

**REPORT OF THE NATIONAL COMMITTEE ON EQUITY
TO THE 66TH ANNUAL CWA CONVENTION**

The National Committee on Equity recognizes that each year brings new delegates to our great Convention. In that regard, we want to take the opportunity to share with you the National Committee on Equity Mission Statement:

The Mission of the National Committee on Equity is to develop and promote the CWA Civil Rights program. Our vision is to build a union wherein members of all cultures, religions, sexual orientations, gender, disabilities, ages and nationalities feel welcome, respected, heard and where the leadership reflects the diversity of our membership.

The duties and responsibilities of the National Committee on Equity are to:

1. Provide guidance and information to the districts and locals on the CWA Civil Rights program.
2. Keep the CWA Executive Board apprised of civil rights issues that affect our members and communities and, when necessary, offer a course of action.
3. Research, report and make recommendations or give direction to convention delegates on current civil rights issues.

The National Committee on Equity convention report lays the foundation for the CWA Civil Rights agenda for the upcoming year. Local Committees on Equity are encouraged to use the report as a working document to move the Civil Rights agenda in the districts.

Respect and Protect the U.S. Constitution

In more than 200 years of American history, the U.S. Constitution has been amended only 17 times since the Bill of Rights was adopted. In each instance (except for Prohibition, which was repealed), it was to extend rights and liberties to the American people, not restrict them. For example, it was amended to end slavery, and to guarantee people of color, young people, and women the right to vote.

In our quest for safety after the September 11 terrorist attacks, we may be rushing headlong into a deadly trap. We have already allowed an incredible and unprecedented concentration of power, which threatens to diminish or destroy constitutional protections. The Bush Administration used the terrorist attacks to rush Congress into passing the USA Patriot Act of 2001, virtually unread by many members who voted for it.

The Domestic Security Enhancement Act (DSEA), or Patriot Act II, is a follow-up to the first measure. Under this enhanced legislation, many law abiding U.S. citizens stand vulnerable to being charged as terrorists, stripped of their citizenship, and subjected to tribunals, which lack the constitutional safeguards of the American judicial system.

Our constitutional safeguards have been breached and we must begin to repair these breaches immediately, otherwise another major terrorist attack or crisis (real or contrived) may be all that it takes to lose what remains of our freedoms.

The U.S. Constitution is the oldest written constitution in the world that is still in force. It is our central instrument of government and the supreme law of the land, and we must protect it in order to protect our freedom.

The National Committee on Equity urges the CWA leadership to continue to educate our membership on the importance of participating in our country's civil process, for it is only through being informed voters that we can safeguard what we currently enjoy.

2004 COE Conference Overview

In Jacksonville, Florida, on April 22-25, approximately 350 conference participants, including rank and file, stewards, officers, staff, retirees and special guests, gathered for the 2004 Committee on Equity Conference. Our theme this year: FOCUS: **F**inding, **O**wning, **C**laiming, **U**sing and **S**trengthening our power.

Delivering the welcoming address, CWA Executive Vice President Larry Cohen advised attendees that CWA has lost 20,000 jobs in the past two years, and that we must “keep building the Union.” Cohen urged support for the presidential bid of Sen. John Kerry, and outlined CWA’s program to gain collective bargaining, worker and human rights.

Booker Lester, administrative assistant in District 3, moderated a panel discussion on the “History of Minorities in CWA,” a remembrance for some and an eye opener for others.

This year’s conference also featured workshops on these topics:

- Hip-Hop Session -- Youth in the Labor Movement
- How to Run a Successful Campaign
- Our Founding Fathers
- Those of our Kind
- Call for the Question
- Political Savvy
- The Power of the Dollar and
- How to Build a Local Committee on Equity

Participants also attended a town hall meeting on Workers Rights, Civil Rights and Voters Rights sponsored by the Civil Rights and Equity Conference and National Coalition on Black Civic Participation. The forum was attended by members of the Jacksonville community and several local ministers; panel moderator was Joyce Morgan, WJLX –TV and panelists included CWA Vice Presidents Brooks Sunkett, Public, Health Care & Education Workers, and Linda Foley, The Newspaper Guild-CWA; Hui J. Lee, Chinese Daily News; Melanie Campbell, Executive Director and CEO of the National Coalition; Richard Womack, AFL-CIO, and Anthony “Tony” Hill, State Senator, Jacksonville, Fla.

In her address, Secretary-Treasurer Barbara Easterling advised participants that with “an increase in voter participation of African Americans, Latinos, Asian/Pacific American and Native Americans -- indeed all minorities, the better we will be able to chart the course to victory. Your conference theme could not be more appropriate. If we do not focus, if we do not find, use and strengthen our power, we cannot win. Period.”

Kenneth Diggs, Field Director for Voices for Working Families, trained more than 300 conference participants on how to conduct a successful voter education and registration campaign. Participants received information on the new Help American Vote Act and on how to conduct safe door-to-door registration, and then headed into the Jacksonville community to do door-to-door voter education and registration at more than 3,000 homes, registering more than 100 new voters.

The Saturday evening keynote speaker was Linda Chavez-Thompson, AFL-CIO executive vice-president. Also that evening, the CWA Civil Rights -- Mays-Carroll Award was awarded to eight local unions/individuals who have demonstrated their commitment to Civil Rights and Equity.

This year's conference provided many necessary tools for our members to be successful in Finding, Owning, Claiming, Using, and Strengthening our power for the task ahead of us—this year's election.

Voting Rights Act: Will It Expire In 2007?

The Voting Rights Act of 1965 was signed into law 95 years after the 15th Amendment, guaranteeing that no person shall be denied the right to vote based on race or color, was first ratified.

Some very important provisions of this law are set to expire in 2007, at the end of a 25-year extension voted by Congress in 1982. It is critical that Congress reauthorize these provisions.

The right to vote was hard won and has been assaulted many times over the past 134 years. Gerrymandering to reduce black voting strength; poll taxes, literacy tests and other practices to limit registration, even physical attacks on those who called on the federal government to protect all citizens' right to vote, proves the need for continued oversight.

The Voting Rights Act is considered one the most successful pieces of civil rights legislation ever adopted by the U.S. Congress. It includes several special provisions that impose stringent requirements on "covered" jurisdictions to protect this right.

Section 4 ended the use of literacy requirements for voting in six Southern states (Alabama, Georgia, Louisiana, Mississippi, South Carolina, and Virginia) and in many counties of North Carolina, where voter registration or turnout was less than 50 percent of the voting age population. This section also includes the formula that determines whether a jurisdiction is “covered” or under the scrutiny of the Voting Rights Act.

Section 5 requires that any changes in voting requirements in these jurisdictions be approved either by a three-judge court in the District of Columbia or by the Attorney General of the United States.

Other sections authorized the appointment of federal voting examiners who would ensure that legally qualified persons were able to freely register to vote or the assignment of federal observers to oversee the conduct of elections.

Later changes to the Voting Rights Act added a requirement that bilingual voting materials be available in full in three states and in several hundred counties and townships in another 28 states, to protect the rights of minority-language citizens.

These provisions are set to expire in 2007, unless reauthorized by Congress. No one will lose the right to vote if Congress doesn’t act. However, there is legitimate concern that without the requirement to have any voting changes approved by the Justice Department or the federal courts, some local election officials could return to abusive tactics to deny minorities the right to vote. If this should happen, the constitutional right to vote would then be enforced through the courts.

In 1965, when the Voting Rights Act was first adopted, only one-third of all African Americans of voting age were on the registration rolls in the covered states, while two-thirds of eligible whites were registered. Now, black voter registration rates are approaching parity with that of whites in many areas, and Hispanic voters in jurisdictions added to the list of those covered by the Act in 1975 are not far behind.

Enforcement of the Act has also increased opportunity for black and Hispanic voters to elect representatives of their choice by providing a vehicle to challenge discriminatory election methods such as at-large elections, racially gerrymandered districting plans, or runoff requirements that may dilute minority-voting strength.

Virtually excluded from all public offices in the South in 1965, black and Hispanic voters are now substantially represented in state legislatures and local governing bodies throughout the region.

In recent years, there have been efforts by the far right to restrict congressional judicial authority concerning the Constitution. One such bill is the Constitution Restoration Act of 2004.

As citizens, we must:

- Educate union members, family and friends on changes affecting the Voting Rights Act beginning in 2007.
- Contact legislators and encourage them to reauthorize and extend the Voting Rights Act.
- Monitor and fight against anti-civil right legislation, such as the Constitution Restoration Act of 2004.

The Employee Free Choice Act *(S.1925 and H.R. 3619)*

In 1935, an independent federal agency was created by Congress to administer the National Labor Relations Act. Then, the National Labor Relations Board, or NLRB, was considered necessary to protect workers' rights, maintain and monitor the working relationship between labor unions and employers.

The NLRB was intended to guarantee the rights of employees to organize collectively – to have a free and fair choice about organization – and to promote and encourage collective bargaining between labor and management.

Today, some 42 percent of U.S. workers say they would join a union if they could. But the current system is flawed, and some unscrupulous employers have manipulated the legal system, using loopholes in the law to block workers from exercising their rights. CWA and many working families have been mobilizing to seal these loopholes.

“The Employee Free Choice Act, S.1925 and H.R. 3619, is intended to restore to workers the promises of the NLRA. Sponsored by Sen. Edward Kennedy (D-Mass.) and Rep. George Miller (D-Calif.), this bill will provide workers with the ability to make a fair choice about union representation, with employer interference or obstacles.

The Employee Free Choice Act will: 1) Allow employees to freely choose whether to form unions by signing cards authorizing union representation; 2) Provide mediation and arbitration for first contract disputes, and 3) Establish stronger penalties for violations of employee rights when workers seek to form a union and during first contract negotiations.

More than 30 senators and 180 representatives have signed on as cosponsors. The bills were introduced in November 2003.

The National Committee on Equity encourages CWA at all levels to continue to lobby for legislation, which protects and secures our members and our union.

Hands in the (PIE) Prison Industry Employees

“They have taken untold millions that they never toiled to earn....

As trade unionist, we sing those words proudly in a song called “Solidarity Forever.” That verse is so appropriate when we look at the exploitation of prison inmates by private industry employers.

Never before has an industry profited more off the backs of workers, other than slavery, as it does through the Prison Industry Employment Programs. Today, two types of programs make up inmate employment: traditional inmate employment and private industry employment of inmates. Goods produced by the traditional inmate programs can only be used by non-profit or governmental entities with inmates receiving a stipend ranging from 40 to 85 cents per hour. Under the private industry employment program of inmates, Federal requirements mandate that inmates be paid prevailing wages and that non-inmate labor not be displaced.

However, since the 1970’s, these programs have increased along with the number of private prisons and prisons for profit. Prisons are allowed to contract out prisoners to private companies, and private prisons to employ inmate labor. CWA has already seen good union jobs in the state of New Jersey be contracted out to prison inmates.

While the prison inmate employment numbers are minimal compared to the general prison population, the prison industry now has more than 80,000 prisoners employed in work programs. The number of inmates employed in prison industries has jumped by 358 percent. From 1980 to 1994, prison industries sales went from \$392 million to \$1.31 billion. The incarceration of Americans has become a booming business and our government has not taken steps to make it less profitable for companies to steal our jobs. Prison inmate labor is an issue of “outsourcing” of good jobs and one of exploitation and human rights.

Exploitation of inmate labor draws comparisons to indentured slavery. Inmates are subject to severe repression, being beaten and given longer sentences for refusal to work. The working conditions are among the worst in the industrialized world. There are numerous instances of labor code violations that raise serious concerns from human rights and labor activists.

Union brothers and sisters, the issue of prison labor resonates beyond prison walls. As trade unionists, when we think of outsourcing, we think about the practice of American companies sending jobs to cheaper labor markets in India and other countries. We think about those Fortune 500 corporations such as Microsoft, Dell, Boeing and others that continue to make millions on top of million as they move white-collar jobs, overseas. Nevertheless, outsourcing of good jobs is occurring within our state and federal prison system.

As CWA members, it is important that we keep a close eye on the prisons in our area. The provisions that govern these programs require that participants must have consultation with organized labor before the implementation of such programs. This provides an opportunity for dialogue on this issue at the state and federal level.

Then, we must continue to develop alliances with other labor and community organizations to deal with the issue of outsourcing of jobs especially during periods of high unemployment. We must also support training programs, if they are run in a way that does not exploit inmates because meaningful work programs are an important component of rehabilitation.

A. Philip Randolph once said, “ The essence of trade unionism is social uplift.”

Taking Your Soul to the Polls

In precincts across the country, new voting machines have replaced punch cards, lever machines or paper ballots. New rules will require some voters to show identification before they can vote, and nationwide, voters who say they have been wrongly left off the voter registration rolls will have the right to provisional ballots that allow them to vote and have their eligibility to do so determined after they leave the polls.

While all of this may sound good, considering what Americans went through during the 2000 presidential elections, our system is still not 100 percent error free.

Recent elections indicated that voters in California, Virginia, Mississippi and New York had to contend with malfunctioning machines, both electronic and manual.

Due to recent problems with voting machines, studies have shown that voter confidence has been divided and torn beyond repair. Lawmakers in every state and the U.S. Congress have identified problems and are desperately searching for answers to address the 2004 election and restore the trust that we once had in our voting system.

While it's imperative that we go to the polls in multitudes to insure that our voices are heard, it's just as important that we go to the polls prepared. We must be prepared for any situation that may jeopardize our voting rights. As CWA leaders we can help empower our members when they go to the polls by making sure they have the following information:

- If you have not voted recently, make sure that your polling location has not changed.
- Bring your photo ID and voter registration card.
- If you moved recently, bring two bills that prove your residency.
- If your name is not on the rolls ask for a provisional ballot.

To find your state's Voting Bill of Rights go to the Civil Rights web site at www.cwa-union.org/issues/civilrights/index.asp.

Brown vs. Board of Education How far have we come?

Brown vs. Board of Education was the pivotal court decision in dismantling segregation in the United States. It laid the foundation for shaping future national and international policies regarding human rights. Looking back, the America of 1954 was so different from today that it is hard to believe such conditions existed in our lifetime. Minorities could not register to vote or serve on juries and thus

were deprived of the most basic form of justice. Black and Latino children went to neglected, poverty stricken elementary and high schools. They could not swim in local pools, eat at local restaurants or stay at local hotels.

How far have we come? Some of the progress is remarkable. Not only do we have a new minority middle class, but Oprah Winfrey, who could not have attended one

of the great white universities in her hometown of Nashville, Tenn. when she was young, is now one of the most popular television hosts. Michael Jordan, who could not have played basketball for North Carolina before *Brown*, is considered the most popular African American athlete.

Yet it is also true that, in many small towns, whites have created their own schools and have left the existing public schools essentially still segregated. There are reminders both of minority poverty and alienation throughout the country. The legal and political change that took place because of *Brown* in the years 1954 to 1965 was the easy part. The hard part is overcoming the educational, economic and psychological damage produced over a long period.

The force of *Brown* was the idea that by integrating schools, equal opportunity for students to be educated would be created. This has not happened. One could argue that the most serious form of racial inequality in America today is in the schools. Segregation doesn't exist by the law, but by the community one lives in. In hindsight, the nation would have been better served if the *Brown* decision had a two-pronged attack, not only against racial segregation, but also against inferior schools, whatever their composition.

Data shows that minority students, especially Black and Latino, are consistently resource- deprived in comparison to white students. The fact that the educational achievement gap is growing in an age of pronounced school resegregation highlights the unfulfilled promise of *Brown*. The persistent failure of schools to provide equality of opportunity for all students is having a devastating impact on communities of color and the future of our nation. Inequalities include gross disparities in staffing, quality of school facilities, and quantity and quality of textbooks, curriculum materials and science equipment. Only 64 percent of classrooms in schools with 50 percent or higher minority enrollment are connected to the Internet. Even those with some computer capability cite insufficient numbers of computers, outdated, incompatible or unreliable equipment and lack of Internet access as real barriers.

If *Brown vs. Board of Education* wasn't a cure-all for segregation and racial inequality, what is this 50th anniversary celebration truly about? We should celebrate the step forward but also remember that the law changed, but reality didn't.

As we celebrate the 50th anniversary of *Brown v. Board of Education*, the National Committee on Equity urges the CWA leadership to continue the fight to end

discrimination and segregation, not only in our schools but at all levels in our country.

###

Respectfully submitted,

Gwen Richardson, Chair
Executive Board Member, Local 1180

Karen Kimball-Hanson
Vice President, Local 9588

Daisy G. Brown
President, Local 2300

Mary E. Garr
Vice President, Local 3310

Jetty Wells
Executive Vice President, Local 4009

Keith Robinson
Vice President, Local 6310

Marlene Jimenez
Vice President, Local 7777