

**The
BLACK
C o m m e n t a t o r**
Commentary, analysis and investigations
on issues affecting African Americans
www.blackcommentator.com

July 9, 2009 - Issue 332

[Contents of Issue](#)

[Click here](#)

[Home](#)

How Committed to Labor Law Reform is This Administration?

Solidarity America

By John Funicello

BlackCommentator.com Columnist

Click on the back button of your browser to return to non printer friendly page of this article

[Click here](#) to get helpful hints for viewing and printing this printer friendly plain text page

The Employee Free Choice Act (EFCA) is arguably one of the most significant pieces of labor legislation to benefit American workers that has been proposed in about three generations.

And, since there has not been too much time wasted on the subject in the daily papers and on the nightly news, we have to search out small indications about the possibility of overcoming the devastation that was visited on workers and their unions with the passage of the Taft-Hartley Act in 1947.

The proposal is that important - 60 years and counting since many of the rights of workers were taken from them by Taft-Hartley.

On June 27, new Secretary of Labor, Hilda Solis, addressed the graduates of the National Labor College, established by the AFL-CIO in Silver Spring, Md., just outside the nation's capital.

While it's true that her speech was not long, one would have thought she at least would have mentioned EFCA. It's the bill that would allow workers to organize their place of employment by a simple majority of the workers in the bargaining unit signing up to join.

The short name is "card check" and that pair of words sends chills of fear running up the backs of corporate CEOs, who believe that their tens of millions in salaries, benefits, perquisites, stock options, and golden parachutes will be threatened if workers made decent wages, had health care through insurance, and a retirement that

did not require them to live in poverty.

Secretary Solis came to the job with good trade union credentials. Her father was a member of the Teamsters union and worked in a battery recycling plant. Her mother worked in a toy factory and was a member of the Steelworkers' union.

They joined their respective unions, she told the graduates, "to ensure they received a fair wage and good benefits, that their workplace was safe, that they were paid the overtime they earned, and that they could retire with dignity."

And, there is no doubt, she added, that "unionized workers are more knowledgeable and more empowered than those who are not able to organize."

The secretary told the graduates that they were going out from the unique institution to which they had been attached for several years into difficult economic times, with the unemployment rate approaching 10 percent and six million unemployed.

In what she termed "underrepresented" communities, the unemployment rate is even higher - 11.3 percent among Latinos and 15 percent among African-Americans. Among youth, the rate is 22 percent. These, of course, are only the official statistics, which don't count those who are not seeking work. The number of such workers since the days of the Great Communicator - the early 1980s forward - is not known.

Workplace safety and health, wage and hour law enforcement, and job creation are on her to-do list and are priorities for the administration, she told the graduates.

Regarding the enforcement of the nation's labor laws, Secretary Solis assured the class of 2009: "Let me be very clear on this issue.....the Labor Department is back in the enforcement business."

She said also that she intends to "strengthen collective bargaining," which was the closest she came to mentioning union organizing and negotiating contracts.

By way of example of the strength of workers (or lack thereof) on the job, there was a devastating fire in a chicken plant in Hamlet, N.C., in 1991, that killed 25 workers and injured at least 49 others. The violations were so egregious that the owner of the plant was sentenced to 20 years in prison, as part of a plea bargain so that his son would not go to jail. However, justice being what it is, he was released after about four years.

By the time of the Hamlet crimes, the country had seen the beginning of one of the more vicious periods of anti-union activity in the modern era, starting with the presidency of Ronald Reagan, and that period continues today.

It was calculated that, if the Hamlet workers had waited for a government inspector of some kind to point out and correct the violations at the Imperial plant, they would have had to wait some 80 years.

If there was some hard news - even a small amount - in the secretary's speech, it was that the U.S. Labor Department is going to hire nearly 670 investigators, inspectors, and other program staff to carry on the mission of the department.

Promises of governments and administrations can go awry in an instant. The only real protection in the workplace - health and safety, wage and hour, grievance settlement and arbitration, collective bargaining...all of workers' issues - is an organization of the workers, themselves. In other words, a union.

Promises do not protect workers. Workers protect workers, as they protect each other under the umbrella of a union contract, negotiated by workers from the local shop. But, to get the protection that a contract represents, there must be good, strong protective laws at all levels of government and they must be enforced.

That, Secretary Solis has said she will do, but when she spoke to the graduates of the National Labor College - people who likely will do the work of the union movement for the rest of their lives - she had to know that their concern was for their right to freely organize, as simply and directly as possible. That's what EFCA does.

That she did not mention the bill that is in trouble in the Senate does not bode well for its passage or that it will even get to President Obama's desk. The administration is going to have to push it for the bill to pass in the Senate.

The question is not whether Obama likes the idea of card-check, but how hard is he going to fight for it, when he's faced with so many other monumental issues like single-payer health care, a growing military and defense budget, and an expanding war in Afghanistan and Pakistan?

Secretary Solis said that one of her role models is Dolores Huerta, a founder with Cesar Chavez of the United Farm Workers union. Huerta's quote that inspires the secretary is: "Walk the street with us into history. Get off the sidewalk."

Someone in the administration should be speaking out about EFCA, and if it isn't Solis, who should it be? Otherwise, it could be another two generations - like single-payer health care - before the opportunity arises once again to do right by the rank-and-file of Americans.

Both the president and the labor secretary should act as if card-check is right there, in the middle of the street. They need to "get off the sidewalk!"

[Click here to comment on any article
in this issue or see what others are saying in the](#)
The BlackCommentator Readers' Corner Blog

BlackCommentator.com Columnist, John Funciello, is a labor organizer and former union organizer. His union work started when he became a local president of The Newspaper Guild in the early 1970s. He was a reporter for 14 years for newspapers in New York State. In addition to labor work, he is organizing family farmers as they struggle to stay on the land under enormous pressure from factory food producers and land developers. Click [here](#) to contact Mr. Funciello.

Contents of Issue Click here

[Home](#)



Your comments are always welcome.

e-Mail re-print notice

If you send us an e-Mail message we may publish all or part of it, unless you tell us it is not for publication. You may also request that we withhold your name.

Thank you very much for your readership.

Website Design and Hosting provided by



Copyright © 2002-2009
www.BlackCommentator.com
All Rights Reserved