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Many workers to benefit in 2012 from new Obama rules

By John Wojcik

Determined to slow down and even reverse parts of the attack on workers' rights by GOP lawmakers, the Obama administration moved under the radar over the last month to issue some of the most pro-worker rules the country has seen in 35 years.

The new rules cover union elections, hours of work and wages, among other things.

On union elections, the National Labor Relations Board approved a final in December that eliminates delays that bosses have traditionally used to thwart union organizing drives.

"The final rule will focus pre-election hearings on issues relevant to determining if there is a question concerning representation, provide for pre-election briefing only when it will assist decision makers, reduce piecemeal appeals, consolidate requests for review of regional directors' pre and post-election determinations into a single, post-election request, make review of post-election determinations discretionary, and eliminate duplicative regulations," the NLRB said. "The final rule will allow the board to more promptly determine if there is a question concerning representation and, if so, to resolve it by conducting a secret ballot election and certifying the results."

Unions have praised the decision. The stronger version of the changes that they had hoped for was thwarted by a big business-orchestrated cam-



paign. Companies filed 65,000 comments that the NLRB, under its rules, was forced to review before it came to its final decision on the package of more modest reform.

"It's good news that the NLRB has taken this modest but important step to help ensure workers who want to vote to form a union at their workplace get a fair opportunity to do so," said AFL-CIO President Richard Trumka.

The Obama Administration is ahead also on the question of helping workers who are forced to work long hours, past the point of fatigue.

Three years after a fatal plane crash near Buffalo, N.Y., the Federal Aviation Administration

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has issued rules limiting the hours that passenger plane pilots can consecutively fly - and lengthen-

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ing their in-between rest periods.

"The new rule incorporates the latest fatigue science to set different requirements for pilot flight time, duty period and rest based on the time of day pilots begin their first flight, the number of scheduled flight segments and the number of time zones they cross," the agency said.

Under the new rule, "allowable length of a flight duty period depends on when the pilot's day begins and the number of flight segments he or she is expected to fly, and ranges from 9-14 hours for single crew operations," the FAA said. "Flight duty begins when a crew member is required to report for duty, with the intention of conducting a flight, and ends when the aircraft is parked after the last flight. It includes time before a flight or between flights that a pilot is working without an intervening rest period." Rest periods are lengthened to 10 hours between flights, up from eight, it added.

Air Line Pilots Association President Capt. Lee Moak praised the agency for issuing the new rule. But the union says the same new rule should be extended to cover cargo carrier pilots also.

"For decades, ALPA fought for regulations based on modern science, application equally to

all types of airline operations, including domestic, international and supplemental, and for regulations that result in fatigue risk management systems," Koal said.

On a third front, the Labor Department's Wage and Hour Division has published a proposed rules change that would bring 2 million domestic workers under wage and pay laws.

The DOL's proposal, published Dec. 27, is an attempt to reduce the number of these workers who are exploited because it says that workers directly employed by a family or an individual are not the only ones protected by wage laws.

Domestic Workers United has hailed the new proposed rules: "All of the organizing among workers and allies to bring dignity and respect to home care work has paid off."

The 1974 act in Congress was insufficient, the DOL said, because it exempted "babysitters and companions who are not regular bread-winners responsible for the support of their families."

The Supreme Court used that legal loophole to leave most home caregivers out in the legal cold," said the DOL report.



John Wojeik is the People's World labor editor.

Bipartisan fetish will kill Medicare

By PW Editorial Board

The Washington Post recently hailed the latest congressional scheme to "heal" Medicare, the Ryan-Wyden plan.

Rep. Paul Ryan of Wisconsin is the lead Republican sponsor. Ryan found a second wind with the help of Oregon Democrat, Sen. Ron Wyden.

The Washington Post loved the whole bipartisan thing.

Really? Even if that means throwing aging parents and grandparents, neighbors and co-workers to the for-profit market forces?

Medicare, from its inception, has been under attack by the private, profit-hungry insurance industry and the political far right who believe no government (for the people) is good government (for the corporations). Politicians bemoan the rising cost of health care as a budget buster. So instead of cracking down on the source of rising costs - a for-profit health care system - they go after whatever public system is in place.

The scheme introduces vouchers and "competition" between Medicare and for-profit insurance companies. Remember Medicare Advantage?

Cost savings? Medicare Advantage costs were 13 percent higher than regular Medicare.

According to The New Republic's Jonathan Cohn, the debate goes to "whether our society should make a solemn guarantee to seniors" that "they will get a comprehensive set of health benefits that will be within their financial means."

The Obama administration was right to come out against the Ryan-Wyden plan, saying it would "end Medicare as we know it for millions."

Those who make a fetish of bipartisanship in order to get something done should know that it would not stop the free fall of public opinion towards Congress. Maybe the idea of sharing resources for the benefit of the whole population is more popular than the dysfunction of lawmakers trying to put the onus of the Wall Street-caused financial crisis on the backs of seniors and the most vulnerable.

You really want to lower health care costs? Provide a Medicare for All option! Open it up for people of all ages to buy into. That's real competition that would lower costs. And, if private insurance companies can't compete, so be it.

You really want to lower health care costs? Provide a Medicare for All option!

Communist Party initiates veterans committee

By John Bachtell

With the Iraq war officially over, leaving 4,500 U.S. troops and 100,000 Iraqis dead plus tens of thousands wounded, the soldiers who fought and experienced the horror are returning home. They're stepping out of one war zone and into another.

Faced with high rates of unemployment and discrimination in hiring, many are coping with horrific injuries and post traumatic stress disorder, fueling drug and alcohol abuse, and divorce and record suicide rates.

Others will simply to be shipped out again to Afghanistan.

The experience is causing veterans to draw basic conclusions about the real nature of U.S. foreign policy and even capitalism.

Understandably there's been an influx of veterans, including combat veterans, into the ranks of the Communist Party USA and Young Communist League. I spoke with some of these veterans, who asked me to use their first names.

Among those who joined recently, and are organizing a new CPUSA veterans committee, is Greg, who served as a military police at Bagram Air Force base in Afghanistan.

He said he still gets nightmares from what he witnessed travelling back and forth between Bagram, Kabul and Kandahar.

"A lot of veterans like myself go to war and want to do the right thing for our country," he said.

"We come home and can't even find jobs, not even part-time. I've found a lot of companies are hesitant to hire veterans, because veterans may have mental or physical issues. That shouldn't be."

Greg said he's also experienced racism and ageism.

"When I got home my old company hired me back like they were supposed to. But soon after, that they laid me off which happens to a lot of vet-



erans," Greg said.

"That really pushed me over the edge. I had read a lot of the history of the party. The next day I got on line and joined the CPUSA," he said.

The son of a Detroit autoworker, Greg said his family told him he did the right thing when he went home for Thanksgiving.

"You were always the rebel of the family," he said they told him.

Greg is active in the growing movement of the unemployed in Chicago, and is concerned about what the returning troops will do for work.

Another veteran, Frank, joined the CPUSA in September. He grew up east of Los Angeles, amid the foothills of the picturesque San Gabriel Mountains. Orange and avocado groves surrounded his hometown.

By the time he graduated high school they were replaced by a growing population and industry associated with the Vietnam War buildup.

Frank was drafted and spent two years in the Army. He was trained as a tank commander and saw combat in Vietnam, serving a tour of duty.

"Little by little, I realized in Vietnam, this supposed capitalist democracy wasn't working. This wasn't what the Vietnamese people needed. They would be much better off with socialism," Frank said.

There's been an influx of veterans into the ranks of the Communist Party USA.

New bill would open the way to cleaner ports

By Marilyn Bechtel

Members of Congress are stepping up the fight to overturn a longstanding roadblock to cleaning up air pollution affecting some 87 million people living near major U.S. ports, and to establishing fair working conditions for many of the 110,000 truck drivers serving the ports.

S. 2011, the Clean Ports Act, introduced Dec. 16 by Senator Kirsten Gillibrand, D-N.Y. with five other original co-sponsors, would give local governments new ways to make companies operating big-rig trucks at the ports comply with emissions limits. The measure is a companion bill to H.R. 572, earlier introduced into the House of Representatives by Rep. Jerrold Nadler, D-N.Y.

Gillibrand, a member of the Senate's Environment and Public Works Committee, said Congress "must act to provide New York, and cities all across the country, with the common sense tools they need to improve the quality of air and quality of life for millions of people."

The Clean Ports Act would clarify an obscure provision in the 30-year-old Motor Carrier Act barring local agencies from using their regulatory powers to enforce clean air standards.

This would open the way for regulations such as the Port of Los Angeles' attempt to require that trucking firms hire their drivers - now classified as "independent contractors" - as employees, and take responsibility to make sure the trucks meet environmental standards.

Though other provisions survived, that requirement was overturned when the American Trucking Associations sued to gut the port's Clean Trucks Program.

Under the Obama administration, the Labor Department is also working hard to end misclassification of the drivers and many other workers as independent contractors.

Se unen residentes para luchar contra terrateniente abusivo

Por David Bacon

Por su nombre, Doyle Gardens [Jardines Doyle] parece ser un complejo placentero de departamentos en donde los residentes puedan caminar por jardines verdes repletos de flores. Pero su nombre es una mentira.

Muy al contrario, en este grande complejo de apartamentos en el centro de Stockton subsisten los residentes, en su mayoría familias afroamericanas pobres y de clase trabajadora, en condiciones terribles. Patricia Norman indica la basura tirada fuera de su puerta. El lavabo de Yolanda Jackson está por derrumbarse, y la insolación desgastada en la puerta de su refrigeradora deja escapar el frío. Tomoro Hooper se siente desconsoladamente bajo los estantes de toallas quebrados en su cuarto de baño mientras su abuelita, Patricia Perkins, mira las grietas en el linóleo.

En el departamento de Laronda Tishell el baño también está cayendo a pedazos. Uno de los cajones en su cocina está quebrado. Si se le olvida y lo saca, caen todos sus utensilios de cocina al piso.

El residente discapacitado Ricky Cobb lee un aviso dejado en su puerta por el dueño, tan nervioso ya por el esfuerzo organizador que gente de la oficina del gerente ya toman cuenta de las reuniones y las visitas. Este otoño la tensión llegó a una crisis cuando 20 residentes y ex residentes pusieron un pleito judicial contra George García y Starr Property Management, la gerencia de los apartamentos. Dice la compañía que ya no maneja las propiedades de Doyle Gardens por García, que además de ser dueño del complejo, opera una compañía local de fianzas criminales.

Aunque parezcan extremas las

condiciones en Doyle Gardens, estas reflejan el alto nivel de pobreza en el Valle de San Joaquín, sobre todo entre familias afroamericanas. Según un reporte por Sarah Bohn, del Instituto de Política Pública de California, los condados del Valle Central cerca de Fresno (Merced, Tulare, Kings, Kern y San Joaquín) se cuentan entre los más pobres, con tasas de pobreza arriba del 20 por ciento. Stockton es la mayor ciudad del Condado de San Joaquín, en donde un 22 por ciento de la gente subsiste debajo de la línea de pobreza. En toda California, dice Bohn, sufren afroamericanos una tasa de pobreza de 22,1 por ciento.

Los 35.000 afroamericanos que viven en Stockton son el 12 por ciento de su población total. Con una tasa de apartamentos vacantes de 9,4 por ciento, pensaría uno que la gente pueda encontrar otro lugar en donde vivir. Pero se encuentran muchos residentes de Doyle Gardens atrapados por las restricciones en los subsidios del programa Sección 8, subsidios para los cuales califican por sus ingresos extremadamente bajos. En efecto, las autoridades de la vivienda están trabajando como los facilitadores de García cuando lo permitan seguir cobrando el subsidio mientras hace pocas o nada de reparaciones.

Hasta a los oficiales municipales que se encargan de aplicar los códigos de viviendas parece que muy poco les importa. Richard Dean, gerente de programas para la aplicación de códigos de vivienda dijo al periódico The Stockton Record que luego de ponerse el pleito judicial, García está "trabajando más o menos bien con nosotros," que "tiene un plan de manejo."

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