TO BUILD BACK BETTER, WE MUST REBUILD THE POWER OF WORKING PEOPLE

The twin crises – health and economic – caused by the coronavirus pandemic will have a lasting impact on our CWA family. In the midst of this, a series of brutal murders demonstrated the grim reality of racism in America. In response, we created dedicated spaces for open dialogue on race for our members and leaders. If we are to make progress, we must listen to the experiences and stories of Black CWA members, Black workers, and the Black community. We must join together – every one of us – to dismantle this system of oppression.

And then, there was the political upheaval. After a free and fair election, during which so many of you made phone calls, sent text messages, and spread the word about what was at stake for working people, the president of the United States refused to accept the outcome and allow a peaceful transition of power. At his request, a violent, white supremacist mob stormed the Capitol and attempted to prevent Congress from certifying the election results.

Through all of this you have remained strong and our union has remained strong. Our new president, Joe Biden, is truly committed to ensuring that working people are not left behind as we recover from the pandemic. More than any other president in recent memory, he understands that in order to have jobs with family-supporting wages and good benefits, workers must be able to join together in unions to negotiate collective bargaining agreements.

But electing Joe Biden and Democratic majorities in both houses of Congress was only the first step. Now we must mobilize. Every CWA member, every union member, and every working person needs to hear about the PRO Act and the Public Service Freedom to Negotiate Act and every member of the House and Senate needs to know that their constituents expect them to pass these bills.

We must organize. Support for unions is at its highest level in decades, and millions of workers need training and support to bring union power to their workplaces.

We must bargain strong contracts. We cannot let employers use the pandemic as an excuse to erode our collective bargaining agreements.

To Build Back Better from this pandemic, we must rebuild the power of working people. It won’t be easy, even with a President cheering us on and Democratic majorities in both houses of Congress. Corporate executives and their enablers have spent decades dismantling laws that protect workers and rigging the system in their favor. But now we have a fighting chance, and I know that whenever CWA members have a fair shot at winning they not only take it, but they lead the way for everyone else.

By CWA President Chris Shelton

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.

A full copy of the Policy on Mutual Respect is available online at cwa.org/mutual-respect. Information on CWA’s complaint and appeals process is available online at cwa.org/appeals.
In 2019, CWA's Convention delegates resolved to renew our union through investing in our stewards by passing the Steward Strong resolution. The resolution directed CWA staff to design a program that would redefine the role of the steward with a focus on building worker power and generating pressure on employers to address the workplace needs of our members, while still recognizing the important function stewards play in representation and enforcing collective bargaining agreements.

After a development process that included incorporating feedback from stewards and several pilot trainings, CWA had begun rolling out the new Steward Strong training curriculum when the pandemic hit. Now that revisions have been made to allow the training to be delivered virtually, staff training on the curriculum has begun.

Along with the training, CWA has created a CWA Steward Strong web portal. The portal, steward.cwa.org, contains resources for grievance handling, organizing and mobilizing, and other issues. There is also information on how to access training materials.

In response to the national uprisings following a series of brutal murders of Black people last year, the CWA Executive Board committed to creating dedicated spaces for open dialogue on race, so that members and leaders can determine outcomes and clear steps the union must take to fight racism in the union, within the industries we represent, and the community at-large.

As part of these efforts CWA leaders and members have participated in a series of virtual training sessions on building an anti-racist union; recognizing implicit bias; how to actively dismantle racist systems, ideas, and practices; and how to form Local Human Rights Committees.

If you are interested in bringing this training to your Local, please contact your Local’s Human Rights Committee or Executive Board.
For 85 years, corporate special interests have spent billions to deploy an army of lobbyists and lawyers to orchestrate a relentless campaign to disempower working people. Workers’ rights have been totally gutted, and too often, legislators from both parties have enabled this effort.

The pandemic has shown just how bad things have gotten for working people, and how comfortable some of the most powerful, out-of-touch politicians have become ignoring our demands.

“It’s time for us all to fight to build power for workers in the U.S. economy. CWA members will be on the front lines pushing federal policymakers to enact meaningful, transformative workers’ rights reforms,” said CWA Local 3176 member Jerikah Hall.

With the new Biden administration and the pro-worker elected officials in the Senate and House that CWA members worked hard to elect – like Senators Ossoff and Warnock in Georgia – we finally have a chance to pass the Protecting the Right to Organize (PRO) Act to tip the balance back towards working people for years to come.

The PRO Act would be a game-changer for millions of workers by making it easier for them to join together in unions and win first contract agreements.

We know that it won’t be easy. The expensive professional union-busters hired by big corporations with unlimited financial resources will spread misinformation and use every dirty trick they possibly can against us in this fight. But CWA members, who are used to fighting the toughest battles against corporate interests every single day, know this: when millions of workers stand together, union busters will be exposed and defeated.

Every CWA member must be prepared to flood congressional offices with phone calls and do every single thing within their power to make the PRO Act the law of the land. If we all do our part, we can – and will – win.

The PRO Act would:

- Protect strikes and other protest activities. The bill will make it illegal for employers to permanently replace striking workers and will make secondary strikes and boycotts legal.
- Make it easier to bargain. The bill will eliminate obstacles for workers to get their first union contract.
- Help strengthen protections for workers forming a union. The bill will establish compensatory damages for workers and penalties against employers when they fire or retaliate against workers for forming a union. It also blocks employers from gerrymandering bargaining units or causing needless election delays.
- Prevent the misclassification of workers as independent contractors.
- Allow workers to negotiate contracts that override a state’s “right-to-work” laws.
- Protect strikes and other protest activities. The bill will make it illegal for employers to permanently replace striking workers and will make secondary strikes and boycotts legal.
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Currently, there is no federal law that protects the freedom of state and local public service workers to join a union and collectively bargain. As public sector workers have organized in states and localities across the country, increasing the number of public sector workers belonging to a union, corporate executives and anti-union ideologues have focused their resources on destroying public sector unions.

Many states have passed free rider so-called “right-to-work” laws that force public service unions to advocate on behalf of workers who haven’t paid their fair share for those services. Since the outrageous, anti-worker Supreme Court decision in Janus vs. AFSCME, public service workers across the country work under this unfair free rider law.

It’s time to level the playing field by establishing federal protections guaranteeing public service workers the right to join together and collectively bargain. CWAers are fighting for Congress to pass the Public Service Freedom to Negotiate Act.

The Public Service Freedom to Negotiate Act gives dedicated public employees in every state the freedom to:

- Join together in a union selected by a majority of employees;
- Collectively bargain over wages, hours, and terms and conditions of employment;
- Access dispute resolution mechanisms (such as mediation or arbitration);
- Use voluntary payroll deduction for union dues;
- Engage in other concerted activities related to collective bargaining and mutual aid;
- Not have their union be subject to rigged recertification elections; and
- Sue in court to enforce their labor rights.
The pandemic has shown just how bad things have gotten for working people in the U.S. economy. Politicians have become ignoring our demands. For 85 years, corporate special interests have spent billions to deploy a relentless campaign to have been totally gutted, and enabled this effort.

“Corporate executives want to keep things the way they are so that the money to hire expensive lobbyists. But laws regulating voting, the role of money in politics, and corporate lobbying have not kept up with changes in American politics. The For the People Act addresses this problem. It is one of the most important bills that Congress will be considering, because under our current system, too many people have no real say in our government. Instead, the agenda is set by people who have the time to navigate confusing voting procedures and who have the money to hire expensive lobbyists. Corporate executives want to keep things the way they are so they can keep calling the shots. They’re doing whatever they can, including spreading misinformation about the bill, to hold on to their power.”

Executive Action

Despite all the challenges arising from the pandemic, CWA members across the nation worked tirelessly to elect Joe Biden in 2020. Having a pro-worker president in office is an essential step towards building worker power and holding off the onslaught of anti-union regulations from corporations.

The federal government has a huge impact on employers' behavior through the federal contracting process. Millions of workers nationwide work in the private sector under federal contracts. The Biden Administration is working towards creating executive orders that could require companies contracting with the federal government to not only pay employees a living wage and provide necessary family supporting benefits, but would ensure that taxpayer dollars go to only high-road contractors that respect workers.

Another way a president can shape policies that affect workers is through appointments. In contrast to Donald Trump, who put corporate cronies and union busters in charge of the Department of Labor, Joe Biden has shown that he will put people in charge who are dedicated to improving people’s lives.

Marty Walsh, Biden’s pick for Labor Secretary, is a union member and elected union leader who has the backs of workers and knows the meaning of solidarity. That’s important because the Labor Department enforces safety and health regulations, protects pensions, and ensures that employers are following wage and hour and overtime rules. The Secretary of Labor can help influence Congress to pass pro-worker legislation, support bargaining and organizing campaigns, and expand and enforce federal worker protection rules.

Biden’s pick for National Labor Relations Board (NLRB) General Counsel, Jennifer Abruzzo, is CWA’s current Special Counsel for Strategic Initiatives and a brilliant attorney who understands how the actions of the NLRB affect the daily lives of people at their workplaces. The NLRB enforces laws about the kinds of collective action workers can take to improve their working conditions, including strikes; protects the right of workers to join together in a union; prevents and remedies unfair labor practices; and much more.

Other Federal Legislation to Build Worker Power

Electronic Voting in NLRB Union Elections

CWA strongly supports the Secure And Fair Elections for (SAFE) Workers Act. This crucial bill removes the Republican-initiated ban on electronic voting in NLRB representation elections, making it safer for workers to join unions during the pandemic, and streamlines the process of holding union elections.

For the People Act (H. R. 1)

The ability to vote and to have a voice are critical to the health of our democracy. But laws regulating voting, the role of money in politics, and corporate lobbying have not kept up with changes in American politics. The For the People Act addresses this problem. It is one of the most important bills that Congress will be considering, because under our current system, too many people have no real say in our government. Instead, the agenda is set by people who have the time to navigate confusing voting procedures and who have the money to hire expensive lobbyists.

Corporate executives want to keep things the way they are so they can keep calling the shots. They’re doing whatever they can, including spreading misinformation about the bill, to hold on to their power.

To loosen the hold corporate money has on our country, we must build worker power, and to do that we need the For the People Act.

Ending the Filibuster

Unfortunately, the outdated filibuster rule in the Senate means that most legislation requires a supermajority of 60 votes even to come up for debate. We saw this during the pandemic, where a partisan minority of Republicans were able to block crucial legislation to provide relief to working families. While there are some parts of CWA’s legislative agenda that can pass using an alternate process that only requires a simple majority, many of the most important items can be blocked by the filibuster.

The filibuster is just a rule set by the Senate — it is not a law and it is not in the Constitution. It has already been eliminated for federal appointments and judges. CWA members and allies are urging Democrats in the Senate to eliminate the filibuster and fix the broken Senate so that Senators can take the action that is needed to recover from the pandemic and build worker power.

State and Local Initiatives

Passing legislation at the federal level is important, but there is a lot that must be done at the state and local levels.

Because there is not currently any federal law that gives public sector workers the right to join unions and collectively bargain, they are especially affected by state and local labor laws. In states where public sector workers do not have those rights, CWA members are pushing to enact new laws. CWA’s efforts are continuing this year in states like Massachusetts, Tennessee, Oklahoma, Arizona, and Connecticut.

CWA members are also responding to right wing, anti-union attacks.

For instance, CWA members in Missouri are mobilizing against efforts by Republicans to pass so-called “right to work” freeloader laws, even though Missouri voters resoundingly rejected a similar effort to ram through this anti-worker policy as a 2020 ballot initiative. In Florida, an out-of-state billionaire-funded think tank is advancing legislation that would make it far more difficult for all public sector workers to maintain their union membership, including more than 3,000 CWA members across the state. The bill would require dues authorizations to be renewed every three years or anytime a contract is reauthorized, meaning the union will have to spend valuable time collecting re-authorization forms from members who have never had any intention of leaving the union.

“This bill is designed to weaken the labor movement and take away the right for union representation on the job for tens of thousands of public employees in the state of Florida, and will adversely affect police, firefighters, teachers, and all other public employees who provide essential services to the public. This legislation is unnecessary, and CWA members in Florida are doing everything we can to fight back,” said CWA Local 3181 President Rick Poulette.

State Legislation to Protect Call Center Jobs

For years, as companies have outsourced more and more work to cut costs, CWA members have worked tirelessly to pass state legislation to protect good union call center jobs across the country. Those efforts are continuing this year in states like Connecticut. The core of this bill is simple: no State taxpayer money should be used for companies that ship our jobs out of the state.

Ready to fight for worker power? Visit cwa.org/workerpower to learn more and get involved!
Throughout the pandemic, CWA members have been on the front lines, keeping essential communications services running. With increased demand for high speed internet for school, work, telemedicine, and government services one thing has become very clear – too many Americans still do not have access to affordable, reliable broadband.

A report published last year by CWA and the National Digital Inclusion Alliance revealed that AT&T, once the leader in universal service, has made fiber-to-the-home available for fewer than one-third of the households in its 21-state network. The pandemic underscored companies’ failure to provide affordable access to broadband for all.

As President Shelton noted recently when he testified before Congress on the issue, children shouldn’t have to sit in a McDonald’s parking lot using the free wifi to do their homework.

CWA members are urging Congress to pass an infrastructure bill to expand broadband access and create and protect good jobs, as President Biden has laid out in his plan to build back better. CWA supports a Democratic infrastructure package that includes $80 billion in funding for broadband deployment and standards to create and protect good jobs and prohibit the outsourcing of work to contractors to circumvent collective bargaining agreements.

CWA aims to address the root causes of the digital divide, which lie in deregulation and the lack of investment from the private sector. In recent years, instead of investing to ensure that every American has high quality service, telecom executives have only invested in wealthier areas in order to maximize profit to boost stock prices. Companies have cut jobs and outsourced core functions to contractors, losing the expertise of tens of thousands of highly trained CWA members.

As President Shelton noted recently when he testified before Congress on the issue, children shouldn’t have to sit in a McDonald’s parking lot using the free wifi to do their homework.

One reason executives have been able to leave behind so many communities is the near-total deregulation in the telecommunications industry and the exclusion of broadband from the rules and standards that used to apply to phone networks. CWA members are fighting back. In Connecticut, Colorado, Michigan, New York, West Virginia, and other states, we are lobbying to pass state legislation to regulate broadband and VOIP under state public utility commission (PUC) authority, which would help strengthen broadband network resiliency, protect consumers, and ensure public safety.

"In New York, CWA members are putting pressure on the state and local government to make sure we’re expanding affordable, high-speed, and reliable broadband access to all New Yorkers, while maintaining good union jobs in the industry," said CWA Local 1120 member Rob Pinto. "As union members, we know that providing stable, family-supporting jobs for highly-skilled workers like broadband techs is the best investment a company can make. Members of Local 1120 are looking forward to continuing this advocacy work in 2021."

Learn more at speedmatters.org/broadband and keep up with the latest on CWA’s work to expand broadband access by signing up for the SpeedMatters newsletter at speedmatters.org/connect.
Union Member Rights and Officer Responsibilities Under the LMRDA

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.

Union Member Rights

Bill of Rights – Union members have:
- equal rights to participate in union activities.
- freedom of speech and assembly.
- a voice in setting rates of dues, fees, and assessments.
- protection of the right to sue.
- safeguards against improper discipline.

Copies of Collective Bargaining Agreements – Union members and nonunion employees have the right to receive or inspect copies of collective bargaining agreements.

Reports – Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make the reports available to members and permit members to examine supporting records for just cause. The reports are public information and copies are available from the OLMS Internet Public Disclosure Room at www.dol.gov/agencies/olms.

Officer Elections – Union members have the right to:
- nominate candidates for office.
- run for office.
- cast a secret ballot.
- protest the conduct of an election.

Officer Removal – Local union members have the right to an adequate procedure for the removal of an elected officer guilty of serious misconduct.

Trusteeships – Unions may only be placed in trusteeship by a parent body for the reasons specified in the LMRDA.

Prohibition Against Certain Discipline – A union or any of its officials may not fine, expel, or otherwise discipline a member for exercising any LMRDA right.

Prohibition Against Violence – No one may use or threaten to use force or violence to interfere with a union member in the exercise of LMRDA rights.

Union Officer Responsibilities

Financial Safeguards – Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union’s constitution and bylaws. Union officers or employees who embezzle or steal union funds or other assets commit a Federal crime punishable by a fine and/or imprisonment.

Bonding – Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts which exceed $5,000.

Labor Organization Reports – Union officers must:
- file an initial information report (Form LM-1) and annual financial reports (Forms LM-2-3-4) with OLMS.
- retain the records necessary to verify the reports for at least five years.

Officer Reports – Union officers and employees must file reports concerning any loans and benefits received from, or certain financial interests in, employers whose employees their unions represent and businesses that deal with their unions.

Officer Elections – Unions must:
- hold elections of officers of local unions by secret ballot at least every three years.
- conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year.
- mail a notice of election to every member at least 15 days prior to the election.
- comply with a candidate’s request to distribute campaign material.
- not use union funds or resources to promote any candidate (nor may employer funds or resources be used).
- permit candidates to have election observers.
- allow candidates to inspect the union’s membership list once within 30 days prior to the election.

Restrictions on Holding Office – A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

Loans – A union may not have outstanding loans to any one officer or employee that in total exceed $2,000 at any time.

Fines – A union may not pay the fine of any officer or employee convicted of any willful violation of the LMRDA.

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.
COVID-19 Safety and Vaccination

Since the start of the pandemic, CWA activists and leaders have been pushing employers to implement protections and precautions against the spread of COVID-19 and advocating for workplace infectious disease standards at the state and federal level.

Now that several COVID-19 vaccinations are approved and vaccination programs are underway, we are making real progress toward reducing infections, illness, and death from the virus. But the danger is not over.

CWA strongly recommends that CWA members be vaccinated with an FDA-approved vaccine to protect themselves, their families, their co-workers, and their communities.

“New data suggests that a third of people who contract COVID-19 have lingering symptoms at least 6-9 months after recovery including headache, blood pressure issues, fatigue, brain fog, etc.,” said Paul Paratore, a pharmacist at Denver Health and a member of CWA Local 7799. “Up to 80% of these patients had only mild COVID-19 cases. Getting vaccinated can protect you and those around you from COVID-19 and those potential long-term effects.”

In order to be effective, widespread COVID-19 vaccination in as short a timeframe as possible is crucial, but vaccines alone are not enough. Vaccinations must be implemented in conjunction with comprehensive workplace and community protections and precautions to slow the spread of COVID-19 and bring an end to the pandemic.

Employees should be able to get vaccinated without fear of lost wages, PTO, or other bargained leave. CWA encourages employers to allow employees to be vaccinated on paid work time and to provide an additional vaccination-related sick time benefit for those people who may have vaccine-related side effects, like fever, and may need to miss work temporarily. We also encourage employers not to discipline or apply points to employees for absences caused by vaccine-related side effects.

We must also continue to ensure that employers are providing appropriate personal protective equipment to employees and implementing comprehensive workplace protections and mitigation strategies, such as improvements in ventilation, social distancing, use of personal protective equipment, cleaning/disinfection, keeping sick employees away from the workplace, quarantining exposed employees, and viral testing.

Stay informed, be safe, get vaccinated, and together we can end this pandemic.

For the latest information about COVID-19 safety and vaccination, including links to your state’s current vaccine eligibility rules and sign-up process, visit cwa.org/covid.

CWA strongly recommends that CWA members be vaccinated with an FDA-approved vaccine to protect themselves, their families, their co-workers, and their communities.

Honoring the Memory of CWA Members Lost During the COVID-19 Pandemic

We have established a memorial page on our website for active members who have lost their lives to COVID-19 at cwa.org/covid-memorial.