

**FEBRUARY 2015**  
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## NEWS FROM THE AFL-CIO, CTW, INTERNATIONAL & NATIONAL UNIONS

### Formal negotiations began

this month on a new collective bargaining agreement between Union Pacific and BNSF Railway and 13 unions representing about 143,000 workers. The most recent contracts were ratified in 2011 and 2012. SMART, the International Association of Sheet Metal, Air, Rail and Transportation Workers, with about 38,000 members, is the largest rail union, accounting for about 30 percent of the railroad workforce. Second is the Brotherhood of Maintenance of Way Employees, with about 25,000. "I expect things to go smoothly," John Risch, national legislative director of SMART, said of the negotiations. The unions reported that talks will cover wages, health care and work rules. The major freight railroads come to the talks in sound financial shape. Union Pacific has had record earnings in recent quarters, tallying \$3.7 billion of profit in the first nine months of the year on a 7 percent gain in shipments. Shares of the largest U.S. freight railroad have risen about 50 percent so far in 2014. BNSF, bought by Berkshire Hathaway Chief Executive Warren Buffett for \$26.5 billion in 2009, handled about 2 percent more freight in the first nine months of the year. Net income was level at \$2.7 billion for the first nine months at BNSF, the second-largest U.S. freight railroad.

### AFL-CIO held first National

Summit on Wages January 7 at Gallaudet University in Washington, D.C. The focus of the summit was solving the dilemma of income inequality by raising wages throughout America, said organizers. Sen. Elizabeth Warren (D-MA.) delivered a rousing keynote address that focused on jobs and "rebuilding the American Dream." "Hard-working people across the country deserve to earn fair and decent wages so they can build a better future for themselves and for their kids," she declared. The day-long event also featured a roundtable discussion led by a diverse panel that included Labor Secretary Thomas Perez, academics, business owners, prominent leaders and "everyday

working people." AFL-CIO President Richard Trumka said the need for the summit was evident on election day, November 4, when "voters made clear their support for raising wages, even as they rejected candidates who wouldn't boldly stand up for that agenda."

### Amalgamated Transit Union

(ATU) said congressional action that rolled back rest periods for truckers is "an immoral effort to strip users of our roads of their right to safe passage and a death sentence for truck drivers, bus drivers and others." The union reported an amendment in the Omnibus Spending Bill repealed the rest regulation of the 2011 U.S. DOT rule, which



Sen. Elizabeth Warren Speaking at the AFL-CIO National Summit. Flickr.com photo used under Creative Commons from Ben Wikler.

means drivers can now be forced to be on the road for longer hours at a time. "This is a very dangerous move by Congress that will result in more deaths and gruesome injuries on our nation's highways" said ATU International President Larry Hanley, "The safety and security of Americans should come first for our nation's lawmakers...Congress will have blood on their hands." The union warned that "equally as dangerous" is the exemption of U.S. intercity bus drivers from the overtime provisions of the Fair Labor Standards Act (FLSA). "Unscrupulous bus operators can pay drivers low wages without overtime, forcing many to have to work other jobs and push their bodies beyond the limits of human endurance on the job," ATU declared.

**The United Food & Commercial Workers International Executive Board** December 15 elected Marc Perrone, former UFCW International Secretary-Treasurer, to replace Joe Hansen who retired. Hansen, who also previously served as the union's Secretary-Treasurer, was first elected president in 2004. "The choice we face today is whether we will stand together and build an economy that lifts up all families, or watch as even more workers fall further behind and struggle to make ends meet," Perrone said after his election. "Cynics may believe that these divisions and inequities are irreversible. I do not. We, as a union, do not. I strongly believe that by uniting together we can give workers across North America the opportunities they deserve." Perrone said he will spend the coming weeks and months meeting with UFCW members throughout the United States and Canada. The board also elected former Executive Vice President Pat O'Neill as International Secretary-Treasurer.

## INTERNATIONAL LABOR NEWS

**A new survey sponsored by** the Canadian Labor Congress found that domestic violence follows people to work, has a significant impact on job performance, and in some cases results in job loss. The ground-breaking survey was conducted by Western University's Center for Research

and Education on Violence Against Women and Children (CREVAWC) in partnership with the CLC. Of 8,429 workers who were questioned, one-third reported they had experienced domestic violence and 82 percent of them said the violence had negatively affected their work performance. "This research has identified the scope and impact of domestic violence on workers and workplaces, but is only a first step. Immediate next steps include encouraging use of these results by governments, unions and employers to establish proactive practices to address the impact of domestic violence at work," the CLC said.

**Some 174 workers with Otis** Elevators in Australia claimed victory December 17 when they voted to accept an agreement that ended an 8-week lockout. The workers won all but one of their demands after attempting to negotiate with the company since April. The workers began industrial action at the end of September with bans on overtime, shiftwork and the commissioning of lifts and escalators after the company insisted on a below-inflation 1 percent wage increase. The company responded by locking out the workers on October 21. The workers, members of the Electrical Trades Union and the Australian Manufacturing Union, construct and service lifts and escalators. The 3-1/2 year agreement provides a 14 percent pay raise, income protection for the first time,



AMWU Rally 2005. Flickr.com photo used under Creative Commons from Jason Ilagan.

increases to daily fares and travel, construction allowances increased to above industry standards and other benefits. The bitter dispute attracted global attention with the workers supported by unions in the United States, New Zealand, Canada, Denmark and Ireland who took part in an international day of solidarity.

**Estimated 12,000 Chilean** workers at 70 Walmart Chile (Lider) store locations went on a nationwide strike last month demanding better wages. According to news reports, all Walmart supermarkets were completely shut down in the Maipo and Concepcion comunas (or counties). Manuel Diaz, president of the Federation of Walmart Chile, said the workers went on strike because the company refused requests for salary increases. Diaz said the response from Chilean communities has been supportive, even during the busy holiday season, and that protests will continue as workers wait through the negotiation process. The union reported Walmart bargained with another group which they created and coopted and the company has engaged in anti-union activities.

## NATIONAL AND POLITICAL EVENTS

**President Obama will buck his** own party and seek help from the new GOP Senate majority to push through the Trans-Pacific Partnership (TPP), a 12-nation free-trade pact in the Asia-Pacific region. The deal is opposed by labor, environmental and progressive groups and key Democrats, including Senator Elizabeth Warren. If approved, the TPP would establish the world's largest free-trade zone. The administration has touted the deal as a way to boost U.S. exports to Asia at a time when the United States faces increasing competition from China. Many Democrats view the TPP as little more than a repackaging of previous trade deals, such as the North American Free Trade Agreement (NAFTA), which have failed to deliver on improved wages for American workers and do not include enforceable standards on labor conditions and the environment and controls to halt foreign currency manipulation. Legislation



that would grant U.S. trade negotiators “fast-track authority” to reach final terms that could not be changed by Congress before an up-or-down vote is expected to be put forward this month by Senate Republicans.

**According to reports from** right-leaning Fox News, Republicans in statehouses across the country “are plotting a tough new campaign” in 2015 to attack labor unions and weaken their political influence. “The accumulated gains by Republicans in state legislatures will certainly increase pressure on, and within, the GOP caucuses to expand right-to-work laws,” Louis Jacobson, state politics columnist for *Governing* magazine, told FoxNews.com. Buoyed by sweeping midterm victories at the state level, several Republican-controlled state legislatures are weighing so-called “right-to-work-for-less” bills when the new sessions start this month. These measures are designed to weaken unions by allowing workers who benefit from collective bargaining agreements to be exempt from paying their fair-share for the negotiation and administration of the contracts. Wisconsin and Ohio are considered among the mostly likely to back the legislation, as Republicans control both chambers of those legislatures and the governorships. Colorado, Missouri, New Hampshire and New Mexico also could see battles over union rights next year.

**From 2001 to 2013, the mas-**sive trade deficit with China has cost the United States 3.2 million jobs, revealed a new study recently released by the Economic Policy Institute. The study found that 2.4 million, or 75.7 percent, were good-paying manufacturing jobs. China alone accounts for two-thirds of all manufacturing jobs in the U.S. between 2001 and 2013. Computers and electronics were hardest hit, losing 39.6 percent of the total jobs that were outsourced offshore, about 1,249,100 jobs. “Global trade in advanced technology products — often discussed as a source of comparative advantage for the United States — is instead dominated by China. This broad category of high-end technology products includes the more advanced elements of the computer and electronic parts industry as



UAW Rally 2014. Flickr.com photo used under Creative Commons from maisa\_nyc.

well as other sectors such as biotechnology, life sciences, aerospace, and nuclear technology,” the report said. The study also noted that the trade gap has cost those without four-year college diplomas, about 100 million workers, some \$180 billion dollars in potential wages.

## REGIONAL & LOCAL LABOR NEWS

**Alaska Airlines Flight Attendants** recently voted to accept a tentative agreement that offers “significant improvements,” reports the Association of Flight Attendants-CWA, which represents the airline’s 3,400 flight attendants. “Alaska Flight Attendants made a collective decision that will carry us through the next five years,” said Jeffrey Peterson, AFA president at Alaska Airlines. “We are dedicated to advancing the Flight Attendant career for ourselves and future Flight Attendants to come.” The union said the five-year agreement was negotiated through mediation by the National Mediation Board. According to AFA-CWA, the pact “includes some of the top pay in the industry, built-in protections for reining in health care costs, improved job protections and work rules.”

**In a major victory, the UAW** was certified in December as the representative of more than 45 percent of Volkswagen’s workers in Chattanooga, TN, giving the union the right to meet with management on a regular basis and represent workers. The union for the first time now has a foothold in the South. The action is part of Volkswagen’s new labor policy for the plant called Community Organization Engagement that gives any union consultation rights if it can prove it represents at least 15 percent of the workers. So far, the UAW is the only worker organization to meet a representational threshold. UAW lost a bitterly contested representation election at Volkswagen in February, which the union charged was affected by the interference of Tennessee Gov. Bill Haslam, Sen. Bob Corker and state GOP legislators. The Republican-dominated legislature threatened to cancel tax incentives that were promised to Volkswagen if a majority of workers voted in favor of UAW representation.

**Some 125 Maryland trash collectors** at Unity Disposal & Recycling went on strike the day after Christmas affecting some 60,000 customers. Workers walked out over company demands for cuts in wages and benefits. The company serves about 40,000 households in Montgomery

County and another 20,000 in Howard County, two of the most affluent counties in the state. "This whole next week are some of the worst and heaviest days of the year," said Steve Lanning, an organizer with the Laborers' International Union of North America Union Local 657. "They do provide a valuable service, and people will certainly recognize that when their trash is not picked up timely." The workers voted for union representation last year and are still trying to negotiate a first contract.

## IN THE PUBLIC SECTOR

**New York's United Federation of Teachers** on December 18 criticized the Cuomo Administration for threatening to use the governor's budgetary powers to ram through education policy changes backed for years by charter school advocates and corporation reform groups. The governor's action was intimated in a letter by Cuomo's top aide to state Education Commissioner John King. "This letter comes right out of the playbook of the hedge-funders for whom education 'reform' has become a pet cause and who poured money into the Cuomo re-election campaign," said UFT President Michael Mulgrew. "The governor owes these people big time, but unfortunately the children of New York will end up paying his debts." In the letter, the Cuomo

administration indicated that it would seek to eliminate or curtail tenure, introduce merit pay, get rid of the charter school cap, overhaul the mayoral control law, get tough on struggling schools, and give the governor more control over appointments to the state Board of Regents.

**American Federation of Government Employees** praised passage of the Omnibus Budget Reconciliation Act, which includes a one-percent pay raise for federal and wage grade employees. "AFGE is pleased that a catastrophic government shutdown will likely be avoided with the passage of this crucial funding measure," said AFGE National David Cox, Sr. "With the FY2015 appropriations process mostly behind us, Congress must immediately turn its attention to cancelling the reckless sequester cuts set to resume late next year." He said government services the American people rely on "have already been cut to the bone." Slashing hundreds of billions more over the next several years will cripple key services, kill hundreds of thousands of jobs, and devastate local economies all across America, Cox warned. He said that a one percent federal employee pay raise is "not nearly enough to make up for the financial hardship wrought by years of frozen pay and substandard increases" and pointed that when accounting for inflation, most federal workers have actually taken a substantial pay cut.

In addition, the ruling prevents businesses from engaging in litigation over eligibility issues until after the workers vote on union representation. Employers have used lawsuits as an effective stall tactic to delay an election in order to erode union support among the workers. The board adopted the rule by a 3-2 vote, with the Democratic-appointed members all voting in favor and the Republican-appointed members all voting against. Business groups have filed a legal challenge to the rule.

**The Supreme Court, in a unanimous decision** December 9, said workers do not have to be paid for standing in line for security screenings at the end of a shift. The case involved a lawsuit filed by Amazon warehouse workers who were required to go through screenings, conducted by a temp agency called Integrity Staffing Solutions that often took as long as 25 minutes after their workday was finished. Justice Clarence Thomas, writing for the court, said the wait times were not "tied to the productive work that the employee is employed to perform." The ruling is based on the 1947 Portal-to-Portal Act and a subsequent interpretation that said employers have to pay workers only for actions that are an "integral and indispensable part of the principal activities for which covered workmen are employed." The court reasoned that pay is not required for security screenings because the screenings do not in any direct way help workers get books, toys and electronics in the right shipping container. "Employees could skip the screenings altogether without the safety or effectiveness of their principal activities being substantially impaired," wrote Justice Sonia Sotomayor, in a concurring opinion to the court's ruling.

## SIGNIFICANT LEGAL AND NLRB RULINGS

**In one of the most significant** National Labor Relations Board rulings in years, a divided NLRB issued a long-awaited rule to streamline union elections. The regulation eliminates a previously-required 25-day period between the time an election is ordered and the election itself, and requires employers to furnish union organizers with all available personal email addresses and phone numbers of workers eligible to vote in a union election. The rule will also, for the first time, allow for the electronic filing and transmission of union election petitions.



UFT Rally. Flickr.com photo used under Creative Commons from Chris Boese.

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**Michael Sacco**  
President, Seafarers International Union

## THE JONES ACT PROTECTS JOBS AND AMERICA'S SECURITY

A critical regulation was back in the news last month when Senator John McCain, long an opponent of America's freight cabotage law, vowed to push for repeal of the Jones Act, the single most important statute for our nation's domestic maritime industry.

Although he has backed another key U.S.-flag initiative – the Maritime Security Program (MSP), which helps keep 60 ships available to support our military – McCain has been after the Jones Act for many years, so his latest statement was a dog-bites-man story.

Still, it was good to read and hear about many of the reactions from our members who sail in the domestic trades and from others in the industry who were offended by such an open attack on their jobs.

Anyone who cares about the U.S. Merchant Marine and good paying American jobs has every reason to be upset about attacks on the Jones Act, no matter where those attacks come from. And we've also got every reason to stay involved in the ongoing fight to protect it, whether that's through our union's voluntary political action fund (SPAD), contacting your senators and congressional representatives, or grassroots activities to generate support from other union workers.

What is the Jones Act? The Jones Act helps maintain nearly a half-million Ameri-

can jobs, many of them seagoing positions in the SIU-crewed fleet. It requires cargo moving between domestic ports to be carried aboard vessels that are crewed, flagged, owned and built American. Detailed, impartial studies have shown the law unquestionably boosts U.S. national and economic security. It pumps billions of dollars into our economy. It enjoys strong bipartisan support and strong support from our military, and it has been in effect since 1920.

The American Maritime Partnership, a coalition that represents vessel owners and operators, unions, equipment yards and vendors, says the Jones Act is critical for economic and security reasons. It estimates the domestic maritime industry is responsible for nearly 500,000 jobs and more than \$100 billion in annual economic output. Labor compensation associated with the domestic fleet exceeds \$29 billion annually with those wages spent in virtually every corner of the United States. The American domestic fleet consists of more than 40,000 vessels. Every job in a domestic shipyard results in four additional jobs elsewhere in the U.S. economy.

Aside from the jobs and economic stimulus it provides, the Jones Act also costs less than other modes of transportation. According to the Army Corps of Engineers, Great Lakes shipping alone saves customers \$3.6 billion annually when compared to rail and truck.

But it also regularly comes under attack, and it makes no difference whether those attacks are based on false beliefs or on blatant efforts to sink the American-flag fleet and replace it with foreign-flag ships, tugs, barges and ferries. Either way, it's a threat to the SIU, it's a threat to the whole U.S. Merchant Marine, and it's a threat to this country.

Can you imagine our inland waterways and Great Lakes being overrun with foreign-flag, foreign-crewed boats and barges? The security risks would be so high, they couldn't even be calculated. This was the way things were in the 1800s. Foreign-flag vessels didn't have to meet American requirements. Boiler explosions and huge loss

of lives, as well as cargo damage, regularly happened until the current version of the Jones Act became law. Could you imagine a Costa Concordia-type disaster in the Mississippi, or something like the Korean ferry Sewol tragedy (where more than 300 people, mostly schoolchildren, lost their lives) on the Ohio?

And none of us even wants to picture foreign-documented mariners plying our lakes and inland waters with no American security screenings.

I believe that's what would happen if the Jones Act went away. Repealing that law would wipe out the domestic fleet. It would kill hundreds of thousands of American jobs, including billets on coastwise tankers, tugboats, barges and ferries, both union and non-union alike. It would do irreparable harm to the pool of civilian mariners, including SIU members, who have sailed or will sail on U.S. military support ships in times of war or emergency.

The Jones Act is the lifeblood of the American maritime industry and a vital tool in protecting the nation's economic and national security. Time and time again the U.S. government has called on the nation's merchant mariners to support their country in times of war or crisis and those mariners have answered that call without fail. Not having such a cadre of well-trained, loyal U.S. mariners would be dangerous and potentially disastrous in times of crisis.

I ask all Americans to join us in our continuing battle to uphold this most worthy law.



American-built cargo vessel. Flickr.com photo used under Creative Commons from Pete Markham.

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### **Hawaii State House Rep Joins Dems**

Hawaii State House Rep. Aaron Ling Johanson recently left the Republican Party to join the majority Democrats who control the Legislature. He made the switch, he explained, because he has been at "odds with many in the Republican Party" over policy issues.

"I think many in the local Republican Party are becoming more narrow in their demand for ideological purity as well as in their demand for a combative tone and posture," he said, adding that he was "committed to being the kind of leader that would work to find common ground and do things differently."

Johanson, considered a moderate, was first elected to the House in 2010. In November, he defeated Democrat Lei Sharsh by a two-to-one margin to win his third two-year term. He served as minority leader in the House.



### **GateHouse Informational Picket**

AIL's Donna Altshue joined an information picket line in front of the Pekin (IL) Daily Times, where the United Media Guild/TNG/CWA is involved in difficult on-going negotiations. The newspaper is owned by GateHouse Media, which has refused to grant raises to employees at any of its properties in the past 7 years.

## **YTD CONTRIBUTIONS**

Listed below are contributions made on behalf of AIL/NILICO, its State General Agents, and directed by the Labor Advisory Board. All contributions were made between June and December, 2014, and 2014 YTD contributions totaled more than **\$1.8 million.**

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