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# Label Letter

Union Label & Service Trades Department, AFL-CIO

## Editorial: House Democrats are Committed to Protecting the Right to Organize

By Rep. Steny H. Hoyer (MD-05),  
House Majority Leader



Representative Steny H. Hoyer

**I've been proud to support organized labor throughout my career in public service. That's because I continue to believe strongly in the necessity of strong unions if we are to have a strong economy that helps working families get ahead.**

Over the past three years, we've watched the Trump Administration take a hatchet to decades of advancements in workers' rights. From the denial of overtime pay to gutting the Department of Labor, from helping employers undermine unions to targeting federal employees and contractors, this President has pursued a vicious anti-worker agenda since day one in office. However, this isn't a new phenomenon. Republican presidents and Congresses have been working to erode workers' rights for more than a generation. That's why I will soon be bringing to the House Floor major legislation to restore and expand protections for American workers who wish to organize and bargain collectively.

H.R. 2474, the Protecting the Right to Organize (PRO) Act, was introduced by Chairman Bobby Scott of the Education and Labor Committee and now has broad support among House Democrats. This legislation will make significant and positive changes that will empower workers to unionize and help unions more effectively advocate for their members. That's why I'm proud to support it and bring it to the Floor for a vote.

First, the PRO Act bans employers from forcing workers to participate in anti-union activities, a common tactic used to undermine organizing. Furthermore, this bill would end the practice of management using workers' classification to affect union eligibility and deny workers the pay and benefits they are due. The PRO Act also prevents employers from hiring permanent replacements for striking workers, empowering unions in negotiations on their members' behalf.

Additionally, the PRO Act restores the mission of the National Labor Relations Board (NLRB), which has been subverted by President Trump to enact anti-labor policies. Along with permitting the NLRB

to engage in economic analysis for the first time – in order to ensure that its assessments are supported by its own findings and not outside groups' partisan agendas – the PRO Act reverses the Trump NLRB's recent decision that harmed workers employed jointly by more than one employer. These steps will once again make the NLRB an advocate for workers and not an opponent.

I've been proud to support organized labor throughout my career in public service. That's because I continue to believe strongly in the necessity of strong unions if we are to have a strong economy that helps working families get ahead. Representing more than 62,000 federal employees in Maryland's Fifth District, I work especially closely with AFGF, NTEU, and other unions representing federal workers. I'm very proud of our work last year to win 12 weeks of paid parental leave for all federal employees for the first time in our history. That's just the beginning, and I'm going to keep pushing for full paid family and medical leave benefits for all workers. The Democratic-led House Majority has also passed key legislation to raise wages and expand opportunity, and we will continue to deliver when it comes to the priorities of working men and women.

If we are going to succeed in growing our economy and maintaining it as the most competitive in the world – if we are going to keep the American Dream alive for workers and their families – we must have strong unions that can stand up for their members. That's why the PRO Act is so critical and why the House must consider it. I look forward to bringing it to the Floor as Majority Leader and to casting my vote in favor of its passage. Together, we can ensure that the march for workers' rights moves ever forward, not backward. ■

# SPRING *Cleaning*



From our friends at IUE-CWA; UFCW; IBT; USW; IBB; CWUC-UFCW; IUOE; GCC-IBT.

- » Ajax Laundry Detergent
- » Ajax Cleaning Powder
- » All Laundry Detergent
- » Arctic Bright Bleach
- » Blanco Bleach
- » Bowl Fresh Toilet Bowl Sanitizer
- » Clorox Bleach Tabs
- » Clorox
- » Clorox Disinfecting Wipes
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- » Fiberguard Carpet Cleaners
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- » Mini Safe Scour
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- » Snuggle
- » Spic N' Span Clean Wipes
- » Soft Scrub
- » Sunlight
- » Tide Soap
- » Top Job Household Bleach
- » Wisk



## Walk in My Shoes

Nancy Austin, School Community Health Nurse and Shop Steward, UFCW Local 1994 MCGEO



I am a School Community Health Nurse in Montgomery County, Maryland. The County Department of Health and Human Services, not the school system, employs and funds all School Nurses in my county.

As a school nurse, I deal with the usual cuts, scrapes and upset stomachs in schools, but I also deal with very challenging health issues as well. Childhood asthmatics, insulin-dependent diabetics, and a number of other medically fragile students rely on me and my colleagues in our schools, and there are increasingly fewer of us to help.

Each School Community Health Nurse is assigned one to three schools with an unlicensed Health Room Technician in each school. It's a dangerous situation for our students. We've been fighting year-after-year to get the county to fund more nurses.

As a shop steward, I recently testified to the County Council about our need for more nurses, and they finally agreed to grant emergency funding to add a few more nurses. They didn't give us the number we need, but it's a start. I'm hoping once they're hired, they stay.

My union has empowered me to stand up for myself and my coworkers. We can demand better thanks to the union and our collective voices. ■

### WHAT'S YOUR STORY?

In 150 words or less—accompanied by a picture of you at work...Help us walk in your shoes. We're open to all union members, active, retired, laid off.

"We want rank and file members to help us to illustrate the rich, diverse tapestry of hard working men and women who make up the American labor movement. They are proud of their work and proud of the contributions they make to their communities," explains Union Label Department President Richard Kline. "We want to demonstrate to American consumers and businesses that union labor gives added value in quality and reliability to products and services that are bought and sold."

The pictures and stories we get will be published in the Label Letter and posted on the Department's website—and perhaps in posters and other promotional materials. E-mail a Walk in Your Shoes to: [unionlabel@unionlabel.org](mailto:unionlabel@unionlabel.org); or send by regular mail to:

#### Walk In My Shoes

c/o Union Label Dept. (AFL-CIO)  
815 16th St. NW,  
Washington, DC 20005 ■

## SPOTLIGHT THE LABEL: The United Union of Roofers, Waterproofers and Allied Workers



The United Union of Roofers, Waterproofers and Allied Workers has 22,000 members in nine regional district councils across the country. Members install and apply all types of roofing and waterproofing systems, including all low-sloped roofing systems (vegetative and solar photovoltaic roofs), structural waterproofing, steep-sloped roofing systems and air barrier applications.

The International Slate and Tile Roofers Union of America was chartered by the American Federation of Labor on June 5, 1903 and the International Brotherhood of Composition Roofers, Damp and Waterproof Workers received their AFL charter on Nov. 6, 1906.

For 13 years, the two unions functioned independently but cooperatively. In 1919, they merged to form the United Slate, Tile and Composition Roofers, Damp and Waterproof Workers Association. The merged union grew from 1,600 members to more than 7,000 by World War II.

Construction blossomed after the war, with membership doubling by 1950. Steady growth marked the 1950s. By 1978, the union had 28,000 members. It was during that year the union adopted its new name, the United Union of Roofers, Waterproofers and Allied Workers. ■

# Workers' Wages and the Truth About Unemployment



“[T]he working-class can’t thrive on low unemployment rates alone. For the median job-seeker in Trump’s America, the odds may be good, but the good jobs are an oddity,” wrote Eric Levitz, associate editor of the Daily Intelligencer in his December 6, 2019 article, *Jobs, Jobs Everywhere, But Most of Them Kind of Suck*.

At the end of 2019, the U.S. Department of Labor (DOL) reported that the unemployment rate was 3.2 percent, the lowest it has been in decades. But despite the low unemployment numbers, workers aren’t prospering, far from it.

The truth is, most of the surge in hiring has been to fill low-wage positions. The Brookings Institute, a nonprofit public policy organization, wrote in its November 2019 report, *Meet the low-wage workforce*, that “even as the U.S. economy hums along at a favorable pace, there is a vast segment of workers today earning low enough to leave their livelihood and families extremely vulnerable.”

The report states that more than 53 million people, or 44 percent of all workers ages 18-to-64 in the United States, are low hourly wage earners. Their median earnings are \$10.22 per hour, about \$18,000 per year.

The report shows that 64 percent of low-wage workers are in their prime work-

ing years of 25-to-64. And more than half work full-time year-round.

Calling our current economic state, a “barbell” economy, a *Washington Post* December 5, 2019, article by Heather Long points out that among the “10 jobs expected to add the most employees in the

**“more than 53 million people, or 44 percent of all workers ages 18 to 64 in the United States, are low hourly wage earners.”**

**— Brookings Institute Report, *Meet the low-wage workforce***

next decade, six pay less than \$27,000 a year. Jobs are growing at the high and the low end.”

In her article, Long writes about the lack of news coverage on the more than 2.1 million (disproportionately female) administrative and office-support jobs that have been shed since 2000.

We have all heard countless tales of the offshoring of manufacturing jobs, but very little has been said of the loss of those administrative and office-support roles. Traditionally, those jobs have been a route to life-long economic security for non-college-educated women.

The *Washington Post* reports that “employment in administrative support positions has fallen to 1986 levels, and the Labor Department predicts that secretaries and administrative assistants will see the largest job losses of any occupation in the coming decade.”

Where we once had what the Federal Reserve calls “opportunity employment” — employment accessible to workers without a Bachelor’s degree that typically paid above the national annual median wage — we are seeing more and more of those jobs being shed and most of them aren’t being replaced. There are very few opportunities for adults entering the workforce who don’t have the education or training to get ahead.

Another statistic not taken into account in the DOL’s report on unemployment is the number of involuntary part-time workers. Rob Valletta, a vice president in the Economic Research Department of the Federal Reserve Bank of San Francisco told *Business Insider* in January that there are “about 1.4 million additional individuals who are stuck in part-time jobs. These numbers imply that the level of involuntary part-time work is about 40 percent higher than it would normally be expected at this point in the economic expansion.”

In examining the part-time and gig economy phenomenon, *Business Insider* editor Jim Edwards writes, “the part-time ‘gig economy’ has broken a fundamental link in capitalism that was good for workers. Pay rates no longer move upward as unemployment moves downward because companies like Uber, Amazon, Just Eat, and Deliveroo switch their demand for labor on and off, on a minute-by-minute basis.”

“Having a job is no longer a guaranteed way of getting ahead. Instead, work may keep you poor. You cannot get rich working for Uber. You cannot get rich working for Deliveroo.” ■

# Contraction in Manufacturing Hinders Growth

The U.S. manufacturing sector shrank for the fifth consecutive month in December 2019, recording a faster pace of contraction as new orders, production and employment numbers continued to decline, according to survey data from the Institute for Supply Management.

An index reading below 50 indicates contraction in the manufacturing sector, which accounts for 11% of the U.S. economy. The reading in December was 47.2% (down from 48.1% in November).

The last time the manufacturing purchasing managers' index (PMI) registered lower was in June 2009 at 46.3%.

Factory employment fell 1.1 points in November and payrolls remained

depressed.

United States Steel announced it will stop some steel production and lay off workers. More manufacturing companies have also announced a reduction in production and layoffs including Deere & Company (DE), Caterpillar Inc (CAT), Cummins Inc (CMI), and others. The US manufacturing contraction will likely extend into 2020. Furthermore, the recently announced Boeing (BA) 737 Max production stoppage will likely provide further negative headwinds for the manufacturing sector.

The signing of the USMCA (the new trade agreement between the United States, Canada and Mexico) is supposed help bolster manufacturing however,

hasn't been passed in Canada

The USMCA is projected to create 28,000 jobs in auto manufacturing over its first five years, according to the independent International Trade Commission. There are complex rules in the agreement that require foreign manufacturers to make changes to the way they make their cars. The agreement has no US-specific rules.

These changes will in turn make cars more expensive, which is expected to turn consumers away from new vehicle purchases.

Economists are predicting continued slow growth in the non-manufacturing economy, and global uncertainty will continue to restrict wage growth. ■

## DOL Rules that IEP Meetings Qualify Under FMLA

A recently issued opinion from the Department of Labor declared that employees are entitled to use intermittent leave under the Family and Medical Leave Act (FMLA) to attend a child or dependent's Individualized Education Plan Meeting (IEP). The opinion was issued following a case when an employee was denied leave for her two children's IEP meetings despite being allowed leave to attend their medical appointments. The DOL determined that the employer violated the FMLA in the denial.

In the letter, the DOL noted that the employee's need to attend her children's IEP meetings "addressing the educational and special medical needs of [her] children – who have serious health conditions as certified by a health care provider – is a qualifying reason for taking intermittent FMLA leave."

The National Law Review noted that this determination does **not** allow for attendance at **any** school meeting, only for meetings during which there is a discussion of the child's medically prescribed therapy, or to discuss the child's progress while receiving special services. It also still requires that the employee submit paperwork certifying a child's medical needs and requires advance notice when possible. ■

## Federal Employees Win Paid Parental Leave

Over two million federal employees will have access to paid parental leave thanks to bi-partisan legislation that passed in late December. The leave deal was part of the National Defense Authorization Act and was co-authored by Representative Carolyn Maloney (D-NY).

The leave allowance will start in October 2020.

### CAREGIVERS STILL NEED LEAVE

A United Nations report released earlier this year found that the U.S. was the only country among the 41 "high- and middle- income countries" it looked at with no national paid leave policy for mothers, or for fathers. The U.S. ranked lowest on the report's list of family-friendly policies among rich nations.

Although the grant of leave is a huge breakthrough, there were some requests left out of the bill. The bill does not include paid leave for caregivers who want to look after sick family members. Most people taking unpaid leave under the Family and Medical Leave Act to date have taken the leave to care for a loved one with a major medical issue, not a new child, said Debra Ness, the president of the National Partnership for Women and Families.

Tens of thousands of federal employees are not covered under the new law. It omitted a number of Federal Aviation Administration employees, some employees from the Transportation Security Administration, non-judicial employees from the District of Columbia court system and presidential employees.

The effects of this new policy — despite its limitations — will be significant. Paid leave has been found to improve workforce retention for women, improve children's health outcomes, and increase a new parent's ability to bond with children. Growing access to paid leave for federal workers is a massive adjustment in benefits.

In addition, proponents of the legislation hope that the new policy will pressure the private sector to offer the benefit as well.

The Office of Personnel Management said late last month it will issue guidance detailing how agencies should implement the new paid parental leave law, though it didn't give a timeline for when the instructions would be out. ■

# Delta Agrees to Replace Toxic Uniforms After Union Intervenes

**S**kin rashes, headaches, breathing problems, hair loss, nausea, it sounds like a list of possible side-effects you hear read off quickly at the end of a pharmaceutical drug commercial. Instead, those are the symptoms that hundreds of Delta flight attendants and other employees have reported since the company introduced new employee uniforms in 2016 and began requiring employees to wear them in May 2018.

The uniforms, manufactured by Lands' End, have been at the center of class action lawsuit filed in December by a group of Delta Airlines Employees against the uniform manufacturer. The employees claim they have suffered "serious" reactions and health problems because of the "various chemical additives and finishes" used in the uniforms.

The Association of Flight Attendants (AFA-CWA), the union representing flight attendants employed at the wholly owned Delta subsidiary Endeavor Air, had grave concerns about the Lands' End uniforms after hearing about the health issues employees were experiencing. The AFA-CWA sought to delay the rollout of the uniforms to its membership and began talking with non-represented attendants about what they were experiencing.

## DYES AND CHEMICALS BELIEVED TO BE THE CULPRIT OF ALLERGIC REACTIONS

The AFA-CWA had been through uniform issues before when Alaska Airlines switched its uniforms, employees experienced similar health problems. The Union also assisted American Airlines flight attendants, whom they do not represent, but like at Delta, represents attendants at several of the airline's wholly owned subsidiaries, when they too had employees suffer from allergic reactions to new uniforms.

The Union's industrial hygienist, Judith Anderson, explained to Business Insider in a recent interview that the garments are often treated with dyes and chemicals to make them stain-resistant, wrinkle-free, and somewhat fire resistant. With the

continued outsourcing to factories abroad, especially in the garment industry, there are generally low quality-control standards "resulting in inconsistent application of chemicals, which, unlike dye, are typically invisible."

## TOXIC DUDS A WORKPLACE ISSUE IN AIRLINE INDUSTRY

Alaska recalled their uniforms after the Union's complaints and worked closely with the AFA in designing its new uniforms.

At American Airlines, the Union and one of its members filed a lawsuit against the uniform manufacturers, Twin Hill and Aramark, and American Airlines under Proposition 65. Proposition 65 is the "Safe Drinking Water and Toxic Enforcement Act of 1986," a California state law that requires a warning be provided to residents before they are exposed to any of a number of chemicals identified as carcinogens or reproductive toxins. That case is still pending.

In the Delta case, the AFA offered to have uniforms tested by independent laboratories. To date, the Union has collected more than 50 different garments — which must be unopened — and sent them to various labs to be tested.

The AFA-CWA held a January 28 Town Hall call to update Delta flight attendants on the uniform issue, the class action case against Land's End, and the status of AFA's uniform testing. A day later, Delta management announced its plans to roll out a "completely new uniform program for flight attendants and ACS above-wing employees."

The new uniforms are expected in late 2021. In the interim employees are allowed to wear the old "black and white" company uniforms.

The AFA-CWA initiated an organizing drive at Delta Airlines on November 1, 2019. ■



# SMART Heroes Foundation Gives Retiring Military Opportunity to Enter Sheet Metal Industry

The transition from active duty military service to civilian life is by no means simple. One of the most challenging obstacles veterans face is entering the workforce after service. Civilian life often lacks structure, camaraderie and a sense of purpose to which veterans are accustomed. One of the first steps in adjusting to the shift in lifestyles is to find a stable career that emulates the structure of military life through connection, teamwork and becoming part of something bigger than oneself.

Understanding this need, the Sheet Metal Air, Rail, and Transport Workers (SMART), in conjunction with the Sheet Metal and Air Conditioning Contractors' National Association (SMACNA), developed the SMART Heroes Foundation in 2017 to offer retiring military service members the opportunity to explore the sheet metal industry.

SMART Heroes provides sheet metal industry training through an accelerated seven-week program for enlisted U.S. Military men and women who plan to enter civilian life within the year, assisting with their successful transition to the civilian workforce and offering a satisfying lifelong career in the sheet metal industry.

After completing the program, the student can continue as apprentices at any one of the SMART JATCs around the country, entering as a second-year student.

SMART Heroes Administrator James Page says the program is a "win-win for everyone. The men and women who enter the program are exactly the type of workers we want in the industry. They are disciplined, hard-working, eager to learn, and loyal. We are honored to provide them with an opportunity to join our trade and become part of our union family."

The program is currently available at Joint Base Lewis-McChord in DuPont, Wash., and Fort Carson in Colorado Springs, Colo. Sponsorship opportunities are available. For more information visit the SMART Heroes website at <https://www.smart-heroes.org>. ■



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# EndNotes



## Label Letter

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By Rich Kline, *President, UL&STD*

## Demise of Workplace Class Action Lawsuits Makes Unions Key to Fight Rights' Violations



The US Supreme Court in May 2018 ruled against workers in *Epic Systems v. Lewis* declaring that employers can force employees to accept arbitration of disputes individually and give up their right to class action lawsuits in the courts. The ruling puts individual workers at a severe disadvantage in confronting corporate power.

More than half of America's non-union workers are currently subject to this ruling's affirmation of mandatory arbitration by employers. Furthermore many workers must agree to forego their right to act together in a class-action lawsuit when they suffer wage and hour theft, sexual harassment, racial discrimination, or a host of other workplace violations.

Forced arbitration is inherently unfair, pitting the individual worker against corporate power in a dispute-resolution procedure established by the employer. Denial of class-action lawsuits prevents workers suffering a shared complaint from acting together to seek redress in the courts.

A counter to this corporate attack upon workers' right exists: the union.

Union members do not suffer this injustice. Union members can act together under provisions of their collectively bargained grievance procedures or as a unit in the courts. Union members' right to act jointly is secured by the National Labor Relations Act.

"Unionization offers the only effective response to this corporate strategy of required arbitration," wrote Martin Hart-Landsberg, Prof. Emeritus of Economics at Lewis & Clark College. Writing for StreetRoots, Prof. Hart-Landsberg noted growing support for unions among young workers and increased union militancy with community involvement.

Educating non-union workers about this unionized workplace advantage is critical. Union organizers now have another argument for joining a union. ■