

Source: Daily Labor Report: All Issues > 2009 > January > 01/12/2009 > News > Labor  
Department: Card-Check Recognition Issues Dominate Confirmation Hearing for Top  
Labor Job

06 DLR A-16

*Labor Department*

### **Card-Check Recognition Issues Dominate Confirmation Hearing for Top Labor Job**

The issue of card-check recognition dominated the confirmation hearing of Labor Secretary-designate Rep. Hilda L. Solis (D-Calif.), held Jan. 9 by the Senate Committee on Health, Education, Labor, and Pensions.

Despite questions from Republican senators expressing concern over Solis's support for the Employee Free Choice Act, which she co-sponsored during the House's previous session, the atmosphere remained cordial, with Solis largely refraining from giving specific answers to policy questions and the senators praising her personal achievements.

Solis "has dedicated her life to public service and to improving the lives of people in her community," California Sens. Barbara Boxer (D-Calif.) and Dianne Feinstein (D-Calif.) said when introducing Solis to the Senate panel. Sen. Bernard Sanders (I-Vt.) called Solis's nomination "the best appointment" that President-elect Obama has made, and Sen. Michael B. Enzi (R-Wyo.), the committee's ranking member, told Solis, whose father immigrated from Mexico and whose mother immigrated from Nicaragua, that her life "epitomizes the American dream."

"We need leaders who understand what workers are facing in today's economy," HELP Committee Chairman Sen. Edward M. Kennedy (D-Mass.) said. "I believe Hilda Solis is such a person."

#### **'Voice for Working Families.'**

In her testimony, Solis told the senators that she hopes to be "a voice for working families." Solis pledged to work with Congress in "pursuit of our common goal—a genuine opportunity for every family to achieve the American dream."

The nominee highlighted four areas on which she hopes to concentrate as labor secretary, including job training, safe and fair workplaces, retirement security, and civil rights enforcement. She also expressed concern for military veterans returning from Iraq and Afghanistan who need job training and job search assistance. In addition, she spoke of promoting "green collar jobs," which she described as a way to reduce the

nation's dependency on foreign oil.

“We need to restore the respect and integrity” of workers by ensuring that they have safety in the workplace and a living wage, Solis said. She added that “appropriate family leave and sick leave” are important, as is preventing the removal of jobs from the United States to overseas.

### **Employee Free Choice Act.**

The Republican senators concentrated on Solis's support for legislation that would amend the National Labor Relations Act to require the National Labor Relations Board to certify a union as the representative of employees if a majority of employees signs valid union authorization cards. Supporters of the legislation say it will preclude employers from preventing unionization by intimidating employees(245 DLR C-1, 12/22/08).

Sen. Johnny Isakson (R-Ga.) told Solis that “the secret ballot has been critical” and originally was sought by the labor movement. Sen. Orrin Hatch (R-Utah) said the fact that unions win 60 percent of the elections belies the argument that employer intimidation necessitates card check recognition.

Sen. Lamar Alexander (R-Tenn.) asked Solis if she would oppose states' rights to pass right-to-work laws. Solis replied that she thinks President-elect Obama feels strongly that a worker should have a choice regarding whether to join a labor union. Solis added that the ability to choose “whether you want to be associated with a group or not” is “the essence of democracy.”

Enzi asked if she will remain on the board of American Rights at Work, a pro-union advocacy group. Solis replied, “I will more than likely remove myself from the board.”

### **Job Training.**

In response to Enzi's suggestion that the Workforce Investment Act (19 DLR S-17, 1/30/08) needs to be modernized and reauthorized, Solis replied, “We need to get a sufficiently funded WIA.”

Sen. Jack Reed (D-R.I.) asked Solis if WIA resources could be targeted to geographical areas that are struggling economically. Solis responded that the Trade Adjustment Act could be used for this purpose and conceded that “we do need to do a better job” of targeting specific areas or populations.

Sen. Barbara A. Mikulski (D-Md.) also expressed concern about job training. She said, like Solis, she supports green jobs, “but they're in the future.” Mikulski added, “There are jobs right now, and they're called health care, health care, health care.” She said in Maryland, 3,000 people who want to study nursing are turned away from training,

despite a severe shortage of nurses, because of an insufficient number of training slots. Solis agreed that the Labor Department must “do more to expand the available pool of applicants.”

Mikulski also urged Solis to “reinvigorate the Women's Bureau,” which she described as “moribund and tepid” and said “we really do need to reform the H-2B program” for high-skill foreign workers.

Sen. Johnny Isakson (R-Ga.) also mentioned visas. Observing that “the jobs that have gone offshore” have generally been low-skill jobs, he said he thinks the permissible levels of immigration should fluctuate according to employment levels by type of job. Solis said she would “want to look at how certification occurs” and how the labor pool is identified before commenting.

### **Other Issues to Be Considered.**

Enzi asked Solis if she thought the use of flexible hours, available to federal government employees, should be extended to the private sector and also whether DOL should continue to allow nonunion as well as unionized contractors to compete on federally funded construction projects. He also asked if Solis planned to change DOL's methodology for determining the prevailing wage rate, which has been criticized. Solis said she would look into these matters.

Sen. Tom Harkin (D-Iowa) told Solis that he hopes she will make “the Department of Labor a true Department of Labor, and not a Department of Management and Capital.” He spoke of the “truly shocking” 63 percent unemployment rate for people with disabilities and urged Solis to “form a group that will truly tackle this problem.”

Kennedy asked her what the Labor Department can do to help the unemployed, and she responded that the federal stimulus package could include jobs in rebuilding the nation's infrastructure.

Kennedy closed the hearing by telling Solis, “We come away from the hearing with a strong sense of your caring” about this nation's working families.

In a Jan. 9 statement, Rep. George Miller (D-Calif.), the chairman of the House Education and Labor Committee, urged the Senate to swiftly confirm Solis. “Her record in the California legislature as a leader on labor issues and her excellent work in Congress on behalf our of nation's working men and women will restore the Department of Labor as an advocate for hard-working Americans,” he said.

Solis spent eight years in the California Legislature, where in 1996 she led the battle to increase the state's minimum wage from \$4.25 to \$5.75 per hour.

### **Unions Express Support for Solis.**

Several union groups issued statements expressing support for Solis's confirmation.

AFL-CIO President John Sweeney said, "Rep. Hilda Solis is the right person to be the standard-bearer for America's workers. As Secretary of Labor, she will be a strong and effective voice for working men and women in the crucial changes our country must make. And after eight years of woeful mismanagement at the Labor Department, Solis will bring energy, experience and dedication to help lead working families back to prosperity."

Teamsters General President Jim Hoffa said, "The daughter of a Teamster, Solis has always been a champion of workers. She knows that restoring balance to an economy that favors excessive profits over workplace fairness and commitment to community is the only way out of our economic crisis." He added, "Workers in this country need a friend like Solis at the Labor Department, an agency that has been a greater friend to corporations in the last eight years than the workers it was founded to protect. The Teamsters Union is confident that Solis will restore the agency to its original mission."

SEIU President Andy Stern said, "As the daughter of two immigrant workers and proud union members, Hilda Solis ... will never back down from putting the American Dream back within the reach of America's workers." He said Solis's "confirmation will give working families confidence that we can rebuild our country so hard work is rewarded with fair pay, strong benefits and a secure retirement."

Change to Win executive director Chris Chafe said, "Today's hearings reaffirmed that Rep. Hilda Solis is the best person to lead the fight for America's working families ... With the news that the jobless rate jumped to 7.2 percent for December and employers cut 524,000 jobs, the need for bold action couldn't be greater. Eight years of woeful mismanagement have led to a fall in real family income, stagnant wages and disappearing pensions."

By Gayle Cinquegrani