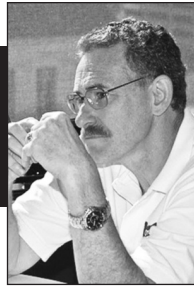


## Who's On Our Side?

By Tom Chamberlain



Our 2009 efforts to pass comprehensive labor law reform failed by one vote in the U.S. Senate. Sensible labor law updates and changes — in the form of the Employee Free Choice Act — failed because a U.S. Senate procedural vote requires 60 votes out of 100 to close debate, and failure to close debate results in preventing an up or down vote on legislation or an executive branch or judicial appointment (filibustering the bill or appointment).

Over the last half decade, corporate and Wall Street lobbyists — helped primarily by Senate Republicans — have used the filibuster not only to kill the Employee Free Choice Act and a load of progressive legislation, but they have also successfully blocked President Obama's federal judicial appointments — judges who would have countered President Bush's 240 judicial appointees and brought the court system's rightward trajectory back into balance.

The success corporatists have had using the filibuster (specifically the silent filibuster, where senators don't have to talk anymore; they can simply "object" to a vote and everything comes to a screeching halt) has resulted in long-term vacancies in key parts of our government — from the Federal Election Commission to the Bureau of Alcohol, Tobacco and Firearms. President Obama is not the first president whose appointments have been held hostage by the filibuster, but he is the first to see whole enforcement bodies held hostage by the filibuster.

Until recently, presidents have

had the ability to make temporary executive appointments during Senate recess, allowing them to keep our government working even if the Senate is holding up permanent appointees. But recent decisions by the U.S. Court of Appeals for the District of Columbia Circuit and for the Third Circuit say that presidential intrasession recess appointments are unconstitutional. This decision is under appeal to the United States Supreme Court, and if upheld it would bring agencies such as the National Labor Relations Board (NLRB) to a grinding halt.

Currently, the NLRB needs members to be reappointed (these are current members who have already been confirmed by the Senate in the past) to even have a quorum and be able to conduct business. Without a NLRB quorum, private sector workers would have no way to enforce workers' rights. Such rights range from enforcement of rules governing organizing to collective bargaining.

Without a Board to enforce the National Labor Relations Act, employers could threaten workers' jobs or outright fire union advocates. Union organizing would slow from the trickle we are experiencing today to no organizing.

Without enforcement, collective bargaining would halt, employers could simply refuse to bargain without recourse, dragging out negotiations and unilaterally cutting wages and benefits, putting ever-increasing pressure on workers in the hopes that workers would vote against their own best interest and decertify the union.

While employers have imple-

mented anti-worker strategies, they have always had to function within the confines of the National Labor Relations Act. Left to their own devices, employers could run roughshod over workers in a way that harkens back to the Robber Baron era of the 1890s.

Fifteen months ago, a Senate rules reform bill specifically focusing on filibuster reform was watered down in exchange for promises of cooperation from Senate Republican Leader Mitch McConnell. Those promises have proven time and time again to be hollow. Thankfully, Oregon's junior U.S. Senator Jeff Merkley has spearheaded a charge to change the Senate rules to stop the efforts of a minority of senators who would rather derail government in their efforts to advance a political agenda.

Sen. Merkley's leadership, coupled with increased pressure from progressive groups led by the American union movement, has resulted in a renewed outcry for filibuster reform. Senate Majority Leader Harry Reid (D-Nev.) has signaled that the time is right for reform.

Our message to Oregon Senators Merkley and Ron Wyden:

Fight on for reform, fight on for workers, and fight on for a government that works for the 99 percent, and work to get more of your colleagues standing on our side of filibuster reform.

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

## U.S. suffers biggest pay drop on record

As union membership continues to decline, hourly pay for nonfarm workers in the U.S. fell at a 3.8 percent annualized rate in the first quarter of 2013, the biggest quarterly decline since the Bureau of Labor Statistics (BLS) started keeping track in 1947.

Via Huffington Post: "Some of the drop was payback for a 9.9 percent surge in hourly pay in the fourth quarter of 2012, as employers shoveled money out the door to avoid tax changes they expected to take place in 2013.

"But there have been plenty of such quarterly pay increases in the past. Many were even bigger. Some went on for several quarters at a time. And never has there been such a steep pay drop in

response as there was in the first quarter of this year.

"Smoothing out the quarterly ups and downs doesn't make the picture look any better.

"Hourly worker pay rose just 1.9 percent in 2012, a pitiful increase that barely kept up with the 1.8 percent gain in the consumer price index. That was the third-weakest annual increase in hourly pay since 1947, topping only the 1.4 percent gain in 2009 and a 1.8-percent gain in 1994.

"Hourly pay has grown by just 2 percent per year, on average, for the past four years, the weakest four-year stretch on record. At the same time, corporate profits are at record highs, and until a recent swoon, the stock market was setting records, too.

"Workers haven't been reaping the rewards, but their employers have been."

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## OPEN FORUM

### Labor needs PR campaign

How ignorant do you think we are?

I have been a union man my whole life. I have tried to promote union thinking and pro-American manufacturing and products. I have been in the industrial community for over 35 years. What has happened in the industry did not take a socio-economic genius to predict. We now have a society where a large part of the workforce is happy to get any job at all, and a large part of that workforce doesn't understand that organized labor is the reason that they have such things as weekends, holidays, benefits, etc. They are happy to (work as much overtime as they can) to make up for meager wages. And what's worse, organized labor sat by and watched it happen.

Where were the public ad campaigns informing people what was really going on and warning people of the real dangers of free trade with China and the unchecked admittance of migrant labor all the time flooding a depressed economy that could not support their ranks?

Is it too late to change this trend? I believe that it probably is. But if I had my way, my dues would go to public information about the real state of this country and the leadership that is driving it into the ground. But of course we all know that's not going to happen, is it?

**Fred Feuerstein**  
IBEW Local 125  
Satsop, Washington

#### To The Editor:

You published an article informing us that organized labor ranks are shrinking. Do you mean to tell me that this is news? For 20 years, myself and others like myself have been wondering when organized labor would use its ability to contact large groups of the public through the media, newspapers, local publications, public outreach, etc., to warn against the trend of unchecked outsourcing and the acceptance of unregulated immigrant labor.

Where were you people when NAFTA was passed?