

***San Francisco Janitors:  
Relationship of Striking to  
Bargaining***

**三藩市清洁工人：  
罢工与谈判的关系**



# I. Industry Structure Overview: Building Owners, Cleaning Contractors and the Union

## I. 行业结构综述: 樓主, 承包商及工会

### San Francisco Commercial Real Estate Market:

#### 三藩市商业楼宇市场:

- Remains a leading market for investment in spite of the recession  
儘管经济衰退, 仍然是投资的一个领先的市场
- Rent growth is stronger compares to other Central Business Districts  
比其它商业中心地区, 租金增长较强
- Technology sector continues to drive leasing activity  
科技行业继续驱使租赁活动
- Building Owners & Managers Association bargains labor contract for owners  
“樓主及主管经理协会” 代表樓主谈判集体劳动工约



# Cleaning Contractors

## 打扫承包商

- Majority of cleaning contracts controls by huge facility services corporations  
大多数的打扫承包合約由大资本的服务公司控制
- Global corporations providing integrated business solutions based on Cleaning, Security and Facility Management  
跨国公司提供包括清洁,保安及楼宇管理各方面的综合商业服务解决方案
- Large cleaning contractors belong to the San Francisco Maintenance Contractors Association  
大的打扫承包商属于“旧金山维修承包商协会”
- Association bargains labor contract for cleaning contractors  
“承包商协会”代表承包商谈判劳动工约



# San Francisco Janitors' Union Local 87

## 三藩市清洁工人八十七号工会

- Formed in the 1920s, one of the founding service employees unions  
在二十年代成立，为服务工会主成要员之一
- Union of immigrant workers, reflecting the history of immigration in the United States  
移民工人的工会，会员反映美国移民的历史
- Over 3,500 first generation immigrants, majority from Mexico, Central America, China and Yemen  
超过3,500第一代移民会员，大多数来自墨西哥，中美洲，中国和也门
- Covers over 90% of the office building market in San Francisco  
包括超过百分之九十的旧金山办公楼宇市场
- Second highest wage rate, \$12.84-\$17.85/hour, next to New York City, with full health, Pension and other benefits  
全国第二高工资率，仅次于纽约市，每小时工资\$12.84-\$17.85，包括医疗，退休金和其它福利



# II. Collective Labor Agreement Highlights

## 集体劳动工约要点

### ***Bidding Procedures*** 投标程序:



- When contractors bid on a cleaning contract for a building, they have to contact the Union for staffing information - number of employees, work hours, pay rates, benefits and so on  
当承包商为某楼宇投标清洁合约时，他们定要向工会要求有关的雇员资料 -- 员工人数，工作时间，工资率及福利等等
- Contractors bid on the same labor costs, competes on administrative and managerial services  
承包商照同一的的劳动成本投标，祇能在经管及管理服务方面竞争
- When a contractor takes over the cleaning contract for a site, the contractor has to retain the employees at the job site  
当一个承包商接管某一清洁合约时，承包商定要保存在职的雇员
- Recognize the seniority, wage rates, vacation, sick leave and benefits of the employees regardless of change of employers  
不论僱主的变化，承认雇员的工龄，工资率，假期，病假和福利等等
- Union ensures job security, seniority, wages and benefits regardless of change of employers  
工会保障就业安全，工龄，工资和福利，不论僱主的更改

## **No Subcontracting** 禁止转包合约

- Except to companies meeting not less than the terms and conditions of the union agreement

能照不少於工会劳动合约条款与条件的公司除外



## **Right to Audit** 查核的权力

- Right to inspect paychecks, all payroll records and timesheets, right to audit any books or records of the employer

工会有权检查僱主所有工资单记录和检查任何有关的僱主帐单或记录



# Union Hiring Hall

## 工会派工所

- Union as the employer, source of power or source of corruption?  
工会作为僱主，是权力的来源或是贪污的来源？
- Union responsible for dispatching workers according to established seniority list  
工会有责任照公平合理的工龄制名单派工
- Ensuring fair, non-discriminatory hiring  
保證公正而非歧视的僱傭



# III. Relationship of Striking to Bargaining

## 集体谈判与罢工的关系

### ***Striking and picketing:*** **罢工及担牌行动:**

- To enforce Collective Bargaining Agreement  
罢工作为执行集体体劳动协定的方法
- Expedited arbitration as a substitute to resolve contract disputes  
特快仲裁作为解决工约纠纷的替代方法
- To enforce Area Labor Standards  
罢工执行区域劳动标准
- To protect union density and safeguard non-union penetration  
罢工保护工会楼宇密度并且保卫非工会承包商侵入市场





# Creating Bargaining Leverage

## 建立集体谈判的槓桿作用

- Trilateral negotiations: Bargaining with owners and contractors for citywide industry standards  
叁边谈判：工会跟楼主及承包商谈判，以达到全市行业劳动标准
- “Me-too” contracts  
“同一” 协定
- Selective strike against a single owner or contractor  
针对单一个楼主或承包商进行罢工
- Citywide strike or strike threat to rally public and political support  
全市罢工或威胁罢工以争取公众和政治上的支持



# **Legislative Solutions** 立法解決方法

- Displaced Workers Protection Act  
“撤換工人就業保障法”
- Prevailing Wage legislations for government buildings  
政府樓宇 “市區工資保障法”



# IV. Summary

## 总结

- Strike as a bargaining tactics  
罢工作为谈判策略之一
- Strike or strike threat as the last resort to enforce and expand citywide industry labor standards

罢工或威胁罢工作为保卫及扩大全市行业劳动标准的最后手段

