

# Circuit judge overturns portions of Wisconsin's anti-union bargaining law

A Wisconsin circuit court judge has struck down parts of the law that led to nationwide protests and a weeks-long occupation of the State Capitol in Madison last year, and an unsuccessful recall election of Gov. Scott Walker earlier this year.

The law stripped public employees of all meaningful collective bargaining rights, but arguments in lawsuits filed by two public employee unions persuaded Dane County Circuit Court

Judge Juan Colás that it violates the Wisconsin Constitution and the U.S. Constitution.

In his Sept. 14 ruling, Colás wrote that the law imposes "significant and burdensome restrictions on employees who choose to associate in a labor organization," and thus violates their constitutional rights to free speech, freedom of association, and right to equal treatment under the law.

The suit was filed by Laborers Local

61, which represents public employees at the City of Milwaukee, and the Madison Teachers Inc. of the Madison Metropolitan School District teachers union. Because state employees were not a party to the lawsuit, the ruling only affects municipal and school district employees.

Under the law, union-represented employees are barred from receiving wage increases greater than the cost of living, but nothing prevents government managers from giving raises greater than that to nonunion employees. The law prohibits employer collection of union dues for most public employees, but not public safety and transit unions. The law also violates the Wisconsin Constitution's Home Rule Amendment, under which municipalities may establish their own practices, and it runs afoul of the state constitution's prohibition against impairment of contracts.

Wisconsin's Republican attorney general said the ruling will be appealed. Likely it will end up before the Wisconsin Supreme Court. That body, majority-Republican, already restored the law once before in a court case last year on separate grounds, after a different circuit court judge found it had passed in violation of Wisconsin legislative rules.

## ...Fundraiser fires CWA faithful

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And Arthur Towers, political director for Service Employees Local 503, says he's less inclined to work with OSPIRG and declined a request for help on something.

"We've not cut off all communication with OSPIRG, but we've tried to make the point," Towers said, "you've got to treat your workers better."

Towers himself was a door-to-door canvasser in 1977 in Rhode Island, and he and his co-workers tried unsuccessfully to unionize.

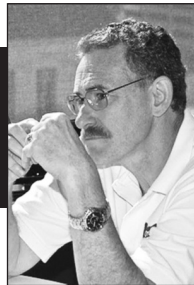
Elder praised members for determination, and for their courage: So far, each time a bargaining team member is

fired, Elder says, another worker has stepped forward to serve, and workers have continued to help with the union effort even after being fired.

Elder said the union presented a complete contract proposal the day bargaining began, and the Fund has yet to respond to all of it in 10 months of meeting for two three-hour sessions a month with Wood, who flies out from Boston. The changes workers are proposing are pretty modest: They want to extend the ultimatum two weeks, so that a longtime experienced caller would have to have four rotten weeks before being sacked. And to reduce paycheck volatility, workers want no more than a \$2 hour an hour pay cut per pay period.

## Who's On Our Side?

By Tom Chamberlain



The United States' alphabet soup of trade agreements have a history of weak labor standards. Prior to the election of President Obama, there was little enforcement of few standards included in our trade agreements. The Obama Administration has fought and won sanctions against countries that have violated our trade agreements, but often the tools they have are not enough.

Take Colombia: Colombia has a long history of violence against union leaders and organizers. Over the last two decades, over 2,800 union leaders and organizers have been murdered. Despite the prejudice and violence against unionists, the United States signed the U.S.-Colombia Free Trade Agreement last year. It included a labor action plan designed to help protect workers once the FTA went into effect. If our nation is going to freely trade with Colombia, it is crucial to ensure that workers' rights and safety are being upheld in both our countries. But the labor action plan isn't working.

A group of more than 68 former GM employees in Colombia suffer from occupational injuries and illnesses. Their ailments are directly related to overwork and to working

conditions that are beyond what is permitted by labor law, or by medical and humanitarian standards. The majority of the injuries these workers have contracted are back-related. They leave the workers unable to perform their jobs or any other job, and unable to provide for themselves when their positions are terminated.

After a group of these workers camped outside of the U.S. Embassy in Bogota for over a year without seeing any results, they decided it was time to take their struggle to the next level, and they went on a hunger strike, going so far as sewing their mouths closed. These workers feel that they have nothing to lose by dying of malnutrition, as they are already dying of workplace injuries with no access to health care and waiting at the mercy of GM.

Thirty-three percent of General Motors is owned by United States taxpayers, and another 10 percent is owned by members of United Auto Workers. After mounting international pressure was put on GM Colmotores (Colombian GM), they entered mediation, where they almost immediately walked away from the table — and the workers went back on a hunger strike, sewing their

mouths closed.

After more intense international pressure, GM returned to the table and ended up offering a one-time monetary payment — with no access to health care for workers. The workers rightly said "no deal," as their injuries require lifetime access to health care. After the workers declined the offer, GM again left the table. The workers are now on a hunger strike again.

While GM may be a good union employer in the U.S., in Colombia they are not on our side.

There's still more we can do, though.

U.S. Sen. Ron Wyden (D-Ore.), holds a key position on the subcommittee on trade and has the power to help sway action to enforcing the labor action plan to ensure that these workers see justice.

We encourage you to contact Sen. Wyden and encourage him to enforce the labor action plan — and to remind GM whose side they should be on.

*Tom Chamberlain is president of the Oregon AFL-CIO.*

## Unions form Maritime Labor Alliance

Presidents of six maritime unions announced Sept. 13 the formation of the Maritime Labor Alliance.

The unions include the American Radio Association, Inlandboatmen's Union, International Longshoremen's Association (ILA), International Longshore & Warehouse Union (ILWU), Marine Engineers' Beneficial Association, and the International Organization of Masters, Mates & Pilots.

The union leaders said the alliance was created to protect working conditions, labor rights, and jurisdictions on the waterfront.

ILA currently is in federally-mediated contract negotiations with the

United States Maritime Alliance, and ILWU recently opened bargaining with the Pacific Northwest Grain Handlers Association. The current ILU contract expires Sept. 30, with a strike by workers potentially beginning on Oct. 1.

At the signing ceremony creating the Alliance, union leaders heard a report from International Transport Workers Federation President Paddy Crumlin regarding a global strategy "to ensure that the rights and livelihoods of maritime workers are protected in the efforts to automate maritime workplaces as a means of union busting."

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