

**Report of the
CWA National Committee on Equity
to the
68th Annual Convention**



**Communications Workers of America
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REPORT OF THE NATIONAL COMMITTEE ON EQUITY TO THE 68TH ANNUAL CWA CONVENTION

The National Committee on Equity recognizes that each year brings new delegates to our great convention. We want to take this opportunity to share with you the National Committee on Equity's 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, and 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 forward in the districts.

The Voting Rights Act

There have been rumors that the Voting Rights Act will soon expire, but these rumors are untrue. The prohibition against discrimination in voting is a permanent one, and no citizen is in danger of losing his or her right to vote. However there are three critical sections of the Act that are scheduled to expire unless Congress votes to renew these important sections.

Every American citizen must have the right to vote. On March 15, 1965, as President Lyndon B. Johnson introduced the Voting Rights Act to Congress, he said, "It is wrong — deadly wrong — to deny any of your fellow Americans the right to vote in this country. There is no issue of states' rights or national rights. There is only the struggle for human rights." This statement still holds true today. The only difference today is equal rights struggles now involve multiple races as well as sexual orientation.

The Voting Rights Act was passed by Congress in 1965 to stop voting discrimination based on race and to require states, counties, cities and other jurisdictions with a history of racial discrimination or depressed minority political participation to provide fair treatment to racial minorities. The Fifteenth Amendment to the U.S. Constitution prohibits denial or abridgement of the right to vote by federal, state, and local officials on the basis of race, color, or previous conditions of servitude.

The three sections of the Act scheduled to expire are Section 5, Section 203 and Sections 6 through 9. Section 5 requires covered jurisdictions to obtain approval (or “pre-clearance”) from the U.S. Department of Justice or the U.S. District Court in Washington, D.C. before they can change voting practices or procedures. Public officials in these locations continue to adopt changes to election laws and procedures that deny minorities equal access to the political process. Many jurisdictions have implemented laws that have never been pre-cleared as required under Section 5. Since 1965, Section 5 of the Voting Rights Act has been fully enforced despite the fact it provides criminal penalties for violations of the section. These penalty provisions have never been utilized.

Section 203 requires jurisdictions where there is limited English proficiency to provide voting assistance in languages other than English. Minority provisions adopted by Congress in 1975 were designed to remedy past discrimination and apply to people in four language groups — American Indians, Asian Americans, Alaskan Natives, and those of Spanish heritage. In 1992, Congress also expanded and extended the language provisions of Section 203 to coincide with the 2007 expiration date of Section 5. There are thirty-one states currently subject to the minority language provisions in Section 203. Language assistance has encouraged these citizens to register and vote and participate in the political process.

Sections 6 through 9 authorized the federal government to send election examiners and observers to certain jurisdictions covered by Section 5 where there is evidence of attempts to intimidate minority voters at the polls.

On May 22, 2006, the U.S. House of Representatives passed an amendment to the Voting Rights Act of 1965. H.R. 9 amends all sections scheduled to expire in 2007 and extends the expiration date to year 2032. Other amendments call for the Act to restore the original intent of Congress by reinstating the “purpose” prior to the Section 5 pre-clearance test to ensure that voting changes motivated by discrimination cannot be approved. Secondly the reauthorization calls for Section 5 to clarify that its purpose is to protect the ability of minority citizens to elect candidates of their choice.

The Voting Rights Act of 1965 has been one of the most effective civil rights laws ever passed. Originally intended to be of limited duration, the need for permanency is greater now than ever. We have witnessed problems with elections in Florida and Ohio. We cannot let that happen again. Most Americans take the right to vote for granted and assume we can register and vote if we’re over eighteen and are citizens. The struggle still continues to protect voting rights for all.

The National Committee on Equity recommends that CWA leaders and members support the reauthorization of the Voting Rights Act of 1965 at every level of our union.

Update from 2005 Committee Report

“Things are better but things are not over. And they are only better because people did not leave them as they were.” — Rev. Al Sharpton

At the 2005 Annual Convention, the National Committee on Equity set before the newly elected administration many challenges. Those challenges included recommendations on education, the Minority Leadership Institute, minority and youth advancement at all levels of the union and the collection of demographic data.

To date the following recommendations have been addressed:

Education:

All training programs are currently being reevaluated and updated to include a diversity component.

Minority Leadership Institute:

The National Committee on Equity made six recommendations that would help to advance younger minorities in our union. Today, five of the six recommendations have been implemented and are in place for our 2006 attendees.

Demographics:

Although member demographics have not been supplied to the union except in bargaining, the Civil Rights Department was able to obtain demographics from several of our major employers. The following highlights their workforce diversity:

AT&T:

AT&T's 50-state workforce is 45% female and 35 % people of color.

Verizon:

Women and minorities make up 43% and 30% of the company's workforce, respectively; women hold 32% and minorities hold 19% of top management positions.

BellSouth:

BellSouth reports that in 2003, 49% of all new hires were women and minorities.

State of New Jersey:

The State of New Jersey reports that 60.7% of its total workforce is White, 3.18% Asian, 28.86% Black, 7.03% Hispanic and .23% American Indian. 45 % of all workers are male and 55% are female.

State of Texas:

Females make up 53% of the state's workforce. The state's workforce is racially diverse, with 55% White, 23% Hispanic and 20% Black. These percentages have not changed significantly in the past five years.

State of New York:

Whites make up 71.4% of the workforce, 13.9% are Black, 3.6% Hispanic, 2.4% Asian and Pacific Islander and .4% Native American and Alaskan Native.

State of Mississippi:

Females make up 59.2% and males account for 40.8% of all state employees. 54.7% are White and 45.3% are Minorities.

Newspapers:

The top 10 newspapers report the following non-white staff:

The Wall Street Journal	16.7 %
The New York Times	16.7 %
The Washington Post	21.4 %
San Francisco Chronicle	16.8 %
The Boston Globe	20.0 %
The Philadelphia Inquirer	17.2 %
The Denver Post	18.5 %
San Jose Mercury News	32.1 %
The Seattle Times	20.9 %
St. Paul Pioneer Press	17.9 %

While many of these employers do not break down demographics into union vs. non-union workers, the results clearly support U.S. Census data of the current U.S. labor market and what our labor market will continue to look like in the future.

The National Committee on Equity is happy to report that other recommendations made to the Executive Board will be addressed in the Ready for the Future Report.

CWA Civil Rights Conference 2006

The CWA National Civil Rights and Equity Conference was held April 27 through April 30 in the City of Brotherly Love, Philadelphia. The theme of this year's conference was "Liberty and Justice for All," which is fitting since the Liberty Bell resides there. More than 270 brothers and sisters from all walks of life and places of origin attended.

The opening remarks and welcome were given by CWA National Committee on Equity District 13 Representative Simone Harris. President Larry Cohen addressed the attendees with his vision of Resolution #1 and its impact on CWA. He also talked about the importance of having a diversified union with diversity as well in the union leadership. He urged all union members to take advantage of the

opportunity to impact Resolution #1, no matter where they fit in the organization. Their input is vital to the growth of our great union and its resources.

Members of the Newspaper Guild-CWA conducted a panel discussion on “Minorities in the Media.” Presenters shared their experience in working in the industry as minorities and women. They also addressed the many problems that minorities and women have faced throughout years in the area of hiring practices — meaning the passing of the baton and the limited amount of advancement for minorities. That was an all too familiar reminder for most attendees and a wake up call for others.

One of the highlights of the conference was a powerful and informative message delivered by Professor Molefi Kete Asante, a leading scholar of African American history and culture at Temple University. He discussed the festering issue of systematic racism in America. Professor Asante made it clear that America continues to be a nation of two peoples — a white majority that mainly enjoys a land of promise and a black minority very much consigned to a wilderness on the margins of society. Despite the legal and social progress of African Americans since the civil rights movement of the 1950s and 1960s, the bitter legacy of slavery and subsequent racial injustice continues to haunt American society. Dr. Asante also spoke about African Americans’ impact on unions during the days of slavery in the South and said there was a correlation between those two facts back then. He also shared with us how he went back and found his roots in Africa. That linkage to his past helped him to get to the present. He left us with this message: “We must never forget our past.”

Another highlight of the conference was the Town Hall meeting to discuss the National Committee on Equity’s recommendation on Resolution #1. The recommendation set out to address issues and concerns of minority advancement in our great union. Although there have been processes put into place, very little progress has been made considering we have been addressing many of the issues for 33 years. Attendees held lots of discussion and debate on Resolution #1 and many ideas and methods of implementation were addressed. One thing was crystal clear — the need for change and accountability with respect to the minorities of this great union.

After plenty of healthy discussion and sharing of ideas, the attendees established a Commitment Wall that attendees signed, committing them to help work on various issues with the National Committee on Equity. At the conclusion of our discussions a majority of the attendees agreed to submit a recommendation to the 68th Annual Convention that calls for the restructuring of the CWA Executive Board to include an elected Vice President of Equity and Fair Practices to be elected at the 2007 Convention. Additionally, the Executive Board will provide viable structure and resource-driven support to adequately develop this position. We believe this will define a job with responsibility and accountability to the diversity of our great union and provide another voice for minorities besides the National Committee on Equity.

The workshops for this year’s conference featured such topics as: “Call for the Question,” “Stop Look and Listen,” “Democracy Principles,” “Election Reform,” “Political Savvy,” “Faith and Labor,” “How to build a Local Committee on Equity,” and “How to Move a Resolution.”

Our keynote speaker at our awards dinner was Clayola Brown, President of the A. Philip Randolph Institute. President Brown encouraged us to keep the spirit of A. Philip Randolph alive in the labor movement. This year's Mays-Carroll Award recipients were CWA Local 4009 and Charles Larry Coleman of Local 9421. Their hard work has demonstrated their commitment to civil rights and equity.

The National Committee on Equity would like to thank the CWA staff and district vice presidents in attendance for their support. But most of all we would like to thank the attendees. Their engagement and candor helped to make the conference a success.

Health Care — A Civil Right

As Hurricane George (aka President George W. Bush) touches down, he manages to wreak havoc on everything in his path. As energy costs continue to rise at record levels, oil companies have become legal bandits with price-gouging tactics, and corporate America has become obsessed with the “catch me if you can” attitude that it seems to have adopted as its motto. For instance, Enron and WorldCom both got caught cooking their financial records and duping the lowly workers out of their hard-earned fair share. It is mind-boggling to see CEOs receive such tremendous salaries, bonuses, and other perks, while simultaneously perusing methods to reduce expenses that adversely affect the common man. Sadly, one of those critical expenses is health care for minorities.

Over the last decade, the issue of racial and ethnic health care disparities has become one of the most pressing problems plaguing this nation's health care system. Myriad studies and reports show that racial and ethnic minorities, compared to their white counterparts, inevitably have less access to health care, receive lower quality health care, and have higher rates of illness, injury, and premature death. The forces that contribute to health disparities are complex, ranging from broader societal issues such as poverty, racism, and hazardous environments, to health system factors such as provider bias, lack of workforce diversity, and inaccessible or nonexistent health care facilities. However, lack of health insurance coverage is by far the largest contributor, and people of color continue to be disproportionately uninsured.

According to Dr. Alan Nelson, chairman of the Committee on Understanding and Eliminating Racial and Ethnic Disparities in Health Care, “The real challenge lies not in debating whether disparities exist, because the evidence is overwhelming, but in developing and implementing strategies to reduce and eliminate them.” In addition, his group's report concludes that not only is there overwhelming evidence that blacks get second-class care, but that treatment leads to higher death rates in African-Americans when it come to HIV/AIDS, cancer and heart disease. Although it is not possible to quantify the inequities, researchers identified language barriers, bias among doctors and nurses, and a woeful lack of minority physicians as other reasons why non-white patients received fewer tests and inferior treatment. “This is a pervasive problem with moral and ethical implications for our society,” said Martha Hill, a professor at Johns Hopkins University School of Nursing and Vice Chairman of the Institute of Medicine Committee. The problem of health disparities has led the U.S. Department of Health and Human Services (HHS) to establish the elimination of health disparities by 2010 as a national goal and has inspired members of Congress to introduce legislation to help achieve that goal. However, the recent

threats to public health programs such as Medicaid and SCHIP (State Children's Health Insurance Program), the increasing numbers of people without health insurance coverage, and the persistently disproportionate prevalence and incidence of chronic diseases and conditions among racial and ethnic minorities make reducing and ultimately eliminating these health disparities very challenging.

The National Committee on Equity encourages and challenges all CWA locals to support state and federal laws to improve health care for all minorities.

Tuning Up Democracy

As we approach midterm elections in November, the mechanism that controls our democratic process has returned to the legislative agenda in a call for election reform. Spawned by events in the 2004 presidential elections, policymakers are making recommendations to create equitable and dependable voter registration systems, permit provisional balloting for voters whose registration is challenged, and restore the right to vote to felons who have served their sentences.

Some states' election laws allow voters to cast provisional ballots in a presidential election if their registration is challenged, while other states do not. Some permit former felons to vote; others deny them that right for life. As of today only half of the states have complied with the statewide voter registration database required by the Help America Vote Act of 2002 (HAVA), while others haven't. Despite all these disparities, policymakers have decided to leave it to the states to determine how they will administer these protections of voting rights in federal and state elections.

While these recommendations are critical to easing the barriers to voting, the most contentious issues of the election reform agenda are the proposed implementation of voter identification requirements and electronic voting machines. Both of the recommendations could prove to be disastrous and take focus away from the real issues, insuring that the right of all Americans to vote and to have their vote counted is a fundamental civil right guaranteed by our Constitution.

The addition of an unnecessary and unintended discriminatory voter ID requirement has become a hot-button issue because the poor, disabled, elderly and students become disproportionately disenfranchised. Voters who have been voting almost all their lives would be required to obtain a new card if they switch addresses. Identification requirements should consist of a broader range of documents so as not to discriminate against those without a driver's license or other official ID.

Since Congress passed HAVA, electronic voting machines are being installed in state after state across America. Statistics show about one-third of voters have used electronic voting machines since 2004. The majority of these machines are unreliable and insecure. This touch-screen voting system continues to malfunction and officials are calling for voter-verified paper ballots that are used for the purposes of recounts and audits. HAVA is clearly inadequate and still doesn't guarantee voters that their voice will be heard on Election Day.

Senators Hillary Clinton (D-N.Y.) and Chris Dodd (D-Conn.) have introduced the “Count Every Vote Act” (S.450 and H.R. 939). These bills propose several highly desirable provisions to address current gaps in federal voting standards and build on HAVA to further protect voting rights and improve the administration of federal elections. They also provide ex-felons the opportunity to register and vote in federal elections.

Most of the supporters of this bill agree it represents a good start and a very authentic movement in the right direction. But these provisions will have little effect unless labor, civil rights and community organizations become involved in the passage of this legislation. We must work in our communities to ensure state officials are making strides in implementing new equipment requirements and other aspects of this legislation.

We, the Communications Workers of America, and the rest of the labor movement should continue to negotiate and fight for enhancement of pay and benefits for training for poll workers, more election observers and excused time for voting on Election Day. We must develop a long-term plan to see that each election is better than the previous if we are going to fix the engine of power known as the Democratic process. The right to vote as defined in the Constitution is an earned privilege of our great nation and the system that would allow expression of this right should be systematic, accountable and provide accurate results of each vote in all elections.

Inclusion

The labor movement cannot afford to move forward without the full participation of every member, regardless of race, culture, gender, sexual orientation, disability, religion and age. CWA is uniquely positioned to provide leadership in that area. A union as large, progressive and democratic as ours is uniquely positioned to set an example to ensure that in the House of Labor, every worker has a seat at the table. Corporations are ahead of the labor movement in embracing diversity because they’ve added up the numbers and realized that it is necessary for survival.

Our employers realize that failures of inclusion carry a heavy price. If your marketing strategy isn’t aimed at everyone, you lose customers. If your hiring strategy leaves anyone out, you lose out on a huge potential wealth of skills and services.

According to a U.S. Census Bureau report released on May 10, 2006, one-third of U.S. residents are people of color. In addition, the population is growing at a faster rate among non-whites than it is among whites. Organizations that don’t do everything in their power to ensure that they’re relevant to minority populations lose their share of potential participants with every passing year.

We are in a battle for our economic lives, and we must reach out to every corner of society to make sure we are at full strength, from the front lines to the top of our leadership.

Because of who we are and what we stand for, however, our commitment to diversity must be about more than just strategic strength. As union members, we must all concern ourselves with inclusion

because that's something that is consistent with our union values. Fair and equal treatment is central to what we, as workers believe.

We must have the vision to see that allowing the powers-that-be to divide us into categories and confer advantages and disadvantages to us on that basis is the same thing as allowing our employers to play favorites with us on the shop floor.

If each CWA member truly took to heart the labor axiom that “an injury to one is an injury to all,” and resolved that injustices would not stand, our example would become a beacon drawing millions of the unorganized to the labor movement. And we would rise together like a wave, washing away the stain of discrimination from our society.

Affirmative Action

In March 1961, President John F. Kennedy issued Executive Order 10925, which created the Committee on Equal Employment Opportunity and mandated that projects financed with federal funds “take affirmative action” to ensure that hiring and employment practices are free of racial bias.

On July 2, 1964, President Lyndon Johnson signed the 1964 Civil Rights Act, the most sweeping civil rights legislation since Reconstruction. The Civil Rights Act prohibits discrimination of all kinds based on race, color, religion, or national origin. On June 4, 1965, in an eloquent speech to the graduating class at Howard University, President Johnson framed the concept underlying affirmative action, asserting that civil rights alone are not enough to remedy discrimination:

“You do not wipe away the scars of centuries by saying: ‘Now, you are free to go where you want, do as you desire, and choose the leaders you please.’ You do not take a man who for years has been hobbled by chains, liberate him, bring him to the starting line of a race, saying, ‘you are free to compete with all the others,’ and still justly believe you have been completely fair . . . This is the next and more profound stage of the battle for civil rights. We seek not just freedom but opportunity — not just legal equity but human ability — not just equality as a right and a theory, but equality as a fact and as a result.”

Affirmative action was enforced for the first time on September 24, 1965, by President Johnson. His executive order required government contractors to “take affirmative action” toward prospective minority employees in all aspects of hiring and employment. Following the 1965 order, President Richard Nixon issued the “Philadelphia Order.” This order was the most forceful plan thus far to guarantee fair hiring practices on federal construction jobs. According to Assistant Secretary of Labor Arthur Fletcher, Philadelphia was selected as the test area because “the craft unions and the construction industry are among the most egregious offenders against equal opportunity laws . . . openly hostile toward letting blacks into their closed circle.” The order included definite “goals and timetables.” As President Nixon asserted, “We would not impose quotas, but would require federal contractors to show ‘affirmative action’ to meet the goals of increasing minority employment.”

As time has gone by there has been criticism and praise of affirmative action. There have been several court cases with mixed rulings. There have also been very creative attempts to abolish state affirmative action, some attacks quite blatant. On Nov. 3, 1997, Proposition 209 was enacted in California. This meant a state ban on all forms of affirmative action. Similar to California, on December 3, 1998, the state of Washington passed Initiative 200. In 2000, the Florida legislature approved an educational component of Gov. Jeb Bush's "One Florida" initiative aimed at ending affirmative action in the state. And on June 23, 2003, in the most important Supreme Court decision made since the 1978 Bakke case, the court in a 5-4 decision upheld a lower court's ruling in the University of Michigan Law School case Grutter v. Bollinger.

It is necessary for all labor unions to stand together and continue to support and fight for affirmative action. This was clearly pronounced at the AFL-CIO's 24th Constitutional Convention, which reiterated the labor movement's decades-long support for affirmative action.

The National Committee on Equity encourages all CWA members to join in the fight at all levels of our union to help preserve affirmative action in our country.

Union Or Not

Workers' ability to make choices is an essential quality of life. It is an earned right to which we as United States citizens are entitled. It is a rule and a standard that we have inherited from our forefathers throughout history.

Yet, this earned right has not been distributed in an equal manner among employees represented by the CWA as it should be.

Thousands of workers, contrary to law, are terminated or unfairly treated for utilizing their labor rights. Seventy-five percent of businesses that may have potential for organizing employ a full-time staff trained exclusively to demolish union organizing drives. Over 90 percent of the employers design programs to "educate" their employees on how it may be beneficial not to have a unionized workforce.

Workers need the Employee Free Choice Act because workers need unions. Union workers typically earn 28 percent more than non-union workers. In addition to contributing financially, they give of their time and talent to their communities. Union members are much more likely than non-union workers to have vital benefits such as health care coverage, disability insurance and retirement security. No one can put a price tag on the pride of having a union voice at work.

Today there are 57 million workers in America that want to join unions. Employers routinely block their efforts and the labor laws are too weak to protect them. On April 19, 2005, a bipartisan coalition reintroduced into Congress the historic Employee Free Choice Act. The act would strengthen protections of workers' freedom to choose a union by requiring employers to recognize a union after a major-

ity of workers signs cards authorizing union representation. It also would provide for mediation and arbitration of first-contract disputes and authorize stronger penalties for violation of the law when workers seek to form a union.

The National Committee on Equity is strongly encouraging the enactment of the Employee Free Choice Act. We urge our elected representatives and senators to recognize the urgent need to restore workers' freedom to form unions and to support the Employee Free Choice Act to return to workers the basic right to choose for themselves whether or not they wish to belong to a union.

Respectfully Submitted,

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Notes