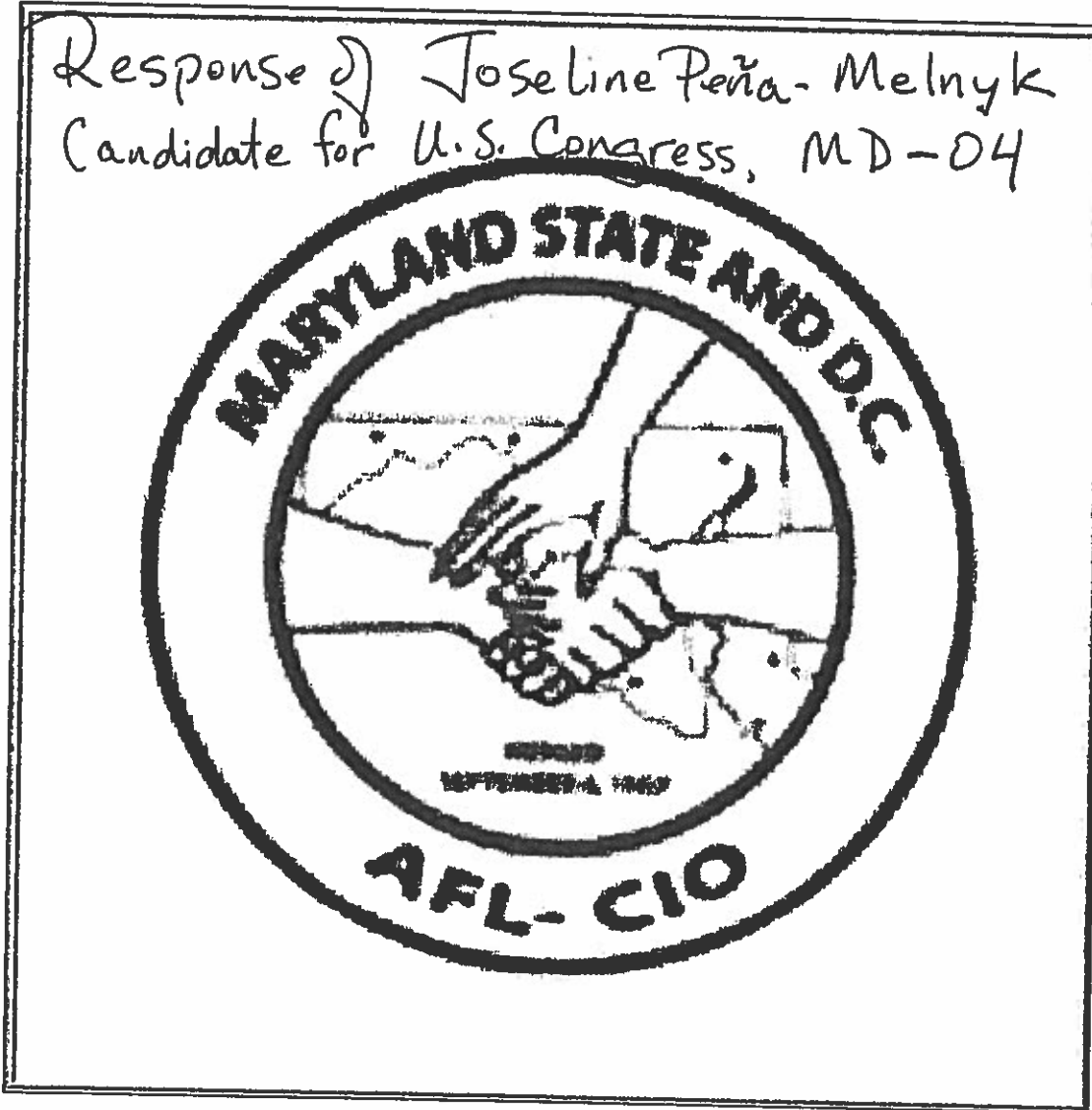


**Maryland State and District of Columbia AFL-CIO**

**2016 FEDERAL QUESTIONNAIRE**



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# Candidate Questionnaire

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*The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) is devoted to improving the lives of people who work.*

*We help working people who want to join together so they can bargain collectively with their employers to ensure that they are treated fairly, receive decent paychecks and benefits, have safe jobs, and are given respect and equal opportunities.*

*Our priorities include creating good family-supporting jobs by investing in schools, roads, bridges, ports and airports; improving the lives of workers through education, job training and a livable wage; keeping good jobs at home by reforming trade rules, reindustrializing the U.S. economy and redoubling efforts at worker protections in the global economy; strengthening Social Security and private pensions; ensuring fair tax policies; making high-quality, affordable health care available to everyone; reforming our immigration system to promote shared prosperity; and holding corporations more accountable for their actions.*

## **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. Workers who want to join together to form unions typically face intense employer opposition aimed at suppressing their freedom to unionize and bargain collectively. As a result, wages have stagnated, especially for workers on the lowest rungs of the job ladder—many of them women, minorities and immigrants—and fewer and fewer workers have secure pensions and decent health care coverage. 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, and 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, many employers refuse to engage in meaningful collective bargaining. One-third of newly formed unions are unable to achieve a first contract. The penalties for all these forms of employer misconduct are so mild they do not serve as a deterrent to future misconduct. The same holds true for transportation workers covered by the Railway Labor Act (RLA), whose rights are enforced by the National Mediation Board (NMB).

Meanwhile, corporate special interest groups have been working with Republicans in Congress to cripple the ability of the NLRB and the NMB to enforce the law. During the past two congresses, the House voted numerous times to cut funding for both agencies and to overturn decisions and prevent new rules from taking effect.

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 legislation that would restore the right to organize and engage in collective bargaining by (1) streamlining the process for allowing workers to choose whether to join a union, and protecting workers from intimidation and coercion; (2) strengthening remedies for interference with workers' rights; and (3) establishing first contract mediation and arbitration?*

Yes.

*If elected, would you publicly affirm the importance of unions to your communities and urge employers not to interfere when workers are deciding whether to form or join a union? Would you be willing to issue statements, attend rallies supporting organizing campaigns, and sponsor public forums to support the rights of workers to form a union?*

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 or the National Mediation 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 and RLA?*

Yes.

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

Yes.

## 2. JOBS AND THE ECONOMY

Budget austerity—in the U.S. and in Europe—has kept unemployment high and wages low. Economic growth would be higher and millions more Americans would have jobs if Washington had not turned to budget cutting in 2011, when the economy had still not recovered from the Great Recession. As a result of continued high unemployment and the erosion of workers' bargaining power, wages today are barely keeping up with inflation, and stagnant wages are hobbling the economy.

There is no sound economic reason to prioritize budget austerity over jobs and growth when the greatest economic challenge facing America is the jobs crisis. We urgently need to reorder Washington's misguided fiscal priorities. We cannot allow short-sighted budget austerity to prevent us from fixing the economy.

Congress still needs to pass jobs legislation that invests in infrastructure, education, and the energy sector and helps state and local governments avoid layoffs of teachers and first responders. Higher levels of investment in infrastructure, education and the energy sector put people to work in the short term and lay the foundations for long-term economic growth.

Investments in transportation operations and infrastructure create tens of thousands of well-paid jobs that cannot be offshored. Analysts have estimated that for every \$1 billion invested in transportation construction projects, as many as 35,000 jobs are created. At the same time, our roads, highways and bridges are crumbling while being subject to increasing capacity demands. Almost one in four bridges is structurally deficient or functionally obsolete. In 2013, the American Society of Civil Engineers gave our nation's infrastructure a grade of D+.

Similarly, public transit in America is also facing some significant challenges. Public transportation is an essential public service, and millions of workers rely on transit each day to commute to work, buy groceries, get to school and visit the doctor. But Federal funding is flat, and due to revenue shortages, public transit systems are carrying out some of the steepest fare increases and deepest service cuts in recent history, including eliminating entire routes.

Finally, one of the most important factors in our country's sluggish recovery from the Great Recession is the continued contraction of jobs in state and local government, even as private sector employment has picked up. State and local governments have cut vital programs and laid off or furloughed law enforcement employees and workers who provide critical services for seniors, children and others.

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

*Yes.*

*If elected, will you support a new multi-year surface transportation authorization with a dedicated source of funding segregated from the federal budget?*

*Yes.*

*If elected, would you support a multi-year transportation bill that increases funding for federal transit programs and provides for transit operating assistance for systems of all sizes?*

*Yes.*

*If elected, would you support additional fiscal relief to state and local governments to preserve vital public services and jobs, including health, education, transportation and first responders?*

Yes.

*If elected, would you support 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?*

Yes.

### 3. TRADE, MANUFACTURING AND THE GLOBAL ECONOMY

Long before the Great Recession, U.S. manufacturing had lost millions of jobs. Now, manufacturing is in even worse shape. Lack of consumer demand and access to credit have 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 21<sup>st</sup> 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.

In addition, uncompetitive state-owned/supported enterprises have begun to flood our goods and services markets with cheap products, harming workers and their families. Many of these companies are based in countries where collective bargaining is illegal. These companies are not required to make a profit because their governments absorb any losses, enabling them to undercut American companies and drive us out of their markets.

If the United States is to 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 over \$500 billion in 2012, 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 \$315 billion in 2012. We need a trade policy that puts a premium on promoting strategic exports and creating jobs here at home. The terms of trade and air service 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 World Trade Organization and other negotiations and actions do not undermine our ability to enact domestic health, safety, and workforce policies or to use trade laws effectively. We need to be vigilant in enforcing our trade laws. When other countries cheat, they gain jobs at the expense of American workers.

Trade deals have wide-ranging impacts and shouldn't be negotiated behind closed doors and then rubber-stamped. Proposed legislation to grant the President "fast track" trade promotion authority, the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (TPA-2015), would deprive Congress of its authority to influence future trade deals and speed through a corporate-driven trade

agenda. For decades, fast-tracked trade deals have devastated communities across the U.S. through lost jobs and eroded public services.

The current Trans-Pacific Partnership deal under discussion would cover 40 percent of the world's GDP. A deal this big should be debated in a full and open manner like every other piece of legislation. Of the rules tilted against labor and for global capital in the proposed agreement, one of the most egregious is investor-to-state dispute settlement, or ISDS. ISDS provides extraordinary legal rights to foreign investors so that they can seek taxpayer reimbursement for losses to expected profits from laws, regulations, administrative decisions or virtually any other government measure. The rights protected go far beyond traditional property rights and its private tribunals are staffed not by professional jurists sworn to promote the public interest, but by for-profit attorneys, many of whom represent investors when they are not sitting in judgment.

**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 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.

**Workers' 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 Labour Organization's core workers' rights. More must be done to ensure that the provisions we negotiate in our trade agreements 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 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 scrapping 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 oppose legislation that grants traditional fast track Trade Promotion Authority (TPA) to the President?*

Yes.

*If elected would you oppose the Trans-Pacific Partnership?*

Yes.

*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 export of goods and services rather than jobs?*

Yes.

*If elected, would you support policies that would protect U.S. industries from unfair competition from state-owned and supported enterprises?*

Yes.

*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?*

Yes.

*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?*

Trade agreements with China should require adherence to free

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

Yes.

ILO's core worker's rights

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

Yes.

*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?*

Yes.

#### 4. HEALTH CARE

The labor movement believes health care is a basic human right. America's labor movement has worked for more than a century for guaranteed high-quality health care for everyone.

The enactment of the Affordable Care Act (ACA) marked a notable step toward this goal through the expansion of comprehensive health insurance to 25 million more Americans, by

providing insurance market reforms, and by making coverage more affordable for many working families through premium subsidies and expanded Medicaid eligibility. However, the governors of many states have refused to implement the coverage expansions, and important work must be done to ensure that the ACA's Medicaid expansion is pursued in all 50 states.

In addition, federal agencies administering the ACA have interpreted the law in ways that are threatening the ability of workers to keep the health care coverage they currently receive. These agencies have inappropriately imposed fees and greater costs on many collectively bargained plans, unnecessarily driving coverage costs higher. In particular, many Taft-Hartley multiemployer plans – nonprofit health care funds established to cover workers who work for different employers throughout the year – face additional fees that Congress did not intend for them to bear.

The labor movement is working with the Obama administration and Congress to fix these implementation problems and to strengthen the law. We seek a level playing field for multiemployer health plans by making sure that they can access federal subsidies for health insurance, breaking the private insurance company monopoly on receipt of this support. We seek strengthened employer responsibility rules that remove the current incentive for employers to reduce their workers' hours. By requiring employers to make coverage contributions for all their employees, even those that work part-time, fewer employers can shirk this responsibility. Employers who do not support coverage must also face a more substantial penalty. In the construction industry, where the bulk of firms have less than 50 employees, the rules should apply to smaller employers.

We are also advancing policies to control the growth of health costs which continue to consume a greater and greater portion of workers' paychecks. Better efficiency and lower prices can be obtained from health care providers, pharmaceutical makers, and other medical suppliers by improving the leverage of health care purchasers and enacting payment reforms. Creating a public option in the health insurance exchanges would inject competition into local insurance markets, lowering costs and improving coverage. These mark additional steps toward our ultimate goal of achieving a single, high-quality standard of health care for the nation through a social insurance model such as "Medicare for all."

Finally, as strong supporters of health care reform, the AFL-CIO believes all women should have universal access to quality health care at a reasonable cost. The ACA provides that women will receive preventative health care benefits, including FDA-approved methods of birth control, without co-pays or deductibles. We oppose efforts to eliminate or restrict a woman's ability to access these benefits, thus limiting their ability to maintain their health and that of their families.

*If elected, would you work to improve the ACA to ensure that collectively-bargained health plans can continue providing comprehensive, affordable coverage for workers?*

Yes.



*If elected, would you work to repeal the misnamed "Cadillac tax" (the ACA excise tax on health benefits) and, in general, oppose any proposal to tax employment-based health care benefits?*

Yes.

*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?*

Yes.

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

Yes.

*If elected, would you work to support legislation to create a public option that will be available on the health insurance exchanges?*

Yes.

*If elected, would you oppose efforts to restrict access to FDA-approved birth control methods for working women?*

Yes.

*If elected, would you support broader employer shared responsibility requirements which cover part-time employees?*

Yes.

*If elected, would you work to restore access to affordable health coverage for immigrants authorized to live and work in the United States?*

Yes.

## 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 over 70.5 million low-income adults and 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. Since October 2013, when the initial healthcare marketplace open enrollment period began, Medicaid enrollment rose by almost 27 percent among states that implemented Medicaid expansion.

Medicare covers 50 million seniors and people with permanent disabilities, groups that historically have had great difficulty obtaining coverage. Unfortunately, in recent years, some members of Congress have sought to achieve budget savings from Medicare by shifting costs to beneficiaries in the name of "reform." In most of these cost-shifting proposals, beneficiaries would pay higher copayments for services or medicines under the logic that they would consume less. This approach to reform fails to recognize that most health care utilization is provider driven and that payment reform holds better promise in holding down costs. While Medicare is administered with relative efficiency, it is part of the overall health care system which is marked by poor cost effectiveness and inconsistent quality. To improve Medicare, careful reforms should be made to the delivery system, and beneficiaries – who have an average income of only \$22,000 per year – should not be expected to bear the brunt of savings sought from the program.

*If elected, would you oppose significant funding cuts for the Medicaid program, through block-granting, "per capita caps," 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?* Yes.

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

Yes.

## 6. 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.

Section 13 (c) of the Federal Transit Act protects the collective bargaining rights of hundreds of thousands of hundreds of thousands of urban, suburban and rural transit employees when federal funds are used to acquire, improve or operate a transit system. Section 13(c) fosters labor-management stability and assures a highly trained, experienced and safe workforce, allowing for the development of significant technological, structure and productivity improvements.

The current federal minimum wage of \$7.25 is 22% below its late 1960s peak after adjusting for inflation. Today, a full time minimum wage worker earns \$15,080 a year, which is \$8,000 below the poverty level for a family of four. Just under half of affected workers work full time, and 84% are adults older than 20. The majority of beneficiaries are women (58%) and the average affected worker brings home half of the family earnings. The situation for tipped workers, whose minimum wage has been stuck at \$2.13 an hour since 1991, is even worse. Almost three-quarters of tipped workers are women, and 16% live in poverty.

The U.S. Department of Labor estimates that as many as 30% of employers misclassify their employees as independent contractors, cheating these workers out of important workplace protections and benefits, including the right to organize and full coverage under the Fair Labor Standards Act. Federal and state governments lose an estimated \$3-4 billion a year, and honest employers are subject to higher workers' compensation and health insurance costs than their low-road competitors.

*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 will you fight to ensure that Section 13(c) transit labor protections continue to apply to all existing and new federal transit programs, including all "innovative finance" initiatives.*

*Yes,*

*If elected, would you support an effort to gradually increase the minimum wage to \$12.00 by 2020, phase out the subminimum wage for tipped workers, and index future increases to maintain a constant minimum wage-to-median wage ratio?*

*Yes.*

*If elected, would you support legislation to hold employers accountable for deliberate misclassification of employees in order to avoid taxes, including Social Security and Medicare, and workers' compensation and unemployment?*

*Yes.*

## 7. Work and Family Policies

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 percent 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 paid leave for workers caring for newborns or sick family members. 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.

The Fair Labor Standards Act requires employers to pay a time-and-a-half cash premium for work performed in excess of 40 hours per week. Under the guise of helping families balance work and family, some in Congress have proposed giving employers the option of offering compensatory time off, instead of a cash premium, for overtime work. Though supporters claim this legislation would give workers more flexibility and control over their schedules, in reality comp time proposals would undermine the 40-hour week – resulting in more workers working longer hours for less pay – and give flexibility and control to employers rather than workers.

Employees increasingly face just-in-time scheduling practices, including being given very little notice of their work schedules, being sent home early when work is slow without being paid for their scheduled shifts, and being assigned to call-in shifts or on-call shifts that require them to call their employer or wait to be called by their employer, often within two hours of their potential shift, to find out whether they will be required to report to work. The AFL-CIO supports legislation known as the Schedules that Work Act that would provide greater rights and protections to workers who face abusive scheduling practices.

*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 at least seven paid sick days per year?*

Yes.

*If elected, would you oppose legislation that would excuse employers from their obligation under the FLSA to pay a cash premium for overtime work if they offer their employees comp time off?*

Yes.

*If elected, would you support the Schedules that Work Act that would empower hourly employees with greater scheduling flexibility and certainty?*

Yes.

## 7. IMMIGRANT WORKERS

The AFL-CIO supports comprehensive immigration reform and has strongly advocated for keeping families together, creating a roadmap to citizenship, and halting the race to the bottom in wage and work standards by employers who are taking advantage of the failures in our immigration policy. 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 or captive guest workers is to ensure all workers -- immigrant and native-born -- are paid prevailing wages and have the full protection of labor, health and safety and other laws.

Immigration reform must include five major interconnected pieces: (1) a broad and inclusive roadmap to citizenship; (2) an independent, professional bureau to measure labor shortages and ensure that foreign workers are not being brought into the country to displace U.S. workers or lower industry wages and working conditions; (3) improvement, not expansion, of existing temporary worker programs; (4) a secure and effective work authorization mechanism that treats workers fairly; and (5) rational and humane border control measures.

In addition, the AFL-CIO has been calling upon the White House to halt unnecessary deportations since spring 2013 because our broken immigration system is an invitation for employer manipulation and abuse, and U.S.-born workers as well as immigrant workers are paying the price. We believe that President Obama's November 20, 2014 announcement was an important step toward rational and humane enforcement of immigration law, and that much more can and should be done. By extending relief and work authorization to an estimated 4 million people, the Obama Administration will help prevent unscrupulous employers from using unprotected workers to drive down wages and conditions for all workers in our country. Although this fix will be temporary, it will allow millions of people to live and work without fear, and afford them the status to assert their rights on the job. The Administration operated within its authority to advance the moral and economic interests of our country. We are actively defending the newly created programs, while pushing for further executive actions to protect workers who remain vulnerable to wage theft, retaliation, and other forms of exploitation.

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

Yes.

*If elected, would you support legislation that provides a timely and certain roadmap to citizenship?*

Yes.

*If elected, would you support immigration reform that protects all workers by establishing an independent bureau that makes rational assessments of short-term and long-term labor market shortages and makes recommendations on levels of new entry into the workforce based on actual labor market needs?*

Yes.

*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.

*If elected, would you oppose measures to defund or otherwise block deferred action and other much needed protections for immigrant workers?*

Yes

*If elected, would you support legislation to de-criminalize immigrant communities and draw clear lines of separation between immigration enforcement and law enforcement?*

Yes.

## 8. RETIREMENT AND INCOME 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 to maintain their standard of living in retirement -- is a staggering \$7.7 trillion. This gaping deficit is explained in large part by the fraying of our private pension system, with fewer private-sector workers now covered by traditional pension plans. In both state legislatures across the country and the U.S. Congress, budget cutters put public sector pensions in the budget bulls eye. In recent years, federal employees' out-of-pocket pension contribution has increased twice, and federal pensions remain a target in every budget debate. 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 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.

Against a backdrop of broad retirement insecurity, American workers rely on Social Security now more than ever. As important as they are, Social Security benefits are too low, only \$15,936 per year for the average retired worker -- little more than the full time minimum wage and only \$4,000 above the federal poverty level.

Contrary to some claims, Social Security has not added a dime to the federal debt nor has it contributed to projected long-term deficits because it is required to pay benefits from dedicated payroll tax revenues and savings from its trust fund. By law, it is prohibited from borrowing or going into debt. Moreover, Social Security is not in crisis. Social Security has a \$2.7 trillion trust fund and can pay all promised benefits in full until 2034. Thereafter, even without any changes to the program, Social Security will have sufficient revenue to pay 77 percent of scheduled benefits. Over the next 75 years, Social Security's modest funding shortfall amounts to less than one percent of GDP, and can be addressed without any benefit cuts to current or future retirees. Indeed, several recent proposals demonstrate that Social Security can achieve long term solvency by raising the cap on wages that are subject to the payroll tax (set at \$118,500 for 2015), as well as increase benefits for future retirees.

Disability benefits are another vital component of the program, and Congress must act to avert depletion of the Disability Insurance (DI) trust fund in late 2016, when incoming revenue will cover only 80% of benefits to current and future beneficiaries. This necessity, however, poses no crisis. As it has done many times, Congress can temporarily reallocate the Social Security payroll tax between the retirement trust fund (the Old-Age and Survivors Insurance or "OASDI" fund) and the DI trust fund, increasing DI's share of the 6.2 percent payroll tax would equalize the actuarial status of the two trust funds; neither would be depleted until 2033. Another approach is simply to combine the two funds, as there is no current rationale for two separate trust funds. The projected disability fund shortfall in 2016 masks the actual fundamental soundness of the program as a whole. Social Security's overall surplus of \$2 trillion is enough to pay 100 percent of all earned benefits, both retirement and disability, through 2033.

The AFL-CIO is committed to improving workers' retirement security through legislation that protects and strengthens defined benefit plans and legislation that not only ensures Social Security's long-term solvency, but also increases benefits.

*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 to: (1) increase the retirement age (which is already increasing to 67 under current law); (2) change the calculation for the annual cost of living adjustment; (3) change the benefit formula; or (4) institute means testing?*

Yes.

*If elected, would you support measures to strengthen retirement income security by increasing Social Security benefits?*

Yes

*If elected, would you support a temporary reallocation of the Social Security payroll tax between the OASDI and DI trust funds or a permanent combining of the two trust funds?*

Yes

*If elected, would you oppose proposals that cut federal employees' retirement benefits?*

Yes.

## 9. OCCUPATIONAL SAFETY AND HEALTH

Four decades ago, Congress enacted the Occupational Safety and Health Act (OSH Act) in response to the unacceptable number 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 moved to strengthen worker safety protections by appointing strong worker safety and health advocates to head OSHA and MSHA, increasing the job safety budget, and enhancing enforcement. Much needed safety and health rules, which started to move in 2009 and

stalled in the face of strong anti-regulatory attacks in the 112<sup>th</sup> and 113<sup>th</sup> Congresses, are again moving forward.

As noted, the 112<sup>th</sup> 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. These attacks have continued in the 113<sup>th</sup> Congress.

Workers need stronger safety and health protections. The OSH Act needs to be updated and strengthened. Legislation (The Protecting America's Workers Act) has been proposed in the past several congresses 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.

*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. 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.

*If elected, would you support maintaining an autonomous and adequately funded Consumer Financial Protection Bureau and support the single Director structure?* Yes.

*If elected, would you support increased funding to the Securities and Exchange Commission 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 elected, would you support increased funding to the Commodity Futures Trading Commission?*

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? Maryland allows both charter and public schools and I would continue to support the m.*  
*If elected, would you support legislation that would help states and local school districts reduce their class size, provide professional development and support 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. GOVERNMENT EMPLOYEES, PRIVATIZATION AND THE POSTAL SERVICE

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, inefficient and unnecessary. Moreover, our nation should not be relying on private firms to make crucial decisions where confidentiality, national security, unbiased information and public accountability are paramount.

Recognizing the sacrifices of veterans of the Armed Forces, Congress enacted laws to prevent veterans seeking federal jobs from being penalized for their time in military service. Veterans Preference recognizes the economic loss suffered by citizens who served their country in uniform,

restores veterans to a favorable competitive position for government employment and acknowledges the larger obligation owed to disabled veterans.

*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.

*If elected, would you support legislation that would prevent funding for OMB Circular A-76 privatization process activities until its well-documented problems have been corrected?*

Yes.

*If elected, would you support measures that would ensure equal caps on service contract spending so that civilian personnel and contractors are working under the same constraints?*

Yes

*If elected, would you oppose any legislation that would repeal or weaken Veterans' Preference?*

Yes.

*If elected, will you oppose proposals to cut the pay and benefits of federal and postal employees and support postal reforms that will maintain 2011 service standards by preserving the Postal Service's retail, processing and six-day delivery network?*

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.

Today, pregnant women are forced out of their jobs and denied reasonable accommodations that would enable them to continue working and supporting their families. The Pregnant Workers Fairness act would help end this discrimination and promote the health and economic security of pregnant women and their families.

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

Yes

*If elected, would you support legislation to outlaw discrimination against pregnant workers?*

Yes

### 14. 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. VOTING RIGHTS

In 2013, the Supreme Court crippled the 1965 Voting Rights Act by gutting the requirement that certain jurisdictions with a history of voting discrimination get preapproval before making changes to their voting laws. In response to the Shelby County v. Holder decision, Reps. James Sensenbrenner (R-WI) and John Conyers (D-MI) have introduced bi-partisan legislation to provide new tools to combat voter discrimination.

During the past two years, more than 30 states have introduced bills or enacted laws that would curb access to voting, including laws that are specifically designed to suppress the votes of people young voters, the disadvantaged and people of color. Florida and Texas both passed legislation to make it harder for volunteer organizations like the League of Women Voters to register voters. Several states require or are considering requiring a photo ID to vote. Additionally, some states including Kansas, are requiring citizens show proof of citizenship to register.

At the same time, 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 H.R. 885, legislation that would strengthen the 1965 Voting Right Act in response the decision in Shelby County?*

Yes.

*If elected, would you oppose efforts to erect any obstacle to voting, including those based on economic condition or race?*

Yes.

*If elected, would you support efforts to promote greater voter participation, including early voting?*

Yes.

*If elected, would you support universal voter registration and oppose all barriers to universal registration?*

Yes.

*If elected, would you support legislation that would allow the delegate elected by citizens of the District of Columbia to vote in the House of Representatives?*

Yes.

*If elected, would you support reversing the Buckley and Citizens United Supreme Court decisions?*

Yes

*If elected, would you support efforts to curb gerrymandering and restore faith in our democracy?*

Yes.

AFL-CIO Legislative Department  
815 16<sup>th</sup> Street, N.W.  
Washington, DC 20005  
202-637-5004

**THANK YOU FOR COMPLETING LABOR'S QUESTIONNAIRE!**

**PLEASE NOTE:**

All signed and completed questionnaires will be reviewed by leaders of that jurisdiction and an interview committee. Please make sure you have signed or it will be sent back to you.

All candidates seeking labor's endorsement must have officially filed with the State Board of Elections to be considered or scheduled for an interview.

You may also be requested to respond to additional questions after review of your responses.

**Your signed questionnaire MUST be received by September 11, 2015.**

*Signed hard copies (Original) should be mailed to:*

**Maryland State and D.C. AFL-CIO  
7 School Street  
Annapolis, MD 21401**

*Electronic copies can be emailed to:*

**[ktucker@mddcaflcio.org](mailto:ktucker@mddcaflcio.org)**

*Faxed copies can be sent to:*

**(410) 280-2956**

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