

CWA GUIDE TO LEGISLATIVE AND POLITICAL ACTION



**Communications Workers of America AFL-CIO
Legislative and Political Department**

**501 Third Street, NW
Washington, DC 20001
202-434-1491**

www.cwa-cope.org

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WHY POLITICAL ACTION?

The most important work we do at CWA is at the bargaining table--gaining better wages, working conditions, and terms of employment for our members. But again and again, we see how unions can be weakened and how a single action of Congress or a state legislature can eliminate advances made at the bargaining table.

Virtually every day Congress and state legislatures across the country make decisions that vitally affect us – regarding collective bargaining rights, telecommunications, airline, media, manufacturing policy, health care, social security, the budget, and pensions. The list is endless.

That is why it is especially important for CWA members to get involved in the democratic process. Locals must have active Legislative and Political Action Committees and members should join LPATs to work on elections, educate members on the issues, and lobby for our interests.

Corporate and business association PACs oppose the interests of CWA members and pour millions of dollars in campaigns, in every election, outspending labor PACs. For example, the Chamber of Commerce spent millions to defeat the Employee Free Choice Act and prevent an employer mandate in the 2010 healthcare bill.

We will never be able to match the opposition dollar for dollar, but we can increase our funding to a degree that will make labor's candidates viable contenders.

Our goal is to have as many of every local's membership contributing to the CWA COPE PAC and participating in some way in the political process.

This guide to political and legislative action is designed to help you get the most out of your efforts. Basic, yet comprehensive, it contains step-by-step guidelines and simple explanations of the laws governing our involvement in the political process. We hope this booklet, combined with your experience and hard work, will make you and CWA more effective in the political and legislative arenas.

LEGISLATIVE AND POLITICAL ACTION TEAMS (LPATs)

What are Legislative and Political Action Teams (LPATs) ?

LPATs are teams of members designed to strengthen CWA's legislative and political grassroots structure and capacity year-round. They are generally structured to mirror the Congressional districts in each state—each with a coordinator who is responsible for recruiting and engaging activists around legislative and political campaigns.

At the date of this printing, CWA has LPATs over 20 states and is growing a larger program to meet the needs of our political program in 2010. The current goals for LPATs are to increase COPE participation, to fight for healthcare reform, and to elect labor-friendly politicians. Most recently, LPAT teams in New Jersey and Virginia engaged in gubernatorial campaigns. As such, they mobilized voter turnout and provided key support for CWA-supported candidates. In additional states, LPATs were heavily involved in the healthcare debate by coordinating legislative visits, making grassroots contacts (phone calls and letters), leafleting worksites, and garnering earned media (letters to the editor, blog posts, and event reporting).

The key activities of the LPATs follow tasks outlined in the AFL-CIOs 10-Point Program. These include: 1) recruit a key contact at each local and worksite; 2) distribute leaflets at all union worksites; 3) maximize contact through union publications; 4) utilize regular mailing from local presidents and reps; 5) maximize impact of union phone calls; 6) update local membership lists; 7) increase registration by 10 percent; 8) conduct massive GOTV; 9) build rapid response network in the workplace; and 10) link politics to organizing.

ELECTORAL WORK

The Rule of 10

In every election, we must have a goal of at least 10 member contacts. These include a minimum of two mailings from the local, five worksite leaflets, two telephone calls and one door knock. Our research shows that ten contacts is not enough—but when the AFL-CIO's and allies' contacts are added to our work, we then reach the 20-25 contacts needed. Our most effective tool for generating electoral participation is at the worksite—getting a leaflet from a co-workers about a candidate and engaging in discussion (even for a couple of minutes) makes a difference.

Structure

As with any activist work, a structure is critical. Every local must have a Legislative Political Committee. The local should join the LPAT (Legislative Political Action Team) in their region. The LPATs receive information, training on issues and elections, and bring CWA activists together.

Message

When talking or developing flyers on legislation and elections, we must write about issues important to our co-workers. We must emphasize the concerns facing working people, not the “D” or “R” or “I” next to the candidate's name. Contrasting the issue positions of candidates can be helpful, as can explanations of what the issues mean for CWA members, our jobs, and families.

Flyers

CWA and the AFL-CIO post flyers on candidates on the Working Families Toolkit <http://www.workingfamielstoolkit.com/>. These flyers are intended for one-to-one distribution at worksites. Frequently, locals choose to distribute them as workers are coming to work in the morning or leaving at the end of their shift. The flyers on the toolkit webpage can be ordered in quantities and shipped to your local at no charge. This is a great resource. *Note: Federal Law prohibits unions from distributing a candidate's own literature.*

STEPS TO A WINNING LOCAL PROGRAM:

1. Set up a Legislative Political Committee and recruit volunteers (keep track of names, phone numbers, and emails)
2. Prepare two letters for Local Presidents to mail to members (persuasion and GOTV)
3. Create a calendar of weekly activities that include:
 - Worksite Leafleting (minimum 5 times per worksite)]
 - Two mailings (persuasion and GOTV)
 - AFL-CIO Labor Walks
 - Phonebanks (can be at the Local or with the AFL-CIO)
 - GOTV
4. Celebrate and recognize work.

Recruiting Volunteers

Successful campaigns depend on the strength of volunteer recruitment. From the beginning, try to expand your pool of volunteers and keep them. There are many ways to bring volunteers into a campaign aside from the traditional friendly arm-twisting.

- Throw a tailgate party at work to kick off the election effort (or voter registration drive, etc.) and let people see that a campaign can be fun. A party can also be an event around which you generate enthusiasm for the candidate.
- Try to involve the families of CWA members. Not only spouses, but the children of members are often the most enthusiastic volunteers. High school students can often receive credit in civic course for campaign work.
- Retirees are also a good source of volunteer help. Older voters consistently vote in much higher percentages than younger voters and often have more time to be helpful volunteers.
- Never ask your volunteers to do what you won't do. Your volunteers will be much more willing and enthusiastic to work if you set the example of stuffing envelopes or undertaking other less-than-glamorous tasks.
- Reward your volunteers. For most volunteers, the main reward is that they feel they are doing something worthwhile. Be sure to thank your volunteers every time they show up to work. Let them know you appreciate their dedication. Also, provide refreshments whenever possible. Even if you can only provide coffee or juice and cookies, it shows that you care.

Voter Registration

Three factors are important in designing your voter registration activities. First, select a target date around which you can focus registration activity. Because it provokes a sense of urgency, the registration deadline in your state is likely the best target date. Since each state has a different set of rules governing voter registration deadlines, you should check with your county election officials regarding the deadline in your state.

Second, focus on a specific candidate or issue. Voters are more likely to register and more likely to vote if they are excited about an issue or candidate.

Third, target non-registered members. You can get a list of your non-registered members from your District LP Coordinator or the AFL-CIO. The lists tend to be approximately 75% accurate due to slight variations in name. For example, Chuck Smith and Charles Smith will not match—but these lists are still the best way to do a targeted voter registration program.

Mass voter registration drives with little focus are not nearly as successful in actually getting voters to the polls.

Phone Banks

Phone banks are a resource if they are used well and accurate lists are kept on the members called. Despite the barriers of voicemail and caller i.d., it is still a valuable method for reaching members. Here are some simple guidelines to follow to ensure a successful phone bank operation.

- Schedule at least one phone per 100 members and one caller per 100 members per night, with a phone bank coordinator (500 members = 5 phones + 5 callers). If your union hall does not have sufficient phones to handle the extra work, ask your volunteers to use their cell phones.
- All phone banks should have coordinators. The coordinator is responsible for training volunteers, providing a script, making sure the phones are used correctly and reporting the results of the phone bank surveys. In lieu of setting up their own phone bank, small locals may choose to recruit volunteers for one run by the AFL-CIO.
- Make sure there is sufficient room in the phone bank location for each phone bank operator to be able to use his or her telephone lists and report form. Also make sure your volunteers are supplied with refreshments while they are working.

Caller should follow some general rules:

- Never argue
- Never call after 9:00 at night
- Do not be drawn into a discussion of candidates (you cannot change a person's mind by arguing on the telephone)
- Give each caller a prepared scripts and keep your message short
- Be friendly and don't talk too fast; remember that the caller is the voice of the union

Special Events

An excellent way both to bring volunteers into a campaign and influence undecided voters is to sponsor special campaign events or parties. Invite the candidate to address your forum or rally. While you may not be able to get a national candidate to make an appearance at such an event, you can very likely attract a local legislator who has endorsed the national candidate. Prominent members of the labor community or other noteworthy area leaders also may be attractive stand-ins. Such individuals can add celebrity value to your event and draw members who otherwise might not come.

Identification and Get-Out-The-Vote

The first step of the get-out-the-vote effort is to identify which members support the CWA-COPE endorsed candidate, which are undecided and which oppose the candidate. The goal should be to motivate those who support our candidate to do more than just vote on Election Day and to get the undecided voters to commit themselves to vote with us. Little or no effort should be expended on trying to switch the votes of those who are firmly committed against the candidate. You can get a list from the AFL-CIO or your District LP Coordinator of likely voters in your local.

Early Voting

Absentee and early voting has proven to be the margin of difference in many political races. In 32+ states, early voting is the process by which voters can cast their vote on a single or series of days prior to an election. Early voting can take place remotely, such as by mail, or in person,

usually in designated early voting polling stations. The availability and time periods for early voting vary based on jurisdiction and type of election. The goal of early voting is usually to increase participation and relieve congestion of polling stations on Election Day.

An *advance poll* (also "*advance voting*") is held in some elections to allow participation by voters who may not be able to vote on the set election day(s). This may include people who will be out of the polling area during the election period, poll workers, campaign workers, people with medical procedures scheduled for that time, among others.

Mail

Mail to members is most effective coming from the local union. Mail the first piece to all members announcing the local's endorsement of a candidate. Make sure the envelope has the local union's return address so that members know it is from the union. The second mail piece should be for GOTV—it is more targeted and occurs nearer to Election Day. You can get a targeted list of members most likely to support our candidate from the AFL-CIO or your LP Coordinator.

GRASSROOTS LOBBYING: MAKE OUR VOICES HEARD

Why Grassroots Lobbying?

Grassroots lobbying and advocacy can be viewed as the natural continuation of a political campaign. While the political campaign worked to get those that support our issues into elected office, it is now important to work to get those elected officials to carry through with their promises and advance our issues. Communication from constituents often has a large impact. For those legislators that are undecided how to vote on an issue, as few as 30 letters from individuals in their district or state can affect their vote. These “undecided” legislators are the primary targets of grassroots campaign.

The traditional form of “lobbying” – advocacy on an issue, educating and communicating with members of Congress by a fulltime professional representing an organization – has declined in importance and is being increasingly replaced by “grassroots” lobbying. Grassroots lobbying – or advocacy - puts voters directly in touch with their elected lawmakers and profoundly enhances the voice of those wishing to implement certain policies or sway important decisions. Such a form of lobbying has the greatest impact as it presents a “human face” to the issues.

Elected representatives are increasingly responsive to the pressure of grassroots lobbying efforts from those they are serving and representing. Washington lawmakers regularly take the pulse of public opinion from their home districts or states and they sometimes base their ultimate decision on whether to support or oppose specific legislation on the “mail count” or the number of contacts from all constituent communications for or against the issue.

As a voter and constituent, never underestimate your influence as an individual on your elected representatives. In a very real way, your lawmaker’s political career depends on your satisfaction with his/her performance. Remember, their primary job description is to represent YOU at the end of the day, because YOU pay their salary. We need to remind ourselves of this fact when we get others to participate in the legislative process because, unfortunately, most constituent pressure comes from a relatively narrow base of more affluent special interests that have the resources, skills and time to make their narrow interests known in Congress.

Workers who have, in the past, relied on their organizations, like CWA, to speak on their behalf and to make their opinion known, must now also make direct contact with those representatives who need to hear their views directly. For this reason, CWA has chosen to supplement our traditional Washington lobbying effort with major grassroots lobbying and advocacy campaigns to strengthen the impact that all our members can have on the legislative process.

Does it Work?

Obviously, elected officials who are hostile to CWA's issues may not change their position simply because of a grassroots campaign, but such an effort may cause them to become less active in their opposition and may even lead them to support our union on other issues.

There are many steps involved in the legislative process, affording legislators the opportunity to vote with CWA some of the time even though they may oppose the same bill on final passage. They can't keep up with all issues unless their staff and especially their constituents keep them informed. When we provide important information on a regular basis to a legislator, he/she or his/her staff will begin look to us for guidance on certain issues.

Who Can Keep Track of the Legislation that Matters to CWA?

Every CWA local president should appoint an individual in the local to serve as the chairperson on the local's legislative/political committee. The local legislative chairperson serves as a vital link connecting the national union with the rank-and-file membership. Although specific techniques will vary in different areas and locals, the objective of each local legislative/political chairperson must be consistent with programs of the national union. The responsibilities of the local legislative/political chairperson should include:

- Working with union activists in the local to coordinate the grassroots lobbying functions. There is no size limit for the committee. It should be large enough to be workable. The chairperson may wish to appoint one committee member for each of the specific tasks of the committee.
- Providing information on the issues and resources to the rest of the CWA structure. The communication of information about broader labor issues, the progress of bills and the outcomes of meetings with legislators is essential for a successful grassroots lobbying effort.
- Recruiting and coordinating a group of activists who will carry out the activities required to stimulate union member communications with members of Congress. (See section on member communication)
- Building coalitions with other groups to support the legislative goals. (See section on coalition building)
- Reporting results of contacts with legislators to the Local Executive Board and membership, the LPAT Coordinator, the District Legislative/Political Coordinator or the CWA Legislative Department. The committee should also keep track of the activities carried out and attempt to measure their effectiveness.

Methods of Grassroots Lobbying

Union members may communicate with elected officials through letters, email, postcards, faxes, telephone calls, in-person visits, actions and attending meetings addressed by an elected legislator.

Letter Writing

Individually written letters are the most persuasive and important lobbying tool. Because today's congressional work schedule no longer permits the extended visits back home that used to keep Members of Congress in close personal touch with their constituents, the letters from home have become the main form of voter contact and the prime source of constituency views. Your Senators and Representatives need to hear from you in a personal way.

Since people sometimes find it difficult to compose a letter, the Legislative Department will periodically provide sample letters for distribution to members to assist with letter writing. It's always better for people to hand-write a letter rather than sign a form letter.

The place to get letters written is at a meeting or organizational rally. To make this easier, you need to have writing utensils and papers – different colors and shapes if possible –and sample letters. Ask the people to take a few minutes to write their letters and envelopes while you wait. Most importantly, collect the letters so that they can be faxed directly. (Because of the anthrax scare a few years ago, it is taking upwards of 2-3 weeks for a letter to get to a Member of Congress because each piece of mail is irradiated first. As long as you fax them first, it is okay to mail the copy also.)

Writing an effective letter is not a difficult task. Here are a few guidelines to ease you along:

DO

- Identify yourself as a voting constituent and a member of CWA, mentioning your local community and local union number. If you played an active role in the previous campaign, be sure to let them know.
- Identify your subject clearly. State the name of the legislation you are writing about. Give the House or Senate bill number, if at all possible.
- Try to limit the subject of your letter to just one bill or legislative issue.
- State your support for the issue in personal terms. Explain how the issue would affect you your family or work. Also, explain what effect it could have on your state or community. For example, it is much more effective to state "I'm an electrical technician and HR 200 will cost me my job because..." Than to state "Vote against HR 200 because I'm bitterly opposed and it's a horrible bill."
- Ask that the legislator state his or her position on the issue in reply. As a constituent, you're entitled to know their position.
- Thank the legislator if they have supported a previous issue or a vote that you agreed with.

- If you have the opportunity, write your letter on a computer and put it on your personal or local letterhead.
- Be sure your return address is included not just on the envelope but on the letter as well.
- If possible, fax or send a copy of your correspondence to CWA's Legislative Department.

DON'T

- Don't ask for the impossible. Don't say, "I'll never vote for you unless you do this." That will not help your cause and may even harm it. Also, never threaten or beg a lawmaker.
- Don't berate the legislator if you consistently disagree with them.
- Avoid using stereotyped phrases and sentences that give the appearance of "form" letters. If a sample letter is involved, read through the letter and put it in your own words. They tend to identify your message as part of an organized pressure campaign and produce less impact.
- Do not become a constant "pen pal". Quality rather than quantity is what counts. Write frequently if you feel like it, but do not attempt to instruct your Representative on every single issue that comes up.

Sample letter on your own letterhead or Local Union letterhead (if possible)

The Honorable _____
House of Representatives
Washington, DC 20515

Dear Representative _____:

As a constituent and a voter in _____, I am writing to urge you to support HR 200, the FMLA For All Act when this legislation comes before the House for final debate and a vote.

This important legislation is needed in order to provide the benefits of the original Family and Medical Leave law to more working families. It would ensure that more working people can take time away from their job to care for a sick family member or attend to a child's needs for up to 12 weeks without fear of losing their jobs. As the leave is unpaid leave, it is not a financial hardship for the employer.

I've known many people that have had to use FMLA to take care of themselves or a family member because of unforeseen circumstances. I myself had to use it recently when my son became ill. Knowing that I would not have to quit my job to care for him during his month-long illness was a burden. All working men and women should have that peace of mind.

As a member of CWA Local _____ I want to thank you for your past support of issues important to working families. Please continue with your strong voting record and support HR 200.

Sincerely,

YOUR NAME
YOUR ADDRESS

For letters to Senators, the correct salutation is:

The Honorable _____
U.S. Senate
Washington, DC 20510

Dear Senator _____:

Post Cards

Although post cards are not as effective as individually written letters, they can serve as a counterbalance to post cards organized by the opposition--so that the legislator cannot legitimately claim to be hearing only one point of view from his/her state/district.

The most important rule to remember in distributing post cards is: collect them yourself. If you use post cards, don't simply pass them out and hope that they get mailed. Ask people to fill out the cards and turn them in to you so that you can mail them. That is the only sure way to guarantee their delivery.

Telephone Calls

Phoning your legislator is also an effective method of lobbying. Before making your call, however, be sure to:

- Have a clear idea of the points you want to get across.
- Organize your statement to support those points.
- Specify what action you would like taken on the matter. It is very unlikely that you will be able to discuss the issue with the elected representative directly. Most times you will be speaking to a staff member. You should still register your views with the staff person. To reach your Senators and Representatives, you simply can dial the US Capitol **(202) 224-3121** and ask for your Representative and Senators' office. If you have it, you can also call the home office of your legislator in your district or state.

To assist with individuals feeling more comfortable making phone calls, the Legislative Department will often provide talking points on the issue.

In order to get a large number of telephone calls through in a very short time, some locals may want to organize phone banks, where volunteers are asked to come in and make calls to their legislators' offices as well as other union members to persuade them to also make a call.

Local LPAT Coordinators or legislative/political chairpersons may wish to organize a "telephone tree". First, recruit five reliable people who will serve as "activators" each time a crucial vote approaches. The "activators" contact five "callers" on their list and ask them to telephone the Congressional office. In turn, each of these five "callers" could call five more. In this manner, just one person making five calls can generate 150 or more calls to the Representative or Senator.

Personal Visits

The most effective way to communicate your position on a given issue is face-to-face contact with your Representative or Senators. You need not wait for the annual CWA Legislative/Political Conference in Washington, DC to meet with your Members of Congress. All legislators have office hours back home and you should take advantage of this opportunity to

schedule a meeting. Look ahead to scheduled congressional breaks when your Members of Congress will be back home in the District or State and make appointments in advance. Meetings that take place “back home” rather than in DC at the Capitol can often be much more meaningful and beneficial. Members of Congress often have more time to spend having a substantive and longer meeting than during a busy day in the Capitol when the Member of Congress is torn between Committee hearings, votes on the floor and visits with many constituents.

Since all Representatives and Senators are busy, it is important that they come away from a meeting feeling that the time was well spent. You can ensure this by being well prepared and by keeping your comments brief and to the point.

It is often helpful to go with a delegation of like-minded constituents to indicate broad-based support for your position. Although a group is preferable, don’t put off going by yourself if action is necessary immediately or if you have trouble rounding up others to accompany you.

Don’t hesitate to lobby your elected representatives because you might feel ill equipped to persuade them to support your viewpoint. First, it’s important to note that you can always reach out to your LPAT Coordinator or District Legislative Political Coordinator for assistance with background materials and to help prepare for a meeting.

It is important for you to realize that an incredible number of bills are introduced in every Congress. As a result, a large part of lobbying is simply educating legislators. Many times you know more about a specific issue than your Members of Congress do. If you can get your Representative or Senators to focus on the particular bill that you are concerned about and present a few basic arguments for the position you advocate, you may secure their support. Be prepared to ask your legislator specifically how they intend to vote or for their position on an issue.

If possible, leave some sort of written statement of your position to reinforce your message. You may be able to get fact sheets on the issue from the CWA Legislative Department in Washington, or get assistance in making your own. Don’t hesitate to contact us for help.

Meetings

Develop a friendly relationship with the staff of your legislators’ home office and maintain contact with them in order to learn their schedule of public appearances and when they will be in their home state/district. Try to get CWA members to attend these public meetings in order to raise questions about our issues. Public responses by the legislators toward our bills – positive or otherwise – should be communicated immediately to the CWA Legislative Department in Washington, DC.

COPE/RAISING VOLUNTARY FUNDS

Money continues to be a major force in elections. CWA has one PAC (Political Action Committee) - it is the CWA-Committee on Political Education Political Contributions Committee, or CWA COPE PCC. Our PAC is funded through voluntary contributions by CWA members and their immediate families.

You may solicit members and their families for voluntary contributions using fundraising messages that say in plain language that they are not required to make a contribution as a condition of membership or employment, and that their donations will be used for political purposes. The only non-members you may solicit are the immediate family of a CWA member who live in the same household.

Voluntary funds are very different from a local's regular treasury money (collected from dues, interest, or other earnings of the local) and must be treated differently.

You must keep separate records of all receipts and deposits of voluntary funds. In the case of cash contributions, you must also make separate deposits of the funds. Complete rules and guidelines regarding voluntary funds appear at the end of this section.

While there are many ways to raise political contributions, we have found that payroll checkoff and CWA-COPE Clubs are the best ways to raise money because they bring in regular, sustained contributions once the member has signed up.

Setting Local COPE Goal

Political checkoff is the most effective way to raise voluntary funds for CWA-COPE PCC. Checkoff allows a member to authorize a voluntary contribution to be deducted from his/her paycheck and sent directly to CWA-COPE PCC.

There is tremendous potential in checkoff. It has the great advantage of requiring only a small commitment from each member to accumulate large sums of money as a group.

If half of CWA's estimated 600,000 members each checked off only \$4.00 per month from their paychecks, we would raise \$14.4 million a year for CWA-COPE PCC. Currently, 12% of members participate. Each local should set a goal of the percentage of members it intends to engage in the COPE program. The best way we have found to get CWA members to sign up for checkoff is through direct personal contact. If you have a chance to explain in person the importance of political checkoff and the ease of deducting a portion of the paycheck, members are much more likely to sign the checkoff authorization card.

Approach your local members individually. More importantly, use every gathering of the local to promote COPE PCC contributions. In a large group, you can save time and energy by stating your message once for everyone. And once a few people sign up, there is more positive peer influence on the rest to follow suit.

Establishing Checkoff

If your local does not already have the right to checkoff, there are two main methods of attaining that right.

1. Negotiate with the employer

Political checkoff is a legitimate item for collective bargaining that can be negotiated just like any other contract demand regardless of any state law limiting payroll deductions – even in public sector bargaining units. Bargaining for checkoff can either be part of the local's overall bargaining agreement with the employer or result from separate negotiations at the request of the local.

Some employers have been willing to agree to checkoff based on a local's request for it. Any such supplemental agreement should be in writing to avoid problems in the future. The agreement must simply state the employer agrees to honor authorizations for checkoff of political contributions signed by its employees who are CWA members.

2. Non-Negotiable Rights to Checkoff

Under federal election law, if your employer or any of its subsidiaries, branches, divisions, or affiliates uses a payroll deduction plan (checkoff) to collect political contributions from its managerial, non-bargaining unit employees and/or shareholders for its own federal PAC, then the union has an automatic, non-negotiable right to use the employer's payroll checkoff system for its members to make voluntary contributions to CWA-COPE PCC.

That is because, under the law, the union is entitled to use any and all methods of solicitation and collection for the union's federal PAC that the employer is using for its own federal PAC, even if that federal PAC is directly connected with a corporate affiliate of the employer elsewhere in the country.

To exercise these rights, you first have to find out whether the employer, or any of its branches, divisions, or affiliations, has a checkoff plan for its PAC. You should also determine whether the employer or any of those affiliates uses corporate systems to solicit its executives to contribute to its PAC. In either case, the union is then entitled to access the same methods upon the union's request.

Once you have determined that the employer has a checkoff plan for its own PAC, the union must write to the employer officially declaring that the local wants to exercise its right to use political checkoff.

Whether the union secures political checkoff through bargaining or upon request, federal law requires that the union pay the employer's added administrative costs of compliance. This can be handled in bargaining an overall collective bargaining agreement by a statement in the contract that those costs were taken into account in negotiating the contract's economic package, so the union would not pay anything separate for checkoff or solicitations through

employer channels. If checkoff results from separate, mid-contract negotiations then there must be some arrangement for union payment, and the union should exercise its usual bargaining right to accurate cost information from the employer.

Contact your District LP Coordinator for assistance.

Credit Card COPE Contributions

If you do not have checkoff, then distribute the CWA credit card PAC application and collect. Send completed applications to Laura Archer, larcher@cwa-union.org at CWA Headquarters. The form is on the following page, but to access it electronically, go to <http://files.cwa-union.org/cope/copecreditcardform.pdf>

A special webpage <http://www.cwa-cope.org/contribute/> is available for online credit card contributions. However, we suggest making copies of the COPE credit card application for distribution and collection in meetings and other union gatherings.

Completed COPE PCC credit card applications should be mailed to Laura Archer at CWA, 501 3rd St. NW; Washington, DC 20001.



AUTHORIZATION AGREEMENT FOR CREDIT CARD DEDUCTIONS

I hereby authorize the Communications Workers of America Committee on Political Education Political Contributions Committee ("the CWA-COPE PCC") to initiate a deduction from my credit card.

This authorization is to remain in full force and effect until the CWA-COPE PCC has received written notification from me of its termination in such time and in such manner as to afford the parties a reasonable opportunity to act on it.

Check one: New Enrollment Change of Amount Cancel Deduction

Choose one: Authorize a monthly contribution of \$ _____ (\$8.00 minimum)

Authorize a one-time contribution of \$ _____

VISA Mastercard

Card #: _____

Expiration Date (MM/YY): ____/____ Card Security Code: _____ *



* The Card Security Code ("CSC" for short) is a three- or four-digit number printed on the credit card for security purposes. On most cards, the CSC is three digits long and is printed on the back of the card (usually in the signature field). Other numbers may appear to the left of the CSC.

(Employee Signature) (Date)

(Print Name) (E-mail Address)

(Mailing Address) (City) (State / ZIP)

(Phone Number) LOCAL NUMBER _____

(Name of Employer) (Occupation) (Last 4 Digits of Social Security Number)

This Authorization is voluntarily made based on my specific understanding that:

- The signing of this authorization card and the making of contributions to CWA-COPE PCC are not conditions of membership in the union nor of employment with the Company and that I may refuse to do so without fear of reprisal.
- I am making a contribution to CWA-COPE and that CWA-COPE, will use my contributions for political purposes, including but not limited to, the making of contributions to or expenditures on behalf of candidates for federal, state and local offices and addressing political issues of public importance.
- Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and the name of employer of individuals whose contributions exceed \$200 in a calendar year.
- Contributions or gifts to CWA-COPE PCC are not deductible as charitable contributions for federal income tax purposes.
- The minimum monthly amount is an administrative requirement for credit card contributions. It is not a guideline amount or a requirement, and I may contribute more or less by other means, at my discretion.

**RETURN TO: CWA-COPE PCC
501 THIRD STREET, NW
WASHINGTON, DC 20001-2797**

**Original-CWA Headquarters
Copy - District/Sector Local**

CWA-COPE Membership Clubs

The CWA-COPE Membership Clubs are highly successful groups established for larger donors to CWA-COPE PCC. Thousands of CWA members belong to these clubs and receive special recognition for their significant contributions.

The contribution level for membership in the CWA COPE PCC Club is \$1.00 per week, the Platinum Quorum is \$5 per week, the Triple Quorum is \$7 per week; and the most prestigious of all, the President's Club, is \$10 per week. Contact your District Legislative/Political Coordinator for more information regarding these special clubs.

Special Fundraising Events

Special fundraising events are another way to raise COPE funds. In planning your events, there is one important fundraising rule to keep in mind. You may spend treasury money to raise voluntary money, but if you raise money with raffles or sales of items, you must raise three times as much voluntary money as you spend in treasury money. For example, you cannot spend \$500 in treasury money to raise \$500 in COPE contributions; if you spend \$500, then you must raise \$1,500 in contributions. The spending that counts toward your fundraising costs include the costs of raffle prizes and costs of items that you sell, not incidental event costs like food and entertainment.

If you do not meet the three-one fundraising ratio, then CWA COPE PCC itself must reimburse the union treasury the difference. For example, if you spend \$100 for fundraising from treasury funds, you should bring in \$300. If, however, you are only able to raise \$200, then CWA-COPE PCC must reimburse your treasury fund \$33.33, because that will mean that your treasury spent \$66.66, which is one-third of the \$200 you successfully raised.

Please note that a raffle for CWA COPE PCC must comply with your state's raffle laws – do check them first, or consult your District LP Coordinator. Some states prohibit raffles for political committees; others impose registration and other requirements, which usually are not difficult to satisfy.

The proceeds of the fundraiser should be forwarded to your District office. Cash proceeds should be deposited in a regular local union account and then transmitted via a single money order or cashier's check to CWA COPE PCC. Personal checks from contributors that are made payable to CWA COPE PCC should be forwarded directly to CWA COPE PCC and not deposited in any local union account. Contributions over \$50 from a particular member must be transmitted to CWA COPE PCC within 10 days of receipt, while contributions of \$50 or less must be transmitted within 30 days.

Each fundraising event is an opportunity to raise political action money for CWA-COPE PCC and to encourage members to sign up for checkoff and one of our CWA-COPE Membership Clubs.

Following are some suggestions of activities to raise money for CWA-COPE PCC

- ▶ Hold a forum for CWA members at which local political candidates air their views about an upcoming election or other important issues of concern. Have the CWA local president talk beforehand about the importance of voicing CWA's political views, and about using CWA-COPE PCC checkoff.
- ▶ Create competition. Hold a checkoff or membership club contest among stewards. Give a prize to the steward who achieves the highest number of members who sign checkoff authorization cards and another prize to the steward who raises the most contributions for the highest total.
- ▶ At a local union-sponsored Memorial Day or Labor Day picnic, set up a table for members to sign CWA-COPE PCC checkoff authorization cards and CWA-COPE Membership Club application forms.

FOLLOWING THE LAW—POLITICS, MONEY & YOU

CWA-COPE PCC is actively involved in elections on both the national and statewide level. We have tried in this section to present the laws which govern our political activities in a simple, easy-to-read fashion. While the laws are not difficult to understand, it is extremely important that you take some time to familiarize yourself with them before you begin your political activity.

On the national level, the Federal Election Campaign Act regulates union activities in the elections for:

- U.S. President and Vice President
- U.S. Senate
- U.S. House of Representatives

On the state level, each state has its own set of laws that govern union activities in elections for:

- Statewide offices (Governor, Attorney General, etc.)
- State Legislators and Judges
- County and municipal offices

The Internal Revenue Code also affects the use of union treasury funds in both national and statewide elections.

Federal Law

The Federal Election Commission (FEC) is the agency of the federal government that handles all activities dealing with federal election campaign financing. The FEC requires labor organizations that establish political action committees (PACs) to register them with the FEC. The complex reporting and contribution requirements mandated by the FEC make it essential that CWA have only one registered PAC with the FEC. (More federal PACs within CWA would not increase CWA's ability to contribute to federal candidates – all the PACs would share a single contribution limit.) The Treasurer of CWA COPE PCC files monthly reports with the FEC of all receipts and expenditures.

In order to ensure that you are within the law and that our records of all political activity by CWA are accurate, there are some simple guidelines that all CWA locals should follow:

- You may use treasury funds to raise voluntary contributions to CWA COPE PCC from CWA members and their families. If, for example, you are planning a fundraising event for CWA COPE PCC, then local staff may do the planning and local treasury funds may pay for the flyers, tickets and other expenses. You may also sell fundraising items, such as hats, t-shirts and the like, to raise voluntary contributions. Fundraising items sold to

raise voluntary contributions should bear the CWA-COPE logo and an election-related message such as “Register and Vote.”

Caution: As described in the preceding section, you may not spend treasury money to raise voluntary money on a one-to-one basis when selling raffle tickets or items to raise funds.

Instead, you must raise at least three times as much as you spend on them.

- CWA-COPE PCC funds raised by a local must be sent directly to CWA Headquarters via the District Office for central deposit, record-keeping and distribution. Local unions may **not** themselves directly use voluntary funds raised for CWA-COPE PCC for any purpose, including to contribute to a federal candidate. Only CWA-COPE PCC may use those funds. If you wish to request a CWA COPE PCC contribution to a candidate for federal, local or state office, contact your District Legislative/Political Coordinator.
- You may **not** contribute union treasury money to **federal** candidates. “Treasury money” includes any monies raised by dues (including those of retirees), initiation fees, investment income, etc. The ban on treasury money contributions includes “in-kind” contributions of goods or services to the candidate if they are paid for with union funds. For example, the local union cannot “assign” its staff to work directly for a candidate or provide a candidate with free access to the local’s meeting rooms and phone banks.
- CWA-COPE PCC may contribute up to \$5,000 to a particular Federal candidate for a primary, general or run-off election.

Treasury funds may be used, and should be used, to communicate with CWA members and their families on issues and candidates and to conduct registration and get-out-the-vote drives aimed at CWA members and their families. There are no limitations on amounts that can be spent for these purposes. And, there are no restrictions on the content of these messages.

For example, you may distribute to members: CWA-prepared letters, leaflets, brochures, sample ballots and your publications urging them to vote for or against a certain candidate or ballot issue. You may set up phone banks to call them and use direct mail and e-mail to reach members in their homes.

- Again, there are no limits on the amount of treasury money that a union can spend to send communications to its members, including communications that explicitly support the election or defeat of a candidate for federal office. But there is a Federal disclosure requirement:

Expenditures for the direct costs of these communications must be reported to the FEC in Washington, D.C., if the total out-of-pocket (non-overhead) costs of the local for all member communications that primarily advocate the election or defeat of federal candidates in a given primary or general election period exceeds \$2,000.

The \$2,000 figure is counted separately for the primary and general elections. This means that you can spend \$1,999 on such communications in a primary election and another \$1,999 in the general election without reporting any of them to the FEC.

- You may invite a candidate for federal office, or an incumbent federal officeholder, to attend and address a union conference, meeting or social event attended only by CWA members and their families; or to write an article for your Local's publications.
- You may not solicit voluntary contributions from anyone other than CWA members and their families.
- You may not accept contributions for CWA-COPE PCC of the following types:
 - Anonymous or unidentified contributions in excess of \$50 from an individual
 - Cash contributions in excess of \$100
 - Any contribution of union treasury funds
- Failure to adhere to these guidelines may result unwittingly in violation of the law and subject the local and CWA COPE PCC to legal penalties.

A Few Consequences of the January 2010 *Citizens United* Supreme Court Decision

- Labor unions and corporations may spend unlimited amounts of money explicitly advocating to the general public that people support or oppose particular candidates ("express advocacy").
- Groups that pay for express advocacy or "electioneering communications" (broadcast near elections that mention federal candidates) in federal elections must continue to file disclosure reports. Donors must be identified if they contributed more than \$200 for the purpose of furthering those communications.
- Corporate- and union-paid advertisements must include "Paid for by" disclaimers similar to those required for ads sponsored by a federal PAC.
- State laws prohibiting corporate and union express advocacy are also invalid. States can be expected to consider new disclosure and disclaimer requirements in the coming months.
- The distinction between communications to an organization's members and non-members is less important, because unions and corporations may communicate with both types of people.

STATE AND LOCAL ELECTIONS

In non-federal elections such as races for governor, state legislature, mayor, city council or judgeships, there are three ways you can help worthy candidates.

- Communicate with your members and their families to endorse the candidate and encourage them to vote.
- Communicate with the general public about the candidate.
- Contribute money to your candidate where permitted by state and local law.

If your local supports a candidate for governor of your state, it will want to communicate with the members and their families about:

- Your candidate's voting record;
- The issues your candidate supports or opposes;
- Where and how they can register to vote;
- How they can use an absentee ballot if necessary;
- When and where to vote.

See the "Electoral Work with Legislative and Political Action Teams" section of this booklet for more detailed planning for voter registration drives, get-out-the-vote drives and other voter activity.

CWA may also release union staff to work with its own members. In all of these activities, you may use the local's facilities, furniture and equipment to support CWA's political work.

Communicating with the Public

Your local may use its treasury funds (collected from dues) for the purpose of communicating about candidates and elections to the general public, BUT state law may require the local to REGISTER with the State Election Office, keep RECORDS of all state law expenses and file REPORTS.

Also, due to very important federal tax law reasons, your local should always use a separate bank account for spending on political communications to the general public (see below for more detail.)

Contributions to Your Candidates

Broadly speaking, there are two types of state laws governing contributions to candidates for state office:

- (1) Some state laws prohibit contributions from union treasury funds to state and local candidates, but allow them if they are from our voluntary CWA-COPE PCC account.
- (2) Most states have laws that allow contributions from union treasury funds to state and local candidates, but may require the local to register a state PAC with the State Election

office and file reports. It will almost always be best for the local to establish and register a special political bank account for this purpose.

Before you make any contributions to a state or local candidate, contact your District Legislative/Political Coordinator.

Locals May be Taxed on Their General Fund Political Spending

A local union that does not set up a separate political account, and instead makes political contributions and expenditures beyond its own members from its regular general fund account, may owe a federal tax on that political spending. The tax on the local would be assessed at a 35% rate, on the lesser of:

- The local's political spending during the year beyond its members from its general fund accounts; or
- The local's "investment income" in excess of \$100 during the year. For this calculation, investment income includes the local's income from interest, rents, dividends, royalties and capital gains.

In order to avoid this tax, then, a local should only undertake political spending from a separate political account.

Note, however, that if a local's general fund (or its separate political account) is used to collect and transfer member contributions to CWA COPE PCC, then those transactions are not taxable.

IRS Reporting and Public Disclosure

A separate political account may have to register and report with the IRS, depending on its level of activity and whether or not it is registered and reporting with a state as a state PAC. All IRS notices, reports, and returns for a separate political account, except for Form 1120-POL, are made publicly available by the IRS on its website, and the account also must provide its annual Form 990 or Form 990EZ to persons who request it. There are IRS penalties for failure to comply with these disclosure requirements.

Recordkeeping

Records Required by Law

Locals must keep the following records of contributions for a period of three years as a matter of federal election law:

An Individual Member's Contributions of \$50 or Less

Record the date, contributor's name, address and the amount of the contribution. If collected through a mass collection of cash, locals must keep a record of the date of the collection, the total amount collected and the name of the function at which the collection is made. The information and contributions must be sent to the CWA District Office for transmittal to the CWA Headquarters within 30 days of the date the contributions are received by the local or its agents.

An Individual Member's Contributions of More Than \$50

Record the contributor's name, address, and the date of the contribution and the amount collected.

Individual Contribution of More than \$200 or Aggregating More than \$200 Per Year

Where an individual contributor makes a series of small contributions which total more than \$200 in one calendar year or makes one contribution in an amount greater than \$200, a local must record the date and the amount of the contribution, the full name of the contributor, the contributor's social security number, mailing address, occupation and the name of the employer. The contributions and information must be transmitted to CWA-COPE PCC within either 10 or 30 days, depending on whether the particular contribution exceeded \$50.

Internal Records

In order to ensure that CWA-COPE has sufficient information on the source of its contributions; locals should comply with the following instructions:

Information Which Should Be Kept in a Local's File

A local whose members are checking off contributions to CWA-COPE PCC should keep the following information in its files:

- Copies of member's signed authorization forms (very important);
- An up-to-date list of all members who have authorized CWA-COPE checkoffs, including their full names and addresses;
- Copies of all CWA-COPE contribution transmittal reports;
- Copies of employer's payroll remittance forms showing the amounts deducted for each member during a pay period;
- Bank records (deposit slips and checks); and
- Copies of the written materials, if any, the local uses to solicit CWA-COPE contributions from its members

Information Locals Should Send to CWA-COPE in Washington, DC

- A copy of the CWA-COPE PCC checkoff authorization form the local is using, if different from that provided by CWA
- A copy of the contract language or supplemental agreement covering CWA-COPE PCC checkoff, which the local has negotiated with its employer. The agreement should specify that the employer will issue a separate check payable to CWA-COPE PCC. Contact the COPE Department in Washington, DC for information on transmitting COPE checks and supporting data.

Important Note

All written solicitation for contributions to CWA-COPE PCC must include the following disclaimers:

- Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and the name of employer of individuals whose contributions exceed \$200 in a calendar year.
- Contributions or gifts to CWA-COPE PCC are not deductible as charitable contributions for federal income tax purposes.
- A copy of CWA-COPE PCC's report is filed with the Federal Election Commission and is available from the Federal Election Commission, Washington, D.C.

SAMPLE FORMS

EXHIBIT A

Sample Copy for Voter Registration Mailing

Dear Local _____ Member:

I wish I had time to write each of you individually, but time is short and we must act as fast as possible.

Just last week a member of Local _____ asked me, “Why should I bother to register to vote? My one vote doesn’t really matter anyway.” I was taken aback for a moment, because I thought everyone knew how important this election is for us-and that every vote does count. After all, less than one percent separated George W. Bush from Al Gore in Florida in 2008, and Al Franken from Norm Coleman in Minnesota in 2008.

Every vote is crucial because this election is about jobs*. Joanne Smith knows the concerns of CWA members and proposed a plan to retrain workers who have been displaced because of changing technology. If elected to the Senate, she will take a proactive approach to jobs –not waiting until there is crisis to do something for workers.

Are you registered to vote? Is every voting-age member of your family registered?

If you can’t answer “yes” to both questions, then you have until (date) to get registered for the upcoming election. You can register at (name and address of place of registration and times open for registration).

If you need help getting registered, call me at _____ and I’ll try to help.

Sincerely,

*This paragraph should highlight the key issue in the campaign, preferably an issue which directly affects members locally.

EXHIBIT B

Sample Voter Registration Phone Canvass Statement

Hello, I'm _____ calling from Local _____. We're calling all of our members to make certain they are registered to vote in the important (primary, November) election.

Are you registered to vote?

(If Yes)

Good. What about your family, are they registered?

(If yes again)

Good. Do you think you or anyone in your family might need an absentee ballot?

Thanks for your time.

You know, this election is important because we can elect Joanne Smith, who really cares about working people.

(If no)

You only have a few days to register to vote. Do you know where to register?

(Have registration information ready.) It is very important because we can elect Joanne Smith, who really cares about working people.

Registration closes Saturday. Can I count on you to promise you'll register by then?

(If yes)

Good. Now don't forget, because we need your vote.

Tally Sheet Instructions

1. Every caller should have a tally sheet, on which he/she can record the name, telephone number and important information for each member called. In addition to marking whether the member and his/her family registered, there is a column to mark when the call is completed. This way, the caller can easily go back and find the names of members who were not home the first time called.
2. The last column is for the members who are not registered, but said they would register. They should be called back with a reminder.

At the end of the calling session, each caller should tally up the members who will need return calls and give the list to the phone bank coordinator.

EXHIBIT C

Sample Follow-Up for Unregistered Voters

Dear (Unregistered member):

The volunteer from the phone bank who called you the other evening let me know that you are not yet registered to vote in the upcoming election.

This election is vital for the future of our community, our union and us. Joanne Smith cares about jobs. She proposes worker training and retraining programs to help cope with changing technology in the workplace; she supports education and vocational training for our children; and she advocates government assistance to help jobless Americans cover health insurance expenses.

Each and every one of us must register to vote to give her our support. Please go to (name and place of registration) today to register for the election on (date).

Sincerely,

EXHIBIT D

Sample Return Call

Hello, I'm _____ calling from Local _____ to remind you that today is the last day to register to vote for the upcoming election. You can register at (location) until (time).

If we are going to restore fairness to our economy, we'll all have to register so that we can vote for Joanne Smith for Senate.

Please try to register today. We're counting on you.

EXHIBIT E

Sample Voter Identification Message

Hello, I'm _____ calling from Local _____, and we're surveying our members to find out who they are supporting for election this year.

The upcoming election is very important to CWA, and our union is supporting Joanne Smith for Senate.

Will you be voting for her, on of her opponents, or are you undecided?

(If Smith)

That's great. I wonder if I could ask you a couple more questions? Would you like a yard sign to put up in your yard for Joanne Smith? Would you be able to come to the union hall and help us call other union members for an evening?

Thank you very much for your time.

(If Undecided)

I know that deciding who you are going to vote for can be difficult sometimes. Could I send you some information about Joanne Smith and why our union is supporting her?

Thank you for your time.

(If for an Opponent)

Okay, would you say that you definitely for him/her or just leaning toward supporting him/her?

(If Leaning)

Is there any one issue you believe is the most important in this election?

Could I send you some information about Joanne Smith and why our union supports her?