

Organized Labor En Vogue' Encore

Suddenly, it's fashionable again to be Union. Organized labor's decision to support Barack Obama for President was a calculated gamble. The pot? Our future. Since November's election of Barack Obama, the early indications are that, as he promised, Organized Labor will once again exert influence on the public policy affecting working class Americans.

Obama has already demonstrated to Organized Labor that his campaign talking points about unions and working class Americans were something more than just that, he believed what he said, and he has delivered. He immediately blew away the dark cloud that hovered over the White House when it came to organized labor's issues. He has given Organized Labor a seat at the table, a platform.

Obama has signed a law and four new executive orders that will assist organized labor and working class Americans by revoking the executive orders issued by former President, George Bush.

1. The Lilly Ledbetter Fair Pay Act now restores the rights of working Americans-- women, minorities, the disabled; those discriminated against because of their sexual preference, or those of differing religions—to sue their employer for pay discrimination.

2. Notification of Employee Rights Under Federal Labor Laws will now require most contractors that enter into contracts with the federal government to post a notice in a conspicuous location of employee rights under federal labor laws. It also states that economy and efficiency in federal government procurement is most easily achieved when employees are well informed of their rights under federal labor laws, such as their right to organize and engage in collective bargaining under the National Labor Relations Act. In addition, contractors will be required to include the notice posting provisions in subcontracts related to the original contract so that the provision will be binding upon subcontractors.

3. Nondisplacement of Qualified Workers Under Existing Contracts will affect a contractor's ability to hire new employees when a contract to provide services to the federal government expires and a new contractor is awarded a new contract for the same services. The executive order generally will require the new contractor to offer employment to the employees who worked under the expiring contract before the contractor can hire new employees to perform the contracted work.

4. Economy in Government Contracting now means that contracting agencies and departments within the federal government will no longer reimburse contractors for costs that are incurred by the contractor for activities that are undertaken to persuade employees not to organize or to engage in collective bargaining. This means contractors can no longer be reimbursed for distributing anti-union material or pamphlets, or be reimbursed when they hire counsel or consultants that devise propaganda to brainwash employees from organizing a union.

5. Project Labor Agreements will address difficulties that temporary employees face when attempting to organize or enter into a collective bargaining agreement with their employers on construction projects. Because construction contractors typically hire temporary employees for projects, the NLRA allows unions to enter into collective bargaining with construction firms before employees are hired. The agreement provides for the terms and conditions of employment for workers yet to be hired. Under the executive order, all federal agencies are "encouraged" to require the use of PLA's on all large scale construction projects of 25 million or more. PLA's will bind all contractors and subcontractors assigned to a project.

But there are other needs for Organized Labor that Obama alone can't deliver on. That's why Labor's role is to keep constant pressure on all of our elected officials.

The Employee Free Choice Act for example; at the time of this article we now know that Arlen Specter (R) Pennsylvania has flipped-flopped on his previous commitment to support EFCA. It was disappointing but not unexpected. It was easy for him to be a co-sponsor two years ago because he knew it was never going to come up for a vote in the Senate due to the lack of support and votes within the Senate at the time and the impending veto by Bush. As presently written, EFCA may not get to Obama's desk for him to sign into law. Organized labor however, is undaunted. CWA Local 1103 will continue to fight for the Employee Free Choice Act and is prepared to lobby in Washington in June for its passage. Congressional consideration is likely in the summer and we will do all that we can to help get it passed. The expected seating of Al Franken (D) Minnesota will bring the senate majority to 59, still one short of a filibuster proof senate, but it may come at a time that adds momentum and support for EFCA.

Organized Labor and business interests will continue to jockey for position on the Employee Free Choice Act. Even the CEO's of Costco, Whole Foods, and Starbucks recently offered an EFCA compromise, but this has more to do with these companies presenting themselves as "socially responsible," and a concern about corporate image than it does about workers' rights. Their retrogressive proposal still eliminates workers' ability to choose majority sign-up, the one method for organizing proven to reduce coercion and pressure from all sides on workers. Instead, the proposal would force all workers through the broken, corporate-dominated NLRB system. The proposal also rejects first contract arbitration -- a tried and proven method for ensuring good faith bargaining and one of the core elements of the Employee Free Choice Act. Under their proposal, employers would continue to have the union-busting power to drag out bargaining indefinitely and keep employees from gaining the kind of enforceable contracts that CEOs always give themselves. Corporate backers of the EFCA alternative don't seem to be persuading Democrats who are pushing back hard at the compromise offer with a series of talking points that blast the EFCA alternative as "written by CEOs, for CEOs." This new proposal signals one thing though; that even CEO's are conceding that there will be a new law that protects the rights of workers' seeking to organize a union at their workplace.

Strengthening and growing America's working class depends on the ability of employees to exercise their democratic rights at work. The Employee Free Choice Act is simple: it will help our economy work for everyone again by giving workers, not CEOs, a say about their job security, their wages, their retirement savings and their health care.

In a related story, Business Agent John Gentile writes about workplace safety, and how once again OSHA and workers' safety are in the congressional conscience where it should be. Congress will be taking a real look at OSHA reform, based on the Protecting America's Workers Act, which was introduced last year. This Act (PAWA) will raise penalties against employers and enhance OSHA's ability to bring criminal indictments resulting in meaningful jail time. Stay tuned!

Organized labor is trendy again; however what is really needed is good old fashion labor and workplace safety reform in America.

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