

A Message from the General President

The 111th Congress adjourned today without passing the IAFF's top legislative priority – national collective bargaining. There is no way to sugar coat the significance of this loss. In spite of our best efforts, we came up short.

This Congress began with great expectations. For the first time in a generation both the House and Senate were controlled by Democrats, and a pro-labor, Democratic president was in the White House. Despite the potential for legislative success, partisan rancor and a series of mishaps turned the 111th Congress into an abyss in which important legislation, including our collective bargaining bill, failed to pass.

The House of Representatives, which passed our bargaining bill on two separate occasions this year sent over 400 bills to the Senate that, were not acted upon. The Senate was brought to a standstill by a record 87 filibusters. The GOP Minority was enormously successful in thwarting legislation that they opposed. I won't try to apologize or explain why the Majority was unable to break the logjam. For whatever reason, they were not.

The Senate adjourned without passing any of the 12 appropriations bills, a federal budget, an energy bill, the AFL-CIO's Employee Free Choice Act, Defense authorization, our bargaining bill and many more. In my view, there is ample blame to go around. In spite of having six GOP Senate co-sponsors, Republican leadership made it clear that they would oppose the legislation with every parliamentary tool and delaying tactic they could employ. GOP opposition wasn't our only obstacle. Several Democrats deserted our cause. Senators Mark Warner (VA), Kay Hagen (NC) and Michael Bennett (CO) all voted against our Bill.

Majority Leader Harry Reid twice tried unsuccessfully earlier this year to bring our bill up as part of appropriations bills. In each instance the GOP objected, and to our dismay the bargaining amendment was withdrawn when this occurred. Frankly, the majority did not feel that they could afford to spend the time necessary, as much as two weeks of floor time, to break the filibusters. In spite of these obstacles, we kept the pressure on Senate leadership to bring our bill to the floor.

When Leader Reid finally brought our bill to the floor in the final days of the session, it was under less than ideal circumstances. The GOP had laid down an ultimatum (all 42 GOP Senators signing a letter known as the "Letter of 42") that they would vote en masse against ALL bills, all procedural motions, cloture's etc. until a deal on extending the Bush tax cuts and a Budget Spending Continuing Resolution to keep the federal government running was reached. A cloture vote on our bill on Thursday December 16th failed when every Republican Senator, including the seven who had committed support to us, voted against bringing the bill up for debate and consideration.

The Democrats blame Republicans for not breaking from their leadership and voting for cloture. The Republicans blame the Democrats for bringing the bill up in a circumstance that doomed its passage. Both are correct. The Democrats should have done a better job in scheduling our bill and providing sufficient time for debate – period, no excuses. But, the Republicans, who in some cases have

supported our bill for over a decade, finally had an opportunity to actually vote with fire fighters and decided to reject us.

Last Friday, December 17, I, along with AFL-CIO President Rich Trumka and a handful of other labor leaders, met with President Obama in the Roosevelt Room at the White House and made the case for collective bargaining and the James Zadroga 9/11 Health and Compensation Act

I generally try not to personalize issues. But in many ways the pursuit of our collective bargaining bill has defined my career. It has also been the primary focus of our union for over 30 years. Through the 1970s and 1980s, when I was our Legislative Director, Representative Bill Clay led our charge in Congress. In 1994, convention delegates in Detroit designated this issue as our top legislative priority and we established the "Committee for Non-Collective Bargaining States," which has been led by 14th District Vice President Danny Todd and a dozen of our State Leaders, who have tenaciously waged the battle.

I want all of our members to know that I view this issue from a very personal perspective. As a relatively new local president in Fairfax County, VA, our very young Local Union passed a local ordinance to establish bargaining rights and, subsequently, we negotiated three contracts. Then, as our state president, I recoiled when Virginia's Supreme Court threw out the law, creating one of the two worst Employee Organization Rights environments for public employees in the nation. So this defeat in Congress is more than just losing an incredibly important issue, it really hits home hard.

When I was honored and privileged to be elected your General President, I promised to always shoot straight with you, our membership. As we approach the 112th Congress early next year the Republican-controlled House will likely not take up or pass a bill to expand public sector bargaining and strengthen the union movement. In the U.S. Senate, the Democratic majority has been greatly reduced and it will not only be a much more conservative chamber, but obtaining 60 votes on this measure will be next to impossible.

Beyond the bargaining issue, the mid-term election has demonstrated a tremendous shift in the country's attitude. Nineteen legislative bodies changed from Democratic to Republican control. Already the attacks on our members have begun by elected leaders on both sides of the political aisle. Outgoing GOP Governor Bob Riley in Alabama rammed through legislation attacking payroll deduction rights for public employees, while retiring Democratic Governor Ed Rendell (PA) vetoed a Cancer Presumption Bill for fire fighters. In Ohio, incoming Republican Governor John Kasich has announced his pledge to repeal the state's 1983 Binding Arbitration law. His newly elected Democratic colleague in New York, Andrew Cuomo, has signaled his desire to eviscerate pension benefits for public employees. In Florida, Governor-elect Rick Scott plans to cut state spending by \$1.4 billion by forcing state workers to make significant contributions to their own retirement. And in Wisconsin, incoming Republican Gov. Scott Walker this month raised the idea of stripping state workers there of collective bargaining rights.

On the federal level proposals are already drafted to attack public sector defined benefit pension plans, mandate participation in social security coverage and make the value of your employer-paid health care subject to federal tax.

We will be under sustained attacks at all levels of government. Under those circumstances, it would be irresponsible for me to create an expectation that a real opportunity exists to pass our bargaining proposal in the new Congress.

So the question before us is “what’s next?” Early in 2011, I will convene our Non-Collective Bargaining Committee. We will then discuss our next steps at the February Executive Board meeting.

There is no way to spin this disappointing outcome, and I won’t try. We have lost a major battle. But, this union has been around since 1918. We’ve weathered bad times and prospered in good times. We will be here long after any politician.

To those in our ranks who say “why bother if we’re going to lose?” I’ll say what I always have – We can’t afford to be out of the political arena. We can’t hide our heads or stick our tails beneath us. The risks are too high, and the stakes for our members’ future are too great. We have to stay focused, stay vigilant, stay the course and keep fighting for our members and their families.

History shows that our great country, the magnificent men and women who wear the uniform of our nation, fought and won many wars to protect our freedoms. Those wars were won not by winning every battle or skirmish but by fighting on, in good times and bad until they ultimately prevailed.

In solidarity, this IAFF will move forward. We will never lose sight of our goal to provide all fire fighters basic employment rights. This battle was lost, but we have wars to win.

Fraternally,

Harold A. Schaitberger

General President