

Report of the  
National Women's Committee  
May 2012



**CWA**

Communications Workers of America  
2012

## **STOP THE DEMOCRACY BLOCKS**

It is hard to believe that the headlines we read are taking place in the year 2012. Corporations and the wealthy elite that would destroy us, through parliamentary tricks and political chicanery, are challenging us at every turn. Add to that Election 2012 and there is a toxic stew brewing that we must put to an end. It's high time we stopped the democracy blocks that stand in the way of forward momentum in women's rights, workers rights, and the rebuilding of the middle class.

We have the collective power to overcome all of the obstacles forced upon us. An illustration of those that most affect women follows.

### **MEDICARE/MEDICAID**

With the vast amount of misinformation in the media, and the constant spin of political rhetoric, understanding the terms is necessary in order to adequately consider the debate on Medicare/Medicaid "reform".

#### **What is Medicare?**

Medicare is health insurance for the following:

- People 65 or older
- People under 65 with certain disabilities
- People of any age with End-Stage Renal Disease (ESRD) (permanent kidney failure requiring dialysis or a kidney transplant)

#### **The Different Parts of Medicare**

The different parts of Medicare help cover specific services.

##### **Medicare Part A (Hospital Insurance)**

- Helps cover inpatient care in hospitals, skilled nursing facilities, hospice and home health care
- Most people don't have to pay a premium for Medicare Part A because they or a spouse paid Medicare taxes while working in the United States. If you don't automatically get premium-free Part A, you may still be able to enroll and pay a premium

##### **Medicare Part B (Medical Insurance)**

- Helps cover doctors and other care provider services, outpatient care, durable medical equipment and home health care
- Helps cover some preventive services
- Most people pay up to the standard monthly Medicare Part B premium

##### **Medicare Part C (also know as Medicare Advantage)**

- Offers health plan options run by Medicare-approved private insurance companies. Medicare Advantage Plans are a way to get the benefits and services covered under Part A and Part B. Most Medicare Advantage covers Medicare prescription drug coverage (Part D).
- Some Medicare Advantage Plans may include extra benefits for an extra cost.

### **Medicare Part D (Medicare Prescription Drug Coverage)**

- Helps cover the cost of prescriptions drugs
- May help lower your prescription drug cost and help protect against higher costs
- Run by Medicare-approved private insurance companies
- Cost and benefits vary by plan

**Note:** You may want to get coverage that fills gaps in original Medicare coverage. You can choose to buy a Medicare Supplement Insurance (Medigap) policy from a private company. However, it is imperative that one reviews any employer provided retiree benefit plans before choosing additional policies.

### **What is Medicaid?**

Medicaid is health coverage available to certain people and families who have limited income and resources. The rules for counting your income and resources (like bank accounts or other items that can be sold for cash) depend upon which state you live in. Eligibility may also depend on how old you are and if you're pregnant, blind, have a disability or if you are a U.S. citizen. Certain legal immigrants may also be eligible. If a woman's labor and delivery of her child is covered by Medicaid, her baby may be covered for up to 1 year without needing to apply.

People with Medicaid who are disabled or elderly may also get coverage for services such as nursing home care or home and community-based services. Depending on your state's rules, you may also be asked to pay a small part of the cost (co-payment) for medical services. If you qualify for both Medicare and Medicaid, most of your healthcare cost will be covered, including prescription drugs.

Both Medicaid and Medicare are health insurance programs available to those who are financially unable to obtain health insurance on their own and for individuals with no access to healthcare.

### **Potential "Reform" Proposals**

Several major deficit-reduction and entitlement reform proposals include raising Medicare's age of eligibility from 65 to 67 in 2014, and are touted as a way of improving Medicare's solvency.

Other so-called reform proposals are listed below:

- Recommendation of payment freeze for 2012 for all post-acute providers
- Recommendation of a two-year re-basing, beginning in 2013
- Recommendation of prior authorization for services such as radiology and other services
- Recommendations of changes to Medicare Part A and Part B enrollment process
- Change the system to a voucher based process
- Tighten eligibility

These changes stand to affect every American 65-66 years old that qualified for the program prior to reaching age 65 because of a disability. There is no accurate way to measure the number of individuals impacted. It will certainly cut across the board affecting all nationalities, races, ages, socio-economic groups, etc.; but women will feel the greatest impact. Why? Because we are typically the caretakers of parents, disabled children and seniors. Many women are single mothers.

This is not to say health care costs cannot or should not be contained. The issue is at what cost. Costs must be brought under control, but cutting benefits is not the answer. CWA, together with the AFL-CIO, has endorsed proposals to reduce the deficit through Medicare negotiation of drug prices (\$200 billion over 10 years); establishing the option of a public health insurance plan (\$88 billion over 10 years, more than \$15 billion in one year); allowing the re-importation of prescription drugs (\$11 billion over 10 years); and requiring a Part D rebate for dual eligible Medicare beneficiaries and low-income subsidy recipients (\$120 billion over 10 years).

Being informed is important. We must act in a timely manner to protect our rights to those benefits we've paid for and to thwart attempts to diminish them under the false pretense of "reform."

## **CALL CENTER JOBS**

### **U.S. Call Center Worker and Consumer Protection Act, HR 3596**

When the unemployment rate is over 8 percent, how can anyone in the United States justify off-shoring jobs?

Call centers are a major economic force in the United States, representing about three percent of the entire U.S. workforce. Yet in recent years, many of the call center jobs that had provided employment opportunities in the U.S. have been shipped overseas.

According to data from the American Teleservices Association and 2010 data from the U.S. Bureau of Labor Statistics (BLS), the number of US customer service/contact center jobs has declined in the last four years by 500,000.

The bi-partisan call center bill (U.S. Call Center Worker and Consumer Protection Act, HR 3596) will help reverse the devastating American job losses witnessed in this industry. This legislation adds accountability and transparency to the off-shoring process and encourages call center jobs to stay in the U.S., while preventing corporations from using taxpayer dollars to pad their bottom line prior to moving overseas. It would make corporations that send U.S. call center jobs off-shore ineligible for any direct or indirect federal loans or grants for five years; require a list of companies that off-shore their call center work be catalogued by the U.S. Department of Labor and made available to the public; require foreign based call center employees to disclose their location to U.S. consumers; and transfer that call to a U.S.-based call center if requested by the caller.

The off-shoring of call center jobs has led to a variety of negative consequences, including placing consumers' personal information at risk, security breaches and worsening economic strains in American communities.

With HR 3596 your personal information will be better protected. A Price Waterhouse Coopers survey found that 83 percent of Indian outsourcing companies surveyed had information security breaches during the previous year. This means that only 15 percent of these companies kept your personal information safe.

Overseas outsourcing is an important component of the continued jobs crisis in the United States. With the state of the economy and the percentage of unemployed workers in the United States today, off-shoring of ANY work should be considered unconstitutional and un-American.

Although some call-center jobs have trickled back into the U.S. in recent years, the long-term trend has shown thousands of American-based customer service positions being outsourced to India, Egypt, the Philippines and other countries where workers come considerably cheaper. The Philippines' call-center industry recently surpassed India's as the largest in the world, according to a report in *USA Today*.

While off-shoring call center jobs increases the standard of living for women in countries like India where the work has moved; overseas outsourcing has had devastating impacts on U.S. women, families, and communities where call center jobs have been lost to the greedy 1% who are lining their pockets at the expense of American families and the middle class.

As we went to press, the hard work of CWA activists has boosted HR 3596 co-sponsorship to 133 elected officials, but not enough to pass it into law. Please contact your Legislator and either urge them to co-sponsor this bill or to thank them for their support if they have already done so.

CWA represents 150,000 customer service workers employed in customer contact or call centers, the majority of which are women. We need to stand together, with other women's groups and our coalition partners to lobby our elected officials, and help them understand the importance of this legislation to our Nation's economy, our families, our communities and to American women.

### **PAID SICK LEAVE AND HEALTHY FAMILIES ACT**

As union members, many of us have contracts that provide sick days, but in our country this benefit is not applied to everyone. In 1993, President Clinton signed the Family Medical Leave Act (FMLA). This federal law provides up to 6 weeks unpaid leave to care for a spouse, child, parent or yourself. The FMLA applies to employers with 50 or more employees who have worked at least 1250 hours in the past 12 months. It guarantees a worker that their job or a similar job will be available after using the leave. Did you know that the FMLA does not apply to half of the working people in the US?

Most people will admit that they have gone to work sick and that they wish their co-workers would not come to work sick. Most women in the U.S. are still the primary caregivers for children and older parents. Half the U.S. workforce are women. Likewise, CWA's membership is 50% female. Having paid sick time to care for ourselves and/or our family is a public health issue and a subject we should be fighting for in our contracts, our cities, states and our country.

At the national level, our retiring ally Representative Lynn Woolsey (D-CA) introduced the new Healthy Families Act--HR 2346/Balancing Act--in May of 2011. The Act would provide for workers to earn paid sick time that could be used for oneself or family members. With the current legislative rules and composition of our elected officials in Washington, the legislation has not advanced.

At the state level, California and New Jersey have passed laws that have wage replacement funds for workers who take family leave. In California, workers can earn up to \$987 a week and in New Jersey they can earn up to \$587 per week. These monies are paid for through payroll taxes. The federal FMLA does not require that workers have paid sick time or accrued vacation. As a result, most workers are forced to use vacation time in order to continue pay. Additionally, some cities (Seattle, San Francisco and Washington DC) and states (Connecticut) have passed statutes that permit sick time to be used for the care of family members. Other states have passed laws allowing for flexible use of time. In New York, a paid sick leave law is pending.

It is an agonizingly slow process, one that we must help to push forward. By providing for paid sick time through local, state and national legislation, we remove yet one more roadblock facing us at the bargaining table.

There are organizations that provide information about paid sick time: Labor Project for Working Families and Family Values @ Work are two. California and New Jersey have partnered with these organizations to have their laws passed. Women's Committees and unions should continue to partner with organizations to overcome blocks to our democracy and work for legislation that helps women and provides paid sick time.

## **COLLECTIVE BARGAINING RIGHTS**

The attacks on collective bargaining continue. The airline industry, which is governed by the Railway Labor Act (RLA), serves as the poster child for bad behavior by thumbing their nose at the law and systematically blocking any attempts at unionization. This is an industry with an 85% female workforce.

For many years, the roadblocks for gaining a voice at work in the airline industry were more difficult than most. Governed by the Railway Labor Act and enforced by the National Mediation Board (NMB), the rules stated that a "union victory" would result only if a majority of *all those eligible* voted for the union. This is a much higher bar than just a majority of votes cast. Employers correctly interpreted this to mean discouraging/blocking votes were the easiest way to remain non-union. Better yet,

they'd pad the eligibility lists to raise the number necessary for a union victory. That's precisely what airlines like Delta did.

In 2010 the NMB decided to democratize the rules to allow workers, under the Railway Labor Act, to form a union by a pro-union *majority of votes cast* instead of *the majority of eligible votes*. This change, one that works in elections throughout the U.S., has been a hallmark of the Obama Administration's record with labor.

The right wing, however, was incensed by the new rule. They held up the Federal Aviation Administration's (FAA) Reauthorization Bill, vital for America's economy. FAA funding supports an estimated 300,000 jobs. The FAA Shutdown in 2011 cost taxpayers half a billion dollars and 74,000 jobs, again, approximately 85% of them women workers. The rationale for the right wing was simple, better to hurt the economy and lose jobs than to ever allow workers to organize.

The most recent example is American Airlines (AA). While workers have won the right to vote, AA continues to blatantly disregard the rule of law. Their parent company, AMR, sued the NMB to stop agents from voting and in the process refused to turn eligible voter mailing labels to the agency – necessary for a mailed ballot election. However, in a remarkable show of solidarity and bravado, workers took matters into their own hands. A group of agents hand delivered CWA lists containing the names and mailing addresses of nearly all voting eligible employees to the NMB's General Counsel, urging her to move forward on the union representation election for nearly 10,000 agents. Thanks to an outpouring of CWA activism, the outcome was positive with the NMB ruling to proceed with the election using the CWA lists. Dates were set within a month. However, shortly afterwards American Airlines filed an injunction and was granted a temporary restraining order that once again stops the election. As a result of this legal maneuvering, it remains uncertain if a vote will take place. "American Airlines has been doing everything it can think of, both legal and not, to block agents from voting on union representation." said CWA Organizing Director Sandy Rusher.

For non-airline workers it was previously announced by the National Labor Relations Board (NLRB) that a new rule on the way union elections are conducted would go into effect April 30th. The rule would help alleviate the delays, inefficiencies, abuse of process, and unnecessary litigation which plague the current system for workers who want to vote on whether to have a union. AFL-CIO President Richard Trumka said it's "good news" that the NLRB has taken this modest but important step to ensure that workers who want to vote to form a union at their workplace get a fair opportunity to do so.

Once again, business groups and Republican lawmakers went apoplectic and mounted a massive campaign against the NLRB. In November, House Republicans approved a bill that gives employers new tools to combat and delay elections by workers who try to form unions. There have been nearly 50 separate assaults on the NLRB by congressional Republicans since January. They've held one-sided hearings, issued subpoenas, and proposed bills to gut the agency's funding.

According to American Rights at Work, they've pressed forward to eliminate the NLRB's ability to hold employers accountable for violating workers' rights.

On yet another front, the implementation of a rule favoring speedy union elections has been derailed. A judge said that the NLRB only had two members vote on the final rule in December 2011 when it needed three members to form a quorum. As a result, the agency is temporarily suspending the rule's implementation, which went into effect April 30th. The opinion of the AFL-CIO General Counsel is that the judge's ruling is solely based on technical issues that speak to the procedure of the board and not the rule itself. When does it stop?

It's important to know that the National Labor Relations Act forbids employers from interfering with, restraining, or coercing employees in the exercise of rights relating to organizing, forming, joining or assisting a labor organization for collective bargaining purposes, or from working together to improve terms and conditions of employment, or refraining from any such activity. Similarly, labor organizations may not restrain or coerce employees in the exercise of these rights. Sounds pretty simple, wouldn't you say?

It's clear the War on Women doesn't stop with health care issues critical to women, or with female-centric jobs. It extends to organizing in female dominated industries. Women workers must stand together until fair and just labor law reform becomes a reality for all workers.

## **ELECTION 2012**

The race has begun. Social issues are moving to the forefront. Election 2012 is upon us and the first pawn is women. According to MSN, "That's the early direction the campaigns of President Barack Obama and presumed Republican nominee Mitt Romney have taken as Romney trails the president by double-digit percentage points among women. 'The real war on women is being waged by the President's failed economic policies,' Romney said at an event in Hartford, Conn. 'He (Romney) advocates . . . making women pay more for their health care,' Obama's campaign wrote in a press statement."

Elections do have consequences and we're getting daily reminders of those consequences the closer we get to Election 2012.

First, there is the hallmark of President Obama's first term – the Affordable Health Care Act, strongly supported by the women's movement. It will be argued before the nine Supreme Court justices, five of who were appointed by conservative Presidents. With the issue now mired in politics, a contrary decision could spell the undoing of the Act. Rest assured, a Romney win for the White House would then give us an unbreakable conservative majority on the Supreme Court for at least a generation.

While health care for all is facing an uncertain future, health care for women is under an unprecedented attack. Last year, elected officials in state legislatures enacted 69 laws to restrict women's reproductive rights. This year, Republican candidates for the

White House upped the ante by going after women's access to affordable contraceptive care.

It continues in the states with the infamous Governor Scott Walker, a foot soldier in the Battle Against Women. Recently he engaged in battle in Wisconsin by repealing his state's equal pay statute.

Not to be forgotten is the storm generated by Susan G. Komen's misguided decision to listen to a right wing former gubernatorial candidate and sever ties with Planned Parenthood, Rush Limbaugh's disgusting and cowardly attack on Sandra Fluke, and Congressional conservatives who tried to redefine rape and defund Planned Parenthood clinics effectively ending vital health services for 5 million women each year. Add a conservative right wing presidential candidate, Mitt Romney, who has declared that he would get rid of Planned Parenthood and the battle lines are clearly drawn. Women now find themselves waging war on battles we thought we'd won decades ago.

We have our work cut out for us. We have friends, but the question is whether we will do whatever is necessary – W.I.N. the war to retain women's rights and continue to push forward. There is a way.

We must share President Obama's good record on women's rights. The first bill he signed into law was the Lilly Ledbetter Fair Pay Restoration Act, and continued with strong support of the Paycheck Fairness Act (HR 1519, S 797). Yet as we go to press, this important legislation became *another* victim of democracy blocks by a Republican procedural move that prevented the bill from coming to a vote. President Obama continues his support by threatening vetoes on any legislative attempt to diminish the rights protected under the Violence Against Women Act (VAWA), which is awaiting a final version from both chambers in Conference Committee. Also, under our President's leadership two women have been appointed to the Supreme Court and penalties have been increased for repeat domestic offenders despite repeated attempts at political chicanery in the Congress.

Never to be underestimated, however, the right wing has a new tactic. Voter suppression movements are surfacing across the nation. Suppressing votes is a strategy designed to further advantage the hard right's influence on election outcomes. Voter suppression proposals target women, and minorities, with methods designed to discourage or prevent people from casting a ballot. It is the most insidious attempt yet to block democracy.

According to Michael Waldman, Executive Director for the Brennan Center for Justice, "This is the most significant cutback in voting rights in decades. More voters may be affected than the margin of victory in two out of the past three presidential elections. In 2012 we should make it easier for every eligible citizen to vote. Instead, we have made it far harder for too many. Partisans should not try to tilt the electoral playing field in this way."

Hard right partisans are aware of what is at stake in 2012, but why target women? The simple explanation is that women traditionally make up at least 50% of the electorate and tend to vote for progressive causes. Block or stymie their vote and you've effectively taken a woman's point of view out of the democratic process.

Nonetheless, polls already show that women are increasingly disillusioned with Republican attempts to take away their rights. Recent polls show women preferring Obama to Romney by 18 points in key swing states.

To change this political landscape, one must start with local, county, and state elections. Be informed. Be ever vigilant in guarding against attempts to suppress voting rights. Register to vote and help others in your community do the same. Work closely with your CWA local legislative political action teams to educate about the candidates and the issues. Stay in touch through CWA's website and the CWA Teletown Hall Calls. Engage your Women's Committees to assist in the efforts.

As a women candidate for statewide office so eloquently said, "Now is not the time to take a 'pass' on the political process. Now, more than ever, we need to educate ourselves on the issues and the candidates; we need to register to vote and we need to exercise our right to vote. Elections do have consequences—whom we elect does impact on our rights, our well-being and our lives."

So make no mistake, the rights of women are under systematic attack. We will live with the results of Election 2012 for generations. We must, and we can, put progressive candidates into office.

Finally, remember: women brought politicians into the world and in 2012 women can take them OUT!

### CAUTIONARY ADVANCES

We've demonstrated that we are up to the challenges before us.

Since last year's report, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has been the subject of Senate hearings. The visibility we created moved the ball forward. We cannot let democracy blocks keep CEDAW from a ratification vote.

Reauthorization of the Violence Against Women Act, VAWA, S 1925, was passed in the Senate by a vote of 68-31 on April 26, 2012. It is no small wonder that the vote was along party lines, with **every single woman, whether Republican or Democrat, voting for passage**. The "nay" votes were all Republican men. But once again, there are those that would thwart even this common sense legislation. A move is afoot, in the House of Representatives, to pass a right wing alternate (HR 4970) that would weaken protections for those who suffer from domestic violence, sexual assault or stalking and would further fail vulnerable people, the LGBT community, Native American women and immigrant victims. The House passage of this bad bill will set up a showdown in conference. *Our challenge is to get the language of the*

*Senate bill in the final version and drop the regressive House language.*

We must continue to press forward for legislation like the Paycheck Fairness Act. Women still earn only 77 cents for every dollar earned by men. The Paycheck Fairness Act would have updated and strengthened the Equal Pay Act by improving remedies for pay discrimination, prohibiting employer retaliation, and facilitating class action suits in equal pay claims, among other strategies. Our collective action helped corral 180 co-sponsors on the House bill and 35 co-sponsors on the Senate bill. Yet it was a procedural game, a democracy block, that killed the bill. To keep the issue alive, CWA members are encouraged to engage in Equal Pay Day on April 9, 2013.

## **CONCLUSION AND CALL TO ACTION**

*STOP THE DEMOCRACY BLOCKS:* There are several proposed changes to Social Security, Medicare and Medicaid that will rewrite the benefits Americans have worked for, contributed to and relied upon. These changes will strongly affect women, the primary caregivers to elderly parents and disabled children.

*STOP THE DEMOCRACY BLOCKS:* Our jobs are being outsourced at an alarming rate causing unemployment and hardships. Call center jobs are being shipped overseas so that corporations can line their greedy pockets with dollars that will never make it into our local economies. This practice is also a slap in the face to consumers by putting their personal information at risk.

*STOP THE DEMOCRACY BLOCKS:* Half of U.S. workers cannot care for a sick family member without the threat of losing their jobs; this is an issue once again that will strongly affect women. It took 16 years for flight attendants to be covered under current FMLA laws, how long will it take for the additional 50% of U.S. workers who are not covered under the current laws? It is devastating to be forced into choosing between caring for a seriously ill loved one or keeping one's job.

*STOP THE DEMOCRACY BLOCKS:* We have to fight **AGAIN** for our collective bargaining rights being attacked by right to work legislation. CWA activists are set to battle this proposed legislation that is designed to destroy basic workers rights in many states. The National Labor Relations Board is under fire. House Republicans have introduced an avalanche of legislation designed to kill basic workers rights.

*STOP THE DEMOCRACY BLOCKS:* With the elections right around the corner, we also need to address the fact that the right wing is trying to take away the right to cast a ballot for many of us. Legislation has been introduced in twenty states that do not currently require voter ID to now do so, that would limit early voting and/or that would end same day registration. These laws, if passed, will adversely affect students, women, minorities, senior citizens, and those with lower incomes.

Haven't we already fought these battles? How about less corporate greed?

This is an all-out WAR on Women, an all-out WAR on Unions, an all-out WAR on CWA, and an all out WAR on America.

The CWA National Women's Committee would urge all women and men, all CWA Locals and Sectors, individually and collectively to *STOP THE DEMOCRACY BLOCKS* and fight for progress on these key issues. We urge our Sisters and Brothers to:

1. Fight to protect programs that impact working families, such as Medicare/Medicaid.
2. Support the U.S. Call Center Worker and Consumer Protection Act. Call and write letters to legislators to co-sponsor and support H.R. 3596. Work with your state Legislative Political Action Team (LPAT) structure to get a similar bill passed in your state.
3. Fight for paid sick leave and better FMLA laws to cover the 50% of Americans that are left out of these protections.
4. Join in with our natural allies and coalition partners for an Equal Pay Day of Action on April 9, 2013.
5. Stand up today to stop the assault on our basic right to VOTE! Register to vote and KNOW YOUR RIGHTS.
6. Engage Women's Committees in the coalition efforts to stop the War on Women.
7. Join the growing movement to stop the attacks on our collective bargaining rights.

We must stand together with our allies against offensive assaults on these issues. Together we can WIN.

Respectfully submitted,

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