



## The House of Labor Divided - AFL- CIO and *Change to Win*

by Mike Healey

In July 2004 several major unions boycotted the national AFL-CIO Convention. On September 27, 2005, those unions and others held the founding convention of the *Change to Win Coalition*, which now includes the following unions: SEIU, Teamsters, UNITE-HERE, UFCW, the Laborers, the Carpenters, and the United Farm Workers. This leaves fifty-plus unions left in the AFL-CIO, including large ones such as AFSCME, IBEW, CWA, UAW, and the USWA. The recent split in the labor movement is one of three things:

1. an unfortunate split that will serve only to weaken and divide the labor movement and its ability to fight for working families (AFL-CIO view);
2. an historic event for American workers with the founding of a new and powerful vehicle to fight for the interests of working families (*Change to Win* view); or
3. an event that, by itself, will neither strengthen the labor movement nor accelerate its decline.

The debate that was begun by the SEIU two years ago was one that needed to occur, particularly given the culture in the labor movement that tends to preclude open debates. Is the split a good thing or a bad thing? That is complicated and the jury is still out. Whatever the outcome, the split has implications for the labor movement and for all progressives in daily work. This article will address some of the issues that led to the split and implications of the split, but can only give a brief overview. For a full discussion of the issues and history of the debate and the competing views, go to the web sites of the AFL-CIO and the *Change to Win Coalition*, [www.aflcio.org](http://www.aflcio.org) and [www.changetowin.org](http://www.changetowin.org).

### State of the Labor Movement

Few need reminding the labor movement has been in a state of decline for years. Labor's share of the private sector workforce hovers around 8%, down from historic highs of 32% in 1956. The decline became serious in the 1970's and accelerated with the signing of free trade treaties in the past 20 years which led to the export of millions of mostly union manufacturing jobs to low wage countries. The decline was particularly serious in basic industry which had been heavily unionized under the CIO banner in the 1930's and 1940's. Manufacturing union membership dropped from 7.8 million members in 1973 to less than 3 million members in 2001.

At the same time few unions had serious organizing plans to organize the vast majority of non-union workers. The decline in union density has drastic implications for the country as a whole and tracks almost exactly with several trends: (1) declining wages of workers across the country coupled with a growing gap between rich and poor; (2) declining political power for workers and their union,

coupled with steep cuts in the social safety net; and (3) drastic declines in the percentage of workers covered by health insurance and defined benefit pension plans.

Increasingly in the past 10 to 15 years, the bulk of the organizing has been done by unions representing low wage workers in health care, janitorial and the service industries led by SEIU and UNITE, and certain professional workers like teachers by AFT and the NEA. Despite the reform slate which captured the leadership of the AFL-CIO in 1995, most unions in the AFL-CIO continue to pay only lip service to organizing and membership mobilization. Most unions faced declining membership, and indeed, SEIU appears to be the only one of the *Change to Win* unions that has increased its membership numbers in the last few years.

**There are, however, exceptions to the bleak picture.** The AFL-CIO Get Out the Vote Program has been successful in mobilizing increasing numbers of affiliates and union families around issues at election time. In some states the AFL-CIO functions *de facto* as the principal Get Out the Vote program for the Democratic Party. Another is growing involvement of unions in broader social issues. Labor Against the War has mobilized to the point that the AFL-CIO adopted unanimously an anti-war position at its July 2005 Convention.

### The Debate

The current debate over the future of the AFL-CIO began in 2003 with the SEIU floating a think piece entitled *United We Win* examining the downward slide of unions. The focus of the SEIU argument was, consistent with its organizing and organizational model:

1. Unions must focus on organizing in their core areas, organizing a greater share of a market in order to obtain more power to better represent members. For example, SEIU organized 8,000 janitors in the building services market in Houston this summer.
2. Many unions, especially smaller ones, must merge so there is less inter-union competition, so that unions are big enough to have industry strength, and so there is better use of resources. The 15 largest unions in the AFL-CIO made up 66% of the members, 10 million of the AFL-CIO's 13 million members. The 50 smallest unions make up 23 % of the members.

The most comprehensive AFL-CIO response was in a paper titled *Winning for Working Families* in April 2005. The heart of that proposal was as follows:

1. creation of a strategic organizing fund funded by rebates on AFL-CIO per capita payments to affiliated unions who commit to organizing standards;

*continued on page 5*

## Report from the Bay Area L&EC

The **Bay Area NLG L&EC** has been meeting sporadically, but our members have been enthusiastically working on a number of projects. We met in January and again this September.

**Sweatfree.** San Francisco now boasts the toughest *sweatfree* ordinance in the country. **Laura Juran** represented the NLG L&EC on the coalition along with **Fran Schreiber**; the Bay Area Chapter endorsed the coalition effort. The ordinance finally passed in September, and significantly, a budget line was approved for enforcement. Laura has been nominated for a much sought after seat on the Advisory Committee and we are supporting her; she contributed significantly to the ordinance drafting process. For more information, visit our new website at <http://www.worksafe.org/nlglaboremploycomm/sfbcommittee.cfm>.

**Jobs with Justice.** We are also participating in a coalition to develop a Jobs with Justice group in the Bay Area.

**November 2005 election.** The L&EC is working hard to organize labor and employment lawyers to volunteer for phone banks, precinct walks, speaking engagements, etc. to support labor's efforts to defeat several propositions on the ballot this November in California. Defeating each of these will significantly impact the Schwarzenegger re-election campaign (November 2006). **Lora Jo Foo** reported on the election organizational structure (the Alliance for a Better California and the California Labor Federation programs). Doris Walker raised the need for better election material around Prop 75. Distinctly missing is an analysis and compelling arguments regarding the fact that corporations are not required to get check offs before they spend corporate funds on election activities. Prop 75 is a return of Prop 226 which we previously defeated here in California. It is an attack on the public employee unions and seeks to restrict their ability to do political work on behalf of members by requiring a check-off from each member for such.

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### We are committed to defeating Propositions 73 through 78.

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We will seek volunteers in each of the labor and employment law offices to recruit attorneys and non-attorneys volunteers. We will recruit at the upcoming Bay Area NLG membership meeting on September 28. A major labor presentation will occur there featuring **Mike Casey**, President of the Hotel Workers Local 2-Unite/HERE, and **David Bacon**, Acclaimed Labor Writer and Photographer. At the Humanist Hall, at 27th & Broadway, in Oakland. The program is entitled: *What does the AFL-CIO split mean for labor?*

**Eleanor Morton** (Leonard Carder in SF), **Danielle Lucido** (Leonard Carder in Oakland), **Laura Juran** (Altshuler Berzon), and **Fran Schreiber** (Kazan) will be the contacts in their respective offices. To volunteer to recruit in your office, contact Fran Schreiber, or to volunteer for a shift, contact your local Labor Council directly. Election schedule materials including leaflets from San Mateo, San Francisco, Alameda and CCC are available with phone banking and precinct walking dates and locations and labor council contact information on our website at <http://www.worksafe.org/nlglaboremploycommsfbcommittee.cfm#specialelection>. The most useful thing would be for an office to volunteer to fill say 2 or 3 (or more for larger offices) phone bank positions each week on a specific day and then the phone bank

organizer will know to rely on at least a certain number of volunteers for each session.

**Help for Victims of Bush post-Katrina.** One of our members reported on the Bush Administration suspension of Davis-Bacon laws for rebuilding in the wake of Katrina - the real looting. Suspending these requirements assures that those who rebuild, including many of the low-income victims, won't be paid a fair prevailing wage and benefits. We are contacting local labor attorneys to offer our assistance.

**Congratulations** to Barry Willdorf and Laura Stevens, on a win in *Daniels v. CVS Procare Pharmacy* in San Francisco Superior Court. They represented Gregory Daniels, a CVS store manager, who was awarded \$277,000 after CVS Corp. failed to accommodate him when he asked to switch from a five-day to a four-day work week, owing to the fatigue and illness caused by his HIV. The company ignored his requests, driving him to quit his job.

Under California's Fair Employment and Housing Act the company was required to discuss his needs with Daniels and grant his request for reduced hours unless it could prove that accommodating him would cause the company an undue hardship.

As Laura told *Daily Journal*, "This is an expression of our public policy that we want people with a disability to have jobs and relationships and a place in our world and in life."



## Report from the New York City Area L&EC

On August 4, 2005, the NYC Chapter held its Second Annual Summer Internship Reception at SEIU32 BJ where everybody was able to enjoy a marvelous view over downtown Manhattan (just below Gus Bevona's former penthouse). A lively crowd of about 30 students from various different organizations such as the National Employment Law Project, labor law firms, major unions, the EEOC, and small non-profits such as the Association for Union Democracy. Busy exchanges started the moment students arrived and did not stop till the last student left, everybody sharing their concerns about what is happening to workers' rights in this country (and, to be honest, their future careers). We'll do it again next year. Many thanks to committee member Jessie Faige of 32BJ for organizing the event.

# Resisting Wal-Mart: Canadian Wal-Mart Employees Take a Stand Against Anti-Union Tactics

Quebec, Canada

by Claude Melançon and Sibel Ataogul

The strong anti-union stance of the world's largest employer, Wal-Mart Inc., is almost as famous as its widely advertised commitment to low prices. In the United States, Wal-Mart went so far as to close down all its meat-cutting operations, and switch to pre-packaged meat, after a group of butchers voted to unionize at its store in Jacksonville, Texas. However, in Quebec, Canada, despite Wal-Mart's efforts to prevent its workers from organizing, a number of stores have unionized and the retail giant may finally be forced to conclude collective agreements. This came about because of the persistence of the United Food and Commercial Workers (UFCW) and a legislative scheme that has made Quebec the most unionized region in North America.

The Quebec Labour Code sets up a card-check system: certification is granted to a bargaining unit if examination of its membership cards shows that 50% plus one of the workers in the unit are members of the union. Québec is one of five provinces in Canada that allow unions to be certified using card-check. So far three Wal-Mart stores—Jonquière, St-Hyacinthe and Gatineau—have bargaining units that were certified on this basis. The card-check system has many benefits for workers aiming to unionize, the most important being that it minimizes the risk of employer intervention and intimidation, since much of the campaigning can be done without the employer's knowledge. Indeed, unionization rates in provinces that allow certification through card-checks is considerably higher than in provinces that require mandatory voting, according to a study conducted by the Fraser Institute.

The other important component in the Quebec Labour Code that favours unionization is the ability for the government to impose a first collective agreement in a case where the parties fail to reach an agreement within a reasonable time. In practice, this means that an employer that is hostile to the union and refusing to bargain can be forced to accept a collective agreement imposed by an independent arbitrator.

Despite these legislative measures that favour workers, Wal-Mart has fought unionization of its stores in Quebec with great force. In Jonquière, where the retailer was unable to defeat the unionization effort and had to face the prospect of a collective agreement being imposed upon it by an arbitrator, it announced that it was closing the store. A Wal-Mart spokesman explained that the closure was caused by the fact that it was unable to conclude a collective agreement that ensured the profitability of the store. In response, UFCW Locals 501, 503 and 486 and a number of workers involved in unionization campaigns across Quebec filed a joint application with the *Commission des relations du Travail du Québec* (Quebec Labour Relations Commission). They alleged that the Jonquière store was really closed to intimidate workers in other stores in Quebec and they were prevented from exercising their right to freedom of association in a union. Wal-Mart challenged the Commission's jurisdiction to hear the application and lost. After this defeat, Wal-Mart announced it was closing its store on April 29, 2005, one week earlier than the date it had previously given.

This was a huge blow to the workers that had supported the unionization campaign. However, the membership of the union did not diminish and the workers held their ground. The UFCW, along with the *Fédération des travailleurs et travailleuses du Québec* (FTQ), the largest federation of workers in Quebec, stood by the

workers and pledged to find them jobs and to top the amount of unemployment insurance they received for a full year. Moreover, the government has imposed binding arbitration on the parties for the conclusion of their first collective agreement, which could become a model for all future collective agreements in all of Wal-Mart's unionized stores.

Meanwhile, Wal-Mart has been lobbying to eliminate the card-check system in Quebec and replace it with mandatory voting. Andrew Pelletier, the director for Wal-Mart Canada's public affairs, has said repeatedly that Wal-Mart disapproves of certification through card-checks, which it deems "less democratic" than a mandatory vote. In a statement on the certification of the union in the St-Hyacinthe store on February 14, 2005, Pelletier told the Canadian television network, CBC, "Any time you have a workplace that ends up being unionized, without the employees in that workplace voting for a union, in our view we have a questionable situation."

Given Wal-Mart's own questionable track record of anti-union intimidation tactics, it is not surprising that the company prefers mandatory voting, which allows employers to exercise considerable influence in the campaign leading up to the vote. In Quebec, Wal-Mart has been found guilty of intimidating workers, forcing them twice to renounce unionization in two different stores in Brossard and Ste-Foy. Indeed, no union managed to obtain certification through a vote in a Wal-Mart store until very recently. In September 2005, the majority in a bargaining unit of eight workers voted to join UFCW, Local 1518, at a Wal-Mart Tire and Lube Express in Cranbrook, British Columbia.

Wal-Mart has successfully lobbied for legislative changes in the past to achieve its goals. One notorious example is the "Wal-Mart" amendment in Ontario. In 1997, following an unsuccessful vote in a Wal-Mart store in Windsor Ontario, the Ontario Labour Relations Board found that Wal-Mart had intimidated the workers into voting against unionization, rendering the results of the vote invalid. The Board used Section 11 of the Ontario Labour Relations Act, which allowed for automatic certification in the case of a contravention by an employer of the Act, to certify the Steelworkers union. Shortly after the certification, the conservative government led by Mike Harris amended the Act to eliminate Section 11 and prohibit automatic certification as a remedy in cases of intimidation; this was the "Wal-Mart Amendment." In the past year, important information has come to light, notably through statements from ex-workers, strongly suggesting a link between Wal-Mart's anti-union activities in the Windsor store during the unionization campaign and the conservative government's decision to introduce the "Wal-Mart Amendment." This information has prompted the UFCW, along with other unions, to demand a public inquiry from the current government into these events, as well as into Mike Harris' involvement with Wal-Mart. As for the Wal-Mart amendment, it was overturned in June 2005 by the liberal government that is currently in power and the content of the old section 11 was effectively reinstated.

The workers in Quebec have managed what seems impossible in other regions of North America: to successfully unionize a Wal-Mart store and move toward a collective agreement—with solidarity, persistence and the help of a labour relations scheme that favours the exercise of the right to freedom of association.



# NLG, ALAL, ANAD and SNTSS Will Coordinate Efforts in the Fight for International Workers' Rights

*Mexico City, Mexico*

On July 31 in Mexico City, the National Lawyers Guild (NLG) joined the Association of Latin American Labor Lawyers (ALAL), the National Association of Democratic Lawyers (ANAD) and the Mexican National Union for Social Security Workers (SNTSS) to announce new coordinated efforts against global capitalism and the mistreatment of labor workers around the world. Luiz Carlos Moro of Brazil, ALAL President, presented a letter on behalf of the Farm Labor Organizing Committee (FLOC) with hundreds of signatures gained through collaborative efforts.

The announcement followed the close of *The International Meeting of Lawyers and Unionists in Defense of Social Security and Public Enterprises* held from July 28 to 30 in Mexico City. The July conference, sponsored by ALAL, ANAD Mexico, and SNTSS addressed strategies to halt the dismantling of national social security systems and the privatization of state-owned enterprises. Social security systems in this context includes broad issues such as public health care systems as well as traditional social security. The conference also focused on approaches to address worker health and safety crises.

The parties reached agreement marking an important step toward solidarity against corporate multinational giants such as Wal-Mart and emphasizing the need for a tighter watch on violations of international labor standards. An eleven-point agreement details how international labor advocacy can be improved among lawyers, trade union activists and other support groups through a larger, more effective network. The parties committed to a two-year plan for securing workplace equality, redesigning social security systems, affirming union freedom, and protecting health and safety. This successful conference opens new possibilities for hemispheric coordination in the ongoing effort to defend worker rights in this globalized economy.

The conference participants represented organizations affiliated with ALAL from Argentina, Brazil, Cuba, Mexico, Paraguay, Peru and Venezuela. ALAL invited the NLG and the Canadian Association of Labor Lawyers (CALL) to attend.

Prior to the conference, ALAL expressed interest in affiliation by the NLG and CALL. The conference included a panel with members of the NLG delegation to provide an introduction to the various ALAL member organizations and to the wide variety of issues that need to be addressed in order to contest worker health and safety violations around the globe.

Robin Alexander and Polly Halfkenny headed the NLG L&EC delegation and members of our delegation were on two panels. Joan Hill provided an excellent overview of the crisis in health care for United States workers; she was joined by speakers who discussed the situations in Venezuela, Peru, Argentina, Cuba, Mexico, Paraguay, Canada and Brazil.

In addition, Robin Alexander and Claude Melancon, representing CALL, headed a panel which focused on the application of domestic law in an international context, the use of international law/legal institutions to defend or expand the rights of workers, and examined international solidarity as a weapon in the struggle for workers rights. Robin and Lidia Guevara (Cuba) served as co-facilitators. NLG panelists included Lisa Brodyaga, who spoke of the challenges facing immigrant workers and asked participants to

sign a letter protesting the prosecution of Farm Labor Organizing Committee's (FLOC) organizer Brendan Greene in Mexico; Jeanne Mirer, who explained the work of the ICLR; and Derek Baxter, who explained the creative use of the Alien Torts Claim Act to hold United States' corporations accountable for violations of worker rights. Additional speakers on this panel included Claude Melancon (Quebec), who spoke about Wal-Mart; Arturo Alcalde (Mexico) who spoke about the use of the ILO in defending his clients' rights; Mary Cornish (Canada) who described the use of Canadian and international law in fighting for the rights of women; Medardo Banuelos (Mexico) who spoke of the recent ICLR delegation to Colombia; and Benedicto Martinez, who spoke of the importance of international solidarity, including the filing of a NAALC complaint by 20 unions and labor federations to defeat an extremely regressive labor law reform package.

Trade unionists and lawyers met separately on the last day of the conference. The ALAL, CALL and NLG delegations discussed ways we can support each other's workers' rights struggles. A statement of principles was discussed and preliminarily approved which outlined the agreed points of coordinated action among the entities. The eleven-point statement, which has yet to be approved by the NLG committees involved, lays out the need to form a network of labor lawyers throughout the hemisphere to disseminate information on various worker struggles and other issues of common concern.

To coordinate further efforts between the ALAL, the NLG and CALL, each entity appointed liaisons. Cathleen Caron and Michael Dale will respectively represent the NLG's Labor and Employment and International committees on that coordinating committee.

For the complete statement and further information, please visit our NLG L&EC website regarding our international activities at <http://www.worksafe.org/nlglaboremploycomm/international.cfm>.

The NLG delegation met separately with CALL to discuss cross border labor solidarity. As the largest private employer in the world, Wal-Mart and its universally condemned anti-union tactics was the obvious first challenge. (See the article on page 3 of this newsletter.) Both organizations pledged to appeal to its members to determine how best to move forward with this collaborative effort. Additionally, both agreed to invite representatives to their respective annual conferences to foster a closer association between the two progressive legal associations.

Representing the NLG were **Robin Alexander**, Director of International Labor Affairs for the United Electrical, Radio and Machine Workers of America (UE) and member of the coordinating committee of the NLG International Committee; **Derek Baxter**, a lawyer for the International Labor Rights Fund, an NGO which promotes the human rights of workers worldwide; **Lisa Brodyaga**, an expert in immigration law; **Cathleen Caron**, an attorney specializing in migrant labor rights who is currently launching the Global Workers Justice Alliance; **Mercedes Castillo**, a third year law student at UC Davis and Chair of the National Latina/o Law Student Association; **Michael Dale**, Director of Northwest Workers' Justice Project; **Polly Halfkenny**, General Counsel of the United Electrical, Radio and Machine Workers of America (UE) and Co-chair of the NLG Labor and Employment Committee; **Joan Hill**, Associate

*continued on page 7*

# The House of Labor Divided

continued from page 1

2. creation of Industry Coordination Committees to implement global industry strategies to support organizing and bargaining; and
3. encourage voluntary mergers of unions.

The **Change to Win** unions quickly rejected that approach as being *all voluntary* and *too little, too late*.

**There are two things the debate seems to have lacked to this point.** First, while the debate has been publicized in the mainstream press and actively promoted on various web sites, it has not, with exceptions, included the rank and file. Even many Local Union officers in unions on both sides of the debate have not participated in the debate. For example, the September 2005 issue of *Convoy Dispatch*, the TDU newspaper, conveys a common sentiment when it states, “[b]efore the SEIU withdrew, they discussed the issue for two years, but Hoffa yanked 1.3 million Teamsters out of the AFL-CIO without any consultation with members or local officers.” Second, the debate has somewhat been framed on both sides primarily in terms of the structure of the labor movement and tends to minimize the political and economic realities of 21st century global capitalism and neoliberalism.

## AFL-CIO Convention

The debate grew more personal as the July AFL-CIO Convention approached. Before the Convention, meetings were held between the two sides in an attempt to bridge their differences. Unfortunately, those did not turn out well and four unions boycotted the AFL-CIO Convention (SEIU, UFCW, IBT, and UNITE-HERE). These unions have disaffiliated from the AFL-CIO and formed their own competing **Change to Win Coalition**. They have since been joined by the Carpenters, the Laborers, and the United Farm Workers, though the Laborers and Farm Workers, at the time this is written, still remain inside the AFL-CIO. Many unions within the AFL-CIO accused the **Change to Win** unions of boycotting a Convention that essentially adopted their proposals.

After leaving, the **Change to Win Coalition** members expressed an interest in continuing to work with and retain membership in local Central Labor Councils. The AFL-CIO replied with a list of conditions they would need to meet to do so, which have thus far been rejected by the **Change to Win Coalition** unions. AFL-CIO President John Sweeney and **Change to Win Coalition** Chair Anna Burger continue to discuss their differences, which both sides hope are resolved by early November.

AFL-CIO General Counsel Jon Hiatt sent an e-mail to the AFL-CIO Lawyers Coordinating Committee. He described the events immediately prior to the split, the accuracy of which, to this point, appears not to have been publicly disputed by anyone. Hiatt (and others) state that many of the **Change to Win** proposals were adopted by the AFL-CIO Convention in substantial part and invited persons to compare what differences, if any, remain by looking at the respective web sites. (See above.)

Hiatt stated that, before the Convention the **Coalitions** agreed that no substantive differences remained on the issues. He noted, “Instead, they stated they would participate in the convention and remain in the AFL-CIO only if the other unions agreed to replace Secretary Treasurer Richard Trumka with John Wilhelm of HERE, or some other agreed upon person, and that John Sweeney would commit to stepping down and being replaced by that person in the

near future.” The other AFL-CIO unions rejected this.

**The rift in the labor movement has been demoralizing for many and has already had an impact.** Jurisdictional disputes, previously simmering, seem to be increasing with no AFL-CIO procedures to hold these in check. The Teamsters sent a memo to its local unions as to procedures to follow if they do raid other unions. Solidarity work in Central Labor Councils may be diminished, depending on the results of talks between Sweeney and Burger.

It is unclear what will finally emerge from the **Change to Win Coalition** Convention on September 27. It seems it would be difficult for unions with such diverse politics, organizing plans, and cultures to agree on anything other than the most general principles during the course of a one day convention. Initially, the **Coalition** elected SEIU Officer Anna Burger as its chair, and selected SEIU Organizing Director Tom Woodruff to be the Organizing Director for the **Coalition**. The **Coalition** has also committed to spending 75% of its per capita payments on organizing.

**There have been two encouraging signs.** The AFL-CIO, in large part, still adopted the **Change to Win** proposals on organizing and a number of issues. Perhaps both organizations will now devote significant resources to organizing and membership mobilization. In an effort to resolve jurisdictional issues, SEIU and AFSCME have reached a no-raid agreement, and the Teamsters and the CWA came to an agreement on joint work in the airline industry.

Only time will tell if the split leads to a reenergized labor movement or not, and many questions remain:

1. What is the impact of the split on joint efforts between unions, either within or outside Central Labor Councils? Will the two sides find a way to work together through the existing Central Labor Councils?
2. Will this split lead to increased organizing in the labor movement as a whole or, is it likely to lead to resources being devoted to increased jurisdictional fights between unions for already organized workers?
3. Will the **Change to Win Coalition** unions set up another national labor center like the AFL-CIO, and if so, what will it look like?
4. What will the impact of this split be on political power in this country, on electoral efforts, and particularly on the recently successful labor get out the vote efforts? What will the impact be on the Democratic Party?
5. What is the view of major corporations and the right wing on the split? (Early signs seem to be, that while muted, they claim to be generally pretty happy)
6. When will rank and file workers in all unions participate in the debate and what impact does this split have on working families?
7. Was the split really necessary after it appeared that the two sides had reached substantial agreement on many issues, or was it inevitable given politics, personalities, and the current state of the labor movement?

**Stay tuned.** The recent split in the AFL-CIO has implications for the labor movement and all progressives. Will both sides now meet their stated increased commitments to organizing and membership mobilization? If they do, it could mark the beginning of labor’s resurgence. If they do not, it will simply be another road mark in labor’s gradual decline.

# HIGHLIGHTS of the NLG CONVENTION 2005 for NLG L&EC Members

## WEDNESDAY, OCTOBER 26

Noon on **NLG Registration**

## THURSDAY, OCTOBER 27

8:00am to 5:00pm NLG Registration  
9:00am to 4:00pm CLE -*Out of the Classroom, Into the Courtroom: How to Use International Law in Our Everyday Law Practices*  
1:30 to 3:00pm **Labor & Employmen Steering Committee Meeting** - at Gene Mechanic 621 SW Morrison #1450  
3:00 to 5:00pm **Labor & Employment Committee Meeting** - Office of Gene Mechanic 621 SW Morrison #1450  
5:30 to 7:00pm Immigration Project Reception  
6:00 to 8:00pm **Keynote Address: John Wilhelm, President/Hospitality Industry of UNITE HERE**

## FRIDAY, OCTOBER 28

### Workshops I

8:30 to 9:45 am **Organizing and Representing Temporary and Day Labor Workers**

Noon to 1:30pm Women in Black Protest

### Workshops II

1:30 to 3:00pm **Walmart**  
The ADA & Other Anti-Disability Discrimination Laws: How to Use Them in 2005 & Beyond  
**Farmworkers Today: Current Challenges & Strategies in Organizing & Policy**

3:00 to 4:15pm Student Caucus  
4:30 to 6:00pm PLENARY #1  
6:00 to 7:30pm International Committee Reception  
7:30 to 9:00pm NW Center for Constitutional Rights Reception  
9:00 to 2:00am Student Party

## SATURDAY, OCTOBER 29

### Workshops III

9:00 to 10:15am Reauthorization of the Voting Rights Act  
**Popular Movements and Alternatives to Neoliberalism**

### Constituency Panel

10:30 to Noon **Labor**

Noon to 1:00pm Regional Meetings (NE, South, Mid Atlantic, Texona, Far West, Mid West, NW, SW)  
Noon to 3:45pm Anti-Racism/People of Color Caucus  
1:00 to 3:45pm Diversity Training  
4:00 to 5:30pm PLENARY #2 (National Elections)  
6:00 to 7:15pm Pre-Banquet Cocktail Party  
7:30 to 9:30pm Banquet & Dancing

## SUNDAY, OCTOBER 30

### Workshops IV

10:45 to Noon **Electoral Strategies: How to Deal with a Broken Two Party System - Mobilization and Party Building**

*Items in bold are sponsored or co-sponsored by the Labor and Employment Committee*



# Law Student Outreach

## Law Student Union Summer Seeks Applicants

Law Student Union Summer is an exciting 10-week internship for law students that combines front-line legal work with grass-roots organizing in campaigns by AFL-CIO unions in various regions of the country. These are on-site internships, at locations throughout the country (NOT in Washington, D.C.). Students will receive a weekly stipend of \$450; transportation and housing expenses are also covered. On-site supervision is provided by both attorneys and union organizers.

Applicants must have a demonstrated interest in the practice of labor law and may be first or second year students; students who have taken one or more labor law courses and who have experience in organizing and community activism are preferred. You can download an application at <http://www.aflcio.org/aboutus/union-summer/>. Apply by sending application, cover letter, resume, writing sample, law school transcript, and three references to:

Nancy Schiffer, Associate General Counsel AFL-CIO  
815 16th Street NW  
Washington, DC 20006  
Phone: 202/637-5336 Fax: 202-637-5323  
[nschiffe@aflcio.org](mailto:nschiffe@aflcio.org)

### Application deadline

November 4, 2005 for 2L and January 31, 2006 for 1L

## Call for Volunteers

The LCC is looking for members to participate in panel discussions at law schools or other public interest forums for students interested in the field of union-side labor law and to assist with the development of our loan forgiveness and labor and employment curriculum programs. Your participation is essential to increasing law student awareness about practicing union-side labor law, improving funding opportunities for summer and post-graduate jobs in the field, and ensuring strong labor and employment law curriculum that incorporates a union-side perspective.

If you would be willing to take part in any of these initiatives, please contact Catherine Fayette at [cfayette@aflcio.org](mailto:cfayette@aflcio.org), by fax at 202-637-5323 or by mail at AFL-CIO Office of the General Counsel, 815 Sixteenth Street NW, Washington, DC 20006.

## LCC Minority Outreach Program Seeks Applicants

Since 1997, the AFL-CIO Lawyers Coordinating Committee has offered the LCC Minority Outreach Program to encourage law students of color to apply for summer clerkship opportunities at LCC law firms and legal departments. They typically deal with issues arising under a range of labor and employment laws, including the National Labor Relations Act, Fair Labor Standards Act, Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, Employee Retirement Income Security Act, and the Age Discrimination in Employment Act. Students also participate in the LCC Law Clerk Networking Conference, which features workshops and presentations on labor law practice, union organizing and representation, and politics and legislation.

Students also participate in the LCC Mentor Program, in which experienced LCC attorneys provide guidance and support during and after the students' clerkships.

In just a few short years, the program has begun to fulfill its goal of introducing attorneys of color to the practice of union-side labor law, as several M.O.P. alumni have been hired as full-time attorneys by LCC firms and legal departments. Additional M.O.P. alumni have found employment with several labor relations-related federal agencies, including the National Labor Relations Board.

To sign up for the LCC Minority Outreach Program, or for more information, contact Ana Avendano at (202) 637-3949 or at [avendan@aflcio.org](mailto:avendan@aflcio.org).

## Fighting for International Workers' Rights

*continued from page 4*

Director, Membership Development, for the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied-Industrial and Service Workers International Union (USW); **Ingrid Irene Nava**, an attorney practicing employment law for low-wage and immigrant workers in the area of Boston, and former counsel for SEIU Local 615; **Jeanne Mirer**, Treasurer of the International Association of Democratic Lawyers and Commissioner and founding member of the International Commission for Labor Rights (ICLR).

The web address for ALAL is [www.alal.info](http://www.alal.info). The e-mail address for ANAD is [anadmexico@yahoo.com.mx](mailto:anadmexico@yahoo.com.mx). The web address for CALL is [www.call-acams.com](http://www.call-acams.com). The web address for the NLG L&EC (international work) is <http://www.worksafe.org/nlglaboremploycomm/international.cfm>.

## ANNOUNCING our FABULOUS NEW Website

The NLG Labor & Employment Committee has a new website with information about our **national projects** (**Workers' Centers** and **Immigration** issues as relate to labor and employment law), our **international work**, and **local work**. We also posted our previous **newsletters** on the site and have a spot for **job announcements**. Finally, we have a **News & Views** page and are beginning to organize material related to **Other labor and employment law issues**. We want to hear from you about what to add to our site (items as well as general topics).

We hope you find our site useful. Visit us at  
<http://www.worksafe.org/nlglaboremploycomm>

... And while you're there, visit the new  
**NLGL&EC Workers Center webpage**

... to build relationships between lawyers and workers' centers and provide information on volunteer opportunities.

<http://www.worksafe.org/nlglaboremploycomm/workercenters.cfm>

Join the L&EC at the  
**National Lawyers Guild Convention in Portland**  
**LAW for the People Convention**

Benson Hotel - 309 SW Broadway - Portland, Oregon 97205 - (503) 228-2000

**Thu - October 27 - 1:30 - 3 pm - L&EC Steering Comm**

*steering committee meeting location will be posted at the L&EC table at the Convention*

**Thu - October 27 - 3 pm - 5 pm - L&EC Committee meeting**

*full committee meeting at Law Office of Gene Mechanic - 621 SW Morrison #1450 - Portland, OR 97205*

**Stop by the L&EC Table for Information on  
Committee Meetings and Special Events!**

**National Lawyers Guild  
Labor & Employment Committee**

*c/o Kazan McClain Abrams Fernandez Lyons & Farris*

171 - 12th Street  
Oakland, CA 94607