



NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

**MANDATE: THE RESPONSE OF PUBLIC SAFETY
UNIONS TO COVID-19 VACCINE MANDATES
IN A NEW ERA OF POLARIZATION**

by

Michael W. Tracey

September 2023

Co-Advisors:

Christopher Bellavita (contractor)
Carolyn C. Halladay

Approved for public release. Distribution is unlimited.

THIS PAGE INTENTIONALLY LEFT BLANK

REPORT DOCUMENTATION PAGE			<i>Form Approved OMB No. 0704-0188</i>	
Public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302, and to the Office of Management and Budget, Paperwork Reduction Project (0704-0188) Washington, DC, 20503.				
1. AGENCY USE ONLY (Leave blank)		2. REPORT DATE September 2023	3. REPORT TYPE AND DATES COVERED Master's thesis	
4. TITLE AND SUBTITLE MANDATE: THE RESPONSE OF PUBLIC SAFETY UNIONS TO COVID-19 VACCINE MANDATES IN A NEW ERA OF POLARIZATION			5. FUNDING NUMBERS	
6. AUTHOR(S) Michael W. Tracey				
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Naval Postgraduate School Monterey, CA 93943-5000			8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING / MONITORING AGENCY NAME(S) AND ADDRESS(ES) N/A			10. SPONSORING / MONITORING AGENCY REPORT NUMBER	
11. SUPPLEMENTARY NOTES The views expressed in this thesis are those of the author and do not reflect the official policy or position of the Department of Defense or the U.S. Government.				
12a. DISTRIBUTION / AVAILABILITY STATEMENT Approved for public release. Distribution is unlimited.			12b. DISTRIBUTION CODE A	
13. ABSTRACT (maximum 200 words) This thesis analyzes the reaction of public safety unions to the COVID vaccine mandates in their respective cities. It highlights existing academic literature on how unions behave organizationally, specifically the use of democratic infrastructure to represent their members' interest, how they balance dissent and minority interests within each union, and how they balance competing priorities (such as contractual terms and legislative priorities) within the organizations. This thesis examines the historical origins of police and firefighter unions and how they have behaved differently from that of the larger labor movement in the United States. The research section discusses the introduction of vaccine and vaccine mandates in Chicago, Los Angeles, and New York. The Chicago Fraternal Order of Police, Los Angeles' firefighter union United Firefighters of Los Angeles City (UFLAC), and the firefighter and fire officer unions in New York fought vaccine requirements with various strategies based on leadership and member decisions. Los Angeles and New York unions splintered into separate groups that fought the vaccine mandates on their own. The thesis found that numerous political and social changes in technology and the political arena have helped shape the way each union chose to respond to both the virus and vaccine mandate.				
14. SUBJECT TERMS labor unions, firefighter unions, police unions, democratic institutions, pluralism			15. NUMBER OF PAGES 141	
			16. PRICE CODE	
17. SECURITY CLASSIFICATION OF REPORT Unclassified	18. SECURITY CLASSIFICATION OF THIS PAGE Unclassified	19. SECURITY CLASSIFICATION OF ABSTRACT Unclassified	20. LIMITATION OF ABSTRACT UU	

NSN 7540-01-280-5500

Standard Form 298 (Rev. 2-89)
Prescribed by ANSI Std. Z39-18

THIS PAGE INTENTIONALLY LEFT BLANK

Approved for public release. Distribution is unlimited.

**MANDATE: THE RESPONSE OF PUBLIC SAFETY UNIONS TO COVID-19
VACCINE MANDATES IN A NEW ERA OF POLARIZATION**

Michael W. Tracey
Captain, FDNY
BA, Fordham University, 2003
JD, Pace University, 2013

Submitted in partial fulfillment of the
requirements for the degree of

**MASTER OF ARTS IN SECURITY STUDIES
(HOMELAND SECURITY AND DEFENSE)**

from the

**NAVAL POSTGRADUATE SCHOOL
September 2023**

Approved by: Christopher Bellavita
Co-Advisor

Carolyn C. Halladay
Co-Advisor

Erik J. Dahl
Associate Professor, Department of National Security Affairs

THIS PAGE INTENTIONALLY LEFT BLANK

ABSTRACT

This thesis analyzes the reaction of public safety unions to the COVID vaccine mandates in their respective cities. It highlights existing academic literature on how unions behave organizationally, specifically the use of democratic infrastructure to represent their members' interest, how they balance dissent and minority interests within each union, and how they balance competing priorities (such as contractual terms and legislative priorities) within the organizations. This thesis examines the historical origins of police and firefighter unions and how they have behaved differently from that of the larger labor movement in the United States. The research section discusses the introduction of vaccine and vaccine mandates in Chicago, Los Angeles, and New York. The Chicago Fraternal Order of Police, Los Angeles' firefighter union United Firefighters of Los Angeles City (UFLAC), and the firefighter and fire officer unions in New York fought vaccine requirements with various strategies based on leadership and member decisions. Los Angeles and New York unions splintered into separate groups that fought the vaccine mandates on their own. The thesis found that numerous political and social changes in technology and the political arena have helped shape the way each union chose to respond to both the virus and vaccine mandate.

THIS PAGE INTENTIONALLY LEFT BLANK

TABLE OF CONTENTS

I.	INTRODUCTION.....	1
A.	RESEARCH QUESTION	2
B.	LITERATURE REVIEW	2
1.	Democracy within Unions	3
2.	Dissent within Unions	7
3.	How Unions Prioritize Initiatives	12
C.	RESEARCH DESIGN	17
II.	THE STRUCTURE AND HISTORICAL FOUNDATION OF FIREFIGHTER AND POLICE UNIONS	19
A.	THE ORIGINS OF UNIONIZATION RIGHTS IN THE PUBLIC SECTOR	19
B.	HISTORY OF POLICE UNIONIZATION.....	22
C.	HISTORY OF FIREFIGHTER UNIONIZATION.....	26
D.	THE STRUCTURE OF CONTEMPORARY UNIONS	28
III.	COVID-19, EARLY VACCINE IMPLEMENTATION, AND THE VACCINE RESISTANCE MOVEMENT	33
A.	THE EARLY ADMINISTRATION OF COVID-19 VACCINES	34
B.	THE ANTI-VACCINE MOVEMENT.....	36
1.	Safety	37
2.	Efficacy.....	38
3.	Rights	39
C.	THE MANDATES	40
IV.	CHICAGO.....	43
A.	VACCINE MANDATE AND RESPONSE	43
B.	EVLN AND TWO FACES ANALYSIS.....	51
V.	LOS ANGELES	55
A.	VACCINE MANDATE AND RESPONSE	55
B.	EVLN AND TWO FACES ANALYSIS.....	67
VI.	NEW YORK.....	71
A.	VACCINE MANDATE AND RESPONSE	71
B.	EVLN AND TWO FACES ANALYSIS.....	81

VII. FINDINGS AND CONCLUSIONS	85
A. SOCIAL MEDIA, TECHNOLOGY, AND THE NEW MEDIA LANDSCAPE	85
B. TRIBALIZATION	92
1. Personalization of Politics	92
2. Homophily	94
3. Polarization.....	95
C. JANUS.....	96
D. CONCLUSION	99
 LIST OF REFERENCES	 103
 INITIAL DISTRIBUTION LIST	 123

LIST OF ACRONYMS AND ABBREVIATIONS

CTU	Chicago Teachers Union
ERB	Employee Relations Board
EVL	exit, voice, and loyalty
EVLN	exit, voice, loyalty, and neglect
F4F	Firefighters 4 Freedom
FDNY	Fire Department of the City of New York
FOP	Fraternal Order of Police
IAFF	International Association of Firefighters
LWOP	leave without pay
MLC	Municipal Labor Committee
NAFTA	North American Free Trade Agreement
PPE	personal protective equipment
TRO	temporary restraining order
UFA	Uniformed Firefighters Association
UFLAC	United Firefighters of Los Angeles City
UFOA	Uniformed Fire Officer Association

THIS PAGE INTENTIONALLY LEFT BLANK

EXECUTIVE SUMMARY

A labor union is a group of workers formed to advocate for their interests within a particular sector or industry.¹ In the United States, unions began in the late 17th century as organizations of craftsmen to protect both the price of their labor and their fellow workers within the trade during times of need.² Gradually, unions grew with the American economy, first as bargaining agents for larger groups of workers, then as advocates for political parties and issues and fighting for large-scale social change.³ Today, unions are often large institutions that represent both private sector and government workers at various scales, ranging from small unions of workers within a specific location to larger organizations that represent thousands of workers spanning the country. Because unions are formed by workers themselves, they are inherently democratic; each labor organization is obligated to have a regulatory infrastructure to assure its members that the union represents the will of its workers.⁴ And because unions are comprised of people, their infrastructure is naturally affected by the various social, political, and technological changes that their members experience.

This thesis explores the infrastructure of how unions represent workers and make decisions. In the onset, this work discusses the academic works of scholars who have analyzed the decision-making processes and democratic foundations upon which unions are built. Unions grew exponentially throughout the first half of the 20th century and became important stakeholders in the political economies of the United States and Western Europe.⁵ Because of

¹ For both a favorable and an unfavorable explanation of how to define a union, see “What Is a Union?” Union Privilege, accessed April 25, 2022, <https://www.unionplus.org/page/what-union> and “We are all Starbucks Partners,” One.Starbucks, Accessed April 25, 2022, <https://one.starbucks.com/>, respectively.

² Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1788–1850* (New York: Oxford University Press, 1989).

³ Steve Babson, *The Unfinished Struggle: Turning Points in American Labor, 1877–Present* (Lanham, MD: Rowman & Littlefield, 1999).

⁴ “WORK Center—Unions in Our Communities and Democracy,” U.S. Department of Labor, accessed March 27, 2023, <http://www.dol.gov/general/workcenter/unions-and-democracy>.

⁵ C. Wright Mills and Helen Schneider, *The New Men of Power: America’s Labor Leaders* (Urbana, IL: University of Illinois Press, 2001).

this, they have been the subject of much research and analysis from political scientists and sociologists, providing a large body of research discussing how unions make decisions, how they cope with dissent within their group, and how they establish priorities (often at the expense of other concerns workers may consider important). Scholars have argued whether these processes are good for the democratic societies within which they exist and about whether unions are democratic at all.

The focus of this research analyzes what effects that the COVID-19 pandemic and its subsequent vaccine mandates have had on government unions representing police and firefighters. These unions have developed separately and distinctly from most other labor organizations in the United States. Government workers in the United States were permitted to unionize later than those in the construction and manufacturing industries, with police officers often prohibited from organizing because of their quasi-military purpose in American society.⁶ This thesis analyzes that distinct development, contrasting the growth of government unions with unions representing workers in other sectors of the American workplace, and looks at how this development has shaped the current priorities and decision-making processes of police and firefighter unions.

The pandemic and the subsequent arrival of vaccines to the virus provide an opportunity to analyze union behavior, from organizational decision-making to how they deal with dissent and disagreements over priorities. This thesis researches how three separate public safety unions chose to respond to COVID-19 vaccine mandates for their members. In Chicago, the labor union representing police officers, the Fraternal Order of Police, aggressively fought a rule requiring police officer vaccination, going so far as to disobey court orders and advising their members to refuse to comply with requests from their superior officers. Chicago's police union invested tremendous political capital in its fight against the mandate, risking the political relationships required for favorable contractual and financial terms, which many consider to be the primary responsibility of a labor union.⁷ In Los Angeles,

⁶ Michael Goldfield, "Public Sector Union Growth and Public Policy," *Policy Studies Journal* 18, no. 2 (1989): 404–20, <https://doi.org/10.1111/j.1541-0072.1989.tb00843.x>.

⁷ Aila Slisco, "Chicago Police Union Compares Vaccine Mandate to 'Hunger Games,' Tells Cops to 'Stand Strong,'" *Newsweek*, October 20, 2021, <https://www.newsweek.com/chicago-police-union-compares-vaccine-mandate-hunger-games-tells-cops-stand-strong-1641057>.

some firefighters were dissatisfied with the response of their labor union, United Firefighters of Los Angeles City (UFLAC), which was considered by many to be too accommodating to the vaccine mandate.⁸ A pressure campaign ensued, with those opposing the vaccine forming their own group, Firefighters for Freedom, which worked to change the response of the union and engage in political advocacy that was often opposed to that of their own labor organization. Firefighters for Freedom came to act as a new stakeholder in the political arena. Labor unions representing firefighters in New York would cope with a similar situation, with a group called Bravest for Choice forming to advocate against a rule requiring COVID-19 vaccination separate and distinct from the fight their union was waging. In New York, however, advocates would go further by accusing their labor unions of breaching their fiduciary duty of representation in court.⁹

The response of these three unions and their members was shaped in part by the specific development of public safety unions in the United States and their distinct growth from other unions within the labor movement. However, the research also indicates that new societal and political factors are affecting the way unions respond as an organization. All three unions were found to have been influenced by new technological developments such as virtual communication tools, social media, and tribalization, which have changed the issues that Americans, and by extension union members, care about. Additionally, legal changes wrought by courts have changed the way unions must build a politically diverse coalition that values priorities differently.¹⁰ But while political and social changes have already transformed the way unions communicate with their members and the public, they also have the potential to inject new energy into a labor movement that has at times been charged with a lack of energy and neglect.

⁸ Cristian Granucci, “Vaccine Tyranny: Done Being Silent,” video, 12:25, YouTube, August 23, 2021, <https://www.youtube.com/watch?v=EaYn6QM2Ny8&t=612s>.

⁹ *Garland et al. v. New York City Fire Department*, INDEX NO. 21-cv-6586 (Eastern District, New York, 2021).

¹⁰ Adam Liptak, “Supreme Court Ruling Delivers a Sharp Blow to Labor Unions,” *The New York Times*, June 27, 2018, <https://www.nytimes.com/2018/06/27/us/politics/supreme-court-unions-organized-labor.html>.

THIS PAGE INTENTIONALLY LEFT BLANK

ACKNOWLEDGEMENTS

This thesis is the culmination of over twenty years in studying unions and workers. As such, I owe a debt of gratitude to those who have nurtured that interest throughout those two decades. Mark Naison of Fordham University, Michael Phelan, then of CIR/SEIU, Brendan Cooper of CUNY's Murphy School of Labor, Vanessa Merton of Pace Law School, Joseph Baker, Tontino Nigro, and Sal Masakaela. None of this could have been completed without the patient help of my thesis advisors and the faculty of NPS, in addition to the motivation and friendship offered by my colleagues in our cohort. The patience displayed by my wife, Caitlin, and my children, Sadie and Georgia, was likewise invaluable. The largest debt, however, is owed to the man who began my interest in both labor unions and writing, to whom this thesis is dedicated.

THIS PAGE INTENTIONALLY LEFT BLANK

I. INTRODUCTION

Labor unions are interest groups, comprised of workers within a specific trade, industry, or branch of government, that fight for the benefit of their members. Their interests are defined by each union based on the desires of their members and the calculations of their leaders, and often at the behest of their allies and friendly politicians. Each union is an institution that engages in decision-making processes to serve these interests by democratic means. These means can range from voicing discontent at a monthly union meeting, to elections for local leaders, to even leaving the union entirely to deprive the institution of dues. Sociologists and political scientists have analyzed the democratic processes of unions, studying how these organizations forge agendas, balance competing interests, and deal with dissent. Few analysts, however, have studied how unions have changed their organizational behavior in the internet age, an era that has seen substantial social changes, such as tribalization and technological innovation, that affect the behavior of civic organizations. Fewer still have analyzed how unions in the public safety sector, such as firefighters and police officers, build democratic norms within their union to fight for their members against their employer, the government.

The fight against COVID vaccine mandates by some public sector workers provides an opportunity to analyze the decision-making processes of their respective unions. Both public and private sector unions throughout the United States reacted differently to employer requirements to receive one of the approved COVID-19 vaccines. Some welcomed the possibility of a safer work environment, while others framed such a requirement as an infringement on individual rights and a violation of their contract. Although some public safety unions representing police and firefighters chose the latter course of action and fought these mandates, these organizations have chosen to react in different ways, using various strategies to achieve their goals and communicate with their members.¹ These strategies are, and always have been, shaped by the make-up of their

¹ Christine Mai-Duc and Joe Barrett, "Covid-19 Vaccines Don't Appeal to Some Firefighters, Even with Prizes," *Wall Street Journal*, February 1, 2019, <https://www.wsj.com/articles/covid-19-vaccines-dont-appeal-to-some-firefighters-even-with-prizes-11612188230>.

memberships, the relationship with local governments, the support (or lack thereof) of citizens, and the nature of their leaders. This research also shows that they are increasingly shaped by other forces such as social media, political polarization, the personalization of politics, and the tendency of likeminded individuals to communicate with each other in echo chambers (also known as “homophily”). This thesis analyzes the strategies that three separate public safety unions have undertaken to respond to vaccine mandates in light of these socio-political changes that place new constraints on organizational behavior.

A. RESEARCH QUESTION

How does the response of police and firefighters to COVID-19 vaccine mandates reflect the political, social, and legal changes facing their labor unions?

B. LITERATURE REVIEW

This literature review looks at the existing academic scholarship on the democratic processes of unions and at how labor organizations seek to balance these competing interests. Specifically, it focuses on literature in three different areas of how unions and their members behave.

The first of these areas is how philosophers, political scientists, and sociologists have debated the optimal process by which unions can balance competing needs within their organization to make decisions. Unions, like other organizations, seek to make efficient decisions that will benefit their organization; however, they are also democratic organizations beholden to the will of their voters, the workers.

The second focus in this literature review is on how unions cope with the dissent that results when competing interests inevitably collide. These collisions can result between union leadership and union members, or often between the members themselves.

The last topic of review focuses on how unions have historically struggled to prioritize goals to better the lives of their workers. The decision of whether to seek incremental, and thus more attainable, improvements in the lives of workers, or to strive for fundamental political changes has split the coalition of workers organizations throughout their history.

1. Democracy within Unions

In the United States, public sector unions are operating within a democratic system of government and have many of the same features as the American democratic political system. Labor organizations hold elections, provide an opportunity to be heard, and are active within the political process. Unions in both the public and private sectors are able to represent workers after a secret ballot election where a majority must be won.² Each union researched for this thesis was only recognized after winning such a democratic majority, and each have their own processes and organizational structure to make decisions as a group. These groups thus appear to be democratic, similar to the other institutions with whom unions interact, such as legislative bodies, administrative agencies, and an independent judiciary. Despite these characteristics, however, some claim that unions are undemocratic based on the behavior of public sector unions in the socio-political environment, while others believe the fundamental nature of American unionism in both the public and the private sectors is undemocratic.

In 1911, Robert Michels theorized that the natural state of all organizations is to be directed by a small elite group of members.³ While the now-famous “iron law of oligarchy” theory credited to Michels discussed the decision-making process of all groups, the focus of his original research was the behavior of early European labor unions, in which he found a tendency towards aristocracy.⁴ “In every organization,” Michels writes, “whether it be a political party, a professional union, or any other association of any kind, the aristocratic tendency manifests itself very clearly. As a result of organization, every party or professional union becomes divided into a minority of directors and a majority of directed.”⁵ The iron law was simply an analysis of how decisions tended to gravitate towards the hands of centralized leaders, while other stakeholders were content to be led.

² National Labor Relations Act, 29 U.S.C. 151–69, Sec. 1 (1935), <https://www.nlr.gov/guidance/key-reference-materials/national-labor-relations-act>.

³ Robert Michels, *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (Kitchener, Ontario: Batoche Books, 2001), 8.

⁴ Michels, 179.

⁵ Michels, 26.

Thus, Michels seemed to suggest that regardless of the democratic aspects of unions in the form of elections and meetings, the idea of a collective decision-making process seeking consensus was simply an illusion.

The American sociologist Seymour Martin Lipset applied Michels' "iron law" to the American system of unionism.⁶ A union could not operate, according to Lipset, as a democratic institution because some interests must be given priority regardless of their public support.⁷ "It is likely that industrial unions must be dictatorial if they are to survive," Lipset wrote, adding, "the dictator is necessary to arbitrate interest conflicts which cannot be settled by simply counting which interest group has more members."⁸ In other words, undemocratic leaders are required for a union to operate within its best interest, which is not inevitably the will of a majority. Lipset also believed, however, that unions were bound to be less democratic in the United States because of the fundamental nature of the American experience.⁹ Building on the analyses of historians Selig Perlman and John Commons, Lipset agreed that the American labor movement was more individualistic and less class conscious than its European counterparts, and therefore less likely to engage in collective action.¹⁰ This individualism was due to the abundance of land and natural resources in the growing American economy. Because workers were more individualistic, they were also more likely to permit less democratic, and at times even criminally corrupt, labor leaders.¹¹ While Michels' oligarchical analysis found decisions were likely to be

⁶ Lipset's work on the sociology of American unionism focused on the private sector. While public sector unionism was growing in the United States during the time of his work, it was not yet dominant.

⁷ Seymour Martin Lipset, "Trade Unions and Social Structure: I," *Industrial Relations* 1, no. 1 (October 1961): 75–89, <https://doi.org/10.1111/j.1468-232X.1961.tb00169.x>.

⁸ Seymour Martin Lipset, Martin Aaron Trow, and James Samuel Coleman, *Union Democracy: The Internal Politics of the International Typographical Union* (New York: Free Press, 1977), 308.

⁹ Seymour Martin Lipset, "Trade Union Exceptionalism: The United States and Canada," *The Annals of the American Academy of Political and Social Science* 538 (March 1995): 115–30.

¹⁰ Simeon Larson and Bruce Nissen, eds., *Theories of the Labor Movement* (Detroit, MI: Wayne State University Press, 1987), 317.

¹¹ Lipset, "Trade Unions and Social Structure," 79.

made in the hands of an aristocracy, Lipset found American unions were even less likely to have democratic characteristics.¹²

Strong advocates of the labor movement found that while unions may have offered great promise for worker advocacy, they nonetheless functioned in a way that distorted their democratic purposes. For C. Wright Mills and Helen , the issue stunting direct democratic decision making within unions was not their inherent structure but rather a bureaucratic malaise that infested unions in the post-war period.¹³ Unions were suffering from a drift which veered their attention away from the interests of workers and towards maintaining friendly relationships with employers (and in the public sector, governments). Mills writes:

As they bargain for economic power and maneuver for better positions, the leaders of these organizations must discipline their members. Their attempts to “bore from within” the state apparatus is accompanied by the desire to maintain their organizations intact, even to the point of ritualistically losing sight of their ends in their frenzy to maintain their means.¹⁴

Like Michels and Lipset, Mills believed unions were ignoring the democratic will of their members. But unlike Michels, Mills did not believe this characteristic was innate and necessary for unions to function, but rather a natural consequence of unions’ bureaucratic growth, which Mills referred to as the “main drift.”¹⁵ As unions came to be comprised of professional staff as opposed to the workers themselves, union policy came to be based on different experiences.¹⁶ These perspectives and experiences, for Mills, shifted the focus away from the will of its members.

Others find the practical application of unions to be undemocratic *particularly within* the public sector. The legal academics Harry Wellington and Ralph Winter argue that public sector unions in particular act undemocratically when engaging in coerced

¹² Lipset, 75.

¹³ C. Wright Mills and Helen Schneider, *The New Men of Power: America’s Labor Leaders* (Urbana, IL: University of Illinois Press, 2001).

¹⁴ Mills and Schneider, *The New Men of Power*, 231.

¹⁵ Mills and Schneider, 223–38.

¹⁶ Mills and Schneider, 84–108.

membership and negotiating in a secretive contractual process with public money.¹⁷ For Wellington and Winter, the inability to freely exit the group and the lack of transparency in business affairs meant that unions were undemocratic and threaten the normal political process.¹⁸ Their effects on American democracy at large were worse, as collective bargaining “compromises the sovereignty of democratic government and distorts the democratic process.”¹⁹ Political scientist Daniel DiSalvo, a leading critic of public sector unions, echoes the criticisms of Wellington and Winter in noting that in addition to coerced membership, “many unions do not have genuine leadership contests or consequential elections of any sort. Some have been accused of operating oligarchically, if not corrupt.”²⁰ The ostensibly democratic aspects of unions such as elections and an opportunity to be heard are, for DiSalvo, meaningless and only utilized by a minority of the unions members. He suggests that even if unions have democratic forms that resemble accountable organizations, they are anything but democratic institutions.²¹

Notwithstanding these criticisms, however, others note that unions best serve workers when they are organized around democratic principles. The chief theorist of this “workplace democracy” is Robert Dahl, a political scientist often associated with the framework of political pluralism.²² Dahl posited that workers had a fundamental *a priori*, inalienable right to be heard through an organization. The right to a voice through a labor union, according to Dahl, is not one that merely benefits the workers, but also one that that

¹⁷ Harry H. Wellington and Ralph K. Winter, “The Limits of Collective Bargaining in Public Employment,” *The Yale Law Journal* 78, no. 7 (1969): 1116–17, <https://doi.org/10.2307/794998>.

¹⁸ Wellington and Winter, 1125–26.

¹⁹ Wellington and Winter, 1116.

²⁰ Daniel DiSalvo, *Are Unions Democratic? The Internal Politics of Labor Unions and Their Implications*, (New York, NY: Manhattan Institute, 2014) 1 <https://www.manhattan-institute.org/html/are-unions-democratic-internal-politics-labor-unions-and-their-implications-5819.html>.

²¹ DiSalvo, 3–5.

²² Political pluralism is a theory which analyzes the influence that non-governmental actors have on decision making, viewing American politics as a diverse environment that weighs competing interests. See Robert Alan Dahl, *Who Governs? Democracy and Power in an American City* (New Haven, CT: Yale University Press, 1989); Robert A. Dahl, *After the Revolution? Authority in a Good Society* (New Haven, CT: Yale University Press, 1970).

is inalienable because it is a human right.²³ But workers not only possess the right to have an organization advocate on their behalf, they also have a right for that organization to be democratic. According to Dahl, organizations are best governed democratically when they met each of three separate criteria.²⁴ First, when the members of a group make a personal choice as a group, such as when a majority of workers in a workplace decide they want to be represented by a union.²⁵ Second, democracy is preferable for organizations when it would help organizational competence, or when the union has special skills in representing workers.²⁶ Third, workers possess an inalienable right to democratic representation in the workplace when representation by a union would economize, or make decision-making on behalf of workers more efficient.²⁷ Because unions meet these criteria, Dahl argues, they serve workers best when functioning democratically.

While the preponderance of scholarship may suggest that the democratic processes of unions are imperfect, few can deny that elections, meetings, and accountability do exist, rendering unions democratic institutions to some extent. Fewer still will deny that many of these same imperfections—incumbent leaders, low engagement, some corruption—do not also exist in governmental democracy.²⁸ The democratic and undemocratic functions of unions within the current socio-political climate bears revisiting, however, with public employer mandates providing an opportunity to analyze how labor organizations use these functions currently.

2. Dissent within Unions

Many scholars have analyzed how organizations such as unions engage in the decision-making process and how those who disagree with those decisions react in their

²³ Robert Mayer, “Robert Dahl and the Right to Workplace Democracy,” *Review of Politics* 63, no. 2 (2001): 221–47.

²⁴ Robert A. Dahl, *After the Revolution*.

²⁵ Dahl, *After the Revolution*, 6.

²⁶ Dahl, *After the Revolution*, 21.

²⁷ Dahl, *After the Revolution*, 30.

²⁸ Drew DeSilver, “In Past Elections, U.S. Trailed Most Developed Countries in Voter Turnout,” Pew Research Center, November 3, 2020, <https://www.pewresearch.org/fact-tank/2020/11/03/in-past-elections-u-s-trailed-most-developed-countries-in-voter-turnout/>.

minority status. Such analysts have researched the motivations for both groups and the members within them, developing frameworks that can help to understand organizational behavior. Rational choice theory is an analytical framework that has its origins in the classical economic theory of philosopher Adam Smith.²⁹ According to the rational choice framework, actors look to their self-interest to decide which option is best to make. If it is best for actors to stay within an organization, they will stay and if it is within their best interests to leave the organization they will leave. Thus, within the context of unions, workers remain within a union when it is economically beneficial for them to do so and leave when it is not. The ability to leave in turn renders the organization more efficient in trying to meet the workers' needs by assuring the union tries to please as many members as possible. Yet some have criticized rational choice theory within the context of unions as resting on an assumption that workers will only behave based on their own self-interest.³⁰ Workers, and members of all organizations, critics assert, are concerned with more than the economic self-interest that rational choice theory measures.

Albert Hirschman offers another theoretical framework to evaluate unions in his work *Exit, Voice, and Loyalty*, which outlines his theory of the same name.³¹ Unlike the neoclassical model, *Exit, Voice, and Loyalty*, (EVL), acknowledges that there are responses other than simply changing membership, employers, or products. Hirschman refers to this as an “exit,” for example, when a family decides to leave a public school system or a non-unionized, low-wage employee decides to work for a different fast food chain. Another option, however, is “voice.” Voice is the “only way in which dissatisfied customers or members can react whenever the option of exit is unavailable such as family, or their nationality.”³² It is when one tries to change “the practices policies, and outputs of the firm

²⁹ Adam Smith and Andrew S. Skinner, *The Wealth of Nations: Books I-III* (Harmondsworth, UK: Penguin, 1970).

³⁰ Samuel R. Friedman, “Game Theory and Labor Conflict: Limits of Rational Choice Models,” *Sociological Perspectives* 26, no. 4 (1983): 376, <https://doi.org/10.2307/1389191>.

³¹ Albert O. Hirschman, *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States* (Cambridge, MA: Harvard University Press, 1970).

³² Hirschman, 33.

from which one buys or the memberships to which one belongs.”³³ Because people cannot simply change their citizenship status or their father by leaving, they thus must try to change their country or family through some other means. When choosing whether to use exit or voice, Hirschman finds that as the costs for exit increase, one is more likely to use voice.³⁴ Complicating matters more, however is “loyalty,” the feelings one may have towards an employer or organization that may instill a sense of purpose, pride, or duty.³⁵ As loyalty increases, so does the likelihood of people using their voices to change the organization, company, or social relationship rather than simply leaving, or “exiting.”³⁶

Applying this framework to unions, Hirschman writes that members are unlikely to change unions or decide to not be represented by a union at all.³⁷ Hirschman discusses the complex procedure to change unions under American labor law, writing, “when workers are dissatisfied with the services of a union, they cannot switch easily and rapidly to another and that it is much more likely to make an effort at revitalizing the union with which they are affiliated.”³⁸ The costs to leaving a union can often be high.³⁹ Further, many sociologists have analyzed loyalty in the public sector industries of policing, firefighter, sanitation, due to their sense of purpose and found that loyalty in those professions can be even higher.⁴⁰ Further still, many employees see the union as responsible for many of the greatest benefits (for example, pensions and health care and comparatively higher wages than the private sector).⁴¹ Assuming the high levels of loyalty and the high costs of exiting

³³ Hirschman, 32.

³⁴ Hirschman, 36–43.

³⁵ Hirschman, 77–78.

³⁶ Hirschman, 87.

³⁷ Hirschman, 80.

³⁸ Hirschman, 80.

³⁹ When Hirschman developed this theory, public sector unions were growing in the United States and were not the dominant area of unionized workers.

⁴⁰ John W. DeRousse, “Morale’s Role in the Public Sector” (master’s thesis, Naval Postgraduate School, 2015), xv, <http://hdl.handle.net/10945/47248>.

⁴¹ David G. Blanchflower and Alex Bryson, “Now Unions Increase Job Satisfaction and Well-being” (working paper, National Bureau of Economic Research, 2020), 15, <https://doi.org/10.3386/w27720>.

from one's union, Hirschman's framework would assume that it is highly likely that voice would be used within a firefighting or police union.

Hirschman's framework was developed further by subsequent sociologists, eventually progressing beyond the three options of exit, voice, and loyalty. Caryl Rusbult, Isabella Zembrodt, and Lawanna Gunn applied Hirschman's framework to analyze how those in unhappy romantic relationships choose to deal with their dissatisfaction.⁴² In their work, they found that some would simply leave (exit), others would discuss issues in hopes of improving the relationship (voice), and some would hope to see improvement (loyalty), while others resorted to "passively allowing the relationship to atrophy."⁴³ This fourth option is known as "neglect," referring to union members who feel dissatisfied with the policy or decision of their leadership, but rather than voicing their displeasure at a meeting or running for office, simply hope the policy will fail. After Rusbult, Zembrodt, and Gunn's analysis, most political scientists and social theorists would label the framework "exit, voice, loyalty, and neglect" (EVLN).⁴⁴ Rusbult, Zembrodt, and Gunn identified neglect as those who passively allow the relationship to continue (whether in a romantic context or with an organization/product) as a method of showing dissatisfaction with the relationship.

What both the EVL and EVLN frameworks fail to consider, however, are those who do not neglect for the purposes of allowing the relationship to deteriorate, but rather are neglectful out of a sense of apathy towards the goals of the organization. Some theorists have since analyzed the quality of relationships in American society, noting that fewer citizens engage in these group memberships than had previously in the 20th century. In *Bowling Alone*, Robert Putnam analyzes both the quantitative and qualitative nature of these relationships in the United States, finding that social, religious, and political ties to

⁴² Caryl E. Rusbult, Isabella M. Zembrodt, and Lawanna K. Gunn, "Exit, Voice, Loyalty, and Neglect: Responses to Dissatisfaction in Romantic Involvements," *Journal of Personality and Social Psychology* 43, no. 6 (December 1982): 1230–42, <https://doi.org/10.1037/0022-3514.43.6.1230>.

⁴³ Rusbult, Zembrodt, and Gunn, 1231.

⁴⁴ Michael J. Withey and William H. Cooper, "Predicting Exit, Voice, Loyalty, and Neglect," *Administrative Science Quarterly* 34, no. 4 (1989): 521–39, <https://doi.org/10.2307/2393565>.

groups are declining.⁴⁵ While Putnam’s research focused on a wide spectrum of voluntary associations including family, marriage, block associations, and churches, he did find that ties to organized labor are shrinking.⁴⁶ *Bowling Alone* was written at a time of massive economic change in America, with the years after the North American Free Trade Agreement (NAFTA) and the growth of emerging economies in Asia leading to the decline of American manufacturing, an area traditionally unionized at high rates.⁴⁷ This decline, his research notes, is partially responsible for the decline in American union participation, as are growing anti-union policies from state, local, and federal political bodies.⁴⁸ But Putnam posits that at least part of the explanation must also come from the individualized pressures of money and success combined with a growing distaste for collective associations *of all kinds* that reduce union participation, and naturally, power.⁴⁹ The analysis in *Bowling Alone* poses challenges for the EVL and EVLN frameworks. While Rusbalt’s “neglect” measures those who allow relationships to deteriorate passively, it does not measure those who find the relationship too meaningless in their lives to care about the outcome.

As of 2022, few scholars have attempted to measure the effect of current social conditions on the applicability of EVL or EVLN. Research on marketing and development in 2012 used EVL to analyze customer relationships to products without noting the effect that the internet has had on the use of voice and loyalty.⁵⁰ S. Umit Kucuk has studied how the internet is changing “voice” by measuring “rising consumer empowerment on the

⁴⁵ Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (London: Simon & Schuster, 2001).

⁴⁶ Putnam, 80–82.

⁴⁷ Shushanik Hakobyan and John McLaren, “Looking for Local Labor Market Effects of NAFTA,” *Review of Economics & Statistics* 98, no. 4 (October 2016): 740, https://doi.org/10.1162/REST_a_00587.

⁴⁸ Putnam, *Bowling Alone*, 81.

⁴⁹ Putnam, *Bowling Alone*, 283.

⁵⁰ Shushanik Hakobyan and John McLaren, “Looking for Local Labor Market Effects of Nafta,” *Review of Economics & Statistics* 98, no. 4 (October 2016): 740, https://doi.org/10.1162/REST_a_00587.

internet” and how more active participants may result from online engagement.⁵¹ This research, in addition to having been published ten and fourteen years ago, respectively, only analyzed consumer relationships and did not look at organizational behavior or non-commercial voluntary associations. Further, it did not analyze many social conditions that would be relevant to both EVL and EVLN and its applicability in this current decade. Lastly, few scholars have attempted to measure EVL and EVLN in public sector unionism. In 2007, Soo-Young Lee and Andrew Whitford confirmed Hirschman’s main hypothesis regarding unions, “that perceptions about voice and loyalty limit exit at all levels of the organizational hierarchy” in the public sector workforce.⁵² But this study only looked at members of the federal workforce and did not analyze the traditional public safety sectors of firefighting and police work, which are represented by different kinds of unions.

3. How Unions Prioritize Initiatives

Much has been written on the goals of unions throughout the late 19th and 20th centuries. Academics and scholars have argued over how unions should use the aforementioned processes to create policy positions and allocate resources to effectuate their goals. This discussion has led to the creation of frameworks that analyze what, and who, unions should fight for. Revolutionary Marxists have framed the history of unions as a dialectic which will progress towards class solidarity and eventual worker control.⁵³ Religious leaders have framed the progression of unions within theological terms.⁵⁴ Some wish to engage in larger fights that change the structure of society, while others settle for incremental changes that have a greater chance of impacting workers lives. The scope of union priorities proved to be a pivotal issue during the union reaction to vaccine mandates,

⁵¹ S. Umit Kucuk, “Consumer Exit, Voice and ‘Power’ on the Internet,” *Journal of Research for Consumers*, no. 15 (2008): 647, https://www.researchgate.net/publication/264782551_Consumer_Exit_Voice_and_'Power'_on_the_Internet/link/55c6468a08aebc967df535c0/download.

⁵² Soo-Young Lee and Andrew B. Whitford, “Exit, Voice, Loyalty, and Pay: Evidence from the Public Workforce,” *Journal of Public Administration Research and Theory* 18, no. 4 (October 2008): 1, <https://doi.org/10.1093/jopart/mum029>.

⁵³ Karl Marx, *Das Kapital* (Dubuque, IA: Synergy International of the Americas, 2007).

⁵⁴ Pope John Paul II, *Encyclical Letter on Human Work–Laborem Exercens: On the Ninetieth Anniversary of Rerum Novarum* (Boston: Pauline Books & Media, 1981).

as members disagreed over whether their labor representatives should focus on narrow goals, such as wages and health care, or victories in the political arena, which for them included vaccine mandates. This section of the literature review analyzes the two dominant frameworks that theorize on the best goals for unions; the first of which is commonly referred to as business unionism, and the second is often called political unionism. This section concludes by discussing efforts made by scholars to resolve the differences between the two paradigms.

The first of these two dominant frameworks is business unionism, or trade unionism. The theory of business unionism was developed by the “Wisconsin school” scholars John Commons and Selig Perlman.⁵⁵ Business unionism centered on the concept that unions should be organized around a specific craft or trade, and should focus on winning economic gains specific to that craft by bargaining with the employer.⁵⁶ Both Commons and Pearlman believed American unionism was always bound to favor its role as bargaining agent because American society did not have firmly established class identities like those of Europe.⁵⁷ American workers came from a pluralistic society with different views on the role of government. Issues of bargaining, then, were the only issue workers could agree on.⁵⁸ Commons believed this consciousness came from the availability of land and origins of the American labor movement as one of social kinship and like-minded economic concerns. Perlman, for his part, saw the dominance of “business unionism” as the result of a belief by American workers that a scarcity of resources existed, thus prompting him to possess a “scarcity consciousness,” which limited his view to short-term, economic goals.⁵⁹ The focus on economic goals precluded the class-based union

⁵⁵ Shelton Stromquist, “Perspectives on Labor History: The Wisconsin School and Beyond,” *International Labor and Working-Class History*, no. 39 (1991): 81–84.

⁵⁶ Steve Babson, *The Unfinished Struggle: Turning Points in American Labor, 1877–Present* (Lanham, MD: Rowman & Littlefield, 1999), 14.

⁵⁷ Larson and Nissen, *Theories of the Labor Movement*, 317.

⁵⁸ Larson and Nissen, 139.

⁵⁹ Philip Taft, “A Rereading of Selig Perlman’s ‘A Theory of the Labor Movement,’” *Industrial and Labor Relations Review* 4, no. 1 (1950): 74, <https://doi.org/10.2307/2519322>.

movements of other countries, and prompted American unions to largely neglect larger-scale change, preferring incremental change for American workers.

The second of these dominant frameworks is political unionism. Broadly speaking, political unionism is a theory which holds that workers are best served when unions fight for large-scale change in society and the political structure. It can range from revolutionary ideologies, such as Marxism or anarchism, to smaller-scale political actions like endorsing candidates and supporting legislation.⁶⁰ Historian Nelson Lichtenstein is an advocate of political unionism who believed business unionism hurts workers by entering into a partnership with powerful interests (or collective bargaining) and should instead focus on political initiatives, which give workers more power.⁶¹ He saw the progression of unionism after World War II as one in which unions became too interwoven with business (and for the public sector unions, government) and became limited. Before World War II, unions engaged in “politicized bargaining,” a system of “elections, legislative battles [and] strikes, organizing campaigns, and labor negotiations seemingly interwoven.”⁶² He refers to the post-war system as “collective bargaining,” a listless and shortsighted system of negotiating for wages that persists to this day.⁶³ The former system, political unionism advocates say, has a greater opportunity to improve the lives of workers. This preference for larger-scale change is in stark contrast to the incremental change preferred by Samuel Gompers and advocates of the incremental changes of business unionism. Whereas business unionism seeks to work within the existing economic structure of American capitalism, political unionism dreams of a movement that recreates it.

Other sociologists, however, do not view the choice between business and political unionism as that of a binary. For C. Wright Mills, the issue was not which role was more effective or proper. He wrote, “For a long time now it has been traditional to contrast

⁶⁰ For a survey of revolutionary labor movements, see Larson and Nissen, *Theories of the Labor Movement*, 24–131.

⁶¹ Nelson Lichtenstein, *State of the Union: A Century of American Labor* (Princeton, NJ: Princeton University Press, 2013).

⁶² Lichtenstein, 101.

⁶³ Lichtenstein, *State of the Union*, 102.

business or market unionism with ideological or political unionism, as if these were types of unions or, at least, of ideologies.”⁶⁴ Unions have to operate within different contexts, said Mills, and “may shift their attention to one or another and may use different tactics.”⁶⁵ The role they play will depend on the market. However, he viewed the direction of labor unions as a result of an increasingly powerful sector of middle managers within the organizations who direct the labor movement to a position of relative safety, where their partnership could ensure labor’s survival.⁶⁶ Mills believed it is the leaders who decide, citing an often apathetic membership likely to approve whatever decisions made by the body itself and therefore the decision between the business and political unionism frameworks is irrelevant.⁶⁷

Another approach to settle the business and political unionism debate is the “two faces of unionism” from sociologists Richard Freeman and James Medoff.⁶⁸ In their seminal work on the role of unions, *What Do Unions Do?*, Freeman and Medoff used the framework of “two faces” to study the various roles unions may play in the civic arena.⁶⁹ These two faces are the “monopoly face” and the “collective voice institutional response face.” The “monopoly face” is the “power to raise wages above competitive levels” and thus resembles the goals of business unionism.⁷⁰ Unions are able to do this through bargaining both over the wages employees earn and the terms of their labor, such as the length of the workday, and how productive they must be. The second face, “collective voice,” is the role unions play in giving employees a voice over their concerns, providing an organization to communicate with employers what workers want.⁷¹ Through this role,

⁶⁴ C. Wright Mills and Irving Louis Horowitz, *Power, Politics and People* (New York: Oxford University Press, 1963), 97.

⁶⁵ Mills and Horowitz, 99.

⁶⁶ Charles Wright Mills, *The Power Elite* (London: Oxford University Press, 1993).

⁶⁷ Mills and Schneider, *The New Men of Power*, 241.

⁶⁸ Richard Freeman and James Medoff, *The Two Faces of Unionism* (Cambridge, MA: National Bureau of Economic Research, 1979), <https://doi.org/10.3386/w0364>.

⁶⁹ Richard B. Freeman and James L. Medoff, *What Do Unions Do?* (New York: Basic Books, 1992).

⁷⁰ Freeman and Medoff, 6.

⁷¹ Freeman and Medoff, 7.

unions are able to fight for change and advocate for workers concerns, resembling political unionism. Medoff and Freeman analyzed the social effects of unionization, finding that unions represent the political will of members and give a voice to the marginalized. Thus, as unions represent the political will of members, they can decide their own goals and legislative initiatives, whether incremental or large-scale.⁷²

While Medoff and Freeman largely focused on the private sector in their analysis, others have applied the “two faces” analysis to public sector unions. Morley Gunderson found that collective voice is more likely to be used in the public sector.⁷³ Further, he found that public sector unions are more likely to use an aggressive form of voice because of higher exit costs given the higher wages often found in the public sector. He writes of a certain kind of collective voice he refers to as “muscle flexing,” which “has increasingly dominated the more positive communication form of voice in the public sector.”⁷⁴ Unlike the private sector, where unions are restrained by a labor-management partnership that acknowledges business viability, public sector unions can freely use voice without such restraints.⁷⁵ These lack of restraints could lead to an “immunity” where public sector unions could engage in strikes and job actions more freely.⁷⁶ However, Gunderson’s research does not analyze public safety unions such as firefighting and police, which are restrained by a widespread belief that such services are essential.

The goals of unions are shaped by both ideology and the practical realities of the environment within which unions operate. They are also shaped by the desires of their members. While leaders and historians may discuss best practices for how these organizations can best improve the lives of their members, inevitably these members will decide where they stand on issues affecting their unions. The business unionism, political unionism, and “two faces” frameworks presume that union membership knows their best

⁷² Freeman and Medoff, *The Two Faces of Unionism*, 10.

⁷³ Morley Gunderson, “Two Faces of Union Voice in the Public Sector,” *Journal of Labor Research* 26, no. 3 (Summer 2005): 393–413, <https://doi.org/10.1007/s12122-005-1012-6>.

⁷⁴ Gunderson, 394.

⁷⁵ Gunderson, 404.

⁷⁶ Gunderson, 401.

interests, and that they are simply arguing over the proper scope to fight for these interests. They do not consider, however, whether union members agree on what their best interests are, or whether these disagreements over their best interests can be influenced by others in the socio-political environment, such as media, politicians, and other group loyalties.

As American labor unions, organizations representing police and firefighters in Chicago, Los Angeles, and New York were forced to reckon with how to represent their members' interests, balancing contractual initiatives, such as salary and healthcare, with the politicized issue of vaccination. Members used democratic procedures such as meetings and activism to influence their unions' decision-making. Union leadership dealt with dissent and minority factions within their organizations, reacting to dissent and the threat of exit to develop consensus that could fulfill the goals of both leadership and all members. Much of the scholarship discussed in this literature review, such as whether unions are responsive democratic organizations or how they balance their interests, can be applied to how public safety unions reacted to vaccine mandates. However, the research shows that many of these existing frameworks are unable to account for how unions were asked to respond by their members.

C. RESEARCH DESIGN

This thesis studies how unions have responded to vaccine mandates and how they have struggled to build consensus to balance competing interests within their organizations. Public sector unions for firefighters and police officers have dealt with COVID-19 vaccine mandates in different ways. Complicating matters further is that workers have organized *within* their own labor unions to change the official policy position of their elected labor leaders. Public safety unions in Chicago, New York, and Los Angeles have each dealt with dissent and fought internally about what the purpose of their union is and how to keep their members engaged in a changing sociological environment. As each union has answered these questions differently (and been put under different amounts of pressure from their own members), firefighter and police unions in these three cities have made different decisions about how to respond to COVID-19 vaccine mandates. This thesis uses court

filings, interviews with union leaders and splinter groups, and social media content to analyze the political role of labor and how the COVID-19 mandates affected unions.

The primary methodology for this study is a review of the existing publicly-available information on how unions in these three cities responded to mandates through union bulletins, news articles, podcasts, and media interviews. Given the nature of the subject matter, social media is a new frontier in which traditional unions and dissidents within them communicate. Some unions and political groups were willing to communicate information over social media that was once considered sensitive. Others communicated policy through traditional meetings that are closed to dues-paying members. In these situations, I have used personal interviews to ask about organizational policy.⁷⁷

The response of these unions is analyzed using two of the frameworks discussed. In studying how union members deal with disagreement over policy, I analyze the three different union responses using both Hirschman and Rusbalt's Exit, Voice, Loyalty, and Neglect and Medoff and Freeman's "two faces of unionism" frameworks to discuss how unions balance competing interests, balancing risk, and keeping a consensus to maintain the loyalty of which Hirschman spoke.

Lastly, I examine how social, technological, and legal changes have shaped the responses of both labor unions and the groups of workers within the union that have attempted to change the organization. Few studies have looked at how these changes have affected unions. A large body of research has explained how changing communication, increasing polarization, and declining confidence have reshaped almost every other part of American democracy, from voting, war, consumer behavior, crime, and even family. This thesis analyzes how these factors have, or have the potential to reshape labor organizations.

⁷⁷ Research for this thesis was not required to go through the Institutional Review Board process because the interviews were based solely on organizational responses to vaccine mandates and not personal opinions and beliefs.

II. THE STRUCTURE AND HISTORICAL FOUNDATION OF FIREFIGHTER AND POLICE UNIONS

Much of the scholarship discussed in Chapter I was developed during a period when most members of American labor unions were private sector employees. Over the last fifty years, however, public sector union membership rates have eclipsed those of the private sector, with many industries in public employment gaining the right to form labor unions. Among these newly organized sectors of the American labor force are firefighters and police officers. Because of their relatively late development (and, especially for police officers, their quasi-military status), unions in law enforcement and firefighting have progressed differently from those in the private sector, and even other government workers in the public sector. This chapter discusses the legal and political origins of public sector union rights in the United States, and provides the separate historical foundations of police and firefighter unions that have shaped the particular development as organizations. This development has, in turn, influenced the manner in which these organizations have reacted to vaccine mandates in 2021.

A. THE ORIGINS OF UNIONIZATION RIGHTS IN THE PUBLIC SECTOR

While some of the most prominent and discussed labor unions in America today are government employees, public sector union rights are a fairly new development. For most of 19th and 20th centuries, the labor movement focused on organizing private sector employees working in fields such as construction, manufacturing, and skilled craftsmen (e.g., shoemakers and tailors). Unions began as groups of “journeymen”—printers, shoemakers, mechanics—who sought to negotiate the terms of their training, or “apprenticeship,” against masters in small shops.⁷⁸ At the beginning of the 19th century, these groups began to form into trade organizations that functioned as benevolence societies and helped each other in times of need.⁷⁹ These societies eventually turned their

⁷⁸ Sean Wilentz, *Chants Democratic: New York City and the Rise of the American Working Class, 1788–1850* (New York: Oxford University Press, 1989).

⁷⁹ Melvyn Dubofsky and Joseph Anthony McCartin, *Labor in America: A History* (West Sussex, UK: Wiley Blackwell, 2017), 373.

attention to setting minimum wages for their services, operating as an informal cartel.⁸⁰ As businesses, factories, and profits grew in the second half of the 19th century, so did the amount of workers seeking to organize on behalf of their interests. Unions started to focus more on winning wage increases for workers and improving working conditions, and began endorsing political candidates.⁸¹ With the advent of large-scale manufacturing processes in the 20th century, the scale of unionization changed with it, as unions focused on organizing whole companies such as General Motors and U.S. Steel.⁸² Union recognition by employers and companies, however, was purely voluntary up until the passage of the National Labor Relations Act, which established a board and federal procedure for organizing, elections, and mandatory recognition on behalf of private business.⁸³ Thus, while unions began as fraternal groups and bargaining agents, they became more involved in politics as they grew in size. The different, and often competing, roles played by unions in the private sector would foreshadow a similar tension for government employees unions.

While private sector unionism was reaching its peak in the late 1950s and 1960s, government employment grew as a share of U.S. employment. Many of these workers began to organize, like their private sector predecessors, against poor working conditions and low wages. The first municipality to grant the right to unionization for municipal employees was New York City in 1958, whose Mayor Robert Wagner did so by executive order, followed by Wisconsin as the first state to grant its employees bargaining rights in the following year.⁸⁴ Three years later, in 1962, President John F. Kennedy issued an executive order of his own granting collective bargaining rights to all federal employees.⁸⁵ These legislative and executive changes to the public employment workplace transformed the direction of unionization rates in government. By the end of the 20-year period

⁸⁰ Wilentz, *Chants Democratic*, 17.

⁸¹ Wilentz, 191.

⁸² David Montgomery, *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865–1925*, 1. (Cambridge: Cambridge Univ. Press, 1999); Robert H Zieger, *The CIO, 1935–1955* (Chapel Hill, N.C.: The University of North Carolina Press, 1997).

⁸³ 29 U.S.C. § 1947, 151–166.

⁸⁴ Dubofksy and McCartin, *Labor in America*, 371.

⁸⁵ Babson, *Unfinished Struggle*, 162.

beginning in 1955, more than four million public employees were unionized workers, growing ten-fold at that time, accounting for almost a third of the government workforce.⁸⁶ In 2009, public sector union members outnumbered those in the private sector that once dominated.⁸⁷

Public unions, however, were not permitted to engage in the same acts as private unions. The post-war period was marked by an unprecedented wave of private sector strikes disrupting American manufacturing and productivity.⁸⁸ These strikes gave workers leverage, prompting government intervention to keep America's industrial sector productive while forcing business to cede to at least some of the workers' demands.⁸⁹

But while government bodies were recognizing collective bargaining rights, they were simultaneously outlawing strikes and other job actions by these new public sector unions.⁹⁰ In the initial years of government unionization, strikes continued in municipalities despite state and local laws forbidding such behavior. New York City alone saw strikes from social workers, at schools, and, most famously, within its subway system in the first days of 1966.⁹¹ While the federal workplace would not see the same stoppages, these strikes prompted municipalities to pass strict legislation to maintain services such as transportation and education. New York, for instance, passed the "Taylor law" which prohibited public employee strikes and required that labor disputes be settled by binding arbitration.⁹² California and Illinois, however, only prohibited strikes for employees

⁸⁶ Dubofksy and McCartin, *Labor in America*, 373.

⁸⁷ Steven Greenhouse, "Most Union Members Now Work for Government," *New York Times*, January 22, 2010, <https://www.nytimes.com/2010/01/23/business/23labor.html>. While the decline of private sector unionism is beyond the scope of this chapter, the decline itself is due to a number of factors such as the flight of traditionally unionized manufacturing jobs and the growth of traditionally non-unionized industries.

⁸⁸ Lichtenstein, *State of the Union*.

⁸⁹ Irving Richter and David Montgomery, *Labor's Struggles, 1945–1950: A Participant's View*, 1st ed. (Cambridge University Press, 1994), 47–67, <https://doi.org/10.1017/CBO9780511572371>.

⁹⁰ Dubofsky and McCartin 373–4.

⁹¹ Joshua Benjamin Freeman, *Working-Class New York: Life and Labor since World War II* (New York: New Press, 2000), 205–6.

⁹² N.Y. Civil Service Law, Art. 14

affecting public safety, explicitly mentioning police and firefighters.⁹³ Many government workers, including almost all firefighters and police officers, would thus be denied the most effective tool provided to unions in the private sector, the withholding of their labor.⁹⁴

B. HISTORY OF POLICE UNIONIZATION

Police unions have historically been viewed as hostile to the labor movement, as the strikes in the early labor movement were violently “broken” by police officers throughout the nation, most famously in the Great Upheaval of 1877, where a combination of police and national guardsmen killed over 100 workers in a railroad strike.⁹⁵ The labor movement viewed police officers as acting in concert with their employers, and the two sides were often violently opposed to one another. In the Haymarket Affair of 1886, a pro-union activist threw a bomb at police officers in Chicago as they tried to disperse protestors advocating for an eight-hour day, killing seven officers, with four civilians also dying.⁹⁶ Mining strikes in the west would often see violence between union activists and law enforcement.⁹⁷ Samuel Gompers, who led the American Federation of Labor (at the time the largest union in the country), was reluctant to charter police unions because of their potential for “divided loyalty” in response to strikes, the most powerful of tools for the aggrieved worker.⁹⁸

Nonetheless, many officers organized into groups, forming fraternal societies in the late 19th century. In 1892, New York’s police officers would organize the “Patrolmen’s Benevolent Association” to raise money for widows of officers who had died in the line of duty.⁹⁹ In 1915, the Fraternal Order of Police (FOP) organized in Pittsburgh to improve

⁹³ 5 Illinois Public Labor Relations Act, 315 2; CA Labor Code, Sec. 196

⁹⁴ Many public safety unions, such as Chicago’s FOP, have no strike clauses in their constitution.

⁹⁵ Dubofsky and McCartin 124–6.

⁹⁶ Dubofsky and McCartin 126–8.

⁹⁷ Melvyn Dubofsky and Joseph Anthony McCartin, *We Shall Be All: A History of the Industrial Workers of the World* (Urbana, IL: University of Illinois Press, 2000).

⁹⁸ Marvin J. Levine, “A Historical Overview of Police Unionization in the United States,” *The Police Journal* 61, no. 4 (October 1, 1988): 334, <https://doi.org/10.1177/0032258X8806100406>.

⁹⁹ Daniel DiSalvo, “Interest Groups, Local Politics, and Police Unions,” *Interest Groups and Advocacy* 11 (2022): 269, <https://doi.org/10.1057/s41309-021-00146-9>.

working conditions, although the group would “strongly oppose police unions” choosing instead to focus on mutual aid and charity.¹⁰⁰ This position against collective bargaining would soften, and many police officers considered unionization their only hope to fight the inflation of the post-World War I period.¹⁰¹ As a result, the AFL would overcome its reluctance to police unions and issue charters in thirty separate cities throughout the country, including Boston.¹⁰²

The Boston police strike of 1919 realized the greatest fears of those who argued against police unions. While Gompers felt that officers may have divided loyalty toward strikes, many citizens and police chiefs were concerned that public order was too important for society to allow officers to organize.¹⁰³ Police officers were akin to the military, and they could not join a union, according to Boston’s police chief, “without abandoning the traditional neutrality that was the hallmark of proper policing.”¹⁰⁴ But Boston officers proceeded against their bosses wishes. The AFL issued its charter to Boston after 75 percent of the police officers agreed to join a union.¹⁰⁵ Yet after the police chief refused to recognize the organization, 80 percent of the officers went on strike, causing a three-day riot throughout the city, killing nine.¹⁰⁶ More than 1,000 of the striking officers were fired, and the enthusiasm for police unionization would not recover for 50 years.¹⁰⁷

The backlash to this strike did not simply doom the unionization of police officers, but all public employees. Daniel DiSalvo writes, “For the next 40 years, bipartisan opposition to the unionization of public employees was widespread.”¹⁰⁸ Without the

¹⁰⁰ Michael Zoorob, “Blue Endorsements Matter: How the Fraternal Order of Police Contributed to Donald Trump’s Victory,” *PS: Political Science and Politics* 52, no. 2 (April 2019): 244, <https://doi.org/10.1017/S1049096518001841>.

¹⁰¹ Zoorob, 244; Levine, “A Historical Overview of Police Unionization in the United States,” 334.

¹⁰² Levine, “A Historical Overview of Police Unionization in the United States,” 334.

¹⁰³ Levine, 333.

¹⁰⁴ Levine, 335.

¹⁰⁵ Zoorob, “Blue Endorsements Matter,” 244.

¹⁰⁶ DiSalvo, “Interest Groups, Local Politics, and Police Unions,” 269.

¹⁰⁷ Levine, “A Historical Overview of Police Unionization in the United States,” 337.

¹⁰⁸ DiSalvo, “Interest Groups, Local Politics, and Police Unions,” 269.

ability to form unions, police officers settled on the proliferation of benevolence societies for comradery and mutual aid, resulting in what Marvin Irvine refers to “low pay long hours under disagreeable conditions and sometimes dangerous conditions, and stringent regulations” before World War II.¹⁰⁹ While a second attempt at unionization in the post-war period would fail (with some workers in Los Angeles and St. Louis being fired for refusing to cut ties with the union), police unions were finally recognized after John F. Kennedy signed an executive order that led to most states recognizing public employee unions.¹¹⁰

However, while these organizations were recognized in the 1960s and 1970s, they often assumed a different character than other unions in the public sector. The passage of the National Labor Relations Act by Democrat Franklin D. Roosevelt had forged an alliance between the labor movement and the Democratic party.¹¹¹ Police unions were not aligned with this political agenda, endorsing George Wallace in 1968 (who, while a Democrat, was a segregationist and whose economic positions were otherwise not favored by union workers in the private sector) and Republican Richard Nixon in 1972.¹¹² These differences would manifest themselves in 1970 in New York City, where for days the city’s construction workers led a campaign of violence against student protestors, with the complicity of NYPD police officers, who refused to make arrests or even stop the assaults.¹¹³ David Kuhn writes that the ambivalence the police showed toward the violence was the result of a growing divide between the officers, together with other blue collar members of the white working-class, and the policy positions of many labor unions.¹¹⁴ The contrast between the political stances of police unions and the traditional movement have become even sharper in recent years. The national FOP would endorse the reelection

¹⁰⁹ Levine, “A Historical Overview of Police Unionization in the United States,” 337.

¹¹⁰ DiSalvo, “Interest Groups, Local Politics, and Police Unions,” 269; Levine, “A Historical Overview of Police Unionization in the United States,” 337.

¹¹¹ Dubofsky and McCartin, *We Shall Be All*, 252–72.

¹¹² Zoorob, “Blue Endorsements Matter,” 245.

¹¹³ Freeman, *Working-Class New York*, 237–43.

¹¹⁴ David Paul Kuhn, *The Hardhat Riot: Nixon, New York City, and the Dawn of the White Working-Class Revolution* (New York: Oxford University Press, 2020).

campaign of President George Bush in 2004, whose policies and appointments were seen as unfriendly to those of almost all other labor unions.¹¹⁵ In 2016, many police unions would endorse Donald Trump and do so again for his reelection campaign in 2020, despite his Supreme Court appointment casting the deciding vote in a case that weakened public sector unions (including police unions) considerably.¹¹⁶ These endorsements suggest that police unions are willing to prioritize cultural and social issues, such as crime and social issues that concern police officers, rather than economic ones, such as pension and salary.

Because police unions are separate from the political agenda of the wider union movement, the policies and messaging from their labor organization uses different imagery, language, and messaging to fight for their goals.¹¹⁷ Police labor organizations focus on the specific experiences of officers, as opposed to the universal appeals to worker rights that are often seen in other union. Marcia McCormick writes, “police unions play a role in reinforcing the norms of the police subculture, which may include a sense of embattled warrior and a unity that prohibits testifying against officers accused of misconduct.”¹¹⁸ Seymour Martin Lipset found a similar dynamic in 1972, writing on police alienation, and how it led them to often support members of the far-right.¹¹⁹ Police officers thus turn to the union as a refuge from the alienation and lack of appreciation felt by larger society. Their unions, in turn, channel these feelings into policy positions that look different from the labor movement as whole.

As a result of this divergence, many have criticized police unions, including those who traditionally align with other unions within the labor movement. After the death of

¹¹⁵ Zoorob, “Blue Endorsements Matter,” 246.

¹¹⁶ Mark Joseph Stern, “Janus v AFSCME: Supreme Court Crushes Public Sector Unions Thanks to Neil Gorsuch’s Decisive Vote and Samuel Alito,” *Slate*, June 27, 2018, <https://slate.com/news-and-politics/2018/06/janus-v-afscme-supreme-court-crushes-public-sector-unions-thanks-to-neil-gorsuchs-decisive-vote-and-samuel-alito.html>.

¹¹⁷ Marcia L McCormick, “Our Uneasiness with Police Unions: Power and Voice for the Powerful?” *Saint Louis University Public Law Review* 35, no. 1 (2015): 47–66.

¹¹⁸ Mark P Thomas and Steven Tufts, “Blue Solidarity: Police Unions, Race and Authoritarian Populism in North America,” *Work, Employment and Society* 34, no. 1 (February 1, 2020): 126–44, <https://doi.org/10.1177/0950017019863653>.

¹¹⁹ Seymour Martin Lipset, “The Politics of the Police,” in *Reading in Race and Ethnic Relations: The Commonwealth and International Library*, ed. Anthony H. Richmond (Oxford: Pergamon, 1972), 280.

George Floyd in 2020, large-scale, often violent protests often targeted police officers in many cities, leading many political commentators to target the role police unions play in society and question whether they hurt other unions.¹²⁰ An article about the perceived outsized influence on laws by police unions in *The New York Times* stated “A single New York City police union has spent more than \$1 million on state and local races since 2014,” without noting that other public sector unions in New York City donate far greater amounts.¹²¹ As only 15–20 percent of police unions affiliate with the AFL-CIO and do not engage in any coalition building with other workers, other labor scholars have claimed that police unions are not part of the union movement at all, and should be simply viewed as an interest group.¹²² Others have painted police unions as racist institutions.¹²³ These criticisms suggest that the media perception of police unions is as complex as their history, with many academics and writers viewing their place in the labor movement with the same skepticism Samuel Gompers once held.

C. HISTORY OF FIREFIGHTER UNIONIZATION

The history of firefighter unions is decidedly less complex given the history of firefighting in the United States. First, while policing was a paid profession for the entire history of the nation, firefighting was largely a volunteer position until the dawn of the 20th century, with New York becoming the first paid department in America in 1898; thus,

¹²⁰ Katie Sheppard, “Portland Protesters Set Fire to Police Union Headquarters as Tensions Rise Again,” *Washington Post*, August 9, 2020, <https://www.washingtonpost.com/nation/2020/08/09/portland-police-union-fire/>.

¹²¹ Noam Scheiber, Farah Stockman, and J. David Goodman, “How Police Unions Became Such Powerful Opponents to Reform Efforts,” *New York Times*, June 6, 2020, <https://www.nytimes.com/2020/06/06/us/police-unions-minneapolis-kroll.html>. In the 2019–2020 fiscal year the New York State Unified Teachers spent \$9.3 million. See <https://www.opensecrets.org/political-action-committees-pacs/new-york-state-united-teachers/C00021121/summary/2020>

¹²² Paul F. Clark, “Why Police Unions Are Not Part of the American Labor Movement,” *The Conversation*, accessed August 2, 2022, <http://theconversation.com/why-police-unions-are-not-part-of-the-american-labor-movement-142538>.

¹²³ Dylan Matthews, “How Police Unions Became so Powerful—and How They Can Be Tamed,” *Vox*, June 24, 2020, <https://www.vox.com/policy-and-politics/21290981/police-union-contracts-minneapolis-reform>.

firefighting is a relatively young industry of paid employment.¹²⁴ Second, the firefighting profession has generally been less politicized throughout its history and is viewed more favorably as a result.¹²⁵ Because of these reasons, governments and civilians alike have been more likely to accept the legitimacy of these unions as more compatible with democratic society.

Much like police unions, at the turn of the 20th century, the AFL had chartered numerous firefighter locals throughout the country. According to historian Richard Rubin, there was initial opposition to unionization but it “weakened when the AFL emphasized how unique firefighters were because they could not use economic sanctions to gain concessions and influence management in collective bargaining.”¹²⁶ After the AFL convention of 1917, Samuel Gompers helped build the International Association of Firefighters, which was formally founded in 1918.¹²⁷ As was the case with the FOP, the International Association of Firefighters (IAFF) was founded on the basis of mutual aid for the families of fallen firefighters and did not resemble a contemporary labor union focused on collective bargaining.¹²⁸ Likely due to the consequences of the Boston police strike in 1919, firefighting unions would fail to gain widespread recognition by municipal governments until the 1960s. The unions in New York are older, with the Uniformed Firefighters Association (UFA) being founded in 1917, while the unions representing firefighters in Los Angeles, UFLAC, would be established in the 1960s.

Although certainly more bipartisan than the traditional labor coalition that is typically aligned with the Democratic party, firefighting unions resemble other unions in

¹²⁴ Terry Golway, *So Others Might Live: A History of New York's Bravest: The FDNY from 1700 to the Present* (New York: Basic Books, 2002).

¹²⁵ Roscoe Scarborough, “Want to Reform America’s Police? Look to Firefighters,” *The Conversation*, September 11, 2019, <http://theconversation.com/want-to-reform-americas-police-look-to-firefighters-120573>.

¹²⁶ Richard S. Rubin, “Labor Relations for Police and Fire: An Overview,” *Public Personnel Management* 7, no. 5 (October 1978): 337–45.

¹²⁷ Marin Professional Firefighters, IAFF Local 1775, “International Association of Fire Fighters (IAFF): A History of Firefighter Unions,” Marin Professional Firefighters, IAFF Local 1775, accessed August 3, 2022, <https://iaff1775.org/our-union/iaff-affiliation/2202-a-history-of-firefighter-unions>.

¹²⁸ Rubin, “Labor Relations for Police and Fire,” 340.

the public and private sector, more so than their police counterparts. To be sure, firefighter unions have endorsed many candidates that have strayed from the economic goals that unions have generally supported. In the aftermath of the attacks of September 11th, 2001, the UFA endorsed the reelection of President George W. Bush.¹²⁹ However, the IAFF has a far closer relationship to establishment labor unions than do police unions. The IAFF, which remains the national union, is affiliated closely with the AFL-CIO and has often endorsed similar candidates.¹³⁰ Some of this political activity has prompted dissent within the IAFF, as many firefighters have disagreed with the endorsements of both their local and international unions.¹³¹ These disagreements over political activity have pushed some firefighters to pressure their local chapters to leave the IAFF completely and operate without the assistance of a national union.¹³²

D. THE STRUCTURE OF CONTEMPORARY UNIONS

Fifty years after the widespread adoption of public safety unions throughout the country, they are now fully functioning bureaucratic organizations that are accepted as a permanent fixture of the political process. The political science classic *Who Governs?* documents the ecosystem of the American municipality, where the union functions together with (or against) government, community boards, non-profits, block associations, state interests, and often even each other to fight for influence.¹³³ Unions are often glorified or stigmatized as self interest groups, yet their organizational structure and decision-making processes is unknown to many.

The American public safety union, like other public sector unions and their counterparts in the private sector, is based around the national or international (although

¹²⁹ “Bush Collects N.Y. Firefighters’ Backing,” NBC News, September 1, 2004, <https://www.nbcnews.com/id/wbna5890002>.

¹³⁰ Kenneth Quinnell, “Get to Know AFL-CIO’s Affiliates: Fire Fighters,” AFL-CIO, accessed August 3, 2022, <https://aflcio.org/2019/6/10/get-know-afl-cios-affiliates-fire-fighters>.

¹³¹ “IAFF Endorsement of Biden Draws Ire,” FireRescue1, accessed August 3, 2022, <https://www.firerescue1.com/politics/articles/iaff-endorsement-of-biden-draws-ire-gtQ6Oek9G5YMw3St/>.

¹³² Eric Lamar, “FDNY Firefighters To Leave IAFF?” *Medium* (blog), July 10, 2020, <https://ericlamardc.medium.com/fdny-firefighters-to-leave-iaff-bd882742d8ad>.

¹³³ Dahl, *Who Governs?*

for police officers, it is simply the Fraternal Order of Police).¹³⁴ Both the FOP and the IAFF are only open to full-time professional firefighters and police officers, and therefore the various volunteer firefighters and part-time police officers throughout the country are not eligible for membership.¹³⁵ The organizational structure of the IAFF has a general-president and general-secretary-treasurer, with 16 different vice-presidents who represent various regions throughout the country. In this sense, the IAFF represents a traditional trade union in its hierarchy that assures all regions are represented. The FOP, on the other hand, is simply a small board of executive leaders without regional leaders.

The national unions are divided throughout the country into different chapters, or locals. It is at the local chapter level where most well-known labor activity takes place. FOP locals only represent police officers, leaving the higher ranks of sergeant, lieutenant, and captains to organize into their own benevolent organizations. The IAFF locals can represent various ranks, however. Whereas New York divides their unions between the rank of firefighter, who are in the UFA, and the ranks of lieutenant, captain, and chief, who are members of the Uniformed Fire Officer Association (UFOA), UFLAC unites all of their ranks under one union. Both the IAFF and the FOP are decentralized entities that allow their chapters independence in deciding their own initiatives. Therefore, each local has a constitution that similarly outlines the procedures for election, defines the dues, and stipulates the requirements for amendments to the constitutions. The constitutions can be extremely specific in defining these democratic procedures. Whereas the IAFF has a 55-page constitution carefully legislating procedures, none is publicly available for the FOP.¹³⁶ The leaders in both unions are elected by delegates who are apportioned based on the size of the local chapters. These leaders are not voted on directly by the rank and file firefighters around the country but rather done so by the executive boards of the locals throughout the country.¹³⁷ New York's officer union has specific rules for a quorum,

¹³⁴ The term “international” often just refers to the United States and Canada.

¹³⁵ “Become a Member of the FOP—Fraternal Order of Police,” FOP, accessed August 4, 2022, <https://fop.net/become-a-member/>.

¹³⁶ International Association of Firefighters, *Constitution and By-Laws*, (2021), 2, <https://www.mpffu.org/2021%20IAFF%20Constitution-and-By-Laws.pdf>.

¹³⁷ International Association of Firefighters, *Constitution*. 19.

highly specific procedures for amending the constitution, and the exact order of business.¹³⁸ Chicago requires that any delegate to national conventions or candidates for executive roles have attended at least half of the meetings within the previous year.¹³⁹ The constitutions thus strictly govern checks and balances, division of responsibilities, and accountability for the organization, just like governmental democratic entities.

Most chapters have monthly meetings to keep members advised of important issues and communicate the union's positions on current events. These meetings also serve as an opportunity for members to communicate their concerns and air grievances with either management (the city) or the union itself. The Chicago FOP, New York's firefighter unions, and Los Angeles' firefighter union all have meetings where members may ask questions of the president directly, assuring some level of accountability and democratic communication. Rules for the meeting use the parliamentary procedural manual *Robert's Rules of Order* to establish which speakers have the floor, and how votes are calculated. In New York's UFOA, if the president chooses to start a new committee, increase dues to the political action committee, or even change the format of the meeting, he must do so only after a member makes a motion, and that motion is supported by half the members in attendance.¹⁴⁰ These functions resemble that of a democratic organization committed to only making decisions based on a majority of the members, and assuring members in the minority have an opportunity to be heard. Other functions of the union, however, such as decisions over health care providers, the use of treasury funds, and political endorsements are not directly voted upon by the members but rather entrusted to the board.¹⁴¹

Different public safety unions choose to communicate with their members in different ways. While the Chicago FOP, UFLAC, and both the UFA and UFOA will announce meetings on their respective websites, and the FOP and UFLAC will use the internet to communicate member information, the New York unions are less transparent to

¹³⁸ Uniformed Fire Officers Association Local 864, *Constitution and By-Laws*.

¹³⁹ UFOA, *Constitution*, 5.

¹⁴⁰ Henry Martyn Roberts, *Robert's Rules of Order*. (New York, NY: Berkley Publishing Corporation, 1998).

¹⁴¹ UFOA, *Constitution*, 11–13.

the general public. UFLAC relays a weekly update on safety, contractual, and other information, while neither New York firefighting union makes the agenda of their meetings available on the internet, choosing to email members directly, or make the information only available at meetings.¹⁴² Chicago's FOP goes further than UFLAC, updating members through a variety of social media tools, offering non-members insight into the unions priorities, perspectives, and temperament.¹⁴³ These communication strategies are only three examples, as public sector unions throughout the country each have chosen to leverage technology in different ways based on their memberships demographics, leadership, resources, and political leanings.

Because of their relatively late development as labor organizations, firefighter and police unions grew differently from the traditional labor movement. After the New Deal, the latter had traditionally aligned with the Democratic party and a left-leaning political ideology. Perhaps in part because of their late development, or because public safety personnel had, at times, fought against the labor movement, police and (to a lesser extent) firefighting unions do not fit the traditional characterizations of unions. They have developed their own union ideology and make different political decisions that are, at times, in direct opposition to those of the larger union coalition in the private sector.

¹⁴² "Bulletins—United Fire Fighters of Los Angeles City," UNFLAC, accessed August 6, 2022, <https://www.uflac.org/bulletins/>.

¹⁴³ "FOP Chicago Lodge 7—YouTube," FOP Chicago Lodge 7, accessed August 6, 2022, <https://www.youtube.com/channel/UCsgF4xK6bMBq-skO86I-mHw>.

THIS PAGE INTENTIONALLY LEFT BLANK

III. COVID-19, EARLY VACCINE IMPLEMENTATION, AND THE VACCINE RESISTANCE MOVEMENT

In March of 2020, the COVID-19 virus had begun to spread throughout major metropolitan areas in the United States.¹⁴⁴ The virus first began to take large amounts of lives and strain health services in New York City, but Los Angeles and Chicago began to see a surge in emergency room admissions and deaths shortly thereafter.¹⁴⁵ The threat to frontline workers such as police officers and firefighters was obvious, as they had contact with patients suffering from the illness, and such services continued despite states and cities ordering the closure of businesses, schools, and even private social gatherings. Despite these efforts, public safety unions pressured their government employers to provide more protections for their members in the form of personal protective equipment (PPE), testing, and favorable work schedules that assured those with underlying health issues and contact with COVID-19 that they could be secluded from work in the field.¹⁴⁶ Some of these accommodations, in addition to workers unable to work due to COVID-19 infection, exacerbated already-strained systems in police and fire departments throughout the country.¹⁴⁷ The fight led by public safety unions for greater COVID-19 protections in the early months of the pandemic, however, did not adequately predict how these organizations would react to subsequent vaccine mandates.

¹⁴⁴ Jin Wu et al., “How the Virus Got Out,” *The New York Times*, March 22, 2020, sec. World, <https://www.nytimes.com/interactive/2020/03/22/world/coronavirus-spread.html>.

¹⁴⁵ Tim Sullivan and Nicole Winfield, “‘Accept It’: 3 States Lock down 70 Million against the Virus,” *Associated Press*, March 20, 2020, <https://apnews.com/article/health-us-news-ap-top-news-international-news-virus-outbreak-52f7fc77cce85060ad1cf73297b7cd45>.

¹⁴⁶ Will Feuer, “More than 1,000 NYPD Officers Are Infected with Coronavirus,” *CNBC*, April 1, 2020, <https://www.cnbc.com/2020/04/01/more-than-1000-new-york-city-police-officers-are-infected-with-coronavirus.html>; Quinn Myers, “Police Union President Kevin Graham Calls for Stronger Measures to Protect Officers,” *WTTW News*, April 8, 2020, <https://news.wttw.com/2020/04/08/police-union-president-kevin-graham-calls-stronger-measures-protect-officers>.

¹⁴⁷ Cindy Chang et al., “Coronavirus Threatens to Thin the Ranks of Police and Firefighters on the Front Lines,” *Los Angeles Times*, March 17, 2020, <https://www.latimes.com/california/story/2020-03-17/coronavirus-threatens-to-thin-the-ranks-of-police-firefighters-and-others-on-the-front-lines>.

A. THE EARLY ADMINISTRATION OF COVID-19 VACCINES

At least 25 firefighters and almost 500 police officers died of COVID-19 during 2020.¹⁴⁸ In the closing weeks of that year, the FDA approved emergency authorization of vaccines meant to fight the pandemic.¹⁴⁹ The first Pfizer vaccine was administered on December 14, and large-scale vaccinations of health workers began shortly thereafter, followed by other “essential” public servants.¹⁵⁰ While supplies were initially strained due to high demand, the vaccine was first administered to New York City firefighters on December 23, Los Angeles firefighters on December 28, and Chicago firefighters on January 25, 2021.¹⁵¹ Early vaccination rates, reported from February, in these three municipalities were 65 percent for New York City, 30 percent for Chicago (both of which suffered from supply constraints), and 55 percent for Los Angeles.¹⁵²

Some media outlets began to recognize early signs of vaccine resistance within the first responder community even before the vaccine was introduced. Public sector union leaders, who were fighting for access to the vaccine before other professions and celebrated the medical developments, were pushing back on the idea of mandated vaccination.¹⁵³ In

¹⁴⁸ “IAFF Member COVID-19 Deaths,” *IAFF*, accessed August 6, 2022, <https://www.iaff.org/coronavirus/iaff-member-covid-19-deaths/>; A. B. C. News, “In 2020, 62% of Police Deaths Were Caused by COVID: One Officer’s Story,” *ABC News*, accessed August 4, 2022, <https://abcnews.go.com/Politics/2020-62-police-deaths-caused-covid-officers-story/story?id=80558455>.

¹⁴⁹ Food and Drug Administration, “FDA Takes Additional Action in Fight against COVID-19 by Issuing Emergency Use Authorization for Second COVID-19 Vaccine,” *FDA News Release* (FDA, December 18, 2020), <https://www.fda.gov/news-events/press-announcements/fda-takes-additional-action-fight-against-covid-19-issuing-emergency-use-authorization-second-covid>.

¹⁵⁰ “COVID-19: First Vaccine Given in U.S. as Roll-out Begins,” *BBC News*, December 14, 2020, <https://www.bbc.com/news/world-us-canada-55305720>.

¹⁵¹ “FDNY Begins Covid-19 Vaccinations for FDNY Members,” *New York Fire Department News & Info*, December 23, 2020, <http://www1.nyc.gov/site/fdny/news/ma4520/fdny-begins-covid-19-vaccinations-fdny-members>; Caroline Hurley, “Here’s What We Know about COVID Vaccine Distribution and Registration in Illinois,” *Chicago Sun Times*, January 26, 2021, <https://chicago.suntimes.com/essential-coronavirus-news/2021/1/13/22227262/illinois-covid-19-vaccine-coronavirus-pfizer-moderna-registration-cook-lake-dupage-will-veterans>; Faith Pinho, “Los Angeles Firefighters and Paramedics Receive First COVID-19 Vaccine Doses,” *Los Angeles Times*, December 29, 2020, sec. California, <https://www.latimes.com/california/story/2020-12-28/los-angeles-firefighters-paramedics-receive-first-vaccine-shots>.

¹⁵² Mai-Duc and Barrett, “Covid-19 Vaccines Don’t Appeal to Some Firefighters, Even with Prizes.”

¹⁵³ “Coronavirus Update New York City: FDNY Receives COVID-19 Vaccine, but NYPD Will Have to Wait,” *ABC7 New York*, December 29, 2020, <https://abc7ny.com/fdny-vaccine-covid-coronavirus-nypd/9165379/>.

November of 2020, the UFA sent out an informal poll to its 8,200 member asking whether they would receive the vaccination once it became available.¹⁵⁴ When more than 55 percent said they would not elect to receive the vaccine, Uniformed Firefighters Association President Andrew Ansbro cited the low levels of mortality for young, healthy individuals together with high levels of firefighter immunity to the virus as reasons for the resistance. Months later, when firefighter resistance to the vaccine in New York and other municipalities had become apparent and departments were responding with incentives for members, Ansbro lamented that these incentives “puts [him] in a bad position—and not what [he] should make [his] personal health care choice on.”¹⁵⁵ Already, there was evidence of new technology having an effect on the way members can communicate the issues they care about to union leaders. At this point, however, no government had mandated the vaccine for its firefighters or police officers (with the FDNY explicitly mentioning that vaccination would not be mandatory), thus reducing any adversarial relationship between unions and management.¹⁵⁶

Entering the summer of 2021, COVID-19 vaccination rates had plateaued.¹⁵⁷ Some looked at supply issues in low income areas, others theorized whether the history of racism was a factor in low rates for Black Americans, while others noted that education was a factor in the willingness to get vaccinated.¹⁵⁸ Evidence suggested, however, that political polarization was playing a role in vaccination rates, with states that voted Democrat in the

¹⁵⁴ Sara Dorn, “More than Half in FDNY Say They’ll Refuse COVID-19 Vaccine,” *New York Post*, December 5, 2020, <https://nypost.com/2020/12/05/these-nyc-first-responders-fear-covid-19-vaccine-side-effects/>.

¹⁵⁵ Mai-Duc and Barrett, “Covid-19 Vaccines Don’t Appeal to Some Firefighters.”

¹⁵⁶ Susan Edelman and Melissa Klein, “FDNY Won’t Require Medics, Firefighters to Get COVID Vaccine,” *New York Post*, November 28, 2020, <https://nypost.com/2020/11/28/fdny-wont-require-medics-firefighters-to-get-covid-vaccine/>.

¹⁵⁷ Matthias Blamont, Michael Erman, and Maayan Lubell, “Vaccination Burnout?,” *Reuters*, July 13, 2021, <https://graphics.reuters.com/HEALTH-CORONAVIRUS/VACCINATION/xklvyxrdgpg/>.

¹⁵⁸ David Leonhardt, “The Vaccine Class Gap” *The New York Times*, May 24, 2021; James E. K. Hildreth and Donald J. Alcendor, “Targeting COVID-19 Vaccine Hesitancy in Minority Populations in the US: Implications for Herd Immunity,” *Vaccines* 9, no. 5 (May 11, 2021): 489, <https://doi.org/10.3390/vaccines9050489>.

2020 election having higher rates than those who voted for Donald Trump.¹⁵⁹ The growing American divide in cultural, social, and political issues (often referred to as polarization or tribalization) was now showing its effect on health and medical decisions. Yet much of the data showing party affiliation as a factor in vaccine hesitancy was also evidence of a demographically diverse movement.¹⁶⁰

B. THE ANTI-VACCINE MOVEMENT

A large body of scholarly work and commentary has researched why individuals choose to reject the COVID-19 vaccine.¹⁶¹ No evidence in this research suggests that any formal resistance has ever advocated against the vaccine requirements that have existed for decades in public safety professions. Because of this, it is difficult to analyze why there was resistance to the vaccine as early as November of 2021 in the firefighter and police community. However, organized individuals suspicious of vaccines (and certainly against their mandated use) have existed in this country for over a century. The first movement in the United States began as a response to the introduction of smallpox vaccine requirements in many American cities and towns.¹⁶² While the large-scale resistance waned throughout most of the 20th century, a British physician finding a link (later debunked) between the MMR vaccine and autism in children helped spark the modern anti-vaccine movement.¹⁶³ The growth of this movement coincided with declining trust in medical research and the growth of the internet, which allowed more Americans to receive their medical information

¹⁵⁹ Domenico Montanaro, “There’s a Stark Red-Blue Divide When It Comes to States’ Vaccination Rates,” NPR Politics, June 9, 2021, <https://www.npr.org/2021/06/09/1004430257/theres-a-stark-red-blue-divide-when-it-comes-to-states-vaccination-rates>.

¹⁶⁰ Leonhardt, “The Vaccine Class Gap.”

¹⁶¹ Lisa Rosenbaum, “Escaping Catch-22—Overcoming Covid Vaccine Hesitancy,” *New England Journal of Medicine* 384, no. 14 (2021): 1367–71, <https://doi.org/10.1056/NEJMms2101220>; Louise Rawlings, Jeffrey C. L. Looi, and Stephen J. Robson, “Economic Considerations in COVID-19 Vaccine Hesitancy and Refusal: A Survey of the Literature,” *Economic Record* 98, no. 321 (2022): 214–29, <https://doi.org/10.1111/1475-4932.12667>.

¹⁶² Jan Hoffman, “How Anti-Vaccine Sentiment Took Hold in the United States,” *New York Times*, September 23, 2019, <https://www.nytimes.com/2019/09/23/health/anti-vaccination-movement-us.html>.

¹⁶³ Anna North, “The Long, Strange History of Anti-Vaccination Movements,” *Vox*, March 4, 2022, <https://www.vox.com/the-goods/22958419/covid-vaccine-mandate-pandemic-history>.

from alternative viewpoints.¹⁶⁴ These alternative viewpoints are often shared and reinforced within social networks of likeminded individuals and often mistrustful of those outside of the network, creating an information silo in a process referred to in social science as “homophily.”¹⁶⁵ The movement’s policy positions now extend far beyond the belief in a link between vaccines and autism, with widespread distrust of pharmaceutical companies and the medical establishment leading to a distrust of vaccines for both adults and children.

Looking at the policy positions of these groups and their content published throughout newspapers, journals, and websites, the reasons for vaccine hesitancy falls into three general categories: Safety, efficacy, and a violation of rights.

1. Safety

Safety likely remains the most salient motivation for vaccine resistance. Many believe the vaccine was rushed through safeguards of the FDA and thus have not been studied as thoroughly as other vaccines.¹⁶⁶ A claim circulated through the movement that the Pfizer vaccine, which had been granted full authorization from the FDA, was different from the one that had been granted emergency use authorization, leading to speculation that the initial vaccine must have been unsafe.¹⁶⁷ Other beliefs circulated throughout the various groups include distrust of mRNA vaccines, referring to them as “genetic engineering” that can compromise the human body’s immune system.¹⁶⁸ They believe the

¹⁶⁴ Maya J. Goldenberg, *Vaccine Hesitancy: Public Trust, Expertise, and the War on Science* (Pittsburgh, PA: University of Pittsburgh Press, 2021), ProQuest Ebook Central; Anna Kata, “Anti-Vaccine Activists, Web 2.0, and the Postmodern Paradigm – An Overview of Tactics and Tropes Used Online by the Anti-Vaccination Movement,” *Vaccine* 30, no. 25 (2012): 3778–89, <https://doi.org/10.1016/j.vaccine.2011.11.112>.

¹⁶⁵ Pinelopi Konstantinou et al., “Transmission of Vaccination Attitudes and Uptake Based on Social Contagion Theory: A Scoping Review,” *Vaccines* 9, no. 6 (June 5, 2021): 607, <https://doi.org/10.3390/vaccines9060607>.

¹⁶⁶ “Does the FDA Think These Data Justify the First Full Approval of a COVID-19 Vaccine?” *Children’s Health Defense* (blog), accessed August 6, 2022, <https://childrenshealthdefense.org/defender/peter-doshi-fda-data-approval-covid-vaccine/>.

¹⁶⁷ “Fact Check—Media Reports Have Not Lied about Pfizer-BioNTech’s FDA Approval,” *Reuters*, August 27, 2021, <https://www.reuters.com/article/factcheck-fda-pfizer-idUSL1N2PY00L>.

¹⁶⁸ Barbara Loe Fisher, “COVID-19 Spin,” NVIC, accessed August 5, 2022, <https://www.nvic.org/newsletter/apr-2021/seeing-through-the-covid-19-spin>.

vaccine causes heart failure, strokes, embolisms, paralysis, herpes, and even death.¹⁶⁹ Perhaps more widespread, many believe that vaccines can cause infertility, or are otherwise part of a plot to reduce childbirth rates.¹⁷⁰ As proof of these adverse effects, activists cite the VAERS database, a CDC resource to document the adverse effects of different vaccines.¹⁷¹ These safety concerns are exacerbated by the profitable nature of pharmaceutical companies.¹⁷²

2. Efficacy

Those resisting the vaccine also do so out of a sense of cynicism towards the actual dangers of COVID-19 and whether the vaccine actually helps reduce the already low mortality rates. They point to those being infected with COVID-19 after vaccination as proof that there is little to no value in agreeing to receive an experimental vaccine.¹⁷³ These arguments and beliefs have grown more common as the virus has mutated after the initial development of the vaccines, leading to decreased effectiveness in warding off infection (although most research shows the vaccines still protect against serious illness).¹⁷⁴ Many also believe that reactions to the pandemic, from governments to laws mandating mask use are also ineffective, and the only way to build immunity to the virus is through exposure.¹⁷⁵

¹⁶⁹ Sharyl Attkisson, “Covid-19 Vaccine Analysis: The Most Common Adverse Events Reported so Far,” *Sharyl Attkisson* (blog), accessed August 5, 2022, <https://sharylattkisson.com/2021/08/covid-19-vaccine-analysis-the-most-common-adverse-events-reported-so-far/>.

¹⁷⁰ “Infertility: A Diabolical Agenda – The Infertility Movie,” accessed August 6, 2022, <https://infertilitymovie.org/>.

¹⁷¹ “VAERS – Data,” VAERS, accessed August 5, 2022, <https://vaers.hhs.gov/data.html>.

¹⁷² Michael Nevradakis, “Big Pharma Money ‘Permeates’ World’s Drug Regulatory Agencies, BMJ Investigation Shows,” *Children’s Health Defense* (blog), July 1, 2022, <https://childrenshealthdefense.org/defender/big-pharma-drug-regulators/>.

¹⁷³ Jane M. Orient and Elizabeth Lee Vilet, *A Guide to Home-Based COVID Treatment: Step-by-Step Doctors’ Plan That Could Save Your Life* (Tucson, AZ: Association of American Physicians and Surgeons, 2022). 8.

¹⁷⁴ Cristina Menni et al., “COVID-19 Vaccine Waning and Effectiveness and Side-Effects of Boosters: A Prospective Community Study from the ZOE COVID Study,” *Lancet* 22, no. 7 (2022): 1002–10, [https://doi.org/10.1016/S1473-3099\(22\)00146-3](https://doi.org/10.1016/S1473-3099(22)00146-3).

¹⁷⁵ David Charbonneau, “CDC Admits Natural Immunity Trumps Vaccine Immunity — 5 Months After Touting Vaccines as Superior” *Children’s Health Defense* (blog), February 2, 2022, <https://childrenshealthdefense.org/defender/cdc-natural-immunity-trumps-vaccine-immunity/>.

Thus, the “natural immunity” acquired through this exposure is the strongest deterrent against serious adverse effects from COVID-19.¹⁷⁶ The accusation from groups that mRNA vaccines were unsafe also led them to question whether the term “vaccine” is scientifically appropriate, given that they stray from traditional technologies.¹⁷⁷ There is therefore a criticism on behalf of this community that vaccines are both unnecessarily dangerous given the low risks of COVID-19 for most individuals and that they are ineffective.

3. Rights

Arguments against vaccines are also framed around constitutional protections afforded American citizens. These arguments are indicative of the current polarized and politicized nature of American society.¹⁷⁸ Many believe that vaccine mandates, and especially compulsory vaccination from state or federal government, violate the 5th and 14th amendments ensuring due process and equal protection, is contrary to fundamental notions of freedom, and in the event of federal regulations, also violate federalist principles that ensure the supremacy of state law.¹⁷⁹ “Medical freedom” is the framework with which these resisters use to analyze vaccines and vaccine mandates, arguing that no one should be forced to do anything contrary to their free will, especially if it can harm their health (or that of their family members).¹⁸⁰ While activists channel traditional conservative arguments that stress liberty, they also use criticism and skepticism of “big pharma” and

¹⁷⁶ Linda Geddes, “Joe Rogan’s Covid Claims: What Does the Science Actually Say?,” *The Guardian*, January 31, 2022, <https://www.theguardian.com/culture/2022/jan/31/joe-rogan-covid-claims-what-does-the-science-actually-say>.

¹⁷⁷ Katie Balevic, “COVID-19 Vaccine Skeptic Alex Berenson Was ‘permanently’ Banned from Twitter, until Twitter Reinstated Him,” *Insider*, July 18, 2022, <https://www.insider.com/alex-berenson-twitter-covid-vaccine-posts-2021-8>.

¹⁷⁸ Toby Bolsen and Risa Palm, “Politicization and COVID-19 Vaccine Resistance in the U.S.,” in *Progress in Molecular Biology and Translational Science*, vol. 188 (Elsevier, 2022), 81–100, <https://doi.org/10.1016/bs.pmbts.2021.10.002>.

¹⁷⁹ James Colgrove and Sara J. Samuel, “Freedom, Rights, and Vaccine Refusal: The History of an Idea,” *American Journal of Public Health* 112, no. 2 (February 2022): 234–41, <https://doi.org/10.2105/AJPH.2021.306504>.

¹⁸⁰ Rebecca Onion, “Medical Freedom in America History: The COVID Anti-Vax Movement Is Nothing New,” *Slate*, November 18, 2021, <https://slate.com/news-and-politics/2021/11/medical-freedom-covid-anti-vax.html>.

corporations on our society, reminiscent of traditional left-leaning arguments that are suspicious of business interests.¹⁸¹

The constitutionality of mandatory vaccination is the most important legal issue for groups fighting vaccine requirements. The consensus of legal scholar's public employee mandates was that these requirements were, in fact, constitutional. The issue came before the Supreme Court in the early 20th century in the case of *Jacobsen v. Commonwealth of Massachusetts*.¹⁸² In *Jacobsen*, a family had contested a fine of \$20 for their refusal to receive the smallpox vaccine, appealing on the grounds that it violated their 5th and 14th amendment rights. The Court ruled in favor of the government, finding that smallpox constituted a public health emergency. Anti-vaccine activists hoped, however, that the development of privacy rights throughout the 20th century would overrule *Jacobsen* or find that the issue of public employment does not fall under the Court's ruling in that case. The Supreme Court had, for example, ruled in favor of an individual's right to contraception, interracial marriage, and abortion in the time since *Jacobsen* was decided in the early 20th century. Unions found making such an exception difficult, however, and mandates were found to be constitutional throughout the country.

C. THE MANDATES

Late in the summer of 2020, many institutions, such as colleges and hospitals, began mandating the vaccine for certain classes of employees, mostly teachers and health care providers. On July 8, Trinity Health System, a private religious health network, required that all of its employees be vaccinated, with University of California's public education system mandating vaccination for its employees on July 15.¹⁸³ These policies had the support of Americans, with polls from July finding that 66 percent believed health

¹⁸¹ "Big Pharma Archives Children's Health Defense," *Children's Health Defense* (blog), accessed August 7, 2022, https://childrenshealthdefense.org/defender_category/big-pharma/; Nevradakis, "Big Pharma Money 'Permeates' World's Drug Regulatory Agencies, BMJ Investigation Shows."

¹⁸² *Jacobsen v. Massachusetts*, 197 U.S. 11 (1905).

¹⁸³ UC Office of the President, "UC Issues Final COVID-19 Vaccination Policy," UCNet, July 15, 2021, <https://ucnet.universityofcalifornia.edu/news/2021/07/ucs-covid-19-vaccine-policy.html>; Trinity Health, "Trinity Health Announces COVID-19 Vaccine Requirement for All Colleagues," Trinity Health Newsroom, July 8, 2021, <https://www.trinity-health.org/news/trinity-health-announces-covid-19-vaccine-requirement-for-all-colleagues>.

care workers should face compulsory vaccination and 63 percent of school staff (the poll found less support for all workers, finding 53 percent backed a universal mandate).¹⁸⁴

On September 9, 2021, President Joe Biden required a vaccine mandate for federal employees.¹⁸⁵ Many public employee unions representing federal workers supported the federal mandate, noting that it kept office workers safe.¹⁸⁶ These workers, however, were generally older, professional employees working indoors. The first state to mandate vaccination was Washington on August 4, with Governor Jay Inslee mandating vaccination for all employees by October 18, with other states following suit.¹⁸⁷ With a majority of Americans continuing to support vaccine mandates for public employees, especially those in healthcare settings, the stage was set for major urban areas to institute the vaccine as a condition of employment in October of 2021.¹⁸⁸

¹⁸⁴ POLITICO-Harvard Poll, *The American Public's View on Mandating COVID 19 Vaccinations and on Allowing Prescription Drug Importation from Multiple Countries* (Boston: Harvard T.H. Chan School of Public Health, 2021), 2, <https://www.politico.com/f/?id=0000017a-8d35-df65-a17e-cd7d29950000>.

¹⁸⁵ Exec. Order No. 14043, 86 FR 50989 (2021), <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/09/09/executive-order-on-requiring-coronavirus-disease-2019-vaccination-for-federal-employees/>.

¹⁸⁶ Todd Shields, “Biden Federal Employee Vaccine Mandate Gets Support From Worker Unions,” *Bloomberg*, July 28, 2021, <https://www.bloomberg.com/news/articles/2021-07-28/federal-worker-unions-back-vaccine-mandates-amid-local-backlash>.

¹⁸⁷ Alex Brown, “States Embrace Vaccine Mandates Despite Potential Worker Exodus,” *Pew Research Center, Stateline* (blog), September 16, 2021, <https://pew.org/3Ep4oko>.

¹⁸⁸ Christen Gall, “Most Americans Continue to Support Vaccine Mandates—and Want More,” *Northwestern Now*, October 13, 2021, <https://news.northwestern.edu/stories/2021/10/survey-shows-most-americans-continue-to-support-vaccine-mandatesand-want-more/>.

THIS PAGE INTENTIONALLY LEFT BLANK

IV. CHICAGO

The case of Chicago's Police Department represents the most aggressive and adversarial of the three public safety unions researched. This aggression was directed mostly at the source of the vaccine mandate, the mayor of Chicago, Lori Lightfoot. However, union leadership also directed this aggression towards other labor unions who they were both politically opposed to (such as the teachers union), and those they aligned with (such as firefighters). Chicago's police union was also the most politically conservative of the three unions analyzed. Of the three case studies, Chicago stands alone for having leadership that bargained the most aggressively, using legal means but also at times defying court orders, to protect the members who were not vaccinated. Despite this aggressive and risky strategy, it was also the union that sacrificed the least in its fight against the vaccine mandates of 2021.

A. VACCINE MANDATE AND RESPONSE

Mayor Lori Lightfoot announced a mandate for all Chicago city employees on August 25, 2021.¹⁸⁹ Noting that 70 percent of Chicago's population had been vaccinated at that point, the mayor acknowledged labor unions in the press release, stating she is in "close communication with our partners in the labor movement to create a vaccination policy that is workable, fair and effective."¹⁹⁰ Unlike the response a month earlier from federal unions, the labor organizations in Chicago aggressively opposed mandates, with the Chicago Federation of Labor (a conglomerate of private sector unions within the city) immediately stating that they opposed "punitive mandates."¹⁹¹

¹⁸⁹ "Chicago Announces COVID Vaccine Mandate for All City Workers," *NBC Chicago*, accessed August 7, 2022, <https://www.nbcchicago.com/news/local/chicago-announces-covid-vaccine-mandate-for-all-city-workers/2598278/>.

¹⁹⁰ "City of Chicago Announces COVID-19 Vaccination Requirement for City Employees" Chicago Mayor's Press Office, August 25, 2021, https://www.chicago.gov/content/city/en/depts/mayor/press_room/press_releases/2021/august/CityEmployeesVaccinationRequirements.html.

¹⁹¹ Mariah Woelfel, "Chicago Mandates COVID-19 Vaccine for All City Workers," *WBEZ Chicago*, August 25, 2021, <https://www.wbez.org/stories/chicago-mandates-covid-19-vaccine-for-all-city-workers/0fdc5c55-a62f-4b7a-9fab-126b10eb4682>.

The president of the Chicago Fraternal Order of Police, John Catanzara, was decidedly more aggressive than the Federation of Labor. In an interview with the *Chicago Sun Times*, the president of the union representing Chicago police officers and detectives compared Mayor Lightfoot's mandate to the Holocaust, stating, "We're in America, G-dd-mn it. We don't want to be forced to do anything. Period. This ain't Nazi f---ing Germany, [where they say], 'Step into the f---ing showers.'" ¹⁹² Catanzara, who was golfing at the time of the comments, had immediately brought the fight into the public eye with such a statement, with his comparison published in papers the next day. On a weekly update for the union on YouTube, Catanzara told his membership that his comments were meant to be off the record, but continued, "that's what happens when you allow government to take more of your liberty away, inch by inch by inch. We have not had a COVID death since last fall. And now all the sudden it is an issue that needs to be addressed. We've adapted to a new reality." ¹⁹³ He advised his members to "stand down" and to "wait and see" whether the city wished to play "hardball" and that they will strategize depending on the city's position. ¹⁹⁴ Two weeks later, during his weekly address, Catanzara announced that a meeting would take place on September 27 between the FOP and Chicago city leadership. "We are not coming off that stance and neither are the sergeants, lieutenants or captains. We are against the mandate." ¹⁹⁵ On the weekly update given to his membership on October 1 given after the meeting, he told Chicago police officers that he believed a testing policy in lieu of a vaccine requirement would be the eventual policy. More importantly, however, he advised his members to not respond to requests from their employer inquiring about

¹⁹² Satchel Price and Tom Schuba, "Police Union Boss Slammed for Comparing Vaccine Mandate to Holocaust," *Chicago Sun Times*, August 26, 2021, <https://chicago.suntimes.com/politics/2021/8/26/22643110/chicago-police-union-president-nazi-germany-vaccine-mandate-lori-lightfoot-john-catanzara>.

¹⁹³ John Catanzara, "TGIF #31 Aug 27, 2021," video, 9:11, YouTube, August 27, 2021, https://www.youtube.com/watch?v=W08_POipTjQ

¹⁹⁴ John Catanzara, "TGIF #31 Aug 27, 2021."

¹⁹⁵ John Catanzara, "TGIF #33 September 17, 2021," video, 5:05, YouTube, September 17, 2021, <https://www.youtube.com/watch?v=VRXLzd6LIAw>

their vaccination status.¹⁹⁶ The FOP President was not simply telling his members to ignore the order to get vaccinated but to refuse to offer their vaccination status entirely.

The weekly updates from the president of the union were not used simply to relay information about the vaccine. The videos were used first and foremost to communicate updates about economic concerns, with contract updates and financial issues beginning each meeting.¹⁹⁷ Catanzara only spoke of the vaccines after giving these updates focusing on traditional bread and butter issues. These weekly updates (during the fight over the mandate, Catanzara posted two or three updates per week) were also used to discuss other issues facing police officers, such as health updates of injured colleagues, notable experiences from other officers around the city (mostly if they were subjected to abuse or mistreatment from civilians), and to build comradery within their union.¹⁹⁸ They were also used to discuss the internal political calculations of the union. On September 3, Catanzara mused that the union representing the Chicago teachers, the Chicago Teachers Union (CTU), were welcome to form an alliance with the FOP because “the enemy of my enemy is my friend.”¹⁹⁹ The CTU has a traditionally left ideology, and throughout the COVID-19 pandemic had stressed the historical effect of racism on Chicago’s African American community, which is contrary to the liberty interests John Catanzara stressed in his messaging.²⁰⁰ Nonetheless, he offered a political olive branch for his opponents on a YouTube video which could be viewed publicly.

Other political relationships with unions were discussed on October 1, 2021, where Catanzara discussed a disagreement Jim Tracy, the president of Chicago’s firefighter

¹⁹⁶ John Catanzara, “TGIF #35 October 1, 2021,” video, 3:45, YouTube, October 1, 2021, <https://www.youtube.com/watch?v=UIR9DPQ-3nE&t=142s>

¹⁹⁷ John Catanzara, “TGIF #33.”

¹⁹⁸ John Catanzara, “TGIF #52 February 11 2021,” video, 5:56, YouTube, February 11 2021, <https://www.youtube.com/watch?v=6RyinWqGQ4s&t=66s>

¹⁹⁹ John Catanzara, “TGIF #32 September 3 2021,” video, 6:53, YouTube, September 3 2021, <https://www.youtube.com/watch?v=QD9pWkmMV7I&t=140s>

²⁰⁰ People’s Fabric, “FOP and Local 2 Members Are Tip of Right-Wing Spear Against CTU,” *People’s Fabric* (blog), January 11, 2022, <https://www.peoplesfabric.com/blog/fop-and-local-2-members-are-tip-of-republican-spear-against-ctu>; Lauren Kilpatrick, “FOP Wants CTU to Condemn Rally Comments to ‘F--- the Police,’” *Chicago Sun Times*, April 16, 2016, <https://chicago.suntimes.com/2016/4/6/18353913/fop-wants-ctu-to-condemn-rally-comments-to-f-the-police>.

union, IAFF Local 2.²⁰¹ The firefighter union was attempting to resist Mayor Lightfoot's vaccine mandate with a political and legal fight of their own. However, according to Catanzara, the IAFF local had chosen a different route, rejecting Catanzara's tactics.²⁰² According to Catanzara's update, they refused to work with the FOP because Mr. Tracy believed the FOP president was "off the handle."²⁰³ Catanzara responded, on an openly viewable video on YouTube, that Tracy was a "coward" who was not willing to fight in an aggressive manner against the mandates.²⁰⁴ Insults and open criticism of other unions, particularly from a profession that are traditionally aligned with police officers, would be considered remarkably hostile if they were spoken in front of his rank and file members; yet these insults were broadcast to anyone with an internet connection.

The city announced its final vaccination policy on October 8, omitting a "testing option" and including only an exemption for medical or religious reasons.²⁰⁵ Like similar policies in other major cities, Chicago allowed the employees to file for an exemption, but all police officers were to be vaccinated by December 31, 2021 or to be placed on "no pay" status if their exemption was denied.²⁰⁶ In addition, Chicago announced on October 8 that all public employees to report their status by October 15, 2021 or be placed on the same "no pay" status as those who were unvaccinated. Catanzara again announced his interest in playing "hardball," urging his members to defy the reporting requirement, stating that if the city followed through with the directive, they would be operating at "50% capacity or less" and will be "unable to sustain a police force."²⁰⁷ On the following day, at a packed union meeting, Catanzara again urged the members to refuse to obey the reporting

²⁰¹ John Catanzara, "TGIF #35."

²⁰² John Catanzara, "TGIF #35."

²⁰³ John Catanzara, "TGIF #35."

²⁰⁴ John Catanzara, "TGIF #35."

²⁰⁵ "Mayor Lightfoot Provides Update on City Employee Vaccine Policy," Chicago Mayor's Press Office, accessed August 8, 2022, https://www.chicago.gov/content/city/en/depts/mayor/press_room/press_releases/2021/october/CityEmployeeVaccinePolicy.html.

²⁰⁶ Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago, No. 2021CH05275 (November, 1 2021).

²⁰⁷ City of Chicago v. Fraternal Order of Police Lodge 7 Plaintiff Verified Complaint For Injunctive Relief, No. 2021CH05275 (2021) at 2.

directive.²⁰⁸ On October 14, Catanzara told his members to refuse the direct order of superior officers, who are often the close friends of the officers themselves, should they be ordered to report their status.²⁰⁹ Eventually, 27 police officers were placed on “no pay status” for failing to report whether they were vaccinated.²¹⁰ A union boss was directing all of his members, whether vaccinated or not, to disobey an order that could eventually have them fired from the Chicago Police Department.

Both the city and the union sued each other in court filed on the same day.²¹¹ The FOP filed an unfair labor practice suit before their respective labor board while asking for a temporary restraining order in county circuit against Lightfoot’s reporting requirement and vaccine mandate.²¹² The city of Chicago, in turn, sued the union for an injunction against Catanzara’s advice and insistence that members simply ignore the requirement, claiming it was essentially a “work stoppage,” and demanded he retract his advice to his members.²¹³ The city was explicitly accusing the FOP of organizing a strike by telling their members to not report their status, thus giving Chicago no choice but to place them on leave.²¹⁴ The judge in this claim agreed with the city, granting an injunction against Catanzara in advising his members to not report their status to the city, but Catanzara was

²⁰⁸ City of Chicago v. Fraternal Order of Police Lodge 7 Plaintiff Verified Complaint For Injunctive Relief at 3.

²⁰⁹ John Catanzara, “Portal Update,” video, 3:21, YouTube, October 14, 2021, <https://www.youtube.com/watch?v=0Yp6J2LYJlk&t=76s>

²¹⁰ Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago, at 2.

²¹¹ Two days earlier, Dean Angelo Sr., who Mr. Catanzara had defeated in a vote to become union president in 2017, died from COVID. See Sylvia Goodman, “Dean Angelo Sr., Former FOP President, Dies after COVID-19 Hospitalization,” *Chicago Tribune*, October 13, 2021, <https://www.chicagotribune.com/news/breaking/ct-fop-president-dean-angelo-covid-death-20211013-ergbcai5mrb47kpishf722t3wq-story.html>.

²¹² Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago, at 1.

²¹³ City of Chicago v. Fraternal Order of Police Lodge 7 Plaintiff Verified Complaint For Injunctive Relief at 9–10.

²¹⁴ Don Babwin, “Chicago Mayor Takes Police Union Head to Court over Vaccines,” *AP News*, October 15, 2021, <https://apnews.com/article/coronavirus-pandemic-health-police-chicago-lori-lightfoot-2f7c08e8a5942f24b273bca872766a5b>.

not forced to retract his statements.²¹⁵ In his weekly update days after the order, Catanzara still refused to tell his members to comply, saying that although he can no longer discuss the reporting requirement, “everyone has to do what is in their hearts and minds.”²¹⁶

The judge’s decision in the union’s lawsuit refused the request for an injunction against the status reporting requirement, thus paving the way for Chicago to place officers on no pay status should they refuse to disclose their vaccination status. The order from the judge noted that “police officers are already obligated to provide medical information to their employer” and that it is a “minimal intrusion.”²¹⁷ The temporary restraining order against the mandate itself, however, was granted, handing the union a victory that those opposing vaccine mandates found difficult to replicate elsewhere. The judge held that despite the valid goals of the city in seeking to protect members of the public and other police officers from COVID-19, a stay on the order was warranted given what police officers stood to lose from forced vaccination.²¹⁸ He remarked that officers who were vaccinated against their will had no recourse, as no court can “undo a vaccine,” also noting the role of the American union in writing “the labor movement has a proud history of advocating for measures to protect the health and safety of workers.”²¹⁹ Despite the court order, Catanzara instructed his members *again* to defy the order to report their status, possibly subjecting his officers to loss of pay and discipline under the belief that they would never lay off officers and not be able to process the refusals (the order had allowed officers to have union representation, thus slowing the process).²²⁰ The following week, according

²¹⁵ David Byrnes, “Chicago City Hall Wins Restraining Order against Police Union Boss in Battle over Vaccine Mandate,” Courthouse News Service, October 15, 2021, <https://www.courthousenews.com/chicago-city-hall-wins-restraining-order-against-police-union-boss-in-battle-over-vaccine-mandate/>.

²¹⁶ John Catanzara, “TGIF #37B,” video, 0:50, YouTube, October 15, 2021, <https://www.youtube.com/watch?v=7h2eVJ-RR1Q>

²¹⁷ Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago at 3.

²¹⁸ Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago at 3.

²¹⁹ Order, Fraternal Order of Police Lodge No. 7 v. City of Chicago at 3.

²²⁰ John Catanzara, “Hold the line!!! Wednesday Nov 3 2021,” video, 4:49, YouTube, November 3, 2021, <https://www.youtube.com/watch?v=w8rKOzzGMCQ>

to Catanzara, only a small group of officers were put on no-pay status.²²¹ The union had won, at least for a time.

The victory proved short-lived, however, as the FOP president had internal charges brought against him for matters unrelated to the vaccine on November 14. In 2016, before John Catanzara was president of the union, the department alleged that he had used social media to make a series of disparaging, racist remarks including calling Muslims “savages.”²²² The department was seeking possible termination or a one year suspension.²²³ In response, Mr. Catanzara retired from the Department after 27 years of service, claiming the disciplinary hearing was retaliation for his acts as president.²²⁴ Now, the president of Chicago’s police union was not a police officer at all. During this time, John Catanzara had become a national firebrand, attracting praise from some publications, while others released exposés about his controversial career.²²⁵ While Catanzara had used social media to communicate and galvanize members, his political opponents were now using his comments on those same platforms to terminate him from the department.

The vaccine hesitant members of the union continued to win small victories, with a state labor board sending the unions complaint to a judge on December 3 (in addition to arbitration), continuing to slow the process for the December 31 mandate the mayor had

²²¹ John Catanzara, “TGIF #41 November 12 2021,” video, 4:45, YouTube November 12, 2021, https://www.youtube.com/watch?v=K5XqSI_oHE; During this weekly update, Catanzara also discussed a “heroes fund” to help the 30 officers who were put on a “no pay” status, asking for \$100 a month from all of his members.

²²² Zoe Richards, “Chicago Cop Union Boss John Catanzara Abruptly Quits Before He Can Get Fired for Vile Posts,” *Daily Beast*, November 16, 2021, <https://www.thedailybeast.com/chicago-cop-union-boss-john-catanzara-abruptly-quits-before-he-can-get-fired-for-vile-posts>.

²²³ Annie Sweeny, Alice Yin, and Jeremy Gorner, “Embattled Chicago FOP President Faces Termination Hearing – Chicago Tribune,” *Chicago Tribune*, November 16, 2021, <https://www.chicagotribune.com/news/criminal-justice/ct-fop-president-termination-hearing-20211114-u4x6f23v4bcnvdrw4olsr6a34-story.html>.

²²⁴ John Catanzara, “Police Board Update...” video, 5:04, YouTube, November 15, 2021, <https://www.youtube.com/watch?v=hQQk8K0H4Zw&t=212s>; Mr. Catanzara would also announce that he intended to run for mayor.

²²⁵ Charlotte Pence Bond, “Chicago Police Union President Tells Officers To Resist City Vaccine Mandate Requirements: ‘Hold The Line,’” *Daily Wire*, October 14, 2021, <https://www.dailywire.com/news/chicago-police-union-president-tells-officers-to-resist-city-vaccine-mandate-requirements-hold-the-line>; Lauren Cole, “Catanzara: 23 Years of Misconduct Complaints and Social Media Controversies,” *Chicago Justice Project*, July 13, 2021, <https://chicagojustice.org/2021/07/13/john-catanzara-misconduct-social-media/>.

initially attempted.²²⁶ Additionally, Mayor Lightfoot dropped the original lawsuit the city had filed against the FOP over the work-stoppage claim, with Mayor Lightfoot stating the lawsuit was no longer necessary: “Our brave police officers are smarter than their FOP leadership, and care more about their city, their fellow Chicagoans, and upholding their sworn oath to protect and serve, than they do Catanzara’s frivolous demands to stop working.”²²⁷ These comments display the extent to which the relationship between the union president (who is responsible for winning favorable contractual terms of employment with the city) and the mayor had come to be framed by the vaccine mandate. The union president had attempted to stop the nation’s third largest police force from functioning while risking the salary of many of his members. The mayor, for her part, had filed for an injunction in attempt to bar a democratically elected union leader from communicating policy to his members while trying to terminate that leader’s employment with the city. Both had taken aggressive action, seemingly locked in a battle where only one could be victorious.

Nonetheless, both could claim partial victory from the eventual decision. In February of 2022, after a two month delay, an arbitrator had allowed the mandate to go into effect, seemingly ending the FOP’s aggressive goal of stopping it entirely.²²⁸ Some 23 percent of Chicago’s police union membership remained unvaccinated, and faced termination if they failed to get the vaccine.²²⁹ In his YouTube update, John Catanzara was blunt in saying “we will be forced to get the vaccine,” but continued to urge his members to file complaints and request exemptions from the requirement.²³⁰ The deadline

²²⁶ Alice Yin and Gregory Pratt, “Chicago Police Unions’ Vaccine Mandate Complaint Wins Hearing,” *Chicago Tribune*, December 3, 2021, <https://www.chicagotribune.com/news/breaking/ct-vaccine-mandate-chicago-police-union-labor-board-20211204-zfe2iesli5f5ronkjzyfyqpk7i-story.html>.

²²⁷ Khaleda Rahman, “Chicago Drops Lawsuit Against Police Union Over Vaccine Mandate,” *Newsweek*, December 2, 2021, <https://www.newsweek.com/chicago-drops-lawsuit-police-union-vaccine-mandate-lori-lightfoot-1655274>.

²²⁸ Heather Cherone, “Vaccine Mandate Upheld for Chicago Police Officers,” *WTTW News*, February 23, 2022, <https://news.wttw.com/2022/02/23/vaccine-mandate-upheld-chicago-police-officers>.

²²⁹ Alonzo Small and Shannon Halligan, “Vaccine Mandate for Chicago Police Officers Upheld by Arbitrator,” *WGN-TV*, February 23, 2022, <https://wgntv.com/news/chicago-news/vaccine-mandate-for-chicago-police-officers-upheld-by-arbitrator/>.

²³⁰ John Catanzara, “Covid Arb update,” video, 1:43, YouTube, February 23, 2021, <https://www.youtube.com/watch?v=4qx9jItW150>

was on April 13, with some of the unvaccinated police officers electing to receive the vaccine. By April, another 1,439 officers, or 11.5 percent of police officers, had their exemptions approved (despite no exemptions initially approved in October) while only 681 members, or 5.5 percent were both unvaccinated and did not have an exemption granted.²³¹ But by July, the exemption numbers ballooned to 14 percent, doubling the 6.8 percent of firefighters granted an exemption.²³² Not a single police officer was terminated over the vaccine mandate.

John Catanzara claimed that his actions made the police officers a target from the mayor's vaccine mandate in February.²³³ He spoke of her, and the Democratic party, in dismissive terms, accusing them of causing "blood in the streets and carnage."²³⁴ Catanzara was thus implying that his actions had worsened the political position of the FOP, rendering the union vulnerable to disparate treatment over their political posturing. Yet, in the end, his aggressive tactics delayed the mandate for longer than other employees, his members received exemptions over double the rates of Chicago's firefighters, and none were fired.

B. EVLN AND TWO FACES ANALYSIS

In 2020, John Catanzara was able to defeat the incumbent union president by campaigning to fellow officers that an "anti-police movement" was hurting their profession.²³⁵ John Catanzara promised more aggressive leadership from the union to fight

²³¹ Heather Cherone, "As Final COVID-19 Vaccine Deadline Passes, At Least 1,500 Chicago Police Officers Won't Have to Get Vaccinated: Lightfoot," *WTTW News*, April 14, 2022, <https://news.wttw.com/2022/04/14/final-covid-19-vaccine-deadline-passes-least-1500-chicago-police-officers-won-t-have-get>.

²³² Heather Cherone, "Final Tally: More Than 1,750 Chicago Police Officers Won't Have to Get Vaccinated," *WTTW News*, June 20, 2022, <https://news.wttw.com/2022/06/20/final-tally-more-1750-chicago-police-officers-won-t-have-get-vaccinated>.

²³³ Cherone, "Final Tally."

²³⁴ Cherone.

²³⁵ Jeremy Gorney, "CPD Union's New Leader Is a Cop Facing Discipline Related to Police Report He Once Filed against Eddie Johnson," *Chicago Tribune*, May 9, 2020, <https://www.chicagotribune.com/news/breaking/ct-fop-catanzara-elected-20200509-tt2lmao5fjepbnoopgftgiyta-story.html>.

this “anti-police movement” and city politicians.²³⁶ Immediately addressing these concerns, he advocated for his members to refuse a lawful order from their employer in reporting their vaccination status for the purpose of making it difficult to enforce a vaccine mandate. If the city did not know who was vaccinated, they could not remove the unvaccinated police officers from the workplace. The investment into such an aggressive battle on behalf of the Chicago FOP suggests that the fight against COVID-19 mandates must have been important to the union. But, in fact, the majority of Chicago police officers were vaccinated against the virus.²³⁷ Mr. Catanzara was thus willing to sacrifice the interests and goals of a majority of his members to those of a minority (although a sizeable one), subjecting them to potential discipline and threatening their livelihoods just for the possibility that not reporting their status would render the mandate unenforceable. The decision led to a lawsuit, an injunction, and internal departmental charges that ended his career as a police officer, albeit indirectly.²³⁸ And while telling FOP members to refuse their vaccination status launched Catanzara into national headlines, further politicizing police officer unions while they were already viewed as toxic, only 32 percent of officers refused their status.²³⁹ Union policy was, it appeared, becoming more polarized and politicized.

Applying EVLN to the FOP’s response, it appears that the increased costs for entrance and exit in the police service, as well as the loyalty found within the profession, increased the likelihood of voice being used against the city’s policy. The incredibly high cost of losing one’s livelihood made “winning,” or not being placed on leave, very valuable for the unvaccinated members. Because telling his union members to exit—whether by means of quitting or an illegal strike—was unlikely, Chicago’s FOP used voice to influence

²³⁶ Amanda Vinicky, “Chicago Police Union Elects John Catanzara as New President,” *WTTW News*, May 9, 2020, <https://news.wttw.com/2020/05/09/chicago-police-union-elects-john-catanzara-new-president>.

²³⁷ Fola Akinnibi, “NYC, Chicago Confront Police-Union Blowback on Vaccine Mandates,” *Bloomberg.com*, October 20, 2021, <https://www.bloomberg.com/news/articles/2021-10-20/nyc-chicago-confront-police-union-blowback-on-vaccine-mandates>.

²³⁸ It is difficult to prove whether the departmental charges seeking his termination were the result of his political calculations, but it is possible they played a role.

²³⁹ Akinnibi, “NYC, Chicago Confront Police-Union Blowback on Vaccine Mandates.”

their workplace environment. That voice, in telling members to refuse compliance by reporting their status, likely helped the union effectuate its goals. However, because the majority of police officers in Chicago were vaccinated, the union's calculation also activated the voice of others within the union. In April of 2022, John Catanzara lost a bid to extend his tenure as FOP president from three years to five, due to a large contingent of dissenters within his own union. In explaining the vote against Catanzara, one member in attendance said "you have to be able to get along with people to help officers when they're in trouble. He doesn't get along with anybody. All he does is scream and yell."²⁴⁰ The officers who denied Catanzara a term extension (he will have to run for reelection next year) are activating their own voice within their organization. While Hirschman's framework does help theorize how voice can be activated, it does not explain why organizations are reactive to some voices within an organization rather than others. John Catanzara was investing the energy of his union to fight for the concerns of a minority who had chosen to refuse the vaccine. Applying EVLN, the voice of the majority should have overwhelmed that of the minority; yet EVLN says nothing about how organizations should behave when there is an imbalance in the passion between two disagreeing parties. This emotional imbalance, explored later in this thesis, is itself the result of a process social scientists refer to as "tribalization," in which certain groups feel more strongly about issues due to group loyalty.²⁴¹

Applying the *two faces* framework, the FOP leader has an obligation to protect the "pernicious monopoly" of the officers by protecting their interests and also to use the "collective voice" of police officers to change their work conditions. In Chicago's case, the collective voice "face" overwhelmed their economic interests. While Mr. Catanzara certainly went to great lengths in his videos to update his officers on economic issues related to salary and contract issues, the union was spending the vast majority of its resources on the "collective voice" face. Considering this decision, it is reasonable to

²⁴⁰ Fran Spielman, "John Catanzara, FOP President at Center of Controversy, Defeated in Bid to Extend His Term," *Chicago Sun Times*, April 21, 2022, <https://chicago.suntimes.com/2022/4/21/23036206/fop-fraternal-order-police-catanzara-longer-term-bylaws-change-membership-vote-graham-davis>.

²⁴¹ Sebastian Junger, *Tribe: On Homecoming and Belonging: Large Print*, Large print edition (New York: Twelve, 2016).

assume that the neglect of the monopoly face would lead to a corresponding decrease in positive outcomes for the FOP's economic initiatives. However, the contract won by police officers this year suggests otherwise. Negotiated with the Lightfoot administration, Catanzara was able to win a 10.5% raise for his members including retroactive pay.²⁴² In return, the FOP agreed to allow for changes in the complaint process. While acting as a conservative firebrand for police officers across the nation, Mr. Catanzara was still able to negotiate with a progressive mayor to benefit his members. Despite the imbalance of resources placed into workplace issues against their economic concerns, the Chicago FOP still makes gains in the economic arena.

In the end, no police officer in Chicago was fired for failing to receive the vaccine. Officer's requests for exemptions appear to be higher than the fire departments in both Los Angeles and New York.²⁴³ It is not possible to deduce why this was the case; Catanzara himself predicted success of the FOP's strategy due to the high levels of crime in his city. Union leaders in other cities believe that "finding a middle ground" and earning "good will" helps the union in the long run; Chicago's FOP took no such approach.²⁴⁴ Thus, Chicago's FOP stands alone in taking the strongest organizational position against mandates of the three cities analyzed. That adversarial negotiation strategy appears to have effectuated the goals of the police officers, who opposed the mandate whether vaccinated or unvaccinated.

²⁴² Patrick Smith and Claudia Morell, "A New Contract For Chicago's Police Includes \$378 Million In Retroactive Raises," *WBEZ Chicago*, September 14, 2021, <https://www.wbez.org/stories/chicago-police-union-contract-explained/2be2a139-d9ea-42a3-86db-e0cb313e8de2>.

²⁴³ There is no public data available for Los Angeles and New York but based on interviews with members of each department, there is only anecdotal evidence of any approved exemptions at all.

²⁴⁴ Interview by author with Jesse Connors and James McCarthy.

V. LOS ANGELES

The experience of Los Angeles firefighters was decidedly different from that of the aggressive response from John Catanzara and the FOP in Chicago. Whereas Chicago refused to even share vaccination information with their employer, labor representatives in Los Angeles were, at least according to many firefighters, far more accommodating. In response to this lack of aggression, whether perceived or real, Los Angeles firefighters organized their own interest group against the vaccine and the mandate. This group organized both in conjunction and in contrast to their own labor organization, forcing both the union and city management to negotiate with a new stakeholder in labor negotiations.

A. VACCINE MANDATE AND RESPONSE

Los Angeles announced a vaccination mandate for all public employees on August 16th, 2021.²⁴⁵ Requiring one shot of the vaccines by October 19, 2021, the Los Angeles mandate stands alone in the cities discussed as being the only one passed by a legislative body, its city council, as opposed to an order from an executive.²⁴⁶ They were also the first of the cities discussed to have a mandate for public servants, notifying police and firefighters over a month before New York and Chicago. During August, when the vaccination mandate was passed by the council, rates for LA firefighters were 60 percent.²⁴⁷ Much like Chicago's FOP, the union representing Los Angeles firefighters (United Firefighter of Los Angeles City, or UFLAC) immediately announced their opposition to any requirement mandating vaccination for their members. Unlike Chicago's police union however, these communications were not made on social media, whether on

²⁴⁵ Daniel E. Slotnik, "City Workers in Los Angeles Will Soon Have to Get Vaccinated," *The New York Times*, August 19, 2021, sec. U.S., <https://www.nytimes.com/2021/08/19/us/la-city-workers-must-get-vaccine.html>.

²⁴⁶ *Firefighters 4 Freedom v. City of Los Angeles* Complaint for Declaratory and Injunctive Relief, No. 21STCV34490 (Superior Court of California County of Los Angeles September 17, 2021).

²⁴⁷ Vanessa Romo, "An LAFD Captain Is Under Investigation After An Anti-Vaccine Mandate Video Rant," *NPR*, August 25, 2021, <https://www.npr.org/2021/08/25/1030828441/an-lafd-captain-is-under-investigation-after-an-anti-vaccine-mandate-video-rant>.

the union's Facebook site, or any other social media outlets.²⁴⁸ The union announced their opposition to the regulation on a bulletin available on their website, and to their members in the union meeting that week.²⁴⁹ Whereas Chicago used videos to inform their members not to comply with the reporting requirement, UFLAC reminded the firefighters of Los Angeles that legal challenges to vaccine requirements generally do not succeed and made no such recommendation similar to Catanzara's.²⁵⁰

Many UFLAC members, however, passionately opposed the August 17 mandate. Los Angeles firefighters became motivated to voice their displeasure, using a more energetic and aggressive tone than that of their union. After the announcement of the city council law, many firefighters began communicating using Telegram, a messaging application that helped protect anonymity and encrypt messages.²⁵¹ These discussions got the "wheels turning" and were led by "well informed" members of the department, often well-respected, senior members.²⁵² Days later, at a UFLAC meeting that had a larger than usual attendance, some of the members had met in person and decided to marshal resources and discuss whether starting their own organization would be more helpful than fighting the mandates through their union. During these discussions, it was noted that, for the unions, it was "tough to navigate" the mandates because they were forced into a business partnership with the same party politicians who passed the law. They continued to message on Telegram, building a strategy, developing a consensus on goals, and delegating responsibilities for communications, legal goals, and fundraising.²⁵³ Within one week they had developed business registration as an LLC, designed a website, and had agreed to retain

²⁴⁸ "United Firefighters of Los Angeles City, IAFF Local-112 Facebook," UNFLAC, Accessed August 10, 2022, <https://www.facebook.com/Local112/>.

²⁴⁹ "Bulletin 24–21 UFLAC Continues to Meet and Confer with City over Vaccine Mandate," UNFLAC, August 25, 2021, <https://www.uflac.org/training/bulletin-24-21-uflac-continues-to-meet-and-confer-with-city-over-vaccine-mandate/>.

²⁵⁰ "Bulletin 23–21 Los Angeles City Council Passes Mandatory Vaccination Ordinance" UNFLAC, August 19, 2021, <https://www.uflac.org/bulletins/bulletin-22-21-los-angeles-city-council-passes-mandatory-vaccination-ordinance/>.

²⁵¹ Interview by Author with F4F Board Member Mark Zizi, Phone, July 12, 2022.

²⁵² Interview by Author with F4F Board Member Mark Zizi.

²⁵³ Interview by Author with F4F Board Member Mark Zizi.

a Los Angeles-based attorney who had worked on labor and employment issues named Kevin McBride. They “developed a board of eight separate firefighters” and settled on a name: “Firefighters 4 Freedom.”²⁵⁴

Their first formal meeting took place within a week. Unlike UFLAC meetings, the meeting itself was livestreamed from a local church and was well-attended by both virtual and in-person employees from different civil servant agencies in Southern California.²⁵⁵ Immediately from viewing the meeting on the social media platform YouTube, there are apparent differences in the communications strategies of Firefighters 4 Freedom (F4F) and a union meeting. Whereas firefighter union meetings often begin with a pledge of allegiance, the first Firefighters 4 Freedom meeting began with the pledge, followed by a prayer, followed by the singing of the national anthem.²⁵⁶ Whereas unions will often discuss a policy issue within the framework of a contract, the first Firefighters for Freedom meeting framed vaccine mandates as a liberty issue, infringing on the personal freedoms these men and women enjoy as Americans.²⁵⁷ The language was different both in the substantive content and the tone with which they chose to communicate to members. Nonetheless, the group reiterated their duty as firefighters to the city, and more importantly, they noted they have no interest in “overthrowing their union.”²⁵⁸ On the contrary, they said, “the union is aligned with us, running directly with us.”²⁵⁹ Thus, whereas the board members may have had misgivings about the political relationships that their union felt was in the best interests of all members, their messaging in the meeting was that of the union as a partner, fighting the mandates, albeit in a different manner.

²⁵⁴ Interview by Author with F4F Board Member Mark Zizi.

²⁵⁵ Firefighters for Freedom, “Firefighters for Freedom- Informational Meeting” video, 1:17:48, YouTube, August 27, 2021, <https://www.youtube.com/watch?v=hVvZe82rpeY>

²⁵⁶ “Informational Meeting,” at 3:02.

²⁵⁷ “informational Meeting.”

²⁵⁸ “Informational Meeting,” at 7:57.

²⁵⁹ “Informational Meeting,” at 8:10.

Kevin McBride, who was introduced by board member Mark Zizi at the first meeting, was “the best fit for our organization.”²⁶⁰ In his first address to the members of Firefighters For Freedom, he outlined the legal strategy to defeat the council’s vaccine mandate discussing both the substantive law and his procedural plans. When one attendee asked the attorney why L.A. firefighters should expect a different result than the challenges that were defeated throughout the country, McBride responded that since California was the only state in the union that had an explicit right to privacy in its Constitution, the outcome could be different.²⁶¹ McBride believed in a two-pronged approach to defeating the mandate, using both court action and negotiations with the city of California. “Litigation is the tail,” McBride said, “and collective bargaining is the dog.”²⁶² Another firefighter attendee, however, seemed to acknowledge the potential conflict between F4F and UFLAC, asking whether McBride was representing the firefighters “strictly for the mandate issue and there’s no other issues that you’re representing us on.”²⁶³ After telling the members that his career had been spent representing “small businesses” and “employee groups,” McBride informed those in attendance that “there have been some rumblings” over those he has previously represented and issues he has previously fought for in courts.²⁶⁴ McBride’s website boasts of previous actions in which he had fought against unions and successfully led to the decertification of 1,500 UPS pilots from the International Brotherhood of Teamsters.²⁶⁵ Some in the meeting were concerned whether he was engaged in, as McBride said, “union busting.”²⁶⁶ He assured them he was not there to fight their union and that he was not opposed to unions at all, but rather he was “all about union leaders be [ing] accountable to membership. That’s the goal. If they step up and do the right thing, we’re their biggest cheerleaders. Every indication so far is, we’re getting on the

²⁶⁰ “Informational Meeting,” at 23:12.

²⁶¹ “Informational Meeting,” at 36:15; California Constitution, Article 1, section 1.

²⁶² “Informational Meeting,” at 35:49.

²⁶³ “Informational Meeting,” at 37:30.

²⁶⁴ “Informational Meeting,” at 28:45.

²⁶⁵ Interview by Author with F4F Board Member Mark Zizi.

²⁶⁶ “Informational Meeting,” at 29:10.

same page [with the union].”²⁶⁷ Essentially, McBride was experienced in fighting unions on behalf of some members. The conclusion of the first F4F meeting solicited information for those willing to pay Mr. McBride for legal services and filing a lawsuit.

Some members did not share the conciliatory nature that F4F showed toward UFLAC in that first meeting, with some of the responses becoming national news. Captain Cristian Granucci posted a video in late August criticizing UFLAC saying that they stood “idly by and played a wait and see” and, “sat on their hands.”²⁶⁸ A repost of the video was viewed 280,000 times, received more than 10,000 “likes,” and has over 4,000 comments. Captain Granucci did not see a difference between the union to which he pays dues to fight for his interests and his employer, saying “now they are lockstep, with total tyranny.”²⁶⁹ He was threatening to sue the union if they did not lead the members in defeating the mandates, stating “I am putting my administration and my union on blast.”²⁷⁰ Apparently referring to McBride he said, “We have an attorney on retainer, and he is a shark,” urging members to fight their unions throughout the country.²⁷¹ The video led to an internal investigation within the department before being shared on national news sites.²⁷²

The lawsuit was filed by F4F on September 17 in California state court.²⁷³ It named two separate causes of action against the mandate, arguing in the first cause of action that firefighters were entitled to protection of California’s state constitution guaranteeing privacy, in addition to fundamental principles of the United States enshrined in the Declaration of Independence protecting life, liberty, and the pursuit of happiness.²⁷⁴ Second, the lawsuit brought an “ultra vires” cause of action which asked the court to strike

²⁶⁷ “Informational Meeting,” at 39:55.

²⁶⁸ Cristian Granucci “Vaccine Tyranny: Done Being Silent,” video, 12:25, YouTube, August 23, 2021, <https://www.youtube.com/watch?v=EaYn6QM2Ny8&t=612s>

²⁶⁹ Granucci, “Vaccine Tyranny,” at 3:40.

²⁷⁰ Granucci, “Vaccine Tyranny,” at 5:35.

²⁷¹ Granucci, “Vaccine Tyranny,” at 6:55.

²⁷² Romo, “An LAFD Captain Is Under Investigation After An Anti-Vaccine Mandate Video Rant.”

²⁷³ Firefighters 4 Freedom v. City of Los Angeles Complaint.

²⁷⁴ Firefighters 4 Freedom v. City of Los Angeles Complaint, at 9.

down the mandate, arguing the Los Angeles city council exceeded their legislative authority in requiring city employees to receive a vaccine. While the suit conceded the council's legislative authority is broad, it argued that the court may not enforce "legislation affecting certain specific rights."²⁷⁵ The lawsuit also argued that the vaccines were not FDA-approved, posing health risks to firefighters because they had not been properly vetted and that the vaccines themselves were not effective in preventing transmission.²⁷⁶ F4F requested a temporary restraining order (TRO) against the mandates, and was filed on behalf of more than 500 Los Angeles firefighters (out of 3,300), who had contributed dues to pay for legal fees.²⁷⁷ In addition on October 3, Firefighters For Freedom filed a notice of claim with the Los Angeles City Clerk seeking monetary damages seeking \$2 million per plaintiff.²⁷⁸

Just as with Chicago's police officers, reporting vaccination status became an issue with the Los Angeles firefighters. The department mandated that members report their status by October 5.²⁷⁹ Acknowledging that many members had failed to report their status, UFLAC posted a memo to their webpage on October 4 that the union disagreed with the reporting mandate and "the Ordinance does not provide for any consequence and any intended discipline must first be bargained with UFLAC. Further, the City has not provided any notice to UFLAC that it intends to discipline employees for not meeting the October 5 deadline."²⁸⁰ Three days later, and two days after the reporting deadline, UFLAC posted another written bulletin that the union "strongly recommend that you report your status as soon as possible. Failure to comply with the direct order may lead to discipline."²⁸¹ This

²⁷⁵ Firefighters 4 Freedom v. City of Los Angeles Complaint, at 12.

²⁷⁶ Firefighters 4 Freedom v. City of Los Angeles Complaint, 3–5.

²⁷⁷ Firefighters 4 Freedom v. City of Los Angeles Complaint, Attachment A, 1–4.

²⁷⁸ Sandra Mitchell, "Hundreds of L.A. City Firefighters File Notice of Intent to Sue over COVID Vaccine Mandate," *KTLA5*, October 8, 2021, <https://ktla.com/news/local-news/hundreds-of-l-a-city-firefighters-file-notice-of-intent-to-sue-over-covid-vaccine-mandate/>.

²⁷⁹ Los Angeles City Council, "Los Angeles City Ordinance 187134," at 3.

²⁸⁰ "Bulletin 30–21UFLAC ALERT–Vaccine Mandate and October 5" UNFLAC, October 4, 2021, <https://www.uflac.org/bulletins/bulletin-30-21-uflac-alert-vaccine-mandate-and-october-5/>.

²⁸¹ "Bulletin 31 – 21 Bargaining Update," UNFLAC, October 7, 2021, <https://www.uflac.org/bulletins/bulletin-31-21-bargaining-update/>.

change in advice from the union was done with no order or injunction, as had existed in Chicago and reflects a different approach in political calculations. Whereas in Chicago a recalcitrant leader continued to speak against a reporting requirement in an attempt to defeat it entirely, UFLAC were advocating against a requirement that could subject the members they protect to discipline.²⁸²

Despite the less aggressive stance, the city of Los Angeles, in a “final offer” sent to unions, had agreed to postpone the mandate for all members to receive the vaccine for three months from October 19 to December 18.²⁸³ In return, members paid \$260 from their pay to cover the cost of twice weekly testing. While UFLAC did not cede to the offer publicly, Firefighters for Freedom publicly advocated for the union to file another TRO and criticized the offer, urging all the union to oppose agreeing to a temporary reprieve.²⁸⁴ Two days later, and without union endorsement, F4F advocated for members to ignore the mandate.²⁸⁵ In November, almost two months after Firefighters 4 Freedom had organized a lawsuit based on constitutional claims, UFLAC brought a claim in front of their Employee Relations Board (ERB) claiming the mandate violated their obligation to engage in good faith bargaining. The city viewed the mandate as an emergency procedure, thus not requiring negotiations through the often timely collective bargaining procedure. UFLAC, on the other hand, viewed the mandate as a change in the conditions of employment, and thus must be negotiated with all stakeholders.²⁸⁶ UFLAC filed the claim in November, requesting a TRO while the matter was pending. On December 5, a judge

²⁸² Interview by Author with San Diego Firefighters Union President Jesse Connors.

²⁸³ Eric Leonard, “LA City Hall Sets ‘Final’ December Deadline For All Employees to Be Vaccinated,” NBC Los Angeles, October 19, 2021, <https://www.nbcalosangeles.com/investigations/los-angeles-coronavirus-vaccine-mandate-deadline/2722067/>.

²⁸⁴ firefighters4freedom (@firefighters4freedom), “LATEST AND FINAL PROPOSAL BY CITY OF LOS ANGELES TO THE LABOR UNIONS,” Instagram, October 16, 2022, <https://www.instagram.com/p/CVHC41FFChd/>

²⁸⁵ firefighters4freedom (@firefighters4freedom), “LAFD-NOTHING IS GOING TO HAPPEN OCTOBER 19TH !!,” Instagram, October 18, 2022, <https://www.instagram.com/p/CVL0puiBCiU/>

²⁸⁶ “Los Angeles Employee Vaccine Mandate: Judge Denies LA Firefighters’ Union Bid for Injunction,” *ABC7 Los Angeles*, December 5, 2021, <https://abc7.com/los-angeles-firefighters-vaccine-mandate-lafd-united-of/11303602/>.

refused to grant a TRO as they did in most other jurisdictions in the country other than Chicago.²⁸⁷

Also outlined in the final offer (posted to social media by Firefighters 4 Freedom) was the procedure for exemptions to the vaccine requirement.²⁸⁸ As with other policies throughout the country, the Los Angeles ordinance offered all employees the opportunity to file for a religious or medical exemption to the vaccine. Religious exemptions were offered to those whose deeply held religious beliefs would be violated by receiving the shot, thus fulfilling a governments obligations under the First Amendment, while medical exemptions were offered to those who could not receive the vaccine under the Americans with Disability Act.²⁸⁹ UFLAC, in its weekly bulletin to members, outlined the procedures for such an exemption, notifying firefighters that the exemption must be filed by September 7.²⁹⁰ While the bulletin did not endorse the procedure, it assured members that requests would be “evaluated on a case-by-case basis, consistent with City procedures for reasonable accommodation requests.”²⁹¹ However, the bulletin assured members that they are “not obligated to file an exemption.”²⁹² This framing of the procedures was in stark contrast to F4F, who in social media posts called the exemption process a “trap” and a “sham.”²⁹³ “F4F has been adamantly opposed to exemptions from the beginning,” the post on Instagram continued, noting that “it is giving the members false hope.”²⁹⁴ In later posts, F4F stated that these exemptions were used to maintain staffing needs of the department

²⁸⁷ “Los Angeles Employee Vaccine Mandate Injunction.”

²⁸⁸ firefighters4freedom, “LATEST AND FINAL PROPOSAL BY CITY OF LOS ANGELES TO THE LABOR UNIONS.”

²⁸⁹ Los Angeles City Council, “Los Angeles City Ordinance 187134,” at 3.

²⁹⁰ “Bulletin 25–21 Mandatory COVID-19 Vaccination & Exemption Request Update” September 2, 2021, <https://www.uflac.org/bulletins/bulletin-25-21-mandatory-covid-19-vaccine-exemption-request-update/>.

²⁹¹ “Bulletin 25–21.”

²⁹² “Bulletin 25–21.”

²⁹³ firefighters4freedom (@firefighters4freedom), “EXEMPTIONS ARE A TRAP,” Instagram, September 28, 2021, <https://www.instagram.com/p/CUX4EvSJ9LJ/>

²⁹⁴ firefighters4freedom, “EXEMPTIONS ARE A TRAP.”

through the fall season, where the Santa Ana winds drive the spread of brushfires.²⁹⁵ After the winds season, according to F4F, the exemptions would simply be denied regardless of whether the claim of religious beliefs or medical needs were meritorious. The advocacy group was thus claiming that the exemptions were only offered nominally for the purposes of keeping firehouses open and would be denied as soon as it became practicable.

Firefighters 4 Freedom continued to build an organization around their by-laws, board members and business registration. The group organized chapters of F4F in different cities with over fifteen chapters throughout the country.²⁹⁶ They had assisted in planning rallies and press conferences with others opposed to vaccine mandates, organizing a large rally on November 8 with thousands of attendees at Grant Park in LA.²⁹⁷ Their website offered clothing, stickers, and even their own line of coffee, building a product and brand loyalty with consumers whose political identity aligned with theirs.²⁹⁸ The social media accounts updated engaged followers with how many firehouses in Los Angeles were closed down during a given day, despite no members having been placed on leave or terminated.²⁹⁹ The accounts also broadcasted live events in which followers were consistently updated with vaccine information through their own narrative and frameworks, organized interviews with respected members of the department who opposed the mandates titled the “Courage Under Fire” series, and posting inspirational quotes from founding fathers about the dangers of tyranny.³⁰⁰ And unlike their original claims in August that they did not oppose the union, they began posting updates criticizing the

²⁹⁵ firefighters4freedom, “LATEST AND FINAL PROPOSAL.”

²⁹⁶ Interview by Author with F4F Board Member Mark Zizi.

²⁹⁷ Nathan Solis, “Thousands Protest COVID-19 Vaccination Mandates in L.A.,” *Los Angeles Times*, November 8, 2021, [https://www.latimes.com/california/story/2021-11-08/thousands-protest-covid-19-vaccine-mandates-in-l-a.](https://www.latimes.com/california/story/2021-11-08/thousands-protest-covid-19-vaccine-mandates-in-l-a;); firefighters4freedom, “MARCH FOR FREEDOM RALLY TOMORROW!!”

Instagram Post, November 8, 2021, <https://www.instagram.com/p/CV-uQwZpqQc/>

²⁹⁸ firefighters4freedom (@firefighters4freedom), “FIREFIGHTERS 4 FREEDOM COFFEE,” Instagram, October 28, 2021, <https://www.instagram.com/p/CVdjsXtPVIZ/>

²⁹⁹ firefighters4freedom (@firefighters4freedom), “DEAR CITIZENS OF LOS ANGELES,” Instagram, October 31, 2021, <https://www.instagram.com/p/CVtJojdvX7Z/>; the firehouses were closed likely due to staffing shortages from delays in hiring in years prior due to COVID.

³⁰⁰ firefighters4freedom (@firefighters4freedom), “COURAGE UNDER FIRE #4,” Instagram, October 13, 2021, <https://www.instagram.com/p/CU-hFDrJ4av//>

response of their union, doing so in two separate posts in October and November.³⁰¹ Between those posts, however, F4F had complimented the union in their posts, showing a picture of UFLAC leaders after a press conference in which union leaders had criticized the mandates.³⁰² F4F was thus open to either criticism and praise of their union, depending on whether the activist group viewed UFLAC's position favorably or not. They were both an independent organization and a caucus within a larger union ecosystem, serving two purposes simultaneously.

In mid-November, while 23 percent of the department remained unvaccinated, the city of Los Angeles began to serve members with "notices of violation" if they had not reported their status, had failed to receive the vaccine, or had not yet filed for an exemption.³⁰³ On November 12, the first member of the department, a battalion chief named Robert Kilpatrick, was placed on leave status for failure to receive the vaccine.³⁰⁴ Other members who were not in compliance received notices on the last week of November, and were informed that the department could place them on a "no pay" leave status within 48 hours.³⁰⁵ Firefighters 4 Freedom proceeded to criticize UFLAC in a number of social media posts during the last days of November, stating in an Instagram postdated November 30 that "we are speaking for the membership right now. We don't have the same rights you do as a LABOR UNION."³⁰⁶ Firefighters for Freedom also engaged in further legal action in the city, seeking another restraining order against the

³⁰¹ firefighters4freedom (@firefighters4freedom), "SERIOUSLY WHERE IS UFLAC LOCAL 112?!?," Instagram, November 22, 2021, <https://www.instagram.com/p/CWmhGuTlu6x/>; firefighters4freedom (@firefighters4freedom), "LOCAL 112: MISSING IN ACTION," Instagram, October 14, 2021, https://www.instagram.com/p/CU_skmML-9J/

³⁰² firefighters4freedom (@firefighters4freedom), "THANK YOU UFLAC 112 FOR AN IMPORTANT PRESS CONFERENCE TODAY," Instagram, November 4, 2021, <https://www.instagram.com/p/CV3hk5VhuDn/>

³⁰³ "Bulletin 48–21 "Member Update" November 17, 2021, <https://www.uflac.org/training/bulletin-48-21-member-update/>.

³⁰⁴ firefighters4freedom (@firefighters4freedom), "THIS IS HOW YOU LEAD FROM THE FRONT," Instagram, November 12, 2021, https://www.instagram.com/p/CWM_B2OrJ0r/

³⁰⁵ firefighters4freedom (@firefighters4freedom), "WELCOME TO LIFE ON THE LAFD THESE DAYS," Instagram, November 29, 2021, <https://www.instagram.com/p/CW4ky30lo2g/>

³⁰⁶ firefighters4freedom (@firefighters4freedom), "HAS ANYONE SEEN OR HEARD ANYTHING FROM @uflaclocal112 TODAY?," Instagram, November 30, 2021, <https://www.instagram.com/p/CW6eLIGBbBn/>

department in response to the violation notices. Further complicating matters, one of the firefighters served with a violation notice made national news when, in a video, he used one of the notices to engage in a lewd act with a copy of the city's vaccine requirement.³⁰⁷ The video had been circulated privately through the firefighters themselves, but was referred to media sources through the Stentorians, a fire department affinity group for African Americans (also members of UFLAC). Union members were now fighting amongst themselves through the national media. Meanwhile, in a possible reference to F4F, UFLAC had sent out a notice defending themselves against their critics, stating in a bulletin, "Those who criticize without knowing and only seek to divide should find something productive to do. Yelling the loudest and throwing rocks at your brothers and sisters is not an actual plan."³⁰⁸ While the union was asking for moderation, some members were demanding more aggression.

On November 30, the Los Angeles Fire Department began sending members home and placing them on leave without pay if they refused vaccination (an option was given for members to be tested, but only if they paid for it themselves).³⁰⁹ One hundred and twenty-eight firefighters were placed on leave initially. F4F used the first days after the leave to broadcast to its 30,000 followers the amount of firehouses that had been closed for the day, hoping to connect the closures and reduction in services to an unnecessary mandate.³¹⁰ On December 17, for example, the organization claimed that 39.6% of stations had a resource closed, whether it was the engine company (responsible for fire extinguishment), ladder company (responsible for search, rescue, and ventilation), or an

³⁰⁷ Dakota Smith, "L.A. Firefighter Accused of Vulgar Act in Protest over Vaccine Mandate," *Los Angeles Times*, November 25, 2021, sec. California, <https://www.latimes.com/california/story/2021-11-24/lafd-investigating-firefighter-accused-of-despicable-act-vaccine-mandate-protest>.

³⁰⁸ "Bulletin 50–21 "Member Update" November 24 2021, UNFLAC, <https://www.uflac.org/bulletins/bulletin-49-21-member-update-2/>.

³⁰⁹ Julia Paskin, "128 LA Fire Department Employees Are Being Sent Home For Defying City's Vaccination Mandate," *LAist*, November 30, 2021, <https://laist.com/news/lafd-is-sending-employees-home-for-defying-the-citys-vaccination-mandate>.

³¹⁰ firefighters4freedom (@firefighters4freedom), "STAFFING CRISIS? SEND PEOPLE HOME INDEFINITELY [sic]," Instagram, November 30, 2021, https://www.instagram.com/p/CW6nw_evrBb/

ambulance responsible for medical care.³¹¹ They also claimed that 58 members of the department suffered injuries due to the vaccine.³¹² The city of Los Angeles, however, did not admit to any staffing shortages that were affecting operations, claiming that there were new hires in the academy able to fill the vacancies left by unvaccinated firefighters.³¹³ This research is not able to confirm whether closures were the result of vacancies created by hiring issues affecting the department before the vaccine mandate or whether they were the result of the members placed on leave.

On December 2, UFLAC lost its request for an injunction arguing that Los Angeles had unilaterally changed the conditions of employment.³¹⁴ Two weeks later, a court rejected the arguments from the F4F lawsuit asking for a temporary restraining order against placing the unvaccinated firefighters on unpaid leave.³¹⁵ In response to these legal victories, the city Los Angeles continued to place members on leave during the first month of 2022. Firefighters 4 Freedom filed yet another lawsuit on February 15.³¹⁶ “For more than a century,” Judge Michael Linfield wrote for Los Angeles County Court, “our courts have consistently held that government has the power to require vaccinations to protect the public’s health and safety.”³¹⁷ In March, the city terminated 24 firefighters for failing to

³¹¹ firefighters4freedom (@firefighters4freedom), “STATE OF THE LAFD,” Instagram, December 17, 2021, <https://www.instagram.com/p/CXmFLwTvBKY/>

³¹² firefighters4freedom (@firefighters4freedom), “EVERY CHOICE IN LIFE HAS TWO SIDES,” Instagram, December 10, 2021, <https://www.instagram.com/p/CXUguxMvBaB/>

³¹³ “More Than 100 LA Firefighters Off-Duty Without Pay Due To Vaccine Mandate Non-Compliance,” *CBS News*, December 2, 2021, <https://www.cbsnews.com/losangeles/news/judge-mulls-la-firefighters-union-bid-for-injunction-against-vaccine-mandate/>.

³¹⁴ “Bulletin 53–21 “Member Update” UNFLAC, December, 3 2021, <https://www.uflac.org/bulletins/bulletin-53-21-member-update/>

³¹⁵ Hillel Aron, “Judge Won’t Order LA to Pay Firefighters Fighting Vaccine Mandate,” *Courthouse News Service*, December 20, 2021, <https://www.courthousenews.com/judge-wont-order-la-to-pay-firefighters-fighting-vaccine-mandate/>.

³¹⁶ Dakota Smith, “Judge Dismisses Firefighter Group’s Lawsuit over L.A. Vaccine Policy,” *Los Angeles Times*, February 15, 2022, <https://www.latimes.com/california/story/2022-02-15/judge-dismisses-firefighter-group-lawsuit-la-vaccine-policy>.

³¹⁷ *Firefighters 4 Freedom v. City of Los Angeles*, Amended Demurrer to Plaintiff’s Second Amended Complaint for Declaratory and Injunctive Relief, No. 21STCV34490 (Superior Court of California County of Los Angeles February 15, 2022), at 1.

get the vaccination in the midst of a continued staffing crisis.³¹⁸ Hoping for a last opportunity to defeat the city’s mandate, UFLAC lost its case before an officer of the Employment Relations Board on the claim that the requirement violated the collective bargaining agreement.³¹⁹ A hearing to make the recommendation final would take place in October 2022. Unlike Chicago, firefighters in Los Angeles were be fired for failing to receive vaccinations.

Firefighters 4 Freedom remained active after the successful implementation of the mandate by Los Angeles City officials. Over the summer of 2021, the group advocated against indoor mandates in their city, made guests appearances on podcasts, news networks, and file a new grievance within the Employee Relations Board to fight the terminations. On June 30, they posted to their social media accounts a message asking “at what point are our institutions beyond repair? There comes a point when rehabilitation is no longer possible. When that happens, the only way to move forward is by building parallel systems.”³²⁰ They proceeded to post a list of the sectors that could be replaced by innovative disruption, such as a parallel military, schools, grocery stores, and both police and fire departments.³²¹ They did not mention building a parallel network union, as they had likely already succeeded in doing so.

B. EVLN AND TWO FACES ANALYSIS

In Los Angeles, many firefighters did not feel that their union was aggressive enough in fighting the vaccine mandates. These firefighters felt their own union was too passive. This belief was not just towards the vaccine mandate, but a broad swath of political positions which the union takes. In trying to change their organization to correspond with their values, these firefighters responded by organizing collectively and beginning another

³¹⁸ “Los Angeles Has Terminated 12 LAFD Firefighters over COVID-19 Vaccination Requirements,” FireRescue1, March 23, 2022, <https://www.firerescue1.com/coronavirus-covid-19/articles/los-angeles-has-terminated-12-lafd-firefighters-over-covid-19-vaccination-requirements-KTb1Fx5mHC5esRYa/>.

³¹⁹ “Bulletin 29–22 “Member Alert” UNFLAC, June 21, 2022, <https://www.uflac.org/bulletins/bulletin-29-22-member-alert/>

³²⁰ firefighters4freedom (@firefighters4freedom), “Fix the Current Institutions?,” Instagram, June 30, 2022, <https://www.instagram.com/p/Cfcsbgbv5Cv/>

³²¹ firefighters4freedom, “Fix the Current Institutions?”

group that would fight “parallel to” the unions and not against them.³²² Their group would, however, at times act as a political adversary with UFLAC, using financial resources and the groups social media platform to criticize the union. F4F was not simply a caucus within the union but simultaneously acted as a completely separate entity with independent financial resources, different political alliances, and even its own business registration as an LLC.

Unionized public sector workers have had these divided loyalties before. Separate and distinct affinity groups that organize members around causes exist within the LAFD.³²³ But these groups have traditionally revolved around ethnicity or race, and more recently affiliations based on orientation or identity.³²⁴ While these affinity groups will often disagree with a union’s policy position and create dissent within the organization itself, the entire purpose of Firefighters 4 Freedom is to engage in a contractual issue with the City of Los Angeles, as opposed to group that advocates for members with a specific ethnic identity. Union leaders in southern California have wondered how this affects the integrity of bargaining between the city and labor organizations. Jesse Conners, the president of San Diego’s firefighter union cites the Condren Wallin Act, California’s public sector union law, in stating that the state employer may only negotiate with one labor advocate in negotiations.³²⁵ The union, for him, must be responsible for gathering consensus on workplace issues and be the sole advocate for firefighters before cities in California.

Using the EVLN framework, the high cost of exit—the loss of livelihood from their job and the loss of union representation—and high levels of loyalty rendered the use of voice more valuable for the members fighting the mandate. Further, the nature of coerced

³²² Interview with Mark Zizi.

³²³ “LA County Stentorians,” LA County Stentorians, accessed August 14, 2022, <https://lacountystentorians.org/>; “Los Angeles County Firefighters Emerald Society and Pipes and Drums – Our Mission,” Los Angeles County Firefighters Emerald Society, accessed August 14, 2022, <http://www.losangelescountyfirefightersemeraldsociety.com/>.

³²⁴ James Rainey and Dakota Smith, “Women Say a ‘Frat House’ Culture at L.A. Fire Department Blocks Them from Jobs,” *Los Angeles Times*, July 8, 2021, sec. California, <https://www.latimes.com/california/story/2021-07-08/some-say-garcetti-failed-la-female-firefighter-pledge>.

³²⁵ Interview by Author with Jesse Conners.

vaccination reduced the number of employees who would simply “neglect” by reducing their engagement with both the union and the department. However, the manner in which voice was used is not considered by EVLN, in Hirschman’s work or in subsequent research. F4F is a separate and distinct entity with an organizational structure and process for decision-making completely distinct from their union, UFLAC. While Firefighters 4 Freedom does not advocate leaving the union (an option that is discussed in a later chapter), they are willing to criticize their representatives and operate independent of union processes. While they are willing to try and “change the union from within,” their focus is on organizing likeminded individuals from within their profession to develop their own political and legal strategy with separate goals.³²⁶ The union goal was to weaken the mandate by negotiating wholesale exceptions, remaining cognizant that most of their members were vaccinated; F4F’s goal was to defeat the mandate entirely. They are, in effect, their own voice, while simultaneously being a distinct voice within UFLAC. If Firefighters 4 Freedom were to fail to gain a majority of voices within UFLAC by election, they can simply use their own organizational voice using their own institutional rules and capabilities. Would this decrease the cost of exit by giving firefighters an organizational voice that fights for their values? Or would it simply mean that firefighters can peacefully coexist within a labor union that does not entirely share their political priorities because they are members of a distinct organization? These possibilities are not considered by Hirschman’s framework.

Applying the two faces framework, analysis is also complicated by the existence of two groups. How can a labor organization balance its interests between economic issues and collective voice issues if more than one group is organizing against their employer? F4F and UFLAC concurrently attempted two separate legal strategies, one which prioritized the constitutional arguments against coerced vaccination, the other which frame the mandate as a violation of collective bargaining agreements. The settlement of either of these “collective voice” attempts would have inevitably met with different concessions on behalf of either UFLAC or Firefighters 4 Freedom, with different consequences for the

³²⁶ Interview with Mark Zizi.

“economic monopoly” face of unions. Whereas UFLAC and other unions were fighting for the best possible situation for their members who were both vaccinated and unvaccinated, Firefighters 4 Freedom were fighting for a different group, willing to concede different issues for their respective memberships. Complicating matters more is that F4F also possesses a democratic voice in UFLAC. While the union is trying to seek a consensus with these disparate factions of their membership and thus strike a balance between the two faces, Firefighters 4 Freedom sole focus is collective voice. This tension is never considered in the two faces framework.

Yet the nature of this collective voice is also different from anything Hirschmann or Medoff and Freeman would have ever researched. Firefighters 4 Freedom were able to use a new kind of communication using new technology such as social media to leverage new political messages. These messages ignored traditional organizational loyalty of the labor union, the group that would normally be responsible for communicating information about the workplace. This process of replacing or removing traditional intermediaries to communicate directly with an individual is often referred to as “disintermediation.”³²⁷ Yet, while this process can promise democratization of certain information, it can also threaten to remove certain safeguards preventing the spread of falsehoods. Firefighters 4 Freedom replaced these traditional intermediaries with their own unelected group, sending new forms of messages and communication which focused on other social bonds and group loyalties, not the traditional union worker, but rather the freedom fighter breaking free from a government seeking to restrict their freedom of choice. This new form of communication which leverages non-traditional bonds in favor of new ones is often referred to as “individuation,” or the personalization of politics, and is discussed in the final chapter.³²⁸

³²⁷ Rubén Sánchez Medero, “Democratization in Political Communication,” *Political Studies Review* 19, no. 4 (November 2021): 607–23, <https://doi.org/10.1177/1478929920924930>.

³²⁸ W. Lance Bennett, “The Personalization of Politics: Political Identity, Social Media, and Changing Patterns of Participation,” *The ANNALS of the American Academy of Political and Social Science* 644, no. 1 (November 2012): 20–39, <https://doi.org/10.1177/0002716212451428>.

VI. NEW YORK

In many ways, the experience of the New York City government, firefighters, and their union leaders closely resemble that of Los Angeles'. Public employees were required to accept a vaccine, the unions resisted, and members within the union organized to advocate for stronger resistance. The infrastructure built by New York activists, although perhaps less sophisticated, helped those fighting the vaccine to communicate with like-minded individuals on social media, use public protest to reach the public, and pool resources to effectuate a legal strategy. In other ways, however, activists in New York operated independently of their own labor organization in a manner never seen with their west coast colleagues, going as far as to sue their own representatives in court and engaging in a work stoppage.

A. VACCINE MANDATE AND RESPONSE

The Fire Department of the City of New York (FDNY), like Chicago, announced its vaccine mandate by a regulation from the city's health commissioner on behalf of the executive, then Mayor Bill DeBlasio.³²⁹ New York's vaccine mandate was announced on October 20, requiring all employees to have at least one shot of the vaccine by October 29, only nine days later. In September, the FDNY mandated that all employees report their vaccination status to the Department's e-learning platform used for virtual training.³³⁰ Because the e-learning platform had been used for vaccination record keeping purposes since January, both unions acquiesced to the order, thus avoiding the hurdle that had prevented Chicago from mandating vaccination from its police officers. Despite mandating that teachers require vaccination earlier in the month, the mayor was "less eager to play tough guy with the FDNY and the NYPD" and allowed a testing option in lieu of vaccine for October until it was determined that low rates for police and firefighters were placing

³²⁹ Chief of Operations John Hodgens, "COVID 19 Mandate for City Employees," FDNY, OPS-21-10-07, October 20, 2021;"Mayor de Blasio Announces Vaccine Mandate for New York City Workforce," The official website of the City of New York, October 20, 2021, <http://www1.nyc.gov/office-of-the-mayor/news/698-21/mayor-de-blasio-vaccine-mandate-new-york-city-workforce>.

³³⁰ Chief of Operations John Hodgens, "Information Regarding Vaccine Status and Mandatory COVID Testing," FDNY, OPS-21-09-07, September 17, 2021.

others at risk.³³¹ Because October 29 was a Friday and the conclusion of the work week for non-shift employees, workers would not be placed on leave without pay (LWOP) until the following Monday, November 1.³³² This timeline also applied to shift workers such as firefighters, police, and sanitation and therefore no firefighter was be placed on LWOP until November 1, 2021. Members who were not vaccinated on Saturday October 30 were still expected to report to duty and would be paid for doing so.³³³

Much like Los Angeles, firefighters in New York City quickly began communicating through web-based messaging applications such as Telegram and ProBoards. Firefighters also used social media and personal connections to build relationships with other members of the city workforce in the days following the mandate. Bravest For Choice, a group of those firefighters, organized in the first days approaching the DeBlasio announcement and, on October 21, they posted their plans for a protest march that following Monday that went from FDNY headquarters, across the Brooklyn Bridge, to City Hall in downtown Manhattan.³³⁴ The march was not sponsored by either of the city's two firefighter unions, the UFA, serving the firefighter rank or the UFOA, serving the ranks of lieutenant, captain, and chief. Nonetheless, posts for the event announced, "All NYC employees against the mandate are extremely encouraged to attend."³³⁵ Another post told firefighters, who may have been inexperienced with public protest, to "remain peaceful, professional, and respectful."³³⁶ The march was attended by thousands, and although peaceful, the protest shut down one of the vital traffic arteries in New York

³³¹ Michael Daly, "Why This Vaccinated First Responder Is Fighting de Blasio's New Vaccine Mandate," Daily Beast, October 23, 2021, <https://www.thedailybeast.com/why-this-vaccinated-first-responder-is-fighting-de-blasios-new-vaccine-mandate-in-new-york-city>.

³³² Chief of Operations John Hodgens, "Leave Without Pay (LWOP) through E-Staffing Application," FDNY, OPS-21-10-12, October 29, 2021.

³³³ John Hodgens, "Leave Without Pay through E-staffing Application."

³³⁴ Bravest for Choice (@bravestforchoice), March for Choice Announcement, Instagram, October 21, 2021, <https://www.instagram.com/p/CVTTNv0ITMX/?hl=en>.

³³⁵ Bravest for Choice, March for Choice Announcement.

³³⁶ Bravest for Choice (@bravestforchoice), "NYC WORKERS UNITE @ THE MARCH FOR CHOICE," Instagram, October 24, 2021, <https://www.instagram.com/p/CVasWgtLXTY/?hl=en>.

City.³³⁷ It also received extensive attention from media sources, with parts of the protest televised on international news outlets and trending on Twitter.³³⁸

Bravest for Choice quickly coalesced into a formal group that utilized the informal social networks of the firehouse and social media to communicate. The logistical planning of organizing a protest and rally (without the help of one's union) in the nation's financial capital are emblematic of political organization. In spite of these skills, however, Bravest for Choice leaders were forced to contend with the negative coverage of the protest and disparaging comments on Twitter. A Twitter search of the event displays some positive engagement, but the interactions, especially those with journalists, were negative. A reporter for the news blog *Gothamist* quickly noted that protestors were wearing yellow stars of David to compare mandates to Nazi persecution, while other activists were touting "Gadson flags," the revolutionary era yellow flag picturing a snake.³³⁹ Another independent journalist tweeted a video, with 8,000 likes, showing protestors chanting "F JOE BIDEN," demonstrating that the protestors had partisan beliefs in opposing the mandate.³⁴⁰ The *New York Post*, a city tabloid, was also quick to point out the politically partisan messaging from some protestors, showing poster boards with the mayor's face in the likeness of Adolf Hitler.³⁴¹ Despite the overtures of Bravest for Choice organizers, some members had used tactics that distorted their message when the media covered the event.

On the day of protest, the UFOA and UFA communicated to their members that because they did not know who was organizing the event, they "have chosen not to

³³⁷ Elizabeth Rosner and Sam Raskin, "'We Will Not Comply!': NYC Workers Protest Vax Mandate with March across Brooklyn Bridge," *New York Post*, October 25, 2021, <https://nypost.com/2021/10/25/we-will-not-comply-nyc-workers-protest-vax-mandate-with-march-across-brooklyn-bridge/>.

³³⁸ Nathan Place, "Anti-Vaxx Marchers Shut down Brooklyn Bridge to Protest Vaccine Mandate," *The Independent UK*, October 26, 2021, <https://www.independent.co.uk/news/world/americas/vaccine-mandate-protest-brooklyn-bridge-b1945212.html>.

³³⁹ Jake Offenhartz (@jangelooft). "Thousands of anti-vaccine mandate protesters now streaming over the Brooklyn Bridge," Twitter, October 25, 2021, 12:59 p.m. <https://twitter.com/jangelooft/status/1452681122970750978>

³⁴⁰ Oliya Scootercaster (@ScooterCasterNY), "'F Joe Biden' Chant thousands of municipal workers," Twitter. October 25, 2021, 12:40 p.m. <https://twitter.com/ScooterCasterNY/status/1452676360787447818>

³⁴¹ Elizabeth Rosner and Sam Raskin, "'We Will Not Comply!'"

participate.”³⁴² They asked members of the union who were attending not to identify themselves as FDNY employees.³⁴³ UFOA leaders were being asked by their own members, however, why their union was not participating in a rally to defend their rights.³⁴⁴ In a possible response to this pressure, on the following day both the UFOA and the UFA announced their own joint rally for October 28 at the mayor’s home in Manhattan, with the UFOA urging its members to “show support for those who choose not to be vaccinated as well as to support the UFOA’s right to collectively bargain every change to workplace rules.”³⁴⁵ The rally on October 28 was covered in mostly local media outlets, with both the UFA and the UFOA reiterating their stance that the vaccine mandates must be collectively bargained.³⁴⁶ The unions also attempted to distance themselves from any messages that appeared too politicized or extreme, with UFA President Andrew Ansbro telling reporters, “We want our issues to be heard. I understand there are people who are trying to co-opt our message” before claiming, “We are not anti-vaccine, we are anti-mandate.”³⁴⁷ UFOA President James McCarthy also used more conciliatory language, using his time to speak against the short time frame firefighters were given to receive the vaccine.³⁴⁸ Both the substantive messages and the tone of the union-led protest differed from the one organized days earlier by a newly organized group.

Similar to F4F in Los Angeles, Bravest for Choice used social media to post information about closures.³⁴⁹ Also similar to the activists in California, Bravest for Choice began to post about the closures in firehouses throughout the city before the

³⁴² Uniformed Fire Officer’s Association, “Today’s Rally” (Email sent to members on 10/25/2021).

³⁴³ Uniformed Fire Officer’s Association, “Today’s Rally”

³⁴⁴ Interview by Author with UFOA President Jim McCarthy.

³⁴⁵ Uniformed Fire Officer’s Association, “UFOA Rally in Opposition of Vaccine Mandate on 10/28/21 at 11 am,” (Email sent to members on 10/28/21).

³⁴⁶ CBS New York, “Thousands Protest COVID Vaccine Mandate Outside Gracie Mansion,” video, 2:24, YouTube, October 28, 2021, https://www.youtube.com/watch?v=pQd0df_wunw

³⁴⁷ Now This News, “NYC Public Workers Protest COVID-19 Vaccine Mandate,” video, 1:13:00, YouTube, October 28, 2021, https://www.youtube.com/watch?v=_D-phF1mx5E, at 55:39.

³⁴⁸ “Thousands Protest COVID Vaccine Mandate Outside Gracie Mansion,” at :40.

³⁴⁹ “Bravest for Choice (@bravestforchoice), Instagram, accessed January 28, 2023, <https://www.instagram.com/bravestforchoice/>.

mandate had taken effect. The first Bravest for Choice post about firehouse closures occurred on October 29, on the day in which members must have shown proof of vaccination but three days before any member would have been placed on leave as per department policy.³⁵⁰ Both the UFA and the UFOA also pointed to firehouse closures as a public safety issue that outweighed any gain of universal vaccination, but they waited to do so until November 1, on the first day firefighters would have been placed on leave.³⁵¹ Because the firehouse closures could not have been the result of the LWOP, there must have been another for the increase in closed firehouses. Media sources began to report of a “sickout” from firefighters who were using medical leave to protest the mandate and the forced leave set to take effect that Monday.³⁵²

FDNY leadership confirmed that medical leave had risen during the days approaching the mandate. Department Commissioner Daniel Nigro spoke at a press conference on the first morning of the mandate, “Since the mandate was issued, our medical leave spiked up. We know that’s related to protests against the mandate. It’s obvious.”³⁵³ UFA President Andrew Ansboro, however, denied any sickout was taking place, and none appears to have been planned from either of the fire unions in any informal or formal communication. Instead, he pointed to sickness resulting from the flu-like symptoms that many experienced as a result of forced vaccination, telling reporters “the department should have spread this out.”³⁵⁴ Many messages on Telegram during this week

³⁵⁰ Bravest for Choice (@bravestforchoice), “TONIGHTS UPDATED INFO for the citizens of NYC,” Instagram, October 29, 2021, <https://www.instagram.com/p/CVoguLQseLc/?hl=en>

³⁵¹ Reuven Fenton and Sam Raskin, “FDNY Union Boss Warn of Slow Response Due to COVID-19 Mandate,” *New York Post*, November 1, 2021, <https://nypost.com/2021/11/01/fdny-union-boss-warn-of-slow-response-due-to-covid-19-mandate/>; FDNY UFA (@UFANYC), “Due to the unconstitutional mandates being forced upon our firefighters,” Twitter, November 1, 2021, 10:41 a.m. <https://twitter.com/UFANYC/status/1455183363627700233>.

³⁵² O’Neill, “FDNY Commissioner Daniel Nigro Blasts ‘paid Sick Leave’ over COVID-19 Vaccine,” *New York Post*, October 30, 2021, <https://nypost.com/2021/10/30/fdny-commissioner-daniel-nigro-blasts-paid-sick-leave-over-covid-19-vaccine/>.

³⁵³ Peter Szekely, “As Mandate Kicks in, Ranks of Unvaccinated New York Police, Firefighters Dwindle,” *Reuters*, November 1, 2021, <https://www.reuters.com/world/us/new-york-prepares-fallout-vaccine-mandate-resisted-by-many-police-firefighters-2021-11-01/>.

³⁵⁴ Tina Moore et al., “FDNY Union Boss Blames Shortage of Firefighters on COVID-19 Shot,” *New York Post*, October 31, 2021, <https://nypost.com/2021/10/31/fdny-union-boss-blames-shortage-of-firefighters-on-covid-19-shot/>.

indicate that anonymous users, who may or may not have been members of the department, recommended the use of medical leave to protest the mandates. While there is no indication that any group, union or otherwise, explicitly planned or sanctioned the use of sick leave, Bravest For Choice was warning of the danger of closed firehouses to the public that they had discussed on social media.³⁵⁵ The “sickout” was the result of a social media contagion, and not a centrally planned job action.

On November 1, the city began placing unvaccinated members on leave. The FDNY cancelled all “mutuals” (the ability of firefighters to swap their workday with a colleague), cancelled all vacation leaves, and ordered all members working in an administrative capacity to report back to their firehouses.³⁵⁶ According to the UFA and various media outlets, both engine and ladder companies were operating with fewer staff than the contract between the union and the city is negotiated for; other companies were closed altogether.³⁵⁷ Both the UFOA and the UFA informed their unvaccinated members to report for duty to the firehouse on November 1, even though they were ineligible to work.³⁵⁸ While media sources claimed this was an attempt to defy the mandate, the union’s position was that LWOP was a violation of contractual bargaining and would only be followed pursuant to a direct order.³⁵⁹ The UFA collected pictures of those firefighters placed on LWOP in front of their firehouses on social media sites, in an apparent attempt

³⁵⁵ Bravest for Choice, “TONIGHTS UPDATED INFO for the citizens of NYC.”

³⁵⁶ Chief of Operations John Hodgens, “Full Duty Workforce Staffing Update,” FDNY, OPS-21-10-09, October 27, 2021.

³⁵⁷ “18 Fire Companies Close, Trash Piles up amid New York City’s COVID Vaccine Mandate,” *ABC7 New York*, November 2, 2021, <https://abc7ny.com/fdny-vaccines-nyc-vaccine-mandate-covid-19-vaccination-fire-companies-shut-down/11189811/>.

³⁵⁸ Joseph Choi, “NYC Firefighters Union Leader Tells Unvaccinated Members to Defy Mandate,” *The Hill*, October 27, 2021, <https://thehill.com/homenews/state-watch/578851-nyc-firefighters-union-leader-tells-unvaccinated-members-to-defy-mandate/>.

³⁵⁹ Tyler Clifford and Dan Whitcomb, “NYC Firefighters Union Says Members Should Defy Vaccine Mandate,” *Reuters*, accessed August 12, 2022, <https://www.reuters.com/world/us/head-new-york-city-firefighters-union-says-members-insulted-by-vaccine-mandate-2021-10-27/>.

to raise public awareness.³⁶⁰ All members who were not vaccinated were placed on leave unless they had filed for a religious or medical exemption.

As in Los Angeles, the issue of exemptions was another source of disagreement between Bravest for Choice activists and the unions. Whereas other unions in the city were negotiating with the city to ensure a fair exemption process, many firefighters believed exemptions would not be adjudicated fairly.³⁶¹ Since the city announced the requirement only nine days before workers were to be placed on unpaid leave, firefighters had to make their decision over an exemption within a narrow time frame. Many simply refused to file one, choosing instead to go on LWOP. The reason for this, according to union leaders, was to force their employers to deal with the consequences of a mandate that removed a sizeable portion of their workforce, thus reducing the likelihood that the mandates would succeed.³⁶² The refusal of many to file exemptions under this belief is likely what led to more firefighters on leave than police officers and firefighters in Los Angeles.

The unions in New York filed lawsuits to fight the mandates. In September, when the mandates only applied to teachers, a consortium of public sector unions brought a lawsuit against the city for both a violation of constitutional protections and a violation of collective bargaining law in New York.³⁶³ While California used its constitutional guarantee of privacy to show the vaccine mandate had violated fundamental rights of firefighters, the Municipal Labor Committee (MLC) was claiming that the controlling case with regards to vaccine mandates, *Jacobsen vs. Commonwealth of Massachusetts*, was no longer applicable given changes in American law which had broadened individual rights such as interracial and gay marriage, and the right to contraception and reproductive health.³⁶⁴

³⁶⁰ FDNY UFA (@fdny_ufa), “Some of the many New York City Firefighters ordered to go home today, leaving many stations understaffed and some out of service. #StopTheMandate,” Instagram, November 1, 2021, <https://www.instagram.com/p/CVwNdywMTg4/>

³⁶¹ Interview by Author with UFOA President Jim McCarthy.

³⁶² Interview by Author with UFOA President Jim McCarthy.

³⁶³ N.Y.C. Mun. Labor Comm. v. City of N.Y., 2021 NY Slip Op 21260 (NY Supreme Court).

³⁶⁴ *Jacobsen v. Massachusetts*.

Despite winning a brief TRO in county court to assure medical and religious exemptions were allowed, the lawsuit was not successful. The UFA (with the UFOA joining) contested the removal of members from the payroll, filing lawsuit in an Article 78 proceeding, which allows plaintiffs to challenge the actions of state and local agencies if it is “arbitrary and capricious.”³⁶⁵ Like the Firefighters 4 Freedom lawsuits in California, the UFA argued that the vaccine mandates were not completely effective and still allowed for transmission of the virus. Further, the lawsuit claimed, firefighters had achieved high levels of “natural immunity” to the virus given the levels of exposure experience throughout the pandemic.³⁶⁶ These arguments failed as well, with a TRO denied in November and the case dismissed in December.³⁶⁷

Like their activist colleague in Los Angeles, Bravest for Choice filed its own legal actions, flouting the decisions of the union. Bravest for Choice does not have a legal strategy on their website, nor is the group a plaintiff in the suit filed in November. However, many members of the Bravest For Choice group were plaintiffs, claiming that their due process rights were violated when they were placed on leave.³⁶⁸ The lawsuit named the FDNY as the as the defendant in that suit, with the complaint arguing that the City of New York had improperly come to an agreement with another union, DC37, and that the two fire unions, the UFA and the UFOA, had breached their duty of representation to members.³⁶⁹ Attorneys for the city defendants noted in their reply to the complaint that a breach of duty accusation required that the three unions—DC37, the UFA and the UFOA—all be named as parties to the lawsuit.³⁷⁰ The judge agreed, ordering the plaintiffs to amend

³⁶⁵ In the Matter of the Application of Andrew Ansbro Verified Complaint, Docket 159738/2021 (New York Supreme Court, October 29, 2021).

³⁶⁶ In the Matter of the Application of Andrew Ansbro Verified Complaint, at 3.

³⁶⁷ In the Matter of the Application of Andrew Ansbro Decision + Order on Motion, Docket 159738/2021 (New York Supreme Court, November 23, 2021).

³⁶⁸ Garland et al. v. New York City Fire Department, INDEX NO. 21-cv-6586 (Eastern District, New York, 2021).

³⁶⁹ DC 37 had come to an agreement, allowing their members to file for medical and religious exemptions and should they be placed on leave, to not be terminated within a year.

³⁷⁰ Garland et al. v. New York City Fire Department Defendants New York City Fire Department and Daniel Nigro’s Memorandum of Law in Opposition to Plaintiff’s Motion for a Preliminary Injunction, INDEX NO. 21-cv-6586 (Eastern District, New York, November 29, 2021), at 12.

their complaint, including the UFA and the UFOA as parties, thus forcing the complaint to be amended and the unions to be served as defendants.³⁷¹ Firefighters and fire officers in New York City were now suing their own labor unions in court over the mandate.

While it was a procedural issue that led to unions battling their own rank-and-file in court, Bravest For Choice members and others against the mandate showed a willingness to oppose their union leadership. In October union meetings, some activists associated with Bravest for Choice threatened to leave their union if they did not fight in an aggressive manner.³⁷² On January 8, 2022, Bravest for Choice posted an “Instagram live” link to a union activist criticizing the politicians that unions endorse. The post asked “Did you know you’re probably funding politicians who don’t have your best interests through your union?”³⁷³ Similarly, Bravest for Choice engaged in political activity that differs from that of the unions in both tone and substance. They have endorsed and supported separate candidates from the UFA and the UFOA, including for New York City mayor and the state’s governor.³⁷⁴ In January, when Eric Adams replaced Bill DeBlasio as mayor, their social media account implied that Adams had a business relationship with the owner of a building where 17 people died in a fire; the UFOA had endorsed the new mayor for both the primary and general election.³⁷⁵ While still paying union dues, they were

³⁷¹ *Garland et al. v. New York City*, Memorandum and Order, INDEX NO. 21-cv-6586 (Eastern District, New York, December 6, 2021), at 12.

³⁷² Interview by Author with UFOA President Jim McCarthy.

³⁷³ Bravest for Choice (@bravestforchoice), “Imagine your own hard earned money being used to line the pockets of politicians who don’t have your best interest at hand?” Instagram, January 8, 2022, <https://www.instagram.com/p/CYhaOXYPwuL/?hl=en>

³⁷⁴ Bernadette Hogan and Carl Campanile, “Kathy Hochul Nets Endorsements from NYC Firefighter Unions,” *New York Post* (blog), January 7, 2022, <https://nypost.com/2022/01/07/kathy-hochul-receives-endorsements-from-nyc-firefighter-unions/>; Bravest for Choice, “We will continue to stand up for our rights. #voteherout #firekathyhochul #votetzeldin,” Instagram Post, August 4, 2022, <https://www.instagram.com/p/Cg15zpdwfo/?hl=en>.

³⁷⁵ Bravest for Choice (@bravestforchoice), “If you’re not angry, you’re not paying attention. Be an information seeker,” Instagram, January 10, 2022, <https://www.instagram.com/p/CYjgjCmLe3c/?hl=en>; Greg Smith, “Faulty Door at Site of Deadly Twin Parks Blaze Was Cited by Inspectors in 2019 for Failure to Self-Close,” *The City*, June 23, 2022, <https://www.thecity.nyc/2022/6/13/23165323/faulty-self-closing-doors-twin-parks-fire-cited-inspectors>; Tim Balk and Michael Gartland, “NYC Mayoral Candidate Eric Adams Endorsed by Uniformed Fire Officers Association,” *Daily News (NY)*, April 13, 2021, <https://www.nydailynews.com/news/politics/nyc-elections-2021/ny-nyc-mayoral-race-eric-adams-endorsement-ufoa-20210413-eqr7j35adfdg3lk5ilt7h6jbyq-story.html>.

simultaneously making political choices for their organization that were in tension, if not in direct opposition, with that of their own labor union.

Bravest for Choice continued to make media appearances, attend rallies, and organize through social media, although never matching their initial success after the Brooklyn Bridge protest. They organized themselves as a non-profit and are thus able to fundraise and sell merchandise without certain tax implications, and they are able to sell their own merchandise.³⁷⁶ In the second week of November, they helped stage an anti-mandate protest at the halfway point of the New York City Marathon, hoping to use the national broadcast as a platform to show their anger against the policy.³⁷⁷ A few months later, in January, they staged a protest against pending terminations.³⁷⁸ Over the winter, five separate New York City firefighters died of medical episodes ranging in age and experience on the department.³⁷⁹ Bravest For Choice, together with a family member of one of the fallen firefighters, accused the vaccine of being a cause in the episodes, suggesting that the firefighter was in good health and opposed the mandate.³⁸⁰ The UFOA, while not openly stating the vaccine was the cause of anyone's death or injury, called for an inquiry into adverse reactions, signaling the union was receptive to members' calls for a more aggressive response.³⁸¹

³⁷⁶ New York Secretary of State records indicate Bravest for Choice was registered as a 402 not-for-profit corporation on October 28, 2021 with a certificate of incorporation. See <https://apps.dos.ny.gov/publicInquiry/FilingHistory>.

³⁷⁷ Bravest for Choice (@bravestforchoice), "Let's turn out and turn some heads again tomorrow morning," Instagram, November 6, 2021, <https://www.instagram.com/p/CV8ETfor7su/?hl=en>

³⁷⁸ Bravest for Choice (@bravestforchoice), "end the mandates," Instagram, February 7, 2022, <https://www.instagram.com/p/CZr5iasjHc7/?hl=en>

³⁷⁹ Matthew Chayes, "Probe Continues into FDNY Firefighter Jesse Gerhard's Death after Battling House Fire," *Newsday*, February 18, 2022, <https://www.newsday.com/news/new-york/jesse-gerhard-fdny-firefighter-dies-w39644>; Bob Hennelly, "FDNY Top Doc Rules Out COVID in Tragic Deaths of Four Firefighters; Questions and Concerns Remain," *LaborPress*, March 10, 2022, <https://www.laborpress.org/fdny-top-doc-rules-out-covid-in-tragic-deaths-of-four-firefighters-questions-and-concerns-remain/>.

³⁸⁰ Bravest for Choice (@bravestforchoice), "It's time we hold leadership and our medical professionals accountable," Instagram, March 15, 2021, <https://www.instagram.com/p/CbHyiVjOjwf/?hl=en>

³⁸¹ Uniformed Fire Officer's Association, "Vaccine Concerns" (Email sent to members on 2/18/2022); Thomas Tracy and Elizabeth Keogh, "FDNY Union Asks If COVID Vaccines Caused Firefighter Deaths," *Daily News (NY)*, February 19, 2022, <https://www.nydailynews.com/coronavirus/ny-covid-fdny-union-leader-vaccine-20220220-d4dreh7sp5hsnjqdpibkd56ulu-story.html>.

Bravest for Choice, like, Firefighters 4 Freedom and, to a lesser extent, the Chicago Police Department, eventually succumbed to the reality of the court system. In January of 2022, in the first month of a new administration, Mayor Eric Adams sent termination letters to firefighters who remained on LWOP.³⁸² New York City firefighters had one week to get vaccinated, or else be fired. The UFOA, UFA and Bravest for Choice made one last attempt to defeat the mandate, pleading in the press and pointing to a new variant that had spread equally throughout vaccinated and unvaccinated populations.³⁸³ But by that point, the city had won every legal case challenging both the constitutionality and whether the mandates violated collective bargaining. Each decision had been found the October 20 mandate to be a constitutional regulation in response to a public health emergency, and not a changed condition of employment. Many firefighters finally relented to the vaccine, others resigned, and fewer than five employees were terminated.

B. EVLN AND TWO FACES ANALYSIS

In New York, firefighters formed anti-mandate resistance in many of the same ways as Los Angeles. Bravest for Choice was organized using internet-based messaging applications, appointing leaders and dividing responsibilities in an open, democratic forum. They planned protests and harnessed widespread energy over a specific issue, with public speaking engagements and media appearances. A Bravest for Choice website was built, establishing a non-profit and merchandising capabilities that helped pay for a legal strategy that was, like Firefighters 4 Freedom, built separately and distinct from that of their unions.

However, the two movements also differ in noticeable, important ways. While both memberships were to some extent mobilized in part due to passivity—whether perceived or real—on behalf of their labor representatives, the two organizations responded to that passivity in different ways. Whereas Firefighters 4 Freedom disavowed exiting the union

³⁸² Myles Miller and Andrew Siff, “NYC’s Unvaccinated Workforce Faces Feb. 11 Termination Without Proof of Shots,” *NBC New York*, January 31, 2022, <https://www.nbcnewyork.com/news/coronavirus/termination-date-set-for-unvaccinated-nypd-officers-union/3524922/>.

³⁸³ Priscilla DeGregory, “NYC Union Workers Sue to Stop City from Firing Unvaccinated Employees,” *New York Post*, February 9, 2022, <https://nypost.com/2022/02/09/nyc-union-workers-sue-to-stop-city-from-firing-unvaccinated-employees/>.

and criticized UFLAC while simultaneously trying to remain a partner, Bravest for Choice engaged in a strategy that is more adversarial to the UFA and the UFOA, the separate unions representing New York City firefighters. While their union has been a party to numerous actions fighting the mandate, they also sued their unions in court. The organization engaged in separate political activity, like Firefighters 4 Freedom, but Bravest for Choice have, unlike their colleague in Los Angeles, gone further to endorse candidates that are directly opposed to the endorsements of their respective unions. And perhaps most importantly, Bravest for Choice at times advocated for exiting from the UFA and the UFOA.

The option of exit, then, must be considered in applying the EVLN framework. Leaving one's union, or exiting, could certainly be an effective way of communicating that you are displeased with their decisions. Further, as will be discussed, there are now lower barriers to exiting one's public sector union than there would have been in certain states for the last 60 years. However, those costs are high, as one would lose the protection of the union and it would be uncertain whether other dissenters would follow.³⁸⁴ Worse yet, activists would lose their ability to use voice in communicating their discontent, and thus any possibility of changing the official position of the union. For instance, while Bravest for Choice named the unions in their legal complaint, they also partnered with the UFA in June of 2022 to test for anti-bodies amongst firefighters; despite suing their own union, the union remained receptive to their voice.³⁸⁵ The UFOA, for its part, released an official statement asking for an inquiry into whether there is any relationship between adverse conditions (including death) experienced by members and the vaccine itself.³⁸⁶ These actions by the UFA and UFOA may not have occurred if activists within Bravest for Choice, including those not formally aligned with the organization but against the mandate,

³⁸⁴ In New York, employees who leave their public sector union are prohibited from any benefits of union membership such as pension calculations or legal representation. *See* Max Parrott, "Cuomo's Anti-Janus Labor Law May Divide Workers, Critics Contend," *City & State New York*, accessed August 14, 2022, <https://www.cityandstateny.com/policy/2018/06/cuomos-anti-janus-labor-law-may-divide-workers-critics-contend/178318/>.

³⁸⁵ Bravest for Choice (@bravestforchoice), "If you are a firefighter/officer, ems worker or police officer," Instagram, June 4, 2022, https://www.instagram.com/p/CeYzY_4L2HD/?hl=en

³⁸⁶ Uniformed Fire Officer's Association, "Vaccine Concerns."

had cut ties with the union completely. Yet as with Los Angeles above, the EVLN framework is able to explain the ability of employees to express discontent with an organization through two separate means.

Likewise, the two voices framework is inadequate in predicting how outside pressures can affect the decision-making processes of unions. Bravest for Choice endorses candidates who, in its view, are most likely to fulfill their policy goals of ending mandates, regardless of whether these candidates will be beneficial to other union priorities. The organization has also expressed support for initiatives that are outside of the specific policy area of vaccine mandates, such as rising crime in New York City and conditions that led to a tragic Bronx fire that left 17 civilians dead.³⁸⁷ Like Firefighters 4 Freedom, Bravest for Choice can freely pursue the goals of ending the mandate by using the same personalized and polarized political messaging without balancing the use of “collective voice” against the economic interests that unions must strike in order to build political relationships with the same employer they most oftentimes fight against. Bravest for Choice, for instance, has endorsed two separate candidates against Governor Kathy Hochul of New York, who has supported vaccine mandates.³⁸⁸ Yet, in her time as Governor of New York, Kathy Hochul has signed bills extending coverage to firefighters sick with Parkinson’s and equalized benefits for junior firefighters with those more senior.³⁸⁹ The union must calculate the benefits and risks of endorsing a candidate who may help economic conditions while hurting certain “collective voice” concerns. Bravest for Choice can ignore such compromising calculations while pursuing their main goal.

³⁸⁷ Bravest for Choice (@bravestforchoice), “This is disgraceful and a total mismanagement of taxpayer funding. The families deserve answers!” Instagram, March 15, 2022, https://www.instagram.com/p/CeYzY_4L2HD/?hl=en; Bravest for Choice (@bravestforchoice), “Don’t talk about it, be about it.” Instagram, April 15, 2022, <https://www.instagram.com/p/CcY1JfYjW9M/?hl=en>

³⁸⁸ Bravest for Choice (@bravestforchoice), “#defeatthemandates Let’s bring New York City and NYS back from the brink of self destruction.” Instagram, June 20, 2022, <https://www.instagram.com/p/CfDGo09jzX0/?hl=en>; Bravest for Choice (@bravestforchoice), “We will continue to stand up for our rights,” Instagram, August 4, 2022, https://www.instagram.com/p/Cg15zpdwfo/?img_index=1

³⁸⁹ FDNY UFA (@UFANYC), “The UFA announces that Senate Bill S4233A for the 2021–2022 Legislative Session, which relates to disability retirement benefits for the presumption of Parkinson’s Disease for paid firefighters, was signed by @GovKathyHochul on 12/21/21,” Twitter, December 23, 2021. 9:23 a.m. <https://twitter.com/UFANYC/status/1474024103573176338>

Previous scholarship on the behavior and political calculations of unions are extremely helpful in understanding the reaction of Chicago's FOP, UFLAC in Los Angeles, and both the UFA and UFOA in New York City. Other frameworks are also useful. Both Michel's "iron law" and Mills' criticisms of mid-century union bureaucracy, for instance, are helpful in framing how the decisions of union leadership can be disconnected from the immediate concerns of their members. Lipset's theory on the conservative nature of American unionism, discussed in the literature review, certainly helps to understand many of the political positions that firefighter and police unions have held during the reaction to vaccines. Yet, the analysis within these chapters discuss the deficiencies of this scholarship. The existing frameworks do not adequately explain much of the behavior of union leadership and their members, nor can they account for the organizing capabilities of the activists who pressured these organizations. While in Chicago EVLN and two faces frameworks do not account for the aggressive behavior of union leadership, in New York and Los Angeles they fail to conceive of interest groups that used a new form of political messaging to usurp union messaging with a personalized form of communication. There must be, then, social and political factors that were unaccounted for by previous theorists who contributed to the field of labor unions.

VII. FINDINGS AND CONCLUSIONS

This thesis sought to research which social, political, and cultural factors influenced the reaction of three public sector labor unions. While the EVLN and two faces frameworks were helpful in analyzing the actions of unions, other incentives, motives, and changes shaped the responses that were specific to the current political and social era. As society changes, existing political institutions, such as unions, will change with it. Research of the three cities reveals this changing political landscape, and provides evidence of sociopolitical changes that existing frameworks cannot explain. The changes have been identified by an analysis of interviews with union leaders, social media content, legal filings, and the activism anti-vaccine firefighters and police officers documented via numerous media outlets. Many of these trends have been discussed by political commentators as affecting American culture, society, and politics beyond non-governmental groups such as unions, while others have been identified by those within the labor movement. Nonetheless, union members are not immune to these changes, which analysts have identified as important factors affecting the political landscape writ large. The three changes identified are technological change, political tribalization, and new jurisprudence affecting public sector unions.

A. SOCIAL MEDIA, TECHNOLOGY, AND THE NEW MEDIA LANDSCAPE

New technology is changing how organizations such as unions act both substantively and procedurally. Procedurally, COVID-19 forced all organizations to adapt to virtual and remote communication, allowing these technological innovations to have greater influence in operations. Public sector unions have had to contend with this reality, moving union meetings to Zoom and delivering services to members through virtual modes. Traditionally, meetings occurred monthly and were attended by representatives or delegates chosen often due to the experience and seniority.³⁹⁰ Often, meeting attendees consisted largely of these delegates, who were disproportionately older and concerned with

³⁹⁰ Interview with Jim McCarthy.

issues that affected the later stages of their career such as retirement or health plans. Others would receive their information from the more senior delegate. But virtual meetings lower the barrier to attendance, allowing easier access for those who would not traditionally take the time to attend an in-person meeting. Younger members, more comfortable with technology, are now able to attend a meeting while at work or home. UFOA meetings have seen an 100% increase in meeting attendance while meetings have taken place on Zoom.³⁹¹ No longer is the agenda discussed by a smaller population of delegates and more committed union members.

These procedural changes are not limited to virtual meetings. Unions can now activate political engagement through social media, emails, and text messages, asking their members to protest or help campaign for specific issues with greater speed and efficiency. As was seen with the UFA, unions can poll members to see where they stand on specific issues, thus fostering responsive leadership and democracy.³⁹² The UFA was able to gauge sentiment on a specific issue and identify vaccine hesitancy, assuring the political position was based on consensus rather than expedience. The UFOA is currently researching the possibility of virtual elections, hoping to increase the voter participation rate.³⁹³ The Chicago FOP offered not just meetings using virtual technology, but weekly updates on social media, and during the challenge to the mandates, updates often more than twice per week. Other parts of the labor movement have even leveraged technology to increase unionization drives through messaging applications and technology, circumventing management's traditional advantage in communication within the workplace.³⁹⁴ Perhaps due to this, unionization rates are increasing in younger, more educated sectors of the workforce such as baristas and journalists. Virtual tools thus offer union members more

³⁹¹ Each monthly "President's Report" of the UFOA shows the previous month's attendance.

³⁹² Sara Dorn, "More than Half in FDNY Say They'll Refuse COVID-19 Vaccine."

³⁹³ UFOA, Presidents Report, April 2021.

³⁹⁴ "Electing Union Officers Using Remote Electronic Voting Systems," U.S. Department of Labor, accessed August 15, 2022, <https://www.dol.gov/agencies/olms/compliance-assistance/tips/remote-electronic-voting-systems>; Ken Green, "How Organizers Can Use Digital Tools To Win a Union Election," *UnionTrack*® (blog), March 1, 2022, <https://uniontrack.com/blog/digital-tools-union-election>.

transparency and more access to their leaders, while offering unions the possibility of representing more workers.

But these changes to technological tools are also available to others. Traditionally, union meetings offered a forum with in workers could communicate their concerns in a physical space. Unions owned or rented a hall, the A/V equipment, and the chairs in which members sat. The advantage that the unions possessed by regulating the physical meeting space does not exist any longer. Messaging applications such as Telegram offer open forums of discussion for union members to discuss whether they agree with their leaders' organizational decisions. Other virtual tools offer business registration, web design, and merchandise. In Los Angeles, members communicated on Telegram and within one week were able to identify which firefighters knew of legal issues, which had marketing backgrounds to specialize in social media, who could be responsible for registering an LLC, and who among them knew how to organize a meeting with a logo, equipment, and space for hundreds.³⁹⁵ Soon after that they developed by-laws and rules to regulate their own behavior.³⁹⁶ Within a week they were able to replicate union infrastructure and within a month they were a functioning organization with their own democratic safeguards. The organizational barriers to entry for political advocacy are thus lower than they have been in previous decades when many of the aforementioned academic frameworks were developed.

Because of these technological advances, many activist movements have changed their organizational structure. Some have done away with structure entirely, choosing instead to make decisions based independently without a hierarchical decision-making process as in a traditional union. These are often called leaderless movements, or leaderless resistance, in which, according to sociologist Matthew Sweeny, members exist in a “horizontal structure” and may “give ideological support, but they do not dictate tactical or

³⁹⁵ Interview with Mark Zizi.

³⁹⁶ Appendix A, Firefighters 4 Freedom by laws.

operational activities.”³⁹⁷ Examples of leaderless resistance range from the social media-driven protests in the Arab Spring, the anarchist-inspired Occupy Wall Street movement, and Hong Kong’s Umbrella Movement to resist Chinese authority.³⁹⁸ But just because these movements lack the organizational structure of traditional protest groups does not mean influence on collective decisions are equally spread throughout all members and participants. Rather, as Hai Lang and Francis Lee write in their analysis of leaderless movements, “social influence is inevitably unevenly distributed across participants, so informal and diffused leaders do exist.”³⁹⁹ In other words, the modes of decision-making in protest, resistance, and other political movements are decentralized and less constrained by institutional norms such as constitutions, by laws, and organizational norms. An ability to manipulate perfect democratic consensus will still exist, however, as some will possess influence and social capital and others will not.

But more than the changes in *how* people communicate in groups, technology has also changed *what* they communicate about. During the growth of the internet in the early 2000s, there were hopes that the increased access to information and knowledge would lead to an improvement in discourse, and a more informed citizenry.⁴⁰⁰ Older forms of media such as newspapers and television networks were owned by a small oligarchy of rich individuals, who decided which stories would be placed on their headline and what information people would consume. The internet allowed a “democratization of information,” allowing for smaller media sources to enter the market.⁴⁰¹ Smaller web-based media sources could now break news, blogs could comment on them, and “citizen

³⁹⁷ Matthew M. Sweeney, “Leaderless Resistance and the Truly Leaderless: A Case Study Test of the Literature-Based Findings,” *Studies in Conflict and Terrorism* 42, no. 7 (July 3, 2019): 618, <https://doi.org/10.1080/1057610X.2017.1407480>.

³⁹⁸ Wai Kit Choi, “From Occupy Wall Street to the Umbrella Movement: Leaderless Uprising Explained,” *Perspectives on Global Development and Technology* 17, no. 1–2 (February 13, 2018): 220–35, <https://doi.org/10.1163/15691497-12341475>.

³⁹⁹ Hai Liang and Francis L.F. Lee, “Opinion Leadership in a Leaderless Movement: Discussion of the Anti-Extradition Bill Movement in the ‘LIHKG’ Web Forum,” *Social Movement Studies*, October 16, 2021, 1–19, <https://doi.org/10.1080/14742837.2021.1989294>.

⁴⁰⁰ Robert Wright, *Nonzero: The Logic of Human Destiny*, 1. Vintage Books ed (New York: Vintage, 2001).

⁴⁰¹ Peter Ferdinand, “The Internet, Democracy and Democratization,” *Democratization* 7, no. 1 (March 1, 2000): 1–17, <https://doi.org/10.1080/13510340008403642>.

journalists” could record events in the streets and show information to the world that was once based on the decisions of corporations.⁴⁰² To some extent, this exact process of democratization occurred in Los Angeles and New York. When their respective unions informed the members that vaccine mandates were inevitable from a legal standpoint, individuals pooled resources to engage in collective action, pressuring their unions to act more aggressively. Through these pooled resources, they were able to direct their own policy and perhaps change that of the unions.

But social media is not simply the democratization of information. While it certainly has the possibility to redistribute power from those who originally possessed it—whether they are dictators or incumbent union leaders—who that power is redistributed to poses problems for traditional democratic institutions. Information has not been democratized so much as the power over it has shifted to different actors. This shift has often been referred to as “disintermediation,” which according to P.W. Singer and Emerson Brooking in their book *Like War*, is “how, by removing the need for in between services, the internet would disrupt all sorts of long standing industries.”⁴⁰³ This process refers to consumer access, such as the rise of Amazon, or the way companies such as Uber and Lyft change the way we travel. It also refers to information and political power. The internet has changed the sources from which citizens receive their news and the way political parties nominate and endorse candidates, in turn changing which issues we pay attention to. It is also occurring, apparently, in labor unions. Thousands of union members in Los Angeles and New York can now receive their information about lawsuits not solely from their elected leaders, but from the leaders of advocacy groups who leverage social media to gain their attention. These sources are able to frame issues differently depending on their motives, goals, and biases. In the three cities researched throughout this thesis, new sources of information were able to deliver alternative narratives about the constitutionality of vaccine mandates than those of their elected leaders.

⁴⁰² Luke Goode, “Social News, Citizen Journalism and Democracy,” *New Media and Society* 11, no. 8 (December 2009): 1287–1305, <https://doi.org/10.1177/1461444809341393>.

⁴⁰³ P. W. Singer and Emerson T. Brooking, *Likewar: The Weaponization of Social Media* (Boston: Mariner Books, 2018).

Not all sources of information are equal. Some lack the resources of more well-established media institutions to assure consumers are provided with well-researched information. Others are clouded by bias or political partisanship. Still others are intentionally providing untrue information for specific social or political purposes. This is often referred to as misinformation and disinformation. The use of misinformation for political gain has been often used throughout world history, such as when Russia published a fake document purported to be written by Jewish religious leaders documenting an attempt to take over the world.⁴⁰⁴ But social media and the internet age allow this information to be spread at a higher rate of speed and render fake information easier to conceal. The biggest recent examples of misinformation include claims that a pizzeria in Washington, D.C., was actually a staging ground for child abuse, or that the tragic killing of children in Sandy Hook, Connecticut never actually occurred.⁴⁰⁵ The ability to reach people with false or misleading information has never been easier thanks to the speed of information and social media platforms with which to share it. Many of these “fake news” or instances of misinformation are spread by very few sources, suggesting that in fact that the exchange of information has not been democratized.⁴⁰⁶

This research does not focus on the veracity of the claims made by groups opposing the mandate and therefore will not classify any claims against the vaccine as misinformation or disinformation. Many have, however, accused the anti-vaccine movement of engaging in misinformation. Groups opposing vaccines have claimed that they can cause autism, a claim without any credible basis, and that the VAERS database

⁴⁰⁴ Sergei Nilus, *The Protocols of Zion*, (European Freedom Publications, 2019).

⁴⁰⁵ Gregor Aisch, Jon Huang, and Cecilia Kang, “Dissecting the #PizzaGate Conspiracy Theories,” *The New York Times*, December 10, 2016, sec. Business, <https://www.nytimes.com/interactive/2016/12/10/business/media/pizzagate.html>; Dave Davies, “Sandy Hook Ushered in New Era of Conspiracy and Lies, Author Finds,” *NPR*, March 9, 2022, sec. Author Interviews, <https://www.npr.org/2022/03/09/1084912392/sandy-hook-hoax-elizabeth-williamson>.

⁴⁰⁶ Shannon Bond, “Just 12 People Are Behind Most Vaccine Hoaxes On Social Media, Research Shows,” *NPR*, May 14, 2021, <https://www.npr.org/2021/05/13/996570855/disinformation-dozen-test-facebooks-titters-ability-to-curb-vaccine-hoaxes>.

contains proof of thousands of records of Americans dying from vaccines.⁴⁰⁷ Firefighters 4 Freedom and Bravest for Choice both believe that vaccines are unnecessary for firefighters and may, in fact, have adverse consequences for those being forced to take them. Given the decreased efficacy of the vaccines over time, this belief has some rational basis in science and data. They have both posted information, however, that is based on little evidence, and that many would consider disinformation.

Many of these posts could be considered by some to be misinformation. Bravest for Choice has alleged that the death of a New York City firefighter was due to the vaccine, a claim that is currently unsubstantiated.⁴⁰⁸ Firefighters 4 Freedom has claimed that vaccines are responsible for more lost lives than the terrorist attacks of September 11, 2001.⁴⁰⁹ Regardless of the veracity of these claims, they are political messages made by independent organizations, which establish their own rules for policy positions, manage their own risk for claiming falsehoods, and are accountable to a smaller pool of highly engaged activists. Unions, on the other hand, have established relationships with political entities, have elections for board members who are tasked with selecting policy positions, and are accountable to a larger pool of stakeholders who hold a broader spectrum of experiences and views on issues. Naturally, they must be careful in their political messaging to not disturb these relationships and are accountable to this broad spectrum of views held by members at meetings and through the electoral process.

While the UFOA expressed concerns over the injuries experienced by its members, it did so without the conclusory nature of F4F and Bravest For Choice messaging. Mark Zizi, who helps coordinate messaging on social media for F4F, noted this in interviews. When messages are found to be too polarizing, he noted, “we try to identify it and fix it.”

⁴⁰⁷ Amy Dusto, “What VAERS Is (And Isn’t),” Johns Hopkins Bloomberg Public School of Health, May 3, 2022, <https://publichealth.jhu.edu/2022/what-vaers-is-and-isnt/>; Michael Davidson, “Vaccination as a Cause of Autism—Myths and Controversies,” *Dialogues in Clinical Neuroscience* 19, no. 4 (December 2017): 403–7, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5789217/>.

⁴⁰⁸ Bravest for Choice, “It’s time we hold leadership and our medical professionals accountable.”

⁴⁰⁹ Firefighters 4 Freedom (@firefighters4freedom), “NEVER FORGET. Everyone must go this November.” Instagram, July 8, 2022, <https://www.instagram.com/p/CfxCE77Pbd3/>

F4F is able to experiment with this often volatile messaging. While the purpose of the organization is to defeat vaccine mandates by mobilizing activists (and presumably to persuade as many people as possible), they face a different calculation, as do the unions to which they belong. Interviews with union leaders expressed a concern over advocating for all members with diverse views, and therefore these organizations sought to avoid confrontation with their dues paying members, who also have a vote in their process. Why these activist groups choose to engage in emotional messaging such as comparing vaccines to terrorist attacks, however, is discussed in the following section.

B. TRIBALIZATION

Because of the new way in which information is delivered to citizens, Americans also feel more passionately about their political beliefs and are reorganizing themselves based on new alliances. Many group affiliations, and the levels of loyalty to these groups, will become antiquated as these new affiliations calcify due to emotion. This hardening of political, emotional, and social connections is often referred to as tribalization. Jamie Bartlett writes in his book *The People vs. Tech*, “Information overload and connectivity has encouraged a divisive form of emotional tribal politics in which loyalty to the group and anger outrank reason and compromise.”⁴¹⁰ Tribalization is often referred to as the process by which citizens reorganize themselves based on new issues or identities. The process has been aided and abetted by the personalization of politics (or individuation), homophily, and polarization.

1. Personalization of Politics

The personalization of politics begins with the declining loyalty that many Americans feel towards traditional group associations. Declines in church attendance, civic group membership, and even family involvement were all discussed in Robert Putnam’s *Bowling Alone* as signs of a changing country. Since the 1960s Americans have seen declining levels of participation and identification with these affiliations that were built in

⁴¹⁰ Jamie Bartlett, *The People vs. Tech: How the Internet Is Killing Democracy (and How We Save It)* (London: Ebury Press, 2018), 21.

the earlier half of the 20th century.⁴¹¹ Humans still feel the draw of social bonds, however. The new tools that change the way citizens process information discussed earlier also give them a new opportunity to bond socially. W. Lance Bennet writes in his article on personalization that “social fragmentation and the decline of group loyalties have given rise to an era of personalized politics in which individually expressed personal action frames displace collective action frames in many protest causes.”⁴¹² The replacement of traditional loyalties, according to Bennet and others, is the rise of large-scale and diverse issues that appeal to emotional and largely personal values. Examples of such are “the 99%” on the left, which frames economic inequality, or “the elites” on the right, which have sought to personalize the sense of powerlessness many people feel in modern American culture. Individuals, unmoored from their traditional allegiances, are more likely to be attracted to the personalized messages that appeal to their values as an individual, leading many to refer to this process as “individuation.”⁴¹³

Individuation occurred in two of the municipalities discussed in the previous chapters. In Los Angeles and New York, groups took advantage of declining identification with the historically salient bond of union members. But as union participation rates (in addition to unionization rates) have decreased throughout the 20th century, firefighters still search for organizational bonds that reflect their values. The Bravest for Choice and Firefighters 4 Freedom groups did not frame their message in economic terms that unions have traditionally used, discussing class or wages. Their interests were not even limited to defeating the mandate within their own jurisdiction. Rather, they consistently framed their struggle as a global issue for liberty and the wellness of children. Videos were posted framing the fight against mandates as one of the largest movements against tyranny in the world history. Not simply limiting their fight to mandates, both groups would post against lockdowns, school closures, and mask mandates. These groups found new issues and

⁴¹¹ Putnam, *Bowling Alone*, 52–53.

⁴¹² W. Lance Bennett, “The Personalization of Politics: Political Identity, Social Media, and Changing Patterns of Participation,” *The ANNALS of the American Academy of Political and Social Science* 644, no. 1 (November 2012): 20, <https://doi.org/10.1177/0002716212451428>.

⁴¹³ Bennett, 22.

messages that appealed to the values that are important to individuals today to build new, broad affiliations for the purposes of collective action. Like other movements in the era of personalization and individuation, such as those against systemic racism or the Tea Party, the anti-vaccine movement can see evidence of its own struggle everywhere. It thus serves as a new, yet strong, form of group affiliation.

2. Homophily

While Americans build new kinds of group affiliations that appeal to their values (and see evidence confirming their affiliation everywhere), they are also less likely to engage with those who disagree with them. They speak less with those who disagree with them and receive their news from specific sources that confirm their frameworks and perspectives.⁴¹⁴ This process is often referred to as “homophily,” which is defined as “a common tendency for people to be drawn to those they perceive to be most like themselves.”⁴¹⁵ Informally, homophily can be referred to as “echo chambers” and can take the form of cable news channels, newspapers with a specific partisan bias, or social media accounts.⁴¹⁶ It can also occur within civic associations. Consuming opposing viewpoints is less likely in American society, and when it does happen, it is less likely to be done for the purposes of learning about others and more for the purposes of instigating those outside of one’s tribe, or “trolling.”

Homophily occurred in all three of the jurisdictions researched in this thesis. In Chicago, John Catanzara became a firebrand against his city, thrusting him into the national spotlight and transforming him into the darling of conservative outlets. As he did so, his message was directed to those more likely to have agreed with him, taking additional positions on national politics. In Los Angeles and New York, videos and other social media

⁴¹⁴ Jennifer Miller, “The One Social-Media Feature That People Still Love,” *The Atlantic*, August 12, 2022, <https://www.theatlantic.com/culture/archive/2022/08/instagram-close-friends-list-useful-privatization/671121/>; Mark Jurkowitz and Amy Mitchell, “A Sore Subject: Almost Half of Americans Have Stopped Talking Politics with Someone,” *Pew Research Center’s Journalism Project* (blog), February 5, 2020, <https://www.pewresearch.org/journalism/2020/02/05/a-sore-subject-almost-half-of-americans-have-stopped-talking-politics-with-someone/>.

⁴¹⁵ *A Dictionary of Social Media*, 1 ed. (Oxford: Oxford University Press, 2016), s.v. “homophily.”

⁴¹⁶ Matteo Cinelli et al., “The Echo Chamber Effect on Social Media,” *Proceedings of the National Academy of Sciences* 118, no. 9 (March 2, 2021): e2023301118, <https://doi.org/10.1073/pnas.2023301118>.

posts from Bravest for Choice and Firefighters 4 Freedom were tailored towards a specific audience that was part of their coalition, and less likely appeal to those who were undecided in their position on vaccines. This message, directed only towards one's most passionate believers, may make the message less appealing towards outsiders. Identifying one's messages with one political party, for instance, will make that message less likely to resonate with those of another political party. This occurred in both New York and Los Angeles, with activists against the vaccine movement more intent on inspiring their believers than with convincing others of their cause.

3. Polarization

The last piece of tribalization is a growing polarization in American society. Polarization is defined as a growing divergence towards ideological extremes. At first glance, such a divergence can appear similar to personalization and homophily. Yet, while those concepts describe shifting allegiances and seclusion from differing perspectives, polarization explains why Americans feel more strongly about these allegiances, and how they feel about their perceived enemies. To be sure, many democracies are undergoing a similar social process whereby political parties and those with opposing social views are retreating further and further away from each other.⁴¹⁷ Countries such as Poland and Hungary have moved away from the liberalism that characterized post-war Europe.⁴¹⁸ Even traditional democracies such as France and England have seen a growing divide on social and political issues. But there is a growing body of research that suggests that the intensity of polarization is greater in the United States than elsewhere in the world, particularly the traditional democracies of western Europe.⁴¹⁹ Along both political and

⁴¹⁷ Thomas Carothers and Andrew O'Donohue, "How to Understand the Global Spread of Political Polarization," Carnegie Endowment for International Peace, October 1, 2019, <https://carnegieendowment.org/2019/10/01/how-to-understand-global-spread-of-political-polarization-pub-79893>.

⁴¹⁸ Nicholas Mulder, "The Revolt against Liberalism: What's Driving Poland and Hungary's Nativist Turn?," *The Guardian*, June 24, 2021, sec. World news, <https://www.theguardian.com/world/2021/jun/24/revolt-against-liberalism-eastern-europe-poland-hungary-nativist-politics>.

⁴¹⁹ Simon Kuper, "Why America Is Dangerously Polarised—and Europe Is Not," *Financial Times*, January 20, 2022, <https://www.ft.com/content/5655ab7c-1152-414e-bd22-67acd06c5c51>.

social lines, the United States has seen views on abortion, police, immigration, and issues of sexuality retreat further to ideological extremes and less likely to compromise.

Yet this political polarization does not merely extend to political viewpoints and policies. It also extends to how people treat each other. Growing rates of Americans claim they would not be in a relationship, or a friendship with those who have different political views as they would, leading dating apps to allow potential mates the option of showing their affiliation on certain polarizing issues to filter through different suitors. One study from the Pew Research Center found that 45% of Democrats and 65% of Republicans would not consider dating a member of the opposite political party. American families are often torn apart by political issues.⁴²⁰ Polarization is not simply affecting politics, but every aspect of American life.

This process has been demonstrated repeatedly in the argument over vaccines. In Chicago, opposition to the vaccine for the workforce quickly became an analogy to Nazi Europe. Los Angeles firefighters transformed their message from one asking for accommodations for those skeptical of the vaccine to building “parallel systems” for all of American society, including military and police services. The leader for Bravest for Choice, in her concern that vaccination may one day become compulsory in schools, advocates for the home schooling movement.⁴²¹ These organizations had changed their mission statements from those that appealed to a broader consensus, such as those who disagreed with a compulsory shot, to those with more of a narrow appeal, such as those who will not send their kids to public schools or believe in building a new military.

C. JANUS

The last change in American society that affects the applicability of the EVLN framework (and to a lesser extent, the two voices approach), are legal changes facing public sector unions. In *Janus v. AFSCME* the Supreme Court of the United States drastically

⁴²⁰ Anna Brown, “Most Democrats Seeking a Relationship Wouldn’t Date a Trump Voter,” Pew Research Center, April 24, 2020, <https://www.pewresearch.org/fact-tank/2020/04/24/most-democrats-who-are-looking-for-a-relationship-would-not-consider-dating-a-trump-voter/>.

⁴²¹ Interview with Sophy Medina, New York Mandate Podcast Episode 1, podcast audio, May 9, 2022.

changed the exit costs for American public sector unions.⁴²² For much of the 20th century, once public sector unions were recognized in *most* states, it was compulsory for all employees represented to pay union fees.⁴²³ In the 1970s, this was challenged in *Abood vs. Detroit Board of Education*.⁴²⁴ In *Abood*, a teacher challenged whether these compulsory union fees violated the plaintiffs right to freedom of speech and freedom of association as protected by the First Amendment. The court in *Abood* found that, while compulsory fees to pay for union political activities were unconstitutional based on the First Amendment, paying a “shop fee” to cover the costs of union representation in contractual matters was not. This jurisprudence remained in the United States for three decades until 2018’s *Janus v. AFSCME*. A similar case had come before the court two years earlier in *Friedrichs*, but the court was deadlocked due to the death of Antonin Scalia leaving only eight members of the court.⁴²⁵ After the election of the Republican Donald Trump solidified the conservative majority of the Supreme Court, the *Abood* decision was overturned in *Janus*. It was found by the Supreme Court that *any* compulsory fee to unions from public sector employees was prohibited by the first amendment.⁴²⁶ *Janus* thus threatened to reshape the strength of union power in the United States if it allowed large swaths of union members to withdraw their fees from the organization.

In the years after the *Janus* decision, union advocates and scholars worried that there would be a slow decline in union power in the political arena.⁴²⁷ The inability to collect shop fees would weaken a union’s ability to negotiate contracts in the workplace,

⁴²² *Janus v. AFSCME*, 138 S. Ct. 2448 (2018).

⁴²³ There is a distinction between right to work states and non-right to work states.

⁴²⁴ *Abood v. Detroit Board of Education*, 97 S. Ct. 1782 (1977).

⁴²⁵ *Friedrichs v. California Teachers Association*, 578 U.S. _ (2016).

⁴²⁶ This is not the case in the private sector, where there is no first amendment protections. They are protected under the NLRA, which approves of mandated fees for workers when a union is certified by an election.

⁴²⁷ Leslie K. Finger and Michael T. Hartney, “Financial Solidarity: The Future of Unions in the Post-*Janus* Era,” *Perspectives on Politics* 19, no. 1 (March 2021): 19–35, <https://doi.org/10.1017/S1537592719003438>; Moriah Balingit and Danielle Douglas-Gabriel, “‘Preparing for the Worst’: Unions Brace for Loss of Members and Fees in Wake of Supreme Court Ruling – The Washington Post,” *Washington Post*, June 27, 2018, <https://www.washingtonpost.com/news/education/wp/2018/06/27/preparing-for-the-worst-unions-brace-for-loss-of-members-and-fees-in-wake-of-supreme-court-ruling/>.

and would weaken unions' ability to endorse and donate to politicians that would be friendly to pro-union policy (this despite the fact that public sector union members could *always* remove their dues for political purposes under *Abood*). However, no such decline has occurred in public sector unions throughout the country. Public sector union membership has remained mostly flat since the *Janus* decision, and the declines in the three unions researched are rare.⁴²⁸ The UFOA has only seen one member exit from the union.⁴²⁹ The Chicago FOP had only one member leave its union despite the internal turmoil that led to an electoral loss for Catanzara in 2022.⁴³⁰ It appears that loyalty is still high in these groups from their high rates of membership.

Yet *Janus* remains a lower barrier to exit for public sector labor unions. More recent research on public sector union membership suggests that lawsuits are now targeting remaining barriers to "exit."⁴³¹ These legal actions target the speed with which government agencies process requests to leave unions and narrow timeframe to request removal. More removal of barriers could lead to accelerated quits, as may political division. Bravest for Choice has linked to information on how employees may quit the teacher's union or the union representing subway workers. The removal of barriers and increased polarization of the membership increases the chances that "exit" will be used in lieu of voice as other issues divide union membership.

This chapter identified three current trends in the American political landscape that unions must contend with when engaging in the decision-making process. Further, while others have noted the political gulf between union leaders and their members before, none of the existing frameworks to analyze the labor movement would have conceived of the technological advancements that have changed political organizing in 2022, and fewer still

⁴²⁸ "By the Numbers: Public Unions' Money and Members Since Janus," Manhattan Institute, April 7, 2022, <https://www.manhattan-institute.org/disalvo-public-unions-money-members-since-janus-v-afscme>.

⁴²⁹ Interview with Jim McCarthy.

⁴³⁰ William Lee, "Black Rookie Chicago Cop Says He's Leaving Police Union over Criticism of Kneeling Officers. 'The FOP Has Not Been Welcoming to Folks like Me,'" *Chicago Tribune*, July 3, 2020, <https://www.chicagotribune.com/news/breaking/ct-black-officer-leaves-cop-union-20200703-dizisd6dwncoji4sxdexrdthjm-story.html>.

⁴³¹ Steven Malanga, "Public-Sector Unions Face Steep Membership Declines," *City Journal*, January 27, 2022, <https://www.city-journal.org/public-sector-unions-face-steep-membership-declines>.

would have theorized that political tribalization would push cultural issues to the forefront of union politics, replacing the traditional issues of economic class and workplace affiliation. The existing theories of unions and the labor movement must adjust to these trends which have changed how workers organize and which battles they choose to fight.

D. CONCLUSION

This thesis sought to analyze the response of labor unions to vaccine mandates by looking at the various constraints and incentives placed on these organizations by their members, their political relationships, and society. The research included various sociologists, political scientists and historians who have analyzed the process in which unions have made decisions, how they manage dissent and consensus, and how they use these processes to agree on goals for the organization. Previous frameworks, this research found, are helpful in understanding the response of public safety unions. Yet the literature discussed in Chapter I does not account for all of the decisions made by these organizations. The issues that unions and their members care about have shifted with the country itself, as organized workers and their leaders are not immune to the changes wrought by new technology, and polarization. Union politics, then, have changed. The question is whether these changes will be dramatic enough to weaken or strengthen the political position these unions hold in their respective cities and the public sector labor movement as a whole.

On the one hand, unions are a democratic institution tasked with representing the will of their members. As representatives of this will, they must advocate for the economic interests of their workers by fighting for favorable wages and contractual terms, *and* fighting for issues in the workplace outside of that narrow economic focus. Whereas building consensus within ranks may be easier for economic and contractual concerns (everyone wants more money, of course), it is these later issues that are more likely to divide. The endorsement of a politician, for instance, who may favor higher wages for firefighters but takes positions against other issues that firefighters may care about (such as criminal justice reform) is likely to divide the loyalties of the union member. Likewise, conceding to discipline a member guilty of offending another at work may appear to some as weakness, but for union leadership may be an attempt to maintain some semblance of

civility to labor-management relations. When union leadership is the primary voice informing members of these relationships and political calculations, as has been traditionally the case, the economic goals and the union identity is likely to be salient. But when others are able to voice concerns (thanks in part to the technological and social changes outlined in this chapter) over these non-economic issues, the contractual goals of the union (and their political positions and relationships they pursue to effectuate those goals) are likely to lose their prominence. Further, the union worker will identify less with the organization and its leadership, and more with the personal political and social beliefs she has.

This is what happened in the reactions of Chicago, Los Angeles, and New York public safety unions to COVID-19 vaccine mandates. Unions were forced to make political calculations over a non-economic issue. This non-economic issue was important to their members because of new, outside voices that are heard because of technological change, the likelihood of issues becoming polarized, and the ability of workers to separate themselves from public unions. The FOP in Chicago decided to invest political resources in the members who felt strongly about an issue, even if it was a minority, defying their mayor and even court orders. UFLAC in Los Angeles charted a different path, offering their nominal opposition to vaccine mandates but losing the loyalty of their members (and perhaps the credibility of their ability to negotiate with management) when those they represent felt they were not fighting hard enough. And New York's firefighter union faced a similar threat when members did not trust their ability to resist the mandate, when leadership was named as a defendant by their own members for failing to represent them, while facing accusations of orchestrating a "sickout" by the media and city management.

It is difficult to tell at this early stage whether the social, political, and legal changes that shaped the reaction of union workers to vaccine mandates will help or hurt the union movement. Technological change offers more communication with union leaders, the ability of less engaged members to attend meetings, and perhaps larger turnout for union elections that some analysts have shown to be superfluous and undemocratic. Tribalization and the reduced salience of union identity may help usher in new ideas that can ensure union policies align with the personal values of members. The ability of union members to

leave may force leadership to be more reactive and transparent about their process for endorsements and expenditures, assuring unions are actually the democratic organizations they claim to be. Yet, these changes may also reduce the loyalty that unions depend on to maintain influence. The changes wrought by the Supreme Court in *Janus* may simply deprive unions of the funds they need to maintain political influence and communicate with members, leading to fewer economic victories in contracts and losses in legislatures.

Unions should, however, prepare for a more engaged and polarized membership, who can voice their disdain for leadership by depriving it of dues. They can do this by embracing certain aspects of technological change to assure engagement with members and promise transparency with policy. Both engagement and transparency can come in different forms. Unions can make sure that their executive leaders are aware of the experiences and challenges members face in their work experiences, they can adjust their meetings and communications formats to be commensurate with members who are generally younger. Election formats can be changed to adapt to technology, and more outreach can assure that challengers have the resources required to face incumbents. Higher turnover will eventually spillover into transparency, as leadership can become more adaptive and less complacent. But unions can, and should, be more communicative about political goals to members, to ensure that they are at the very least kept abreast of the need to invest in these relationships to fulfill the organization's goals.

Reducing leadership incumbency and higher election turnout are unlikely to have preempted the resistance unions faced in their response to COVID-19 vaccine mandates. Legally, all three unions were in a weak position and popular support was against them, yet their workforce, motivated by the polarizing social forces separating much of American society, was intent on holding the line and fighting to the end, willing to risk even their livelihoods. Each organization possessed a fiduciary duty to unvaccinated members to fight, yet each had to make their own calculations on how stiff resistance would be, with Chicago willing to sacrifice more than Los Angeles and New York. All three labor unions, however, have pursued legal and political strategies that will likely shape and change the course of public safety labor relations for years to come.

THIS PAGE INTENTIONALLY LEFT BLANK

LIST OF REFERENCES

- ABC7 Los Angeles. "Los Angeles Employee Vaccine Mandate: Judge Denies LA Firefighters' Union Bid for Injunction," December 5, 2021. <https://abc7.com/los-angeles-firefighters-vaccine-mandate-lafd-united-of/11303602/>.
- ABC7 New York. "18 Fire Companies Close, Trash Piles up amid New York City's COVID Vaccine Mandate," November 2, 2021. <https://abc7ny.com/fdny-vaccines-nyc-vaccine-mandate-covid-19-vaccination-fire-companies-shut-down/11189811/>.
- Aisch, Gregor, Jon Huang, and Cecilia Kang. "Dissecting the #PizzaGate Conspiracy Theories." *The New York Times*, December 10, 2016, sec. Business. <https://www.nytimes.com/interactive/2016/12/10/business/media/pizzagate.html>,
- Akinnibi, Fola. "NYC, Chicago Confront Police-Union Blowback on Vaccine Mandates." Bloomberg, October 20, 2021. <https://www.bloomberg.com/news/articles/2021-10-20/nyc-chicago-confront-police-union-blowback-on-vaccine-mandates>.
- Anna. "Most Democrats Seeking a Relationship Wouldn't Date a Trump Voter." Pew Research Center, April 24, 2020. <https://www.pewresearch.org/fact-tank/2020/04/24/most-democrats-who-are-looking-for-a-relationship-would-not-consider-dating-a-trump-voter/>.
- Archive, Sara. "More than Half in FDNY Say They'll Refuse COVID-19 Vaccine." *New York Post*, December 5, 2020. <https://nypost.com/2020/12/05/these-nyc-first-responders-fear-covid-19-vaccine-side-effects/>.
- Aron, Hillel. "Judge Won't Order LA to Pay Firefighters Fighting Vaccine Mandate." Courthouse News Service, December 20, 2021. <https://www.courthousenews.com/judge-wont-order-la-to-pay-firefighters-fighting-vaccine-mandate/>.
- Attkisson, Sharyl. "Covid-19 Vaccine Analysis: The Most Common Adverse Events Reported so Far." *Sharyl Attkisson* (blog). Accessed August 5, 2022. <https://sharylattkisson.com/2021/08/covid-19-vaccine-analysis-the-most-common-adverse-events-reported-so-far/>.
- Babson, Steve. *The Unfinished Struggle: Turning Points in American Labor, 1877–Present*. Lanham, MD: Rowman & Littlefield, 1999.
- Babwin, Don. "Chicago Mayor Takes Police Union Head to Court over Vaccines." AP News, October 15, 2021. <https://apnews.com/article/coronavirus-pandemic-health-police-chicago-lori-lightfoot-2f7c08e8a5942f24b273bca872766a5b>.

Balevic, Katie. “COVID-19 Vaccine Skeptic Alex Berenson Was ‘permanently’ Banned from Twitter, until Twitter Reinstated Him.” *Insider*, July 18, 2022. <https://www.insider.com/alex-berenson-twitter-covid-vaccine-posts-2021-8>.

Balingit, Moriah, and Danielle Douglas-Gabriel. “‘Preparing for the Worst’: Unions Brace for Loss of Members and Fees in Wake of Supreme Court Ruling – The Washington Post.” *Washington Post*, June 27, 2018. <https://www.washingtonpost.com/news/education/wp/2018/06/27/preparing-for-the-worst-unions-brace-for-loss-of-members-and-fees-in-wake-of-supreme-court-ruling/>.

Balk, Tim, and Michael Gartland. “NYC Mayoral Candidate Eric Adams Endorsed by Uniformed Fire Officers Association.” *NY Daily News*, April 13, 2021. <https://www.nydailynews.com/news/politics/nyc-elections-2021/ny-nyc-mayoral-race-eric-adams-endorsement-ufoa-20210413-eqr7j35adfdg3lk5ilt7h6jbyq-story.html>.

Barr, Luke. “In 2020, 62% of Police Deaths Were Caused by COVID: One Officer’s Story.” *ABC News*, October 14, 2021. <https://abcnews.go.com/Politics/2020-62-police-deaths-caused-covid-officers-story/story?id=80558455>.

Bartlett, Jamie. *The People vs. Tech: How the Internet Is Killing Democracy (and How We Save It)*. London: Ebury Press, 2018.

BBC News. “Covid-19: First Vaccine given in U.S. as Roll-out Begins.” *BBC News*, December 14, 2020. <https://www.bbc.com/news/world-us-canada-55305720>.

“Become a Member of the FOP – Fraternal Order of Police.” Accessed August 4, 2022. <https://fop.net/become-a-member/>.

Bennett, W. Lance. “The Personalization of Politics: Political Identity, Social Media, and Changing Patterns of Participation.” *The ANNALS of the American Academy of Political and Social Science* 644, no. 1 (November 2012): 20–39. <https://doi.org/10.1177/0002716212451428>.

Blanchflower, David G., and Alex Bryson. *Now Unions Increase Job Satisfaction and Well-Being*. Cambridge, MA: National Bureau of Economic Research, 2020. <https://doi.org/10.3386/w27720>.

Bolsen, Toby, and Risa Palm. “Politicization and COVID-19 Vaccine Resistance in the U.S.” In *Progress in Molecular Biology and Translational Science*, 188:81–100. Elsevier, 2022. <https://doi.org/10.1016/bs.pmbts.2021.10.002>.

Bond, Shannon. “Just 12 People Are Behind Most Vaccine Hoaxes On Social Media, Research Shows.” *NPR*. May 14, 2021. <https://www.npr.org/2021/05/13/996570855/disinformation-dozen-test-facebooks-twitters-ability-to-curb-vaccine-hoaxes>.

- Bravest for Choice (@bravestforchoice) Instagram. Accessed January 28, 2023.
<https://www.instagram.com/bravestforchoice/>.
- Byrnes, David. “Chicago City Hall Wins Restraining Order against Police Union Boss in Battle over Vaccine Mandate.” Courthouse News Service, October 15, 2021.
<https://www.courthousenews.com/chicago-city-hall-wins-restraining-order-against-police-union-boss-in-battle-over-vaccine-mandate/>.
- Catholic Church, and Pope John Paul II. *Encyclical Letter on Human Work—Laborem Exercens: On the Ninetieth Anniversary of Rerum Novarum*. Boston: Pauline Books and Media, 1981.
- CBS News. “More Than 100 LA Firefighters Off-Duty Without Pay Due To Vaccine Mandate Non-Compliance,” December 2, 2021. <https://www.cbsnews.com/losangeles/news/judge-mulls-la-firefighters-union-bid-for-injunction-against-vaccine-mandate/>.
- Chang, Cindy. “Coronavirus Threatens to Thin the Ranks of Police and Firefighters on the Front Lines.” *Los Angeles Times*, March 17, 2020. <https://www.latimes.com/california/story/2020-03-17/coronavirus-threatens-to-thin-the-ranks-of-police-firefighters-and-others-on-the-front-lines>.
- Charbonneau, David. “CDC Admits Natural Immunity Trumps Vaccine Immunity—5 Months After Touting Vaccines as Superior” *Children’s Health Defense* (blog). February 2, 2022. <https://childrenshealthdefense.org/defender/cdc-natural-immunity-trumps-vaccine-immunity/>.
- Chayes, Matthew. “Probe Continues into FDNY Firefighter Jesse Gerhard’s Death after Battling House Fire.” *Newsday*, February 18, 2022. <https://www.newsday.com/news/new-york/jesse-gerhard-fdny-firefighter-dies-w39644>.
- Children’s Health Defense. “Big Pharma Archives” *Children’s Health Defense* (blog). Accessed August 7, 2022. https://childrenshealthdefense.org/defender_category/big-pharma/.
- . “Does the FDA Think These Data Justify the First Full Approval of a COVID-19 Vaccine?” *Children’s Health Defense* (blog). Accessed August 6, 2022. <https://childrenshealthdefense.org/defender/peter-doshi-fda-data-approval-covid-vaccine/>.
- Cherone, Heather. “As Final COVID-19 Vaccine Deadline Passes, At Least 1,500 Chicago Police Officers Won’t Have to Get Vaccinated: Lightfoot.” WTTW News, April 14, 2022. <https://news.wttw.com/2022/04/14/final-covid-19-vaccine-deadline-passes-least-1500-chicago-police-officers-won-t-have-get>.

- . “Final Tally: More Than 1,750 Chicago Police Officers Won’t Have to Get Vaccinated | Chicago News | WTTW.” WTTW News, June 20, 2022. <https://news.wttw.com/2022/06/20/final-tally-more-1750-chicago-police-officers-won-t-have-get-vaccinated>.
- . “Vaccine Mandate Upheld for Chicago Police Officers.” WTTW, February 23, 2022. <https://news.wttw.com/2022/02/23/vaccine-mandate-upheld-chicago-police-officers>.
- Choi, Joseph. “NYC Firefighters Union Leader Tells Unvaccinated Members to Defy Mandate.” *The Hill*. October 27, 2021. <https://thehill.com/homenews/state-watch/578851-nyc-firefighters-union-leader-tells-unvaccinated-members-to-defy-mandate/>.
- Choi, Wai Kit. “From Occupy Wall Street to the Umbrella Movement: Leaderless Uprising Explained.” *Perspectives on Global Development and Technology* 17, no. 1–2 (February 13, 2018): 220–35. <https://doi.org/10.1163/15691497-12341475>.
- Cinelli, Matteo, Gianmarco De Francisci Morales, Alessandro Galeazzi, Walter Quattrociocchi, and Michele Starnini. “The Echo Chamber Effect on Social Media.” *Proceedings of the National Academy of Sciences* 118, no. 9 (March 2, 2021): e2023301118. <https://doi.org/10.1073/pnas.2023301118>.
- City of Chicago. “Mayor Lightfoot Provides Update on City Employee Vaccine Policy.” Accessed August 8, 2022. https://www.chicago.gov/content/city/en/depts/mayor/press_room/press_releases/2021/october/CityEmployeeVaccinePolicy.html.
- City of New York. “Mayor de Blasio Announces Vaccine Mandate for New York City Workforce,” October 20, 2021. <http://www1.nyc.gov/office-of-the-mayor/news/698-21/mayor-de-blasio-vaccine-mandate-new-york-city-workforce>.
- Clark, Paul F. “Why Police Unions Are Not Part of the American Labor Movement.” *The Conversation*. Accessed August 2, 2022. <http://theconversation.com/why-police-unions-are-not-part-of-the-american-labor-movement-142538>.
- Clifford, Tyler, and Dan Whitcomb. “NYC Firefighters Union Says Members Should Defy Vaccine Mandate.” *Reuters*. Accessed August 12, 2022. <https://www.reuters.com/world/us/head-new-york-city-firefighters-union-says-members-insulted-by-vaccine-mandate-2021-10-27/>.
- Cole, Lauren. “Catanzara: 23 Years of Misconduct Complaints and Social Media Controversies.” *Chicago Justice Project*, July 13, 2021. <https://chicagojustice.org/2021/07/13/john-catanzara-misconduct-social-media/>.

- Colgrove, James, and Sara J. Samuel. "Freedom, Rights, and Vaccine Refusal: The History of an Idea." *American Journal of Public Health* 112, no. 2 (February 2022): 234–41. <https://doi.org/10.2105/AJPH.2021.306504>.
- Dahl, Robert A. *After the Revolution? Authority in a Good Society*. New Haven, CT: Yale University Press, 1970.
- Dahl, Robert Alan. *Who Governs? Democracy and Power in an American City*. New Haven, CT: Yale University Press, 1989.
- Davidson, Michael. "Vaccination as a Cause of Autism—Myths and Controversies." *Dialogues in Clinical Neuroscience* 19, no. 4 (December 2017): 403–7.
- Davies, Dave. "Sandy Hook Ushered in New Era of Conspiracy and Lies, Author Finds." *NPR*, March 9, 2022, sec. Author Interviews. <https://www.npr.org/2022/03/09/1084912392/sandy-hook-hoax-elizabeth-williamson>.
- DeGregory, Priscilla. "NYC Union Workers Sue to Stop City from Firing Unvaccinated Employees." *New York Post*, February 9, 2022. <https://nypost.com/2022/02/09/nyc-union-workers-sue-to-stop-city-from-firing-unvaccinated-employees/>.
- Department of Labor. "WORK Center—Unions in Our Communities and Democracy." Accessed March 27, 2023. <http://www.dol.gov/general/workcenter/unions-and-democracy>.
- DeRousse, John W. "Morale's Role in the Public Sector." Master's thesis, Naval Postgraduate School, 2015. <http://hdl.handle.net/10945/47248>.
- Desilver, Drew. "In Past Elections, U.S. Trailed Most Developed Countries in Voter Turnout." Pew Research Center, November 3, 2020. <https://www.pewresearch.org/fact-tank/2020/11/03/in-past-elections-u-s-trailed-most-developed-countries-in-voter-turnout/>.
- DiSalvo, Daniel. *Are Unions Democratic? The Internal Politics of Labor Unions and Their Implications*. New York: Manhattan Institute, 2014. <https://www.manhattan-institute.org/html/are-unions-democratic-internal-politics-labor-unions-and-their-implications-5819.html>.
- . "Interest Groups, Local Politics, and Police Unions." *Interest Groups & Advocacy* 11 (2022): 263–77. <https://doi.org/10.1057/s41309-021-00146-9>.
- Dubofsky, Melvyn, and Joseph Anthony McCartin. *Labor in America: A History*. West Sussex, UK: Wiley Blackwell, 2017.
- . *We Shall Be All: A History of the Industrial Workers of the World*. Urbana, IL: University of Illinois Press, 2000.

- Dusto, Amy. “What VAERS Is (And Isn’t) | Johns Hopkins | Bloomberg School of Public Health.” Johns Hopkins Bloomberg Public School of Health, May 3, 2022. <https://publichealth.jhu.edu/2022/what-vaers-is-and-isnt>.
- Edelman, Susan, and Melissa Klein. “FDNY Won’t Require Medics, Firefighters to Get COVID Vaccine.” *New York Post*, November 28, 2020. <https://nypost.com/2020/11/28/fdny-wont-require-medics-firefighters-to-get-covid-vaccine/>.
- Eyewitness News. “Coronavirus Update New York City: FDNY Receives COVID-19 Vaccine, but NYPD Will Have to Wait.” ABC7 New York, December 29, 2020. <https://abc7ny.com/fdny-vaccine-covid-coronavirus-nypd/9165379/>.
- Fenton, Reuven, and Sam Raskin. “FDNY Union Boss Warn of Slow Response Due to COVID-19 Mandate.” *New York Post*, November 1, 2021. <https://nypost.com/2021/11/01/fdny-union-boss-warn-of-slow-response-due-to-covid-19-mandate/>.
- Ferdinand, Peter. “The Internet, Democracy and Democratization.” *Democratization* 7, no. 1 (March 1, 2000): 1–17. <https://doi.org/10.1080/13510340008403642>.
- Feuer, Will. “More than 1,000 NYPD Officers Are Infected with Coronavirus.” CNBC, April 1, 2020. <https://www.cnbc.com/2020/04/01/more-than-1000-new-york-city-police-officers-are-infected-with-coronavirus.html>.
- Finger, Leslie K., and Michael T. Hartney. “Financial Solidarity: The Future of Unions in the Post-Janus Era.” *Perspectives on Politics* 19, no. 1 (March 2021): 19–35. <https://doi.org/10.1017/S1537592719003438>.
- FireRescue1. “IAFF Endorsement of Biden Draws Ire.” Accessed August 3, 2022. <https://www.firerescue1.com/politics/articles/iaff-endorsement-of-biden-draws-ire-gtQ6Oek9G5YMw3St/>.
- . “Los Angeles Has Terminated 12 LAFD Firefighters over COVID-19 Vaccination Requirements,” March 23, 2022. <https://www.firerescue1.com/coronavirus-covid-19/articles/los-angeles-has-terminated-12-lafd-firefighters-over-covid-19-vaccination-requirements-KTb1Fx5mHC5esRYa/>.
- Fisher, Barbara Loe. “COVID-19 Spin–NVIC Newsletter.” NVIC. Accessed August 5, 2022. <https://www.nvic.org/newsletter/apr-2021/seeing-through-the-covid-19-spin>.
- Food and Drug Administration. “FDA Takes Additional Action in Fight against COVID-19 By Issuing Emergency Use Authorization for Second COVID-19 Vaccine.” FDA. December 18, 2020. <https://www.fda.gov/news-events/press-announcements/fda-takes-additional-action-fight-against-covid-19-issuing-emergency-use-authorization-second-covid>.

- FOP Chicago Lodge 7. “FOP Chicago Lodge 7.” YouTube. Accessed August 6, 2022. <https://www.youtube.com/channel/UCsgF4xK6bMBq-skO86I-mHw>.
- Fraternal Order of Police Lodge No. 7 v. City of Chicago, No. 2021CH05275 (n.d.).
- Freeman, Joshua Benjamin. *Working-Class New York: Life and Labor since World War II*. New York: New Press, 2000.
- Freeman, Richard B., and James L. Medoff. *What Do Unions Do?* New York: Basic Books, 1992.
- Freeman, Richard, and James Medoff. *The Two Faces of Unionism*. Cambridge, MA: National Bureau of Economic Research, 1979. <https://doi.org/10.3386/w0364>.
- Friedman, Samuel R. “Game Theory and Labor Conflict: Limits of Rational Choice Models.” *Sociological Perspectives* 26, no. 4 (1983): 375–97. <https://doi.org/10.2307/1389191>.
- Gall, Christen. “Most Americans Continue to Support Vaccine Mandates—and Want More.” *Northwestern Now*, October 13, 2021. <https://news.northwestern.edu/stories/2021/10/survey-shows-most-americans-continue-to-support-vaccine-mandatesand-want-more/>
- Geddes, Linda. “Joe Rogan’s Covid Claims: What Does the Science Actually Say?” *The Guardian*, January 31, 2022. <https://www.theguardian.com/culture/2022/jan/31/joe-rogan-covid-claims-what-does-the-science-actually-say>.
- Goldenberg, Maya J. *Vaccine Hesitancy: Public Trust, Expertise, and the War on Science*. Pittsburgh, PA: University of Pittsburgh Press, 2021. ProQuest Ebook Central.
- Goldfield, Michael. “Public Sector Union Growth and Public Policy.” *Policy Studies Journal* 18, no. 2 (1989): 404–20. <https://doi.org/10.1111/j.1541-0072.1989.tb00843.x>.
- Golway, Terry. *So Others Might Live: A History of New York’s Bravest: The FDNY from 1700 to the Present*. New York: Basic Books, 2002.
- Goode, Luke. “Social News, Citizen Journalism and Democracy.” *New Media and Society* 11, no. 8 (December 2009): 1287–1305. <https://doi.org/10.1177/1461444809341393>.
- Goodman, Sylvia. “Dean Angelo Sr., Former FOP President, Dies after COVID-19 Hospitalization.” *Chicago Tribune*, October 13, 2021. <https://www.chicagotribune.com/news/breaking/ct-fop-president-dean-angelo-covid-death-20211013-ergbcai5mrb47kpishf722t3wq-story.html>.

- Gorney, Jeremy. “CPD Union’s New Leader Is a Cop Facing Discipline Related to Police Report He Once Filed against Eddie Johnson – Chicago Tribune.” *Chicago Tribune*, May 9, 2020. <https://www.chicagotribune.com/news/breaking/ct-fop-catanzara-elected-20200509-tt2lmao5fjepbpnoopgftgiyta-story.html>.
- Green, Ken. “How Organizers Can Use Digital Tools To Win a Union Election.” *UnionTrack®* (blog), March 1, 2022. <https://uniontrack.com/blog/digital-tools-union-election>.
- Greenhouse, Steven. “Most Union Members Now Work for Government.” *New York Times*, January 22, 2010. <https://www.nytimes.com/2010/01/23/business/23labor.html>.
- Gunderson, Morley. “Two Faces of Union Voice in the Public Sector.” *Journal of Labor Research* 26, no. 3 (Summer 2005): 393–413. <https://doi.org/10.1007/s12122-005-1012-6>.
- Haenlein, Michael, and Andreas M. Kaplan. “The Impact of Unprofitable Customer Abandonment on Current Customers’ Exit, Voice, and Loyalty Intentions: An Empirical Analysis.” *The Journal of Services Marketing* 26, no. 6 (2012): 458–70. <https://doi.org/10.1108/08876041211257936>.
- Hakobyan, Shushanik, and John McLaren. “Looking for Local Labor Market Effects of NAFTA.” *Review of Economics & Statistics* 98, no. 4 (October 2016): 728–41. https://doi.org/10.1162/REST_a_00587.
- Hennelly, Bob. “FDNY Top Doc Rules Out COVID in Tragic Deaths of Four Firefighters; Questions and Concerns Remain – LaborPress.” LaborPress, March 10, 2022. <https://www.laborpress.org/fdny-top-doc-rules-out-covid-in-tragic-deaths-of-four-firefighters-questions-and-concerns-remain/>.
- Hildreth, James E. K., and Donald J. Alcendor. “Targeting COVID-19 Vaccine Hesitancy in Minority Populations in the US: Implications for Herd Immunity.” *Vaccines* 9, no. 5 (2021): 1–12. <https://doi.org/10.3390/vaccines9050489>.
- Hirschman, Albert O. *Exit, Voice, and Loyalty: Responses to Decline in Firms, Organizations, and States*. Cambridge, MA: Harvard University Press, 1970.
- Hoffman, Jan. “How Anti-Vaccine Sentiment Took Hold in the United States.” *New York Times*, September 23, 2019. <https://www.nytimes.com/2019/09/23/health/anti-vaccination-movement-us.html>.
- Hogan, Bernadette, and Carl Campanile. “Kathy Hochul Nets Endorsements from NYC Firefighter Unions.” *New York Post* (blog), January 7, 2022. <https://nypost.com/2022/01/07/kathy-hochul-receives-endorsements-from-nyc-firefighter-unions/>.

- Hurley, Caroline. "Here's What We Know about COVID Vaccine Distribution and Registration in Illinois." *Chicago Sun Times*, January 26, 2021. <https://chicago.suntimes.com/essential-coronavirus-news/2021/1/13/22227262/illinois-covid-19-vaccine-coronavirus-pfizer-moderna-registration-cook-lake-dupage-will-veterans>.
- IAFF. "IAFF Member COVID-19 Deaths." Accessed August 6, 2022. <https://www.iaff.org/coronavirus/iaff-member-covid-19-deaths/>.
- IAFF Local-112. "United Firefighters of Los Angeles City." Facebook. Accessed August 10, 2022. <https://www.facebook.com/Local112/>.
- The Infertility Movie. "Infertility: A Diabolical Agenda—The Infertility Movie." Accessed August 6, 2022. <https://infertilitymovie.org/>.
- Junger, Sebastian. *Tribe: On Homecoming and Belonging: Large Print*. Large print edition. New York: Twelve, 2016.
- Jurkowitz, Mark, and Amy Mitchell. "A Sore Subject: Almost Half of Americans Have Stopped Talking Politics with Someone." *Pew Research Center's Journalism Project* (blog), February 5, 2020. <https://www.pewresearch.org/journalism/2020/02/05/a-sore-subject-almost-half-of-americans-have-stopped-talking-politics-with-someone/>.
- Kata, Anna. "Anti-Vaccine Activists, Web 2.0, and the Postmodern Paradigm – An Overview of Tactics and Tropes Used Online by the Anti-Vaccination Movement." *Vaccine* 30, no. 25 (2012): 3778–89. <https://doi.org/10.1016/j.vaccine.2011.11.112>.
- Kilpatrick, Lauren. "FOP Wants CTU to Condemn Rally Comments to 'F--- the Police.'" *Chicago Sun Times*, April 16, 2016. <https://chicago.suntimes.com/2016/4/6/18353913/fop-wants-ctu-to-condemn-rally-comments-to-f-the-police>.
- Konstantinou, Pinelopi, Katerina Georgiou, Navin Kumar, Maria Kyprianidou, Christos Nicolaides, Maria Karekla, and Angelos P. Kassianos. "Transmission of Vaccination Attitudes and Uptake Based on Social Contagion Theory: A Scoping Review." *Vaccines* 9, no. 6 (June 5, 2021): 607. <https://doi.org/10.3390/vaccines9060607>.
- Kucuk, S. Umit. "Consumer Exit, Voice and 'Power' on the Internet." *Journal of Research for Consumers*, no. 15 (2008): 1–13.
- Kuhn, David Paul. *The Hardhat Riot: Nixon, New York City, and the Dawn of the White Working-Class Revolution*. New York: Oxford University Press, 2020.

- Kuper, Simon. “Why America Is Dangerously Polarised — and Europe Is Not.” *Financial Times*, January 20, 2022. <https://www.ft.com/content/5655ab7c-1152-414e-bd22-67acd06c5c51>.
- LA County Stentorians. “LA County Stentorians.” Accessed August 14, 2022. <https://lacountystentorians.org/>.
- LAist. “128 LA Fire Department Employees Are Being Sent Home For Defying City’s Vaccination Mandate,” November 30, 2021. <https://laist.com/news/lafd-is-sending-employees-home-for-defying-the-citys-vaccination-mandate>.
- Lamar, Eric. “FDNY Firefighters To Leave IAFF?” *Medium* (blog), July 10, 2020. <https://ericlamardc.medium.com/fdny-firefighters-to-leave-iaff-bd882742d8ad>.
- Larson, Simeon, and Bruce Nissen, eds. *Theories of the Labor Movement*. Detroit, MI: Wayne State University Press, 1987.
- Lee, William. “Black Rookie Chicago Cop Says He’s Leaving Police Union over Criticism of Kneeling Officers. ‘The FOP Has Not Been Welcoming to Folks like Me’.” *Chicago Tribune*, July 3, 2020. <https://www.chicagotribune.com/news/breaking/ct-black-officer-leaves-cop-union-20200703-dizisd6dwncoji4sxdexrdthjm-story.html>.
- Leonard, Eric. “LA City Hall Sets ‘Final’ December Deadline For All Employees to Be Vaccinated.” *NBC Los Angeles*, October 19, 2021. <https://www.nbclosangeles.com/investigations/los-angeles-coronavirus-vaccine-mandate-deadline/2722067/>.
- Leonhardt, David. “The Vaccine Class Gap.” *New York Times*, May 24, 2021. <https://www.nytimes.com/2021/05/24/briefing/vaccination-class-gap-us.html>.
- Levine, Marvin J. “A Historical Overview of Police Unionization in the United States.” *The Police Journal* 61, no. 4 (October 1, 1988): 334–43. <https://doi.org/10.1177/0032258X8806100406>.
- Liang, Hai, and Francis L.F. Lee. “Opinion Leadership in a Leaderless Movement: Discussion of the Anti-Extradition Bill Movement in the ‘LIHKG’ Web Forum.” *Social Movement Studies*, October 16, 2021, 1–19. <https://doi.org/10.1080/14742837.2021.1989294>.
- Lichtenstein, Nelson. *State of the Union: A Century of American Labor*. Princeton, NJ: Princeton University Press, 2013.
- Lipset, Seymour Martin. “The Politics of the Police.” In *Reading in Race and Ethnic Relations*, edited by Anthony H. Richmond, 280–289. Oxford: Pergamon, 1972.

- . “Trade Union Exceptionalism: The United States and Canada.” *The Annals of the American Academy of Political and Social Science* 538 (March 1995): 115–30.
- . “Trade Unions and Social Structure: I.” *Industrial Relations* 1, no. 1 (October 1961): 75–89. <https://doi.org/10.1111/j.1468-232X.1961.tb00169.x>.
- Lipset, Seymour Martin, Martin Aaron Trow, and James Samuel Coleman. *Union Democracy: The Internal Politics of the International Typographical Union*. New York: Free Press, 1977.
- Liptak, Adam. “Supreme Court Ruling Delivers a Sharp Blow to Labor Unions.” *The New York Times*, June 27, 2018. <https://www.nytimes.com/2018/06/27/us/politics/supreme-court-unions-organized-labor.html>.
- Los Angeles County Firefighters Emerald Society and Pipes and Drums. “Our Mission.” Accessed August 14, 2022. <http://www.losangelescountyfirefightersemeraldsociety.com/>.
- Mai-Duc, Christine, and Joe Barret. “Covid-19 Vaccines Don’t Appeal to Some Firefighters, Even with Prizes.” *Wall Street Journal*, February 1, 2019. <https://www.wsj.com/articles/covid-19-vaccines-dont-appeal-to-some-firefighters-even-with-prizes-11612188230>.
- Malanga, Steven. “Public-Sector Unions Face Steep Membership Declines.” *City Journal*, January 27, 2022. <https://www.city-journal.org/public-sector-unions-face-steep-membership-declines>.
- Manhattan Institute. “By the Numbers: Public Unions’ Money and Members Since Janus,” April 7, 2022. <https://www.manhattan-institute.org/disalvo-public-unions-money-members-since-janus-v-afscme>.
- Marin Professional Firefighters, IAFF Local 1775. “International Association of Fire Fighters (IAFF): A History of Firefighter Unions.” Marin Professional Firefighters, IAFF Local 1775. Accessed August 3, 2022. <https://iaff1775.org/our-union/iaff-affiliation/2202-a-history-of-firefighter-unions>.
- Marx, Karl. *Das Kapital*. Dubuque, IA: Synergy International of the Americas, 2007.
- Matthews, Dylan. “How Police Unions Became so Powerful — and How They Can Be Tamed.” *Vox*, June 24, 2020. <https://www.vox.com/policy-and-politics/21290981/police-union-contracts-minneapolis-reform>.
- Mayer, Robert. “Robert Dahl and the Right to Workplace Democracy.” *Review of Politics* 63, no. 2 (2001): 221–47.

- Mayors Press Office. "City of Chicago Announces COVID-19 Vaccination Requirement for City Employees." City of Chicago, August 25, 2021. https://www.chicago.gov/content/city/en/depts/mayor/press_room/press_releases/2021/august/CityEmployeesVaccinationRequirements.html.
- McBride PC. "Case Studies." December 18, 2022. <https://mcbridepc.com/case-studies/>.
- McCormick, Marcia L. "Our Uneasiness with Police Unions: Power and Voice for the Powerful?" *Saint Louis University Public Law Review* 35, no. 1 (2015): 47–66.
- Menni, Cristina, Anna May, Lorenzo Polidori, Panayiotis Louca, Jonathan Wolf, Joan Capdevila, Christina Hu et al. "COVID-19 Vaccine Waning and Effectiveness and Side-Effects of Boosters: A Prospective Community Study from the ZOE COVID Study." *Lancet* 22, no. 7 (2022): 1002–10. [https://doi.org/10.1016/S1473-3099\(22\)00146-3](https://doi.org/10.1016/S1473-3099(22)00146-3).
- Michael Daly. "Why This Vaccinated First Responder Is Fighting de Blasio's New Vaccine Mandate." *Daily Beast*, October 23, 2021. <https://www.thedailybeast.com/why-this-vaccinated-first-responder-is-fighting-de-blasios-new-vaccine-mandate-in-new-york-city>.
- Michels, Robert. *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy*. Kitchener, Ontario: Batoche Books, 2001.
- Miller, Jennifer. "The One Social-Media Feature That People Still Love." *The Atlantic*, August 12, 2022. <https://www.theatlantic.com/culture/archive/2022/08/instagram-close-friends-list-useful-privatization/671121/>.
- Miller, Myles, and Andrew Siff. "NYC's Unvaccinated Workforce Faces Feb. 11 Termination Without Proof of Shots." *NBC New York*, January 31, 2022. <https://www.nbcnewyork.com/news/coronavirus/termination-date-set-for-unvaccinated-nypd-officers-union/3524922/>.
- Mills, C. Wright, and Irving Louis Horowitz. *Power, Politics and People*. New York: Oxford University Press, 1963.
- Mills, C. Wright, and Helen Schneider. *The New Men of Power: America's Labor Leaders*. Urbana, IL: University of Illinois Press, 2001.
- Mills, Charles Wright. *The Power Elite*. London: Oxford University Press, 1993.
- Mitchell, Sandra. "Hundreds of L.A. City Firefighters File Notice of Intent to Sue over COVID Vaccine Mandate." *KTLA5*, October 8, 2021. <https://ktla.com/news/local-news/hundreds-of-l-a-city-firefighters-file-notice-of-intent-to-sue-over-covid-vaccine-mandate/>.

- Montanaro, Domenico. “There’s a Stark Red-Blue Divide When It Comes to States’ Vaccination Rates.” NPR Politics, June 9, 2021. <https://www.npr.org/2021/06/09/1004430257/theres-a-stark-red-blue-divide-when-it-comes-to-states-vaccination-rates>.
- Montgomery, David. *The Fall of the House of Labor: The Workplace, the State, and American Labor Activism, 1865–1925*. Cambridge: Cambridge University Press, 1999.
- Moore, Tina, Larry Celona, Reuven Fenton, and Jorge Fitz-Gibbon. “FDNY Union Boss Blames Shortage of Firefighters on COVID-19 Shot.” *New York Post*, October 31, 2021. <https://nypost.com/2021/10/31/fdny-union-boss-blames-shortage-of-firefighters-on-covid-19-shot/>.
- Mulder, Nicholas. “The Revolt against Liberalism: What’s Driving Poland and Hungary’s Nativist Turn?” *The Guardian*, June 24, 2021, sec. World news. <https://www.theguardian.com/world/2021/jun/24/revolt-against-liberalism-eastern-europe-poland-hungary-nativist-politics>.
- Myers, Quinn. “Police Union President Kevin Graham Calls for Stronger Measures to Protect Officers.” WTTW News, April 8, 2020. <https://news.wttw.com/2020/04/08/police-union-president-kevin-graham-calls-stronger-measures-protect-officers>.
- NBC Chicago. “Chicago Announces COVID Vaccine Mandate for All City Workers.” Accessed August 7, 2022. <https://www.nbcchicago.com/news/local/chicago-announces-covid-vaccine-mandate-for-all-city-workers/2598278/>.
- NBC News. “Bush Collects N.Y. Firefighters’ Backing.” September 1, 2004. <https://www.nbcnews.com/id/wbna5890002>.
- Nevradakis, Michael. “Big Pharma Money ‘Permeates’ World’s Drug Regulatory Agencies, BMJ Investigation Shows.” *Children’s Health Defense* (blog), July 1, 2022. <https://childrenshealthdefense.org/defender/big-pharma-drug-regulators/>.
- New York Fire Department News and Info. “FDNY Begins Covid-19 Vaccinations for FDNY Members,” December 23, 2020. <http://www1.nyc.gov/site/fdny/news/ma4520/fdny-begins-covid-19-vaccinations-fdny-members>.
- Nilus, Sergei. *The Protocols of Zion*. European Freedom Publications, 2019.
- North, Anna. “The Long, Strange History of Anti-Vaccination Movements.” *Vox*, March 4, 2022. <https://www.vox.com/the-goods/22958419/covid-vaccine-mandate-pandemic-history>.

- O'Donohue, Thomas Carothers, Andrew. "How to Understand the Global Spread of Political Polarization." Carnegie Endowment for International Peace, October 1, 2019. <https://carnegieendowment.org/2019/10/01/how-to-understand-global-spread-of-political-polarization-pub-79893>.
- O'Neill. "FDNY Commissioner Daniel Nigro Blasts 'paid Sick Leave' over COVID-19 Vaccine." *New York Post*, October 30, 2021. <https://nypost.com/2021/10/30/fdny-commissioner-daniel-nigro-blasts-paid-sick-leave-over-covid-19-vaccine/>.
- Onion, Rebecca. "Medical Freedom in America History: The COVID Anti-Vax Movement Is Nothing New." *Slate*, November 18, 2021. <https://slate.com/news-and-politics/2021/11/medical-freedom-covid-anti-vax.html>.
- Orient, Jane M., and Elizabeth Lee Vilet. *A Guide to Home-Based COVID Treatment: Step-by-Step Doctors' Plan That Could Save Your Life*. Tucson, AZ: Association of American Physicians and Surgeons, 2022.
- Parrott, Max. "Cuomo's Anti-Janus Labor Law May Divide Workers, Critics Contend – City & State New York." City & State New York. Accessed August 14, 2022. <https://www.cityandstateny.com/policy/2018/06/cuomos-anti-janus-labor-law-may-divide-workers-critics-contend/178318/>.
- Pence Bond, Charlotte. "Chicago Police Union President Tells Officers To Resist City Vaccine Mandate Requirements: 'Hold The Line.'" *Daily Wire*, October 14, 2021. <https://www.dailywire.com/news/chicago-police-union-president-tells-officers-to-resist-city-vaccine-mandate-requirements-hold-the-line>.
- People's Fabric. "FOP and Local 2 Members Are Tip of Right-Wing Spear Against CTU." *People's Fabric* (blog), January 11, 2022. <https://www.peoplesfabric.com/blog/fop-and-local-2-members-are-tip-of-republican-spear-against-ctu>.
- Pinho, Faith. "Los Angeles Firefighters and Paramedics Receive First COVID-19 Vaccine Doses." *Los Angeles Times*, December 29, 2020, sec. California. <https://www.latimes.com/california/story/2020-12-28/los-angeles-firefighters-paramedics-receive-first-vaccine-shots>.
- Place, Nathan. "Anti-Vaxx Marchers Shut down Brooklyn Bridge to Protest Vaccine Mandate." *The Independent UK*, October 26, 2021. <https://www.independent.co.uk/news/world/americas/vaccine-mandate-protest-brooklyn-bridge-b1945212.html>.
- POLITICO-Harvard Poll. "The American Public's View on Mandating COVID 19 Vaccinations and on Allowing Prescription Drug Importation from Multiple Countries." Harvard T.H. Chan School of Public Health, 2021. <https://www.politico.com/f/?id=0000017a-8d35-df65-a17e-cd7d29950000>.

- Price, Satchel, and Tom Schuba. "Police Union Boss Slammed for Comparing Vaccine Mandate to Holocaust." *Chicago Sun Times*, August 26, 2021. <https://chicago.suntimes.com/politics/2021/8/26/22643110/chicago-police-union-president-nazi-germany-vaccine-mandate-lori-lightfoot-john-catanzara>.
- Putnam, Robert D. *Bowling Alone: The Collapse and Revival of American Community*. London: Simon & Schuster, 2001.
- Quinnell, Kenneth. "Get to Know AFL-CIO's Affiliates: Fire Fighters." AFL-CIO. Accessed August 3, 2022. <https://aflcio.org/2019/6/10/get-know-afl-cios-affiliates-fire-fighters>.
- Rahman, Khaleda. "Chicago Drops Lawsuit Against Police Union Over Vaccine Mandate." *Newsweek*, December 2, 2021. <https://www.newsweek.com/chicago-drops-lawsuit-police-union-vaccine-mandate-lori-lightfoot-1655274>.
- Rainey, James, and Dakota Smith. "Women Say a 'Frat House' Culture at L.A. Fire Department Blocks Them from Jobs." *Los Angeles Times*, July 8, 2021, sec. California. <https://www.latimes.com/california/story/2021-07-08/some-say-garcetti-failed-la-female-firefighter-pledge>.
- Rawlings, Louise, Jeffrey C. L. Looi, and Stephen J. Robson. "Economic Considerations in COVID-19 Vaccine Hesitancy and Refusal: A Survey of the Literature." *Economic Record* 98, no. 321 (2022): 214–29. <https://doi.org/10.1111/1475-4932.12667>.
- Reuters Fact Check. "Fact Check-Media Reports Have Not Lied about Pfizer-BioNTech's FDA Approval." Reuters, August 27, 2021. <https://www.reuters.com/article/factcheck-fda-pfizer-idUSL1N2PY0OL>.
- Richards, Zoe. "Chicago Cop Union Boss John Catanzara Abruptly Quits Before He Can Get Fired for Vile Posts." *Daily Beast*, November 16, 2021. <https://www.thedailybeast.com/chicago-cop-union-boss-john-catanzara-abruptly-quits-before-he-can-get-fired-for-vile-posts>.
- Richter, Irving, and David Montgomery. *Labor's Struggles, 1945–1950: A Participant's View*. 1st ed. Cambridge University Press, 1994. <https://doi.org/10.1017/CBO9780511572371>.
- Romo, Vanessa. "An LAFD Captain Is Under Investigation After An Anti-Vaccine Mandate Video Rant." NPR, August 25, 2021. <https://www.npr.org/2021/08/25/1030828441/an-lafd-captain-is-under-investigation-after-an-anti-vaccine-mandate-video-rant>.
- Rosenbaum, Lisa. "Escaping Catch-22—Overcoming Covid Vaccine Hesitancy." *New England Journal of Medicine* 384, no. 14 (2021): 1367–71. <https://doi.org/10.1056/NEJMms2101220>.

- Rosner, Elizabeth, and Sam Raskin. “‘We Will Not Comply!’: NYC Workers Protest Vax Mandate with March across Brooklyn Bridge.” *New York Post*, October 25, 2021. <https://nypost.com/2021/10/25/we-will-not-comply-nyc-workers-protest-vax-mandate-with-march-across-brooklyn-bridge/>.
- Rubin, Richard S. “Labor Relations for Police and Fire: An Overview.” *Public Personnel Management* 7, no. 5 (October 1978): 337–45.
- Rusbult, Caryl E., Isabella M. Zembrodt, and Lawanna K. Gunn. “Exit, Voice, Loyalty, and Neglect: Responses to Dissatisfaction in Romantic Involvements.” *Journal of Personality and Social Psychology* 43, no. 6 (December 1982): 1230–42. <https://doi.org/10.1037/0022-3514.43.6.1230>.
- Sánchez Medero, Rubén. “Democratization in Political Communication.” *Political Studies Review* 19, no. 4 (November 2021): 607–23. <https://doi.org/10.1177/1478929920924930>.
- Scarborough, Roscoe. “Want to Reform America’s Police? Look to Firefighters.” *The Conversation*, September 11, 2019. <http://theconversation.com/want-to-reform-americas-police-look-to-firefighters-120573>.
- Scheiber, Noam, Farah Stockman, and J. David Goodman. “How Police Unions Became Such Powerful Opponents to Reform Efforts.” *New York Times*, June 6, 2020. <https://www.nytimes.com/2020/06/06/us/police-unions-minneapolis-kroll.html>.
- Sheppard, Katie. “Portland Protesters Set Fire to Police Union Headquarters as Tensions Rise Again.” *Washington Post*, August 9, 2020. <https://www.washingtonpost.com/nation/2020/08/09/portland-police-union-fire/>.
- Shields, Todd. “Biden Federal Employee Vaccine Mandate Gets Support From Worker Unions.” *Bloomberg*, July 28, 2021. <https://www.bloomberg.com/news/articles/2021-07-28/federal-worker-unions-back-vaccine-mandates-amid-local-backlash>.
- Singer, P. W., and Emerson T. Brooking. *Likewar: The Weaponization of Social Media*. Boston: Mariner Books, 2018.
- Slisco, Aila. “Chicago Police Union Compares Vaccine Mandate to ‘Hunger Games,’ Tells Cops to ‘Stand Strong.’” *Newsweek*, October 20, 2021. <https://www.newsweek.com/chicago-police-union-compares-vaccine-mandate-hunger-games-tells-cops-stand-strong-1641057>.
- Slotnik, Daniel E. “City Workers in Los Angeles Will Soon Have to Get Vaccinated.” *The New York Times*, August 19, 2021, sec. U.S. <https://www.nytimes.com/2021/08/19/us/la-city-workers-must-get-vaccine.html>.

- Small, Alonzo, and Shannon Halligan. "Vaccine Mandate for Chicago Police Officers Upheld by Arbitrator." WGN-TV, February 23, 2022. <https://wgntv.com/news/chicago-news/vaccine-mandate-for-chicago-police-officers-upheld-by-arbitrator/>.
- Smith, Adam, and Andrew S. Skinner. *The Wealth of Nations: Books I-III*. Harmondsworth, UK: Penguin, 1970.
- Smith, Dakota. "Judge Dismisses Firefighter Group's Lawsuit over L.A. Vaccine Policy – Los Angeles Times." *Los Angeles Times*, February 15, 2022. <https://www.latimes.com/california/story/2022-02-15/judge-dismisses-firefighter-group-lawsuit-la-vaccine-policy>.
- . "L.A. Firefighter Accused of Vulgar Act in Protest over Vaccine Mandate." *Los Angeles Times*, November 25, 2021, sec. California. <https://www.latimes.com/california/story/2021-11-24/lafd-investigating-firefighter-accused-of-despicable-act-vaccine-mandate-protest>.
- Smith, Greg. "Faulty Door at Site of Deadly Twin Parks Blaze Was Cited by Inspectors in 2019 for Failure to Self-Close." *The City*, June 23, 2022. <https://www.thecity.nyc/2022/6/13/23165323/faulty-self-closing-doors-twin-parks-fire-cited-inspectors>.
- Smith, Patrick, and Claudia Morell. "A New Contract For Chicago's Police Includes \$378 Million In Retroactive Raises." WBEZ Chicago, September 14, 2021. <https://www.wbez.org/stories/chicago-police-union-contract-explained/2be2a139-d9ea-42a3-86db-e0cb313e8de2>.
- Solis, Nathan. "Thousands Protest COVID-19 Vaccination Mandates in L.A. – Los Angeles Times." *Los Angeles Times*, November 8, 2021. <https://www.latimes.com/california/story/2021-11-08/thousands-protest-covid-19-vaccine-mandates-in-l-a>.
- Soo-Young Lee, and Andrew B. Whitford. "Exit, Voice, Loyalty, and Pay: Evidence from the Public Workforce." *Journal of Public Administration Research & Theory* 18, no. 4 (October 2008): 647–71. <https://doi.org/10.1093/jopart/mum029>.
- Spielman, Fran. "John Catanzara, FOP President at Center of Controversy, Defeated in Bid to Extend His Term." *Chicago Sun Times*, April 21, 2022. <https://chicago.suntimes.com/2022/4/21/23036206/fop-fraternal-order-police-catanzara-longer-term-bylaws-change-membership-vote-graham-davis>.
- Stern, Mark Joseph. "Janus v AFSCME: Supreme Court Crushes Public Sector Unions Thanks to Neil Gorsuch's Decisive Vote and Samuel Alito." *Slate*, June 27, 2018. <https://slate.com/news-and-politics/2018/06/janus-v-afscme-supreme-court-crushes-public-sector-unions-thanks-to-neil-gorsuchs-decisive-vote-and-samuel-alito.html>.

- Stromquist, Shelton. "Perspectives on Labor History: The Wisconsin School and Beyond." *International Labor and Working-Class History*, no. 39 (1991): 81–84.
- Sweeney, Matthew M. "Leaderless Resistance and the Truly Leaderless: A Case Study Test of the Literature-Based Findings." *Studies in Conflict and Terrorism* 42, no. 7 (July 3, 2019): 617–35. <https://doi.org/10.1080/1057610X.2017.1407480>.
- Sweeny, Annie, Alice Yin, and Jeremy Gorner. "Embattled Chicago FOP President Faces Termination Hearing." *Chicago Tribune*, November 16, 2021. <https://www.chicagotribune.com/news/criminal-justice/ct-fop-president-termination-hearing-20211114-u4x6f23v4bcnvdrw4olsr6a34-story.html>.
- Szekely, Peter. "As Mandate Kicks in, Ranks of Unvaccinated New York Police, Firefighters Dwindle." Reuters, November 1, 2021. <https://www.reuters.com/world/us/new-york-prepares-fallout-vaccine-mandate-resisted-by-many-police-firefighters-2021-11-01/>.
- Taft, Philip. "A Rereading of Selig Perlman's 'A Theory of the Labor Movement.'" *Industrial and Labor Relations Review* 4, no. 1 (1950): 70–77. <https://doi.org/10.2307/2519322>.
- Thomas, Mark P, and Steven Tufts. "Blue Solidarity: Police Unions, Race and Authoritarian Populism in North America." *Work, Employment and Society* 34, no. 1 (February 1, 2020): 126–44. <https://doi.org/10.1177/0950017019863653>.
- Tim Sullivan, and Nicole Winfield. "'Accept It': 3 States Lock down 70 Million against the Virus." Associated Press, March 20, 2020. <https://apnews.com/article/health-us-news-ap-top-news-international-news-virus-outbreak-52f7fc77cce85060ad1cf73297b7cd45>.
- Tracy, Thomas, and Elizabeth Keogh. "FDNY Union Asks If COVID Vaccines Caused Firefighter Deaths." NY Daily News, February 19, 2022. <https://www.nydailynews.com/coronavirus/ny-covid-fdny-union-leader-vaccine-20220220-d4dreh7sp5hsnjqdpibkd56ulu-story.html>.
- Trinity Health. "Trinity Health Announces COVID-19 Vaccine Requirement for All Colleagues." Trinity Health Newsroom, July 8, 2021. <https://www.trinity-health.org/news/trinity-health-announces-covid-19-vaccine-requirement-for-all-colleagues>.
- UC Office of the President. "UC Issues Final COVID-19 Vaccination Policy." UCNet, July 15, 2021. <https://ucnet.universityofcalifornia.edu/news/2021/07/ucs-covid-19-vaccine-policy.html>.
- UFLAC. "Bulletins—United Fire Fighters of Los Angeles City." Accessed August 6, 2022. <https://www.uflac.org/bulletins/>.

- . “Bulletin 23–21 Los Angeles City Council Passes Mandatory Vaccination Ordinance–United Fire Fighters Of Los Angeles City,” August 19, 2021. <https://www.uflac.org/bulletins/bulletin-22-21-los-angeles-city-council-passes-mandatory-vaccination-ordinance/>.
- . “Bulletin 24–21 UFLAC Continues to Meet and Confer With City Over Vaccine Mandate,” August 25, 2021. <https://www.uflac.org/training/bulletin-24-21-uflac-continues-to-meet-and-confer-with-city-over-vaccine-mandate/>.
- . “Bulletin 25–21 Mandatory COVID-19 Vaccine and Exemption Request Update–United Fire Fighters Of Los Angeles City.” Accessed August 10, 2022. <https://www.uflac.org/bulletins/bulletin-25-21-mandatory-covid-19-vaccine-exemption-request-update/>.
- . “Bulletin 30 – 21 UFLAC Alert–Vaccine Mandate and October 5–United Fire Fighters Of Los Angeles City.” Accessed August 10, 2022. <https://www.uflac.org/bulletins/bulletin-30-21-uflac-alert-vaccine-mandate-and-october-5/>.
- . “Bulletin 31 – 21 Bargaining Update,” October 7, 2021. <https://www.uflac.org/bulletins/bulletin-31-21-bargaining-update/>.
- Union Privilege. “What Is a Union?” Accessed April 25, 2022. <https://www.unionplus.org/page/what-union>.
- U.S. Department of Labor. “Electing Union Officers Using Remote Electronic Voting Systems.” Accessed August 15, 2022. <https://www.dol.gov/agencies/olms/compliance-assistance/tips/remote-electronic-voting-systems>.
- VAERS. “VAERS–Data.” Accessed August 5, 2022. <https://vaers.hhs.gov/data.html>.
- Vinicky, Amanda. “Chicago Police Union Elects John Catanzara as New President.” WTTW News, May 9, 2020. <https://news.wttw.com/2020/05/09/chicago-police-union-elects-john-catanzara-new-president>.
- Wellington, Harry H., and Ralph K. Winter. “The Limits of Collective Bargaining in Public Employment.” *Yale Law Journal* 78, no. 7 (June 1969): 1107–27. <https://doi.org/10.2307/794998>.
- Wilentz, Sean. *Chants Democratic: New York City and the Rise of the American Working Class, 1788–1850*. New York: Oxford University Press, 1989.
- Withey, Michael J., and William H. Cooper. “Predicting Exit, Voice, Loyalty, and Neglect.” *Administrative Science Quarterly* 34, no. 4 (1989): 521–39. <https://doi.org/10.2307/2393565>.

- Woelfel, Mariah. "Chicago Mandates COVID-19 Vaccine for All City Workers." WBEZ Chicago, August 25, 2021. <https://www.wbez.org/stories/chicago-mandates-covid-19-vaccine-for-all-city-workers/0fdc5c55-a62f-4b7a-9fab-126b10eb4682>.
- Wright, Robert. *Nonzero: The Logic of Human Destiny*. 1. Vintage Books ed. New York: Vintage, 2001.
- Wu, Jin, Weiyi Cai, Derek Watkins, and James Glanz. "How the Virus Got Out." *The New York Times*, March 22, 2020, sec. World. <https://www.nytimes.com/interactive/2020/03/22/world/coronavirus-spread.html>.
- Yin, Alice, and Gregory Pratt. "Chicago Police Unions' Vaccine Mandate Complaint Wins Hearing." *Chicago Tribune*, December 3, 2021. <https://www.chicagotribune.com/news/breaking/ct-vaccine-mandate-chicago-police-union-labor-board-20211204-zfe2iesli5f5ronkjzyfyqpk7i-story.html>.
- Zieger, Robert H. *The CIO, 1935–1955*. Chapel Hill, N.C.: The University of North Carolina Press, 1997.
- Zoorob, Michael. "Blue Endorsements Matter: How the Fraternal Order of Police Contributed to Donald Trump's Victory." *PS: Political Science and Politics* 52, no. 2 (April 2019): 243–50. <https://doi.org/10.1017/S1049096518001841>.

INITIAL DISTRIBUTION LIST

1. Defense Technical Information Center
Ft. Belvoir, Virginia
2. Dudley Knox Library
Naval Postgraduate School
Monterey, California



DUDLEY KNOX LIBRARY

NAVAL POSTGRADUATE SCHOOL

WWW.NPS.EDU

WHERE SCIENCE MEETS THE ART OF WARFARE