

President Obama's Accomplishments

March 2012

As President Obama's first term nears its end, it is time to take stock of his accomplishments, as well as to assess progress toward the goals not yet achieved since his historic election. During his first two years in office, the president made substantial progress in dismantling the dangerous legacy left by President George W. Bush and took many steps to put in place a truly progressive, pro-worker agenda.

When the Tea Party took over Congress in 2010, advancing a progressive agenda became almost impossible. But the president has regained his footing, speaking forcefully of the need to restore economic power to the 99%, and using his executive authority to get around Republican obstructionism.

Taking office during the worst economic downturn in a generation, Barack Obama took America from the brink of a second Great Depression by pressing Congress to pass the American Recovery and Reinvestment Act (ARRA), which saved or created 3.6 million jobs—and he could have done more if not for resistance from Republicans in Congress. Comprehensive health insurance reform, while far from perfect, gave the promise of health security to millions of our fellow citizens, a goal that had eluded Democratic presidents for nearly 100 years. And Wall Street reform, passed over the objection of almost every single Republican, is beginning to reverse decades of financial deregulation that put our entire economy at risk.

Recognizing that the ARRA had halted the collapse of our economy but had not been large enough to end the jobs crisis, in September 2011 President Obama proposed the American Jobs Act (AJA), which was designed to put hundreds of thousands of Americans back to work repairing our nation's infrastructure, and provide a new round of state and local aid to help keep teachers, firefighters and other public workers on the job.

Though most of the AJA fell victim to Republican filibusters (only the unemployment insurance and payroll tax holiday extensions were signed into law), the president has not given up: He intends to fight for the most important elements of the AJA during the remainder of his first term. The president also has proposed several major initiatives to revitalize domestic manufacturing, including tax proposals to reduce the incentives to offshore millions of good jobs to low-tax, low-wage countries.

More recently, spurred on by the Occupy Wall Street movement, and in a widely praised speech in Osawatomie, Kansas, the president shined a spotlight on the widening income gap and directly confronted the powerful and the privileged. President Obama called on the rich to pay their fair share in taxes, reaffirming his commitment to let the Bush tax cuts for the wealthy expire and proposing the so-called Buffett Rule to make sure millionaires never pay a lower effective tax rate than

the people who work for them. He also has called on Congress to close the so-called carried interest loophole that taxes the incomes of private equity and hedge fund managers at a lower rate than ordinary workers.

Of course, working people have experienced some frustration, too. We were disappointed that action on the Employee Free Choice Act was delayed, and then sidelined, after Sen. Ted Kennedy's tragic death cost the Democrats their filibuster-proof majority—and opportunities to advance labor law reform through other vehicles went nowhere. The Affordable Care Act is a critical first step toward quality health care for all Americans, but it remains a work in progress without the public option or Medicare for All. In addition, critical issues affecting workers' ability to bargain health care benefits remain unresolved in the implementation of the act. Similarly, we were disheartened when President Obama got distracted by a fruitless debate over the budget deficit, spending the first eight months of 2011 in unproductive deficit talks with Republicans, even though their real mission was to make Obama a one-term president and to undermine Social Security and Medicare. And we opposed the president when he pressed ahead with the South Korea, Colombia and Panama trade pacts—despite the continuing murder of trade unionists in Colombia and the flawed Bush-era terms of those agreements. Finally, we remain concerned that too many important Obama administration initiatives to protect workers and the public—ranging from health and safety protections to rules implementing financial reform—have been stalled or weakened under pressure from business interests.

Three and a half years into President Obama's first term, America is beginning to dig out of the 11 million jobs hole dug by George Bush and his pro-corporate, right-wing economic agenda. Nearly 3.8 million jobs have been created in the past 23 months and manufacturers have added 334,000 jobs. The National Labor Relations Board (NLRB) finally is taking steps to level the playing field for workers who want to organize, and agencies that are charged with protecting the lives and livelihoods of workers, from the Occupational Safety and Health Administration (OSHA) and the Mine Safety and Health Administration (MSHA) to the Consumer Financial Protection Bureau, now are led by competent individuals who are aggressively enforcing the law.

The labor movement, which played such a big part in President Obama's 2008 victory as well as helping him pass key elements of his legislative agenda, has plenty to be proud of in the president's first term in office. But there is much left to be done. Here are highlights of the administration's accomplishments for working families to date:

The Economy and Jobs

During his first three months in office, the president pushed through Congress the \$787 billion American Recovery and Reinvestment Act (ARRA), the largest economic stimulus and jobs program in history. With Davis-Bacon wage protections and Buy

America provisions to keep jobs from going overseas, by the end of 2010 more than 3.6 million workers owed their jobs to the ARRA, according to the nonpartisan Congressional Budget Office (CBO). In December 2011, between 300,000 and 2 million workers still were employed due to ARRA's investment in jobs.

In August 2010, the president supported an additional \$26.1 billion in aid to save the jobs of hundreds of thousands of police, firefighters, teachers, nurses and others who provide critical public services. As spending under the ARRA tapered off (CBO reports that 90 percent of ARRA funds were spent by December 2011), the president doubled down on his commitment to invest in jobs by proposing the American Jobs Act, which included \$140 billion in infrastructure spending and state and local aid.

- The ARRA provided billions in funding for aid to state and local governments, education jobs, broadband, a smart grid, infrastructure, weatherization, transit, high-speed rail and clean energy.
- The ARRA also expanded the federal unemployment insurance program by making 200,000 additional workers eligible and provided jobless workers with \$14 billion in additional income, provided COBRA health care subsidies for the unemployed and broadened coverage under the Trade Adjustment Act to millions of eligible workers.
- In his 2012 State of the Union speech, President Obama called for a \$50 billion investment in critical transportation infrastructure projects and a six-year, \$476 billion surface transportation reauthorization, including \$47 billion of high-speed and other passenger rail.
- The Obama administration convinced Congress to extend the federal emergency benefits program nine times, providing up to 99 weeks of benefits for the hardest-hit states.
- The administration also renewed support for nuclear power, approving the first permits for new nuclear plant construction in three decades.

Manufacturing

President Obama has made the revival of the manufacturing sector a hallmark of his jobs agenda.

- In 2009, President Obama led the federal effort to rescue the domestic auto industry, overcoming the opposition of many who claimed it would be better to let the Big Three fail. Because of President Obama's leadership, the U.S. auto industry has added back 160,000 jobs—the fastest pace of auto job growth since 1998. The president also proposed and pushed through Congress the \$3 billion “Cash for Clunkers” program, committing \$3 billion to encourage new car sales.

- Among many other trade enforcement actions, the administration imposed trade sanctions against China to stem job-displacing imports of tires and has brought a complaint to the WTO alleging that China has illegally subsidized its clean energy industry. Overall, President Obama has brought twice as many trade cases against China as President Bush, and he recently announced the creation of a new Interagency Trade Enforcement Center to improve coordination of U.S. government action against unfair practices by our trading partners.
- On the tax side, to discourage offshoring, President Obama has called for a minimum tax on all U.S. profits earned overseas, and has offered companies that scale back foreign operations a 20 percent tax credit for locating those factories back in America.

Health Care Reform

The historic Affordable Care Act (ACA) puts the country on the path toward quality, affordable health care for all Americans.

- It stops insurance companies from denying health care due to pre-existing conditions and dropping coverage for people who get sick, and it eliminates annual and lifetime coverage caps.
- It provides an incentive for employers to provide health coverage by penalizing employers that do not provide coverage when a worker is eligible for subsidized health care.
- It slows the relentless rise in health care costs and reduces the number of uninsured Americans by 33 million. It is projected to reduce the federal budget deficit by \$1.5 trillion over the next two decades.
- Reform already is helping working families:
 - 2.5 million more young adults have health coverage because parents can keep dependents on their plans until age 26;
 - 54 million additional Americans received preventive services coverage without required cost-sharing;
 - 50,000 “high-risk” individuals were able to obtain coverage through a pre-existing condition insurance plan in their state;
 - Consumers will save \$1.2 billion to \$2 billion in 2011 through premium rebates or premium reductions under the medical loss ratio rules;
 - 10,700 “rescissions” were prevented—meaning individuals’ coverage cannot be dropped because of unintentional mistakes on their applications;

- Premium assistance was provided for the coverage of more than 13 million older adults under the early retiree reinsurance program; and
- 3.6 million Medicare beneficiaries saved more than \$2.1 billion on prescription drugs in the Part D “donut hole.”
- New quality measurement tools are under development to improve the quality of health care, and innovations such as Accountable Care Organizations are being developed to promote more cost-effective delivery of health care.
- As the Obama administration implements health care reform, it has achieved a record high in the number of federal health care fraud prosecutions, reporting 1,235 new cases for fiscal year 2011.

Promoting Workers’ Rights

The Obama administration moved aggressively to protect workers’ rights, workers’ pay and workers’ health and safety on the job.

- President Obama named experienced worker advocates to the NLRB and the National Mediation Board (NMB); with new Democratic majorities, these boards have taken steps to level the playing field for workers who want to form and join unions.
 - In 2009, Obama appointed union-side attorneys Craig Becker and Mark Pearce to the NLRB, and named current member and former union lawyer, Wilma Liebman as chairman. After the Republicans filibustered Becker’s nomination, the president appointed Becker using his recess appointment authority.
 - In 2011, the NLRB issued new regulations to streamline the representation election process and reduce opportunities for employer manipulation and delay. Another new NLRB rule requires employers to post a notice informing workers of their rights under the National Labor Relations Act.
 - In 2012, after Liebman and Becker’s terms ended, the president named two more worker advocates to the NLRB: Operating Engineers’ General Counsel Richard Griffin and former Kennedy staffer Sharon Block.
 - Similarly, the president named former Flight Attendants President Linda Puchala to chair the NMB, where she and board member Harry Hoglander adopted fairer rules for conducting union elections under the Railway Labor Act.
- Shortly after taking office, President Obama issued five pro-worker Executive Orders to:

- Prohibit federal contractors from using government funds to block union organizing;
 - Require federal contractors to post a notice informing workers of their right to form and join unions, reversing an earlier Bush notice requiring only the posting of the right not to join a union;
 - Encourage the use of Project Labor Agreements (reversing an earlier Bush ban on PLAs);
 - Guarantee that workers can keep their jobs when a federal contract for services changes hands; and
 - Establish a labor-management partnership council in the federal government.
- One of the first bills the president signed into law was the Lilly Ledbetter Fair Pay Act, overturning a Supreme Court decision that restricted the rights of workers to file wage discrimination cases.
 - When workers in Wisconsin, Ohio and other states were attacked by newly elected Republican governors, President Obama used his bully pulpit to speak out in defense of the right of all workers to form unions and bargain collectively:

“Having a voice on the job and a chance to organize and a chance to negotiate for a fair day’s pay after a hard day’s work, that is the right of every man and woman in America—not just the CEO in the corner office, but also the janitor who cleans that office after the CEO goes home,” Obama said on Labor Day. “Everybody has got the same right.”
 - His administration repealed onerous Bush administration expansions of union reporting rules, including changes to the Form LM-30 report for union officers and employees, the Form LM-2/3 and the Form T-1 trust reporting rules.
 - The Obama administration proposed rules to close loopholes through which management consultants and employers have been able to avoid publicly reporting on their union-busting activities.
 - The administration took important steps to recognize the rights of federal employees to organize and bargain collectively:
 - Upon taking office, President Obama ordered the Federal Aviation Authority (FAA) back to the bargaining table, resulting in a new collective bargaining agreement for air traffic controllers, who had been forced to accept an imposed contract by President Bush.
 - Similarly, the Obama-appointed administrator of the Transportation Security Administration agreed to provide bargaining rights to 40,000 airport screeners who had been denied the right to organize under a Bush administration directive.

- The administration also reversed Bush policies that led to the contracting out of federal employee jobs and put forth a policy that encourages federal agencies to insource work that had been contracted out.
- The administration took important steps to improve temporary worker programs to protect both U.S. and temporary foreign workers.
 - The administration replaced exploitative rules for the H-2A and H-2B temporary guest worker visa programs with new rules that give unemployed U.S. workers a fair chance to obtain jobs while protecting foreign guest workers against employer abuse. The administration also announced it soon will revise rules governing the much-abused J-1 Summer Work Travel program to better protect U.S. workers and foreign program participants.
 - The administration also issued policies that protect workers who organize unions at their workplaces or raise complaints about labor law violations from employer retaliation based on their immigration status, including an agreement between Immigration and Customs Enforcement (ICE) and the Labor Department stating that ICE will not initiate worksite enforcement activities while a labor dispute is in progress and a new ICE policy that the agency will exercise its discretion not to remove workers picked up by immigration officers during a labor dispute.
- The administration has requested \$25 million in additional resources to clamp down on the misclassification of workers as independent contractors.
- The administration has proposed a new rule to ensure that home health care workers receive the same minimum wage and overtime protections as virtually all other working people.
- The administration proposed and won significant new funding for worker protection agencies and stepped up enforcement by OSHA, MSHA and the Wage and Hour Division. It also restored and expanded a health and safety training grant program for workers.
- The administration has opposed and threatened to veto Republican-sponsored “regulatory reform” bills that would make it difficult, if not impossible, for agencies to issue needed safeguards to protect workers, the environment and consumers.
- President Obama signed into law the James Zadroga 9/11 Health and Compensation Act, legislation to provide medical treatment and compensation to the 9/11 responders made sick from toxic exposures at the World Trade Center.

- The administration directed the Department of Labor and the Department of Education to advise states to change their laws and practices to ensure that persons who receive unemployment insurance payments would be able to receive training, and have access to Pell Grants, while continuing to receive their benefits (and not necessarily being available for work in their previous occupations).

Wall Street Reform

To prevent another financial collapse, the Obama administration proposed and worked to pass the most comprehensive reform of the financial sector since the 1930s. The Dodd-Frank law is a major win for workers and the middle class over Wall Street greed and irresponsible risk taking. The new law:

- Creates a strong and independent consumer protection agency to protect working people from predatory lenders. When the Republicans threatened to undercut the agency by blocking President Obama's nominee for director, he overcame their stalling tactics by using his recess authority to appoint Ohio Attorney General and consumer watchdog Richard Cordray to run the Consumer Financial Protection Bureau (CFPB).
- Regulates the "shadow" derivatives market, hedge funds and private equity funds.
- Gives long-term investors new tools to hold corporate boards and senior management accountable.
- Helps prevent future bank bailouts by creating a council of regulators to oversee systemic risk, giving regulators authority to dissolve financial institutions while prohibiting bailouts for bank shareholders and executives.
- Limits banks' authority to make risky bets backed by taxpayer funds.

Housing

President Obama came into office in the midst of the most profound housing crisis since the Great Depression, made worse by two years of inaction by the Bush administration. In response to the crisis:

- In 2009 the Obama administration allocated more than \$50 billion in Troubled Asset Relief Program (TARP) funds to help families facing foreclosure.
- In 2011, during the prolonged jobs crisis, the administration worked with the labor movement and the civil rights movement to offer a minimum of 12 months' forbearance on mortgage payments for unemployed homeowners.

- In his 2012 State of the Union Address, President Obama committed the resources of the federal government in the form of a multiagency task force to work with state attorneys general to pursue illegal conduct by the banks and Wall Street in the housing markets during the housing bubble and the financial crisis that followed.
- Finally, at the end of January 2012, the Obama administration announced a civil settlement with the major banks over illegal bank conduct involving mortgage servicing. Under the agreement, for the first time there would be large-scale reductions in principal of the mortgages of homeowners facing foreclosure.

Housing remains in crisis, and much more widespread reduction in mortgage principal will be necessary if our economy is going to recover, but Administration's encouragement of principal reduction points the way toward a fair resolution of the crisis.

Key Appointments

President Obama has named more working family advocates to important administration posts than any of his Democratic predecessors. Among them are:

- Secretary of Labor Hilda Solis as, Deputy Secretary Seth Harris, Solicitor M. Patricia Smith, OSHA Assistant Secretary David Michaels, MSHA Assistant Secretary Joe Main, Employee Benefits Security Administration Assistant Secretary Phyllis Borzi and Senior Advisor Mary Beth Maxwell;
- Union lawyers Craig Becker (whose term expired in January 2012), Mark Pearce (current) and Richard Griffin (current) to the NLRB;
- Former Flight Attendants President Linda Puchala to chair the NMB;
- Former Air Line Pilots Association President Randy Babbitt as administrator of the FAA;
- Former union lawyer Julia Clark as general counsel to the Federal Labor Relations Authority;
- Former union lawyer George Cohen as director of the Federal Mediation and Conciliation Service (FMCS) and former Machinists General Counsel Allison Beck as FMCS deputy director;
- Joe Szabo, state legislative director of the United Transportation Union in Illinois, as administrator of the Federal Railroad Administration;
- Dan Elliott, UTU counsel, as chairman of the Surface Transportation Board;

- Firefighters HazMat/WMD Training Department Director Elizabeth M. Harman as Federal Emergency Management Agency assistant administrator of the Grant Program Directorate;
- Former National Federation of Federal Employees General Counsel Susan Grundmann as chair of the Merit Systems Protection Board and former AFGE Assistant General Counsel Anne Wagner as vice chair.
- A diverse group of judges to the federal bench, including three current or former union lawyers and a record number of African Americans, Latinos and Asian Americans.
- Former Operating Engineers Program Director Edna Primrose to be national director of the Office of Job Corps in the Department of Labor.

