

Documents show Google operated a secret management program to prevent workers from organizing

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15 January 2022

An administrative law judge ruled on January 7 that Google must turn over to the National Labor Relations Board (NLRB) a series of documents concerning a secret management program set up to prevent employees from organizing and engaging in workplace activism.

Judge Paul Bogas was appointed by the NLRB as a special master to review documents connected with a program called Project Vivian that was run by senior executives at the giant tech company between late 2018 and early 2020.

The documents deal specifically with the relationship between Google—along with its parent company Alphabet, Inc.—and IRI Consultants, a firm known for corporate anti-union strategies. The campaign by Google management was a response to worker protests and organizing efforts that began in 2018.

Judge Bogas's ruling says that Google cannot use attorney-client privilege as a means of concealing documents that were subpoenaed by the NLRB in a case that was filed by the agency in December 2020. The case involved the illegal firing and surveillance of employees who were involved in campaigns to change company policies and efforts to organize other workers.

In his decision, the judge called Google's attempt to block the release of 180 documents a "broad assertion" that is "to put it charitably, an overreach." In all, Bogas has ordered the Silicon Valley tech corporation to turn over 1,500 documents connected with its communications with IRI Consultants that Google had logged as "privileged."

The judge said Google's argument that it has the right to withhold these documents was not persuasive because the relationship with IRI Consultants involved

communications and messaging and was not legal advice.

In one of the documents the company claimed was protected by attorney-client confidentiality, Michael Pfyl, Google's director of employment law, described the mission of Project Vivian as "to engage employees more positively and convince them that unions suck."

Showing that Google executives viewed their efforts as trend-setting in the tech industry, the judge also described evidence in the documents that a Google attorney proposed to find a "respected voice to publish an OpEd outlining what a unionized tech workplace would look like, and counseling employees of FB (Facebook), MSFT(Microsoft), Amazon, and google (sic) not to do it."

Bogas's report also showed that Kara Silverstein, Google's human resources director, said that she liked the idea of the OpEd but that it should be executed so that "there would be no fingerprints and not Google specific."

The documents show that the decision to hire IRI Consultants was not made by company lawyers but by executives such as Silverstein and Danielle Brown, Google's vice president of employee engagement.

IRI Consultants was founded in 1979 and has offices in 31 US states and specializes in corporate labor relations and employee communications. Among the services the firm provides is Union Vulnerability Assessments and Labor Campaigns. A feature blog post on the firm's website is titled "The Resurgence of Labor's Biggest Threat—The Strike."

The NLRB case stems from the firing by Google of three employees in 2019 for their organizing activities. On May 5, 2021, the NLRB ruled that Sophie

Waldman, Rebecca Rivers and Paul Duke were released by the company in retaliation for their activism. In December 2020, the agency ruled that Google illegally spied on and then terminated employees Laurence Berland and Kathryn Spiers, also in 2019.

The company has maintained that the terminations were disciplinary actions taken against “employees who abused their privileged access to internal systems, such as our security tools or colleagues’ calendars.” The workers have maintained that the documents they accessed to conduct their organizing activities were accessible to all engineers within the firm and only later classified by management as “need to know.”

As reported previously here on the WSWS, a group of Google engineers announced the formation of the Alphabet Workers Union on January 4, 2021. The union, which was set up with the support of the Communications Workers of America, has not yet held an official NLRB election at Google workplaces, and it has not been recognized as a bargaining agent by the company.

As we have explained in relation to the union organizing drive at Amazon, Google’s current opposition to the unionization drive by AFL-CIO-affiliated organizations is a tactical question for the corporation. At this moment, having an official labor union inside the \$1.8 trillion corporation cuts across the current financial and strategic plans of Google and Alphabet, Inc.

However, under conditions where tech workers and engineers begin to put forward their own demands, the company would quickly adapt to such a situation and move to utilize a union for its own purposes. For its part, the Communications Workers of America and the AFL-CIO would willingly collaborate with the tech monopolies to suppress the demands of Google workers in exchange for automatic dues collection and expansion of the audience within which to push for their right-wing orientation to Democratic Party politics and economic nationalism.

Google employees and employees throughout Silicon Valley and the high-tech industries must learn the lessons of the past struggles of workers who have been trapped inside unions, such as the CWA in the telecommunications industry. For decades, workers at Verizon, AT&T and other corporations in the telecom

sector have been betrayed by the CWA and, even when they have gone on strike, their struggles have been isolated and shut down. Workers have been told that they have no choice but to accept the destruction of their jobs, wages, benefits and working conditions as demanded by the corporations.

Google workers have every right to fight the victimization by the company and demand that their rights be defended. However, even if a victory in the cases before the NLRB result in the approval of a union, the task facing workers remains the same: the necessity to build rank-and-file organizations of struggle that are independent of both the corporations and the unions based on the development of a socialist political movement of the entire working class, aimed at transforming the tech giants into public utilities.



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