

# **Political/Legislative Policy Committee**

## **Report to the AFA-CWA BOD 2018**

### **Introduction**

The AFA Political/Legislative Policy Committee continues to teleconference once a month and meet at least once a year. Government Affairs Director Steve Schembs facilitates the meetings and provides information. Topics for discussion include ongoing legislation, elections and FlightPAC. Our “Fight For Ten” in the FAA Reauthorization has been a priority, and we are hopeful that a FAA Reauthorization bill will be passed before the August recess. For AFA to have political visibility and an active role in promoting our legislative agenda, we stress the importance of contributing to FlightPAC to help elect a pro-Flight Attendant Congress. As the midterm elections approach, we encourage our Councils to actively engage membership in the Get-Out-The-Vote activities.

### **Labor, Trump and the Republican Congress**

During the 2016 election, then candidate Trump made promises and gave hope to workers, that he would put their interests first. One year into his presidency and a Republican controlled Congress, it is perfectly clear that working class priorities have not just taken a back seat to corporate interests, but are the target of an anti-worker agenda. Labor’s collective voice and unions with collective bargaining agreements are seen as impediments to corporate profit and power.

One of the first signs that President Trump’s policies would diverge from his campaign promises was his nomination of Andy Puzder to be Secretary of Labor. Mr Puzder, a fast-food chain CEO, had a record of wage violations and opposed raising the minimum wage. Due in part to an outcry from the public, he withdrew his nomination. Trump has since filled many DOL (Department of Labor) key positions with individuals with troubling anti-worker histories. President Trump is targeting the DOL for heavy funding cuts which would further cripple the mission of the agency to protect American workers. The DOL has already decreased field staff for OSHA (Occupational Health and Safety Administration). Employers will no longer be required to record job-related illness or accidental death on the job, which means that OSHA or the employer can not learn from those mistakes or incidents.

Also troubling are appointees to the NLRB (National Labor Relations Board), an agency which determines when and how workers can organize into unions. The Obama administration had made great strides to expand worker organizing rights. President Trump is rolling back these precedents and making it easier for employers to suppress organizing.

The Trump administration has taken aim at overtime pay protections of low to middle income workers and proposed server's tips be taken by their employer. The Economic Policy Institute has estimated that these failures to protect workers' pay could cost workers an estimated \$7billion per year!

With the passage of the Tax Cuts and Jobs Act, the rich just got "a lot richer," with overwhelming benefit to the top 1 percent whose tax cuts will be permanent. Low and moderate income families will have to do with temporary tax cuts.

### **What is "Right To Work?"**

The confusing term 'Right to Work' is a policy that requires unions to represent workers even if they don't pay their fair share. Unions are thus required to represent "free riders." There are 28 states with Right to Work laws. Who are RTW backers? Would it be a surprise to know that billionaire right wing organizations such as the National Right to Work Foundation, ALEC, the Bradley Foundation, the Freedom Foundation, and other corporate sponsors like the Koch brothers have spent millions because they care so much about working people and their free speech rights? The pretense that these corporate billionaires want to protect workers' rights is beyond cynical. In their own words they aim to "defund and defang unions." Right to Work is purely a power grab to weaken and destabilize unions, to profit even more on the backs of workers, to silence the collective voice at work.

In February the Supreme Court heard the case of Janus v. AFSCME, which would determine a public sector union's (AFSCME) ability to collect fair share fees - the portion of fees to collectively bargain and enforce contracts, With the recent Supreme Court appointment of Neil Gorsuch, who has a record of siding with corporate interests against workers, the bench is weighted more conservatively, and AFSCME and other public sector unions are bracing for an unfavorable outcome.

Our everyday heroes — teachers, firefighters, police officers, nurses, home care providers, government workers, park rangers, fish and game agents, service workers— find themselves in the cross hairs of wealthy corporate interests and anti-labor politicians who would like to turn their professions into low wage, no benefit, no representation jobs, or outsource or eliminate those jobs altogether.

Unions have always faced challenges, the attacks on workers and their rights are not new. The AFL-CIO and it's affiliates have implemented plans for such challenges and believe that not only will unions survive, but will grow stronger. While crucial decisions are being played out in the Courts, in Congress, and our State legislatures, unions are building upon their power in numbers and their ability to coalesce with community allies. Take heart with the teachers of West Virginia that solidarity works.

And have no doubt the anti-labor sharks are circling the private sector unions.....

### **Legislative Update**

These are unprecedented times. To say that the 115<sup>th</sup> Congress and the current Administration has proven to be a challenge in the legislative and regulatory arena would be an understatement. AFA has been very busy addressing the plethora of issues that affect our member. However, due to the extremely partisan atmosphere, nothing seems to be moving in any significant manner.

In Congress, the majority party has complete control over which bills get marked up, is granted time on the floor for debate or vote. The unfortunate effect that this toxic political climate has had on our legislative agenda is that it is more challenging than ever before to move anything forward.

### **The Fight for 10 and the FAA Reauthorization Act**

The House version of the FAA Reauthorization Bill (H.R. 2997 The 21<sup>st</sup> Century Aviation Innovation, Reform, and Reauthorization Act) includes AFA's top priority: a minimum of 10 hours irreducible rest as well as a Fatigue Risk Management Plan (FRMP). The bill has 22 cosponsors, including only three Democrats. The Senate version, (S. 1405 Federal Aviation Administration Reauthorization Act of 2017) has far weaker language on the fatigue issue and must include the House language with ten hours of irreducible rest for Flight Attendants. This bill currently has three cosponsors. Other components of both bills pertinent to Flight Attendants include the ban on mobile telephone calls on commercial aircraft and the establishment of airport lactation rooms for nursing mothers.

There have been some recent developments. A short-term extension of the FAA Bill was passed at the end of March which covers funding for the FAA through October 2018. The House and Senate bills will be rewritten into one bipartisan/bicameral four year FAA bill. Ensuring that 10 hours minimum, irreducible rest as well as a FRMP is included in the final version of this bill is AFA's top legislative priority and there is much work to be done to build support around this issue. AFA is planning a Day of Action on May 15, 2018. Mark this day on your calendar and plan on joining us to help to advance this critical issue!

### **Cabin Air Safety Act of 2017 (S.1626)-Sen. Blumenthal (D-CT)**

The Cabin Air Safety Act addresses the need to improve the safety of the air supply on commercial aircraft by providing training to airline crews and maintenance technicians on how to respond to incidents onboard involving smoke or fumes, mandating reporting on these incidents as well as the installation of bleed air monitoring equipment. This bill was included as an amendment to the FAA bill, however AFA prefers that we go much more in depth with this issue as far as the need for real accurate data around the bleed air issue. Often the symptoms of bleed air contact are confused with jet lag. This bill currently has two cosponsors and is not moving. AFA encourages all to rally around this critical issue and help to build the support needed to enable it to move.

### **The Flags of Convenience Don't Fly Here Act (H.R. 2150)-Rep. De Fazio (D-OR)**

This bill bans the Department of Transportation (DOT) from issuing a foreign air carrier under the U.S.-E.U. Air Transport Agreement (ATA). According to Article 17 bis of the pact, which states that air service under this agreement should not "undermine labor standards or the labor-related rights and principles contained in the parties' respective laws." The "Flag of Convenience" model poses a direct threat to U.S. airline jobs as well as to our national security. AFA has consistently been at the forefront of this fight and this remains one of our top priorities. This bill has also been attached to the FAA Reauthorization Bill and currently has 107 cosponsors.

### **No Knives on Planes Act of 2017 H.R. 3735 - Rep. Joyce (R-OH) and Rep Lipinski (D-IL) / S. 1785 Sen. Markey-(D-MA)**

Establishing a permanent ban on knives on the aircraft also remains a priority for AFA. It has been over 16 years since the 9/11 terror attacks and although knives are currently banned per TSA policy, there is nothing stopping the TSA from reversing that policy. With the lack of comprehensive security training and no means of self-defense for flight crews this issue remains at the forefront of our legislative agenda and we will not rest until passes legislation ensuring the ban is permanent. The House bill has six cosponsors. Senator Markey's bill, S. 1785, currently has no cosponsors.

### **Stopping Assault While Flying Enforcement Act of 2017 S. 1605 – Sen. Casey (D-PA) and Sen. Murray (D-WA)**

This bill calls for additional training for airline crews and a mechanism to report issues of sexual assault and harassment. In addition, a task force would be formed to address inflight sexual assault. AFA does have some issues with this particular piece of legislation. Although we strongly support any effort to address the issue of sexual assault or harassment on the aircraft, we believe there must be more data collected before training is implemented. This bill has six cosponsors.

### **Cyber Air Act S. 679 – Sen. Markey (D-MA)**

This bill directs the Department of Transportation (DOT) to require air carriers and manufacturers of aircraft to disclose to the FAA any attempt or successful cyber attack against any system onboard the aircraft. In turn, the FAA would use the information provided to improve regulations. In short, it is about hardening wi-fi systems and against hacking onboard the aircraft. This bill is also included as an amendment to the FAA bill and currently has one cosponsor. There is no House companion legislation at this time.

### **Secure Our Skies Act of 2017 H.R. 2602 – Rep. Titus (D-NV)**

H.R. 2602 requires each air carrier to provide front line employees with training to combat human trafficking. The Department of Homeland Security and the DOT will provide information such as the “Blue Lightning” training module for use for such trainings. The purpose of this bill is to clarify what the components of the training should be. The “Blue Lightning” initiative provides a voluntary mechanism to identify potential human trafficking victims and to notify the proper authorities for front line airline employees. This bill has no cosponsors.

### **SEAT Act of 2017 S. 596 – Sen. Blumenthal (D-CT)**

This particular bill directs the FAA to establish minimum standards for seat side, width and pitch, the amount of legroom and width of the aisles. It also mandates that air carriers prominently display these statistics on their websites. It is AFA’s position, that it would be constructive if the FAA could actually demonstrate what is safe rather than set arbitrary guidelines. This bill has four cosponsors and its companion legislation, H.R. 1467 introduced by Rep. Steve Cohen (D-TN), currently has eight cosponsors.

### **Free to Fly Act H.R. 5000 – Rep. Brat (R-VA)**

In a nutshell, this piece of legislation is atrocious. It calls for the complete elimination of all foreign ownership regulations for airlines. It currently has no cosponsors. Worth noting is the fact that Congressman Brat, who introduced this bill is facing a challenge by Dan Ward, a United pilot and ALPA representative in the 2018 Midterm elections.

## **PAC More Power - FlightPAC**

When it comes to money in politics, airlines and corporations have deep pockets, but AFA has something better: nearly 50,000 members and their families.

FlightPAC is a non-partisan political action committee (PAC) that fights for Flight Attendants' political power. It is your chance to have our voices – and the issues Flight Attendants care about – heard at the local, state and national levels of government. Voluntary contributions to the fund goes toward campaigns and candidates that defend Flight Attendants' rights.

Some of the most important work we do at AFA is at the bargaining table--gaining better wages, working conditions, and terms of employment for our members. But again, and again, we see how unions can be weakened and how a single action of Congress can eliminate advances made at the bargaining table. Virtually every day Congress makes decisions that vitally affect us – regarding collective bargaining rights, airline policies, health and security, the FAA budget, pensions and aviation regulations. The list is endless. That is why it is especially important for AFA members to get involved in the democratic process. MEC's and LEC's must have active Government Affairs Committees and members should join to work on elections, educate members on the issues, and lobby for our interests.

Corporate PACs oppose the interests of AFA members and pour millions of dollars in campaigns, in every election, outspending labor PACs. For example, in 2017 Airlines spent over 19 million dollars just hiring lobbyist to advocate for their issues.

We will never be able to match the opposition dollar for dollar, but we can increase our funding to a degree that will make Flight Attendant friendly candidates viable contenders.

The Legislative Policy Committee's goal is to have as many of every LEC's membership contributing to the AFA PAC and participating in some way in the political process. We hope you become more involved in the political and legislative arenas. The AFA Government Affairs Department is here to help you do that.

## **Setting PAC Goals**

AFA PAC checkoff is the most effective way to raise voluntary funds for AFA Flight PAC. Checkoff allows a member to authorize a voluntary contribution to be deducted from his/her paycheck and sent directly to AFA PAC.

There is tremendous potential in checkoff. It has the great advantage of requiring only a small commitment from each member to accumulate large sums of money as a group. If half of AFA's estimated 50,000 members each checked off only \$4.00 per month from their paychecks, we would raise \$1.2 million a year for Flight PAC. Currently, 0.02% of AFA members contribute. It is vital for each LEC to set a goal of the percentage of members it intends to engage in the program. The best way we have found to get members to sign up for checkoff is through direct personal contact. If you have a chance to explain in person the importance of FlightPAC checkoff and the ease of deducting a portion of the paycheck, members are much more likely to sign the checkoff authorization card.

Approach your local members individually. More importantly, use every gathering of the LEC to promote PAC contributions. In a large group, you can save time and energy by stating your message once for everyone. Additionally, once a few people sign up, there is more positive peer influence on the rest to follow suit. We highly recommend starting with your MEC and LEC Officers.

## **Establishing Checkoff**

If your airline does not already have the right to checkoff, there are two main methods of attaining that right.

**1. Negotiate with the employer** - PAC checkoff is a legitimate item for collective bargaining that can be negotiated.

### **2. Non-Negotiable Rights to Checkoff**

Under federal election law, if your employer or any of its subsidiaries, branches, divisions, or affiliates uses a payroll deduction plan (checkoff) to collect political contributions from its managerial, non-bargaining unit employees and/or shareholders for its own federal PAC, then the union has an automatic, non-negotiable right to use the employer's payroll checkoff system for its members to make voluntary contributions.

## **Government Affairs-Electoral Work**

The 2016 Election of Donald Trump as President has mobilized Flight Attendants and other union members throughout the country to act on behalf of working families in productive ways. Although many of our members cast ballots for President Donald Trump, his campaign promises have fallen short on helping working class families, and the right to join together in union for better pay and working conditions is under constant assault from the Administration and the anti-labor Congress.

Congress has proven dysfunctional on basic measures to keep our country running, as evidenced by the stop-gap FAA Reauthorization Bills over the last 2 years that have fallen short of anything other than temporary funding measures to keep the FAA and TSA running. Gerrymandering has created a situation where Congressmen come from safe districts drawn to be D or R, so meeting in the middle isn't something they have to do to protect their seats.

In spite of Russian meddling in the 2016 elections, 2017 election results have proven better for union members and their families, and 2018 will be yet another year to help stop Trump's anti-labor agenda that threatens our right to union security clauses, overtime pay, Family Leave, decent pay, adequate crew rest, and other critical issues important to our members and families.

Getting many of our members to see the "big picture" can be a challenge, but the 2016 election was a wake-up call for many rank and file members to get involved, whether through a monthly contribution to Flight-COPE PAC or volunteering at the local AFL-CIO phone-bank. We need to keep up the momentum and impress upon our members that Congress is elected EVERY 2 YEARS, and the midterm elections in November, 2018 are an opportunity to stop the bleeding for working families and exert what little power union members and their families have left. With US unionization at 11% and in jeopardy of deteriorating further when the Supreme Court comes out with the Janus Decision (case involving union security at AFSME and other public unions) this summer, it's time for union members to join together with trade unionists in other professions to have our voices heard loud and clear this November.

Although AFA is independent of either party, the Democratic Party still holds the best promise of furthering a working class agenda that helps lift all boats. We will continue to find champions in both parties to carry our water, but looking at vulnerable seats is always an opportunity to get our issues heard and out front.



The AFL-CIO has a goal of involving up to 2% of our membership in Electoral Work, and that can't be done without a strategy of involving our members starting at the committee level and working our way up to coordination with the AFL-CIO and the CWA Districts. Although budget-conscious LECs may not see the value in paying per capita to the AFL-CIO, it's well-worth the money to combine electoral efforts with like-minded union members in furthering our agenda.

We have also attached the 2018 AFA questionnaire, if you are contacted by candidates running in November. Remember, only the AFA Policy Committee can endorse candidates. There's nothing like getting a commitment on our issues for help with Open Skies, Minimum Crew Rest, etc. than when the candidates need our help getting elected! Once they are in office, the public officials may not be as responsive. We need to be involved in every step of the process, including who goes to Washington in the first place.

Please be mindful of voter registration deadlines in your state and communicate that with your membership. The AFL-CIO should have a slate of candidates screened for support that can be communicated with your membership as well.

Some things to know:

### **Early Voting**

Absentee and early voting has proven to be the margin of difference in many political races. In 32+ states, early voting is the process by which voters can cast their vote on a single or series of days prior to an election. Early voting can take place remotely, such as by mail, or in person, or usually in designated early voting polling stations. An advance poll (also "advance voting") is held in some elections to allow participation by voters who may not be able to vote on the set election day(s). This may include people who will be out of the polling area during the election period.

### **Grassroots Lobbying**

Grassroots lobbying and advocacy can be viewed as the natural continuation of a political campaign. While the political campaign worked to get those that support our issues into elected office, it is now important to work to get those elected officials to carry through with their promises and advance our issues. Communication from constituents often has a large impact. For those legislators that are undecided how to vote on an issue, as few as 30 letters from individuals in their district or state can affect their vote. These "undecided" legislators are the primary targets of grassroots campaign.

The traditional form of “lobbying” – advocacy on an issue, educating and communicating with members of Congress by a full-time professional representing an organization – has declined in importance and is being increasingly replaced by “grassroots” lobbying. Grassroots lobbying – or advocacy - puts voters directly in touch with their elected lawmakers and profoundly enhances the voice of those wishing to implement certain policies or sway important decisions.

Such a form of lobbying has the greatest impact as it presents a “human face” to the issues. Elected representatives are increasingly responsive to the pressure of grassroots lobbying efforts from those they are serving and representing. Washington lawmakers regularly take the pulse of public opinion from their home districts or states and they sometimes base their ultimate decision on whether to support or oppose specific legislation on the “mail count” or the number of contacts from all constituent communications for or against the issue.

As a voter and constituent, never underestimate your influence as an individual on your elected representatives. In a very real way, your lawmaker’s political career depends on your satisfaction with his/her performance. Remember, their primary job description is to represent YOU at the end of the day, because YOU pay their salary. We need to remind our members of this fact when we ask them to participate in the legislative process because, unfortunately, most constituent pressure comes from a relatively narrow base of more affluent special interests that have the resources, skills and time to make their narrow interests known in Congress.

Workers who have, in the past, relied on their organizations, like AFA, to speak on their behalf and to make their opinion known, must now also make direct contact with those representatives who need to hear their views directly. For this reason, AFA has chosen to supplement our traditional Washington lobbying effort with major grassroots lobbying and advocacy campaigns to strengthen the impact that all our members can have on the legislative process.

## **Conclusion**

The Political/Legislative Policy Committee is available to all councils in providing information and guidance to support or start government affairs committees. We encourage all members to participate in FlightPAC to help elect our non-partisan Friends in Congress in order to advance our legislative and political priorities.

Like a broken record, the Policy Committee reiterates that elections have consequences. Plan on a GOTV campaign, volunteer to phone bank, door knock, help a friend to the polls. Most importantly VOTE. Come this midterm election, it will be an election with consequences.

The Committee would like to thank the BOD and President Sara Nelson for their support. Our gratitude also to Steve Schembs for his guidance and patience.

Respectfully submitted,

Political/Legislative Policy Committee

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