



# CAPITOL LETTERS

*The inside scoop on what's going down in D.C.*

Last summer, that Wal-Mart fake happy face was the perfect symbol for Washington, D.C., with Republicans, fat-cat corporations and K-Street lobbyists controlling foreign trade deals and constantly crowing about how great they were. But all the while, middle-class Americans were losing their good-paying jobs as U.S. manufacturers closed.

The symbol changed after last fall's elections. There was a look of surprise on that Wal-Mart happy face when the Democrats took control of Congress, followed by a scowl of consternation.

And if a symbol could cry, you'd have seen it after those Democrats refused to approve the Korean and Colombian free trade deals that Wal-Mart wanted so badly, followed by their denying the president renewed "Fast Track" authority to negotiate such pacts and get them through Congress unchanged.

If that weren't enough to make that happy face spin, the Dems then had the temerity to suggest America should expand the benefits given to workers who lose their jobs because of foreign trade.

## O Columbia

It will take the involvement of millions of individual workers and voters to get that piece of legislation passed, as it did to accomplish the scuttling of the Korean and Colombian free trade deals and "Fast Track." Over the past year, those voters and workers have shown that they're a force to be reckoned with.

After the election, with the Democrats in control of Congress, the K-Street boys knew they'd have to put a little more effort than usual into getting the likes of the Colombian and Korean free trade deals approved.

Wal-Mart, Citigroup and Caterpillar teamed up to lead a business lobbying group on the Colombian deal.

The United Steelworkers, the AFL-CIO and other labor groups fought back. They pointed out that more labor leaders are killed each year in

Colombia than in all other countries in the world combined, about 120 a year. They pointed out that despite the killings, Colombia makes no effort to punish murderers. Columbia has convicted only one person since 2004, even though its murder rate amounts to approximately one every three days.

The International Labor Rights Fund and the USW are pursuing a federal lawsuit in the United States for the survivors of three murdered union officers who had worked at a Colombian mine owned by Alabama-based Drummond Co. The suit accuses Drummond of hiring paramilitaries to kill the three union officers. A federal judge and the government of Colombia refused to permit the USW to obtain testimony from key witnesses for the trial in July, and the USW now plans to appeal what it believes were incorrect rulings that led to the jury's decision in favor of Drummond.

## One-sided deal

International President Leo W. Gerard said the free trade agreement (FTA) with South Korea would erode jobs in America, just like those that preceded it. "The FTA with South Korea represents a one-sided deal. It favors South Korean interests at the expense of farmers, workers and businesses here in the U.S.," Gerard said, "It allows for benefits under the agreement to extend to a South Korean industrial park operated in North Korea where the workers are paid virtually slave wages."

When leading House Democrats suggested that a side agreement to the Korean and Colombian trade agreements might solve the problems, labor leaders, including Gerard, met with them in Washington.

They reminded Democrats that last fall voters across the country demanded

a new direction on trade, not just a side step.

In the end, that's what American workers and voters got. Democrats dumped the Korean and Colombian free trade deals at the end of June.

Also, that's when the President's authority to negotiate "Fast Track" deals expired. In the Constitution, trade is the responsibility of Congress. Fast Track gave it to the president, who negotiated deals, which Congress could vote up or down without changing.

## Expanding assistance

What remains, however, from years of unfettered free trading is economic devastation in the heartland. Democrats have proposed expansion of the Trade Adjustment Assistance (TAA) program as a result.

This aid would go to more categories of workers who lose their jobs to offshoring, and there would be more of it. TAA pays for job training and relocation assistance, among many other things, for workers whose jobs are moved overseas. Under the expansion proposed by Democrats, these would include computer programmers, call center staffers and other service-sector workers, in addition to traditional manufacturing workers.

Republicans have said they'll never go for this bill to help Americans who lose their jobs unless Fast Track returns.

They say, in the words of Susan C. Schwab, U.S. Trade Representative, "America needs to remain open for business to the 95 percent of the world's consumers living outside the United States."

Maybe so. But if they want to send their cars, baby bibs and pharmaceuticals here, we have a right as a nation to insist on certain standards. We have the right to demand that the products are not made with child labor; that they are not made in countries where trade unionists are routinely murdered; that they are not made in countries where international environmental regulations are openly flouted, leading to global warming. We have a right to fair trade.

After facing nearly universal Republican opposition in the U.S. Senate, the battle for the Employee Free Choice Act is moving to the 2008 election with the promise of its passage under a new presidential administration well within our reach.

The grass roots momentum for the bill continued to grow even after the Senate voted strictly along party lines this summer to stop the bill before it could be voted on. Only one Republican, Pennsylvania's Arlen Specter, was supportive.

More proof on the need for the bill came in July when American Rights at Work released a new report by University of Oregon political scientist Gordon Lafer that uncovers how employers exploit weaknesses in U.S. labor law during union recognition elections.

"Anti-union employers are making a mockery of the principles governing American elections," Lafer said. "Weak labor laws allow anti-union employers to manipulate the outcome of union elections in a manner that is inherently unfair and undemocratic."



Legal, illegal strategies

Lafer's report details strategies — legal and illegal — that employers use to deny their workers the right to form unions and collectively bargain. He found workers routinely face:

- Denial of free speech: Management consultants typically advise employers to maximize legally-permitted one-sided advantages, such as plastering the workplace with anti-union material. Pro-union employees are prohibited from doing likewise, and union organizers are banned from entering the workplace.

- Economic coercion and intimidation: It is common practice in anti-union campaigns for supervisors, who have the most immediate control over hiring and firing, to communicate to workers that their jobs may be at risk if they form a union.

- Ostracism and defamation of union supporters: Security guards with walkie-talkies followed one worker featured in the report to restaurants on her days off. A member of management was assigned to work with her eight hours a day, five days a week, solely to change her ideas about unions.

- Intrusion into workers' decisions on how to vote: "Union avoidance" consultants typically train supervisors to have

repeated, intimidating one-on-one conversations with their employees to make them reveal their feelings about the union before the election.

## Level playing field

The Employee Free Choice Act would level the playing field in the workplace by allowing workers to decide to join a union without employer interference and by requiring arbitration if a timely agreement is not reached on a first contract.

But the Senate in June voted 51 to 48 for cloture, or shutting off debate, on the act. The slim majority was not enough since 60 votes are needed to invoke cloture and move to a vote.

Even though the cloture vote fell short, the Senate action was a step forward. It was the first time in a generation that a majority of the U.S. Senate voted for workers' rights.

Prior to the Senate vote, 16 state governors and nearly 1,300 state and local elected officials expressed support for the legislation in all 50 states. Seven presidential candidates also backed the bill.

Middle-class Americans generated 50,000 telephone calls to the Senate, 156,000 faxes and e-mail messages and 220,000 postcards.

# Momentum Building

## Battle for Employee Free Choice Moves to '08 Election

"It's clear the majority of the American people want this legislation," said a supporter, U.S. Sen. Sherrod Brown (D-Ohio). "A majority of the House wants it. A majority of the Senate wants it. And we will keep coming back year after year."

AFL-CIO President John Sweeney said the Senate vote shows the ground has shifted. He predicted that working men and women will elect more senators and a president who will champion their concerns and fight for their futures.

"The status quo of our broken system is unacceptable," Sweeney said. "Those who continue to support our broken system will find themselves on the wrong side of history."