

# Department for Professional Employees



**PROFESSIONALS WANT THE ABILITY** to do their jobs right. Unions protect professionals against external pressures that threaten that ability. Having professionals do their jobs right matters to all of us—in the air we breathe, the water we drink, the health we want, our safety when we travel or the education our children receive.

Connecting unions to professional integrity, and professional integrity to the public, dramatically reframes the objectives of organizing professional and technical employees. Redefining the role of unions for professional and technical people has been a profound shift.

That shift grows out of a conversation the Department for Professional Employees, AFL-CIO (DPE) and its affiliated unions began in 2004. Since the 2005 AFL-CIO Convention, DPE and its affiliated unions expanded that conversation in unprecedented ways:

- Through a 2006 Presidents' Meeting, "New Ways to Work, New Models for Unions";

- Through a 2008 leadership meeting, "Strengthening Professionalism in the Public Interest," that brought together 19 national and global professional associations and unions; and
- Most importantly, with the May 20, 2009, public launch of Professionals for the Public Interest: Associations and Unions Defending Professional Integrity (PftPI), [www.pftpi.org](http://www.pftpi.org).

In addition to the DPE initiatives around professional integrity, among other efforts over the last four years, DPE has:

- Played a leading role in the national debate over immigration, with an emphasis on federal programs affecting professional and technical workers;
- Developed and hosted the Arts, Entertainment and Media Industries, Industry Coordinating Committee (AEMI ICC);
- Coordinated extensive AEMI ICC industry analysis and research to provide a basis for strategic organizing;
- Brought together multiple sectors to respond to National Labor Relations Board (NLRB)

- decisions redefining who is a supervisor and thus not entitled to union protections; and
- Led investigations into both the misclassification of employees as independent contractors and ways unions might serve genuine independent contractors.

## **Professional and Technical Employees Today**

Professional and related occupations are one of the two largest segments of the U.S. labor market and the fastest growing. When the AFL-CIO chartered DPE 32 years ago, the American workforce included 13.9 million professional and technical workers. By 2008, that number had more than doubled.

More than 52.6 percent of all union members are professional and technical workers, while professional and related occupations are the largest contingent of union members of any occupational classification. Unions affiliated with DPE represent some 4 million professionals in nearly 400 distinct occupations.

## **Professionals for the Public Interest: Associations and Unions Defending Professional Integrity (PftPI)**

Between 2006 and 2008, DPE and its affiliated unions undertook a comprehensive review of DPE activities and their context. The resulting strategic plan included a core element of “building alliances with professional associations and societies promoting the interests of professional and technical workers.”

The DPE Work Group on Professional Associations focused on how unions might learn from and collaborate with professional associations. It urged DPE to find professional associations that 1) grew faster than their

constituency or 2) represented occupations also represented by unions affiliated with DPE.

As DPE reached out, a theme emerged. Professional and technical workers see their ability to do their jobs right as under attack. They frequently view maintaining their professional integrity against external pressures—censorship or misreporting of data, inadequate staffing and resources—as important as compensation.

By November 2007, eight associations agreed to participate in a joint planning committee for a leadership meeting, “Strengthening Professionalism in the Public Interest.” On June 5, 2008, more than 40 elected and staff leaders representing 19 national and global organizations—eight professional associations, 10 national unions and DPE—came together in a private and unprecedented meeting.

Hosted by DPE at the American Chemical Society, the meeting took as a focal point a consensus document the association and union representatives on the joint planning committee had developed. “Defining Common Ground on Professional Integrity” defined professional integrity and identified external pressures threatening it. At the meeting, the leaders commissioned the joint committee to develop a coalition around defending professional integrity against external pressures and to investigate other possibilities for collaboration. On May 20, 2009, 19 national and global organizations including DPE launched Professionals for the Public Interest: Associations and Unions Defending Professional Integrity (PftPI). Leaders of professional associations and unions at the press conference stressed the importance of professional integrity to professionals and the public. A culmination of more than two years of DPE outreach, the event announced the PftPI website, [www.pftpi.org](http://www.pftpi.org).

## Legislation and Public Policy

Of the many legislative and regulatory issues where DPE played a role, over the past four years it led on six: 1) immigration and guestworker visas, 2) opposition to offshoring professional and technical jobs, 3) the Federal Communications Commission (FCC) media rules, 4) the radical redefinition of “supervisor” under the National Labor Relations Act (NLRA), 5) independent contractors and 6) health information technology.

**Immigration and guestworker visas:** DPE President Paul E. Almeida has spoken nationally against business efforts to undermine labor standards and exploit foreign professionals through indiscriminately granting U.S. visas. As vice chair of the Immigration Committee of the AFL-CIO Executive Council, he joined former Secretary of Labor Ray Marshall, AFL-CIO President John Sweeney and Economic Policy Institute Vice President Ross Eisenbrey in April 2009 on Capitol Hill to announce an EPI report by Marshall, “Immigration for Shared Prosperity: A Framework for Comprehensive Reform.” DPE served on the task force that developed the report with its affiliates AFGE, AFT, IBEW, IFPTE and IUPAT.

**Opposition to offshoring professional and technical jobs:** Through the last four years, DPE continued to provide a labor perspective on offshore outsourcing by gathering data, reporting the facts in DPE fact sheets, spotlighting the inadequacy of federal data and speaking in public forums. Unfortunately, only a weak economy could force congressional leaders to look at how U.S. businesses export U.S. jobs, including professional and technical jobs, and thus damage America’s workforce and economy.

**The FCC media rules:** To defend democratic debate, local news, competition among media sources and musical diversity, DPE filed comments in 2006 and 2007 opposing an FCC

proposal to loosen its restrictions on common ownership of newspapers and broadcasting stations. DPE developed its comments with its affiliated unions, the AEMI ICC and the AFL-CIO, which contributed funding. The DPE comments continued a strategy that began when the FCC originally proposed, in 2002, to favor media business giants: engage all of organized labor and other allies to pressure the FCC, lobby Congress to derail media deregulation and build public awareness. The strategy slowed the FCC giveaway, and the FCC today is working more for the public than media multinationals.

**The radical redefinition of “supervisor” under the NLRA:** In 2007, DPE organized a conference to analyze and brainstorm about three crucial NLRB decisions, *Oakwood Healthcare*, *Golden Crest Healthcare* and *Croft Metals*, which radically redefined “supervisor” and thus put union protections for millions of professionals at risk. The conference, “Beyond *Kentucky River*: Next Steps for Professional and Technical Employees,” drew more than 70 participants from 19 unions, two other trades departments, five union law firms and the AFL-CIO. It continued the work that DPE began in 2005 in anticipation of the decisions, which led to multiunion work groups that created options for collective bargaining, union education and mobilization and legislation. After the 2007 program, DPE worked with its affiliated unions and the AFL-CIO to pass the RESPECT Act, reverse the *Oakwood* decision and restore the original intent of Congress in the NLRA. RESPECT stood for the “Re-Empowerment of Skilled and Professional Employees and Construction Tradesworkers.”

**Independent contractors:** On March 15–16, 2006, DPE hosted a Presidents’ Meeting, “New Ways to Work, New Models for Unions,” with the Albert Shanker Institute. Among the outcomes was the DPE Work Group on Independent Contractors and Antitrust, with representatives from AFT, AFTRA, CWA, IAFF, IAMAW, IATSE,

IBEW, IFPTE, SAG and USW. It defined two interests: combating employers' misclassifying employees as independent contractors and analyzing the ability of genuine independent contractors to act through unions. The latter led this year to a new Independent Contractors Work Group in partnership with the AFL-CIO General Counsel, which brings together lawyers and policy staff representing AFSCME, AFT, CWA, DPE, Equity, IBEW, USW and union multiemployer funds, as well as the AFL-CIO. Led by DPE Executive Director David Cohen and AFL-CIO Associate General Counsel Bill Lurye, the group is developing possibilities for organizing independent contractors under current law and proposals to change the law.

**Health information technology:** On Oct. 3, 2007, DPE President Almeida provided the sole voice for organized labor in a discussion of the Wired for Health Care Quality Act (S. 1693) with the Democratic Steering and Outreach Committee. His presence reflected the flagging by DPE of a crucial initiative reshaping U.S. health care. A federal push for a national health information technology (HIT) interoperable infrastructure could revamp one of the largest segments of the U.S. economy and affect professional and technical people as workers and consumers. With its affiliated unions AFSCME, AFT, UAN and USW and the AFL-CIO, DPE advocated for involving frontline health workers in the design and creation of any HIT system; thinking through how to integrate the technology and the organization of work; protecting against outsourcing and offshoring; and providing employment security, training and retraining.

### **Arts, Entertainment and Media Industries, Industry Coordinating Committee**

A central part of DPE since its founding, the Arts, Entertainment and Media Industries (AEMI) Committee brought together 11 unions. The 2005 AFL-CIO Convention created industry

coordinating committees (ICCs) to foster union power and growth through coordinated organizing, bargaining and legislative action. The AEMI Committee seemed like a natural fit. As the AEMI ICC, it became the first ICC.

Chaired and staffed by DPE, the AEMI ICC over the past four years:

- With AFL-CIO funding and collaboration, commissioned extensive research for strategic organizing;
- Urged the FCC to limit media ownership (see "The FCC media rules" above);
- Took up legislative issues that included performance rights, compensation to musicians and singers for AM/FM radio play, about which DPE President Almeida testified on March 10, 2009, to the Judiciary Committee of the House of Representatives;
- Began a continuing exchange with the National Endowment for the Arts about artists in the workforce; and
- Joined the October 2008 launch by AFTRA, SAG and Equity of Inclusion in the Arts and Media of People with Disabilities, I.AM.PWD.

### **Speaking Out and Building Coalitions**

For professional and technical people, DPE spoke out in national, regional, state and local media. It became a source on offshore outsourcing, guestworker visas and media reform; hosted a major press event; appeared in 12 television and radio interviews; and provided quotes for more than 50 national daily newspapers, periodicals and online sites. DPE participated in programs in 28 different venues: meetings of our affiliated unions, academic institutions and others about health care, media consolidation, professionals and unions and workers' rights. DPE detailed its work through its monthly electronic newsletter, DPE NewsLine, which circulates to several thousand union leaders, key staff and allied activists, and its website, [www.dpeaflcio.org](http://www.dpeaflcio.org).

DPE also continued to build coalitions. It sponsored eight sessions on health care and proposals for change that featured outside experts and attracted more than 500 participants from labor, government, academia, community, consumer and women’s organizations, public health groups, student organizations, think tanks and foreign embassies.

DPE continues to build relationships with nonunion professional associations—paving the way for organizing—by establishing a presence at their major meetings. DPE developed more than 20 workshops for the annual meetings of the American Library Association and the American Public Health Association (APHA). DPE also worked with its affiliated unions, American Library Association-Allied Professional Association (ALA-APA) and APHA members and the AFL-CIO to craft policy resolutions. Among the resolutions were “Endorsement of a Living Wage for All Library Workers” and a “Minimum Wage for Professional Librarians,” adopted in 2008 by ALA-APA; “Employee Free Choice Act: Support the Freedom to Form Unions,” adopted in 2006 by ALA-APA; and a “Resolution on the Right for Employee Free Choice to Form Unions,” adopted by APHA in 2006.

## **Research**

In 2009, DPE published “The Employee Free Choice Act, Professional Employees and the Public,” a fact sheet that shows the legislation is essential to protect professional integrity through the right to union representation. Allowing professionals to choose how to organize themselves into unions, the fact sheet explains, benefits not only the professionals but also the public they serve.

In 2008, ALA-APA and DPE collaborated on “The Union Difference for Library Workers.” DPE analyzed data from the 2006 ALA-APA Salary Survey: Non-MLS—Public and Academic by position and educational attainment. The analysis revealed that average salaries were higher for union workers for many of the 62 positions, including library technical assistant, library clerk and associate librarian.

## **Governance**

Paul E. Almeida has served as DPE president since 2001. AFM President Tom Lee serves as chair. The other principal officers are: first vice-president, AFSCME Secretary-Treasurer William Lucy; and treasurer, AFT Secretary-Treasurer Antonia Cortese. Nine general vice presidents complete the Executive Committee: J. Walter Cahill, IATSE; John Connolly, Equity; Kim Roberts-Hedgpeth, AFTRA; Gregory Junemann, IFPTE; Phil Kugler, AFT; Carol Landry, USW; John McGuire, SAG; Sharon Pinnock, AFGE; and Nancy Wohlforth, OPEIU.