
Dear brothers and sisters,

Hope all is well with you and yours.

VOTE! POLLS ARE OPEN FOR EARLY VOTING... ELECTION DAY IS THIS COMING TUESDAY NOVEMBER 3RD.

New information is in Yellow.

PLEASE PASS THE WORD TO YOUR BROTHERS AND SISTERS TO CALL ALANA ASAP IF THEY ARE NOT RECEIVING TEXT MESSAGES FROM US. DUES REMINDERS ARE ALSO TEXT TO ALL. THANK YOU.

WE HAVE 90 MEMBERS WILLING TO GO BACK TO WORK AND 16 MEMBERS TRAVELING. PLEASE CALL THE HALL IF YOU ARE OUT OF WORK AND ARE WILLING TO GO TO WORK.

Congratulations to Nate Burdick who ran unopposed as a Pension Trustee.

Congratulations to Jeff Myne for running unopposed as a Bldg. Corp. Trustee.

I will send out Oct’s U-mtg. info. in next weeks text...

The November 24th union meeting is cancelled. Our next union meeting is scheduled for Tuesday January 26, 2021 starting at 5pm.

The Children’s Christmas Party is cancelled.

VOTE! ELECTION DAY IS THIS COMING TUESDAY NOVEMBER 3RD.

"WE MUST GUARD AGAINST BEING FOOLED BY FALSE SLOGANS, SUCH AS ‘RIGHT TO WORK’. IT IS A LAW TO ROB US OF OUR CIVIL RIGHTS AND JOB
RIGHTS. ITS PURPOSE IS TO DESTROY LABOR UNIONS AND THE FREEDOM OF COLLECTIVE BARGAINING BY WHICH UNIONS HAVE IMPROVED WAGES AND WORKING CONDITIONS OF EVERYONE...WHEREEVER THESE LAWS HAVE BEEN PASSED, WAGES ARE LOWER, JOB OPPORTUNITIES ARE FEWER AND THERE ARE NO CIVIL RIGHTS. WE DO NOT INTEND TO LET THEM DO THIS TO US. WE DEMAND THIS FRAUD BE STOPPED. OUR WEAPON IS OUR VOTE.” Martin Luther King, Jr.

PLEASE MAKE EVERY EFFORT TO USE YOUR VOTE TO KEEP WHAT OUR FOREFATHERS FOUGHT FOR AND DIED FOR. OUR RIGHT TO COLLECTIVELY BRAGAIN, ORGANIZE, AND PROVIDE A LIVING WAGE FOR OUR FAMILIES WITH SECURITY IN RETIREMENT.

PLEASE REMEMBER TO VOTE THIS COMING TUESDAY NOVEMBER 3RD.

End of New Information.

Fraternally yours,

[Signature]

[Name]
The Rochester Building and Construction Trades Council is happy to offer its endorsement of the above candidates during this coming election cycle in November. As election season approaches, it is important to remember who is a friend to the working class family. The Rochester Building and Trades Council represents over sixteen thousand hardworking men and women in eighteen trades in the Rochester area. This election year could not be more important to our members. Across the country, unprecedented attacks on labor continue to threaten the livelihoods and pensions of millions of our brothers and sisters. The Rochester and Building Trades believes these candidates will partner with labor to lead the economic development of Monroe County, grow our region's middle class, and protect the interests of our working men and women.
Editorial

Make Your Choice Known—Vote!

This year has turned out to be one none of us will ever forget. A pandemic followed by severe economic trauma, a movement for social justice unlike anything we’ve seen in 50 years or more, and an upcoming divisive and stressful national election in the United States. We’ve addressed two of these challenges in previous UAW journals, and with this issue we are focused on the American General Election. While we know that not all UAW members agree with our decision to support the Biden/Harris ticket, we want you to know that we did so only after long and careful consideration of all the issues that face the Unite d Association.

We also had input and advice from our Political Engagement Committee. You can read more about this committee on page 22 of this issue. This is a diverse committee, which includes UAW men and women from every region of the country and every sector of our industry who brought a variety of experiences, thoughts, and opinions to the table. This diversity of thought and perspective allowed them to have a wide-ranging debate on issues like infrastructure and energy, pensions and retirement security, collective bargaining rights, jobsite safety, and much more.

This committee, chaired by Terry Hayden, President of the Wisconsin Pipe Trades, took its work very seriously. They resisted outside pressure from those who wanted a quick endorsement of a candidate. They took the time to consider every aspect of each candidacy and the impact it would have on UAW rank-and-file members. We are grateful for their commitment and hard work, and especially their dedication to the highest principles of fairness, respect, and consideration.

We all know what is at stake in this election, and each of us will make our own decisions when we cast our votes. After all, that is our right and our obligation as citizens. The important thing is to get out there and vote, not just for President and Vice President of the United States, but for your state and local candidates as well. These candidates can often have the most direct and immediate impact on your lives. County commissioners, state labor officials, governors, mayors, school boards, utility boards, judges, and other local officials make decisions every day that can lead to more jobs—or they can kill projects that would have given UAW members good work for a long time. And let’s not forget that when we elect a President, we are giving that person the power to appoint Supreme Court Justices as well as a Secretary of Labor.

Think carefully about each candidate seeking your vote. Make sure they will support working families and that they share our values of a fair day’s pay for a fair day’s work. If these candidates don’t support unions, then they don’t deserve our support. It’s really just that simple.

But none of this matters if you don’t vote. If you already voted by mail, good for you. If you are going to a polling place to vote, don’t be discouraged or intimidated if you see long lines. We expect a big turnout for the General Election, so what you will be witnessing is democracy at work. Just make sure you wear a mask and
do what you can to socially distance yourself. We expect the pandemic will still be with us on Election Day, so make sure you follow CDC guidelines to stay safe.

All of your General Officers respect your fundamental right to make your own choices. We, along with your local union leaders, can try to provide insight and guidance, but ultimately, you must decide for yourself. In this issue, we've tried to provide you with information to help you make your decision. We hope you will consider all sides of the story as you make your choice.

Remember what Franklin D. Roosevelt said, "Nobody will ever deprive the American people of the right to vote except the American people themselves, and the only way they could do this is by not voting."

[Signature]

P. H. Kellett
UA Endorsement Comparison of Vice President Biden and President Trump

ON UNION RIGHTS

Vice President Biden

- Biden has stated time after time a strong belief that there is a war on organizing, collective bargaining, unions, and workers. Since he first became involved in serving government, Biden has stood with workers time and time again as a true ally.
- As President, Biden pledges to form a "cabinet-level working group" with representatives from labor unions that would, in the first 100 days of his administration, deliver a plan to "dramatically increase union density and address economic inequality."
- As President, Biden will appoint a pro-labor Secretary of Labor, a pro-labor Secretary of Energy, and pro-labor individuals to boards and commissions such as PHMSA (Pipeline and Hazardous Materials Safety Administration) and FERC (Federal Energy Regulatory Commission), who will not bow to corporate interests or Wall Street.
- In addition, Biden will appoint labor-friendly judges to the federal bench, which will help prevent decisions like Janus vs. AFSCME, which allows employees to benefit from union representation without paying their fair share.
- Biden has pledged to work with Congress to write a stricter law on employee misclassification, the practice of classifying a worker as an independent contractor rather than as an employee in order to avoid payment of overtime and other workplace benefits.
Current Trump Secretary of Labor, Eugene Scalia, has systematically dismantled union rights and protections at the DOL. Under the Trump Administration, the DOL has time and again sought to pass anti-union regulations and increase corporate influence. Instead of representing hard-working families, the Trump DOL only answers to the wealthy elite.

During the first year of his presidency, Trump signed an Executive Order establishing industry-recognised apprenticeship programs (IRAPs) that allow third-party industry groups outside of construction to develop apprenticeship programs without having to meet existing federal registered apprenticeship standards.

Trump has made it easier to award federal contracts to companies that are repeat violators of wage laws, sexual harassment laws, racial discrimination laws, or laws protecting workers' rights to unionize. Trump signed into a law a repeal of the Obama-Biden Administration's Fair Pay and Safe Workplaces Executive Order, which discouraged the government from granting federal contracts to companies with a history of stealing their employees' wages, violating workplace safety standards, or illegally discriminating in hiring or pay. The order required contractors to provide their employees with "necessary information each pay period to make sure they are getting paid what they are owed."
President Trump

* Trump rescinded an Executive Order originally issued by President Obama which required federal contractors who won a bid to take over an existing contract to offer a "right of first refusal of employment" to workers who were employed under the original contract. The repeal of that Executive Order means that workers on federal contracts are now at greater risk of losing their jobs because of circumstances beyond their control.
* Trump blocked an Obama-Biden rule that strengthened an employer’s duty to keep accurate logs of workplace injuries and illnesses.
* Trump’s labor department now allows employers who violate minimum wage, overtime, and other wage laws to avoid any penalty by volunteering to investigate themselves. The agency also announced that it will stop pursuing monetary penalties in most cases of wage theft it investigates.
* Trump has stacked the Supreme Court with anti-worker justices. In addition, the Trump Administration has consistently appointed and confirmed anti-worker nominees for positions that are designated to safeguard and enforce laws that protect workers.
* The Trump Administration has stacked the National Labor Relations Board (NLRB) with several anti-worker appointments, most notably William Emanuel, Marvin Kaplan, and John Ring. All three members regularly represented large employers prior to joining the Board. NLRB General Counsel Peter Robb also spent much of his career as a management-side labor and employment lawyer. The appointed NLRB members and General Counsel have systematically rolled back workers’ rights. Trump also has allowed one of the traditionally Democratic seats on the Board to sit vacant since August 2018, violating a longstanding custom and ensuring employer domination of the agency.
* Under the leadership of Trump appointees, the NLRB has limited the scope of workers’ rights to take collective action under the National Labor Relations Act (NLRA). For example, the Board reversed Obama-era precedent to rule that employees do not have a right to use their work email address to engage in protected activity. In a direct attack on workers’ First Amendment rights, the NLRB General Counsel is attempting to outlaw the display of “Scabby the Rat” during labor protests.
* The Trump NLRB is interfering with the ability of unions and employees to voluntarily enter into bargaining agreements by reinstating the discredited “Dana rule.” Under this rule, the union must provide an opportunity for workers to vote out the union after the employer provides voluntary recognition of the union.
* During the first three years of the Trump Administration, OSHA workplace inspections have fallen below the previous two administrations. The decline in inspections puts the safety of workers at risk, especially those who work in dangerous jobs or industries.
* Under President Trump, the NLRB has sided with employers and ruled against unions on issues relating to the implementation and enforcement of work rules. These decisions will make it more difficult for employees to discuss unionization in the workplace.

While Trump’s first Department of Labor Secretary, Alexander Acosta, was able to head off some attacks coming from within the Administration, President Trump replaced him as Secretary with Eugene Scalia, who has championed the effort to have IRAPs as part of the construction industry. Scalia built a career representing corporations, financial institutions, and other business organizations while fighting against worker protections like health and safety regulations, retirement security, and collective bargaining rights.

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UA Endorsement Comparison of Vice President Biden and President Trump

**Vice President Biden**

- Biden will ensure that Project Labor Agreements aren’t just an Executive Order, but rather, always guaranteed to be used on federally funded projects.
- Biden will defend registered union apprenticeships from IRAPs. His plan includes a $50 billion investment to registered union apprenticeship programs.
- When given the choice of running mate, Trump chose one of the most anti-union governors in the country—Mike Pence. As governor, Pence made Indiana a right-to-work state, decimating wages, and he repealed the state’s prevailing wage laws. Joe Biden chose U.S. Senator Kamala Harris, a staunch ally of labor her entire career and close friend to the UA in Washington, D.C., and California, as his running mate.
President Trump

- The Trump NLRB is also working to limit organizer access to worksites. In a reversal of long-standing policy, the Board ruled that union organizers can be barred from parts of an employer's property that are open to the public.
- Trump delayed the enforcement of a rule limiting workers in the construction industries' exposure to silica dust, which has been linked to lung cancer.
- The Trump Administration has dramatically increased the size of the H-2B program, which employers are taking advantage of—including Trump himself—to hire non-union, non-American workers at lower pay and with lower safety standards. In 2019, the Trump Administration increased the H-2B annual limit by 30,000 visas, taking the total H-2B "cap" for 2019 to 96,000.
- Under President Trump, both the NLRB and Department of Labor completed rulemakings that limit the circumstances in which the agencies will find a business to be a "joint employer." This helps employers avoid accountability for violations of wage and labor laws by using staffing agencies and other employment models.
- Similarly, the Trump NLRB has made it easier to classify workers as independent contractors, which will result in employers denying more workers' benefits and protections afforded to employees under the law. In the event an employer does misclassify an employee as an independent contractor, the Trump NLRB will not hold the employer liable.
- The Trump NLRB also completed several rulemakings that undermine the process of holding workplace elections. These rules needlessly delay the holding of the election and allow an election to proceed when an employer has created a coercive and intimidating atmosphere. In addition, the Board is proposing to eliminate the legal obligation of employers to provide the union with the personal contact information of eligible voters.
- The NLRB, under the Trump Administration, is undermining the collective bargaining process by expanding the ability of employers to take unilateral action when a collective bargaining agreement is in place and limiting the situations in which employers are required to bargain over disciplinary decisions. The Board is also signaling that it may eliminate the long-standing rule that protects a union's status as bargaining representative while a collective bargaining agreement is in effect (i.e., the "contract bar" rule).
- Dramatic cuts to the NLRB's staff under the Trump Administration are directly undermining the agency's ability to investigate unfair labor practices committed by employers. President Trump also proposed cutting over 10 percent of the agency's funding in his proposed 2020 budget. Recently announced plans by the General Counsel to reorganize the agency's busiest offices are raising concerns from Members of Congress that the changes will prevent the agency from effectively carrying out its responsibilities.
- President Trump has taken many executive actions to limit collective bargaining in the federal workforce. President Trump has allowed federal employees to opt out of paying union dues, limited the amount of work time federal employees can spend on union activities, prevented federal employees from filing grievances over certain merit-based actions, and shortened the time frame for federal-sector collective bargaining.
UA Endorsement Comparison of Vice President Biden and President Trump

ON INFRASTRUCTURE

Vice President Biden

☆ As Vice President, Biden oversaw the execution of the American Recovery and Reinvestment Act, which poured more than $800 billion into infrastructure and stimulus spending, bringing the country back from the brink of depression, and which included strong labor protections and fair wages.
☆ Biden is calling for a sizable investment in our country’s infrastructure and future: $1.3 trillion over 10 years to equip the American middle class to compete and win in the global economy and to ensure that cities, towns, and rural areas all across our country share in that growth.
☆ Biden’s proposal doubles the federal investments in clean drinking water and other water infrastructure, and focuses new funding on low-income rural, suburban, and urban areas that are struggling to replace pipes and treatment facilities—especially in communities at high risk of lead or other contamination.
☆ Biden’s plan to build back our nation’s infrastructure, especially in the face of the COVID-19 pandemic, places a heavy emphasis on robust investment in construction and the skilled trades—all using UA and other union labor. His plans for modernizing our schools, hospitals, residential buildings, and airports all rely on union labor, meaning UA members will win more work under a Biden administration.
☆ Biden’s infrastructure plans will also place a strong emphasis on new investments to inland waterways, locks, and dams, ensuring that America’s freight infrastructure puts us in a position to build a more resilient national economy.
☆ Biden has called for strict enforcement of the Jones Act, a 100-year-old law requiring that goods shipped between American ports must be carried on U.S.-built, -owned, and -crewed ships. Trump has numerous times put waivers to the Jones Act on the table for consideration and has surrounded himself with top White House aides who continue to advise him to consider a repeal of this important law.

President Trump

☆ Trump promised a trillion-dollar infrastructure package. He has never brought such a plan to reality or to a vote, and his only proposal has been to, in fact, cut the share of federal money for roads and bridges. He has failed on his promise.
☆ Trump has focused on privatizing construction projects to benefit the wealthiest in our country, leaving communities across the country suffering and our nation falling behind.
☆ When sprinkler systems were required in all new buildings starting in 1999, Trump as a property developer lobbied to try to prevent the mandate. Trump’s Manhattan skyscraper, Trump Tower, does not even have sprinklers on its residential floors.
☆ Biden has always been a close friend and supporter of the fire protection industry and has backed its workers.
☆ Trump is well known for many things, including neglecting to pay wages due for work done by the hard-working skilled craftsmen and women who built his development projects.
ON ENERGY

Vice President Biden

- Biden believes this country must fulfill our obligation to workers and the communities who powered our industrial revolution and subsequent decades of economic growth. Biden has stated that he strongly believes that they've earned our support for fueling our country's industrial revolution and decades of economic growth. He has vowed not to leave any workers or communities behind.
- Biden has vowed to establish ARPA-C, a new cross-agency Advanced Research Projects Agency, which will invest in small modular nuclear reactors and invest in new innovative nuclear technology.
- Biden will work to modernize and streamline the energy permitting process, which will help prevent activist groups from weaponizing the process itself to kill jobs and stop projects. By ensuring that permitting happens in a timely manner, any issues that arise can be corrected before a project becomes economically unfeasible. This will result in strict common-sense timelines that will ensure certainty of the projects.
- Biden's support of modernizing and streamlining the permitting process will also help us hold green energy groups accountable for the non-union dominance in their industry, which will ensure strong labor protections and fair wages.
- Biden has vowed to build on the future of nuclear energy. To address climate change, which affects our economy as well as national security, we must look at all low- and zero-carbon technologies (like nuclear and natural gas). Biden has promised support for a research agenda through ARPA-C to look at issues ranging from cost to safety to waste disposal systems that remain an ongoing challenge with nuclear power today.
- Biden's campaign has proposed investing part of a new $400 billion initiative in developing more nuclear power technology.
- During the primary race, Biden firmly opposed calls to shut down U.S. nuclear plants and freeze new construction of nuclear capacity.
- As Vice President, Biden presided over a policy of stepped-up loan guarantees to nuclear projects, including covering design and application costs for new nuclear projects.
- The Obama-Biden Administration approved the permits for reactor units 3 and 4 at Plant Vogtle in Waynesboro, Georgia, the first U.S. nuclear power plant to be permitted in 34 years.
- In addition to his support for alternative energy sources like nuclear, Biden supports new investments in hydropower and concentrated solar power (CSP) that will put UA members to work.

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President Trump

★ While Trump has taken credit for numerous energy projects during his term, many of those projects were in fact created and received permits during the Obama-Biden Administration. For example, of the seven liquefied natural gas projects in Louisiana listed in an Energy Information Administration's database, six received permits to export under the Obama-Biden Administration with wait times under two years. The seventh project was already in the works for approval as President Obama and Vice President Biden were transitioning out of the White House at the end of 2016.

★ As a candidate, Trump promised to fast-track approval of permits to allow completion of the Keystone XL pipeline, as well as other pipeline projects, but his Administration has been thwarted by its own fumbled policy missteps and overly risky procedural corner cutting. Rather than going through the steps required by existing clean water and habitat protection laws, the Trump Administration made a show of issuing flimsy permits that sidestep or even ignore legal requirements that would have offered a reliable safe harbor to these projects. These risky shortcuts may have looked promising along the way, but in the end, they have allowed opposing groups to tie up progress on pipeline projects in the courts at great cost to our members who would have worked on these projects. All told, the Trump Administration has been blocked on approval of three major pipelines due to procedural challenges.

★ Trump claims to have "saved" Texas's oil industry. However, there is little evidence that the oil industry has stabilized. In Texas, the industry has continued to shed jobs while production has declined.

(continued on page 18)
ON ENERGY

Vice President Biden

- While environmentalists have pressured Biden to shut down hydraulic fracturing, he has strongly declared that “fracking is not going to be on the chopping block.” Biden understands the importance of natural gas to the economy. While Biden was Vice President, the fracking industry helped dig our country out of the economic recession and put people to work.
- Biden’s proposals on natural gas production have won him support from across the oil and gas industry groups. Biden’s energy policy announcements in July included promises to continue the practice of fracking for natural gas and to invest in carbon capture and sequestration technology.
- Biden announced these policies as part of a plan to allow natural gas to serve Americans for decades as the country transitions to clean energy sources. The Biden campaign has also made a point of including advocates of responsible natural gas development in the development of its energy policies.
- Unlike Trump, Biden is committed to fixing existing natural gas pipelines to cut methane leaks.
- Under a Democratic U.S. Senate and a Republican U.S. House of Representatives, the Obama-Biden Administration signed into law an exemption for welding rigorously from overburdensome Federal Motor Carrier Safety Administration (FMCSA) regulations, helping the pipeline industry.
- Biden’s energy proposal builds on Obama-Biden Administration policies such as promoting advanced biofuels and accelerating the use of carbon capture, which limits emissions from coal plants and other industrial facilities.
- The Obama-Biden Administration approved several projects and fought and won five out of five procedural challenges to Obama-era permits by environmental groups. This contrasts with the Trump Administration, which has recklessly bucked the process, leading to successful legal challenges by environmental groups alleging the Administration failed to apply the regulatory scrutiny required under the law.

President Trump

- Despite President Trump’s campaign promise to support coal communities, his Administration has proposed significant cuts to programs—cuts that would hurt coal miners, their families, and their communities. During its final two years, the Obama-Biden Administration developed and implemented the Partnerships for Opportunity and Workforce and Economic Revitalization (POWER) Initiative to invest in struggling coal-dependent communities. Trump has proposed eliminating seven of the 12 programs from the POWER Initiative, including those that direct investment in small businesses, offer worker training and placement, and provide much-needed infrastructure investment.
- The Trump Administration has proposed to repeal controls on methane leaks at oil and gas facilities. The Bureau of Land Management (BLM) also repealed the rule to reduce the wasteful release of natural gas during oil and gas production on federal and tribal lands. Both of these rules would require the repair of oil and gas leaks at production, processing, transportation, and storage facilities—putting UA members to work. In these repeals, EPA and BLM did not bother to calculate the loss of jobs that otherwise would have been required for leak repair.
ON RETIREMENT SECURITY AND BENEFITS

Vice President Biden

★ Biden has stated a commitment to fixing the multi-employer plans that are in dire trouble and in need of an urgent solution. And, while Senator, Biden voted against raising the Medicare eligibility age and fought against efforts to tax employer contributions for health insurance and pension plans.
★ During the COVID-19 pandemic, Trump has failed to protect workers who have lost jobs through no fault of their own. As President, Biden will first work to defeat COVID-19 and provide immediate relief to UA families and UA contractors. At the heart of this plan is an investment to modernize our nation’s infrastructure.

President Trump

★ Trump has done nothing to protect union pensions, even in the face of dire uncertainty.
★ Trump’s Fiscal Year 2019 budget proposal would have possibly saved the Pension Benefit Guaranty Corporation (PBGC), but at the cost of crippling the healthy plans, taxing people who received pensions, and forcing pension contributions to go up without increasing benefits.
★ Trump effectively scrapped the fiduciary rule that required Wall Street firms to act in the best interests of workers and retirees in handling their 401(k)s. The Labor Department rule, conceived by the Obama-Biden Administration, was meant to ensure that advisers put their clients’ financial interests ahead of their own when recommending retirement investments. By eliminating this rule, President Trump—who generally opposes financial regulations—has cost workers tens of thousands of dollars.
★ Under President Trump, the Department of Labor is attempting to prevent pension plans from taking social responsibility into account when making investment decisions. If this change goes into effect, it will be much harder for pension plans to consider “non-pecuniary” factors, such as labor law compliance or job creation, when making investment decisions.

VICE PRESIDENT
MIKE PENCE

While Governor of Indiana, Vice President Mike Pence championed the state’s anti-prevaling wage laws. Pence not only signed the repeal of Indiana’s prevailing wage law, but he helped fund the advertisements attacking construction wages. Even worse, Pence led the charge to remain a right-to-work state, calling the anti-worker law, “A victory of freedom.” Pence also blocked an effort to increase the state minimum wage to $8.25, instead signing into law legislation that prevents localities from passing ordinances to require minimum wages higher than that of the state.

While a member of the U.S. House of Representatives, Vice President Pence voted against labor’s interests—a whopping 95 percent of the time. Today, Pence continues to firmly oppose government spending on jobs programs and private-sector initiatives, in favor of a hands-off view of economic growth that allows the marketplace to determine which companies survive and fail—no matter the collateral damage to workers and local economies. As a Congressman, Pence voted against every federal stimulus package, including the American Recovery and Reinvestment Act, which was passed in 2009, saved the American economy, and eventually saw the disbursement of more than $800 billion for construction projects. While a Member of Congress, Pence did not even sponsor a single piece of legislation that was passed and signed into law. Long a favorite of the Tea Party movement, he was a conservative talk show host in Indiana. As a Congressman, he achieved a lifetime score of five percent from the AFL-CIO.

SECRETARY OF LABOR
EUGENE SCALIA

Senator Patty Murray from Washington State, Ranking Member of the Senate Health, Education, Labor and Pensions Committee, put it best during Scalia’s confirmation hearing before he was confirmed as President Trump’s Secretary of Labor, when she said, “If there’s one consistent pattern in Mr. Scalia’s long career, it’s hostility to the very workers he would be charged with protecting, and the very laws he would be charged with enforcing if he were confirmed.” Scalia, who narrowly was confirmed to be Secretary of Labor for the Trump Administration, is the son of the late Supreme Court Justice Antonin Scalia, one of the most anti-union, anti-labor justices in the history of the Supreme Court.

Sec. Scalia is the seventh ex-lobbyist to take a position in President Trump’s Cabinet and brings to the job several decades’ worth of experience representing some of the same companies he now oversees. Formerly a partner at a Washington, D.C.-based, anti-worker law firm, Scalia built a reputation for helping business clients run roughshod over employees. Early in his career, Scalia led the U.S. Chamber of Commerce’s battle against rules protecting workers’ safety on job sites. He also has a long history undermining the economic security of workers and consumers by helping Wall Street flout financial oversight—instead of looking out for Main Street.

Perhaps the most telling of Scalia’s positions on labor unions in the construction industry came in his attempt to bolster Industry-Recognized Apprenticeship Programs (IRAPs). During the first year of his Presidency, Trump signed an executive order establishing IRAPs, which would allow third-party industry groups outside of construction to develop apprenticeship programs without
ASSOCIATE JUSTICE OF THE SUPREME COURT
BRETT KAVANAUGH

Brett Kavanaugh's catalog of judicial decisions, dating back to long before his seat on the Supreme Court, indicates a clear and long-standing record of his dedication to siding strongly with the employers over the employees.

Starting over a decade ago, Kavanaugh has long been a consistent enemy of collective bargaining rights. In a 2007 case, Kavanaugh reversed a lower court's decision siding with the AFL-CIO and instead upheld the Department of Defense's decision to remove the collective bargaining rights of employees. Kavanaugh also dissented and opposed when the court upheld a National Labor Relations Board (NLRB) ruling that an office furniture manufacturer had set up a splinter company, held by the owner's daughters, to short-circuit employees' collective bargaining rights. Many judicial scholars believe Kavanaugh's consistent opposition to NLRB rulings stems from his well-known disagreement with the Chevron Doctrine, a legal code established by a 1984 Supreme Court decision that instructs that judges should defer to the expertise of federal agencies when they craft rules or regulations.

In 2017, Kavanaugh was one of three Republican-appointed judges who voted unanimously to set aside another order by the NLRB that would have required the Trump Plaza Hotel and Casino in Atlantic City, N.J., to bargain with the United Auto Workers. In 2015, Kavanaugh sided with the management of Sheldon Adelson's Venetian Casino Resort in a similar case, authoring a majority opinion upholding the casino's First Amendment right to summon police to issue citations to union protesters trespassing on company property. These are just a small sampling of the anti-worker decisions and ideology of which Kavanaugh is a fervent supporter.

In one of his last decisions with the D.C. Court of Appeals before being nominated by Trump to the Supreme Court, Kavanaugh sided with the Associated Builders and Contractors (ABC) and ruled that Davis-Bacon protections could be ignored on a massive construction project in D.C. Because of Kavanaugh's decision, the project went forth without Davis-Bacon Act protections, and with the workers on the project making far lower wages than they rightfully should have, resulting in an estimated $20 million loss to workers.

Justice Kavanaugh joined the Supreme Court just as it had made one of its most harmful decisions for unions in this country, and one which affects the livelihood of every union member. The Supreme Court ruled 5-4 in Janus v. AFSCME, a verdict that makes it so that now union workers are no longer required to pay fees to the unions that are representing them, and yet they still benefit when it comes to collective bargaining. Simply put, now nonpaying workers will get a "freeride" and reap the benefits of a union member's hard work and union dues. Trump hailed the ruling immediately after it was handed down as a huge victory for his friends. The case was by far the most significant court decision affecting collective bargaining in decades. The detrimental result of the court's decision on union members' rights is the clearest example of how elections do matter, as the appointment of another conservative Justice, Neil Gorsuch, by President Trump and a Republican-led Senate left little doubt about the outcome of this decision.
What is it?


The Membership Education team identified six issues that UA members are most concerned about for this Presidential election year. Those issues included: Training members properly, access to affordable healthcare, increased job opportunities, highly competitive wages, access to new technology training, and making the quality, safety, and function of the nation's water systems a UA priority. This subcommittee also educates members on Davis-Bacon prevailing wage, project labor agreements, and right-to-work legislation.

The Volunteer Recruitment subcommittee stands by its mission statement, concluding that member-driven political education programs are designed for compelling conversations with members about core issues that matter most. The Endorsements subcommittee helps vet candidates who will represent the best interests of the membership and their families. After polling the UA membership, the two overwhelming concerns were jobs and healthcare. "When vetting a candidate," PEC Chairman Terry Hayden said, "this subcommittee listens to the answers given by candidates. The Endorsements subcommittee also tirelessly researches just how the candidates voted in the past and identifies where they stand on important issues to the UA. This includes rechecking candidates' voting records and clarifying their views on labor." Political Director for the South-Central Pipe Trades and PEC member Danny Walker added, "We have seen boldness in this Committee for NOT following the crowd, and after hours of sound debate, making a stand for the benefit of the UA as an organization and its membership." Endorsements subcommittee member Cristina Berillas said, "There isn't a politician out there with which all of labor's boxes are checked off. That is why, when vetting the candidates, the research that we do is so vital."

The subcommittee that works with the Labor Action Network (LAN) can utilize this network to assist with legislative advocacy as well as electoral campaigns. Local unions need to keep LAN up to date to help local unions, pipe trades associations, and the UA General Office contact members regarding important upcoming legislative actions and elections.

The PAC Strategy and Compliance subcommittee works to ensure compliance is accurate and works with individual local unions and state associations regarding the three different types of PAC funds—Federal PACs, state and local PACs, and independent expenditures, issue funds, etc.

The members who work on the subcommittee entitled Legislative Accountability work to identify UA priorities, as well as industry allies and opponents. These include elected officials and candidates, labor partners, contractor partners, industry organizations, and community organizations. Committee members work hard to communicate the UA's priorities to these entities.

"There isn't a politician out there with which all of labor's boxes are checked off. That is why, when vetting the candidates, the research that we do is so vital."

* Cristina Berillas, Endorsement subcommittee member
Is it Working?

Committee member Larry Mazzola Jr., the Business Manager of Plumbers and Pipefitters Local 38, San Francisco, CA, thinks so. He said, "I was happy to be asked to serve on this Committee to learn how politics are handled in other UA local unions across the country and share ideas and strategies. The process was important because we spent many hours vetting the candidates and coming up with the strengths and weaknesses of each when it comes to UA and labor issues. ... Our job was to do as much research and have as much discussion as possible to determine which way our endorsement would go. We decided solely on who would be better for the UA, our issues, and our members. It was important to General President McManus to have a process like this and to hear from multiple local unions and members regarding what they thought."

Locally, Brother Mazzola has seen a difference as well. He remarked, "In San Francisco, the San Francisco Building and Construction Trades Council, of which I am President, just got done negotiating a city-wide project labor agreement that was signed into law in July of this year. This agreement is for 20 years and will capture billions of dollars of work for our members for projects that are built on city land or are city funded. This agreement took three years to negotiate and would never have happened if it weren't for the relationships that we formed over the years with our Mayor and Board of Supervisors. Local 38 and Sprinkler Fitters Local 483 had a huge hand in making this happen."

For Justin Hornbach, who is the Organizer for Pipeliners Local 798, becoming a member of the PEC allowed him "to be a voice for members working in a much-debated field over the last decade." Brother Hornbach said, "As pipeline opponents have organized and grown in numbers, the main focus for Local 798 and the UA Pipeline and Gas Distribution Department has been to advocate for pipeline projects that employ thousands of UA workers. This..."
advocacy works throughout the U.S. via letters, emails, the American Pipeline Action Network, and at in-person community opportunities. Like many issues, pipeline construction has become ignored by a party known to support union workers and taken up by a party that loves to see the jobs but generally fights to dismantle regulations that protect environmental safety, worker safety, and workers' ability to organize. Unfortunately, that leaves many union-friendly candidates choosing to stand against our industry, and the political views of the UA membership have become even more divided in recent history.

Referring to the PEC, Brother Hornback said, "The mutual respect and acknowledgment of each person's professional expertise on specific political issues helped the committee. ... We were able to reach a consensus on the four broad issues most important to UA members—union rights, infrastructure, energy, and retirement security and benefits. In addition to judging candidates, we also were asked to explore best practices to increase political engagement and how to increase participation within our local unions. The better we become at engaging politically, the more attention the issues we most value will receive."

UA political engagement also branches out to members who are involved in other organizations and who have run for office and won. Cristina Barillas sits on the National Labor Council for Latin American Advancement's (LCLAA) Executive Board as the UA representative. She said, "This organization fights for workers' rights and women's rights and educates Latinos on unionizing benefits. This year, LCLAA has led a vigorous campaign on the 2020 census and GOTV (Get Out the Vote). As a woman of color on the Committee, it brings me great pride to encourage my community to join the UA by expressing how much Plumbers Local 130 and the UA have benefited my life."

State Political Lead for the Michigan Pipe Trades Association Jeremy Garza ran for Lansing City Council in 2018 and won. Regarding the Presidential endorsement, Brother Garza said, "Most recently, our Committee met virtually to discuss our stance on the upcoming 2020 Presidential election. Together, and with every Committee member's input, we compared and contrasted the stance and records of both Presidential candidates on issues extremely important to our membership. No candidate is perfect, but after comparing Trump and Biden in the categories of energy, infrastructure, retirement security and benefits, and union rights, the choice was obvious to our Committee, and that choice was to endorse Joe Biden and Kamala Harris. General President Mark McMarcus asked for the unfiltered input from our Committee members, and that is what he exactly
In 2019, our focus moved to Virginia, as both state legislature houses were up for election, as well as many county boards of supervisors and county constitutional officers. After the significant gains made by the Democrats in the Virginia Legislature in 2017, and by defeating a state constitutional amendment on right-to-work, we set a goal of helping to flip the houses with labor-friendly candidates to support the Governor. The Republican majority over the last decade had done nothing—ever under two Democratic Governors—to help labor. In November 2019, we helped flip five Northern Virginia county boards of supervisors, six Commonwealth Attorneys, and both legislative houses.

He continued, “We went into the January 2020 legislative session with the new Democratic House in Virginia, amounting to the best legislative session for labor in the state’s history. We fought and passed four significant pieces of legislation that will change how state and local governments do construction projects across Virginia. The prevailing wage bill passed with a lower threshold than neighboring Maryland. We repealed a ban on project labor agreements. We passed a law giving localities the option to use responsible contractor procurement instead of the lowest bid. Finally, we passed the private right of action with general contractor liability, making Virginia one of five states to hold general contractors liable for their subcontractors.

The Governor gave the prevailing wage and repeal of the PLA a delayed enactment due to COVID-19. However, our other two priorities still went into effect on July 1, and we started working on changing procurement laws at the local level. In Northern Virginia, we had success in two counties, two others are working on their ordinances, and a third is taking more persuasion than necessary. We are now focusing on local races in other parts of Virginia to get more localities to change their procurement ordinances, and to prepare for the ordinances needed at the local level on prevailing wage and PLAs next year. Our only priority that didn’t pass was a repeal of Virginia’s right-to-work law, which is why we focus on who the next Governor is in Virginia, because that is who we need behind us to achieve this goal.”

It was important to General President McManus to have apprentices represented on the Committee. HVACR service technician Jeremy Smith and pipefitter Dylan Marriott were the apprentices chosen. Brother Smith has since turned out as a journeyman for Plumbers
and Steamfitters Local 486 in Baltimore, MD, and Brother Marriott has turned out as a journeyman for Plumbers Local 208 in Denver, CO.

For Brother Smith, the experience was eye-opening. He said, “Spend 10 minutes with this Committee, and you will see an accurate account of the diversity in members and trades that the UA represents. I try to relay to my fellow members that when it comes to endorsing candidates, the UA has chosen those candidates based on who would best increase work opportunities and protect union labor issues for the UA. The UA doesn’t care what a candidate’s stance is on guns, for instance, or issues like that. Those issues won’t put food on the table or send our members to work. We are a labor organization, and our candidates must be the candidates who will make the best choices for our members on labor issues so that we can grow as an organization.”

Local 598, Pasco, WA, Government Affairs Director Nick Bumpass said, “About eight years ago, we identified that we needed to become more engaged in politics and build closer relationships with those in elected office. Since that time, our membership has invested heavily in being engaged on Capitol Hill, securing our seat at the table, and building local, state, and federal relationships. Our involvement with the PEC has connected us with other UA locals that created what we are trying to develop, have fought some of our same fights, and have achieved what we have been working to accomplish. The ability to borrow from others’ experiences and share that information with our sister locals and our state pipe trades associations has been invaluable. Our time on the PEC has shown us how our local and state efforts can add momentum to other UA locals from across the country.

“In most cases, we share the same priorities from local to local and state to state, and having the opportunity to coordinate our efforts and to share our universal message helps to build that momentum. At UA Local 598, we are not focused on creating a blue, red, or purple majority in our statehouses. We are focused on building a UA majority, and thanks to the PEC, we are in a much better position to do so.”

Willie Koester is a 46-year member who does work for the Ohio State Association of Plumbers and Steamfitters. He said, “Chairman Hayden conducted the meetings in an orderly fashion with about 22 of the most pragmatic freethinkers you could imagine. There was a sense of comfort when voicing opinions and asking fellow members questions, regardless of who happened to be in the room. General President McManus probably spent more time than he had planned sitting in on the meetings..."
and truly valued our opinions and comments."

"Chairman Brother Terry Hayden did a
great job setting up, organizing, steering the
conversations and meetings," Local 636 Busi-
ness Agent Theresa Danko said. "He made sure
that everyone’s opinions were heard and con-
sidered—all while keeping things productive
and covering the task at hand, which was no
small feat."

Business Agent for Enterprise Association of
Steamfitters Local 636, New York City and
Long Island, NY, Janet Pacella stated that the
leadership within her local is very active in the
political arena, advocating for the welfare for the
members on the local, state, and federal levels.
She said, "We are one union where members,
officers, apprentices, and retirees stand shoul-
der-to-shoulder with our leadership to ensure
our union family’s survival." She was grateful to
be assigned to the PEC Committee. She said
that she was amazed at the Committee’s ability
to navigate a challenging political landscape to
ensure, through the UA, the sustainability of or-
ganized labor. She added, "In fact, there are
some UA members who are running for politi-
cal office. Business Agent Mario Matters (R),
who represents Plumbers Local 200, is running
for the New York State Senate in the Second
District this fall."

Sister Pacella continued, "Through the work
on the PEC, it has become clear to me that we
need to look beyond the short-term gain that
some industries with specific energy policies
may achieve in favor of foundational union
rights policies that are so precious to the sur-
vival of organized labor. The party’s platform
that we chose depended on the workers’ right
to organize, protection of our memberships’
wages, health coverage, and retirement plans,
and the sustainability of skilled labor through
apprenticeship programs. Whether you identify
as a Republican, Democrat, or Independent,
you must ask yourself which political candi-
dates will support those foundational policies.
Through our work on the PEC, it was
clear to us that the Biden/Harris ticket
will best support these policies."
Where Trump, Biden stand on construction-related issues

This comparison looks at the nominees' platforms on topics of importance to contractors such as employee compensation, infrastructure spending and immigration.

By HR Dive and Construction Dive staffs
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As the 2020 presidential race continues, the platforms of President Donald Trump and former Vice President Joe Biden include policies that affect U.S. contractors. Below are some of the issues of importance to construction leaders.

Federal minimum wage

President Donald Trump

In June 2019, Trump said in an interview with Telemundo he would consider a federal minimum wage higher than $15 per hour. The bipartisan Raise the Wage Act, which would increase the federal minimum wage from $7.25 to $15 by 2025, was passed in the House July 18, 2019, but was not approved in the Senate. Trump said on July 1, 2020, he would have a statement on the minimum wage in the next two weeks, Reuters reported, but an announcement has not been made.

Former Vice President Joe Biden
Biden backs a $15 federal minimum wage and an end to the tipped minimum wage. The Democratic nominee also said he supports an end to the subminimum wage for workers with disabilities and aims to "ensure everyone has strong benefits." Biden's labor policy platform also said he plans to hold employers accountable for wage theft, union busting and proper worker classification.

**Paid leave**

**President Donald Trump**

Trump's fiscal year 2019 budget proposal included a paid family leave program that would have given new parents six weeks of leave through the unemployment insurance system. He also touched on the topic during his 2019 State of the Union address, touting a nationwide paid family leave program "so that every new parent has the chance to bond with their newborn child." He also signed into law a provision granting emergency paid leave during the novel coronavirus pandemic; that mandate sunsets at the end of 2020.

**Former Vice President Joe Biden**

Biden's website calls for "legislation that will provide 12 weeks of paid leave for all workers for their own or a family member's serious health condition."

**Federal diversity training**

**President Donald Trump**

Under Trump's directive, federal agencies have been instructed to end anti-racism or anti-bias training sessions that encourage "government workers to believe divisive,
anti-American propaganda," according to a two-page Sept. 4 memo written by White House Office of Management and Budget Director Russell Vought. Trump expanded the mandate in a Sept. 22 Executive Order by including federal contractors and grant recipients among the groups barred from offering this kind of training. At the Sept. 29 presidential debate, Trump said the training represents "a radical revolution that was taking place in our military, in our schools, all over the place."

**Former Vice President Joe Biden**

During the Sept. 29 debate, Biden supported training on racial insensitivity. "People have to be made aware of what other people feel like, what insults them, what is demeaning to them," he said. "It's important people know. Many people don't want to hurt other people's feelings, but it makes a big difference. It makes a gigantic difference in the way a child is able to grow up and have a sense of self-esteem."

**Infrastructure spending**

**President Donald Trump**

Trump has long advocated for rebuilding the nation's infrastructure, a cornerstone of his first presidential campaign. Based on previously released legislative goals, the Trump administration would likely advocate for passage of a comprehensive infrastructure package focused on improving America's roads, highways, airports and smart grid, according to the National Law Review. President Trump's proposed second-term agenda also indicates a focus on creating a national high-speed wireless internet network.

Other provisions of his plan include bolstering the country's oil and gas industries and the continued rollback of environmental
regulations that impede development.

**Former Vice President Joe Biden**

Biden’s plan calls for $2 trillion of investments over four years in the country’s infrastructure, transportation and auto industries. It focuses on the role of unions to rebuild the country’s roads, bridges, water systems and electricity grids. He also wants to upgrade 4 million buildings, weatherize 2 million homes and spend $100 billion to modernize schools. Biden said that building work would create "1 million good-paying jobs."

Biden's proposals to markedly increase federal infrastructure spending would lift demand for construction, telecoms and utilities, said analysts at Moody's in a recent report.

**Immigration**

**President Donald Trump**

The Trump administration's stance on immigration is perhaps best summarized by the "America First" ethos which seeks to promote American workers and businesses. Since taking over, through the actions of the U.S. Department of Labor, U.S. Customs and Immigration Services and the U.S. Department of Homeland Security, the administration has emphasized halting illegal immigration and slowing legal immigration, achieving the latter in part by increasing regulations and costs for employers and prospective immigrants.

The H-1B program, in particular, has been a target for reduction and other visa programs have seen changes leading to decreased applications or use. Industries such as agriculture and hospitality are particularly reliant on seasonal temporary work visas.
USCIS also has increased spending as the administration enacted policies to limit asylum and refugees at the border and deport undocumented immigrants. The administration also sought to end the Deferred Action for Childhood Arrivals program.

**Former Vice President Joe Biden**

The Biden platform for immigration vows to "take urgent action" to undo or reverse many of Trump's actions, highlighting restoration of asylum, eliminating policies such as the "Muslim ban" and reforming temporary visa programs. He has cited immigration's role in the economy and its value to U.S. employers.

"Trump has waged an unrelenting assault on our values and our history as a nation of immigrants," his platform said. "It's wrong, and it stops when Joe Biden is elected president."

"Integrating the talents of new immigrants into our communities and helping them to thrive enriches our nation and our economy," it later added.

**Job creation**

**President Donald Trump**

Vice President Mike Pence in a recent debate said the administration has, since the start of the pandemic, added back 11.6 million jobs — about half those lost — "because we have a president who cut taxes, rolled back regulation and fought for free and fair trade." The administration also saved 50 million jobs with the Payroll Protection Program (PPP), he said; "We literally have spared no expense." The PPP estimate, however, has been called into question.
Former Vice President Joe Biden

Sen. Kamala Harris, during the vice presidential debate, noted that Biden plans to create clean energy jobs as part of his climate plan. Biden's plan also says he will "build a strong industrial base and small-business-led supply chains to retain and create millions of good-paying union jobs in manufacturing and technology."