

Obama Administration Accomplishments

JULY 2010

"I believe we need to reverse many of the policies toward organized labor we've seen these last eight years, policies with which I have sharply disagreed. I do not view the labor movement as part of the problem; to me, and to my administration, labor unions are a big part of the solution. We need to level the playing field for workers and the unions that represent their interests. Because we know that you cannot have a strong middle class without a strong labor movement."

President Obama at the White House announcement of the Task Force on Middle-Class Working Families, Jan. 30, 2009

AS WE HEAD TOWARD THE HALFWAY MARK of President Obama's first term in office, many labor activists feel a mix of frustration and accomplishment.

The president took office with America on the verge of a second Great Depression, a parting gift from former President George W. Bush. President Obama's policies averted the worst possible outcome. But the economy remains weak. The response from Washington has not been powerful enough to reverse the devastating job loss since the Great Recession began on Bush's watch in September 2007. Meanwhile, the Employee Free Choice Act was sidelined while Democrats struggled to pass health care and Wall Street reform—and to find the 60 votes necessary to overcome a Republican filibuster against labor law reform.

At the same time, President Obama has established an impressive record fighting for working families. He began by appointing strong pro-worker advocates to positions at the Department of Labor, the National Labor Relations Board and other key departments and independent boards. He aggressively used his authority to issue executive orders and initiate rulemaking to reverse the anti-labor, anti-worker policies of the Bush administration. And he has pursued a bold legislative agenda on Capitol Hill, passing the largest economic stimulus in history, a health care reform bill that eluded previous Democratic presidents and the most sweeping reform of Wall Street since the Great Depression.

Some obstacles were beyond the president's power to control. Republicans in Congress used a record number of filibusters to bog down his legislative agenda, and they used the right-wing media to stoke public fears about deficit spending and more government intervention in the

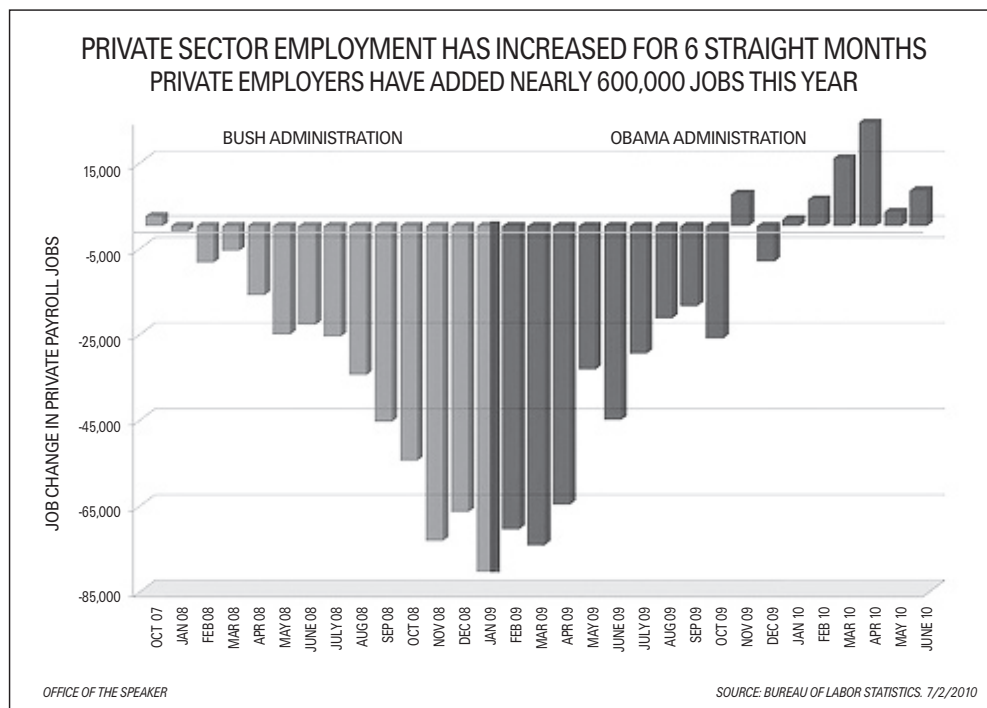
economy. To make things worse, a handful of conservative Democrats began withholding their votes from critical measures needed to put America back to work.

Even so, President Obama and the 111th Congress have made substantial progress dismantling the dangerous legacy left by George Bush and the Republican Party. Here are highlights about the administration's accomplishments for working families to date:

The Economy and Jobs

The Obama administration proposed and got Congress to pass the American Recovery and Reinvestment Act in 2009, the largest economic stimulus in history. With Davis-Bacon wage protections and Buy American provisions to keep jobs in this country, the recovery act will save or create at least 3.5 million jobs by the end of 2010.

- The recovery act provided billions in funding for aid to state and local governments, education jobs, broadband, a smart grid, infrastructure, weatherization, transit, high-speed rail and clean energy.
- It also expanded and modernized the federal unemployment insurance program, provided COBRA health care subsidies for the unemployed and broadened coverage under Trade Adjustment Assistance to millions of newly eligible workers.
- In 2010, the administration supported efforts to pass a second stimulus, including \$50 billion in aid to state and local governments and funding to preserve 250,000 education jobs. But the effort was stymied by a solid Republican bloc in Congress, joined by a handful of Democrats.
- The administration also renewed support for nuclear power plant construction and the expansion of the nuclear loan guarantee program.



Manufacturing

The Obama administration has taken major steps to bolster manufacturing and key industries.

- The administration led the effort to save the domestic auto industry and enact the Cash for Clunkers program, committing \$3 billion to encourage new car sales.
- It imposed trade sanctions against China to stem disruptive imports of tires. President Bush had refused to accept any China safeguard cases during his eight years in office.
- President Obama also appointed Ron Bloom, formerly assistant to the president of the United Steelworkers, as senior counselor to the president for manufacturing policy.

Health Care Reform

The historic legislation President Obama advocated puts the country on a path toward quality, affordable health care for all Americans and long-term health security.

- It stops insurance companies from denying health care due to pre-existing health conditions and dropping coverage for people who get sick; it eliminates annual and lifetime coverage limits. It holds employers accountable by requiring a penalty from employers that do not provide coverage when a worker is eligible for subsidized health care.
- It slows the relentless rise in health care costs and expands coverage for 32 million Americans. It is projected to reduce the federal budget deficit by \$1.3 trillion over the next two decades.
- Reform already is helping working families by ensuring (as of Sept. 23, 2010):
 - No annual caps on coverage;
 - If you get sick, you won't lose your coverage;
 - Children can stay on their parents' policy until they're 26;
 - Children can't be denied care because of a pre-existing condition; and
 - Insurance companies now must cover annual checkups and other preventive treatments.
- In June, seniors who fell into the "donut hole" gap in Medicare's prescription drug coverage were mailed \$250 checks as part of the effort to bridge the gap in coverage; the donut hole will be closed in phases, and the legislation provides subsidies to plans with early retirees.
- State health care exchanges that will be in operation in January 2014 will create a competitive market by offering individuals and small businesses the information they need to choose among a wide range of plans.
- The legislation also provides subsidies to help small businesses provide health coverage for employees.
- The Retiree Reinsurance Program provides \$5 billion to help with the cost of catastrophic coverage for pre-Medicare retirees.

Promoting Workers' Rights

The Obama administration moved aggressively to protect workers' rights, workers' pay and workers' health and safety on the job.

- President Obama issued five pro-worker Executive Orders to:
 - Prohibit federal contractors from using government funds to block union organizing;
 - Require federal contractors to post a notice informing workers of their right to form and join unions (reversing an earlier Bush notice requiring only the posting of the right not to join a union);
 - Encourage the use of Project Labor Agreements (reversing an earlier Bush ban on PLAs);
 - Give workers the chance to keep their jobs when a federal contract for services changes hands; and
 - Establish a labor-management partnership council in the federal government.
- The president signed the Lilly Ledbetter Fair Pay Act, overturning a Supreme Court decision that restricted the rights of workers to file wage discrimination cases.
- The National Mediation Board, with a new Obama appointee, issued a rule allowing airline and rail workers to choose whether to join a union according to basic democratic principles. Union elections conducted under the Railway Labor Act now will be decided by the majority of votes cast. For decades, every worker who did not vote was counted as a "No" vote.
- His administration repealed last-minute Bush administration changes to the Form LM-2/3 reporting rules for unions, proposed repeal of the Form T-1 trust reporting rules and announced plans to reconsider rules that vastly expanded reporting of personal financial matters by union officers and employees.
- The Obama administration announced plans to reconsider interpretations that narrowed reporting requirements for union-busters.
- The administration replaced exploitative H2-A agriculture visa rules with requirements fairer to farm workers.
- It also directed the Federal Aviation Administration back to the bargaining table, resulting in a new collective bargaining agreement for air traffic controllers after several years of an imposed contract under the Bush administration.
- The Obama administration proposed a \$25 million enforcement initiative aimed at employers that misclassify workers as independent contractors, with significant new recordkeeping rules to expose misclassification.
- It proposed and won significant new funding for worker protection agencies and stepped up enforcement of the Occupational Safety and Health Administration (OSHA), the Mine Safety and Health Administration (MSHA) and the Wage and Hour Division, and restored and expanded a health and safety training grant program for workers.

- The administration revived OSHA and MSHA standard setting, abandoned by the Bush administration, moving forward on rules on silica, coal dust, construction cranes and other hazards.
- It also revived the Wage and Hour regulation process and began issuing interpretations, including a significant interpretation involving compensation for time spent donning and doffing protective clothing.
- Finally, the administration reversed Bush policies that led to the contracting out of federal employee jobs and put forth a policy that encourages federal agencies to insource work that had been contracted out.

Wall Street Reform

To prevent another financial collapse, the Obama administration proposed and worked to pass the most comprehensive reform of the financial sector since the 1930s. The Restoring American Financial Stability Act is a major win for workers and the middle class over the forces of greed.

- It creates a strong and independent consumer protection agency to protect working people from predatory lenders.
- It regulates the “shadow” derivatives market, hedge funds and private equity funds.
- It gives long-term investors new tools to hold corporate boards and senior management accountable.
- It helps prevent future bank bailouts by creating a council of regulators to oversee systemic risk, giving regulators authority to dissolve failing financial institutions while prohibiting bailouts for bank shareholders and executives.
- It limits banks’ ability to make risky bets backed by taxpayer funds.

Key Appointments

President Obama appointed:

- Employee Free Choice Act supporter Hilda Solis as secretary of labor and named pro-worker advocates to other key Labor Department posts, including Deputy Secretary Seth Harris, Solicitor Patricia Smith, OSHA Assistant Secretary David Michaels, OSHA Deputy Secretary Jordan Barab, MSHA Assistant Secretary Joe Main, Employee Benefits Security Administration (EBSA) Assistant Secretary Phyllis Borzi and senior advisor Mary Beth Maxwell;
- Union lawyers Craig Becker and Mark Pearce to the National Labor Relations Board;

- Former Flight Attendants President Linda Puchala to chair the National Mediation Board, where she and board member Harry Hoglander adopted fairer rules for conducting union elections under the Railway Labor Act;
- Former Air Line Pilots Association President Randy Babbitt as administrator of the Federal Aviation Administration;
- Union lawyer Julia Clark as general counsel to the Federal Labor Relations Authority;
- Former union lawyer George Cohen as director of the Federal Mediation and Conciliation Service and former Machinists General Counsel Allison Beck as a deputy director of the service;
- Two union lawyers to the Merit Systems Protection Board; and
- A diverse group of judges to the federal bench, including three current or former union lawyers, and record numbers of African Americans, Hispanics and Asians.