A LOOK INSIDE THIS ISSUE:

Albany Med nurses air safe-staffing concerns at public forum - p2

‘Union Values Says: No Kids In Cages’ - p4

Labor Puts Candidates On Notice - p8

Senate Majority Announces Statewide Hearings On Opioids - p24

#WinningTheFutureTogether
ALBANY — As negotiations on their first-ever contract stretch on, Albany Medical Center nurses and their supporters gathered near the hospital Wednesday to speak out about staffing issues they say are jeopardizing patient care.

Nurses have maintained for several years now that rising costs and stagnant wages are causing their colleagues to leave the hospital for higher-paying jobs elsewhere. As a result, the remaining nurses have been saddled with higher patient loads and managers are frequently forced to appeal for last-minute shift workers by offering "premium" or "incentive" pay.

Concern over safe staffing levels is one of the primary reasons nurses voted 1,161-582 last year to unionize. Today, roughly 2,000 of the hospital's 2,200 nurses are members of the New York State Nurses Association.

"It's a really great place to work, so a lot of people are attracted to come here," said Karen Gerstenberger, a registered nurse who's worked at Albany Med for 37 years. "But when you have a family and you have to pay a lot for health insurance or your wages barely even cover your mortgage, it's just easier to go someplace else with competitive wages and benefits."

With negotiations now centered around wages, benefits and staffing, Albany Med nurses are working to raise public awareness of their concerns.

They had initially planned to picket outside the hospital Wednesday, but withdrew notice after the hospital lodged an unfair labor practice charge with the National Labor Relations Board, citing a lack of proper notice.

Instead of a picket, they decided to host a midday public forum at the Hilton Garden Inn across the street, which drew dozens of nurses in red NYSNA gear, local labor leaders and elected officials, including Democratic state Assemblymembers Carrie Woerner and Phil Steck.

Jason Fuller said inadequate staffing has forced nurses to work overtime in what he believes to be a violation of state law, which prohibits hospitals from forcing nurses to work beyond their scheduled shifts unless an emergency has been declared.

A registered nurse in the hospital's electrophysiology lab, Fuller assists physicians who specialize in the electrical systems of the heart. Such cases can take hours, and if they begin near the end of a nurse's shift, the nurse feels pressure to work overtime, he said.

"Sometimes we're here until 10 or 11 at night when we're supposed to be off at 5 or 7 depending on the shift," he said. "Human resources tells me, no, you're not mandated to stay, but my manager says that I am. So it's very contradictory."

Nurses are seeking a voice when it comes to determining safe staffing levels, which would vary by unit and patient acuity. A patient in need of intensive care is high acuity, and would demand more attention than a patient in observation or long-term care, for example.

Members of the nurses' negotiating team say they proposed establishing a committee that would be composed of equal parts hospital administrators and nurses, who would be tasked with determining adequate staffing levels by unit.
While the hospital rejected an early version of this proposal, Gerstenberger said the issue remains on the table and she is hopeful both sides will come together on a solution.

"Management needs to listen to the nurses," she said. "We are on the frontlines. We know what's safe. We care about our patients."

Albany Med spokesman Jeffrey Gordon said the hospital currently bases its staffing levels on a variety of factors, including patient need, national benchmarks for academic medical centers, and nurse input.

"We're in negotiations with nurses on staffing and many other issues to ensure we work together to meet shared goals of providing the best care possible for our patients," he said.

The hospital received a wage and benefits proposal from the union in mid-June, he said, and negotiations occur every two weeks. By 2026, caregivers, nannies and elderly care providers will be among some of the fastest growing occupations in the country. AFSCME stands behind these workers.
‘Union Values Says: No Kids In Cages’ - Buffalo Labor Unions Rally Against Trump Administration’s ‘Despicable Policy Of Separating, Incarcerating & Dividing’ Immigrant Families At The Border
by WNYLaborToday Editor-Publisher Tom Campbell - August 1, 2019

(BUFFALO, NEW YORK) - The message on the sign was clear: Te Vemos - We See You.

Led by a number of Buffalo Labor Unions, more than 150 Labor Leaders and Representatives, Community and Immigrant Rights Advocates and Elected Officials gathered in Columbus Park on Buffalo’s West Side late Friday afternoon (July 26th) to decry the Trump Administration’s despicable policy of separating, incarcerating and dividing Immigrant Families at the U.S.-Mexico Border and housing kids in cages.

Western New York AFL-CIO Area Labor Federation (WNYALF) President Richard Lipsitz, whose eight-county Labor Organization’s Union Affiliates combine to represent more than 140,000 Workers and who served as host of the rally, told those in attendance:

“The WNYALF is ‘honored’ to have been asked by the organizers of this rally to convene today's event. ‘It is clear to any thinking member of the human race that the policy of the government at the Southern Border of the United States is an abomination of the most egregious nature.’

Children 'have been separated from their parents and families have been divided, people are living in squalor inside cages.'

The title of this rally is ‘Te Vemos’ - We See You. That slogan is ‘aimed two places’ - first and foremost, at the children and their families at the border. ‘We see you, your pain, your terror and your hope for a better life.’ Also, we see you current administration and we will ‘continue to challenge you.’ We are ‘completely and unalterably opposed to this violation of everything that is good and positive to the human spirit.’

‘It must end.’ Further, ‘it is being implemented in the name of the American People.’ Our Labor Federation ‘is in favor of a just policy that provides real relief to those fleeing poverty and violence whether they are refugees, asylum seekers or just ordinary people looking for a better life.’ ‘Further, we must take a moment to pause and reflect on the sickness emanating from (1600) Pennsylvania Avenue that says ‘go back to where you came from.’

This ‘monstrous idea is meant to split’ Working People, ‘to confuse the issue’ from its economic and social roots and ‘to disrupt the opposition to the movement towards a one man dictatorship in our country.’

‘Let’s be clear.’ The people of Central America and Mexico ‘are not the enemy’ of the American Working Class, ‘but the current occupant of the White House is.’ The Labor Federation ‘is not in the business of refugee resettlement or any associated endeavors, but we do want to help.’

We ‘urge all those whose core mission is to create progressive, life affirming policies to work together, and keep up the pressure.’ ‘We are ready to make a contribution in this direction.’

We ‘really have no choice because today it may be the Immigrant People and People of Color, but as sure as the sun will rise tomorrow, it will then be other vulnerable populations.’

“The world has experienced this situation before - we must fight to stop it from ever happening again.”
Buffalo Teachers Federation (BTF) Vice President Rebecca Pordum (Pictured Below/WNYLaborToday.com Photos) read a statement from BTF Phil Rumore, who was unable to attend the rally: To the person temporarily occupying the White House and all those following his immoral, vicious, callous and un-American, yes, un-American actions, against those who, as did our ancestors, seek freedom in our country: You dishonor our Country; You espouse hate and bigotry; You attempt to divide our Country; and You will not succeed! Those here and across the country have joined together to fight against your immoral, vicious, callous and un-American actions… and We, not you, will prevail… We, not you, will prevail… WE, NOT YOU, WILL PREVAIL!

Several other speakers also spoke at the rally, including:

BTF Representative Eve Shippens-Nieves (Pictured Below/WNYLaborToday.com Photos): “This is ‘personal’ to me. My family were Jewish refugees fleeing the Holocaust. ‘We must oppose these racist views, these Trump Concentration Camps’ and say: ‘Never Again!’ ‘We must close the camps - now!’”

Kenmore Teachers Association President Peter Stuhlmiller (Pictured Below/WNYLaborToday.com Photo): “Our ‘most precious resource is our children and there is no keener revelation of someone’s soul when it comes to how it treats its children.’ There is ‘no debate or compromise’ (on this). ‘Children cannot be used as tools.’ This is ‘immoral, it is unjust and it is un-American.’ ‘We must end the separation of children from their families.’ There are more than (3,000) kids separated from their families. ‘To take no social responsibility is unconscionable and we cannot repeat the sins of our past.’”

Among those Unions who had representatives attending the rally were the Communications Workers of America (CWA), the WNYALF, BTF, the New York State Public Employees Federation (PEF), the New York State United Teachers (NYSUT), United University Professions (UUP) and the International Union of Painters & Allied Trades (IUPAT), as well as the Coalition for Economic Justice (CEJ), representatives from the Close the Camps Coalition, and a host of City, Town and State Elected Officials.
Nassau County Improves Living Wage Regulations
By Stephanie West - Labor Press - August 1, 2019

Mineola, Long Island – Nassau County has upgraded their living wage laws to prevent vendors and businesses from bypassing County labor regulations.

“Nassau is taking action to help working-class families and hold accountable the companies we do business with,” said Nassau County Executive Laura Curran. “The loophole we closed allowed companies to appear smaller than they actually were to avoid paying their workers a living wage,” continued Curran. The County Executive discussed changes in their labor laws at a recent press conference attended by several union leaders including John Durso, president of RWSDU/UFCW Local 338 and chairman of the Living Wage Advisory Board.

The living wage legislation is designed to ensure that employees of county vendors are earning a decent wage, receiving health benefits and getting an appropriate number of days off, said County Executive Curran. Under the law, a county vendor’s full-time employees are eligible for 12 paid days off for sick leave, vacation or personal necessity.

Since many companies who were seeking contracts with the county nefariously would meet the qualifications for a waiver in order to avoid the living wage requirement – Nassau County needed to update the regulations.

The changes to the law allow the county to review a vendor’s parent company and related subsidiaries as well as their compensation when determining waiver eligibility.
‘Yet Another Example Of What Unions Do For Their Members:’ Legal Victory ‘Delivers Justice For Innocent’ Union-Represented Worker

By Jill Asencio - CSEA News - August 1, 2019

(TROY, NEW YORK) - Miranda Cole never thought the day would come when she was falsely accused of maltreatment of a child in her care - but it did. Not knowing where to turn in this devastating moment, she called a friend who reminded her of her Union and the many resources available to Members.

“I ‘should have sent my friend flowers,’” Cole said. “If she ‘hadn’t recommended calling our Union then, I would have had no clue what to do.’ ‘It was so stressful.’ I’ felt like I was backed in a corner with nowhere to turn.’ ‘It was like trying to find your way in the dark.’ That first day that I called our Union, my representative, (Civil Service Employees Association (CSEA) Early Learning and Care Representative) Ed Gresco ‘was at my door within twenty minutes.’

Cole built an excellent reputation as a highly skilled and nurturing provider working as an informal or legally exempt child care provider for 11 years. When Cole decided to expand her business and become a Licensed Group Family Child Care Provider, she worked hard to learn New York State Office of Children and Family Services (OFCS) Regulations - inside and out.

She took all of the OCFS-required trainings and modified her program space, following all the rules to the letter.

Cole was also very organized and networked with other providers.

Doing everything the right way, Cole opened her expanded program in Troy in May 2017.

On June 15th, 2017, Rensselaer County Child Protective Services (CPS) showed up at her door, almost six weeks to the day of opening her new program.

CPS was there to investigate the allegation that a parent had accused Cole of causing a second-degree sunburn on their six-month-old baby.

Immediately, Cole thought, this doesn’t make sense.

Civil Service Employees Association (CSEA) Associate Counsel Jeremy Ginsburg represented Cole in her quest to prove her innocence.

As he began mounting her defense, Ginsburg began to see major cracks in the parent’s story.

Photo evidence demonstrated that the child had not been in the sun and left Cole’s daycare in the early afternoon on the day in question without any burns.

The child’s mother stayed at Cole’s daycare for over a half-hour at pick-up time, chatting lightheartedly.

The mother made a comment that the weather was so nice, she intended to sit out with the child the rest of the day on her back porch.

She then took photos of her child (still at Cole’s daycare) and posted them to Facebook before leaving. The photos showed no sunburn and her tone was far from worried.
Labor Puts Candidates On Notice: ‘Let’s Be Honest About The Democratic Party’s Record’
By Dave Jamieson - Huffington Post - August 1, 2019

The president of the AFL-CIO labor federation spoke at a closed meeting with representatives from the entire field of 2020 Democratic presidential candidates ahead of Wednesday’s debate in Detroit. His message was straightforward: “It’s time to do better.”

Richard Trumka told attendees that while President Donald Trump is enacting bad policies for workers, Democratic leaders need to reckon with their own role in creating an unfair economy. He said “both parties” are to blame for a system that caters to the rich.

“We are caught in a web of century-old labor laws that prioritize unchecked corporate greed over all else,” Trumka said. “We can blame this White House all we want. But this isn’t new.”

Trumka went on, “More often than not, the Republican Party is bad for workers. This president is bad for workers. But let’s be honest about the Democratic Party’s record.”

He singled out the North American Free Trade Agreement and the Trans-Pacific Partnership as Democrat-backed trade deals that were tilted against the working class.

In attendance at the Detroit meeting was Democratic National Committee Chair Tom Perez, who, as former President Barack Obama’s labor secretary, promoted the TPP deal. (Trump pulled the U.S. out of the pact and it hasn’t been ratified.)

“It’s time to do better,” Trumka said. “I believe you can. I believe you will. And working people are hungry for it. But you can’t offer campaign rhetoric or count on workers’ votes simply because you have a ‘D’ next to your name.”

The meeting included other labor leaders and AFL-CIO executives, as well as rank-and-file workers from a handful of unions. Those workers also spoke to campaign representatives to convey their own concerns about the election. The meeting took place at a local union hall of the International Brotherhood of Electrical Workers in Detroit.

Trumka’s remarks reflect a long-standing frustration within organized labor that Democrats take their support for granted. Unions are a pillar of the Democratic base and play a central role in getting Democrats elected, not just through campaign contributions but via canvassing and get-out-the-vote efforts. The AFL-CIO, a federation of 55 unions, typically runs a massive ground game to support the Democratic presidential candidate.

Even though unions have added members in recent years, the overall share they represent of the workforce has been falling for decades. Just 10.5 percent of U.S. workers are members of a union these days, down from about a third in the 1950s. Unions have been making the case for vast reforms to labor law so that it would be easier for workers to bargain collectively with their employers.

Trumka said Democrats share responsibility for the current state of affairs.

“You need to prove that this party is the one and only party for working people,” he said. “And recognize that unions and collective bargaining are the single best way to make this economy work for everyone.”
Unions are in a strong position to influence the Democratic primary, thanks to a large field and a shift in the party toward more progressive policies. After coming out early for Hillary Clinton in the 2016 cycle, several unions have said they will sit tight this time to see which candidate makes the most compelling case for the nomination.

That said, talk about collective bargaining has been limited so far and got barely any airtime in the two Detroit debates. Trumka made clear unions expect to hear more.

“Convince our members, and you’ll have the country’s largest and most effective movement for working people on your side,” he said.
Democrats and organized labor aim to make Eugene Scalia, the pick to lead the Labor Department, a target in 2020 in hopes of testing President Trump’s support among rank-and-file union voters.

Trump is nominating Scalia, the son of the late Supreme Court Justice Antonin Scalia, to replace former Labor Secretary Alexander Acosta. Acting chief Patrick Pizzella and Eugene Scalia, if confirmed, are expected to push through controversial rules opposed by Democrats and unions. Trump has yet to formally nominate Scalia but critics are already vowing to put a spotlight on that agenda and Scalia’s work as a lawyer for businesses in high-profile labor fights.

“Scalia is not going to help folks at all and that’s why it’s so important that we have a group of candidates that are pushing and supporting issues that have impact on working families,” American Federation of State, County and Municipal Employees President Lee Saunders told The Hill.

Kermit Kaleba, managing director of policy at National Skills Coalition, said the administration had failed to keep their promises on “making workers a priority.”

“This nomination doesn’t send a signal that that’s changing,” Kaleba said.

Union leaders supported Democratic nominee Hillary Clinton in 2016, but she only won labor households by 8 points over Trump — the narrowest margin since 1984. Those voters helped deliver Midwestern states that will be crucial to Trump’s reelection.

Union leaders say keeping those voters could be a challenge for Trump if Scalia pushes a conservative agenda at the Labor Department.

As a lawyer, Scalia fought unions in many important cases. Among the most notable was his defense of Boeing in 2011 after the National Labor Relations Board (NLRB) accused the company of trying to open a factory in South Carolina as retaliation against striking workers in Washington state. The Obama NLRB later dropped the case.

Scalia’s track record has 2020 Democrats who are highlighting labor issues strongly opposing his nomination.

“The rich and powerful have teamed up with the Republican party to push for measures at all levels of government designed to decimate unions and collective bargaining. Eugene Scalia is the latest example,” the campaign of Sen. Elizabeth Warren (D-Mass.) told The Hill. “He’s opposed implementing financial reforms at every turn and has spent his entire career representing giant corporations and Wall Street over American workers.”

A campaign aide for Sen. Bernie Sanders (I-Vt.), also a 2020 presidential contender, said Trump’s Department of Labor (DOL) and NLRB have “overturned labor protections and collective bargaining rights at every turn.”

“In Bernie’s view, there is really no way the middle class in this country is going to grow unless we build the trade union movement,” the aide added.

Pro-labor advocates said Acosta was slow to implement many controversial proposals backed by conservatives. They worry that will change under Pizzella and Scalia.
“The concerns with respect to the direction that the DOL is going to go are severe,” said Obama-appointed former NLRB Chairman Mark Pearce, now head of the Workers’ Rights Institute.

Pearce said on matters involving “wages, employee classification, health and safety … Acosta showed reluctance to make radical deregulatory changes.”

“I don’t get the impression that Scalia has that kind of sensitivity or commitment to the mission of the DOL,” he continued.

If confirmed, Scalia will have a number of important issues to decide, including rules on overtime pay, calls to ease safety regulations and a proposal to narrow the definition of joint employers in cases where more than one employer is responsible for an employee’s wages.

Experts also say Scalia could move on initiatives like auditing international labor group finances, which unions see as intended to weaken their power.

The contest for rank-and-file labor voters in battleground states will be fierce, and union advocates and Democrats are looking for any edge to sway those voters.

“If they relax [Occupational Safety and Health Administration] standards and they effect wage and hour standards and workers start feeling it … then I think that it’s going to start to sting and have a negative effect on their support,” Pearce said.

“We expect that they’re going to continue to be anti-labor and anti-worker,” Saunders said of Scalia and Pizzella’s agenda. “I think what we’ve got to do is ... educate our members and organize and mobilize them.”

Progressives like Warren and Sanders have vowed to defend unions and push tougher rules on employers. Warren in April accused Democratic leaders of not doing enough to protect labor groups. She has called for beefing up enforcement of wage rules and has backed proposals that would make it easier for unions to organize workers.

Sanders has called for legislation to protect union workers and give them more powers to challenge employer practices.

Whether Democrats and unions can successfully make the case against Scalia is an open question. Scalia has strong support among Republicans and business groups and has been a fixture in conservative circles.

“Gene Scalia is a great choice to serve as secretary of Labor at a time when the department continues to work on defining issues,” said Patrick Hedren, vice president of labor, legal and regulatory policy at the National Association of Manufacturers.

“[Scalia] is whip smart and knows the department’s mission and operations well,” said Glenn Spencer, senior vice president for employment policy at the U.S. Chamber of Commerce. “Together with Pat Pizzella, DOL is in good hands.”

And Republicans are dismissing the idea that the Labor pick or any policies he implements could hurt Trump’s standing with union voters.
“President Trump continues to enjoy widespread support of union workers around the country thanks to his America First policies that have brought manufacturing jobs and investment back to America,” Republican National Committee spokesman Michael Joyce said. “Union workers know that they have a President who fights for them every single day whether he’s combatting unfair trade practices of other countries or putting more money back in your paychecks through tax reform.”

Others also question if the issues on Scalia’s docket will actually hurt Trump’s support among rank-and-file union workers. They point to Trump’s revised North American trade deal, which could keep union voters in the fold.

George Washington University law professor Charles Craver said Trump’s base also strongly backs him on border security and social issues that are likely to have more prominence in 2020 than labor issues.

Still, union leaders hope to capitalize on Trump’s labor policies and say they will be watching Scalia closely.

“Our members understand and realize that this is a rigged economy right now and folks are trying to take that seat away from the table,” Saunders said.
CWA Mourns The Passing Of President Emeritus Morty Bahr
By CWA News - August 2, 2019

Morton “Morty” Bahr, who led the Communications Workers of America (CWA) during the most turbulent years of the communications industry and made the Union a powerful force for Working People, died earlier this week at the age of 93.

Bahr was elected CWA President in 1985, serving in that position for 20 years.

He successfully led CWA through the turbulent technological and structural revolution that transformed telecommunications.

Bahr’s vision ensured the CWA would continue as an effective advocate for Working Men and Women long into the future, across communications, information technology and other sectors.

At this week's CWA Convention that was held in Las Vegas, CWA President Chris Shelton paid tribute to Bahr: "Not only CWA Members, but the ‘entire’ Labor Movement, (has) ‘lost a giant.’ Morty was ‘comfortable’ whether he was in the company of Presidents of the United States, in the halls of Congress or on a picket line.

He was ‘not only a great’ President, ‘but he was a Member's President.’ Morty ‘loved fighting alongside’ Members in Organizing Drives and on the picket line ‘almost more than anything that he did’ as President of this Union. ‘He will be sorely missed.’"
Two Unions Affiliate With The Western New York AFL-CIO Area Labor Federation: An AFSCME Local Representing Erie 1 BOCES Employees & The Screen Actors Guild American Federation Of Television And Radio Artists

by WNYLaborToday Editor-Publisher Tom Campbell - August 2, 2019

(BUFFALO, NEW YORK) - Two Labor Unions have newly-affiliated with the Western New York AFL-CIO Area Labor Federation (WNYALF): American Federation of State, County & Municipal Employees (AFSCME)-represented Workers employed at Erie 1 BOCES (Board of Cooperative Educational Services) and the Screen Actors Guild American Federation of Television and Radio Artists (SAG-AFTRA), which represents Membership across the region.

The WNYALF is the local New York State AFL-CIO Umbrella Labor Organization that oversees Western New York’s five individual Central Labor Councils: Buffalo; Niagara-Orleans, Cattaraugus-Allegany; Dunkirk; and Jamestown. Combined, the WNYALF has 140 Union Affiliates that combine to represent more than 140,000 Unionized Workers across the region.

“This is ‘fantastic and it is a big deal,’” WNYALF President Richard Lipsitz tells WNYLaborToday.com. “(SAG-AFTRA) ‘wanted to join’ our Labor Organization and ‘we want all’ Unions ‘to be part of our (Area Labor Federation) and to be a part of us’ (the Western New York Labor Movement). The WNYALF ‘is growing, not losing’ (Affiliated Member Unions).”

In fact, SAG-AFTRA “called us,” Lipsitz told Your On-Line Labor Newspaper about the Union reaching out to the WNYALF in regards to affiliation. “Their Membership (estimated to be about several hundred) - Actors and Actresses - are employed in the motion picture industry ‘and they wanted to get involved with (the WNYALF),’” he said.

Local SAG-AFTRA Western New York/Central New York Co-Chairs Joe Wooley and Louise Simon Schoene attended the WNYALF’s Annual Meeting held in March, where the two were introduced to more than 200 Labor Leaders and Representatives in attendance.

Then in June, the WNYALF worked with SAG-AFTRA to host its Western New York Members from Buffalo and Rochester at 1199 Service Employees International Union (SEIU) Healthcare Workers East Offices in Buffalo, where WNYALF President Lipsitz addressed its Membership.

The meeting featured a presentation regarding the many benefits of Union Membership and ways that SAG-AFTRA Members and Industry Professional can get involved with local Union Activities, including the upcoming and annual Buffalo AFL-CIO Central Labor Council’s Labor Day Parade, as well as a number of other AFL-CIO activities that occur throughout the year.

New York SAG-AFTRA President Rebecca Damon (Pictured Below with WNYALF President Lipsitz) traveled from New York City to take part in the event.

As SAG-AFTRA did, WNYALF President Lipsitz said AFSCME Council 66/Erie 1 BOCES Local 2567 reached out the Western New York Labor Organization to ask “how they would affiliate.” “We let them know the process, ‘which is pretty simple,’” Lipsitz said. “They’re a ‘wonderful’ workplace development organization ‘that helps’ inner city kids.”
The 370 Members of AFSCME Council 66/Erie 1 BOCES Local 2567 are employed in a variety of positions and departments, including in Maintenance, as Mechanics, in the Clerical, Computer and Technical Departments, as well as in System Analysis, according to Union President Gary Hyla - who is employed as a Data Base Administrator at Erie 1 BOCES.

Hyla said he invited WNYALF President Lipsitz to meet with his Membership to “tell them ‘all about’ the WNYALF ‘and why it was a good idea (to affiliate).’”

“We ‘thought it was time to join’ (the WNYALF). There’s a’ base of knowledge that come from interacting with other Unions,’’ Hyla said. “There are ‘so many things that other Unions face and to find out what’s going on also provides us with information on a number of issues that also might affect us’ (in the future).”

For more than 55 years, Erie 1 BOCES has been helping Western New York School Districts further contain costs by assisting them with district office functions, such as cooperative purchasing, health insurance benefits, policy development and technology services.

In addition to offering a wide range of career programs for adults, West Seneca-based Erie 1 BOCES’ three State-Of-The-Art Career and Technical Centers also offer more than 25 programs to high school students across the region.

A number of Western New York school districts also partner with Erie 1 BOCES to provide Alternative and Special Education Programs.

Erie 1 BOCES is also home to one of New York State’s 12 Regional Information Centers.

The Western New York Regional Information Center (WNYRIC) serves more than 100 districts in five BOCES Regions, including: Erie 1; Erie 2-Chautauqua-Cattaraugus; Cattaraugus-Allegany; Orleans/Niagara; and the Greater Southern Tier BOCES.
(ALBANY, NEW YORK) – The New York State United Teachers (NYSUT) Union is applauding new legislation signed by Governor Andrew Cuomo that allows school districts to install stop arm cameras on school buses.

The Governor said the cameras will be used to catch drivers who illegally pass stopped school buses. "No parent should ever have to worry that their child's bus ride to and from school is anything other than safe and easy," Cuomo said.

Lawmakers estimate about 50,000 drivers do this every day across New York.

NYSUT President Andy Pallotta released the following statement: This law marks a significant step forward for student safety. With an estimated 50,000 motor vehicles illegally passing school buses every day across New York, Bus Drivers are constantly on the lookout for these reckless motorists while also keeping an eye on the children in their care. It is our sincere hope that school districts will work quickly to begin installing stop arm cameras so we can better hold accountable those who show blatant disregard for our kids. We thank the Governor and Legislature for putting our children first with this important legislation."

NYSUT represents more than 600,000 Members in education, human services and health care and is affiliated with the American Federation of Teachers (AFT), the National Education Association (NEA) and the AFL-CIO.
There are two basic ways to improve the economic situation of the middle and lower classes. First, you can use taxes and government spending to shift income down from the top, either via direct transfers or through services like health care. Second, you can change the laws governing markets, with the goal of producing better outcomes for low- and middle-wage workers. These two approaches are sometimes called redistribution and predistribution.

Much of the Democratic presidential contest has focused on redistribution — higher taxes on the wealthy, nationalization of health insurance and so on. But candidate Pete Buttigieg recently released a plan for predistribution, to relatively little fanfare. Buttigieg’s plan would raise the federal minimum wage to $15 an hour and peg it to inflation after that. It would strengthen anti-harassment laws, mandate that businesses reveal how much they pay men and women, beef up overtime rules, encourage predictable scheduling for hourly workers and implement various other workplace protections. But perhaps most importantly, Buttigieg’s plan would rewrite U.S. labor law to strengthen unions.

Unions were a pillar of the mid-20th century U.S. corporate system developed during the New Deal. President Franklin Roosevelt envisioned unions as a source of power to counter the greater information, flexibility and legal protections of corporate owners and managers. A number of economic studies have underscored the importance of unions in supporting the middle class. But in the years since the mid-century, private-sector unions have declined into irrelevance.

Unions are probably a big part of the reason that people look back so fondly on the era of manufacturing. So far, the service-sector jobs that now employ a large majority of the American workforce have failed to unionize like manufacturing workers once did. A recent spate of strikes shows that this vast low-paid service class may finally be awakening to the possibility of collective bargaining.

But there are many obstacles. So-called right-to-work laws in some states have weakened unions’ ability to hold sway in workplaces. Many employers have classified workers as independent contractors, preventing them from unionizing. Buttigieg’s plan would crack down on both of those practices, banning anti-union right-to-work laws and severely restricting which employees could be deemed as contractors. Gig economy workers would be allowed to unionize under the plan.

The most innovative element of Buttigieg’s plan is known as sectoral wage bargaining. Currently, U.S. employers in a local industry — for example, all the fast-food restaurants in the city of Miami — are not legally required to sit down with union representatives and hash out wage levels for all the workers in the industry (though some used to do it voluntarily). This leaves unions vulnerable to competitive pressures — if one restaurant’s union forces management to raise wages, and that wage hike gets passed through to higher prices, it could leave that restaurant vulnerable to being undersold by its local competitors. Buttigieg’s proposal would reduce or eliminate that risk. Consumers would pay somewhat higher prices for local services, but some income would be shifted from business owners to workers.

Multi-employer bargaining would probably work fine for local services, but can run into a problem when overseas competition comes into the picture. Unions that push up wages in industries like auto manufacturing can win worker gains in the long term but leave their companies vulnerable to competitors in South Korea, Japan, Germany or elsewhere. Unions in general have this problem, but multi-employer bargaining could increase the risk that an entire U.S. industry could lose market share from one short-sighted labor agreement.
However, it is possible to envision institutions that would limit this risk, and raise the chance that unions and management would come to agreements that sustain productive industries for the long-term. One such idea would be presidential candidate Elizabeth Warren’s plan for co-determination (worker representation on corporate boards), which could make labor-management negotiations less confrontational.

Another possibility is wage boards. This system would create councils composed of representatives from labor, management and government. These boards would set minimum wage standards for industries and occupations where wages are already higher than the federal minimum. Such a system — whose powers would be similar to those of government tribunals used in Australia — would rapidly eliminate the problem of low unionization rates, since even workers who aren’t in unions would be covered by the standards. That would bring the U.S. in line with most of Europe, where the number of workers covered by collective-bargaining agreements is much higher than the number belonging to unions.

It would also potentially lead to more farsighted decision-making about whether to raise wages now or keep wages temporarily low to preserve an industry’s competitive position. In Germany, where wage bargaining is done at the industry and regional level and involves worker councils that operate independently from unions, labor has actually helped to restrain wage growth in order to maximize employment levels, avoiding the kind of destructive and confrontational relationship that has tended to characterize union-management relations in the U.S.

Buttigieg, Warren, and other candidates should consider bargaining with either wage boards or German-style worker councils. It would have the potential to simultaneously raise wages for millions of U.S. workers not covered by the minimum wage and make the relationship between labor and management more harmonious and forward-looking. It’s a big idea worth serious consideration.
The IAMAW & The IBEW Reach Tentative Agreement On A New Contract With General Electric
IAM/IBEW News - August 7, 2019

(WASHINGTON, D.C.) - Negotiating Committees for the International Association of Machinists and Aerospace Workers (IAMAW) and the International Brotherhood of Electrical Workers (IBEW) at General Electric reached a tentative agreement with the company this week that offers significant improvements to the company’s proposal that was previously rejected by Union Membership, IAMAW and IBEW Representatives announced.

The IAM and IBEW Committees have both recommend the Membership of each Union vote to accept the latest contract offer.

The tentative agreement includes both short and long-term financial improvements for IAMAW and IBEW Members employed at GE.

The IAMAW and IBEW Negotiating Committees were able to secure many of the Membership’s priorities that were not adequately addressed in GE’s first contract offer, including keeping the Defined Benefit Pension Plan, improvements to the 401(k) plan, general wage and cost of living increases, and better health care.

Each IAM Local Lodge are holding a ratification vote today (Friday, August 9th).

“The ‘solidarity’ of our Membership at General Electric ‘made these key improvements possible,’” IAMAW International President Robert Martinez, Jr. said. “Our Negotiating Committee ‘worked tirelessly to secure’ a tentative agreement that ‘reflects the importance of our Members’ role in making GE the company it is today.’ The ‘voices’ of our Membership ‘have been heard in every step of this process.’”

“Our Negotiating Committee ‘stood together, listened’ to our membership ‘and built on the key priorities of our hard-working and skilled Membership at General Electric,’” IAM General Vice President Brian Bryant said. “We ‘knew that our work was not done after the company’s first contract offer.’ ‘While we realize there are some things we did not achieve, we did secure most of our top priorities.’ I am ‘very proud’ of our Negotiating Committee and our Membership for ‘standing strong and demanding their fair share of the profits they create for General Electric.’”

The IAMAW represents 1,250 Members at four Locals involved in General Electric negotiations: Locals 78 and 1916 in Milwaukee; Oak Creek and Waukesha, Wisconsin; Local 912 in Evendale, Ohio; and Local 439 in Warrensville Heights, Ohio.

IAMAW Members work in General Electric’s Aviation and Medical Divisions.

The IBEW represents 125 Members at three GE Locals: Local 613 in Atlanta; Local 663 in Milwaukee; and Local 1014 in Medford, Massachusetts.
Hoffa: Presidential Candidates Shouldn't Ignore Worker Concerns
By Teamsters News - August 7, 2019

The 2020 Democratic Party presidential debates came to Detroit last week, and I was hoping to hear more from the candidates about kitchen table issues that affect hardworking Americans. Frankly, the whole thing was a bit of a disappointment.

Sure, there was plenty of talk about the future of health care in this country, and even the topic of trade made an appearance. Those are important matters. However, when it came to discussing issues that would allow workers to keep a foothold in the middle class – even through their golden years – there was little discussion.

The twin topics of pensions and retirement security were notably absent from the conversation both nights of the debates. To call that an oversight would be an understatement. At a time when Americans are grappling with how to support themselves and their families now and in the future, this country cannot turn a blind eye towards these matters.

For years, Teamster workers and retirees have been at the forefront of pushing the multiemployer pension reform issue. And late last month, all those efforts came to fruition when the pension reform bill this union backed – H.R. 397 – cleared the House by a 264-169 vote in favor of the measure, with all of the Democrats plus 29 Republican lawmakers approving the legislation.

The victory could not have happened without the hard work of Reps. Richard Neal (D-Mass.) and Peter King (R-N.Y.), the lead co-sponsors on the bill who together fought to move the legislation and garnered support of their colleagues in both parties.

But the job doesn’t end there. The measure now heads to the Senate, where the Republican-led chamber will have to be convinced to take it up. Sen. Sherrod Brown (D-Ohio) recently introduced a Senate companion bill to H.R. 397. It is S. 2254 and has 28 co-sponsors, including Sens. Debbie Stabenow and Gary Peters of Michigan.

Teamsters who have been involved in this fight know passage will not be easy. That’s why workers across the nation need to use the current August recess to reach out to senators who are currently uncommitted and get them to support the legislation. But all of us also need to look forward and elect candidates who pledge to stand up for retirement security more broadly.

As I’ve noted before, the Teamsters are in the midst of gathering opinions from members, which in turn the union will use in its ongoing conversations with the presidential candidates. Those responses, as well as candidate video interviews and participation in pro-union activities, will all influence the Teamsters’ endorsement decision.

Candidates seeking the blessing and support of the Teamsters must understand the importance unions play in the working lives of the American worker and the economy as a whole. Supporting organizing efforts and standing for fairness and respect in the workplace is essential.

Workers deserve a president who is a partner that realizes that it is not just jobs, but the quality and dependability of those jobs that matters. U.S. leadership should realize that those who worked hard and played by the rules should have the ability to provide a comfortable life for their loved ones, and retire with the benefits they were promised.

It’s time for all the presidential contenders to stand with hardworking Americans.
FBI Arrests NY Assembly Assistant Speaker's Chief of Staff for Allegedly Stealing $80K
Tom McParland - New York Law Journal - August 8, 2019

The chief of staff to the assistant speaker of the New York State Assembly on Thursday was arrested by the FBI and charged with wire fraud for allegedly stealing $80,000 from his boss’s campaign account.

The U.S. Attorney’s Office for the Eastern District of New York said 29-year-old Maruf Alam of Kensington, Brooklyn was arraigned in Brooklyn federal court and released on $100,000 bond.

According to a criminal complaint and affidavit unsealed late Thursday morning, Alam was employed by a New York “Assemblyperson” and has held various positions in the office since 2008. The complaint did not name the politician, but the New York Law Journal confirmed that Alam currently served as chief of staff to Assistant Speaker Felix W. Ortiz, D-Kings.

“Alam betrayed the trust placed in him to act honestly as the treasurer for the account, and then attempted to cover up his crime by filing false disclosure reports for years,” U.S. Attorney Richard P. Donoghue said. “Today’s arrest makes clear that dishonest public employees will face the consequences of their crimes and be prosecuted to the fullest extent of the law.”

In a statement, Ortiz acknowledged the charges against Alam, but declined to comment any further.

“I am just now being made aware of the charges against my staff member. I do not have any further information, and cannot comment at this time,” he said

Alam’s attorney, Peter Guadagnino, did not respond Thursday to a call seeking comment on the charges. The criminal complaint alleged that between 2012 and 2019 Alam filed a series of false financial disclosures with the New York State Board of Elections to cover up large cash withdrawals and other unapproved expenditures from the campaign committee account.

According to the filing, agents with the Federal Bureau of Investigation interviewed Ortiz, who said Alam acted as the volunteer “treasurer” for two campaign accounts and was responsible for filing disclosure reports for the campaign committee. Ortiz told investigators that he never authorized the approximately $80,000 in withdrawals made between January 2012 and April 2018.

The affidavit, signed by FBI Special Agent Matthew Brigham, also stated that Alam “regularly” made large cash deposits into his own personal account that were not consistent with his earnings as a state employee. According to Brigham, many of those deposits were made “on or around” the same date as the suspicious withdrawals from the campaign committee accounts.

The government’s case is being handled by the Office’s Public Integrity Section. Assistant United States Attorneys Nathan Reilly and Maria Cruz Melendez are in charge of the prosecution

If convicted, Alam faces up to 20 years in prison.
Senate task force on opioids holds first hearing
By SHANNON YOUNG and AMANDA EISENBERG - POLITICO - August 9, 2019

— The Joint Senate Task Force on Opioids, Addiction & Overdose Prevention holds its first in a series of statewide hearings this morning at St. Barnabas Hospital in the Bronx.

— Advocates with VOCAL-NY will rally and hold news conferences outside the hospital ahead of the 10 a.m. hearing to urge the new task force to use the statewide tour to recognize lifesaving interventions yet to be implemented in the state, including safe injection sites, among other things.

— Gov. Andrew Cuomo has signed three domestic violence bills into law, including one that adds identity theft and other forms of economic abuse to the list of crimes that can be considered domestic violence.

OPIOID TASK FORCE BEGINS WORK IN NYC — POLITICO’s Shannon Young: With a new Senate task force set to hold its first hearing on the state's opioid crisis on Friday, some advocates are urging lawmakers to advance policies which they argue have been proven to save lives and help those with substance use disorders. Jasmine Budnella, the drug policy coordinator for the advocacy group VOCAL-NY, praised Senate Democrats for forming the Joint Senate Task Force on Opioids, Addiction & Overdose Prevention, but said her organization doesn't want to see it follow the path of a previous, Republican-led task force. “We are really urging the Senate to really take not only the voices of the community, but the evidence-based interventions that people have been testifying about for a very long time and to move those into action,” she said in an interview.

“The last task force was really tough on crime [in its] recommendations … and we’re really say, ‘Hey, there are actual interventions that work.’”

The Republican-led Joint Task Force on Heroin and Opioid Addiction released a series of recommendations in May 2014 centered around prevention, increased access to treatment and providing resources to law enforcement. Budnella said VOCAL-NY would like to see Albany lawmakers advance legislation allowing for safe injection sites, universal access to medication-assisted treatment and increased supportive housing, among other things. VOCAL-NY advocates and others will gather outside St. Barnabas Hospital in the Bronx ahead of the 10 a.m. roundtable discussion to call for such interventions in New York, she said.

Senate Health Chairman Sen. Gustavo Rivera, a Bronx Democrat and task force co-chair, said the new panel intends to take a different approach to addressing the opioid crisis in New York. "We’re starting with the concept that addiction is a public health issue, not a criminal justice issue,” he said in an interview.

“We need to deal with it as a public health issue and we want to approach it from that perspective.” Rivera said the new task force — co-chaired by Senate Mental Health Chairman David Carlucci (D-Clarkstown) and Alcohol and Substance Abuse Chairman Pete Harckham (D-Westchester) — wants to hear from a variety of viewpoints, including voices that are “not often heard among policymakers.”

CUOMO SIGNS DOMESTIC VIOLENCE BILLS — POLITICO’s Bill Mahoney: Gov. Andrew Cuomo signed three domestic violence bills into law. One of the bills adds identity theft and other forms of economic abuse to the list of crimes that can be considered domestic violence. Another lets people report abuse to law enforcement outside of the jurisdiction where an incident occurred. The third guarantees that victims can vote by mail.

"This legislation gives domestic violence victims the opportunity to vote in a safe manner, ensuring that they do not have to worry about encountering their abuser,” state Sen. Diane Savino (D-Staten Island) said.
SPoT Coffee Workers In Buffalo Petition The NLRB For A Union Election – Majority Of Non-Union Employees Vote ‘Yes’ As Public Campaign Continues

by Workers United Press Release & WNYLaborToday - August 9, 2019

(BUFFALO, NEW YORK) – A majority of SPoT Coffee Workers at four location in Buffalo have signed Union Cards and petitioned the National Labor Relations Board (NLRB) to conduct a Union Election, Workers United Union Officials announced today (Friday, August 9th).

The NLRB’s Regional Director will set a date and time for the vote. If successful, the SPoT Coffee Workers would form the first Union at a coffee shop in Buffalo in more than 25 years.

“This vote ‘marks an important and necessary milestone in building Worker Power in an underrepresented’ industry,” Workers United Lead Organizer Jaz Brisack said. “Service Workers ‘are a critical cornerstone’ of the economy and Workers ‘should not have to choose between dignity on the job and a paycheck that doesn't even cover the necessities of life.’”

If a majority of SPoT Coffee’s Workers vote “yes,” the new Union will be certified by the NLRB and the employer and Union representatives will then meet to negotiate an initial Collective Bargaining Agreement. Negotiations will cover issues such as wage increases, benefits and workplace policies. The Spot locations involved in the election are on Hertel Avenue, Delaware Avenue, Elmwood Avenue and Main Street in the Buffalo Suburb of Williamsville.

“The Western New York Area Labor Federation is ‘very excited’ about the filing of this petition,” Western New York AFL-CIO Area Labor Federation (WNYALF) President Richard Lipsitz said. “We think ‘it will make a big difference in the lives of SPoT Coffee Workers, and we look forward to their victory.’”

On another front, the NLRB is still investigating charges filed by the Union that two SPoT Coffee Employees and a Spot manager were terminated unlawfully – allegedly because of their organizing efforts at SPoT.

One of the Workers - Phoenix Cerny, said: “While we are having this vote in ‘undesirable circumstances,’ we are still planning on ‘participating in our right to organize by holding an election.’ ‘We are aware that the hostile environment the company created has adversely affect our vote while also believing that we, the workers of this company, are still prepared to move forward and fight for Unionization.” ‘We still plan on holding the company accountable for their Anti-Union actions and will continue our fight until they apologize and make the appropriate remedies for what they've done to the Workers of their company.”
(Albany, New York) Senate Majority Leader Andrea Stewart-Cousins today announced that the Joint Senate Task Force on Opioids, Addiction & Overdose Prevention will be holding seven hearings and roundtable discussions across the state. The Task Force will carry out a holistic review of New York’s overdose crisis and the State’s approach to drug use, with a focus on saving lives and improving individual and community health. The Task Force will hold discussions with stakeholders and carry out a review of best practices to identify gaps in the current system and to develop short- and long-term legislative and budgetary solutions. The first hearing will take place on August 9 in the Bronx, with subsequent hearings and roundtables taking place in Central New York, Buffalo, Staten Island, the Hudson Valley, Long Island, and Albany.

“Opioid misuse and addiction is an ongoing crisis that is destroying families and communities throughout New York,” Senate Majority Leader Andrea Stewart-Cousins said. “This epidemic impacts all communities, which is why the Senate Majority will hold hearings and roundtable discussions throughout the state and we encourage New Yorkers to attend and participate. I commend Senators Harckham, Carlucci and Rivera, for co-chairing the Joint Senate Task Force on Opioids, Addiction & Overdose and holding these joint hearings and discussions to combat the opioid crisis.”

Senator Peter Harckham, Chair of the Alcohol and Substance Abuse Committee, said, “Opioid and other substance use disorders continue to claim way too many lives in NYS, in all age groups. We’re hitting the road over the next few months to speak with stakeholders all over our state, to better understand how to save lives through improved state programs, better allocation of funds and new legislation.”

Senator David Carlucci, Chair of the Mental Health Committee, said, “Every day the opioid epidemic is taking lives. It’s ravaging our communities, while not discriminating. New York has taken action to hold drug makers accountable and increase access to treatment and recovery services. With this Task Force, we will go further and straight to those on the frontlines of addiction to discuss treatment and how to prevent relapse. It’s critical we determine where our current efforts have gaps so we can save lives.”

Senator Gustavo Rivera, Chair of the Health Committee, said, “Every day the opioid crisis is claiming the lives of New Yorkers all across the State. As legislators, we must employ every tool at our disposal to fight this epidemic and save lives. I look forward to co-chairing the Joint Senate Task Force with Senators Harckham and Carlucci, where we will hear from a broad range of voices to help us come up with bold solutions to ensure we win the battle against this devastating public health crisis.”

The Senate Democrats have long stood with communities in the fight against opioid misuse. In 2013, the then Senate Democratic Minority held independent hearings on the growing use of heroin and opioids and in 2014, advanced legislation to address this crisis. Progress was made this past year when the new Senate Democratic Majority passed legislation to fight opioid misuse and addiction by providing additional resources to those fighting and recovering from this disease. Senator David Carlucci, Senator Gustavo Rivera, and Peter Harckham, chairs of the Senate Committees on Health, on Mental Health, and on Alcoholism and Substance Abuse, will continue the Senate Majority’s commitment to supporting New Yorkers battling this disease. The Bronx hearing will be on Friday, August 9 at 10:00 AM at St. Barnabas Hospital.

If you would like to participate at one of the hearings or roundtables conducted by the Joint Senate Task Force on Opioids, Addiction & Overdose Prevention, please RSVP to nysoverdosetaskforce@nysenate.gov.
2019 Opioid Legislation Passed by the Senate Democratic Majority includes:

Informational Card For Opioid Antagonists Must Include Information On Good Samaritan Protections: This bill, S.6361, sponsored by Senator David Carlucci, requires informational materials regarding the use of opioid antagonists for first aid or emergency treatment to include information of the application of good Samaritan laws to protect against liability that exist in current law.

Expand Access to Medications that Treat Substance Use Disorders: This bill, S.5935, sponsored by Senator Pete Harckham, would allow New Yorkers on Medicaid to access whichever medical assistance treatment medications are deemed best suited to address their unique situation and recovery efforts.

Bill of Rights for Individuals in Chemical Dependence Treatment Programs: This bill, S.4599, sponsored by Senator Kevin Parker, creates an explicit list of rights for patients receiving treatment in a chemical dependence program that must be placed in conspicuous places throughout chemical dependency treatment facilities and given to every patient upon intake.

Recovery Living Task Force: This bill, S.4496, sponsored by Senator Monica Martinez, creates a “recovery living task force” that would establish best practice guidelines for recovery living residences for persons recovering from a chemical dependency. The task force must issue a report to the governor and legislature containing the results of the study and its recommendations for the above areas within one year of the effective date of the bill.

Limits Substitutions of Abuse-Deterrent Pain-Relieving Opioid Drugs: This bill, S.6397, sponsored by Senator David Carlucci, ensures that if a prescriber indicates a patient should receive an abuse-deterrent formulation of an opioid product, an insurer or the state Medicaid plan may not require the use of a non-abuse-deterrent formulation before authorizing the use of an abuse-deterrent formulation. The bill also requires that for each opioid analgesic on a private insurer’s formulary, there must also be coverage for at least one abuse-deterrent formulation.
Union opens free medical clinic for members in Merrillville
by Giles Bruce - NWI Times - August 9, 2019

(MERRILLVILLE, ILLINOIS) - A local Building Trades Union has started its own medical clinic here that offers free care for its Membership - International Union of Operating Engineers (IUOE) Local 150, which has its Northwest Indiana office in Merrillville, opened the Operators' Health Center early last month.

"We ‘realized a lot of our Members didn't have Primary Care Physicians,’” IUOE Local 150 Financial Secretary David Fagan said, so the Union built the clinic to meet that need, as well as increase convenience and cost savings to all of its Members who are on the Union Health Care Plan. More than 11,000 Plan Members live within 20 minutes of the facility.

Fagan noted that many Primary Care Doctors have quotas to see a certain number of patients per day, limiting the time spent with them. "We feel that ‘distracts from the quality of health care,’” he said. The providers at Operators' Health Center aren't under any such decrees, giving them flexibility to see patients longer and more time to respond to phone calls and e-mails.

The facility is operated by Premise Health, a company that manages nearby or on-site primary care clinics for businesses nationwide.

Keeping IUOE Local 150 Members well and detecting illnesses sooner should reduce the Union's medical spending in the long run, Fagan said, as well as save the Members on direct costs like co-pays and co-insurance.

"Anything ‘that happens within these four walls is free: physical therapy, labs, your visits, the coffee,’” said Dr. Patrick Hobbins, the clinic's physician, who also took the time to not that the cost often prevents people from seeking needed care.

Hobbins said a patient recently told him the last time she went to the doctor's office it took her a year and a half to pay the bill in full. "As ‘everyone struggles with the cost of health care, this is a major help for us to handle this internally,’” Fagan said.

Local 150 launched its first such clinic a few years back near the Union's Headquarters in Countryside, Illinois.

"It's ‘met all of our expectations,’” Fagan said.

Local 150 is in discussions to build another such health clinic in Illinois.

The Merrillville Clinic has exam rooms, a lab for blood testing, a physical therapy studio, and a procedure room for things like suturing, and offering physical therapy should come in handy for Workers who do such physical labor, Fagan said.

But Hobbins said much of his time will be spent as it would in most primary care clinics: Helping patients manage chronic diseases such as diabetes, high blood pressure and high cholesterol.

The facility also plans to bring on a Condition-Management Nurse, who will work with patients on lifestyle changes like improving their diet, exercising more and quitting smoking.

Members are already experiencing some of the benefits.
"I ‘like that I called last Friday morning and I got in Friday afternoon,’” said Edith Massengill, of Roselawn, whose husband is a Union Member. "I was here for physical therapy and made an appointment for my teenage son and got him in too."

Past doctors, she said, could take up to two or three weeks to get seen.

Fagan said the concept could be a cost-saving model for other local businesses with a large number of employees in close proximity.

"If ‘we have made it successful, other people can make it successful,’” he said.
A yearlong campaign to boot a union of Spectrum technicians from the cable company’s New York facilities may fail after allegations that the company engaged in anti-union conduct in the lead-up to the decertification election, a federal labor board official said.

Voting concluded in February, nearly two years into a strike by the Spectrum workers, but results have been kept under seal pending rulings on earlier union allegations of unfair labor practices by the company and confusion over who was eligible to vote. Now the results finally appear ready to be finalized after NLRB Regional Director John J. Walsh ruled earlier this week on which ballots should count.

However, he added a big caveat: Evidence that Spectrum interfered with the election, including by threatening workers if they voted for the union, may void it. That could add a new layer of chaos and uncertainty to one of the longest ongoing labor disputes in the country.

About 1,800 Spectrum workers represented by International Brotherhood of Electrical Workers Local 3 have been on strike since March 28, 2017. The company has hired hundreds of permanent replacement workers. The union has spent tens of thousands of dollars on an ad campaign urging customers to “cut the cord on Spectrum.” New York Gov. Andrew Cuomo (D) has pledged to boycott Spectrum and refuses to appear on its New York news network, Spectrum News NY1.

Months after the strike began, a former supervisor took a new job in the bargaining unit and filed for the union to be decertified, which would effectively kick it out of the workplace. The union alleged the former supervisor was ineligible to file for decertification, but the labor board disagreed. There are no formal allegations that the company moved the supervisor to initiate the election.

A Covert Recording

The union provided the NLRB with an audio recording of a meeting Spectrum held with its employees shortly before voting began in January in which the company allegedly promised workers benefits and raises if the union was decertified. The company also allegedly threatened the employees with fines, penalties, and even violence if they decided to side with the union.

The meeting was mandatory for employees to attend, according to the local.

The recording could “warrant setting aside the results of the election,” Walsh said in his supplemental decision Aug. 5.

Spectrum told the NLRB it never engaged in such conduct. The labor board hasn’t made a final determination on whether the union’s recording and allegations are valid. But if the counting of the votes adds up to union decertification, Walsh said, an investigation and hearing on the evidence would take place.

Spectrum, which became a brand of Charter Communications Inc. following its acquisition of Time Warner Cable in 2016, said that the NLRB’s decision to finally count ballots was a “positive step forward.”

“We’re confident we presented lawful, truthful, and appropriate information to employees about the election,” Charter spokesperson John Bonomo said.
Let’s Keep Things Simple

There are so many legal complexities and disputes surrounding the strike and the ensuing election that the NLRB official overseeing the case is taking things one step at a time.

The IBEW filed 10 objections to Charter’s conduct in the election. But the regional director has temporarily set aside those multiple allegations of election misconduct, focusing first on the eligibility of ballots and the result of the vote.

Only if the union is decertified will the NLRB look at whether the allegations are sufficient to invalidate the result. If the union emerges victorious in the decertification vote, its allegations will be considered moot.

The regional director overruled three election objections and broke the rest into two categories based on the type of allegation.

The first five allegations involve the captive audience meetings Spectrum allegedly held with its employees. The other two involve the allegedly illegal firing of several union workers who attempted to return to work after striking.

Walsh said that the last two allegations have merit but will only go before an administrative law judge if necessary once the first five allegations involving captive audience meetings are settled.

Well, Who’s a Worker?

The regional director ruled that the hundreds of workers who had been on strike were out of work so long that they were no longer eligible to vote on the fate of their union. Replacement workers brought in by Spectrum, however, were allowed to cast a vote.

The ironic twist of fate for the union means that the 666 IBEW members who remained on strike and were supplanted by permanent replacement workers, but voted in the decertification election, will now have their ballots tossed aside while more than 600 replacement employees will have their ballots tallied. A total of 332 strikers who returned to work will also have their votes counted.

The union tried to convince the labor board that Spectrum had changed the course of the strike with multiple unfair labor practices. If the NLRB agreed, the strikers would have been given additional protections such as having their votes count and having more priority when it comes to being reinstated as employees. Instead, Walsh said that the work action is an economic strike rather than an unfair labor practice strike.

The regional director agreed that unfair labor practices were likely perpetrated by Spectrum when it refused to reinstate some striking workers who wished to return to their jobs. But those actions were “insufficient to find that the economic strike converted to an unfair labor practice strike,” Walsh wrote in his decision.

He conceded, however, that the impact of firing workers on strike is unclear and that it would be up to an administrative law judge to determine if that could have an effect on the fairness of the decertification election.

The election results will likely be posted in the coming weeks.
The nation's largest teachers union is threatening to call for a boycott of Walmart over the retailer's gun sales. The American Federation of Teachers wants the company to stop selling firearms, as well as take other measures.

The AFT has 1.7 million members and says teachers spend an average of $500 a year on school supplies. Walmart could suddenly become a whole lot less busy this back-to-school shopping season.

The American Federation of Teachers, the nation's largest teachers union, is threatening to boycott the giant retailer if it continues to sell guns. The labor group also wants Walmart to stop making financial contributions to politicians who oppose gun control.

"If Walmart continues to provide funding to lawmakers who are standing in the way of gun reform, teachers and students should reconsider doing their back-to-school shopping at your stores," AFT president Randi Weingarten wrote in an Aug. 7 letter to Walmart CEO Doug McMillon.

The letter references Walmart's sales of bulletproof backpacks, as well as the recent shootings in El Paso and Dayton, and calls on the company to do its part "to help build a future with fewer guns and safer communities." The letter also urges Walmart to fund gun buyback programs, and for McMillion to create a summit with other CEOs to discuss ways corporate America can address rising gun violence.

It's not clear when the boycott would begin. The back-to-school shopping season, one of the busiest for retailers, has already started. But a boycott could be significant. The union pointed out that it has 1.7 million members and that teachers on average spent $500 on school supplies a year.

Some Walmart workers participated in a walkout on Wednesday also calling on the retailer to stop selling guns. Saturday's shooting in El Paso, which killed 22 people and wounded dozens more, happened inside a Walmart store. In a post on social media following the shooting, McMillon said that his company would engage in the "national discussion around gun violence."

The retailer stopped selling assault-style weapons in 2015, but it still sell rifles and shotguns in roughly half of its 4,750 stores.

Weingarten and the AFT have tussled with Walmart in the past over worker wages and issues around school choice.

But this is the first time the teachers union has considered a boycott of the retailer over gun sales. Last year, the AFT dropped a preferred mortgage lender program with Wells Fargo after the giant bank declined to cut ties to the NRA.
Union questions potential changes to promotion requirements for Cohoes Fire Department
WNYT - August 12, 2019

COHOES – It was a heated Civil Service Commission meeting at Cohoes City Hall Monday night. Outgoing Mayor Shawn Morse is suggesting changes be made to the requirements for promotions in the Cohoes City Fire Department.

Mayor Morse said Monday night was meant to be a simple introduction and discussion of the idea. Morse said instead of the required three years on the job as lieutenant in the fire department to take the civil service test to become captain, he wants to make it a one year requirement as lieutenant before you can become captain.

"The reality is if you're able to be a lieutenant and be in charge of the whole city fire department in the absence of the Chief and the captain with one day out of Lieutenant school, how can you not be qualified with one year on the job," explained Morse.

Morse said the big reason behind the change is that he says there isn’t a big enough pool of qualified firefighters that could become captain. There are four captain positions in the department, currently one of those positions is vacant and Morse anticipates another captain retiring in the future.

"If two of them left today, right now, we may not have enough members in the ranks of lieutenant to fill those positions,” said Morse. “And if you don't have qualified people what happens to that position it sits there."

Morse said the city would then be paying out overtime money for someone to work and fill that role. However, the union that represents Cohoes firefighters said one year experience to become captain isn’t enough.

“It’s a lot of training that goes into being a lieutenant or captain then you're responsible for not only the safety of the firefighters, but also the safety of all the residents of the city,” explained President of the local 2562 Firefighters Union Brian Bullock.

Bullock also said this is a problem the union brought to Morse’s attention years ago. The union said the city has exhausted the promotional list they have, since a test has not been given in four years.

“By having a test every year every other year you're keeping the list up to date,” explained Union Vice President Robert Johnson. “You got plenty of people to choose from, we don't get into these issues and problems that we're having."
“He Gave More Than He Got” - Organized Labor ‘Saddened’ By The Passing Of Former & Long-Time IBEW Local 237 Labor Leader Russ Quarantello, Who’s Being Described As A “Pillar” Of The Niagara County Labor Movement

by WNYLaborToday Editor-Publisher Tom Campbell - August 12, 2019

(NIAGARA FALLS, NEW YORK) – I’m sorry I did not have one last chance to talk with Russ Quarantello, the former International Brotherhood of Electrical Workers (IBEW) Local 237 Business Manager who suddenly and unexpectedly passed away over the weekend at the age of 59. But I know that many, like I, across the entire Western New York Labor Movement believe the light Quarantello helped shine on the Niagara County Labor Movement - much like his Union and its Membership volunteering their time to help set up and wire the annual Holiday Lights Display in Niagara Falls’ Hyde Park, will never be extinguished.

Looking back at it all now, it was so appropriate that Quarantello received the United Way of Greater Niagara’s Shining Star Award in 2018 for donating his time to the United Way on numerous occasions. He had personally participated in so many door-to-door Labor walks and parades over the years, and served on the Board for Big Brothers and Sisters, the Youth Mentoring Board, the Niagara-Orleans AFL-CIO Central Labor Council Board, the Niagara Falls Bridge Commission and the United Way of Greater Niagara, to name but a few.

Quarantello also spoke to WNYLaborToday.com after the event, telling Your On-Line Labor Newspaper: “This award ‘was really for’ IBEW Local 237, ‘our Members and our Union Contractors’ - NECA (National Electrical Contractors Association) and Ferguson Electric. The ‘bottom line is without all of them, it wouldn’t get done.’ We have a ‘great bunch’ of Members ‘who step up all the time and will do anything for the communities they live in.’”

But that was only the tip of the iceberg for Quarantello, a soft-spoken, down-to-earth Labor Leader whose passion was to make the lives of his IBEW Local’s Members better, as well as the lives of the Members of his fellow Niagara County Building Trades Unions’ better, and the lives of those Workers who were represented by a number of other Niagara County Unions.

I remember one of my first encounters with Russ on a picket line up in Niagara Falls a decade or so ago (Pictured Below/WNYLaborToday.com File Photo). His passion and dedication for standing up against companies who brought in out-of-town Workers instead of hiring local Workers got his blood boiling, as it did in May of this year when Local 237 Members picketed a ground-breaking event for the Bank of Buffalo’s new Niagara Falls branch.

At that time, Quarantello told WNYLaborToday.com that he was “tired” of businesses coming into Niagara Falls and Niagara County and making the decision not to use Union Labor.

“They ‘want our money and our jobs,’” he told WNYLaborToday.com.

Quarantello also told me he was also tired of being given the excuse by the owners of those businesses that “it wasn’t ‘their’ decision” to hire a project manager/contractor that declined to use Union Labor on their projects.

“The ‘more people we can make aware of how Bank on Buffalo’s views and treats us, the better.’ ‘We live here.’ ‘We pay our taxes here and no job is too small.’ ‘We fight tooth and nail for everything.’ ‘I guess what they’re saying to us is we are good enough to do business with, but not to hire us,’” Quarantello told Your On-Line Labor Newspaper.
At that time, Quarantello told WNYLaborToday.com that he was “tired” of businesses coming into Niagara Falls and Niagara County and making the decision not to use Union Labor.

“They ‘want our money and our jobs,’” he told WNYLaborToday.com.

Quarantello also told me he was also tired of being given the excuse by the owners of those businesses that “it wasn’t ‘their’ decision” to hire a project manager/contractor that declined to use Union Labor on their projects.

“The ‘more people we can make aware of how Bank on Buffalo’s views and treats us, the better.’ ‘We live here.’ ‘We pay our taxes here and no job is too small.’ ‘We fight tooth and nail for everything.’ ‘I guess what they’re saying to us is we are good enough to do business with, but not to hire us,’” Quarantello told Your On-Line Labor Newspaper.

After serving nearly 12 years as Local 237’s Business Manager, Quarantello lost his re-election bid a couple of months ago.

I know he was disappointed, for a number of reasons, but I am told he recently spoke with Niagara-Orleans Labor Council President Jim Briggs – telling him that he wanted to continue to be involved in the Labor Council and a number of initiatives it was focusing on this year.

But that’s just the way Quarantello - who also loved to ride his motorcycle (which he did so many times over the years to help raise dollars for one worthy cause or another), was.

In reality, Quarantello’s actions, his dedication to his Union, to his Members and the community at large really did help to light up Niagara Falls over the years.

WNYLaborToday.com reached out to many who knew Quarantello and here’s what they had to say about a Western New York Labor Leader who will be more than missed:

Niagara-Orleans AFL-CIO Labor Council President Briggs: “Russ was the ‘ultimate’ Trade Unionist ‘who always put his Members first before everything.’ What he will be ‘particularly missed for was his commitment to the community of Organized Labor.’ He was the ‘first one to be there when someone else had a problem.’ ‘In our fight to save the Middle Class, Labor has a small army and when you take a guy out of it like Russ - it hurts.’”

Western New York AFL-CIO Area Federation (WNYALF) President Richard Lipsitz: “Russ was a ‘kind and gentle’ man - a ‘wonderful’ guy. ‘I am very saddened by his unexpected passing.’ He was a ‘very fine Labor Leader who saw big picture issues better than a lot of other people.’”

Bill Jakobi, United Way of Greater Niagara/Niagara-Orleans Labor Council Labor Liaison: “He was a ‘gentleman, a solid’ Labor Leader ‘and his heart was in the community.’ He ‘was instrumental, he always volunteered and helped where he was needed.’ ‘And he never wanted to be out in front.’ He ‘wanted to be that silent partner - he didn’t want to be recognized.’”

Mike Welch, IBEW District 3 International Vice President: “When I came up (to Niagara Falls) a couple of months ago to speak at the (Niagara-Orleans Labor Council’s annual) Workers Memorial event, he took me around to all the (IBEW) job sites. He was ‘very proud’ of Niagara Falls. Russ ‘was one who rolled up his sleeves and was dedicated’ to the Labor Movement. He ‘was there to help his Members and he was always looking out for his Membership.’”
The Justice Department late last week moved to seek the decertification of the union representing hundreds of U.S. immigration judges, ratcheting up a simmering battle over the Trump administration's immigration enforcement policies.

The department filed a petition Friday asking the Federal Labor Relations Authority to determine whether the certification of National Association of Immigration Judges as the union representing some 440 immigration judges should be revoked "because the bargaining unit members are management officials under the statutory definition," according to a Justice Department spokesperson.

"This is nothing more than a desperate attempt by the DOJ to evade transparency and accountability, and undermine the decisional independence of the nation's 440 Immigration Judges," Judge Ashley Tabaddor, speaking in her capacity as president of the National Association of Immigration Judges, said in an emailed statement. "We are trial court judges who make decisions on the basis of case specific facts and the nation's immigration laws. We do not set policies, and we don't manage staff."

The administration and the immigration judges union have been at loggerheads over a variety of issues, including the judges' status as employees of the Justice Department. Judges are appointed by the attorney general and they are not part of the independent judiciary. They have publicly argued for their separation from the Justice Department. Last year, then-Attorney General Jeff Sessions took the unusual step of reviewing some judicial decisions in the name of reducing the backlog of hundreds of thousands of cases clogging the courts.

Sessions also ordered judges to end the practice of temporarily removing cases from their dockets without issuing decisions, a move known as "administrative closure."

The Justice Department also imposed a quota system on judges, linking the number of cleared cases to their performance evaluations. The judges' union said the courts need more immigration judges, not assembly-line proceedings.

President Trump has appointed 190 immigration judges since taking office. As of June 2019, there are more than 900,000 pending cases in immigration courts, according to the Transactional Records Access Clearinghouse at Syracuse University.

The move to decertify the immigration judges' union comes as no surprise to many judges."Clearly they want to use the judges to ramrod through cases and ramp up deportation regardless of any due process defects their policies have," said one judge who isn't authorized to speak for the union and requested anonymity. Without the union, judges would be effectively muzzled and unable to publicly share their views about the courts, the judge added.

This is not the first time the Justice Department has tried to decertify the immigration judges' union. The Clinton administration sought decertification, but the Federal Labor Relations Authority rejected the notion that judges are managers who make policy. But some judges are concerned that the FLRA under the Trump administration would be less sympathetic to the union.

"It's absurd that anyone would consider us managers," said Tabaddor, a judge based in Los Angeles. "We don't even have the authority to order pencils."
Niagara County Legislator Mark Grozio, an IBEW Member who’d known Quarantello for more than 33 years and served as Local 237’s Director of Membership Development under Quarantello for the past 12 years: “This is a ‘huge’ loss. He ‘always put everyone else first - and now, he’s the first to go.’ (I’ll always remember) his ‘dedication to the IBEW’ – ‘he loved his Union so much.’ He would ‘always be volunteering and he’d always be opening the Union Hall up for something, for some fundraiser, for our Apprentices.’ ‘He always put himself last.’ ‘He lived and breathed the IBEW and he loved his Local.’”

David Wilkinson, Business Manager of IBEW Local 106 in Jamestown and President of the Jamestown AFL-CIO Labor Council: “We ‘are all in shock.’ When I think about Russ ‘I think about how much this is a loss for his family and the Labor Community.’ ‘He would always provide help and he helped me (over the years).’ He was a ‘pillar’ of the community. ‘His kind words and generosity.’ ‘He accepted you as you were and he gave more than he got.’”

Current IBEW Local 237 Business Manager John Scherrer: “Russ had a ‘big’ heart. ‘Everything he did, he did for our Union.’ ‘That was his life, for sure.’ ‘And he left our Union way better that he found it and that’s a great legacy to leave us and the Membership.’ We were ‘broke’ when Russ took over ‘and he got us financially sound.’”

United Steelworkers (USW) Local 2001-represented Niagara County Sheriff’s Department Investigator Amanda Irons-Rindfleisch, who is an Executive Board Member of the Niagara-Orleans AFL-CIO Labor Council, posted the following on Facebook: “I am so shocked and saddened to learn that Russ is no longer with us. He was so many things to all of us. I could go on about all the nice things he has done for me and about how every time I brought my daughter to the (Union) Hall he would give her a little present, but I know that he treated everyone with such kindness. He was a loyal, hard-working and humble Union Brother. I am grateful for the things he taught me and the events he took me to in the short time we were friends. I can’t imagine what your family is experiencing now but I am sure you will continue to watch over them. Rest in Peace Brother.”

Lou DalPorto, a New York State United Teachers (NYSUT) Regional Representative who also sits on the Executive Board of the Niagara-Orleans AFL-CIO Labor Council, posted the following on Facebook: “Russ was a pillar for Labor, a man who made a difference. That can never be taken away. I hope this fact somehow eases the pain for his family and those of us who were colleagues and friends.”
A swath of Kaiser Permanente workers in California has voted overwhelmingly to approve a strike that could draw in more than 80,000 employees of the healthcare giant across the nation, according to the coalition of unions representing them.

The employees — who include most staff aside from doctors, mental health workers or certain nurses — have been working under an expired national contract since September, though their local contracts are still current.

The Service Employees International Union-United Healthcare Workers West — which is the largest union in a coalition covered by the national contract — voted in support of the strike, according to the Coalition of Kaiser Permanente Unions. Two-thirds of the union’s members voted, and 98% of those voted yes, it said.

The vote does not mean a strike will take place; rather, it gives union leaders the ability to call one whenever they want, which provides extra leverage in negotiations. Leaders have floated early October as a possible time for a strike.

Workers in other unions represented by the coalition, including those in five other states and Washington, D.C., as well as four in California, are scheduled to vote in the coming weeks.

The coalition says the nonprofit healthcare giant’s focus on high margins in recent years has led to unfair labor practices and refusals to bargain in good faith. “Workers are rejecting what Kaiser has become,” said Sean Wherley, a spokesperson for the coalition. “It has moved away from its commitments to patients and staffing and is instead emphasizing huge profits and executive salaries.”

Kaiser pushed back against that idea. “Our first priority is always continuity of care for our patients and members,” and Kaiser is offering wages and benefits that exceed market rates, John Nelson, the company’s vice president of communications, said in an emailed statement.

Oakland-based Kaiser is one of the nation’s largest not-for-profit health plans; it has 12.3 million members, including 4.6 million in Southern California. The health maintenance organization, or HMO, generated nearly $80 billion of revenue and $2.5 billion of net income last year, according to its annual report.

An analysis by the coalition found that Kaiser chief executive’s annual salary had increased from $6 million in 2015 to $16 million in 2017. It also found that Kaiser had 36 executives making over $1 million a year, while the Blue Cross Blue Shield Assn. and the St. Jude Children’s Research Hospital each has only three executives compensated at that level. A Kaiser representative did not dispute those figures but said that the organization pays what it must in order to attract and retain the leaders it needs and that Kaiser’s size and complexity make it not comparable to other healthcare nonprofits.

Nelson called the strike authorization a divisive bargaining tactic “designed to divide employees and mischaracterize Kaiser Permanente’s position.”

The leadership of the union that passed the strike vote “is more interested in a power play to position themselves vis a vis other Kaiser Permanente unions — rather than focusing on what is best for their membership,” Nelson said in the statement. “At a time when we are working hard to keep our care affordable, the Coalition’s demands are not fair to our members and the communities we serve. Coalition-represented employees are already compensated 23% above market rates — we pay well and we have markets where our wage rates are challenging our ability to be affordable.”
The workers represented by the coalition include licensed vocational nurses; technicians who work in radiology, X-rays, pharmaceuticals and other fields; and employees involved with food services and environmental services such as laundry service and room cleaning.

Eric Jines, an X-ray technician at Kaiser Los Angeles Medical Center in Hollywood and member of the union bargaining committee, said he and other workers are protesting what they perceive as a new profit-centric culture among the company’s leaders.

Jines said that since going on strike would mean forgoing pay, he and some other workers have been saving up money since last year. But many of his colleagues couldn’t do that, he said. And if a strike is called, he said, some workers will be able to find ways to scare up some income, while others will struggle. “There’s options for people to drive for Uber or Lyft, or try to pick up other work on the side, but for someone with three or four kids it’s a lot harder.”

Separately, Kaiser mental health workers — represented by the National Union of Healthcare Workers, which is not part of the coalition — are in their own contract dispute with the healthcare giant. In July, the union’s members in California voted to reject Kaiser’s latest offer.

“Kaiser has never been more stable economically, but they continue to treat mental health as second-class,” said Sal Rosselli, president of the National Union of Healthcare Workers.

Criticism that Kaiser does not provide mental health care on a timely basis goes back years, and the organization was fined in 2013 for “serious deficiencies in providing access to mental health services.” Kaiser said in June that it had hired hundreds of therapists since 2015 and was seeking to hire more, and that it has embarked on a project to expand its mental health facilities.

Leaders at the National Union of Healthcare Workers are putting together a response to Kaiser’s proposal, with further talks scheduled for Friday, Rosselli said. If the coalition strikes in October, his union may coordinate a strike at the same time, he said.
Anty-Labor Group Urges Federal Government to Stop All Existing Union Payroll Deductions

Group's argument has already been rejected by a federal appellate court in decision that did not set a precedent.

Erich Wagner - Government Executive - August 13, 2019

A prominent anti-labor advocacy organization this week urged the Federal Labor Relations Authority to call on agencies to cancel all existing agreements to deduct union dues from employees’ paychecks, claiming the agreements violate the First Amendment.

Last month, the FLRA proposed changing its policy guidance, at the behest of the Office of Personnel Management, governing how union dues are deducted from federal employees’ paychecks.

Under the current system, when federal workers choose to join a union, they sign a contract agreeing to have dues taken out of their paychecks for one year. There is a 15-day window at the end of that contract, during which the employee can elect to leave the union; otherwise, it is automatically renewed for another year.

OPM, through the FLRA, argued that the 2018 Supreme Court decision Janus v. American Federation of State, County and Municipal Employees requires the government to change the policy to allow federal union members to cancel their union dues deduction at any time, so long as at least one year has passed since they first joined the union. The Janus decision stated that so-called “agency fees” collected by a union from non-members, common for public sector unions at the state and local level, constituted a form of compelled speech and violated the First Amendment of the Constitution.

On Tuesday—the deadline for submitting comments on the proposal to change how federal union dues are collected—the National Right to Work Foundation urged the FLRA to go even further by cancelling all existing agreements to deduct union dues from feds’ paychecks. The organization has been a key anti-labor advocacy organization in recent years, most recently representing Mark Janus in the case that bears his name.

In its comments, the organization argued that Janus also applies to unions in the federal government, and that agreements to deduct dues from employees’ paychecks must include an explicit disclaimer that they are “waiving their First Amendment rights” in the process.

“Janus requires that the government have proof employees waived their First Amendment rights before taking their money to subsidize union speech because the government violated employees’ First Amendment rights if it compels to subsidize union speech,” the organization wrote.

“This is true irrespective of whether the employees are union members or nonmembers . . . To satisfy that standard, at minimum, an assignment form must both notify employees of their First Amendment rights to refrain from subsidizing union speech and expressly provide that the employee is agreeing to waive that right for one year.”

Robert Tobias, director of business development for the Key Executive Leadership Program at American University and former president of the National Treasury Employees Union, said the National Right to Work Foundation’s legal analysis seems based in an intentionally over-narrow reading of the Janus decision, since it seems to contradict another passage of Janus that explicitly lauds the federal sector union dues collection scheme.
“The Supreme Court has already referenced this approach as an approach that fits within the contours of Janus,” he said. “The Supreme Court has made clear that the current system based on the current statute is lawful, period. There is no language in the Supreme Court decision that would allow what is being advocated, and if it were implemented, I believe it would be ruled illegal and in violation of the existing statute.”

Further, Tobias said that to cancel union dues collection agreements en masse would violate a key tenet of the Civil Service Reform Act, by which such a change would have to be implemented through individual agencies’ collective bargaining agreement negotiations process.

“The statute is clear about the right to negotiate and the statute is clear about honoring CBAs that are in effect,” he said. “The idea of cancelling those, I believe is directly contrary to the statute and very troubling. If the FLRA can require new waivers, it would only be in the context of newly negotiated collective bargaining agreements.”

NTEU also submitted its own comments to the FLRA in opposition of OPM’s proposal. The union argued that Janus specifically applies to the financial contributions of non-union members to a labor organization, not to those who already voluntarily decide to join a union.

“This holding, in its plain terms, applies only to nonmembers,” NTEU wrote. “OPM thus makes a drastic, unsupported leap when it asserts that ‘the same constitutionally protected rights that applied to nonmember employees in Janus would attach’ to union members who authorized dues assignments . . . OPM can provide no authority supporting this assertion because there is none.”

NTEU cited three recent U.S. District Court decisions in the wake of Janus that found that the decision does not apply to employees who voluntarily chose to join a union. And a fourth, non-precedential, decision by the Ninth Circuit Court of Appeals in another case argued by attorneys with the National Right to Work Foundation, found that a dues collection agreement with a one-year term “does not violate appellants First Amendment rights,” as it is effectively a contract.

“Although appellants resigned their membership in the union and objected to providing continued financial support, the First Amendment does not preclude the enforcement of ‘legal obligations’ that are bargained-for and ‘self-imposed’ under state contract law,” the court found.

NTEU noted that the form by which employees elect to have union dues deducted from their paychecks is voluntary, and clear about the one-year term and its automatic renewal, and said that some members elect not to sign it, instead paying dues by check or credit card.

“Not only does OPM ask the [FLRA] to distort Janus beyond recognition, but it neglects to recognize this fundamental component of the federal dues-withholding system,” the union wrote. “By omitting any mention of the fact that, by executing an SF-1187 [dues assignment form], employees consent to having dues withheld from their paychecks and agree to one-year revocation intervals, OPM overlooks the obvious answer to its own misguided question. That is, even if there were a reason to apply Janus, the federal-sector system includes the consent that the [Supreme] Court found missing in the Illinois statute.”
Teacher unions suffer setback as judge sides with state on membership law
Tampa Bay Times - August 14, 2019

(LEON COUNTY, FLORIDA) - A Leon County Circuit Judge has rejected arguments by Teacher Unions that a controversial 2018 Education Law violates Collective Bargaining Rights and improperly singles out Teachers among Public Employees.

Judge Angela Dempsey issued an eight-page decision siding with the state’s arguments on the constitutionality of the law, which can require Teacher Unions to be recertified to represent Employees. Such recertification is required if fewer than 50% of the Employees eligible for representation are Dues Paying Members.

The Florida Education Association (FEA), Unions in several counties and individual Teachers filed the lawsuit in July 2018 challenging the constitutionality of the law. In part, they argued that the new requirement violated Collective Bargaining Rights and Equal Protection Rights as the requirements did not apply to other Public Sector Unions.

But Dempsey wrote that the law did not violate Collective Bargaining Rights and pointed to the State’s Teacher shortage as a reason for treating Teachers different than other Employees. She wrote the State “recognizes the need for further accommodations when it comes to Public School Teachers.”

“Here, the goal of the statute is to afford Public School Teachers greater control over the collective bargaining where the Union Dues Paying Members of a Bargaining Unit comprise less than fifty-percent of the Teachers,” Dempsey wrote. “The means for reaching that goal is the requirement that the Union Representatives must furnish the requisite data per the statute’s provisions. The provisions themselves do not oust the Union from its representative position, but instead trigger the opportunity for the Employees to reconsider whether to alter the status of their representation.”

The Union Recertification Issue was included in a massive Education Law (HB 7055) that the Republican-dominated Legislature passed in 2018.

The lawsuit filed by the Unions also addressed other constitutional issues, including whether the legislation violated a requirement that laws address single subjects.

Dempsey’s ruling addressed only the collective bargaining and equal protection arguments and dealt with a motion by the Unions and Teachers for summary judgment on those issues.

In the motion, attorneys for the Unions and Teachers wrote that the recertification requirement in the law “imposes numerous burdens upon Instructional Employees, but no other category of Public Employees.”

If required to go through the recertification process, a Union would be required by the law to get statements of support from 30% of the Bargaining Unit and then hold an election.

“If it fails to earn a favorable vote of fifty-percent of the voting Employees, it faces decertification,” the motion for summary judgment said. “This will leave the Employees of the unit with no Collective Bargaining Representative. Even if the organization is not decertified, the Employees in the Bargaining Unit are burdened by their chosen representative having to redirect its resources from collective bargaining activities in order to ensure it meets a certain Membership level every year. These are significant burdens upon plaintiffs’ right to effective collective bargaining.”

Page 40 - PEF News Clips - August 15, 2019
Cuomo Enacts Laws Aiding Victims Of Sex Harassment in the Workplace
CRYSTAL LEWIS - The Chief Leader - August 14, 2019

Governor Cuomo Aug. 12 signed a series of bills that expanded protections against workplace sexual harassment, including one eliminating a standard that survivors prove the harassment they faced was “sufficiently severe or pervasive.”

The changes—which take effect in 60 days—make it easier for workers to report abuse and harassment. Survivors must now show that the misconduct they faced rose above a “petty slight or trivial inconvenience.”

Extend Filing Period

The reforms also extend the statute of limitations to file a complaint with the state Division of Human Rights from one year after the most-recent incident to three years. That’s the same amount of time survivors have to file a claim in state court.

A heightened awareness of sexual harassment emerged following reports in October 2017 that movie producer Harvey Weinstein sexually assaulted several women in the entertainment business. Such accusations also touched city and state government. DHR saw a 62-percent increase in workplace harassment complaints filed between 2016 and 2018, while the city Commission of Human Rights also saw an uptick in claims.

“There has been an ongoing, persistent culture of sexual harassment, assault and discrimination in the workplace, and now it is time to act,” Mr. Cuomo said. “Let’s honor the women who have had the courage to come forward and tell their story, even though it was personally difficult. And let’s actually change things.”

The bills also require the state Department of Labor and Division of Human Rights to review sexual harassment policies every four years, beginning in 2022, and prohibit employers who enter into a non-disclosure agreement from including language that prevents employees from filing a harassment complaint.

‘Major Strides Made’

“For too long, our state was held back from making real progress in the fight against sexual harassment,” said Senate Majority Leader Andrea Stewart-Cousins. “Thanks to the new Senate Democratic Majority, major strides were made in combatting this inappropriate behavior and addressing the priorities of the survivors of sexual harassment.”

The Sexual Harassment Working Group, a coalition of former staffers in the State Legislature who say they experienced or reported sexual harassment and abuse while on the job, pushed for the increased protections after state lawmakers passed a series of laws in March 2018 that they believed were “incomplete and rushed,” particularly because the bills were crafted without input from survivors.

The group includes Rita Pasarell and Leah Hebert, former staffers for the late Assemblyman Vito Lopez, who was accused of multiple instances of abuse by several women prior to resigning his post in 2013. It advocated for several changes that were adopted, including the extended statute of limitations.

‘Finally Paying Attention’

“Finally, New York State is paying attention to victims and survivors instead of protecting perpetrators or
avoiding responsibility,” the coalition said in a statement.

State Sen. Alessandra Biaggi, who held two lengthy hearings on the issue earlier this year, said that the reforms put power “in the hands of survivors and working people of New York.”

“With the signing of this legislation, employers across all sectors will be held accountable for addressing all forms of sexual harassment and discrimination in the workplace, and survivors will be given the necessary time to report complaints and seek the justice they deserve,” she said.
CEOs rake in 940% more than 40 years ago, while average workers earn 12% more

By Kate Gibson - CBS News - August 14, 2019

CEO compensation rose 940% from 1978 to 2018, compared with a 12% rise in pay for the average American worker during the same period, according to the Economic Policy Institute.

In 2018, average CEO pay at the 350 biggest U.S. companies was $17.2 million.

Chief executives at large companies make roughly $278 for every $1 a typical worker earns — that's up from a ratio of 20-to-1 back in 1965 and a ratio of 58-to-1 in 1989.

The chasm between what the country's corporate leaders and their workers earn is widening to Grand Canyon-like proportions, according to new research that shows CEO compensation surged 940% between 1978 to 2018 while the average worker saw a meager 12% pay hike over the same 40-year period.

"CEOs are getting more because of their power to set pay, not because they are increasing productivity or possess specific, high-demand skills," economist Lawrence Mishel and research assistant Julia Wolfe said in the report from the Economic Policy Institute, a left-leaning think tank.

Depending on how it's calculated, the average pay of CEOs at the 350 biggest U.S. companies last year came to $17.2 million, the EPI research found. (Or, alternatively, about $14 million, with the smaller number valuing the stock options that make up a big chunk of CEO pay at the time they were granted rather than when they were cashed in at typically higher prices.)

Last year chief execs got $278 for every $1 a typical worker earned, according to Mishel and Wolfe. Back in 1965, top corporate chiefs earned $20 for every dollar a typical worker earned, with that ratio rising to 58-to-1 by 1989. The gap widened dramatically in the following decades, they noted, due to a shift in the 1990s and 2000s to compensate CEOs mostly with stock options, restricted shares and other incentive-based pay fueled a spike in their earnings.

Other factors that have driven income inequality in recent years: failure to raise the federal minimum wage, eroding union membership and globalization -- all of which reflect shifts in economic policy in ways that favor big corporations and the rich, Mishel said.

Pay for performance?
The EPI findings are in line with an analysis by Equilar for the Associated Press earlier this year that found that CEOs at S&P 500-listed companies made a median of $12 million last year, including salary, stock and other compensation.

Many CEOs who haul in massive stock awards aren't necessarily demonstrating their worth, EPI's Mishel told CBS MoneyWatch this week. Rather, the jump in executive compensation broadly reflects the runup in stocks in recent years.

"When every industry stock goes up, their stock goes up, and they're rewarded as though they hit a triple," Mishel said. "That's not for performance as they are sitting in the bleachers."Excessive CEO pay is the result of a rigged system that creates the wrong incentives for top executives and is the same time terrible for company morale, observed Steven Cliffords, CEO of King Broadcasting for five years and National Mobile Television for nine.
"When people talk to me, they'll say, 'Yeah, but look at those baseball stars and all the money they make,' " Cliffords explained. "But there's a key difference: Baseball players make their money in what's essentially an auction market, where teams bid for their services. It's the same with movie stars. You know Mike Trout is going to improve any team he's on, that Meryl Streep is going to improve any movie she's in."

Conversely, a CEO is not going to improve just any company, as the knowledge it takes to perform well in the job is company-specific. That's why three-quarters of all new CEOs among S&P 500 companies involve internal promotions, said Cliffords, who has chaired numerous compensation committees for public and private companies. (He's also the author of "The CEO Pay Machine, How it Trashes America and How to Stop It.")

The pay gap between CEOs and rank-and-file workers had some members of Congress calling out bank CEOs on the pay disparity earlier this year. New York Democrat Nydia Velazquez told the heads of the nation's largest financial institutions appearing on Capitol Hill that the swelling pay gap "doesn't look good."

Disney heiress Abigail Disney has repeatedly criticized the compensation paid to public company CEOs, calling it "a moral issue" and one that leaves some low-wage earners sleeping in their cars and rationing insulin. She and other activists contend that workers are often laid off without severance, while top executives line their own and investors' pockets through share buybacks and cash dividends.

"In the 1980s, it became all about creating money for shareholders," William Lazonick, an economist and professor at the University of Massachusetts Lowell, said of the practice of companies spending billions of dollars to repurchase their own stock and artificially driving the price higher.

In its report, EPI called for policies including reinstating higher marginal income tax rates at the very top and setting higher corporate tax rates on companies with higher ratios of CEO-to-worker compensation.
ALBANY — It might soon become even more attractive for New York's public sector retirees to collect their entire pension and come back to work.

A proposal that unanimously passed both house of the state Legislature would enable early retirees to return to work and earn up to $35,000 a year — an increase of $5,000 from the cap set in 2007 — without any diminution of their pensions. Retired school and government employees have no restrictions on their public employment income once they hit age 65.

For the latest in state politics, sign up for the Capitol Confidential newsletter.

Public sector retirees can earn salaries above the cap if they receive a waiver or have their pension temporarily reduced — and there are no restrictions if they enter the private sector.

The legislative sponsors say the measure is critical for addressing a shortage of substitute teachers in classrooms, and note that the bill is backed by the New York State United Teachers union.

NYSUT President Andy Pallotta said the increased earning potential will help career educators consider joining the ranks of the substitute educators without fear of having their pension reduced if they're placed in a classroom on a long-term assignment.

"Similarly, this legislation would help encourage retired law enforcement professionals to apply for school resource officer positions that are a critical component of many districts' school safety plans," Pallotta said in a statement.

He noted that under these circumstances school districts would only have to pay the employee's salary, as they already have retirement and health care benefits.

"This would help school districts save money," Pallotta said, calling it "a win-win for both retirees and public employers."

It's not clear to the fiscal watchdogs at the Citizens Budget Commission or the Empire Center for Public Policy that the math always adds up to be a net positive for everyone involved, but they acknowledge it would save money in certain situations if positions needed to be filled.

"This is sold as not penalizing people, but in reality it's about increasing the bonus that early retirees enjoy," Empire Center policy analyst Ken Girardin said.

"Lawmakers seem to think we'd lose public employees if they couldn't cash pension and paychecks at the same time, but the system already gives those folks a sweet deal," Girardin said. "People should care more about the broader practice of 'double dipping.'"

While the state's largest public sector union, the Civil Service Employees Association, isn't opposed to retirees earning higher incomes, they are opposed to this type of bill because they believe it cuts off opportunities for the future workforce.
"Public service jobs have traditionally served as an opportunity for New Yorkers to lift themselves out of poverty and we want to ensure we're not restricting that pipeline to create needed jobs to deliver necessary services in the future," the union said in a statement.

Assemblyman John McDonald, a Cohoes Democrat who sponsors the bill, maintains that the legislation won't affect young New Yorkers because the positions being filled are usually management spots.

McDonald also noted that if the salary cap becomes law it won't automatically result in a raise for eligible retirees who have returned to the public sector.

Sen. Neil Breslin, a Bethlehem Democrat and the senate sponsor, said he doesn't see any downside to raising the income cap.
Sen. Kamala Harris is launching a Spanish-language version of her national online training and recruitment program, designed to boost on-the-ground organizing and outreach to key voting blocs.

The latest iteration is aimed at Latinos and will have Spanish-speaking staff training voters and providing resources to best mobilize their communities in support of Harris’ presidential campaign. The program is meant to build on-the-ground grassroots energy that Harris can later plug into through primary and general election states. The initial national project has trained more than 16,000 volunteers across the 50 states.

The California Democrat views the Latino community as key to her campaign in 2020 and is focused on communities of color, according to a campaign aide.

“We’re not waiting for the general election to engage communities of color — we’re laying the groundwork now,” Harris campaign manager Juan Rodriguez said. “It will take a nationwide network of grassroots volunteers to win this primary and that’s exactly what we’re building.”

Assemblyman John McDonald, a Cohoes Democrat who sponsors the bill, maintains that the legislation won't affect young New Yorkers because the positions being filled are usually management spots.

McDonald also noted that if the salary cap becomes law it won't automatically result in a raise for eligible retirees who have returned to the public sector.

Sen. Neil Breslin, a Bethlehem Democrat and the senate sponsor, said he doesn't see any downside to raising the income cap.

Topics cover caucus-education and participants are taught how to become involved at local precincts, organize watch-parties and conduct their own camps.

“Latinos are more committed than ever to changing the course of our country to organizing communities,” said Emmy Ruiz, a senior adviser to Harris. “It’s on us as a campaign to make sure that they know that Kamala Harris is a person who is going to fight.”

Harris dedicated her campaign early on to engaging black and Latino voters, overtly addressing racial identity. Latino leaders noticed Harris’ early move to hand out headphones at one of her first Nevada rallies that provided in-time Spanish translation.
American Airlines Demands Mechanics' Unions Pay For 'Enormous Financial Losses' From Flight Delays & Cancellations

by Kyle Arnold - The Dallas News - August 15, 2019

(FORT WORTH, TEXAS) - Fresh off a Federal Court victory, American Airlines is demanding the Mechanics' Unions pay for hundreds of flight delays and cancellations over the last two months. In a new court filing earlier this week, the Fort Worth-based carrier said it wants sanctions "sufficient to compensate American for losses caused" from violations to a June 14th restraining order telling Mechanics to cease work slowdowns to punish the company.

It could result in millions of dollars in fines if a U.S. District Court judge decides to hold in contempt of court the Transport Workers Union (TWU) and International Association of Machinists (IAM), which combine to represent 30,000 Workers at American Airlines.

American Airlines is asking for unspecified damages to be determined at a future court hearing.

Judge John McBryde issued a ruling that sided with American Airlines in its on-going battle with its Mechanics. He said Union Maintenance Workers conspired to slow down work by refusing overtime, taking more time on jobs and refusing off-site assignments.

The Unions have denied they slowed down work.

In less than two months since McBryde issued a Temporary Restraining Order, American Airlines said continuing work slowdowns caused 950 flight cancellations and 280 delays of two hours or longer. That's disrupted the lives of about 170,000 "members of the public" during that period, the company's court filing said.

"(The Unions') illegal activity - now twice ordered stopped by this court - has caused (and continue to cause) enormous hardship to American's customers and team members, enormous financial losses to American, and untold harm in lost customer goodwill," the company said.

The move is the latest in a May lawsuit brought by American that accused the two Unions of a concerted effort to hurt the company over stalled contract negotiations.

The two sides have been working on a new joint contract since 2015 following the merger between American and U.S. Airways in 2013.

In June, the judge ordered the Unions to do everything possible to stop a statistical drop in work completed at maintenance bases.

The Unions have been adamant that they did, including face-to-face meetings with Members, video messages and signs on websites and in break rooms.

"The Union ‘has absolutely complied’ with Judge McBryde's orders," TWU President John Samuelson said. "It ‘would make no sense to not comply.'"

In a rally earlier this week near American Airlines Headquarters for Union Catering Workers, Samuelson told a crowd the Union plans to follow the judge's order, but will also continue to fight for Workers.
(ALBANY, NEW YORK) - Governor Andrew Cuomo HAS announced that a joint investigation between the New York State Department of Labor (NYSDOL) and the Manhattan District Attorney's Construction Fraud Task Force has led to a plea agreement that will return approximately $6 million in stolen wages to about 500 welders and Iron Workers, the largest single wage recovery in the NYSDOL's 115-year history.

The investigation began following a referral by the Manhattan District Attorney and Iron Workers Local 361 in February 2018.

"We have absolutely zero tolerance for any business that exploits Workers and robs Employees of hard-earned wages - period," Governor Cuomo said. "With this plea agreement we're holding AGL Industries accountable for its fraudulent practices and returning millions in stolen wages to hundreds of Welders and Iron Workers."

The joint investigation revealed that from November 2013 until December 2017, AGL Industries - based in Maspeth, Queens County - cheated Workers out of overtime pay and wages owed and reported fraudulent financial information to New York State.

When Workers brought concerns about underpayment to the company, they were told that there was nothing they could do to receive their proper wages, State Investigators said. This monumental victory for Construction Workers - who face some of the most treacherous working conditions of any industry and widespread exploitation - is the latest high-profile takedown by the Task Force aiming to prosecute wage theft to the fullest extent of the law.

The structural steel fabrication company has admitted to 3rd Degree Grand Larceny and will pay back the money on a five-year plan, starting with a $1.5 million payment on August 13th.

Company official Dominic Lofaso also pleaded guilty to a Class D felony for Grand Larceny.

In total, AGL will be responsible for $6.25 million in restitution, which in addition to wage restitution also includes $260,855 in contributions due to the state's Unemployment Insurance Fund.

"Wage theft and fraud have no place in New York, and unscrupulous companies who break the law will be held accountable," Department of Labor Commissioner Roberta Reardon said. "I thank our diligent investigators and Manhattan prosecutors, as well as the heads-up from Local 361 that helped expose these crooks and bring them to justice."Matthew Chartrand, Business Manager for the Ironworker's Local 361 said: "It is our job as Labor Leaders to assist all Workers when they are being wronged. Through the efforts of the Construction Fraud Task Force, as well as the great team at the Department of Labor, one of the bad players in the construction field is being brought to justice. Thanks to all — this is a great job for the benefit of Workers!"

In 2018, the NYSDOL collected nearly $35 million and returned that money to approximately 35,000 Workers victimized by wage theft and public work violations.

Since 2011, the NYS DOL has recovered nearly $300 million in stolen wages and returned it to more than 280,000 Workers who were cheated by their employers.
Teachers Fighting for Public Schools Were Key to the Uprising in Puerto Rico

Mercedes Martinez and Monique Dols - Labor Notes - August 15, 2019

In the two months leading up to the uprising which ousted Puerto Rican Governor Ricardo Roselló, educators celebrated hard-fought victories against the privatization of their education system. Struggles by teachers and families against school closures and charter schools helped pave the way for July’s unprecedented outpouring of protest (see box).

By the end of the school year in June, it became clear that the struggle to stop charterization had largely won. There is only one actively functional charter school on the island.

Then in July, teachers and families who had fought pitched battles against the closing of 442 public schools by ex-Secretary of Education Julia Keleher were vindicated when Keleher was arrested on corruption charges.

As the new school year starts in August, educators are still fighting to fully fund and staff the schools, reopen those shuttered under Keleher, and keep the charters out. In the weeks and months to come, expect educators to keep playing a critical role in the struggle for democracy, against austerity, and for the dignity of the working class in Puerto Rico.

SAVING TEACHER PENSIONS

One of the least known but most critical struggles to keep an eye on in coming months is the fight to save educators’ pensions.

Public workers are under tremendous pressure to tighten their belts in order to ensure repayment of $74 billion in illegitimate debt that the government owes to bondholders.

The debt crisis was created by an economic slump that has lasted since 2006, causing the government to take out loans to operate. These loans were bought up by hedge-fund vultures whose goals are to make huge profits while forcing the government to cut back services to the working people of Puerto Rico.

But as Hurricane Maria and this summer’s uprising have revealed to the world, Puerto Rican workers simply can’t stand to suffer for the rich anymore.

In June, rank-and-file educators in Puerto Rico came together in an incredible movement of solidarity and self-organization to defeat a proposal that would have gutted the retirements of thousands of educators.

The last week of May, the Asociación de Maestros de Puerto Rico (AMPR), an affiliate of the American Federation of Teachers (AFT), unveiled a sweetheart deal negotiated directly with the Fiscal Oversight and Management Board. This federally imposed board, known locally as la Junta, acts like a dictatorship as it oversees the process of making workers pay for Puerto Rico’s odious debt.

The AFT spent $3 million in a year-long, closed-door negotiation that went over the heads of the elected government and behind the backs of the teachers. Its proposal would have canceled the pensions of thousands of current educators and replaced them with 401(k) retirement plans, reduced the pensions of current retirees by 8.5 percent, and raised the retirement age from 55 to 63. The deal also eliminated Christmas bonuses and would have required teachers to work on nationally recognized holidays.
But the Federación de Maestros de Puerto Rico (FMPR), a rival teachers union with a long history of class struggle, along with allies in the fight to save public education, waged a successful Vote No campaign that rejected the deal and unexpectedly stopped the Junta and the AMPR/AFT in their tracks.

The Vote No campaign was an uphill battle. AMPR/AFT spent hundreds of thousands of dollars on deceitful TV and radio campaign ads, portraying the agreement as a necessary compromise which would preserve pensions. Instead of putting polling places in schools or any other public space, the union rented private venues so it could allow its staff and their literature inside and keep out the opposition. AMPR/AFT even called the police in order to prevent neutral observers from entering the polling stations.

Despite these repressive measures, the FMPR mobilized crews to have a presence outside 96 percent of the polling places. With exit polls in hand, the Vote No campaigners helped ensure that the vote was proper and that the election couldn’t be stolen.

POSSIBLE ISN’T ENOUGH

This has been a glorious summer, where hundreds of thousands of Puerto Ricans participated in the biggest general strike ever on the island. The strikes and demonstrations that brought down the Roselló regime were largely spontaneous and broadly democratic, but the seeds of the insurrection were planted by decades of struggle. These struggles have been led by feminists who fought against gender violence and homophobia, muckraking journalists who uncovered the depths of government corruption, activists organizing for the debt to be dropped, community members building autonomous centers of self-organization, environmentalists who stopped a pipeline, students who went on strike to keep their universities public, artists who preserved and created culture, and unionists who refused to compromise away working people’s futures.

No one party, organization, or union called for the strike and demonstrations. Many groups contributed to their outbreak and political character. If we can learn something from this victorious moment, it is that the road ahead lies in fighting back for the future and refusing to compromise. In the labor movement, unions like the AMPR in Puerto Rico and the AFT in the U.S. have negotiated away our rights over and over, under the cover of accomplishing the possible and avoiding the greater evil. This approach allows our opponents to chip away little by little, until we find our public education in shambles, neighborhood schools closed, students’ lives turned upside down, and educators’ future sold out.

Our future depends on fighting for the “impossible,” against the whole logic of a system that will have workers pay with their lives.

WIND IN OUR SAILS

Today the fighters for the future of education in Puerto Rico have huge victories under our belts and the wind in our sails. We have brought down two corrupt governors and are working on our third. The protests, rallies, marches, art performances, and battles on the streets against police brutality complemented each other. It was a triumph for the Puerto Rican people.

While the government continues to flail in crisis, the people are organizing regional assemblies that are spreading and growing. We hope to see a new wave of demands emerge from these assemblies.

The FMPR will call for auditing the debt, reopening our schools, reversing anti-worker laws, revoking the privatization of public agencies, adding an anti-sexist curriculum in schools, and building the quality public education system that the people of Puerto Rico deserve.

The popular insurrection in Puerto Rico has proven once again that “when we fight, we can win.”