

# Corporate union busting in plain sight

How Amazon, Starbucks, and Trader Joe's crushed dynamic grassroots worker organizing campaigns

By [John Logan](#) • January 28, 2025

**L**abor activism in the United States has had a remarkable resurgence over the last three years (NLRB 2022; Combs 2023). In the past few years, workers mounted successful organizing campaigns at a wide range of companies, including Amazon, Starbucks, Trader Joe’s, Apple, Barnes and Noble, Ben & Jerry’s, Chipotle, REI, and Volkswagen. Moreover, according to Gallup polls, 70% of the U.S. public—and almost 90% of young workers—approve of unions, a figure not seen since the mid-1960s (Saad 2023). Even more remarkable, unions are wildly popular despite their organizational weakness: In the mid-1960s, they represented almost one-third of private-sector workers, while today they represent fewer than 6%. At the bargaining table, unions have won record wage increases at companies such as UPS (Gurley 2023), the Big Three auto companies (Whalen 2023), Kaiser Permanente (Simmons-Duffin 2024), and Disney (Isidore et al. 2023; Rainey et al. 2024).

Further, according to recent studies, 60 million American workers want to form unions (Kochan et al. 2018; Mishel et al. 2020; EPI 2021). In recent years, the desire for organizing has been especially apparent among young workers—who entered the labor market after the Great Recession and have experienced precarious employment conditions—who have tried to form unions in multiple sectors (Scheiber 2022). Despite this momentum, union density has continued to decline. The most recent Bureau of Labor Statistics data found that 16 million workers are covered by a union contract, a 170,000 decline from the prior year (BLS 2025). What explains this disconnect? Two intractable problems explain why union popularity, bargaining victories, and renewed labor activism haven’t translated into higher union density: (1) disastrously weak labor laws and (2) ferocious corporate opposition to worker organizing. Until these issues are addressed, union membership and density will continue to decline.

Previous studies have analyzed the issues of weak labor laws and strong employer opposition (McNicholas et al. 2019). This report focuses on corporate union busting and examines the tactics, both legal and illegal, that corporations routinely employ to defeat worker organizing efforts and resist reaching a first contract. After reviewing union busting tactics, the report analyzes three high-profile worker organizing campaigns.

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# Corporate union busting is an enormous barrier to worker organizing

Workers at Starbucks, Amazon, and Trader Joe’s have encountered multibillion-dollar corporations who are prepared to do whatever is necessary, lawful or unlawful, to crush their organizing campaigns. Unlawful acts have taken multiple forms, including:

- Terminating union activists and supporters;
- Committing acts of retaliation against union activists and supporters;
- Threatening to close unionized facilities;
- Closing unionized facilities in order to send a message to workers in other facilities who might want to organize;
- Providing wage increases and benefit improvements to nonunion workers but denying them to workers in stores and workplaces that have voted for unions;
- Using disciplinary procedures to target union activists in order to terminate them or force them to quit;
- Threatening to take away essential health benefits if workers support unionization;
- Promising workers rewards if they oppose unionization;
- Reducing workers’ hours to the point they no longer qualify for health care and other essential benefits;
- Rigidly enforcing previously unenforced personnel policies to discipline union supporters;
- Targeting workers who are the most fearful of management pressure with anti-union propaganda;
- Using stalling and delaying tactics during first contract negotiations;

Other corporate anti-union tactics are currently lawful but nevertheless effective at undermining workers’ right to organize, including:

- Spending millions of dollars on sophisticated and powerful union avoidance law firms, such as Littler Mendelson (Logan 2022b) and Morgan Lewis (Logan 2021b), to crush worker organizing;
- Spending millions of dollars on external and internal anti-union consultants, whose only job is to make it as difficult as possible for workers to be able to get a union (Logan 2006; Logan 2020; Logan 2021a; McNicholas et al. 2023a);
- Firing managers—from store managers to senior executives—who are viewed as being insufficiently engaged in corporate anti-union campaigns;
- Using increasingly sophisticated tactics, including data analytics, employee data surveys, covert surveillance, and anti-union “heat maps” in their union avoidance

activities (Kessler 2020; Vogel 2021).

## These tactics create a climate of fear and intimidation around worker organizing

Workplace organizers at Starbucks, Amazon, and Trader Joe’s report that union busting has had a devastating impact: Workers have been scared out of supporting unions; elections have been lost that otherwise would have been won; workers have stopped organizing after witnessing anti-union discrimination at other stores; and unlawful union busting has created a *powerful chilling atmosphere* when it comes to support for unionization (Logan 2021a; Greenhouse 2023; Brisack 2025). Corporations want workers to believe that the real choice they are facing is not between a union or no union, but between a union or their job (Logan 2022d; Brisack 2025) and that they will suffer negative consequences, individually and collectively, should they vote to unionize (Logan 2012).

In addition to intimidating and coercing workers, corporations manipulate the election process, forcing delays by filing frivolous, unnecessary litigation to disrupt the momentum of organizing campaigns. Campaigns cannot stop and start while the legal process plays out—a process that often takes years to resolve. When it comes to worker organizing at mega-corporations, *time is on the side of the lawbreaking corporations*. The last few years have shown that corporations with the resources and the stomach for a fight—i.e., the willingness to break the law to break the union—will prevail over worker organizing in most cases (Logan 2021a; Behat and Kochan 2023). Were it not for this corporate lawlessness, we would likely have unions at thousands of Starbucks cafés, scores of Trader Joe’s stores, and dozens of Amazon facilities (Greenhouse 2023). Not content with breaking the law with virtual impunity, Amazon, SpaceX, and other major corporations are currently challenging the constitutionality of the 90-year-old National Labor Relations Board (NLRB)—an extreme legal position that would have been almost unimaginable just a few years ago—and both Starbucks and Trader Joe’s have used these constitutional arguments when opposing NLRB complaints (Greenhouse 2024a).

Even if they withstand ferocious anti-union campaigns and vote to organize, workers frequently don’t win a voice at work (Combs 2024). Anti-union corporations view NLRB elections as just the first round of their fight against unionization, adopting the view that they haven’t “lost” to the union until they sign a first contract (Logan 2002). Because of corporate opposition to collective bargaining, almost none of the workers involved in the recent high-profile union drives have gained a first contract. The current system of union representation is both *a marathon and a minefield for workers*, a process that powerful corporations and their high-paid consultants and law firms abuse and exploit at every turn (Logan 2006).

Every aspect of these union-busting practices—the full range of lawful and unlawful anti-

union tactics, delaying, stalling and surface bargaining during collective negotiations; the use of anti-union consultants, union avoidance law firms, and other “union-free” experts; and corporations’ steadfast determination to crush worker organizing at all costs—have been on display during ongoing worker organizing efforts at Starbucks, Amazon, and Trader Joe’s. Taken together, these ferocious anti-union campaigns show why it is monumentally difficult for workers in the U.S. to form new unions and negotiate first contracts, especially when they are up against powerful, law-breaking corporations.

## Case studies

### Starbucks: Over three years without a collective bargaining agreement

Starbucks workers in Buffalo, NY, first voted for a union in December 2021. Since that historic victory, more than 12,000 of their Starbucks coworkers at 535 stores have voted to unionize (Gurley 2021b). Enthusiasm for unionization was sky-high among baristas in 2022 and the organizing campaign appeared unstoppable (Gurley 2022). Moreover, the campaign inspired similar worker-led organizing at companies like Chipotle, REI, and Trader Joe’s. But the dynamism of the early grassroots organizing campaign was more than matched by the scale, vindictiveness, and illegality of Starbucks corporate’s efforts to crush worker organizing (Gurley 2021a; Logan 2023).

### Staggering scale of Starbucks’ unlawful union busting

Starbucks has engaged in an enormous unlawful union-busting campaign. The number of unlawful anti-union charges facing Starbucks is almost certainly the largest in the 90-year history of the NLRB. The summary of NLRB activity against Starbucks, as of January 17, 2025, is as follows (NLRB 2025c):

- As of February 2024, NLRB regional offices have docketed **771 open or settled unfair labor practice (ULP) charges** filed with the agency against Starbucks or its law firm, Littler Mendelson.
- Regional offices have issued **135 complaints covering 434 ULP charges** against Starbucks following investigation.
- The NLRB found violations of the National Labor Relations Act (NLRA) in 25 other cases.
- Sixty-one other complaints have been transferred to the NLRB following administrative law judge (ALJ) decisions. **ALJs found violations in 60 of these 61 cases.**
- As of December 2024, 31 ALJs, four National Labor Relations Board Members, two federal district judges, and 10 federal appellate judges have issued a total of **113 decisions** ordering relief for unfair labor practices by Starbucks. Collectively, these

decisions have ordered reinstatement for at least **73 Starbucks employees**. No findings of labor law violations in Starbucks-related cases have been overturned by the NLRB or Circuit Courts up to this point. There are **45 complaints** pending before ALJs. Regional offices have facilitated **36 settlements** covering 94 ULP charges.

## Crushing workers' optimism

After the union campaign became public, Starbucks management did everything to quash the optimism among its workers, first during organizing and then during bargaining: It fired pro-union workers, drove them to quit, cut their hours to the point they no longer qualified for health insurance, insisted that they be available at all times, denied them pay increases and benefit improvements, threatened to take away health benefits including gender-affirming care, unlawfully closed stores, promised new benefits to oppose unionization, replaced store managers who were not sufficiently anti-union, and stalled in bargaining and then refused to meet (Jamieson 2023b; Brisack 2025).

Top Starbucks management has directly coordinated this torrent of anti-union practices. The company's North America president, Rossann Williams (who was also replaced during the anti-union campaign), implored store managers to become more engaged with the anti-union campaign, saying it was their "number one responsibility" (Zakarin 2021). Store managers who were viewed as insufficiently anti-union were fired or relocated (Brisack 2025). In April 2022, early in the union campaign, Starbucks replaced its then-CEO Kevin Johnson with celebrity CEO Howard Schultz in part because Johnson had failed to travel to Buffalo to try to quell the initial union drive and was blamed for its subsequent spread (Jaffe 2022; Russ 2022). Schultz told baristas that if they did not like their jobs, they should work elsewhere (Hiltzik 2022). Viewing the organizing as a personal attack (Scheiber and Creswell 2022), Schultz accused pro-union workers of trying to "disrupt our company," and, in a *New York Times* interview, said that he would "never" accept the union because it would damage "the customer experience" (NYT 2022a; Zakarin 2022). Unfortunately for Schultz, the question is (or should be) not whether a "third party" might be bad for customer experience—though there's no evidence that is true—but whether, under the law, collective bargaining is what his employees want.

## Starbucks' "dirty war" against its pro-union workers

In her July 2023 *New York Times* article, columnist Megan Stack perfectly summarized the coffee giant's systematic destruction of worker organizing:

“The corporate dirty war that ensued... draws a sobering picture of employee rights casually crushed and labor laws too weak to help.... [Starbucks'] professions of innocence are countered by piles of testimony from workers and NLRB findings.... The company has so far racked up a staggering number of complaints from the agency.... [T]he coffee workers' struggle illuminates the stark and sometimes insurmountable challenges confronted by ordinary American workers who try to exercise their right to organize. *That Starbucks is carrying on this campaign in plain sight may be the most damning aspect: Union busting is illegal, but consequences*

*are inconsequential (emphasis added)."*

The Starbucks campaign demonstrates, Stack writes, “that powerful corporations can effectively bust a union with time, by dithering over details and exhausting legal appeals” (Stack 2023).

## **Starbucks as the model for unlawful corporate union busting**

Starbucks management used unlawful practices to quash workers’ unionization campaign and paid no meaningful consequence; it committed thousands of unlawful anti-union acts and used its enormous financial might and scores of Littler Mendelson lawyers to tie the legal system in knots, kick sand in its gears, exploit and abuse the law’s administrative processes, and turn the law against itself, for years; and it unlawfully stalled during bargaining sessions to try to ensure that thousands of workers who want a voice and a collective agreement do not get one (Logan 2022d; Brisack 2025).

## **Untold millions spent on anti-union lawyers and other union-busting personnel**

We don’t know how many tens of millions Starbucks has spent on its union avoidance lawyers—or on its PR firm, Edelman, which has also been deeply involved in anti-union messaging—because there is no requirement to report the information to the Department of Labor (DOL), even though Littler lawyers have played a central role in the campaign to crush worker organizing (Logan 2022b; Wise and Iafolla 2023). In 2023, a federal court ruled that Starbucks corporate must comply with a DOL subpoena seeking documents for an investigation into money spent to suppress worker organizing (DOL 2023; Jamieson 2024). To date, Starbucks has failed to hand over any documents.

## **The slow strangulation of workers’ collective spirit**

While Starbucks may have irreparably damaged its “progressive brand reputation”—it operates in a segment of the market where being anti-union could be bad for business—it has paid no real legal price for its anti-union crime wave. It has smothered, writes Stack, “one of the most energized labor movements of our time.” Even if it gets a first contract, the union won’t recapture the dynamism and energy of the grassroots organizing campaign in 2022. “Maybe this quiet fading,” concludes Stack, “engineered by a company with time and money to burn, is how the union dies” (Stack 2023). Starbucks’ illegal campaign crushed the most dynamic worker organizing campaign in memory (Logan 2022d), so why should other corporations not do the same thing? Just as the workers’ campaign inspired workers to organize at companies across the nation, Starbucks’ unlawful union-busting campaign inspired corporations to fight worker organizing to the death (Logan 2022c).

## Union-busting at the bargaining table

Starbucks continued its anti-union strategy during bargaining meetings. After a few initial, largely nonproductive negotiating sessions with the first stores to unionize, management refused to participate in “hybrid” bargaining sessions with some participants in person and others on Zoom, even though they had initially suggested and participated in online-only sessions. Worse, management willfully misrepresented bargaining developments to the rest of the workforce. After more than two years of doing everything to kill the union drive, Starbucks corporate had an apparent change of heart in February 2024, when it signed a “framework agreement” with the union and committed to restarting stalled bargaining sessions (Greenhouse 2024b). But unionized Starbucks workers still don’t have a first contract. After several bargaining sessions, held months apart with no obvious sense of urgency, Starbucks failed to make a serious wage offer, with the union describing its proposal as “laughable” (Hadero 2024b).

## More anti-union storm clouds approaching

In a further indication that things are moving decisively in the wrong direction, the union filed dozens of new ULP charges against Starbucks in January 2025, the first since the February agreement (Hadero 2024b). Moreover, even after announcing its union detente, Starbucks has continued to contest NLRB decisions on its unlawful behavior: Littler Mendelson lawyers have appealed cases all the way to the Supreme Court to try to further weaken workers’ right to organize (Brisack 2024; Peck 2024). If Starbucks had not committed thousands of illegal anti-union practices and if it had engaged in real good faith bargaining, Starbucks workers would have had a first agreement two years ago and we would likely have several thousand unionized Starbucks cafes, rather than the current 535 cafes as of January 17, 2025 (NLRB 2025c).

## Amazon: Two years and nine months without a collective bargaining agreement

Amazon workers at JFK8 in Staten Island, NY, voted to form the independent Amazon Labor Union (ALU) in April 2022, after going through a no-holds-barred anti-union campaign in which management’s messages were displayed everywhere at the workplace (Hadero et al. 2022; Logan 2021a): restroom stalls, walls, large monitors all around the workplace, flyers and posters in break rooms, mass text and email message mailings, phone apps intended for essential job information, exterior walls of Amazon buildings, and swag distributed to workers at group and individual anti-union meetings. Pro-union workers were fired, retaliated against, and harassed. However, despite their overwhelming “yes” vote, not only do the 8,000+ workers at Staten Island still not have a first agreement, but Amazon corporate has not yet recognized the legitimacy of their historic election victory and has said publicly that it will *never* do so. The NLRB rejected Amazon’s objections to the Staten Island election and found that management has conducted additional unlawful anti-union actions at facilities around the country, but Amazon still refuses to recognize the legitimacy of NLRB decisions. Its CEO has said that the NLRB will

not “rule against itself,” and has vowed to appeal the result of the JFK8 election and the rulings against the company to the federal courts (NYT 2022b; Hadero 2024a). In a clear message to its managers across the country—crush worker organizing or lose your job—Amazon fired several long-term senior managers at JFK8. According to the *New York Times*, the managers “had been responsible for carrying out the company’s response to the unionization effort” (Weiss and Scheiber 2022).

## **Breaking the law to break the union**

Amazon’s union busting has had a devastating impact on worker organizing. It has committed a torrent of ULPs at facilities around the country over the past three years. As of January 17, 2025, NLRB Regional offices had docketed *nearly 350 open or settled unfair labor practice charges* against Amazon, its subsidiaries, and its Delivery Service Partners (as joint employers) across 27 states (NLRB 2025b). At a warehouse in Bessemer, AL, Amazon management committed such egregious anti-union practices that the NLRB twice overturned the election results and ordered rerun votes in 2021 and 2022. It seems unlikely that workers will get a third union election, and even if the vote did take place, few of the workers would still be employed; those still employed at the facility would remember Amazon’s previous unlawful anti-union campaigns, thus making organizing even more difficult (Logan 2021a).

In addition, Amazon CEO Andy Jassy has repeatedly violated federal law by making public statements misrepresenting employees’ rights by saying that, if they unionize, employees will lose their “direct relationship” with managers; that they would be less empowered because unions are slow and bureaucratic; and that they would be better off without a union (CNBC 2022). Like Schultz, Jassy has faced no meaningful penalty for his unlawful remarks, but Amazon workers have been left in no doubt about their boss’ determination to fight to the death to crush worker organizing.

## **Tens of millions of dollars spent on squashing worker organizing**

Amazon has spent tens of millions of dollars to suppress organizing activity. It is the nation’s biggest user of external anti-union consultants (Jamieson 2023a; Logan 2021a; Logan 2021d), spending millions on direct payments to consultants every year for the past three years. In 2022 alone, Amazon paid over \$14 million to some of the country’s most notorious union-busting consultants. Individual consultants typically get paid almost \$4,000 per day plus expenses to conduct group and individual anti-union meetings and help with other union-busting activities at Amazon’s warehouses. Amazon also employs an army of internal union-busting experts—“employee relations experts”—and frequently recruits from the same external firms who are dispatched to warehouses around the country wherever Amazon fears that workers might try to organize. During the 2021 election in Bessemer, AL, Amazon used at least 12 external anti-union consultants and 30 internal anti-union experts for the duration of the two-month campaign (Logan 2021a). Amazon does not have to report how much it spent on external consultants in 2024 until March 2025, but the latest figure will almost certainly surpass the record-breaking \$14

million it spent in 2022 (Jamieson 2023a). While we also don't know how much Amazon has spent on Morgan Lewis and its other union avoidance law firms (or on the dozens of other anti-union experts the company uses) there seems little doubt that Amazon has spent hundreds of millions of dollars to crush worker organizing over the past four years.

## **Challenging the legitimacy of the NLRB**

Amazon has not limited itself to challenging and/or ignoring the decisions of the NLRB. Along with Elon Musk-owned SpaceX, which is also represented by the law firm Morgan Lewis, Amazon is now leading the corporate lawsuit alleging that the 90-year-old NLRB is unconstitutional, even though the Supreme Court has ruled on multiple cases involving the NLRB and never once raised this issue. Starbucks and Trader Joe's have repeated the same legal arguments in response to NLRB charges (Greenhouse 2024a). The likelihood of the lawsuit winning may be beside the point; even this conservative Supreme Court seems likely to reject their extreme arguments. Rather, the lawsuit is a "nuisance lawsuit" on the part of vehemently anti-union corporations: It takes time, energy, and resources for the chronically underfunded and understaffed NLRB to defend itself in front of the courts, making it even less well equipped to protect workers against unlawful anti-union acts. There seems little doubt that these lawsuits represent a further escalation by powerful corporations and their billionaire owners, Jeff Bezos and Elon Musk, who are intent on destroying workers' right to choose a union and bargain collectively (CNBC 2023; NLRB 2025d).

## **Through appeal, delay, obfuscation, and obstruction, Amazon can "win by losing"**

Amazon has zero intention of engaging in real good faith collective bargaining with representatives of the Staten Island workers (Gurley 2024b). But Amazon's obstructionism is not simply about denying a collective bargaining agreement to these workers. Rather, it is intended to send a signal to hundreds of thousands of other Amazon workers who might be considering trying to form a union: The company will never stop fighting unionization, and even if you withstand a blistering Amazon anti-union campaign, the company and its scores of Morgan Lewis lawyers will do everything possible to make sure you never get a first collective agreement. Thus, even if you win an election, you will likely lose in the end, because by appealing every NLRB decision, by delaying the legal processes at every opportunity, and by refusing to recognize the legitimacy of the NLRB, Amazon can *win by losing*. It can dispute the outcome of elections, disrupt workers organizing, discriminate against activists, and discourage workers from trying to organize in the first place (Logan 2022d).

## **Trader Joe's: Two years and six months without a collective agreement**

In July 2022, Trader Joe's workers in South Hadley, MA, voted to form an independent union, Trader Joe's United. Workers at stores in Minneapolis, MN, Oakland, CA, and

Louisville, KY, subsequently voted to join Trader Joe's United, despite the company waging aggressive and illegal anti-union campaigns in all four stores. Moreover, the company's Morgan Lewis lawyers have repeatedly contested the outcome of the Louisville election with what the NLRB has dismissed as trivial legal objections (Silverstein 2024).

## **Union busting from New York to Oakland**

Thus far, Trader Joe's United has lost three NLRB elections, one loss in New York City and two tied votes at stores in New York City and Chicago (Gurley 2024a). At the New York City store, Trader Joe's management allegedly fired a pro-union worker; informed employees a strike was inevitable if the store unionized; told them that it would be futile to unionize as the union could not protect them from poor working conditions; removed union literature from a break room dozens of times but allowed anti-union literature; prohibited employees from posting pro-union literature; and required employees to attend one-on-one anti-union meetings with management (Zhang 2023; NLRB 2025a). In response, the NLRB has sought a Cemex bargaining order at the store, which would force the company to bargain with the union (Sainato 2024). However, even if the NLRB wins its bargaining order bid, Trader Joe's will appeal the case through the federal courts and conservative federal judges are unlikely to sustain such remedies. At the Chicago store, management is trying to prevent the count of a (pro-union) determinative ballot, which the NLRB hearing officer recommended be counted (NLRB 2025a).

Trader Joe's has committed unlawful actions at almost every store at which workers have attempted to organize. After the Hadley election, a federal labor board judge found that Trader Joe's had "committed widespread legal violations" at its first unionized location (Purifoy 2024). It disciplined employees wearing union insignia, unlawfully discharged an employee, threatened worse wages and working conditions if workers unionized, provided less favorable retirement benefits to unionized employees, interrogated employees about union activities, held unlawful captive audience meetings, and provided false and misleading information about the union nationwide through its internal employee website. The regional NLRB office in Oakland issued a complaint alleging that Trader Joe's management threatened, disparaged, and interrogated employees; created an impression of surveillance; promulgated unlawful work rules by restricting discussion of unionization and posting of union-related materials; and held mandatory meetings on unionization. As of January 2025, Regional NLRB offices throughout the country were processing at least 35 other unfair labor practice charges against Trader Joe's management (Romero 2023; NLRB 2025a).

## **Two years later and still not one first contract**

Despite voting to unionize over two years ago, none of the workers at the four Trader Joe's stores have a first contract. Trader Joe's initially hired Littler Mendelson, but quickly replaced them with Morgan Lewis. Worker-organizers with Trader Joe's United say that the company's lawyers have deliberately stalled in collective bargaining sessions and have shown no willingness to engage in serious negotiations over key issues like pay and benefits (MPU 2022).

## “Like Waiting for Godot”

A founding member of Trader Joe’s United described the process of bargaining with Trader Joe’s management and its Morgan Lewis lawyers as akin to Samuel Beckett’s *Waiting for Godot*: Management attorneys have deliberately made the process as disheartening, unpleasant, and tedious as possible (MPU 2022). At first, workers had difficulty setting up bargaining meetings with the company. Now, the sessions are, *by design*, unproductive and often pointless. The company has made clear that it can engage in superficial bargaining for as long as it takes. At the start of the organizing campaign, the atmosphere among workers was joyous and hopeful. That optimism has now been extinguished, not because negotiating a collective agreement is “hard work” or because workers had unrealistic expectations about what could be achieved through bargaining, but because Trader Joe’s has engaged in a strategy to convince workers at stores across the country that they cannot win against an opponent that is so wealthy and so prepared to do whatever is necessary to crush their collective spirit. It is unsurprising that winning union elections at stores has proven challenging and that the once dynamic organizing campaign has stalled for the past 18 months. Founding members of the union have been forced out, quit, or lost hope of gaining a contract. This is how wealthy corporations make pro-union workers feel powerless and lead them to believe that quitting their job is their only option if they are unhappy with the status quo. This is not the story of how an idealistic union campaign withers and dies. Rather, it is the story of how mega-corporations kill union drives through exploiting and abusing the weaknesses and loopholes in the law. It demonstrates how corporations have stifled the worker-led organizing wave of the past three years.

## Conclusion

### **Corporations have adopted Starbucks’, Amazon’s, and Trader Joe’s’ unlawful anti-union playbook**

Across the country, companies have adopted the same basic anti-union playbook; the only difference is that, unlike Amazon, Starbucks, and Trader Joe’s, they are not household names and thus their systematic violations of workers’ rights rarely attract media coverage (Logan 2021c). Prior to the high-profile organizing campaigns of the last three years, corporate America’s efforts to destroy workers’ right to choose unions and bargain collectively was largely a hidden crisis, one which happened behind closed doors, without public knowledge or understanding. Extensive media coverage of campaigns at Amazon and Starbucks has injected a vividness and concreteness into the fight over union representation. It has provided a real-time education on the dysfunctional nature of U.S. labor law and vivid descriptions of what powerful corporations do to crush worker organizing. It created the possibility of a national debate over the pitiful state of workers’ rights (Logan 2023a). But national political developments likely mean we are further away

than ever from passing legislation to prevent corporate domination of the process of union recognition (Peck 2024). Thus, it is almost inevitable that under the existing system of weak law and strong and unlawful corporate opposition, workers will fail to win unions or negotiate first contracts, and union density will continue to fall.

## **Even “progressive corporations” will do almost anything to crush worker organizing**

The violation of workers’ right to choose a union and bargain collectively is not due to a “few bad apples” (Logan 2012). Corporate hostility to workers’ rights is endemic in U.S. labor relations: Nearly all corporations, no matter how progressive their reputations, will do almost anything, lawful or unlawful, to crush workers’ attempts to form a union (Fang 2022). These blatant union-busting practices over the past three years have exposed the hollowness at the core of companies like Starbucks and Trader Joe’s that have long marketed themselves on supposed progressive values and cooperative corporate cultures (Scheiber 2023). Companies such as Amazon, Starbucks, and Trader Joe’s are just extreme examples of the implacable hostility with which most corporations confront worker organizing. *They are not special cases, but high-profile examples of the extreme anti-unionism that animates almost all U.S. corporations.* So long as we have a state-administered system for securing union representation that is set up as a competition between corporations and unions, corporations will continue to tell employees that they oppose unionization and to threaten that employees will suffer adverse consequences, individually and collectively, if they choose to organize. To loosen corporations’ stranglehold over the system whereby workers get union representation, we must drastically reduce, if not eliminate, corporations’ ability to frighten workers during organizing and bargaining (Logan 2012).

## **Wealthy corporations exploit and abuse the current NLRB system**

The NLRA and its administrative procedures allow corporations to frustrate workers’ desire for union representation. To restore the original promise and intent of the law, we need to make the law a force for encouraging workplace democracy, even in the face of steadfast opposition from powerful union-busting corporations like Amazon and Starbucks (Dean et al. 2023). The weak remedies of the NLRA—limited to remedial rather than punitive penalties—do not deter wealthy corporations from breaking the law (McNicholas et al. 2021). There has been a significant increase in unfair labor practices over the past three years (NLRB 2023). But the real problem is that the current system of union representation permits aggressive corporate opposition that is currently *within* the law—bombarding workers with anti-union propaganda, delaying organizing, and bargaining for years—but that nevertheless undermines worker organizing. The law must make organizing less perilous and more rewarding for workers, a goal that cannot be achieved without imposing much harsher penalties on lawbreaking corporations and limiting their ability to intimidate workers at will. Tinkering around the edges of the law with

rules, procedures, and remedies will not change the dynamics of organizing campaigns at corporations like Amazon, Starbucks, and Trader Joe's (Logan 2012).

## So long as unlawful union busting pays off, union density will continue to decline

There is no mystery as to why corporations like Amazon, Starbucks, and Trader Joe's violate the NLRA with such regularity: Crime pays great dividends, as it produces the desired chilling effect on worker organizing and as corporations consider the law's paltry sanctions an insignificant price to pay to prevent unionization through fear and disruption (Sumagaysay and Kuang 2025). The penalties for violating the NLRA are utterly meaningless for multibillion-dollar corporations (Greenhouse 2023). They appeal unfavorable decisions, knowing that lengthy delays will disrupt organizing and that conservative federal judges will likely grant them a sympathetic hearing. It's virtually impossible for workers to get a first contract at a powerful corporation that is prepared to fight to the death and absent stronger labor laws, union density will inevitably continue to decline (McNicholas et al. 2023b). The anti-union crime wave since 2021 provides a powerful intellectual and moral justification for kicking corporations out of the system of union representation, thus returning to the original intention of the act (Logan 2000). *Workers must feel free to say to their bosses, "We are forming a union," and not fear retaliation; only then will the right to organize exist in practice, not just on paper. And only then will workers get the unions and collective agreements they want (Rosenbaum 2022).*

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