

PROPOSED RESOLUTIONS

As amended by the 2023 WSLC Convention's LEGISLATIVE Committee

RESOLUTION SUPPORTING LEGISLATION AMENDING VOTING RIGHTS OF LABOR REPRESENTATIVES ON A PUBLIC TRANSPORTATION BENEFIT AREA GOVERNING BODY

Resolution #2023.02

Submitted by ATU Legislative Conference of Washington

WHEREAS, current labor representation on a public transportation benefit area governing body does not enjoy voting privileges; and

WHEREAS, the absence of a voting labor member on a public transportation benefit area governing body leads to a lack of comprehensive understanding of the impact of the policies enacted; and

WHEREAS, labor representatives offer valuable experience and knowledge germane to the decision making of a public transportation benefit area governing body; and

WHEREAS, the WSLC and its affiliates continue to support equitable, safe, and reliable public transportation alternatives that support Washington communities; and

WHEREAS, a labor representative vote represents these WSLC values within a public transportation benefit area governing body; now, therefore, be it

RESOLVED, that the WSLC urges the Washington State Legislature to enact proposed legislation amending Revised Code of Washington Chapter 36.57A to establish the labor representative on the public transportation benefit areas governing body as a voting member; and be it further

RESOLVED, that the WSLC hereby determines that the passage of legislation to enact such an amendment shall be a priority of its 2024 legislative agenda.

**RESOLUTION SUPPORTING THE CREATION OF A JOINT LEGISLATIVE
TASK FORCE ON WASHINGTON'S UNDERGROUND ECONOMY IN THE
CONSTRUCTION INDUSTRY**

Resolution #2023.03

Submitted by IUPAT District Council 5

WHEREAS, the underground economy includes construction companies that do not register or do not report a significant part of their business activities with authorities as required by law; and

WHEREAS, when unlicensed and unregistered contractors fail to pay their fair share of unemployment insurance contributions, taxes, and workers' compensation premiums, they gain an unfair advantage over competitors; and

WHEREAS, the underground economy in the construction industry leaves workers without protection in the event of injury, illness or lost wages; and

WHEREAS, the misclassification of employees as independent contractors has been a method of skirting standard worker protections in the construction industry; and

WHEREAS, consumers are unprotected in the underground economy in the construction industry and have little recourse when work is poorly or unsafely done; and

WHEREAS, the Department of Revenue, the Employment Security Department and Labor and Industries have recently assessed over \$57.4 million in taxes and penalties due from unregistered contractors, it is believed that there is much more going uncollected in the underground economy in the construction industry; and

WHEREAS, Washington’s previous joint legislative task force on the underground economy in the construction, industry created in 2007, brought forward successful enforcement strategies, and recommended legislation to address areas of mutual concern, and that their efforts be continued; and

WHEREAS, the underground economy is costly to Washington state in lost revenue and unfair to law-abiding businesses and workers; now, therefore, be it

RESOLVED, that the WSLC will work with affiliates and other stakeholders to develop legislation that establishes a Joint Legislative Task Force on the Underground Economy in the Construction industry; and be it finally

RESOLVED, that the WSLC will support introduction of this legislation and prioritize it for the 2024 legislative session.

DEFENDING CONTINGENT FACULTY’S RIGHT TO UNEMPLOYMENT INSURANCE

Resolution #2023.04

Submitted by AFT Washington

WHEREAS, many contingent and part-time faculty lack job security and therefore must rely on social services, including unemployment in order to make ends meet; and

WHEREAS, AFT Washington and its allies have spent decades educating contingent and part-time faculty about their eligibility for unemployment, but many faculty are still not aware of their eligibility; and

WHEREAS, the state legislature itself recognized the reality of job insecurity and necessity of reliance on unemployment for contingent and part-time faculty in [RCW 50.44.055](#); and

WHEREAS, many community and technical colleges waste money on services provided by out-of-state companies to contest rightful unemployment claims of contingent and part-time faculty; and

WHEREAS, these companies lack knowledge of state law and have in some instances made false claims about contingent faculty applications; and

WHEREAS, the process of applying for unemployment is opaque by design, leading to delays and denials of receiving benefits that cause further economic instability for contingent and part-time faculty; now, therefore, be it

RESOLVED, that the Washington State Labor Council will add strengthening the unemployment insurance program for contingent faculty to its policy work and legislative agenda.

IMPROVING WASHINGTON'S WATER INFRASTRUCTURE AND PROMOTING ASSOCIATED BENEFITS

Resolution #2023.05

Submitted by Washington State Association of the UA

WHEREAS, the health and safety of all Washingtonians is impacted by the aging water infrastructure in Washington state which we rely on to pump, divert, transport, store and deliver safe drinking water to all Washingtonians; and

WHEREAS, according to the American Society of Civil Engineers' Infrastructure Report Card from 2019, Washington's drinking water infrastructure received a "C-" rating and needs an estimated \$11.7 billion dollars over the next two decades in order "to keep up with the growing demand and aging transmission, distribution, treatment, storage, source and other related infrastructure;" and

WHEREAS, according to that same report, Washington's wastewater infrastructure received a "C-" rating, due to the fact that Washington's

wastewater utilities “project an increase of 40% in population served by treatment works by the year 2032” and that the “state’s wastewater systems are beyond the design life and....in poor condition;” and

WHEREAS, as a result of the passage of the Investments Infrastructure and Jobs Act of 2021 (also referred to as the Bipartisan Infrastructure Law), Washington state was allocated a total of \$128,639,000 dollars in FY 2022 for programs that fund water infrastructure projects, with similar amounts expected to be allocated in each of the next four years; and

WHEREAS, it is imperative that this money towards projects that improve the health and well-being of Washington residents; to insure that the infrastructure is designed to meet the current and future needs of Washington in a manner that will adequately address the supply and distribution of water to meet the needs of all citizens and mitigate pollution to our natural waterways and reduce harm to native species like salmon and other fish; and as a result would create good union jobs in the trades that perform work related to water infrastructure; now, therefore, be it

RESOLVED, that the Washington State Labor Council will advocate that the state of Washington act swiftly and in a coordinated manner to fully leverage federal and state funding opportunities to update, improve and expand our state’s water infrastructure wherever it is outdated, unsafe or insufficient; and be it further

RESOLVED, that the Washington State Labor Council will be a partner to other organizations advocating for the health and safety of Washington’s residents, lands, waters and for the improvement of our water infrastructure and for the growth and promotion of union jobs in this advocacy; and be it finally

RESOLVED, that the Washington State Labor Council will make an effort to fully inform and encourage affiliated unions to support and endorse these efforts.

RECOMMITMENT TO CONTINGENT AND PART-TIME FACULTY PAY EQUITY

Resolution #2023.06

Submitted by AFT Washington

WHEREAS, the thirty-four community and technical colleges (CTCs) of Washington serve nearly every family in our state, providing adult basic education, English Language Learner programs, professional and technical programs, supplemental instruction for state-certified apprenticeship programs, correctional facilities inmate education, associate degrees, academic transfer degree programs, Running Start programs, and Bachelor of Applied Science degrees; and

WHEREAS, studies have shown consistently that our state's economy benefits significantly from the CTC system, due to alumni higher earnings, increased productivity and tax revenue, reductions in crime, lower unemployment, and better health and well-being across the state; and

WHEREAS, the Washington State Labor Council, AFL-CIO and its affiliates throughout the state recognize the role of the CTC workforce in ensuring working families have access to living wage jobs and a pathway to economic security; and

WHEREAS, the CTC system has been chronically underfunded for decades and has over-relied on low paid, precariously employed part-time and adjunct faculty, many of whom rely on public services such as food assistance and healthcare subsidies and/or take on second and third jobs to make ends meet; and

WHEREAS, part-time and adjunct faculty in the CTCs earn as little as half of what a full-time faculty member earns for teaching the same class; and

WHEREAS, the American Federation of Teachers Washington and allies won legislation in the 2023 session defining pay equity as 85% of full-time pay and requiring the State Board for Community and Technical Colleges to develop a plan for achieving pay equity for part-time and adjunct faculty by the 2026-2027 school year; now, therefore be it

RESOLVED, that the Washington State Labor Council, AFL-CIO (WSLC) prioritize fulfillment of this legislative intent to achieve pay equity for the part-time and adjunct CTC faculty workforce in its 2024 and 2025 legislative agenda.

RESOLUTION FOR EQUITABLE SANITARY PROTECTIONS FOR WORKERS IN CONSTRUCTION

Resolution #2023.07

Submitted by Washington and Northern Idaho District Council of Laborers

WHEREAS, that in addition to the primary safety and health hazards faced by all construction workers, there are safety and health issues specific to construction workers who menstruate and/or express milk. These safety and health hazards in construction create barriers for underrepresented workers entering and remaining in this field; and

WHEREAS, in an effort to increase equitable recruitment and retention in the construction industry the additional health and safety issues must be addressed; and

WHEREAS, that workers who menstruate are in need of externally and internally locking bathrooms specifically designated for them to be accessible on jobsites; and

WHEREAS, that these workers need additional space and time to take off multiple layers to use the restroom, which may lead to additional time needed to dedicate to using the restroom; and

WHEREAS, that workers experiencing a menstrual cycle experience additional barriers when working on construction sites; and

WHEREAS, that the event of menstruating creates a need for access to menstrual products on construction sites without having to leave the job site; and

WHEREAS, the need to leave the job site to access menstrual products is a barrier for these workers to have the ability to continue to complete the work day; and

WHEREAS, post-partum workers need reasonable accommodation regarding the expression of milk; and

WHEREAS, that flexible work scheduling, including scheduling breaks and permitting work patterns that provide time for the expression of milk is needed; and

WHEREAS, the act of expressing milk will require a convenient, sanitary, safe, locking and private location that is not a restroom; and

WHEREAS, that a convenient, clean and safe water source with facilities for hand washing and the sanitation of expression equipment near the milk expression location will be needed; and

WHEREAS, the act of expressing milk requires a convenient hygienic refrigerator at the job site for the safe storage of breast milk; now, therefore, be it

RESOLVED, that the Washington State Labor Council will request legislation for sanitary protections for workers in construction to be introduced in the 2023-2024 legislative session.

RESOLUTION REGARDING THE WASHINGTON STATE AEROSPACE INDUSTRY – MACHINISTS INSTITUTE APPRENTICESHIP

Resolution #2023.11

Submitted by Machinists District 751

WHEREAS, an apprenticeship combines on-the-job training with related classroom instruction, all under the supervision of a journey-level professional and is one of the best ways to start a career and earn a living wage; and

WHEREAS, there are over 22000 registered apprentices in Washington State; and

WHEREAS, the Governor and Legislators have committed to expansion and support of registered apprenticeship and apprentices through funding and legislation; and

WHEREAS, apprenticeship funding through the State Board for Community and Technical College Full Time Equivalency (FTE) model (for funding apprenticeship slots in partnership with the community college system) does not adequately support existing apprenticeship programs or include capacity for supporting new programs because the funding is not dedicated to apprenticeship programs and not allocated at an amount that supports the higher cost of equipment and programming associated with apprenticeship; now, therefore, be it

RESOLVED, the Washington State Labor Council, AFL-CIO is committed to exploring solutions for the immediate and long-term needs of our affiliates and workers in Washington state; and be it further

RESOLVED, the Washington State Labor Council, AFL-CIO will work hand-in-hand with affiliates to create dedicated FTE for registered apprenticeships funded at a level to support existing and future programs; and be it finally

RESOLVED, that the Washington State Labor Council, AFL-CIO will promote the need for additional dedicated funding for registered apprenticeship as a vital part of infrastructure in the state of Washington to Governor Jay Inslee, the Washington State Legislature and Congressional Delegation, statewide elected officials, and relevant federal, state and local government agencies.

RESOLUTION SUPPORTING THE PROTECTION AND GROWTH OF WASHINGTON MANUFACTURING

Resolution #2023.12

Submitted by Machinists District 751 and Teamsters Local 117

WHEREAS, Washington's manufacturing industry spans a wide range of sectors - including aerospace, food processing, forest products, metals, refining and shipbuilding, among many others – and every region of the state; and

WHEREAS, jobs in manufacturing have historically offered a high standard of wages, benefits and economic mobility because of high levels of union density within the industry; and

WHEREAS, Washington's union manufacturing jobs have been an economic bedrock for local communities, including by establishing a sustainable tax base, and for Washington families for generations; and

WHEREAS, the current transition to clean energy provides unprecedented opportunity for Washington manufacturers to leverage state and federal funds to modernize and de-carbonize facilities, products and operations, and for the state to capture a vast range of new and emerging manufacturing sectors that aid in the production, storage, transmission and use of clean energy; and

WHEREAS, the present and significant opportunities to preserve and grow Washington manufacturing only equally benefit Washington workers and communities when there are guarantees that the jobs protected and created are good jobs and the workers have voice and agency; and

WHEREAS, recognizing state government plays a key role in identifying and steering manufacturing investments to Washington and that the state currently has limited capacity to do so, the legislature enacted the Washington Clean Manufacturing Leadership Act (SB 5269) in the 2023 legislative session; and

WHEREAS, the Washington Clean Manufacturing Leadership Act requires the Washington State Department of Commerce to oversee an independent assessment of opportunities to capture new and emerging manufacturing sectors and strengthen Washington's existing manufacturing base; to develop a state industrial strategy; and to appoint, with newly appropriated funds, an industrial policy advisor to ensure that Washington fully leverages available federal funding for manufacturing; and

WHEREAS, it is now incumbent upon labor to hold the state accountable for developing a meaningful industrial strategy; acting upon the strategy; and ensuring investments in, and growth of, manufacturing provide unequivocal benefit to Washington workers and communities; now, therefore, be it

RESOLVED, that the Washington State Labor Council, in coordination with the Washington State Labor Council Manufacturing Labor Roundtable, will call on the state to implement an industrial strategy that ensures the competitiveness of, and continued investment in, existing Washington manufacturing and maximizes the state's production of materials and products used in a clean economy; and be it further

RESOLVED, that the Washington State Labor Council will call for the state industrial strategy to center around the protection and growth of high-quality and union-represented manufacturing jobs, including by prioritizing the use of union-sponsored and joint labor-management administered training and registered apprenticeship programs; and be it further

RESOLVED, that the Washington State Labor Council will request appropriate staff and/or leaders within the Washington Department of Commerce meet regularly with labor representatives from the manufacturing industry regarding the state's implementation of the Washington Clean Manufacturing Leadership Act; and be it finally

RESOLVED, that the Washington State Labor Council will continue to convene tables for manufacturing unions that foster collaboration and strategic partnerships for the benefit of Washington's manufacturing workforce.

RESOLUTION ON WSLC STRATEGIC PLAN: CREATING CLIMATE JOBS

Resolution #2023.17

Submitted by the WSLC Executive Board

MERGED with Proposed Resolution #2023.20 from IBEW Local 46

WHEREAS, energy policy in the United States is changing in an effort to address climate chaos, and Washington State has lead much of this change through mechanisms to price the impact of carbon dioxide pollution on our environment; and

WHEREAS, significant additional State and Federal resources have been made available to invest in new energy and transportation infrastructure to shift our energy economy away from carbon intensive sources and toward other sources that do not generate climate changing pollution; and

WHEREAS, Washington State has both a need to increase energy production to meet the demands of a growing population, while also continuing to introduce innovative, sustainable, and new forms of renewable, clean, energy sources; and,

WHEREAS, Washington State is also poised to take advantage of Federal and private investment in green hydrogen, and alternative low-and-no-carbon jet fuels, to provide clean liquid fuels to power elements of our transportation network that are not well positioned to benefit from electrification; and

WHEREAS, our planet's climate is changing and the scientific consensus attributes that change to a general warming caused by human civilization's reliance on carbon dense fossil fuels to power our economy; and

WHEREAS, on July 3, 2023, we recorded the highest average global temperature on record, at 62.6 degrees, and on July 4, 2023 that record was broken; and

WHEREAS, in recent years, Washington State has suffered under a series of immense and runaway wildfires which have devastated communities in rural

areas of our state, and have made work more dangerous, especially for those who labor outdoors growing and harvesting the food that sustains us, building the roads and bridges that allows us to travel, maintaining and repairing the electrical grid that powers us, and puts more of our firefighters and other first responders who protect us in grave danger; and

WHEREAS, extreme weather events have become more common, including longer and more intense heat waves, less predictable snow pack to sustains our rivers and reservoirs, and more frequent intense storms that strain our water management systems, leading to more flooding; and

WHEREAS, during the Summer of 2023 extreme weather events have been reported throughout the country, including: the worst air quality ever recorded in New York and Chicago due to Canadian wildfires; 120 degree heat in parts of Texas, 130 degree heat in parts of Arizona and Nevada, and Montpelier, Vermont – the state capitol – being cut-off from the rest of the state due to historically severe flooding; and,

WHEREAS, members of our unions, our families, and the communities we care about in Washington State must be protected from the threat of wildfire smoke, power outages from increased demands on our aged infrastructure, floods, and the seasonal heat domes that cause them; and,

WHEREAS, a disproportionate health impact of climate change lands heavier on communities of color who have not historically been empowered to avoid or mitigate increased mortality rates, incidents of respiratory and cardiovascular disease, declines in mental health, and more frequent heat related illnesses, and to which children and seniors are particularly vulnerable; and

WHEREAS, an increase in intense heatwaves threatens our state's power availability precisely when residents demand it the most to cool their homes and places of work to protect their comfort and their health, risking a mass casualty event; and,

WHEREAS, workers deserve stability and safety on the job, whether they are a healthcare or homecare worker, a teacher or an electrical worker, a firefighters or any other worker providing critical services through their labor and who are

negatively impacted by frequent and sustained exposure to intense heat and smoke from wildfires; and,

WHEREAS, the United Nations Intergovernmental Panel of Climate Change has stated in its 2023 Assessment Report that approximately 3.3 to 3.6 billion people live in contexts that are highly vulnerable to climate change; and,

WHEREAS, our union movement reflects unparalleled expertise in the development, construction, manufacturing, and operation of the infrastructure necessary to achieve this energy transition, while also providing the highest quality, unionized jobs with industry leading wages, top tier healthcare, and strong pensions to grow and strengthen the middle-class, and improving the standards for workers in the clean energy sector; and,

WHEREAS analyses of possible transition strategies for Washington State, including one conducted by the Climate Jobs National Resource Center at Cornell University, have identified several opportunities for our communities to build the infrastructure necessary to make this critical energy transition, some of which have been piloted locally like the Solar Schools and Health Through Heat and Smoke campaigns being led by unions in Seattle, hardening public schools, parks, and other public services against the impacts of climate change; and,

WHEREAS, these initiatives are creating areas of public respite with reliable air filtration, cooling, and rooftop energy generation capacity in areas where the public is likely to congregate for education, recreation, and shelter; and,

WHEREAS, the Executive Board of the WSLC is developing a strategic plan under the leadership of President Sims and Secretary Treasurer Carter that prioritizes four areas of work: Creating Climate Jobs, Building Political Power, Growing Organizing Capacity, and Connecting Racial, Gender and Economic Justice; now, therefore, be it

RESOLVED, that this resolution be one of four on the Strategic Plan of the WSLC, creating climate jobs; and be it further

RESOLVED, that all four strategic planning resolutions be immediately circulated to the National AFL-CIO, all local unions and Central Labor Councils in Washington State, and that, accompanying this resolution there would be a letter from the

President and Secretary-Treasurer of the WSLC requesting an opportunity to meet with the executive boards of the respective affiliates; and be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO, continue its work convening affiliates to establish worker - centered approaches to energy policy; and, be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO, will champion the construction and operation of infrastructure to improve our communities' climate resilience; and, be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO, help lead efforts to attract public and private investment in carbon-free energy development, and to do so in a way that promotes unionization in development, construction, manufacturing and operations, including but not limited to project labor agreements, apprentice utilization, labor harmony agreements, responsible bidder criteria, and prevailing wage; and, be it further

RESOLVED, that policies which increase access to union employment for those who build and operate this infrastructure be done so in such a way as to maximized unionized employment opportunities for workers traditionally left out of these industries, including women, black workers, indigenous workers, other workers of color, LGBTQI workers, and all other groups of workers who have been denied economic opportunity due to systemic racism, sexism, and other forms of oppressive bigotry; and, be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO, pursue public policies and budget priorities that promote the development and construction of new clean energy facilities, and the manufacturing infrastructure necessary to provide a Made-in-Washington component supply chain; and be it finally

RESOLVED, that the Washington State Labor Council, AFL-CIO, organize and launch a Climate Jobs program to help coordinate and advance the work necessary to implement a labor lead approach to green energy development that protects our environment, creates good jobs, and meets the needs of all

Washingtonians who want a viable, healthy future for themselves and their families.

RESOLUTION IN SUPPORT OF UNION BUILT AND OPERATED CLIMATE RESILIENCE HUBS

Resolution #2023.20

Submitted by IBEW Local 46

MERGED with Proposed Resolution #2023.17 from the WSLC Executive Board

RESOLUTION SUPPORTING FEDERAL LEGISLATION REQUIRING MINIMUM TRAIN CREW SIZE AND AUTHORIZING STATES TO ADOPT & ENFORCE RAIL SAFETY STANDARDS MORE STRINGENT THAN FEDERAL REGULATIONS

Resolution #2023.21

Submitted by SMART-Transportation Division/United Transportation Union Local 1348

WHEREAS, over the past 50 years, U.S. railroads have continuously pursued a reduction in the crew size of employees aboard trains; and

WHEREAS, the elimination of crew size to the current negotiated minimum of two has significantly reduced the experience levels formerly available with larger crews, this has resulted in less experienced train crews to the detriment of the safety of the public and employees alike; and

WHEREAS, railroad operational requirements require that train crews regularly perform numerous tasks while chronically fatigued, labeled “task saturation” by the National Transportation Safety Board; duties once performed by four to six train crew members has been placed on just two crewmembers, thus threatening safe train; and

WHEREAS, technology may assist in improving the safe movement of trains, it cannot replace the safety and security of train crews consisting of at least two qualified and experienced, including some level of redundancy and, the ability to adequately respond to accidents and critical incidents, and to separate trains stopped on crossings to allow emergency responders to cross the tracks, a task that cannot be performed by one person; and

WHEREAS, between July 24, 2013, and July 17, 2023, there have been 90 major U.S. railroad accidents involving numerous deaths, countless injuries, explosions, fires, and environmental damage; and

WHEREAS, as of June 12th, 2023, there have been thirteen fatalities of individuals struck by trains in Washington State so far this year; and

WHEREAS, railroad carriers, in their greed-driven quest for profits, have adopted a business model known as “precision scheduled railroading” which requires “doing less, with less” cutting critical manpower and mothballing locomotives both needed for safe, reliable rail; and

WHEREAS, on January 9, 2023, a BNSF train derailment in the industrial area of south Seattle took out a Seattle City Light power substation; on March 17, 2023, a BNSF derailed in Swinomish, WA. spilling approximately 3,000 gallons of diesel fuel; on May 9, 2023, an act of sabotage by one individual resulted in the derailment of a BNSF Unit Oil train in Tacoma, WA., fortunately without causing significant damage or any spillage; and on July 7th, approximately 300 gallons of diesel fuel was spilled by a tanker truck refueling a UP locomotive in Fife, WA. that the railroad carrier attempted to conceal; and

WHEREAS, in 2020 Washington State enacted reasonable and sensible minimum train crewing standards that, nonetheless, the railroad carriers are still seeking to

circumvent and impose single-person train crews across the nation through maneuvering under the Railway Labor Act; now, therefore, be it

RESOLVED, before the Washington State Labor Council (WSLC) that additional qualified train crew members aboard trains provide the public with greater levels of safety, especially where dangerous commodities are involved, and provide manpower to open blocked grade crossings for emergency response vehicles needing to cross railroad tracks; and be it further

RESOLVED, that the WSLC endorses the adoption of Federal Statutory and Regulatory provisions requiring all trains operating in the United States, including Remote Controlled Yard and Industry switching assignments, to be staffed with a crew of no fewer than two qualified persons, we respectfully urge both our U. S. Senators and all members of our Congressional Delegation to support enactment of federal rail safety legislation including S. 576, the Rail Safety Act of 2023, which we applaud Washington U.S. Senator Cantwell for advocating; and be it further

RESOLVED, that the WSLC strongly advocates and urges members of the Washington State Congressional & Senatorial Delegation to take action to amend Federal rail safety legislation to allow states to enact and enforce more stringent railroad operational safety standards and requirements than the existing bare minimum federal regulatory standards, especially when it is in the interest of safety as well as reduced risk to the public, rail workers or potential harm to the environment; and be it finally

RESOLVED, that we urge all members of our state's federal delegation to prioritize immediate enactment of rail safety legislation to prohibit railroad carriers from imposing perilous single-person train operations in our nation in both conventional train operations with engineers, as well as in Remote Control Switching and Industrial railroad work assignments using such technology.

RESOLUTION REGARDING WASHINGTON STATE RAILROAD OCCUPATIONAL AND PUBLIC SAFETY LEGISLATION & REGULATION

Resolution #2023.22

*Submitted by SMART-Transportation Division/United Transportation Union Local
1348*

WHEREAS, railroads are a vital industrial infrastructure in Washington State employing over 5,000 unionized workers of various crafts, critical to commerce and the economy; the economic vitality of Washington State is predicated on safe, viable rail networks with adequate capacity for freight service for our ports, aerospace industry, maritime cluster, agriculture, and other businesses, as well as adequate capacity for passenger rail; and

WHEREAS the safety of railroad workers is of paramount concern including the following:

— Rail workers are among the only employees remaining without paid sick leave; although, increasing numbers of railroad employees are now being granted a very limited number of paid sick leave days annually by the rail carriers, motivated by public embarrassment resulting from the Federal government's imposition of a National Railroad Agreement that was defeated by a vote of the membership of railroad operating craft labor unions and did nothing to address many unique adverse issues that rail workers face including lack of paid sick leave;

— Nonetheless, railroad companies have unilaterally imposed, without negotiation; increasingly regressive and draconian attendance and availability policies for unpaid absences including due to sickness and injuries of rail workers and our family members; for unpaid time off for bereavement of relatives unrecognized as such by railroad carriers, subjecting rail workers to discipline and termination, and significantly contributing to ongoing exposure to and infection of illnesses of co-workers; the result is that rail crew members are operating trains through our communities when they are not physically or cognitively fit for duty due to such circumstances as well as acute or chronic fatigue;

- The Family and Medical Leave Act qualification threshold requirements do not consider the rail industry’s unique work demands; as well as the absence of regulatory oversight that allows railroad carriers to continue to increase the difficulty of rail workers to qualify for, as well as to renew, and utilize FMLA as intended by Congress; the railroad carriers continue to artificially accelerate the depletion of railroad employees' annual FMLA leave banks at a rate far greater than the actual time used by rail workers;

- Railroad carriers continue to ignore and disregard Washington State laws regarding meal periods and rest breaks by denying rail workers these basic rights; they rely on a 20-minute meal period rule imposed by the General Director of the U.S. Railroad Administration in April 1919, when the Federal Government controlled the US railroad industry during World War I;

- Insufficient and/or poorly maintained walking surfaces, footpaths, and rail yard walkways also lead to worker injuries;

- Poor lighting conditions in and around rail yards and rail-adjacent industries;

- Unsafe and dangerous conditions existing at train crew change points across our state;

- Lack of adequate regulatory oversight regarding the maintenance of tracks and critical rail appliances and infrastructure;

- Lack of any regulatory oversight of switch and derail physical force operational standards and/or ergonomic standards;

- An unacceptably inadequate level of rail worker insurance protection for injuries caused by third parties;

- The lack of any hours of service law for yardmasters, the “rail traffic controllers” of train yards;

- A nearly total indifference to along with a complete lack of compliance with nearly all COVID-19 and infectious disease prevention, sanitation, and

control protocols by Class 1 rail carriers operating in Washington State, placing rail workers and our families at increased risk of infection;

— No established state or federal occupational safety regulatory oversight of railroad operations; and

WHEREAS, an original exemption of railroad workers from Washington's Minimum Wage law [RCW 49.46.010 (g)] enacted in 1959 created a loophole allowing railroad carriers to require employees to work without compensation while engaged in territorial familiarization as well as when performing other activities at the behest of rail carrier employers; additionally, this provision grants rail carriers an exemption from compliance with Washington State's Paid Sick Leave laws, long overdue for repeal; and

WHEREAS, in 2007 [RCW 81.44.065] was inadvertently repealed, creating uncertainty regarding which state agency has authority over various aspects of railroad safety and which department is empowered to enforce railroad occupational and public safety regulations; four state agencies and ten local governments have different facets of rail regulatory authority; and

WHEREAS, the Occupational Safety and Health Administration (OSHA) of the U.S. Department of Labor declines to assert regulatory authority for the safety of railroad-operating employees working onboard or adjacent to trains; and the Federal Railroad Administration (FRA) is not authorized as a rail worker occupational safety agency. The FRA underwent a June 2020 reorganization program eliminating longstanding regional safety oversight, this agency has in large part become captive to the railroad corporations. Additionally, the FRA abdicated its proper role as a rail safety agency by reversing numerous safety rulemakings and regulations, as well as numerous broad waivers of rail safety regulatory rules desired by rail corporations granted through January 19, 2021, most of which have yet to be reversed; and

WHEREAS, the Washington State Department of Labor and Industries, and the Washington State Utilities and Transportation Commission (WUTC) have unclear and often conflicted oversight authority regarding rail workplace occupational safety; while the adoption and assertive proactive enforcement of railroad safety regulations is critical to ensure both public and worker safety, railroad operating

crewmembers have very minimal occupational safety protections and work with almost a complete absence of regulatory agency oversight and safety enforcement, emboldening the rail carriers indifference to our lives, safety and wellbeing; and

WHEREAS, Washington State railroad workers continue to be disciplined and terminated for taking unpaid time off work due to illnesses or injuries or to care for a family member, or bereavement purposes and continue to be denied approval of their new and renewal applications for FMLA; now, therefore, be it

RESOLVED, that the Washington State Labor Council, AFL-CIO (WSLC) supports, endorses, and will advocate enactment of the following legislative goals along with these regulatory policy actions regarding railroad safety:

- Enactment of The Safe Unpaid Leave Act for Washington Railroad Workers (SB 5267 & HB 1548 – 2023-24), to protect railroad employees in Washington State from railroad discipline and termination for unpaid absences due to illness and injuries of themselves and family members; for unpaid absences for bereavement, and providing railroad workers with state FMLA job and use protections including prohibiting the carriers from accelerating the depletion of employees annual FMLA time banks;

- Repeal of [RCW 49.46.010 (g)] so rail carriers can no longer use Washington State Law as justification for non-payment of wages to train crewmembers for work activities performed at the behest of the carriers, as well as refusing to provide paid sick leave to railroad workers;

- Enactment of state legislation mandating railroad carriers expeditiously clear blocked crossings when needed for use by emergency vehicles;

- Enactment of state legislation directing the Washington Utilities and Transportation Commission to establish a safe unpaid fatigue layoff program for railroad workers;

- Enactment of HB 1839, sponsored by Rep. Sharon Tomiko-Santos establishing maximum lengths for trains operating within Washington state;

— Enactment of state legislation, equivalent to the federal hours of service law for railroad-operating craft personnel for railroad yardmasters working within the State of Washington;

— Adoption of state regulations requiring that two paper copies of all train manifest's including the placement of hazardous material response information of all rail cars on trains containing such materials are in the possession of each train's crewmembers, to ensure this critical safety information is readily available to crew members as well as emergency responders especially at locations where cell phone and internet communication may be unavailable or non-existent;

— Adoption of a state regulation requiring that copies of all reports and complaints regarding any and all matters related to or incidental to safety (including sanitation, infectious disease control, occupational or operational safety) received from any and all sources including but not limited to employees, contract employees, vendors, shippers, and passengers, as well as from the public be submitted to the Washington State Utilities and Transportation Commission, within ten days of receipt; and these reports be made available in a publicly accessible and searchable database;

— Amending RCW 81.04.380 by significantly increasing the established fines and penalties that may be imposed on railroad carriers for violations of Washington State laws and regulations, which were set by the 1911 legislature and have NEVER BEEN REVISED;

— That executive action be taken by the Washington Department of Labor and Industries and other relevant state agencies to enforce railroad carrier compliance with Washington State's Industrial Welfare Laws (RCW 49.12) and regulations on behalf of railroad employees, who, unlike all other employees, due to extraordinary circumstances involving the Railway Labor Act (RLA) cannot avail themselves of either the grievance and arbitration rights pursuant to the RLA, nor through the exercise of rights of a private cause of action, can rail workers "...be protected from conditions of labor which have a pernicious effect on their health." Only by the exercise of the police and sovereign power by the State of Washington, to enforce Industrial Safety and Welfare laws upon railroad companies to compel

compliance, can railroad workers obtain these same protections that all other workers of our state possess and expect; initially focusing on the ability of railroad workers to obtain lawful meal breaks and rest periods; and, be it further

RESOLVED, that the WSLC advocates and urges the Washington State Legislature to enact legislation establishing a coordinated, consolidated, expanded, and comprehensive rail safety regulatory enforcement and operational oversight program, by considering the creation of a combined interagency rail safety task force; this task force should consist of staff members from all relevant state agencies, and be maintained under the supervision of the Washington State Utilities and Transportation Commission; and, be it further

RESOLVED, that the WSLC hereby declares legislation addressing such matters will continue to be a priority within the 2024 Washington State Labor Council's legislative agenda; and, be it finally

RESOLVED, that in consideration of the untimely passing of our Brother Shahraim C. Allen, we pledge to pursue and complete his unfinished work agenda by obtaining enactment of the Safe Unpaid Leave Act, adoption of the Safe Fatigue Layoff program, as well as legislation to address excessively long "monster" trains, as well as blocked railroad crossings that impede emergency responders, that negatively impacts the safety of the public.

RESOLUTION TO SUPPORT INTEREST ARBITRATION FOR PUBLIC SAFETY TELECOMMUNICATORS

Resolution #2023.23

Submitted by Teamsters Local 117

WHEREAS, it is the policy of the State of Washington to allow public safety first responders such as Police and Fire Fighters access to the interest arbitration process as an alternative to strikes as a means to settle labor disputes; and

WHEREAS, almost every emergency response begins with a request to 911 for assistance; and

WHEREAS, the Public Safety Telecommunicators who manage those requests to 911 and the subsequent emergency response play a critical role in providing public safety services to the people of Washington; and

WHEREAS, Public Safety Telecommunicators triage requests for emergency responses, provide lifesaving instructions and guidance to those who call 911, and ensure that the appropriate response for the situation, be it law enforcement, behavioral health, fire, and emergency medical; and

WHEREAS, Public Safety Telecommunicators dispatch, track, process, and transmit information from the public and continually communicates with responders providing an additional layer of safety for everyone involved in an emergency situation; and

WHEREAS, in spite of the important work that they do, Public Safety Telecommunicators are too often undervalued by their employers; and

WHEREAS, Public Safety Telecommunicators are required to work long hours including on occasion excessive mandatory overtime, for agencies that are often understaffed, in a high-stress environment, in a job that can expose them to traumatic incidents; and

WHEREAS, because police and fire cannot strike without causing great harm to the general public, they have access to Interest Arbitration which resolves outstanding issues in the collective bargaining process; and

WHEREAS, it is in the interest of both union members and the general public to improve working conditions for Public Safety Telecommunicators to ensure that a well-trained, well-rested, and fairly compensated worker will be on the line when disaster strikes; now, therefore, be it

RESOLVED, that the Washington State Labor Council, AFL-CIO (WSLC) go on the record in support of amending state law to allow Public Safety Telecommunicators access to interest arbitration; and be it further

RESOLVED, that the WSLC advocates and urges the Washington State Legislature to enact legislation providing interest arbitration for Public Safety Telecommunicators; and be it finally

RESOLVED, that the WSLC hereby declares that legislation providing interest arbitration for Public Safety Telecommunicators will be a priority within the Washington State Labor Council's legislative agenda.

RESOLUTION IN OPPOSITION TO THE CLOSURE OF LARCH CORRECTIONS CENTER

Resolution #2023.24

Submitted by Teamsters Local 117

WHEREAS, the Washington State Department of Corrections has proposed closing the Larch Corrections Center in Yacolt, Washington; and

WHEREAS, Larch Corrections Center is a minimum custody facility focused on helping incarcerated individuals prepare for release back into our communities; and

WHEREAS, Larch Corrections Center is a model facility with nationally-recognized educational programs for the incarcerated population, including College Credit courses, High School Plus Diploma courses, and General Education Development (GED) courses offered in collaboration with Clark College and Sustainability in Prisons Project programs offered in collaboration with Evergreen State College; and

WHEREAS, the transfer of these individuals will interrupt, delay, and in some cases, eliminate the opportunity to complete course work and graduation for some students because the same or similar programs do not exist at all major institutions; and

WHEREAS, in coordination with the Department of Natural Resources, Larch Corrections Center staff train incarcerated individuals to assist in preventing and fighting wildfires, which both benefits our communities, the environment, and teaches incarcerated individuals teamwork, leadership, practical skills in forestry management, and community service skills that prepare them for good jobs after they are released; and

WHEREAS, the closure of Larch Corrections Center would have a detrimental impact on the Department of Natural Resources and its ability to prevent and fight wildfires in the region; and

WHEREAS, the Department of Corrections plans to move both staff and incarcerated individuals to away from Southwestern Washington, to facilities where there are larger populations of incarcerated individuals, including some who are more violent and require more restrictive levels of supervision; and

WHEREAS, these major facilities often have long wait times for medical treatment and enrollment in necessary programming that may extend the amount of time individuals must remain incarcerated before accessing Graduated Re-entry and reuniting with their families; and

WHEREAS, Larch Corrections Center is the only facility in Southwest Washington and is located near Vancouver, WA the fourth largest city in the state; the families of incarcerated individuals would be harmed by the closure, and many will be forced to travel longer distances to visit their loved ones, or not visit them at all, if they are assigned to other prisons on the Eastern side of the state; and

WHEREAS, Good union jobs at Larch have supported correctional employees and their families in southwest Washington for decades; and

WHEREAS, Closure of the facility would require these families to sell their homes, in some cases end employment, and sever ties with local businesses, schools, and their neighbors; now, therefore, be it

RESOLVED, that the Washington State Labor Council, AFL-CIO (WSLC) go on the record as opposing the closure of the Larch Corrections Center; and be it further

RESOLVED, that the WSLC will transmit this resolution to the Governor, all members of the Washington State Legislature, and the Executive Team of the Department of Corrections; and be it finally

RESOLVED, that, should the Department of Corrections close Larch Corrections Center, WSLC will provide layoff support to any of our Union siblings impacted by the closure.

**RESOLUTION TO SUPPORT ADEQUATE STAFFING AT DEPARTMENT OF
CORRECTIONS AND AGAINST UNSAFE CHANGES TO THE
DEPARTMENT'S ADMINISTRATIVE SEGREGATION POLICIES**

Resolution #2023.25

Submitted by Teamsters Local 117

WHEREAS, the Washington State Department of Corrections has begun working on a plan to submit to the Washington State Legislature to reduce the use of "solitary confinement" by 90 percent, by June 30, 2029; and

WHEREAS, while the Washington State Labor Council, AFL-CIO (WSLC) supports reforms to make our correctional facilities more humane, it recognizes that administratively segregating certain incarcerated individuals may sometimes be necessary if there is a significant risk to staff or other incarcerated individuals; and

WHEREAS, the WSLC recognizes that the Department of Corrections currently operates with inadequate staff, in part, due to its antiquated custody staffing model; and

WHEREAS, the Department of Corrections' custody staffing model has not been significantly updated since it was developed in the 1990s despite passage of a staffing study and a report that provides a plan to do so; and

WHEREAS, unlike every other state in the country, Washington State applies the same custody staffing model at each of its correctional facilities, regardless of a facility's age, a facility's design, the type of programs offered, or the type of incarcerated individuals housed at the facility; and

WHEREAS, the Department's failure to update its custody staffing model means that the model does not reflect the changes that have occurred in our state's updated approach to corrections; and

WHEREAS, the Labor movement believes in true rehabilitation and support for reentry, namely an increased emphasis on providing education, job training programs such as apprenticeships, forestry management, wildland firefighting, improved access to healthcare and behavioral health resources; and

WHEREAS, at present, the Department's staffing model underestimates the baseline level of staffing needed to ensure basic prison operations, which results in a constant need for overtime; and

WHEREAS, making significant changes to the Department of Corrections' approach to administrative segregations without addressing the department's staffing problems will result in the prison system being more violent and more dangerous for both staff and incarcerated individuals; and

WHEREAS, in 2022, when New York State limited the use of administrative segregation without first ensuring the safety of their staff and incarcerated individuals, according to a report issued by that state's Prison Violence Task Force, staff assaults increased by 29% and assaults on incarcerated individuals increased by 39%; now, therefore, be it

RESOLVED, that the WSLC continue opposition to legislation that changes the Department of Correction's administrative segregation policy that could harm the safety of staff and incarcerated individuals without also making the necessary capital and staffing investments to do so safely; and be it further

RESOLVED, that the WSLC will urge the Governor, the Washington State Legislature and the Department of Corrections to fulfill its mission 'to improve public safety by positively changing lives' by fully funding critical rehabilitation programs with appropriate staffing; and be it further

RESOLVED, that the WSLC advocates and urges the Governor, the Washington State Legislature, and the Department of Corrections, not to consider major changes to the Department of Correction's administrative segregation policies until the Department can ensure that it has adequate staffing to ensure that such changes do not negatively impact the safety of staff or incarcerated individuals; and be it further

RESOLVED, that the WSLC will continue to fight the root causes such as poverty, structural racism, lack of access to education and proper mental health resources that bring too many into our criminal justice system to begin with; and be it finally

RESOLVED, that the WSLC will transmit this resolution to the Governor, all members of the Washington State Legislature, and the Executive Team of the Department of Corrections.

RESOLUTION IN SUPPORT OF SAFE WORKING CLIMATES FOR ALL WORKERS

Resolution #2023.26

Submitted by Washington Public Employees Association/UFCW 365, Washington Education Association, and Familias Unidas por la Justicia

WHEREAS, heatwaves and wildfires are becoming more frequent as the climate changes with the number of extreme wildfire events expected to increase by 30% by 2050; and

WHEREAS, uncontrolled wildfires are appearing in more areas that have not historically experienced wildfires; and

WHEREAS, the United States Environmental Protection Agency states that an Air Quality Index (AQI) range of 51-100 poses “a risk for some people, particularly those who are unusually sensitive to air pollution”; and

WHEREAS, the Environmental Protection Agency (EPA) has identified socially vulnerable populations such as farmworkers; and

WHEREAS, the Washington Department of Health has issued guidelines for children and youth activities for air quality that notes all youth under 18 are considered a sensitive group and begins mitigation strategies when AQI reaches 51; and

WHEREAS, particulates from wildfire smoke can be hazardous to workers’ health, especially those who are prone to asthma, have chronic obstructive pulmonary disease (COPD), individuals who are pregnant, or those with heart disease; and

WHEREAS, outdoor, low-wage laborers whose work might get canceled by weather impacts can’t necessarily bear many days without pay – pitting financial needs against their own health and safety interests; and

WHEREAS, rising temperatures can result in high temperatures indoors as well as outdoors that impact workers’ health and safety, including increased risks of heat stroke where air conditioning is not accessible; and

WHEREAS, many buildings, including public schools, in Washington are not equipped with air conditioning to control indoor temperatures during heat waves; and

WHEREAS, when heatwaves and wildfire smoke are present at the same time, indoor air temperatures can rise to dangerous levels when windows and doors must be kept shut to keep out unhealthy outdoor air; and

WHEREAS, hot and cold temperatures or otherwise unhealthy air quality can impede the ability of workers to complete jobs upon which the public relies; and

WHEREAS, hot and cold temperatures or otherwise unhealthy air quality can harm students and other children studying or receiving child care services in public spaces, raising questions as to whether working parents feel safe leaving their children in these spaces; and

WHEREAS, the health and safety impacts from heat waves and wildfire smoke fall disproportionately on lower wage workers and on students, workers and residents in communities with higher concentrations of people experiencing poverty; and

WHEREAS, the Covid-19 Pandemic highlighted the need for proper workplace ventilation to mitigate safety risks of communicable disease and exposed the inequities in health and safety protections among workers; and

WHEREAS, working conditions must consider the health and safety of workers and provide for equitable protections from particulate and temperature exposures; now, therefore, be it

RESOLVED, that the Washington State Labor Council, AFL-CIO will lobby that exposure control requirements begin at 51 AQI in the outdoor air quality standards for wildfire smoke under consideration by the Department of Labor and Industries; and be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO will lobby to establish the second phase of rulemaking on heat standards to address indoor heat standards and mitigation; and be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO will reinforce the need to have indoor temperature and air quality standards that work in coordination when areas of the state face simultaneous heat wave and wildfire smoke conditions; and be it further

RESOLVED, that the Washington State Labor Council, AFL-CIO will support capital funding requests to assist school districts, local governments, state government, and non-profit service providers to update HVAC systems to increase air filtration and provide air conditioning; and be it finally

RESOLVED, that the Washington State Labor Council, AFL-CIO urge the State's Congressional delegation to seek amendments to the Federal OSHA heat standards to include occupations that work out of doors like letter carriers, rail workers, and other transportation workers.