

Voters weigh in on workers rights around the nation

Workers rights were on the line this election day. Ballot measures in half a dozen states touched on collective bargaining rights, card check unionization, and union political contributions. This also was the year more labor organizations took stands on same sex marriage and decriminalization of marijuana.

COLLECTIVE BARGAINING

COLLECTIVE BARGAINING IN MICHIGAN: Michigan in particular was a ballot measure battleground this year, with three union-sponsored ballot proposals on collective bargaining rights: By a 58 to 42 percent margin, voters turned down Proposal 2, an amendment to the state Constitution that would have declared that public and private employees have the **right to organize** and bargain collectively. The amendment would have pre-empted laws limiting collective bargaining, like so-called “right-to-work” and “paycheck protection” laws. Unions worked hard to put Proposal 2 on the ballot, and spent over \$21 million to galvanize support and turn out the vote, but were outspent by business groups and billionaires like casino mogul Sheldon Adelson and the family of Amway founder Richard DeVos. Also defeated was Proposal 4, which would have given collective bargaining rights to state-paid **in-home care workers**. But labor did succeed in repealing the state’s anti-union **emergency manager law**, which authorizes the governor to put appointees in charge of local governments that are in fiscal distress, with the power to modify or terminate union contracts.

BANNING CARD-CHECK IN ALABAMA: Alabamans voted 2-to-1 to approve a legislatively referred amendment to the state Constitution declaring that “the right of individuals to vote for public office, public votes on referendum, or votes of employee representation by **secret ballot** is fundamental.” But then, state law already mandated secret ballots for public office; the intent of this deviously worded amendment was to bar the “**card check**” method of union recognition. Under card check, which has been legal under the National Labor Relations Act since 1935, an employer may recognize a union without an election if a majority of workers have signed cards asking for it. Arizona, Utah, South Dakota, and South Carolina passed similar laws in 2010, which are being challenged in court as illegal pre-emptions of the federal law.

PAYCHECK PROTECTION IN CALIFORNIA: California unions had to re-fight a “paycheck protection” ballot measure aimed at limiting union political fundraising. In 1998 and 2005, voters rejected similar measures, which would “protect” employees from having the right to voluntarily contribute to union political action funds via employer payroll deduction. This year’s measure, Proposition 32, was disguised as a ban on corpo-



Democrats celebrate the re-election of President Obama and a full slate of statewide posts at an election-watch party Nov. 6 at Portland’s Hilton Hotel.

rate and union contributions to state and local candidates, but its key feature was a ban on automatic deductions of union members wages to be used for politics. Prop. 32 backers spent more than \$50 million on the campaign — funded by billionaires and out-of-state super PACs. The national AFL-CIO noted that the money came from two outside groups with ties to oil tycoons David and Charles Koch, as well as to Karl Rove, the top strategist to former president George W. Bush, whose web of super PACs and non-profit groups spread hundreds of millions of dollars in campaigns across the nation.

Voters didn’t fall for it, and rejected it by a 56 to 44 percent.

TEACHER BASHING

A slew of measures from the corporate education reform playbook were on state ballots:

- In what the Idaho Statesman newspaper called “a stunning rebuke” to the state’s Republican governor, **Idaho** voters turned back a legislative overhaul of public education. Teachers unions gathered signatures to refer laws passed by the Legislature to voters — hoping to overturn them. Proposition 1 would have stripped teachers of the right to collectively bargain anything but wages, barred early retirement incentives, and put them on year-to-year contracts. Proposition 2 would have mandated teacher performance pay based on test scores. And Proposition 3 would have authorized public charter high schools and promised

hand-held computers for students. None of the laws came even close, with “no” votes ranging from 57 to 66 percent.

- An even higher portion — 68 percent — of **South Dakota** voters repealed a law that would have set up performance-based teacher bonuses, ended teacher tenure and granted scholarships to education majors in math and science.

- But **Washington** voters, in their third time voting on the issue, passed by 50.1 percent a union-opposed measure authorizing the establishment of 40 public charter schools over the next five years. And **Georgia** passed by a 2-to-1 margin a constitutional amendment to allow the state to set up charter schools.

Other employment related questions on state and local ballots:

- **Oklahoma** voters passed by a 3-to-2 margin a legislative referral barring **race-based affirmative action** in state and local employment and contracting.

- Voters in **Albuquerque, New Mexico**, and **San Jose, California**, overwhelmingly approved **raising the minimum wage**. The Albuquerque measure raises it from \$7.50 to \$8.50 in 2013, mandates future increases based on inflation, and gives tipped workers a raise to 45 percent of the regular minimum wage in 2013 and 60 percent in 2014. The San Jose measure raises it from the state’s \$8.00 to \$10.00 an hour.

- **Long Beach, California**, voters approved a local law requiring hotels with more than 100

rooms to pay workers at least \$13 an hour, with annual raises of 2 percent and a minimum of five paid days off per year for full-time workers.

TAX FAIRNESS

Organized labor has been a consistent advocate for fair and adequate taxation, and this year was no exception:

- Facing dueling tax measures, **California** voters approved a union-backed referral raising income taxes on those with more than \$250,000 income and increasing the state sales tax by 0.25 percent. Voters rejected the other measure, which was funded by the daughter and son of Berkshire Hathaway billionaire Charles Munger, that would have raised income taxes on a sliding scale, mostly on those earning more than \$200,000.

- **Oregon** voters rejected a measure phasing out the state’s estate tax on millionaire estates, and ended the “corporate kicker,” an unusual corporate income tax refund that is triggered in years when revenues exceed projections (The former was sponsored by former Republican Party chair Kevin Mannix, while the latter was placed on the ballot by the union-backed coalition Our Oregon.)

- **Washington** voters extended an existing law requiring legislative supermajorities for tax increases, and **Michigan** voters approved a similar supermajority requirement for the first time.

SOCIAL ISSUES

Labor organizations also took sides this year in an array of ballot measures that might seem at first glance to be distant from the traditional focus on worker rights, wages and working conditions:

- Labor unions came out in favor of marriage equality in four states this year. In **Maine**, **Maryland**, and **Washington**, voters approved ballot measures legalizing **same-sex marriage** which were backed by the AFL-CIO and other labor organizations. And in **Minnesota**, the state AFL-CIO, AFSCME Council 5, the Service Employees International Union State Council, and Minnesota Federation of Teachers helped defeat a state constitutional amendment that would bar same-sex marriage.

- **Marijuana** measures had union support in **Washington** and **Oregon**. Oregon’s Measure 80, endorsed by the state’s largest private sector union, United Food and Commercial Workers Local 555, fell short 45 percent to 55 percent. But Washington’s Initiative 592 passed, supported by the Washington State Labor Council, AFL-CIO. It licenses and regulates marijuana production, distribution, and possession for persons over 21, removes penalties for personal use and possession of up to an ounce, imposes a 25 percent sales tax on marijuana, and sets a standard for driving under the influence.

- The **California AFL-CIO** took positions in favor of measures replacing the **death penalty** with life sentences; and requiring **labeling of genetically engineered food**, but both measures failed at the polls.

Simpson-Bowles ‘grand bargain’ candidates lose on Election Day

By **KENNETH QUINNELL**

WASHINGTON, D.C. — While working families are resting after an exhausting election cycle, working people and union members are continuing to mobilize. Before the end of the year, Congress will meet in a “lame-duck” session and tackle numerous issues that could have powerful effects on the lives of middle-class Americans.

Alan Simpson and Erskine Bowles have promoted a “grand bargain” plan

that would cut Social Security benefits, shift Medicare costs to beneficiaries, lower tax rates for the wealthy and corporations, and increase the tax incentives for shipping jobs overseas. Bowles and Simpson have been promoting their plan heavily and took to endorsing candidates who would support it.

Voters on Election Day rejected all of the candidates that both Bowles and Simpson endorsed:

In Nebraska, Bob Kerrey lost to Republican Deb Fischer.

In New Hampshire, incumbent Charlie Bass lost to progressive Annie McLane Kuster.

In Rhode Island, Brendan Doherty lost to Democrat David Cicilline.

All three losing candidates were outspoken in their support of the Bowles-Simpson plan and their endorsement by the plan’s authors. Voters made it clear that they don’t want to cut benefits for

Social Security, Medicare or Medicaid.

An election-night poll conducted by Peter D. Hart Research Associates also showed strong opposition to elements of the Bowles-Simpson plan:

- Protecting Medicare and Social Security from benefit cuts is more important than bringing down the deficit (73 to 18 percent).

- 64 percent favor maintaining Social Security and Medicare benefits by increasing taxes on the rich.

- 68 percent oppose raising the Medicare eligibility age.

- 69 percent oppose reductions in Medicaid benefits.

- 84 percent oppose reducing Social Security benefits.

- 65 percent oppose eliminating all taxes on the offshore profits of U.S. corporations.

(Editor’s Note: Kenneth Quinnell writes for the national AFL-CIO NOW blog.)