future ones (Freeman 1998). Such dynamics are common in any time-series data and are as important to address as are possible “omitted variables” in revealing the “real” relationships in Figure One. Although time-series analyses of union density in other countries have addressed such dynamics, the literature on US union organization has to our knowledge not done so (Carruth and Schnabel, 1990; Johnson, 2002).

To statistically analyze the same annual time-series measures of immigration and union density from 1880 to 2006 shown in Figure One, we fit a range of models of union density. We do so not to develop a complete model of such density, something beyond the scope of this study, but instead to identify and redress time-dynamics in the data and the role of key factors other than immigration (see Appendix One for summary statistics). We use controls that theory and existing studies suggest ought to influence both immigration and union density in the United States context: manufacturing employment as a proportion of total employment (the inverse of deindustrialization), which eases organization of collective representation (Lee, 2005; Bernstein, 2001); growth in GDP per capita captures macroeconomic upturns that plausibly diminish worker demand for organization (Checci and Visser, 2005); and population level (logged) that captures the size of economies that should be directly proportional to the ease of organizing and hence level of union density.¹²

The time dynamics we consider include possible *serial correlation* (correlation among

the errors of adjacent observations in the time-series); possible *non-stationarity* (where the values of union density and/or immigration do not vary around fixed long-run means); *possible lags* in how measures of immigration affect union density; and possible year-to-year *volatility or shocks* in the trends. These features of the data could generate bias and obscure the actual relationship between immigration and density. A useful estimation procedure to redress these potential features of time-series data are Auto-Regressive Integrated Moving Average models (ARIMA) (Box and Jenkins, 1976; Harvey, 1981; Ostrom, 1990). We experimented with a range of ARIMA models by adjusting several parameters and considering different lags and moving averages of the key parameters and possible controls—to yield the statistically best-performing model of how immigration influences union density.

The first five columns of Table One summarize the results of our identification of the basic model without controls but focused on addressing how immigration patterns play out in light of potential autocorrelation, non-stationarity, shocks in shaping union density, and lags and/or volatility in the effect of immigration on such density. To facilitate comparison of models in light of such characteristics, we rely on diagnostic statistics that identify the above characteristics (e.g. Durbin-Watson d-statistics to judge presence of serial correlation, and Augmented Dickey-Fuller statistics to measure non-stationarity in union density) and to allow judgment of which model best fits the data (e.g. Akaike information criterion, AIC, for overall goodness-of-fit). All the estimations are maximum likelihood and require post-estimation to gauge the size of the modeled effects of immigration. But the size and sign of coefficients relative to standard errors allow us to judge whether immigration trends tend to have positive, negative or no significant effects on trends in union density.

The first three columns show results for union density regressed on one-year lagged levels of immigration. Their comparison reveals that especially first-order autocorrelation and perhaps also first-order shocks in trends in union density are present, and therefore that

regressions not modeling and correcting for such serial correlation or shocks are unreliable, yielding coefficients for immigration whose standard errors are downwardly biased.

The first column shows the results for the simplest estimation, without taking account of any correlation. It identifies a strong and statistically significant *negative* relationship: based on the fitted values from the maximum likelihood estimation, moving from the 5th to the 95th percentile in the sample distribution of immigration rates over time (from roughly .38 percent to roughly 1.2 percent of the population) yields a decrease in union density from 19 to 4 percent (equivalent to moving from the 63rd to the 5th percentile in the sample distribution of union density). But such a result is clearly an artifact of very strong first-order autocorrelation, something that is partly captured by the very low Durbin-Watson d-statistic of .211 (values below 1 are strong signals of the presence of autocorrelation).¹³ Model 1 may be also problematic because all tests reveal union density to be non-stationary. One example of such a test is the Augmented Dickey-Fuller test, whose t-stat value of -1.5 strongly suggests non-stationarity (being well below the cut-off for even a 10-percent rejection of the null hypothesis of a unit root is -2.578). Further, goodness-of-fit problems are signaled by a high AIC of 862. The autocorrelation and non-stationarity likely reflect real and not just measurement issues, since union-organizing successes and failures can strongly influence future efforts, such that union density in one year strongly affects density in another. What model 1 captures, hence, is not the effect of immigration so much as the effect of past union density. In short, model 1, which supports the central intuition in the dominant literature, is a very unreliable estimator of how immigration affects union density.

Columns 2 and 3 consider two alternative estimators to address the problem of autocorrelation. Column 2 is a simple autoregressive model (AR-model) that takes account of how past values of union density affect present values through an AR(1) process. This procedure significantly reduces the level of serial correlation. The presence of an AR(1)

process can be seen by the highly significant coefficients for the AR(1) parameter, and the significantly lower AIC statistic shown in Table One suggests a better model than that in column 1.¹⁴ For the purposes of divining the effect of immigration on union density, the coefficient for immigration is positive and insignificant in this better-fitting model, suggesting that immigration tends to have no effect on union density.

Column 3, meanwhile, is an ARMA model, considering the simultaneous presence of an AR(1) process and a MA(1) process, the latter reflecting potential shocks in one-year lags.¹⁵ We see again the significant presence of the modeled serial correlation (highly significant AR(1) parameter in Column 3, and also the presence of shocks in the moving average (the highly significant MA(1) parameter). And with the addition of the MA(1) parameter, the lower AIC statistic suggests an improved model over the simple AR(1) model in column 2. Most importantly, this ARMA model suggests that immigration has no significant effect on union density.

Columns 4 and 5 show the results of specifications that achieve stationarity and improve validity of the estimations. Column 4 considers a “mixed” ARIMA model (arima(1,1,1)). Here, the estimation is of the first-difference of union density (density at t minus density at $t-1$) regressed on the (lagged) first-difference of the 5-year moving average of immigration levels, in addition to modeling of an autoregressive process and the presence of shocks in with an MA(1) component. The estimation lowers the extant serial correlation, even compared to the ARMA model. And it also significantly redresses the problem of non-stationarity; tests for unit-roots suggest that the first-differences of union density, unlike levels of union density, are stationary. Such mixed models, however, often over-fit the data.

In any event, it appears that the best fitting model is a first-difference autoregressive model shown in Column 5 (arima(1,1,0)), where the model is in first differences of union density and lagged immigration and includes an autoregressive component but not an MA(1)

component. Here, there is no sign of extant serial correlation or of nonstationarity, and the general goodness-of-fit is better than the mixed model in Column 4. Hence, we take the results in Column 5 to be the best bivariate estimates of over-time effects of immigration for union density. And the results clearly suggest again that immigration has no effect on such density once one accounts for serial correlation and non-stationarity in the time series.¹⁶ To help visualize such patterns, Appendix Two shows two scatterplots of union density and immigration, taking levels (basis for Models 1-3) as opposed to first-differences (basis for Models 4 and 5).

The remaining columns capture how the inclusion of various controls and estimation of other measures of immigration yield very similar results to this benchmark. Column 6 shows the results of running the same estimator as in Column 5 (arima(1,1,0)) but with the inclusion of manufacturing employment shares, growth, and population (logged) as controls. The estimation performs similarly in terms of modeling of autoregressive processes, and shows no sign of extant autocorrelation and, not surprisingly, fits the data better than the bivariate models. The controls perform broadly in line with expectation: economic growth is, as expected, significantly negative, showing a countercyclical effect on union density; manufacturing employment is strongly positive, consistent with findings that deindustrialization lowers union density; and population is negative, as expected, but insignificant. The key, however, is that immigration remains statistically insignificant in its correlation with union density, a result that does not change if we drop any of the controls or consider each separately.

Finally, columns 7 and 8 consider the same ARIMA models as that in Column 6, but consider the effects of naturalization rates (column7) (DHS, 2007) and foreign-born shares (column 8) (US Bureau of Census, 2008), respectively, to consider whether the results are robust to alternative immigration measures. As can be seen by the highlighted results, neither

is significantly related to union density, a result that holds up regardless of controls and in all of the various ARIMA specifications in Columns 2-5. In addition to these reported tests, we considered a range of alternative estimators, controls, lags, moving averages, yet-other measures of immigration, and various (sub-)time periods. Our goal in all these tests was not so much to fully specify a model of immigration as to consider the sensitivity of the putatively negative relationship between immigration and union density to the most obvious and crucial obstacles to understanding over-time relationships. And very significant in that light, all of the alternative specifications addressing such obstacles yielded the same broad “non-result,” that immigration has no substantively or statistically significant effect on union density.

In sum, analysis of national union density over time, sensitive to the role of third factors and to time-dependence in time-series estimation strongly supports what the above analysis of the descriptive trends implied—that immigration trends tend to have no significant effect on union density trends. As a purely empirical matter, this is not surprising, given the role other factors play and the widely varying kinds of immigration and economic conditions characterizing US industrial relations since the 19th-century. Theoretically, it is consistent with our own sense that union strategies towards the organizing of immigrants and the treatment of the immigration have differed substantially across time, sector and space enough that we expect immigration to have neutral effects for density in the net. But the finding certainly goes against the attractive intuition that immigration means bad news, plain-and-simple, for union density.

IV. Conclusion

Our empirical evidence from fresh archival work, elite interviews, and quantitative analysis offers an understanding of American labor’s relationship with immigration that is decidedly different from the familiar one advanced by Vernon Briggs in his salutary research

on the subject and widely promoted by many pundits and scholars. Our archival investigation of the evolution of this relationship (examining frequently-neglected collections, episodes, and crucial labor leaders and organizations in US labor history) captures a labor movement regularly riven by potent internal conflicts over national immigration policy and new immigrant membership. Our historical account of organized labor and immigration also illuminates far more variation in the official positions and lobbying efforts ultimately pursued by the major labor federations during periods that others have portrayed as simply restrictionist. Our archival findings for periods such as the post-World War II era and its frequently competing AFL and CIO voices on immigration powerfully belie this received wisdom. Likewise, our elite interview and documentary research of immigration and unionism today captures an American labor movement that remains deeply conflicted. Organized labor in the United States is as fraught in its pro-immigration efforts today as it was in its promotion of immigration restriction at the turn of the century and after World War II.

As much as our qualitative findings provide insights about the labor movement's relationship toward immigration over time that profoundly contradict the historical narrative and assumptions advanced by Briggs, we also demonstrate significant oversimplification in his claims about immigration and union density. Put simply, there appears to be no statistically-significant relationship, positive or negative, between immigration and union density once one takes into account trends and the role of other factors in historical data. These cast serious doubt that descriptive figures suggesting a (negative) relationship between the two capture anything close to the actual relationship.

To be sure, there are other potential dependent variables relevant to industrial relations and unions, and other modeling techniques or further controls than the many we have considered. And with respect to both our quantitative study and historical narrative, there are

important, as yet unanswered questions, about the many possible conditions shaping the diversity of and struggles over union responses to immigration. But for now, scholars and practitioners interested in immigration and/or labor should be skeptical towards the view that immigration has a directly negative effect on union density and of the view that American unions believe that it must.

We began this article by positing labor's enduring dilemma over immigration as one of solidarity *versus* restriction but perhaps a more apt description of the positions labor has adopted over the long arc of history is really solidarity *and* restriction. In truth, labor's positions are often an amalgam of solidarity for some and restriction for others. Over time, there has been an expansion by fits and starts of who labor leaders believe they can and should include. When this occurs we observe the cognitive migration of certain categories of the previously excluded, such as unskilled workers and southern and eastern European workers in the 1930's, from labor's restriction column—where the strategy is chiefly one of attempting to keep people out—to the solidarity column—where the strategy shifts to policies that facilitate organizing them into the movement.

However, migration to the solidarity column as we have seen in the case of Asians and Latinos has always been strongly conditioned by perceptions of racial and ethnic difference. For many labor unions, the extension of solidarity to the previously excluded begins not as a normative shift but as a pragmatic one—when restriction failed, as it did for clothing, textile, and farmworkers in the 1970's and 1980's, and for hotel, restaurant, and building services workers in the 1990's. There was first a pragmatic shift to a solidarity strategy—one in which Latino workers eventually go from being derided as wetbacks to embraced as the righteous descendents of an unfinished civil rights movement, as they were during the Immigrant Workers Freedom Ride. This striking amalgam of restrictionist and solidaristic positions was certainly on display during the latest round of immigration reform. Given its very long

pedigree, as demonstrated above, there is no reason to believe that it will disappear anytime soon.

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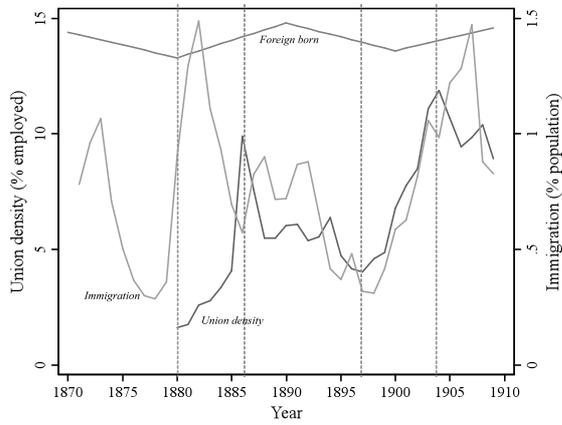
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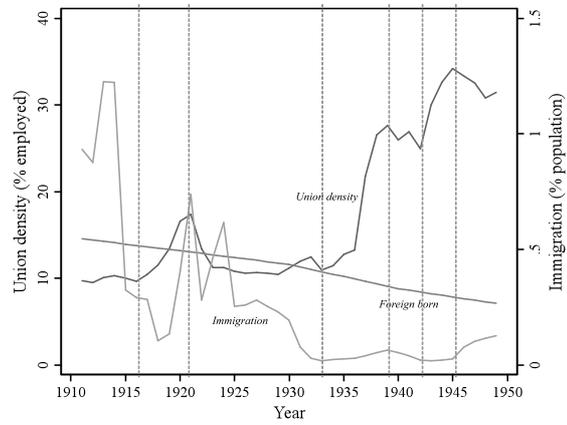
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Figure One:
Trends in union density, immigration and foreign-born population*, 1870-2007

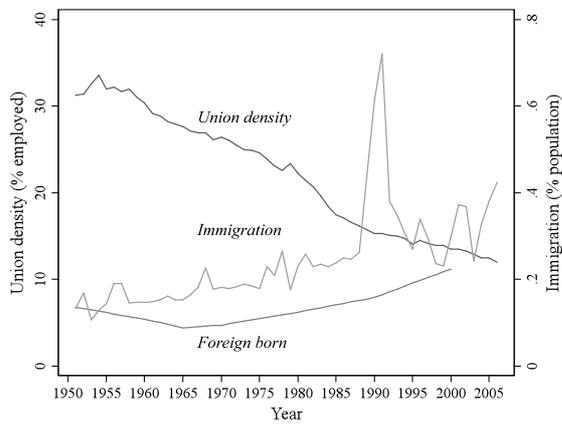
a. 1870-1909



b. 1910-1949



c. 1950-2007



* Foreign-born percentage of population measured on scale of the left-hand y-axis.

Table One: ARIMA estimation of union density

	(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Immigration	-1705.9*** (190.6)	6.66 (91.28)	-173.0 (244.3)	-154.1 (232.7)	17.09 (96.70)	6.674 (91.39)		
Naturalization							0.364 (0.557)	
Foreign-born (interpolated)								-108.95 (147.71)
Manufacturing empl.						59.75*** (13.21)	51.56*** (13.38)	59.76*** (13.13)
Growth						-41.97** (20.09)	-39.81* (20.37)	-43.97** (20.25)
Population						-33.64 (25.38)	-81.93 (65.43)	-31.32 (40.98)
AR(1)		0.99*** (0.016)	0.98*** (0.019)	0.189 (0.45)	0.27*** (0.06)	0.11* (0.064)	.17* (0.096)	0.08 (.07)
MA(1)			0.258*** (0.0579)	0.086 (0.438)				
Constant	23.60*** (0.858)	11.22 (8.175)	12.89* (6.752)	0.08 (0.269)	0.08 (0.237)	0.674 (0.437)	1.173 (.797)	.62 (.74)
Observations	127	127	127	126	126	124	96	121
sigma σ	7.041*** (0.632)	1.483*** (0.0433)	1.424*** (0.0385)	1.427*** (0.0453)	1.430*** (0.0467)	1.330*** (0.0455)	1.25*** (.065)	1.33*** (.045)
Log-likelihood	-428.08	-232.12	-226.99	-223.61	-223.87	-211.3	-157.68	-206.48
Arima(p,d,q)	arima(0,0,0)	arima(1,0,0)	arima(1,0,1)	arima(1,1,1)	arima(1,1,0)	arima(1,1,0)	arima(1,1,0)	arima(1,1,0)
Durbin-watson d-stat	0.211	1.33	1.67	1.99	1.97	2.01	2.03	2.01
Aug.Dickey Fuller (t-stat)	-1.585	-1.585	-1.585	-8.37***	-8.37***	-8.37***	-6.86***	-8.21***
AIC	862.2	472.24	463.97	457.22	455.75	436.6	329.35	426.95

ARIMA maximum likelihood estimates (standard errors in parentheses)

(1) to (3) all parameters measured in levels; (4) through (8) all parameters measured in first-differences.

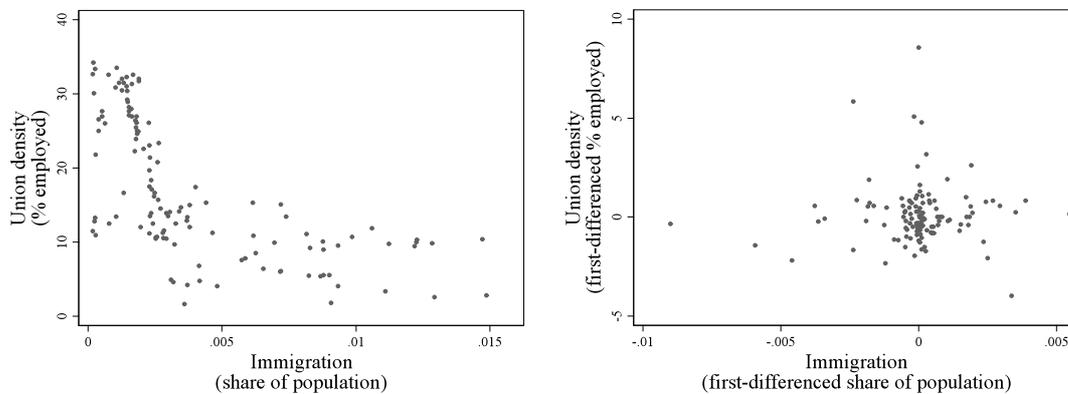
See text for definitions of variables, parameters, and test statistics.

*** p<0.01, ** p<0.05, * p<0.10

Appendix One: Summary statistics

Variable	Obs.	Mean	Std. Dev.	Min	Max
Union density	127	16.896	9.287	1.610	34.230
Immigration	127	0.004	0.004	0.00017	0.015
Foreign-born (interpolated)	121	0.100	0.036	0.044	0.148
Naturalization	100	1.286	0.871	0.242	5.176
Manufacturing employment	127	0.297	0.078	0.104	0.415
Growth	124	0.002	0.006	-0.026	0.019
Population	127	11.835	0.500	10.829	12.606

Appendix Two: Union density and lagged immigration (as levels and as first-differences)



¹ Strictly speaking, one might propose “expansionism” as a conceptual opposite to “restrictivism.” Though we write of “expansion” when that is an aim in itself, more often American labor has found itself divided over how to respond to labor market changes it does not control. Thus, “solidarity” – in either the material and/or ethnic senses already described – is the primary strategic alternative to restricting entry to the nation and/or the labor market. Our analytical choice is thus consistent with our efforts to foreground union *strategy* in our analysis.

² For the earlier labor debates over immigration see Mink (1986), Lane (1987) and Fine and Tichenor (2009).

³ In its Annual Report of 1897, the IRL Executive Committee notes that numerous contacts were made with “the various bodies composing the American Federation of Labor, calling their attention to the advantages of the illiteracy test.” Annual Report of the Executive Committee of the Immigration Restriction League of 1897, January 10, 1898, IRL Papers, Prescott Hall Collection, Houghton Library, Harvard University.

⁴ For example, see Legislative Record of James Michael Curley on Measures of Interest to Labor, AFL, AFL-CIO Department of Legislative Papers, Box 67, File 2: James Michael Curley.

⁵ Ngai notes that the CIO petitioned the Department of Labor to serve as an official watchdog over the Bracero Program in 1955 “on the grounds that it had a ‘third party interest’ in the proper enforcement of the Migrant Labor Agreement,” but was rebuffed (2004:163).

⁶ During the 1970s, new Latino and Hispanic lobbies vigorously opposed employer sanctions.

⁷ The unions were: SEIU, UNITE-HERE, the Laborers International Union, the United Food and Commercial Workers (UFCW) and the Teamsters. They were joined by another AFL-CIO union, the UFW as well as the Carpenters, which left the Federation in 2003.

⁸ Using occupation-level data, Burgoon and Jacoby (2006:30, Figure 7) estimate the foreign born proportions of the core occupations of the different Change to Win unions: 24% for cleaning and building services (SEIU, HERE), 16% for health services (SEIU), 23% for construction labor (LIUNA).

⁹ Other CTW unions, including the Laborers and UFCW, also objected to the guestworker provisions in the bills and, like the AFL-CIO, refused to support them.

¹⁰ For two comprehensive surveys of studies of immigration effects on US wages see Murray, Batalova, and Fix (2006); Howell (2007).

¹¹ For example, Briggs argues that the simultaneous growth in union density and immigration between 1897 and 1905 was caused by particularly rapid industrialization and recovery from prolonged depression (2001:170).

¹² All these data come from the Census (Statistical Abstract and Historical Statistics) and the Bureau of Labor Studies (various). Other measurable alternatives, such as unemployment rates, urbanization, and agricultural employment, total government spending are either are not significant in bivariate or multivariate relationships with immigration and/or union density, or tend to significantly reduce the available years in the time-series. Their inclusion does not, in any event, change the reported results for the effects of immigration.

¹³ Other tests for autocorrelation (e.g. Breusch-Godfrey test, Durbin's alternative test) reveal the same strong evidence of first-order correlation. Mapping residuals reveals autocorrelation function (ACF) spikes that strongly suggest the presence of first-order autocorrelation, not second- or higher-order correlation.

¹⁴ That the modeling of that process removes extant serial correlation can be seen by the much higher Durbin-Watson d-statistic of 1.33 (versus 0.211).

¹⁵ Here we also consider a 5-year moving average of immigration (with a one-year lag) to address the possibility that immigration follows a volatile process that will distort estimation of its effects.

¹⁶ This model also performs better than alternative ARIMA models, for instance $arima(1,0,1)$ or models where with higher-order AR- or MA-processes or differencing. But the (non)results for immigration are similar. The same is true with respect to levels-models with a lagged dependent variable and error-correction models.