



Legislative UPDATE

A weekly report from the Washington State Labor Council, AFL-CIO



FEB. 23, 2007

Vol. XXII, No. 7

Restore democracy at work!

The state's political leaders this week began tackling an issue that is the No. 1 priority of organized labor at both the national and state levels: restoring workers' freedom to choose for themselves—without employer harassment or the threat of being fired—whether or not they want to form a union.

"How long have we waited for this national debate on the failure of the National Labor Relations Board to protect the human rights of workers in this country?" Rep. Steve Conway (D-Tacoma) asked the more than 300 union leaders, members and activists at Thursday's Washington State Labor Council Legislative Conference. That debate has finally begun with the Employee Free Choice Act, labor law reform that the U.S. House of Representatives is expected to vote upon next week.

U.S. Rep. Jay Inslee (D-WA), one of 234 EFCA sponsors, came to Olympia Thursday to testify before the House Commerce and Labor Committee in support of HJM 4008, a memorial urging Congress to pass the EFCA. He then came to the WSLC conference to deliver the same message: "We have democracy in Congress. We have democracy here in the Legislature. We need to restore democracy in the workplace."

Inslee described how, when working as a cement truck driver in Oregon years ago, his company's drivers discussed forming a union. He recalled the fear in the eyes of his co-workers—fear that they would get fired for exercising their legal rights. "When we pass this Employee Free Choice Act, workers won't have that fear any more," he said.

Given the EFCA's uncertain prospects in Washington, D.C.—U.S. Senate Republicans are threatening a filibuster to block a vote and President Bush vows a veto—leaders in this Washington are also poised to act, and join in this historic effort to restore the freedom to choose unions.

Aerospace workers demand freedom to choose

Hundreds of aerospace workers came to Olympia for a House Commerce and Labor hearing Tuesday to support the Aerospace Incentive Accountability Act. It would require aerospace companies that are recipients of the \$3.2 billion in tax incentives approved in 2003 to remain neutral if their employees are considering unionization.

Strongly supported by Machinists District 751 and the Society of Professional Engineering Employees in Aerospace/IFPTE 2001, the Aerospace Incentive Accountability Act addresses

If you would like to receive this newsletter via e-mail or want more information about WSLC positions on legislative issues, visit

www.wslc.org

concerns that good Boeing jobs are being contracted out to aerospace firms that pay lower wages and offer fewer benefits, while these companies receive a major public subsidy intended to preserve Boeing jobs. Some of these aerospace contractors are aggressively -- and illegally -- fighting their employees' attempts to form unions.

"After being targeted as a union sympathizer, the company assigned a security guard to escort me to and from my tools, which made me feel like a criminal," said Juan Martinez of Goodrich ATS, a Boeing contractor. "This type of company activity created a dismal work environment and everyone was scared to continue efforts to unionize. The NLRB conducted an investigation and found the company to be guilty of three violations. Goodrich just got a slap on the hand.

"How can you justify my tax dollars going toward companies that treat their workforce like this?" he asked legislators.

Many key leaders are enthusiastic about their idea of linking good corporate citizenship and respect for workplace democracy to the state's tax policies.

"We've got to figure out a way to not let anti-worker activities undercut the standards workers have fought so hard to gain, and I applaud you for taking that on," said Senate Majority Leader Lisa Brown at Thursday's WSLC Conference. "We're going to both preserve financial incentives, but not let those incentives undercut the working families who build the planes."

Eager for progress on this important legislation, its supporters have rewritten the bill to address concerns about the definition of neutrality and employers' rights. The new bill, HB 2351, will restrict employers who want the aerospace tax subsidies from forcing their employees to attending closed-door meetings where they are subjected to anti-union indoctrination. Employers could still express their views about unionization but could not force their workers to attend these "captive audience

(CONTINUED ON BACK)

meetings" if they want to retain their tax subsidy.

HB 2351 is one of the Washington State Labor Council's highest priorities for this session. It has been referred to the House Finance Committee, and needs a hearing and vote.

Health care agenda moves forward

Some progress is being made on health care issues this session, although the biggest step forward may happen next year.

SB 5093 is a major step toward achieving the commitment made by Gov. Chris Gregoire and Democratic leaders to provide health insurance coverage for every child in Washington state. It passed the Senate 38-9 on Valentine's Day, was heard in House Appropriations on Tuesday, and is expected to advance from that committee next week.

HB 2094, the Washington Taxpayer Healthcare Fairness Act sponsored by Rep. Conway, passed the House Commerce and Labor Committee on Thursday. Like last year's Fair Share Health Care bill, the intent of HB 2094 is to discourage employer "cost-shifting" onto taxpayers. The Taxpayer Healthcare Fairness Act simply requires large employers—those with more than 1,000 employees—to reimburse the state for the costs of their workers who receive taxpayer-funded health plans. Some workers, including those with disabilities who receive Social Security assistance are excluded from this requirement.

At the WSLC Legislative Conference, attendees got a preview of a major campaign to come, one aiming for quality affordable health care for all working families in Washington state. House Speaker Frank Chopp is a strong advocate for creating a minimum health benefit, not unlike the minimum wage.

"When we fought for the minimum wage, we said nobody who works full time should live in poverty," Chopp told delegates. "Well, if you get sick, you shouldn't go bankrupt."

The WSLC eagerly anticipates this effort and looks forward to working with Speaker Chopp and other supporters of quality affordable health care to make this a reality, for all Washington workers, hopefully during next year's session. But we continue to strongly advocate for HB 2094 and other transitional steps to immediately address the erosion of health coverage for Washington's working families.

Adult Family Home Providers need a voice

A public hearing was held this week on SB 5949, sponsored by Sen. Karen Keiser (D-Des Moines), which would grant collective bargaining rights to adult family home providers. These are the owners of small businesses offering affordable residential assisted living so that elderly and disabled adults can live with dignity in a caring family-like atmosphere, and with as much independence as possible. These providers depend on state reimbursements that leave them grossly underpaid, but they lack the ability to band together to gain a voice—and a far stronger position to negotiate with the state. SB 5949 would grant them that opportunity. HB 2111, the House version of the

bill sponsored by Rep. Brendan Williams (D-Olympia), and was scheduled for its public hearing today.

The Washington Federation of State Employees, AFSCME Council 28 has formed an alliance with the Adult Family Home Association of Washington to try to improve the compensation and working conditions for these workers.

"Too many providers felt they were at the end of a spectrum of services that left them overworked and under-compensated," said WFSE Executive Director Greg Devereux. "Moreover, they felt their individual voices were too disparate and unfocused. More than anything, they wanted a strong, centralized voice, which could help translate their work needs for better outcomes for their clients."

The Washington State Labor Council strongly supports SB 5949 and HB 2111 and urges their passage.

First legislative cutoff date is next Wednesday

The first cutoff day of the 2007 session is next Wednesday, Feb. 28, which is the last day for bills not related to the budget to advance from policy committee. Legislation in the House fiscal committees and the Senate Ways and Means and Transportation committees have until the following Monday, March 5 to advance through those panels.

Among the important WSLC-supported bills that have either advanced from committee this week (or were scheduled for executive action today) are:

- **HB 1244** is the workers' compensation "hour bank" bill. Some building trades and other workers divert a portion of their wages into an hour bank that ensures continuity of health coverage between jobs. But in calculating injured worker benefits, the state has paid these workers lower benefits because the state has credited their employers with providing health care even though their employers are no longer contributing toward health coverage. HB 1244 would restore the value of these health benefits in calculating workers' compensation benefits.

- **HB 1503**, the Injured Workers Medical Rights bill, gives injured workers' physicians the opportunity to refer their patients to other physicians before an IME and addresses the qualifications of those who perform IMEs.

- **HB 1658** establishes a Family Leave Insurance program. All workers in Washington state would receive up to five weeks of paid leave, after a one-week waiting period, at a stipend of \$250 a week so they can deal with a serious illness for themselves or a family member, including domestic partners, or the birth or adoption of a child. The insurance program would be financed by a 2-cents-an-hour payroll tax on workers. That means for \$40 a year, all workers would have the security of knowing they can afford to take time off work when they have a family health emergency. The Senate version of the bill, **SB 5659**, had a public hearing on Thursday.

There are many other bills that have been described in the *WSLC Legislative Update* this session that have either received committee approval or we anticipate will be acted upon before the cutoff. Early next week, the WSLC will post its Legislative Tracker™ online at www.wslc.org. Use it to track the progress of these and other important bills.