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OPINION

Labor Organizing and Civil Rights

Two movements with historic connections

BY NORMAN HILL AND VELMA MURPHY HILL

In the United States, worker rights and civil rights have a deep and historic connection. What is slavery, after all, if not the abuse of worker rights taken to its ultimate extreme?

A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, recognized this link and, as early as the 1920s, spoke passionately about the need for a black-labor alliance. Civil rights activist Bayard Rustin, Randolph's protégé and an adviser to Martin Luther King, Jr., joined his mentor as a forceful, early advocate for a black-labor coalition.

The very title of the famous 1963 "March on Washington for Jobs and Freedom," conceived by Randolph and organized by Rustin, reflected their black-labor perspective. Two years later, they founded the A. Philip Randolph Institute, to solidify the black-labor alliance.

With prodding from Randolph, the AFL-CIO came to recognize the deep connection between labor rights and civil rights. The civil rights movement has moved similarly, acknowledging organized labor as by far its strongest ally. In 1961, King spoke to this, declaring that "Negroes are almost entirely a working people. Our needs are identical with labor's needs: decent wages, fair working conditions, quality education and healthcare. That is why blacks support labor's demands and fight laws that curb labor."

That is why the labor hater and the race baiter is virtually always a twin-headed creature, spewing anti-black epithets from one mouth and anti-labor propaganda from the other. And that is why, at the time of King's assassination in 1968,

he was preparing to lead a march in Memphis, Tennessee, in support of black striking sanitation workers.

Still today, the benefits of trade union membership for African Americans, women and Hispanics are clear. According to recent estimates, the wages of black union members are 31 percent higher than their non union counterparts. The union wage advantage for women is 34 percent; for Latino's, it's a whopping 51 percent. Therefore, the union movement's decline should be of special concern. In the mid-1950s, about one-third of the workforce belonged to unions. Today the proportion is 12 percent.

Is this decline inevitable; the unavoidable

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result of globalization, with union jobs going to low-wage countries? Apparently not. Although unionization rates have declined across most developed nations, nowhere else has deunionization been as pronounced or as sustained as in the United States.

Fortunately, a provocative new remedy has recently been proposed.

In Why Labor Organizing Should Be a Civil Right, Richard Kahlenberg and Moshe Marvit pinpoint the reasons for U.S. Labor's decline and offer a plausible solution. They observe that the National Labor Relations Board (NLRB), which oversees most unionization campaigns, does not offer effective remedies for illegal corporate retaliation against pro-union workers. Under NLRB procedures, workers who are fired

for supporting unions, may not win back their jobs for years, if at all. Meanwhile, their co-workers are frightened into abandoning the unionization. The fines for union-busting are also so minimal that corporations have little to lose and much to gain by continuing their bad behavior.

Kahlenberg and Marvit argue that placing the right to organize under Title VII of the 1964 Civil Rights Act offers a possible solution. Their proposal would add abridgement of workers' rights to discrimination against individuals based on race, gender, religion as a new protected category. Under the amended Civil Rights Act, pro-union workers could regain their jobs within days by a federal judge, and employers could face major costs if found guilty of breaking the law.

An amendment to the Civil Rights Act establishing the right to organize could not pass the current Congress. But discussion around the proposal can certainly begin now. And the labor and civil rights movements, in their traditional black-labor-minority coalition, can begin acting now through cooperation with other minority, religious and liberal organizations.

NAACP president Benjamin Jealous and AFL-CIO president Richard Trumka have endorsed the idea of treating the right to organize as a civil right. More leaders of the liberal-labor alliance should begin advancing this concept while also working to elect representatives, senators, and a president who will translate it into law.

Norman Hill is president emeritus of the A. Philip Randolph Institute. Velma Hill, a former vice president of the American Federation of Teachers, is also the former civil and human rights director for the Service Employees International Union.

At the Mercy of Medical Mistakes

Powerful players operate with impunity

BY WILLIAM A. COLLINS

Estimates vary, but every year an average of 195,000 Americans die from medical errors. These acts aren't done on purpose — they are screw-ups, often dealing with medication. Other hundreds of thousands are annually injured.



Surely, you say, Washington and the state capitals must be working feverishly to sort all this out.

Wrong. The last thing hospitals, doctors, insurers, and pharmaceutical companies want is to get this mess sorted out. That would mean inadequate doctors would lose their licenses, inattentive hospitals would get bad publicity, and insurers and Big Pharma would have to shell out some big bucks.

To protect against such calamities, the medical industry has worked out an impenetrable defense. State licensing boards rarely discipline

anyone, and they make it painfully difficult either to find out what actions they have taken or to file a complaint.

Insurers, in their fine print, don't let victims sue, only arbitrate, in kangaroo settings. Doctors won't testify against one another. And in perhaps the cutest wrinkle of all, hospitals, which autopsied around half their deaths 50 years ago, now only do five percent. Thus medical mistakes do indeed get quietly buried.

Other research, published in Health Affairs, found that one in three hospital admissions results in a medical mistake. The growing use of electronic medical records should blessedly cut into this avalanche of foggy paper data that today receives discreet burial in office filing cabinets. More prying eyes should soon get to see the electronic variety.

Otherwise, prospects for improvement are dim. Healthcare in this country is, after all, largely a business venture.

Corporate ownership of hospitals is spreading and non-profit hospitals each day act more and more like corporations. Doctors are mostly

entrepreneurs with payrolls to meet and rent to pay. Savvy groups of them invest in specialized clinics, fueling our nation's chronic over testing. Big drugmakers offer incentives to doctors to prescribe their own patented brands. And perhaps most importantly, the bigger players retain fleets of lobbyists to make sure that no rogue legislature cracks down seriously on all this waste and error.

There's also the reality that in our society doctors are hallowed figures. After all, they had to pass organic chemistry. Further, while the vast majority is just out to help people, they do remain human. They make mistakes, and some suffer from avarice. All seek to avoid embarrassment. They fear lawsuits.

In other words, in addition to America's basic healthcare system being an expensive mess, the systems that run, monitor, and discipline it are also a mess. Privilege rules and the patient is at the mercy of powerful players who operate with impunity.

OtherWords columnist William A. Collins is a former state representative, and a former mayor of Norwalk, Conn.



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