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#WeAreUnionStrong
Today Chicago teachers returned to school triumphant, after an 11-day walkout that became a showdown between their union and the proclaimed progressive new Mayor Lori Lightfoot.

If you're looking for an example of the power of the strike, look no further. The strikers accomplished what months of bargaining could not.

The mayor and her appointed school board had made all but no movement in the 10 months of bargaining that led up to the strike. (Lightfoot has only been mayor for five months, but she kept the previous bargaining team from former Mayor Rahm Emanuel.)

Days before the strike, the district presented what it said was its best offer. Once the strike started, the union bargaining team reported that the district was finally moving on its bargaining demands. On day three, the mayor said there was no more money and sent a letter asking the union to end the strike.

But the mayor must have found more money. On day 10, CTU brought a tentative agreement to its House of Delegates that the mayor said costs $500 million. Where the money will come from is not clear. Delegates voted it up by 60 percent, pending the back-to-work agreement.

One sticking point remained: CTU wanted the district to make up the lost days, both for the sake of their own paychecks and for the sake of students’ instructional time. The mayor was still saying no to that.

So teachers spent yesterday, day 11, rallying in the snow outside city hall for a final deal, including the union's terms of return. Meanwhile school employees in SEIU Local 73 stayed out in solidarity, even though they had already voted up their own settlement.

Ultimately the mayor agreed to make up five of the 11 instructional days lost to the strike. School resumed today; CTU has 10 days for members to ratify the tentative agreement.

WHAT’S IN THE T.A.?
Teachers and school employees struck for 11 days—four days longer than CTU’s 2012 strike.

Like Los Angeles and Oakland teachers earlier this year, Chicago’s educators tried to pack into their union contract solutions to decades of underfunding public education and social issues like homelessness, lack of access to health care, attacks on immigrant communities, and the school-to-prison pipeline.

“We activated people's understanding of how much was taken from our schools, the money diverted from our schools,” said elementary teacher Karen Soto. “It's nice to hear a chorus of people understanding that we should have more.”

Chicago teachers came in with big demands to improve class size, add more nurses, social workers, and librarians, and raise pay for veteran teachers and for CTU school employees who were making poverty wages. They also set out to get more support, including housing, for homeless students. Here's some of what they won:
New enforcement language for existing class-size caps. If a class exceeds the cap, a new committee will visit the school within two weeks to address the issue—before, it was a long drawn-out process. And it’s grievable. A nurse and social worker in every school, every day, by year five of the contract (adding 209 social workers and 200 nurses).

Step raises for veteran teachers between years 14 and 20 (costing the district $5 million more).

No additional charter school schools during the life of the contract.

“Community representatives” at schools with high homeless populations to help students and parents. Special education wins, including a pool of specially trained substitutes and protections that special educators, clinicians, and counselors will not be pulled from their jobs to write special-ed students’ Individualized Education Programs, which will be written by a separate case management team.

Teachers can bank sick days from year to year, lifting the cap from 40 to 244 days.

Reversal of health care increases that were imposed on CTU members last year. Health care costs frozen until 2022. 25 percent wage increases for the union’s lowest-paid workers, the paraprofessionals, with lanes for education and experience.

Naps for pre-kindergarteners.

Sanctuary schools policy that adds protections for immigrant students and families.

By day 10, the stakes of the strike were increasing. While there were holdout issues, including teacher prep time and the demand to shrink class sizes, teachers and school employees weighed the threat that they would lose their health insurance if the strike lasted beyond November 1.

‘WE WON A BATTLE, WE HAVEN’T WON THE WAR’

Strike days had the same rhythm as in 2012: morning picket lines, afternoon rallies. Some afternoons the strikers poured into downtown; other days they went to targeted sites. On day 10, teachers rallied at the $1.3 billion development site Sterling Bay, funded through tax increment financing—property tax dollars that are diverted from schools to boost development. The TIF program is meant for blighted areas but has become a slush fund for the mayor. Nine teachers were arrested in civil disobedience.

There was an incredible outpouring of support for the strike. School employees in SEIU Local 73 settled three days before CTU, winning up to 40 percent wage increases, but committed to honoring the teachers’ picket lines. UPS drivers from Teamsters Local 705 refused to cross the picket lines, too. Community supporters set up a Bread for Ed fundraiser, bringing in $45,000 for food for strikers, parents, and students.

The strikers also won a commitment from the governor and statehouse leaders that they will support an elected school board, a demand that CTU also brought to the negotiating table but dropped in the final deal.

However, the strike ended without the union forcing Lightfoot to add a new tax on pricey real estate sales (a real estate transfer tax) or dedicate funds to add affordable housing and address homelessness. The teachers also accepted the mayor’s demand for a five-year contract term, a long deal that pushes their next potential strike out past the next mayoral election. And the union didn’t win prep time for elementary teachers, a big issue.

“The strike is just a battle,” Soto said. “We won a battle; we haven’t won the war. People understood that the fight was about the kids and not about us.”
New Auburn health care union blasts group practice, hospital over contract talks

Kelly Rocheleau - Auburn News - November 8, 2019

AUBURN — A new health care union looking to get an agreement finalized said its members are not receiving fair wages or treatment.

Employees at multi-specialty group practice Auburn Memorial Medical Services, which is affiliated with Auburn Community Hospital, started a bargaining unit under the 1199SEIU United Healthcare Workers East union in October 2018. The union held a press conference in front of the Auburn Medical Building Thursday to talk about their difficulty securing a contract.

The bargaining unit includes licensed practical nurses, registered nurses, administrative assistants and more and accounts for 16 different offices divided from seven addresses used by AMMS, whose workers don't work directly for the Auburn hospital. White said organized labor would could continue to fight for the reinstatement of prevailing wage.

"What strikes us the most is a recognition, an admission that costs are going up even when wages have been slashed," White said.

The square footage allowable costs haven't been increased by the SBA since 2013. The exact amount the SBA will have to give out in “Needs” grants hasn't been finalized.

The new school construction square footage costs are now $307 for elementary schools, $302 for middle schools and $300 for high schools.

A news release from the union said Auburn workers "made clear their desire to have a voice at work and the ability to negotiate a union contract to address issues with unfair wages, high turnover rates, and disrespect in the workplace."

Bargaining for a first contract started in March 2019, the news release said, but an agreement has not been made. The news release said one of the reasons why the conference was held was to announce the delivery of petitions signed by union members to demand "union rights and a fair contract."

Over 35 people, including union members, Auburn Mayor Michael Quill, Auburn City Councilors Jimmy Giannettino and Dia Carabajal and Cayuga County Legislature Minority Leader Keith Batman, attended Thursday's event.

Tiffany Fotopoulos, administrator organizer for the Auburn bargaining unit, said the union has had 17 bargaining sessions with AMMS but feels "management is still unwilling to agree to basic union rights already recognized by Auburn hospital."

Fotopoulos said some union members couldn't attend the event because they had to go to their second jobs "to make ends meet."

"Let that sink in: There's members who couldn't be here today who had to work multiple jobs, which is not right, it's really not right. Management needs to show their support to all members and just help settle that contract now, work with us, if they care, if they really respect us," she said.
One of the speakers was registered nurse Anne Bishop, who helped found the Auburn bargaining unit. She said she feels the union is simply asking for equal rights that all employees should possess.

"We deserve respect and dignity and a voice on our job. We deserve recognition for the many years that we've committed to this organization and to this city's patients. We voted to join 1199 to gain our job security and to get regular pay increases," Bishop said. "Instead, we're watching our co-workers leave time and time and time again."

Carabajal said that as a councilor, she is often asked when more jobs will be brought to the city, but she never hears "from politicians and people who want to be on the city council" on preserving existing jobs.

"I want to tell you, don't let other politicians tell you that they support a union and not show it in action," she said. "They need to be here. Where are they? You want jobs in the city of Auburn? They already exist. We want good paying jobs in the city of Auburn."

In a news release, Auburn Community Hospital said it has negotiated with its unions in good faith for decades.

"The work in physician offices is very different than what one might do in the hospital given the range of patients and the acute nature of the health issues hospital employees’ face on a 24-7 basis. As such the first contract with this union will be potentially be very different and perhaps more complex," the hospital said. "We are now in the process of developing an entirely new contract with nurses and other staff who work in our private physician’s practices neighboring the hospital. We have met with the SEIU 1199 representing these employees seventeen times over the course of six months. In all cases we negotiate in good faith. Public relations stunts and innuendos will not dissuade the hospital from working with this union to finalize an entirely new labor agreement."

The hospital said it is critical to balance the hospital's financial health with the union's demands.

"The hospital’s mission is to always put the patient’s health first and we will deliver care to anyone who comes through our doors regardless of their ability to pay. Hospital & AMMS management value all of our employees and we will continue to work with them to deliver exceptional health care for our community," the hospital said.
CHARLESTON, W.Va. — School superintendents from dozens of counties will appear before the state School Building Authority next week in hopes of convincing the SBA to fund their school construction projects in the latest round of “Needs” grants. A recent move by the SBA will allow some of those counties to seek more money for their projects.

The SBA last week approved a 20 percent increase in allowable square footage costs for new school construction. “We’re seeing trends in square foot costs that affect all projects so we thought it was prudent for us to raise the maximum amount a county could request up to 20 percent higher,” SBA Director of Architectural Services Ben Ashley said.

A West Virginia labor leader said the increase is further proof the legislature’s decision to repeal the state’s Prevailing Wage law in 2016 hasn’t worked. “It’s true that costs have gone up but it’s kind of surprising that with the repeal of prevailing wage they are recognizing this,” West Virginia Affiliated Construction Trades Foundation Director Steve White recently told MetroNews. “You get what you pay for and the school systems are finding out when low-wage labor is used it’s causing all sorts of problems and costing them more.”

In 2016 the Republican-led legislature wiped out the long-held practice in West Virginia where the government surveys contractors to determine the minimum level of pay for a variety of classifications of jobs on state-funded projects, such as schools.

Supporters of prevailing wage argued prevailing wage provided a living wage for workers, while keeping out-of-state contractors from undercutting West Virginia construction companies and workers. Those favoring the repeal said the state overpaid millions of dollars for projects with the flawed survey system.

Ashley said the recent decision to increase allowable square footage costs is based on a lot of factors including what they’ve noticed to be an improving economy that’s impacting the number of contractors interested in projects.

“Overall, in general, the projects as a whole require a whole lot more to be built within the schools. The building code changed twice since 2013. There are a lot of different factors in addition to prevailing wage,” Ashley said.

White said his organization and others have said from the beginning of the prevailing wage fight that its repeal “wouldn’t save money would but cost money and that (square footage increase) validates that.”

“The savings that our legislative leaders promised, four schools for the price of three, five schools for the price of three at times, have not materialized, prices have gone up,” White said.

The impact the allowable square footage cost increase has on next week’s presentations by school superintendents and the ultimate awarding of grant funds by the SBA in December remains to be seen. Ashley said most projects in recent years have been renovations and not new schools so the impact may not be as great.

“Those won’t be effected by the maximum amount a county can quality for but again, the new projects that come in they are eligible to obtain more funding to keep up with the increase in costs that we’ve seen,” Ashley said.
National SAVE Apprenticeship Week: Here’s How to Celebrate

IBEW Media Center - November 12, 2019

Every November the Department of Labor holds National Apprenticeship Week to raise the profile of certified training programs that provide a path to the middle class for working people.

This year it’s the week of Nov. 11, and, if this were a normal year, the Labor Department would be holding events across the country that showcase the businesses, labor unions and educational institutions that have certified construction apprenticeships. Nearly 65 percent of all civilian registered apprentices are trained in the construction industry, and of those construction apprentices, 75 percent are trained through the building trades privately funded joint-labor network.

“Everybody wins under the current system, and it’s worth celebrating,” said International President Lonnie R. Stephenson. “Our members get a debt-free education that immediately puts them to work in their own communities building the infrastructure needed for all of us to thrive. Construction businesses get a highly trained and motivated workforce with the skills to do the work today and grow as the industry changes. The public gets the safest, highest quality buildings, bridges and roads from a highly productive workforce.”

But today organized labor unions across the country are uniting to save construction apprenticeships from a cynical proposal from the Department of Labor. The rule under consideration would gut these apprenticeships and turn them into little more than the kind of low paid, no future internships that are all too common in the white-collar world.

“We are calling it National Save Apprenticeship Week,” said Political and Legislative Department Director Austin Keyser.

The rule as written, he said, would allow construction companies to create industry-recognized apprenticeship (IRAP) certifications that give employers wide latitude to decide how many hours of instruction to provide, what wages to pay, what the curriculum covers and how much, or little, apprentices need to achieve to graduate. For now, the construction industry is exempted, but nonunion contractors and anti-union interest groups are pushing hard to have that exemption lifted.

“We’ve been building our construction apprenticeship programs with our industry partners for decades and Republicans have been trying to impose second-rate IRAP certifications on us for almost as long,” Keyser said. “All it would do is push more working families into poverty, undermine the gold-standard of construction Registered Apprenticeship Programs, jeopardize public safety and set off a race to the bottom in the industry.”

A total of about 325,000 people wrote to the Labor Department about the value of their construction apprenticeship, including nearly 65,000 IBEW members who responded to a Call to Action in July. Some of those stories were collected and published this month by the Electrical Worker (“The IBEW Changed My Life.”) More than 95% of the comments were from union members urging the administration to exempt the construction industry from its apprenticeship rule.

“There is still time to pressure administration officials and elected leaders to stop this money grab,” Keyser said. Apprentices and journeymen can still write their own story, he said, and everyone is encouraged to reach out to their representative and senators.

IBEW leaders also encouraged members to get vocal through social media, tweeting at reporters, President Trump and other elected officials in support of registered construction apprenticeships using the hashtag #SaveApprenticeshipWeek and by attending – and posting pictures from – any events hosted by their local union or building trades.
Southern Poverty Law Center won't voluntarily recognize employee union

Brian Lyman - Montgomery Advertiser - November 12, 2019

Southern Poverty Law Center management said Tuesday they would not voluntarily recognize a union organized by employees at the civil rights nonprofit and have hired a Virginia law firm whose website boasts about victories over labor organization attempts.

In a memo to employees sent on Tuesday, Lecia Brooks, the chief workplace transformation officer for the SPLC, said that directors of the nonprofit had voted to allow an election to go forward, saying they wanted “to ensure that everyone has an opportunity to be heard.”

“There are employees at SPLC, mostly women of color and lower-wage workers who are often left out or often 'spoken for' instead of engaged and given a space for their own agency,” the memo said. “We want current and future employees to know and feel that their voices matter and their needs are met.”

The SPLC Union said in a statement Tuesday it was “disappointed” in the decision but that it would go through an election, if necessary.

“Management's refusal to voluntarily recognize the union and decision to hire a law firm that specializes in 'union avoidance strategies' are counter to SPLC’s values,” the statement said.

“The Center cannot truly claim to support workers' rights, while also hiring a 'union avoidance' law firm to prevent its own workers from exercising our right to collective bargaining.”

SPLC employees formed the union after a year of turmoil in the civil rights organization that saw founder Morris Dees fired and several top executives, including President Richard Cohen and Legal Director Rhonda Brownstein, depart the SPLC.

The organization's management have retained Hunton Andrews Kurth, a Richmond, Virginia-based law firm. The firm’s website says it advises businesses against “corporate campaigns” by unions, advocacy groups, and non-governmental organizations.

A message seeking comment was sent to Hunton Andrews Kurth on Tuesday. Amber Rogers, a labor relations attorney and partner in the firm, is advising SPLC management. She lists "union avoidance strategies" among her areas of expertise on her biography.

A message seeking comment was left with Rogers on Tuesday. Erik Olvera, a spokesman for SPLC, wrote Tuesday that Rogers "supports the work" of SPLC and "is one of the few women of color across the country, and black women in particular, who extensively practice labor law and possesses the type of experience we needed to guide us through this process."

"Amber understands the Center’s historical support for unions, its current support for employees' right to form a union, and will give legal advice and counsel from that respectful understanding," Olvera wrote.

Brooks wrote in the Tuesday memo that "unions reflect values that are in our DNA" and said management would “not engage in an anti-union campaign.”
Management signaled last week it would not voluntarily recognize the employees' union. Under "Experience," Hunton Andrews Kurth's web page on labor management issues notes a “decisive victory” over the International Brotherhood of Electrical Workers (IBEW’s) attempt “to organize white-collar employees at a southeastern-based power company,” as well as an “overwhelming victory” over the IBEW in organizing nuclear power plant workers in North and South Carolina.

The firm has also hosted a webinar titled “Dodging Organized Labor’s One-Two Punch,” about micro-organizing rules that the National Labor Relations Board (NLRB) promulgated during President Barack Obama’s term.

SPLC has been on the forefront of fights over immigration, poverty, and conditions within Alabama’s violent and overcrowded prisons. But SPLC has long faced issues in its workplace.

The organization for decades has faced accusations of internal discrimination against employees of color, particularly in the area of promotion. Earlier this year, whites held most leadership positions in the organization. Turnover at the SPLC has been high. Dees' firing in March followed the resignation of an assistant legal director at SPLC over racial and gender equity concerns.

Union organizers say they have the support of a “supermajority” of employees at SPLC, though they have not provided a specific number.

"SPLC staffers demonstrated a legitimate expression of workers' desire to form a union when a supermajority of us signed union authorization cards and petitioned for union representation," the union's organizing committee wrote in a statement. "We hoped management would support our wishes to be more engaged in SPLC's transformation, but we are prepared to see our union organizing drive through an election process, if necessary."

SPLC reported employing 360 people at the end of October 2018, according to its most recent 990 form. The union says it is seeking improvements to working conditions, with a particular goal of ensuring equitable treatment for employees.

SPLC had $492.5 million in assets on Oct. 31, 2018, according to its most recent 990 form.
Uber Technologies Inc. owes New Jersey about $650 million in unemployment and disability insurance taxes because the rideshare company has been misclassifying drivers as independent contractors, the state’s labor department said.

Uber and subsidiary Rasier LLC were assessed $523 million in past-due taxes over the last four years, the state Department of Labor and Workforce Development said in a pair of letters to the companies. The rideshare businesses also are on the hook for as much as $119 million in interest and penalties on the unpaid amounts, according to other internal department documents.

The New Jersey labor department has been after Uber for unpaid employment taxes for at least four years, according to the documents, which Bloomberg Law obtained through an open public records request.

“We are challenging this preliminary but incorrect determination, because drivers are independent contractors in New Jersey and elsewhere,” Uber spokeswoman Alix Anfang told Bloomberg Law.

Uber fell 2.7%, to $25.99, after earlier declining as much as 3.9% on news of New Jersey’s efforts. Ridehailing competitor Lyft Inc. fell 3.2%.

The state’s determination is limited to unemployment and disability insurance, but it could also mean that Uber is required to pay drivers minimum wages and overtime under state law. Uber’s costs per driver, and those of Lyft, could jump by more than 20% if they are forced to reclassify workers as employees, according to Bloomberg Intelligence.

The notices mark the latest attack on the rideshare companies’ business model, which treats drivers as self-employed entrepreneurs rather than employees—a classification that deprives the workers of certain benefits. Uber and Lyft recently pledged $30 million each to fight a new California law that is expected to force them to reclassify drivers as employees. They’re also prepping for a similar lobbying battle in New York, where lawmakers are planning to take up gig worker legislation next year.

“I expect we may see more of this,” Shannon Liss-Riordan, an attorney who has sued Uber on behalf of drivers in California and Massachusetts, said of New Jersey’s tax claim against Uber. “Uber and Lyft, by misclassifying drivers, are harming not only the drivers but also the states and the public at large. The money that they’re not paying into the unemployment and disability systems is being picked up by the states and the taxpayers.”

New Jersey informed Uber in 2015 that it had obtained a court judgment ordering the company to pay about $54 million in overdue unemployment and temporary disability insurance contributions. It is not clear whether the company ever paid any of that bill.

The state labor department, through a spokeswoman, declined to comment on the Uber situation. Labor Commissioner Robert Asaro-Angelo said in a prepared statement that “cracking down on employee misclassification” is a “priority” for Gov. Phil Murphy’s (D) administration.

“For those who say properly enforcing our unemployment laws will stifle worker flexibility, let’s be clear: there is no reason temporary or on-demand workers can’t be treated like other employees who work flexible hours for short durations,” Asaro-Angelo said.
Audit Launched Last Year

The state labor department sent surveys to Uber and Lyft drivers over the last year seeking information about their work arrangements and tax status. The department audits 1% of employers each year for potential worker misclassification.

Since Oct. 23, the department also has determined that 65 drivers who listed Uber, Rasier or Lyft as their employer in unemployment-insurance-benefits claim forms are employees of those companies and therefore eligible to seek jobless benefits. Drivers who moonlight for the companies to supplement income from other jobs are additionally required to report rideshare earnings for eligibility determination purposes as a result of the state’s determination that they are employees.

The state labor department didn’t provide any documents in response to Bloomberg Law’s request for unemployment insurance assessments against Lyft.

Gig employers—like Uber, Lyft, home cleaning service Handy, and food delivery operator Postmates—pitch themselves as platform providers that simply connect drivers and other service providers to customers. That argument has satisfied federal regulators during the Trump administration.

The federal Labor Department and the National Labor Relations Board have recently issued guidance indicating they’re not likely to pursue Uber or Lyft for alleged misclassification. The DOL in an April opinion letter said workers at an unnamed “virtual marketplace” aren’t employees for federal wage and hour purposes because the company acts as a “referral business” that links workers to new opportunities. The NLRB’s top lawyer, in a memo made public two weeks later, said Uber drivers are independent contractors, excluded from protections for union and other activity.

Strict on Classification

Uber and other gig employers are still trying to fight off lawsuits filed under more restrictive state laws across the country. That includes New Jersey, which uses a version of the “ABC” test to determine whether workers are employees or contractors. In order to classify workers as contractors, state law requires a company to show that it doesn’t control the work and that the service provided is outside of its “usual course” of business, or outside of the places of business where the services are otherwise performed.

“Not a day goes by when I don’t speak to at least two clients about how to enhance their compliance with independent contractor laws, in particular those with ‘ABC’ laws,” said Richard Reibstein, a business lawyer in New York.

Uber, Lyft, and other online platforms unsuccessfully lobbied to stop a new law in California that uses a similar test to distinguish between contractors and employees. The companies had offered to institute minimum wages, portable benefits like paid sick leave, and some collective bargaining rights in exchange for being carved out of the new law. They’re expected to push to get a referendum added to the ballot next year that would exempt platform companies from the law.

Some New Jersey drivers told Bloomberg Law that they would prefer to remain contractors and keep the flexibility to choose when and where they work. Worker advocates say that’s a false choice rideshare operators offer to skirt their basic responsibilities. “This would be life-changing for thousands of drivers, to know that they will be earning at least the minimum wage,” Bhairavi Desai, founder of the New York Taxi Workers Alliance, told Bloomberg Law. “The companies being required to pay into the unemployment insurance fund will mean that they can’t just toss drivers off the app.”
In October, Chilean President Sebastián Piñera, an entrepreneur and right-wing politician, proclaimed that “in the midst of this turbulent Latin America, our country is a true oasis.”

Six days later, high school students in the capital city, Santiago, began a protest against the rising cost of public transit through mass fare evasions.

By the end of the week, the protest had turned into a seemingly unstoppable revolt. Piñera himself repeated on television the phrase with which the dictator Augusto Pinochet had unleashed the military annihilation of the Chilean left and labor movement between 1973 and 1989: “We are at war.”

Metro stations had begun to burn on Friday, October 18.

I was on the street that day and participated in one of the many simultaneous clashes with the police, just steps from my house, in front of the National Library. The men and women who threw stones at the armored vehicles included both office workers in blazers and informal workers in windbreakers.

HARSH INEQUALITY

Currently, 70 percent of Chilean workers make less than $700 (U.S.) per month. The median pension is $70 per month for men and less than $26 for women. The average household in Chile has total debts equivalent to 70 percent of their yearly income, making it very hard to get out of debt.

This impoverishment is rooted in anti-worker policies established during the 1973-1989 dictatorship and administered by subsequent democratic governments.

These policies even include Chile’s constitution, which was rewritten during the Pinochet era and has remained in place ever since. Chile has rightly been characterized as the world’s first laboratory of neoliberalism, the free-market ideology of cutting regulations, slashing public services, and privatizing everything.

Among the most significant of these policies from the worker perspective are the decimation of collective bargaining, the subsidization of private enterprises at the expense of basic public services, and the forced privatization of pension funds, profitable to a handful of private insurers.

The result has been brutal inequality, in which 1 percent of the population has accumulated more than a quarter of the country’s wealth. The slogan of the revolt quickly became—referring to the subway fare hike—“It’s not about 30 pesos; it’s about 30 years.”

These intolerable conditions made it easier for student fare evasion to lead to a widespread working-class revolt, which extended from the capital city to the rest of the country in a matter of hours.

But the protests haven’t simply been about economic inequality, but also about long-standing questions of social justice and the legitimacy of the government in the post-Pinochet era.

Uber in April told the state labor department that it disagreed with the determination that drivers are employees and requested a hearing on the issue, but it is not clear whether a hearing has been scheduled.
Although it was a working-class protest, this revolt was neither prepared nor led by the unions. On the contrary: it was spontaneous and structureless. Two general factors help explain this. The first is that most workers have no union. In Chile, more than 40 percent of jobs are not covered under any labor legislation and in 85 percent of businesses there does not exist even a single union. Collective bargaining agreements cover just 20 percent of workers.

The second is the discrediting of the main union federation, the Central Unitaria de Trabajadores (CUT, the United Workers Center). This owes to its role during the most recent labor reform, in 2015, when CUT leaders acted in complicity with the government against workers' interests. These same leaders have been accused of violating electoral procedures to remain in leadership.

However, the CUT regained part of its critical role with the change of government in 2018, forming—together with other activist organizations, including feminists, environmentalists, and students—an organization to convene protests around various demands, called ‘Unidad Social’ (US, Social Unity). Leaders of different political tendencies coexist inside this organization, from the Communist Party to the Christian Democrats to “anti-party” groups. That slowed their collective reaction when the current revolt began.

Nevertheless, on the margins of the Unidad Social, the dockworkers—the most combative sector of the Chilean working class—from day one began to talk of a “general strike”—a term not used in Chile for many years. That same weekend the longshore workers began to halt work to protest the repression and announced a national strike on October 21.

This created enough pressure to force the coalition to begin to mobilize. After a week, the longshore workers, together with Unidad Social, called a general strike, defining as its goal a direct vote on replacing the constitution with a new one to be drafted by a people's assembly, in addition to an immediate “Emergency Plan,” which demanded that the government and the political parties:

- halt the legislative agenda of the government  
- raise the minimum salary to $670 (U.S.) a month  
- raise the basic pension to the same figure and move toward a social security system that provides true social security, abolishing the current system  
- establish collective bargaining by sector and a true right to strike  
- protect social rights and freeze the prices of basic services (light, water, gas, public transportation, medicine)  
- indict and punish those responsible for violating human rights

After the strike and the lack of response from the Piñera administration, a “committee” was formed of the most representative union organizations in the country, bringing together the CUT, dockworkers, miners, construction workers, teachers, and public employees, and the Coordinadora No+AFP—a coalition of unions and other groups that has been campaigning for years against the privatized pension system. They declared: “We put forward as our strategic goal the writing of a new constitution that will establish the political and economic basis for the social rights that were taken away during the dictatorship and which for 30 years no government has had the will to recover.”

CAN’T STOP US NOW

The committee called a general strike for November 12. Two days before, President Piñera had pledged that the constitution would be rewritten, although in a process controlled by Congress, rather than the constitutional assembly demanded by demonstrators.
Meanwhile, despite the evident discontent on a wide range of issues, on October 19, the president opted to simply reverse the increase in transportation fares ($0.04 over the current $1.10). At the same time he decreed a State of Emergency and a military curfew, and restricted citizen rights such as assembly and transit. By the time the decree was lifted, after a week of popular outcry, more than 1,000 protesters had been wounded—nearly half by firearms—and three times as many had been detained.

More than 100 lawsuits have been filed, including allegations that state authorities committed murder and rape against protesters.

A peaceful march of 1.2 million people on October 25—the largest in the country’s history—demonstrated that the government’s proposed reforms in terms of wages and pensions had been wholly insufficient to appease the movement. The marchers strongly condemned the injuries and loss of life as well. As a result, the government was forced to lift the state of emergency.

But the police violence has intensified. The best indicator is the quantity of serious eye injuries caused by short-distance shots to the face. According to the doctors’ association, there have been around 200 such incidents within the last two weeks. (For reference, the Israel-Palestine conflict registered around 150 injuries of this type in a period of six years.) Given these figures, the Faculty of Medicine at the University of Chile has accused the state of using mutilation as a tool of public control.

In short, rather than calming down, the movement has only gained momentum, rebutting the fragile fiction that it is possible to return to the Chile of prior to the revolt.
Rebuild NY Now Pushes For State Funds That Are ‘Desperately Needed To Fix New York State’s Infrastructure Crisis’ - Labor Leaders Speak Out In Syracuse: “Crumbling Roads And Bridges ‘Are Bad For The Economy And Dangerous For All’ New Yorkers.”

Rebuild NY News - November 17, 2019

(SYRACUSE, NEW YORK) - With a staggering one in eight Central New York bridges rated in poor condition, Rebuild NY Now joined Assembly Transportation Committee Chairman Bill Magnarelli, a host of Labor Leaders, clergy and advocates in Syracuse on Friday (November 15th) to call for more funding in the 2020 State Budget to fix New York’s infrastructure crisis.

The Syracuse press conference was part of Rebuild NY Now’s statewide campaign to raise awareness about the State’s decaying roads and bridges. In addition to a media tour, the campaign includes targeted statewide digital advertisement, two 30-second TV ads and a 60-second radio spot - all of which are currently airing across New York State.

Friday’s event in Syracuse took place in front of I-81 - which was recently featured in The Washington Post as an example of how aging and deficient infrastructure impacts urban communities and Communities of Color.

“With ‘one in eight’ bridges in Central New York ‘rated structurally deficient, this region shows the desperate need across the State for infrastructure investment,’” Rebuild New York Now President and CEO Mike Elmendorf said. “Decaying roads and bridges ‘increase costs on families, destroy our economy and environment and poison children’ in Urban Communities. ‘All this disproportionately impacts People of Color which itself is an injustice.’ ‘Yet, roads and bridges are among the best investments that government can make.’ ‘That’s why Rebuild NY Now is traveling the state to raise awareness about this crisis and the need for (New York) to put more resources toward fixing it.’”

William Magnarelli, who serves as Chair-NYS Assembly Transportation Committee, also attended the news conference and spoke: “As Chair of the Assembly Transportation Committee, I want to ‘thank’ Rebuild NY Now ‘for bringing awareness to transportation infrastructure needs.’ The coming Department of Transportation five-year Capital Plan ‘is critical in the effort to repair and replace our aging infrastructure.’ ‘It will be my priority’ as Chair to ensure the next Capital Plan ‘is properly funded and meets the needs of the entire state.’ ‘Investing in transportation creates jobs and keeps New Yorkers safe.’”

Rebuild NY says crumbling roads and bridges in Syracuse and Central New York show how the statewide infrastructure crisis has reached a breaking point.

Deteriorating infrastructure costs the average driver $1,600 a year in wear and tear, increases carbon emissions and damages public health – particularly in Communities of Color.

Today, 10% of state and locally-maintained bridges in New York are rated in poor condition and in 2017, the New York State Department of Transportation (NYSDOT) projected that 2,116 bridges will become structurally deficient by 2022. This would be an almost 100% increase since the Department’s last evaluation in 2009.

Rebuild NY Now is calling for the State to allocate $35 billion in the 2020 budget to stabilize the infrastructure crisis. Crumbling roads cost New York drivers $1,600 annually - which adds up to $24 billion in total sunk cost statewide.
Recent studies show that every billion dollars spent on infrastructure repair and development creates more than 28,000 jobs.

“As all the current studies have shown, our roads and bridges ‘are dangerously in need of repair and/or replacement,’” Ironworkers Local 33 Business Manager Scott Gardner said at Friday’s news conference. “Public funded work ‘will not only fill the immediate need of repair or replacement for our public roadways and bridges, but will also create employment opportunities for our current and future workforce.’ ‘With New York State-approved Apprenticeship Programs, the funding of this work will ensure that we have a well-trained workforce for years to come.'”

Several other Labor Leaders also spoke at the news conference:

Laborers’ Local 435 Business Manager Daniel Kuntz: “Rochester and ‘all’ of Upstate New York ‘has infrastructure needs.’ ‘Most’ of our roads and bridges ‘are in need of major repairs.’ The ‘disparity between’ Upstate and Downstate ‘is criminal.’ The citizens of Rochester ‘pay their taxes and expect to commute without fear of having falling concrete from a bridge or auto repair from deficient roads.’ New York State ‘needs an Infrastructure Bill that is dedicated to rebuild the roads and bridges without taking dollars out to balance a budget.’”

James Mason, who serves as Team Leader of the New England Regional Council of Carpenters: “Central New York has an ‘economic boom on the horizon.’ Our elected officials ‘have worked hard to market our area to large businesses that will increase employment opportunities,’ such as the large warehouse project Trammell Crow wants to build, not far from here, in Clay. This project will create one-thousand ‘new’ job opportunities. Also, JMA Wireless wants to build, ‘a first of its kind,’ five-G Manufacturing and Edge Development Center right here in Syracuse, that will create another one-hundred jobs – ‘not to mention the hundreds of construction jobs these projects will create.’ A commerce company ‘cannot be successful with our current crumbling roads and bridges.’ ‘Crumbling’ roads and bridges ‘kill jobs!’ The State ‘needs to make investments into our infrastructure a priority in the 2020 Budget.’”

Daniel McGraw, who serves as Business Manager of International Union of Operating Engineers (IUOE) Local 158 and is the President of the New York State Conference of Operating Engineers: “Crumbling roads and bridges ‘are bad for the economy and dangerous for all’ New Yorkers. ‘Investing in infrastructure is key to growing’ the economy, ‘not only to attract more businesses - but to create good public works jobs that help boost the local workforce.’ The ‘skilled men and women of the IUOE are proud to build New York’s roads and bridges and grow their local communities.’”

Rebuild NY Now - a partnership of supporters seeking to raise public awareness regarding the issues that impact New York State’s infrastructure, actively engages Federal and State Elected Officials to support public policies that promote safe roads, bridges, schools, hospitals, and other vital infrastructure.

As part of Rebuild NY’s to educate the public and Federal and State Policy Makers, the organization promotes relevant research, data points and news reports that highlight the need to rebuild New York State’s deteriorating infrastructure.
(ALBANY, NEW YORK) - To chart its course for the year ahead, the New York State United Teachers
(NYSUT) Women’s Committee will meet November 15th and 16th under the theme EmpowerHER at the
Statewide Teachers Union’s headquarters in Albany.

Rollout of the NYSUT Sisterhood Grant, which offers funding for NYSUT Members to start local Women’s
Committee Chapters, is an event highlight.

The grant was made possible thanks to a generous donation by former NYSUT Vice President Catalina Fortino.

“We’re excited to once again roll up our sleeves on the Women’s Committee and continue the important work
of the NYSUT’s Women’s Movement,” said Jolene DiBrango, NYSUT Executive Vice President, who serves as
Committee Chair.

“We’re particularly looking forward to introducing our new mentoring tool-kit to help nurture the next
generation of Female Union Leaders,” DiBrango said.

This year’s meeting shines a light on the Members of the committee and the work they’ve done in the field to
grow the movement.

A year ago, only 12 NYSUT Women’s Committee Chapters were in existence - now there are 23 and counting.

NYSUT women will share tools to create regional empowerment events and learn how to accelerate the
movement in every region of the state.

The meeting will include workshops on a range of issues, from how to form local and regional Women’s
Committees, to coalition building with other organizations, to political activism in the upcoming 2020 elections.

Representatives from NYSUT’s Legal Department will provide an overview of legal issues impacting women,
including the Family and Medical Leave Act (FMLA) and Workplace Discrimination.

The NYSUT Women’s Committee is a permanent, standing committee with four main goals: Encourage more
locals to develop in-house Women’s Committees; Educate Female Members about the work of the Union;
Highlight women-specific issues, including inequalities in pay, health care and education; and Involve more
Union Women in leadership roles.
Worker Group That Took on Target is Union, Labor Department Says  
Jaclyn Diaz - Bloomberg Law - November 19, 2019

The Labor Department determined a Minneapolis worker center that successfully forced Target and other retailers to hire unionized janitors should be categorized as a labor organization and bound by federal rules for unions—the first evidence of such a finding under the Trump administration.

The DOL’s Office of Labor-Management Standards has “reason to believe,” based on available evidence, that Centro de Trabajadores Unidos en Lucha—or Center of Workers United in Struggle—is a labor organization, the department said in an Aug. 15 letter obtained by Bloomberg Law.

The department’s findings followed a two-year probe. It means that if the findings are made official, CTUL would have to start filing detailed financial disclosures and could be restricted in its advocacy activities, potentially disrupting its operation.

Critics of worker centers say they are thinly veiled unions that are avoiding following federal labor law. The DOL under President Donald Trump was long expected to take a closer look at worker centers after political conservatives and business interests pressured the department. The Aug. 15 letter is the first known instance of Trump administration labor investigators determining that a worker center is a labor organization.

Unions work directly with employers to negotiate working conditions for dues-paying members, and must abide by stringent federal laws and regulations pertaining to actions like strikes or boycotts. Worker centers, however, don’t typically bargain with employers directly, but may exert pressure on affiliated corporations. They’re often funded through charitable donations and, in some instances, union dollars. Some even charge membership fees.

“We view this as a positive development and, hopefully, an indication that this Department of Labor is ending the longstanding DOL practice of turning a blind eye to this area of the law,” Patrick Semmens, vice president for public information at the National Right to Work Legal Defense Foundation, said in a statement.

“We’ve long made the case that many so-called worker centers appear to meet the legal definition of a labor union under the LMRDA,” he added, referring to the Labor-Management Reporting and Disclosure Act of 1959, “as union officials must not be allowed to keep their activities hidden from workers and out of disclosure reports simply by funneling them through a third party organization.”

Worker centers have served as an effective alternative to unions at a time when private sector labor membership rates are at a record low. Other worker centers, such as Fight for $15 and Our Walmart, have led strikes, helped organize union drives, filed unpaid wage claims, and instructed low-income and immigrant workers on their rights in the workplace.

CTUL staged a series of walkouts in 2014 that culminated in Target adopting a “responsible contractor” policy. That paved the way for hundreds of janitors to unionize at subcontractors that provide services at Target and other big-box brands, such as Best Buy and Macy’s, throughout the Twin Cities. Those workers are represented by Service Employees International Union Local 26, CTUL’s close ally.

The department gave CTUL until Sept. 4 to respond to the findings before the DOL finalizes its determination. The next steps are not clear. A spokesperson for the Labor Department said OLMS can neither confirm nor deny the existence of an open investigation. CTUL didn’t respond to Bloomberg Law’s requests for comment.
Trump DOL Slow on Investigations

The Labor Department throughout the Trump administration has been slow to respond to the business lobby’s requests to investigate worker centers.

The department oversees financial disclosure requirements for unions, which could provide more insight into how CTUL and other groups are funded. The National Labor Relations Board, a separate agency that enforces collective bargaining rights, also has been urged to extend to worker centers existing limits on strikes and other union activity.

The added scrutiny of worker centers is “politically motivated harassment,” said Charlotte Noss, worker center program director for the National Employment Law Project. Requiring worker centers to submit more financial reports could place additional financial burdens on them, Noss said, echoing concerns that other labor advocates have expressed.

The investigation into CTUL originally began in 2017. A Bloomberg Law report found in December 2018 that DOL’s investigations into worker centers had resulted in just one completed probe since 2017, documents indicated at the time. The completed investigation found that a group called Good Jobs Nation is not a union.

‘Pressure Tactics’
CTUL’s bylaws state the group’s purpose is to organize low-wage workers across Minneapolis, according to the DOL.

But the Aug. 15 letter to CTUL, written by OLMS Detroit-Milwaukee District Director Thomas Murray, said the group has members who pay voluntary annual dues of $50 in order to be designated as “ally members” who have the right to vote on organization decisions. The members, some of whom are private sector employees, participate in demonstrations and protests conducted by CTUL, Murray wrote.

“CTUL appears to employ multiple pressure tactics against Target and other employers to advance the interests of employees with regard to workplace conditions and actions, as well as possible employer criminal violations,” Murray said in the letter.

That includes holding strikes, pickets, and press conferences, displaying banners outside of retail stores, distributing fliers, and protesting shareholder meetings.

“These provisions indicate that CTUL exists, at least in part, for the purpose of dealing with employers concerning wages, rates of pay, and other terms and conditions of employment,” Murray wrote.
As news broke yesterday that United Auto Workers President Gary Jones was resigning over allegations of corruption, questions arose whether Acting President Rory Gamble was also mired in the unsavory culture that has become a way of life in the upper reaches of the union.

Gamble’s son Rory Gamble II works as a Tuition Assistance Plan representative at the UAW-Chrysler National Training Center, which is at the center of a federal corruption probe.

Ten union and three Fiat-Chrysler executives have been charged with using Center funds to finance their lavish lifestyles, and some are already in jail. But the Center served another purpose: as a source of jobs, including sham jobs, for friends and family of union officials.

The union denies any impropriety. “Acting President Gamble is himself the son of a prominent labor and civil rights leader and former officer of Local 600,” wrote UAW spokesperson Brian Rothenberg in a statement. “He understands that all UAW staff and members should be judged on their own merits and no one should be either punished or helped by those relationships. But UAW staff and members also should have the right to apply for jobs and achieve success based on their own merit.”

Gamble comes out of Ford, not Fiat-Chrysler. He was a UAW executive board member and replaced Jones after the latter was placed on paid leave by the board November 2. Jones had allegedly been involved in a scheme with other union officials to embezzle hundreds of thousands of dollars from the union treasury. Yesterday Jones resigned just as news broke that the board was bringing charges against him.

Former President Dennis Williams has also been implicated in corruption and is at the center of a new lawsuit brought by General Motors against Fiat-Chrysler, filed yesterday in federal court. GM claims that FCA’s corrupting influence on the union gave the company a competitive advantage and that FCA enlisted the union to help facilitate a merger between the two companies—a merger that GM executives did not want. At one point, according to the suit, FCA supplied UAW Vice President General Holiefield with a script to use in a union board meeting. Holiefield’s widow, Monica Morgan, is one of those now in jail.

To date, neither Gamble nor his son has been accused of wrongdoing in the federal investigation.

FAT, DUMB, AND HAPPY
On picket lines all across the September-October GM strike, UAW members said they were out to demand equality for all the auto workers who have fallen through the cracks in GM’s increasingly fragmented workforce.

For many, this fight was personal. Many Tier 1 workers have children who do the same jobs as they do, but for lower pay and benefits.

Meanwhile at union headquarters, one of the perks officials enjoy is appointing relatives to high-paying office jobs, away from the grind of the factory floor. According to court documents, when he was a UAW vice president, Norwood Jewell siphoned off hundreds of thousands of dollars from the joint UAW-Chrysler Training Center to live the life of a corporate fat cat—spending the money on cigars, first-class airline tickets, lavish parties, liquor, and wine, and even playing golf for a two-month stretch at a luxury villa in California.
Jewell pleaded guilty and was sentenced to 15 months in federal prison.

Jewell also got sham jobs at the Center for friends, family members, and allies. According to prosecutors, the Center paid out hundreds of thousands of dollars to the UAW, which was undergoing a financial crunch, by paying union employees as if they were Center employees.

All of these activities were condoned by Chrysler executives who hoped to keep UAW officials, they said, “fat, dumb, and happy.”

Two of Jewell’s sons, Derik and Justin Jewell, earn six-figure salaries as appointed UAW International representatives.

CENTER FOR HIDING RELATIVES
Similar nepotism has plagued the joint UAW-GM Center for Human Resources; activists jokingly refer to it as the “Center for Hiding Relatives.”

UAW Vice President Cindy Estrada admitted during a deposition in an unrelated case in 2015 that her step-daughter worked at the UAW-GM Center. John Ashton, a facilities manager there, said that his uncle, former UAW vice president and GM board member Joe Ashton, helped him get his job.

Earlier this month, the federal government brought charges against Joe Ashton for his part in a scheme to direct millions of dollars from the Center to vendors of items such as watches, in exchange for hundreds of thousands of dollars in kickbacks and bribes.

In total, 13 people have been indicted for criminal activity as part of the probe, including three Fiat-Chrysler executives and 10 UAW officials.

WHAT’S NEXT
When Jones was placed on leave, the UAW Constitution directed that the International Executive Board select an acting president from among the officers. Now that his position has been vacated, the Board must meet again to determine who will fill the position for the remainder of the term, but this time the Board members can choose anyone they wish.

The Board has officially brought Article 30 charges against Region 5 Director Vance Pearson, who was earlier arrested and charged with embezzlement in collusion with Jones and Williams. If successful, the charges would result in Pearson being removed from his position and expelled from the union. The Region 5 delegates to the 2018 UAW constitutional convention would then reconvene to vote on a new director to fill the remainder of his four-year term.
Leo Gerard was 11 years old when he handed out his first union leaflets. That was in 1958, and he was living in Sudbury, a mining town. The leaflets were for the Mine Mill, the union his father belonged to.

What Gerard didn't know then was that he would spend much of the rest of his life as a labour leader and activist.

He began as a staff representative at the United Steelworkers (the USW) and moved quickly through the ranks. This summer, he retired as international president of the USW, a position he held for 18 years.


Leo Gerard's interview has been edited and condensed. To hear the full interview, click 'listen' above.

What was it like growing up in Sudbury in those days, in a mining family and a mining town?

The thing that has stayed with me the most from my time in Lively, just outside of Sudbury, was we had an Inco clinic, run by the company doctors and nurses. When my younger brother was feeling ill, my mom called the clinic and said that she was going to send me over to get some medicine.

When I walked in, I saw three miners sitting on the bench and they were coughing and hacking. One of them went to the window and got his bottle and his envelope. Then I got called up and I went up and got my bottle and my envelope. That was homemade cough medicine that they gave us.

Later when I became active in the union and became older and a little bit wiser, I learned that those miners were suffering from silicosis, and they were getting homemade cough medicine – the same thing that my brother was getting to fight off a cold. I have never forgotten that.

Your dad was a member of the Mine Mill, a very militant union at the time. It eventually merged with Steel. But it was an awful, bitter struggle, wasn't it? It was a bitter battle. When I decided to become a shop steward in 1969, my dad was still livid. The merger was in '67 and he felt that his union had betrayed him by merging with the Steelworkers. In fact, he told me I wasn't welcome in the house when I put up my stewards' badge. He thought the Steelworkers was not militant enough. That fight went on for quite some time.

When I got elected to being a district director, and we were getting sworn in … my dad said in his raspy voice, "You know kid, I'm proud of you." I said, "Dad if you're proud of me you will put this pin on." I took my Steelworker pin and gave it to him. He put it on and by the time we got to where we should be, we all shook hands, hugged each other and dropped a tear.

If I go back to the time we're talking about — the Canadian industry and Canadian unionism was growing. Public sector and the private sector were both growing. We were at about 34-35 per cent. In the U.S. it gained fairly substantial numbers, 28-29 per cent. In the two decades after that, the unionization rate in the U.S. is down below 12 per cent. And a large part of that is bad trade deals, bad development companies. The worst labour law in the industrial world comes from the United States.
The way I characterize the labour law in the U.S. is: workers have a right to try and join a union, the company has a right to do anything they can to stop them.

Once there's a union, the workers have a right to try and bargain a collective agreement and the management has the right to do anything they want to stop them. Once we get the collective agreement, we have a right to try to influence that collective agreement and corporations do everything they can to stop the enforcement.

Why is the private sector so anti-union?

When I became a district director, I was 38 years old. I sat down at one of our board lunches between meetings. Our chief economist at time, a guy named Phil Smith, said, "You know guys, we're in a battle that nobody understands.

"It's a battle between those that want to make money by manipulating money and those that want to make money by building things. If the people that want to make money by manipulating paper win, we're in big trouble."

That was 1986. And that's really what happened. The economies have been driven to reward just one participant in the system. And that's the stakeholder being the shareholder. The rest of us are left by the wayside.

Is this the reason that manufacturing in the U.S. and to a certain extent in Canada has been hollowed out? Companies are moving to Mexico or China, taking the unionized and good-paying jobs.

That's a key component of this. I'll give you an example. We've had a longtime relationship with Goodyear Tire and Rubber. They had a financial crisis about eight years ago. We helped them get through that. But now they've decided they're going to build a brand new tire plant in Monterrey, Mexico.

A steelworker or a rubber worker in Toronto or in Akron would make about $28 dollars an hour plus benefits. A tire maker in Monterrey, Mexico makes $2.20 an hour if they're at the top of the heap. If they're a new employee, they start off at 99 American cents per hour. Don't ask me to compete with that. Don't ask me why a government lets that occur.

It happens because the financial powers in developed countries, as well as the United States and Canada, have influence over the economic model.

This is not a gift from God. This is an economic model that was designed by those planning to make money by manipulating paper and maximizing their return. The hell with the community, the hell with the workers, the hell with my social responsibility. And for some of them still, the hell with the environment. Why would a company like Goodyear, who's an established name brand company, feel that they need to pay somebody $2.20 an hour? You know why? Because they can get away with it.

I have two words for you: Donald Trump. You had to deal with him. You had a role in getting him to lift the steel tariffs on Canada. Tell me about him. Tell me about that.

It was very clear to me and some others that the Trump move on steel and aluminum tariffs on Canada was a move to try and leverage Canada as he was attempting to negotiate NAFTA 2.0. It had nothing to do with the Canadian economy, old steel and aluminum being competitive, cheating or anything else. What has been the impact of President Trump on the labour movement in the U.S.? Here's some statistics. While he's trying to pretend he's negotiating a trade deal with China, America's trade deficit with China has gone up during that period of time. In fact the statistics were just out. 80,000 factories have closed in America during Trump's first two and a half years.
These are a lot of mom and pops that were put out of business because of the tariffs and because of other stuff that was done.

The Steelworkers Union is for tariffs but we're for tariffs on those countries that cheat. Those countries that don't play by international trade rules should not get a free ride into the market in Canada or in the United States or any advanced democracy.

Leo Gerard says this will be his last term as international president of USW
The nature of work itself has changed radically since you and I started out. There are more and more non-standard, precarious forms of work, especially in what they call the gig economy. Why have unions been slow to organize these people?

I would say the reason that we've been slow is the gig economy has been so fast. The rules on organizing trade unions are so antiquated. These are the rules that were brought after the Second World War. During that period of time, industry has learned to slow down the application of the rules or roll them back or make them unenforceable.

I keep repeating it because that's the reality: America has the most anti-worker organizing structure in the advanced global economy.

We will have to fight, as I call it, the Ubers — the Ubers of the world. I don't care if they're existing as long as they have to play by the same rules as the other transportation organizations. But when Uber doesn't have to, that gives them an unfair advantage.

Steelworkers boss fires back at Christy Clark's 'most corporate government in North America'
Labour in the U.S. — AFL-CIO, independent unions — have come out against the so-called Green New Deal, which was designed by its sponsors to bring down emissions and to do something about climate change. Why is labour against that?

That's an inaccurate statement. We're not against all the things you just raised. What we're against is the way that the new deal popped out. It popped out by tying a whole bunch of things together that we can't do while we're fighting for a cleaner environment.

The Steelworkers Union held their first anti-pollution conference in 1963. Sudbury was the centre of pollution for most of North America. The union played a great role in driving Inco to clean up. I'm the co-chair of an organization I helped create called the Blue Green Alliance, which collectively has about 14 million lives attached to it.

What do you say to your members in Alberta though? They're saying if we can't get the pipelines built we're screwed.

There's been a gap in the campaign. The safest way to move any liquid is by pipeline. The reality is that you're going to need fossil fuels for at least the next hundred years. What we need to do is, do it in a way that's going to reduce emissions, capture carbon and be healthy to the environment.

We need a strong North American agenda and a strong global agenda for that. When I hear people say, "Ban mining, we shouldn't be mining," like they did in the last U.S. election in Minnesota, that shows a lack of knowledge. You can't build a wind turbine without one to two tons of copper and cement to hold it down. You can't do solar panels without aluminum and glass, which is made with sand. You have to mine sand.
So there needs to be an honest dialogue. We're not running away from the fact that the climate is in crisis. But so is industrial manufacturing. And we need a joint effort to save both. The reality is not one or the other. We will either have both or we'll have neither as our kids grow up.

There will be people listening, who will say, 'Well there you go. He's nothing but a communist.'

There are some folks in the U.S. who will say, "Well there he goes. He's nothing but a capitalist." And they don't know what either is. I don't put a label on the fight for the right of workers to have access to good healthcare. I don't put a label on the fact that workers should have the right to join a union of their choice.

Bernie Sanders is a socialist and they seem to like him. Call me whatever you want as long as you give me national healthcare and a right to a union.
Why Virginia Democrats’ Refusal To Repeal ‘Right-To-Work’ Law Matters

Danielle Wiener-Bronner - CNN - November 25, 2019

New York (CNN Business) McDonald's is paying $26 million to settle a class action lawsuit over wage theft. It's the latest development in a string of conflicts between the major restaurant chain and its employees.

The settlement puts an end to a multi-year legal battle between the company and California workers who alleged that McDonald's was skirting overtime payment laws and denying employees timely breaks, among other things. About 38,000 people are represented in the suit, according to a court filing obtained by CNN from the Fight for $15, which advocates for workers' rights.

In 2013, Maria Sanchez and others filed a suit against corporate-owned McDonald's restaurants in the state, saying that as far back as 2009 McDonald's failed to pay overtime to employees who worked more than eight hours during a 24-hour period. McDonald's actions violated state law, the suit claimed.

"While we continue to believe our employment practices comply with the California Labor Code, we have decided to resolve this lawsuit," McDonald's responded in a statement.

The company added that "we take our responsibility as an employer seriously and are deeply committed to the fair treatment of all of our employees," noting that it "continuously" rolls out trainings and offers resources at company-owned restaurants to "promote continued compliance with all wage and hour laws."

The vast majority of McDonald's locations are owned and operated by franchisees. Those locations are encouraged to follow the same rules and procedures as corporate-owned locations, but are not required to do so.

In addition to paying out the $26 million, McDonald's will periodically train employees at corporate-owned California restaurants on their rights, like receiving 10-minute breaks roughly every two hours and getting new uniforms, at no cost, to replace ones that have been worn out or damaged on the job.

McDonald's has been accused of underpaying by other workers, as well.

In 2014, employees in Michigan and New York filed class-action suits over wage theft. At the time, the company said it was "committed to undertaking a comprehensive investigation of the allegations and will take any necessary actions." In 2016, the company agreed to pay $3.75 million to settle a separate wage theft class action suit in California, where workers in franchise locations made similar accusations.

Just last week, McDonald's agreed to pay what could be tens of millions of dollars to New Zealand employees for miscalculating holiday wages.

Other fast food companies have been hit with similar lawsuits over the years, suggesting that the problem extends beyond McDonald's.

But the burger chain, which at the end of 2018 employed about 210,000 people globally, has been particularly scrutinized for its labor practices.

Earlier this month, a former employee filed a class action sexual harassment suit against McDonald's with the help of the American Civil Liberties Union and the Time's Up Legal Defense Fund.
The suit alleges that McDonald's "creates and permits a toxic work culture from the very top." The plaintiffs are seeking at least $5 million in damages, as well as better protections from the company.

In response to that lawsuit, McDonald's said in a statement that it "is demonstrating its continued commitment to this issue through the implementation of Safe and Respectful Workplace Training in 100% of our corporate-owned restaurants." The company added that it is "encouraged by the partnership and commitment," from franchise groups — which aren't required to follow such corporate policies, and make up the majority of McDonald's restaurants — to train staff according to corporate regulations.

Fight for $15 says that over the course of three years, workers have filed over 50 complaints and suits against the company.

Former CEO Steve Easterbrook responded to those suits by noting that McDonald's started working with the anti-sexual violence organization RAINN last year to help clarify its sexual harassment policies and reporting methods. It also conducted manager and operator trainings last fall, opened a hotline and more.

"We are committed to creating and sustaining a culture of trust where employees feel safe, valued and respected," Easterbrook wrote in a letter at the time.

Easterbrook has since been terminated for violating company policy by engaging in what the company called a consensual relationship with an employee.

Last month, McDonald's USA started training staff on how to mitigate violence, how to report harassment and reduce unconscious bias, among other things.
Illinois Labor Board Says HUD Can Break Union Contracts
Steve Wishnia and Neal Tepel - Labor Press - November 25, 2019

CAIRO, Ill.—The Illinois Labor Relations Board ruled November 14 that it was legal for the federal Department of Housing and Urban Development to void a union contract for public-housing workers in the small town of Cairo. The board voted 4-0 to dismiss Laborers Local 773’s unfair-labor-practice complaint against the Alexander County Housing Authority.

The union filed the complaint after HUD Secretary Ben Carson nullified the contract in June 2017, forcing the layoff of 20 workers. Carson said the agreement gave workers “extremely favorable” terms and “no protection or flexibility for the ACHA.”

Seven of the workers were rehired as part-time nonunion employees. Local 773 alleged that the housing authority had failed to negotiate in good faith or give proper notice that it intended to terminate the contract.

But a state administrative law judge said in May that HUD, which took over the county’s public housing in 2016, had the right under federal law to abrogate contracts under certain conditions, and was not covered by state labor laws requiring notice.

The Laborers International Union of North America put Local 773 under “emergency trusteeship” in the fall of 2017, citing intimidation and financial irregularities, and replaced its business manager.
How a worker who survived a catastrophic building collapse ended up in ICE detention.

Delmer Palma’s looming deportation has had a chilling effect in New Orleans, hampering a federal investigation of the Hard Rock site disaster, lawyers say.

Eli Rosemberg - The Washington Post - November 25, 2019

Delmer Joel Ramirez Palma was in bad shape.

The 38-year-old metal worker survived the collapse of a building he had been working on near the French Quarter in New Orleans, jumping between floors as the 18-story structure crumbled around him. But he suffered from headaches, extreme back pain, sleeplessness and signs of shock, his family says.

Doctors said he needed to take a few weeks to heal.

So his wife, Tania Bueso, was surprised when he called her and said federal immigration agents were arresting him for deportation. The collapse had occurred just two days before.

The spectacular wreck had brought a circus of unwanted attention to New Orleans.

Three workers had died, dozens of others were injured, and speculation was growing that the site, an $85 million development slated to become a Hard Rock hotel, had been a mess of dangerous working conditions. A federal investigation was moving quickly. Lawsuits against the developers were piling up. (William Kearney, a spokesman for 1031 Canal Development, the LLC behind the development, did not respond to requests for comment.)

But Palma’s arrest sent a secondary shock wave through New Orleans, where the Latino population has more than doubled in the past 20 years. Activists and lawyers said they think it has had a chilling effect, discouraging workers without permanent legal status from coming forward to cooperate with investigators and reminding more of the federal government’s power to deport them at any moment.

This is one of the unseen consequences of the Trump administration’s aggressive crackdown on undocumented immigrants in the United States — 8 million of whom are in the workforce.

Not only do these arrests break apart families, like Palma’s, but they send a message that immigrants are not protected, even if they have witnessed misconduct at work, advocates say. And that means that people who would exploit them — on construction sites, in kitchens, on farms and in factories — are more empowered.

Palma’s lawyers think the timing of his arrest was suspicious. Their client had been fishing in a national wildlife refuge when Fish and Wildlife agents questioned him and called the Border Patrol. Palma had repeatedly reported safety issues at the construction site to supervisors and was always told to go back to work, his lawyers say.

I don't believe in coincidences,” said Homero López Jr., a Tulane University law professor who is representing Palma. “It definitely looks like they’re targeting him.”

They fear he could be deported as soon as Monday.
A troubled development

Palma began noticing issues at the Hard Rock site soon after he started working there over the summer, according to a complaint that he and another one of his lawyers, Mary Yanik, filed with the Labor Department.

Laser levelers he was using to install window framing showed that the building was not level. He was accustomed to seeing discrepancies of about 3/4 of an inch to 1 1/4 inches on jobs, but the Hard Rock site was off by about two inches — something he had never seen in 17 years of construction work, the complaint says.

Palma said that he notified a supervisor on the site about the issue on five occasions but that he was told to continue working.
Google has hired an Anti-Union Consulting Firm to advise management as it deals with widespread Worker unrest, including accusations that it has retaliated against (Union) Organizers of a global walkout and cracked down on dissent inside the company.

The firm, called IRI Consultants, appears to work frequently for hospitals and other health care organizations.

Its website advertises “Union Vulnerability Assessments” and boasts about IRI’s success in helping a large national health care company persuade Employees to avoid a Union Election - despite the Unions’ “dedicating millions of dollars to their Organizing Campaigns.”

Google’s work with IRI is the latest evidence of escalation in a feud between a group of Activist Workers at Google and management that has tested the limits of the company’s traditionally transparent, Worker-friendly culture.

Since Google was founded two decades ago, Employees had been able to ask management tough questions at weekly meetings and anyone who worked there could look through documents related to almost any company activity.

That Google hired a consulting firm known for its Anti-Union work is a surprising turn in Silicon Valley.

Union Organization - even labor unrest - has traditionally been rare among big tech companies because their Employees have usually been treated and paid well.

Google, in particular, has been known for its perks, like free meals and shuttle buses to the office.

For the rest of the story, visit The New York Times here.
Why Virginia Democrats’ Refusal To Repeal ‘Right-To-Work’ Law Matters

In addition to the immediate policy impact, leaving the anti-union system intact could hurt Democrats’ long-term political prospects.

Daniel Maran - Huffington Post - November 26, 2019

Virginia Gov. Ralph Northam (D) all but ruled out repealing the state’s anti-union “right-to-work” law on Monday, dashing the hopes of a rising populist guard that is hoping to bring Virginia in line with other solidly Democratic states where organized labor flourishes.

A Northam spokesperson did not immediately respond to HuffPost’s request for clarification of the governor’s intentions, including whether he would veto a repeal bill if it arrives on his desk.

Regardless, Northam’s remarks that he cannot “foresee” Virginia rescinding the law, delivered alongside outgoing Republican legislative leaders at a state economic and revenue forecast meeting, discouraged unions and progressives eager to see Democrats both reembrace their historic solidarity with organized labor and enact policy with an eye toward the party’s long-term political fortunes.

“Today is a disappointing day for the working-class families of Virginia,” said William Sproule, executive secretary-treasurer of the Keystone-Mountain-Lakes Regional Council of Carpenters, which represents union carpenters in Virginia.

Unions have greater difficulty organizing and maintaining power in “right-to-work” states because those states bar unions from collecting dues from workers they represent in front of management. As a result, some workers choose to “freeload,” or benefit from the union’s protection without contributing, which typically limits a union’s financial resources.

Right-to-work policy “has succeeded in its purpose: The wage levels for working people in the state of Virginia are appalling,” said Chris Townsend, the organizing director of the Amalgamated Transit Union, who has lived in Alexandria, Virginia, for the past 30 years.

There is research to support Townsend’s claim. Right-to-work states, which are almost all outside the pro-union Northeast and West Coast, have wages that are, on average, 3.1% lower than pro-union states, according to a 2015 study by the liberal Economic Policy Institute.

That’s true not just because of the direct benefits of unionization for workers, but also because the threat of unionization prompts employers in pro-union states to offer better pay and benefits to stave off unionization.

“Allowing unions to be effective promotes the wages of not just union members, but non-union members as well,” said Jeff Hauser, a former AFL-CIO spokesman who now runs the Center for Economic and Policy Research’s Revolving Door Project.

Virginia, where elections earlier this month handed Democrats unified control of the state government, gets particularly low marks when it comes to workers’ rights. The human rights nonprofit Oxfam ranked Virginia dead last in its ranking of the “best places to work in America.”

In addition to being a right-to-work state, Virginia bars public-sector workers — those employed by the state, counties and municipalities — from engaging in collective bargaining.
Del. Jennifer Carroll Foy (D), a public defender representing the outermost suburbs of Northern Virginia, still hopes to pass legislation overturning the right-to-work law. She noted that Del. Lee Carter (D), a democratic socialist from Manassas, has vowed to introduce repeal legislation.

“In Virginia, we can not only win by being a good state for business, but we can also win by being one of the best states for workers,” Carroll Foy said. “Many other states have done this.”

A spokesperson for Democratic Speaker-designate Eileen Filler-Corn did not immediately respond to HuffPost’s inquiry about whether Filler-Corn would allow such a bill to proceed out of committee for a vote on the House floor.

To those familiar with Northam, a business-friendly physician who says he voted twice for President George W. Bush, Monday’s indication that he would not rescind the state’s right-to-work law was not altogether surprising. He’d even reportedly said something similar to union officials in a private meeting before state elections earlier this month.

But even his detractors are disappointed in Northam’s insensitivity to the political implications of allowing his state to remain inhospitable to unions.

Republican lawmakers, by contrast, are keenly aware of the political advantages of kneecapping unions. In the past decade, in particular, Republican governors have moved rapidly to gut labor unions, knowing that they engender class consciousness at odds with GOP ideology and funnel money and resources to Democratic candidates. Here again, there is research to back up Republicans’ conduct: In presidential races, Democratic vote share by county drops 3.5 percentage points after passage of right-to-work laws, according to a National Bureau of Economic Research study published in February.

The most glaring example of Republicans riding anti-union legislation to victory at the ballot is Wisconsin, where former Gov. Scott Walker (R) stripped public-sector unions of key bargaining rights and later made Wisconsin a right-to-work state, denuding private-sector unions in the process.

On election night in 2016, conservative anti-tax crusader Grover Norquist gloated that Walker’s evisceration of his state’s unions had won the state for Donald Trump.

Michigan, home to the country’s unionized auto industry, underwent a quieter transition to right-to-work status in 2012. Democratic nominee Hillary Clinton also narrowly lost that state to Trump in 2016.

“The right tries to use temporary power to build permanent power for its coalition and erode the power of the opposing coalition,” said Hauser, noting not just Republicans’ prioritization of attacks on unions, but also their efforts to restrict voting rights that disadvantage traditionally Democratic demographic groups.

Short of Republican-style voter disenfranchisement, Hauser recommended that Democrats “also learn to prioritize acts that expand the ongoing power of their coalition,” including by creating conditions for unions to flourish.

A perennial source of frustration for opponents of anti-union laws is that Republicans typically do not emphasize them during campaigns and then railroad them through at the first chance once in office.

Given the opportunity to weigh in, the voting public, even in conservative states, often overturns such laws. Most recently, Missouri voters threw out a right-to-work law through a statewide ballot initiative in August 2018.
Virginia voters have a record of similar action. In November 2016, state residents voted down a referendum that would have enshrined the state’s right-to-work status in its constitution.

Sproule of the carpenters union cited the 2016 outcome, as well as the victory of pro-union Democrats in 2019, in his statement.

“Northam has changed views on this important issue, but the Keystone-Mountain-Lakes Regional Council of Carpenters [has] not,” he said.

Of course, even if Northam, who survived public uproar in February over the revelation that he’d worn black-face as a medical student, got out of the way of a right-to-work repeal effort, some of the Democrats in the state legislature would likely need some convincing. Particularly in the state Senate, many veteran Democrats embody the tradition of bipartisan chumminess with big business that is sometimes dubbed the “Virginia Way.”

There are some signs that the tides are shifting toward a more populist iteration of the Democratic Party — albeit slowly. The rise of a vibrant liberal grassroots movement in Virginia after Trump’s victory in 2016 ushered in a crop of “Virginia Way” skeptics to the state Capitol. These younger, more diverse and more progressive lawmakers, mostly in the House of Delegates, have had some success in reining in the state’s influential electric utility monopolies.

But a bid by House progressives to elect one of their own as speaker fell short earlier this month.

For Townsend, the transit union official, the mere discussion of right-to-work laws — and public pushback against Northam — is a harbinger of change.

“We didn’t have that for years and years,” he said. “There’s only one way to go in Virginia, which is up — so what the hell.”
Activists within Google have accused the technology giant of firing four employees in an attempt to "crush" workers' dissent.

The four employees, dubbed the "Thanksgiving Four," allegedly had their contracts with Google terminated on Monday, just days before the long Thanksgiving weekend.

In a statement shared with Newsweek, Google "organizers" condemned the company for firing colleagues for taking "a stand" and trying to improve workplace conditions.

"Four of our colleagues took a stand and organized for a better workplace. This is explicitly condoned in Google's Code of Conduct, which ends: 'And remember... don't be evil, and if you see something that you think isn't right–speak up,'" the statement said.

"When they did," however, the organizers said, "Google retaliated against them."

"After putting two of them on sudden and unexplained leave, the company fired all four in an attempt to crush worker organizing," the statement said.

The firings come after workers followed through with plans reported by Newsweek to organize a demonstration outside Google's San Francisco office on Friday.

The two workers who had been put on leave before being fired on Monday, Rebecca Rivers and Laurence Berland, had spoken out at the rally.

Speaking to Newsweek last week, protest organizers said both workers had been put on leave for accessing documents unrelated to their roles.

Rivers, the organizers said, had been involved in the creation of a petition calling on Google to cut ties with U.S. immigration enforcement agencies, including the Immigration and Customs Enforcement and Customs and Border Protection agencies.

Meanwhile, Berland had been connected to a number of campaigns, including an effort to make YouTube and other Google products take responsibility for and address anti-LGBTQ+ content on their platforms.

While organizers said they were aware that Google had been making efforts to tighten its internal security, they said the company has sought to use those policy changes as an "excuse to retaliate against organizers."

"Last May, Google hired a union-busting firm. Around the same time Google redrafted its policies, making it a fireable offense to even look at certain documents," they said. "Let's be clear, looking at such documents is a big part of Google culture; the company describes it as a benefit in recruiting, and even encourages new hires to read docs from projects all across the company," they added.

However, the workers said that "which documents were off limits" after the policy change was never made entirely clear.
"The policy was unclear, even explicitly stating the documents didn't have to be labeled to be off limits. No meaningful guidance has ever been offered on how employees could consistently comply with this policy," the workers said.

"The policy change amounted to: access at your own risk and let executives figure out whether you should be punished after the fact," organizers said. "We knew then, and it's clear now: this policy change was setting up an excuse to retaliate against organizers, allowing the company a pretext for picking and choosing who to target."

In a statement sent to Newsweek, Google spokesperson Jenn Kaiser said the company did not have any comment to provide on the alleged terminations.

Kaiser also said the company would not confirm the names of the employees who may have been terminated and did not respond to a request for information on why they may have been let go.
Teachers and public workers in an Argentinian province have been striking, blockading roads, marching by the thousands, occupying buildings, and even attacking and burning the provincial parliament building, in a fight to defend their contracts and their bargained wage increase.

For the last four months, these workers in Chubut province battled their provincial government, which is supported by transnational corporations and by the national leadership of the oil workers union—a key political player in the country’s main oil region.

Chubut is one of Argentina’s southern provinces, in Patagonia, where low population contrasts with rich natural resources. Most of the provincial economy is based around exports—oil, aluminum, and shrimp.

These exports significantly increased after a devaluation of the national currency between 2018 and 2019. Exporting companies made more money, but imports became more expensive, driving up the local cost of living.

The negative impact of this devaluation on real wages—especially the wages of public workers, who don’t get a share of the export boom—provoked a struggle in Chubut last summer, including strikes and a once-a-week tent camp in front of ministries and public buildings. Public employees make up almost 20 percent of the workforce in the province These protests finally got the provincial government to grant wage increases near to inflation rates by the end of February. (Editor’s Note: Argentina’s summers take place during North America’s winter months.)

However, shortly after being re-elected in June, the Peronist governor Martin Arcioni, who is close to employers, reneged on the wage increases the government had agreed to in the February bargaining—arguing that he needed the money to pay debts.

Since 2016 the provincial government has been enacting public policies aimed at maintaining both profits and labor peace. It took on dollar debts to subsidize the extractive companies and to raise public workers’ wages in the annual provincial collective bargaining rounds.

With the breach of the collective agreement and with public disgust growing at the corrupt alliance between the governor and transnational firms, over the winter a wave of deep unrest unfolded.

BATTLE ON OIL CAMP ROAD
Local assemblies of teachers and public workers voted for strikes and street demonstrations. Union leaders played a role but couldn’t always control these resolutions. On August 22, thousands of teachers and public workers marched from Rawson to Trelew, two of the main cities of the province.

The governor seemed indifferent to the unrest, so the struggle escalated to direct actions blocking the entrances to oil camps and aluminum plants. The aim was to stop the transport of the province’s most strategic commodities. On the picket lines teachers explained their situation and received the support of oil and metal workers. But instead of opening a dialogue, the provincial government called for the oil union to repress the pickets.
On an icy night, September 4, a mob of hooded thugs with oil workers union logo stamps on their jackets attacked the picket line that teachers had erected to block the road to the oil camp.

The popular response was immediate. Thirty thousand people marched in Chubut; the teachers’ national union and the teamsters provincial union went on one-day strike September 5 to condemn the attacks.

The governor and the oil workers officials defended the repression, arguing that teachers should accept the government’s reneging on their wage increase. The governor declared that to get the funds to solve the crisis, the province should allow open-pit mining, which was rejected by a popular referendum some years ago.

By the middle of September, the struggle had escalated again, intensified by the deaths of two teachers in a car accident while traveling to an assembly in a distant city. Between September 17 and 19, groups of furious activists besieged and partially burnt the provincial parliament, occupied public buildings, and returned to blockading roads. By the end of September, metalworkers at an aluminum plant went on strike to protest the dismissal of five co-workers who had shown solidarity with the teachers’ struggle.

After the death of the two teachers, Maria Cristina and Jorgelina, the struggle intensified. Both opposing camps attempted to broaden their arrays of allies. The provincial government strengthened its alliance with a section of the oil workers union leadership, transnational corporations, and the country’s President-elect Alberto Fernandez, although neither the corporations nor Fernandez have made explicit their support for the governor.

At the same time, some members of the oil workers union showed solidarity and sympathy for the teachers’ struggle. Chubut public workers, especially the teachers, maintain democratic workplaces and bonds of solidarity with the provincial section of the teamsters union and with some local sections of the oil workers union.

WHAT NOW?

At the end of October, the government announced that teachers’ wages would be cut because of the strike, a move that was considered a provocation by the union, which marched to the Government House. The governor ordered the repression of the mobilization and the union’s general secretary was arrested and detained for several hours. In response, the Confederation of Education Workers (CTERA) went on a national solidarity strike on November 8.

After that, negotiations were reopened. Finally, this week, the teachers achieved the recognition of the wages agreement, and the restoration of medical services. They also obtained the government’s commitment to funding school infrastructure.

The 17-week strike ended on Wednesday, November 20. Still, the union maintains a heightened state of alert, because it does not trust the government’s commitments.
Adjuncts, Professors and other employees at the City University of New York have overwhelmingly ratified a contract that provides 10-percent salary increases and will boost minimum adjunct salaries by 71 percent to $5,500 per course, the Professional Staff Congress announced Nov. 27. A record number of members participated in the mail-ballot election: of the 21,416 eligible members, 15,976 cast votes, or about 75 percent. Eighty-six percent of those who voted, or 13,660 members, supported the pact, while 2,316 voted against it.

Key Details

The 63-month contract, which runs from Dec. 1, 2017 to Feb. 28, 2023, provides a 10-percent salary increase for 30,000 employees, including a 2-percent raise retroactive to Oct. 1, 2018, with the final of five 2-percent increases set for Nov. 1, 2022.

For years, the PSC pushed for adjunct pay to be doubled to $7,000 per course. And while this agreement does not achieve that goal, the minimum pay for three-credit classes will increase by 71 percent to $5,500, and for four-credit courses to $6,875, in 2022.

“The new contract originated in a vision of what New York City's public university should be, and it takes us a few steps closer to making the vision real,” PSC President Barbara Bowen said in a statement that was sent out to members. “Let's build on the momentum of the hard-fought contract campaign and the big voter turnout to tackle the hardest issues that still confront faculty, staff and students at CUNY.” The union's delegate assembly approved the deal Nov. 7. The contract boosts adjunct pay in multiple ways: adjuncts will receive 2-percent raises over the first four years of the agreement, will be paid at their full hourly rate for up to 45 office hours per semester, and see an increase in their hourly rate at the start of the Fall 2022 semester.

Course Hikes Imminent

According to the union's website, the biggest raise would take place during the next semester: the minimum salary for a three-credit course would increase to $4,469, up from $3,222. The minimum pay for four-credit courses would jump from $4,295 to $5,586 by the start of the Spring 2020 semester.

The deal also includes equity raises for full-time College Laboratory Technicians, all Lecturers, entry-level Higher Education Officers, and full-time CUNY Start and CUNY Language Immersion Program instructors. It provides research accounts for department chairs, expands access to the state health insurance program for graduate employees, and establishes a committee to implement the state Paid Family Leave benefit for both adjuncts and full-time staff.

Since the deal was announced Oct. 23, some faculty members argued that the pact did not do enough to improve adjunct salaries, and were concerned that the required additional office hours would overburden contingent employees.

“Ratification does not mean that this contract resolves every labor issue PSC members face at CUNY or that it alone can fix CUNY's austerity budget,” Ms. Bowen said in the email statement. “And it certainly doesn't mean that the union will stop organizing and fighting. Just the opposite: the PSC's ability to win…increases for adjunct faculty averaging 45 percent and as high as 71 percent, should give us confidence in our ability to demand and accomplish even more.”
Parole Board Miscalculations

The Chief Leader - November 29, 2019

A state Parole Board in early November approved the release of a woman who helped her boyfriend kill a Police Officer 21 years ago, and the cop’s widow and the Police Benevolent Association have charged that they were not given the required notification about an October hearing that would have allowed them to contest it.

The state Department of Corrections and Community Supervision insisted that “the family members of Officer Anthony Mosomillo were notified” prior to the hearing. But the PBA said that neither Margaret Mosomillo nor other relatives of the slain officer received notice of the parole board convening regarding the release of Betsy Ramos after she successfully appealed a denial of her release at the beginning of the year.

Considering that Ms. Mosomillo and other family members went before the January parole panel to offer victim impact statements in arguing against Ms. Ramos’s release, we find it hard to believe they would not have taken the time to appear again if properly notified.

Beyond the apparent breach of the process, we would question the decision to release Ms. Ramos, given the circumstances of the case. Unlike Judith Clark, who was released last April after serving more than 37 years behind bars for her role in the killing of a Brink’s guard and two Nyack police officers, Ms. Ramos was convicted of being directly involved in the fatal shooting after she helped her boyfriend grab Officer Mosomillo’s service weapon while the boyfriend used his own gun to fatally wound the cop. In Ms. Clark’s case, she acted as a getaway driver but had no direct role in the shootings, and also had to her credit more than three decades of being an exemplary inmate.

Paroles in any case involving the death of a police officer should be granted sparingly. It is hard to see why Ms. Ramos was worthy of being one of the exceptions who had earned some leniency. And to be given it without Officer Mosomillo’s family being afforded the chance to once again testify as to the damage caused them by the egregious actions of Ms. Ramos and her boyfriend—who was shot dead by the officer in the gun battle—is inexcusable.

Referring to the letter she did receive—the one notifying her of the scheduled Dec. 10 release of Ms. Ramos—Margaret Mosomillo said in a statement released by the PBA, “That letter is what every family of a murdered police officer dreads, but the Parole Board could not care less. They have trampled my rights and hidden beyond bureaucracy.”
Union Officials: Shuttering Jails Will Lead to Job Losses, More Crime

Richard Khavkine - The Chief Leader - November 30, 2019

With the city’s jail population dipping under 7,000, the de Blasio administration announced that the Brooklyn Detention Complex would close by the end of January and the Eric M. Taylor Center on Rikers Island would shutter in March.

According to the Nov. 21 announcement by city officials, “Staff at BKDC and EMTC will be reassigned to other facilities, and the closures will not result in any layoffs.”

‘Destroying the Unions’

Despite those assurances, the president of the Correction Captains’ Association, Patrick Ferraiuolo, said he was convinced closing the jails would eventually lead to layoffs—and possibly to the decimation of his union.

Should the closings and consequent reduction in the jail population continue at pace, as city officials project, he said he expects the Captains’ ranks, which now number about 900, with few close to retirement, “to diminish to half that,” leading to a debilitating loss of dues.

“If I lose a few hundred Captains, then I can’t afford to pay defense attorneys, I can’t afford to pay salaries, I can’t afford to pay rent for offices,” he said. “This is another way of destroying the unions.”

City officials said the two closings represent “the first concrete steps” toward shuttering Rikers Island and building four new “borough-based” jails in Manhattan, Brooklyn, Queens and The Bronx.

Mr. Ferraiuolo, a Captain since 1987, said the jails’ closures, particularly of the remaining eight facilities on Rikers Island, means DOC will have less need for personnel whose primary duties are other than guarding inmates. “You close Rikers, you’re not only closing jails, you’re closing support services, administration, security,” he said. “What do you think they are going to do with them?... They’re not going to pay people to twiddle their thumbs.”

'Lowest Rate' Going Lower

According to the city’s announcement, the inmate population is at “the lowest rate of incarceration...of any large city in the United States.” It is projected to decline even further, largely because of criminal-justice reform initiatives, several of which go into effect in the new year.

In October, Mayor de Blasio and City Council Speaker Corey Johnson said diversion and pre-trial programs and bail reform would lower the population to 3,300 by the time the four new jails were built in 2026. That figure is about 18 percent less than an earlier projection of 4,000.

In October, Mayor de Blasio and City Council Speaker Corey Johnson said diversion and pre-trial programs and bail reform would lower the population to 3,300 by the time the four new jails were built in 2026. That figure is about 18 percent less than an earlier projection of 4,000.

The Eric M. Taylor Center, named for a retired Correction Chief of Department, was built in 1964 and houses men sentenced to one year or less of jail time. About 850 inmates are being held there, roughly half of what the facility can accommodate.

The Brooklyn Detention Complex, built in 1957 on Atlantic Ave. in the borough’s Boerum Hill section, houses men, most on a temporary basis as they await trial in Brooklyn or Staten Island. About 400 are jailed there, just over half its capacity of 759.
The planned closing of the two jails follows that of the George Motchan Detention Center, also on Rikers, in 2018. “The closures will allow the Department of Correction to concentrate resources more effectively, resulting in better conditions, enhanced programming, and safer facilities for both people in custody and correctional staff,” the city’s announcement said.

Fear Rise in Crime

A sizeable majority of the City Council approved land-use legislation in mid-October that will shutter Rikers Island facilities, essentially setting in motion the borough-based jails plan, which was first estimated at $11 billion but is now projected to cost closer to $9 billion. The city’s Department of Design and Construction last month issued initial requests for qualifications tied to the borough-based jails.

Opponents of the plan, including some City Council Members and Elias Husamudeen, the president of the Correction Officers’ Benevolent Association, argued that the Rikers jails could be revamped for roughly half the cost.

In a statement, Mr. Husamudeen said that closing Rikers and other city jails only to build new ones “is a pointless distraction from the real issue”—unsafe conditions within the jails.

“We don't have to wait six years for safer jails, we can make them safer immediately. But to do that our elected officials would have to do the one thing they have refused to do—listen to the boots on the ground,” he said. “We can lower the officer to inmate ratio to 1-20, which would enhance security. And the only way any meaningful reforms can be successful is through the multitude of services that only our members can provide.”

Mr. Husamudeen said his union would ensure that city officials keep their promise to not lay off corrections personnel. Captain Ferraiuolo and Joseph Russo, the president of the Assistant Deputy Wardens/Deputy Wardens Association, both said the reforms enacted by city and state officials could lead to more crime. “They’re just going to make the streets of New York more dangerous,” Mr. Ferraiuolo said. “Do you really believe that every one of them doesn’t belong in a detention facility while they are awaiting trial?” Mr. Ferraiuolo asked. “I just think it’s going to come back to haunt everybody.” Should a spike in crime take place, “Now we’re not going to have the space” to jail people, he contended.

Mayor Not Worried

But the de Blasio administration said the shuttering of the two jails would streamline jail operations and create better and safer conditions for inmates and DOC staff. “With the lowest rate of incarceration of any major city and crime at historic lows, New York is again debunking the notion that you must arrest your way to safety,” the Mayor said in a statement announcing the closings. “These two closures show that we are making good on our promise to close Rikers Island and create a correctional system that is fundamentally smaller, safer and fairer.”

Mr. Russo said that while he expects to lose some of his 120 union members, if not through layoffs then certainly through attrition, the reduction in the jail population and the consequent elevated ratio of correction officers to inmates gives union members no “valid complaint.”

Still, he said that current staffing schedules in the jails can lead to bare-bone tours.

“At times, there’s an emergency where teams are needed and we don’t have them,” he said. “To avoid paying overtime, they cut down to a minimum...Because the staff isn’t perfectly balanced, they will cut it to a point where staff is compromised.”
'More Criminals on Streets'

While there’s “no question” that the numbers of correction officers, including Assistant Deputy Wardens and Deputy Wardens, will be reduced in the coming years, Mr. Russo said he was more concerned that the elimination of bail for some offenses and other criminal-justice reforms will lead to more crime.

“I’m baffled why this is thought of as a good thing,” he said of the reforms in general.

“We’re going to have more criminals on the streets,” he said. “Public safety is the primary concern, not how many people I have in my union.”
Workers Are Heading Back to the Picket Lines
Despite job growth, employees face daunting precarity, and they’re fed up.

Bryce Covert - The Nation - December 1, 2019

American workers are fed up. So fed up that they’re taking one of the most radical steps available to them: refusing to work.

This year kicked off with public school teachers in California going on strike to demand higher pay, more support services, and smaller class sizes. In October, Chicago’s teachers followed suit, staging their longest strike in decades.

Then teachers in Little Rock, Arkansas, struck for just the second time in the city’s history. In between the teachers’ strikes, 46,000 General Motors workers walked off the job for 40 days, the longest strike by autoworkers in half a century, to call for higher pay, better benefits, investment in American plants, and a path to full-time status for temporary workers—all meant to reverse the belt-tightening implemented during the Great Recession. A number of other workers, from nurses to Uber drivers to grocery store employees, have also walked off the job to make demands of their bosses.

We won’t have the official numbers for how many Americans went on strike this year until 2020. But workers have clearly continued last year’s trend of insisting that they deserve a share of the spoils from the longest US economic expansion on record.

More workers went on strike last year—485,200 of them—than at any time since 1986, the year The Oprah Winfrey Show debuted and Microsoft went public. There were 20 major strikes in 2018, the most since before the recession. Teachers walked off the job in Arizona, Colorado, Kentucky, Oklahoma, and West Virginia to demand better pay and better resources for their students.

Fifty thousand hospitality workers voted to strike in Las Vegas, and hotel workers walked picket lines in Chicago. Fast food workers continued their fight for a $15 minimum hourly wage and the right to unionize and had a new demand: that their employers address the sexual harassment they experience at work. McDonald’s workers conducted the first national strike over sexual harassment in the country’s history.

Until the 1980s, American workers regularly staged hundreds of major strikes each year to try and compel employers to treat and pay them better. But in the decades since, that tradition was all but snuffed out, particularly fading during the Great Recession, when people feared losing their jobs. The nadir was in 2009, with just five strikes involving a mere 12,500 people.

If last year and this year have shown anything, it’s that American workers have decided they can’t afford to be afraid anymore. On the surface, they seem to be doing well. The economy has been expanding for a decade now, with healthy job growth and falling unemployment. Work appears to be plentiful.

So why would Americans put down their chalk, wrenches, and spatulas or close their laptops to take to the picket lines? For one thing, wages have barely budged, increasing just 3 percent this year—far less than would be expected with so many people back at work. More than 40 percent of workers are stuck in low-wage jobs, making less than $18,000 a year at the median. No wonder, then, that four in 10 Americans would struggle to cover an unexpected expense of $400 and 17 percent can’t pay all their current bills.
The healthy employment numbers also mask the insecurity many feel. Nearly a fifth of workers have schedules that vary based on their employers’ demands, not their own needs. While the number of uninsured Americans has dropped in recent years, even those with insurance aren’t always saved from financial hardship, given that last year nearly a quarter of all adults went without medical care because they couldn’t pay for it. Over 30 percent of private-sector workers don’t have access to retirement benefits through their jobs. If they need time off, they’re unlikely to get paid for it: About 40 percent don’t have paid sick leave, about 25 percent don’t have paid vacations, and a mere 12 percent have paid family leave.

During the last recession, many employers argued that they had to cut back on jobs, pay, and benefits to make it through dire financial times. Lots of workers felt they had no choice but to swallow those edicts, keep their heads down, and hope for the best.

But a decade of healthy economic growth hasn’t loosened the purse strings. Workers keep fueling the economic expansion without reaping the rewards. Refusing to work is the sharpest tool they have to carve out a fair share of the economic pie. They’ve finally been pushed to wield it.
Several leaders of unions representing court employees said they were not consulted about a proposal to consolidate the state’s trial courts, and one longtime union president characterized recent discussions with representatives from the Office of Court Administration as “unproductive.”

As proposed by Chief Judge Janet DiFiore, the plan, which would require amending the state Constitution, would consolidate the state’s 11 trial courts by merging Claims, County, Surrogate and Family Courts, as well as their Judges and jurisdictions, into six divisions of a newly constituted Supreme Court. It would also fuse District and city courts into a new municipal courts system.

End 'Confusing Mess'

Proponents of the consolidation have said a restructuring of the courts is imperative if litigants, as well as attorneys, are to more successfully navigate what Chief Administrative Judge Lawrence K. Marks called a “confusing, jumbled mess” that results in interminable delays.

But the union leaders, who met with the court system’s Director of Labor Relations, Carolyn Grimaldi, on Nov. 26, said they were unconvinced that a full-scale reorganization was warranted.

difiore
JANET DiFIORE: Did she bypass unions?
“I don’t think it’s going to speed things up,” Bill Dobbins, the president of Suffolk County Court Employees Association, said of the proposed consolidation. “There’s a backlog because there’s not enough personnel. That’s the way it is throughout the system...It goes a lot deeper that just reducing the number of trial courts.”

Mr. Dobbins said the state lost about 2,000 non-judicial positions because of budget difficulties in 2011 and 2012. Just 400 have been replaced since then, he said.

“That has a great deal to do with why the process is so slow,” he said.

Few Answers

Dennis Quirk, the longtime president of the New York State Court Officers Association, said that the OCA’s determination to remake the system without sounding out the unions was contemptuous.

“If they wanted our support, why didn’t they call us in and talk to us up front, make us part of the team?...Their position is, ‘We’re going to pass this bill.’” he said the day after meeting with Ms. Grimaldi, a session he called “unproductive” given, he said, that she had few answers to the union leaders’ questions and concerns.

Chief among those was that the consolidation would oblige potentially thousands of court-system employees to transfer from one collective-bargaining unit to another, he said.

“Some unions might lose members, some might gain members,” Mr. Quirk said. He said the union heads would like a provision in the proposed amendment that would retain a portion of the 1976 state law declaring the state the employer of all court personnel, namely the part guaranteeing conditions of employment. Mr. Dobbins also said he came away from the meeting with Ms. Grimaldi with few answers.
‘Aggressive’ Opposition

OCA representatives did not respond to an email seeking comment.

But during a joint State Senate and Assembly hearing in New York City in mid-November, Judge Marks said no Judges or court staff would lose their jobs as a result of any consolidation. “We need all the employees we have,” he said. “In fact, we could use more.”

He put the plan’s cost at $13.1 million, or about one-half of one percent of the Unified Court System’s allocation.

There appeared to be widespread support for the amendment at the hearing, both from those testifying and among legislators.

But Mr. Quirk said there was notable opposition to the effort, which is the sixth attempt since the 1950s to restructure the court system.

“We get the impression there’s support in the Senate, but not so much in the Assembly,” he said, adding that the unions would “aggressively” oppose the proposal starting in January when the Legislature reconvenes.

Can’t Support

Peter Piciulo, the president of the Court Officers Benevolent Association of Nassau County, said he and his members “have a lot of unanswered questions”—most prominently “how fundamentally it’s going to affect our membership,” given that consolidation typically involves personnel shuffles, if not layoffs.

While he said the court system could benefit from restructuring, Mr. Piciulo agreed with his colleagues that much of the logjam in the courts could be addressed by additional staff.

“We’re basically in a need to hire, basically to keep up with retirements,” he said. “We’re not gaining any ground.”

His membership, currently at 813 and including Officers, Sergeants, Clerks, Reporters and Interpreters among nearly 100 titles, is down about 20 percent, on average, from 2008, he said.

Mr. Piciulo said that for the time being, the plan is too vague for him to support it. “I can’t get behind it right now,” he said.

'Not How You Do It'

Like his fellow union presidents, he said he found out about the consolidation plan via a release from OCA. “It just came out of the blue on us,” he said. “That’s just not how you conduct business.”

For the consolidation to take place, the proposal would have to clear both the Assembly and the State Senate in 2020 and again in 2021, and then be approved by voters in November 2021. It would go into effect in phases beginning in 2022.

Mr. Dobbins said he and his union colleagues were told they would receive a fiscal analysis of the plan as well as draft legislation in early January.
WASHINGTON—The AFL-CIO’s pension panel has roundly condemned proposals made by two leading Senate Republicans to shore up the nation’s endangered multiemployer pension funds that would cut benefits by up to 19%.

The federation’s Retirement Security Working Group said Dec. 2 that the proposals contained in a white paper released Nov. 20 by Finance Committee chair Charles Grassley (R-Iowa) and Sen. Lamar Alexander (R-Tenn.), chair of the Health, Education, Labor and Pensions Committee “will not only injure the retirees and active participants it purports to help, it also will precipitate the collapse of all multiemployer pension plans.”

About 125 multiemployer plans say they are in “critical and declining” condition—projected to become insolvent over the next 20 years—endangering the retirement benefits of more than 1.3 million workers. The Teamsters’ Central States Pension Fund, with some 400,000 participants, is the largest. It’s projected to go broke in 2025, with threatened cuts as high as 70%. The Treasury Department in 2016 rejected its request to reduce benefits by 23%.

Grassley and Alexander’s proposals would have retirees in those plans take a direct 10% cut in their benefits. It would also have them pay up to 10% of their remaining benefits in premiums to the federal Pension Benefit Guaranty Corporation, which guarantees minimum payments to retirees in bankrupt plans. The PBGC’s deficit rose to $65 billion last year.

The AFL-CIO’s panel of 18 union leaders included several who have members in “critical and declining” plans, among them the heads of the United Mine Workers of America, the International Association of Machinists, the American Federation of Musicians, International Brotherhood of Electrical Workers, the United Food and Commercial Workers, and the Bakery, Confectionery, Tobacco Workers and Grain Millers’ International Union.

“We need to act quickly, but we can’t just pour money into failing and mismanaged funds,” Grassley said in a statement. Alexander said the changes were necessary because “employers and unions have made pension promises to millions of American workers that they can’t keep.” He said they would “shore up the PBGC’s role as an insurance company with a limited infusion of taxpayer dollars instead of an open-ended bailout, and institute important structural reforms so this does not happen again.”

Their proposals would allow multiemployer-plan sponsors to convert to “composite” plans that offer a return on investment rather than a guaranteed monthly income. Those plans would not be guaranteed by the PBGC. They would also “partition” plans to separate obligations owed to “orphaned” beneficiaries whose former employers stopped contributing to the plan, and raise the maximum amount the PBGC guarantees retirees in bankrupt multiemployer plans, now $1,073 a month. The maximum for single-employer plans is more than $5,600 a month. “It’s pushing this legislation through under the guise of making it easier for people to go through the court system,” he said. “Our fear is that they’re trying to cut staffing to alleviate their financial problem.”

The Teamsters said they were “actively reviewing the proposal and its impact on Teamster funds” and had been “working with Congress to find a bipartisan solution.” The union has endorsed the Butch Lewis Act, a bill passed by the House in July that would set up a federal agency to give low-interest loans to endangered pension funds until they can stabilize themselves. The Butch Lewis Act’s logic is that the reason most of the endangered plans are in such bad shape is that they have too few active workers contributing to their funds to cover what’s owed to current and future retirees.
Those plans, particularly in trucking, mining, construction, and entertainment, have suffered from employers going out of business and the growth of nonunion companies, as well as investment losses in the Great Recession of 2008-09. The bill’s hope is that the long-term loans would enable those funds to cover their obligations until the number of retirees has shrunk enough for them to be viable again.

“I’m glad to see Republicans in Congress have come forward with a pensions proposal of their own,” the bill’s Senate sponsor, Sherrod Brown (D-Ohio) said in a statement Nov. 20. “I have concerns with some of the provisions put forth by Republicans, but I look forward to working together with Chairman Grassley and Senator [Rob] Portman to find a bipartisan solution.”

UMWA International President Cecil E. Roberts, however, denounced the Grassley-Alexander proposals. “This is not a starting point for negotiations,” he said in a statement Nov. 29. “It is a multibillion dollar tax increase on working families—especially retired Americans living on fixed incomes—their employers and their unions. Retirees covered by the UMWA Pension Fund, for example, would be subject to a 10% tax on pensions that average a little under $600 per month.”

That tax would come from the Grassley-Alexander proposals to have plan beneficiaries pay more of the cost of PBGC premiums. They would raise basic PBGC premiums from $29 a year per participant to $80, but assess troubled plans more based on the severity of their distress, possibly increasing their premiums more than six-fold.

“Any multiemployer pension legislation should, at a minimum, do no harm,” the AFL-CIO responded. “This proposal fails that basic test. Instead, it is punitive in nature, imposing hefty new costs that even healthy plans will be unable to survive.”

The UMWA is advocating a separate bill, the Bipartisan American Miners Act, introduced early last month by Senator Joe Manchin (D-W.Va.), Shelley Moore Capito (R-W.Va.), and Majority Leader Mitch McConnell (R-Ky.). It would use surplus funds from the federal program to reclaim land around abandoned mines to aid the UMWA’s 1974 Pension Plan, which has 92,000 participants.

Grassley and Alexander both object to any federal aid. “Given that the plans represent private-sector financial contracts, the costs of reforms should be born principally by the stakeholders within the multiemployer system,” they said.

The AFL-CIO, noting that their proposals contained “no federal financial assistance whatsoever,” compared them to “the over $700 billion that the government provided to the banks and Wall Street in 2008, and other corporate tax giveaways in recent years.”

“Retired miners, their families, and widows do not have the luxury of waiting to see if Congress can eventually come up with a comprehensive solution to the multiemployer pension crisis that treats retirees fairly,” Roberts said. “1,200 stand to lose their health care at the end of this year, 12,000 more will lose health care within a few short months, and more than 82,000 will likely see drastic cuts to their pensions a few months after that.”
Non-essential state employees got a snow day Monday.
Who is that, exactly?

Cayla Harris - Times Union - December 1, 2019

ALBANY – At the behest of the governor, thousands of state employees in the Capital Region took a day off Monday as snow continued to pile up, amounting to nearly two feet in some areas.

Gov. Andrew M. Cuomo’s directive, issued late Sunday night, affects only "non-essential" state employees in 11 counties, including Albany, Schenectady, Rensselaer and Saratoga. State workers joked on social media that "non-essential" just equates to "unimportant" – but the term is a commonly used phrase both at state and federal agencies during emergencies.

Essential employees are exactly who you might expect: emergency responders, health care workers and those who help clear the roads. State agencies tailor the definition to their specific needs; for example, the Office for People with Developmental Disabilities also considers high-level supervisors, fiscal and business workers, cooks and cleaning staff to be essential.

"As in every storm, public safety is priority, and keeping non-essential employees home keeps them safe and off the roads, better enabling our plow crews and first responders to do their jobs," Cuomo spokesman Rich Azzopardi said.

The governor decides which counties are affected based on current conditions and weather forecasts from the state’s emergency operations team. Individual departments are responsible for deciding who is essential personnel and notifying them about their status, Azzopardi said.

Any state employee unsure of their designation should contact their supervisor or human resources department – but, as a Facebook reader put it: "If you don't know if you're an 'essential' employee, you almost definitely aren't."

You may have also heard the term come up previously during dangerous weather; Monday is not the first time Cuomo has ordered non-emergency personnel to take a day off, and it likely won’t be the last.

The term was also thrown around at the federal level during last year’s record 35-day partial government shutdown, which left roughly 800,000 non-essential employees out of work.

At the federal level, the U.S. Office of Personnel Management defines essential employees as workers who are "performing emergency work involving the safety of human life or the protection of property or performing certain other types of excepted work."