



WSLC

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Legislative Update

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Worker Privacy Act off to strong start

First Amendment rights shouldn't be checked at our employers' door

More than 100 supporters packed Tuesday's House and Senate committee hearings on the Worker Privacy Act. HB 1528 and SB 5446 would allow workers to choose whether or not to participate in employer communication on issues of individual conscience, including politics, religion, charitable giving, and unionization. The legislation has 47 sponsors in the House and 21 sponsors in the Senate.

Under current law, companies can force their employees to attend such meetings to discourage union organizing or to press political views, as Wal-Mart did last year when it urged employees to vote against Barack Obama and Democrats.

Under the Worker Privacy Act, employers would retain their freedom of speech on all issues, including those of individual conscience. The only difference is that they would not be able to require employees to participate in such meetings and communications, or punish or fire those who opt out. This is a fair and reasonable minimum standard for protection of freedom and privacy at work, and in no way an employer "gag rule" as business lobbyists seek to portray it.

"In a simple and straightforward manner, the Worker Privacy Act extends workers' First Amendment rights to the workplace," Rick Bender, President of the Washington State Labor Council, testified on Tuesday. "Who to vote for, what party to belong to, how you practice your faith, whether or not you choose to join a union and participate in collective bargaining, and whether you choose to give to a charity are all private decisions. When an employer can force you to listen to non-job performance-related speech on pain of discharge, discipline or threat thereof, this reality creates a powerful and illegitimate form of compulsion."

In addition to Bender, testifying in support of the Worker Privacy Act were the Rev. Paul Benz, director of the Lutheran Public Policy Office; Diane Zahn, Secretary-Treasurer of UFCW Local 21; Tom Wroblewski, President of IAM District 751; labor attorney Dmitri Iglitzen; and several individual workers with personal, negative experiences involving compulsory communication with their employers.

WSLC Legislative Conference will be Feb. 26

Leaders, staffers and rank-and-file members of WSLC-affiliated unions are invited to get a progress report on labor's legislative agenda at the Washington State Labor Council's 2009 Legislative Conference, from 8:30 a.m. to lunchtime on Thursday, Feb. 26 at the Olympia Red Lion Hotel. As always, there will be a reception from 6:30 to 8:30 p.m. the preceding evening on Wednesday, Feb. 25 at the hotel with many legislators and other state officials in attendance. The conference registration fee, which includes materials, lunch and one admission to the reception, is \$50. Get more information, including registration forms, at www.wslc.org.

The Washington State Labor Council strongly urges state legislators to support this fair-minded, long-overdue measure.

Jobs for essential workers! (That's not you.)

Washington's labor movement has always believed that what defines legislators is not what party they belong to, but what they stand for. There are some legislators who clearly have the best interests of Washington's working families at heart, and others who advocate for the state's business community and argue the benefits will "trickle down" to workers. Eventually. Probably.

But until we saw HB 1896, we were hopeful the workers getting the eventual... probable... trickle-down benefits lived in Washington. Or at least in this country.

Prime sponsored by Rep. Bruce Chandler (R-Granger) and co-sponsored by a bipartisan medley of advocates for the Washington Farm Bureau, HB 1896 would create a Washington State Essential Worker Program. Sounds pretty good until you learn that "essential workers" are defined as "an alien who is issued a nonimmigrant visa and admitted to the United States to perform seasonal, peak need, or project-related labor for one or more employers."

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HB 1896 is essentially (get it?) a pilot guest worker program, not just for agriculture, but also for the state's construction, retail, restaurant and hospitality industries. The Employment Security Department would conduct an outreach effort to assess the number of "seasonal, peak need, or project-related" workers that employers in those industries say they need, and then petition the federal government to waive work visa requirements and let foreign workers come to Washington to do these jobs.

Wait... it gets better. Employment Security would be sending staffers to other countries to help recruit workers to come here and take these jobs. Hold on, hold on. AND the state would also provide training for these workers, including "but not limited to" English classes and civics training.

But readers, hold your "WTFs." Employers would have responsibilities under HB 1896, too. They would have to provide these foreign workers with housing—although they can "deduct a reasonable amount from the compensation of the worker if housing is provided," the bill says. Plus, employers must reimburse the state for the cost of providing each of these essential workers. That cost is capped at \$500 per worker, which ought to just about cover their plane tickets, unless the state decides it's cheaper to haul them north on the back of a flatbed truck. (Do we smell an amendment?)

But seriously folks, immigration reform is desperately overdue, and labor has long supported it at both the state and national levels. The AFL-CIO supports federal AgJobs legislation, a major compromise between farmworker advocates and major agricultural employers to address the crisis. Hopefully, the new Congress will consider AgJobs very soon.

But with unemployment skyrocketing and our health care safety net frayed, it's hard to imagine a more insensitive, politically oblivious time than now for the state's business community to push a guest worker program and to ask the state to start a ridiculous new program that spends taxpayer dollars to recruit, train and fetch foreign workers to come take jobs in our state.

And please don't feed us that "Americans don't want these jobs" garbage that is routinely peddled by agriculture industry lobbyists. The fact that they've expanded HB 1896 to include construction, retail, restaurant and hospitality jobs makes clear what this effort is really about: importing a cheaper workforce. The only thing Americans don't like about these jobs is what the employers want to pay.

We must preserve our health care safety net

Last week, the House and Senate health care committees heard the first economic analysis—called the Mathematica study—of the five comprehensive health care reform proposals commissioned in 2008's SB 6333. The bottom line from those hearings: there are several viable options for Washington to reform our health care system and ensure health care for all Washingtonians. Significant health care reforms—at

both the state and national levels—are critical to any effort to achieve long-term economic recovery. Period.

But as our economy struggles and lawmakers address our state's budget woes, it is critically important that we preserve our health care safety net. We should use the federal stimulus dollars that Washington receives to make sure this happens. This is no time to be cutting our Basic Health Program.

This week, President Barack Obama signed the federal Children's Health Insurance Program, which—thanks to the hard work of Sen. Maria Cantwell and the rest of our state's congressional delegation—includes a technical fix that changes the funding formula so Washington isn't "punished" for its own efforts to expand children's coverage. Now, despite budget woes, our state has a solid chance of meeting Gov. Gregoire's and Democratic legislators' commitment (made in 2005) to cover all of the state's children by 2010.

We would like to see the governor and legislature make a commitment to covering ALL Washingtonians by 2012, which would fulfill the pledge made by the Washington State Blue Ribbon Commission. The Mathematica study provides us with a wealth of information for creating a blueprint to reach full coverage by 2012.

The Healthy Washington Coalition, which includes unions, businesses, health care providers, consumer groups and other who support this goal, has scheduled a Lobby Day for Wednesday, March 11. Mark your calendars and make plans to come to Olympia and talk to your legislators about protecting our health care safety net.

Boost in unemployment benefits passes House

This morning, the House overwhelmingly approved HB 1906, a tweaked version of Gov. Chris Gregoire's proposal to temporarily boost unemployment benefits by \$45 a week. It passed on a vote of 91-2 (Republican Reps. Bruce Chandler and Glenn Anderson) with 4 excused.

Under the House version, those workers at the lowest benefit level would see a higher weekly benefit increase, rising from \$129 to \$200. The cost of this change is \$6 million, as about 6% of unemployment claimants are at the minimum (\$129) and another 2% are between \$130 and \$154.

The Washington State Labor Council strongly believes that one of the most important ingredients of any state economic stimulus must involve helping this recession's biggest victims: people who have lost their jobs through no fault of their own and the businesses that rely on their patronage to stay afloat. These boosted UI benefits will provide a critically important measure of economic stability to communities devastated by this recession's layoffs. This money is not saved or invested out-of-state. It's spent immediately -- and locally -- on necessities like housing, food and transportation.

With its House passage, HB 1906 will advance to the Senate for action next week so it can quickly get to Gov. Gregoire's desk for signature.