

All cover photos by Patty Felkner

## **RESIDENT'S REPORT** By Dean Murakami

I want to thank everyone who wore AFT Blue t-shirts on September 24th. I hope that it provided an opportunity to stimulate conversations in classes concerning the budget cuts to community colleges, the increase in student fees and to show the students that faculty care about their concerns. Many of my students expressed anxiety and frustration about the budget cuts, how the cuts will affect their future, and the fact that those cuts were preventing them from transferring to CSU in the spring.

Students in my classes were very upset about the community college student fee increase, also. I told them that the Department of Finance (DOF) and the Legislative Analyst's Office (LAO) claim the \$6 increase in student fees would minimally affect students (howls from the students!). I also told them that the DOF and LAO saw no reason why students should not pay \$70-90 per unit (screams from the students!!).

Many of our first time college students and those from disadvantaged backgrounds will find it difficult to enroll into the fewer classes that are available in Los Rios. That problem is exacerbated by an increase in students who should be attending CSU and UC but are now competing to enroll in those same classes. Many of the most at-risk students will not be able to enroll in the classes they need and may eventually drop out. In addition, many of our transfer-ready students can't just delay their transfer to a university; they will find it necessary to enter the workforce, and may never complete their educational goals.

#### THE "BROKEN RECORD" SYNDROME

It is hard to understand how reducing our state's investment in public education is good for the economic and social vitality of the community, or how cutting the education budget can help us out of the current recession. While lobbying for community colleges at the State Capitol with the State Chancellor's Office, CFT, and FACCC, I was extremely frustrated when each Assembly and Senate representative would tell us how much they value community colleges and the vital role community colleges play. Those same representatives then turned around and slashed our budgets.

The state fiscal outlook does not look any better. Watch a replay of the same Capitol game this year where revenues come in short (a \$7 billion deficit and counting, so far), education and other public services will be cut to meet the deficit, and then corporate tax breaks will be given to get enough Republican votes.

#### THE ATTACK ON THE "50% LAW" & OTHER MANDATES

The pressure on community college districts to deal with the budget cuts in both general fund revenues and categorical programs has been intense. As a result, a number of districts (not Los Rios) have pressured the State Chancellor's Office and the Legislature to suspend mandates that are critical to faculty. These mandates include the "50% law" in which 50% of general fund revenues must be spent in the

Ш	President's Report1
SU	UC Davis Demonstration3
S	What Have You Done for Me Lately?4
<u>I</u> S	Yessika Hoyos5
Ξ	Rivercats Game 6–7
Z	Around the District8
	What Would You Do?10
	STRS and You11
	Congratulations Robert!11
	Sustainability in Design at SCC12
	Employee Free Choice Act12

classroom, comprised mainly of classroom faculty salaries and benefits.

The other mandate is the Full-Time Faculty Obligation Number (FON), which requires each district to have a minimum number of full-time faculty. The intent of this mandate is to prevent districts from using the budget as an excuse to become colleges comprised mainly of non-tenure-track faculty. Governor Schwarzenegger's proposal was to suspend the "50% law" and the FON for five years. Thankfully, we defeated that proposal.

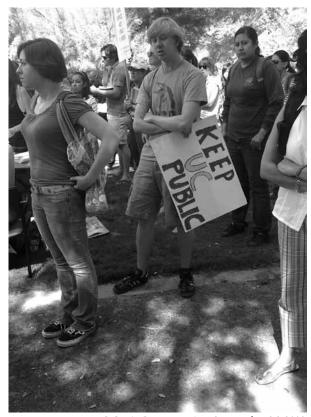
However, last year the State Chancellor's Office suspended the FON and now, with continued increases in unfunded FTES from increased enrollments statewide, many districts want the FON reduced further. Discussions at Consultation Council have seen groups representing district administrations advocating that the State Chancellor's Office suspend the "50% law," while faculty groups have opposed a suspension. Those faculty groups (CFT, FACCC and others) have suggested that those districts which don't meet the "50% law" could be considered for relief on a case-by-case basis through Consultation Council (the current practice). In the past, a district applied for relief from the "50% law" primarily because they refused to add more classes, hire full time faculty, and give better salaries and benefits, especially to part time faculty. They were at 49%, couldn't "afford" to get to 50%, yet those same districts managed to maintain reserves of over 25%. That is why we cannot have an overall relief of mandates, because it allows some districts to abuse the system, which ultimately affects faculty. Thankfully, both LRCFT and the District have emphasized the importance of these mandates, and argued against their suspension. Los Rios has effectively managed to maintain those mandates.

#### A LONG MARCH ON THE CAPITOL

Many of us in the California Federation of Teachers have seen the state's investment in education and public services deteriorate. We believe that a bold statement to the public and our lawmakers is needed. That statement should declare that California must change direction away from the abyss. That is why CFT has proposed a march for California's Future beginning next March at the CFT Convention in Los Angeles and end at the State Capitol in Sacramento around May 3rd. The march will last about 44 days, rallies will occur at the end of each day's march, culminating in a massive march and rally on the last day at the State Capitol. This proposal will require final approval (as of this writing), but I believe there is already enough internal support for it. I believe a march of this magnitude, symbolizing the struggle we have in education and all public services, can be



2



UC Davis Demonstration, Septemeber 24, 2009 photo credit: K Perrone



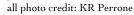
historic and potentially change California's future. I hope that many of you can participate in the march, especially during the three days it is planned to pass though Sacramento. I will keep you updated as details become available.

#### THE 2010 ELECTIONS

Several important electoral contests will take place in next year's general election. In addition to voting for a new governor, there will be crucial races in local congressional, Assembly and Senate districts, including Assembly District 10, currently held by Alyson Huber; Assembly District 15, currently held by Joan Buchanan; and Assembly District 5, where Roger Niello is termed out. We might also see an initiative seeking to change the current super majority needed to pass a state budget.

#### IS A MERGER IN OUR FUTURE?

At CFT, there is the Community College Council (CCC), where I am the Northern Vice President, while the California Teachers Association (CTA) has the Community College Association (CCA). I understand how difficult it may be for you to know to which organization we belong. The LRCFT is affiliated with CFT, and CFT and the LRCFT are both affiliated with the American Federation of Teachers (AFT). The AFT and the LRCFT are affiliated with the AFL-CIO. Whew!! The CFT and CTA have been working on a strategic plan for the CCC and CCA to merge into a single community college organization. The advantages of such a merger would be that the community colleges would be more effective in advocating for budgets, favorable legislation, addressing concerns about the accreditation commission, elections (particularly board of trustees elections), and in providing resources in local collective bargaining. At the same time there are many difficulties in trying to merge these two community college organizations and maintain good relations with the state affiliates (CFT and CTA), who have a history of bickering. The negotiations for this merger are proceeding very slowly and cautiously. It may be several years before such a merger will be voted on by both organizations. Stay tuned !!













## WHAT HAVE YOU DONE FOR ME LATELY?

By Robert Perrone

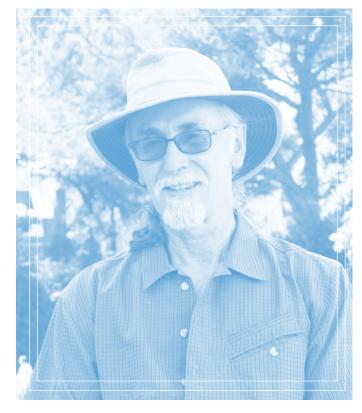
"What have you done for me lately" was a question heard infrequently here until the impact of the state budget woes was felt in Los Rios. Faculty want to know what this organization has been doing for them because, in the midst of hardships, when pessimism seems to reign, it is sometimes difficult to find or accept that anything positive has been accomplished.

I hope I can dispel that notion by offering some examples of important accomplishments that the Union has made. In other articles appearing in this issue, you'll read about what we've done to protect jobs and incomes. Here, I want to address what we've done to protect your rights on the job.

#### STRENGTHENING THE FACULTY RIGHT TO BE REPRESENTED

A little more than two years ago (yes, it's been that long since our last communication of this type), the Union was able to establish that faculty had a right to be represented by the Union in sexual harassment and discrimination complaints, even when such complaints were initiated by the individual faculty member. This stemmed from a complaint filed by a faculty member who filed a discrimination complaint following the District's own procedures. Because this individual had initiated the complaint, the District refused to share information with the Union representative. Management's position was that the Union essentially had no role to play when a faculty member filed such a complaint, including even the right to represent the faculty member; that the discrimination complaint process was an "extra-contractual" process, not covered by the Agreement between the District and the LRCFT.

It took over a year and an unfair labor practice charge filed with the Public Employment Relations Board (PERB) to resolve this issue in the Union's favor. The PERB administrative law judge (ALJ) was clear when she wrote, "Although racial discrimination and freedom from a hostile work environment were not grievable under the parties' [Agreement], such discriminatory conduct was prohibited by the contract, and was a negotiable subject." As a result, the ALJ ruled that the District was obligated "to provide information relevant and necessary to LR-CFT's representational responsibilities." The ALJ also found that "the District denied the Federation its right to represent bargaining unit employees...and interfered with the rights of bargaining unit employees to be represented by LRCFT."



## MAINTAINING SICK LEAVE IN THE PRE-RETIREMENT REDUCED WORKLOAD PROGRAM

Until late last semester, Los Rios and other community college districts throughout the state credited sick leave to those faculty on the pre-retirement reduced workload program (the program) on a pro rata basis, that is, based on the percentage of the reduced workload. Thus, if someone on the program had reduced his/her workload to 60%, that person would only be credited with 60% of a day for sick leave accumulation purposes.

Unfortunately, the Union was unaware of this practice until a faculty member on the program brought it to our attention. Although it only meant about seven extra days of service credit for her, she felt that the principle was important enough to pursue. The language of the contract seemed pretty clear to us: "Standard District-paid benefits shall be maintained for participants in the pre-retirement program as though they were full-time employees." The Union argued that sick leave was a "District-paid benefit." The District argued that "District-paid benefit" meant benefits actually paid for, such as health and dental insurance. The District also argued that STRS would support the District's interpretation.

Unfortunately for the District, STRS supported the LRCFT's interpretation. The faculty member who brought the issue to our attention originally, was

credited with seven extra days of sick leave towards her overall service credit.

The Union informed its sister locals in California of this clarification of STRS regulations. That is when we realized the extent of how many other community college districts in the state were misinterpreting the STRS regulations.

#### CAN THE DISTRICT EXTEND YOUR PROBATIONARY PERIOD BEYOND FOUR YEARS?

The Union had always thought the answer to that question was clear—"No!" But that didn't stop attempts to extend the probation of two faculty members in the last year of tenure-track status. Both had experienced medical issues that required them to be absent for extended periods during the previous academic year.

However, even though one of these faculty members had missed most of the spring semester, he had received his final evaluation the previous semester and been recommended for tenure by both his peer review team and the college president. When March 15 passed without any Board of Trustee action being taken on his tenure recommendation, he had technically received tenure, irrespective of any subsequent action by the Board. When the Board finally approved the recommendation for tenure in July, that was merely providing official approval of a fait accompli. Yet, the District did consider going back and asking the Board to reverse its decision. Fortunately, sanity won the day and the tenure decision was left standing.

In the other case, a faculty member was going to work less than a full academic year but more than 75% of the year. Without getting into the whole issue of whether 75% of a year is some legal threshold for constituting a full year for tenure purposes (we believe it isn't), the administration thought about extending this faculty member's probationary period beyond year four. Once again, sanity ruled the day and other options were chosen that did not harm the faculty member.

#### IMPORTANT NOTICE

Although it has been written numerous times over the years in these pages, it is worth repeating. Please keep your own accurate records of your sick leave use and your accumulated sick leave. Although the District attempts to keep accurate records of sick leave use, they do not always get it right. A District under-calculation of accumulated sick leave reported to STRS upon your retirement could end up costing you thousands of dollars over the years of your retirement. Report any discrepancy as soon as you become aware of it.





I had the pleasure of meeting Yessika Hoyos, who was recently presented with the 2008 George Meany-Lane Kirkland Human Rights Award at the AFL-CIO Convention in September for "her extraordinary courage, her dedication to the cause of workers' rights in Colombia and her commitment to ending impunity for those responsible." Sacramento was one of her first visits following the convention because of the Sacramento Central Labor Council's previous support for worker's rights in Colombia. Ms Hoyos' story is remarkable, compelling, and emotional as she recollected her life following the assignation of her father. Her father, Dario Hoyos, was a very successful labor union organizer in Colombia where he started a number of unions and helped negotiate collective bargaining agreements. Those unions included the National Teacher's Union, National Miner's Union, and the Telecommunications Workers. Unfortunately, Dario was assassinated when Yessika was 17-years-old, and the government refused to investigate the murder. Dario became one of the more than 2,500 union activists who have been killed since 1986. The government has refused to investigate 96% of those killings. Ms Hoyos



took up the advocacy Dario had instilled in her; she became a lawyer, did her own private investigation of her father's death, which forced the government to investigate, and prosecuted the two hired hit men who did the killing. It was later found that a police office had hired the hit men on the orders of several government officials, which the government refuses to investigate. She has also started the Sons and Daughters Against Impunity and for the Memory of the Fallen to aid the families of those labor leaders who have been assassinated and to continue the human rights struggle in Colombia. Ms Hoyos constantly receives death threats, but she continues her fight, and I was in awe of her heroism and dedication.

# AUGUST 28, 2009 RALEY FIELD RIVERCATS VS FRESNO GRIZZLIES 6–1 GRIZZLIES, BUT THAT'S OKAY





{BACK TO FRONT} Dennis Smith, Angela Tasakos, Leticia Castro

{TURNED IN SEAT} MARY SUE ALLRED, COUNSELING DEPARTMENT AT SCC





{HOT DOG & SODA} DAN DUBRAY, COMMUNICATIONS DEPARTMENT AT CRC





{GRADING PAPERS} VALERIE BRONSTEIN, ENGLISH DEPARTMENT AT ARC {BACK ROW} VALERIE BRONSTEIN, ENGLISH DEPARTMENT AT ARC

# **AROUND THE DISTRICT**

By Robert Peronne

How are the Los Rios colleges adjusting to the fiscal reality of reduced budgets, cuts in course offerings, increases in enrollment and the associated increases in class size? To find out, we asked a number of people around the District to report on their efforts to cope with this crisis. Here is their report.

#### ARC

ARC cut 2.3% of its sections, many of them from support services that help students succeed in the college courses in which they are enrolled. For instance, many "human services" courses were cut. Tech Ed and science faculty are concerned that many struggling students may have trouble learning the course material those support courses were intended to help, potentially affecting completion rates. Other support services affected were the Reading and Writing Centers, where, in addition to a reduction in sections, many of which served to help students with specific course offerings, temporary classified staffing was cut by up to 40%. Like some of our so-called temporary buildings, many of these temporary positions have been a part of these Centers' personnel for some time and were there to help serve at-risk students. Although all of our preferenced counselors were assigned hours to work, most of them also received a reduced workload. As a result, students will be standing in longer lines or having less contact with student services faculty. Certainly the stress level for faculty, staff, and students has grown exponentially this semester.

Further stress comes with the reduced course loads being offered to adjunct faculty, many of whom are paying more for medical insurance and some of whom have lost access to health insurance almost entirely unless they pay over \$800 a month for COBRA. For these members, most of their pay goes to cover the COBRA costs. If losing healthcare weren't enough, I have talked to many adjunct and full-time faculty who have lost their homes and/or are filing for bankruptcy because of the current economy. For some, it is due to a combination of factors, but reduced workload or a partner's or spouse's loss of job or reduction of hours is impacting many of our colleagues around us. I have experienced an increased number of calls from distressed faculty, and in part this increase is due to the sagging economy, which affects our students' behavior and our work environment.

-Submitted by Diana Hicks

#### CRC

The Sustainability Committee, a new committee at CRC, has recently met the challenges of the budget crisis by creating innovative approaches to saving money and protecting the environment. Representing 11 departments on campus, the Committee relies heavily on student and staff input. One of the early accomplishments of the Committee included persuading the CRC administration to hold a "greener" staff barbeque event in the spring of 2008 and 2009. To convey the message of sustainability to a larger audience, the committee has produced an e-newsletter, "The Green Scene." It continues to share news and tips related to sustainable practices on campus and at home.

In a move that directly influenced students on campus, the Committee worked with the college bookstore to replace the standard "Bluebooks" with new "Green Books," which are made out of 100% recycled paper. The committee also secured a \$2,000 grant from the National Wildlife Foundation Campus Ecology Fellowship Program. The funding was used in part to conduct a baseline greenhouse gas inventory and improve campus recycling efforts. A CRC student, Heather Downing, was named a 2009 NWF Campus Ecology Fellow. She is leading the GHG portion of this project and is supported by two other student members, under the advisement of geography professor and Committee founder Debra Sharkey. The Committee has also worked with the campus cafeteria to purchase "greener" food packaging, such as compostable "corn cups."

Other accomplishments include organizing and executing CRC's 9th annual Earth Week celebration in April. Recycling remained a major focus of the Committee, including efforts to improve Area recycling by making signs and positioning boxes to collect transparencies, CD-ROMS and DVDs, inkjet cartridges, cell phones, and batteries. The committee also secured funding to purchase recycle bins for all classrooms on campus. Future goals of the Sustainability Committee include an on-going "greening" of the campus, reducing water consumption and lawn mowing, increasing campus recycling programs, and advocating for a more green curriculum, programs, and activities.

Budget cuts have forced CRC to follow suit with other District colleges by reducing the Counseling Center's hours.

<sup>-</sup>Submitted by Jason Newman

#### SCC

Sacramento City College has also reduced the counseling center hours. And, faculty received a communication from the administration which stated, in part, "An on-going analysis confirms that present and anticipated budget constraints will demand reductions for spring 2010 and the 2010 – 2011 academic year to remove FTE to achieve a level that aligns closer to the State budget allocation."

It ended on the following note: "However, as we anticipate these economic challenges to continue over the next three years—through 2012—we strongly encourage you to play an active role in the decisionmaking process by continuing your participation in the discussions taking place in your divisions and across the college. With everyone working together, we will be able to sustain the college and district during these statewide difficult times."

-Submitted by Annette Barfield

District-wide, the FTES over cap number is currently at 11%.

#### AROUND THE STATE

At a recent meeting of the California Federation of Teachers' Community College Council, faculty union representatives from different districts throughout the state gave reports that serve as a window into what is happening in districts throughout California. A series of questions were posed and here is a sample of some of the responses.

#### SAN FRANCISCO CCD

The district will reduce course offerings in the fall and spring by 6.5% and summer school will be eliminated completely. The local affiliate of the American Federation of Teachers, Local 2121, negotiated an MOU that removed overload from regular faculty, in an effort to avoid, as much as possible, having adjunct faculty experience the bulk of the course reductions. Leaders of 2121 feel that people's, including adjunct faculty, basic income should be affected as little as possible by the reduced offerings. The local also agreed to a step freeze.

In addition, the District Chancellor took a 25% salary reduction and convinced top administrators, those making \$150,000 or more annually, to accept a 6% salary reduction.

#### **CABRILLO CCD**

Last year, Cabrillo was 13.7% over cap. This academic year, course offerings have been reduced by about 5%. By changing health care providers and increasing co-pays of the base HMO, which determines the district's contribution to benefits, the increase in the cost of benefits was just 3% instead of 16%.

Two tenured faculty were laid off, both of whom worked in the district's children's center. No classified staff have been laid off. By attrition, the district has eliminated five of 37 administrative positions.

While the district had an ending budget balance of 20.5% (\$14.3 million), plans were afoot to use \$1.3 million of that to close gaps in the current budget.

#### COAST CCD

The district has reduced course offerings by about 3% for the academic year. It has "suspended" the winter intersession, moving the sections to the fall and spring semesters. No efforts have been made by the local union to encourage full-time faculty to give up overloads in order to protect adjunct assignments, nor have administrative positions been eliminated.

The district used a portion of its 9.7% ending balance to offset the 2009-2010 budget shortfall, which has left them with a 6.6% reserve.

#### SAN JOSE-EVERGREEN CCD

San Jose is reducing its enrollment by 5%, including small reductions in the fall 2009 schedule; the cancellation of the winter intersession of about 40 sections and some cancellations of summer 2010 programs.

Although there have been no full-time faculty laid off, there have been the "silent" lay-offs of adjunct faculty as the course reductions take effect. The local union has attempted to appeal to the consciences of fulltime faculty in urging them to give up their overload assignments.

#### STATE CENTER (FRESNO)

The district had 3,300 unfunded FTES in the 2008 – 09 academic year. For this year, 149 sections will be eliminated in the fall, 225 in the spring and 173 in the summer.

Faculty in the district actually saw a health insurance premium reduction of about 3.4%.

The local has openly suggested that full-time faculty consider not teaching overload.

#### [from page 7] Around the District

Although the district had an ending general fund balance of 20.6%, it insists that no reserves will be used to make up for any shortfalls.

Budget cuts have been offset by reduction in counseling hours, eliminating evening and weekend library hours. The unintended consequence of the latter action is that students with full-time jobs who can only attend evening classes, have effectively been cut off from library services.

## WHAT WOULD YOU DO? By Robert Perrone

Of the several options the Union considered when deciding how to address the impact of the state budget crisis on Los Rios' own budget, we made the decision to accept an increase in medical insurance coverage that resulted in the out-of-pocket monthly expense most of you are now paying. The other options, among them an across-the-board reduction in the salary schedule, foregoing step and class increases, were unacceptable.

Not surprisingly, there were some faculty, both tenured and adjunct, who felt that the Union should have chosen different options. An adjunct faculty member, whose opinions were featured in an article in the Sacramento Bee, felt that the Union should have agreed to forego the retro check and class and step increases in order to provide the funds which would have allowed the District to avert reductions in FTE. Some faculty, both full-time and adjunct, advocate reducing or eliminating overload assignments, as has been done in at least one other district (San Francisco).

What do you think? Should the Union have chosen a different option or options? Send your thoughts to me at Robert@lrcft.org. If you do NOT want your opinions published in a subsequent Union News article, please make that clear. Anonymous submissions will be published.

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### STRS AND YOU By Robert Perrone

The retirement security of Americans has taken a serious hit by the current financial crisis and resulting world-wide recession. Losses to private sector 401k's have ruined the retirement plans of millions of older Americans. Public sector defined benefit plans have also sustained significant losses which future investment gains are unlikely to recover. The need to raise contributions comes at the very time when public employers are least able to cover any increase. As a result, critics are once again mounting attacks against defined benefit pensions.

In 2005, those critics suggested that defined benefit plans should be replaced by defined contribution plans. Not so now. Instead, critics question the ability of the defined benefit plans to pay the benefits promised without raising contributions to an unacceptable level. These critics fault the composition of the STRS Board, which includes member-elected trustees, for supporting increases in benefits.

Criticisms also focus on the investment assumptions and actuarial accounting methods that permitted enhanced benefits. The result of the criticisms of the defined benefit plan is suggestions that benefits for new hires be reduced to address "plan design abuses" and "benefits inconsistent with the market place."

The current financial condition of CalSTRS was significantly eroded with a June 30, 2009 fiscal year return of -25.03%. STRS now has an unfunded obligation approaching \$42 billion. In order to recover those losses and erase the unfunded obligation, STRS will need a contribution increase of 13.12%, assuming an 8% return on investments. Each year of inaction means that the return on investments assumption increases or the contribution increase goes higher. Lowering the assumption rate results in an increase to contributions. For example, an assumption rate of 7.75% would mean a contribution of 16.46%.

When the current longevity bonus expires at the end of 2010, even those STRS members who have long careers will need to supplement their STRS pensions with enhanced personal savings in order to generate a recommended income-replacement ratio for a secure retirement.

#### The CalSTRS Part-time Member Task Force

A STRS task force has been formed to review issues and situations specific to part-time faculty. These can range from the Kafkaesque to the tragic. An example of the former is, a part-timer employed in multiple districts might consider limiting final year employment to just one district in order to increase the retirement allowance. The tragic situation is the long-time part-timer, an active member of STRS the previous academic year, who was too ill to teach her scheduled classes in the fall and then died in December. As a result, her survivors did not receive benefits because STRS determined that she wasn't an active member since she earned no creditable compensation in the current academic year.

(Information for this article was taken from a report by Carolyn Widener, a faculty representative to the CalSTRS Board.) ■



#### **ROBERT PERRONE HAS A NEW GRANDSON!**

Kian Luca Perrone, born on October 2 at 4:45 PM, weighed in at 7 lbs, 13 oz and measured 21". The name Kian honors his mother's Persian heritage.



pictured: Baby Kian Perrone

# SUSTAINABILILTY IN DESIGN

Kudos to the Graphic Communication Department at Sacramento City College! As the first community college adopters of the Designers Accord, pledged to address sustainability issues



THE DESIGNERS ACCORD

(environment, people, economics, and culture) starting with their department curriculum, student dialog and department workflow.

About the Designers Accord: The Designers Accord is a global coalition of designers, educators, and business leaders working together to create positive environmental and social impact.

Adopters of the Designers Accord commit to five guidelines that provide collective and individual ways to integrate sustainability into design. The Designers Accord provides a participatory platform with online and offline manifestations so that members have access to a community of peers who share methodologies, resources, and experiences around environmental and social issues in design.

Formore information and to find the five guidelines, please visit the website: www.designersaccord. **T**g

## WHY WE NEED THE EMPLOYEE FREE CHOICE ACT

#### By Robert Perrone

A 2009 study by the Center for Economic and Policy Research shows that joining a union raises a woman's wages as much as one year of college courses does, and gives a woman a better chance of having health insurance than earning a four-year degree does. In fact, women in unions earn an average of 11.2 percent more than counterparts not in unions.

> Such studies demonstrate why it's so critical that Congress passes the Employee Free Choice Act, which gives workers the free choice to join unions and the chance to bargain for better wages, benefits and retirement security. It can bring real wage increases for millions of women and will help get our economy going again.

Urge your Representative and Senators to support the Employee Free Choice Act!