



Department for Professional Employees, AFL-CIO

**Quadrennial Report to the General Board
2009 – 2013**

DPE 2009-2013

With the invaluable participation of its affiliated unions, the Department for Professional Employees, AFL-CIO (DPE) has had a very full four years. Professionals and related workers remain the fastest growing segment of the U.S. labor market. Despite unrelenting attacks on workers, public employees, and the unions they organize, DPE remains a vibrant forum for its affiliated unions to analyze change, plan action, and act collectively. DPE offers them also a unique source of information about professional and technical people and an effective voice in the AFL-CIO, Congress, and the Executive Branch.

This report reviews DPE activities under these headings:

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Together 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. DPE is honored to serve as their meeting place.

Professional and Technical Workers Today

Professional and technical occupations offer an enormous potential for people to organize into unions. DPE and the unions affiliated with it know that fact and act on it.

In 2012, the U.S. Bureau of Labor Statistics (BLS) issued its employment projections for 2010 to 2020. BLS foresaw the fastest job growth in occupations relating to health care, personal care and social assistance. It predicted that of some 20 million new jobs, more than 5.6 million will come in health care and social assistance, more than 3.8 million in professional and business services, and more than 800,000 in educational services.

BLS projected employment growth of 21.7 percent in occupations usually requiring a master's degree – “faster than the growth rate for any other education category” – and almost as high a rate of growth for other occupations that demand postsecondary education. It declared: “Of the 30 detailed occupations projected to have the fastest employment growth, 17 typically need some type of postsecondary education for entry into the occupation.”

Professional and technical people with high levels of education already make up a formidable presence in the labor movement. In April 2013, the Current Population Survey found that 38 percent of union members had at least a bachelor's degree. According to BLS, in 2012 unions represented more than 5.5 million people – more than 19 percent of the total – in professional and related occupations. Professional and technical people are more than one-third of the workers whom unions represent. That concentration follows a shift in the U.S. labor force, away from manual labor and to professional and technical services, that goes back more than a century and that accelerated in recent decades.

The DPE 2013 Fact Sheet “Professional Women: A Gendered Look at Occupational Obstacles and Opportunities” highlights the remarkable increase in the rates at which women enter the workforce, earn higher degrees, and participate in unions. It shows also that while a dramatic gender wage gap persists, among the most effective ways for women to counter it is union membership.

Gender discrimination is only one of many problems that professional and technical people face. For professionals and the unions they organize, DPE provides a voice. It speaks out against immigration policies that let unscrupulous employers exploit foreign guest workers and undercut U.S. professionals; the theft of intellectual property depriving arts and entertainment professionals of jobs, incomes, and benefits; offshore outsourcing, the transformation of full-time jobs into contingent and part-time work, unprofessional treatment on the job, the inability to secure health care and pension benefits, a lack of training and advancement opportunities, the opposition by radio station owners to performance rights for musicians and singers; and the misclassification by unscrupulous employers of employees as “independent contractors,” which can deprive employees of union protections, workers' compensation, unemployment benefits, and other benefits they earned.

Working with its valued and invaluable affiliates, DPE creates organizing opportunities among professional and technical workers from the issues that concern them. DPE recognizes the power of collective action. DPE provides its affiliated unions with a place to focus that power – together.

DPE Leadership

Paul E. Almeida continued to lead DPE as its President since his election in 2001 and re-elections in 2005 and 2009. President Almeida was President of the International Federation of Professional and Technical Engineers before he came to DPE. In 2007, President Almeida was named vice chair of the AFL-CIO's Executive Council Committee on Immigration. President Almeida continues to serve on the Board of the Albert Shanker Institute. From 2010 through

2012, he served also on the Board of Trustees for the Council for Adult and Experiential Learning, a national, non-profit organization whose mission is to expand learning opportunities for adults.

With the 2010 resignation of former DPE Chair Tom Lee, the DPE Executive Committee elected AFGE National President J. David Cox Chair of the Board in January 2011. The other principal officers of DPE are: First Vice-President—SAG-AFTRA National Executive Director David White; and Treasurer—AFT Executive Vice President Francine Lawrence. In addition to the principal officers, these eight General Vice Presidents serve on the Executive Committee: J. Walter Cahill, IATSE; Tom Carpenter, AEA; Gregory Junemann, IFPTE; Phil Kugler, AFT; Carol Landry, USW; Mary McColl, AEA; John McGuire, SAG-AFTRA; and Mary Mahoney, OPEIU. A position for a ninth General Vice President is open.

Besides the president, DPE is served by a staff of four including David Cohen, Executive Director; Jennifer Dorning, Researcher and Representative; staff assistant Marcie Lawrence; and an intern, Tara Dunderdale.

Affiliates

In the last four years, three affiliates of DPE merged with other unions. Three received direct charters from the AFL-CIO rather than through the Associated Actors and Artistes of America (4As). One union disaffiliated from DPE, and one became inactive.

On March 30, 2012, voters in AFTRA and SAG concluded a mail ballot that began on February 27. Big votes and huge majorities approved merging their unions into one, SAG-AFTRA. More than half of the eligible voters in each union participated. More than 80 percent of the voters in each union approved.



The merger brought together – in the words of a SAG-AFTRA release – “more than 150,000 actors, announcers, broadcasters, journalists, dancers, DJs, news writers, news editors, program hosts, puppeteers, recording artists, singers, stunt performers, voiceover artists and other media professionals.” It also marked the successful completion of a lengthy process that SAG-AFTRA National Co-Presidents Ken Howard and Roberta Reardon began in 2010.

Before the merger, the AFL-CIO had granted AFTRA a direct charter to replace its charter through the 4As. After the merger, the AFL-CIO did the same for SAG-AFTRA. The AFL-CIO followed with a direct charter for AEA.

DPE regrets that in 2010 AFSCME disaffiliated. The United American Nurses merged into National Nurses United, which is not affiliated with DPE. The International Plate Printers, Die Stammers and Engravers Union of North America became inactive in DPE. In 2012, the Directors Guild of America (DGA) became a supporting ally of DPE and participates in the DPE Arts, Entertainment, and Media Industries Committee (see below).

The national and international unions affiliated with DPE are:

Actors' Equity Association
American Federation of Government Employees
American Federation of Musicians
American Federation of School Administrators
American Federation of Teachers
American Guild of Musical Artists
Federation of Professional Athletes (National Football League Players Association)
International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts
International Association of Fire Fighters
International Association of Machinists & Aerospace Workers
International Brotherhood of Electrical Workers
International Federation of Professional and Technical Engineers
International Union of Painters and Allied Trades
Office and Professional Employees International Union
Retail, Wholesale and Department Store Union
Seafarers International Union
SAG-AFTRA
United Steelworkers
Utility Workers Union of America
Writers Guild of America, East

Legislation and Public Policy

DPE works with its affiliated unions across a wide range of legislative and public policy issues. The mix changes constantly. DPE targets a select few. The common element is that these issues affect professional and technical people, their jobs, incomes, and benefits.

In the last four years, DPE put a special priority on high-tech guest worker visa programs and other immigration measures; protecting intellectual property against digital online theft and counterfeiting; and opposing efforts to weaken or eliminate labor standards, including requirements for overtime pay. DPE also confronted attacks on public services and employees, tracked and responded to changes in health care, and sought to correct a radical redefinition of who is a “supervisor” and thus ineligible for union membership and protections.

High-tech guest worker visa programs and other immigration measures: DPE provides a strong voice to remind 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. For more than a decade, DPE has spoken out against employer abuses of a high-tech visa system that exploit guest workers and undermine U.S. professionals.

President Almeida remains Vice Chair of the AFL-CIO Immigration Committee, and DPE continues to be the resource in the AFL-CIO about high-tech visas – H-1B and L-1. With an urgent push this year toward the first comprehensive immigration reform in decades, the deep expertise that President Almeida and DPE bring to bear have been in high demand inside the labor movement, on Capitol Hill, and by the media.

Over the last four years, DPE:

Advocated for the proposal crafted by former U.S. Secretary of Labor Ray Marshall and supported by the AFL-CIO that would de-politicize our immigration system through an independent commission to assess labor market needs by examining the economy, wages, workforce, and business – a concept that became central to the reform effort this year;

Opposed the Immigration Innovation Act of 2013 (S.169), the “I-Squared Act,” an H-1B guest worker wish list for high-tech corporations and offshore outsourcing firms and a nightmare for U.S. STEM graduates;

Released a special report, *Gaming the System: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.*, in 2009 and updated it in 2012; the research study led to high visibility for visa abuses and an exchange in 2010 of lengthy dueling reports between the U.S. Chamber of Commerce and DPE;

Produced numerous DPE Fact Sheets, including a special series showing the adverse impact of high-tech visa abuses on women, African American, Asian and Pacific Islander, and Hispanic American STEM workers, with the Fact Sheet focusing on Hispanics published in English and Spanish;

Wrote to President Obama asking him to oppose expansion of the L-1B visa program in response to a letter from the U.S. Chamber of Commerce and 62 multi-national corporations calling for him to make it easier to import low-skilled, low-paid L-1B visa guest workers; 19 unions and associations joined the DPE letter;

Wrote to Dr. Jared Bernstein, then Chief Economist and Economic Policy Adviser to Vice President Joseph Biden, opposing expansion of the H-1B visa program;

Sent many letters to Congress and Executive Branch officials, including a letter to the members of the House Judiciary Subcommittee on Immigration Policy and Enforcement in advance of a hearing on work visas to express opposition to the expansion of the H-1B visa program;

Responded to and debunked a 2012 report calling for the U.S. to auction guest worker visas to the highest bidder, *Rationalizing U.S. Immigration Policy: Reforms for Simplicity, Fairness, and Economic Growth*, by Giovanni Peri of the Hamilton Project; and

Addressed and participated in immigration reform discussions hosted by organizations including the AFL-CIO, IFPTE, the Southern Poverty Law Center, the Center for American Progress, the Alfred P. Sloan Foundation, Georgetown University, and others.

Protecting intellectual property against digital online theft and counterfeiting: Digital theft and the online sale of counterfeit goods hurt U.S. workers, jobs, incomes, and benefits. Working with its affiliated unions, DPE brought that message to U.S. officials, lawmakers, trade representatives, and diplomats. It urged them to strengthen domestic and global protections for U.S. intellectual property (IP).

Over the last four years, President Almeida testified before committees in the U.S. Senate and the House of Representatives. He met with Vice President Biden. He and Executive Director Cohen spoke for the arts, entertainment, and media industries (AEMI) unions – Actors’ Equity Association (AEA); American Federation of Musicians (AFM); American Guild of Musical Artists (AGMA); International Alliance of Theatrical Stage Employees (IATSE); International Brotherhood of Electrical Workers (IBEW); SAG-AFTRA; Office and Professional Employees International Union (OPEIU); and the Writers Guild of America, East (WGAE) – at White House forums. At AEMI meetings, DPE hosted the White House Intellectual Property Enforcement Coordinator (IPEC), Victoria A. Espinel, and the Chief Counsel for Intellectual Property and Antitrust of the U.S. Senate Judiciary Committee, Aaron Cooper.

At the suggestion of IATSE President Matt Loeb, DPE developed with the AEMI unions a set of principles for protecting IP. That effort led to a unanimous 2010 statement by the AFL-CIO Executive Council, “Piracy is a Danger to Entertainment Professionals.” President Almeida also assisted the White House in arranging an event – at which AFL-CIO President Richard Trumka spoke – that released a major federal study showing the importance of IP-intensive industries. DPE enlisted AFL-CIO support publicly and legislatively.

DPE worked with its affiliates in multiple ways. President Almeida accompanied United Steelworkers (USW) President Leo Gerard to a meeting about counterfeit goods with IPEC Espinel. DPE connections led AFT to a remarkable display of inter-union solidarity, as its publications brought to hundreds of thousands of its members an article, “Digital Theft Hurts U.S. Workers,” jointly authored by Ray Hair, President, AFM; Roberta Reardon, National President of the then-separate AFTRA; Matthew D. Loeb, International President, IATSE; and Ken Howard, President of the then-separate SAG. The AFL-CIO published a version of the article on its website. DPE helped arrange for a 2011 WGAE briefing, “The Internet from the Creators’ Perspective,” in the U.S. Senate Judiciary Committee Hearing Room.

DPE supported the development of and commended voluntary efforts by payment system operators, Internet service providers, and advertisers to combat copyright infringement, counterfeiting, and online IP theft. President Almeida spoke at forums on Capitol Hill, including a press conference with Senate and House leaders, a second with copyright experts and users, and a third with representatives from multiple industries, as well as in panels addressing law enforcement agencies, academics, and industry. Executive Director Cohen spoke out online and on radio. DPE released a new Fact Sheet, “Intellectual Property Theft: A Threat to U.S. Workers, Industries, and our Economy.”

Because IP theft is a global phenomenon, DPE also addressed officials and staff from the Office of the U.S. Trade Representative (USTR), the U.S. Department of State, the U.S. Commerce Department, the White House, and other federal agencies, both about enforcing IP rights abroad and about IP provisions in negotiations over the Trans-Pacific Partnership, the International Services Agreement, the Trans-Atlantic Trade and Investment Partnership, and other free trade agreements. Just last month, in May 2013, DPE hosted a meeting of senior USTR staff with the AEMI unions.

With its affiliates, DPE continues to monitor and respond to IP developments.

Opposing efforts to weaken or eliminate labor standards, including requirements for overtime pay: The assault on labor standards takes many forms. Unscrupulous employers may misclassify employees as independent contractors to avoid taxes, benefits, and union protections. Or they may ignore – or seek to weaken – wage protections including overtime pay. Whatever the form, DPE works with its affiliated unions and other allies to *strengthen* labor standards and oppose efforts to weaken them.

Begin with overtime pay. On October 20, 2011, Senator Kay Hagan (D-NC) introduced the Computer Professionals Update Act (CPU Act, S. 1747). The highly respected and nonpartisan Congressional Research Service said the bill “effectively eliminates overtime pay for all IT [information technology] professionals.”

Three co-sponsors were on the bill: Senators Michael Bennet (D-CO), Mike Enzi (R-WY), and Johnny Isakson (R-GA). Having two Democrats from the Senate Health, Education, Labor and Pensions (HELP) Committee – Hagan and Bennet – on the bill made the risk of its becoming law a real one.

DPE pushed back. It worked to flag for Congress how bad the bill was, to avoid a possible companion bill in the House of Representatives, and to prevent a weakening of wage protections under the Fair Labor Standards Act (FLSA) that other industries would rush to join.

On November 9, 2011, President Almeida sent a letter to all Senators asking that they oppose the bill: “The CPU Act marks one more corporate assault on U.S. workers. In these tough economic times, cutting the pay of U.S. workers is a terrible idea.” In a *DPE Alert!* on the same day, DPE urged other labor groups to join its opposition. On December 9, President Almeida sounded the alarm in Senator Bennet’s home state with an interview on Denver radio, AM 760, “Colorado’s Progressive Talk.”

On February 5, 2012, the *Charlotte (N.C.) Observer*, a newspaper in Senator Hagan’s home state, published “Bill seeks to limit OT for high-tech workers.” On February 23, the *Pittsburgh Post-Gazette* carried “Bill would cut overtime for some in IT.” Both articles quoted DPE Executive Director David Cohen, who described the CPU Act as “a terrible idea at a terrible time.”

On February 16, the Economic Policy Institute (EPI) released an analysis by EPI Vice President Ross Eisenbrey, “Misguided CPU Act would cut tech workers’ wages.” Its conclusion: “While labor law regarding IT pay should be updated, it should be updated in a way that *increases* workers’ pay, instead of cutting it...”

On March 14, the AFL-CIO Executive Council unanimously adopted a statement from DPE calling for Congress to strengthen overtime pay protections instead of attacking them. President Almeida presented the statement, “For American Workers, Overtime Protections Bring Jobs, Income and a Life,” to the AFL-CIO Policy Committee. The statement began:

Now is the time to expand overtime protection, not take it away. The purposes of the overtime laws are as urgent today as they ever have been. Those purposes are to encourage businesses to hire new employees instead of overworking existing employees, and to compensate workers for the burden of working long hours. With 24 million workers in need of full-time employment, we need to give employers more incentives to hire.

The Executive Council statement denounced the CPU Act. The Executive Council observed:

The corporations lobbying for S. 1747 would undoubtedly prefer to pay their employees less and overwork their existing workforce rather than hire new workers or pay a fair wage. This is not new behavior on the part of employers. In fact, it was in response to this kind of behavior that Congress passed the FLSA.

On March 28, DPE worked with its affiliated unions AFT, IBEW, and IFPTE, as well as a delegation from the Society of Professional Engineering Employees in Aerospace, IFPTE Local 2001; the AFL-CIO, and Communications Workers of America, to visit the offices of Senate leaders and members of the HELP Committee and oppose the CPU Act. Participating in the “mini-lobby day” were member activists from across the country. AFT hosted a breakfast briefing before the visits began, at which DPE Executive Director David Cohen highlighted for the group key points in the materials that DPE assembled.

DPE and its allies succeeded in opposing the CPU Act. The bill went nowhere – and IT professionals retain their FLSA protections.

Work by DPE to oppose the misclassification of employees as independent contractors has continued for years. 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 workers called independent contractors.

Since 2006, DPE and its affiliated unions have led and sparked 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.

Over the last four years, DPE Executive Director Cohen, often in alliance with IATSE Second Vice President J. Walter Cahill, has participated in meetings with legislators and federal officials, as well as inter-union sessions, that target misclassification. In addition to monitoring legislative and regulatory efforts, 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.

Attacks on public services and employees; changes in health care; who is a “supervisor.” The last four years brought dramatic attacks on public services and employees and equally dramatic changes in health care. They also saw renewed attention to defining who is a “supervisor” under the National Labor Relations Act (NLRA). In each case, DPE responded.

In state after state, governors and legislators denigrated public services, public employees, and public employee unions. At its March 21, 2011 meeting, for the first time in many years, the DPE Executive Committee 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. DPE issued a *DPE Alert!* that circulated the resolution and urged readers to join a nationwide week of action in April 2011.



The passage of health care reform legislation, the Patient Protection and Affordable Care Act, in March 2010 represented the culmination of a massive effort by organized labor. To monitor changes and developments in the new law, DPE attended the weekly meetings of the AFL-CIO Health Care Task Force and the Health Reform Implementation Work Group as well as numerous events by advocacy groups about the impact of the new law for different groups and union plans.

DPE also hosted a panel on health information technology (HIT) at the 2009 American Public Health Association Annual Meeting and Exposition featuring panelists from, among others, UAN and USW. The panel continued the advocacy by DPE for including nurses, other frontline workers, and their union representatives in the planning, design, and implementation of HIT.

Who is a “supervisor” under the NLRA is a central question for professional and technical people seeking to organize into unions. Many of those people guide other employees. Three National Labor Relations Board (NLRB) decisions in 2006 threatened to transmute that fact into supervisory status. Under the NLRA, supervisors have no protections for forming or joining a union.

Collectively known as the *Kentucky River* cases after the 2001 Supreme Court decision that asked the NLRB to revisit its definition of “supervisor,” the cases – *Oakwood Healthcare*, *Golden Crest Healthcare*, and *Croft Metals* – radically expanded the category of employees to whom the term applies. The cases thus threatened union protections and representation for large numbers of employees in every occupation, industry, and sector.

Unions affiliated with DPE made responding to the *Kentucky River* cases a priority. After extensive work with its affiliated unions in 2005 and 2006, initiated at the request of AFT, DPE hosted a February 2007 conference, “Crossing *Kentucky River*: Next Steps for Professional and Technical Employees.” In March 2007, House and Senate sponsors introduced the RESPECT Act, the Re-Empowerment of Skilled and Professional Employees and Construction Tradeworkers Act. It specified that a supervisor must have authority over other employees for a majority of his or her work time and took away assigning or directing other employees as criteria for supervisory status. It would thus have corrected the NLRB decisions. Unfortunately, it failed to become law.

In 2011, Executive Director Cohen joined a meeting convened by staff members for Senator Richard Blumenthal (D-CT) to discuss his reintroducing the RESPECT Act. On March 7, 2012, he did. Co-sponsoring S. 2168 were Senators Tom Harkin (D-IA) and Richard Durbin (D-IL). Senator Daniel K. Akaka (D-HI) joined them on March 28; Senator Barbara A. Mikulski (D-MD), on May 23.

On March 8, 2012, President Almeida wrote all members of the Senate asking that they co-sponsor the bill. On March 29, Senator Harkin introduced the Rebuild America Act (S. 2252), which among other provisions incorporated the RESPECT Act into a series of proposed amendments to the NLRA. Unfortunately, both bills died with the end of the Congressional session.

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. Over the last four years, topics for joint letters included supporting repeal of the sequester, opposing cuts to Social Security, Medicare, and Medicaid benefits; opposing the extension of Bush Administration tax cuts for the wealthiest Americans, urging the extension of unemployment benefits, opposing efforts to paralyze the NLRB, opposing the privatization of government functions, opposing legislation that would reduce state and local revenues, supporting legislation that would enable state and local governments to levy the same taxes on online and remote sellers as on brick-and-mortar merchants, eliminating discrimination and violence against women, supporting protections for pregnant workers, supporting Senate confirmation for Obama Administration nominees, urging effective protections for

whistleblowers, supporting professional integrity, seeking greater transparency and fewer conflicts of interest on federal advisory committees, supporting enhanced safeguards for new generic top-level domains, supporting the Supplemental Nutrition Assistance Act (SNAP, or food stamps), supporting the development of new antibiotics, and opposing a constitutional balanced budget amendment.

Arts, Entertainment, and Media Industries Committee

Chaired, hosted, and staffed by DPE, the Arts, Entertainment and Media Industries (AEMI) Committee has been a central part of DPE since its founding. The AEMI Committee regularly brings together eight unions: AEA, AFM, AGMA, IATSE, IBEW, OPEIU, SAG-AFTRA, and WGAE. Another DPE affiliate, the National Football League Players Association, often participates, as does a DPE ally, DGA.

Over the last four years, strengthening IP protections against digital online theft became a top AEMI priority (see “Legislation and Public Policy” above). Working with and through DPE, the AEMI Committee has also:

taken up global developments affecting U.S. arts, entertainment, and media professionals, including:

- the Audiovisual Performances Treaty, toward which AEMI unions persevered over some 15 years and which creates a global standard to protect moral and economic rights for performers in television, film, and online and digital media;
- the Trans-Pacific Partnership and its impact on IP;
- the International Services Agreement and its implications for IP and immigration;
- plans for a free trade agreement, the Trans-Atlantic Trade and Investment Partnership, between the U.S. and the European Union; and
- film production and investment in China and India, which pose many challenges, including the offshoring of U.S. work, weaker worker protections, damaging technology transfers, and constrained market access;

campaigns for performance rights, compensation to musicians and singers for AM/FM radio play of recorded performances, and opposed the so-called Internet Radio Fairness Act of 2012 (S. 3609 and H.R. 6480), a bid by Pandora and other online streaming services to pump up their profits at the expense of recording artists and musicians;

provided the sole labor voice at the November 20, 2009 National Endowment for the Arts (NEA) Cultural Workforce Forum, which:

- focused on research about artists as workers in the economy;
- included Executive Director David Cohen, who summarized and distributed a statement that incorporated the input of the AEMI unions, that identified shortcomings in government data collection and interpretation, and that suggested possibilities for improvement including organizational collaboration, longitudinal studies, and time diaries;
- brought together government agencies, service organization representatives, academics, and foundation professionals; and

- paved the way for subsequent NEA research and inter-agency collaboration;

- addressed the disproportionate use of lockouts by AEMI employers, especially against symphonic musicians;

- taken up immigration and visa issues affecting U.S. and foreign performers;

- monitored the merger of Comcast and NBC Universal;

- shared information about AFL-CIO initiatives and resources, from campaign robocalling in support of organizing, bargaining, and legislation, to organizing possibilities in conjunction with Working America;

- heard from Sunil Iyengar, NEA Director of Research and Analysis, on two occasions about NEA research, and from Professor Joan Jeffri, Director of the Research Center for Arts and Culture, then at Teachers College, Columbia University, about her project studying aging performing artists, which led AEMI unions to collaborate with her; and

- shared information about legislative, regulatory, organizing, and bargaining concerns and initiatives.

Research and Publications

Over the last four years, the research and publications program of DPE built on a deep and credible foundation to pave the way toward a stronger future for the labor movement. DPE Fact Sheets have long provided statistical portraits of the professional and technical workforce and highlighted the benefits of union membership for professionals. While continuing to update many of the established Fact Sheets regularly, DPE Researcher and Representative Jennifer Dorning undertook original research that portrays “The Young Professional Workforce.” She also began an annual compilation of organizing victories by DPE affiliates, revised DPE’s special report on guest worker visas, reported on the benefits of collective bargaining for professional and technical workers, and renovated the occupational portraits in the “Professionals in the Workplace” pages on the DPE website.

“The Young Professional Workforce,” a Fact Sheet new this year, takes a look at the 16.3 million workers aged 22 to 35 who make up the young professional workforce. It shows they are better educated and more diverse than the professional workforce as a whole. It also explores their other demographics, occupation and industry concentrations, historical perspectives, educational attainment, unemployment and underemployment, and union membership. The Fact Sheet thus provides a data-driven starting point for helping young professionals organize into unions.

The “Professionals in the Workplace” pages on the DPE website provide up to date information about various professionals and employment sectors, including:

- Professional and Technical Employees
- Women in the Professional Workforce
- Social Service Professionals
- Teachers and College Professors
- Librarians and Library Paraprofessionals
- Healthcare Professionals and Technicians
- Professional Performers
- Scientists and Engineers
- Science and Engineering Technicians, Designers, and Surveyors

For more information about DPE research and publications, see Appendix #3 below.

Outreach and Building Coalitions

Over the last four years, DPE raised its outreach to professional associations to a new level. To build on the 2009 public launch of Professionals for the Public Interest: Associations and Unions Defending Professional Integrity (PftPI), DPE built on its long-standing relations with the American Library Association (ALA), its allied organization the ALA-Allied Professional Association (ALA-APA), and the American Public Health Association (APHA); enlisted many of its affiliated unions (AEA, AFGE, AFM, AFT, AFTRA, IATSE, IFPTE, OPEIU, RWDSU, UAN, and USW); and reached out to other professional associations.

Developing PftPI brought a radical reframing of why organizing into unions by professional and technical people matters. Professionals undertake prolonged studies and training to serve the public. They codify professional standards to which they hold themselves accountable. Their personal ethics and sometimes government licenses demand high levels of performance. Organizing into unions gives professionals a collective shield against external pressures that interfere with honoring professionals' personal, professional, and public obligations. That protection for professional integrity matters to professionals, who want to do their jobs right, and to the public whom those professionals serve.

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 over the last four years honored that emphasis.

At the ALA and the APHA, DPE worked with its affiliated unions and others to develop programs and policy resolutions and disseminate information. DPE Researcher and Representative Jennifer Dorning co-chairs the AFL-CIO/ALA Joint Committee on Library Services to Labor Groups (“Joint Committee”), serves on the ALA-APA Committee on the Salaries and Status of Library Workers, and chairs the APHA Labor Caucus. DPE also supports the John Sessions Award, which honors a former AFL-CIO Education Director and co-chair of the Joint Committee, presented annually by the ALA Reference and User Services Association to recognize a library or library system that worked with the labor community and brought recognition to labor movement contributions to the United States.

The work of DPE with these organizations led to programs at ALA and APHA featuring speakers and panelists from, among others, AFT, RWDSU, UAN, and USW as well as the California Labor Federation, the Coalition of Labor Union Women, the Denver Area Labor Federation, the International Labor Rights Forum, and the National Labor College. The Joint Committee has included representatives from AFGE, AFT, and IFPTE.



DPE also hosted PftPI and the PftPI website. PftPI brought together 10 national unions, all affiliated with DPE; eight national and global professional associations; and DPE, which served as the PftPI managing partner. Coordinating PftPI activities was its Joint Working Group (JWG). President Almeida chaired each JWG meeting. The work with PftPI not only served professionals and the public, but enabled DPE and its affiliated unions to learn from and about the professional associations.

Since the last Quadrennial Meeting, DPE worked with PftPI to:

host PftPI Forums on “Defending Patient Care: Dilemmas and Possibilities,” “Whistleblowers and OSHA: Defending Professional Integrity,” and “The Appropriate Use of Science in Public Policy”; AFT provided a setting for the first in conjunction with its national healthcare conference, while the American Association for the Advancement of Science offered its auditorium for the latter two and the American Chemical Society contributed funding for the third;

sign on to a joint letter urging Congress to enact the Whistleblower Protection Act to strengthen whistleblower protections for federal employees, a bill that has since become law;

post PftPI policy statements on “Professionals and the Federal Advisory System,” “Protecting Integrity by Defending Whistleblowers,” and “Scientific Integrity and the Executive Branch”;

confer with Assistant Secretary of Labor for Occupational Safety and Health David Michaels and write him to commend improvements in the U.S. Department of Labor Whistleblower Protection Program;

write U.S. Representative Wm. Lacy Clay of Missouri about legislation he introduced affecting federal advisory committees;

write a joint letter of commendation and concerns to the newly designated Department of Interior Departmental Scientific Integrity Officer, Dr. Ralph Morgenweck;

meet with Dr. Francesca Grifo, Senior Scientist and Director, Scientific Integrity Program, Union of Concerned Scientists; and Tom Devine, Legal Director of the Government Accountability Project, and Shanna Devine, its Legislative Campaign Coordinator; and

track and respond to developments on scientific integrity in the federal government.

Speeches, Presentations, Workshops, and Communications

Since the last Quadrennial General Board meeting in 2009, President Almeida and the DPE staff have responded to requests from the unions affiliated with DPE, and from other entities, for speeches, presentations, and workshops (see Appendix #4).

In 2010 DPE launched its new website, which offers an updated look, improved navigability, and new features that include spotlighting unions affiliated with DPE and information about programs and campaigns. From July 2012 through April 2013, the website averaged 3,647 unique visitors and 4,583 page views per month. This was a 267 percent increase in unique page views over the 12 months from July 2011 through June 2012. Approximately 85 percent of the visitors had not visited the site before.

A more detailed analysis shows that the 22 DPE “Issues Fact Sheets & Reports” together have recently averaged 876 unique page views per month. DPE has seen significant growth since July 2012 in the number of unique fact sheet page views. From January through April 2013, the average number of unique fact sheet page views was 1,513. The most popular DPE Fact Sheet was “The U.S. Health Care System: An International Perspective,” which averaged 312 unique page views per month from January through April 2013.

“I’m a Professional. What Can a Union Do for Me?” had an average of 362 unique page views per month, and the average visitor spent three minutes on the page. This was a 59 percent increase in unique page views from July 2011 through June 2012.

“Professionals in the Workplace” and the related content had an average of 476 unique page views per month, an increase of 152 percent from July 2011 through June 2012. These pages provide an occupational sketch for a number of highlighted professions and special interest groups. The “Women in the Professional Workplace” page had the most unique page views with an average of 214 per month for July 2012 through April 2013. It was followed by “Teachers and College Professors” with an average of 70 views per month.

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

In addition to testifying before committees in both chambers of Congress (see “Legislation and Public Policy” above), President Almeida introduced two PftPI Forums and moderated one. He also spoke at, among other events, the IFPTE legislative conferences in 2010 and 2013; the March 2012 meeting of the International Federation of Actors – North America (FIANA), a February 2012 book event for AFTRA Vice President and radio host Bob Edwards, the January 2012 meeting of the Labor and Employment Relations Association, an October 2011 George Washington University retreat on foreign labor recruitment sponsored by the Centro de los Derechos del Migrante, Inc. (Center for Migrant Rights), a July 2011 Georgetown University workshop on the science and engineering labor market, the November 2009 meeting of the International Association of Law and Policy, and a September 2009 AFL-CIO Convention breakout session, “Professionals and Unions: Organizing, Bargaining and Advocacy,” moderated by Executive Director Cohen and also featuring AFT Assistant to the President for

Organizing and Field Services Phil Kugler and then-AFTRA National Executive Director Kim Roberts Hedgpeth; as well as in many venues about the subjects of intellectual property, immigration policy, and the high-tech workforce. Executive Director Cohen joined President Almeida in addressing FIANA, led classes on “Why Professionals Belong in Unions” at the 2010 Oregon Labor Law Conference, and provided a voice for DPE and its affiliated unions in meetings about intellectual property, online theft, and digital trade.

In addition to speaking at, teaching at, and facilitating events, DPE helped to plan events with affiliated unions and allied organizations. President Almeida serves on the board of the Albert Shanker Institute (ASI) and was on the board of the Council for Adult and Experiential Learning (CAEL). Wearing both hats, he helped to plan a major conference on June 29-30, 2010 about workplace learning with ASI, CAEL, and the AFL-CIO, *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 him at the conference were members of the DPE staff. President Almeida also participated, with Executive Director Cohen, in the *National Conference on Collaborative School Reform* on October 6-8, 2010. Organized and hosted by AFT, which invited DPE, 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.

Appendix #1

DPE in the News 2009-2013

2013

On January 17, *DecodeDC.com* posted a podcast, “The Future Was Now,” in which Executive Director Cohen spoke about the harm from online digital theft to workers behind the scenes in entertainment and media.

On February 12, *AlterNet* posted “3 Reasons Even Right-Wing Republicans Should Like Unions” by Executive Director Cohen.

A March 4 article in *The Arizona Republic*, “Nursing students aim to fill healthcare demand,” cited DPE as a source for background about nurses.

A May 6 article in *Politico.com*, “Tech firms sweat details on immigration reform,” quoted President Almeida on high-tech visas and the immigration reform bills.

On May 16, an article in *The Los Angeles Times*, “White-collar workers are turning to labor unions,” quoted President Almeida on professionals in unions.

2012

On January 18, *In These Times* quoted President Almeida: “Protecting intellectual property is not the same as censorship; the First Amendment does not protect stealing goods off trucks.” On January 19, the *Prescott (AZ) Daily Courier* used the second half of the same quote.

On February 5, McClatchy Newspapers published “Bill seeks to limit OT for high-tech workers.” On February 23, the *Pittsburgh Post-Gazette* carried “Bill would cut overtime for some in IT.” Both articles quoted Executive Director Cohen, who described the Computer Professionals Update Act, a bill that would have eliminated overtime pay for information technology professionals, as “a terrible idea at a terrible time.”

On April 4, *InfoWorld* published “Work visa debate shifts from H-1B to L-1 visas,” which highlighted an April 3 letter from DPE and other organizations to the President.

On April 27, *News India Times* published a cover story, “Business as Usual?” about the U.S. visa system for bringing in foreign skilled workers. The article quoted President Almeida repeatedly and at length and cited the DPE study *Gaming the System 2012: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.* Among Almeida’s quotes: “The issue is ironic – Congress is supposed to be the gatekeeper of the people. Now it is the gatekeeper of corporate America.”

A May 11 post on HERvotes, “My Time, Intellect, Skills and Labor are Worth Less than Those of My Male Peers? Really? Yes, Really.” cited the DPE Fact Sheet, “Professional Women: A

Gendered Look at Occupational Obstacles and Opportunities.” The Coalition of Labor Union Women home page provided an Equal Pay Resource Guide that linked to the same Fact Sheet.

On July 25, *The New York Times* hosted an online exchange about skilled immigration that cited President Almeida as arguing that “programs like the H-1B visa incentivize the displacement of native workers because employers may prefer foreign workers for their lower cost and exploitability.”

In an article on multigenerational households, the September/October 2011 issue of *Aging Today*, the bi-monthly newspaper of the American Society on Aging, cited a DPE Fact Sheet about the increasing number of working women. AARP posted a modified version that also cites DPE.

In an August 2 electronic newsletter about H-1B and L-1 visas and offshoring, professor of computer science Norman Matloff of the University of California, Davis described the DPE report *Gaming the System 2012: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.* as “invaluable” and “the best centralized, up-to-date compendium of information.” He said it “should be required reading for any researcher, journalist, or congressional staffer who has a serious interest.”

A December 5, 2012 opinion column in *The Bradenton (Fla.) Times* cited President Almeida and his testimony about the shift of jobs from the U.S. to overseas.

2011

A June 24 article in the *Bakersfield Californian*, “Racial inequities persist between administrators, students,” cited a 2010 DPE Fact Sheet, “School Administrators: Just the Facts.”

A September 2 feature on fortune.com – “Not quite the union label” by Stephanie Overman – quoted Executive Director Cohen. The article focused on private-sector professional workers and mentioned Professionals for the Public Interest: Associations and Unions Defending Professional Integrity.

On October 3, a columnist for *The Cavalier Daily* at the University of Virginia cited DPE as her source for the changing number of women in the workforce in “Opening doors, closing others.”

On October 5, *Variety* quoted DPE President Paul E. Almeida in its report on an October 4 Capitol Hill briefing, “Piracy act galvanizes sides.”

The November 16 hearing on the Stop Online Piracy Act at which President Almeida testified prompted more than 600 online reports and retorts.

2010

ComputerWorld featured “Gaming the System: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.” in its January 4 article, “U.S. figures show most H-1B visa holders are under 35.”

On January 5, the American Visa Bureau, an independent immigration advisory service, featured “Gaming the System” and previously unreleased United States Citizenship and Immigration Services (USCIS) reports that DPE posted in an article, “New figures show most H-1B American Visa holders are under 35.”

Also on January 5, a former Accenture partner, Brian Sommer, weighed in on *ZDNet* with “H-1B Visas, the AFL-CIO and the Need for Change.”

“Gaming the System” was mentioned in *eWeek.com*’s January 7 article, “Tech Worker Shortage, H-1B System Challenged.”

On January 8, Ann All blogged about the “Gaming the System” report for *ITBusinessEdge*.

Another blog, *Dice: The Career Hub for Tech Insiders*, began an extensive discussion with a posting also on January 8.

President Almeida’s June 23 testimony before the Senate Judiciary Committee brought wide coverage, including stories in *Variety*, *The Hill*, and *Tech Daily Dose*.

On June 25, the AFL-CIO Now Blog quoted President Almeida in “Unions Back New Plan to Battle Intellectual Property Pirates.”

The release of the U.S. Chamber of Commerce study on guest worker visas in August garnered press about DPE from diverse sources, including stories in *Oregon Business Report*, *TechsUnite*, *Human Resource Executive Online*, and *the pioneer*.

Under the title ““Young people want real community from labor,”” *The Guild Reporter*, the publication of The Newspaper Guild, CWA, published an article by former DPE Researcher and Representative Alexis Spencer Notabartolo about her experience as a discussion facilitator for the AFL-CIO’s Next Up Youth Summit.

An October 4 piece on the AFL-CIO Now Blog, “Professionals Make Up Largest Group of Union Members” by James Parks, quoted DPE President Paul E. Almeida at length. An October 20 piece, “Join Forum on Appropriate Use of Science in Public Policy,” invited people to a PftPI Forum.

2009

In “‘Fair Pay for Air Play’ Won’t Hurt Black Radio Stations” by James Parks (July 20, 2009), the AFL-CIO Now Blog quoted the March testimony of President Almeida before the Judiciary Committee of the U.S. House of Representatives.

In “Dionne Warwick: ‘Fair Pay for Air Play’ About Economic Justice” by James Parks (July 30, 2009), the AFL-CIO Now Blog referred to the support of DPE for the Civil Rights for Musicians Act (H.R. 848).

On September 9, in “Women at Work: Women still make less than men,” the Rochester, Minnesota *Post-Bulletin* cited DPE as its source for facts about women in the workforce.

On September 25, *Variety* quoted DPE President Paul E. Almeida in “Espinel named ‘intellectual property czar’ – Copyright protection proponents praise appointment.”

On September 26, in “Obama nominates Espinel for IP czar,” *The Financial Times* also cited President Almeida.

After DPE released “Gaming the System: Guest Worker Visa Programs and Professional and Technical Workers in the U.S.” and posted the USCIS reports, several news outlets and blogs cited or referenced the publications. Among them:

Techgoss.com, “The Tech Grapevine” of India, posted its first article on December 14, and its second on December 19.

On December 18, James Parks of the *AFL-CIO Now Blog* highlighted DPE’s release of the USCIS reports in his post “New materials tell story of H-1B program.”

Then-Researcher and Representative Alexis Spencer Notabartolo wrote a piece for the *AFL-CIO Now Blog* on December 16 discussing the major themes of “Gaming the System.”

Appendix #2

DPE Policy Letters and Statements 2009-2013

- 04/22/2013 Joint Letter to U.S. Senate Supporting “Marketplace Fairness Act” (S. 743)
- 04/09/2013 Letter to the U.S. House of Representatives Opposing “Preventing Greater Uncertainty in Labor-Management Relations Act” (H.R. 1120)
- 03/14/2013 Joint Letter to House and Senate Leaders Seeking Sequester Repeal
- 03/18/2013 Joint Letter Supporting the Marketplace Fairness Act of 2013 (S. 336)
- 02/07/2013 Letter to Senators Klobuchar and Coons Opposing their Sponsorship of the Immigration Innovation Act of 2013
- 11/9/2012 Letter to Deputy Secretary of State Thomas R. Nides Opposing U.S. Chamber of Commerce L-1B Visa Recommendations
- 11/9/2012 Joint Letter to President and Congress on Priorities for Meeting Budget and Economic Challenges
- 10/16/2012 Joint Letter to Congress on Measure for Social Security Cost of Living Adjustments
- 10/9/2012 Joint Letter to Congress Opposing Harm to Vulnerable Americans from Sequestration
- 8/17/2012 Joint Letter Urging Congress to Pass the Whistleblower Protection Enhancement Act
- 8/1/2012 Joint Letter to Senate Commerce, Science & Transportation Committee Supporting the Marketplace Fairness Act (S. 1832)
- 7/24/2012 Joint Letter to the House of Representatives Judiciary Committee Supporting the Marketplace Equity Act, H.R. 3179
- 6/26/2012 Joint Letter to House of Representatives Opposing “Digital Goods and Services Tax Fairness Act” (H.R. 1860)
- 5/8/2012 Joint Letter to Congress Supporting the Pregnant Workers Fairness Act
- 5/24/2012 DPE Responds to the Hamilton Project Proposal to Auction Guest Worker Visas
- 5/17/2012 Joint Letter Seeking Enhanced Safeguards for New Generic Top-Level Domains

- 4/24/2012 Joint Letter to Senators Urging Support for “Marketplace Fairness Act” (S. 1832)
- 4/13/2012 Joint Letter to Senate Urging Passage of “Paying a Fair Share Act of 2012,” S. 2230
- 4/3/2012 Letter Asking President Obama to Oppose Expansion of L-1B Visa
- 4/2/2012 Joint Letter to Senator Stabenow Urging Support for the Supplemental Nutrition Assistance Program
- 3/8/2012 Letter Asking Senators to Co-Sponsor the RESPECT Act, S. 2168
- 2/22/2012 Joint Letter to House of Representatives Leaders that Supports Developing New Antibiotics
- 2/22/2012 Joint Letter to Senate Leaders that Supports Developing New Antibiotics
- 2/2/2012 Joint Letter Supporting the Marketplace Fairness Act to Enable State and Local Governments to Collect Taxes from Online Sellers
- 12/7/2011 Joint Letter to House of Representatives Supporting Legislation to Enable State and Local Taxation of Remote Sellers
- 11/29/2011 Joint Letter to the House of Representatives Opposing the Mobile Workforce State Income Tax Simplification Act
- 11/16/2011 Testimony by Paul E. Almeida before the House Judiciary Committee on the Stop Online Piracy Act
- 11/16/2011 Joint Letter Opposing Balanced Budget Amendment
- 11/9/2011 Letter to Senate Opposing Computer Professionals Update Act (S. 1747)
- 11/3/2011 Letter to Senate Urging Support for the PROTECT IP Act, S. 968
- 10/31/2011 Joint Letter to House of Representatives Opposing Wireless Tax Fairness Act
- 09/14/2011 Comments by Paul E. Almeida at the National IPR Coordination Center Symposium: Online IP Theft in the 21st Century
- 07/14/2011 Comments and Research Paper by DPE President Almeida at Dynamics of the S&E Labor Market: Projections, Regulations, and Employment Patterns Workshop
- 07/13/2011 Joint Letter to Congress Opposing Constitutional Balanced Budget Amendment

- 07/12/2011 DPE Commends Agreements to Curb Digital Theft, Notes Government Leadership
- 07/06/2011 Joint Letter to House of Representatives Opposing the Business Activity Tax Simplification Act of 2011
- 06/02/2011 Joint Letter to U.S. Congress Opposing Proposals to Weaken the Supplemental Nutrition Assistance Program
- 05/10/2011 Joint Letter about Privatization and the FY 2012 National Defense Authorization Act
- 05/04/2011 Joint Letter to House of Representatives Opposing the Business Activity Tax Simplification Act of 2011
- 04/13/2011 Comments of DPE Executive Director David Cohen at April 13, 2011 White House Meeting on OECD “Draft Principles for Internet Policy-Making”
- 04/04/2011 Comments of DPE President Paul E. Almeida at April 4, 2011 Capitol Hill Press Conference on Fighting Online Infringement
- 04/04/2011 Video of President Almeida with Senator Leahy Speaking on Online Infringement
- 04/05/2011 Joint Letter on Scientific Integrity to the U.S. Department of the Interior
- 04/05/2011 Joint Letter on Scientific Integrity to the U.S. Office of Science and Technology Policy
- 03/28/2011 DPE Letter to the House Judiciary Subcommittee on Immigration Opposing H-1B Expansion
- 03/28/2011 DPE Resolution in Support of Public Employees and Collective Bargaining
- 03/23/2011 DPE Letter to Dr. Jared Bernstein Opposing H-1B Expansion
- 02/25/2011 Entry-Level Workers Will Not Help Us Win the Future
- 01/24/2011 Endorsement of Campaign Calling for New Antibiotics by 2020 Organizations Endorsing the 10 x '20 Initiative
- 12/16/2010 Joint Letter to Rep. Issa Supporting Whistleblower Protection Enhancement Act
- 11/29/2010 Joint Letter Supporting the Convention for the Elimination of all Forms of Discrimination against Women (CEDAW)

- 11/18/2010 Joint Letter on Legislation to Protect Federal Whistleblowers
- 08/15/2010 DPE Responds to U.S. Chamber of Commerce Attacks on DPE Visa Study
- 06/30/2010 Joint Letter to National Commission on Fiscal Responsibility and Reform
- 06/29/2010 Joint Letter to Senator Baucus Supporting Nomination of Don Berwick MD as Administrator of CMS
- 04/21/2010 Joint Letter Calling for Congress to Pass Employment Non-Discrimination Act
- 03/02/2010 AFL-CIO Executive Council Statement, “Piracy is a Danger to Entertainment Professionals”
- 02/12/2010 Professionals for the Public Interest Letter to Rep. Clay about Federal Advisory Committees
- 02/12/2010 Joint Letter Asking Congressional Leaders to Extend Unemployment Insurance under ARRA
- 10/16/2009 Joint Letter to Senate about Health Care Reform
- 10/15/2009 Our Bottom Line on Health Care Reform
- 09/2009 AFL-CIO Convention Resolution 18, “Unions Should Give People with Disabilities a Voice *and* a Face”
- 09/2009 AFL-CIO Convention Resolution 26, “Recognition of Theodore Bikel’s Years of Labor Service”
- 09/2009 AFL-CIO Convention Resolution 27, “In the Interests of the Public, Professionals Belong in Unions”
- 08/19/2009 Joint Letter Supporting Tax Surcharge for Top Earners to Finance Health Care Reform
- 07/31/2009 Joint Statement about House Committee on Energy and Commerce Action on Generic Biologics
- 07/27/2009 Joint Letter to Congressional Blue Dog Coalition Urging Action on Health Care Reform
- 07/22/2009 Joint Letter to Senator Casey about His Privatization Amendment
- 07/22/2009 Joint Letter to Senator Casey Supporting Amendment to Correct Privatization Process

- 07/21/2009 Letter to the House of Representatives about Nurse and Health Care Worker Protection Act
- 07/19/2009 Labor Union Sign-On Letter to Freshmen Representatives supporting Income Tax Surcharge
- 07/13/2009 Letter to Office of Management and Budget about Federal Sourcing

Appendix #3

DPE Publications and Reports 2009-2013

Special Reports

Gaming the System: Guest Worker Visa Programs and Professional and Technical Workers in the U.S. – DPE first released this comprehensive report in December 2009 and published an updated and expanded version in 2012. The report supports the goal of rational, comprehensive immigration reform.

The guest worker visa programs of the United States are a flashpoint in the debate over immigration. With fallible reporting and no unified government oversight, U.S. guest worker visa programs are overly complicated, lack accountability, tracking, and enforcement; and exemplify why U.S. immigration policy needs reform. “Gaming the System” provides background on the much discussed H-1B visa and the impact from this and similar programs on two distinct sectors: education and science, technology, engineering and mathematics (STEM).

The Benefits of Collective Bargaining for Professional and Technical Workers – First released in 2011, the report demonstrates the value of unions for professional and technical workers, including merit-based compensation; clear and fair methods for resolving workplace concerns; preserving workplace integrity and respect; and creating safe, professional, and rewarding work environments.

Organizing Victories for Unions Affiliated with DPE – Posted on the DPE website and updated annually.

AFL-CIO Executive Council Policy Statements and Convention Resolutions Authored or Assisted by DPE

For American Workers, Overtime Protections Bring Jobs, Income and a Life (March 2012)

Piracy Is a Danger to Entertainment Professionals (March 2010)

In the Interests of the Public, Professionals Belong in Unions (September 2009)

Unions Should Give People with Disabilities a Voice *and* a Face (September 2009)

Recognition of Theodore Bikel’s Years of Labor Service (September 2009)

Summaries of DPE Fact Sheets New in 2013

The Young Professional Workforce – Young professionals, defined as persons aged 22 to 35 who are working in a professional or technical occupation, are critical to the expanding

professional and technical workforce. Over the last 10 years, the professional workforce has grown much faster than the workforce as a whole. However, the young professional workforce is easily distinguished from the professional workforce as a whole. Young professionals are graduating from college and graduate school at faster rates, are more likely to work in fast-growing occupations, and are more diverse than previous generations.

This fact sheet explores: the demographics of young professionals, occupation and industry concentration, historical perspectives, educational attainment, unemployment and underemployment, and union membership.

Women in STEM and the Impact of Guest Worker Visas – In the last 10 years, women increased their density in professional occupations, now making up 57 percent of the professional workforce, but saw density declines in computer and engineering occupations. Labor market trends are difficult to predict, but both the number and proportion of science, technology, engineering, and mathematics (STEM) jobs are expected to grow faster than average for all occupations from 2010 to 2020. However, women are struggling to enter computer and engineering occupations that have a high concentration of temporary guest workers.

The Asian and Hawaiian/Pacific Islander STEM Workforce – Asians comprise the largest minority group in most STEM occupations. Over the last 10 years, their most significant increase in density has been among Asians in computer-related occupations. College graduation data indicates that many of these new workers are not U.S. citizens. Despite the drastic increase in density, which would indicate abundant job opportunities, Asians in some computer-related occupations have been hit hard by high rates of unemployment.

Impact of Guest Worker Visas on Hispanic STEM Workers – Hispanic computer professionals are struggling to maintain their already small foothold in computer-related occupations. Labor market trends are difficult to predict, but both the number and proportion of STEM jobs are expected to grow faster than average for all occupations from 2010 to 2020. Many of the new STEM jobs that are projected to be added should be held by Hispanics as they are a relatively young population and are expected to make up half of the labor force growth between 2005 and 2020. Yet Hispanics are struggling to enter computer-related occupations dominated by temporary guest workers.

Impact of Guest Worker Visas on African American STEM Workers – African American STEM workers stand at the forefront of innovation in the U.S. economy. As technological changes reshape the world of work, these professionals will continue to be in demand. African Americans have made strong gains in several STEM sectors, but saw declines in computer and accounting occupations. These declines occurred despite the fact that African Americans earn more computer-related degrees than Asians or Hispanics.

Summaries of DPE Fact Sheets Updated Annually

Guest Worker Programs and the Science, Technology, Engineering, and Mathematics Workforce – This fact sheet provides an overview of the H-1B and L-1 visas and dispels misconceptions regarding the supply and demand of U.S. workers in Science, Technology, Engineering, and Mathematics (STEM) fields.

Guest Worker Visas: The H-1B and L-1 – The United States guest worker visa programs for specialty occupations are a flashpoint in the immigration debate. Chief among the controversial visa programs are the H-1B and L-1. Critics of these visas point to the lack of worker protections, below market wages, body shops, and absence of a labor market test that result in guest workers being exploited and used to replace qualified U.S. workers. Despite growing concerns, proponents of H-1B and L-1 visas seek to increase the number of available visas.

Intellectual Property Theft: A Threat to U.S. Workers, Industries, and Our Economy – This fact sheet examines the consequences of intellectual property theft for the entertainment industries, their workers, and those in related industries.

Library Workers: Facts & Figures – This fact sheet explores: library staff in the workforce, where library staff work, their diversity, the role of women in the profession, issues of pay and pay equity, the union difference for library staff, and how the recession has impacted libraries and library staff.

Misclassification of Employees as Independent Contractors – The distinction between genuine independent contractors and employees misclassified as independent contractors is a complicated but crucial matter. While misclassification can be understood through a complex set of definitions set forth by several government agencies, the impact it has on employees is clear. Misclassified employees lose workplace protections, including the right to join a union; face an increased tax burden; receive no overtime pay; and may have no recourse for workplace injury violations and disability-related disputes.

Nursing: A Profile of the Profession – This fact sheet outlines the vocational and demographic trends in nursing, wage trends for nurses, workplace hazards, international labor recruitment in nursing, safe-staffing ratios, and the state of collective bargaining in nursing.

Pharmacists and Pharmacy Technicians: Facts and Figures – This fact sheet outlines: general workforce information, prevailing wages and wage differentiations, women and minorities in pharmacy, the current labor market, the implications of an aging population, government programs, online pharmacies, and union benefits for pharmacists.

Professional Women: A Gendered Look at Occupational Obstacles and Opportunities – This fact sheet explores: general information about women in the workplace, gender occupational differences, the gender wage gap, women in education, the effects of the gender wage gap on working families and retirement benefits, the high cost of caregiving in the U.S., and the union advantage for women.

Safe-Staffing Ratios: Benefiting Nurses and Patients – This fact sheet outlines: the workplace and patient treatment improvements associated with safe-staffing ratios, the dangers of understaffing for nurses and patients, the high costs of frequent nurse turnover in hospitals, the potential benefits of safe staffing for addressing the nursing shortage, the savings associated with safe-staffing ratios, and the growing popularity of safe-staffing legislation.

School Administrators: An Occupational Overview – This fact sheet outlines: general workforce information about school administrators, their education, their diversity, prevailing wages and wage differentiations, union benefits for school administrators, the role of school administrators in student achievement, and their everyday challenges.

Social Service Workers: An Occupational Overview – Social service professionals perform challenging, yet rewarding work. They work with some of society's most vulnerable and needy populations. This fact sheet explores general employment facts about social service workers, including projected occupational growth, typical education requirements, and salaries; the benefits of a union for social service workers, the presence of women and minorities, and occupational challenges.

The STEM Workforce: An Occupational Overview – This fact sheet outlines: the employment and earning trends in STEM occupations; unionization in STEM fields; the location of STEM jobs; gender, race, and ethnicity in STEM; and the challenges offshoring and U.S. guest worker visa programs pose for U.S. STEM workers.

The U.S. Health Care System: An International Perspective – This fact sheet compares the U.S. health care system to other advanced industrialized nations, with a focus on the problems of high health care costs and spotty insurance coverage in the U.S. It also outlines some common methods to lower health care costs in other countries, examines the German health care system as a model for non-centralized universal care, and, puts the quality of U.S. health care in an international context.

The World of Work: A Labor Market Overview – To explore what changes to the labor market means for workers, this fact sheet outlines: how the labor market has shifted; the growth outlook for professional and technical jobs; the decline of unionization and the changing profile of union workers; the growing wealth and employment disparities in today's economy; and the labor market outlook for workers based on age and gender.

Other DPE Fact Sheets Produced Since 2009

Recourse for Employees Misclassified as Independent Contractors

Social Service Workers: A Portrait

The Employee Free Choice Act: Professional Employees and the Public

The Service Sector: Projections and Current Stats

Information Updated on the DPE Website About Professionals and Employment Sectors

In 2012, DPE updated its “Professionals in the Workplace” section on its website. This page of the DPE website provides employment, demographic, union, and other information for 11 different broad occupational categories. Included below are introductions to the 11 categories.

Professional and Technical Employees in the Labor Force – Over the last 30 years, a dramatic transformation in the American economy has resulted in a steep decline in manufacturing jobs and concurrent growth in the professional and technical service sector. Professional and related occupations comprise nearly 21 percent of the total U.S. labor force – its largest occupational grouping. Their numbers and significance has grown rapidly and is expected to continue.

Women in the Professional Workforce – Women make up a majority of the professional workforce. In the future, women will continue to make up a majority of the professional workforce, largely because they seek more advanced education and training than men. However, they still struggle to reach parity with men on issues of pay. Union membership has been one way some women have narrowed the wage gap.

Social Service Professionals – Social service professionals perform challenging, yet rewarding work. They work with some of society’s most vulnerable and needy populations. The services they provide are wide-ranging, and their compensation is relatively low compared to similar professionals. Social workers working with disadvantaged populations tend to have greater incidents of occupational injury and illness. Social service professionals are increasingly turning to unions as a way to earn respect, support, and a fair wage for the difficult jobs they perform.

Teachers and College Professors – Educational services is one of the economy’s largest sectors and one of the largest employers of professional and technical workers. This sector employed about 13.5 million people in 2010, of which nearly nine million were professional or technical workers.

Librarians and Library Paraprofessionals –Libraries across the country continue to serve millions of individual patrons who value taxpayer supported library material or lack access to technology. In 2010, libraries circulated 2.28 billion pieces of library material and served 1.5 billion visitors (an average of 5.1 visits per U.S. resident).

Health Care Professionals and Technicians – In 2010, health care services comprised the largest industry in the U.S., employing over 14.3 million individuals, including nearly seven million professional and technical workers. It also continues to be one of the fastest growing. Between 2008 and 2018 the health care sector is expected to add 3.2 million new jobs. The U.S. Bureau of Labor Statistics estimates that about 22 percent of all new wage and salary jobs created between 2008 and 2018 will be in health care.

Professional Performers – Performing artists face working conditions quite unlike any other group of working people, characterized by sporadic employment, multiple employers, low income, intense competition and frequent rejection — as well as excitement and glamour and,

occasionally, fame and rich rewards. This overview examines the employment conditions that set this group of professional workers apart from others, and examines trends in the performing arts occupations that challenge the unions that represent performers.

Scientists and Engineers – Science and engineering professions provide critical middle-class jobs for millions of Americans. Scientists and engineers are employed in a variety of fields in the private and public sector. Median pay for scientists and engineers is between \$52,000 and \$102,000. Despite the lagging economy and unemployment among scientists and engineers, employers are increasingly hiring temporary guest workers for science and engineering positions. Unions have been a strong voice for scientists and engineers and have seen increased union membership in several occupational areas.

Science and Engineering Technicians – Science and Engineering technicians use science and engineering principles in areas such as research and development. Many engineering technicians assist engineers and work in quality control while many science technicians work in laboratories on research projects. This overview explores the employment and working conditions, earnings, job outlook, and unionization of science and engineering technicians.

The Professional Computer Workforce – Computer professionals work in a variety of highly skilled jobs. Most computer and tech-related occupations have experienced steady job growth. However, there are a few occupations that have been hit hard by offshoring and domestic utilization of temporary guest workers.

Television and Radio Broadcasting Professionals and Technicians – Television and radio broadcasting are a constant presence in nearly every American home. The broadcasting industry is made up of the television and radio stations that create content, like your daily local news, and broadcast the prerecorded content produced by the networks, e.g. ABC, CBS, Fox, and NBC. This outlines trends, working conditions, and union membership among broadcast professionals.

Appendix #4: **DPE Programs, Seminars, and Presentations 2009-2013**

Congressional Testimony and Press Conferences

Paul Almeida – Congress: Stop Online Piracy Act, H.R. 3261 – Before the Judiciary Committee of the House of Representatives, November 16, 2011. President Almeida spoke for the professional and technical people in unions affiliated with DPE “as workers and consumers as well as ardent defenders of the First Amendment.” He stressed that “strengthening protections for U.S. intellectual property helps American workers, jobs, incomes, and benefits”; warned that “counterfeit goods endanger workers, both as workers and as consumers”; and pointed out that “freedom of speech is not the same as lawlessness on the Internet.”

Paul Almeida – Capitol Hill Press Conference on Fighting Online Theft – December 13, 2011.

Paul Almeida – Capitol Hill Briefing on “Rogue Websites Legislation” – October 4, 2011.

Paul Almeida – Congress: Oversight of the Office of the Intellectual Property Enforcement Coordinator – Before the Judiciary Committee of the Senate, June 23, 2010.

Panel and Forum Participation, Speeches, Testimony, and Presentations

Paul Almeida – IFPTE Legislative Conference - March 11, 2013.

Paul Almeida and David Cohen – International Federation of Actors – North America (FIANA) and FIA English-Speaking Group, Los Angeles, CA – March 22, 2012.

Paul Almeida – “Employment Relations and Alternative Strategies for Workers in High-Tech Occupations,” Labor and Employment Relations Association – January 7, 2012.

Paul Almeida – Retreat on Foreign Labor Recruitment, sponsored by the Centro de los Derechos del Migrante, Inc. (Center for Migrant Rights) at George Washington University – October 17-18, 2011.

Paul Almeida – National IPR Coordination Center Symposium: Online IP Theft in the 21st Century – September 14, 2011.

Paul Almeida – “Dynamics of the Science and Engineering Labor Market: Projections, Regulations, and Employment Patterns Workshop” – Georgetown University, sponsored by the Sloan Foundation, July 11, 2011.

David Cohen - White House Meeting on OECD “Draft Principles for Internet Policy-Making” – April 13, 2011.

Paul Almeida – Capitol Hill Press Conference on Fighting Online Infringement – April 4, 2011.

Paul Almeida – “The Use of Science in Public Policy,” PftPI Forum – October 27, 2010.

Alexis Spencer Notabartolo – AFL-CIO Next Up Young Workers Summit – June 10-13, 2010.

Paul Almeida – “Whistleblowers and OSHA: Defending Professional Integrity,” PftPI Forum – May 11, 2010.

Paul Almeida – IFPTE Legislative Conference – April 13, 2010.

Alexis Spencer Notabartolo – Berger-Marks Foundation Women’s Summit – March 14–16, 2010.

David Cohen – “Why Professionals Belong in Unions,” Fourteenth Annual Oregon Labor Law Conference – January 29, 2010.

Paul Almeida – International Association of Law and Policy – December 2, 2009.

David Cohen – National Endowment for the Arts, Cultural Workforce Forum – November 20, 2009.

Paul Almeida and David Cohen – “Professionals and Unions: Organizing, Bargaining and Advocacy,” AFL-CIO Convention Breakout Session – September 14, 2009.

Alexis Spencer Notabartolo – “Developing the Next Generation of Union Leaders,” AFL-CIO Convention Breakout Session – September 14, 2009.

Alexis Spencer Notabartolo - Women’s Forum, IFPTE Convention – August 10, 2009.

Alexis Spencer Notabartolo - 2009 Campus Progress National Conference - July 8, 2009.

DPE Programs

Documentary film screening, *The King Behind King, Bridges, Chavez and Mandela* – March 16, 2012.

Book event, *A Voice in the Box: My Life in Radio* by Bob Edwards – February 28, 2012.