Hoyer

AFL-CIO

Maryland State and District of Columbia AFLCIO

Federal Candidate Questionnaire

2012 Elections

1. FREEDOM TO CHOOSE A UNION

The right to form a union and engage in collective bargaining is enshrined in U.S. and international human rights laws, but for many U.S. workers it is a right that exists only on paper. More and more, workers who want to join together to form unions typically face intense employer opposition aimed at suppressing their freedom to unionize and bargain collectively. Workers, their families and the entire nation are paying a high price for the suppression of these basic freedoms. Wages have been suppressed, especially for workers on the lowest rungs of the job ladder—many of them women, minorities and immigrants. Secure guaranteed pensions and decent health care coverage common under union contracts have been denied to millions of nonunion workers who want collective bargaining but cannot have it. Disparities in income and wealth have reached levels not seen since the Great Depression, as workers blocked from access to collective bargaining lack the power to redress rising economic inequality.

Employers routinely resort to legal but coercive tactics, as well as illegal ones to keep workers from forming unions. According to Cornell University's Kate Bronfenbrenner, when private-sector workers try to organize a union, 89 percent of employers force them to attend closed-door anti-union meetings and 77 percent have supervisors deliver anti-union messages to workers they oversee. Seventy-five percent hire outside consultants to run anti-union campaigns, more than half threaten to shut down if the union is voted in and 34 percent illegally fire workers.

Even when workers win a National Labor Relations Board (NLRB) election to form a union, one-third of the time their employer never negotiates a contract with them. And the penalties for all these forms of employer misconduct are so mild they do not serve as a deterrent to future misconduct. The law giving working people the right to form a union through NLRB elections is so weak that, in fact, it is becoming irrelevant for workers seeking to improve their lives. Instead of a workers' rights law, it has become a structure for management to pressure and intimidate workers to reject unionization.

The current system for workers to form unions is broken. It is urgent that it be repaired to give all working people the freedom to make their own choice about whether to form a union and bargain with management for better wages and benefits. We know from over 70 years of experience with the National Labor Relations Act (NLRA) that there is one proven way to give working people the freedom

to make their own choice: it's called "majority sign-up." The NLRA has always allowed workers to form unions through "majority sign-up," that is, when a majority of employees sign cards authorizing the union to bargain on their behalf with management. Since 1935, majority sign-up has been shown to reduce conflict, coercion, harassment and delay, as compared to the NLRB election process. But under current law, workers can form a union through majority sign-up only if their employer agrees to recognize the union. This makes no sense. Management should not get to dictate whether workers can use majority sign-up or whether they have to go through the NLRB election process, which typically triggers an inherently coercive anti-union campaign. Workers should be allowed to form unions through majority sign-up whether management agrees or not, as they did in the early years of the NLRA. We know from experience that majority sign-up promotes employee free choice by reducing coercion and intimidation by management, and it has not resulted in any significant problems over the past 70 years.

After the 2010 election, corporate interests worked with new Republicans majorities at the state and federal level to mount a coordinated and focused attack on the NLRB and the workers' rights it protects. These attacks, coming from the same crowd that wants to defund and dismantle the NLRB entirely, have focused on NLRB decisions and rulemaking, and they have nothing to do with creating jobs or helping the economy. They have everything to do with politics.

Similarly, Republicans in both Chambers have tried to repeal a rule issued by the National Mediation Board which makes it clear that representation elections in the transportation sector, which are governed by the Railway Labor Act, will be decided based on whether a majority of the votes cast are for or against the union. This may seem like common sense, but under the previous rule all workers who did not cast a ballot were counted as voting against the union. Such an undemocratic procedure would never be tolerated in our civic elections, and the Board's authority to modernize its election rule has been upheld by the U.S. District Court for the District of Columbia.

At the same time, legislation has been proposed at both the state and federal levels to restrict the ability of unions to collect and spend funds for legislative and political activity. These bills would prohibit unions from using dues to fund voter registration, lobbying and all forms of political communication. The proponents of so-called "paycheck protection" legislation argue that unions spend this money without the consent of the membership. However, unions are voluntary organizations that operate under majority rule, and, in fact, large majorities of union members support their unions' legislative and political activities.

If elected, would you co-sponsor and vote for the Employee Free Choice Act (H.R. 1409 and S. 1560 in the 111th Congress), a bill that would require employers to honor their workers' decision to join a union after a majority of them signed a union authorization card or petition; establish first contract mediation and arbitration; and create stronger penalties for employers who interfere with, coerce or fire workers for attempting to join a union?

Yes. In the 111th Congress I was an original cosponsor of H.R. 1409.

If elected, would you support workers who are forming unions by publicly reaffirming the importance of unions to our communities and take action, such as contacting employers and urging

them not to interfere with employee free choice, issuing public statements, attending rallies supporting organizing campaigns, sponsoring public forums, etc.?

Yes.

If elected, would you oppose a national "right to work" bill that would prohibit unionized workers and their employers from voluntarily agreeing to "union security" provisions which allow the union to recover the costs of collective bargaining from all the workers that federal law requires the union to represent in the workplace?

Yes

If elected, would you oppose efforts to limit the ability of the National Labor Relations Board to enforce the law or to engage in rulemaking to streamline and modernize procedures for forming unions and to notify employees of their rights under the NLRA?

Yes

If elected, would you oppose efforts to roll back the fair election rules issued by the National Mediation Board under the Railway Labor Act?

Yes

If elected, would you oppose restrictions on the use of union dues for political and legislative activities?

Yes

2. JOBS AND THE ECONOMY

The U.S. economy has lost 6.8 million jobs since the recession began in December 2007. Our manufacturing sector has been hit hardest, losing 2 million jobs since the recession began, and losing 5.8 million jobs (one-third of all manufacturing jobs) since the peak of manufacturing employment in March 1998. Other sectors, such as information technology and telecommunications, have sustained major blows as well. Between March 2001 (the peak of information technology employment) and August 2011, the number of information technology jobs fell by 29 percent (1.1 million jobs); over the same time period, telecommunications employment fell by 44 percent (650,000 jobs).

Construction jobs benefited from the boom economy of the 1990s but have suffered from the federal government's failure to invest in essential public projects such as transportation, school modernization, water systems, and other infrastructure. Moreover, for every $1 billion invested in transportation, 47,000 jobs are created. The number of construction jobs in the U.S. has fallen by 26 percent (2 million jobs) since the recession began.

U.S. unemployment, which just dipped below 4 percent in 2000, was 9.1 percent in August 2011– and this high rate fails to take into account the hundreds of thousands who have given up and

dropped out of the labor force. Long-term unemployment—defined as being without work for 27 weeks or longer—is at historic levels, and accounted for 42.9 percent of all unemployed workers as of August 2011, and the average unemployed person has been out of work for more than 40 weeks. The White House estimates that throughout the course of 2012, nearly 6 million people will remain unemployed after exhausting their state unemployment insurance benefits. Competition for jobs is fierce; for every job opening in July 2011, there were 4.3 unemployed workers, up from 1.7 unemployed workers for every job opening in December 2007. Workers' real wages, which rose across the board in the late 1990s, are stagnating and family incomes are flat.

Income inequality in this country is higher than ever, highlighted by the fact that average CEO pay is *343 times* the earnings of frontline workers. The nation's wealthiest 1 percent control 34.6 percent of the country's net worth, a larger discrepancy than at any point in our country's history, including 1928.

Meanwhile, policies that date to the administration of George W. Bush, including the massive tax cuts passed in 2001 and 2003, are responsible for 40 percent of the growth of the budget deficit since 2001. These policies, including the tax cuts that primarily benefited wealthy taxpayers, have crowded out critical investments such as repairing our schools, securing our homeland and providing health care to the more than 46 million uninsured Americans.

The American Jobs Act, proposed by President Obama on September 12, 2011 aims to jump start employment by pumping $140 billion into infrastructure investment and aid to states to keep teachers and first responders on the job. It would also extend federal unemployment insurance benefits for another year and prohibit discrimination against the long term unemployed.

The AFL-CIO has called on Congress to take additional steps to: (1) address fundamental weaknesses in the housing sector by providing for mandatory reduction of mortgage principal for homeowners facing foreclosure (2) rebuild American highways and make our air space safe by passing a robustly funded multi-year reauthorizations of the Surface Transportation Act and Federal Aviation Administration; and (3) provide for the creation of millions of jobs in distressed local communities doing work that needs to be done, such as restoring neighborhood parks and providing after-school care for our children; and (4) restore manufacturing by preventing currency manipulation, closing tax loopholes that encourage the offshoring of good jobs and rejecting job killing trade deals (see Section Three).

President Obama proposes to offset the cost of the Jobs Act by asking the wealthiest Americans and biggest corporations to start paying their fair share.

If elected, would you support funding for important infrastructure projects that generate good jobs, such as transportation systems, school modernization, clean energy, airports and water systems?

Yes

If elected, would you support additional aid to state and local government to preserve vital public services and jobs, including health, education, and transportation and first responders?

Yes

If elected, would you support creating a publicly-financed jobs program to put Americans back to work in public service jobs?

Yes

If elected, would you support allowing the 2001 and 2003 tax cuts for families making more than $250,000 to expire? Would you support other progressive revenue measures, including taxing capital gains as ordinary income and imposing a small financial transactions tax so that Wall Street helps clean up the economic mess it helped create?

Our debt problem requires a big, balanced approach that includes all Americans contributing their fair share. That means allowing the tax cuts for the most well off Americans to expire is the bare minimum we must do. Additional revenue will be required, and I will look at any proposal to get us closer to reducing our debt that is as least as progressive as the current system.

3. TRADE, MANUFACTURING AND THE GLOBAL ECONOMY

Our manufacturing sector has been hit hard. Long before the onset of the financial crisis last year, U.S. manufacturing had already lost millions of jobs between 2001 and 2011. Now, manufacturing is in even worse shape. Lack of both consumer demand and access to credit has put the squeeze on many manufacturers who will have to close their doors if help does not arrive soon. Unfair trade practices are also taking a toll on manufacturing, as subsidized or dumped imports flood the U.S. market and displace goods made by U.S. workers. While stimulus funds brought some much-needed relief, the absence of public investment in the building blocks of a strong 21st century economy during the Bush Administration means that recovery will continue to be slow and our competitiveness in the products of the future -- in manufacturing, in high-tech and clean energy goods -- will continue to wane long after the recession is over.

If the United States is to rise out of our current economic crisis and compete and thrive in a dynamic global economy in the 21st century, we will need a coherent national economic strategy that encompasses domestic reinvestment and trade rebalancing, the rebuilding of our government, and deep reform of our flawed trade and investment policies. Below are just some of the particular issues needing urgent attention.

Trade: Our trade deficit remains unsustainably high, reaching $500 billion in 2010, and it has meant the loss of millions of U.S. jobs over the last decade. More troubling, our bilateral trade deficit with China has barely budged, standing at $273 billion in 2010. We need a trade policy, one that puts a premium on promoting strategic exports and creating jobs here at home. The terms of trade agreements must be fair, and include strong provisions that promote decent work and a clean environment for the

people of both countries. We need to ensure that WTO negotiations and actions do not undermine our ability to enact domestic health, safety, and workforce policies or to use trade laws effectively. Finally, we need to be vigilant in enforcing our trade laws. When other countries cheat, they gain jobs at the expense of American workers.

Currency: Many countries engage in illegal currency misalignment, preventing market forces from determining the value of their currency. When a country illegally misaligns the value of its currency, it makes its goods artificially cheaper and foreign goods more expensive, thereby putting American goods and services at a disadvantage in all markets. Currency misalignment thus operates both as a subsidy for foreign-made goods and a tariff on American-made goods. This practice has greatly contributed to our international trade deficit, which imperils the recovery of both the U.S. economy and the world economy. Since 2001, China alone has run up a cumulative $2 trillion trade surplus with the United States. During this time, China has undervalued its currency by 30 percent or more to distort its gains from trade and illegally subsidize its exports. This practice harms U.S. industries and destroys millions of American jobs. Coordinated action internationally, or unilateral action if needed, must be undertaken to address this pressing issue.

Worker Rights: The labor movement has opposed trade agreements that do not include enforceable protections for internationally recognized workers' rights. We have filed trade cases against the governments of China, Guatemala, Bangladesh, and Bahrain, among others, for systemic violations of workers' rights. The AFL-CIO supports trade policies that help create and maintain good jobs at home and abroad, and require adherence to the International Labor Organization's core workers' rights. More must be done to ensure that the provisions we negotiate in our trade agreement are fully enforced, so that workers can benefit from the value they add to goods and services. When the benefits of trade are skewed toward only for the wealthiest few in any nation, our trade policy is not creating and expanding effective new markets for U.S. exports.

Tax Policy: Current U.S. tax law allows corporations to defer paying taxes on offshore profits until those profits are brought back to the U.S. While President Obama has proposed closing this loophole, others in Congress have proposed giving corporations a one-time tax holiday if they agree to bring their profits back to the U.S. and create jobs. In fact, a repatriation tax holiday was tried in 2004, and studies show that the companies that benefited most did not create jobs, and in many cases actually reduced employment in the U.S. Still others have proposed scraping this system altogether and moving to a so-called territorial tax that would tax corporate profits only if they are generated in the U.S. Under a territorial tax system, corporations that earn profits overseas would never have to pay U.S. taxes, thereby encouraging more offshoring of American jobs. The AFL-CIO believes that the U.S. tax system should encourage domestic job creation, not confer economic benefits on companies that ship jobs overseas.

If elected, would you support legislation and efforts that would promote a new, fair trade agenda for the United States so that our trade policy promotes the exports of goods and services rather than jobs? For example, the Trade Reform, Accountability, Development and Employment Act (The TRADE Act, H.R. 3012, introduced by Congressman Mike Michaud, in the 111th Congress).

I will continue to support a trade agenda that promotes exports of U.S. goods and services, grows our economy, and provides jobs for American workers.

If elected, would you support efforts to strengthen trade law enforcement and to secure meaningful remedies for injuries resulting from unfair trade?

Yes

If elected, would you oppose legislation to implement bilateral, regional, or unilateral free trade agreements that do not require enforcement of internationally recognized workers' rights and environmental standards?

I strongly support the inclusion and enforcement of ILO labor standards, as well as environmental standards into trade agreements.

If elected, would you oppose trade agreements that give greater rights to foreign investors than domestic investors or that encourage employers to move American jobs offshore by making it too easy to bypass national court systems to challenge environmental or workplace laws?

Yes

What will you do to address the trade imbalance with China and promote the rights of Chinese workers, especially the rights to freedom of association and collective bargaining?

The United States should seek all remedies available through the WTO on these issues. The focus must be on intellectual property theft, subsidies, manipulation of currency, and other actions by China inconsistent with fair trade. Vigorous enforcement is essential.

If elected, would you support measures to ensure that the Chinese government and other foreign nations cease illegal currency manipulation?

Yes

If elected, would you support legislation to end the deferral of overseas income?

Our corporate tax system is riddled with special interest loopholes that push American investment and jobs overseas. We need to take a long and hard look at the entire system, and I favor reforms that will encourage companies creating jobs here at home.

If elected would you oppose granting U.S. corporations a tax holiday on repatriated overseas income?

Yes

If elected, would you oppose tax reform proposals that would move the U.S. toward a territorial tax system?

Again, I feel our current tax system is in need of reform. I am hopeful that we will have the opportunity to move forward in this regard and will closely examine all legislative proposals particularly those that encourage companies to create jobs here in the U.S.

4. HEALTH CARE

As the nation prepares for broad implementation of the new health care reform law in 2014, the major advances of the Affordable Care Act must be secured while pursuing further reform to address America's health care crisis. Currently, our system simply fails to provide affordable, quality health care for most Americans. Premiums continue to rise faster than inflation and wages. The number of uninsured has grown to over 50 million. A decade of decline in the share of employers offering health insurance continues – adding thousands to the ranks of the uninsured each year. Firms that continue to offer coverage are asking workers to bear a greater share of the cost in the form of higher co-pays and deductibles. For retirees, the picture is even bleaker. The share of employers offering retiree coverage has dropped substantially. Without this coverage, retirees who do not qualify for Medicare have very limited options for obtaining affordable coverage. Unless we address the growing cost burden on employers, U.S. companies will continue to be at a competitive disadvantage in the global market.

Yet for all we spend on health care, there is growing evidence that compromised quality is costing us too much in lost lives and lost money. One hundred thousand Americans die each year due to avoidable medical errors, and patients have a 50-50 chance of getting the right care at the right time. Overall, about one third of all health care spending pays for poor quality care.

Unions bargain to provide health insurance to more than 40 million Americans. For more than a decade, working families have lived through a vicious cycle of reduced health care access and higher costs. The AFL-CIO supports measures that provide comprehensive, affordable, quality health care for all Americans and strongly opposes measures that will exacerbate the problem of the uninsured and rising health care costs.

If elected, would you work to ensure guaranteed health care for all as a right and not a privilege?

I was proud to stand with the AFL-CIO and vote in support of the Patient Protection and Affordable Care Act, and the subsequent reconciliation package that made essential improvements to the underlying Senate bill. The resulting Affordable Care Act will expand access to quality, affordable health care for 32 million people – and we need to continue our work on this front until all Americans have access to such care.

If elected, would you work to defend and build upon the landmark comprehensive health reform law, the Affordable Care Act? Would you support further reform to improve access to quality care and reduce health care costs?

Yes

If elected, would you work to repeal and oppose any proposal to tax health care benefits or health care plans?

I believe America's employer-sponsored insurance system plays a critical role in our health care system, and will continue to stand for policies that support workers' access to quality, affordable health care.

If elected, would you support legislation that shores up retiree health benefits by securing help for employers for the costs of catastrophic health care or by allowing 55 to 64 year olds to buy into Medicare?

I have and will continue to work to insure the availability of health care, including catastrophic, for all Americans.

If elected, would you work to enact additional health care reforms that take us in the direction of a social insurance model?

As with all of our past social insurance programs, which post-enactment have been built upon, perfected, and modified by further Congressional action, I will certainly work to ensure the fair and proper implementation of the Affordable Care Act and any subsequent modifications that may be required to meet our expressly stated goal of providing high quality, affordable, accessible health care for all Americans.

If elected, would you support legislation that would establish minimum nurse staffing ratios and prohibit mandatory overtime in our nation's hospitals to ensure safe patient care?

Generally speaking, I have been supportive of efforts to address the nursing crisis and ensure public safety, but would like to review individual legislative proposals.

5. MEDICAID AND MEDICARE

The Medicaid and Medicare programs are cornerstones of our health care system, providing health coverage for vulnerable Americans and supporting the nation's health care infrastructure. Medicaid currently covers nearly 60 million individuals, including 1 in 3 children. As the nation's major source of funding for nursing home and long-term community services, two-thirds of Medicaid spending supports care for seniors and people with disabilities. Medicare covers 47 million seniors and people with permanent disabilities, groups that historically have had great difficulty obtaining coverage. While these programs are administered with relative efficiency, they are part and parcel of the overall health care system which is marked by spiraling cost increases and poor quality.

If elected, would you oppose significant funding cuts for the Medicaid program, through block-granting, changes to the funding formula, or other approaches?

Yes

If elected, would you oppose Medicare benefit cuts that shift costs to seniors, including premium increases, copayment increases, benefit reductions, or conversion to a voucher system?

I do not support the conversion of the Medicare program to a voucher system. I believe that entitlement programs – in conjunction with revenues – can and should play a role in responsible, balanced deficit reduction; however, I am not supportive of actions that would jeopardize our low-and middle-income beneficiaries' access to affordable, comprehensive fee-for-service Medicare.

If elected, would you support efforts to control the rising price of pharmaceutical drugs in Medicaid and Medicare?

Yes

6. FINANCIAL REGULATION

Deregulated financial markets have taken a terrible toll on America's working families. Whether measured in lost jobs and homes, lower earnings, eroding retirement security or devastated communities, workers have paid the price for Wall Street's greed. But in reality, the cost of deregulation and financial alchemy are far higher. The lasting damage is in missed opportunities and investments not made in the real economy. While money continues to be poured into exotic mortgage-backed securities and hedge funds, our pressing need for investments in clean energy, infrastructure, education and health care continue to go unmet.

In 2010 President Obama signed into law the Dodd-Frank Act. Its enactment set the foundation needed to rebuild our country's financial sector and bring accountability to Wall Street. Nonetheless, there have been unremitting attempts to stall its implementation and to defund the very programs and agencies chosen to resolve our nation's financial crisis.

On July 21, the Consumer Financial Protection Bureau (CFPB) took over as the nation's chief consumer financial protector with authority over mortgages, credit cards, payday loans and other financial products. However, to date, the CFPB still does not have a full time director and certain members of the US Senate have refused to hold a vote on the President's nominee for the job. The CFPB will not have its full authority to protect consumers in the financial marketplace and will not gain all its oversight over payday lenders, mortgage companies until a director is confirmed.

Furthermore, there have been attempts to alter the leadership of the agency from that of a single director to a five-member commission and attempts to allow a simple majority of bank regulators, the same ones who were grossly negligent in our 2008 crisis, to veto any CFPB rule. There have also been efforts to defund the expansion of oversight duties of the Commodity Futures Trading Commission (CFTC) and the Securities and Exchange Commission (SEC). Funding levels for these two agencies have been severely threatened.

The CFTC and SEC are vital to the proper functioning of our financial markets. Anything less than full funding would deprive these agencies of the basic resources they need to police the safety and integrity of our financial markets and increase the danger of another financial crisis. Under-funding them is drastically irresponsible given the potential costs of a financial crisis. It is without debate that much of the deficit issues we are struggling to address today reflect the impact of the 2008 financial crisis, which was brought about by under-regulation of our financial markets.

Congress must do everything in its power to ensure that the financial reform included in Dodd-Frank is implemented as Congress intended. Efforts to weaken the CFBP or to starve the CFTC and SEC of proper funding should be fought at all costs. These agencies are essential to the goal of curbing the kind of financial abuses that caused the nation's worst financial crisis since the Great Depression.

If elected, would you support maintaining an autonomous Independent Consumer Financial Protection Bureau (CFPB) and support the single Director structure?

Yes

If elected, would you support increased funding to the Securities and Exchange Commission (SEC) with jurisdiction to regulate hedge funds, derivatives, private equity and many new investment vehicles that are developed, as directed in the Dodd –Frank law?

Yes, if increased funding is necessary to ensure that the SEC can perform its oversight functions.

If elected, would you support increased funding to the Commodity Futures Trading Commission (CFTC)?

Yes, if increased funding is necessary to ensure that the CFTC can perform its oversight functions.

7. LABOR STANDARDS

The Fair Labor Standards Act (FLSA) is the nation's basic labor standards law. It protects all workers who might otherwise be subjected to unfair wages, pay discrimination or extended work hours without overtime pay. The FLSA limits child labor and industrial homework and protects the disabled. FLSA protections are regularly under attack and are often eroded by lack of enforcement.

The Davis-Bacon Act requires the payment of prevailing community wages on federally financed construction projects. This law ensures local contractors that uphold prevailing rates of pay and local labor standards in a geographic area, a fair chance to compete for government projects without being undercut by outside firms using cut-rate labor. The act also protects the government from unreliable operators seeking to win federal contracts by bidding too low to attract competent craftsmen.

The Service Contract Act (SCA) is based on the principle that the federal government should not award contracts for services to employers that underbid by paying workers less than the actual rates of pay for the same work in a geographic area. SCA protects the living standards of those who are employed as a direct result of federal service contracts, particularly those in low-wage occupations.

Project Labor Agreements (PLA's) are collective bargaining agreements between building trade unions and contractors that govern the terms and conditions of employment for all craft workers – union and non-union – on a construction project. PLA's have been successfully used for nearly a century ensuring the flow of skilled workers and helping projects come in on time and on budget. But PLA's have come under attack by some members of Congress. Behind these attacks are low-road anti-worker businesses who oppose basic workers' rights and don't want to pay fair wages for skilled labor.

The Family and Medical Leave Act (FMLA) of 1993, requiring employers to provide up to 12 weeks of unpaid (but job-protected) family or medical leave, was a major step in helping workers balance the demands of work and family. But the effectiveness of the FMLA is constrained by its limited coverage and the inability of millions of workers to afford leave without pay. Almost 41 million workers are not covered by the FMLA and according to a 2000 Labor Department study, 78% of workers who needed leave but did not take it said they could not afford it. To address these shortcomings, Congress needs to expand FMLA eligibility and provide for limited wage replacement during periods of leave. Congress must also resist calls by employers to curtail FMLA rights by limiting the circumstances under which employees can take leave. And in addition to family and medical leave already provided under the FMLA, Congress should guarantee at least seven paid sick days for every worker.

If elected, would you oppose any effort to exclude more workers from the protections of the 40-hour workweek or to deny more workers the absolute right to overtime pay?

Yes

If elected, would you oppose any effort to allow employers to avoid paying cash overtime for work in excess of 40 hours per week or to exclude certain forms of compensation from the calculation of overtime pay?

Yes

If elected, would you oppose any legislation that would either weaken or repeal the Davis-Bacon Act?

Yes

If elected, would you oppose any legislation that would weaken or repeal the Service Contract Act?

Yes

If elected, would you oppose efforts to prohibit or weaken Project Labor Agreements?

Yes

If elected, would you support an effort to expand the FMLA to cover workers in companies with fewer than 50 employees?

Yes

If elected, would you support legislation to require that companies guarantee seven paid sick days per year?

Yes

8. RETIREMENT SECURITY: PENSIONS AND SOCIAL SECURITY

Retirement security is becoming a goal beyond the reach of most Americans. According to the non-partisan Center for Retirement Research at Boston College, the retirement income deficit – that is, the gap between what Americans today have accumulated for retirement and what they should have by now if they are to maintain their standard of living is a staggering $6.6 trillion. This gaping deficit is explained in large part by the fraying of our private pension system, with fewer workers now covered by traditional pension plans. Although the ability to achieve retirement security has long been premised on a system of mutual responsibility -- government provided Social Security, employer-provided pensions and personal savings -- for the majority of American workers it is only Social Security that guarantees a defined retirement benefit.

As currently constructed, there is little hope that retirement savings plans, like 401(k) plans or IRAs, will make up for the loss of traditional pensions. Half of all American families have no retirement savings whatsoever. Among those near-retirement families with some retirement savings, half have less than $83,000 – enough for a monthly retirement income at age 65 of only several hundred dollars. Moreover, individual savings plans do not offer the benefits of real pensions which include lifetime income, survivor and disability protections, as well as early retirement benefits and post-retirement benefit increases, in many cases. By contrast, individual savings plans require workers to bear all the risk, are often insufficiently diversified, suffer from poor returns and typically carry very heavy fees and expenses.

Social Security remains the foundation of retirement income for U.S. workers and their families and the principal insurance against family impoverishment due to death or disability. It has reliably and efficiently provided benefits to the elderly and the disabled, helped millions of Americans escape poverty and given the elderly the financial means to live their last years with independence. The Social Security system is an extraordinarily well-crafted plan with a progressive benefits structure that delivers higher returns to lower-wage workers, ensures workers and beneficiaries will not outlive their benefits and protects those benefits from erosion by inflation.

Contrary to some claims, Social Security has not contributed a penny to the federal deficit and is not in crisis. Social Security has a $2.7 trillion trust fund and can pay full all promised benefits in full for the next twenty five years. After that, it can pay three quarters of promised benefits and it can be restored to long-term actuarial balance without cutting benefits. The program's revenue shortfall over 75 years is comparable to the revenues needed to pay for Bush-era tax cuts for the wealthiest 2 percent of Americans. More than 80 percent of this revenue shortfall could be closed by eliminating the cap on wages that are subject to the payroll tax (currently set at $106,800), even if higher benefits were paid to those earning above that amount.

The AFL-CIO is committed to legislation that promotes workers' retirement security, such as legislation that protects and strengthens defined benefit pension plans and legislation that ensures long-term solvency for Social Security without cutting benefits.

If elected, would you support measures to ensure employer responsibility in providing workers with a secure retirement?

Yes

If elected, would you oppose measures to replace any part of Social Security's guaranteed benefits with individual investment accounts?

Yes

If elected, would you oppose efforts to reduce Social Security's guaranteed benefits under current law, including proposals: (1) to increase the retirement age (which is already increasing to 67 under current law), (2) change the calculation for the cost of living adjustment, (3) change the benefit formula, or (4) institute means testing?

I believe that Congress and the President must work together to put Social Security on a sound financial basis for future retirees as well as those currently receiving benefits. A solution will require both additional revenues and changes in benefits, but any changes in benefits must ensure that Social Security continues to provide a solid foundation for a secure retirement, particularly to those who rely on it for their day-to-day well-being.

9. OCCUPATIONAL SAFETY AND HEALTH

Four decades ago, Congress enacted the Occupational Safety and Health Act (OSH Act) in response to the unacceptable numbers of workers who were being killed or seriously injured in the workplace. Since then, significant progress has been made, but the toll of workplace injuries, illnesses and fatalities remains high. Each year thousands of workers are killed and millions more injured or diseased because of their jobs. And some groups of workers, including Latino workers and immigrant workers, are at much greater risk due to the dangerous conditions and lack of protections. Millions of workers are not covered by the law, and for other workers, protections are inadequate.

After eight years of hostility and neglect by the Bush Administration, the Obama Administration has moved to strengthen worker safety protections by appointing strong worker safety and health advocates to head OSHA and MSHA, increased the job safety budget, enhanced enforcement and has been developing much needed safety and health rules.

During the 111th Congress, legislation was proposed to expand the OSH Act's coverage to all workers, to strengthen whistleblower protections and to strengthen enforcement, all of which the AFL-CIO strongly supports.

The 112th Congress ushered in an era of budget cuts and attacks on regulatory safeguards to protect workers, the public and the environment. House Republicans pushed numerous pieces of legislation that would roll back and stop important protections and virtually shut down the entire process for issuing all regulations.

If elected, would you support legislation to extend OSHA coverage to the millions of state and local employees currently excluded from the OSH Act?

Yes

If elected, would you support legislation to strengthen whistleblower protections for workers who raise job safety concerns?

Yes

If elected, would you support legislation that would make criminal violations involving a death of a worker a felony instead of a misdemeanor?

Yes

If elected, would you support increases in the job safety budget to strengthen standard setting, enforcement and worker safety and health training programs?

Yes

If elected, would you oppose efforts to weaken or defund OSHA's and MSHA's regulatory and enforcement programs?

Yes

If elected, would you oppose legislation that would make it more difficult or impossible for government agencies to develop and issue new needed safeguards to protect workers, the public and consumers?

Yes

10. IMMIGRANT WORKERS

The AFL-CIO supports comprehensive immigration reform and opposes enforcement-only efforts. Immigration reform must be done in a comprehensive manner to protect U.S. workers and reduce the exploitation of immigrant workers. The most effective way to eliminate the competitive advantage unscrupulous employers gain by hiring undocumented immigrants rather than legal immigrants and U.S. workers at prevailing wages is to ensure all workers -- immigrant and native-born – have the full protection of labor, health and safety and other laws.

Immigration reform must include five major interconnected pieces: (1) an independent commission to assess and manage future flows if immigrant workers, based on labor market shortages that are determined on the basis of actual need; (2) a secure and effective worker authorization mechanism; (3) rational operational control of the U.S. border; (4) adjustment of status for the current undocumented population; and (5) improvement, not expansion, of temporary worker visa programs, limited to temporary and seasonal, not permanent jobs.

If elected, would you support comprehensive immigration reform and oppose enforcement-only legislation?

Yes

If elected, would you support legislation that provides otherwise law-abiding undocumented workers and their families permanent legal status through an earned legalization program?

I have long felt that our approach to immigration reform should be a comprehensive one. It is my firm belief that strong border control and effective law enforcement are essential parts of any effective immigration reform measure. However, such legislation must also include provisions to ensure the responsible and fair treatment of long-term immigrants, with an earned legalization component.

If elected, would you support immigration reform that protects all workers by establishing an independent commission that makes rational assessments of short-term and long-term labor market shortages and makes recommendations based on actual labor market need?

I believe such a proposal would have merit but would like to examine it within the context of immigration reform legislation.

If elected, would you support efforts to reform existing temporary worker programs by enhancing workplace protections, strengthening oversight and enforcement and creating new methods to investigate and penalize employers who abuse workers?

Yes

11. EDUCATION

It is in the interest of our nation that we maintain quality public education for all of our children. Private school vouchers, K-12 education savings accounts and other schemes, such as education tax credits for K-12 private school expenses, undermine public education by taking scarce public funds away from public schools, which are open to all students, and shifting them to private schools.

Too many of our nation's rural, suburban and urban public schools are overcrowded and in poor condition. A growing number of public schools all across the country are being forced to set up classrooms in trailers, hallways and closets in order to accommodate their rapidly rising enrollments. One-third of all public schools also need extensive repair or replacement.

If elected, would you oppose all private school voucher proposals and other schemes intended to divert taxpayer dollars from public to private schools?

Yes

If elected, would you support legislation that would help states and local school districts reduce their class size, provide professional development and supports for teachers and other school staff – particularly for staff working in schools serving high numbers of disadvantaged students.

Yes

If elected would you support proposals to increase federal support for school repair, construction and modernization projects at local prevailing wages?

Yes

12. PRIVATIZATION

Citing budgetary pressures and, in some cases, ideology, government officials continue to support the widespread use of private contractors to perform government work. However, recent studies have found that cronyism, cost overruns and poor performance often result from the rush to contract public work to the private sector. These studies have shown that privatization schemes are often shortsighted and unnecessary. Moreover, our nation should not be relying on private firms to make crucial decisions where confidentiality, unbiased information and public accountability are paramount.

If elected, would you oppose efforts to privatize public services and instead support efforts to work with public employees to improve services through cooperative job redesign, training and labor-management coordination?

Yes

13. NONDISCRIMINATION IN THE WORKPLACE

Since there is no federal law that prohibits employment discrimination on the basis of sexual orientation, it is currently legal to fire working men and women in 33 states because of their sexual orientation. As a result, working people can be denied employment opportunities on the basis of

something that has no relationship to their ability to perform their work. The AFL-CIO strongly opposes employment discrimination based on sexual orientation.

If elected, would you support legislation to outlaw employment discrimination based on sexual orientation?

Yes

14. 11. EQUAL PAY

In 1963, Congress passed the Equal Pay Act to end the widespread practice of pay discrimination against women. The Equal Pay Act makes it unlawful to pay women less than men for work deemed substantially equal and/or identical, unless the pay difference is based on seniority, experience or other legitimate factors. Although equal pay has been the law for 44 years, women with similar education, skills and experience are still paid less than their male counterparts.

If elected, would you support federal legislation to end pay discrimination against women and provide more effective remedies for its victims?

Yes

15. DISTRICT OF COLUMBIA VOTING RIGHTS

More than 500,000 U.S. citizens live in our nation's capital and fulfill the responsibilities of citizenship every day. However, while they serve in the armed forces, pay federal taxes, and sit on federal juries, they have no voting representation in the U.S. Congress. This intolerable situation is an affront to the very principles of democracy we hold dear.

If elected, would you support legislation that would partially remedy this grave injustice by allowing the delegate elected by citizens of the District of Columbia to vote in the House of Representatives?

Yes

Please return Completed Questionnaire to:
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AND
AFL-CIO Legislative Department, 815 16th St., NW, Washington, DC 20006
AND
Central Labor Council, MWC, AFL-CIO, 888 16th St., N.W. Suite 520, Washington, D.C. 20006, rpowell@dclabor.org, 202-974-8154, Fax: 202-974-8152