Republicans in Washington Senate take a hard right turn

Republicans demote Democratic chair; push ALEC-written attacks on workers

By DAVID GROVES

OLYMPIA, Wash. — A year ago, the new Majority Coalition Caucus (MCC) of Senate Republicans and two defecting Democrats vowed "governing from the middle, governing from the center" when they seized control of that body from the Democratic majority elected by voters. The MCC promised a new era of bipartisanship and moderation.

What a difference a special election makes.

With the addition of another Republican senator, Jan Angel of Port Orchard, the MCC no longer needs both Democratic defectors to vote with them, and on Jan. 27 they demonstrated that the era of bipartisanship (such as it was) is finished.

Over the objections of Senate Democrats, Republicans voted to make Angel the new co-chair of the Financial Institutions, Housing and Insurance Committee. Democratic defectors Sens. Tim Sheldon of Shelton and Rodney Tom of Medina both voted with Republicans to demote their former "Roadkill Caucus" compatriot, Sen. Steve Hobbs (D-Lake Stevens), who had been sole chair of the committee, leading Hobbs to declare that the moderates had lost control of the Senate.

Also on Jan. 27, the Senate Commerce and Labor Committee heard SB 6300, a bill sponsored by Sen. Randi Becker (R-Eatonville) that would create new administrative reporting burdens for all public employee unions and require them to file multiple reports with the Public Employment Relations Commission, including financial reports listing all of the unions' expenditures, and to have that information posted publicly online.

The bill's co-sponsors include Angel, state chairwoman of the American Legislative Exchange Council (ALEC), a corporate-funded organization that pushes controversial right-wing agendas in state legislatures across the country. An investigation of ALEC by The New York Times found that "corporate interests effectively turn ALEC's lawmaker members into stealth lobbyists, providing them with talking points and signaling how they should vote."

Sen. Angel is among several state legislators who have received thousands of dollars worth of "scholarships" to attend ALEC conferences, but during last fall's campaign she portrayed herself a "moderate" and called criticism of her role with the corporate group "a bunch of hooey."

SB 6300 turns out to be cookie-cutter "model legislation" from ALEC called the "Union Financial Responsibility Act." The heart of SB 6300 is its proposed new Section 2, which lists the contents of the new reports that would be required. It is an identical list — word for word — to the list under the ALEC model legislation's Section 3. ALEC's language has literally been copy-and-pasted into the Washington bill.

Greg Devereux, executive director of the Washington Federation of State Employees, AFSCME Council 28, testified in opposition to the bill on Jan. 27, calling it "unnecessary, duplicative, burdensome and punitive," noting that his union is already subject to federally required reporting and that information is already posted on U.S. Department of Labor website.

Geoff Simpson of the Washington State Council of Fire Fighters also testified in opposition, pointing out that unions are democratic, transparent organizations with information about their finances readily available to their members. On the other hand, he noted that the Freedom Foundation, a right-wing think tank that testified in support of the bill, is secretly funded and refuses to disclose where it gets money and how it's spent.

The angry chairman of the committee, Sen. Janéa Holmquist Newbry (R-Moses Lake), did not appreciate the comparison, claiming that union dues are "mandatory" and Freedom Foundation funding is voluntary.

"I'd ask that you not bring this argument before our committee," she said, raising a few eyebrows in the room.

On Jan. 28, Sen. Holmquist Newbry's committee heard another ALEC-inspired bill. SB 6307 would set aside Republicans' aversion to state government control over local issues by preempting any county, city or town from setting employment standards. The goal is to repeal the voter-approved $15 minimum wage in SeaTac and the City Council-approved paid sick leave ordinance in Seattle, and block any local jurisdictions from creating any similar standards in the future.

The bill is part of a national campaign by ALEC to block pro-worker policies adopted in cities and counties across America.

(Editor's Note: David Groves is communications director for the Washington State Labor Council, AFL-CIO, and editor of the labor news website The Stand.)

Postal workers launch national protest against outsourcing mail jobs to Staples

The opening of Postal Service retail centers at Staples stores nationwide is being met with protests and threats of boycotts by the American Postal Workers Union (APWU) and the National Letter Carriers Association.

The so-called "Retail Partner Expansion" program began in November in 80 Staples stores in northern California, Atlanta, Pittsburgh and central Massachusetts in a trial, but Postmaster General Patrick Donahoe says he wants to expand the program "as soon as possible" to approximately 1,500 Staples stores nationwide.

The union is demanding that postal employees be assigned to perform the postal work at Staples stores. If Staples and the USPS refuse, the APWU says it will ask customers to take their business elsewhere.

On Jan. 28, more than 200 APWU members and supporters demonstrated outside Staples stores in San Francisco and San Jose challenging the arrangement.

APWU President Mark Dimondstein said the union supports the expansion of postal services and retail hours, but added: "We cannot accept USPS plans to replace good-paying union jobs with nonunion low-wage jobs held by workers who have no accountability for the safety and security of the mail."

...Middle class stronger in unionized states

(From Page 3)

"The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce, and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.

And government employers, like corporations, sometimes need to be reminded by organized workers to treat their employees fairly. That's why Dr. Martin Luther King Jr. traveled to Memphis in 1968 to help city sanitation workers gain recognition for their union as they faced low pay, terrible working conditions, and racist supervisors. Even the conservative icon Ronald Reagan recognized that public sector workers should be able to join unions and collectively bargain. Reagan signed a bill to grant municipal and county employees the right to do so when he was governor of California.

Critically, the benefits of workers having a voice in the economy and in democracy spill over to all of society. In these ways, unions make the middle class. The challenge of rebuilding the middle class will take a long time, but would be impossible without a clear understanding of what makes the middle class strong. This paper will explore in detail why we need to do this and how we need to go about it. To rebuild America's middle class, we need to rebuild the labor movement. It's that simple—and that challenging.

(Editor's Note: David Madland is director of the American Worker Project at the Center for American Progress Action Fund. Keith Miller is a research assistant with the American Worker Project. This article was published by Center for American Progress Action Fund, www.americanprogressaction.org.)

Supreme Court rules collective bargaining determines pay for putting on protective gear

WASHINGTON, D.C. (PAI) — If Clifton Sandifer and his co-workers want to get paid for the time they take putting on steel-toed boots, protective jackets, hard hats and other gear before starting their shifts at their U.S. Steel mill in Northwest Indiana, their union will have to successfully bargain for it for them, the U.S. Supreme Court says.

That same rule applies, the court adds, in cases where union workers take time to put on or take off protective gear. Otherwise, it's considered "changing clothes."

That's because, in a 9-0 decision on Jan. 27, justices said time used in taking off and putting on work gear is a bargainable subject under labor law, even though another federal law, the Portal to Portal Act, says workers should get paid for the time they need to put on and take off protective gear.

In Sandifer's case, the United Steelworkers Union and U.S. Steel had agreed the workers would not be paid for the time involved.

The high court's decision could potentially affect tens of thousands of workers covered by union contracts, who must take time to put on and take off protective gear such as hard hats, steel aprons, work gloves and steel-toed boots.

That time is a bargaining subject, Associate Justice Antonin Scalia's ruling said.

Because the Steelworkers contract said the workers could not get paid, Sandifer and his allies sued, saying the 1938 Fair Labor Standards Act — the law that enacted the minimum wage and overtime pay — governed their time. Had they won, U.S. Steel and other firms would have had to pay tens of thousands of dollars each for lost time. But the workers lost in the lower courts, and they lost at the High Court, too.

"U.S. Steel does not dispute" the lower courts' conclusion that "had the clothes-changing time in this case not been rendered non-compensable" under a labor law section that let the union and the firm bargain on the issue, "it would have been a principal (job) activity," and thus the workers would have been paid, Scalia said.

Instead, U.S. Steel argued that, thanks to the union contract the workers were just "changing clothes," and labor law does not order firms to pay them for that.

The object of the relevant section of labor law "is to permit collective bargaining over the compensability of clothes-changing time and to promote the predictability achieved through mutually beneficial negotiation. There can be little predictability, and hence little meaningful negotiation, if 'changing' means only 'substituting,'" Scalia added. "If the vast majority of the time is spent in donning and doffing 'clothes' as we have defined that term, the entire period qualifies, and the time spent putting on and off other items need not be subtracted."