

California Labor Federation 2004 Biennial Convention Final Resolutions

SALARY OF THE PRESIDENT

WHEREAS, President Tom Rankin has announced he will retire after more than twenty years of outstanding service; now therefore be it

RESOLVED, that Article XI Section 1 found on page 30 of the Constitution be amended to read, "Section 1. The President shall receive a stipend of \$400.00 for each day he/she chairs meetings of the Executive Council and for each day he/she presides over a Convention of the Federation;" and be it further

RESOLVED, that Article XI Section 3 found on page 31 of the Constitution be amended to read, "The Executive Council, at its discretion, may, from time to time, raise the stipend set forth in Section 1 and/or the salary set forth in Section 2 of this Article during terms of office, based on the national and state economy, and utilizing the various Cost of Living indexes, contingent upon approval of the President of the AFL-CIO. Any increase in stipend and/or salary pursuant to this section shall be reflected in Section 1 and/or 2 of this Article, as appropriate, when this Constitution is printed as required by Article XIX."

SUPPORT THE WORKING FAMILIES/LABOR CHANNEL PROPOSAL

WHEREAS, the need to have regular labor media on television is vital to educate and defend the interests of working people; and

WHEREAS, information about labor and the trade union movement has been censored and marginalized from the mainstream media by corporate monopolies that dominate television, radio, and the newspaper industry; and

WHEREAS, labor must organize a labor media movement that produces regular labor programming on television and radio; and

WHEREAS, the lack of labor history education and the role of the trade union movement is missing from television, radio, and other media and is a necessary component in building a democratic society and protecting the interests of all working people; now therefore be it

RESOLVED, by this 25th Biennial Convention of the California Labor Federation, AFL-CIO, that the Federation endorse and support the establishment of the Working Families/Labor Channel Consortium initiated by Union Producers and Programmers Network and the California Community Colleges.

“NO MATCH DISCHARGES” – AN INJURY TO ONE IS AN INJURY TO ALL

WHEREAS, the Social Security Administration has sent certain employers located in the City and County of San Francisco so-called “No Match” letters indicating that an employee’s name and Social Security as reported by employer do not match; and

WHEREAS, these letters have resulted in the intimidation of unionized and non-unionized workers attempting to assert their workplace rights and threaten the employment of San Francisco workers, many of whom have been unemployed for many years; and

WHEREAS, these letters are advisory and meant to inform the workers and ensure that their earnings are properly credited so that they will be entitled to collect Social Security monies at the appropriate time; and

WHEREAS, these letters do not indicate that the named workers are undocumented or are otherwise precluded from continuing in their jobs and there is no penalty for employers based on the no-match letters; and

WHEREAS, the Social Security Administration is not an enforcement agency, but rather an agency charged with providing benefits to our nation’s workforce; and

WHEREAS, the Social Security Administration receives Social Security payments and its only proper role is to assure proper accounting for said funds; and

WHEREAS, unscrupulous employers, unionized and non-unionized, use this weapon to exploit workers on the job and

dismiss said employees for unlawful and unjust purposes; and

WHEREAS, these discharges for said stated reasons have been determined to be without “just cause” for discharge; and

WHEREAS, the urgent need to defend workers on the job is inextricably linked to labor’s task to organize all workers, immigrant and non-immigrant; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on all affiliated unions and community organizations to defend our immigrant sisters and brothers (organized and unorganized), provide training to shop floor and union leadership, and propose contract language guaranteeing immigrant worker rights; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO share this resolution with all central, state, and national labor bodies to ask for their consideration and support.

SUPPORT UNIVERSAL HEALTH CARE

WHEREAS, nearly seven million Californians and over 45 million Americans lack health insurance; and

WHEREAS, health care access should be a human right and not a privilege available to the rich and to those of us fortunate enough to have coverage through our jobs, even as we face continual anxiety and uncertainty about continuing and future health care coverage; and

WHEREAS, the cost of workers’ health care premiums rise while many employers

shift costs to workers and limit choices of plans and doctors, and many HMOs and insurance companies deny coverage of needed treatment while refusing to cover such needs as dental and vision care and prescription drugs; and

WHEREAS, many working class people with health insurance forego care because of inadequate coverage, high out-of-pocket costs, services not covered by health plans, and limits on lifetime spending, while 50 to 70 million people fear they would be bankrupted if struck with a catastrophic illness, yet another 45 million of us, 59% of whom work full time, have no health insurance at all; and

WHEREAS, our health care system is driven by making profits with as much as 30 cents out of every dollar spent on outrageous CEO salaries, shareholder dividends, marketing and administration, with not much left over for health care, and as long as we permit corporate values and profits to take precedence over the health of working families, we will never have comprehensive health care for all; and

WHEREAS, American workers' health care costs and infant mortality rates are higher than in any other advanced industrial nation, while our life expectancy is lower; and

WHEREAS, we have seen the suffering of 70,000 grocery workers in a bitter four-month strike over the cost of health care which is emerging as a contract issue nationwide; and

WHEREAS, what is needed is a health care system that guarantees access to quality care for everyone, with or without a job, while ensuring the doctor-patient relationship through free choice of doctors and other health care providers; and

WHEREAS, labor unions across California supported Senate Bill 2 – the Health Insurance Act of 2003 – a landmark piece of legislation to provide health care to an additional one million Californians and protect health care for millions more; and

WHEREAS, wealthy businesses and employer associations have spent millions in an attempt to repeal the Health Insurance Act of 2003, which will now appear as Proposition 72 on the November 2004 ballot; and

WHEREAS, winning Proposition 72 in November will allow California labor unions and our allies to continue to pursue health care reform in this state to address problems of skyrocketing costs, eroding quality, and lack of access for those who still lack health insurance; and

WHEREAS, the loss of Proposition 72 would likely halt any efforts for continued health care reform in California and serve a blow to health care reform efforts nationally; and

WHEREAS, a non-profit, publicly financed health care plan offers some advantages for achieving more sustainable, efficient and equitable health care system; and

WHEREAS, Richard Trumka, Vice President of the AFL-CIO recently noted that the crisis in health care cannot be solved at the bargaining table, and said, "The solution must be national and legislative;" now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on its affiliated unions to vote yes on Proposition 72 and to organize their members to vote yes on Proposition 72 to defend our health care and pave the way for additional health care reform in California; and be it further

RESOLVED, that after Proposition 72 is successfully defended on the November ballot, that the California Labor Federation, AFL-CIO explore with its affiliated unions further health care reforms to address the skyrocketing costs, eroding quality, and lack of access to health care in California; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO support universal health care for all and explore different options for achieving this goal; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the National AFL-CIO to support universal health care for all and explore different options for achieving this goal, including the establishment of a non-profit, publicly financed national health care plan that guarantees comprehensive, lifetime care for all.

DEFEND THE UC INSTITUTE FOR LABOR AND EMPLOYMENT

WHEREAS, the University of California Institute for Labor and Employment (ILE) was founded in 2000 by the State Legislature with the full support of organized labor to establish a statewide institute that could carry out research and policy development on critical issues affecting workers in our state; and

WHEREAS, in its short history the ILE has achieved national recognition for excellence in labor and employment research with publications like the annual "State of California Labor" report; and

WHEREAS, the ILE has become an access point for California workers and unions to utilize the resources of the university; and

WHEREAS, the ILE supports labor education provided by the Labor Centers at UC Berkeley and UCLA, which make labor studies available to working Californians; and

WHEREAS, the ILE budget was \$6 million in 2000, but with the economic crisis was reduced by one-third to \$4 million in 2003; and

WHEREAS, Governor Schwarzenegger's proposed budgets in 2004 provided no funds for the ILE, signaling his intention to eliminate the ILE entirely, while retaining many business programs in the University with budgets worth tens of millions of dollars; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO consider the attack on the UC Institute for Labor and Employment to be an attack on the whole labor movement and on all California workers; and be it finally

RESOLVED, that we immediately call upon the Governor and our legislators to restore State funding to the ILE, cutting its budget only in direct proportion to other necessary cuts in the University of California research budget.

BUILD UNITY AND TRUST AMONG WORKERS WORLDWIDE

WHEREAS, the AFL-CIO and unions generally in the U.S. are deeply committed to the concept of solidarity with labor movements in other countries; and

WHEREAS, the National Endowment for

Democracy (NED) has a dubious history, having been deployed frequently to promote U.S. government foreign policy objectives, including assisting in overthrowing democratically elected governments and interfering in the internal affairs of the labor movements of other countries; and

WHEREAS, the conventions of the International Labor Organization guarantee workers of every country the right to choose to be represented by the labor organization or union of their own choosing, free from government, corporate or foreign interference or constraints; and

WHEREAS, the AFL-CIO leadership, through the Federation's Solidarity Center, has announced its intentions to apply for \$3 to \$5 million in funding from the NED for its operations in Iraq; and

WHEREAS, AFL-CIO acceptance of NED funding for its solidarity work in Iraq may give the appearance, if not the effect, of making the AFL-CIO appear to be an agent of the U.S. government and its foreign policies, which may taint the good reputation of the Federation in the eyes of labor movements in other countries and draw into question the motivation and true independence of the Federation in its international affairs; and

WHEREAS, the South Bay AFL-CIO Labor Council (SBLC) and its affiliate, Plumbers and Fitters Local 393 presented the "Clear the Air Resolution" at the July 24, 2002 California Labor Federation Convention, and though many delegates had current concern about Venezuela, "Clear the Air" outlined an AFL-CIO role leading to the 1973 coup in Chile and, among other things, called upon the AFL-CIO to "fully account for what was done in Chile and other countries where similar

roles may have been played in our name, to renounce such policies and practices, describe, country by country, exactly what activities it may still be engaged in abroad with funds paid by government agencies, and renounce any such ties that could compromise our authentic credibility and the trust of workers here and abroad and that would make us paid agents of government or of the forces of corporate economic globalization"; and

WHEREAS, leaders of the State Federation presented a substitute resolution, "Looking Ahead on AFL-CIO Policy Abroad," calling upon the AFL-CIO to "convene a meeting with the State Federation and interested affiliates in California to discuss their present foreign affairs activities involving government funds. The aim of the meeting will be to clear the air concerning AFL-CIO policy abroad and to affirm a policy of genuine global solidarity;" and

WHEREAS, leaders of the State Federation, the SBLC, Local 393, and UFCW Local 428 negotiated an agreement to accept the compromise "Looking Ahead" resolution, based explicitly on the understanding that the meeting with the AFL-CIO had the burden of satisfying the outlined concerns and if it failed to do so, then the original "Clear the Air" resolution would require implementation. In calls for unity, that understanding was clearly stated on the floor of the convention without discord or disagreement; and

WHEREAS, significant disagreement exists about whether the meeting that took place on October 14, 2003 fully addressed the concerns raised within the original "Clear the Air" resolution; and

WHEREAS, questions have been raised about how the information provided in this meeting relates to information

contained in newly released government documents about the AFL-CIO's involvement in Venezuela and its acceptance of National Endowment for Democracy (NED) funds; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO affirm its support for the principles of autonomy, independence and self-determination embodied in the International Conventions of the International Labor Organization; and be it further

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO urge the National AFL-CIO and its Solidarity Center to exercise extreme caution in seeking or accepting funding from the U.S. government, its agencies and any other institutions which it funds such as the NED for its work in Iraq or elsewhere, and to accept these funds only to further the goals of honest international labor solidarity, not to pursue the policies of Corporate America and the United States government; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO supports the basic demand of the "Clear the Air" resolution to call upon the National AFL-CIO "to fully account for what was done in Chile, Venezuela, and other countries where similar roles may have been played in our name, and to describe, country by country, exactly what activities it may still be engaged in abroad with funds paid by government agencies and renounce any such tie that could compromise our authentic credibility and the trust of workers here and abroad and that would make us paid agents of government or of the forces of corporate economic globalization;" and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the National AFL-CIO to establish a working group to propose and review programs to strengthen international labor solidarity around the world; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO urge the National AFL-CIO to fund its international programs and activities, whenever possible, from funds generated directly from its affiliates and their members; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO send this resolution to the National AFL-CIO for immediate attention in order to move forward together in creating trust and unity among workers worldwide.

OPPOSE THE FEDERAL MARRIAGE CONSTITUTIONAL AMENDMENT

WHEREAS, throughout our country's history, the constitutional amendment has been a tool to enshrine the rights of all Americans, and our long history of civil rights struggle has found protection in our constitutional amendments. From the abolition of slavery, set forth in the 13th Amendment, to the right of women and people over the age of 18 to vote, set forth in the 19th and 26th Amendments, the constitutional amendment has been the legal foundation on which to grant fundamental rights, not take them away; and

WHEREAS, now a constitutional amendment is being proposed that would take away the rights of lesbian, gay, bisexual, and transgender persons to enter into civil marriage. The Federal Marriage Amendment (S.J. Res. 26, H. J.

Res. 56) states, *“Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution or the constitution of any State, nor state or federal law, shall be construed to require that marital status or the legal incidents thereof be conferred upon unmarried couples or groups.”* If passed, the Federal Marriage Constitutional Amendment would become the first constitutional amendment to restrict the rights of a certain class of Americans; and

WHEREAS, as trade unionists, we believe that our gay, lesbian, bisexual, and transgender brothers and sisters unequivocally deserve the same benefits as their heterosexual brothers and sisters. For that reason, trade unions have been securing groundbreaking contracts that provide our gay, lesbian, bisexual and transgender brothers and sisters with a patchwork of protections and benefits. We have fought vigilantly to secure the rights of these workers through explicit anti-discrimination language and pay equity through domestic partnership benefits; and

WHEREAS, the Federal Marriage Constitutional Amendment would make it virtually impossible to maintain and negotiate benefits on behalf of our gay, lesbian, bisexual, and transgender workers. In states that have passed similar legislation, domestic partnership benefits have been challenged; and

WHEREAS, the Federal Marriage Constitutional Amendment would restrict unions from offering all employees an equitable employment package. Furthermore, the Federal Marriage Amendment could invalidate thousands of union contracts that include domestic partnership benefit provisions; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO stand in opposition to the Federal Marriage Constitutional Amendment.

FAIR TRADE RESOLUTION

WHEREAS, the California Labor Federation, AFL-CIO strongly supports international trade agreements as a means to achieving local, regional, and global social and economic benefits; and

WHEREAS, the U.S. – Central America Free Trade Agreement (CAFTA), as well as other regional and bilateral trade agreements currently under negotiation by the Bush administration, expand the failed “free” trade model of the North American Free Trade Agreement (NAFTA); and

WHEREAS, the negative effects of NAFTA’s free trade policies on workers are well established and NAFTA has failed to produce significant economic benefits for workers in Canada, Mexico, and the United States; and

WHEREAS, the CAFTA would continue the assault on manufacturing workers in California and around the nation, but would also threaten the jobs and livelihoods of construction workers, government employees, and postal employees; and

WHEREAS, the CAFTA also threatens the rights of citizens to use the democratic process to enact laws and regulations in the public interest, including prevailing wage laws, project labor agreements on government construction, and local or union purchasing preference; and

WHEREAS, the CAFTA could require the privatization of federal, state, and local government services; and

WHEREAS, the CAFTA labor provisions fail to meet core International Labor Organization standards, provide ineffective enforcement mechanisms, and are woefully inadequate to prevent continued job flight from California, or to protect workers in Central America; and

WHEREAS, the CAFTA rules on trade in services significantly alters regulation of services, and grants greater control to business in regulating and providing services such as healthcare, construction, telecommunications, education, tourism, water distribution, and energy services; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on the National AFL-CIO to stand in strong opposition to the Central American Free Trade Agreement (CAFTA), and other free trade agreements based on the failed NAFTA model; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the National AFL-CIO to urge all affiliated unions to help educate their members about CAFTA, to join the millions of people throughout the Americas expressing their objection to the free trade model, and to work to ensure the defeat of CAFTA in Congress; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the National AFL-CIO to actively advance a new agenda for international trade in solidarity with workers and civil society groups around the world; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO join the California Coalition for Fair Trade and Human Rights

as a member organization to work in collaboration with other civil society groups in the state advancing a fair and responsible trade agenda, economic justice, and human rights.

A CONTRACT EXPENDITURE BUDGET FOR CALIFORNIA

WHEREAS, California state and local governments engage in a significant amount of contracting out, covering a broad range of services, including information technology, low-security incarceration, toll highways, Welfare-to-Work, school bus transportation and foster care services; and

WHEREAS, contracting out is often promoted as a way to cut costs, especially during fiscally strained times as California has had, yet public officials and taxpayers rarely know how much is being spent on contracts, let alone whether they are truly cheaper than publicly provided services; and

WHEREAS, California and other states and local governments around the country have frequently found that public services suffer when they are contracted out and that the promised savings of privatization do not materialize; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO affirm that the best way to strengthen public services in California is to value and support the public employees who provide them; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO oppose any effort by the Governor or Legislature to weaken

existing safeguards on the privatization of public services; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO call on the Governor and the members of the California Legislature to support legislative proposals to bring accountability to state contracting and to reveal the true cost of privatization of public services by requiring an annual contract expenditure report, as called for in S.B. 1638.

STOP CORPORATE TAX AVOIDANCE

WHEREAS, California's corporate income tax has withered as a source of state revenue, generating only 8 percent of state revenue in 2000, compared to 15 percent in 1979 and 12 percent in 1989; and

WHEREAS, tax avoidance schemes carried out by corporations doing business in California cost the state an estimated \$1.3 billion per year; and

WHEREAS, California voluntarily foregoes an estimated \$3.8 billion in state revenue every year by granting tax incentives to businesses in the hope of attracting jobs, but without ensuring that quality jobs are created; and

WHEREAS, California has suffered from a historic budget crisis, with deficits totaling \$60 billion to \$75 billion over the last three budget years and the upcoming budget; and

WHEREAS, when corporations avoid their tax responsibilities, the tax burden is shifted to individuals in the form of higher personal income, sales, vehicle license and other taxes and in cutbacks to state

and local services such as education, health services, public safety, parks and recreation, and child care; and therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO oppose the shifting of corporations' state income tax responsibilities onto California families; and be it further

RESOLVED, that the California Labor Federation oppose the extension of tax incentive programs and the creation of new programs which cost the public millions of dollars but fail to create good jobs; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO support legislative efforts to close technically legal but ethically questionable and unjustified corporate tax loopholes; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO support legislative proposals to disclose the tax bills of large corporations in order to properly evaluate corporations' true tax burdens and to spur tax reform efforts; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO support efforts by the California Franchise Tax Board to improve corporate tax collections by ending corporations' use of abusive tax shelters and by more effectively enforcing corporate tax laws.

OFFSHORING U.S. JOBS

WHEREAS, corporations have outsourced an alarming and growing number of American jobs overseas, enhancing profits for these companies at the expense of U.S. workers; and

WHEREAS, flawed global trade policies have cost the United States more than 3 million manufacturing jobs since 1994; and

WHEREAS, advances in technology and communications expose an additional 14 million U.S. professional and service jobs to the offshoring threat within the next 10 years; and

WHEREAS, government agencies contract out public service jobs to private companies, many of whom move or outsource those jobs overseas without notifying the government or the public; and

WHEREAS, when public service jobs are outsourced, significant state and local taxpayer dollars are diverted to enhancing the profits of these offshoring companies rather than employing U.S. workers and benefiting California's communities; and

WHEREAS, offshoring also threatens the privacy of Americans' personal information, including financial and medical records, as was shown when U.C. San Francisco Medical Center patient records were offshored to Pakistan; and

WHEREAS, the Bush Administration has declared that "when a good or service is produced more cheaply abroad, it makes more sense to import it than make or

provide it domestically;" now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO oppose the offshoring of U.S. jobs and call on the National AFL-CIO to oppose unfair global trade deals such as NAFTA, CAFTA, FTAA and GATS that have or will spur such offshoring; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the Governor and members of the California Legislature to support state legislation requiring companies to publicly disclose the number of jobs they have in-state, within the United States, and overseas, as called for in AB 3021 (Assembly Labor Committee); and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the Governor and members of the California Legislature to support state legislation, including AB 1829 (Liu), that prohibits the offshoring of government contract jobs; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the Governor and members of the California Legislature to support state legislation protecting the privacy of state residents' personal information by requiring that work involving sensitive information remain in the United States; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the Governor and members of the California Legislature to support state legislation to guarantee that no work related to homeland security be done offshore, as called for in SB 888 (Dunn); and be it further

RESOLVED, that the California Labor Federation, AFL-CIO call on the National AFL-CIO to support federal legislation that protects U.S. jobs from being moved overseas, allowing federal tax dollars to benefit California and other states rather than offshoring corporations; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO expend every effort to elect John Kerry for President of the United States in part because of his positions on offshoring of U.S. jobs versus those of George W. Bush.

THE PATRIOT ACT

WHEREAS, since the PATRIOT Act was passed, Americans have witnessed as well as experienced a sharp increase in arbitrary secret arrests and detentions and deportations, and a sharp increase in abuse by federal authorities of rights to privacy and due process; and

WHEREAS, the Bush administration is pushing Congress to drop the Sunset Clauses in the PATRIOT Act (which put a time limit on the Act's severe expansion of federal administrative powers over civil liberties, due process, and personal and financial privacy) to make its provisions permanent, is continuing to expand its executive authority to conduct government by edict and through secret National Security Letters, and continues to sneak draconian portions of the failed Patriot Act II into various other bills to greatly expand federal secrecy and powers over individuals and organizations and to deny them due process and judicial review; and

WHEREAS, the use of the Homeland Security Act, the Maritime Security Act, and the PATRIOT Act under the mantle of "national security" have been used to deny the rights of labor by restricting union representation rights to Department of Homeland Security employees, firing thousands of non-citizen airport screeners, denying maritime and port workers their jobs and employment, unfairly targeting and denying due process to immigrant workers, and attacking labor and anti-war activists; and

WHEREAS, across the political spectrum from the Right to the Left, groups mindful of the increasingly repressive hand of government, have organized and are demanding the end to the PATRIOT Act, and support for our Constitutional rights, and

WHEREAS, many believe that the Homeland Security surveillance of the SFLC Rally at Safeway in San Francisco, the police attack at the Port of Oakland on peaceful protestors and nearby ILWU port workers, and the militarized police siege and repression of peaceful protestors, including the AFL-CIO, at the Free Trade Agreement of the Americas talks in Miami, illustrate how the War on Terror has also become a War on Working People; and

WHEREAS, organized labor must collectively stand with the American people and our own rank and file in opposition to the PATRIOT Act and similar repressive legislation, and begin to prepare its organizations and rank and file to organize resistance to government repression; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on the National

AFL-CIO to actively work against removal of the Sunset Clauses in the PATRIOT Act; and be it further

RESOLVED that the California Labor Federation, AFL-CIO actively work for adoption of Senator John Burton and Senator Byron Sher's California Senate Resolution 25, which would have California oppose any and all actions in the so-called war on terrorism which attack our civil rights and liberties, and which urges our Congressional delegation to work to repeal* the onerous provisions of the PATRIOT Act and to oppose** any pending and future federal legislation that would infringe on Americans' civil rights and liberties; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO send this resolution on with support to the National AFL-CIO.

*Support:

Security and Freedom Ensured Act (SAFE Act) (S.1709, H.R.3352). The SAFE Act works to strengthen the system of checks and balances on law enforcement and due process safeguards. The SAFE Act will restore basic constitutional and international human rights that have been weakened by the USA PATRIOT Act.

End Racial Profiling Act of 2004, (S.2132) that will prohibit racial profiling in law enforcement at the federal, state and local levels, provide mechanisms to monitor enforcement tactics, provide mechanisms for processing and resolving complaints of racial profiling.

Citizens Protection in Federal Databases Act, Bill Number: (S. 1484) addresses the privacy implications of government data mining.

Benjamin Franklin True Patriot Act (H.R.

3171) this comprehensive bill would repeal many of the harmful provisions of the USA PATRIOT Act.

**Oppose:

The Clear Law Enforcement for Criminal Alien Removal Act (H.R. 2671) will encourage more wrongful arrests, more unreported crimes, more racial profiling, and a greater burden on police officers by forcing local police to enforce federal immigration law.

"Anti-Terrorism Intelligence Tools Improvement Act of 2003" H.R. 3179, expanding USA PATRIOT Act surveillance powers, includes provisions from Patriot II

"Terrorist Penalties Enhancement Act of 2003" H.R. 2934 which expands the death penalty to acts defined by the USA PATRIOT Act as "terrorism" that are federal crimes punishable by more than one year in prison, includes Patriot II provisions.

"Fairness in Immigration Litigation Act," [S. 2443/H.R. 4406] which would restrict immigrants' access to federal court and includes the provision from The Patriot II that seeks to permit the deportation of individuals to countries that lack a formal and functioning government to accept them, and makes obtaining political asylum much more difficult by changing the standards of proof that applicants would have to meet; and would place greater restriction in the judicial review process designed to correct wrongly denied asylum claims.

BRING THE TROOPS HOME

WHEREAS, there is general agreement in the United States and throughout the world that Iraq did not have weapons of mass destruction that posed an imminent threat to this country or to Iraq's neighbors, and that the government of Iraq had few if any discernable ties to those who perpetrated the 9/11 attacks on the World Trade Center and the Pentagon; and

WHEREAS, the federal government has approved \$150 billion in public funds for the U.S. war in Iraq, draining those funds away from domestic priorities including transportation, health care, and national security; and

WHEREAS, working families in the United States have paid a heavy price for the U.S. involvement in Iraq with the deaths of 836 U.S. military personnel – with many more seriously injured – between the start of war on March 19, 2003 and June 16, 2004; and

WHEREAS the Bush Administration has used the Iraq War and the “War on Terrorism” as a platform to advocate for restrictions in civil liberties, such as those embodied in the Patriot Act; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO recognize the courage of U.S. military personnel who have faced extraordinary dangers in the U.S. war in Iraq and who now want to come home; and be it further

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO will explore affiliation with and help actively support and

promote U.S. Labor Against the War (USLAW) to protect our members, their families, communities, and jobs, and the lives and livelihoods of working people everywhere; and be it finally

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on the National AFL-CIO to demand an immediate end to the US occupation of Iraq, and to support the repeal of the Patriot Act and the reordering of national priorities toward the human needs of our people.

MILLION WORKER MARCH ON WASHINGTON, D.C.

WHEREAS, our ancestors fought tirelessly in this country for the right to organize unions and ensure that our government recognized this right because it is a cornerstone of democracy; and

WHEREAS, that because of unions and solidarity among working people we have been able to win basic human rights, including employer paid healthcare, social security, and retirement benefits; safe working conditions; decent hours and wages; education for our children; social services for the disadvantaged; civil liberties; and, most important, the right to political influence over our nation's foreign and domestic policies; and

WHEREAS, Franklin D. Roosevelt, in his State of the Union address in 1944 acknowledged our rights, saying, “We have come to the realization of the fact that true individual freedom can not exist without economic security and independence. Necessitous men are not free men. People who are hungry and out of a job are the stuff of which dictatorships are made”; and

WHEREAS, the current Bush Administration has cooperated with "Big Business" in attacking our rights, using legislation such as the Patriot Acts I and II, denying the right of hundreds of thousands of federal employees to belong to unions and bargain, forcing longshore workers to work under a Taft-Hartley Act injunction and threats of federal intervention; and

WHEREAS, the Bush Administration has negotiated trade agreements costing the jobs of hundreds of thousands of U.S. workers, calling this a move towards a healthy economy while promoting other economic policies, such as privatization and deregulation, which have resulted in the loss of over 3 million jobs since taking office; and

WHEREAS, the Bush Administration has given corporations and the wealthy huge tax breaks, while cutting billions of dollars in spending for social services, education, and other government programs won by working people through decades of effort; and

WHEREAS, the Bush Administration has excused all these policies by using the terrible events of September 11 to label any opposition unpatriotic and a threat to national security; has taken our country into an unjust war under the false assertion that Iraq possessed weapons of mass destruction, costing the lives of hundreds of U.S. service members and innocent Iraqi civilians; and is whipping up fear even further to try to stampede the public into giving it another term in office; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO support the principles behind the Million Worker March that condemn President Bush for consistently placing the interests of

wealthy corporations above the interests of working people; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO urge the National AFL-CIO to consider support for a Million Worker March at an appropriate time after the successful defeat of President Bush in November.

UNKNOWN HISTORY: DEPORTATION OF MEXICAN AMERICANS

WHEREAS, 1.2 million Mexican Americans were unconstitutionally deported to Mexico in the 1930s; and

WHEREAS, the education of Mexican American children was disrupted by unconstitutional deportation; and

WHEREAS, Mexican-American children were denied the freedom and liberty normally accorded to U.S. citizens; and

WHEREAS, American society was denied the presence of Mexican American citizens and their contributions; and

WHEREAS, this egregious act in U.S. history has largely gone unnoticed and the stories of these deportees have been largely unheard; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO support legislation for the formation of a commission to study the issue of the deportation of 1.2 million Mexican Americans in the 1930s; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO advocate for adoption in California social studies

curricula information about this little known history; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO inform its affiliates of this issue.

OPPOSE REPEAL OF SB 1419

WHEREAS, SB 1419 (Alarcon) was enacted in 2002 with the intent to provide protections and standards when school districts and community college districts enter into personal services contracting; and

WHEREAS, Governor Schwarzenegger, in his State of the State address, proposed the repeal of SB 1419; and

WHEREAS, the repeal of SB 1419 would have the effect of replacing committed and qualified workers with less qualified personnel, creating job loss and placing students, staff, and faculty at risk of substandard services and employment practices and creating unsafe environments in our schools and community colleges; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO oppose the repeal, and pursue all avenues to defend and preserve the protections provided by the law as defined in SB 1419.

APPLYING UNION POWER TO ALTERNATIVE ENERGY DEVELOPMENT

WHEREAS, in the year 2003, California had the eighth-highest state ranking for

Annual Average Unemployment Rates; and

WHEREAS, energy costs and instability are a significant contributing factor to job loss in many sectors of the economy, but particularly in the heavily-unionized industrial sector; and

WHEREAS, the National Association of Manufacturers shows California with the highest number of manufacturing jobs lost in the nation; and

WHEREAS, rising energy costs are creating economic hardships for our members and all working people in California; and

WHEREAS, rising natural gas, electricity and oil prices are making energy conservation, energy efficiency, and renewable power production much more compelling and economically viable in California and across the country; and

WHEREAS, a more diverse energy portfolio could help bring about greater energy security and less reliance on foreign energy; and

WHEREAS, if we turned our attention to the manufacturing of renewable energy systems for use worldwide, it would not only make us less reliant on foreign sources of energy, but would also increase US economic development; and

WHEREAS, investment in energy efficient new construction and retrofitting existing real estate will save consumers in energy costs and create thousands of good construction jobs; and

WHEREAS, renewable energy markets are predicted to grow to \$92 billion within the next decade; and

WHEREAS, California already has over 5,000 MW in installed renewable capacity representing 1,241 renewable energy facilities; and

WHEREAS, increasing the diversity of our energy supply will create new employment for certified installers and union manufacturing and construction workers and can be linked to prevailing wage, Project Labor Agreements, apprenticeship utilization, and the utilization of domestic materials manufactured in-state; and

WHEREAS, the Apollo Project is a 10-year plan that would invest \$300 billion into renewable energy and energy efficiency, research and development of hydrogen fuel cell technology, increasing public transportation options, and preserving regulatory protections measures that would increase family wage jobs and lead the country toward greater energy independence; and

WHEREAS, seventeen international labor unions have publicly endorsed the Apollo Project, including:

- Amalgamated Transit Union (ATU)
- American Federation of State, County, and Municipal Employees (AFSCME)
- Bakery Confectionery, Tobacco Workers and Grain Millers
- Graphic Communications Industrial Union (GCIU)
- International Association of Machinists (IAM)
- International Brotherhood of Electrical Workers (IBEW)
- International Brotherhood of Teamsters (IBT)
- International Union of Electrical Workers (IUE-CWA)
- Paper and Allied Chemical Employees (PACE)

- Service Employees International Union (SEIU)
- Sheet Metal Workers International Association (SMWIA)
- Transportation Workers Union (TWU)
- United Automobile and Aerospace Workers (UAW)
- United Food and Commercial Workers (UFCW)
- United Mine Workers of America (UMWA)
- Union of Needle Trade Industries and Textile Employees (UNITE!)
- United Steel Workers of America (USWA); now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO endorse the national Apollo Project; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO convene a California Apollo Project of affiliates, community organizations and environmental organizations to encourage public and private investment in renewable energy and energy efficiency in California; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO assist its affiliates and Apollo partners to explore joint projects and develop formal partnerships with the State of California, other public and private employers and investors in the areas of renewable energy, energy efficiency and research and development of energy storage options.

QUALITY CHILD CARE AND PRESCHOOL FOR ALL CALIFORNIA CHILDREN

WHEREAS, the children of California's working families are our future and,

therefore, have a right to the highest quality education beginning with parental involvement, quality child care and access to preschool for all; and

WHEREAS, parental bonding is crucial to a child's development, infant care is the most expensive and least available form of child care, and parental leave would allow parents to stay home to bond with newborn or newly adopted infants; and

WHEREAS, by partnering with parents, who are their children's first teachers, quality child care and preschool programs prepare children to do their best by nurturing their social-emotional, cognitive, linguistic and physical development, enhancing their self confidence, and paving the way for a lifetime of learning; and

WHEREAS, parental involvement is important to a child's success in school, and flexible work hours permit working parents to participate in school activities; and

WHEREAS, ensuring access to quality preschool for all three- and four- year-olds whose parents choose to send them has proven to be one of the soundest educational and financial investments the public can make; and

WHEREAS, ensuring access to quality, affordable child care for all children, birth to five years of age, and before and after school programs for school age children are essential for children's safety and development and for parents' ability to work; and

WHEREAS, preschool and child care programs should be funded adequately in order to assure quality education and to pay wages and provide benefits comparable to those in California's K-12

system, and should be linked to full-day, affordable early care and education programs to meet the needs of working families; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO endorse and support legislative efforts to enact flexible working hours for parents and more public funding for quality child care, including current efforts to create a state-funded preschool system; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO work with its affiliates and other stakeholders to build support for a child care and universal preschool system that works for working parents; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO clearly inform legislators that any plan for child care and universal preschool will succeed only with the commitment and adequate fiscal resources to ensure adequate professional salaries for the emerging preschool workforce, adequate funds for facilities and for the higher education needed to develop that workforce.

STATEWIDE HOUSING TRUST FUND

WHEREAS, California's homeownership rate is 58%, significantly below the national average of 67%; and

WHEREAS, in California, a minimum wage worker (earning \$6.75/hour) can afford no more than \$351/month in rent in order to keep housing costs to 30% of gross income, while the average Fair Market Rent for a two-bedroom

apartment in California is \$1,101/month; and

WHEREAS, only 29% of all Californians earn enough to afford the State's median-priced home, as opposed to 57% nationally; and

WHEREAS, the CA State Department of Housing & Community Development has determined that we need to produce 220,000 units of multi and single family housing each year to keep up with population and job growth, but we are producing only about 65% of this number; and

WHEREAS the percentage of California families who are forced to live far from their place of work because they cannot afford to live closer is increasing, causing increased pollution, congestion and strains on family life; and

WHEREAS, the production of affordable housing creates good jobs when these jobs are covered by union contracts and prevailing wages and apprenticeship opportunities to train the next generation of unionized construction workers, thus improving the overall local economy where the housing is built; and

WHEREAS, many affiliates of the California Labor Federation, AFL-CIO and the State Building and Construction Trades Council of California, AFL-CIO have participated in local efforts to address this crisis and establish local housing trust funds, including playing a leadership role in Housing LA, a campaign that led to establishment of the \$100 million Los Angeles Housing Trust Fund, and active participation in the Peninsula Interfaith Action Advisory Committee that is working to establish a Housing Trust Fund in San Mateo County; and

WHEREAS, over 30 states have established housing trust funds to produce low- and moderate-income housing; now therefore be it

RESOLVED, at this 25th Biennial Convention of the California Labor Federation, AFL-CIO, that the Federation work together with the State Building and Construction Trades Council of California, AFL-CIO, SEIU 1877, and other interested affiliates to support the establishment of a Statewide Housing Trust Fund with a dedicated stream of revenue that will produce rental and homeownership housing for low and moderate-income workers throughout the State.

OPPOSE LABOR AND HUMAN RIGHTS ABUSES OF WAL-MART

WHEREAS, on June 22, 2004, Federal Judge Martin Jenkins certified the largest civil rights class action ever on behalf of over 1.6 million women who have worked at Wal-Mart since the end of 1998. The lawsuit charges that female Wal-Mart workers have endured years of discrimination in pay and promotions in all levels of the corporation; and

WHEREAS, Wal-Mart is notorious for its rampant violations of workers' rights to organize, and over 100 unfair labor practices have been charged against the company in the past few years for violations including unlawful surveillance, intimidation, and threats against workers seeking a voice at work; and

WHEREAS, Wal-Mart screens out potential union supporters through its hiring process by excluding those with union histories and administering personality tests to weed out applicants

who are “likely to be sympathetic” to unions; and

WHEREAS, Wal-Mart is the country’s largest employer, with over 1 million US workers, and the biggest employer in 25 states, granting the company the market power to set standards for wages and labor practices; and

WHEREAS, Wal-Mart faces 38 state and federal lawsuits filed by hourly workers in 30 states, accusing the company of systematically forcing them to work long hours off the clock; and

WHEREAS, a recent internal Wal-Mart audit leaked to the New York Times found “extensive violations of child-labor laws.” The audit of 25,000 employee records found over 1,300 child labor law violations including minors working too late, during school hours, or for too many hours in a day; and

WHEREAS, a January 2004 New York Times article exposed Wal-Mart’s policy of locking in workers on nighttime shifts in many stores around the country, trapping those workers inside and in some cases forcing injured workers to wait for hours to leave the building for medical care; and

WHEREAS, high premiums and deductibles keep more than two-thirds of Wal-Mart workers from participating in the company health plan, and nearly 700,000 Wal-Mart workers are forced to get health insurance coverage from the government or through spouses’ plans; and

WHEREAS, a recent study released by U.S. Representative George Miller found that a typical Wal-Mart store with 200 employees costs taxpayers over \$400,000 per year in government

programs that provide health insurance and other assistance to Wal-Mart workers earning poverty wages; and

WHEREAS, the Walton family is worth about \$102 billion, and less than one percent of that amount could provide affordable health care for Wal-Mart’s workers; and

WHEREAS, Wal-Mart now plans to open 40 new “super centers” in California; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO oppose the inhumane labor practices and human rights abuses conducted by Wal-Mart that not only mistreat Wal-Mart workers but undermine the rights of all working people; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO advocate for policies at the Legislature and other public bodies—including Local and State Workforce Investment Boards—to block Wal-Mart and other poverty-wage employers from receiving job training and other types of taxpayer funds; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO oppose the expansion of Wal-Mart stores in California and support the efforts of local labor and community organizations to block Wal-Mart’s expansion in California; and be it further

RESOLVED, that the California Labor Federation, AFL-CIO explore legislation to ban the use of illegitimate psychological testing as a factor of employment; and be it finally

RESOLVED, that the California Labor Federation, AFL-CIO explore legislation to prevent union members from facing discrimination in the job market for previous or current union membership.

SUPPORT THE EMPLOYEE FREE CHOICE ACT

WHEREAS, since 1935, workers have had the right under federal law to form unions, but federal laws have eroded over the years and are poorly enforced; and

WHEREAS, each year, 20,000 American workers suffer loss of pay due to illegal retaliation against them for exercising their right to freedom of association, and thousands more American workers are illegally threatened, coerced and interrogated, spied on, and harassed because of their efforts to form a union; and

WHEREAS, 42 million workers in the United States say that they would join a union now if they had the opportunity; and

WHEREAS, in California only 17.5 percent of our workers are unionized; and

WHEREAS, union membership provides workers better wages and benefits, and protection from discrimination and unsafe working places, while benefiting whole communities by strengthening tax bases, promoting equal treatment, and enhancing civil participation; and

WHEREAS, even though federal laws guarantee American workers the right to choose for themselves whether to form a union, employers across the nation routinely violate that right; workers are harassed, intimidated, coerced, and even

fired, just for exercising, or attempting to exercise, this fundamental freedom; and

WHEREAS, the freedom to join a union is recognized as a fundamental human right; and

WHEREAS, when employers violate the right of workers to form a union, everyone suffers--wages fall, race and gender pay gaps widen, workplace discrimination increases, and job safety standards disappear; and

WHEREAS, most employer violations occur behind closed doors and each year employers spend millions of dollars to defeat unionization; and

WHEREAS, a worker's fundamental right to choose a union is a public issue that requires public policy solutions, including legislative change; and

WHEREAS, S. 1925 and H.R. 3619 have been introduced this session in Congress, which introductions mark the first time in two decades that Congress is considering legislation that aims to restore the freedom of workers to join a union; and

WHEREAS, the Employee Free Choice Act (S. 1925 and H.R. 3619) would, when a majority of employees in a unit appropriate for bargaining voluntarily sign authorizations (commonly known as "card check" recognition) designating an individual or labor organization as their bargaining representative, authorize the National Labor Relations Board to certify that individual or labor organization as the exclusive bargaining representative of those employees; and

WHEREAS, the Employee Free Choice Act would also provide for first contract mediation and arbitration, establish

meaningful penalties to be imposed on employers that violate the right of workers to join a union, and include, for workers, the same process for immediate relief from illegal conduct that the law presently gives only to employers; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on its Congressional delegation and Senators Boxer and Feinstein to support the Employee Free Choice Act (S. 1925 and H.R. 3619); and be it further

RESOLVED, that the Federation call on members of the California Legislature, the state constitutional officers and the Governor to support AJR 87 (Goldberg) urging Congress to support the Employee Free Choice Act.

SUPPORT PROPOSITION 72

WHEREAS, no union member in California is immune from the growing crisis in health care as employers push to increase our co-payments and paycheck deductions, limit our options for health care coverage and cut back on our dependent and retiree coverage; and

WHEREAS, the amount California families pay for premiums has increased 70% in the last three years; and

WHEREAS, nearly seven million Californians lack health insurance, and 80 percent of them are members of working families; and

WHEREAS, the California Labor Federation, AFL-CIO joined with its affiliated unions and community allies to win Senate Bill 2 – the Health Insurance Act of 2003 – which will provide health

care to over one million uninsured Californians and protect health insurance for many more millions; and

WHEREAS, the Health Insurance Act is seen as one of the most significant pieces of health care legislation in recent years; and

WHEREAS, greedy corporations – including Macy's and McDonald's – have joined the California Restaurant Association and other employer associations to spend millions in an attempt to defeat the Health Insurance Act of 2003 on the November ballot, where it will appear as Proposition 72; and

WHEREAS, winning Proposition 72 will boost the ability of unions to negotiate for their health care benefits because the Health Insurance Act creates a floor – much like the minimum wage – that unions can use to push for better quality coverage and lower co-payments than the Health Insurance Act requires; and

WHEREAS, the Health Insurance Act will level the playing field for union employers who will no longer face a “competitive disadvantage” for offering health insurance in a market where their competitors (like Wal-Mart) do not; and

WHEREAS, the Health Insurance Act of 2003 is a powerful weapon against employer efforts to claim that providing health care is no longer a benefit that workers can expect; and

WHEREAS, winning Proposition 72 is a needed step to further a health care campaign to achieve lower costs, broader access, and better health care quality; and

WHEREAS, Proposition 72 provide an important incentive for employers to work with us – not against us – to achieve a better health care system; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO call on its affiliated unions to fully fund the Federation’s campaign to support Proposition 72; and be it finally

RESOLVED, that the Federation call on its affiliated unions to educate their members at the worksite to vote YES on Proposition 72 and submit Proposition 72 pledge cards for 25 percent of each affiliated union’s membership.

HEALTH CARE COST CONTAINMENT

WHEREAS, exploding health care costs are creating a serious problem for workers, consumers, unions and employers. Insurance premiums for job-based health benefits have grown at double-digit rates since 2001, a growth rate that is higher than at any time since 1990 and more than six times the rate of overall inflation in the economy; and

WHEREAS, escalating health care costs are reducing real wage growth, threatening the financial solvency of Taft-Hartley Health and Welfare Funds, crowding out collective bargaining negotiations over pensions, job training, and other negotiated benefits, straining public health and finance systems, and creating a competitiveness gap that will drive investments and jobs away from California toward cheaper labor markets here and abroad; and

WHEREAS, the leading employer strategy is to shift rising costs to workers, and

employers are shifting costs at a rate greater than the rate of growth in premiums. Higher co-pays, deductibles and other out of pocket costs disproportionately hurt low-wage workers and reduce timely utilization of necessary and beneficial medical services and prescription drugs. California workers on average sustained a thirty percent increase in their premium contributions in 2002 and rising co-pays and deductibles are adding to this burden; and

WHEREAS, workers and their unions will face an increasingly uphill and confrontational bargaining environment. Health benefits dominate collective bargaining, as employers continue in their efforts to shift costs, degrade benefits and withdraw retiree and dependent coverage; and

WHEREAS, high hospital charges are a key factor in driving up health care premiums and health care spending. Hospital spending has grown rapidly over the past couple of years and now accounts for over half of the total health care spending increase; and

WHEREAS, significant and unwarranted variation exists in hospital charges, service quality and patient outcomes. This variation is unrelated to severity of illness or the treatment preferences of patients; and

WHEREAS, California has a disproportionate share of the nation’s most expensive hospitals and outpaces the nation in the growth rate for hospital inpatient costs. From 1998 to 2001, inpatient costs annually increased at an average rate of 11.3 percent in California, compared to 5.9 percent nationwide; and

WHEREAS, California’s largest hospital corporations have consolidated their

market power in an aggressive quest for profits. Executive salaries have skyrocketed and the state's hospital industry reaped record profits of more than \$2.7 billion in 2002 alone. Despite their record profitability, hospitals have failed to make adequate investments in their healthcare workforce, contributing to poorer outcomes for patients; and

WHEREAS, until organized labor becomes aggressively involved in addressing health care cost and quality issues, we will just be generous checking accounts for an unaccountable industry – draining away wages and retirements funds to pay for health care that we neither control nor evaluate; now therefore be it

RESOLVED, by this 25th Biennial Convention of the California Labor Federation, AFL-CIO, that the Federation will work with its affiliated unions to demand transparent cost and quality information from the hospital industry; and be it further

RESOLVED, that the Federation will actively explore with its affiliates and their signatory employers legislation to contain health care costs by assuring that the rates that hospital corporations charge are neither excessive nor unfairly discriminatory; and be it further

RESOLVED, that the Federation will bring together affiliates to explore purchasing coalitions that will directly address the cost of our members' health care; and be it finally

RESOLVED, that the Federation will sponsor and support legislation that recognizes and corrects for the failure of market mechanisms to ensure health access, patient safety, high quality, payer equity, service stability, and affordability

in the health care financing and delivery system.

SUPPORT CUSTOMER SERVICE REPRESENTATIVES AT AMERICA WEST

WHEREAS, the Customer Service Representatives at America West are seeking representation by the International Brotherhood of Teamsters to achieve fair wages and benefits and a voice on the job; and

WHEREAS, America West has launched an aggressive "union avoidance" campaign that has included inappropriate and unacceptable attacks on the accomplishments of the Teamsters union; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO support the Customer Service Representatives' campaign to join the International Brotherhood of Teamsters; and be it further

RESOLVED, that the Federation educate all of its affiliated unions about this organizing campaign; and be it further

RESOLVED, that the Federation communicate this resolution to the management of America West; and be it finally

RESOLVED, that the Federation call upon all of its COPE endorsed candidates to protest America West's "union avoidance" campaign and support the Customer Service Representatives' campaign to join the Teamsters.

**INCREASE THE MINIMUM WAGE,
OPPOSE TIP CREDIT/POOLING**

WHEREAS, the California Labor Federation, AFL-CIO, has a long history and policy of opposing a tip credit and tip pooling against the state minimum wage; and

WHEREAS, the current minimum wage is insufficient to provide the proper cost of living for over two million Californians and remains 88 cents below the federal poverty level; and

WHEREAS, California once led the West Coast states by having the highest minimum wage. Now, California is falling further behind West Coast standards. Oregon's wage is \$7.05 with indexing; Washington's wage is \$7.16 an hour with indexing, and Alaska's is \$7.15 per hour effective January 2003. California's West Coast economic rivals and their local communities have benefited from the improved purchasing power that their higher minimum wage gives to hundreds of thousands of lower paid consumers; and

WHEREAS, new studies have shown that raising the minimum wage does not hurt employers or small business in the state but does alleviate poverty. A June 2004 report by the California Budget Project shows that during the 1997-2003 period the minimum wage was increased a number of times, raising more workers out of poverty, but did not contribute to job losses. Job growth was at 1.7% during the period. In the preceding six years, from 1991-1996, the minimum wage was stagnant, poverty increased, and job growth was only 0.4%; and

WHEREAS, a higher minimum wage would save billions of public dollars. A

report released May 20th, 2004, by the University of California shows public assistance payments in California would drop \$2.7 billion if the current group of public assistance recipients earned at least \$8.00 per hour. It should always be remembered that the first federal minimum wage was implemented during the Great Depression; and

WHEREAS, the California Restaurant Association continues to advocate for a tip credit and for tip pooling and against increases in the minimum wage; and

WHEREAS, according to the California Restaurant Association's web site, from 2001 to 2003 the number of restaurants in California grew by 7,100; and

WHEREAS, the issue of allowing a tip credit against the minimum wage has been litigated to the State Supreme Court by the Federation; and

WHEREAS, the State Supreme Court held the opinion that tip credits violate state labor laws; and

WHEREAS, tip pooling is currently illegal under Labor Code section 351, which states that gratuities are considered the "sole property" of the employee for whom they are left and the employer may not "collect, take, or receive" any gratuity left for the employee; and

WHEREAS, the decision as to how restaurant servers share their tips should be left up to the control of the employees involved. Tips are left for the servers, are their private property, and should not be subject to employer control; and

WHEREAS, increases to the state minimum wage should not be held

hostage to attempts to change current law regarding the tip credit or tip pooling; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO oppose tip credit and tip pooling measures before the state Legislature and Industrial Welfare Commission (IWC); and be it further

RESOLVED, that the Federation support efforts to increase the state minimum wage before the Legislature and before the IWC, including support for AB 2832 by Assembly member Sally Lieber, which increases the state minimum wage from \$6.75 per hour to \$7.25 per hour on July 1, 2005 and to \$7.75 per hour on July 1, 2006; and be it further

RESOLVED, that the Federation call on its affiliated unions engage in legislative visits, rallies, and other actions to support passage of AB 2832; and be it finally

RESOLVED, that the delegates to the Federation's 25th Biennial Convention inform their legislators and the Governor of their support for AB 2832 and their opposition to tip credit and tip pooling measures.

OPPOSE HOMELAND SECURITY PROPOSAL TO POSTPONE ELECTIONS

WHEREAS, Department of Homeland Security Director Tom Ridge has recently considered a proposal to postpone the November elections in the event of a significant threat to national security; and

WHEREAS, such a postponement of the election would constitute a serious violation of civil rights and the democratic system on which this country is based; now therefore be it

RESOLVED, that this 25th Biennial Convention of the California Labor Federation, AFL-CIO vigorously oppose any attempts by Congress or the Bush Administration to postpone the November elections.