#### Worker mobilization is inevitable, but only federally enacted sectoral bargaining channels it into union strength that delivers wins.

David Rolf 20, founder and President Emeritus of SEIU 775 and a former International Vice President of SEIU, “Economic and Political Bargaining Both Depend on Trust”, September 24, 2020, https://americancompass.org/economic-and-political-bargaining-both-depend-on-trust/, DOA: 8-30-25, Rslish

Option number three is some version of sectoral bargaining. Support for this option is growing among labor leaders, but is far from universal. I doubt there is any perfect system, but from the perspective of someone who has spent his adult life and career working within the limits and contortions of the current U.S. system, this option has by far more appeal for the reasons we’ve discussed – it covers more workers, creates far-better economic outcomes, creates fewer incentives for a race-to-the-bottom, focuses conflict on periodic macro-level national or regional bargains rather than on the shop floor, and allows greater avenues for labor-management partnership.

How could this actually happen?

In a perfect world, there probably would be a 1500-page federal law scrapping most of the NLRA and instituting a broad new system of sectoral bargaining in one fell swoop, and I’m not willing to give up all hope for that in the long run. But the federal government isn’t famous for domestic policy innovations that haven’t first been prototyped by cities and states, or in specific industries. Even the Wagner framework itself can trace its roots to late 19th century railway legislation, the 1912-15 U.S. Commission on Industrial Relations, the World War I-era War Labor Board, and the 1926 Railway Labor Act.

As you point out, there are several avenues for experimentation, learning, and progress short of a comprehensive federal reform. Your three examples are all apt.

States (or in some cases home-rule cities) could experiment with bi- or tri-partite industrial standard setting. One state might create a sectoral bargaining framework for a specific industry with persistently low wages or dangerous work that lawmakers believe needs addressing. The existing union(s) or alternative worker groups that meet a threshold of legitimacy and the employer-representatives (probably a trade association) might negotiate directly, with a public representative or arbitrator empowered as a “tie-breaker,” and the resulting agreement could be binding at least as a set of minimum standards on the industry.

This path has some limits – it seems unlikely that without a federally-enacted framework the resulting “bargains” could be incredibly prescriptive over some employment terms without running afoul of NLRA preemption. It also seems more likely to succeed in place-based service industries where firms don’t have a credible threat to flee across state lines seeking less stringent labor standards. But this path has already shown promise with state and local wage boards, some based in statute and others politically constructed. And in many cities and states, existing laws for awarding public construction contracts help create de-facto sectoral bargaining in the commercial construction industry (an industry also notable for high levels of labor-management partnership around apprenticeship and training programs, retirement plans, and health insurance).