

The United Worker

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\$\$\$ Millions At Stake \$\$\$

Union's Legal Efforts Result in Back Pay Decision For Correction Workers in U.S. Virgin Islands

Editor's note: The following article was written by UIW Assistant National Director John Merchant. Merchant also serves as UIW Legal Counsel.

Thanks to the union's efforts, more than 100 UIW members who work as correction officers at a pair of U.S. Virgin Islands (USVI) juvenile and adult correctional facilities on St. Thomas and St. Croix could soon receive millions of dollars in back pay. The potential windfall comes following an arbitrator's recent finding that the Government of the Virgin Islands' Bureau of Corrections (BOC) miscalculated workers' paychecks for a period of 10 years.

The United Industrial Workers (UIW) represents roughly 1,500 public employees in the USVI. These comprise workers at the ports and airports, as well as those employed at the two hospitals, across many government agencies (Health, Education, Planning and Natural Resources, etc.), and also the correction officers who work at both the juvenile and the adult facilities of the BOC, located both on the islands of St. Thomas and on St. Croix.

In 2012, Correction Officers employed at the John A. Bell Adult Correction Facility on St. Croix, and at the Alexander Farrelly Criminal Justice Complex on St. Thomas noticed that there were discrepancies in their paychecks regarding overtime. A new biometric timeclock system had been installed in all BOC facilities and a system of automation in coordination with the Virgin Islands Department

of Finance had resulted in paystubs which for the very first time broke down hours worked by rate category and therefore made it easy to check the employer's math.

For context, the Government of the Virgin Islands and the BOC have been required to observe the terms of a "consent decree" that resulted from a lawsuit filed 30 years ago by inmates complaining of conditions allegedly violative of prisoner human rights at BOC facilities. One of the decree's requirements that BOC has struggled with, according to reliable sources, is maintaining adequate staffing levels. In 2012 and 2013, the BOC's solution to these staffing problems was to present Correction Officers with almost unlimited overtime opportunities. The result was that many Correction Officers began working double shifts, and some became proponents of working pay periods known as eighty-eighties, for the number of hours per each week worked in the bi-weekly period.

Not surprisingly, for employees banking so much overtime, the calculation of their pay became a point of great concern. Thus, around late 2012 and early 2013, UIW officials including then-Representative (now Vice President) Jacqueline Dickenson began fielding grievances from members of this bargaining unit. It started as individuals complaining about discrepancies in the calculation of overtime on their latest paychecks, and then later, as it became clear that the union

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Correction officers from the Alexander A. Farrelly Justice Center, St. Thomas, U.S. Virgin Islands, give the thumbs up in reaction to the recent arbitration decision which calls for them and their colleagues to receive back pay. From left to right are Hasan Frazer, Vinell Monsanto, Carolyn Samuel, Jelani Charleswell, UIW VP Jacqueline Dickenson and Shop Steward Lavar Van Beverhoudt.

President Biden Signs Inflation Reduction Act of 2022 into Law

President Joe Biden on August 16 signed H.R. 5376, The Inflation Reduction Act of 2022 into law. A wide-ranging \$750 billion package, the new directive—which passed both chambers of Congress along strict party lines—promises to fight climate change, lower prescription drug prices and cut domestic greenhouse gas emissions. The measure will also allow Medicare to negotiate lower drug prices for the elderly and ensure that corporations and the wealthy pay the taxes they owe.

"I'm about to sign the Inflation Reduction Act into law, one of the most significant laws in our history," the President Biden said before penning his signature to the measure. "With this law, the American people won and the special interests lost."

AFL-CIO President Liz Shuler expressed her support for the measure

even before it became law. The federation leader on August 7 following the Senate's passage of the bill.

"Today the Senate passed legislation that will transform the lives of working families at every level, and we urge the House of Representatives to pass this bill swiftly and send it to President Biden's desk," the federation leader said August 7 following the Senate's passage of the bill which many dubbed a scaled-down version of the previously defeated Build Back Better Act.

"This bill will reshape the future and deliver real help to working families by reducing rising energy and health care costs," Shuler continued. "Enacting clean energy tax incentives with labor standards and domestic content requirements will create good-paying jobs in construction and manufacturing right here in America. And this legislation will address long

overdue changes to our tax system that will finally make the most profitable corporations pay their fair share."

According to the White House, this historic legislation will:

Deliver clean water to all American families and eliminate the nation's lead service lines

Currently, up to 10 million American households and 400,000 schools and child care centers lack safe drinking water. The Bipartisan Infrastructure Law will invest \$55 billion to expand access to clean drinking water for households, businesses, schools, and child care centers all across the country. From rural towns to struggling cities, the legislation will invest in water infrastructure and eliminate lead service pipes, including in Tribal Nations and disadvantaged communities that need it most.

Ensure every American has access to reliable high-speed internet.

Broadband internet is necessary for Americans to do their jobs, to participate equally in school learning, health

care, and to stay connected. Yet, by one definition, more than 30 million Americans live in areas where there is no broadband infrastructure that provides minimally acceptable speeds – a particular problem in rural communities throughout the country. And, according to the latest OECD data, among 35 countries studied, the United States has the second highest broadband costs. The Bipartisan Infrastructure Law will deliver \$65 billion to help ensure that every American has access to reliable high-speed internet through a historic investment in broadband infrastructure deployment. The legislation will also help lower prices for internet service and help close the digital divide, so that more Americans can afford internet access.

Repair and rebuild our roads and bridges with a focus on climate change mitigation, resilience, equity, and safety for all users.

In the United States, 1 in 5 miles of highways and major roads, and

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From the President

Perspective and Civility

“What is wrong with him?!”

“How can she believe such a thing?!”

“Why in the world would they support that kind of candidate?!”



Michael Sacco

These sorts of sentiments are all too common nowadays, as many people retreat to their social-media silos and their television “news” equivalents.

With Election Day on the horizon, this is a perfect time to politely encourage our members, retirees, officials and staff to take a deep breath, focus specifically on issues, and try to give people the benefit of the doubt. Such an approach will be good for one’s blood pressure, if nothing else.

Polarization in the U.S. has reached alarming levels, and that belief is backed up not only by data but by daily anecdotal evidence in all of our lives. Our path to this regrettable destination partly took root in local news deserts – as legitimate journalism dried up, it was replaced by digital imposters cleverly masquerading as authentic outlets. There are many hundreds of such online entities across the country, most of them driven not by a desire to inform and provide balanced reporting, but rather by the political agendas of their big-money founders. The *New York Times* did a breathtaking, in-depth report on this situation a few years ago; there is no end in sight.

Landscape Challenging to Navigate

When you combine the dwindling state of the true news media with the proliferation of social media, it’s not pretty. Navigating the murky waters of social media can be challenging, particularly when it comes to politics. But one indisputable truth is that whatever you click on, you get more of. As one researcher put it, the concept of confirmation bias is nothing new. “But in social media, this bias is propagated simply by reading, liking, and sharing content that acts to support those convictions we already hold, while avoiding content that challenges our beliefs. Essentially, we begin to isolate ourselves from those opposing opinions until we’re surrounded with people who agree with us.”

Unlike traditional media outlets, social media at best has very loose rules governing the truthfulness of its content. Even when crackdowns occur, they’re often sporadic, tardy and not fully effective. The lack of accountability corresponds with a lack of accuracy.

Your “Clicking” Matters

Finally, we’d all do well to remember that in an age when so many social media, traditional media and other outlets make their living from online ad revenue, their respective content is usually designed to agitate – and to keep you clicking and tapping and watching. This doesn’t just apply to Newsmax or MSNBC or CNN. Pay attention to your local weather forecast and you’ll often hear words like “damaging, destructive” and “severe,” even if those are just slim possibilities for later in the week or in another region. Behind the algorithm are equations that have figured out how to keep us engaged.

Particularly with the November elections looming, I encourage everyone to pay attention to issues rather than personalities, and remember that the vast majority of people want what is best for our country, even if we sometimes have different ideas about how to achieve those goals. And, as always, be assured that the UIW will support candidates who support our industries and workers’ rights, regardless of political party.

Redmond: Runaway CEO Pay Has Created the Perfect Storm for ‘Greedflation’

Editor’s note: The AFL-CIO on July 18 released its 2021 Executive Paywatch Report. According to that narrative, CEOs of S&P 500 index companies averaged \$18.3 million in total compensation in 2021, an 18.2% year-over-year increase. AFL-CIO Secretary-Treasurer Fred Redmond commented on this and other report findings during a news conference shortly after the document’s release. Following are his remarks.



Fred Redmond
Secretary-Treasurer
AFL-CIO

“...We are calling this year’s report Greedflation, and you can visit our newly updated website by going to Paywatch.org.

“So what is Greedflation?”

“It’s when CEOs force price increases onto working people as consumers while pocketing record profits and giving themselves a raise.

“In fact, according to the Economic Policy Institute, corporate profits have accounted for half of all rising prices since the economic recovery from COVID began.

“It’s another version of ‘more for them and less for us.’ And it comes at a time when working people’s living standards have declined with every increase in the price of food, rent, and gas.

“And the data from our Paywatch report backs our definition of greedflation up.

CEO vs. Worker Wages

“Last year, S&P 500 Index company profits grew by a record 17.6 percent. And the CEOs of those companies received, on average, \$18.3 million in total compensation. That’s an 18.2 percent increase in just one year.

“Meanwhile, workers’ real wages fell 2.4 percent after adjusting for inflation.

“So when you look at those numbers...and at CEOs trying to blame workers for inflation...it just doesn’t add up. They say that unemployment is too low. They say they can’t find enough workers to fill their low paying jobs.

“But the problem with our economy is not too many jobs, it’s economic inequality.

“Last year the average CEO-to-worker pay ratio of S&P 500 companies was 324 to 1. In 2020, it was 299 to 1. And in 2019, it was 264 to 1.

“So to put a fine point on this, during the pandemic, the ratio between CEO and worker pay jumped 23 percent.

“Instead of investing in their workforces by raising wages and keeping the prices of their goods and services in check, their solution is to reap record profits from rising prices and cause a recession that will put working people out of our jobs.

“The ‘heroes’ of the pandemic – and by heroes I mean the working people who showed up and risked their lives and health and safety to keep our country running – are still showing up and working around the clock, but working for less.

“Runaway CEO pay is most apparent in the consumer discretionary sector of the economy. This industry includes the goods and services that working people buy with their disposable income if they have anything left after paying for the basic necessities.

“Last year, CEO pay at consumer discretionary companies in the S&P 500 Index jumped 79 percent. Their average

pay was an incredible \$26.1 million. And they made 872 times that of their employees. 872 times!

“But even that pales in comparison to the company whose CEO sits at the top of the Greedflation index of CEO-to-worker pay. I’m sure you can guess who it is – it’s Amazon.

“Last year Amazon delivered the highest CEO-to-worker pay ratio in the S&P 500 Index with a pay ratio of 6,474 to 1. Amazon’s new CEO Andy Jassy received \$212.7 million in total compensation. What did Amazon’s median worker earn last year? Just \$32,855.

“Meanwhile, Amazon increased the price it charges for its Prime membership by nearly 17 percent to \$139 in February of this year. And the company’s Whole Foods grocery store chain recently started charging new fees for Prime member home delivery.

Working People Fight Back

“But working people are starting to fight back against the economics of Greedflation. From Bessemer, Alabama to Staten Island, New York, Amazon workers are coming together to form unions and negotiate for a fair return on their work.

“And it’s not just Amazon workers who are exercising their freedom to unionize. Petitions with the National Labor Relations Board by workers to form unions jumped 69 percent in the first half of this year compared with the previous period in 2021.

“Corporate profits and runaway CEO pay are responsible for causing inflation, not workers’ wages. That’s why we are calling for a workers first agenda to build a better America.

“We need to raise wages to help working people cope with rising prices, not make working people poorer by causing a recession.

“We need stronger labor law enforcement to protect the rights of workers to join unions.

“We need to invest in clean energy infrastructure and manufacturing supply chains to make America more competitive.

“We need to lower costs for working families by reducing the cost of child care and prescription drug prices. And we need to fully invest in public education.

“These are real solutions to fix Greedflation and restore balance to our economy.”



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Getting Set for Contract Negotiations



UIW Rep Jordan Esopa in late May met with several drivers from union-contracted CPC Home Products (CPC) at a local business in Allentown, Pennsylvania. Esopa met with the drivers to address their job-related concerns and lay the groundwork for their upcoming contract negotiations. A tight knit group, these individuals are dedicated and hard-working truck driving professionals by day and (as evidenced by the photo above), avid bikers by night (or during their off-duty hours). Pictured from left to right with their respective rides are: Adam Sutton, Jade Schultz, Chris Christman, Michael Purcell and John Christman. CPC transports products for Benjamin Moore throughout the Johnstown, New York area.

USVI Workers Poised to Receive Millions in Back Pay

Continued from Page 1

faceted systematic compensation issues, the UIW filed grievances “on behalf of all affected Correction Officers” to ensure that the matter would be resolved for all members, and not just on a case-by-case basis.

The terms for overtime as stated in the union contract are as follows: “Wages are to be paid at the rate of one and one half the employee’s straight time hourly rate in the following instances, for: A) Work performed in excess of eight hours in any one work day; B) Work performed in excess of forty hours in any one work week. Wages at the rate of two times the employee’s straight time hourly wage shall be paid for work performed in excess of 48 hours in a work week.”

Initially, the employer was choosing whether to calculate hours worked over eight in a day or hours worked over 40 in a week depending on the hours worked. Given that officers were working so much overtime, they were only getting paid time and a half for the overtime accumulating after 40, and thus getting no premium for the second shift worked on those 16-hour days. Management’s approach discounted employee paychecks, on average, about 8%.

This difference might have been swiftly addressed, but at that time the BOC administration did not answer the grievances (there were five in total). Thus, through the procedures outlined in the CBA, the union demanded arbitration, and an arbitrator was selected to adjudicate the matter.

On the eve of arbitration, in early Spring 2016, the Government of the Virgin Islands agreed to sit down in St. Thomas with all the stakeholders including union officials, shop stewards and assistant shop stewards on St. Thomas, representatives from BOC management, the Department of Finance and the Virgin Islands Office of Collective Bargaining. The parties agreed to modify software parameters to calculate overtime consistent with the CBA and to stop discounting overtime for Correction Officers. They left the now-consolidated grievances open, pending performance by the Government.

However, according to the UIW, the Government did not take the corrective

actions that had been agreed upon.

In September of 2017, the islands were hit hard by two category 5 hurricanes, Irma and Maria, which essentially put on hold all but the most essential functions of Government. The demands of the reconstruction period of the islands again required of UIW Correction Officers abundant overtime, but this time, with the computer systems down and paycheck amounts being calculated manually, it appeared that management was finally getting it right.

But by early 2018, electronic systems were back up, and it became clear that there had been no change in the method BOC management was calculating overtime. Since the previous grievances were never withdrawn, the UIW demanded that an arbitrator again be called to adjudicate the dispute. Management again told the new arbitrator of its wish to settle the matter. The arbitrator therefore acted as a mediator and attempted to get the parties to settlement until Fall 2020 when it became clear that the BOC had done nothing to change its systems. Due to technical issues, and to the UIW’s growing frustration, a new hearing date was not set until January 2022.

By June 2021, St. Thomas Shop Steward Lavar VanBeverhoudt had begun taking matters in a different direction by organizing members to stand in protest on their days off in front of the Legislature of the Virgin Islands. This approach resulted in some news coverage and attention from USVI senators, and ultimately Governor Albert Bryan invited the Correction Officers and the UIW to meet with him. Bryan announced his intention to hire accounting firm Ernst and Young to recalculate payroll discrepancies back to the filing of these grievances.

By contrast, in July 2022, at a hearing in front of the Legislature of the Virgin Islands Finance Committee, BOC Director Winnie Testamark concurred with committee members who expressed skepticism about the UIW’s position. They said the Correction Officers’ interpretation of the CBA was wrong. Shortly following the Finance Committee meeting, Testamark issued a memorandum to all employees informing them that BOC would no longer seek to address the UIW’s concerns and would calculate

the overtime as they had been doing all along. The UIW then filed a grievance relating to the contents of Testamark’s memo.

On the eve of the long-awaited hearing in front of Arbitrator Goldman, the Office of Collective Bargaining called the UIW asking for a suspension of the hearing dates on the basis of the governor’s promised audit, but the Union declined. The Union demanded instead that the matter be arbitrated, and so for three days in January the UIW made its case, calling shop steward Van Beverhoudt, Officer Rachel Hodge, and former employee Kenville Allan, who had worked hard on this issue prior to resigning his position, as well as Vice President Dickenson, who testified that in negotiations for a successor agreement, BOC management had made no proposals to change the overtime language.

The arbitration hearing spanned a few days in April. On July 19, Arbitrator Goldman issued his opinion in favor of the Union, stating in part: “It is absurd ... to say that an employee who works more than 40 hours a week is a part-time employee. Clearly it is a bug in the pro-

gram. The Employer has not [fixed] this bug for 10 years. The fact that it has failed to fix it does not justify continuing to fail to fix it.”

Goldman found the language of the CBA “to be clear and unambiguous” and made a binding determination that going forward, the Government of the Virgin Islands and its Bureau of Corrections must correct 10 years of discounted Correction Officer paychecks.

The UIW soon will meet to determine if the Union will move to a hearing on damages, or stipulate to have the matter audited consistent with the arbitrator’s determination.

“It has been a long time coming, but the work of two UIW Vice Presidents, Mr. Van Beverhoudt, Mr. Allan, and many other Correction Officers has finally been vindicated,” said UIW Assistant National Director John Merchant.

Merchant also recognized the contributions of Indiana Attorney David Vlink who is a member of the AFL-CIO Union Lawyers Alliance. “Vlink provided invaluable legal research on the question of pyramiding that went into my brief,” Merchant said.



UIW Rep Adellah Berry, right, joins correction officer Rasheed Brathwaite as he demonstrates his approval of the recent arbitration decision that calls for him and his co-workers to receive back pay. Brathwaite works at the John A. Bell Adult Correctional Facility, St. Croix, U.S. Virgin Islands.



U.S. President Joe Biden (center) signs H.R. 5376, the Inflation Reduction Act of 2022, in the State Dining Room of the White House in Washington, D.C., August 16, 2022. Also pictured (from left to right) are U.S. Senator Joe Manchin (D-West Virginia), U.S. Senate Majority Leader Chuck Schumer (D-New York), House Majority Whip James Clyburn (D-South Carolina), U.S. Representative Frank Pallone (D-New Jersey), and U.S. Representative Kathy Castor (D-Florida). (Photo courtesy of the White House)

Inflation Reduction Act of 2022 Becomes Law

Continued from Page 1

45,000 bridges, are in poor condition. The legislation will reauthorize surface transportation programs for five years and invest \$110 billion in additional funding to repair our roads and bridges and support major, transformational projects. The Bipartisan Infrastructure Law makes the single largest investment in repairing and reconstructing our nation's bridges since the construction of the interstate highway system. It will rebuild the most economically significant bridges in the country as well as thousands of smaller bridges. The legislation also includes the first ever Safe Streets and Roads for All program to support projects to reduce traffic fatalities, which claimed more than 20,000 lives in the first half of 2021.

Improve transportation options for millions of Americans and reduce greenhouse emissions through the largest investment in public transit in U.S. history.

America's public transit infrastructure is inadequate – with a multibillion-dollar repair backlog, representing more than 24,000 buses, 5,000 rail cars, 200 stations, and thousands of miles of track, signals, and power systems in need of replacement. America's public transit infrastructure is inadequate – with a multibillion-dollar repair backlog, representing more than 24,000 buses, 5,000 rail cars, 200 stations, and thousands of miles of track, signals, and power systems in need of replacement. Communities of color are twice as likely to take public transportation and many of these communities lack sufficient public transit options. The transportation sector in the United States is now the largest single source of greenhouse gas emissions. The legislation includes \$39 billion of new investment to modernize transit, in addition to continuing the existing transit programs for five years as part of surface transportation reauthorization. In total, the new investments and reauthorization in the Bipartisan Infrastructure Law provide \$89.9 billion in guaranteed funding for public transit over the next five years — the largest Federal investment

in public transit in history. The legislation will expand public transit options across every state in the country, replace thousands of deficient transit vehicles, including buses, with clean, zero emission vehicles, and improve accessibility for the elderly and people with disabilities.

Upgrade our nation's airports and ports to strengthen our supply chains and prevent disruptions that have caused inflation.

This will improve U.S. competitiveness, create more and better jobs at these hubs, and reduce emissions. Decades of neglect and underinvestment in our infrastructure have left the links in our goods movement supply chains struggling to keep up with our strong economic recovery from the pandemic. The Bipartisan Infrastructure Law will make the fundamental changes that are long overdue for our nation's ports and airports so this will not happen again. The United States built modern aviation, but our airports lag far behind our competitors. According to some rankings, no U.S. airports rank in the top 25 of airports worldwide. Our ports and waterways need repair and reimagining too. The legislation invests \$17 billion in port infrastructure and waterways and \$25 billion in airports to address repair and maintenance backlogs, reduce congestion and emissions near ports and airports, and drive electrification and other low-carbon technologies. Modern, resilient, and sustainable port, airport, and freight infrastructure will strengthen our supply chains and support U.S. competitiveness by removing bottlenecks and expediting commerce and reduce the environmental impact on neighboring communities.

Make the largest investment in passenger rail since the creation of Amtrak.

U.S. passenger rail lags behind the rest of the world in reliability, speed, and coverage. China already has 22,000 miles of high-speed rail, and is planning to double that by 2035. The legislation positions rail to play a central role in our transportation and economic future, investing \$66 billion in additional rail

funding to eliminate the Amtrak maintenance backlog, modernize the Northeast Corridor, and bring world-class rail service to areas outside the northeast and mid-Atlantic. This is the largest investment in passenger rail since Amtrak's creation, 50 years ago and will create safe, efficient, and climate-friendly alternatives for moving people and freight.

Build a national network of electric vehicle (EV) chargers.

U.S. market share of plug-in EV sales is only one-third the size of the Chinese EV market. That needs to change. The legislation will invest \$7.5 billion to build out a national network of EV chargers in the United States. This is a critical step in the President's strategy to fight the climate crisis and it will create good U.S. manufacturing jobs. The legislation will provide funding for deployment of EV chargers along highway corridors to facilitate long-distance travel and within communities to provide convenient charging where people live, work, and shop. This investment will support the President's goal of building a nationwide network of 500,000 EV chargers to accelerate the adoption of EVs, reduce emissions, improve air quality, and create good-paying jobs across the country.

Upgrade our power infrastructure to deliver clean, reliable energy across the country and deploy cutting-edge energy technology to achieve a zero-emissions future.

According to the Department of Energy, power outages cost the U.S. economy up to \$70 billion annually. The Bipartisan Infrastructure Law's more than \$65 billion investment includes the largest investment in clean energy transmission and grid in American history. It will upgrade our power infrastructure, by building thousands of miles of new, resilient transmission lines to facilitate the expansion of renewables and clean energy, while lowering costs. And it will fund new programs to support the development, demonstration, and deployment of cutting-edge clean energy technologies to accelerate our transition to a zero-emission economy.

Make our infrastructure resilient against the impacts of climate change, cyber-attacks, and extreme weather events.

Millions of Americans feel the effects of climate change each year when their roads wash out, power goes down, or schools get flooded. Last year alone, the United States faced 22 extreme weather and climate-related disaster events with losses exceeding \$1 billion each – a cumulative price tag of nearly \$100 billion. People of color are more likely to live in areas most vulnerable to flooding and other climate change-related weather events. The legislation makes our communities safer and our infrastructure more resilient to the impacts of climate change and cyber-attacks, with an investment of over \$50 billion to protect against droughts, heat, floods and wildfires, in addition to a major investment in weatherization. The legislation is the largest investment in the resilience of physical and natural systems in American history.

Deliver the largest investment in tackling legacy pollution in American history by cleaning up Superfund and brownfield sites, reclaiming abandoned mines, and capping orphaned oil and gas wells.

In thousands of rural and urban communities around the country, hundreds of thousands of former industrial and energy sites are now idle – sources of blight and pollution. Proximity to a Superfund site can lead to elevated levels of lead in children's blood. The bill will invest \$21 billion to clean up Superfund and brownfield sites, reclaim abandoned mine land and cap orphaned oil and gas wells. These projects will remediate environmental harms, address the legacy pollution that harms the public health of communities, create good-paying union jobs, and advance long overdue environmental justice. This investment will benefit communities of color as, it has been found that 26% of Black Americans and 29% of Hispanic Americans live within 3 miles of a Superfund site, a higher percentage than for Americans overall.



AFL-CIO President Liz Shuler (at podium with microphone) fires up rally goers. (Photos courtesy of the AFL-CIO.)

MTD, Affiliates Rally in Support of Museum Workers

Editor's note: The following article and photos were provided by Mark Clements, administrator of the UIW-affiliated Maritime Trades Department.

Even amidst the hubbub of the 2022 AFL-CIO Convention, the MTD found another opportunity to express solidarity with working people at a rally held by the Philadelphia Museum of Art (PMA) Union, an AFSCME affiliate.

Following the end of convention business on June 14, the AFL-CIO encouraged delegates and guests to join the PMA Union on the famed "Rocky Steps" at the museum's entrance. MTD Administrator Mark Clements represented the department, standing shoulder to shoulder with hundreds of trade unionists championing the museum workers' efforts to secure a fair contract.

Although PMA workers had laid down the foundations to organize as early as 2019, the stresses of the COVID-19 pandemic galvanized their organizing drive into action. Workers were laid off or furloughed, while

the museum underwent 'restructuring' without staff input.

Rather than follow the example of other museums that voluntarily recognized employees' unions, the PMA management instead hired a union-busting law firm. Not even the urging of the Philadelphia City Council persuaded the museum bosses to change course.

The workers voted 181 to 22 in favor of unionizing just days after the museum laid off 20 percent of its staff in late June 2020. As a result, the PMA Union became one of only a few "wall-to-wall" museum unions in the country. Two years later, the PMA management has continued to stonewall the union and a contract has yet to be agreed upon.

The trade unionists gathered on the steps hoping that an overwhelming display of worker power would persuade management to stop stalling in negotiations. AFL-CIO President Liz Shuler addressed the PMA Union members at the rally, pledging that they "have the might of 13.5 million workers beside [them] in this fight for a fair contract."

Officials, staff, and rank-and-file members from several MTD-affiliated unions, including the UIW, hit the bricks. AFSCME President Lee

Saunders and AFT President Randi Weingarten both provided impassioned remarks, as did several PMA Union members.



Showing their solidarity for the PMA Union are (from left) UIW National Director Karen Horton-Gennette, SIU Executive Assistant Brittanie Potter, and MTD Administrator Mark Clements.

Gallup Poll Says Pro-Union Support Highest Since 1965

Editor's note: The following article was written by Mark Gruenberg. Gruenberg is head of the Washington, D.C., bureau of People's World and editor, Press Associates, Inc.

Public support for unions has hit its highest point since 1965, the Gallup Organization's annual poll says, as respondents approve of unions by a 71%-26% margin, with the rest undecided.

That ties the 1965 figure of 71% support, Gallup reported. Then, 19% of the public opposed unions, with the rest undecided. The all-time records in the union support-oppo-

sition poll, which started in 1936, were 75%-18% in 1953 and 75%-14% in the first of three surveys in 1957. The rest of the respondents were undecided.

AFL-CIO President Liz Shuler lauded the results, which she said reflect the facts on the ground, in increased enthusiasm and organizing. That's been especially true among low-wage exploited workers.

"After a year of victorious strikes, record union election filings and relentless efforts from corporate billionaires to silence workers, today comes as no surprise. Working people recognize the need for a collec-

tive voice—and it shows. We are stronger in a union," Shuler declared.

The 71% support, plus or minus a percentage point or two, held across the board among men and women and by race. The variations came in party preference.

Democrats supported unions by an 89%-10% margin while Republicans were at 58%-42%. Independents were close to the overall figures (68%-28%). Even self-described conservatives backed unions, 54%-44%, Gallup reported.

The high support comes despite low union density. Gallup reported that 16% of respondents were either union members (6%) or had a family member unionist (7%) or both were (3%). Gallup's surveyors called 1,006 people by phone and the top-line 71% support figure is subject to a 4% plus-or-minus error.

"Better pay and benefits" was the top reason (65%) unionists gave for joining up, followed by worker rights and representation (57%), job security (42%), better pensions and retirement benefits (34%), a better work environment (25%), fairness and equality at work (23%) and health and safety protections (9%). Only one in 20 unionists cited "unions having a positive effect on the country."

There was one warning flag for union organizers, but not in the top-line union approval poll: Some 58% of the un-organized don't want to be union members. That figure conflicts with other surveys the AFL-CIO has cited in the past. By contrast, in this survey, one of every nine of those unorganized workers told surveyors they are "extremely interested" in joining unions.

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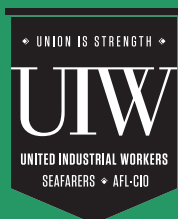
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(310) 549-3920



New Four-Year Contract at Hollywood Casino Perryville

Union members at the UIW-contracted Hollywood Casino Perryville shop in Perryville, Maryland ratified a new four-year collective bargaining agreement July 28. Among other provisions, the new pact features annual hourly wage increases and upgraded uniform provisions including new watches and shoe allowances. Each of the 35 bargaining unit members also received instant across the board hourly wage increases (when the contract was ratified) and the addition of New Year's Eve as a paid holiday.



UIW Rep. Jordan Esopa (left), Noel Schatz and Donald Roland represented the union during negotiations. They are joined in the photo above by rank-and-file member Nicholas Papier.



Caleb Layton (above) and Donald Roland (photo at immediate left) cast their ballots during ratification.



Nathaniel Hall (left in photo at immediate right) looks on as Noel Schatz (right) counts ratification ballots. In photo above, the facial expressions of Christopher Buchanan (left) and Joel Jones leaves little doubt as to how they and fellow UIW members feel about the new contract.

Biden Administration Secures Relief for Workers, Retirees

Legislation Puts Multi-Employer Pension Plans Squarely in Crosshairs

Drawing frequent cheers from the capacity, pro-union crowd in Cleveland, President Biden on July 6 touted his administration's – and the congressional majority's – success in creating a new structure to rescue financially troubled multi-employer pension plans.

The legislation is part of the American Rescue Act and crafted largely by U.S. Sen. Sherrod Brown (D-Ohio). It honors the late Teamsters Local 100 pension leader Butch Lewis. And with a lot of union input from an AFL-CIO working group, it sets up a new structure to let those plans get back on their financial feet without cutting pensions of current recipients. (Editor's note: The Seafarers Pension Plan is fully funded and in excellent shape. The same cannot be said of many other plans outside the Seafarers.)

"Two hundred multiemployer pension plans for two to three million workers and retirees were going insolvent," Biden told the crowd. "What that means is to those two or three million workers: They faced painful cuts to the benefits they counted on and for the dignified security of retirement."

Multi-employer plans cover some 11 million workers – and tens of thousands of retirees – ranging from UIW members to musicians to grocery store checkers to construction workers. Now the threat some of them would lose their pensions is removed, the president declared.

Union leaders lauded the final rule governing the multi-employer plans, which culminates a long fight to save



the pensions of retirees and beneficiaries while not penalizing present workers.

"Pensions are more than just a vital part of the retirement plans of millions of Americans; they are a promise made to workers by their employers," said AFL-CIO President Liz Shuler. "And those pensions should not be ripped away after years or decades of hard work. We will keep fighting to protect that promise."

The troubled plans get 30-year federal loan guarantees, as long as those plans get their reorganization blueprints approved by the Treasury Department and without cutting present recipients' pensions.

In debate over Brown's bill,

Republicans called multi-employer pensions "rat holes" and the rescue structure a "bailout for union bosses." Every single Republican opposed the new structure for the pension plans, Biden said.

"People around the country wake up every day wondering whether they've saved enough to provide for themselves and their families before they stop working – work at a job that provides basic dignity, a good middle-class job you can raise a family on, a job that provides a dignified retirement and will give you peace of mind," Biden told the Ironworkers in Cleveland, who cheered him repeatedly. "Think of all the people.... Many of you

went to bed at night putting your head on the pillow and saying, 'Am I going to be all right? Is my family going to be all right? Is my wife or my husband or my child, are they going to be OK?' It's a dignified retirement with your spouse in the home in your community you worked and lived for your whole life. But the reality is for so many people, the goalposts keep moving. Unfortunately, this happens to people who need it most: working people."

He added, "A lot of politicians like to talk about how they're going to do something about it. Well, I'm here today to say we've done something about it" by fixing the problem.

In an online press briefing in Washington, D.C., top officials of the Labor Department and the Pension Benefit Guaranty Corp. said the new law already rescued 27 multi-employer plans, with three more applications pending. It'll keep functioning through 2051. The PBGC steps in when a single-employer or multi-employer plan can't make payments or when corporate bankruptcy wipes out pensions. Final rules for multi-employer plans went into effect August 8.

CDC Recommends Updated COVID-19 Booster

Centers for Disease Control and Prevention (CDC) Director Rochelle P. Walensky, M.D., M.P.H., on September 1 endorsed the CDC Advisory Committee on Immunization Practices' (ACIP) recommendations for use of updated COVID-19 boosters from Pfizer-BioNTech for people ages 12 years and older and from Moderna for people ages 18 years and older.

Updated COVID-19 boosters add Omicron BA.4 and BA.5 spike protein components to the current vaccine composition, helping to restore protection that has waned since previous vaccination by targeting variants that are more transmissible

and immune-evading.

"The updated COVID-19 boosters are formulated to better protect against the most recently circulating COVID-19 variant," Walensky said. "They can help restore protection that has waned since previous vaccination and were designed to provide broader protection against newer variants."

"This recommendation followed a comprehensive scientific evaluation and robust scientific discussion," she continued. "If you are eligible, there is no bad time to get your COVID-19 booster and I strongly encourage you to receive it."

In the coming weeks, CDC also

expects to recommend updated COVID-19 boosters for other pediatric groups, per the discussion and evaluation of the data by ACIP on Sept. 1, 2022. When data are available and FDA authorizes these other types of COVID-19 boosters, CDC will quickly move to help make them available in the United States.

The Food and Drug Administration's (FDA) authorization of updated COVID-19 boosters, and CDC's recommendation for use, are critical next steps forward in our country's vaccination program—a program that has helped provide increased protection against COVID-19 disease and death.

Gone But Not Forgotten

JAY BREWER

Pensioner Jay Brewer, 88, passed away July 16. Born in Hoxie, Arkansas, brother Brewer was a U.S. military veteran. He joined the UIW in 1980 while working at Church & Dwight. Brother Brewer retired in 1996 and was a resident of Crossville, Tennessee.

TOMMY HAND SR.

Pensioner Tommy Hand Sr., 65, died April 10. A native of Columbus, Ohio, Brother Hand signed on with the union in 2003. He spent his entire UIW career working at Bron-Shoe. Brother Hand started receiving compensation for his retirement in 2018 and lived in his native city and state.

ROBIN KORZENICKI

Pensioner Robin Korzenicki, 66, passed away May 12. Born in Shamokin, Pennsylvania, Sister

Korzenicki came under the UIW umbrella in 1974 while working at A&E Products. She started receiving retirement stipends in 2003 and resided in her native city and state.

HERRIOT MEDINA

Pensioner Herriot Medina, 88, died July 21 2021. Brother Medina signed on with the union in 1969 while working at Seatrain Ship Building. A U.S. military veteran, he retired in 1979. Brother Medina was a resident of Brooklyn, New York, the city and state of his birth.

LEONILDA NOVAS

Pensioner Leonilda Novas, 89, passed away June 14. Sister Novas hailed from Yauco, Puerto Rico and became a UIW member in 1972. She spent her entire career working at American Casting. Sister Novas went

on pension in 1995 and made her home in Piscataway Township, New Jersey.

MARTHA ROJAS

Pensioner Martha Rojas, 85, died April 21. A native of El Salvador, Sister Rojas joined the UIW ranks in 1987 while working at United Food Processors, LTD. She started receiving compensation for her retirement in 1991 and was a resident of Wilmington, California.

EDWARD WHITE

Pensioner Edward White, 82, passed away July 16. Born in Columbus, Ohio, Brother White signed on with the union in 1983 while working at Franklin International. He called an end to his career in 2001 and went on pension. Brother White made his home in Etna, Ohio.

UIW Pensioners

Editor's note: The following UIW members recently retired. In addition to names (in alphabetical order), the following list provides retirees' places of employment and their cities and states of residence.

Richard Bay
American Casting
Lake Ariel, Pennsylvania

Aldegundo Carachure
Urban Commons, Queensway, LLC
Long Beach, California

Jay Cohen
Soda Rental Service
Philadelphia, Pennsylvania

Donnie Harris
Dixie Manufacturing
Norfolk, Virginia

Jerry Heairld
Crown Cork & Seal
West Hamlin, West Virginia

Bernardo Luna
Urban Commons, Queensway, LLC
Long Beach, California

Hershell Otey
Dixie Manufacturing Corp.
Norfolk, Virginia

Palenato Pelenato
Juanitas Foods
Long Beach, California

Mickey Randolph
Kingsford Products
New Lexington, Ohio

Carlos Rayo
Urban Commons, Queensway, LLC
Long Beach, California

Carol Thomas
Service Source, Inc.
King George, Virginia

John Thornton
Armaly Brands
Springfield, Ohio

Roberto Vasquez
Ruvilla Solutions
Twentynine Palms, California



'Time is Now for Fixing Broken Labor Laws'

Editor's note: During the AFL-CIO convention earlier this year, delegates approved the following resolution, titled "The Time is Now for Fixing America's Broken Labor Laws."

All across America, working people are rediscovering the value of unions. From nurses to videogame developers to graduate teaching assistants, workers are organizing in record numbers.

Public support for unions is the highest it has been in 50 years. A majority of Americans supports unions, and the strongest support is among workers between the ages of 18 and 34.

In addition, the COVID-19 pandemic has shed new light on the importance of workers having a voice at work. Belonging to a union can literally be a matter of life and death at countless workplaces in America where workers are exposed to the risk of sickness and death every day of the week.

The pandemic has also highlighted deep structural imbalances of power in our economy, as the wealth of billionaires has grown by 70% during the pandemic. Today, 716 billionaires have more wealth than the entire bottom half of the population – or 165 million people.

Although the right to form unions and engage in collective bargaining is a fundamental right guaranteed by the National Labor Relations Act (NLRA) of 1935, the desire of millions of workers to join a union has been frustrated by unchecked corporate power and our broken and outdated labor laws. Even the right to strike, which should be a universal right, has become meaningless with the widespread use of permanent replacements. In the public sector, only half the states recognize workers' freedom to engage in collective bargaining, and public employees' right to bargain is under persistent attack from anti-worker politicians.

While polls show increasing numbers of Americans would join a union if they could, union density continues to slide as corporations and their allies in Congress work side by side to erect barriers to organizing and bargaining. From Amazon to Google to DoorDash, massive corporations are using their wealth and power to deny workers our fundamental rights. Corporate front groups are also using their money and influence at the state level to undermine collective bargaining rights for

public employees.

Workers at these companies are not the only ones who suffer from corporate greed. Entire communities are held back as low wages undermine education budgets, health care and other basic public services. In 26 "right to work" states, more workers are stuck in low-wage jobs than in non-right to work states.

There is a growing consensus among economists that unions are the cornerstone of a robust and sustainable economy. Unions raise wages, reduce income inequality, promote workplace safety, negotiate retirement security and health benefits, and ensure fairness and dignity for millions of workers. Public sector unions support quality public services, and seek to maintain safe and supportive communities. Unions also strengthen our democracy and help bridge the racial divide.

When greedy corporations exploit our broken labor laws to keep workers down and frustrate union organizing, the result is that our economy is weaker, we are less globally competitive and income inequality continues to explode. The need to modernize and strengthen our labor laws has never been more compelling, and today the AFL-CIO commits to keeping labor law reform at the top of our agenda until we succeed.

In 2019, the AFL-CIO began a campaign to build support for the Protecting the Right to Organize (PRO) Act. The PRO Act would modernize the NLRA to give working people a voice on the job so we can negotiate for higher wages, better benefits, a more secure retirement and a safer workplace. It would impose financial penalties on companies and individual corporate officers who violate the law. It also would override state right to work laws, prohibit companies from holding captive-audience meetings during organizing campaigns, ban the use of permanent replacements during strikes and remove the ban on secondary picketing. The PRO Act would ensure that all workers have the right to join a union by cracking down on employers who misclassify their workers as independent contractors. Finally, it would establish a process for mediation and arbitration to help employers and unions reach a first contract.

Majorities in Congress agree that the NLRA needs to be updated and strengthened. The PRO Act passed the House of



AFL-CIO President Liz Shuler addresses delegates and guests at the federation's convention earlier this year in Philadelphia. (Photo courtesy AFL-CIO)

Representatives in 2019 and 2021 with bipartisan majorities. President Biden has called on Congress to send the PRO Act to his desk. It is now up to the Senate to debate and pass the PRO Act.

The AFL-CIO has also strongly advocated for the Public Service Freedom to Negotiate Act (PSFNA) so that all public employees have a right to bargain collectively. The PSFNA gives states the flexibility to write their own collective bargaining laws for public employees subject to minimum standards, including allowing public service workers to join together and have a voice on the job to improve wages, working conditions and the delivery of public services in their communities.

We stand with public sector work-

ers – nurses, teachers, EMS workers, custodians, corrections officers, child care providers and so many more – who have stood courageously on the front lines of the fight against the pandemic to keep their communities safe, healthy and strong while putting their lives on the line. By standing together, union members can demand workplace protections and safety standards and the ability to use paid leave, as well as stay connected to their jobs during these uncertain times. It is now time to pass the PSFNA.

We reaffirm our commitment, which we first made at the 2017 AFL-CIO Convention, that no candidate or elected official who fails to endorse and fight for these fundamental reforms should receive the support of working people.

AFL-CIO Sounds Alarm

'Freedom' Has a Spot On Ballot This November

Editor's note: The following article was written by Mark Gruenberg, editor, Peoples World.

Declaring "Freedom is on the ballot this November," the AFL-CIO is stepping up its intense battle to campaign for the rights of workers, women, people of color, LGBTQ people and everyone else in this country who, it says, are being deprived of their rights by a Republican Party captured by the extreme right.

As part of this campaign the federation launched a special election-oriented website (www.aflciovote.org) August 18.

The battle by labor will involve

detailed plans to mobilize voters in all the categories mentioned. The plan is to not only lobby for their votes to oust Republicans but, in addition, to employ labor's known ability to get people to the polls in November.

The federation's campaign was the second one labor launched within a week. The other, by the Service Employees, aims to mobilize and marshal voters, too. But its focus is on protecting the rights—and lives—of immigrant workers threatened by right-wing repression and roundups.

The federation's campaign is straightforward. When it talks about freedom being on the ballot, it includes "freedom to vote, freedom to

join a union, freedom to access life-saving health care, freedom to earn a living wage, and so much more."

All those freedoms would be endangered if workers' foes win this fall, the federation says. The website has tabs to the AFL-CIO survey asking what issues are important to responders, and also provides state-by-state voter registration information.

"The only way for us to protect our freedoms is to vote," it declares. And vote for lawmakers who will protect workers' rights and freedoms, not their foes, it adds.

"Electing pro-worker legislators in the Senate and House will be critical to protecting our freedom to vote, to make decisions over our own bodies both inside and outside of the workplace, and so much more. The labor movement is devoting resources to strategic local and national elections across the nation while also capitalizing on the energy of workers and our recent wins at places like Amazon, Starbucks and Microsoft," it says.

SEIU's "We Decide" election campaign site specifically empha-

sizes immigrants and their rights, and draws a contrast between the two parties. The union will "hold the Republicans accountable for the harm they've done to immigrant families."

SEIU and its allies—*Mi Familia Vota*, CASA in Action, The Florida Immigrant Coalition, SEIU-United Service Workers West (SEIU-USWW), and SEIU Nevada Local 1107—will concentrate on races in California, Arizona, Texas, Florida, Georgia and Nevada.

"For working people like myself, elections are personal," janitor Patricia Cuevas, an executive board member of SEIU-USWW, told the union. The union's campaign "will work to expand the electorate" through enhanced registration between now and November, she said.

It will also "drive turnout among infrequent voters to elect leaders who will stand up for working families and take action to lower food prices and gas, make healthcare and housing more affordable, and fight with us for higher wages and the opportunity to join together in unions to bargain for better jobs."