

**Report of the
CWA National Committee on Equity
to the
72nd Annual Convention**



**Communications Workers of America
July 26-28, 2010
Washington, D.C.**

INTRODUCTION

The Communications Workers of America National Committee on Equity remains determined to speak out responsibly for the rights of those within our union who seek to be heard on topics of critical importance relating to civil and human rights. This 2010 COE Convention Report shares the Committee's view on a number of current issues that are shaping the national dialogue relative to civil and human rights protections. CWA is proactively engaged in several national campaigns designed to re-draw political lines and energize the progressive debate. This report takes a look at the change in the political discourse across the country and the challenges we face to regain our political and economic footing. The virulent ultra conservative political debate in this country sincerely raises the question, is America truly ready to embrace change?

In our effort to redefine and strengthen our relationships with members and people from all walks of life, the CWA Human Rights Department with the help of CWA Leadership, has reached out in a strategic way to major civil and human rights organizations that have historically made a difference in the lives of minorities in America. No longer will our union continue with business as usual. President Cohen has engaged in strategic dialogue with nationally recognized leaders such as Benjamin Jealous, President and CEO of the National Association for the Advancement of Colored People. CWA continues merging ideas, strategies, and philosophies with Wade Henderson, President of the Leadership Conference on Civil Rights. Each of these organizations has embraced our agenda helping to promote key telecommunications, broadband, and organizing battles in unprecedented ways, infusing their resources and human capital into the fight for justice for workers and in particular people of color.

Likewise, our Human Rights Department is now strategically retooling relationships we have maintained over the years with AFL-CIO constituency groups, merging our respective programs, membership and resources to effectively bring more activists into the fight.

The hard fought battle over healthcare led by CWA Executive Vice President Annie Hill has made it clear that access and quality of care for CWA workers, minorities and others remains on the front burner. The 2010 Committee on Equity Convention Report on this issue clearly defines how the new healthcare reform legislation benefits us all. The 2010 Census remains critical to the equitable infusion of federal resources into the communities we live in and our COE Census report makes that clear. Broadband remains in this time of economic uncertainty the one factor that can bring communities together. Closing the digital divide will bring economic and educational prowess to those utilizing the power of information delivered at the fastest speeds possible. Many minorities remain the losers in this struggling economy as the new administration looks to empower children, women and those who for many years have needed greater protections at the federal level. As the number of LGBT families grows larger and more states sanction civil marriages, these communities, often comprised of our brothers and sisters in union workplaces, need our support as they continue to build coalitions and strategic alliances that will, in the long run, allow these families to fully engage in the political debate while advancing their principle agenda to lead productive lives. The historic contributions of CWA members to our own civil and human rights program are not overlooked while Immigration and political organizing round off this report. The report calls on our union to remain proactive in the struggle for equality faced by

many of our own members.

The CWA National Civil Rights and Equity Conference will take place September 24th through the 26, 2010 in New Orleans, Louisiana. New Orleans is a fitting location for a number of reasons. Aside from a wealth of civil rights history, the city remains the one location in America where minorities have yet to recover from and continue to be challenged by catastrophic disasters. Our CWA brothers and sisters in the state have and continue to fight to rebuild and reestablish a sound community, while erecting a strong moral, political structure for all families that once called this major American city home.

The National Committee on Equity is pleased to be in a position to help make a difference for our union. Working with the CWA Minority Caucus, the CWA National Women's Committee, CWA leadership, the CWA National Ad Hoc Diversity Committee, our members, Local equity committees, and staff, we hope to bring every facet of our union together venturing forward toward a brighter future for CWA and for America. Our cause is just and our path is true. The Committee extends its thanks for your support as we gear up to march toward civil and human rights victories in the coming months and years.

BROADBAND THE DIGITAL DIVIDE CONTINUES IN 2010

It is ten years into the new millennium and the United States still ranks 15th behind other industrialized countries in high speed Internet adoption and 28th in Internet speeds.

High speed internet is needed for our homes, schools, hospitals and workplaces. America falls far short of our industrialized peers in advancing broadband services, at a time when we should be aggressively pushing competitiveness in this industry with the rest of the world.

What is even more disturbing is although the U.S. ranks behind other nations in access to high speed internet service, when it comes to which community you live in, the lack of access is even more astounding. Only 50 percent of rural Americans subscribe to broadband compared to 68 percent in urban areas, and only 40 percent of households earning less than \$20,000 per year subscribe compared to 93 percent of those earning over \$75,000 per year. Broadband penetration rates trail the national average for African Americans (59 percent), Hispanics (49

percent), older Americans (35 percent), and people with disabilities (42 percent). The lack of high speed access in our homes, schools, libraries and hospitals hinders economic growth in these communities as well as in this nation.

Access to broadband is essential to individual well-being and community economic prosperity. The results of the 2009 speedmatters.org survey show that most Americans continue to be locked into slow Internet, while few have access to truly high-speed two-way connections. Studies show that each additional \$5 billion investment in broadband creates 250,000 jobs. With unemployment percentages at double digits, and lay-offs in the telecom industry, increasing broadband access should be a no brainer.

One-third (35 percent) of Americans have no broadband service. Also according to the FCC, the average download in the US occurs at about half the advertised speed. Meanwhile the poor, the elderly and other vulnerable groups remain cut off from broadband

technology, and therefore lack governmental online services, medical research, job searching capacity-data, and access to the unlimited information on the Internet for themselves and their children.

The good news is the Federal Communications Commission's National Broadband Plan sets goals to get universal affordable access to broadband. It has set a goal of having high-speed connections (capable of 50 mbps downstream 20 mbps upstream) to most of America by 2015. The broadband strategy also calls for getting very high-speed capacity of 1 gigabyte to our schools, hospitals, libraries, and government agencies.

The bad news is the United States is behind in building the physical systems to support the transformation. This will require federal money, incentives to private telecom providers, and the proper regulatory environment.

Unfortunately, as a result of a recent court case, FCC authority to implement the National Broadband Plan to close the digital divide and protect consumers has been questioned. Therefore, it is imperative that Congress step in to reaffirm FCC authority in these areas. CWA has joined with the NAACP, The National Urban League, the League of United Latin American Citizens (LULAC), the Sierra Club, and the AFL-CIO to urge Congress to pass targeted legislation to clarify that the FCC has authority to use universal service funds to support broadband and to protect an open Internet.

In changing the way we look at broadband we must not forget our communities that already suffer from lack of access to the internet. We must support groups such as the Alliance for Digital Equality. As part of its

mission to educate and empower communities, the ADE has developed innovative digital education and training programs for deployment across the nation. Their Learning Without Walls (LWOW) program is a resource for teachers and students to communicate to each other using necessary tools to help promote coaching and workforce development as well as college preparation through the use of the internet.

We must support programs like Latinos in Information Sciences and Technology Association (LISTA) who are advocates for Latinos in the science and technology fields.

We must support Senator John Kerry's bill and Representative Edward Markey's bill that would require technology companies, phone manufacturers and Web vendors to adapt their products for deaf or blind customers. This is part of the Equal Access to 21st Century Communications Act. "Technology and the Internet have broken down barriers, and no one should be or has to be excluded from modern communications and the new economy because of a disability", according to Senator Kerry.

Finally, we must push Congress to allocate funds and monitor the FCC to ensure that equal access to broadband is available to every community and affordable to all across the United States. We must support targeted legislation to clarify the FCC's authority to protect consumers and spur universal, affordable broadband deployment and adoption. We must support the CWA campaign to get 1 gigabyte high-capacity internet to our schools, libraries, and health centers as a gateway to high-speed in all our communities.

National Committee on Equity to National Civil Rights and Equity Committee

The national Civil Rights movement had many milestones that shaped the culture of our country and our union. Many would say that the civil rights movement and the labor movement parallel in many ways. For either to be successful, a similar triangle that includes Organizing, Representation and Community/Political Action was and is necessary. This was not always so obvious in CWA or our nation until the media placed a spotlight on some of the horrible acts and rising heroes of the movement. Many of us can only imagine the horror in Jackson, Mississippi with the murder of Medgar Evers or the brutal treatment of black protesters in Birmingham Alabama when the TV lights didn't stop the use of fire hoses, police dogs and night sticks. Imagine the thrill when over 200,000 congregated at the Lincoln Memorial and listened to Dr. Martin Luther King deliver his famous "I Have a Dream" speech or the sigh of relief so many must have felt when President Johnson signed the "Civil Rights Act of 1964", only to realize that there was still much more work to do.

In truth, the 60's brought on a call for equality that grew inside and outside of the workplace. Even as the nation pushed to achieve integration of public schools our membership still experienced segregation in the workplace. As Congress pushed the Voting Rights Act of 1965 our membership still felt the sting of not having a voice not only in the workplace but in their union as well. In 1973 the establishment of the Blacks and Other Minorities Structure Study Committee as well as the Female Structure Committee begun extensive discussions to find ways CWA could deal with the problems of its minority and female membership. These committees were charged with recommending to the President

and Executive Board, ways to involve our minorities and women in our union. As the minority membership increased, minorities began to express concerns that their interests should be better represented at a policy level.

The COE was initially created by President Glenn Watts as an advisory body to assist the Ethnic Affairs (i.e. Civil Rights/Fair Practice) staff person to identify issues, as well as to recommend specific courses of action to the Executive Board. And then in 1974 the Executive Board authorized a program for the national COE to encourage Local COE's. The COE membership is currently comprised of rank and file members representing each of the CWA Districts. COE members are appointed by the District Vice Presidents to serve a three year term and are usually active in Local and District union affairs. Many COE members hold elected office at the Local level and are members of various standing committees. The COE is committed to the enforcement of the civil rights laws and ensuring that all members are treated fairly and equitably. The COE acts as a resource providing education and information on current equity issues, provides outreach to minority members to increase participation in Union activities and as a vehicle to assist members in joining community and politically-based groups to fight and prevent discrimination. The COE has a rich history from the first National Conference on Minority Concerns in 1982. The implementation of the Minority Leadership Institute in 1983 and the Constitutional Amendment requiring the national COE to report its activities and recommendations to convention in 1991.

In our communities and workplaces, we encounter people of various backgrounds, cul-

tures, religions and races, as well as different genders, ages, sexual orientation, language barriers and those who are physically-challenged. It is necessary to understand these differences so we can live and work together in a harmonious environment. We have to learn to respect and provide a better understanding and appreciation for our diversities in our workplaces and communities. Differences in one's ethnic and/or racial background do not make them inferior or superior to one another. But there are still many people who do not accept or understand this and the COE understands we can no longer tolerate any type of racism.

Since the COE walks a dual path between Equity and Civil Rights a name change has been put forth to the body to incorporate the use of Civil Rights and Equity.

Equity is defined as the "quality of being fair or impartial, something that is fair and just" (a level playing field) according to Webster's Dictionary.

Civil Rights is defined, by Webster's Dictionary, as "the rights belonging to an individual by virtue of citizenship, especially the fundamental freedoms and privileges guaranteed by the 13th and 14th amendments to the U.S. Constitution and by subsequent acts of Congress, including civil liberties, due process, equal protection of the law, and freedom from discrimination."

As the COE has always been devoted to fair and just treatment, as well as ensuring individuals civil rights by securing equal opportunity and equitable treatment for members of the various constituency groups within CWA, thereby walking both paths. With the addition of four diversity seats on the Executive Board and CWA's National Minority Caucus, Civil Rights and Equity issues both nationally as well as locally remain imperative. By working with the many national and local constituency groups, CWA continues to embrace the diversity of its members and workers so the local member sees themselves reflected in our union's leadership. Discrimination in any form has no place in our union!

The National Economy – Winners and Losers in the Minority Communities

The winners in minority communities, in the current recovering economy, are those who are fully employed. However, the basis of economic viability, is the individual's ability to earn and spend. Only a few in minority communities feel the impact of the turnaround in the national economy because it has been essentially a jobless recovery.

Over the past four years, our economy has seen a dramatic downturn. Workers in every part of the job market have been victims of job and investment loss regardless of economic status. Those with less have of course carried

the largest burden. This report looks at those in lower income levels through the middle class who fight everyday to keep their families afloat.

As a part of its mandate, the White House Council on the Middle Class (WHCMC) is charged with identifying cause and effect of the downturn in our economy with a particular focus on those in need of help to move from the lower economic strata of our population into the economic middle class.

The WHCMC continues to review the effects

of the economy on all communities. With help from various government agencies, the Council has examined the effects of several programs that have been critical to recovery. Imbedded in the American Recovery and Investment Act of 2009, was money to help subsidize jobs for low income workers that are eligible for help through the Temporary Assistance to Needy Families Act. The infusion of funds from the Administration is directed to help employers offset the cost of hiring, thereby reducing employment costs and allowing employers to hire more workers. The TANF program is familiar to CWA Public Workers in many states as CWA members service TANF clients in county and state government facilities across the country.

Thus far, this federal assistance has served as a job multiplier for low income citizens caught in the recession. Statistics published by the WHCMC clearly identify the universe of people participating in this program:

- Compared to the general population, the TANF subsidized jobs population has lower income. Almost 90% have family incomes below \$25,000, compared to less than 10% of the total population.
- Women are over-represented in the TANF subsidized jobs population, which is 83% female, compared to 52% in overall population.
- The subsidized jobs population is 37% African America compared to 12% in the general population; Hispanics at slightly over-represented (18% of subsidized jobs population compared to 14% in the total population. Whites are under-represented, 40% of the subsidized jobs population versus 69% of the total.
- The TANF subsidized jobs population is younger, with 60% 20-40 years old, compared to 35% of the total.

The Council defines these subsidized jobs as clerical jobs, health care, auto repair, maintenance, landscaping, internet archiving, catering, dry cleaning, marketing, sales, and many other blue collar and white collar occupation. Many of these jobs are mostly out of the mainstream of jobs found in organized labor. Yet these workers contribute vigorously to the economy.

Overall, the economy generated 431,000 jobs in May 2010, but 400,000 were temporary Census jobs. The unemployment rate is 9.7%, down from 9.9% last month. Nearly seven million Americans have been unemployed for more than six months. For African-Americans, unemployment dropped from 16.5% to only 15.5% last month.

However, the Bureau of Labor Statistics Employment Situation report includes “discouraged workers” -- those working part-time who really want full-time work, and others “peripherally” connected to the labor market. The percentage of discouraged workers reported by the BLS dropped 16.6% for the overall population. For the African-American community that extrapolates to at least 25.6% -- one in four African-Americans is jobless!

Though there are signs of improvement in the economy, job creation remains slow. Many economists believe that the only hope for a full recovery lies in our ability to put more people to work, bringing the jobless numbers down. During this time, Americans in every socio-economic strata who are searching for work in this country still feel the pinch. On July 1, 2010, the House of Representatives passed an Extension of Unemployment Insurance benefits in response to the current crisis. The Senate did not act. Conservatives in Congress that refused to support an extension of jobless benefits for those on long term unemployment prior to the 4th of July congressional

recess placed many Americans still searching for jobs particularly in areas where jobs are scarce, in jeopardy of losing even more. Conservatives in the Senate especially have been labeled insensitive to those trapped in a spiraling cycle of despair. Legislation would, among other things “extend the final date for entering a federal-state agreement under the Emergency Unemployment Compensation (EUC) program through November 30, 2010.” The Senate has not acted on this bill.

CWA’s concern about job creation is second to no other institution concerned about getting Americans back to work. The human consequences of high unemployment are high; and

what it means to become jobless in a culture that says that what you do is who you are can be devastating to proud families searching for an honorable way out of crisis. The CWA National Committee on Equity takes the view that an economic injury to one is an injury to all. Those Americans caught in the spiral of economic uncertainty can be the beneficiaries of our own fight for justice and equality. We ask you our delegates to continue the fight on behalf of workers across the country. Our fight for bargaining rights, living wages and benefits will again become the cause that will lift this country out of economic decline and back to prosperity.

HEALTH CARE: THE NEW REALITY

All of us here at CWA have helped to create a new reality for thousands of Americans. Those of us who know friends and family that did not have any insurance or were denied insurance because of pre-existing conditions now know that we have started down a road that has changed history here in the United States. The reality of hard work from all members across the country engaged in calling, writing, and visiting our legislators proves we can make a difference. Educating our membership on the importance on any issue and how to make a change proves that we can make and create change. The reality that unionism is not only about us in this room, protected by contracts, but about social justice for all Americans.

The immediate effects of The Patient Protection and Affordable Health Care Act provide consumers new rights. One such right declares that an insurance company is not allowed to establish lifetime nor annual

limits on the dollar value of benefits for participants or groups. It also protects consumers from having their health care coverage dropped if they get sick. Another gigantic win for Americans is the guarantee for coverage of preventative health services. This means that health insurance companies must cover immunizations, screenings for children and pregnant women, and breast cancer screenings. Other services that can be covered include: smoking cessation, weight management, stress management, nutrition, heart disease prevention, healthy lifestyle support, and diabetes prevention.

These are just a few of the monumental successes of the passage of this bill. We have fought to have what appears to be common sense. Often the joke is “what is it going to take, an act of Congress?” Yes, undeniably, it did take an act of Congress to move the big business and the insurance industry morally and appropriately in the right direction.

The bill succeeds in making progress toward the goals CWA set out to achieve:

- Cover All Americans – 32 million of the uninsured will be covered; from 83% to 95% of population covered.
- Control Costs – federal deficit reduced \$1.3 trillion over 20 years; estimated to cut employer health care premium trend substantially
- Strong Government Role – rules and standards are established for insurance companies; health insurance exchanges for affordable coverage are established; cost controls and quality oversight will be in place.
- Fair Financing – relies on wealthy, employers and health industry to pay their share
- Improve Health Quality – 100% coverage of prevention; provider payments based on quality & outcomes.

There is much to learn about the new health care reform bill. We have heard testimonials along the way of people we love and care about kicked off insurance, denied insurance for serious health conditions. The new reality is the underserved and often ignored, women, children, poor, and sick will find some relief in the passage of this bill.

But there is something in the bill for those

of use with good plans, too. First, we can keep our negotiated plans. They are exempt from some reform measures, but must comply with others. Some of the good reforms that will apply to our plans include:

- No lifetime or annual limits on benefits.
- Children covered until age 26.
- Preventive care with no deductible or copay.
- Waiting period for coverage limited to 90 days.
- No exclusions for pre-existing conditions.

We, the CWA National Committee on Equity, encourage all CWA leaders and activists to learn more about what's in health care reform. A good source is the CWA website at <http://www.cwa-union.org/issues/entry/c/health-care>. There you can find a powerpoint presentation and some factsheets. Information is updated too as regulations implementing the health care reform law are released. We encourage all of you too share this information and how we achieved this landmark legislation with your members. We often do not share the fruits of our labor, but now is the time to dispel the negativity some are trying to tarnish this great achievement with. Arm yourself and your membership with knowledge you have gained here today.

Arizona and the Immigration Debate

The Arizona Senate Bill 1070 gives law enforcement authorities, among other things, the right to check documentation of suspected illegal immigrants, in the name of a law that some people would find very unjust as

far as a person's civil rights are concerned. This state senate bill has given fuel to or opened the door to other anti-immigrant laws that may also negatively impact a person's civil rights. These new laws include but are

not limited to Oklahoma's statute making it legal for officers to require DNA testing upon arrest of suspected illegal immigrants. Committee on Equity members believe there should be close scrutiny of these laws that appear to be an outright disregard for people's civil rights and more importantly could lead to racial profiling.

The Governor of Arizona met with President Obama at the White House on June 3, 2010 to discuss Arizona's controversial immigration law. The President acknowledged the frustration that Americans are feeling. But he let the Governor know that Arizona SB 1070 is not the way to solve or even attempt to solve the illegal immigration problem. Laws like these can also cause citizens wrongly accused to bring numerous law suits against the state of Arizona. The United States Justice Department on Tuesday July 6, 2010 filed a lawsuit in US District Court in Phoenix, Arizona claiming that the law is unconstitutional and conflicts with federal law. The President believes there should be comprehensive immigration reform that includes: dedicated resources to secure our borders and make our communities safer; hold employers accountable for

hiring illegal workers and also holds them accountable if they exploit these workers. We also need to require those who come here illegally to pay a fine, pay back taxes, and come into compliance with the law.

President Obama's approach is shared by many and may be the best way to resolve this matter, without negatively affecting people's civil rights. As CWA members and proud Committee on Equity members, we want equality for everyone including immigrants who may also need help obtaining civil rights.

At the end of the day a union will help the employee to be the best employee they can be and would help the company be the best it can be. Illegal immigrants do help our economy regardless as to whether Arizona politicians, The Tea Party, and other like minded political organizations admit it or not.

We the Committee on Equity ask you CWA Brothers and Sisters to get involved with your local committee and if you do not have one start one. Remember, you are a part of an organization founded and built by Mothers, Fathers, Sons, and Daughters of Immigrants.

One Nation Marching for the Dream Putting America Back to Work Bring America Back Together

America is a nation in crisis. Over 8 millions jobs lost, unemployment above 10%, underemployment, 1.2 million families have lost their homes, the right to organize has been trampled, schools are closing, teachers laid off, opportunities/doors to higher education closing, the financial crisis continues and the oil spill in the Gulf threatens to turn into the greatest American disaster of all times. The financial crisis and oil spill disaster are direct

results of rolling back regulatory oversight and accountability to the public. Americans are disillusioned.

CWA has joined with the NAACP, La RAZA, other unions, and civil and human rights groups to help organize tens of thousand of activist to march on Washington to help bring back the American Dream. Our goal is to achieve the American dream to have a stable

job, a home of our own, opportunities for our children, a chance to become an American citizen regardless of national origin. CWA is committed to this program and is happy to have the opportunity to work closely with other nationally recognized organizations to affect the October 2nd March in Washington D.C. In keeping with the CWA Committee on Equity principles of reaching out and forging realistic, actionable relationships with these nationally recognized institutions we are helping to guarantee the principles of social justice espoused by our respective organizations for the sake of all American families.

But how does a shrinking labor movement advance political change, particularly bargaining and organizing rights. We can't sit still or our 7% of the private sector with bargaining rights will soon be 6%. We can't sit still or attacks similar to the actions against the public sector in NJ will soon be routs. We all understand that our bargaining is getting harder and harder and all defense. And unfortunately, there is no current path to passage of employee free choice act.

One Nation is only one part of this. We have also broadened our work with the Sierra Club through the Blue Green Coalition. IUE-CWA led our work on blue green with great examples of sustainable manufacturing and conversion to energy efficient production and product. This year we broadened our involvement to a partnership with the Sierra Club focused on 5 states and fulfilling the FCC commitment of 1 gigabit to anchor institutions (school, libraries, and hospitals) in every community. Sierra views our broadband work as an essential element in sustaining rural communities, much like clean water. Sierra is also working with us in NJ fighting Gov Christie and the attack on public services and education. Sierra is a member based institution that is building leadership that will fight

for political change in much the same way as we are with the stewards' army.

We need to work toward a broad coalition as long as we can stay focused on core economic issues and not have a coalition salad bowl where every issue jumps in and out and it looks like everything and nothing. But if we can stay focused on core economic issues as we have done in the past, secure sustainable jobs, health care, retirement security, bargaining and organizing rights positive change is still possible.

The goal is to reset the national political narrative and affect the national climate. We want to win over large segments of the discontented populace. We want to energize and mobilize our base constituencies and strengthen and highlight a strong constituency for the bottom-up regarding economics, public investments, and fair taxation.

Our plan of action is to strengthen the unity and coordination so we can serve as a vehicle and platform for broad progressive populist activity. One Nation will allow us to engage in multi-month organizing as well as mobilization and communications to attract allies and impact public opinion. Like the historic 1963 March on Washington, the One Nation March will serve as a major show of force in terms of our numbers, vision and energy. The project will focus on Get Out to Vote for November elections. It will include a media campaign featuring OP-Eds, talking points for messengers, engaging popular culture leaders. The branding and message dissemination campaign will aim at young, poor, and minority populations.

One Nation: Marching for the Dream-Putting America Back to Work Bring America Back Together is October 2, 2010 in Washington D.C. CWA will be there.

GLBT Community Faces Issues on Gay Marriage

Same sex couples want the privilege to marry their partner because they are in love and have spent many years together in a committed relationship. The right to marry the person you love is one of the greatest ways to honor your commitment to that person. That honor is not a possibility to men and women in the LGBT (Lesbian, Gay, Bisexual and Transgender) community.

As of now, five U.S. states — Massachusetts (2004), Connecticut (2008), Iowa (2009), Vermont (2009), New Hampshire (2009 vote, 2010 enactment), as well as the District of Columbia (2009 vote, 2010 enactment) recognize marriage equality. Two states, Maine and California, had recognized marriage equality at one point, but passed ballot initiatives rescinding marriage rights for gay and lesbian couples.

Meanwhile, one state recognizes civil unions between same-sex couples — New Jersey — and several states have domestic partner laws that grant certain benefits to same-sex couples. These states include Oregon, Maine, and Washington.

Thirty states have passed constitutional amendments or laws explicitly banning same-sex marriage. According to the National Association of Social Workers, prohibiting marriage protection to same-sex individuals denies them 1,000 federal protections and responsibilities granted to heterosexual individuals. Opponents of same-sex marriage have also been championing Proposition 8 in California, a statewide ballot measure that would rescind marriage rights for GLBT citizens in that state.

There are 1,138 benefits, rights and protec-

tions provided on the basis of marital status in Federal law. Lesbian and gay couples are excluded from all of these.

Currently in the United States, same-sex couples in long-term, committed relationships pay higher taxes and are denied basic protections and rights granted to married straight couples. Among them are:

- *Hospital Visitation:* Same-sex couples can be denied the right to visit a sick or injured loved one in the hospital. On April 15, 2010, President Obama mandated that nearly all hospitals extend visitation rights to the partners of gay men and lesbians and respect patients' choices about who may make critical health-care decisions for them, perhaps the most significant step so far in his efforts to expand the rights of gay Americans.
- *Social Security benefits:* Gay and Lesbian partners receive no Social Security survivor benefits upon the death of a partner.
- *Immigration Laws:* Gay and Lesbian Americans in bi-national relationships are not permitted to petition for their same-sex partners to immigrate. As a result, they are often forced to separate or move to another country.
- *Health Insurance:* Gay and lesbian employees who do receive health coverage for their partners must pay federal income taxes on the value of the insurance. The IRS law states that employers who provide health insurance to beneficiaries other than a tax dependent as defined by the IRS, such as a non-dependent domestic partner, the employer must calculate the estimated fair market value of those health benefits and charge that amount

to the employee as “imputed income” on the employee’s Form W-2. This results in higher taxes paid by Gay and Lesbian partners in a committed relationship.

- *Estate Taxes:* A gay or lesbian taxpayer is forced to pay estate taxes on property inherited from a deceased partner whereas an opposite sex married couple does not.
- *Family Leave:* The FMLA (Family Medical Leave Act) does not apply to a gay or lesbian person to take leave from their job to care for their seriously ill partner. This law only applies to married couples. On June 20, 2007 H.R. 2792 Family and Medical Leave Inclusion Act was introduced. It would have Amended the Family and Medical Leave Act of 1993 to provide for employee leave to care for a same-sex spouse as determined under applicable state law, domestic partner, parent-in-law, adult child, sibling, or grandparent (as well as for a spouse, child, or parent), if such person has a serious health condition. This bill never became law.
- *Nursing homes:* Married couples have a legal right to live together in nursing homes. The rights of elderly gay or lesbian couples are an uneven patchwork of state laws.
- *Homes protection:* Laws protect mar-

ried seniors from being forced to sell their homes to pay high nursing home bills; gay and lesbian seniors have no such protection.

- *Pension:* After the death of a worker, most pension plans pay survivor benefits only to a legal spouse of the participant. Gay and lesbian partners are excluded from such pension benefits from many pension plans.

“The divorce rate in America for first marriage, versus second or third marriage 50% percent of first marriages, 67% of second and 74% of third marriages end in divorce”, according to Jennifer Baker of the Forest Institute of Professional Psychology in Springfield, Missouri.

The Committee on Equity encourages all members of CWA to educate themselves, their members and elected officials on the issues of same sex marriage. The LGBT community wants to be allowed the honor of marrying their same sex partner, to be treated fairly under federal and state law and enjoy the privileges and benefits that are afforded to couples in opposite sex marriages. We at CWA have always been in the forefront for movement of change in civil rights and equity.



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