

## People's Alliance PAC 2008 Questionnaire for Labor Commissioner Candidates

PLEASE NOTE: After candidate interviews have taken place, these responses will be placed on the People's Alliance website <http://www.durhampa.org/>

Candidate's Name  Mary Fant Donnan

1. What is your vision for the position of Commissioner of Labor? What role should his individual play in labor-management disagreements, such as the Smithfield Foods conflict?

My vision for the Commissioner of Labor's position is that of a leader working in three primary ways: (1) setting the highest-quality tone for carrying forward the duties and responsibilities of the office (primarily in the areas of workplace safety, workplace standards, and workforce development); (2) serving as a spokesperson for issues related to the department (such as state minimum wage, migrant farmworker housing, etc.); and (3) working as an energetic leader to bring a worker perspective to broad issues in state government (such as investments for workforce development, business incentives, etc.).

The department has opportunities in the areas of mediation and arbitration to serve as a neutral partner to advocate for and support development of fair labor/management relations. These functions are often better served in the stages prior to the stages in which the Smithfield Foods conflict currently exists, since part of this effort is now in the courts. That said, the Commissioner's office can help prepare a better climate for encouraging workers' voices in general. I do not see organizing and having a voice for workers as a threat to our state's business climate and would work to cultivate a climate that encourages workers to speak out as a way to decrease injury and illnesses and to build the kind of wage structure in our state that benefits all North Carolinians.

2. What is your position on ergonomic standards or other ways to protect workers from repetitive stress injuries?

I support revisiting the creation of an ergonomics standard. The truth is that ergonomics violations can be cited under the general duty clause, but it is rarely cited that way due to the difficult science around ergonomics issues. A lot of ergonomics remedies are preventive, both through education and modifications to work stations or processes. I support working with the state's engineering programs as well as with businesses to determine ways to utilize the highest knowledge in design to both solve local problems and create business opportunities through design efforts.

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3. Would you support requiring medical personnel to be available on site for workers in industries with higher risk of injury? What would you do to ensure proper reporting of injuries in the workplace?

Requiring medicals personnel would not be the first step I would recommend. I think this option needs to be viewed as one option amongst others to reduce the risks and rates of injuries and illnesses. There is a shared agenda in reducing injuries and lost work time that benefits both employers and workers. I think there are mechanisms that put the emphasis on employee reporting as one step that empowers workers to be focused on reporting, and I support those. I think there are also ways to reward and encourage businesses (such as Carolina Star) for being proactive with safety. The key is to target strategies that take into account the types of industries, the size of respective companies, and the injury rates they old.

4. Should public workers in North Carolina be able to bargain collectively? Why or why not?

Yes, I support collective bargaining for public sector workers. Recognizing that many of these people are essential workers in times of crisis or in response to community health or safety issues, I think the option for collective bargaining with limitations on work stoppages could be explored. The key thing that is missed in the absence of collective bargaining is the opportunity for workers who are making all of our lives better to speak about their working conditions, the safety there, their wages, and the impact of under-funding on the work loads. When the NC Justice Center released its first Working Hard is Not Enough report on living wages in North Carolina, many examples came from the public sector. A general understanding (and lack thereof) of the wage structures in our public sector and the very important functions played by many municipal, county, and state workers needs to improve. Having a voice in which workers advocate for themselves can only help.

As a related issue to supporting collective bargaining, the issue of fiscal modernization (and how the state finances it's public sector) needs to be tackled. This is a broad issue of good government in which I have a deep interest. I am willing to be part of energetic leadership to work with residents of our state to better understand the importance of refining our state's tax code to meet modern work demands.

5. What would you do about companies that violate NLRB rulings?

From what I have seen, there are few direct actions the NC Labor Commissioner can take to affect NLRB-violating companies, since these issues fall under federal jurisdiction. If there are ideas from members within the People's Alliance, I am open to hearing them.

6. Is it a problem, or a sign of rules that favor business, that North Carolina has so few unions, and fewer than it once had?

It is no mere coincidence that North Carolina has so few unions and unionized employees. Rather, the fact that North Carolina was the least unionized state in the country in 2006 (according to the U.S. Department of Labor) is a direct result of public policy. North Carolina is one of 22 so-called "right-to-work" states, meaning that employees cannot be compelled to join or pay the equivalent of dues to a union. This feature of NC law, allowed under provisions of the Taft-Hartley Act,

prohibits agreements between **trade unions** and employers that make membership or payment of **union dues** or "fees" a condition of employment, either before or after hiring. As a result, right to work laws make it harder for unions to organize and less attractive for people to join a union, since non-union employees can benefit from collective bargaining without paying union dues. Effectively, this tips the balance of power in labor markets toward businesses relative to labor unions. In fact, business interests lobbied heavily for the passage of right to work laws in the southern states and maintaining these laws remains a top policy priority for business interests in these states.

I think times have changed, and, with global restructuring of the economy at the same time that worker productivity continues to go up due to the increased use of technology, it is time to take a look at what can be done to ensure that all North Carolinians earn a living income. Work should pay. Our systems encourage higher wages generally with higher education. However, there's a base income for any job that speaks to the importance of work in our society and the reality that work should make it possible for someone to support him- or herself and his/her family. Unions play an important role in advocating for policies that support workers. Not only does the history of legislation in the state (and the south in general) affect formation of unions, there are also steps once unions begin organizing workplaces that affect campaigns in a negative way. I support the Employee Free Choice Act to create an environment that both certifies the authenticity of signatures in a campaign but also creates an environment in which workers have a voice.

7. Will you support an increase in the state minimum wage? Why or why not?

The minimum wage is one of the key pillars of financial security for working families in North Carolina. Unfortunately, the minimum wage has not kept pace with inflation. As a result, after adjusting for inflation, the value of the minimum wage is at its lowest level since 1955. North Carolina is one of several states that has established a state minimum wage that is higher than the federal minimum. At present, North Carolina's minimum wage is \$6.15, compared to the federal minimum wage of \$5.85. At the federal level, Congress has acted to increase the minimum wage in two steps -- to \$6.55 (in July 2008) and to \$7.25 (in July 2009). With these two increases, North Carolina's minimum wage will no longer be higher than the federal minimum. As Commissioner of Labor, I would advocate strongly for a state minimum wage that is higher than the federal minimum wage and that would adjust for inflation on an annual basis. Part of my interest in running for this office was to break the silence seen last summer from the current commissioner who refused to take a stand on the state minimum wage.

8. How would you evaluate the performance of the current Commissioner of Labor?

The current Commissioner of Labor holds a narrow view about what the role of the office should be, which is to focus only on the named duties of the department. There have been some good steps in construction worker training through the mobile training unit. What is missing is someone to look at the emerging issues within those sectors and looking for solutions. She abandoned the ergonomics standard in light of the fact that one could cite under the general duty clause, but there are no known ergonomics citations under this provision, even though the injuries continue in the state, as noted through *The Charlotte Observer's* series on House of Raeford early this year. Fines continue to be collected, but there seems to be a tone more focused on reducing fines for employers or reducing collections for wage and hour violations that set a tone balanced more toward bad actors than toward supporting a fair playing field.

What has been missing is a leader who takes note of the important issues related to departmental functions and speaks out when those topics arise or initiates debate on issues facing the state. Last summer, the current commissioner did not support raising the state minimum wage or adding inspectors for migrant farmworker housing, even though advocacy groups across the state were making the case for the importance of these changes and they were before the General Assembly. This silence from one of our state's top offices was part of what motivated me to run for office. As Labor Commissioner, I would speak to issues facing our communities and look for opportunities to enhance the public discourse on issues that can make our state a better place for all residents to live and work.