

# Killing two birds with one legislative stone



*William H. Young*

**O**ur National Training Conference in Las Vegas in late November, with its tremendous turnout and top-quality workshops, was an excellent opportunity for our union's leaders and activists to map out "The Road Ahead" for the NALC. As I see it, our union has two overriding goals for the years ahead: strengthening the Postal Service and rebuilding the middle class in America. These are long-term objectives, but we have no time to waste. So I am pleased to report we have been able to pursue both aims simultaneously in recent weeks.

Throughout December, we fought an important battle in Congress. In honor of Global Delivery Action Day, a worldwide campaign by Union Network International and the International Transport Federation to promote organizing in the post and logistics sector (*see page 20*), we launched a lobbying blitz on Capitol Hill to give non-union FedEx workers a better chance to organize. The vehicle was an amendment by Sen. Tom Harkin—our champion on contracting out—to the Labor-HHS appropriations bill to make it easier for FedEx workers to unionize by placing them under the National Labor Relations Act.

**At present, union organizers face** the near-impossible, and incredibly expensive, task of waging a national campaign to simultaneously organize all 120,000 FedEx workers—all across the country, all at the same time. This is because, by an accident of history, FedEx is covered by the Railway Labor Act, which requires national bargaining units. It's preposterous that FedEx package sorters, retail agents and couriers are treated like airline employees—very few of them ever step foot near an airport—but that's the law.

In contrast, workers at the Postal Service, United Parcel Service and other delivery companies are covered by the National Labor Relations Act—which,

though flawed, permits more affordable local organizing. If they were under the NLRA, FedEx workers could build a union city by city and local by local. But, shielded by the RLA, FedEx has been able to repel union organizers and undermine collective bargaining standards for decades. This is unfair to FedEx workers, and it is unfair to you and other Postal Service employees, who must compete with FedEx.

**So organizing FedEx—whether it be** by the UAW, the Teamsters, or even us—would advance both of our long-term goals. It would level the playing field for the Postal Service by removing FedEx's unfair advantage in the delivery of express mail and packages, and it would open the door to the middle class for FedEx workers everywhere. For instance, in recent years, FedEx has increasingly adopted the "independent contractor" model to avoid providing health insurance and pensions for its workers. If FedEx employees had a union, they could fight for such benefits.

The Harkin amendment would grant NLRA coverage to all express delivery workers who do not work at airports. In the first week of December we used our e-Activist network to generate phone calls to key senators from Florida, Arkansas and Nebraska in support of the amendment. We also activated state phone trees in Alaska, Hawaii and Mississippi to lobby three other senators. As this issue went to press, the amendment had been folded into the must-pass omnibus appropriations bill, but whether it would reach the president's desk was far from assured and FedEx was doing everything it could to resist.

With the Harkin amendment, we have a chance to kill two birds with one stone and we will keep fighting for it no matter what happens this time around. Win or lose, I can't think of a better way to begin our journey on the road ahead. Happy new year! ☒