System Error: Labour Precarity and Collective Organizing at Microsoft

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Abstract: This article challenges the notion—proposed by liberal-democratic theories of the “knowledge worker” and industry accounts of “friction-free” capitalism—that labour conflict is no longer relevant within digital capitalism via an in-depth examination of a case of collective organizing by temporary workers at Microsoft. The paper suggests the formation and activities of their union, WashTech, prefigures 21st century collective organizing. Two concepts are proposed as guides to these struggles. “Immaterial labour” refers to a set of increasingly important forms of labour within post-Fordism, ranging from call-centre work to software development. “Precarity” denotes the material and existential insecurity suffered by workers as a result of flexible employment arrangements. These concepts are examined by drawing on archival material and interviews with WashTech members.

Résumé: Cet article conteste la notion—proposée par la théorie libérale démocratique du « knowledge worker » et du capitalisme « sans friction »—que les luttes ouvrières manquent de pertinence quant au capitalisme numérique. À partir d l’analyse de WashTech, organisation de travailleurs temporaires à Microsoft, nous proposons que les activités de ce syndicat préfigurent l’organisation ouvrière au 21e siècle. Deux concepts peuvent élucider ces luttes. Le « travail immatériel » signale des formes de travail dont l’importance augmente dans le post-fordisme, consistant de centres d’appels et du développement de logiciels. La « précarité » désigne l’insécurité matérielle et existentielle subie par les travailleurs résultat des arrangements d’emploi « flexibles ». Nous considérons ces deux concepts à partir de recherches d’archives et d’entrevues des membres de WashTech.

Keywords: Immaterial labour; Precarity; High tech; WashTech; Software production

Across Europe, May Day marches attracting tens of thousands of people are being organized each year around what has become a dominant theme of labour activism on that continent: “precarious” work. Organizers of the 2004 march in Milan declared themselves to be part of an emergent “cognitariat”—or “pre-cogs,” as they called themselves—working in the information and communication industries. The metaphor harboured a warning for their employers—

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619
although the mutant “pre-cog” characters in the science-fiction movie *Minority Report* are unscrupulously exploited for what their brains can produce in the present, they also possess the unnerving ability to see the future. This future, according to declarations circulated by the May Day organizers, is one in which the goal of “flexicurity” is counterposed to their current condition of “flexploitation” (*Middlesex declaration of Europe’s precariat* 2004, 2004).

Participants in these social movements see themselves as part of a changing composition of labour in developed countries. The nature of these transformations has perhaps been celebrated most in those areas where work and digital technology have converged, lionized as proof of the inherent desirability of our new economy. Cheerleaders have offered up accounts in which labour conflict is exorcized from the contemporary workplace—such as Bill Gates famously claiming that capitalism was on its way to becoming “friction free” (1995). Taking such assertions to task by examining transformations in the workplace critically picks up on an often-submerged thread within the political economy of communication—one that addresses conditions of work, labour movements, and resistance (Mattelart, 1979; Mosco, 1983; Smythe, 1981). For if capital is becoming friction free, collective organizing and labour conflict remain anomalously present within our fabled digital world. A system error perhaps, but not everybody is loving their lot in the information society.

This article examines the deleterious effects digital capitalism has had on workers in the broadly defined communication industries by looking at a case in which they have organized collectively to confront one of its key characteristic processes: precarity. In the pages that follow, I draw on a range of archival material and a series of interviews with members and organizers of the Washington Alliance of Technology Workers (WashTech). Representing an experiment in labour organizing, WashTech is a union open to all workers in the high-tech sector, launched in 1998 by temporary workers at Microsoft and supported by the Communications Workers of America (CWA), a 700,000-member union representing workers across the communications and media industries. I suggest that WashTech prefigures, in its emergence and difficulties, the labour organizing to come within digital capitalism.

Conceptually, this article examines, refines, and extends two categories that have been circulating in a process of meaning-making among both social movements and academic analyses of work and communication, namely, “precarity” and “immaterial labour.” For communication studies, this process is important because, as Gilles Deleuze & Félix Guattari (1994) suggested, part of our role as theorists is as inventors of concepts adequate to our times. Within social movements, as the Spanish feminist collective Precarias a la deriva has pointed out, we need “words to talk about what is happening to us” (2004, p. 157). This article is an attempt to contribute concepts to both the academic research on labour in the information and communication industries and those striving to organize within them.

“Immaterial labour” is a term that has emerged from autonomist Marxism and the social movements constituting it (de Peuter and Dyer-Witheford, 2005;
Hardt & Negri, 2000; Lazzarato, 1997). It designates the contemporary “putting to work” of emotional, affective, and linguistic capacities in a work setting stamped by information technologies. These capacities are often, but not always, put to use in the production of a commodity that is immaterial, such as information, communication, or an emotional response. This definition, then, finds its limits set by both the ingredients and the products of the labour process. It offers a promising response to the liberal-democratic theories of the “knowledge worker” that span from Peter Drucker (1954) through Fritz Machlup (1962) to Daniel Bell (1973), with recent incarnations in the work of Manuel Castells (1996) and others. Like Bill Gates, these theorists have tended to ward off the possibility of conflict emerging within newer forms of work, a mistake theorists of immaterial labour have avoided.

Immaterial labour is certainly not without limitations as a moniker. Its shortcomings include its potential for ambiguity, its tendency to be interpreted in too literal a sense, and above all its seeming ability to conflate forms of work that present important differences between each other. Indeed, immaterial labour refers to many different kinds of work and occupations, ranging from software production to service-sector work and caring labour such as nursing. As Marina Vishmidt has noted (2005), and as I suggest in more detail below, there are significant differences between these forms of labour.

What is important to remember is that immaterial labour is not only intended to describe an objective category, it designates a category of subjectivity as well as a set of practices and power relations. As such, it presents an important conceptual opportunity for those engaged in the study of labour and communication, bridging allegedly disparate traditions such as the political economy of communication, radical feminist analyses of labour, and poststructuralist emphases on subjectivity.

Precarity, on the other hand, refers to the growing insecurity brought on by the flexible management of the global work force within post-Fordist capitalism. Formally, precarity entails a range of labour conditions that escape the traditionally understood Fordist relationship to labour: a job for life, dependable benefits, steady work rhythms, union protection, a fairly clear separation between work and free time, a social safety net if all else failed, and so on. In the past three or four decades, we have witnessed the rapid—if uneven—dismantling of this system across developed nations. Precarity implies a range of different, less stable relationships to labour and subsistence: informal and part-time work; short-term contracts—or no contract at all; self-employment; little, if any, job security; volatile shifts; lack of unionization; no benefits; and more.

In North America this category goes by many names—“temporary labour,” “non-standard employment,” and “contingent employment,” among others—and has increasingly been the object of fruitful empirical research (Cranford, Vosko, & Zukewich, 2003; Rosenberg & Lapidus, 1999; Vosko, 2003). I use the name precarity first of all to adopt the term that has been offered by social movements, which over the last few years have increasingly elaborated on it. It also does a better job at expressing the inherent difficulty of living such a condition. Social
movements have begun to argue, however, that the rise of precarity also offers a new opportunity for collective organizing, for the process potentially creates powerful affinities between figures as diverse as the software tester, the call-centre worker, and the undocumented nanny. Many are suggesting that precarity is, at the very least, the condition with which contemporary labour organizing must come to terms to be relevant in twenty-first-century capitalism.

This paper examines a case in which the imposition of precarity on immaterial labour has been confronted by collective organizing on the part of high-tech workers. The assumption underlying such an approach is that if we are indeed witnessing the emergence of a particular way of living work, then an important way to understand this is through an analysis of the social struggles this generates. In order to achieve this, this article highlights the experiences of the high-tech workers involved, drawing extensively on interviews conducted with nine Wash-Tech members, organizers, and industry observers in the summer of 2005 and hundreds of archival sources in which other workers were interviewed. It is only in this way that we can begin to evaluate whether and how conditions such as precarity and immaterial labour are lived at a micro level and whether they are adequate descriptors of our era.

High-tech labour in the U.S. economy and beyond

There is an accumulated set of arguments suggesting that the character of labour is undergoing a mutation within the contemporary form of capitalism referred to as “post-Fordism.” This restructuring began in the mid-seventies, and it has involved several dramatic shifts. The first has been the deindustrialization of G8 economies and marked shifts within them toward service-sector and information-based employment (Brint, 2001; Organisation for Economic Co-operation and Development, 1981; Porat, 1977). Transnational corporations have adopted leaner and more flexible production processes, allowing for more rapid responses to market demand and a far greater ability to mass-customize products. What has enabled this trend is the expansion and intensification of communication networks, or the “informatization of production” (Hardt & Negri, 2000). Added to this has been the dramatic financialization of the global economy, a condition in which corporations are increasingly responsive to the whims of ever-more-speculative and disciplinary stock markets. This is the global scenario that over the last few decades has increased capital’s reliance on now-ubiquitous forms of immaterial labour, such as Web design, call-centre work, and computer programming.

The United States has been no exception in this process. While attempting to determine the exact number of “knowledge workers” in the country certainly has a controversial history, it is useful to get at least a general sense of the predominance of the specific cluster of occupations within high tech that I am examining in order to appreciate their numeric importance to the country’s economy. Employment estimates for these range from the roughly 1.7 million listed by the U.S. Department of Labor Bureau of Labor Statistics (United States Department of Labor, 2006a) to the recent figure of 2.85 million offered by the American
Electronics Association.\textsuperscript{8} Even when it is just considered numerically, therefore, this group of workers is an important one for the U.S. economy as a whole.

The study of these forms of high-tech work as iterations of immaterial labour, however, is important for other reasons. Not only is it a paradigmatic form of work in the knowledge economy, but the kinds of labour arrangements within it are, fittingly, increasingly precarious. As a recent “occupational outlook” handbook produced by the U.S. Department of Labor suggested, many “computer programmers” and an increasing number of “computer software engineers” and “computer systems analysts” are employed on a “temporary or contract basis” (United States Department of Labor, 2006b, 2006c, 2006d). In a country where by some estimates “temporary” jobs make up a quarter of the nation’s work positions (Swoboda, 2000), immaterial labour is often also precarious.

It is important to remember that these emerging forms of work are far from all-encompassing or homogenous. Internally, immaterial labour is rife with difference: between the call-centre worker and the Web designer, for example, and even within a single company, there are often very different labour conditions from worker to worker. Viewed from a broader perspective, immaterial labour is undeniably perched atop a globally raced hierarchy of work (Huws, 2003; Park & Pellow, 2002). For every White male software tester in Seattle, there are scores of Filipina women who perform the deadly toxic work of assembling PC boards. Finally, as Stana Martin and others have shown, such labour is strongly gendered—the closer one gets to the bottom of the scale of remuneration, prestige, and safety, the more likely one is to find a higher percentage of women in the profession (Belt, Richardson, & Webster, 2000; Martin, 2002). These internal divisions and hierarchies are, as we shall see, a key way that capital reproduces itself in this sector.

Each of the forms immaterial labour takes, therefore, and each form of labour struggle that is produced therein deserves study, with a keen eye to the interrelations between them. What follows is an attempt to probe one such moment of conflict as it played out and continues to take form in the Pacific Northwest of the United States.

\textbf{Revolt of the microserfs: The formation of WashTech}

Over the past decade high tech, widely considered to be immune to collective organizing, has emitted here and there the unmistakably acrid smell of smoke amid evaporated New Economy fantasies, 70-hour work weeks, and savage rounds of offshore outsourcing. Capital’s attempt to displace conflict—both physically and figuratively—via its dependence on a flexible, dispersed, and knowledge-heavy workplace therefore appears in some cases to have failed. While certainly a far cry from the militancy of the industrial era, flare-ups have been emerging in the high-tech workplace that are symptomatic of disaffection within the industry’s work force (Campbell, 2000; Dash, 2001; Hayes & McGee, 2003; Humer, 2004). Indeed a small, disconnected, but vibrant culture of disenchantment appears to be emerging from the North American industry’s allegedly coddled workers, as books, websites, and discussion boards have increasingly documented the often exploitative labour conditions marking life within it
Canadian Journal of Communication, Vol. 31 (3)

(Baldwin & Lessard, 2000; de Peuter and Dyer-Witheford, 2005). This disenchantment, though largely cynical, has also spurred the formation of timid new labour associations (Alliance@IBM in the United States, the Australian IT Workers Alliance, and the IT Professionals Forums in India), suggesting that, at the very least, established labour unions have begun to see high tech as fertile territory for growth.

Despite the words of its founder, Microsoft is not immune to this friction—indeed the formation of WashTech is a prime example of it, being a case of collective organizing at one of post-Fordism’s most iconic companies. Microsoft recently turned 30, a lifespan which, despite some recent setbacks, has nonetheless seen it consolidated as one of America’s best-known corporations and a near-monopolist in the software market. The company’s total assets, as of 2005, exceeded U.S.$70 billion (Microsoft, 2005).

Despite beliefs to the contrary, however, not all of the company’s workers became “Microsoft millionaires” during the company’s heady rise to domination of the market. The Washington Alliance of Technology Workers (WashTech) emerged out of the most vulnerable of these workers rebelling against Microsoft’s labour-control strategy. During the nineties the company had taken significant steps toward imposing flexible management on its work force. By 2000, roughly a third of over 19,000 tech workers at the company’s Puget Sound operations were contract workers employed by temporary employment agencies such as Sakson and Taylor Onsite, Rho, Wasser, and Manpower (Ervin, 1999b). These jobs were either very short-lived or renewed indefinitely, leading in the latter case to the emergence of the term “permatemp” as a descriptor for those enduring the continually unstable life it produced. Nor were these working conditions unique to Microsoft workers: industry estimates suggested that in 1998, the year of WashTech’s formation, over 13,000 of Washington State’s almost 60,000 software industry employees were contractors (Fraone, 1999).

Yet according to Mike Blain, one of WashTech’s founders, Microsoft had raised the use of a temporary work force “to an art form” (cited in Rothenburger, 1999). The hiring process for job hopefuls frequently involved being interviewed by Microsoft managers, hired by them, and then told to sign on to a temp agency’s payroll. Once on the job, agency contractors lacked the basic forms of security that the permanent employees they worked next to enjoyed. As Marcus Courtney, a founder and current president of WashTech, described,

"You had no healthcare, you had no paid vacation, you had no sick leave, you were constantly worried that your manager could for whatever reason one day just eliminate your job, and you found out that contracting could be a mark against you for a full-time job." (Marcus Courtney, President, WashTech, Seattle, WA, personal communication, July 6, 2005)

Adding to this feeling of vulnerability were the forms of exclusion Microsoft enforced in order to create a barrier between permatemps and full-timers. In June of 1998, the company instituted a mandatory 31-day break for every 12 months of work for some temps (Rothenburger, 1999). Forced to wear orange-coloured
badges (as opposed to the blue ones worn by full-timers) and kept off sports fields, out of company stores, and away from company “morale events” such as the ship parties that accompanied the launch of a new product, according to Barbara Judd, a “permatemp culture” (cited in Ervin, 1999b) of the excluded and the hyperexploited emerged among contractors. Little wonder, when Microsoft executive Greg Maffei was suggesting in private that they did not measure up to the full-timers in terms of performance. “We’ve set a hard rule,” he said, laying bare how some at the company felt toward their workers, “364 days and these people are out. I don’t care if they’re rebuilding Windows 2000 by themselves, they are not going to work in this company” (cited in Greene, 1999a, E.6).

The permatemps rebelled against this in two primary ways. The first, a legal offensive conceived of long before WashTech, was to launch what became a highly publicized class-action lawsuit against Microsoft in 1992, suing to recover the benefits that had been denied to them due to their misclassification as temporary workers. In Vízcaíno v. Microsoft Corp., over 8,500 workers eventually won a $97 million settlement from the company in 2000.9

The second act—and the focus of this paper—was the formation of WashTech. As ferment continued at Microsoft, disparate contractors connected through the King County Labor Council. The nascent group, with the aid of the National Writers Union and the CWA, formed the Coordinating Committee for High-Tech Labour Issues, which approached the question of “what high-tech organizing would look like in Seattle” (Marcus Courtney, President, WashTech, Seattle, WA, personal communication, July 6, 2005). Then, in the winter of 1998, the Washington State Department of Labor and Industries passed legislation limiting overtime pay for high-tech workers at the behest of the high-tech industry.10 The rule change generated an outburst of anger on the part of high-tech workers. It also created fertile ground upon which to expand the base for collective organization, as the Coordinating Committee obtained the e-mail addresses of people who protested the legislation. Early stated goals of the contractors included the establishment of a state-wide voice for high-tech workers; making sick pay, holiday pay, and medical coverage part of employment contracts; and challenging restrictions that prevented temps from changing agencies (Fryer, 1998).

Events heated up through the early months of 1998. Frustrated by the conditions mentioned above, as well as by the fact that there was no way to find out what Microsoft was actually paying their temp agency per hour for them, 18 Microsoft workers working on a financial accounting program called TaxSaver declared themselves to be a collective “negotiating unit” in June (van Jaarsveld, 2004). The employees, who included certified public accountants, attorneys, and certified financial managers, sought to negotiate with the four staffing agencies that represented them. “Everyone wants us in terms of a profit center. No one wants to take responsibility for our issues,” suggested Barbara Judd, one of the 18 (cited in Ervin, 1999b, p. ci).
WashTech’s structure

During initial meetings with their labour allies, the permatemps quickly realized that a traditional approach to collective organizing would not work in their situation. As Courtney suggests, American labour law and Microsoft’s reliance on temporary employment agencies was enough to ensure this:

We had to explain to them, in groups you could have forty different temporary agencies with a hundred different workers.... They explained the election process, and there was just no way that could ever make any sense.... The legal framework is a very narrow box for unions to organize in. (Marcus Courtney, President, WashTech, Seattle, WA, personal communication, July 6, 2005)

Indeed, more than 50 firms served Microsoft, providing workers through their own subcontractors. A single permatemp could have up to five or six “employers,” making it almost impossible to even identify a bargaining unit (Fitzgerald, 1999). Moreover, according to labour law at the time, all parties had to agree to bargain, something the temp agencies promptly refused to do in the case of the TaxSaver rebellion. As a result of such legal barriers, the workers adopted an experimental form for the new organization.

In the wake of the TaxSaver unrest, the CWA made an affiliation proposal to the nascent group, which was subsequently voted upon and approved by the permatemps. In the process, the Washington Alliance of Technology Workers, as they called themselves, became Local 37083 of the CWA. The structure of the organization was to be very different from that of standard trade-union locals, however.

First of all, due to the fact that there simply were not the numbers to certify a bargaining unit at Microsoft or many other companies in the industry, membership in WashTech was made open to anybody working in the tech sector (and remains so to this day). In this way, individual members who join can operate as seeds within Microsoft or other companies, theoretically acting as the forward edge of a movement to organize high tech. Crucially, this structure allows people to retain their membership to WashTech across volatile employment periods and regardless of the company they work for.

Although technically a local, WashTech appears to enjoy a good deal of operational autonomy from the CWA, which nonetheless supports it both financially and logistically. WashTech operates, therefore, as a kind of union within a union. While the relationship between the two entities is currently harmonious, the manner in which this will play out in the future remains to be seen.

What is certain is that collective action by the permatemps got results. The appearance of the union, paired with the ongoing Vizcaino suit, forced Microsoft to pursue a different strategy in its work-force engineering. As Courtney suggests, after a WashTech rally outside a Microsoft cafeteria in support of their TaxSaver colleagues:

I think that moment management realized.... if they kept pushing on this temporary thing, at that point there were so many contractors you could shut down the entire company! Contractors were so integral to every piece of production, they couldn’t do it without contractors! (Courtney, 2005)
Indeed, Microsoft’s flexible labour structure had also created new vulnerabilities for the company—temps were “ripe for unionization” as a leaked internal Microsoft memo suggested (cited in Bernstein, 1999). In April 1999, the company instituted improved benefits and began to allow workers to choose among competing agencies (Ervin, 1999a), and the same year it opted to lessen its dependence on contractors by hiring many of them on permanently (Greene, 1999b). However, management also found new ways both to avoid further lawsuits and retain labour flexibility. In 2000 it instituted a 100-day break in service for every year on the job the permatemps worked. Finally, after announcing a partnership with H&R Block in March of the same year, Microsoft eliminated the TaxSaver unit (Andrews, 2000). Microsoft had been forced to reformulate its strategy with respect to its temps, but at a price.

Five years later, WashTech carries out a number of different functions. In addition to its efforts at a legislative level, which have primarily been aimed at curbing offshore outsourcing and limiting the number of tech workers allowed into the country on temporary work visas, the organization has been carrying out traditional union drives on a smaller scale at a handful of companies in the Puget Sound area. Most recently, the union organized almost 1,000 call-centre workers at a Cingular office in Bothell, WA (Nachtigal, 2005a). The drive was an important injection of financial autonomy for WashTech, whose dues-paying membership had not climbed above around 450 since its formation. Since its formation, most members have consisted of temporary or unemployed technical support and technical writers working at Microsoft (Rader, 2005), although they have committed members working at many other companies across Seattle.

Beyond traditional organizing, WashTech is, as Precarias a la deriva members have described their collective, a network “to break solitude” (Precarias a la deriva, 2004, p. 157). Those interviewed for this article regularly brought up the dispersed nature of tech work, to which WashTech was seen as an antidote. “There isn’t much communication,” says Microsoft tester David Larsen:

I mean there isn’t anything really stopping that, there’s just no time for it at work, and there isn’t much getting together, especially between temp workers and full-time workers. Full-time workers have their morale events they go to, and the temp worker stays in the office and works. (Larsen, 2005)

WashTech offers a space where those who need to can share their frustrations and organize to address them. Denys Howard, a programmer writer at Microsoft, sees his dues as:

... going towards whatever contacts are possible throughout the sector here in the Seattle area. If we can get a contract at some smaller place, that helps us build towards... some future where the Microsoft workers don’t all think they’re above unions. (Howard, 2005)

In a world where immaterial labour relies on fresh inputs of new skills, WashTech has an ongoing training component for its members as well. This began with JavaScript training classes at the King County Labor Temple in Seattle and continues today with numerous courses. Most recently, WashTech has
found a good deal of currency in the offshore outsourcing issue, which brought
the union to the media forefront in 2004 as outsourcing became an issue in the
American presidential elections. The union has become an expert source on off-
shore outsourcing, a position it has used to pummel away at corporations
exporting tech jobs to countries such as India and China.

**Experiences of labour, experiences of precarity**

I never decided “Some day, when I grow up, I’m going to be a temp
worker . . .” This was all imposed from above. They tell you what you are.
(Larsen, 2005)

The Communication Workers of America (CWA) is hoping that a convergence of
immaterial labour will accompany the convergence of ownership and technolog-
ical platforms in the information and communication industries. Its support of the
WashTech venture represents a bet that the people Peter Drucker referred to half a
century ago as “knowledge workers” have more affinities than differences and
that these might lead to labour solidarity across the burgeoning sector. For CWA
president Larry Cohen, whether it is journalists at Knight Ridder or the army of
software workers at Microsoft, “[t]he people we’re talking about are writers.
Either they’re writing code or they are editing text, but they’re all writers” (cited
in Fitzgerald, 1999). As suggested above, for both academic analyses and labour
organizing, such theories require engagement with their protagonists.

Archival material and the interviews conducted for this paper suggest that
while the experiences of WashTech members and union organizers are predict-
ably varied, they nonetheless find some common denominators concerning the
nature of, and processes characterizing, their work. For Marcus Courtney, educa-
tion and income levels are key factors of difference between manufacturing
workers and the temporary workers WashTech represents (Courtney, 2005).
Several of the interviewees had worked in factories or in agriculture for a time and
found not only that the kind of work they did now was considerably different, but
that this difference was common to a range of occupations across the information
and communication industries. “[W]e’re organizing people in telecommunica-
tions, and people doing wireless, and call centre workers, and high-tech workers,”
says Karen Estevenin, the lead organizer for the successful Cingular campaign.
“When people get together and sit down in a room and start talking about their
issues, they’re all the same. People can find more similarities than not”
(Estevenin, 2005).

The term “professional” often acted as shorthand for interviewees when they
discussed something other than a manufacturing or craft labourer, domains in
which high-tech workers were not seen to fit. Brian Globerman summed up the
feelings several of the interviewees suggested existed in high tech when he
admitted that despite being an active part of the anti-war movement in the seven-
ties, “I also saw myself as a technologist, and as a professional, and unions were
for trades” (Globerman, 2005). The political turnaround had inevitably occurred
when this belief ran up against the precariousness of their working conditions.
While suggesting that software production was becoming more routinized and thus similar to factory work, one of the qualities Globerman proposed as marking the difference between the two was, ironically, the ability to rebound from the loss of a job: “So when [an auto worker’s] job disappears they may be at more of a disadvantage than say an information worker” (Globerman, 2005). Information workers are thus better able to navigate intermittent employment due to the inherently volatile nature of high tech.

Asked to reflect on the similarities and differences between their work and manufacturing, most interviewees suggested that the labour process differs significantly from the assembly line. “I’m not rigidly tied to the guy working next to me,” says David Larsen, reflecting on the globalized workflow of the software industry. “The guy that I’m working with might be in another country for crying out loud!” (Larsen, 2005). For many the job also requires a different approach to work, one that encourages a culture of tinkering and autonomy. Barbara Rader, whose children now work in the industry as well, says high-tech workers are “more in love with fiddling around with a computer. [They are] largely self-taught on an awful lot of things, self-motivated, and very individualized skills” (Rader, 2005).

Most interviewees reported a degree of independence on the job, with little monitoring of their progress during the completion of a task. For others, however, information-sector labour has been transformed as the industry has matured. WashTech treasurer Margaret Bartley points out that the kinds of work within it have become more de-skilled, segregated into hierarchies and, as she says, forms of “intellectual factory work”:

The high-tech industry has changed, because it went from, in a very rapid period of time, in one person’s career, where people who were working on computers at the beginning were researchers and almost like scientists. And then it became an academic field, where you could actually get a degree in computer science. And then it became more and more routinized, to where it just became technicians, and you just got trained in doing computer programming . . . Now people are trained quickly . . . they’re brought on and they’re expected to hit the ground running. They’ll get maybe a few days of training, and then they’re replaced with new people as the environment changes. (Bartley, 2005)

This volatility was confirmed by all of the interviewees, along with a resulting lack of security. For some, temporary employment certainly offers advantages in particular situations. For many permatemps at Microsoft, however, given the choice between temporary and full-time employment, there was little hesitation in their preference. For former temp Michael Schramm,

. . . there was never any doubt. I did want to be an FTE (full-time employee); I was only contracting because I had to. Others told me contracting gave them more flexibility. But I had a mortgage, so I wasn’t going to Europe. I just needed security. (cited in Nachtigal, 2005b)

This precarity, because of Microsoft’s changes to its employment policy, persists to this day. For many, the condition is marked by an endless series of con-
tracts, punctuated by Microsoft’s enforced 100-day periods of unemployed downtime. Larsen made this painfully clear:

“[I]t’s this kind of silly cycle of coming onto the scene, ramping up, getting proficient, and as soon as you’ve really got it down, and you know what you’re doing, you’re gone. You’re paying off debts, paying off debts, catching up, catching up, maybe saving a little . . . and then you’re unemployed, and you start going into debt again. (Larsen, 2005)

Such policies also mean that workers switch between Microsoft and other employers on a regular basis. Brian Globerman’s month-to-month situation was typical of those I spoke to: “My contract ended on June 30th, so basically I’m doing some work for WashTech this week. I start a job at another company next Monday” (Globerman, 2005). The constant change in jobs can have advantages, of course, including new challenges, less chance of boredom, and a set limit of hours worked per week. But for many the material insecurities that accompanied temporary work and the regular salesmanship of oneself involved in staying in the game made it a far less preferable option. “[Y]ou’re constantly having to pitch yourself. Every three to six months you’re going on another round of interviews . . . it gets wearing after a while,” said Denys Howard (Howard, 2005).

**Difficulties organizing immaterial labour amid precarity**

The affect, communicative skills, and problem-solving capabilities required by the high-tech work carried out by those involved in WashTech is quite obviously an asset to the ongoing project of collective organizing in the high-tech industry. As Barbara Judd pointed out in the thick of the rebellion of the 18-member Tax-Saver unit at Microsoft, “[I]t’s ironic that the things that make us good workers and good in our jobs are the same things that make us good at forming a union” (cited in Ervin, 1999a). Yet collective organizing amid precarity is not easy, as WashTech’s slow growth in the high-tech industry demonstrates. Next I will discuss the main barriers to the growth and effectiveness of WashTech, ones which appear to be generalizable within high tech.

**Worker subjectivity**

As Laurie Milton has suggested from a different perspective (2003), paying attention only to the often-difficult labour conditions of high-tech workers will guarantee that one’s discussion of their propensity to unionize is insufficient. Issues of subjectivity are key to any discussion of immaterial labour and therefore to evaluating some of the greatest problems faced by those who believe the digital smokestacks of the New Economy ought to be union territory. For high-tech workers, despite the growing disenchantment, for the most part still eschew collective organizing.

The first reason for this is that among many U.S. high-tech workers, there is at best an absence of memory of labour organizing to draw upon in order to confront the exploitative relations they face. As Karen Estevenin explained, most of her former colleagues in high tech “. . . didn’t have any union experience. No one really knew what a union was, except for maybe what they see in the movies and
they thought that unions were for factory workers and farm workers” (Estevenin, 2005). Indeed, the chain linking one industrial struggle to another, the “circulation of struggles,” as the autonomists call it, appears in many cases to have been broken before it could arrive at high-tech workers. This culture is bolstered by the relative privilege high-tech workers enjoy compared with more punishing and exploitative kinds of work. “None of us are day laborers slaving away at minimum wage and working in terrible conditions where you would feel like you have cause [for organizing],” said Connie Schachtel, another Microsoft temp. “Until the discrepancies dawn on them people tend to feel that if they complain they’re whiners” (cited in Tyson, 1999).

In addition, this feeling of privilege is often supplemented by a hostile refusal of collective organizing through unions, which are frequently seen as archaic, undemocratic, and generally undesirable. One Microsoft worker, hired on full time after the permatemp unrest, says, “I know people who are here who would quit the company if they had to join a union” (cited in Nachtigal, 2005b). Other progressive social movements do not escape the same fate. Brian Globerman recalls the reactions among co-workers at Microsoft when Seattle was rocked by thousands of counterglobalization activists in 1999: “[D]uring the WTO protests there were cartoons very critical of the protesters in the coffee rooms. You know, ‘all these people are crazy, we’re so trade-dependent’” (Globerman, 2005).

Again, precarity acts as an important dividing line in terms of who supports unionization. Those predominantly subject to precarity—the contractors—are kept in such an unstable position that while they frequently feel exploited, very few feel like taking the risk of organizing collectively. Microsoft permatemp Ed Campodinico characterized the general feeling among his colleagues as one of “anxiety and fear” (cited in Tyson, 1999). In addition, collective organizing often presupposes some feeling of ownership or belonging, something that has been neatly routed around by Microsoft management. As Denys Howard says, “[C]ontractors just don’t want to make any waves. You’re just there as a mercenary, you’re there at the sufferance of the company, you can be let go at any time . . . ” (Howard, 2005).

Among full-time workers on the other side of the divide, there is a pervasive culture of association with the employer. “They believe in their employers, they trust them. They think ‘they will take care of me,’” says Estevenin (2005), who led a failed attempt to unionize her previous tech company. Ironically, the intensity of full-time exploitation is often greater, as they regularly work far more than the 40 hours per week the contractors are limited to. “It just breaks my heart sometimes the things that the full-timers will put up with,” Howard says.

They just accept it as a given that they’re going to work fifty or sixty hours a week, and that just amazes me. What I always say to them is “our great-grandparents were gunned down in the streets of Chicago for demanding an eight hour workday, why would you just give it up, for no reason whatsoever other than that the company tells you to?” (Howard, 2005)
Finally, occupational differences within the varied ranks of immaterial labour that WashTech now represents may test the creation of solidarity across categories. Some of the interviewees expressed concerns that the recent unionization of the Cingular call-centre workers would unduly change the union’s composition, moving it away from its original focus on high-tech workers.

Global precarity: The offshoring of immaterial labour

Bill Gates presciently suggested in 1995 that the information highway would “extend the electronic marketplace and make it the ultimate go-between, the universal middleman” (1995, p. 158). Ten years later this prediction rings true in the global marketplace for immaterial labour, allowing his company to replace portions of its American work force with cheaper workers from India—“two heads for the price of one,” as Microsoft Senior Vice President Brian Valentine infamously suggested in 2003 (cited in Gongloff, 2004).

The second major challenge to collective organizing within the high-tech sector is therefore the disciplinary measure available to large-scale information-sector companies to take advantage of global circuits of production and simply shift its immaterial labour elsewhere. Since 2000, steady rounds of work-force bloodletting have followed the explosion of the tech bubble in the U.S. Stories of training one’s replacements flown in for the occasion are now commonplace, such as that recounted by WashTech member and software engineer Stephen Gentry, to whom it happened at Boeing (Gentry, 2005). “Quite frankly, everyone is on pins and needles. They know they might be the next to be laid off. And they are right to be afraid,” says WashTech member Judy Tarasek (cited in Talvi, 2004).

Informational capital’s mobility has thus introduced another power imbalance into an equation in which flexible labour arrangements already gave it an advantage. Yet the growing prevalence of this strategy, even in the face of what remains primarily a docile high-tech labour force, has seen WashTech move away from temporary employment as an issue to concentrate much of its energy on offshore outsourcing. “I think we thought we could build, just focusing on contract workers, but that just isn’t a viable strategy. The issue’s died down, the militancy of the contractors has died down, as the labor market has gotten more difficult, and clearly it’s out there but it’s not the driving issue such as an outsourcing issue” says Courtney (2005).

Few people have attempted to point out, however, that offshore outsourcing merely intensifies the precarity already characterizing the tech sector. As Margaret Bartley suggests, offshoring is but an extension of exactly the processes permatemps revolted over:

They started first outsourcing domestically, just to get that technology, get the business organization going, and once it’s a smooth process, then they can start outsourcing the work overseas. So part of it was a training ground for outsourcing. . . . (Bartley, 2005)

Such a process has inevitably begun to affect the work of upper-tier high-tech labour as well, making them subject for the first time to the instabilities felt by the
prematemps throughout the nineties. Precarity, if nothing else, democratizes workplace uncertainty.

**Potentialities**

I see a lot of parallels between what we’re doing and the auto industry in the 30’s. It was an unorganized industry. The auto industry was the high-tech of its day. (Mike Blain, cited in Rothenburger, 1999)

If this inquiry’s starting point is that immaterial labour and precarity are becoming increasingly important features of work, then what are the forms of, and prospects for, the political organization of its subjects? Mike Blain’s quote above represents the implicit hope that history will repeat itself. It is worthwhile to evaluate this belief for a moment.

What I have tried to demonstrate thus far is that immaterial labour and precarity can help both academic analyses and labour organizing understand emergent processes characterizing the rhythms of work and life in the information and communication industries. As we have seen, in many respects the high-tech permatemps cannot be compared with the manufacturing labourer, save for the key fact that they both still sell their labour-power as a commodity. This is an important link, but the context in which this sale occurs has changed dramatically. Not only is there an additional layer of exploitation in the form of temp agencies, but the legally acceptable form of unionism that emerged during Fordism to advance the power of labour is not viable in many cases for the digital economy.

This does not, however, mean that collective organizing will not happen. History shows us that it happens again and again—that collective organizing is always already part of any labour relation within capital. It merely means that it will take different forms, that those forms are unpredictable before they happen, and that they will invariably respond to the barriers facing the old ones.

WashTech is an early, timid, faltering, but very real attempt to route around some of the initial constraints placed on collective organizing by the architects of the knowledge economy. It prefigures the organizing of the future because it has shed some of the organizational impossibilities handed down from the past. What this offers us, therefore, is a case of high-tech unionism in formation, a grappling with the “what is to be done” of immaterial and precarious labour.

None of this takes away from the severe difficulties that are faced by any would-be high-tech labour movement. Tech-workers’ notorious aversion to collective organizing has begun to crumble, but it remains intact in many areas. Yet with the process of offshore outsourcing only in its infancy, all tiers of immaterial labour save for the very top of the executive hierarchy are becoming vulnerable to the cold logic of “two heads for the price of one.” This process may well be the one that hurries the deconstruction of the somewhat untenable subjectivity of the tech worker.

In WashTech’s case, the thinking is that if the union is built the people will come. The extent of the CWAs willingness to continue supporting the venture remains to be seen. During the height of the turmoil, then-president of the CWA
Morton Bahr suggested “this may take ten, fifteen years” (cited in Lynch, 1999). Yet what this paper has tried to do is to prioritize the fears, hopes, and desires of high-tech workers themselves over the strategies of established labour. As Armand Mattelart stated in 1979 in a context as different as it is relevant, in order “to understand this movement of reality, we need to listen to a group of printing workers struggling against industrial concentration and its model of a computerized press,” an act that is “just as important for the progress and elaboration of a science of communication as the work developed by a university researcher . . . ” (1979, p. 24).

This article is less concerned with contributing to a “science” of communication than it is with contributing to the broad and ongoing project of examining the multiple and growing intersections between labour, communication, and collective organization, which like the organization of immaterial labour in an age of precarity, is just beginning.

Notes
1. I would like to thank Greig de Peuter for offering extensive comments on a previous draft of this paper, as well my anonymous referees, who provided thoughtful and supportive reviews. This research was supported by grants from the Social Sciences and Humanities Research Council and Queen’s University.
2. Subjectivity is used here in a Foucaultian sense; that is, it is understood to be the effect of power relations, the material-discursive bounds within which one acts in the world.
3. As an example, immaterial labour is able to conceive of the unremunerated work of Dallas Smythe’s audiences (1981), the domestic labour of reproduction discussed by Mariarosa Dalla Costa & Selma James (1972), and, more broadly, the production of subjectivity discussed by Deleuze & Guattari (1987) and Foucault (2002).
4. It is important to remember that “standard” employment has, of course, stereotypically been White, male, and middle-class. In this sense, the emergence of precarity as a dominant condition can be seen in many cases as a democratization of exploitation—a condition women, people of colour, migrants, and other minorities know all too well.
5. As Leah Vosko (2003) has pointed out, there are some serious limitations to using conventional statistics to measure precarity, particularly due to the way in which “non-standard” employment is operationalized by both researchers employing official statistics and the agencies that collect them.
6. While not ignoring the obvious point that Fordist and Taylorized production methods persist globally and are indeed now being applied to industries as diverse as call centres and health care (Head, 2003), this article adopts the term post-Fordism as the most adequate to capture not only the economic (the passage from formal to real subsumption), but also the political (the shift toward neo-liberalism) and cultural (the shift toward postmodernity) features of our age.
7. These figures were arrived at by totalling the numbers of four occupational definitions (Computer Programmers, Computer Software Engineers, Applications, Computer Software Engineers, Systems Software, and Computer Systems Analysts) offered by the BLS. These figures ought to be treated with some caution. One example of why this approach is warranted came when I asked one of the WashTech interviewees to identify himself and some of his Microsoft colleagues within one of these descriptions and he had great difficulty doing so (Howard, 2005).
8. This figure, like the one cited from the Bureau of Labor Statistics, refers to occupational categories rather than employment by sector. The latter, which includes manual occupations within the high-tech sector, is estimated by the American Electronics Association to include 5.6 million
workers. These figures are from the American Electronics Association Cyberstates Study, cited in Connors & Jones (2005).

9. Around 8,000 plaintiffs received their payout in October of 2005. Founding WashTech member Mike Blain has suggested along with others that the lawsuit, once the settlement was announced, actually hindered WashTech's organizing efforts: “It helped keep fence sitters on the fence. Who needs a union, who needs a collective voice at work, when you're just waiting for a big, fat class-action settlement?” (cited in Nachtigal, 2005b).

10. In a stunning lack of labour solidarity, the International Federation of Professional and Technical Engineers and Seattle Professional Engineering Employees Association supported the measure, as it was not applicable to unionized employees. This made the decision to affiliate with the CWA a particularly contested one for WashTech later on (Courtney, 2005).

11. Their first attempt, at computer product and maintenance company DecisionOne, failed after the employees withdrew their bid to unionize in the wake of heavy pressure from management (Rosa, 1999).

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