

Nightingales in Gilded Cages:
Worker Organizing Under Surveillance Capitalism

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“A spider conducts operations that resemble those of a weaver, and a bee puts to shame many an architect in the construction of her cells. But what distinguishes the worst architect from the best of bees is this, that the architect raises his structure in imagination before he erects it in reality.”¹

Karl Marx

“In the best regulated mind of the present day, had not there been, and is not there some hours every day passed in reverie, thought ungoverned, undirected?”²

Thomas Wedgwood

¹ Karl Marx, “The Labour-Process and the Process of Producing Surplus-Value,” *Capital Volume I*, <https://www.marxists.org/archive/marx/works/1867-c1/ch07.htm>.

² E.P. Thompson, “Time, Work-Discipline, and Industrial Capitalism,” *Past & Present*, no. 38 (1967): 97, <http://www.jstor.org/stable/649749>.

In early April 2024, Google employees launched a series of civil resistance actions in New York City, Seattle, and Sunnyvale, California to protest the \$1.2 billion dollar contract between their company and the state of Israel.³ Project Nimbus, a joint contract that Google and Amazon maintain with Israel, offers cloud computing infrastructure and advanced artificial intelligence (AI) capacities—including the potential to harvest data for facial recognition and object tracking—to the Israeli government and military.⁴ Google called the police to break up the sit-ins, and the police arrested several employees. No Tech For Apartheid (NOTA), the committee that organized the protests and that is composed of Google and Amazon workers protesting Project Nimbus, argues that the contract “allows for further surveillance of and unlawful data collection on Palestinians, and facilitates expansion of Israel’s illegal settlements on Palestinian land.”⁵

In a stunning exposé, *The Intercept* reported on training documents and videos within an educational portal for users of the Nimbus database. These materials revealed that Google is providing the Israeli government with machine-learning tools available through the Google Cloud, giving Israel the power to conduct widespread facial recognition detection, automated image categorization, and sentiment analysis. Surveillance is a critical part of the Israeli occupation of Palestine, and the advanced cloud capacities offered by Project Nimbus expand this surveillance exponentially. “Data collection over the entire Palestinian population was and is an integral part of the occupation,” said Ori Givati from Breaking the Silence, a group of veterans of the Israel Defense

³ Mohammad Khatami et al., “Google Fired Us for Protesting Its Complicity in the War on Gaza. But We Won’t Be Silenced,” *The Nation*, April 29, 2024, <https://www.thenation.com/article/activism/google-firings-gaza-project-nimbus/>.

⁴ Al Jazeera Staff, “What is Project Nimbus, and why are Google workers protesting Israel deal?” *Al Jazeera*, April 23, 2024, <https://www.aljazeera.com/news/2024/4/23/what-is-project-nimbus-and-why-are-google-workers-protesting-israel-deal>.

⁵ Michael Sainato, “Workers accuse Google of ‘tantrum’ after 50 fired over Israel contract protest,” *The Guardian*, April 27, 2024, <https://www.theguardian.com/technology/2024/apr/27/google-project-nimbus-israel#:~:text=Google%20has%20been%20accused%20of,tensions%20between%20staff%20and%20management>.

Forces (IDF) advocating against apartheid. “Generally, the different technological developments we are seeing in the Occupied Territories all direct to one central element which is more control.”⁶

Ramesh Srinivasan, a professor at the University of California, Los Angeles, characterized Project Nimbus as “a project that marks and sort of highlights the direct connections that big technology companies in the United States have, not only to the so-called military-industrial complex, but to directly aiding and abetting the Israeli government.”⁷ Though Google has repeatedly denied any military bent to Project Nimbus and reiterated that its cloud computing services are to be used only for civilian purposes, Billy Perrigo for *Time Magazine* proved that there is a direct contract between Google and the Israeli Ministry of Defense.⁸ Google maintains that none of its tech can be used for “immediate harm,” yet Israel has implemented the facial recognition technology of Google Photos to monitor and brutalize Palestinians through the creation of a “hit list” that has led to the wrongful arrest and abuse of innocent civilians, including the Palestinian poet Mosab Abu Toha.⁹ Even further, reports from media outlets in Israel suggest that the IDF is conducting airstrikes in Gaza using artificial intelligence to identify targets, and that such an AI system likely requires cloud computing infrastructure.¹⁰

In direct response to the protests in April, 28 workers were fired for allegedly violating the Google code of conduct and policy on harassment, discrimination, and retaliation. One week afterwards, Google fired an additional 20 protestors, including employees that NOTA said had merely been in the vicinity of the protests and had not directly participated. Google disputed these claims. They said that they had meticulously checked that “every single one of those whose

⁶ Sam Biddle, “Google Won’t Say Anything About Israel Using its Photo Software to Create Gaza ‘Hit List,’” *The Intercept*, April 5, 2024, <https://theintercept.com/2024/04/05/google-photos-israel-gaza-facial-recognition/>.

⁷ Al Jazeera Staff, “What is Project Nimbus.”

⁸ Billy Perrigo, “Exclusive: Google Contract Shows Deal With Israel Defense Ministry,” *Time Magazine*, April 12, 2024, <https://time.com/6966102/google-contract-israel-defense-ministry-gaza-war/>.

⁹ Biddle, “Google Won’t Say Anything.”

¹⁰ Perrigo, “Exclusive: Google Contract Shows Deal.”

employment was terminated was personally and definitively involved in disruptive activity inside our buildings.”¹¹

Google’s extreme response was their largest retaliation to workers participating in acts of political protest. Many of the fired employees said that Google had “overreacted” and that the magnitude of their response was a deliberate attempt to maintain their relationship with the Israeli government. Hasan Ibraheem, a former Google software engineer who was arrested and fired for his involvement in the New York City sit-ins, described his termination process as impersonal and detached. “We don’t know of anyone who had actually been reached out to by HR,” he said. “We were asked no questions. There was no consulting with us. No one asked us anything. It was just a very cold mass email sent out, you are now fired, goodbye, because they don’t want to deal with us, they want to silence us.”¹²

The company conducted a detailed investigation to identify those who had participated in the sit-ins, even people who wore face coverings and deliberately did not carry their staff identification badges to preserve their anonymity. They consulted workers who had been “physically disrupted” by the sit-ins and thus were willing to provide compromising information about their coworkers in order to learn details about the participants. “This is a business, and not a place to act in a way that disrupts coworkers or makes them feel unsafe, to attempt to use the company as a personal platform, or to fight over disruptive issues or debate politics. This is too important a moment as a company for us to be distracted,” Google Chief Executive Officer Sundar Pichai wrote in a blog response following the protests.¹³

¹¹ Kelvin Chan and Wyatt Grantham-Philips, “Google fires more workers who protested its deal with Israel,” *Associated Press*, April 23, 2024,

<https://apnews.com/article/google-israel-protest-workers-gaza-palestinians-96d2871f1340cb84c953118b7ef88b3f>.

¹² Sainato, “Workers accuse Google.”

¹³ Al Jazeera Staff, “What is Project Nimbus.”

Activists for NOTA have written extensively about the increasing surveillance and monitoring of tech employees, especially those protesting the militaristic services that their companies are providing to perpetuate state violence against civilians. The NOTA campaign has a list of demands for Google, many of which pertain to the cessation of their military contracts with Israel, but also among them are that Google must immediately end its harassment, intimidation, censorship, and retaliation against employees who criticize or organize against the company, especially outspoken employees who are Palestinian, Arab, and Muslim.¹⁴

To many, that ability of an employer to identify the faces of their employees at a protest is a banal, even ubiquitous power, and certainly one that a company as influential as Google would wield. However, this category and level of surveillance of highly skilled workers is largely unprecedented in the history of the workplace.

As Brishen Rogers discusses in “Workplace Data and Workplace Democracy,” the Covid-19 pandemic and the widespread practice of remote work for skilled workers brought visibility to the technological class divide like never before. It clarified the wholly dependent relationship between professionals and low-wage workers, as well as identifying the different purposes that technology serves for these two distinct categories. For highly-paid workers—many of whom are white—technology is a tool that can be used for organizational and administrative purposes, to manage and organize a company, or else to create goods or services. For poorly-paid workers—many of whom are people of color—technology is something that manages them, that

¹⁴ Khatami, “Google Fired Us.”

structures their time and enforces disciplinary practices to ensure their maximum productivity.¹⁵ And despite this discrepancy in experience, white-collar workers are altogether reliant on blue-collar workers performing labor in warehouses, grocery stores, childcare facilities, factories, and infinite other locations, all types of labor that are frequently accompanied by steep physical or emotional costs for the blue-collar workers.¹⁶

Rogers argues that the advent of new technologies since the 1970s, combined with the exponential growth in precarious service jobs and the decrease in American labor law restrictions, has led to the total degradation of worker power. He writes that the modern technological development and decreasing rates of unionization cannot be extracted from one another.¹⁷ Indeed, many new technologies were created for the explicit purpose of controlling workforces and suppressing wage growth to maximize profit. In his view, nascent models of AI are merely an extension of this pattern.¹⁸

Employers using technology to surveil workers and curtail their collective power is not merely a late twentieth or early twenty-first century phenomenon, but a recrudescence with deep historical precedent. Some theorists posit that Karl Marx believed that the technology created during the transformation to industrial capitalism altered the social organization of work, disrupting organizing bonds between workers and acting as the mechanical embodiment of alienation. As MacKenzie writes in “Marx and the Machine,” “the machine undermined the basis on which manufacturing workers had resisted the encroachments of capital.”¹⁹ Because new technology broke down skilled labor, reduced the labor time that the employer needed to earn back the wage given to the worker, increased the surplus value of the capitalist, and rendered unskilled workers

¹⁵ Brishen Rogers, “Workplace Data and Workplace Democracy,” *Georgetown Law Technology Review* 454 (2022): 454, https://georgetownlawtechreview.org/wp-content/uploads/2022/11/Rogers_Workplace-Data-and-Democracy.pdf.

¹⁶ Rogers, “Workplace Data,” 455.

¹⁷ Rogers, “Workplace Data,” 455.

¹⁸ Rogers, “Workplace Data,” 459.

¹⁹ Donald MacKenzie, “Marx and the Machine,” *Technology and Culture* 25, no 3., John Hopkins University Press (1984): 487.

interchangeable and thereby vulnerable to termination, it decimated nearly all methods of resistance.²⁰ MacKenzie elaborates on the subversion of power that the machine initiated in the workplace, quoting Marx to punctuate his argument:

“Prior to the machine, the worker still commanded the tool—and used this command as a source of countervailing power. From the point of view of the worker, the machine is thus a direct threat. It is ‘capital’s material mode of existence.’²¹ So class struggle within capitalism can take the form of ‘a struggle between worker and machine.’”²²

MacKenzie argues that Marx believed that technology was used by capitalists for the explicit purpose of seizing the countervailing power that the worker held over the tool, and in doing so, diluting the ability of the worker to disrupt the labor process as a means of resistance. Where workers could once slow down their production as an act of protest, deliberately reducing their output, the machine made any such interruption impossible. “Capital uses machinery not only strategically, as outlined above, but also for precise tactical purposes. Where workers’ (especially skilled workers’) militancy poses a threat to valorization, capital can counter by promoting the invention and employment of machinery to undermine workers’ power,” MacKenzie writes.²³

An excellent example of the utilization of machinery to regiment the lives of workers is found in time-keeping. As E.P. Thompson elucidates in his seminal essay “Time, Work-Discipline, and Industrial Capitalism,” the time-clock, the time-sheet, the time-keeper, the informer, and the fines for disrupting the mechanized labor process all aided in the enforcement of disciplined

²⁰ MacKenzie, “Marx and the Machine,” 488.

²¹ Marx, *Capital* I, 442.

²² MacKenzie, “Marx and the Machine,” 488.

²³ MacKenzie, “Marx and the Machine,” 488.

industrial capitalism.²⁴ When the manufacturing industry was in its earliest days, prior to the ubiquity of machinery, work was irregular and characterized by fits of fervent labor or else immense idleness.²⁵ Most seventeenth-century workers in England, as well as nearly all people in non-industrial societies throughout history, performed work that was task-oriented. Wages were tied to the completion of tasks, not to time; the length of the working day or week oscillated based on the task, and there was no inherent disagreement between labor and the passage of time.²⁶ However, as clocks and watches became more widespread in the eighteenth-century, various industries began using them to synchronize and regulate labor. In 1798, craftsman and makers of chronometers from Carlisle, England argued in a petition that “the cotton and woolen manufactories are entirely indebted for the state of perfection to which the machinery used therein is now brought to the clock and watch makers,” speaking to the impact that time-keeping had on regulating the speed at which goods and services were produced in factories.²⁷ Machinery regimented the time of the worker in service of labor synchronization, and the auxiliary of machines surveilled that regimentation.

In alignment with this trend, AI can be understood as a derivative of past attempts from the capitalist class to undermine worker power and aid in the rigid enforcement of surveillance capitalism. With the purported goal of increasing productivity and eliminating menial tasks, employers are using AI for precise tactical purposes to dilute worker power in every conceivable way that has not yet already been implemented by the capitalists of eras preceding, and in many ways that already have been.

²⁴ E.P. Thompson, “Time, Work-Discipline, and Industrial Capitalism,” *Past & Present*, no. 38 (1967): 82, <http://www.jstor.org/stable/649749>.

²⁵ Thompson, “Time, Work-Discipline,” 73.

²⁶ Thompson, “Time, Work-Discipline,” 60.

²⁷ Thompson, “Time, Work-Discipline,” 65.

Shoshana Zuboff crafted the terminology of surveillance capitalism to describe the economic and political milieu of the digital age. In her definition, surveillance capitalism is different from any other progression in capitalism because it steals the personal experiences of individuals—what Zuboff calls behavioral surplus—as a form of primitive accumulation. By using digital technology as a puppet, surveillance capitalists have created a new economic order that exploits individual behavior, human autonomy, and democratic sovereignty for profit and is fundamentally incompatible with privacy.²⁸ This new economic order strives to control what Zuboff calls the means of behavioral modification. The driving force behind surveillance capitalism is the extraction imperative, which necessitates further breaches of personal lives to gather as much data or behavioral surplus as possible.²⁹

In “Surveillance Capitalism and the Challenge of Collective Action,” Zuboff identifies the threat that surveillance capitalism poses to many methods of organic opposition that have emerged in past iterations of capitalism to counter the power of the owners of the means of production. Today, most mechanisms of surveillance have become so ubiquitous as to be nearly impossible to perceive, merely forming what she calls the extraction infrastructure of our lives.³⁰ A person cannot opt out of internet browsers or social media platforms or other digital technologies without encountering immense social and economic costs, and therefore, the element of choice—including exit, voice, loyalty, and strikes—that previously existed in industrial capitalism for the workers whose labor power generated economic surplus no longer exists.³¹ Because surveillance capitalism relies on the extraction of personal experience and private data to generate profit, and because those being surveilled to produce the behavioral surplus feel a kind of utter dependency on the technology of

²⁸ Shoshana Zuboff, “Surveillance Capitalism and the Challenge of Collective Action,” *New Labor Forum* 28, no. 1 (2019): 10, <https://www.jstor.org/stable/26675591>.

²⁹ Zuboff, “Surveillance Capitalism,” 16.

³⁰ Zuboff, “Surveillance Capitalism,” 25.

³¹ Zuboff, “Surveillance Capitalism,” 25.

surveillance capitalism that robs them of their privacy and of their decision to participate in the first place, there is an existential threat to any sort of collective action.³²

Additionally, in an increasingly fractured workplace where employers are constantly shirking responsibility for their employees, it can be difficult to imagine any sort of future where workers have comparable power and voice to what they have had in the past. With each new advent of technological development, it is easy to think that things are worse for worker organizing than ever before. The increasing ubiquity of facial recognition technology, the mechanization of tasks and the “gamification” of labor in low-wage jobs, as well as the physical disruption of the workplace and the subcontracting of jobs, the current conditions appear on the surface like a perfect storm to silence worker voice permanently.

David Weil pioneered the term fissuring to refer to the recent transformation in the traditional employer-employee relationship, including the offloading of responsibility that many companies engage in to avoid taking responsibility for the health, safety, and well-being of their workers. “The basic terms of employment—hiring, evaluation, pay, supervision, training, coordination—are now the result of multiple organizations,” Weil writes. “Like a rock with a fracture that dips and spreads, the workplace over the past three decades has fissured. And fissuring has serious consequences for the bedrock that people depend upon from employment.”³³

Fissuring replaces the direct employment relationship with a disjointed model wherein jobs that once afforded middle-class wages and benefits (including health insurance, pension plans, paid time off, maternity and paternity leave, and myriad other securities) now are outsourced to other employers who are competing constantly to maximize their profits. Employers will hire subcontractors who will then hire workers rather than the original employer hiring the workers

³² Zuboff, “Surveillance Capitalism,” 25.

³³ David Weil, “The Fissured Workplace and Its Consequences,” in *The Fissured Workplace* (2014): 7, <http://www.jstor.org/stable/j.ctt6wppdw.4>.

directly, all in an attempt to avoid taking responsibility for those employees, which often leads to violations of labor laws that the original employer does not have to take accountability for.³⁴

Interestingly, Weil attributes a huge part of the reason for the fissured workplace to developments in technology. He writes that new technology allowed businesses to prioritize their core competencies and discard anything that was superfluous to their operations, not excluding the people who made those essential functions possible.³⁵ AI can be understood as an amplification of this argument.

Workplace AI, according to Brishen Rogers, is committed in large part to expanding, deepening, and transforming the managerial control over employees and the monitoring of every facet of their lives, both inside and outside of work. In his interpretation, machine learning technologies are “altering class conflicts by rendering every facet of production legible to employers.”³⁶ This is especially true of the associational power of workers. Workers are increasingly surveilled and managed by the employers, with every moment of their time accounted for; simultaneously, workers are separated further and further apart from one another through the rise of contract employees, remote work, and the increasing fissuring of workplaces. Data-aggregation technology can be used to screen job applicants for their likelihood to challenge managerial authority, so people with histories of worker organizing can be discriminated against in hiring processes. Increased monitoring of employee message boards and communication between workers can suppress organizing efforts.³⁷ Workers who engage in collective action can be identified and easily retaliated against without warning, just like the Google employees arrested and fired in April.

³⁴ Weil, “The Fissured Workplace,” 9.

³⁵ Weil, “The Fissured Workplace,” 10.

³⁶ Rogers, “Workplace Data,” 459.

³⁷ Rogers, “Workplace Data,” 460.

Given the context of how difficult it can be to approach the process of unionization under the modern conditions of surveillance and subcontracting, the pre-majority model of unionization can offer an extremely helpful template for forming solidarity and fighting for worker voice despite what can seem like an overwhelming power imbalance between employees and their employers.

Pre-majority unionism has been known in the past as minority, solidarity, or members-only unionism, and the difference in framing is not insignificant; the term “pre-majority” as opposed to “minority” places the emphasis on the possibility of obtaining a majority, rather than focusing on the smaller percentage of people who are engaged in such organizing work. Further, it is critical to understand the historical reasons that workers in certain industries have chosen the minority or pre-majority form of unionization, rather than the traditional path to official union recognition from their employers. Workers who willingly object to traditional majority unionization often cite their resistance to union contracts because of the inclusion of the no-strike clause—inherent in almost every collective bargaining agreement—that can limit worker power and the disruption ability.³⁸

Chris Schmidt, the former secretary of the Alphabet Workers Union (AWU), spoke to the importance of differential terminology in organizing work. “I think we did a bad job,” he said, “when we launched, of communicating minority versus pre-majority, and I think we’ve really suffered for it in the long run.”³⁹ However, the union ultimately shifted its labeling approach and deliberately associated itself with the pre-majority model. After doing so, Parul Koul, president of AWU, noted that the alteration in labeling was a motivating factor. “I think the shift to the language of pre-majority happened in part because it gives you a sense of direction about where you’re going,” he recounted.⁴⁰

³⁸ Colette Perold and Eric Dirnbach, “Union from The Start (You Don’t Have to Wait),” *Labor Notes*, January 30, 2023, <https://www.labornotes.org/2023/01/union-start-you-dont-have-wait#:~:text=It%27s%20a%20strategy%20called%20%E2%80%9Cpre-majority%E2%80%9D%20unionism%2C%20and%20the,that%20don%E2%80%99t%20have%20the%20resources%20to%20support%20them..>

³⁹ Ike McCreery, “Alphabet Workers Union,” *Emergency Workplace Organizing*, <https://workerorganizing.org/premajority-unionism/case-studies/alphabet-workers-union/>.

⁴⁰ McCreery, “Alphabet Workers Union.”

The origins of pre-majority or minority unionization much predate our current understanding of typical forms of union recognition. As Charles Morris writes in his book *Blue Eagle at Work*, “minority-union recognition by employers, accompanied by bilateral collective bargaining for union members only, was the original conventional wisdom on this subject, for such bargaining was commonly practiced following passage of the Wagner Act in 1935.”⁴¹ Morris writes that today, there is a colloquial understanding—even among those who practice labor and employment relations—that it would be unjust or unlawful for an employer to bargain with a union before it obtains majority recognition, which happens most often through an election certified by the National Labor Relations Board (NLRB).⁴²

Morris argues that the reason that the labor movement forgot about pre-majority organizing was because it was much cheaper and much quicker to obtain employer recognition through the NLRB. There were also extremely high rates of success when unions held an NLRB election to get majority recognition, with 85 percent of all unions who held NLRB elections in the first ten years after the board was established ultimately becoming recognized by their employers. The success of such a method, combined with the cost minimization and efficiency maximization it afforded to workers desperate for greater autonomy in their workplace, made it a nearly ubiquitous method among labor organizers.⁴³

Under the conditions of surveillance capitalism, however, more traditional types of unionizing are simply ineffective at countering the vastness of the power disparity between employees and employers. Instead of surrendering hope, it is essential to look to other methods of building solidarity networks, even if they do not follow the typical trajectory of recognition by the NLRB. There are four categories of workers who typically utilize the pre-majority form of

⁴¹ Charles Morris, “Introduction,” *The Blue Eagle At Work: Reclaiming Democratic Rights in the American Workplace* (2004): 4, <https://hdl.handle.net/1813/74222>.

⁴² Morris, “Introduction,” 5.

⁴³ Morris, “Introduction,” 6.

organizing. First, public sector workers in states where collective bargaining is illegal in the public sector; second, private sector workers in “right-to-work” states; third, private sector workers at large companies where successful elections are all but impossible given the vastness of the workforce; and fourth, private sector workers who have had successful NLRB elections but whose employer stalls or extends contract negotiations, preventing contract ratification.⁴⁴

A common critique of pre-majority unionizing in the United States is that it does not protect the rights of workers in the same way that post-majority unionizing does. However, private sector workers who are in pre-majority unions are protected under Section 7 of the National Labor Relations Act, which enshrines their right to engage in collective organizing, and public sector workers are protected through the First Amendment right to freedom of speech and freedom of assembly.⁴⁵ There are also a myriad of benefits that come with pre-majority unionization, including giving the workers the ability and freedom to participate in collective action at any time, not just in the lead-up to contract negotiations or re-negotiations. The freedom to strike without being inhibited by a no-strike clause is also huge, and addressing smaller concerns more immediately is more possible than it might be when a union contract is only renegotiated once every several years.⁴⁶

Despite the many benefits of the pre-majority model, there are real, tangible barriers that pre-majority unions must overcome. Perhaps the greatest challenge is the difficulty of recruiting and retaining union members and ensuring their confidence in the union. It is difficult to directly attribute victories that result from organizing work to the union directly, and therefore, many workers can be skeptical of the role that the pre-majority union played in achieving any victories.

Another small, often overlooked component of the importance of organizing, even when official recognition or a ratified contract can seem impossible, is that all kinds of unionization help

⁴⁴ Colette Perold and Eric Dirnback, “What are Section 7 Rights?” Emergency Workplace Organizing, <https://workerorganizing.org/premajority-unionism/section-7-rights/>.

⁴⁵ Perold and Dirnback, “What are Section 7 Rights?”

⁴⁶ Perold, “Union from The Start.”

increase the power of the labor movement. “While they may not be able to win official recognition or a contract right away, these workers can still build shop floor unions and fight for and win improvements,” write Colette Perold and Eric Dirnbach. “Pre-majority unionism is a crucial tool if the labor movement is to grow at the scale we need.”

Finally, a key benefit of pre-majority unionizing that is more applicable than ever before is its ability to unite workers across sectors. “Workers in some pre-majority unions can also build ‘wall-to-wall’ unions across job categories, since they are not constrained by decisions made by the NLRB or local employment bodies about which workers are allowed to be in a particular bargaining unit,” identify Perold and Dirnbach.⁴⁷

The Alphabet Workers Union (AWU), mentioned previously, is a critical example of how the pre-majority model can provide a strategy for overcoming the seemingly intractable difficulties of organizing a fissured workplace under surveillance capitalism. AWU represents the workers at Alphabet, a multinational tech company that owns Google, YouTube, Nest, Gemini, and many other subsidiaries. At the time of their launch towards the end of 2020, AWU had only 200 members, but they now represent around 1,400 people out of a global workforce of 250,000.⁴⁸ Affiliated with the Communications Workers of America, AWU plays a key role in gaining worker protections across disciplines and expanding labor organizing to the tech industry.

Many people, especially those inundated in the world of technology or Silicon Valley, know Google as the employer of dreams, supplying gym memberships and unlimited snacks and nap rooms to the software developers who build its empire. In many cases, though, Google and all of the

⁴⁷ Perold, “Union from The Start.”

⁴⁸ McCreery, “Alphabet Workers Union.”

companies under its parent conglomerate employ low-wage subcontracted labor to do the less-skilled tasks that truly provide the bricks and mortar needed for the construction of its technological empire.

The sheer size of the Alphabet workforce represents a significant hurdle in fulfilling the traditional steps needed for union recognition by the NLRB, and that is why the pre-majority model provides such an appealing alternative to the typical majority, NLRB-recognized strategy. “We chose this structure because we didn’t think we could get 80,000 people in secret,” said the AWU chair in an interview. Another essential feature of the organizing landscape that needed to be overcome was the fact of omnipresent worker surveillance. That was a critical reason why the pre-majority model worked so well; to organize in private would have been more difficult than at perhaps any other workplace given the amount of worker watching that occurs. “Organizing at Google means not being secret in effect,” noted Chris Schmidt. “Google can monitor everything you say, which means you have to reorient your approach to be security safe with being public.” There was little chance of gaining the support needed and building the interpersonal connections and trust between workers in secret that is required for a labor union to gain recognition upon going public. Therefore, pre-majority unionization seemed a viable strategy for organizing such a separated, enormous, and constantly monitored workforce.⁴⁹

Labor activism at Google was the product of organizing among both blue-collar and white-collar workers. After Google shuttle bus drivers organized in 2016 with the Teamsters, security guards across Silicon Valley organized in 2017, and cafeteria workers at Google offices began the process of organizing with UNITE HERE, there was significant unionizing action happening with contracted and subcontracted blue-collar workers. The first white-collar organizing occurred as contractors in Pittsburgh sought representation from Steelworkers, winning recognition in 2019 and

⁴⁹ McCreery, “Alphabet Workers Union.”

their first contract in 2021. All the while, many white-collar Google workers were engaged in activism work, protesting against the company's connections to military technology and their policies regarding sexual harassment and discrimination.⁵⁰ Additionally, the terminology of “white-collar” and “blue-collar” does not fully represent the division of labor in the Google workplace. Instead, AWU distinguishes between two tiers of workers: full-time employees (FTEs) and temporary workers, vendors, and contractors (TVCs).

Still, even despite these distinctions between FTEs and TVCs or the equivalent at companies similar to Google, a hallmark of organizing in the technology sector is that the divisions between so-called skilled and unskilled labor are less prominent than in other industries. This unity is the result of many factors, but it became highly publicized through a movement led by the Tech Workers Coalition (TWC). The TWC helped craft the notion of the “tech worker,” a highly inclusive persona that excluded neither trained software engineers, computer programmers, contracted employees, or blue-collar workers employed by tech companies.⁵¹ The approach that the AWU utilizes is a form of wall-to-wall organizing, meaning that it represents workers across tiers and regardless of job categorization or description.⁵² This is an absolutely critical feature of the pre-majority model because it makes wall-to-wall organizing possible in spaces where it might otherwise be impossible, as most traditional majority unionizing efforts are done in a single division or department in order to get as much support as needed before going public. Therefore, many of the people represented in the traditional unionizing model are of a similar class identity as they perform the same job and receive the same compensation or benefits.

In speaking of the strategy used by the AWU and the ways in which it differs from the standard unionization process, Raksha Muthukumar, one of the AWU's rank-and-file members,

⁵⁰ McCreery, “Alphabet Workers Union.”

⁵¹ McCreery, “Alphabet Workers Union.”

⁵² McCreery, “Alphabet Workers Union.”

noted that “NLRB unions need a 51 percent majority of eligible union members for legal recognition and the ability to negotiate contracts on behalf of their membership—but that’s not an immediate priority of ours.” “It would be great one day to be a part of contract negotiations for our cafeteria staff or other kinds of workers, but I think our immediate goal is to solidify and add protections to the kind of worker-led advocacy that has always been going on at Google,” he continued.⁵³ Additionally, he spoke at length about the fact that NLRB recognition should not be the thing that determines the legitimacy of collective action:

“I also think the idea that we need state recognition to be an entity representing workers’ power is wrong. The idea that we need the state’s permission to access our power is not something that resonates with us. We are our power through our organizing, through our negotiating, through our solidarity with each other, and by making a platform for each other’s voices.”⁵⁴

In using this strategy, the AWU has won a myriad of non-majority and majority victories for Alphabet workers. Non-majority tactics—including petitions and town halls—have led to stipends for interns, the reinstatement of hazard pay, and raises for contract workers amounting to as much as \$10 million.⁵⁵ Majority tactics have also been used successfully. In 2022, Kansas City retail workers for Google Fiber won their recognition election, as did a YouTube Music Operations team in Austin, Texas.⁵⁶

⁵³ Raksha Muthukumar and Alan Morales, “Unionizing Google Workers: We Want Democracy at Work,” interview by Honda Wang, *Jacobin*, January 13, 2021, <https://jacobin.com/2021/01/google-alphabet-workers-union-democracy-tech>.

⁵⁴ Muthukumar and Morales, “Unionizing Google Workers.”

⁵⁵ Jules Roscoe, “Workers Who Train Google’s Search Algorithm Finally Got a Raise Thanks to Union Action,” *Vice*, January 11, 2023, <https://www.vice.com/en/article/workers-who-train-googles-search-algorithm-finally-got-a-raise-thanks-to-union-action/>.

⁵⁶ McCreery, “Alphabet Workers Union.”

The raises for contract employees represent an integral sector of the work in which the AWU is engaged, as well as a textbook case of the fissuring of work that Weil describes. The contract workers involved in the organizing help train and rate the results of Google's search engine. They are directly employed by RaterLabs, an AI training vendor. Under RaterLabs, even though Google is the only known client of RaterLabs, the workers were making as little as \$10 an hour. Because of the activism of the AWU, the raters will now be paid between \$14 and \$14.50 depending on their experience. Because the raise will impact between 3,000 and 5,000 workers, the raters will ultimately get a collective salary increase of approximately \$10 million. Jay Buchanana, a contract worker for Alphabet, spoke of the difficulties that fissuring poses to collective action, but also in determining which employer should be held accountable:

“Whenever we raised questions regarding our low pay we would receive contradictory responses from Google and RaterLabs regarding who was responsible for our livelihoods. The only reason workers received this long overdue pay increase is because we overcame multiple hurdles to our organizing.”⁵⁷

Google has a baseline minimum pay standard of \$15 for its extended workforce, in addition to other benefits. In 2019, Google standardized its wages and benefits for its extended workplace in the US, including any temporary workers or vendors who had access to the system. However, because the raters performing the work to improve Google’s systems were subcontractors of RaterLabs, they had no claim to the benefits and salary standards that Google employs for its directly-hired employees, or FTEs. The new rate started to be enforced on January 1, 2023, after nearly four months of negotiations between RaterLabs and its parent company, Appen.

⁵⁷ Roscoe, “Workers Who Train.”

In 1930, Hans Christian Anderson wrote a short story about a nightingale. The story begins at the palace of the emperor of China, a man who has everything he could ever want but who has never heard the song of the nightingale that lives in his garden. The bird flits back and forth between the garden and the forest and the sea, singing to the fishermen who drag their nets in at the close of the day and a little girl who works in the kitchens of the palace, who cries to birdsong as she mourns the terminal sickness of her mother.⁵⁸

The emperor learns about the nightingale from a book of poetry that he received from abroad. He immediately inquires about the song of the nightingale, asking all the members of his court if they had ever encountered the creature. Never, all of them say, so the marshal of the palace finds the nightingale and asks it to come to the emperor and sing. The bird does; the king is almost brought to tears by its beauty and asks the nightingale if it can give it a golden slipper to wear as a reward, or else put it into a cage so that it could sing to the royal court forever.

One day, the emperor receives a parcel in the mail—an artificial, bejeweled nightingale whose body was adorned with diamonds, rubies, and sapphires, whose body could be wound up so that it would actually sing one of the songs of the bird. The real nightingale flies away. It grows tired of having to match the single tune that the artificial nightingale is capable of singing. The court favored the manufactured bird because it was predictable compared to the real bird, whose song varied constantly and was never guaranteed. “With the real Nightingale one can never calculate what will come next, but with the artificial bird all is definite; it is thus, and no otherwise. It can be accounted for; one can open it up and show the human contrivance.”⁵⁹

⁵⁸ Hans Christian Anderson, “The Nightingale,” Project Gutenberg, *Hans Anderson Forty-Two Stories* (1930), <https://gutenberg.ca/ebooks/andersen-nightingale/andersen-nightingale-00-h.html>.

⁵⁹ Anderson, “The Nightingale.”

In time and with frequent use the bejeweled nightingale begins to break down; concurrently, the emperor falls ill. Death visits him and he has fits of nightmares that force him to face all of his good and evil deeds, but as he is paralyzed by horrific dreams, the real nightingale sings to him from outside of his window, bringing songs of comfort and hope. The bird drives away death and saves the life of the emperor. In vain, the emperor tries again to beg the real nightingale to stay with him, but the bird refuses and instead promises to visit intermittently to sing songs of the real life of the kingdom, the joys and sorrows of the fishermen and the young girl working in the kitchen.

The current moment is certainly not the first time that the broader public has felt turmoil and trepidation about a new technological development. Reading Anderson's reflections on the emancipatory power of flaws, variability, and authenticity is a testament to the ages-old anxiety about the rapid invention of new technologies that threaten to displace or relegate some of the most important elements of human life. Artificial intelligence is a terrifying tool, but it is encrusted with rubies and emeralds that flash the promise of salvation: from tedium, monotony, and the rote mechanics of the quotidian that are necessary to maintain certain aspects of the human condition. The glimmer of these jewels offers little consolation for the immensity of all that might be sacrificed. Imagination, personal relationships, collective action, and the ability to retain one's voice are some of the most precarious and vulnerable features that are up for grabs, if they have not already been taken.

However, despite the pernicious ways that these new technologies target worker autonomy—despite the fact that, in their very formation, they had the goal of further synchronizing the valorization process, further automating labor, further reducing the personhood of the people applying their labor in that way—there might be a tarnished silver lining. The mutual and ubiquitous practices of exploitation, monitoring and tracking, regardless of the skill level of the employee, creates conditions of mutual surveillance that might expand the labor movement. Because and in

spite of the fissuring and alienation that modern technologies encourage, workers from disparate backgrounds and industries have more in common than ever before. The burden of responsibility for fighting this must be distributed more heavily to highly skilled workers, who usually have greater leverage and bargaining power because employers have invested more capital in their training and retention, to put their bodies and positions on the line and fight for the workers who have been deemed replaceable and interchangeable by their employers.

The pre-majority model used by the AWU offers a template for wall-to-wall organizing and is based on the fundamental recognition that under surveillance capitalism, just as under prior stages of capitalism, there is exploitation for all those who sell their labor power. However, unique to this stage is that worker voice and the ability to retain autonomy and agency even under conditions of exploitation has been threatened perhaps more than ever before. Harkening back to MacKenzie and Marx, skilled workers have always had the opportunity to leverage their relative power within a place of employment to fight for the more vulnerable and precarious workers. Now more than ever, the surveillance that AI facilitates exposes the majority of workers to the same threats, albeit with varying consequences. The landscape of labor organizing has been fundamentally altered by nascent technologies, and it is no longer sufficient or even possible to follow the traditional path to union recognition by the NLRB or to organize in secret before going public. History can provide immense consolation that the power of workers united is stronger than even the most rapid or advanced machinery, and that there is ineffable wonder, mystery, and might in reverie, in imagination, in thought ungoverned and song variable, in constructing castles in the air that no machine is capable of realizing.

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Toni Morrison wrote one of the most fitting things I have ever read and been capable of applying to my life generally, but most acutely applicable to the things that I spend my days investigating: “The trail she followed to get to that sweet thorny place was made up of paper scraps containing the handwritten names of others.⁶⁰” I think that I am now amid the raspberry brambles and will be eating berries for quite a while. The trail that I have followed to get here has inaugurated my life in the world as a woman, just as it did for Denver, and it is punctuated with the exclamation points of so many people—known and unknown to me, living or else being kept alive. I cannot thank them enough, and some I cannot thank at all because I did not know that I was taking something from them. I stole it all the same.

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⁶⁰ Toni Morrison, *Beloved*, London, England: Vintage Classics (2007): 293.

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Bibliography

- Al Jazeera Staff. "What is Project Nimbus, and why are Google workers protesting Israel deal?" *Al Jazeera*, April 23, 2024. <https://www.aljazeera.com/news/2024/4/23/what-is-project-nimbus-and-why-are-google-workers-protesting-israel-deal>.
- Anderson, Hans Christian. "The Nightingale." Project Gutenberg. *Hans Anderson Forty-Two Stories* (1930). <https://gutenberg.ca/ebooks/andersen-nightingale/andersen-nightingale-00-h.html>.
- Biddle, Sam. "Google Won't Say Anything About Israel Using its Photo Software to Create Gaza 'Hit List.'" *The Intercept*, April 5, 2024. <https://theintercept.com/2024/04/05/google-photos-israel-gaza-facial-recognition/>.
- Chan, Kelvin and Wyatte Grantham-Philips. "Google fires more workers who protested its deal with Israel." *Associated Press*, April 23, 2024. <https://apnews.com/article/google-israel-protest-workers-gaza-palestinians-96d2871f1340cb84c953118b7ef88b3f>.
- Crawford, Kate. "Labor." In *The Atlas of AI: Power, Politics, and the Planetary Costs of Artificial Intelligence*, 53–87. Yale University Press, 2021. <https://doi.org/10.2307/j.ctv1ghv45t.5>.
- Duffy, Clare. "Former Google workers fired for protesting Israel deal file complaint claiming protected speech." *CNN*, May 1, 2024. <https://www.cnn.com/2024/05/01/tech/google-workers-nlrp-complaint-israeli-palestinian-protest/index.html>.
- Khatami, Mohammad, Zeldia Montes, and Kate Sim. "Google Fired Us for Protesting Its Complicity in the War on Gaza. But We Won't Be Silenced." *The Nation*, April 29, 2024. <https://www.thenation.com/article/activism/google-firings-gaza-project-nimbus/>.
- Marx, Karl. "Chapter Seven: The Labour-Process and the Process of Producing Surplus-Value." *Capital Volume One*. <https://www.marxists.org/archive/marx/works/1867-c1/ch07.htm>.
- MacKenzie, Donald. "Marx and the Machine." *Technology and Culture* 25, no. 3. John Hopkins University Press (1985): 473-502. <https://www.jstor.org/stable/3104202>
- McCreery, Ike. "Alphabet Workers Union." *Emergency Workplace Organizing*. <https://workerorganizing.org/premajority-unionism/case-studies/alphabet-workers-union/>.
- Morris, Charles. "Introduction." In *The Blue Eagle At Work: Reclaiming Democratic Rights in the American Workplace* (2004): 1-13. <https://hdl.handle.net/1813/74222>.
- Muthukumar, Raksha and Alan Morales. "Unionizing Google Workers: We Want Democracy at Work." Interview by Honda Wang. *Jacobin*, January 13, 2021, <https://jacobin.com/2021/01/google-alphabet-workers-union-democracy-tech>.

- Perold, Colette and Eric Dirnbach. “Union from The Start (You Don’t Have to Wait).” *Labor Notes*, January 30, 2023. <https://www.labornotes.org/2023/01/union-start-you-dont-have-wait#:~:text=It%27s%20a%20strategy%20called%20%E2%80%9Cpre-majority%E2%80%9D%20unionism%2C%20and%20the,that%20don%E2%80%99t%20have%20the%20resources%20to%20support%20them.>
- Perold, Colette and Eric Dirnbach. “What are Section 7 Rights?” *Emergency Workplace Organizing*, <https://workerorganizing.org/premajority-unionism/section-7-rights/>.
- Perrigo, Billy. “Exclusive: Google Contract Shows Deal With Israel Defense Ministry.” *Time Magazine*, April 12, 2024. <https://time.com/6966102/google-contract-israel-defense-ministry-gaza-war/>.
- Rogers, Brishen. “Workplace Data and Workplace Democracy.” *Georgetown Law Technology Review* 454, vol. 6 (2022): 454-463. https://georgetownlawtechreview.org/wp-content/uploads/2022/11/Rogers_Workplace-Data-and-Democracy.pdf.
- Roscoe, Jules. “Workers Who Train Google’s Search Algorithm Finally Got a Raise Thanks to Union Action.” *Vice*, January 11, 2023. <https://www.vice.com/en/article/workers-who-train-googles-search-algorithm-finally-got-a-raise-thanks-to-union-action/>.
- Sainato, Michael. “Workers accuse Google of ‘tantrum’ after 50 fired over Israel contract protest.” *The Guardian*, April 27, 2024. <https://www.theguardian.com/technology/2024/apr/27/google-project-nimbus-israel#:~:text=Google%20has%20been%20accused%20of,tensions%20between%20staff%20and%20management.>
- “Secondary Boycotts (Section 8(b)(4)).” National Labor Relations Board. <https://www.nlr.gov/about-nlr/rights-we-protect/the-law/secondary-boycotts-section-8b4>.
- Thompson, E. P. “Time, Work-Discipline, and Industrial Capitalism.” *Past & Present*, no. 38 (1967): 56–97. <http://www.jstor.org/stable/649749>.
- Weil, David. “The Fissured Workplace and Its Consequences.” In *The Fissured Workplace*, 7–27. Harvard University Press, 2014. <http://www.jstor.org/stable/j.ctt6wppdw4>.
- Zuboff, Shoshana. “Surveillance Capitalism and the Challenge of Collective Action.” *New Labor Forum* 28, no. 1 (2019): 10–29. <https://www.jstor.org/stable/26675591>.