



WSLC

Legislative Update

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An affront to Democrats, democracy

Killing Worker Privacy Act with no vote or explanation would taint Legislature

One of the great things about democracy is that eventually—after all the debate and distractions, all the politics and punditry—you vote on it.

The folks you elected to represent you in government make their decisions, they stand up and get counted. We, the people, get to see their votes, listen to their explanations and decide if we agree. If we disagree often enough, we might decide that we'll support somebody else to represent us.

That's what democracy is supposed to look like. But what happens in Olympia can look very different. There, you don't necessarily vote on it, even when everyone agrees there are plenty of votes for it to pass. Such is the case of the Worker Privacy Act, as things stand today.

Look, we're not naive. State Representatives and Senators choose committee and caucus leaders, and these leaders single-handedly kill bills all the time. It's happened to labor-opposed legislation and we sure didn't cry "foul" then, did we?

So what's the difference between those stifled bills and the Worker Privacy Act, you ask? (Thanks for asking.)

When a powerful legislative leader unilaterally quashes a bill, that leader is expected to explain his or her actions. Part of being a leader is having the courage of your convictions to defend your actions.

You might kill a bill because you personally oppose it. Then it's your responsibility to stand up and explain why you blocked a vote. If there are consequences, accept them.

You might also kill a bill for political reasons, thinking you are doing your "members" a favor by helping them avoid taking a tough vote that involves powerful constituencies who disagree. Then it's your responsibility to stand up and explain why you, as the leader, chose sides. Why did you side with those who wanted to block a vote, over those who

wanted to allow a vote?

In the case of the Worker Privacy Act, we're still waiting for somebody to stand up, accept responsibility and explain his or her actions.

Washington state's three most powerful Democratic leaders, Governor Christine Gregoire, House Speaker Frank Chopp and Senate Majority Leader Lisa Brown, suspended action on the bill because of an email they believed raised legal and ethical questions. The Washington State Labor Council,

which was the source of that email, has publicly explained the email and has been cleared of any wrongdoing by a police investigation.

Now, the WSLC and its 500 affiliated unions are asking these three Democratic leaders

to allow the democratic process to proceed and vote on the Worker Privacy Act. The WSLC and the leaders of some of its largest affiliated unions have asked Chopp, Brown and Gregoire for a meeting next week to explain where they stand on the Worker Privacy Act. If these Democratic leaders agree to talk to us, we'll let you know what they say, but as of this writing we have received no response.

All three of these Democratic leaders have publicly professed their support for the Worker Privacy Act when addressing union members at union conferences. But as the time approached for an actual vote, Boeing and business lobbying groups pressured the three to block it. Big Business knows that despite all of their furious lobbying and all of their arguments against the bill, claiming federal preemption, "gagged" employers and the "bad message" it would send to business, the Worker Privacy Act will still pass because legislators want to protect basic rights and freedom for workers. So sure enough, long before the WSLC email surfaced, all three Democratic leaders began publicly qualifying their support as being for the "concept" of the Worker Privacy Act; their support now embroidered with "concerns" matching Big Business arguments.

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So it's easy to understand why advocates for the Worker Privacy Act are so furious right now. They thought they had the support of these Democratic leaders. Now they—along with just about every Olympia insider, reporter and blogger who is paying attention—are convinced that the WSLC email was just a pretext for avoiding a Worker Privacy Act vote.

Believe it or not, even now, we at the Washington State Labor Council don't want to believe that is true. We still want to grant our friends in Olympia the benefit of the doubt, even if they didn't do the same for us regarding our internal email. We want to give them the opportunity to do the right thing, get their collective foot off the bill and allow a fair vote. If it fails, so be it.

But what we can no longer stomach is the pretense that our friends support us and our issues when they don't. In recent years, we've been told "let's work on the bill in the interim and try again next year" far too many times. In the past 24 hours, we have already begun to hear some suggest that a vote just can't be done procedurally because of the cutoff that has passed, or that the budget problem is so big that they just can't squeeze a vote into the schedule between now and April 26, when the session is scheduled to end.

Please, don't insult us and our members. We all know better. There's a way, if there's a will.

So once again, organized labor is calling on Rep. Chopp, Sen. Brown and Gov. Gregoire to allow a fair up-or-down vote on the Worker Privacy Act. Until we get that moment of truth, we will continue to fight for that fair vote right up until the final gavel falls.

Boeing blank check bill lurks ominously

Speaking of "where there's a will, there's a way..."

SB 6117 and HB 2308 are blank bills serving as placeholders for whatever inducements state legislators may offer to encourage Boeing to assemble more 787s in Washington. Neither bill "survived" the cutoff deadline for floor votes, but somehow we get the feeling legislators will squeeze into their busy budget-cutting schedules whatever time is necessary to wrap up some nice presents to put under this tree and find a procedural motion to make it Christmas in April.

In the closing hours of the extended 2003 session, the State Legislature was holding votes at 2 a.m. on bills—some of which hadn't even had a public hearing—to dramatically cut benefits for laid-off and injured workers. And then there was the \$3.2 BILLION tax break for Boeing, the biggest in the history of this state -- or any other. That was to secure final-assembly work for the 787 in Washington state.

Well, some of it anyway, as it turns out.

Although the decision to open a second 787 production line has not yet been made, Boeing is threatening to build those 787s in another state.

(This week, angered at the suggestion that the aforementioned WSLC internal email on the Worker Privacy Act might be considered an illegal or unethical threat, Rep. Brendan Williams, D-Olympia, dropped HB 2316. This bill would ban Boeing and other manufacturing industry lobbyists from threatening to cut jobs or leave the state if they don't get the legislative outcomes they want. Said Williams: "The recurring subtext to the recent debate over worker privacy was whether a major manufacturer would relocate jobs if not permitted to browbeat workers in captive audience meetings about their political and religious views. Let's keep debate over bills strictly on the merits.")

Getting back to Boeing's blank check bill, it's hard for the Washington State Labor Council to have an official position on an unwritten bill. Instead, it's fair to characterize our position—and the position of all working families in Washington—as grabbing our ankles. Until we see exactly what's about to be inserted... into the bill... we can only complain about how uncomfortable the "ready" position makes us.

Business's U.I. tax cut worth \$1.3 billion?!

SB 5963 is a permanent tax cut for employers on Unemployment Insurance. It is opposed by organized labor because it grants hundreds of millions of dollars in permanent tax breaks to businesses with little or no benefit to workers who lose their jobs through no fault of their own.

It turns out we may be grossly underestimating how big this tax cut will be.

In an effort to show the full effect of SB 5963's tax cut, Rep. Steve Conway (D-Tacoma) asked the Employment Security Department to do an analysis based on employment forecasts from June 2008. His goal was simple: to show how much businesses will save when times are better, since we already know they will save from \$102 million to \$340 million during the recession.

The results are astounding.

When you add the impact of the U.I. stimulus bill temporarily increasing benefits AND restoring the benefit multiplier to 4.0 (which would bring us back to the national norm of benefits replacing 50% of wages), the business community STILL saves \$1.3 billion (with a "b") between 2010 and 2015. This is a pretty reliable measure of the tax savings that the business community will enjoy when we come out of the recession. In the meantime, they'd settle for mere few hundred million dollars in tax cuts under SB 5963.

The WSLC calls for the House to restore some balance to this one-sided SB 5963 giveaway. The already-approved temporary benefit increase cost the U.I. fund \$193 million, but that's \$193 million that will immediately be spent at community businesses. The economic stimulus impact of padding employers' bottom line with a massive, permanent tax cut is far less. SB 5963 can hardly be considered balanced until it includes permanent benefit enhancements. Restore to 4!