

the national lawyers guild

NEWSLETTER of the Labor & Employment Committee

<http://www.nlg-laboremploy-comm.org>



May 2018

WHERE to find us

at the



**AFL-CIO LCC
Atlanta 2018**

**THURSDAY, MAY 17
6:45 am – 8 am**

Stronger United: Confronting Racism and Sexism in the Labor Movement

breakfast & panel discussion

Fairlie Room, Lower Level 3

**THURSDAY, MAY 17
7:15 pm – 9 pm**

NLG Labor & Employment Committee dinner meeting Pittypat's Porch

one block from the Hyatt at
25 Young International Blvd.

**RSVP ASAP to
nlglabor@gmail.com**

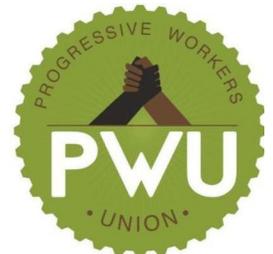
Social Justice and Progressive Unionism

Bargaining to improve conditions for women workers at Sierra Club

BY LARRY WILLIAMS JR.

The **Progressive Workers Union (PWU)** has just taken a huge leap in the struggle to strengthen the progressive movement from the inside out by uplifting women, people of color and living our movement's principles to the forefront. Our union, formerly known as John Muir Local 100, which represents Sierra Club Employees, grew out of the Sierra Club's decision in 1991 to lay off 22 employees and increase the workweek to 40 hours. Sierra Club employees realized then that **unionizing was the only way** to protect their rights as workers.

Efforts to unionize led to the formation of two unions—Sierra Employee Alliance (SEA), affiliated with United Auto Workers (UAW), which represents staff at the national headquarters in Oakland, California, and John Muir Local 100 (JML 100), an independent union that represents staff based elsewhere in the United States and in Puerto Rico. Together, both unions represent over two-thirds of the Sierra Club's staff. For the newly formed PWU, issues of sexual and verbal harassment were in the forefront of our minds when we started building our movement to improve the Sierra Club. Traditionally, unions focus on the topics of wages, hours, and working conditions as the narrow set of issues to be negotiated into a contract. In that light, we understood that our union needed to expand that meaning of working conditions to include pressing issues confronting our membership.



This means, in particular, dealing with those forces, both within the Sierra Club and in our wider society, that women and people of color are faced with every day. We were keenly aware of the unfortunate reality of exploitation and low retention that has continued to plague women in general, and women of color specifically. Despite the fact that our country is slowly making strides in efforts to hear the voices of women there is much work to be done that can only be accomplished by the power of a union and led by those most affected.

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Social Justice & Progressive Unionism *(continued)*

This harsh reality is reflected in the **non-profit industrial complex**, which perpetuates white supremacy culture and patriarchy. With the Trump Administration's rollout of an openly racist and anti-immigrant agenda, powerful groups like the Sierra Club have come out in full force to resist white supremacy. But to win that fight externally, you need a strong internal understanding and belief in equity and justice and to live out the principles you espouse.

In November 2017, PWU entered into contract negotiations with the Sierra Club, a process that will have a major impact on non-profits, as well as the environmental and labor movements. At a time

when **union membership is on the rise for young people** under 30, we proposed policy changes to address issues like racial and gender pay inequity, heavy workloads and job security. Our PWU bargaining and organizing teams engaged our entire membership using **UnionBase** as a digital organizing tool and sent out surveys to get input and build the framework of our proposals. Our bargaining committees focused specifically on building member engagement on issues that mattered to our members, then mobilized them to support actions to move management.

The toxic behavior, harassment, and misconduct were all problems that registered as important to our membership, but were also part of a long list of issues that needed to be addressed, including pay inequality. We decided that these realities suffered by many in our organization were too important to ignore. We used past experiences working with the human resources department to inform us on how to change the grievance procedure as it relates to harassment complaints, and ensure that union involvement is a key aspect of any investigation that could lead to discipline or suspension of our members. We also proposed and agreed to open organization-wide conversations between Sierra Club's two unions and other stakeholders around developing a new misconduct policy. We proposed a process to create an organization-wide 360 review program and organized around it. Lastly, our union updated our contract language around discrimination and added language to define and provide accountability for and protections against toxic behavior. We will also be developing internal guidance and rules around these topics in our own constitution to ensure protection for our leadership of color and women.



The result of two years of organizing and five and a half months of bargaining is a landmark agreement that has completely changed the complexion of employment at the Sierra Club. Because we focused our energy on issues that our members care about, **our membership resoundingly backed us up during our contract battle**. Building on our power as a union during negotiations and led by our Vice President Neha Mathew, 16 brave women of color led a movement to improve the Sierra Club experience for women and femmes of color. The outcome was a Sierra

Club-funded, PWU-managed fund for women and femmes of color to heal, empower and uplift their voices. Additionally, Sierra Club and PWU will agree to a card check process for 115 chapter employees across the country, do a yearly equity review to find and remedy issues around pay inequity, pay all PWU members a family sustaining wage according to the **MIT Living Wage calculator**, increase vacation and parental leave, lower requirements for

sabbatical, track comp time with a formula, improve our 401k and Healthcare plan, and implement an Employee Subcommittee within our Labor Management committee to directly address employment issues with our union's leadership and much more.

In the end, a well built bargaining strategy, creative organizing, and a strong membership led to a major victory for both PWU and Sierra Club. The key lesson we learned while building this movement is that if the Labor Movement focuses on and listens to the most vulnerable communities in our membership we cannot and will not lose.



Larry Williams, Jr. is the President of Progressive Workers Union and founder of UnionBase.org. Founded in 1992, the Progressive Workers' Union (PWU) represents over 200 staff across the United States and Puerto Rico. PWU's membership base—which includes organizers, fundraisers, campaign representatives, communications professionals, digital strategists, policy experts, legal assistants, and IT professionals—are responsible for the day-to-day functions of Sierra Club, as well as the development and implementation of its long-term goals.

We Are the Ones We've Been Waiting For

West Virginia's women know what they are worth

BY SARAH DAVID HEYDEMANN

The West Virginia teachers strike ended after nine gripping days of marches and rallies and demands, of public sector workers who rebuffed their union leadership and refused to go back to work until they got a raise—not just for themselves, but for workers statewide. They scored a real and significant win: **a five percent pay raise for all state employees**. At the National Women's Law Center, we know it is no accident that the most significant strike in decades was led by a workforce of women who have long been on the frontlines, battling the harm that **years of austere budgets** have done to their classrooms, their students and their own families. While no one has a magic 8-ball to predict when strikes—**much less wildcat strikes**—will happen, when you look at the combination of factors that led to the nine-day strike, none of us should have been surprised. Nationally, this is a moment for action.

As an organization dedicated to advancing equality for women and girls in the workplace, in education, in income security and in health care, this strike cuts across all of our issues. We see and we know that in all these areas, this is a moment when institutions are failing working people and especially working women. But so too, we see it is a moment in which women in particular are rising with a collective voice to fight back.

West Virginia teachers show us how to fight, even without institutions on our side

Turns out, West Virginia public sector workers don't need the Supreme Court or even the state to support public sector unions before striking. On February 26, the Supreme Court heard oral argument in a case, *Janus v. AFSCM*, that could significantly weaken public sector unions. Given the hostile questioning by the court, it is widely anticipated that the union in this case may lose, and individuals covered by union contracts in the public sector will no longer be required to pay for the benefits that they receive.

Ironically, this change would force restrictions on the dues collection of public sector unions, similar in many ways to the restrictions already in place in West Virginia. Unlike collective bargaining in the private sector, which is governed federally by the National Labor Relations Act, public sector bargaining is regulated on a state-by-state basis. And a handful of states have no statutory provisions governing the rights of public sector workers to join unions at all, or to protect the right to collectively bargain or to strike.



West Virginia is one of those states. Thus, West Virginia unions don't bargain contracts, but lobby the state for raises to a pay scale set by the legislature. They are only able to collect dues from their members, even though their activities benefit all teachers.

In this climate, in which decades of corporate-backed efforts to undermine unions have reached institutions up to the Supreme Court, it is a thrilling prospect that even in a state where public sector workers have no state-sanctioned rights to collectively bargain or collect fair share fees, nearly 20,000 teachers across 55 counties were able to mobilize and stick together for nine days—even staying out on strike in defiance of their union leaders, who were ready to accept a far worse and far more uncertain bargain from the state. We remain hopeful that if the *Janus* decision sells out public sector workers in other states, the one silver lining may be that working people in the public sector could follow the example of their colleagues in West Virginia and strike for what they are worth.

Women's voices are louder than ever: We refuse to be undervalued and underpaid

From the Women's March to the #MeToo movement, this is a moment of intense women's activism. And no wonder; women and teachers across the country, but especially in West Virginia, are overwhelmingly women who are undervalued and underpaid.

West Virginia's teachers are **almost 75 percent women**, mostly between the ages of 30 and 49. In West Virginia, **18 percent of women live in poverty** and more than **6 in 10 minimum wage workers are women**. A staggering **47 percent of female-headed families** with children under 18 live in poverty.

Before this week, teacher salaries in West Virginia ranked 48th among the nation. The average **teacher salary was \$45,622, 22 percent below the national average**. Nationally,

we know that traditional **"women's work"** such as teaching and **child care** is undervalued and underpaid. And low salaries in disproportionately female workforces are a major driver of the gender wage gap—which is especially wide in West Virginia, putting the state's rank at **49th** out of 50 states plus the District of Columbia. Overall, women working full time in West Virginia are paid just 72 cents for every dollar paid to their male counterparts, and **women of color fare even worse**: Black women make just 61 cents, and Latinas just 58 cents, for every dollar made by a white non-Hispanic man.

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We Are the Ones *(continued)*

For years, rather than investing in policies and programs that would narrow these gaps and help women support their families, policy makers in West Virginia **have pushed corporate tax cuts** with familiar but baseless claims that they will boost the economy. And **(no surprise)** those tax cuts ended up starving the state of the revenue it needed to, for example, pay its teachers fairly or **curb their health insurance premium costs**. Through years of budget tightening, it became abundantly clear that the neither the governor (who reportedly called West Virginia's teachers "dumb bunnies" in the days before the strike) nor the



legislature **(which continues to strip women of their rights to reproductive health care)** intended to prioritize the needs of women and their families.

Women know that they are worth more. So West Virginia's teachers did what women always do—albeit on a much larger scale. They made noise, stuck it out, and won. And they did it in a uniquely caring way, including **pooling their own money** to make sure their students who relied on school

lunch did not go hungry while schools were closed. When women rise, the whole community rises too.

What comes next?

In states such as Oklahoma, Arizona, Kentucky, Utah, North Carolina and even Puerto Rico, **other public employees are now gearing up for strikes**, statewide walkouts and public protest. And, **according to labor historian Joseph McCartin**, "public sector strikes tend to come in waves...teacher strikes tend to breed more teacher strikes." What we could only dream about before—general statewide strikes—have now become more than just a glimmer in the eyes of millions of working **people who are faced with similar hardship** as those in West Virginia.

These public sector workers—largely women—understood what this moment in history calls for: bold and unapologetic action to demand that the institutions we depend on do not fail us, or future generations. And we are all better off for it, and for them.

The original version of this article was published on the National Women's Law Center blog: <https://nwlc.org/blog/we-are-the-ones-weve-been-waiting-for-west-virginias-women-know-what-they-are-worth/>

Sarah David Heydemann is an organizer and attorney, currently working as a Legal Fellow in the Workplace Justice team at the National Women's Law Center. She is a long-time member of the NLG Labor and Employment Committee and represents the committee on the NLG National Executive Committee.



#MeToo:

Standing Up to Abuse in the Hospitality Sector and Beyond

BY SUSAN MINATO

Accompanying the rise of the #MeToo movement, there has been a recognition by many of the activists involved that an important part of the story remains untold: the experiences of the millions of women who clean hotel and hospital rooms, cook in kitchens, toil in the fields, and perform all the other invisible labor that makes our economy move. While it took real guts for every woman who has participated in the movement to risk her career by speaking out, for working-class women with no access to the spotlight the stakes are even higher.

In recent years, the labor movement has used innovative policy campaigning, in addition to traditional workplace organizing, to confront this crisis directly. In 2016, for instance, SEIU California led a successful effort to establish a statewide sexual violence and harassment training requirement for employees and managers of janitorial businesses, which will be developed with input from an advisory committee that includes union representatives.

Our union, UNITE HERE Local 11, which represents hospitality workers in Southern California and Arizona, has also attempted to combat the epidemic of sexual harassment and assault through political means. Because they typically work alone in guest rooms where there are no cameras, hotel housekeepers are especially vulnerable to crimes and other threatening behavior. A study completed by UNITE HERE Local 11 in Chicago, for example, found that 58 percent of the hotel workers said they had been sexually harassed or assaulted by a guest, and 49 percent of surveyed housekeepers said guests had exposed themselves, flashed them, or answered the door naked.

One tool hotel workers have used to protect themselves on the job is a panic button, which enables workers to call for help when they find themselves in a dangerous situation. Hotel workers in New York City have won the right to carry panic buttons through the collective bargaining process, while those in Seattle and Chicago have secured them through municipal measures.



In California, our union is currently supporting legislation which would require hospitality employers across the state to provide panic buttons to their employees. The bill, AB 1761, introduced by Assembly Member Al Muratsuchi, would provide a baseline level of protection to all workers in

the industry and allows for local governments to craft more robust measures.

In Long Beach and Rancho Palos Verdes, UNITE HERE Local 11 is campaigning for ballot initiatives that would not only require that employers provide panic buttons and take other measures to ensure workers can protect themselves from threatening behavior, but also address overly burdensome workloads that hotel housekeepers face. Rancho Palos Verdes is home to both the Terranea Resort and the Trump National Golf Course.

In addition to giving workers the tools needed to protect themselves on the job, women workers are leading the way. Last year, *Time* magazine honored two Los Angeles-area hotel workers as Persons of the Year for their role as “silence breakers”: Juana Melara, a Long Beach housekeeper who has led a year-long campaign to organize her workplace and win panic button legislation, and Sandra Pezqueda, the plaintiff in a high profile sexual harassment lawsuit against the Terranea Resort and a staffing agency through which she was employed as dishwasher.

UNITE HERE Local 11 has fought to force the industry to be more transparent about the extent of discrimination and harassment. This requires dealing with the changing structure of the hospitality industry. Private equity and other investment firms own an increasing share of the hotel market, and these companies rely on taxpayer money—especially through public pension fund investments—to finance their transactions.

In early 2018, we worked with Assembly Member Lorena Gonzalez Fletcher on AB 2571, which would have required that private equity firms receiving California pension capital report pay equity and sexual harassment complaint information for their hospitality investments. The California Chamber of Commerce mounted an aggressive and ultimately successful campaign to kill the bill, evidence that even modest efforts to hold employers accountable are likely to meet stiff opposition from organized business.

Along with others in the labor movement, we intend to continue this struggle in state legislatures and city halls in the years to come. This year, the California Federation of Labor is fighting to pass two bills that would have an immediate impact. AB 3080 would prohibit mandatory arbitration of sexual harassment complaints, and AB 3081 would create joint liability on client firms for sexual harassment committed by their staffing agencies.

Above all, we see the uneven power relationship between employer and employees as the underlying cause of the crisis of sexual harassment at the workplace. The most effective way to address this is to organize and empower workers, and to ensure that they have a collective voice on the job that enables them to speak out without fear of retaliation. Too few workers in the United States today enjoy this fundamental right, and this is what must change if we are to make real progress.

Susan Minato is co-president of UNITE HERE Local 11, based in Los Angeles.

ELECTIONS MATTER—Join the Fight Against Racial Voter Suppression

BY JEANNE MIRER

In the wake of the 2016 election, as an antidote to despair, the members of my law firm decided to free me up to join the fight against voter suppression. Voter suppression has always been a tactic of those in power to remain in power. There is no question that overt voter suppression laws multiplied after 2008, and Republicans targeted many of the country’s statehouses in order to control redistricting after the 2010 census. The Supreme Court took the campaign further in 2013 by eviscerating the preclearance provisions of the Voting Rights Act in the *Shelby County* case. In 2016 voter suppression was rampant and it is clear that concerted action is required to stop it. Voter suppression is largely racial, aimed at communities of color and poorer communities.

Reverend Dr. William Barber, leader of the Moral Monday’s movement the Poor People’s campaign, cites the following examples of racially motivated voter suppression:

1. In 2016 there were 868 fewer voting sites in Black, Brown, and poor communities.
2. After 2010, 22 states passed voter suppression laws, bringing the total number of states with various forms of such laws to 34.
3. 250,000 to 300,000 voters in Wisconsin could not vote because they had no access to the identification required by the law.
4. Since 2013 when the Supreme Court gutted the Voting Rights Act Republicans have refused to let any fix get to the floor. In the meantime many changes have been made to voting districts which impact communities of color.



Gerrymandering—in which the political parties draw district lines to ensure the voters do not pick their representatives but rather the parties pick their voters—has been racialized as well. In North Carolina, gerrymandering was so blatant that it was struck down as racially motivated.

Another tactic involves voter roll purging. I decided to work on fighting racial voter roll purging, along with investigative reporter Greg Palast, the author of the book and movie “The Best Democracy Money Can Buy,” by exposing and stopping the Interstate Voter Crosscheck program. Crosscheck is the brainchild of Kris Kobach, the Secretary of State in Kansas. Kobach was the chair of the so-called Voter Integrity Commission, which was disbanded by Trump rather than turn over its internal documents. He is focused on making it harder for people of color and poor people to vote.

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Elections Matter *(continued)*

Twenty-eight states currently participate in Crosscheck. They send their voter information to Kobach, who runs it through a computer check to flag “duplicate” voters registered in more than one state. His program uses first and last names and birthdates to match individuals. The states then can use this “duplicate” data to purge voters.

Although there are requirements in the National Voter Registration Act for verifying whether the alleged “duplicate” voters are actually duplicates, up to now there has been no check on whether states are following proper procedures for purging the voters whose names appear on the Crosscheck lists. Indeed, Indiana passed a law to allow the removal of voters from the rolls by virtue of the person’s name appearing on the Crosscheck list. This law is being challenged in court.

If proper procedures are not followed to ensure that voters receive notice of potentially being purged, those individuals will not know there is any problem until they try to exercise their right to vote in an election. Crosscheck has a racial impact because it is known that of the 100 most common last names people of color are over-represented in 85 of them. These common names are the ones to most easily match—or, more importantly, mistakenly appear to match—with the names of voters in other states.



To expose the workings of the Crosscheck program, beginning in January, I sent FOIA requests to all 28 Crosscheck states on behalf of Greg Palast, (and in some states others such as Jesse Jackson in Illinois and the Kansas ACLU in Kansas). I asked for the Crosscheck lists for the last two years and the lists of the people purged as a result of their names showing up. So far the only state to comply with this request is Oklahoma. The data they sent is now being analyzed, but an initial review showed that people with different middle names were matched and purged from the Oklahoma rolls. All the other states have provided various rationales for not turning the information over or have granted our requests without ever providing the information.

The National Voter Registration Act (NVRA) requires the states to make this data public. We will be threatening litigation and starting litigation in those states that have not complied with our requests for this data. We intend to shine a light on this program and if we can corroborate its racial impact, we will sue to end it. As most people know, Kris Kobach has been trying to put more restrictions on people exercising their fundamental right to vote. He wants people to show proof of citizenship to register to vote. This is currently being challenged in Kansas by the ACLU.

If you are interested in working on this project and other actions to fight voter suppression please contact me by email at jmierer@mmsjlaw.com.

Jeanne Mirer is an attorney with the New York City firm of Mirer, Mazzocchi, Julien & Chickedantz PLLC. She is president of the International Association of Democratic Lawyers.

Reclaiming the Red and Purple States—Unions’ and Workers’ Role in the Resistance

BY JOAN HILL

In the past several months, there have been many cases in which unions and workers have played a decisive role in resisting specific parts of the Trump Agenda. At a recent conference on International Labor Rights in Havana Cuba, I presented on two congressional special elections, one in Alabama and the other in Western Pennsylvania. In addition, teachers and public workers in West Virginia, followed by Kentucky, Oklahoma, and Arizona, started a UNITED movement against Trump-inspired governors and elected officials on the state level. This movement seeks not only an increase in wages, but even more importantly, better working conditions in schools, medical benefits that were affordable, and a better learning experience for the students.

First, Alabama. As background, Alabama is a state where Republicans have worked for decades to defeat unions. Labor unions historically had a stronghold in Alabama, in large part due to their strength in the coal and steel industries; their membership throughout the state peaked at 15 percent in the early 1990s. Density now sits at nearly 8 percent of the workforce.

This is, of course, not unusual in Dixie. Several years ago, elected officials in Tennessee campaigned furiously against the UAW, which was seeking to represent the workers at the Volkswagen plant in Chattanooga, Tennessee. The same anti-union campaign has opposed UAW organizing efforts at the Mercedes Benz plant in Tuscaloosa, Alabama.

Labor may be down, but it is not out. The Alabama special election in December 2017 fielded a candidate named Doug Jones, who grew up union. His grandfather was a steelworker, and he was a steelworker in college, earning money to put himself through college and law school. Doug Jones defeated the popular Republican candidate by over 20,000 votes.

How did Jones win? With the support of union workers like the members of the United Steelworkers, who engaged in face-to-face contact with union members, young voters on college campuses, and women—particularly African-American women. Statistics reported that one-third of voters were under the age of 44, and 60 percent of voters under the age of 30 voted for the union-endorsed candidate. More blacks voted in this election than voted when Barack Obama was on the ballot in 2008 or 2012. Reports show that 98 percent of African-American female voters cast their vote for Doug Jones, and 90 percent of African-American men did as well.

It was a hard-fought race and with the face-to-face contact with voters by union members, the Steelworkers documented

that over 130,000 doors of union members across the state were knocked on. Hundreds of USW members received phone calls, as it was known that Jones could only win if African American voters showed up at the polls.

If you were to consider the 20,000 votes a small margin, in March in Western Pennsylvania, Conor Lamb won by less than 600 votes in the special election. Again, the union-endorsed candidate focused his campaign on supporting workers' right to join unions, a right protected by the National Labor Relations Act, and a right under attack by the Trump NLRB and its General Counsel appointed by Trump.



The United Steelworkers' goal in Western Pennsylvania was to increase the Democratic vote in two counties making up the 18th

Congressional District, which had voted strongly for Donald Trump in 2016. The USW had 10,000 members in those counties. The strategy was to talk to workers at their door, on their way into work at the plant gate, and on the telephone. As a result, the union-endorsed candidate won by 600 votes, flipping the seat from red to blue. Steelworkers, Carpenters, Teachers and Mineworkers made up 20 percent of the voters in the district and the members turned out, just as the African-American vote turned out in Alabama.

The resistance to the Trump agenda is not only about elections. Secretary of Education DeVos has made it known that her agenda, as a Trump appointee, is to reduce federal funding to state education departments, and therefore public schools, in favor of private or charter schools run by corporate educators for profit. In addition, the agenda item of giving large tax breaks to corporations such as coal-extraction companies, reduced tax revenue in states such as Kentucky and West Virginia. The education departments in the coal fields of Appalachia were forced to cut funding for public school programs and eliminate any chance of raises for teachers or other public employees.

In West Virginia, in February 2018, teachers asked for raises, hoping to lift themselves up from 48th in the nation. A one



percent raise was offered, along with increases in public insurance premiums and a decrease in benefits. As a result, teachers in all 55 counties walked out of the classroom. There were hundreds of vacant positions which could not be filled in West Virginia schools as well. Low salaries were clearly to blame for lack of qualified educators to fill vacant positions.

The walkout in West Virginia lasted almost two weeks. After spending several days on the picket lines and at the capitol with striking educators it was clear teachers were striking for more than wages. They needed affordable health care and

conditions in school that favored a good learning environment for students. They struck to make sure their pensions were secure, theirs and those of other government workers.

On the line, with my red bandana, I was reminded of the rebellious coal miners, the rednecks who stood strong, and marched into Logan County fighting for representation by the United Mineworkers. Teachers from all 55 counties wore their red bandanas, and kept the blue wave going. Teachers in Kentucky have also marched on their capitol as have teachers in Oklahoma and in Arizona, where they have recently voted to strike. Can it be said they too are resisting the Trump Agenda that favors putting more money in private schools with non-union educators and increasing the wealth of corporations? For me, the wave is a result of workers and their families supported by their labor unions, reminding us all it is time to resist. And the time will continue through November 2018, when we must elect union-friendly candidates who will put people before profits.

Joan Hill is an attorney with the United Steelworkers and, before that, the United Paperworkers.

Reports from the Chapters

The Los Angeles Workers Rights Committee has been hosting regular forums on issues that matter to workers and their representatives. Our most recent one, held this March, was on California's new law that prohibits employers from giving consent to ICE or other immigration enforcement agents to enter nonpublic areas of "a place of labor" unless the agent provides a judicial warrant. It also requires employers to notify employees of a federal notice of inspection of employees' I-9 forms and bars employers from permitting inspection of employee records except in response to a subpoena or court order.

Monica Guizar, who played an important role in bringing about passage of AB 450, and Hugo Soto of UNITE HERE Local 11, which has been in the forefront of defending immigrant workers for the last 25 years, spoke about what unions and other workers organizations need to do to get the most out of this law, in particular before ICE shows up. Guizar also spoke about the Trump Administration's suit to enjoin enforcement of this and the other sanctuary laws passed by the California Legislature last year; so far it has attracted amicus briefs from a number of other states supporting the Trump Administration. The DOJ's motion for injunctive relief is still pending, with California's opposition brief due on May 4th.

But as our speakers emphasized, while AB 450 is an important tool, labor was working with employers even before its passage to make sure that employers do not give up their own and employees' rights because they do not know any better. Labor will continue to do that, even in a worst case scenario in which the law is enjoined.

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THIS LAND IS OUR LAND Organizing in the Central Valley and the country's heartland

BY FRAN SCHREIBERG

In addition to the voting rights work that Jeanne Mirer has written about in this issue and the efforts in Alabama, Pennsylvania, and West Virginia (not to mention Kentucky, Oklahoma, and Arizona) that Joan Hill describes in her article, labor has been working to restore working people's rights one congressional district at a time out here in California. Working America, the community affiliate of the AFL-CIO, makes sure that the interests of working people, their families and communities are advanced at every level of our political system, from our state houses to the White House, from our city councils and school boards to the halls of Congress.

Working America focuses on the working class—it unites working people who don't have a union on the job. With more than 3 million members in urban and suburban communities, we work together for good jobs, a fair economy and a democracy that represents all of us. We go door-to-door in neighborhoods across the country, and build strength in numbers by joining together to demand action. Whether the issue is good jobs or health care, education or Social Security, we offer good information on candidates and issues—and provide an on-ramp to support policies that will improve the lives of working people.

We've won higher minimum wages in cities across the country—including Albuquerque, Greensboro, Minneapolis, Portland and Seattle, among others. A successful minimum wage referendum in Illinois will help raise wages for over a million workers and their families, and we scored victories to raise wages in states like Alaska and Oregon. We've helped pass paid sick leave and family leave in many of those same places, and more.

And that's only a small part of it. Across the country, from Florida to Ohio, and Pennsylvania to Texas, we've taken action against the Trans Pacific Partnership trade deal. In just the past two years, we've fought for the rights of workers by opposing Right to Work (for less) in Missouri, New Mexico, Kentucky and West Virginia. We've elected fair-minded State Supreme Court justices and expanded Medicaid in Pennsylvania, and helped lead the fight for properly funded, quality public education in Ohio and in Houston, Texas. And across the country, we help working people hold elected officials, tax-dodging corporations, and Wall Street accountable for their actions, demanding that they prioritize our concerns.

Working America in the Central Valley

Our project to build a progressive majority currently focuses on CD 10 (which covers Modesto in Stanislaus County as well as portions of San Joaquin County) and CD 21 (which covers Kings and portions of Fresno, Kern, and Tulare Counties).



Clinton won 46 of the state's 53 Congressional Districts to Trump's 7. Representatives who don't support working families hold 14 California Congressional seats in total. But in 7 of those 53 Congressional Districts voters reelected incumbents who supported giveaways to the rich and attempts to dismantle Obamacare. We can change that.

We approach this job with a long-range strategy that seeks to build political infrastructure, including local community actions teams, rather than merely turning out voters for one election. We not only go door to door to engage potential supporters, but we listen to what they have to say, then track our members' issues and concerns when working out our agenda.

Our issues cover a wide range of concerns: jobs and the economy, retirement security, health care, education, corporate accountability, and workers' rights. We use those issues and our members' priorities to evaluate candidates, then go back to our base to link those candidates with their issues. We have a 62 percent win rate in tough races since 2012 because our canvassers listen and develop a trusting and respectful relationship with our members.

We could not do this on our own, nor would we want to. We recognize and welcome the fact that many groups are organizing volunteers to work in our targeted districts. We want to do everything we can to support each other and work together to make us all as effective as possible. We met with or talked to as many of the groups as possible who are already on the ground in the Central Valley, because we don't believe in parachuting in and we want to add to what is already happening, not duplicate or replace what some other group is doing. We strive to work closely with those who have established relations in the Valley over decades—such as, to name a few, the Central Valley Partnership in Fresno, Communities for a New California in the northern Valley, and the Dolores Huerta Foundation in the southern Valley—and we want to share our experience, knowledge and resources. We will also provide support to local labor councils and the North Valley Labor Federation and rely on their leadership.

We take no money from any Party. We will support candidates at the appropriate time who are supported by the California Labor Federation, AFL-CIO.

What we do

We organize for the long haul. That means

- recruiting members from the community, and engaging those who want to become more active;
- fostering community actions teams (CATs) to increase locally decided civic engagement projects;

- participating in town hall meetings to support issues of importance to working families;
- participating in local actions / demonstrations on issues of concern to our members;
- engaging in grassroots lobbying at local/state levels on issues of concern to our members; and
- engaging at appropriate times in voter registration, persuasion canvass, and GOTV for candidates who support working families.

We don't drive folks crazy with emails, but do send periodic messages about important issues. We go back to members' doors during the year, and ultimately, at the door and via email and text messaging, we persuade our members to support candidates who we believe support working class issues.

By the numbers

As of April 24, 2018, just one year after our first canvass in the Central Valley, paid staff and volunteers completed 1,537 canvassing shifts, of which 483 were by volunteers. We trained over 400 volunteers from the Bay Area and over 300 individual volunteers have participated in our Working America deep canvass. Paid staff and volunteers have knocked on 74,789 doors, held 41,127 conversations, and recruited 28,087 members of Working America. More than 2 of every 3 folks to whom we speak (about 68 percent) become members. In addition 19,598 of the new members have signed petitions to their elected representatives or participated in actions regarding issues of concern including funding of critical programs such as education, tax law changes that will hurt working families, and health care. We began a regularly scheduled paid canvass in CD 21 in September, and our CD 21 volunteer canvass began in October. We continue to recruit more volunteers to train and canvass in both CD 10 and 21.

Pass it on

Our California project can be replicated in other states where folks are interested in doing something concrete to take back our government. Call us if you want to discuss ideas.

It may be simplistic to say it this way—but all things being equal, if in 2018 we win 24 Congressional seats now held by representatives who do not well represent the interests of working people, and not lose any existing seats, we can control the House of Representatives. Without Congress, we face another two years of defensive legislative battles. We can win those seats anywhere in this country. Why not win as many as we can here in California with the help of activists here?

We must start now. To build the resistance AND build a majority, we need a grass roots organizing campaign now. Working America knows how to do this, has a track record demonstrating its effectiveness. Because we focus primarily on economic issues, retirement security, health care, education, corporate accountability, and workers' rights when we talk to—and listen to—working class voters, to independents, even to voters who voted for Trump, we can do so and not have their doors slammed in our face.

Those independent working class voters are our doors. Working America opens those doors and listen to those voters. Other groups are doing valuable work and their members may also want to work with us from time to time as volunteers doing deep canvass in the Central Valley. We welcome volunteers who want to work with us and utilize our time-tested sophisticated system for tracking voters and building relationships of trust. Together we can build a sustainable political infrastructure within the Valley. Working America intends to do this and seeks your participation.

If you are interested in volunteering or contributing, let us know.

- <http://www.workingamerica.org/centralvalley/volunteer>
- Fran Schreiber fschreiber@kazanlaw.com (510) 333-9907 (cell)
- <https://actionnetwork.org/fundraising/help-working-america-organize-in-the-central-valley?source=FS>
- Lora Jo Foo ljfoo70@gmail.com (510) 282-9454 (cell)

Reports from the Chapters

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You can get a copy of the statute by contacting the Labor and Employment Committee at NLG Labor <nlglabor@gmail.com>. And you can find on-line materials for use in applying AB 450 from a number of sources, including:

Legal Aid at Work's Employer Guide (English) https://legalaidatwork.org/wp-content/uploads/2017/08/compressed_workplace-raids-employer-FINAL-00502084-1.pdf

Legal Aid at Work's Employer Guide (Spanish) <https://legalaidatwork.org/wp-content/uploads/2017/10/Compressed-FINAL-Employer-Guide-ICE-Worksite-Enforcement-SPANISH-00514605-min.pdf>*

* Warning: the last six pages need to be printed separately at 30%

Legal Aid at Work's Employer Guide (Chinese) <https://legalaidatwork.org/wp-content/uploads/2017/09/Chinese-Employer-Workplace-Raids-00506142.compressed.pdf>

Legal Aid at Work's Workers' Rights Guide (English) <https://legalaidatwork.org/factsheet/workplace-raids-workers-rights/>

Legal Aid at Work's Workers' Rights Guide (Spanish) <https://legalaidatwork.org/es/factsheet/workplace-raids-workers-rights/>

Legal Aid at Work's Workers' Rights Guide (Chinese) <https://legalaidatwork.org/zh/factsheet/workplace-raids-workers-rights/>

National Employment Law Project: What To Do If Immigration Comes To Your Workplace (available in English, Spanish, Chinese, Korean, and Thai)
<http://www.nelp.org/publication/what-to-do-if-immigration-comes-to-your-workplace/>





The National Lawyers Guild Labor & Employment Committee invites you to

Featured Speakers:

Neidi Dominguez is the National Strategic Campaign Coordinator and Assistant to the General President for the International Union of Painters and Allied Trades (IUPAT). Neidi is a long-time labor and immigrants' rights organizer. She co-directed the CLEAN Carwash campaign in Los Angeles, California, which successfully unionized hundreds of carwash workers in Los Angeles County and changed working conditions for thousands of low-wage immigrant workers. She was also a key leader in the campaign to win Deferred Action for Childhood Arrivals (DACA).

Larry Williams Jr. is President of Progressive Workers Union (PWU), a Washington, D.C. based union for non-profit employees that just signed a transformative landmark five year contract with the Sierra Club. President Williams is also Founder of UnionBase.org, the first secure social networking and education platform for unions and union workers.

Please RSVP to nlglabor@gmail.com by Saturday May 12. Breakfast is free for NLG L&EC members. You may pay your annual membership dues at the meeting. You may also join us for the panel discussion only.

Please also join us for a dinner meeting of the NLG Labor & Employment Committee on **Thursday, May 17, 7:15-9:00 PM** at Pittypat's Porch, located one block from the Hyatt at 25 Young International Blvd.

JOIN US!

Stronger United: Confronting Racism and Sexism in the Labor Movement

a breakfast & panel discussion

Thursday, May 17, 2018 • 6:45 AM

Fairlie Room, Lower Level 3 | Hyatt Regency
Atlanta | 265 Peachtree St. NE

In the midst of significant fights for immigrant rights, against sexism and sexual harassment, and in support of black lives, what does it look like for the union to take up this work as a central part of its model in support of its members and the broader community? This breakfast talk explores the experiences of two groundbreaking organizers who are leading the way.



**Labor &
Employment
Committee**

c/o Maurice & Jane Sugar
Law Center for Economic
& Social Justice
4605 Cass Avenue
Detroit, Michigan 48201