

The New York Times

In Michigan, A Setback For Unions

By STEVEN GREENHOUSE

Hoping to set a precedent for other states, Michigan's labor unions spent months pushing a referendum to amend the state's Constitution to prohibit the legislature from ever enacting a law that would curb the powers of public employee unions.

But this push to enshrine collective bargaining rights in the Constitution was roundly defeated in Tuesday's election, 58 to 42 percent — an embarrassing loss for labor in a state known as a cradle of American unionism.

While union leaders have been quick to claim success in other Election Day contests, from the re-election of President Obama to the defeat of a California proposal that would have limited their ability to spend union dues in political campaigns, they have been largely silent on the Michigan loss.

Some political experts say the measure was voted down for the same reason that the four other ballot initiatives to amend Michigan's Constitution were defeated: voters were wary of tinkering with their state's Constitution.

But business leaders and some labor analysts say that the unions overreached by trying to pass sweeping language that would have potentially overturned all or parts of other state laws and perhaps cost taxpayers hundreds of millions of dollars.

"Voters were afraid of amending the Constitution to give that

Continued on Page 4

Michigan Unions Lose An Amendment Battle

From First Business Page

much power to organized labor and make them a superlegislature above their representatives," said F. Vincent Vernuccio, director of labor policy at the Mackinac Center for Public Policy, a conservative research center. He said many Democrats and even some private sector union members saw the measure as "a power grab by government unions."

Union leaders do not concede that they were overreaching. They mostly fault a hard-hitting advertising campaign by business-backed groups that opposed the measure, known as Proposal 2.

Karla Swift, president of the Michigan A.F.L.-C.I.O., said that business heavily outspent labor

lowed the state to appoint emergency managers to run financially distressed communities, including revising or scrapping union agreements.

But they appear to have misjudged the level of public support for entrenching union rights in the state Constitution, even in a state that is home to influential unions like the United Auto Workers.

Dale Belman, a professor of labor relations at Michigan State University, said that voters were uneasy with a proposal that would do so much, from barring right-to-work legislation to superseding state laws that barred communities from negotiating with public employee unions about specific issues.

"It was broad and ambiguous and not sufficiently well-defined," he said. "With this loss, now there is some concern whether unions have proved their weakness."

Richard K. Studley, president of the Michigan Chamber of Commerce, said the union-friendly measure would have damaged the state's business climate. And he said voters rejected the proposal because they feared that it would hit their already squeezed wallets.

"The heart of the proposal was an unprecedented provision to retroactively repeal up to 170 different laws, many of them cost-saving measures," he said. "Many taxpayers were stunned to learn that the cost of such repeals could be \$400 million to local school districts."

The proposal was defeated even though Mr. Obama won the state, 54 to 46 percent, attracting 2.5 million votes. Proposal 2 garnered 600,000 fewer votes, indicating that many Democrats turned against labor on this issue.

*Voters may have
feared giving unions
too much authority.*

in a blitz of ads during the two weeks before Election Day. Campaign spending reports showed that before then, the labor side had spent \$21.5 million to promote the proposal while business groups and conservative donors had spent \$23.4 million.

"It's very hard to stay in the game against a campaign of lies and distortions," Ms. Swift said. She said the other side's advertisements were inaccurate in claiming that Proposal 2 would bar school districts from firing teachers who had committed crimes.

Michigan unions did succeed with a separate referendum campaign to overturn a law that al-



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A labor rally Monday in Grand Rapids, Mich. A change to the state's Constitution meant to protect collective bargaining failed.

Bob King, the U.A.W.'s president, said he was surprised by a survey that found that 55 percent of Michigan voters who said they supported collective bargaining nonetheless said they had voted no on Proposal 2.

"Obviously we didn't get our message out clearly enough to the general public," he said. He said unions did not do a good enough job responding to what he said were the other side's misstatements, such as claims that the proposal would bar schools from screening the employees they hired.

"The intent of the constitutional amendment was to stop the legislature's overreach over the past 18 months," he said, noting that the Republican-dominated

legislature had passed laws that barred bargaining on several issues, including how to evaluate teachers.

The Service Employees International Union had pushed a separate referendum to amend the Constitution to guarantee home care aides the right to bargain collectively, a move many conservatives denounced for increasing costs for employers and ensuring several million dollars in dues for the union. That measure lost 57 to 43 percent.

Unions had more success with the referendum to repeal the year-old emergency manager law. That measure, pushed by the American Federation of State, County and Municipal Employees, won 52.3 percent to 47.7 per-

cent.

Union leaders said they were upset that emergency managers appointed to run financially troubled communities had the power to rewrite union agreements for public sector workers like teachers and firefighters.

Michael Traugott, a political scientist at the University of Michigan, said voters had overturned the law because many thought "it seemed undemocratic to put a person in place with all those powers."

After their membership and bargaining clout declined in recent decades, the nation's unions were badly stung when the Wisconsin and Ohio legislatures enacted laws in 2011 to restrict the ability of government employees

to bargain collectively.

In Ohio, unions engineered a successful effort to repeal that state's law last November, but unions failed in their push to recall Wisconsin's governor, Scott Walker, in a vote last June.

Gary N. Chaison, a professor of industrial relations at Clark University, said organized labor would have had a lot to celebrate if it had triumphed on Proposal 2 in Michigan.

"If they had won, they could have claimed that they had reversed the trend that began in Wisconsin," he said. "Combined with the Obama victory, they could have said that labor has come roaring back in the political arena."