

CWA news



We are SMART and We are STRONG



By CWA President Chris Shelton

last two years: extreme weather, the COVID-19 pandemic, racist murders and attacks, a violent insurrection at our nation's Capitol, and so much more.

These events have had a profound impact on all of us. I am proud of the way our union family has stepped up to meet these challenges. You have made incredible sacrifices. Many of you have lost family members, friends, and co-workers to COVID-19. My heart and my prayers go out to all of you.

Our union gives us strength to weather the hard times. Together we are able to fight for our health and safety on the job, for family-supporting wages and benefits, and to make sure our communities have what they need. In November, 2,000 CWA healthcare workers at Catholic Health in Buffalo conducted a powerful, five-week strike,

I've been a member of CWA since I went to work for the New York Telephone Company over 50 years ago. Nothing in my experience compares with what we have gone through over the

winning a contract that not only provides wage increases but also includes a historic breakthrough in staffing ratios that improves quality of care for patients. CWA Broadband Brigade members are educating the public and policy makers about the best way to provide affordable, reliable broadband for all Americans while also creating good union jobs.

It is our obligation to help every worker who wants to join our great union become a member. Today, only about 16 million workers in the U.S. are represented by a union, but a 2018 study found that 48% of nonunion workers – 58 million workers – would join a union if they could.

CWA members are part of a wave of worker mobilization and organizing that is sweeping the country. In the midst of the challenges of the past two years, we have been able to help nearly 15,000 new members join CWA, at workplaces large and small. That's a lot – the most in any two-year period since American Airlines passenger service workers organized to join CWA in 2014.

The flames of unionism are igniting. Our job is to fan those flames until they become a full-blown organizing wildfire.

To do this we must dedicate resources to support worker organizing. CWA already has one of the strongest organizing programs in the U.S.

labor movement, and our member-led organizing model is second to none. Last October, CWA Convention delegates passed the Support Members and Rebuild Together (SMART) resolution. This resolution allocates a portion of our existing Strategic Industry Funds toward hiring new CWA staff representatives and organizing coordinators. It increases our capacity to serve members and build out power without raising dues.

We must also update our outdated labor laws by passing the PRO Act in its entirety. Electing Joe Biden and a Democratic, pro-worker majority in the House and Senate in 2020 laid the groundwork for doing that. But filibuster rules mean that to get most legislation passed in the Senate you need a supermajority. The PRO Act has strong public support from voters across the political spectrum, but no Republican Senators have co-sponsored the bill. This fall, we need to re-elect pro-worker Democrats and add new Senators to the majority who are ready to get rid of the filibuster and pass the PRO Act.

Finally, each CWA member and retiree must become a mobilizer and an organizer. Speak up about what being a union member means to you. When friends, family members, and neighbors express interest in improving their working conditions, connect them with an organizer at your local or tell them to reach out on CWA's national website at CWA.org.

Organizing For Strength

ESSENTIAL WORKERS ORGANIZING FOR RESPECT AND COLLECTIVE BARGAINING RIGHTS

Fighting for collective bargaining rights for public workers who have been on the frontlines providing essential services to communities throughout the pandemic is more necessary than ever, and CWA members are rising to the challenge.

In states like Florida, Colorado, New Mexico, Georgia, and Arizona, CWAers have been successfully mobilizing to urge lawmakers to use funds from the American Rescue Plan Act (ARPA) to support good jobs for public workers. Under President Biden's plan, which was passed by Congress in early 2021, these funds can be used to restore public sector jobs lost to the pandemic, engage in new hiring, secure pay raises, and provide premium pay to essential state and local workers.

During the summer of 2020, paraeducators in Lawrence, Kan., won recognition for their union after a four-year fight. The unit expanded a year later to include all classified staff in the school district. "We have struggled as a union through difficult times. We continued to fight so that all classified staff could receive adequate training, support, and a living wage," said Hannah Allison, Interim Local President, PAL-CWA Local 6400.

Pandemic-related issues such as low pay,

increased workload, safety issues, and understaffing, as well as ongoing problems with high student fees and privatization have boosted membership in CWA's United Campus Workers (UCW-CWA) locals. CWA graduate student members in Georgia and New York have used their collective power to eliminate burdensome mandatory fees, while members in Tennessee and Kentucky secured a \$15/hour minimum wage.

Since early 2020, CWA Local 7799 in Colorado has welcomed higher education workers from the University of Colorado system, nurses and other frontline workers from Denver Health and UC Health, and Denver Public Library employees. They have made passing state legislation that would require public sector employers to bargain in good faith with union workers a focus for 2022.

There is no federal law that protects the freedom of state and local public service workers to join a union. That's why, in addition to working to pass state legislation, CWAers are fighting to pass the Public Service Freedom to Negotiate Act which would establish federal protections guaranteeing public service workers the right to join together and collectively bargain. You can learn more at CWA.org/public-service-freedom-negotiate-act.

CWA members never stop organizing. The founders of our union made uniting workers into a single cohesive labor union the first item in our constitution's list of objectives. As union members, we recognize our responsibility to help other workers win a voice at work through collective action.

Since the beginning of 2020, nearly 15,000 new members, across every industry and sector, at workplaces large and small, have joined CWA. The pandemic made it clear that workers, not corporate executives, are essential to our economy. Support for unions is at an historic high. Hundreds of thousands of workers have seen through the empty promises of bosses and realize that the only way to make lasting change at work is through a union contract.

We Must Pass the PRO Act to Make It Easier to Join Unions

While our gains in organizing over the past two years have been impressive, our current labor laws are preventing millions of workers from joining unions.

President Biden's *Task Force on Worker Organizing and Empowerment* recently released a report detailing actions that the President and federal agencies can take to enable more workers to join together in unions. The President has already overturned Trump administration policies that limited the collective bargaining power of federal employees, and he has signed executive orders improving wages and job security for federal contractors.

But 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. The President, by himself, cannot undo this damage. We need for Congress to act.

The PRO Act, like the Public Service Freedom to Negotiate Act, would be a game-changer for millions of workers by making it easier for them to join unions and win collective bargaining agreements.

We will continue to work hard to pass the PRO Act reforms. But it won't be easy. Senate filibuster rules make it possible for a minority of Senators to stop almost any piece of legislation.

This fall we will mobilize to elect members of Congress and Senators who are prepared to do everything within their power to make the PRO Act the law of the land.

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.**



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Building Worker Power in Tech and Games

CWA members' organizing in the tech and game industries has been making headlines. The launch of our union's Campaign to Organize Digital Employees (CODE-CWA) in January 2020 was quickly followed by Google employees announcing the formation of the Alphabet Workers Union (AWU), part of CWA Local 1400. "As the line between technology, media, video game, and telecommunications companies blurs, actively helping tech workers organize and build power just makes sense," said CWA Local 1400 President Don Tremontozzi.

Thousands of NewsGuild-CWA and NABET-CWA members work in the media sector, and the media's tech workforce is growing as media companies work to expand and innovate online.

At National Public Radio, digital media workers organized and won voluntary recognition, joining NPR broadcast employees as members of NABET-CWA Local 52031. When a strong majority of the tech workers at the New York Times sought voluntary recognition for a new unit of the Times Guild (NewsGuild-CWA Local 31003), management launched an anti-union campaign. The workers fought back, engaging in a one-day work stoppage. On March 4, after many company-initiated delays, the workers won their union representation election.

As awareness of workplace abuses in the video game and entertainment industries has grown, workers are taking an active role in raising standards by organizing to join CWA. Our new members at Vodeo (CWA Local 9510), Image Comics (CWA Local 7901), Meow Wolf (CWA Local 7055), Second City (CWA Local 9400 and CWA-Canada), and Activision's Raven Software Studio workers organizing in Wisconsin are part of this wave.



Check out this inspiring video to hear from some of our newest members about why they joined CWA. Facebook: [CWA.ORG/organize-video](https://www.facebook.com/CWA.ORG/organize-video)

Gaining Strength at AT&T

While CWA's collective bargaining agreements with AT&T require the company to recognize the union when a majority of new groups of workers sign cards, the company initially refused to recognize a group of AT&T Mobility In Home Experts (IHX) in Southfield, Mich. The workers pushed forward, and filed an election petition with the National Labor Relations Board (NLRB). In response, the company launched an aggressive anti-union campaign and used a series of tactics to delay the election, including an appeal to the full NLRB that resulted in the ballots being impounded. Nevertheless, with the backing

of 100,000 CWA members at AT&T, the workers fought back tirelessly and won the appeal. The process also resulted in a ruling that had a positive impact on future cases by narrowing the scope of a previous anti-union decision.

"I am so excited to finally get to have our votes and voices part of the conversation," said Mitchell Deachin, an IHX worker from Southfield. "It has been a long time coming and I believe

THE HAT AWARD

The Hat Award for outstanding achievements in organizing is named in honor of CWA's founding president, Joe Beirne, who would pass his hat at each organizing meeting to collect the funds he needed to cover travel

costs of getting to the next group of telephone workers he was to visit. It is CWA's highest honor.



Last fall, CWA President Chris Shelton presented the Hat Award to CWA Canada, CWA Local 2336, CWA Local 1400 (Alphabet Workers Union), NABET-CWA Local 52031, CWA Local 1101, TNG-CWA Local 31222, and CWA Local 9410. These locals have brought more than 2,000 new high tech workers into CWA from established tech platforms to Silicon Valley startups, from media tech workers to digital ads and

communication firms.

You can watch the full awards ceremony at [CWA.org/cwa-awards](https://www.cwa.org/cwa-awards).

PUTTING PRESSURE ON INTERNATIONAL CORPORATIONS TO HONOR WORKERS' RIGHTS IN THE U.S.

When companies based in countries with strong labor laws begin operating in the United States, they have a choice. They can take the high road and allow their U.S. workforce the same opportunity to join a union as other employees have. Or they can follow low road union busting practices that are common among U.S. employers.

AFA-CWA members guided Norse Atlantic Airways to the high road. In mid-2021, after the airline announced plans to launch service between Europe and the U.S., AFA-CWA leadership began discussions with company executives. A similar airline's attempt to begin U.S. service stalled for years when AFA-CWA Flight Attendants mobilized and successfully opposed its attempt to misclassify Flight Attendants as contractors. Perhaps taking a lesson from that experience, Norse Atlantic management reached a neutrality agreement with AFA-CWA, committed to recognizing the union once a majority of the company's Flight Attendants have signed membership cards, and negotiated an industry-leading con-

tract, subject to ratification.

Italian eyewear manufacturer Luxottica has taken the low road. The company's Italian workers are union members, but the company has launched an aggressive anti-union campaign against workers in McDonough, Ga., who are organizing with IUE-CWA. The company has even gone as far as using a mobile application that was supposed to be oriented towards health and safety issues around COVID to send out anti-union messaging to workers. Italian union members have expressed solidarity with the workers in Georgia.

"My co-workers and I are fighting to form a union so we can have a voice on the job. We are coming together to fight for respect, safe working conditions, and fair wages. We want to join with our sisters and brothers at Luxottica in Italy, who already have a union. We believe Luxottica should support a union for its workers, whether they are in Italy or in the U.S.," said Lisa Ragsdale, who works at the McDonough facility.

this will be a great turning point to bring us all together. Stronger Together!"

Since this victory, AT&T has agreed to remain neutral when IHX workers organize and to honor the majority sign up recognition process – sometimes called "card check." In addition to the workers in Southfield, IHX workers in Arkansas, Illinois, Nevada, New York, New Jersey, and Maryland have joined CWA.

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 the complaint and appeals process is available online at cwa.org/appeals.

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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.

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.