

**Report of the
CWA National Committee on
Civil Rights and Equity
To the 73rd Convention**



CWA

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2011 National Civil Rights and Equity Committee

Introduction

Few matters consistently rank as high as the federal budget. The need to increase revenues and reduce the deficit is critical to establishing a balanced budget that would protect critical federal support programs for seniors, children, and working men and women. Achieving a balanced budget is one of the most daunting challenges the nation faces. With shrinking revenues and increased expenditures, America must remain committed to providing vital services that put people first. The tenor of the national debate has made it increasingly clear that the extreme right remains immune to the needs of working class people and the poor, while corporations and the wealthy gain more than their share through unwarranted tax breaks and legal tax loopholes.

Over the past year, CWA leadership has partnered with like minded national organizations to be effective on every front, including but not limited to legislative and political action. CWA member participation in "One Nation" activities in 2010 along with our overwhelming participation and support of the April 4, 2011, "Day of Action" illustrates our unified effort to build a progressive movement. The actions of more than 110 national civil, human rights, and labor groups underscored our ongoing commitment to movement building. Under the banner of "We Are One", CWA members across the nation are joining with effective national organizations like the Sierra Club, the National Association for the Advancement of Colored People, the National Urban League, La Raza, and the Leadership Conference on Civil and Human Rights blazing a path to build a movement designed to bring awareness and economic justice to every corner of our society.

In a recent letter to the United States Senate from the Leadership Conference on Civil and Human Rights, 110 national civil and human rights advocacy organizations including CWA made it clear that deficit reduction considerations must include measures that protect low and moderate income Americans. "Our coalition understands that deficit reduction is an important long-term goal for the nation," said Nancy Zirkin, executive vice president of The Leadership Conference on Civil and Human Rights. "But it cannot be accomplished without putting revenue on the table. Otherwise, the burden of reducing the debt will be laid at the feet of low- and moderate-income Americans and jeopardize a still-sluggish economic recovery."

Jobs, collective bargaining, healthcare, and retirement security remain the cornerstone of CWA's efforts to level the playing field for workers. However, these are often attacks that would dramatically impact us. Two of the most prevalent concerns are the stripping away of entitlement programs (including but not limited to Medicare and Medicaid) and voter disenfranchisement.

Led by the Tea party, the far right has unleashed a vitriolic campaign designed to set back gains made over the past 60 years. Attacks against Medicare, Medicaid, and healthcare reform, along with attacks to strip away public sector employee bargaining rights, pensions and healthcare are

evidenced by attacks against workers in New Jersey, Wisconsin, and Ohio to name a few. Though we fight back, these attacks funded by corporate America whittle away at our ability to organize and bargain collectively. The techniques used by far right conservatives have given rise to regressive legislation in state legislatures that push us backward in time. The assaults negatively affect immigration, voting rights, women's health, and the environment.

Most importantly, these attacks are designed to drive a wedge between those who have fought many years and made meaningful gains in civil and human rights. On April 27, 2011, more than 50 national organizations met under the leadership of Wade Henderson, President and CEO of the Leadership Conference on Civil and Human Rights. Labor leaders including CWA President Larry Cohen, AFL-CIO Executive Vice President Arlen Holt Baker, and AFSCME Vice President Lee Saunders helped frame the mission and goals for the 2012 election campaign.

The CWA Civil Rights and Equity Committee has linked its work to the critical union issues of the day. Fighting back is essential and members of the National Committee on Civil Rights and Equity understand that the road to success centers on moving our members, families and neighbors to the ballot box in 2011 and 2012.

This 2011 National Civil Rights and Equity Committee report outlines CWA issues, our successes in critical campaigns along with a call for your support on issues that could prove critical in the 2012 election campaign.

One of the most important issues we will confront is state legislation to suppress voting. Pennsylvania, Florida, Ohio, and Wisconsin are but a few states that have initiated voter ID legislation that would turn back the clock on civil rights. As of early June, 2011, "Kansas, South Carolina, Texas, Wisconsin, and Tennessee – all have either adopted new requirements or expanded existing identification laws to specify photo ID's, pushing the total number of states that require them to 13" according to Tova Wang, Senior Democracy Fellow at Demos. She goes on to say, "In addition to regressive voter ID legislation the state of Florida has passed legislation that slashes early voting days, sets a ceiling on early voting hours, limits registration updates for recent movers and name changes."

Organizations such as Common Cause, the AFL-CIO and other nationally recognized groups have banded together to monitor and fight the introduction and passage of regressive voter ID legislation and laws that reduce the time for early voting. The effect of these unnecessary changes will suppress the vote of seniors, college students, low income citizens and minorities. These measures are being actively challenged by the We are One Campaign, the American Civil Liberties Union, the League of Women Voters and Common Cause.

A key component of the mission of the National Committee on Civil Rights and Equity is to provide guidance and information to the districts and locals on the CWA Civil Rights and Equity program. The Committee achieves that goal by keeping the membership abreast of issues of national importance via CWA Convention Reports, the website and through e-activist emails, and by using the committee structure to assist local presidents and District Vice Presidents in their

efforts to successfully mobilize for CWA District and national campaigns. These committees, in many cases, serve as multipliers giving Locals added depth to help fight threats to the union, to our families and to our friends, allies and neighbors in our communities.

These campaigns at the Local and national levels reflect work being done throughout the union relating to the CWA Triangle encompassing organizing, political and community action, as well as representation in every sense of the term.

The unbridled onslaught is claiming victims everywhere. The vitriolic, virulent attacks against unions and collective bargaining have caused CWA members and leadership to proactively organize against these attacks while working with national community and civil rights organizations to build the depth necessary to protect our common values.

It goes without saying that coalescing with friends and allies such as the National Association for the Advancement of Colored People (NAACP), the National Urban League, La Raza, The Blue Green Alliance, along with affiliated labor constituency groups such as the Coalition of Black Trade Unionists, A. Philip Randolph Institute, the Coalition of Labor Union Women, Pride at Work, the Labor Council for Latin American Advancement, as well as the Asian Pacific American Labor Alliance provides a national platform with tremendous reach. This, buttressed by our ongoing relationships with the Congressional Black Caucus, Congressional Hispanic Caucus, as well as the Asian American Pacific Island caucuses in the Congress of the United States sends a clear message about CWA's goal.

The 2011 Convention Report by the National Committee on Civil Rights and Equity addresses a multiplicity of issues while calling all CWA members to action with an eye toward helping to assuage the negative impact of these attacks. Case in point: today our movement is confronted and attacked by political leaders bent on destroying labor. The Paul Ryan Budget attacks seniors, students, workers, and the sick. The Ryan budget repeals the wellness provisions of the Affordable Care Act along with preventative benefits, and prescription drug assistance to those Americans caught up in the Donut Hole. Similarly, cuts to the national budget without increasing revenues further deprives economically disadvantaged citizens the proper safety nets needed to navigate public services designed to help them through this nation's fiscal crises.

Further, the report delineates the effects of our collective bargaining battles in the states, emphasizing its impact on the working poor, while examining the struggles of an Equal Employment Opportunity Commission to catch up the tremendous backload of discrimination cases that impact workers in light of the threat of an ever shrinking departmental budget.

But, the report also outlines hope in areas embraced by CWA that help build a healthy society. Our work with the One Nation campaign along with our work on broadband to help close the digital divide while promoting build out and good, living wage jobs has been the cornerstone of movement building in disaffected communities across the nation.

The Report takes hope further by providing concrete resources that promote education as a tool to develop equity and equality. Finally, the fight to promote meaningful immigration reform

while highlighting and paying homage to national figures who committed their lives to the fundamental principles of fairness, freedom, equality, equal justice and acceptance of workers regardless of race, creed, religion or sexual orientation.

Collective Bargaining: A Human Right

In the United States, the National Railway Act was passed in 1926. It was the first major piece of labor legislation passed by Congress. This legislation led to the signing of the 1935 National Labor Relations Act, which made it illegal for employers to deny unions the right to engage in collective bargaining.

In 1962, President John F. Kennedy issued an executive order to grant all federal government employees the right to unionize and collectively bargain with federal departments and agencies.

With the help of Eleanor Roosevelt, First Lady and wife of President Franklin Delano Roosevelt, the Universal Declaration of Human Rights was forged at the United Nations and recognizes the right to collectively bargain in Article 23 of its text. It states that every individual has the “right to form and to join trade unions of the protection of his interests.” The International Labor Organization’s Declaration on Fundamental Principles and Rights at Work also defends the freedom to “associate and to bargain collectively” as a fundamental right.

On the heels of a successful 2008 political landslide, Republicans began to strategize about how to stop labor’s political mobilization. The answer, gut collective bargaining. Though Republican Governor Chris Christie fired the first salvo in New Jersey, in February, 2011, newly elected Governor Scott Walker of Wisconsin proposed a budget “repair bill” that would essentially denigrate and abolish the right of state workers in Wisconsin to collectively bargain. Something different happened in Wisconsin in February 2011 that we had not witnessed since Dr. Martin Luther King was assassinated standing for the rights of Sanitation Workers in Memphis, all those many years ago. For more than two weeks, citizen protestors occupied the State Capitol building in Wisconsin sending an undeniable message to Governor Walker and his Republican supporters in the assembly that they were not going to accept this “budget repair” disguise that would take away their human rights to collective bargaining in good faith.

College students, public workers, private workers, mothers with children, grandparents; the photos and videos were endless showing the outcry of working people and the next generation of working people. They sent a message. We must stop those who want to take away our dignity and respect, by attacking our right to collectively bargain. Fourteen Democratic senators fled the state to prevent the House from voting. Labor union members came from near and far to support the people of Wisconsin. This scene is being repeated all across the United States.

Subsequently, the Wisconsin Republicans voted on the “repair budget” without the Democrats. Progressive groups banded together with labor to institute lawsuits and recalls. Our supporters organized quickly running a pro-labor campaign in an attempt to oust state Supreme Court judge David Posser who was allied with Walker. Though unsuccessful, Judge Posser won and this

action spawned several recall petition drives. These are but a few of the actions taken by the citizens of Wisconsin to stop the raid on the democratic process.

Unions are under attack and the public sector, which is 36% organized compared to 7% organized in the private sector, appears to be the target of the day. All across the country, state and local governments are attempting, and in some cases succeeding, in diminishing the right to collective bargaining for state and local workers.

In Alabama, the House and Senate have introduced bills to overhaul the teacher tenure process and end the practice of using an independent arbitrator during dismissal hearings. A Senate Committee passed the bill that would require a secret ballot to determine union representation. In Connecticut, Republicans are trying to prevent union stewards from being paid while taking care of union activities. They are also proposing the lay-off of teachers to balance the budget. In Florida, Governor Rick Scott wants state employees to move to a 401(k) retirement plan.

The attacks continue. CWA is standing up for worker's rights, fighting back through the "We Are One" campaign. CWA members are active in state capitals across the country to beat back the regressive tactics of Republican and in some cases Democratic state legislators. Our participation in these political activities are particularly important as we lend support to CWA Public, Healthcare, and Education sector workers and CWA Districts that represent public workers.

Our collective action on April 4, 2011, the 43rd anniversary of Dr. King's assassination while fighting to help Memphis sanitation workers get a contract helps make it clear to legislators that public workers are not only the backbone of public service but are deserving of the rights and dignity bestowed upon all workers.

Yet, there is hope. The recent election of pro-labor candidate Kathy Hochul in New York's heavily Republican 26th congressional district was a referendum by citizens of that district against the senseless Ryan scheme to eliminate Medicare and move to vouchers. CWA District 1 officials along with Local 1122's walks, phone banks, helped make the difference.

Public workers are united in their effort to stay on the job and provide quality service to the people they serve. The National Committee on Civil Rights and Equity applauds every CWA member for their commitment to our brothers and sisters in public service.

Broadband & Telecommunications: Impacts on the Minority Community

CWA's "Speed Matters" program has been the engine that has helped drive telecommunications policy at the federal, state and local levels, promoting affordable high-speed broadband and Internet access for all Americans. CWA along with its partners recognize that high-speed Internet is essential for economic growth and global competitiveness. High-speed buildout is an essential component for improvements in health care, education, public safety, energy, civic participation, and independent living for people with disabilities and senior citizens. That's why

CWA supports the FCC net neutrality rules that will protect an Open Internet and speed up buildout, and close the digital divide. We need to ensure that Americans in poorer urban areas and rural communities have access to the opportunities they have worked for and deserve.

Broadband serves to level the playing field for students in low income areas as a tool to access educational resources like online courses, tutors, and textbooks not readily available in their schools. As an educational tool, broadband also helps low income and minority students take advantage of the many free online courses, tutoring services, quizzes, and other resources to improve their grades as well as materials available to attain a college degree and develop skills needed for advancement at work.

In order to benefit from the technology, users must know how to navigate the Web and truly harness the power of the Internet for personal gain. Developing and honing these skills requires practice and training. Increasingly, nonprofits like One Economy provide training to new users in minority and low-income communities in order to ensure that they can take full advantage of the educational, economic, social, and health-related benefits of broadband. It is also important to note that a growing number of schools across the country are incorporating digital literacy training into curricula to provide students of every socio-economic background with a core set of skills to be successful.

According to the 2010 National Telecommunications and Information Administration (NTIA) report, 40% of Americans do not use high-speed Internet, and those without high-speed Internet are disproportionately people of color. According to studies, one of the major barriers is access. Another barrier to sustained broadband use is affordability. According to the most recent Census Bureau data, while 76% of households earning more than \$50,000 per year are connected, only 35% of homes with annual income less than \$50,000 have broadband in their homes. Low income families are also less likely to have the money for broadband subscriptions and adequate hardware to connect to the Internet.

High-speed Internet access is as vital today as other essential services such as phone or electric services. Broadband would provide huge opportunities and help lead to the elimination of the digital divide in minority and low income communities. Currently, however, the buildout of high-speed Internet has been primarily in wealthy communities. Those without these services, particularly people in rural areas or low-income households, are left stranded on the wrong side of the digital divide.

Bridging the digital divide while bringing minority communities into the digital age is our commitment. For our Hispanic and African American brothers and sisters, CWA understands the need for buildout and high quality service. Notably, the AT&T/T-Mobile proposed merger is one example of progress. The merger promises to bring 4G LTE to 97% of the U.S. population, in particular to communities that are the most disenfranchised. For women, and minority communities, the benefits of this merger will help bring good jobs to those who work in the wireless industry.

Historic Leaders in the Civil and Human Rights Movement

Brothers and sisters, nothing is more important than our legacy, as stories of the heartaches and struggles in our movement are passed down from one generation to another. As outlined in the Universal Declaration of Human Rights adopted by the United Nations General Assembly on December 10, 1948, union rights and human rights intertwine. The individuals we touch upon in this report moved a nation, sacrificed everything for all of us, not for statues, self aggrandizement, medals, or even a holiday. As good as those things feel to us as we honor these historic heroes, nothing can surpass the legacy these heroes have left behind on behalf of generations of Americans.

Eleanor Roosevelt supported the policies of the New Deal and became a civil rights advocate. What is impressive is that she was one of us, a union member with the National Women's Trade Union League. Most significantly, in 1936 as an author and journalist, she joined what is today the Newspaper Guild-CWA. Her commitment to labor issues intersected with her deep concern over racial segregation in her work. Mrs. Roosevelt especially supported greater opportunities for women and African-Americans. Most notable was her work with the Tuskegee Airmen in their successful effort to become the first black combat pilots of World War II. She became a key player in defining workers' rights as human rights at the United Nations with the "Declaration of Universal Human Rights." Roosevelt was eloquent in asking the important questions about human rights stating, "Where after all, do universal human rights begin? In small places, close to home. . . the factory, farm or office where he works. . . unless these rights have meaning there, they have little meaning anywhere."

Si Se Puedes. Cesar Chavez was an American farm worker, labor leader, and civil rights activist who, with Dolores Huerta, co-founded the National Farm Workers Association. Chavez supported Filipino-American farm workers during the Delano grape strike. The union also helped win passage of the California Agricultural Labor Relations Act, which gave collective bargaining rights to farm workers. Chávez fought the Bracero Program that existed from 1942 to 1964. His opposition stemmed from his belief that the program undermined US workers and exploited migrant workers. Since it ensured a constant supply of cheap immigrant labor for growers, immigrants could not protest any infringement of their rights, lest they be fired and replaced. A strong believer in the principles of nonviolence practiced by Mahatma Gandhi and Dr. Martin Luther King, Jr., Chavez never earned more than \$6,000 a year. He never owned a house. When Cesar passed, he had no savings to leave to his family.

"Us the us's." Howard Wallace, who started working in political groups as a high school student in Denver, said his activism was influenced by his sexuality. He was a Teamster and, along with the Teamster delivery drivers organized a boycott of Coors beer to gain leverage in a long-standing dispute over union representation. Coors requires lie-detector tests for employees – and one of the questions asked on the test was, "Are you homosexual?" Wallace helped bring Harvey Milk and other gay community leaders on board, and soon the bars lining Castro Street in San

Francisco stopped serving Coors beer. The organization Bay Area Gay Liberation which Wallace founded in the mid-'70s, helped lay the groundwork for support of progressive economic causes such as rent control, while labor pushed for anti-discrimination clauses and domestic-partner benefits in contracts. Wallace also spearheaded the Lesbian-Gay Labor Alliance and its successor, the AFL-CIO-affiliated constituency group Pride at Work.

“I Am A Man.” These words still reverberate through the hearts and minds of the remaining workers from the 1968 Memphis Sanitation Workers strike. Only a few times in the history of mankind do the heavens bring us a soul that stayed a short while but forever changed the course of all mankind. One of those souls is Dr. Martin Luther King Jr. This year, we took the anniversary of Martin Luther King's and turned it into a celebration of our continuing struggle. Over 300 CWA events took place on April 4, 2011 from marches to church services to teachings of this great man. We locked arms with the NAACP and other progressive groups as part of our broader coalition building.

Though Americans were familiar with Dr. King's work in Memphis and helped memorialize that April day, few recognized the heroic work of those who lived and worked in that community and the sacrifice they and their families made fighting for their right to bargain collectively. Collective bargaining rights were the centerpiece of that earlier struggle. Recognizing the tremendous courage and contribution of these working men and women, the U.S. Department of Labor on May 29, 2011, inducted the entire membership of the 1968 Memphis Sanitation Workers strike campaign into the Department of Labor Hall of Fame, the first time a group of workers has been inducted. By risking their lives and livelihoods to make a community stronger, the workers' show of solidarity paved the way for workers across the United States to organize.

Finally brothers and sisters, as we fight together for the betterment of mankind, their legacy becomes our legacy. Our own legacy will be etched into the pages of labor history as we continue to march through the grounds of many Statehouses like Wisconsin, New Jersey, Ohio and many more. Today's labor movement is making history on its own. It's up to us to continue that struggle and leave our own legacy.

Immigration

Anti-immigration sentiment has swept our nation since the passage of Arizona's controversial immigration law, SB 1070, which requires local and state police to enforce federal immigration laws and require them to request immigration documents from anyone they suspect of being in the state illegally. This has fueled many heated debates about immigration reform. In this report, we debunk many of the myths surrounding these discussions, which are often centered on the cost to the public of the services provided to unauthorized immigrants. These myths are not grounded in fact and further exasperate the hostile anti-immigrant sentiment that permeates many border states like Arizona, California, Texas and yes, Michigan.

Many Immigrants Enter Legally. Nationally, almost half of all unauthorized immigrants entered the states legally, but their visas expired, according to the 2006 Pew Research Center report, "Modes of Entry for the Unauthorized Migrant Population." Year-long wait times for processing immigration cases make it difficult to remain in the country legally and not be separated from their families. Legal immigrants can also become immediately unauthorized because they moved and did not receive important information about court dates from the Executive Office for Immigration Review. Other reasons according to representatives from the Alliance for Immigrants Rights Reform include legal mistakes, dishonest lawyers and notaries, and the rising costs of a green card and citizenship.

There are three main categories that exist under which a foreign born person can request a visa to enter the United States. They are:

- 1.) Family-sponsored preferences
- 2.) Humanitarian
- 3.) Employment-based preferences

There are two broad overarching visa types: non-immigrant (temporary work visas, students) and immigrant (green card recipients). However, within the three main categories there are varying types of visa eligibility (spouse sponsor, refugee, holding advanced degrees, etc.). Each category within the three categories has an allotted number of visas for a given time period. The Alliance for Immigrants Rights and Reform reports that depending on the category, the wait time for a visa can be anywhere from a few months to 15 years.

Immigrants Pay Taxes. A frequent argument for increased immigration enforcement has been the assumption that unauthorized immigrants do not pay taxes. The opposite is true. The Immigration Policy Center in 2009 reported that between one-half to three-quarters of unauthorized immigrants pay federal and state income taxes, Social Security taxes, and Medicare taxes through payroll deductions. Additionally the American Civil Liberties Union, in the 2008 report, "Immigration Myths and Facts," found that unauthorized immigrants contribute \$8.5 billion in Social Security and Medicare funds annually. In addition, as consumers, all unauthorized immigrants are subject to sales and property taxes, stimulating local, state and federal economies.

Public Assistance. Unauthorized immigrants cannot receive public assistance benefits or Social Security Income (SSI). Legally residing immigrants cannot receive benefits during their first five years or longer in the United States, even if they are working and paying taxes. Once immigrants have been living in the states legally for five years and reach LPR status, they are eligible for public assistance. The only exceptions to this rule are victims of trafficking and domestic violence, refugees and asylum seekers, who do not have to wait five years for public assistance. Foreign students are never eligible for public assistance.

Impact on U.S.-Born Minority Workers. Many anti-immigrant groups have suggested that immigrants are to blame for the high unemployment rates and low wages experienced by so many minority workers in the United States. The available evidence suggests that immigration is not the cause of dismal employment prospects for American minorities. For instance, cities experiencing the highest levels of immigration tend to have relatively low or average unemployment rates for African Americans. The grim job market, which confronts many minority workers, is the product of numerous economic and social factors: the decline of factory employment, the deindustrialization of inner cities, racial discrimination, etc. Immigration plays a very small role. However, that role is generally positive. Immigrant workers, consumers, and entrepreneurs help to create jobs and give a slight boost to the wages of the vast majority of native-born workers. Some unscrupulous employers do exploit undocumented immigrants to the detriment of wages and working conditions for both native-born workers and legal immigrants. But, the Immigration Policy Institute in a report entitled *The Racial Blame Game*, reports that the most practical solution to this problem is an earned legalization program for undocumented immigrants and stronger worksite enforcement of wage and labor laws.

Women and Our Immigration System. Women immigrants are particularly vulnerable under our current immigration system. There are 19 million immigrant women and girls currently in the U.S. Immigrant women, particularly the undocumented, are often more vulnerable than their male counterparts. In the Immigration Policy Center's Report, "Reforming America's Immigration Laws: A Woman's Struggle," immigration attorney Kavitha Sreeharsha explored this vulnerability. The report shows how women are distinctly harmed by heightened enforcement of immigration laws and how abusers, traffickers, and exploitative employers keep immigrant women from seeking local law-enforcement protection by convincing them that police officers are working in partnership with DHS and will deport victims instead of protecting them. These enforcement measures, according to the Immigration Policy Institute, increase the likelihood of abuse and assault against immigrant women by cutting them off from help and giving their perpetrators a powerful tool to silence their victims and escape prosecution.

ACTION ITEM: The DREAM Act is bipartisan legislation authored by Senators Orin Hatch (R- UT) and Richard Durbin (D- IL). The legislation can solve the hemorrhaging injustice in our society. Under the rigorous provisions of the DREAM Act, qualifying undocumented youth would be eligible for a six year long conditional path to citizenship that requires completion of a college degree or two years of military service. The CWA National Committee on Civil Rights and Equity encourages delegates to write their senators and ask them to support this critical piece of legislation.

One Nation “We Are One”

Movement building – for the NAACP, Sierra Club, Urban League, Leadership Conference, La Raza, hundreds of other civil and human rights organizations – that is the formula for a successful future.

November 2, 2010, more than 10,000 CWAers gathered at the Lincoln Memorial in Washington D.C. The march included but was not limited to workers and activist of the civil and human rights communities, religious groups, and the green community. The purpose of the One Nation rally was to show support for unions, restore jobs, and promote justice for hardworking families. The union voice was loud on this Tuesday in November, and could not be ignored. One of the keynote speakers on this momentous day was Barbara Elliot, an employee at a Xerox/ACS call center in New York. Mrs. Elliot and her co-workers had been working for two years to get a union. The majority of her co-workers voted “union” 15 months prior to this rally. However, Xerox/ACS filed objections to the election. “We cannot just fight for jobs, we need jobs with justice,” Mrs. Elliot reminded us.

The NLRB ruled that management’s objections were not substantial, but the company proceeded to spend large amounts of money on lawyers in order to setback and reject the workers’ rights. Mrs. Elliot, a proud member of local 1102 stated, “We are not giving up on our union, nation, or each other.” Mrs. Elliot and her co-workers are a great inspiration to the union, the movement, and the nation. Even though many people at Xerox/ACS lost their jobs she still is considered a symbol of courage. The company’s actions are unfortunately not that much different from most major companies in America when they are forced to face the union issue.

The stand that union workers are taking is critical for the future of workers rights. CWA President Larry Cohen noted that 48 years ago people marched on Lincoln Memorial for the dream, and to stop the continuation of Jim Crow laws. Even though these 48 years have seen an advancement in human rights, workers rights have eroded. In fact President Cohen informed the crowd that the United States is now at the bottom of the global economy when referring to protecting their workers’ rights. However, what we must remember and hold on to, as Cohen stated, is “We are tough, we are united, we are determined and we have done hard before.”

Since our “One Nation March,” we are faced with newly-elected members of Congress and governors who want nothing more than to do away with workers' rights, collective bargaining, and unions. CWAers and activists who were there took the messages back to all who would listen and gave birth to an old, but new message across the nation on April 4.

Many of us ask why that date? On April 4, 2011, the anniversary of Dr. King's death, President Cohen stated, “We will remember the courage and determination of those 1,300 public workers who endured assault, arrest and death as they walked a picketline for two months. It was a mobilization action for workers' rights, the right to have union representation and better wages that cost Dr. King his life in 1968. It was a day that workers from all walks of life, church leaders

and members of all religions, and civil rights organization united and said to those politicians and their allies “We Are One.”

On April 4, we reminded our elected officials that workers’ rights are human rights, and that those rights will not be destroyed. The attack on middle class and working families must stop. The National Civil Rights and Equity Committee applauds CWA's members and leaders, civil rights and human rights activists, immigrants, religious supporters, public workers, and many others, for saying to America, the land of the free, “We Are One”

Economic Advantages for the Wealthy & Impact on the National Economy

Today, the worst disparity in income in over 100 years is proof that the attack on us, working people in America, continues to rage. CEOs make tens of millions of dollars a year or more in income. A hedge fund manager can make more in an hour than it takes an average American family to make in their lifetime. Many working people often pay a higher percentage of their income in taxes than the rich. Aid for education is being cut drastically along with our health care. We have repeated this time and time again, and again there is an effort by the wealthy and CEOs to ensure that workers are at the bottom of the pile. Bush-era economists continue to promote policies that ensure the wealthy will become wealthier.

America’s deficit over the past 10 years was created by Bush-era tax cuts for the wealthy, two wars, deregulation, and Wall Street recklessness. This is a time of historic disparity in America, as hard-working Americans scrimp and save to pay our share of taxes, profitable companies pay little or nothing. Last year, General Electric paid no taxes at all in the face of \$14.2 billion dollars in profits. In fact, GE received a huge tax credit. ExxonMobil, the world’s most profitable corporation with \$45 billion in earnings, got a \$156 million tax rebate in 2009.

Yet this all comes at a time when politicians are saying that our nation doesn’t have the revenue to pay for critical programs that benefit the middle class and poor families. Head Start, an early intervention program for children is on the chopping block, funding for elementary and secondary education is being cut by 25 percent, and college aid for millions of students is being slashed. The Paul Ryan Republican budget would cut education at every level. This Republican budget also destroys jobs and cuts other critical services for families.

Quite simply, we cannot have an honest conversation about the federal budget until we restore fairness to our tax system, and we must start by repealing the \$100 billion-a-year tax cuts for the rich. It’s time to insist that corporations and the rich pay their fair share for investments in our future. While cutting \$4.3 trillion in spending, the Ryan Plan would hand over \$4.2 trillion in tax giveaways, disproportionately favoring corporations and the rich. Trying to sell this as a deficit reduction plan is nothing short of a fraud on the American people. The Republican budget is no more a deficit reduction plan than the concept of Wisconsin Governor Scott Walker taking collective bargaining rights from public workers is a budget plan.

Higher Education as a Path to Equity

Education is linked to status and the key to a better life, while the lack thereof is linked to poverty. Those who have the opportunity to obtain an education usually rise to the top of the economic ladder. In some cases it has taken families generations to climb that ladder. If you are born into a wealthy family, you have the advantage over those who are not. It is very easy to be discriminated against, abused or taken advantage of if one has little or no education or job skills. Society pays little or no attention to people stuck in economic despair such as single mothers and people of color.

In many instances some family members can provide help for children aspiring to get an education. In other cases students go to school, work hard and are rewarded. But for many, the best opportunity for advancement in life remains the labor movement. For years, CWA has helped make the road to advancement possible and for many to obtain higher education.

Employers are more interested in profits than workers rights or sharing profits. Through union collective bargaining workers have a voice. Through union sponsored education programs, many platforms are in place to give workers academic opportunities that help put them on the path to equity. Better paying jobs with benefits, safe working conditions and the ability to be paid overtime under a union contract allow workers dignity and the confidence they need to be productive while nurturing a healthy family environment. Union contracts do not see color, sex or ethnicity only human rights and dignity and the need for a highly educated workforce.

Many union contracts provide for tuition assistance or some form of reimbursement. For some, this is the best opportunity women and young students have. CWA and other labor organizations realized that when workers are trained and treated fairly they become more productive. When they are paid for their productivity, their work ethic increases and their standard of living improves. Workers and their families rose into the middle class status because they were given opportunity to improve their skills through education. It is safe to say that a living wage and dependable jobs with benefits are the keys to better life. Thus, higher education can be the ultimate path to equity.

The CWA National Committee on Civil Rights and Equity strongly supports the concept of both higher and continuing education. Our union traditionally has offered a number of educational opportunities with an eye toward raising the competency level of its members as employees. By offering substantive academic support to CWA family members, the organization promotes strong, healthy families better able to make significant contributions to society, their workplaces and communities.

The Committee recommends the following meaningful, accessible academic opportunities:

One of the principal educational platforms designed to help CWA members advance their careers is CWA/NETT. For the past 11 years, the CWA/NETT Academy has provided certification,

training and resources to more than 10,000 members, their families and veterans through Stanly Community College in Albemarle, North Carolina. CWA President Larry Cohen states, “Never before has there been such a wide range of opportunities for our members to stay ahead of the curve in this rapidly changing technological world.” The Academy offers a range of scholarships and tuition assistance.

The CWA Joe Bierne Foundation Scholarship program provides full and half scholarships to eligible high school graduates as well as those in undergraduate and graduate programs. The Newspaper Guild Davis S. Barr Award provides scholarships to high school and college students. In addition, the Guild manages the Irving Leuchter Memorial Scholarship Award to the Harvard University Trade Union Program for full time union staff of Locals or for members of the Newspaper Guild.

The Obama administration strongly supports providing more people federal assistance under the Pell Grant system. Through the Healthcare and Education Reconciliation Act, the President and the federal government have invested more than \$40 billion in Pell Grants. In a 2010 communiqué, the White House said, “These investments, coupled with the funding provided in the Recovery Act and the President’s first two budgets, will more than double the total amount of funding available for Pell Grants since President Obama took office.”

For some, a four year college degree is not an economic possibility. Even with the federal government providing additional support to historically black colleges, other minority serving institutions, and community colleges paying for a four-year degree is simply not a viable option. Because of this boost in federal grant and loan programs, in many cases students can now with confidence, turn to smaller accredited universities or 2-year colleges for more practical curricular offerings and scholarship support. In addition to support at these institutions, eligible workers continue to take advantage of retraining courses through the Trade Adjustment Assistance Program which supports workers laid off due to increased foreign competition.

The marquee labor institution is the National Labor College a fully accredited academic college located in Silver Spring, Maryland. The institution offers three degrees, a Bachelor of Science in Emergency Readiness and Response Management, a Bachelor of Arts in Construction Management, and a Bachelor of Arts in Business Management. In addition, a Bachelor of Arts degree can be earned in Labor Studies, Labor Education, Labor Safety and Health, Labor History, and Political Economy of Labor. The NLC also offers labor related certificate programs, union skills and training programs and graduate studies opportunities. Notably, the Kaiser Institute also offers courses in healthcare. Student loans are available through the William D. Ford Federal Direct Loan Program. Pell Grants are also available to qualifying students.

The Union Plus Program for union members and their family members has provided more than \$3 million over a 15-year period. Prospective students may be preparing to attend a community college, university or college, technical or trade school. One time cash awards range from \$500 to \$4,000 for the school year.

The tide will turn again; we must not give up or be misled. We as trade unionists must always pursue higher education for the sake of the advancing American industry, our careers and for a better life. Education is the key.

Equal Employment Opportunity Commission: An Obama Report Card

In a June 2, 2011, meeting of AFL-CIO affiliate unions, Equal Employment Opportunity Commission (EEOC) Chair Jacqueline A. Berrien addressed affiliate Civil and Human Rights Directors about the progress of the EEOC. She underscored the critical work of the Commission for the people it serves saying, "The role of the EEOC is to uphold, advance and expand the civil and human rights of everyone in this country." Though the Commission has been able to make considerable progress clearing more than 100,000 public sector cases since 2009, the proposed budget cuts threaten to impede that progress. With 100,000 cases cleared, the Commission has had a little over 100,000 new cases filed.

Chairman Berrien spoke about her experiences as a youngster growing up in her native Washington, D.C., a city heavily comprised of federal and city workers. Making note of recent vicious attacks on public workers across the country, Berrien stated she learned her lesson about the commitment of public workers in Washington, D.C., "The workers by in large were public workers. They always set a very high standard." These words are the reflections of a modern day civil rights gatekeeper with a commitment to the rights of all Americans. Clearly, Berrien recognizes the phenomenal job public servants do serving those who feel they have been victims of discrimination.

The EEOC was established on July 2, 1965 under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1977 (ADEA), the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendments Act of 2008. All Commission seats and the post of the general counsel to the commission are filled by the President of the United States and are subject to confirmation by the Senate. The appointments included:

Chairman Jacqueline A. Berrien was nominated by President Barack Obama to serve as Chair of the U.S. Equal Employment Opportunity Commission (EEOC) on July 16, 2009, to a term ending July 1, 2014. She received a recess appointment to the position on March, 27, 2010, and was confirmed by the Senate for her full term on December 22, 2010.

Chai Feldblum was nominated to serve as a Commissioner of the EEOC by President Barack Obama on September 15, 2009 for a term ending on July 1, 2013. On March 27, 2010, she was given a recess appointment to the post, and was sworn in on April 7, 2010. The Senate confirmed her for her full term on December 22, 2010.

Victoria A. Lipnic was nominated to serve as a Commissioner of the EEOC by President Barack Obama on November 3, 2009. She was nominated for both a term ending on July 1, 2010, and a

second term ending on July 1, 2015. On March 27, 2010, she was given a recess appointment and was confirmed by the Senate on December 22, 2010, to the full term ending in 2015.

P. David Lopez was sworn in on April 8, 2010, as General Counsel of the EEOC. He was nominated by President Obama on Oct. 22, 2009, and given a recess appointment on March 27, 2010, and confirmed by the Senate on December 22, 2010. Mr. Lopez is the first field staff attorney to be appointed as General Counsel.

The EEOC appointments brought the agency up to a full compliment of five directors. Staffing problems had been a major issue at EEOC during the previous administration. In the agency's 2010 budget annual report issued on Nov 15, 2010, it was noted that the "EEOC staffing levels fell 25% during the Bush administration to a near-historic low of 2,176 employees in 2008" while at the same time the workload steadily increased. There were 99,922 charges of workplace discrimination filed in fiscal year 2010, the most ever in a year.

Since then, the agency went through a rebirth under the direction of Chairman Berrien. In 2010 the EEOC hired 383 new employees, including 41 lawyers, and is still growing. This was made possible by a significant increase in funding, courtesy of the Obama administration. The increased appropriations allowed the agency to begin to reverse the effects of years of under funding and are reflected in increased training opportunities, updated technology, and the addition of staff members to help carry out the EEOC's important mission of enforcing federal laws prohibiting employment discrimination. The agency in fiscal year 2010 filed 20 new suits in federal court with at least 20 known class members. That is 8 percent of its caseload, an all-time high.

What will these appointments mean for employers? First, we can expect to see more rule changes. For some time the EEOC has operated without quorums, meaning that the agencies have not been able to take on any controversial cases or make significant rule changes. Now that they have enough members, we can expect to see a flurry of activity. We can also expect to see the EEOC become a lot more employee-friendly. President Obama's appointments will appease labor unions and employee advocates who adamantly supported his campaign but until now have not received much in return. Those groups expect to get a return on their investment, and these appointments will go a long way towards making that happen.

On March 24, 2011, the EEOC released their final bipartisan regulations for the ADA Amendments Act (ADAAA). The ADAAA overturned several Supreme Court decisions that Congress believed had interpreted the definition of "disability" too narrowly, resulting in a denial of protection for many individuals with impairments such as cancer, diabetes or epilepsy. The ADAAA states that the definition of disability should be interpreted in favor of broad coverage of individuals. The effect of these changes is to make it easier for an individual seeking protection under the ADA to establish that he or she has a disability within the meaning of the ADA.

On May 24, 2011, the new rules took effect that are intended to broaden enforcement of the Americans with Disabilities Act, generally seen as putting a greater onus on employers.

Among the big changes, Congress and EEOC are making it easier for individuals to establish that they have qualifying disabilities under the statute – including those who suffer from diseases such as cancer and diabetes. The new law overturns multiple Supreme Court decisions that had excluded those conditions under the definition of ADA, which as defining a disability as an impairment that substantially limits one’s life activities had left the courts significant wiggle room. Under the new law, an impairment does not need to prevent or severely or significantly restrict a major life activity to be considered “substantially limiting” – a major change. Under the new law, the focus for establishing coverage is on how a person has been treated because of a physical or mental impairment, rather than on what an employer may have believed about the nature of the person’s impairment.

These are but a few of the accomplishments of federal EEOC committed to change. President Obama’s leadership along with his commitment to fully staff the Commission helped make all this happen. It will be our job to keep momentum going as we battle those who would see this agency weakened through budget cuts or legislative procedure.

Respectfully Submitted:

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