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Label Letter

Union Label & Service Trades Department, AFL-CIO

Hillary Clinton vs. Donald Trump: Working Families

“If I am elected President, workers will always have a seat at the table and a champion in the White House,”
—Hillary Clinton

Hillary Clinton has a long history of advocating for families and working people. She believes that paid family leave, earned sick days, fair schedules, equal pay for women and quality affordable child care are critical, as well as the right to come together in a union and negotiate for a better life. Here are 10 ways Clinton stands with working people:

Excerpted from Working America

EQUAL PAY

While in the U.S. Senate, Clinton consistently fought to decrease the wage gap between working men and women. She championed strengthening the Equal Pay Act and became a prime supporter of the Lilly Ledbetter Act.

UNEMPLOYMENT BENEFITS

Clinton was there for New Yorkers during the economic downturn of 2008. She co-authored and fought for legislation to extend the unemployment benefits program, which provided much-needed economic support to working families.

OUTSOURCING

Clinton and more than 20 other senators sent a letter to President George Bush calling on him to reject a Council of Economic Advisers report saying that the exporting of jobs overseas could be beneficial to the economy. She introduced a resolution calling on the Senate to oppose any efforts to outsource jobs.

MANUFACTURING

Clinton worked on a bipartisan Senate Manufacturing Caucus to confront the problems facing domestic manufacturers and the working people that hold those jobs.

WORKING FAMILIES LEGISLATION

Clinton supports the Employee Free Choice Act and the Employee Right to Choose Act, and she voted against the Central American Free Trade Agreement. She also supported Department of Labor employees in maintaining the Workforce Investment Act program and the Wagner-Peyser Act.

COLLECTIVE BARGAINING

While serving in the Senate, Clinton assisted working people in unions in negotiating new contracts, including the IBEW (National Grid/Niagara Mohawk), RWDSU/UNITE HERE (Duane Reade), SMART (United Technologies/Carrier), RWDSU (Oak Hollow/Crest Hall nursing homes), Building Trades (Lafarge), IUE-CWA (Caldwell Manufacturing) and LIUNA (Department of Labor).

WORKER HEALTH AND SAFETY

Clinton helped secure significant funding for New York and to workers impacted by the 9/11 terrorist attacks. She fought for millions of dollars in medical monitoring funds to help workers at Ground Zero and for assistance to affected families and laid-off workers.

WORKPLACE SOLIDARITY

For two years, members at Plum Island were on strike and Clinton fought tirelessly alongside them for those two years. Together, they were successful in kicking



out a bad contractor and getting our brothers and sisters back to work.

TRADE ADJUSTMENT ASSISTANCE

When corporate CEOs close manufacturing plants, they are not worried about the impact this has on the working people and communities that have supported these plants for years. However, Clinton has shown time and again that she is committed to working families and communities during those difficult times. In fact, when the Nestle plant closed in 2004, Clinton called Nestle Corp. executives to push them to keep the plant open. Although profit trumped people and the plant closed, Clinton was able to secure Trade Adjustment Assistance funding for working people impacted by the plant closure.

TRADE

As senator, Clinton intervened with the Bush administration to protect jobs when they were threatened by Chinese trade barriers.

ANTI-WORKER TRUMP

Donald Trump is running a campaign fueled by oppressive and hateful rhetoric. He has offered anti-American “solutions” to banish citizens based purely on religious beliefs. He has derided women, immigrants and veterans, and made juve-

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PUT A UNION LABEL ON IT

Temp Workers Threaten to Strike—Win Recognition and Full-Time Jobs

In April, workers at Detroit Chassis, an auto parts plant in Avon, Ohio, threatened to strike if the year-old manufacturer didn't agree to recognize the union and make them permanent employees. The 60 workers were all temporary employees assigned to work at the plant by the temp agency Callos.

Paid between \$9.50 and \$11.50 per hour, the workers were generally expected to work four, 10-hour shifts a week, with occasional mandatory overtime. But the reality was that these workers were working much more than that, and in April, during their sixth forced shift of the week, night shift employees staged a spontaneous walkout after management tried to force them to work well beyond the time that their shifts were supposed to end.

Philadonna Wade, who had worked at the plant for just under a year, said that the supervisor wanted to keep employees until 4:30 in the morning. Their shift had begun at 5:30 p.m. But workers were exhausted and the group decided that management wouldn't fire all of them, so they walked out. The group then demanded union recognition, and voted to walk out if the company refused.

The night before their strike deadline, the company agreed to recognize the union and made all of the workers' permanent employees.

Representatives from the United Auto Workers (UAW) said that a strike at Detroit Chassis would likely have shut down production at the nearby Ford factory within a day. ■

Workers at Zara Vote Union Yes

In early August, after a majority of the workers at Zara's eight stores in Manhattan signed cards stating they wanted to be represented by Retail, Wholesale and Department Store Union (RWDSU) Local 1102, the company agreed to recognize the union. The agreement covers over 1,000 retail workers at all of Zara's stores in Manhattan. These are the first Zara workers in the United States to be unionized.

Zara, the Spanish fashion chain owned by Inditex, is the world's largest clothing retailer. The RWDSU and Zara reached an agreement earlier this year where the employer agreed to remain neutral and not to oppose the union's attempt to organize its workforce.

"Zara's approach to recognize the right of its workers to form a union, without intimidation, is a message to all retailers — you can be successful and still respect the right of your employees," said Gemma de Leon Lopresti, president of RWDSU Local 1102.

This is the largest retail organizing win in New York City in recent years. In 2009, RWDSU Local 1102 organized nearly 1,200 workers at H&M, another fast-fashion global retail chain.

Workers at Zara look forward to working in an environment where they can make their jobs better, and create better lives for themselves and their families.

"Working in retail is extremely fast-paced and hectic," said Joseph Minton, an associate at Zara's 59th Street location. "I'm excited that the company is willing to listen to our concerns and work with the union for everyone's benefit."

"We applaud Zara for recognizing the rights of its employees to choose to unionize, without interference," said RWDSU President Stuart Appelbaum. "Unfortunately, too many American employers refuse to respect their workers' right to freedom of association and intimidate and threaten workers who try to organize."

"This process is a huge step for retail workers in New York. Zara, the largest fast-fashion retailer in the world, is sending a strong message that you can remain profitable and still recognize your workers' right to dignity, justice and respect on the job," said Appelbaum. ■



NLRB Rules Temps Can Join Unions

The National Labor Relations Board (NLRB) ruled in July, that jointly employed temporary employees can now bargain collectively in the same unit with the permanent employees they work alongside.

The 3-1 decision overturned a Bush-era standard that said a union could only organize a bargaining unit of jointly employed and regular employees if both employers consented—jointly employed includes temps who are hired from a staffing agency. Now, with the new ruling, as long as workers share a "community of interest" and are employed by the same primary employer, they can join a bargaining unit.

"With our current on-demand economy, the use of temporary workers is happening more than ever before," said Rich Kline, President of the Union Label and Service Trades Department. "With this ruling the NLRB affirmed that temporary workers have rights too." ■

"With this ruling the NLRB affirmed that temporary workers have rights too."

—Rich Kline,

UL&STD President

WALK IN MY SHOES

Heather Ayers, Registered Nurse-BSN

Oregon Nurses Association (American Nurses Association)

I am a hospice nurse working for a very large health care company in Portland, Oregon. In my job, I work with chronically ill, terminally ill or seriously ill patients. It isn't an easy job. It is both physically and mentally grueling. And, until a few months ago, I didn't have a union contract.

In my previous position, I still performed the same type of work, but I wasn't covered by a union contract. Because I knew what a union could do for me, I sought out a position that was unionized.

Growing up, my father was a Bell Atlantic (now Verizon) employee. In those days, whether I understood what was going on or not, I watched as he and his colleagues struck for fair wages and benefits and ultimately my family was the beneficiary of their solidarity. I saw what his union, and his involvement in the union did for us.

And now, we are a union family. My husband is a teacher. He is a member of the National Education Association.

When I took my new position, I got a pay raise, and that is great, but for me I got a lot more. I got protections. I got assurances that I would work with safe medical practices. I got assurances that I wouldn't have a patient quota that was unreasonable. And, I got fair and reasonable hours that allow me to be at home with my kids when I need to be. I also found that my managers respect me and value our union contract. They don't try to push the boundaries of what is acceptable, because the union has already negotiated on my behalf. I love my job. ■



AFL-CIO Working Families Toolkit

Electing the right people to office is an important part of ensuring that workers' rights are protected. The new Working Families Toolkit (www.wftoolkit.org) — built by the AFL-CIO — aims to make electing the right candidates easy. This web-based tool offers prebuilt materials for virtually every political race taking place around the country.

Materials can be ordered as social media-ready files and pdf documents or they can be printed by the AFL-CIO's union-contracted printer and delivered to you free of charge.

To create materials using the toolkit, visit www.wftoolkit.org to register and follow the prompts. A quick guide to using the toolkit can be found on the Union Label's website at <http://wp.unionlabel.org/download/13880/>

Training is available through the AFL-CIO Campaigns Department. Contact Emilia Torre, etorre@afclcio.org to set up your quick 30-minute tutorial today. ■

SPOTLIGHT THE LABEL

AMERICAN FEDERATION OF TEACHERS (AFT)

The American Federation of Teachers (AFT) was founded in Chicago, with eight locals signing on as AFL President Samuel Gompers welcomed the union into its fold in 1916. Margaret Haley is credited as its founder and first President.

The AFT primarily represents teachers, with approximately 60 percent of its membership working directly in education. The remainder of its membership are paraprofessionals and school-related personnel; local, state and federal employees; higher education faculty and staff, and nurses and other healthcare professionals.

In the first three years after its founding, the AFT had 100 local affiliates and a membership totaling nearly 11,000. Although in the years leading up to the Great Depression, the AFT experienced a great deal of fluctuation in its membership numbers, the union saw its membership climb during the Depression, reaching 33,000 by 1939.

Since, the union has continued to grow and now represents 1.6 million pre-k through 12th-grade teachers and other education related professionals.

The AFT is governed by its elected officers and by delegates to the union's biennial convention, which sets union policy. The current elected leaders are President Randi Weingarten, Secretary-Treasurer Loretta Johnson and Executive Vice President Mary Cathryn Ricker, along with a 42-member executive council.

The union boasts some of the most notable and distinguished Americans as past members including Nobel Prize winners, senators, ambassadors, and presidential cabinet appointees. ■





Unions around the country often have products printed for their members. Whether they are sold by the union or given away at meetings and conventions, they all should have one thing in common. The union “bug.”

The Union Label and Service Trades Department, AFL-CIO frequently receives requests for a list of union printers and providers of promotional products. We have included a very small sampling of union providers here.



UNION PRINTERS & PROMOTIONAL PRODUCTS



- The Kelly Companies
www.thekellycompanies.com
- Doyle Printing
www.doyleprint.com
- Mosaic Printing
www.mosaic.buzz
- EGT Printing Solutions
www.egt.co
- Inland Press
www.inlandpress.com
- Taggart Printing
www.taggartprinting.com
- SpeedPro Imaging
www.speedprosc.com
- The Color Junction
www.thecolorjunction.com
- MOW Printing
www.mowprinting.com
- Professional Design and Printing
www.pdpnashville.com
- Signal Graphics
www.signalgraphics.com
- Bristol Lettering
www.bristolletteringllc.com
- Zephyr Print & Web
www.zprint.cc
- Island Screen Print Apparel
www.islandscreenprint.com
- i Work & Play
www.iworkandplay.com
- Rengel Printing
www.rengelprinting.com
- Western Pacific
www.westernpacificonline.com
- Image Cube
www.imagecube.com
- Creative Vision Printing
www.cvprint.net
- First Class Silk Screening & Embroidery
www.fcscreenprint.com
- Accurate Printing Inc.
www.accurateprintingcompany.com

www.cwaprintshops.com is a website that allows you to submit a request for a bid from union vendors for all of your printing needs. The site is run by the Printing, Publishing and Media Workers Sector-CWA (PPMWS). Other unions, including the International Union of Painters and Allied Trades (IUPAT), the United Auto Workers (UAW), the International Association of Machinists and Aerospace Workers (IAMAW) and the Graphic Communications Conference (GCC-Teamsters) represent members that produce promotional products and printed materials. Check with those unions for more information.

CLINTON V. TRUMP

Continued from page 1

nile remarks about people with disabilities.

All people should be treated with dignity and respect and our president should share these most basic values. Donald Trump does not share the values of working families. In fact, Trump is one of the most anti-worker presidential candidates in American history. In fact, Trump:

- Thinks wages are “too high” and that companies should force working people to accept lower pay by threatening to move jobs to states where workers make less. (*Boston.com*, 11/10/15; *The Detroit News*, 8/12/15);
- Supports right to work, the CEO-written law that guts unions and takes away power from working people. Trump has said he would do without unions completely and that he 100% supports “right to work” laws that weaken unions, drive down wages and take power away from working people. (*The Guardian*, 11/19/15; *South Carolina Radio Network*, 2/17/16);
- Refuses to recognize a union election at his hotel;
- Promises to put union-busting corporate CEOs in charge of trade negotiations;
- Outsources his own products to low-wage countries like Bangladesh;
- Exploits immigrant workers in the United States.

BEATING TRUMP BACK

Donald Trump as president would make the lives of working people measurably worse for those of us who count on a paycheck to support their family. By working together, we can beat back the threat of Donald Trump and all that he represents, and fight for good jobs, better wages, stronger unions and shared prosperity for all.

Millions of people across the country are feeling despondent. Their hours have been cut, wages slashed, jobs even shipped overseas. But Donald Trump doesn't have a plan to fix that. He has a plan to exploit that. ■

Labor Board Upholds Union Election Results at Trump Hotel and Casino in Las Vegas

In late July, the National Labor Relations Board (NLRB) rejected the Trump Ruffin Commercial, LLC's challenge of a December 2015, union election. Employees at the Trump Hotel International in Las Vegas had voted to join the Culinary Union Local 226 and Bartenders Local 165. The NLRB certified the election in March.

Republican Presidential hopeful Donald Trump and casino mogul Phillip Ruffin own the Trump Hotel International and the duo has been stalling efforts to begin contract negotiations with the 500 housekeepers and other service workers since the unionization drive began in 2014.

In its ruling, the NLRB denied Trump's request for a review of the certification, the final recourse for the hotel magnet.

In a statement issued from the union regarding the ruling, Geoconda Arguello-

Kline, Secretary-Treasurer for Local 226, said that, “we are pleased with the NLRB ruling, once again reaffirming that the union election at the Trump Hotel Las Vegas was fair and is certified.”

Workers hope that a union contract will afford them good pay and working conditions, job security and good health benefits.

Ofelia Diaz Cardenas, a housekeeper at the hotel, and one of the first workers to support the union organizing drive, says that management fired her after she wore a pro-union pin on her uniform. Ms. Cardenas was rehired after the Union complained to federal labor officials, but management has continued to fight the Union at every turn. It remains to be seen if the Hotel management will sit down with the Union to begin negotiations. ■

New Jersey Approves Unemployment Benefits for Striking Workers

Striking workers in New Jersey can now collect unemployment benefits thanks to a bill that the state Senate recently passed.

The bill was introduced during the six-week strike against Verizon where 40,000 workers on the East Coast and about 4,600 in New Jersey protested company demands for givebacks during contract negotiations.



Now, with the Senate's passage of the Bill, 1,000 striking workers at the Taj Mahal casino and hotel will be eligible to receive benefits.

The legislation will allow workers to access unemployment insurance in labor disputes when an employer violates the terms of an employment contract or collective bargaining agreement. Striking workers are eligible after a 30-day waiting period if the dispute isn't prompted by an employer's failure to comply with contract terms.

New Jersey Senate President Stephen Sweeney said that the bill would “allow workers to express their rights without being starved back to work.”

The Taj Mahal—originally owned by Republican presidential hopeful Donald Trump, and now owned by Trump's pal and potential Cabinet pick, Carl Icahn—is said to be shutting down before year's end. Icahn insists that he has lost \$100 million since taking it over.

In a statement posted on the UNITE HERE Local 54 website, the union's president, Bob McDevitt expressed his disgust over how the hotel mogul has handled the contract negotiations leading up to the strike and now apparent closure of the the hotel.

“I would never have thought Carl Icahn was so one-dimensional,” said McDevitt. “The great deal-maker would rather burn the Trump Taj Mahal down just so he can control the ashes. For a few million bucks he could have had labor peace and a content workforce, but instead he'd rather slam the door shut on these long-term workers just to punish them and attempt to break their strike.” ■

Unions' Right-to-Work Challenge in West Virginia Results in Preliminary Injunction

In August, a judge in West Virginia issued a preliminary injunction stopping enforcement of the state's so-called right-to-work law. The state AFL-CIO and 10 other plaintiffs have filed suit against the law. The law was passed in the 2016 legislative session.

The primary argument in the lawsuit is the same as what was used in stopping Wisconsin's recent right-to-work law: that the law violates the "takings" clause in the U.S. [and West Virginia's] Constitution, which prohibits persons or government from taking property from others without due process and compensation, according to the West Virginia AFL-CIO Secretary-Treasurer Josh Sword.

The plaintiffs went to their first scheduled hearing on Aug. 10, asking that the lawsuits be combined into one, and that the judge in the matter issue an injunction to stop the law's enforcement. In issuing the injunction, Judge Jennifer Bailey said that until legal questions about the law can be resolved, enforcement of it could cause irreparable harm to unions and union workers.

"I think when people are facing the possibility of criminal charges and civil damages, both of which are provided for in this law, it is quite serious," she said in granting the injunction.

During the hearing, lawyers for the unions argued two main points:

- The law, which allows workers in union shops to opt out of paying union dues, is an illegal taking of union and union members' property, since federal labor law requires unions to represent all employees covered by collective bargaining agreements, whether they pay dues or not, and
- The law contains a section that some have interpreted as exempting construction and trade unions from the right-to-work law, a section of the law that needs to be clarified in court so that union members are not prosecuted and/or fined for violating the law if it is determined not to be an exemption.

Sword pointed out that the law had other problems. The state's constitution

While we believe we have strong grounds for a constitutional challenge of the law...we also have found several significant flaws in West Virginia's Senate Bill 1 as it was written, amended and adopted.

has specific rules for naming legislation – it must tell the average citizen exactly what the law is supposed to accomplish – and it exempted the construction industry and in one of the two versions of the bill, it applied specifically to public employees (West Virginia's public employees don't have collective bargaining). The discrepancies between the two versions of the bill were never reconciled, adding to the problems with the law, said Sword.

Prior to the hearing, the West Virginia AFL-CIO President Kenneth Perdue said in a statement:

While we believe we have strong grounds for a constitutional challenge of the law, based in part on the recent circuit court decision on the right-to-work law in Wisconsin, we also have found several significant flaws in West Virginia's Senate Bill 1 as it was written, amended and adopted. Based on our reading of Senate Bill 1, the so-called right-to-work provisions included in the legislation do not apply to ANY private-sector employees that have collective bargaining agreements in the state of West Virginia.

Lawyers for the unions filed 11 separately numbered petitions in the state court, naming as plaintiffs the state AFL-CIO affiliate, the state building and construction trades council, the United Mine Workers of America, and Teamsters Union Local 175, as well as six locals of the International Brotherhood of Electrical Workers.

Amanda Gaines, an individual, is the 11th plaintiff. The complaint identifies her as a Local 175 member who is employed at a health care center whose collective bargaining agreement with the Teamster local is due to expire in July.

The complaint names as defendants Gov. Earl Ray Tomblin (D), Attorney

General Patrick Morrissey, Acting Commissioner of Labor John Junkins and Kanawha County prosecutor Charles T. Miller.

Deputy Attorney General Gilbert Dickey, representing the state, argued that West Virginia's right-to-work law is similar to laws in more than two-dozen other states — laws that consistently have been upheld in court, with the exception of Wisconsin, where a ruling overturning that state's right-to-work law has been stayed by an appellate court.

While Wisconsin's right-to-work law will likely be reinstated after being struck down, a labor law expert said that the lawsuit that halted it could have national implications. The law was struck down using the same argument used by the West Virginia unions.

Marquette University law professor Paul Secunda said he thinks the legal battle over right-to-work in the state will eventually be decided by the Wisconsin Supreme Court, where conservatives hold a 5-2 majority.

"Chances are that this decision by the Dane County Circuit Court judge is going to be overturned," Secunda said.

A similar case against a right-to-work law using the "takings" argument in Indiana found in favor of the defendants, and right-to-work laws have been allowed to continue in states since challenges arose as early as 1947.

It's significant, according to court watchers, that the case in Wisconsin and in West Virginia, seem to be moving forward, and, according to Secunda, could leave a split between two federal appeals courts: the 7th Circuit Court of Appeals, which covers Illinois, Indiana and Wisconsin; and the 4th Circuit Court of Appeals, which covers West Virginia, North Carolina, South Carolina, Maryland and Virginia. The 7th District is likely to rule in favor of the defendants, while the 4th District is likely to rule in favor of plaintiffs. The split would leave the cases ripe for a hearing at the Supreme Court level.

Any decision by the U.S. Supreme Court would be the law of the land should a future right-to-work case ever rise to that level. ■

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EndNotes

By Rich Kline, *President, UL&STD*



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Keep the Momentum on Labor Rules



Despite a late start, the Obama Administration has demonstrated a commitment to addressing some concerns raised by

the Labor Movement. While we did not get card check elections, we have seen some notable advances.

Home care workers are no longer exempt from minimum wage and overtime pay regulations. The minimum wage for federal contractors has been raised to \$10.10 hourly.

Millions more workers are now eligible for overtime pay. Many employees are now protected from classification

by their bosses as contractors which would deny them important protections.

Employees of contractors and franchisees can now bargain collectively with corporations that ultimately control their work.

Union representation elections have been sped up. Lawyers and consultants hired by companies to oppose unionization are now required to report their activities as “persuaders.”

So progress has been made. The federal minimum wage still needs to be increased. Card check still awaits passage. Trade Adjustment Assistance needs improvement. And the list continues, of course.

As Bill Samuel, director of government affairs at the AFL-CIO, pointed

out in a September 2015 *New Republic* article, ‘*Forget the \$15 Minimum Wage. Here’s Why 2016 Really Matters for Workers*,’ “[M]embers of the NLRB are appointed to five-year terms and require Senate approval, and appointments have become increasingly politicized in recent decades. As a result, a new president could have an NLRB who could easily reverse those decisions—the board tends to behave like a pendulum. A lot of this progress could be wiped out.”

In order to maintain the momentum, we must secure a White House and a Congressional majority committed to labor rights. ■