

INSIDE NAFFE New Members

With this issue, NAFFE welcomes the California Faculty Association (www.cfa.org), Canadian Association of University Teachers (www.caut.ca), College Institute Educators Association (British Columbia, www.ciea.bc.ca), Communication Workers of America, Local 9414 (www.cwa9414.com), and Campaign on Contingent Academic Labor, California (COCAL-CA) into the network.

Press Center

For NAFFE members intent on expanding their media outreach, the office has expanded its media resource base. The office can now assist in developing media lists—with full telephone, fax, e-mail and mailing information—of writers and editors by topic and region. We can assist in generating automatic fax and e-mail lists. As organizers know, this is no substitute for direct contact and relationship building with journalists, but it can serve as a good starting point. For more information, contact the NAFFE office.

Website Changes

Visitors to our website (www.fairjobs.org) will notice that we now have a "member login" button. This provides NAFFE members with expanded, but secure, access to information about action groups, event, conference and meeting calendars, and easy communication with action group members. As always, we will pay close attention to feedback you provide about the site and its usefulness. The NAFFE office will be contacting you to provide the login information.

TRENDS cont'd

cashiering, general office clerks, home health aides, security guards, and customer service representatives. At the higher end, the fastest growing will be in health care and computers. (Source: Staffing Industry Reports 11/26/02)

Internet Wages Down

As the internet/new economy boom recedes into our imaginations, internet and e-commerce-related positions are expected to see declines in starting salaries. (Source: Staffing Industry Reports 11/26/02)

Telework: Need for Guidelines

Currently, 75,000 of the federal government's 1.8 million employees are telecommuting. That number is expected to grow over the next few years as 19% of the federal workforce becomes eligible for retirement by 2005. While managers are often reluctant to enter into telework arrangements, successful government telework programs have been found to improve productivity and reduce absenteeism and attrition. Unions are concerned about the enforcement of existing legal protections such as wage-hour issues, as well as safety and health matters. Employers may be even less concerned about addressing ergonomics issues in the home office. A research economist for the Communications Workers of America suggested the following measures for successful telework programs:

- ◆ Make the program voluntary;
- ◆ Have regularly scheduled office days;
- ◆ Ensure that worker development programs do not penalize telecommuters;
- ◆ Notify all workers of company policies on supervision and privacy;
- ◆ Ensure that all worker protections remain in effect and notify those workers of their rights;
- ◆ Do not make employees bear the costs of telecommuting.

(Source: Government Employee Relations 12/3/02)

Monster Classifieds

Classifieds, particularly the job boards, are an important source of revenue for newspapers. That may soon change: Monster.com is seeking part of the \$8.7 billion market. It will roll out a local recruitment service targeting hourly job seekers in about 200 cities. Monster.com is owned by TMP Worldwide, Inc. (Source: Staffing Industry Report 11/26/02)

Assault on Family Leave Continues

The US Labor Department is proposing to repeal a Clinton-era rule that permitted states to extend unemployment benefits as a partial wage replacement for parents away from work caring for newborns or newly adopted children. In 2001, 20 states had introduced bills based on the rule. The business community, including the US Chamber of Commerce, challenged the legality of the rule.

The National Partnership for Women and Families' Judith Lichtman notes that, "For an administration that gives endless lip service to family friendly, it is withdrawing a policy that allows states to use the unemployment compensation funds for parents who need time to care for newborns and newly adopted children is a crass and cynical slap in the face of those who are struggling to be responsible workers and family members." (Source: BNA Human Resources Report 12/9/02)

Texas Court Sides with Wal-Mart

The Texas Court of Appeals rejected the certification of about 350,000 current and former Wal-Mart workers as a class in a case addressing whether or not employees were required to work through breaks and off-the-clock without pay. The court reasoned that each case was different because the workers claims are based on alleged oral contracts between the individual workers and their managers. The court argued that the individual claims require an individual determination of what each manager individually said. (Source: BNA Human Resources Report 12/9/02)

TRENDS

"Outplacement" Growth Slows

The growth of outplacement services—where employers pay for ex-employees' training in interview techniques, résumé preparation, etc.—has slowed rapidly over the last three years. Total outplacement revenue for 2003 is expected to be \$1.7 billion. (Source: Staffing Industry Report 1/14/03)

"Improving Slowly"

The Federal Reserve reports that while "business conditions" improved marginally in October and early November, economic activity is still seen as sluggish. While only two of the Reserves twelve districts reported any growth, the Reserve believes that economic conditions have stabilized. Unemployment figures suggest a "jobless recovery," with numbers remaining steady at 6% through December. (Sources: BNA Human Resources Report 12/9/02; Staffing Industry Report 1/14/03)

Profit Squeeze

According to a survey by the American Staffing Association (ASA), the staffing industry is in trouble. In 2001, pretax profits fell 50%, and the profit margin fell to 1.7% of sales, from 3.6% in 2000. An ASA vice president noted that where in 2000 there were more orders that people to fill them, "The situation reversed itself in 2001, with more people than orders." For temp worker advocates, this means increased vigilance is necessary, as employers are tempted to squeeze profits and cost savings from as many sources as possible—including hidden fees and charges. (Source: Staffing Industry Report 11/26/02)

Outsourcing

Business Processing Outsourcing (BPO)—temp industry language for destroying the better paying clerical jobs—is expected to increase radically over the next few years. Where in 2001, worldwide BPO totalled \$712 billion, the market is expected to grow to \$1.2 trillion. (Source: Staffing Industry Report 11/26/02)

Fastest Growing Jobs

The US Dept. of Labor reports that the fastest growing jobs will be in food service and preparation, retail sales,

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Contingent Work

NEWS and comment

NAFFE

JANUARY 31, 2003

2003: Anti-labor Initiatives Abound

Privatizing Federal Jobs; Weakening Overtime Protections; Pro-employer Judicial Appointees; Denying to Federal Employees Union Rights; Have the Republicans found a 21st Century PATCO?

With the slimmest of possible mandates from the last US elections, many worst-case scenarios for labor may come to pass. Already, the Bush administration has ceased tracking layoffs. Homeland security jobs will not be subject to collective bargaining (even those that were in the past). In the Senate, an initiative is underway that would effectively reduce, if not eliminate, overtime pay under the guise of "flexibility." The center-piece of the renewed assault on labor, however, is the Bush administration's plan for a massive privatization of public services that may involve up to 850,000 jobs, or roughly one half of the federal workforce. Under the plan, existing federal jobs would be put out to bid to private contractors. Current federal employees in jobs classified as "commercial activities" would lose their jobs to contract workers.

Many of the targeted jobs are in less-skilled jobs such as maintenance, landscape, and food service workers at government facilities. These jobs often serve as stepping stones for women and minorities climbing the economic ladder. With these positions contracted out, once stable jobs will become contingent and lower paying, closing off yet another avenue to economic security for the less privileged.

But it isn't just the

unskilled that are in jeopardy. The Air Traffic Controllers Association has launched a protest to a pending ruling by the FAA that air traffic control is a "commercial activity." The FAA denies any intent to



privatize, but air traffic controllers are skeptical. Ironically the announcement of the privatization plan came just as a new federal workforce was being put in place at the nation's airports to beef-up security replacing private contractors

Critics of the privatization plan dispute administration claims that the move will result in considerable cost savings. They argue that contracting is a way to reestablish a system of political "spoils" that civil service and other government reforms were designed to eliminate. Corporations with government contracts are a good source of campaign contributions.

Response was quick from the labor movement, which roundly criticized the plan as a thinly veiled effort to undercut

worker rights, and wages and benefits currently enjoyed by federal workers. Many in labor and progressive circles also see the plan as an attack on public-sector unions which tend to support the Democratic Party.

The administration's anti-union agenda was evident in the recent debate around the creation of the Department of Homeland Security, when the administration demanded the suspension of standard labor rights for department personnel, including enforceable collective bargaining contracts.

In the early 1980's, Ronald Reagan fired striking air traffic controllers and banned them from ever working for the federal government. This hard line emboldened corporate America to launch an assault on unions, and contributed to a precipitous drop in private-sector union membership. The Bush plan could be the first shot in a similar battle in the public sector. Expect politicians at the state and local level to take up Bush's privatization plan as a way to eliminate pesky public sector unions—especially in a sluggish economy with declining tax revenues. The difference is that this time we can see it coming and can prepare to fight. (Sources: AP 1/3/03; BNA Daily Labor Report 12/5/02, New York Times 11/15/02)

Campus Update COCAL-CA

Facing a projected shortfall of \$35 billion, California's governor has proposed a budget that includes significant cuts to all three public sectors of higher education (University of California, California State University, and the community colleges). In response, NAFFE member Campaign On Contingent Academic Labor-California (COCAL-CA) is focusing on a campaign to educate the public about not only the consequences for contingent faculty, but the impact on students in California. COCAL-CA now has a public listserve. To join, email cocal-ca-subscribe@yahoo.com.

Campus Equity Week

NAFFE members and other allied organizations are organizing Campus Equity Week. From October 27 through 31, 2003, coordinated activities on campuses throughout North America designed to educate campus communities, the public and policymakers, will focus attention on issues of fairness and quality of education. The coalition organizing the week has launched a website: www.cewaction.org.

Union In Michigan

Contingent faculty at the University of Michigan have filed for a union election. Non-tenure-track faculty seek representation by the Lecturers' Employee Organization, affiliated with AFT member Michigan Federation of Teachers & School Related Personnel, to bargain for better pay, access to healthcare, increased job security, and improved professional development opportunities. Nearly half the University's credit hours are taught by full- and part-time non-tenure track faculty. (Source: www.mfstrp.org)

Intimidation at Yale

The Graduate Employees and Students Organization (GESO) at Yale says that several faculty members have interfered with discussion between graduate students contemplating unionization. and that the cumulative impact of the incidents has gotten to a crisis point." In a letter to the Yale University president, GESO cited three incidents in which faculty members reportedly threatened graduate students for engaging in conversations about union issues. The Yale administration opposes unionization of its graduate student employees, arguing that graduate students are not employees. (Source: Yale Daily News 12/6/02).

Day Labor Centers: Challenges & Growth

Under Fire: SF Day Labor Program A day-labor program run by La Raza Centro Legal in San Francisco's Mission District is in limbo while the City of San Francisco delays a decision on its funding. The Center's management believes that the funding delay is a politically motivated act of retribution for protests organized by the Center. At the heart of the dispute are competing claims over the Center's successes and measures thereof: since its opening in 1990, the program reports that it has provided more than 28,000 jobs. Last year, 1,588 men found jobs with a \$10/hr minimum wage. The city's administration is skeptical about the program's success, and has attributed blame for the worsening "plight" of day laborers to the Center's "poor management."

The city, however, appears to have stepped up its harassment of day laborers seeking jobs on the street, leading to protests from the Center. The day labor program director, Renee Saucedo, argues that the Center attempts to provide jobs, but during "the days they [day laborers] don't find work through us, they have every right to stand out on the street without being harassed by racist neighbors." (Source: SF Weekly 11/20/02)

In Houston, the city council is debating cutting ties with a busy day labor center.

The Westchester Hispanic Coalition founded a day laborer hiring site that has since become a model worker center. Now however, its future is in question as the Coalition has left its original premises at a community center, and is now trying to

run its own site on the premises. Both the Coalition and the community center claim that they are interested in providing services and education to the day laborers seeking work through their hall. Each, however, claims that the other does not understand the needs of the day laborers. (Source: Journal News 10/21/02)

Day Labor Centers Plans

In San Diego on the West Coast, and Bergen County on the East, local governments are slowly coming to terms with the present on day labor. Bergen County's Human Services department and local activists have launched a "fact-finding mission" to study day labor. In Vista, CA, the city council asked a non-profit agency to develop a plan for opening a hiring hall for day laborers. Some city councilors, however, want the hall to serve only "residents and legal immigrants."

Plans underway in Riverside County, CA call for three day labor centers to be constructed, including one adjacent to a Home Depot store. New day labor centers continue to spring up across the country with centers opening in Chandler and Phoenix, AZ and in the metro Atlanta region.

In Phoenix, as elsewhere the debate about day labor centers is intrinsically linked to the debate over immigrants. The city's first day labor center is slated to open early next month amid significant controversy.

Workers, mostly undocumented Mexicans, express hope that the center will help establish a wage structure and even provide services like English classes. But a recent city ordinance would criminalize soliciting work on the street within

three miles of the center. The law has done nothing to reduce anti-immigrant sentiment expressed by Phoenix residents who see the Center as subsidizing undocumented workers. (Source: AP 11/4/02; Arizona Republic 11/11/02; Arizona Republic 12/16/02; Atlanta Journal-Constitution 11/3/02; Press-Enterprise 11/22/02; Record 11/26/02; San Diego Union-Tribune 11/8/02)

Back Wages: Critical Case in Baltimore; Win in NY

State CASA de Maryland, the non-profit legal and social service agency that recently opened an office in Baltimore is acting on behalf of five workers who have been denied their wages by a construction subcontractor. Five claimants from Guatemala, Mexico and Colombia are seeking several thousand dollars in back wages from a "mom and pop" operation. CASA hopes that the case will deter other employers from exploiting day laborers. Over the last three months, the CASA Baltimore office has received more than a hundred calls from Latino day laborers who are owed \$30,000 between them.

In Suffolk County, NY, the District Attorney reports that county enforcement of the prevailing wage law was forcing contractors to pay day laborers and other workers for wages that were illegally withheld. Between January and November, the DA's office had prosecuted 15 people and forced payment of \$585,000. (Source: Daily Record 9/24/02; New York Times 11/3/02)

Health Care Debate Heats Up

For the first time since Bill Clinton's disastrous attempt to over-haul the health insurance system almost a decade ago, health insurance reform is once more back in the political mainstream. Candidates for the Democratic nomination for president have staked out positions calling for major reforms. For instance, Howard Dean is perhaps best known for his stance in favor of universal health care. A recent National Academy of Science report prepared for President Bush declared the current health care system incapable of meeting the "present, let alone the future, needs [for health care] of the American public." In his State of the Union Address, the President outlined proposals for major changes to Medicare and prescription drug benefits, prompting a heated response from Democrats.

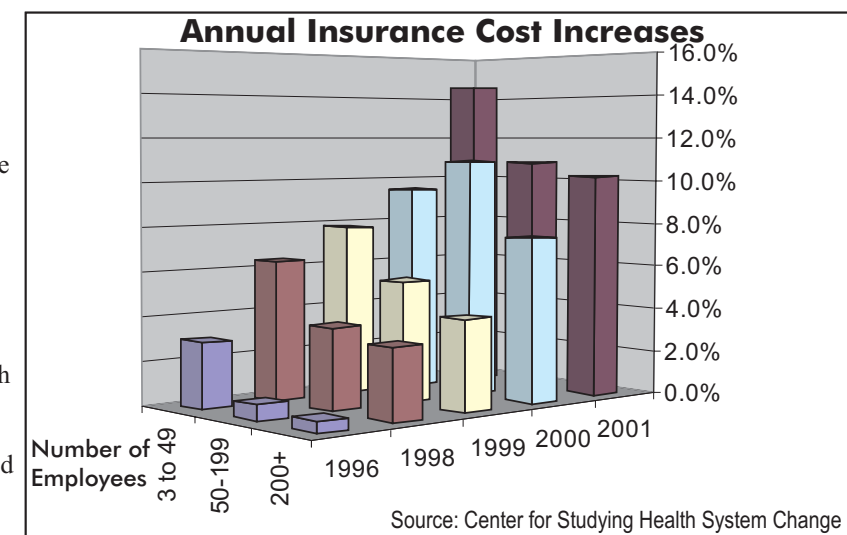
The new interest in reform springs from a growing crisis in the health care industry. For the first time since 1993, the number of workers covered by employee-based health insurance has declined.

Today it is not just low-income people that lack health insurance. The largest group of newly uninsured workers in 2002 had incomes greater than \$75,000.

The decline is sharpest in small companies of 25 people or less. With health-care costs slated to increase by double digit percentages next year--even as just out-of-pocket expense increases for most people--more companies are expected to drop coverage. And despite new public plans launched to insure

children, the number of kids without health insurance has remained the same because of the decline in employment-based health insurance. The increase in costs is putting an enormous strain on state budgets. Medicaid, public employee benefit costs, and other health related expenses account for 30% of state budgets. Last year, costs grew by 13%, as revenues were falling. Pressure from the states for reform can be a powerful force for change.

NAFFE members can play a key role in the coming debate.



Most debate focuses on individual workers who have lost health insurance either through job loss or other personal misfortune. But NAFFE and its member groups advocate for workers who are *systematically* denied access to employment-based health insurance. That is because many categories of contingent work are *designed* to help employers avoid health care costs. For instance, only 20% of women workers in contingent jobs and 11% of male workers

are even eligible for employment-based coverage, and far less actually take it. NAFFE and its members must keep this systematic denial of benefits front and center during the debate-- especially since more and more workers are being pushed into contingent jobs by firms unable or unwilling to provide employment-based health insurance. (Sources: BNA Labor Relations Week 11/7/02, New York Times 11/22, 25/02, 25/02, 1/19/03, Economic Policy Institute The State of Working America 2002-2003)

International News: Strikes Erupt Across Europe

Britain: In November, firefighters launched a series of walk-outs, in what is considered the most serious labor challenge to Tony Blair's Labour Party since its election in 1997. Amidst Firefighters' call for a pay raise, the government is threatening major changes in how public services operate. The firefighters' struggle has garnered the support of other public-sector workers who joined a one-day strike in January. Short-term walk-outs continued in late January, with more planned next month.

France: Public employees staged a one-day strike, protesting the government's attempts to privatize key industries and reduce workers' pensions. The strike followed a day of the road blockades formed by truck drivers across the country demanding a shorter work week and better pay.

Portugal: Hundreds of thousands of workers last month joined the second general strike in two months, bringing much of the country to

a standstill. The workers were protesting plans for major labor law reforms, including reducing work hour restrictions, allowing more short-term contracts, and making more flexible employers' reasons for firing workers. Other major labor struggles included Italy, Germany, Cyprus and Greece. (Sources: The Guardian 1/21/03, BBCnews.com 1/10/02, The Times 12/23/02)

English Temporary Teachers: The numbers of temporary teachers have increased in England to 4.5% (20,000) of the country's 444,000 teaching corps. Doug McAvoy of the National Union of Teachers explains: "Schools have been forced to be dependent upon supply teachers and agencies because we're not training sufficient teachers and retaining them." (Source: Staffing Industry Report 1/14/03)

Temp Hiring Up in Japan & UK: A record 1.7 million people are now employed as temporary workers in Japan. Hiring

continues to rise in the UK where 12% of employers plan to increase staffing levels over the next three months. (Source: Staffing Industry Report 1/14/03).



Thousands of people blocked streets through out Italy in protest of proposed massive layoffs at Fiat, the country's largest private employer. (Source: BBC news.com 12/6/2002)