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Label Letter

Union Label & Service Trades Department, AFL-CIO

NLRB Hearing Begins on Amazon Union Election Interference



A New York Post article in early May reported on testimony given by Alabama Amazon warehouse employee Darryl Richardson. Richardson testified before the National Labor Relations Board that the retail giant has made conditions worse since defeating unionization efforts in April.

Richardson, a picker at the facility, testified that Amazon is now enforcing certain rules and policies he said were not previously enforced prior to the union election.

“Amazon is writing employees up for having their phone out of their pockets, for damaged parts, missing items,” Richardson said during a video hearing before the Board.

Richardson, who has worked at the facility for a little more than a year, helped organize the union drive and was the first witness for the union at the hearing.

The Retail, Wholesale and Department Store Union (RWDSU) filed a complaint on April 19 citing 23 objections to the outcome of the union election, including claims that

“Amazon created an atmosphere of confusion, coercion and or fear of reprisals.”

In his testimony, Richardson claimed that Amazon tried to sway employees with perks like additional time added to lunch breaks and merchandise and treats like ice cream and cookies during the voting period in March. He said that those incentives were no longer available since the election has ended.

He also claimed that Amazon pressured employees to vote against the union and alleged that he witnessed an Amazon manager fill out a ballot on behalf of a worker stationed nearby.

Jennifer Bates, a second witness testifying on behalf of the union, said that Amazon solicited resignations from pro-union workers in what it called “the offer”—an exit bonus between \$1,000 and \$5,000 for both full and part-time employees.

Further testimony from Amazon employee Kevin Jackson could be grounds to overturn the election, says Wilma Liebman who chaired the NLRB under President Obama.

Jackson testified on May 14 that Amazon security guards used keys to open a USPS mailbox Amazon had installed near the entrance of the fulfillment center to collect ballots. According to Jackson, as he was leaving work one morning, he witnessed security guards approach the mailbox and saw an individual open a large box on the bottom labeled “1P.”

The NLRB hearing is expected to last about two weeks, as the Labor Board hears from both Union and Amazon witnesses.

BESSEMER EMPLOYEE COLLAPSED, DIED ON THE JOB ONE MONTH AFTER UNION VOTE

Just a few days before the NLRB hearing began, a worker at Amazon’s Bessemer, AL warehouse collapsed while on the job. The employee was taken to the hospital where he later died.

According to news reports, Amazon said the worker, who has not been identified, had suffered a “medical incident” and that the employee hadn’t given any indication he was sick.

Other employees at the facility told a different story on social media, “he was working at the station behind me then just disappeared. Next thing I know he’s getting carried out on a stretcher.” According to a news report, the worker went on the say, “they would not reenter the warehouse after witnessing the death.”

In the same social media post, the employee said, “I cried at work... I can’t do Amazon, I tried... Should’ve let that man go home AND EXCUSE his time the first time he mentioned that he didn’t feel well.” ■

Did you know that you own millions of acres of national parks, historic structures, cultural artifacts, ancient forests, snow-capped mountains, and clear blue lakes? Our public lands and waters belong to all Americans and are waiting for you to explore them!

You also employ thousands of union members who staff federal parks and monuments. AFSCME represents thousands of municipal workers at city and state parks and zoos. Interior Department workers who staff federal parks and monuments are also union members (NFFE, an affiliate of the IAM). And AFGE represents employees who build exhibits, conduct research and maintain the world-renowned Smithsonian Institute Museum in Washington, DC.

Support good jobs by visiting our national parks and other federal lands.

US NATIONAL PARKS

ALASKA

- » Glacier Bay
- » Katmai
- » Kenai Fjords
- » Lake Clark
- » Wrangell-St. Elias
- » Denali
- » Kobuk Valley
- » Gates of the Arctic

AMERICAN SAMOA

- » American Samoa

ARIZONA

- » Saguaro
- » Petrified Forest
- » Grand Canyon

ARKANSAS

- » Hot Springs

CALIFORNIA

- » Death Valley (extends to Nevada)
- » Joshua Tree
- » Channel Islands
- » Sequoia
- » Pinnacles
- » Kings Canyon
- » Yosemite
- » Lassen Volcanic
- » Redwood

COLORADO

- » Mesa Verde
- » Great Sand Dunes
- » Black Canyon of the Gunnison
- » Rocky Mountain

FLORIDA

- » Dry Tortugas
- » Everglades
- » Biscayne

HAWAII

- » Hawai'i Volcanoes
- » Haleakala

INDIANA

- » Indiana Dunes

KENTUCKY

- » Mammoth Cave

MAINE

- » Acadia

MICHIGAN

- » Isle Royale

MINNESOTA

- » Voyageurs

MISSOURI

- » Gateway Arch

MONTANA

- » Glacier

NEVADA

- » Great Basin

NEW MEXICO

- » Carlsbad Caverns
- » White Sands

NORTH CAROLINA

- » Great Smoky Mountains (extends into Tennessee)

NORTH DAKOTA

- » Theodore Roosevelt

OHIO

- » Cuyahoga Valley

OREGON

- » Crater Lake

SOUTH CAROLINA

- » Congaree

SOUTH DAKOTA

- » Wind Cave
- » Badlands

TEXAS

- » Big Bend
- » Guadalupe Mountains

US VIRGIN ISLANDS

- » Virgin Islands

UTAH

- » Zion
- » Bryce Canyon
- » Canyonlands
- » Capitol Reef
- » Arches

VIRGINIA

- » Shenandoah

WASHINGTON

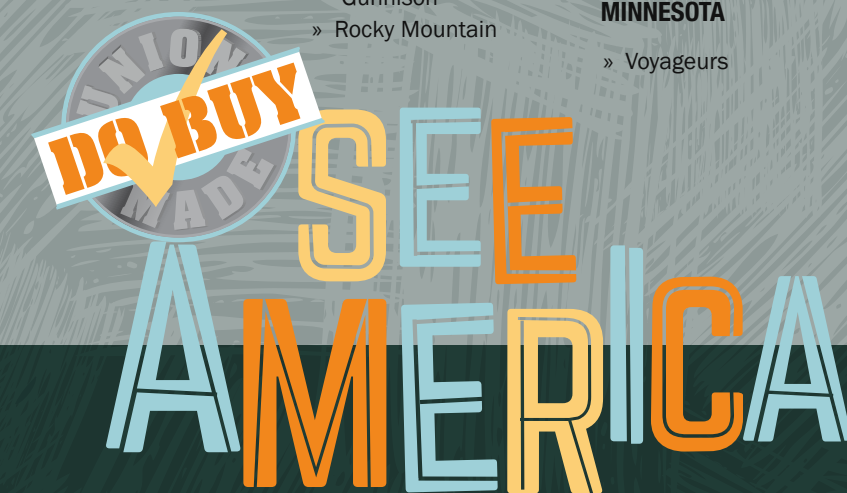
- » Mount Rainier
- » Olympic
- » North Cascades

WEST VIRGINIA

- » New River Gorge

WYOMING

- » Yellowstone (extends across Montana and Idaho)
- » Grand Teton



AFL-CIO NATIONAL BOYCOTTS MAY-JUN



HOSPITALITY, TRANSPORTATION & TRAVEL

SUBMITTED BY UNITE HERE!

Please support the workers in these hotels by continuing to boycott the following properties:

→ **CALIFORNIA:** Hyatt Regency Santa Clara, Hyatt Regency Sacramento, Hyatt Fisherman's Wharf San Francisco, Hilton Long Beach, Le Meridien San Diego, Hilton LAX—*This includes the Crowne Plaza Hotel LAX, Yokoso Sushi Bar, the Landing Restaurant, Century Taproom, and the Boulevard Market Cafe.*

→ **SEATTLE:** Grand Hyatt Seattle and Hyatt at Olive 8 Seattle

OTHER

SUBMITTED BY Farm Labor Organizing Committee (FLOC)

→ Reynolds American, Inc., Vuse e-cigarettes

FOOD

SUBMITTED BY United Steelworkers (USW)

→ Palmero Pizza

SUBMITTED BY Bakery, Confectionery, Tobacco Workers and Grain Millers International Union (BCTGM)

→ Mondelez International Snack Foods (those made in Mexico)

LEGAL

SUBMITTED BY American Federation of State, County & Municipal Employees

→ Gleason, Dunn, Walsh & O'Shea

→ McDonald, Lamond, Canzoneri and Hickernell

When some labor disputes with businesses cannot be resolved, the AFL-CIO supports its affiliates by endorsing their boycotts. A boycott is an act of solidarity by voluntarily abstaining from the purchase or use of a product or service.

POLICY GUIDELINE FOR ENDORSEMENT OF AFFILIATES' BOYCOTTS

The AFL-CIO Executive Council has developed policy guidelines that regulate how the federation endorses boycotts undertaken by its affiliates. To get AFL-CIO sanction, boycotts should be directed at primary employers.

THE GUIDELINES INCLUDE THESE PROVISIONS:

- All requests to the national AFL-CIO for endorsement must be made by a national or international union.
 - Any affiliated union with a contract in force with the same primary employer will be contacted by the AFL-CIO to determine whether there is an objection to the federation's endorsement.
 - Affiliates will be asked to provide the AFL-CIO with background information on the dispute in a confidential information survey. Prior to endorsement of the boycott, the executive officers, or their designees, will meet with the national union's officers, or their designees, to discuss the union's strategic plan and timetable for the boycott, or other appropriate tactics, and to discuss the federation's role.
 - The national or international union initiating the boycott is primarily responsible for all boycott activities; the AFL-CIO will provide supplemental support.
 - Boycotts will be carried on the AFL-CIO national boycott list for a period of one year, and the endorsement will expire automatically at the end of that time. National and international unions may request one-year extensions of the listings for actions where an organizing or bargaining campaign is actively in place. ■
- (These guidelines were adopted by the AFL-CIO Executive Council in April 2011.)*

AMERICAN JOBS PLAN

TRANSPORTATION

Road, bridges, ports, rail, transit, airports: \$621 billion

LIVING

Building and upgrading homes, public housing, and schools; clean water; power infrastructure; Civilian Climate Corps; job training: \$634 billion

CAREGIVING


Long-term care for seniors and people with disabilities: \$400 billion

INNOVATION

Manufacturing, R&D to address climate crisis and create jobs, high speed internet, HCBUs, electric vehicle procurement: \$690 billion



AMERICAN JOBS PLAN
Is an investment in America that will create millions of good jobs, rebuild our country's infrastructure, and position the United States to out-compete China.



THE PRO ACT
is critical to rebuilding America's middle class and improving the lives of workers and their families. When workers exercise their right to organize a union, they have higher wages, better benefits, and safer working conditions. The PRO Act restores fairness to the economy by strengthening the federal laws that protect workers' right to join a union.

THE PRO ACT

This bill expands various labor protections related to employees' rights to organize and collectively bargain in the workplace. The bill would:

- Repeal right-to-work laws
- Provide for first contract arbitration
- Speed up union elections
- Provide stronger remedies for violations, including civil penalties
- Ban permanent replacement of strikers
- Permit secondary picketing
- Allow card check as a remedy for employer interference
- Ban captive audience meetings
- Narrow the definition of supervisor
- Provide a private right of action to individual workers



RAISE THE WAGE ACT

\$15 minimum wage by 2025 would raise the wages of at least 19 million essential and front-line workers. Essential and front-line workers constitute more than 60% of all workers who would see a pay increase.

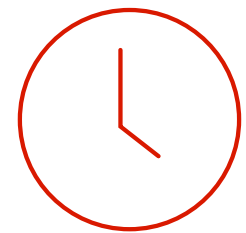


RAISE THE WAGE ACT OF 2021
would help eliminate poverty-level wages by raising the national minimum wage to \$15 per hour by 2025.

WORKERS FIRST AGENDA
LEGISLATIVE PRIORITIES FOR LABOR



AMERICAN JOBS PLAN
The plan will ensure that these investments produce good-quality jobs with strong labor standards, prevailing wages, and a free and fair choice to join a union and bargain collectively.



It's time to build a stronger economy that does not leave anyone behind



MAKE THE RICH PAY THEIR FAIR SHARE
Raises the top tax rate for high earners; closes tax loopholes for the rich; raises capital gains rate to tax wealth like work

AMERICAN FAMILIES PLAN

INVESTS IN WORKING FAMILIES

- Makes child care affordable
- Expands child/dependent care tax credits
- Universal pre-K and free community college
- Increases ACA premium subsidies
- 12 weeks of paid family leave

THE BATTLE AHEAD

“One hundred percent of my focus is stopping this new Administration.”

Mitch McConnell, May 2021

Biden Names Thea Lee to Lead DOL's International Affairs Division

President Biden has named former AFL-CIO Chief of Staff and trade official, Thea Lee to head the Department of Labor's international affairs division. In her capacity at the DOL, Ms. Lee would be the undersecretary for international labor affairs where she would oversee the bureau that investigates labor rights, forced labor and child trafficking around the globe.



"Thea Lee is a tireless advocate for workers and a brilliant trade economist, and there is no better person to help strengthen enforcement of labor standards that increase the power of workers in the U.S. and around the world," said AFL-CIO President Richard Trumka.

Lee spent 20 years at the AFL-CIO before leaving her post as chief of staff in 2017 to helm the Economic Policy Institute (EPI).

Lee is co-author of *The Field Guide to the Global Economy*, published by The New Press, and has authored numerous publications on the North American Free Trade Agreement, the impact of international trade on U.S. wage inequality, and the domestic steel and textile industries.

"I have worked with Thea for more than two decades and learned from the knowledge and care she brings to intricate trade and economic policy. A consummate professional, Thea is uniquely qualified to take on this critical role of enforcing the gains we negotiated under the United States-Mexico-Canada Agreement and setting a pro-worker path forward on any new trade agreements," said Trumka.

Lee holds a master's degree in economics from the University of Michigan at Ann Arbor and a bachelor's degree in economics from Smith College. Lee lives in Washington, DC, with her husband and two dogs. She has one daughter, who teaches middle school in Brooklyn. ■

AFL-CIO and Its Allies Test New North American Trade Pact, File Complaint with the Biden Administration Over Labor Violations at Mexican Auto Parts Factories

On May 10, the AFL-CIO, the Service Employees International Union (SEIU), the Sindicato Nacional Independiente de Trabajadores de Industrias y de Servicios Movimiento 20/32 (SNITIS) and Public Citizen announced that they have filed the first complaint under the Rapid Response Mechanism of the United States-Mexico-Canada Agreement (USMCA) against Tridonex, an auto parts factory located in Matamoros in the state of Tamaulipas, Mexico.

The case, the first of its kind, will test whether Mexico's labor reforms and USMCA's Rapid Response Mechanism can deliver for Mexican Workers who've been denied their fundamental right to organize and bargain for better wages and working conditions.

Tridonex is a subsidiary of Philadelphia-based Cardone Industries, which is controlled by Toronto-based Brookfield Asset Management, the AFL-CIO said. In 2016, Cardone announced plans to move its brakes division to Mexico and lay off more than 1,300 workers in Philadelphia.

The complaint cites labor violations including that workers have not been able to elect their union leaders or ratify their collective bargaining agreement, and that more than 600 workers were fired by Tridonex in acts of retaliation for supporting SNITIS. It also accuses the state of Tamaulipas of denying workers the right to choose the union that represents them.

SNITIS is an independent Mexican union formed to replace a corrupt "protection" union. According to a press release issued by the AFL-CIO, SNITIS was formed after "worker protests in 2019 forced the maquiladoras in Matamoros to raise wages."

The release states, "for two years, workers at Tridonex have been harassed and fired for trying to organize with SNITIS... Their lawyer, Susana Prieto Terrazas, gained international media notice after the Tamaulipas governor, who is opposed to labor reform, had her jailed for a month in a state penitentiary

that was ridden with COVID-19 on trumped-up charges. Prieto was only released after agreeing to internal exile in another Mexican state and a ban on appearing in labor court."

MEXICO VIOLATES USMCA

"USMCA requires Mexico to end the reign of protection unions and their corrupt deals with employers," said AFL-CIO President Richard Trumka. "The ongoing harassment of Susana Prieto and SNITIS members is a textbook violation of the labor laws Mexico has pledged to uphold."

"Tridonex workers are suffering from the abuses of a corrupt and criminal union leader, who is protected by the company so that it can continue providing precarious wages and working conditions," said Prieto. "All of this through oppressors who harass, intimidate and beat the workers with the consent and protection of Tamaulipas Gov. Francisco García Cabeza de Vaca. We are fighting so that no one ever is afraid of freely electing the union they wish to represent them and to make history, ending several generations of modern slavery."

"Tridonex's suppression of workers' rights has cost our members in Philadelphia hundreds of good manufacturing jobs, and now they're doing the same to workers in Matamoros," said SEIU International President Mary Kay Henry. "USMCA requires Mexico to enforce its labor laws and the Rapid Response Mechanism was designed to ensure facility-specific enforcement opportunities to help workers here at home and in Mexico who want to join together in unions, have safe workplaces, and raise their families with dignity."

If the Biden administration decides there is sufficient evidence of workers' rights being denied, it would then request that Mexico conduct a review of the allegations. Under the Rapid Response process, the factory could face penalties, and repeat offenders could have their goods blocked from entering the U.S. ■

Biden EOs Create Task Force on Worker Organizing and Empowerment, Raise Wages for Nearly Four Hundred Thousand Americans

Having campaigned on promises to be the most pro-union president ever, President Biden held fast to his commitment on April 26, when he signed an Executive Order (EO) establishing the White House Task Force on Worker Organizing and Empowerment.

The Task Force will be "dedicated to mobilizing the federal government's policies, programs, and practices to empower workers to organize and successfully bargain with their employers," read a statement from the White House.

Vice President Kamala Harris will act as chair of the Task Force with Labor Secretary Marty Walsh acting as vice-chair. The Task Force will include more than 20 cabinet members and heads of federal agencies.

The President's Executive Order directs the Task Force to make a set of recommendations within 180 days addressing

two key issues: how can existing policies, programs, and practices be used to promote worker organizing and collective bargaining in the federal government; and where are new policies needed to achieve the Task Force's mission and what are the associated regulatory and statutory changes needed?

According to the White House Statement, the Task Force will engage with a diverse set of leaders in the labor movement, academia, advocacy groups, and beyond to "seek ideas for potential federal action and feedback on initiatives under consideration."

The following day, Biden again used his executive powers to raise the wages of more than 390,000 federal contract employees.

Beginning January 30, 2022, all agencies will need to incorporate a \$15 minimum wage in new contract solicitations,

and by March 30, 2022, all agencies will need to implement the minimum wages into new contracts. Agencies must also implement the higher wage into existing contracts when the parties exercise their option to extend such contracts, a common practice.

The EO also requires that the minimum wage be indexed to an inflation measure so that each year after 2022 it will be automatically adjusted to reflect changes in the cost of living.

In the circumstances where federal contractors' employees earn a tipped minimum wage, the EO eliminates that sub-minimum by 2024. Those employees will then earn the same minimum wage as other employees on federal contracts.

Finally, the EO addresses workers with disabilities, requiring they too earn a \$15 minimum wage. ■

The Problem Isn't Unemployment Benefits: Restaurant Workers Were on the Brink Pre-COVID, the Pandemic Just Made Their Plight More Visible

"It's not that we are on unemployment. We did our unemployment stint, and we found something else," former three-time Memphis bartender of the year, Allan Creasy told the Washington Post in May.

Creasy is one of ten former restaurant employees the Washington Post interviewed about the industry's hiring problems post-pandemic. He had worked in the industry for more than two decades before the COVID shutdowns. In the interview, Creasy said he's seen his annual salary decrease steadily since 2011.

In 1982, the hourly tipped minimum wage was \$2.13 an hour. Today, that wage is still \$2.13 per hour, so is it really COVID causing workers to leave the industry, or is it that they haven't seen real wage increases in decades?

A new report by the nonprofit advocacy group One Fair Wage found that the reason servers, cooks, and dishwashers are leaving the industry "isn't because they're

being paid to sit on the couch: It's because restaurant jobs by and large offer dismal wages and terrible working conditions, especially for women."

Beginning last fall, the advocacy group conducted an online and phone survey of restaurant workers. Their survey found that more than half of the restaurant workers they spoke to are "strongly considering leaving the industry, with 76 percent saying the reason for that decision is low wages."

"We're not short on workers, we're short on good jobs," Jillian Melton told researchers. Melton, who had worked at a restaurant in Tennessee for seven years is a mother of five. She told One Fair Wage that she "can't hope she makes enough on tips during a shift only to earn less than expected." Melton left the industry last year.

The report from One Fair Wage also showed that most of the workers surveyed,

78 percent, said that having a full, stable, living wage would make them consider staying at their job.

But the study found that dissatisfaction with their jobs went beyond just wages. Hostility and harassment from customers, coworkers or management, lower tips, and fear of COVID also played a part.

But let's look at the unemployment claim, too. Most of the workers One Fair Wage spoke with said they could not access unemployment benefits or earned much less than they should have due to the subminimum wage for tipped workers and the complications with their tips not being recognized as income. Over 60 percent of the women interviewed said they were either unsure or did not qualify for unemployment benefits, compared to 58 percent of their male counterparts.

As Jillian Melton told One Fair Wage, the industry isn't short on workers, it's short on good jobs. ■

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PERIODICALS
POSTAGE PAID
WASHINGTON, D.C.

TIME VALUE

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EndNotes



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By Rich Kline, *President, UL&STD*

Biden's Agenda Threatened By Republican Tactics



President Biden is initiating a unique program of policies meant to better the lives of working people. He is the most pro-union American president in many decades. He is progressive on climate change and rebuilding the nation's infrastructure, determined to make the economy work for all Americans and adamant that racial and social justice be established as the new norm.

Yet, the Republicans in Congress are pledged to thwart the Biden initiatives. The Republican leadership seeks to delay and deny the progress that President Biden wants. Acting in opposition, working to stymie the Biden agenda, the Republicans are only a few votes away from achieving this end. President Biden has the slimmest of margins in the Senate and the House.

At the state level too, Republicans who control many governorships and legislatures are determined to gain or keep power by underhanded methods: hundreds of voter suppression bills are the key to their plan. Denying the right to vote for political ends is morally wrong. But the Republicans are moving to do so.

President Biden has the power of executive orders to push through his agenda. Yet, executive orders are not the best way to push an agenda because another administration with different views can easily rescind them. Laws passed by Congress are better and more likely to stand the test of time.

In this *Label Letter*, we describe some of the Biden Administration's positive actions, especially as they affect workers. If we want to keep these advances and see more in the years ahead, the programmatic opposition of Republicans must end. They won't end it voluntarily. Only the ballot box will change Congress.

Voter registration efforts cannot be lessened; the Georgia Senate 2020 election proved that. Legal fights to prevent voter suppression must increase. Openly biased laws meant to restrict voting threaten the basis of our democracy.

Workers' right, civil rights and human rights are in danger if we don't continue to assert ourselves politically. The right to vote is the key to social and economic progress. ■