

# CWA news

## Takin' It to the States



## The State of OUR Union is STRONG



By CWA President Chris Shelton

my family needs me and it is time for me to be 100% there for them.

In my first CWA News column in 2015, I wrote:

[At one time] our country would be thanking workers who are on the job, working to keep families and communities connected, informed, entertained, cared for, safe, in good health, and much more. Instead, too many right-wing elected officials and extremists are attacking workers and unions, holding them in contempt. How did working people become the villains?

Little did I know what the next few years would bring.

The right-wing attacks have not stopped; in fact, they have intensified and extended to an attack

A few weeks ago, I announced that I will not seek re-election as President of CWA at our Convention in July. It was a tough decision. I have always made our union my first priority, but

on the very foundations of our democracy. Since 2015, we have seen a Supreme Court eager to crush public sector unions, give corporations even more power over our lives, and strip women of their right to make decisions about their own reproductive health. We have seen the election of a President who stocked his administration with anti-union zealots, fanned the flames of racism and all forms of prejudice, and prompted an insurrectionist mob to attack our nation's capitol.

At the same time, something has changed. Most Americans no longer see working people and our unions as villains. Even before the COVID-19 pandemic, support for unions and interest in taking collective action to improve working conditions was beginning to grow. Once the pandemic hit, that support skyrocketed, and the working people who put their lives at risk to keep our country functioning, many of them CWA members, were rightly hailed as heroes.

I am proud to say that we were ready to meet the moment. At the first convention after I was elected President, CWA Secretary-Treasurer Sara Steffens and I rolled out our CWA STRONG program. CWA STRONG was a challenge to all of you to build workplace power, strengthen bargaining, and resist outside efforts to destroy our union. In subsequent years, convention delegates took action to make full use of our resources to put our union on stronger

financial footing.

Brothers and sisters, my union siblings, those challenges were larger than we could have imagined, but thanks to your commitment, and the remarkable leadership of our Executive Board and local officers, we not only survived, we laid the foundation for a strong future.

Make no mistake, we still face many challenges. The right-wing attacks continue. Outsourcing, offshoring, and a corporate culture that is driven by Wall Street profits instead of investment in working people and our communities threaten our jobs and our hard won benefits.

Thanks to those of you who serve as stewards, bargaining committee members, and local leaders, who organize to help new workers join CWA, who make phone calls, send text messages, and knock on doors during election season, who write to your elected officials and show up at state capitols and city council meetings to make your voices heard, the state of OUR union is strong. CWA STRONG. I am confident that I am leaving the union I love in good hands.

I am stepping down as President, but rest assured that I am not stepping away. I will be fighting right alongside you, as I have from my first day of work at New York Telephone over 50 years ago when I joined our great union. Because when we fight, we win.

**T**he results of the 2022 midterm elections were a mixed bag for working families. Congressional candidates who support legislation that would give us more power to join unions and bargain strong contracts (like the Protecting the Right to Organize [PRO] Act and the Public Service Freedom to Negotiate Act) did better than expected. But the House of Representatives is now in the hands of leaders who want to boost the profits of large corporations and the salaries of executives instead of reforming labor laws so we can bargain for fair wages and benefits. That fact, plus the anti-democratic Senate filibuster rule, will make it nearly impossible to make meaningful progress on federal legislation over the next two years.

The outlook at the state level is much better. Last year, pro-worker Democrats won “trifectas” (control of both the state legislature and governorship) in four states that previously had divided governments – Michigan, Minnesota, Maryland, and Massachusetts – bringing the total to 18. On some issues, like broadband, there is bipartisan interest in advancing our priorities that would benefit workers and communities.

While federal law must ultimately be changed to protect workers across the country, state and local governments can take action to strengthen worker rights. State and local policies have the potential to raise wages and benefits; create jobs; strengthen worker dignity, voice, and health and safety on the job; and help reverse the increasing income inequality that has harmed workers and our economy for many years.

## BROADBAND BUILDOUT

In November 2021, President Joe Biden signed the bipartisan infrastructure law, which funds job-creating investments in roads, bridges, airports, public transit, clean water, next-generation energy technology, and high-speed broadband internet buildout.

For broadband, passing the infrastructure bill was just the first step. Thanks to CWA members' advocacy and support from the Biden Administration, federal guidelines require states to consult with unions as they develop plans to award these funds to internet service providers. Members of CWA's Broadband Brigade have been educating state legislators, governors' offices, and state broadband commissions to make sure their plans prioritize proven, future-proof technologies like fiber-optic broadband and create good jobs.

“Technicians like me who are out in the field see the prob-

lems that poorly trained contractors can cause,” said Mike Songer from CWA Local 6300 in Missouri. “In some places, broadband contractor mistakes have even led to gas line explosions. We want legislators to know why it is important to have a directly employed workforce and that training and good jobs matter when it comes to doing high-quality work safely.”

“Congress has allocated \$65 billion for broadband buildout and adoption and Colorado is going to get about \$842 million of that,” said Sandra Parker Murray from CWA Local 7777. “Every CWA member has a stake in making sure that money is put to good use. Too many people have slow or unreliable internet service, and some have none at all. This is our chance to fix that and to create more good union jobs in the process.”

To learn more and get involved, visit  
*BuildBroadbandBetter.org.*

# Taking the Fight

## Protecting the Freedom to Negotiate Fair Contracts

One of the most common ways that anti-worker politicians and their corporate backers union membership is by passing laws that restrict negotiations between employers and unions.

By law, unions must represent every worker in the unit equally. But these misleadingly “right-to-work” laws prohibit agreements that ensure workers covered by a contract pay their share of the costs of work done on their behalf by the union. That means that some members reap the benefits the union provides without sharing the cost. This limits our ability to bargain for better wages, benefits, and working conditions.

Currently, more than half the states have laws like this on the books. In these states, workers' quality of life plummets. On average, workers in states with "right-to-work" laws make significantly lower wages and have fewer benefits, and those states generally have a higher poverty rate and a higher rate of workplace-related deaths than states without these laws.

## EXTENDING UN

Going on strike is one of the most powerful tools we have to win fair contracts. CWA members have a history of powerful strikes, including large strikes by Verizon workers in 2016 and by workers at AT&T in the south-east in 2018. More recent walkouts include the 2021 strike at Catholic Health in New York, last year's strike by Frontier workers in California, and the CWA mailers, typographers, and journalists who went on strike at the Pittsburgh Post-Gazette last October.

The financial burden of striking can affect how long workers can afford to sustain a

## Protecting Call Center Jobs

Since 2018, CWA activists have introduced legislation to protect call center jobs in 11 of the states, winning bipartisan support to pass bills in Alabama, Colorado, California, Connecticut, Delaware, Florida, Hawaii, Illinois, Indiana, Maine, Mississippi, Nevada, New Jersey, and New York. These bills include provisions that range from requiring states to monitor and report on call center job losses to requiring companies that offshore jobs to forfeit state loans, grants, or tax breaks.

## Raising Standards for Airline Workers

Unlike most private sector employees, who are covered by the National Labor Relations Act, union protections for airline workers are limited. Most airline workers, including passenger service agents and Flight Attendants represented by CWA and AFA-CWA, fall under the Railway Labor Act. The Federal Aviation Administration Reauthorization Act, which expires this year, also has a big impact on airline workers. However, some regulations passed at the state and local level can have an impact on airline workers as a whole.

For instance, state laws in Washington and California set higher standards for FMLA and sick leave usage than current federal regulations. AFA-CWA is battling these issues in court, and in some cases seeking to apply the workers' rights provisions to the work environment and scheduling for Flight Attendants. Airlines are seeking to preempt ALL aviation workers from accessing benefits of state law. Even though air workers have collective bargaining rights under federal law, our union has to remain vigilant to attempts to undermine the ability to call in sick, care for loved ones, and get proper rest to do our jobs. We expect this to be a real fight in Congress and at State Houses across the country.



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Repealing these laws is critical to rebuilding worker power. We have an opportunity to do that in Michigan. Thanks to the commitment and hard work of CWA members in the 2022 mid-term elections, pro-worker Democrats are now in the majority in the state legislature and Gretchen Whitmer, a champion for working families, was re-elected as Governor. CWA members, other union members, and allies are actively mobilizing to get their state representatives and senators to support this effort.

“Michigan is the home of the modern labor movement and working people are the backbone of our economy,” said CWA Local 4108 Plant Craft Vice President Jeff Nodalny. “Our state took a wrong turn when corporate CEOs and wealthy special interests passed laws that prevented unions from negotiating contracts that ensure that everyone contributes to the costs of the work our union does. I am so proud of what Michigan workers and our supporters were able to achieve in the last election. But that’s only part of the victory. We have to keep up the fight to repeal so-called ‘right-to-work’ and other anti-union measures and take back our freedom and power.”

## EMPLOYMENT BENEFITS TO STRIKING WORKERS

ike. One of the reasons that mobilization and strike preparation have been a powerful tool for our union is that employers know that CWA’s strong strike fund makes a strike more feasible for members. When all of the A-CWA members at Piedmont Airlines voted in favor of striking in 2021, their unity gave the bargaining team more leverage to negotiate a fair contract. Last year, CWA members at the Minnesota-based New Flyer manufacturing company won a fair contract after strong mobilization efforts during bargaining, including a massive rally and overwhelming strike authorization vote.

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ornia, Louisiana,  
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State lawmakers can strengthen our right to strike by

passing legislation to give strikers the right to collect unemployment insurance. Legislation has been introduced in Connecticut to extend unemployment benefits to striking workers, and a bill under consideration in New Jersey would reduce the amount of time strikers need to wait before they are eligible for unemployment benefits.

While private sector workers’ right to strike falls under federal labor law, public sector members’ right to strike is governed by state laws. Twelve states allow some or all public sector workers to go on strike. Passing state and local legislation to expand the ability of public sector workers to strike and to collectively bargain is a key priority for CWA members.

## Building Power for Public Sector Workers

Public sector workers are especially affected by state and local labor laws since there is not currently any federal law that gives public sector workers the right to form a union and collectively bargain. Without union representation, public sector workers have less power to fight corporations and the politicians who do their bidding when they push to privatize and eliminate public services. Some states where collective bargaining is permitted for public workers place severe limitations on what topics can be addressed, making it more difficult to improve wages and working conditions.

Strong protections for public sector union rights in California, New York, and New Jersey mean that CWA members in those states are able to exercise collective power, like New Jersey state workers did last year when they won an agreement to dramatically reduce the impact of a proposal to increase their healthcare premiums. In 2019,

## Banning Mandatory Anti-Union Meetings

Forcing workers to attend mandatory anti-union “captive audience” meetings is one of the most common tactics employers use to prevent us from forming unions. During these meetings, managers spread misinformation about what having union representation means. Managers, under the direction of high-priced, anti-union consultants, often cross the line and break federal law by intimidating workers and making threats during mandatory meetings because the penalties for doing so are weak. Under current law, workers who refuse to attend can be fired by their employers.

Legislation banning mandatory company meetings on political or religious matters can prevent employers from using mandatory meetings to discourage workers from forming a union or exercising any other political or religious beliefs. Putting a stop to this coercive practice would allow workers the opportunity to refuse to attend these meetings without fear of retaliation from the company.

“Last year, Connecticut became the second state in the country, following Oregon, to pass legislation effectively banning mandatory, employer-sponsored, anti-union meetings. CWA members and other labor activists strongly advocated for this bill and worked with our workers’ rights champions in the state legislature to get it passed. Our members understand that our ability to negotiate good contracts and fight for our rights is tied to our ability to grow as a union. That’s why we fought hard to eliminate this barrier and allow workers to organize freely. Our hope is for more states to follow suit,” said CWA Local 1298 President Dave Weidlich.

## FOR MORE INFORMATION

The CWA Legislative-Political Department has prepared a detailed set of recommendations for building worker power in the states which includes additional opportunities and links to model legislation. You can find it online at [cwa.org/building-worker-power-states](https://cwa.org/building-worker-power-states).

UPTE-CWA Research and Technical members joined 40,000 other University of California employees in a one-day strike for a fair contract. In New Mexico, where public workers also have collective bargaining rights, CWA-represented state workers won full funding for a \$15 minimum wage.

In Texas, which does not permit collective bargaining for state employees, the 8,000 members of the Texas State Employees Union-CWA have spent over 40 years building political power in order to fight for fair pay, secure pensions, and first class state services and higher education for Texans. Members of United Campus Workers (UCW-CWA) at public colleges and universities in states without collective bargaining rights in the southeast have successfully fought to eliminate burdensome mandatory student fees and have won higher pay and fair treatment.

## CWA's Policy on Mutual Respect

CWA's Policy on Mutual Respect calls on all members to fight discrimination, including sexual harassment, whenever and wherever we see it. The policy states:

Freedom from discrimination within our Union is a right and privilege of all CWA members. Any abridgement of this right and privilege shall be subject to a complaint under the CWA Internal Appeals Procedures and should be investigated immediately without fear of reprisal and retaliation.

Members who experience or witness discrimination or sexual harassment, whether by another CWA member, a supervisor, or customer should immediately report it to their steward, Local Officer, or

member of the Local's Human Rights committee. If the Local's governing body fails to take appropriate action to address the complaint, or if the member wishes to appeal the decision of the Local about how to address the complaint, the member should contact their CWA District office for further specific guidance on how to proceed. To learn which CWA District covers your location, visit [cwa.org/about](http://cwa.org/about).

A full copy of the Policy on Mutual Respect is available online at [cwa.org/mutual-respect](http://cwa.org/mutual-respect). Information on CWA's complaint and appeals process is available online at [cwa.org/appeals](http://cwa.org/appeals).

## STAY INFORMED

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## Union Member Rights and Officer Responsibilities

The Labor-Management Reporting and Disclosure Act (LMRDA) guarantees certain rights to union members and imposes certain responsibilities on union officers to ensure union democracy, financial integrity, and transparency. The Office of Labor-Management Standards (OLMS) is the Federal agency with primary authority to enforce many LMRDA provisions.

More information is available at [www.dol.gov/agencies/olms](http://www.dol.gov/agencies/olms).

## Notice Regarding Union Security Agreements and Agency Fee Objections

As a general matter, employees covered by a collective bargaining agreement containing a Union security clause are required, as a condition of employment, to pay an agency fee equal to normal Union dues (and, where applicable, initiation fees). While the wording of these clauses is not perfectly uniform, none requires more than the payment of this agency fee to retain employment.

The Communications Workers of America policy on agency fee objections is the Union's means of meeting its legal obligations to employees covered by Union security clauses and of effectuating those employees' legal rights as stated in the applicable decisions of the United States Supreme Court (including *Beck v. CWA*) and the companion lower court and labor agency decisions. Under the CWA policy, employees who are not members of the Union, but who pay agency fees pursuant to a Union security clause, may request a reduction in that fee based on their objection to certain kinds of Union expenditures.

The policy provides an objection period each year during May, followed by a reduction in the objector's fee for the twelve months beginning with July and running through June of the following year.

Briefly stated, CWA's objection policy works as follows:

1. The agency fee payable by objectors will be based on the Union's expenditures for those activities or projects "germane to collective bargaining, contract administration, and grievance adjustment" within the meaning of applicable United States Supreme Court decisions. Among these "chargeable" expenditures are those going

for negotiations with employers, enforcing collective bargaining agreements, informal meetings with employer representatives, discussion of work-related issues with employees, handling employees' work-related problems through the grievance procedure, administrative agencies, or informal meetings, and Union administration. In the past, approximately 70-75% of the International Union's expenditures have gone for such activities. The percentages of Local Union expenditures on "chargeable" activities have generally been higher.

Among the expenditures treated as "nonchargeable," which objectors will not be required to support, are those going for community service (including participating in charitable events), legislative activity, cost of affiliation with non-CWA organizations, support of political candidates, participating in political events, recruitment of members to the Union, and members-only benefits (including members-only social events). In the past, approximately 25-30% of the International Union's expenditures have gone for such "nonchargeable" expenditures. The percentages of Local Union expenditures on "nonchargeable" activities have generally been lower.

2. Objectors will be given a full explanation of the basis for the reduced fee charged to them. That explanation will include a more detailed list of the categories of expenditures deemed to be "chargeable" and those deemed to be "nonchargeable," and the independent certified public accountants' report showing the Union's expenditures on which the fee is based. In addition to any other avenue of relief available under the law, objectors will have the option of challenging the Union's calculation

of the reduced fee before an impartial arbitrator appointed by the American Arbitration Association, and a portion of the objector's fee shall be held in escrow while he or she pursues that challenge. Details on the method of making such a challenge and the rights accorded to those who do so will be provided to objectors along with the explanation of the fee calculation.

3. Objections for the period of July through June must be sent during May. Objections will be honored for one year unless the objection specifically states that it is continuing in nature. Continuing objections will be honored for as long as the agency fee payer remains in the bargaining unit. Agency fee payers who are new to the bargaining unit, or who are returning to the bargaining unit, may object within thirty days of receiving this notice. In addition, employees who resign Union membership may object within thirty days of becoming an agency fee payer. Employees filing these objections in either circumstance should so state that circumstance in their letter of objection. New bargaining unit members are to receive this notice prior to any demand being made upon them for the payment of agency fees. If, however, for any reason a new unit member begins paying agency fees prior to the receipt of this notice, he or she may object retroactively to the commencement of such payments and for the duration of the current annual objection period.

The letter of objection should include name, address, CWA Local number, and employer. Objections must be sent to the Agency Fee Administrator, CWA, 501 Third Street, NW, Washington, DC 20001-2797.