



DPE General Board
Tuesday, June 21, 2011
Murray Green Room, AFL-CIO

President's Report

June 1, 2010 – May 31, 2011

Since the last meeting of the DPE General Board, the DPE Executive Committee elected a new Chair, a new First Vice President, and two new General Vice Presidents. At the urging of its affiliated unions, DPE took a lead role in highlighting the ways that intellectual property affects jobs, incomes, and benefits for U.S. workers. Through its Executive Committee, DPE spoke out against the assault on public employees and urged action by all unions. DPE continued to host a unique coalition of professional associations and unions around a theme of defending professional integrity – the ability to do your job right.

In the United States, professionals and related workers remain the largest major occupational group and the fastest growing. The unions that they created make DPE a vibrant forum. DPE research and publications analyze changes in U.S. and global labor markets. Through DPE, its affiliated unions develop plans, achieve consensus, and act collectively.

This report reviews DPE activities under these headings:

- DPE Elects Trusted Leaders to New Roles
- Intellectual Property: DPE Focuses on U.S. Workers
- Professional Integrity in the Public Interest
- Outreach to Professional Associations
- Public Policy and Legislation
- Research and Publications
- Communications and Connections

Despite the turmoil of a difficult year, the unions of DPE offer the single most effective route for professional and technical people to achieve a voice and fairness in the workplace; to defend their professional integrity against external pressures; and to serve the public. Your contributions enable DPE to take productive action on behalf of your unions and the professional and technical people they represent. DPE is honored to serve as your meeting place.

DPE Elects Trusted Leaders to New Roles

Since the 2010 General Board meeting, the DPE Executive Committee unanimously elected four new DPE officers:

• **J. David Cox, Chair of the DPE General Board.** J. David (right) serves as the National Secretary-Treasurer of the American Federation of Government Employees (AFGE). Elected in 2006, he was reelected by acclamation in 2009. Before his election to national union office, he was a registered nurse in the Veterans Affairs medical system since 1983.



• **David White, DPE First Vice President.** David (left), National Executive Director of the Screen Actors Guild (SAG), was SAG General Counsel from 2002 to 2006, returned to SAG as interim National Executive Director in January 2009, and became National Executive Director in October 2009. Before SAG, White was an attorney at O'Melveny & Myers LLP. A graduate of Stanford Law School, White was also a Rhodes Scholar.

• **Mary Mahoney, DPE General Vice President.** Mary (right) became Secretary-Treasurer of OPEIU in 2010. A member of OPEIU Local 6 for more than 30 years, she began as an employee of the Massachusetts Trial Court. Her local offices included steward, Executive Board Member, Executive Board Vice President, and President. In 2001, she became Business Manager of Local 6 and was elected as an OPEIU Vice President.



• **Mary McColl, DPE General Vice President.** Mary (left), Executive Director of Actors' Equity Association, came to Equity this year from the Cowles Center for Dance and the Performing Arts in Minneapolis. Prior posts included Director of Labor Relations for The Broadway League, Vice President of Operations for the Saint Paul Chamber Orchestra, and Vice President and General Manager at the Ordway Center for the Performing Arts.

Intellectual Property: DPE Focuses on U.S. Workers

At the request of its affiliated unions, DPE took a lead role in conveying the message that digital theft and the online sale of counterfeit goods hurt U.S. workers, jobs, incomes, and benefits.

In coordination with our affiliated unions, DPE staff and I met with Vice President Joe Biden, Intellectual Property Enforcement Coordinator Victoria A. Espinel, and other White House officials and staff. DPE urged U.S. lawmakers, trade representatives, and diplomats to strengthen domestic and global protections for U.S. intellectual property (IP). I testified before

the Senate Judiciary Committee and spoke at a bicameral, bipartisan Capitol press conference. DPE also partnered with the AFL-CIO to educate and mobilize other union members.

Here is a brief chronology:

June 22, 2010: The PRO IP (“Prioritizing Resources and Organization for Intellectual Property”) Act of 2008 created the position of Intellectual Property Enforcement Coordinator (IPEC) and required developing a plan for federal action. On June 22, Vice President Biden, IPEC Espinel, and others released the *2010 Joint Strategic Plan on Intellectual Property Enforcement*. The AFL-CIO issued a news release that DPE initiated, which quoted AFL-CIO President Richard L. Trumka and me and praised the plan.

June 23: I testified before the Senate Judiciary Committee. I explained: “Intellectual property equates to jobs and income for American workers. Theft of intellectual property raises unemployment and cuts income. For too many workers in the United States today, both jobs and income are hard to come by.” *Photo by U.S. Senate Photographic Studio, courtesy of the U.S. Senate Judiciary Committee.*



I also countered an “ill-founded and thoughtlessly repeated misconception that unions somehow undercut industry competitiveness.” I pointed out that the arts, entertainment, and media industries and aerospace are all heavily unionized. Rather than making these sectors uncompetitive, unions allow professional and technical people to do their jobs right. The result: these sectors are “among the all-too-few U.S. industries that generate substantial trade surpluses in the midst of growing U.S. trade deficits.”

August 10: I hosted IPEC Espinel at a special meeting of the nine unions of the Arts, Entertainment and Media Industries, Industry Coordinating Committee (AEMI ICC): Actors’ Equity Association (AEA), the American Federation of Musicians (AFM), the American Federation of Television and Radio Artists (AFTRA), the American Guild of Musical Artists (AGMA), the International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts (IATSE), the International Brotherhood of Electrical Workers (IBEW), the Office and Professional Employees International Union (OPEIU), the Screen Actors Guild (SAG), and the Writers Guild of America, East (WGAE). Ms. Espinel (left) focused on the *2010 Joint Strategic Plan on Intellectual Property Enforcement*. *Official White House photo.*



August 11: I represented the AEMI ICC at a White House meeting with senior staff: IPEC Espinel; Aneesh Chopra, U.S. Chief Technology Officer; Andrew Kline, Senior Advisor to the IPEC; Andrew McLaughlin, Deputy U.S. Chief Technology Officer; and Phil Weiser, Senior Advisor to the Director for Technology and Innovation, National Economic Council. Among others participating were Nancy Fox, SAG; Tom Carpenter, AFTRA; and Scott Harbinson, IATSE.

Also in August, DPE released a new Fact Sheet, *Intellectual Property Theft: A Threat to U.S. Workers, Industries, and our Economy*. DPE reached out to nine U.S. Cabinet Departments that had been active in strengthening intellectual property rights and enforcement. It provided the Departments with background about the importance of intellectual property to U.S. jobs and income, including the Fact Sheet.

September 22: AFL-CIO Deputy Chief of Staff Thea Lee (right) testified before the Congressional-Executive Commission on China at its hearing, “Will China Protect Intellectual Property? New Developments in Counterfeiting, Piracy, and Forced Technology Transfer.” DPE worked with her in preparation for her testimony, which quoted the June 23 testimony that I delivered to the Senate Judiciary Committee and cited the March 2, 2010 AFL-CIO Executive Council statement, *Piracy Is a Danger to Entertainment Professionals*, that DPE developed with the AEMI ICC.



September 27: DPE Executive Director David Cohen joined representatives from other unions in a meeting with Jose W. Fernandez, Assistant Secretary of State for Economic, Energy and Business Affairs. Cohen explained that digital theft, counterfeiting, and the global violation of intellectual property rights threaten the U.S. economy across many sectors.

September 28: DPE Researcher and Representative Jennifer Dorning attended a briefing sponsored by the Information Technology & Innovation Foundation and FD International Limited, “The Next Generation of IP Protection: Enhancing Global Economic Growth and Prosperity,” that featured IPEC Espinel.

December 14: I joined DPE Executive Director David Cohen and Nancy Fox of SAG, among others, in attending the “White House Forum on IP Theft – Protecting Consumers’ Health and Safety,” organized by the IPEC office, which brought together Cabinet members and agency Chairs as well as representatives from federal and local law enforcement, industry, and labor.

January 24, 2011: Nancy Fox of SAG, Tom Carpenter of AFTRA, DPE Executive Director David Cohen, and I joined a meeting hosted by IPEC Espinel and IPEC Senior Advisor Kline that focused on encouraging a voluntary collaboration among Internet service providers, search engines, and third-party payment agents to combat online IP theft.

January 28: I represented DPE and its affiliated unions at two IP meetings. U.S. Immigration and Customs Enforcement (ICE) Director John Morton hosted the first at the National Intellectual Property Rights Coordination Center (IPR Center) in Arlington, Virginia. Morton detailed the work of his agency in combating IP theft. The IPR Center uses the expertise of its member agencies to share information, develop initiatives, conduct investigations, and coordinate enforcement.

At the second meeting, Vice President Joe Biden (right) provided an update to labor, industry, and other stakeholders on Administration efforts to protect IP. Accompanying Vice President Biden were Attorney General Eric Holder, Secretary of Commerce Gary Locke, IPEC Espinel, ICE Director Morton, and Senior Advisor to the President Valerie Jarrett. *Official White House Photo by Pete Souza.*



Vice President Biden reinforced the Administration's commitment to making sure creative ideas and products reach their full potential without being stolen, co-opted, or compromised. Representing the AEMI ICC, I told the gathering that the number of jobs lost to digital theft *in this one sector alone* run to the hundreds of thousands. While exact numbers are difficult to find, there can be no question about the magnitude of the problem: billions of dollars in lost revenues for U.S. industries and millions of lost U.S. jobs.

February 3: DPE hosted a conference call with IPEC Espinel and members of her staff to discuss with the AEMI ICC recommendations from the IPEC to Congress for legislation strengthening IP rights and enforcement.

February 7: IPEC Espinel released her first *Annual Report* to Congress detailing progress in carrying out her *2010 Joint Strategic Plan*.

February 8: President Obama issued an Executive Order, "Establishment of the Intellectual Property Enforcement Advisory Committees." At DPE's request, the AFL-CIO released a statement commending the Executive Order and the IPEC *Annual Report*, which quoted AFL-CIO President Trumka and me.

February 15: In anticipation of a February 16 Senate Judiciary Committee hearing on "Targeting Websites Dedicated to Stealing American Intellectual Property," at DPE's request AFL-CIO Director of Government Affairs William Samuel wrote Committee Chairman Patrick Leahy (D-VT) commending him for holding the hearing, for focusing on "digital theft that robs U.S. jobs while threatening the health and safety of U.S. citizens," and for pushing to shut down rogue websites. The Committee staff asked DPE to circulate the letter to all members of the Committee and for permission to include the letter in the Committee's press packet.

February 16: DPE Executive Director David Cohen attended the Senate Judiciary hearing. Chairman Leahy noted that strengthening IP rights and enforcement offered a rare topic where "truly bipartisan and bicameral" action seemed possible: "After all, if the Chamber of Commerce and organized labor can come together in support of legislation to address this problem, then so can Democrats and Republicans in both the House and Senate."

March 15: IPEC Espinel released the Administration's *White Paper on Intellectual Property Enforcement Legislative Recommendations*, which set out the recommendations that she and her staff reviewed with the AEMI ICC and DPE on February 3.

April 4: I joined Members of Congress from both chambers in a press conference led by Senator Leahy (D-VT), Chair of the Senate Judiciary Committee. Other participants included

House Judiciary Committee Chairman Lamar Smith (R-TX), Ranking Member John Conyers (D-MI), IP Subcommittee Chairman Bob Goodlatte (R-VA), and Representative Howard Berman (D-CA). *From left: Rep. Berman; Rep. Goodlatte; Sen. Leahy; DPE President Almeida; Lance Lewman, AFTRA and SAG member; Rep. Conyers; Scott Harbinson, International Representative, IATSE (photo: Senate Judiciary Committee).*



I explained that nine unions affiliated with DPE represent “hundreds of thousands of creative professionals and other workers in the arts, entertainment, and media industries. For these skilled professionals, online infringement is wage theft. Too few people who download entertainment illegally recognize that they are stealing wages and benefits from workers.”

April 12: I attended a White House meeting with labor about the proposed Trans-Pacific Partnership Agreement, seeking increased economic integration in the Asia-Pacific region, hosted by Michael Froman, Deputy Assistant to the President and Deputy National Security Advisor for International Economic Affairs. I related protecting intellectual property to defending U.S. workers and jobs.

April 13: DPE Executive Director David Cohen participated in a White House meeting seeking input for the U.S. position in OECD negotiations over Internet policy. He highlighted the AEMI ICC support for expanding access to affordable high-speed broadband, for intellectual property rights, and for an unfettered Internet. He also raised a need to counter illegal online activity with government sanctions or private liability.

Leading the meeting was Philip J. Weiser, Senior Advisor for Technology and Innovation to the National Economic Council Director. With Weiser were U.S. Ambassador to the OECD Karen Kornbluh; Ambassador Philip L. Verveer, Deputy Assistant Secretary of State and U.S. Coordinator for International Communications and Information Policy; Lawrence E. Strickling, Assistant Secretary of Commerce for Communications and Information and Administrator of the National Telecommunications and Information Agency (NTIA); Aneesh Chopra, U.S. Chief Technology Officer; IPEC Espinel; and Danny Weitzner, Deputy Chief Technology Officer for Internet Policy in the White House Office of Science and Technology Policy.

April 22: Joined by representatives for AFTRA, the Directors Guild of America, and IATSE, David Cohen attended a White House meeting seeking input for an Administration

position on the anticipated reintroduction of proposed legislation from the last Congress, the “Combating Online Infringement and Counterfeits Act” (COICA, S. 3804).

April 26: David Cohen joined a White House meeting focused on efforts by IPEC Espinel and her office to seek a voluntary stance by payment processors against illegal online infringement.

April 27: In honor of World Intellectual Property Day on April 26, AFL-CIO President Trumka co-authored “Protecting America's Innovative Advantage” with Robert D. Hormats, U.S. Under Secretary of State for Economic, Energy and Agricultural Affairs, and Deborah L. Wince-Smith, President and CEO of the Council on Competitiveness. DPE reviewed and responded to an advance draft.

May 12: Senator Leahy (right), Chairman of the Senate Judiciary Committee, led the introduction of the PROTECT IP Act. The bill – the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act – targets rogue websites that profit from infringing copyrights or selling counterfeit goods. At DPE’s request, the AFL-CIO issued a news release quoting AFL-CIO President Trumka and me and supporting the bill. Also at DPE’s request, AFL-CIO Director of Government Affairs Samuel wrote to the Senate Judiciary Committee to formally express AFL-CIO backing. *Photo:* <http://leahy.senate.gov>.



May 16: The *AFL-CIO NOW Blog* published “Bill Targets ‘Rogue Websites’ that Kill Jobs, Steal Wages,” which highlighted the AFL-CIO support for the PROTECT IP Act and drew three critical online comments. DPE Executive Director David Cohen responded to underscore the value of the bill.

June 1: Coordinating through DPE, the presidents of four unions representing creators, performers, and craftspeople in the arts, entertainment, and media jointly authored “Digital Theft Hurts U.S. Workers,” which the AFL-CIO posted on its website. The authors (from left below) were Ray Hair, President, American Federation of Musicians; Roberta Reardon, National President, American Federation of Television and Radio Artists; Matthew D. Loeb, International President, International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts; and Ken Howard, President, Screen Actors Guild.



The article showed how digital theft – illegal downloading, streaming, and websites – costs union workers in the U.S. their jobs, income, and benefits. It included ways for union members and others to support legislation to improve the situation and find – legally – the online content they want.

Professional Integrity in the Public Interest

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 when professional and technical employees organize into unions. Redefining the role of unions for professional and technical people has been a profound shift. That shift grows out of a conversation that the unions affiliated with DPE began in 2004. Its most tangible result has been **Professionals for the Public Interest: Associations and Unions Defending Professional Integrity (PftPI)**.

PftPI brings together 10 national unions, all affiliated with DPE; eight national and global professional associations; and DPE, which serves as the managing partner. Coordinating PftPI activities is its Joint Working Group (JWG). I have chaired each JWG meeting.



Since the last meeting of the General Board, PftPI:

- Hosted its third Forum, “The Use of Science in Public Policy” (October 27, 2010).

Dr. Josh Trapani, a senior policy analyst at the Association of American Universities who served previously as the staff director for the Science for Policy Project at the Bipartisan Policy Center, moderated a panel that featured:

- Dr. Susan Wood, director of the Jacobs Institute of Women’s Health at the George Washington University School of Public Health and Health Services, and the lead author of a March 2010 report, *Strengthening Science in Government: Advancing Science in the Public's Interest*;

- Dr. Michael Holsapple, the 2010 president of the Society of Toxicology and executive director of the Health and Environmental Sciences Institute;

- Dr. Carol Henry, a professorial lecturer at the George Washington University School of Public Health and Health Services, a consultant to the Society of Automotive Engineers

International, and formerly vice president for Industry Performance Programs at the American Chemistry Council; and

- Dr. Jennifer Sass, a senior scientist in the Health and Environment program of the Natural Resources Defense Council and a professorial lecturer at George Washington University. *From left: Josh Trapani, Susan Wood, Michael Holsapple, Carol Henry, Jennifer Sass.*



As chair of PftPI, I introduced the session. The American Chemical Society, an endorsing organization of PftPI, organized the panel, while the American Association for the Advancement of Science, another organization in PftPI, hosted the event. The session attracted more than 80 people from the media, federal agencies, universities, non-profits, unions, and professional associations.

- Adopted its second and third policy statements.

The second, “Protecting Integrity by Defending Whistleblowers,” noted that a “patchwork” of federal laws and enforcement “is not providing an open, transparent, fair system for employees struggling with difficult decisions about how they can fulfill their professional responsibilities when faced with inappropriate or illegal activities.” It urged Congress “to simplify and improve whistleblower protections to assure the appropriate functioning of our public and private entities.”

The third policy statement, “Scientific Integrity and the Executive Branch,” responded to the memorandum on scientific integrity in the Executive Branch that the White House Office of Science and Technology Policy (OSTP) released on December 17, 2010. PftPI commended OSTP for emphasizing principles that match its own. PftPI also urged that federal agencies developing further policies pursuant to the OSTP memorandum “involve the scientists and engineers from every level that the agency policies will govern”; consult widely “inside and outside the federal government”; and take care as the agencies implement policies affecting public communications.

- Followed up with public officials.

- On September 13, 2010, a PftPI delegation drawn from its Policy Subgroup offered aid to the U.S. Department of Labor (DOL) for its Whistleblower Protection Program (WPP). The group met with Assistant Secretary of Labor for Occupational Safety and Health David Michaels and offered to seek volunteers with professional and industry expertise to assist the WPP, which Dr. Michaels oversees.

DPE President Paul E. Almeida led the delegation, which included Policy Subgroup Chair Raymond J. Garant of the American Chemical Society, Joanne Carney of the American

Association for the Advancement of Science, Sam Folio, Secretary-Treasurer of the American Federation of Musicians, Jessica McGilvray of the American Library Association, Melvin Wilson of the National Association of Social Workers, and DPE Executive Director David Cohen.

The PftPI offer of aid grew out of an exchange at the May 11, 2010 PftPI Forum, "Whistleblowers and OSHA: Defending Professional Integrity," where Dr. Michaels spoke. A review by DOL lawyers eventually led DOL to decline the offer.

- On February 1, 2011, the U.S. Department of the Interior (DoI) became the first agency to issue a reformulated scientific integrity policy pursuant to the December 17, 2010 OSTP memorandum (see above). On behalf of PftPI, Raymond Garant of ACS and I, in my capacity as PftPI Chair, wrote an April 5 joint letter of commendation and concerns to the newly designated DoI Departmental Scientific Integrity Officer, Dr. Ralph Morgenweck. We also sent the PftPI consensus statement, "Scientific Integrity and the Executive Branch," to OSTP Director John Holdren with a brief cover letter.

- Continued building relations with potential allies.

The April 28, 2011 meeting of the PftPI Joint Working Group included briefings by invited guests about 1) proposed whistleblower legislation and 2) scientific integrity and federal agencies.

Tom Devine, Legal Director of the Government Accountability Project, and Shanna Devine, its Legislative Campaign Coordinator, briefed the group about the proposed Whistleblower Protection Enhancement Act (WPEA) of 2011, which incorporates proposals that would make the whistleblower protections for federal employees credible. Despite strong support in the last Congress, behind-the-scene maneuvers torpedoed WPEA passage in the closing hours of the December 2010 Congressional adjournment.



Francesca Grifo, Senior Scientist and Director, Scientific Integrity Program, Union of Concerned Scientists, underscored how essential scientific integrity is to good public policy, from regulating children's lead exposures to protecting endangered species. She traced a chronology of federal policy that began with a March 9, 2009 directive from President Obama.



I thank you and your unions for the direct and indirect support that makes the work of DPE with PftPI possible. Our and your collaboration through PftPI with professional associations, underway since 2007, creates a union exchange with professional associations on a scale that did not exist, enables us to learn from and about the professional associations with whom we are working, and continues to yield valuable and unprecedented results.

Outreach to Professional Associations

A core element of the DPE mission that its affiliated unions defined is “building alliances with professional associations and societies promoting the interests of professional and technical workers.” The work of DPE in the last 12 months continued to honor that emphasis.

DPE has worked with its affiliated unions, labor-friendly academics, and others to develop programs and policy resolutions, and disseminate information, at meetings of the American Library Association (ALA) and its companion organization, the American Library Association-Allied Professional Association (ALA-APA); and the American Public Health Association (APHA). DPE Researcher and Representative Jennifer Dorning co-chairs the AFL-CIO/ALA Joint Committee on Library Services to Labor Groups, serves on the ALA-APA Committee on the Salaries and Status of Library Workers, and chairs the APHA Labor Caucus.

The work of DPE with these organizations led to programs at ALA and APHA featuring speakers and panelists from, among others, the American Federation of State, County and Municipal Employees, the American Federation of Teachers, the International Federation of Professional and Technical Engineers, and the Retail, Wholesale and Department Store Union as well as the Coalition of Labor Union Women, the National Labor College, and the University of Colorado Denver.

Public Policy and Legislation

Since the last meeting of the General Board, DPE and its affiliated unions have both responded to unprecedented attacks on public services and employees and continued our activities in targeted areas.

In state after state, governors and legislators denigrated public services, public employees, and public employee unions. The DPE Executive Committee responded. At its March 21, 2011 meeting, for the first time in many years, it passed a DPE resolution, “We Are One: Public Employees Serve All of Us.” It declared that “[o]ur members and leaders know the integrity, knowledge, and hard work that public employees bring to serving all of us” and expressed “disbelief and horror at seeing good people villainized.” The Executive Committee committed to action “to stop and reverse these and other attacks on public services and public sector workers.” It urged all unions and other social justice allies to do likewise.



Other activities in targeted areas of public policy and legislation included:

- *Guest worker visa programs and other immigration measures affecting professional and technical workers:* DPE has provided a strong voice on Capitol Hill and nationally in

highlighting abuse of the guest worker visa system. Among other things, DPE has reminded policy-makers and the public about the ample supply of highly skilled U.S. graduates in science, technology, engineering, and mathematics (STEM) fields, despite management and industry claims of a shortage.

I remain Vice Chair of the AFL-CIO Immigration Committee, and DPE continues to be the resource for information concerning “high tech visas” (H-1B and L-1) in the AFL-CIO. In December 2009, DPE published *Gaming the System: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.* The report highlighted the magnitude and impact of guest worker visa abuses on both workers and diverse sectors of the U.S. economy. It circulated widely on Capitol Hill and among opinion leaders – and in 2010 drew a 75-page attack from the U.S. Chamber of Commerce. In August 2010, DPE responded. DPE directly challenged the claims of the Chamber and continued to champion comprehensive immigration reform, specifically creating an independent commission to manage the future flow of workers.

DPE also responded to a *Washington Post* op-ed calling for more H-1B visas; sent a letter to Dr. Jared Bernstein, then Chief Economist and Economic Policy Adviser to Vice President Joseph Biden, opposing expansion of the H-1B visa program; and sent a letter to the members of the House Judiciary Subcommittee on Immigration Policy and Enforcement in advance of its hearing on work visas to express opposition to the expansion of the H-1B visa program.

- *Misclassification of employees as independent contractors:* In 2006, DPE hosted a Presidents’ Meeting, “New Ways to Work, New Models for Unions,” with the Albert Shanker Institute. A priority that emerged was to develop union responses to the increasing number of independent contractors in the workforce.

Since 2006, DPE and its affiliated unions have led and sparked a number of related initiatives. One focused on employers that illegally misclassify employees as independent contractors to avoid the obligations that accompany employee status: withholding taxes, contributing for unemployment insurance and workers’ compensation, paying overtime, and providing employee benefits. Misclassification also precludes workers from organizing into unions; under U.S. law, only employees – and not independent contractors – may legally form labor organizations.

Since the last meeting of the General Board, in addition to monitoring legislative and regulatory efforts to combat misclassification, DPE created two new Fact Sheets, *Misclassification of Employees as Independent Contractors* and *Recourse for Employees Misclassified as Independent Contractors*. Misclassification costs workers, the federal government, and the states billions of dollars each year. The first Fact Sheet explains the legal background and the scope and consequences of employer abuses. The second suggests ways to a remedy for employees who believe their employer has misclassified them as independent contractors; many misclassified employees who fear retribution from employers may be able to file reports anonymously.

- *Monitoring and sign-ons:* The AFL-CIO Legislative Committee meets weekly when Congress is in session. DPE monitors the meetings. DPE also responds to requests to sign on to joint letters supporting the legislative priorities of its affiliated unions or allied social justice organizations. Topics for joint letters included opposing privatization of government functions, opposing legislation that would reduce state and local revenues, protecting federal whistleblowers, eliminating discrimination against women, and supporting Senate confirmation for Obama Administration nominees.

Research and Publications

The research and publications program of DPE remains intensely practical. DPE Fact Sheets provide statistical portraits of the professional and technical workforce and highlight the benefits of union membership for professionals. DPE Researcher and Representative Jennifer Dorning has updated a core set of Fact Sheets, created new Fact Sheets, and completed special reports that reflect new data, the changing face of the American economy, and the organizing activities of professional and technical workers.

The updated fact sheets include: *Library Workers: Facts and Figures* (216,000 librarians, 43,000 library technicians, and 114,000 other library workers served the people who visited libraries 1.5 billion times last year); *Service Sector: Projections and Current Stats* (the service sector, which includes engineers, teachers, artists, athletes, reporters, firefighters, and nurses, employed 112.8 million people in March 2011); *The Employee Free Choice Act: Professional Employees and the Public* (the Employee Free Choice Act puts the choice to join a union into the hands of employees, allowing them to form a union through majority sign-up if they so choose); *Guest Worker Visas: The H-1B and L-1* (192,990 H-1B visas were issued or renewed in fiscal year 2010 with most visas used for workers in computer-related occupations); and *The U.S. Health Care System in International Perspective* (the U.S. spends for health care well over double the average of other countries in the Organization for Economic Co-operation and Development).

In addition to the two new Fact Sheets about the misclassification of employees as independent contractors (see “Public Policy and Legislation” above), DPE created a third Fact Sheet: *Intellectual Property Theft: A Threat to U.S. Workers, Industries, and Our Economy* (copyright infringement and the sale of counterfeit goods are reported to cost the American economy billions of dollars annually and hundreds of thousands of lost jobs).

In May 2011, DPE published a report on the benefits of collective bargaining for professional and technical workers. The report highlights how professional and technical workers negotiate their compensation; how collective bargaining can address workplace issues; and how collective bargaining agreements address grievances. In March 2011, DPE published a report

highlighting the organizing victories of professional and technical workers in its affiliated unions.

Communications and Connections

DPE communications and connections rely on both electronic and personal outreach. On the electronic side, a major initiative brought a revamped DPE website in September 2010. The new website (right) offers an updated look and improved navigability. It also offers new features, which include spotlighting unions affiliated with DPE and information about current programs and campaigns.



The new website enables DPE to track how many people visit the site and the kinds of information they look at. Each month, the website averages 860 unique visitors and an average of 1,000 total visits. Nearly 83 percent of the visitors have not visited before. On average, a visitor spends nearly two-and-one-half minutes on the site.

A more detailed analysis shows that the page “Issues Fact Sheets & Reports” had an average of 95 unique page views (the number of unique individuals who looked at the page) per month. The average visitor spent nearly five minutes reading this page and its linked content. “I’m a Professional. What Can a Union Do for Me?” had an average of 91 unique page views per month, and the average visitor spent nearly three minutes on the page. “Affiliate Unions” had an average of 46 unique page views per month, and the average visitor spent nearly one minute reading the page and its linked content.

DPE also continues to circulate its monthly electronic newsletter, *DPE NewsLine*, and to issue *DPE Alerts!*, one-time bulletins flagging time-sensitive news, events, or action.

Personal outreach includes DPE governance meetings, meetings of the AEMI ICC, and participating in events with affiliated unions and allied organizations. One example of the latter was my helping to plan a major conference on June 29-30, 2010 about workplace learning. I serve on the boards of both the Albert Shanker Institute (ASI) and the Council for Adult and Experiential Learning (CAEL) and worked with ASI, CAEL, and the AFL-CIO to plan an invitation-only conference, *Workplace Learning Advisors: Meeting the Need for Customized Information in the Labor Market*. The event drew speakers, representatives, and observers from the White House, Congress, U.S. Department of Education, U.S. Department of Labor, foundations, joint labor-management education and training programs, business organizations, colleges and universities, think tanks, and unions. Joining me at the conference were members of the DPE staff.

A second example was my participation, with DPE Executive Director David Cohen, in the *National Conference on Collaborative School Reform* on October 6-8, 2010. Organized and

hosted by the American Federation of Teachers, which invited DPE to participate, the meeting brought together superintendents and other school administrators, teachers' union leaders, school board members, and academics to stimulate collaboration by teams from school districts across the United States in fostering top-quality teaching and student achievement.