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2016 FEDERAL 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.

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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. In fact, I would not only cosponsor and vote for legislation to restore the right of Americans to organize unions and engage in collective bargaining, but I would help to make the case for such legislation across the country and in Congress. I believe that the right to organize is a constitutional right guaranteed by the First Amendment freedoms of speech, assembly and petition and also a fundamental human right. It is long past time to reform our labor laws to guarantee that workers can effectively exercise that right.

If you check out my website, you will see that I have long and openly advocated for sweeping labor law changes to vindicate these basic rights. I will co-sponsor and vigorously advocate for any legislation in Congress that creates a more expeditious and fair framework enabling employees to form and join unions, provides more meaningful remedies for unfair labor practices during organizing efforts

(and at other times), and requires binding arbitration to ensure that a first contract is reached if the parties are unable to reach agreement after employees select a union representative.

Here are a few of the key ideas I have been advocating on my website and on the campaign trail directly relevant to this question—I would love your feedback on these ideas, which do not come from existing legislation but from convictions and observations of my own:

**** End captive audience intimidation in the workplace. ****

During a union organizing drive, large employers now have free rein to force workers to attend mandatory anti-union indoctrination sessions run by the very managers who have the power to fire them. The law treats these sessions as employer “free speech,” but this practice turns employers into dictators in the workplace.

That’s wrong. I want to add a proviso to the dismal Taft-Hartley Act to say *employers are free to speak against unions as much as they choose, but they should never be able to force workers to listen as a part of their paid work and job description*. I’d make it an unfair labor practice to compel any employee to participate, on paid or unpaid time, in any persuasive communication by the employer with the object of stopping (or helping) a union organizing drive.

I have no problem with employers or anyone else exercising their First Amendment rights to put up billboards, or write letters to the editor, or tweet to their heart’s content against unions, or for unions, or something in between. That’s fine. But nothing in the First Amendment gives employers the right to force workers, on pain of being fired, to participate in anti-union propaganda sessions as part of their job.

After all, the law already forbids employers from campaigning in the workplace for federal and state political candidates, or forcing workers to listen to their views on sex or religion. That’s as it should be. We should take the same approach with respect to speech about union elections.

Or put it another way: If it’s sexual harassment to force your employee to listen while you make sexual comments about them, and if it’s illegal to force your employees into Christian or Jewish or Muslim or atheist indoctrination meetings on the job, then why should it be remotely legal to force your workers to submit to union-busting propaganda?

**** Put real teeth in penalties for labor law violations. ****

One of the ugly little secrets of the American workplace is that union-busting pays.

Currently, employers can violate labor law and never have to pay much more than a parking ticket, and sometimes not even that. They can fire the union supporters, terrify the rest of the workers, and only have to pay a few thousand dollars five or six years later in back pay minus whatever the employees made in jobs they went out to get to survive after the illegal firing. For plenty of large employers, that's just a trivial cost for doing business the union-busting way.

That's why I will fight for workers' rights by putting teeth into the law, for a change. I will introduce a bill:

- to allow workers to recover full economic damages, including the loss of union benefits they might have won, resulting from labor law violations. This would be the same measure of damages that already exists in antitrust and tort law, so it would correct the NLRB's current inability to order any damages beyond an individual worker's back pay at non-union rates;

- to abolish a mitigation requirement that cuts off a lawbreaker's liability when the lawbreaker's victim has to get another job to feed her or his family; and,

- to require law-breaking employers to recognize unions if they have fired pro-union workers illegally during the organizing drive in a way that materially undermines the union campaign.

**** Protect workers when mismanagement drives the business into bankruptcy. ****

Far too many innocent workers are forced to pay for bad management. Management is free to throw itself a party with huge executive salaries, bonuses, and wasteful corporate perks. When things are good, workers are told that running the company is none of their business and they should butt out. But when management drives the company into bankruptcy, suddenly workers and their unions get blamed and conscripted to the cleanup effort. They are told they have to lose their hard-fought wages and benefits to save the company.

This is outrageous. Yet, under the current bankruptcy law, management can run to a bankruptcy court to get rid of any part of the union protections it likes. Even worse, the workers do not even get a claim for damages after their contract is torn up.

I will fight to fix this situation. I'll introduce a bill to amend Section 1113 of the Bankruptcy Code so if workers' wages or benefits are cut during a bankruptcy, the workers get a priority claim for what they lost that puts them in line ahead of the banks and commercial creditors. This will give workers a bit of a say in what happens in the bankruptcy proceeding.

If management can't run the business right, it will have to turn its assets over to the workers who can shop for a better deal. The current bankruptcy laws are a bad joke, all at the expense of the workers.

**** Reverse *Hoffman Plastics* and protect the rights of union workers by stopping the exploitation of undocumented workers. ****

For decades, the union movement has been committed to the principle that if you work for a living, your rights to organize into a union should be protected whether you're documented or not. I completely agree. It's the right and logical thing to do. If undocumented workers don't have those rights, it means that every unscrupulous employer in the land will have an incentive to hire undocumented workers and then fire them if they act in solidarity with their co-workers.

That's not even close to fair. The rights of workers should be equal.

But in 2002, five Supreme Court justices decided exactly the opposite. In a case called *Hoffman Plastics v. NLRB*, they said that undocumented workers fired for organizing a union alongside their citizen co-workers could not receive back pay and other remedies. This decision is a nasty invitation to exploit millions of people in the undocumented work force and undercut the labor movement. I will work to overturn this decision and safeguard fairness for all working women and men, regardless of where they are born, what they look like, whom they love, where and whether they worship, what they believe, and how they live.

I was an early supporter of the Employee Free Choice Act and card-check rights, and I will support the Workplace Action for a Growing Economy Act recently introduced by Senator Patty Murray (D-WA) and Representative Bobby Scott (D-VA), which would create meaningful remedies for violations of federal labor law. Obviously I want to go further than these steps and would collaborate with my colleagues in Congress to revitalize American labor law.

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 and yes. I have always publicly and passionately supported workers' right to organize. In 2000, I was appointed by Governor Parris Glendening to be the first Chairperson of the state's Higher Education Labor Relations Board and served until 2005. With my colleagues, I wrote the rules protecting the right to organize and collectively bargain on Maryland's college and university campuses. In just five years, more than 8,000 Marylanders exercised their right to join unions and to win greater opportunities to participate in the workplace. This was a proud achievement for me.

As a State Senator, I've worked hard to stop race, sex, pregnancy, sexual orientation, gender identity, and age discrimination against workers. With Delegate Sheila Hixson, I introduced the Public School Labor Relations Act, which created a Board process that I modeled after the Higher Education Labor Relations Board, which I chaired in the higher education field. I have also introduced and fought for legislation to create bargaining rights for graduate assistants and adjunct faculty.

I understand that a Member of Congress has a mini-bully pulpit and I would use it to champion the rights of my constituents when they are being violated, including in the workplace.

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, this is essential. In Congress, in fact, I will move in the opposite direction and fight to repeal section 14(b) of the Taft-Hartley Act that has permitted conservative states to adopt right-to-work laws. In right-to-work states, wages are lower, benefits are worse and inequality is stark and seemingly intractable. Right-to-work laws burden unions with potentially millions of free riders who do not pay their fair share for representation. Thus, unions have to bargain, go to arbitration and spend their resources for workers who refuse to pay their dues -- this has to end for the sake of fairness and so we can revive a labor movement choking on anti-union laws.

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. The NLRB and the NMB must be able to do their critical work on behalf of American workers. Republicans in Congress continue to try to undermine these two critical institutions that protect workers' rights. They have held a series of hearings intended to harass and intimidate the agencies, threatened to cut their budgets, proposed budget riders to block appropriate agency actions (such as the NLRB's new election rules) and introduced legislation to abolish, hamstring and demoralize the agencies and their workers. In Congress, I will do everything I can to protect and strengthen the NLRB and the NMB.

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

Yes. There is no need for such restrictions because employees who do not support the union's politics already have the right to object to political and legislative activities they dislike and to petition for a so-called *Beck* rebate. Thus, objectors right now can arrange only to pay for activities directly related to collective bargaining under Supreme Court precedent. Other restrictions on the use of union dues for political purposes have nothing to do with free speech; they are a dagger directed at the heart of the labor movement and democratic politics.

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. These investments are badly needed because of America's rapidly crumbling infrastructure. The bridges are shaky, the trains are running off the track, the Metro system is deficient, the ports are vulnerable, and cybersecurity is compromised. We need what I'm calling a "Green Deal" in America, a massive investment in the infrastructure done in an environmentally positive and transformative way. This initiative could create millions of decent middle-class jobs that cannot be outsourced and it would

spark healthy economic development. Congress' failure to make these investments has slowed the pace of the recovery and badly skewed its character.

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

Yes, this is a crucial piece of legislation that will create record numbers of transportation infrastructure jobs and address the nation's eroding transportation systems. Congress' failure to enact a highway bill providing for consistent long-term funding has prevented state and local governments from making these critical investments.

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, absolutely.

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, states like Maryland must adopt balanced budgets by law and have no power or authority to engage in deficit spending to stimulate the economy during downturns to get the economy moving again. This option exists only at the federal level. I felt this bind very strongly after the Great Recession arrived in 2008: at a time when we needed to stimulate the economy in Maryland, we did not even have enough money, because of declining tax revenues, to pay for basic services, much less put unemployed people to work. States and localities cannot stimulate the economy during a recession but we must always be able to continue to provide core essential services. Fiscal relief from Congress will protect essential public services and strengthen prospects for rapid economic recovery.

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, it is high time to get rid of the "carried interest" provision, which misclassifies the income of hedge fund managers, and we need to adopt Congressman Van Hollen's proposal for a small financial transactions tax. The financial crisis was preceded by the worst levels of economic inequality seen since before the Great Depression, and we have not fundamentally altered the dynamics of economic inequality and financial speculation that set the stage for the calamitous crisis in 2008.

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 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.

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. Congress should be able to thoroughly review and debate trade agreements just as it does any other important piece of legislation given the devastating effects trade agreements have had on American and foreign workers, American economic growth, and the global environment.

If elected would you oppose the Trans-Pacific Partnership?

Yes, based on what I know of its terms. I have not seen it yet and make it a habit to read all legislation before I vote on it!

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, we have been facing a deficit of secure and well-paying jobs and the steady flight of our jobs overseas. I believe that our trade policy, at least since the adoption of NAFTA, has led to ludicrous trade imbalances, including more than \$500 billion a year several times, and an undermining of the rights and living standards of working people in this country.

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, there must be stronger trade law enforcement and muscular remedies to protect workers from unfair competition and to protect the environment from rampant pollution and exploitation. In U.S. trade agreements from NAFTA to the TPP, the federal government has claimed that the treaties guarantee high labor and environmental standards through various side agreements. But this has not proven true to a significant extent. While trade runs free, social protections have proven pathetically inadequate to stop the race to the bottom. Timid enforcement by Democratic and Republican presidents alike has allowed nations with weaker environmental, labor, workplace and social standards to exert a steady downward pull on our own living and working standards.

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. In particular, I oppose the TPP as it significantly undermines workers' rights and environmental standards (two areas that I have a proud record fighting for as a state senator). TPP drives down wages and benefits for American workers and erodes collective bargaining rights. Under the TPP, American workers will have to compete with workers in countries like Vietnam where the minimum wage is just 56 cents an hour. The TPP also authorizes corporations to challenge environmental laws that might adversely affect their future profits. Specifically, the Investor-State Dispute Resolution procedures in the TPP permit foreign corporations to sue in order to force products into the U.S. If federal or state labor or environmental laws block a product's entry to the American market, a three-member panel of international trade lawyers who are not subject to Senate confirmation or conflict of interest rules can impose large fines and damages until the laws are withdrawn. In the meantime, their decisions cannot be appealed to an appellate body in any U.S. court. That is an outrageous glimpse at a fairly dystopian future in which the political and juridical sovereignty of the state is transferred to private entities.

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. I oppose trade agreements that lead to systematic trade imbalances, displace American workers without providing any replacement work and training, and undermine efforts to protect the global environment. Corporations have already outsourced more than 3 million service sector jobs and the TPP will presumably make it easier for them to continue to do so. In the manufacturing sector, the U.S. lost nearly 700,000 jobs due to NAFTA, 2.7 million jobs as a result of the Permanent Normal Trade Relations with China, and 70,000 in the wake of the Korea Free Trade Agreement. The TPP will likely aggravate American job loss as it provides special benefits and reduces the risk for firms that offshore jobs. According to the Economic Policy Institute, the U.S. will lose more than 130,000 jobs to Vietnam and Japan alone. As I said in my previous response, I find the Investor-State Dispute Resolution procedures that allow foreign corporations to bypass national court systems to challenge environmental and workplace laws an egregious draining away of public sovereignty.

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 most effective way to address the trade imbalance with China is to tackle China's currency manipulation. China has tightly pegged its currency to the U.S. dollar at a rate that encourages a trade surplus with the U.S. The yuan has remained artificially low even as Chinese productivity has skyrocketed. Economist H.W. Brook estimates that the Chinese currency is still significantly undervalued. Millions more Americans would be employed without Chinese currency manipulation. I support changes to the WTO's rules to permit countries to impose tariffs on imports from currency manipulators. In Congress, I will push for passage of Representative Sander Levin's (D-MI) Currency Reform for Fair Trade Act of 2013 that would allow countervailing duties to be imposed to address subsidies relating to the undervalued currency of any foreign country.

In order to promote the rights of Chinese workers, I will press U.S. corporations that purchase goods made in China to enter into enforceable labor standards and monitoring agreements that extend all the way down through their supply chains. I will also press the administration, particularly the State Department, to prioritize human rights -- including and especially the right to form independent trade unions and engage in collective bargaining -- in all negotiations with the Chinese government.

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

Yes. Please see my response to the previous question.

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

Yes, I would champion this legislation. The Treasury Department estimates that the federal government loses over \$40 billion a year due to deferral of overseas income. Corporations should not be able to take advantage of tax loopholes at the expense of the American people and

the common good; they must pay their fair share like everyone else. Elimination of the deferral would also remove corporations' incentives to invest overseas instead of in the U.S.

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

Yes, I would oppose proposals for a tax holiday for repatriated income. While the plans have a worthy objective of creating incentives to invest in the U.S., corporations should not be allowed to pay lower taxes on foreign income than they otherwise pay on domestic profits. A similar holiday was granted in 2004, and a congressional study found that the companies that repatriated the most money actually cut jobs and spent less on research and development.

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

Absolutely. A territorial tax plan, such as that proposed by Senators Rob Portman (R-OH) and Chuck Schumer (D-NY), would allow all corporate profits earned in foreign countries to be exempt from U.S. income taxes or subject to a lower rate. The Tax Justice blog reports in July of this year that the plan would provide tax avoiders, such as Apple, Microsoft, and General Electric, new ways to avoid taxes. Ending corporate tax evasion is critical to fighting the drastic income inequality that is undermining democracy in America today.

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. Collectively bargained plans (particularly multi-employer plans) already produced many of the advantages of the ACA prior to its enactment. Because they are bargained, unions ensure that the plans provide affordable, comprehensive and quality care. The plans are also an important link between unions and their members.

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, working families should not have their hard-earned benefits taxed or slashed without any compensating action. Oftentimes, workers have traded higher wages for these better health benefits and this sacrifice cannot be disregarded. I would work with the labor movement to defend employment-based health care and work out financial solutions that do not abandon these hard-won victories.

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, I strongly support minimum nurse staffing ratios. In particular, I would advocate for Senator Barbara Boxer (D-CA)'s National Nursing Shortage Reform and Patient Advocacy Act of 2015. Similar legislation has been adopted in California and has produced positive outcomes. I would also support legislation that would prohibit mandatory overtime for nurses in our nation's hospitals. Mandatory overtime is injurious to nurses and patients.

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

Yes. Everyone has a right to quality healthcare and health care is a basic requirement of life and participation in contemporary democratic societies.

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

Yes, a public option would provide lower-cost insurance and force private insurers to lower their premiums. While the Affordable Care Act is a step in the right direction, I fully support moving our nation to a public option. I favor a single-payer plan as the most just and efficient model for health care delivery in a democratic society.

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

Yes, women have a fundamental constitutional right to control their own bodies and to access safe, effective and approved methods of birth control. I have a long record of championing and defending women's reproductive freedom. In the Maryland Senate, I have consistently fought to defend women's health choices and reproductive autonomy, most recently working to defeat an attempt to deny Medicaid funding for medically necessary abortions.

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

Yes. Employers have a responsibility to provide health care coverage to their employees. Employers should not cut hours or take other measures in order to avoid the coverage mandate. In the expanding retail sector and other sectors, employers are increasingly using part-time workers; the ACA mandate should be expanded to apply to those workers.

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

Yes. Millions of immigrants currently face legal barriers to accessing health care coverage. At the same time, they pick our crops, prepare our food, clean our buildings, and take care of our

frail and elderly citizens. Health care is a human right for all people authorized to live and work in the United States, and we will all benefit when all citizens have access to health care. Obviously germs and diseases don't draw a line between citizens and permanent resident noncitizens.

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. Significant Medicaid cuts would be harmful to our most vulnerable neighbors and also potentially crippling to states as costs would be shifted from the federal to state governments. The federal budget must not be balanced on the backs of Medicaid recipients, the poor, and overstretched state and local governments.

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, I oppose Medicare benefit reductions, cuts and sleights of hand. We need universal health care and charging our seniors more for coverage takes us in the wrong direction.

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

Yes, I fully support efforts to control the rising price of pharmaceutical drugs in Medicaid and Medicare. In particular, I support the Center of American Progress' proposals this year, which would lower drug costs and ensure that relative drug prices reflect the benefits to patients. Specifically, there must be transparency on research and development costs, categorizations of drugs based on their comparative effectiveness; voluntary recommendations of payment ranges to inform negotiations between payers and drug companies through use of a private independent organization; and incentives for drug companies to charge reasonable prices. I would also work to enable the government to negotiate prescription drug prices under Medicare, just like it does with Medicaid and the VA. That change alone will save billions of dollars a year for the Medicare program on which millions of American seniors depend.

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, I would oppose any legislation that weakens or repeals the Davis-Bacon Act. All workers deserve a living wage and the federal government should not permit its awesome purchasing power to be used to undercut prevailing wages. I am relieved that that the House of Representatives in April overwhelmingly rejected attacks on the Davis-Bacon Act in an amendment to H.R. 2029 -- The Military Construction and Veteran Affairs and Related Agencies Appropriation Act of 2016.

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, I'm an ardent advocate of increasing the minimum wage and, as Chair of the Montgomery County Senate delegation, organized every Montgomery County Senate colleague to sign on

early to the state minimum wage hike, which we passed in 2014. I support Senator Patty Murray (D-WA) and Robert Scott (D-VA)'s Raise the Wage Act of 2015 that includes the provisions referenced in your question. A \$12 minimum wage in 2020 would reverse the erosion of the minimum wage that largely occurred in the 1980s and indexing would prevent the minimum wage from lagging again. Raising the minimum wage would directly or indirectly raise wages for 35.1 million workers -- that is more than one in four employees. It would generally lift up wages across the board. Contrary to popular belief, most tipped work is low-paying -- the median wage for tipped workers in 2013 was \$10.22 an hour (38 percent less than the overall U.S. median wage).

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, employee misclassification should not be tolerated; it cheats workers and it cheats the government. I have fought hard against it in Annapolis, and wholeheartedly support Senator Robert Casey (D-PA)'s bill "to ensure employees are not classified as non-employees" (S. 1896) introduced in July.

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. I support that effort and believe it is a basic moral commitment to allow all workers family medical leave even if it is an economics question where exactly to draw the line in terms of firm size. In principle, no worker should lose his or her job because of illness or the need to care for a family member. In an April 2014 study, the Center for Economic and Policy Research analyzed firms with fewer than fifty employees that voluntarily complied with the FMLA and reported easy implementation and few negative effects, including no evidence that it would pose a financial hardship on these firms. Let's solve the line-drawing problem and move forward.

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

Yes. Hard-working Americans deserve to keep their wages when they are sick. The lack of paid sick days is bad employment policy and very bad public health policy. I join President Obama in calling Congress to pass the Healthy Families Act of 2015, which would require all businesses with more than 15 employees to offer up to seven paid sick days a year. The alternative is more sickness, stress and anxiety in the work force.

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. This legislation would undermine the 40-hour work week. Without an economic incentive not to overwork employees, employers will do so, particularly during peak periods, rather than spreading the work among more people by hiring new employees. Business claims that the legislation provides employees with more flexibility. But options already exist within the FLSA structure to provide employees flexibility such as flextime, compressed work weeks, and the use of compensatory time within the work week. The Economic Policy Institute reports that the legislation will lead to overemployment and an increase in economic volatility and unpredictability. We have far better ways to advance the interests that workers have in more time off for family and personal pursuits.

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

Yes. All employees deserve stable and predictable employment so they can take care of their families, continue their education, and, if necessary, work a second job. The Schedules that Work Act is a vital step on the path to rectifying the unpredictable and irregular work schedules

that hourly employees face in retail and other sectors. In fact, the bill will be beneficial to business as well because it will most likely reduce turnover and absenteeism.

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. I wholeheartedly support comprehensive immigration reform. I was a strong and outspoken supporter of the Maryland DREAM Act. In Congress, I'll work to provide immigrants a pathway to earned citizenship; to increase the number of H1B visas; to level sanctions against employers who violate the workplace rights of immigrants; and to advance a process for determining the need for and allocation of employment-based visas together with strong and enforceable protections to ensure that the granting of such visas does not undercut domestic labor standards. I'll also ensure that reform policies prioritize keeping families together and make it easier for immigrants to apply for a visa. Immigration reform should obviously provide law

enforcement with the tools to protect our borders from illegal entry but that policy is not remotely enough to repair the dysfunctional and unfair immigration system.

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. Workers entering the country as temporary workers are highly vulnerable to exploitation and temporary worker programs can be used to undercut prevailing wages and other labor standards. So enhanced workplace protections are essential.

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

Yes. President Obama's deferred action programs are a sensible, humane and lawful exercise of prosecutorial discretion. Moreover, their implementation would be good for the economy. The Center for American Progress calculated this year that the three deferred action programs (DACA, DAPA, and DACA expansion) would increase U.S. GDP by \$230 billion in a decade.

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 cross-hairs. 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, there are many reasons to oppose such measures. Here are just a few. First, death and disability insurance would be threatened - almost a third of Americans who collect Social Security payments are not retired workers. Second, Social Security's finance problem would get worse -- diverting two to four percent of payroll to create the accounts would significantly shorten the time until current benefit levels could be maintained only by raising taxes. Third, privatization of Social Security will significantly increase federal deficits and debt. Fourth, academic studies show that individual investors are more likely to do worse than institutional investors. Fifth, the payout from such private accounts would depend on whether the market for the assets in the account, stocks for example, is up or down when the worker retires; this shifts the risk of market volatility to individuals. Finally, the whole idea undermines the principle of social solidarity and mutual support that has been the backbone of Social Security.

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?

I would strongly resist all four proposals. Increasing the retirement age means that older workers will receive reduced benefits. For example, the Congressional Budget Office calculates that a one-year increase in the retirement age is equivalent to a reduction in the monthly benefit of between 5 and 8 percent. The AARP notes that changing the calculation of the cost of living adjustment to a chained CPI, which increases more slowly than the current calculation, would also effectively cut benefits and have a detrimental effect on older and disabled Americans and their family members. Rather than institute means testing, I will advocate strongly for removing the cap on Social Security taxes because teachers, small business people and janitors simply shouldn't pay a higher tax rate than CEOs. This change alone would solve the vast majority of a future financial imbalance in the system.

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

Yes. I would advocate in Congress for legislation to increase Social Security benefits. Given rising income inequality and declining retirement benefits and savings, an increasing portion of Americans now rely on Social Security for all or most of their retirement income. Specifically, middle-class wages have been largely flat for three decades and more than half of all workers have no access to employer-provided retirement plans, and four out of five working families

have retirement savings less than their annual income and 45 percent have no retirement assets. It is critical for Congress to phase out the current \$117,000 payroll tax cap - the cap should apply fairly to every dollar of wages. This will significantly extend the life of the Social Security Trust Fund. In 2014, workers who earn less than \$117,000 per year contributed 6.2 percent of all their wages in Social Security payroll taxes and those who earn more than \$117,000 pay no Social Security payroll taxes on the additional income. The payroll tax cap is a loophole for the rich. The phase-out would allow for a boost in Social Security benefits. I support Representative Gwen Moore (D-WI)'s Social Security Enhancement and Protection of Act of 2015. Furthermore, the enlargement of Social Security benefits will stimulate the economy because beneficiaries spend the vast majority of their money on real goods and services.

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?

I would support a permanent combining of the two trust funds. Congress has routinely authorized the shifting of funds between the two in the past on a bipartisan basis and DI and OASI are closely related and usually considered one program by the public. Moreover, the two programs have the same funding sources. Combining the two funds would resolve the short-term potential shortfall in the DI fund, but Congress should strengthen both by ensuring Social Security's overall solvency.

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

Yes. The government, like all employers, should provide for a decent retirement for its employees, and this is a serious contractual and ethical commitment. In *The Great Risk Shift: The Assault on American Jobs, Families, Health Care, and Retirement and How You Can Fight Back*, political scientist Jacob Hacker writes, "Over the last generation, we have witnessed a massive transfer of economic risk from broad structures of insurance, including those sponsored by the corporate sector as well as by government, onto the fragile balance sheets of American families." I will oppose any legislation that cuts federal employees' retirement benefits, which are essential not only to the specific employees involved but to the economy of our region. The economy-wide shift from defined benefit to defined contribution pension plans is deeply troubling and cuts to federal employees' retirement benefits would exacerbate that regressive trend. We should stop trying to balance the budget on the backs of federal workers and their pensions.

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 112th and 113th Congresses, are again moving forward.

As noted, 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. These attacks have continued in the 113th 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. All public employees deserve to be covered by OSHA just as they are by other federal employment laws like the Fair Labor Standards Act. I fully support Senator Al Franken (D-MN)'s Protecting America's Workers Act of 2015 as it expands OSHA's coverage to all public employees.

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

Yes. I strongly support and would introduce in the House parallel legislation to Senator's Franken's Protecting America's Workers Act of 2015. The Act increases protections for employees who report injuries, illnesses, or unsafe conditions to the employer, employer's agent, safety and health committee, or safety and health representative. Government cannot police the millions of workplaces in the U.S. Only if workers believe they are protected against retaliation will dangerous working conditions be reported and corrected.

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

Yes. The criminal penalty provisions of OSHA have not been updated since the law was enacted in 1970 and they are weaker than those in virtually all other safety and health and environmental laws. I fully support Senator Franken's Protecting America's Workers Act of 2015 that would provide, "any employer who knowingly violates any standard, rule, or order promulgated under section 6 of this Act, or of any regulation prescribed under this Act, and that violation caused or significantly contributed to the death of any employee shall, upon conviction, be punished by a

fine in accordance with title 18, United States Code, or by imprisonment for not more than 10 years, or both . . ."

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 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?

Yes.

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. The central purpose of President Johnson's Elementary and Secondary Education Act was to direct federal aid to disadvantaged students and districts and counterbalance the unfairness of a regressive funding system based on local property taxes. That purpose was largely lost in President Bush's No Child Left Behind Act. It is critical that federal dollars once again be used to advance educational equity and to support and bolster, rather than burden and demonize, teachers.

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

Yes. In many states, correctional facilities are more modern and in better repair than schools. That is unacceptable. In Annapolis, I worked to increase desperately needed school construction dollars.

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. In addition to medical care and education, we owe our returning servicemen and women access to meaningful and sustaining work. As a State Senator, I have consistently backed efforts to provide greater employment, educational and housing opportunities for Maryland's veterans.

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, absolutely. We must defend the pay and benefits of federal and postal employees and uphold the six-day delivery network.

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, absolutely—this is a high priority for me. I supported marriage equality in my first run for office in 2005 and led the Senate floor fight for marriage equality both in 2011 and 2012, fending off hostile floor amendments, carefully explaining the constitutional underpinnings of the legislation, and vividly describing the situation of gay and lesbian couples experiencing discrimination under the old law. I was also the floor leader for the Fairness for All Marylanders Act in 2014, guaranteeing the rights of transgender Marylanders to be treated equally in housing, public accommodations, and the workplace.

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

Yes, absolutely. I was the floor leader on similar legislation in Maryland just two years ago and I would support Senator Robert Casey (D-PA)'s Pregnant Workers Fairness Act of 2013. Fifteen states have now passed their own versions of the PWFA, including Nebraska, North Dakota, and West Virginia.

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. The fact that women continue to earn only 78 cents for every \$1 earned by men is unconscionable.

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, absolutely. As a proven and passionate fighter for voting rights, this will be a priority of mine.

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

Yes, of course. In the Maryland Senate, I played a key role in restoring the voting rights of ex-felons, successfully introduced legislation to lower the voter registration age to 16, promoted the change to allow 17-year olds to vote in party primaries if they will be 18 by November, and introduced and steered to passage the nation's first National Popular Vote law.

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

Yes, of course.

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

Yes, of course. I have been pushing for universal voter registration in Maryland.

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. The continued disenfranchisement of citizens living in the District of Columbia cannot be justified, and I have been a leading champion as a law professor and public official for securing full voting rights and political equality for the people of the District of Columbia, who live on land that used to be part of Maryland and are the only residents of a capital city on earth disenfranchised in their own national parliament.

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

Yes. After *Citizens United* was handed down, I successfully introduced legislation in Maryland requiring outside spenders to disclose their spending in state races, and I wrote a letter to Congress urging a constitutional amendment to reverse *Citizens United* that was signed by a majority of the General Assembly. I was the sole academic witness called by the U.S. Senate Judiciary Committee on June 3, 2014 to testify in favor of the Democrats' constitutional amendment, which every Democrat in Congress then voted to support. I have written numerous articles and reports for People of the American Way debunking the campaign finance dogmas of

what I call the “corporate Court” in “the *Citizens United* era.” I will continue Congressman Chris Van Hollen’s advocacy for the DISCLOSE Act to shine a light on the gushing rivers of special-interest dark money and I will also back the small donor-driven Government By the People Act introduced by Congressman John Sarbanes. If elected, I intend to play a central role in dethroning our new Big Money aristocracy and restoring movement towards popular democratic government.

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

Yes. The principle of one person-one vote is central to our democracy. And the weight and meaning of a citizen’s vote should not depend on which party controls the state legislature after the census. Partisan gerrymandering is a crass and undemocratic process in which politicians choose voters before voters choose politicians. I am advocating in Maryland an interstate compact between Maryland and Virginia in which both states consent to an independent redistricting commission which uses the best and most advanced techniques of democratic representation, including multi-member districts and proportional representation, to transcend the petty and embarrassing spectacle of gerrymandered elections. And we must understand that this is not only a democratic imperative but a Democratic imperative: in 2012, Democrats had more than 1.5 million votes more for representatives in Congress than the Republicans but Republicans ended up with 33 more seats in the House of Representatives than we did. All of that is because of Republican control over a majority of the state legislatures and the slicing and dicing of congressional district lines. We should take the lead in liberating America from the dysfunction and injustice of gerrymandered elections and Congressional delegations.

AFL-CIO Legislative Department
815 16th 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

Faxed copies can be sent to:

(410) 280-2956

opetu2,afclcio