

People's Alliance PAC 2008 Questionnaire
For Labor Commissioner Candidates

Candidate: Robin Anderson

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

The Commissioner of Labor's responsibilities are to ensure that North Carolina workers have safe working environments, are protected from harassment and retaliation from their employers, and are paid fairly. Unlike the current incumbent, I plan to make sure that workers are more protected by pro-actively investigating companies to catch unfair conditions before workers are harmed.

The Commissioner of Labor should work cooperatively with the NLRB during labor disputes in order to protect workers from harassment and retaliation.

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

One of the first actions taken by the current incumbent was to follow George Bush and Elizabeth Dole by axing ergonomic standards. North Carolina does not need to wait for federal standards. We must pursue common sense regulations that will protect workers. As Commissioner I would push for standards that would protect workers on the job, and I would work tirelessly to explain to the business community why new standards are good for everyone.

The recent investigations of poultry processing plants by the Charlotte Observer have given North Carolina a great opportunity. Now that the public spotlight is on the issue of workplace safety and repetitive motion industries we should move quickly for new standards.

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?

Some companies that have more than 1,000 employees have found that moving to an on-site medical personnel actually increases employee health and therefore productivity. For those highest risk jobs, I would support working with the Legislature to help companies be able to provide an on-site medical personnel in a cost-effective manner.

I would pro-actively investigate companies and do spot inspections, particularly of companies with the highest risk of injury. I would also refuse to negotiate fines with companies who violate safety measures and place employees in a dangerous situation as the current incumbent has admitted to doing.

Additionally, I would institute clearer reporting guidelines requiring a more definite breakdown of reportable injuries. This would prevent companies from hiding certain injuries (e.g. repetitive stress injuries) within broad categories.

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

As outlined in HB 1583, I would support giving public employees the ability to collectively bargain. I support a change in the law because I believe that all workers should be provided the same protections in the workplace.

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

While the North Carolina Department of Labor has no enforcement powers over labor violations, the NLRB oftentimes handles complaints that also cross-over into wage and hour issues that the Department of Labor would handle. It is vital to form a strong working relationship with the NLRB in order to pro-actively investigate employers who are violating safety or wage and hour laws.

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?

I believe as John Edwards said, "Organized labor has been the most important anti-poverty movement in American history—strengthening the middle class and providing good-paying jobs for millions of Americans." The lack of unions in North Carolina has been a detriment to worker's rights. Because unionizing in North Carolina is a long-term goal with many obstacles to overcome, it is vital that our next Labor Commissioner have experience standing up for and protecting working families.

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

I support an increase in the minimum wage, and I support tying the minimum wage to inflation. Currently a worker who works full time for an entire year at minimum wage earns approximately 55% of the poverty level for a family of four. Our country was founded on the idea that if you worked hard you would get ahead, and we must ensure that an honest day's work gets you an honest day's pay.

Further, As Commissioner it would be my priority to fully prosecute wage and hour violations to ensure that workers are paid what they have earned and are not taken advantage of by companies looking to pad their profit.

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

This incumbent has failed by any measure. She has put appeasing the business community ahead of doing her duty to protect workers. She has refused to enforce the laws that are in place, and as a member of the Council of State she has voted against our future. She has refused to change the way she is doing business in the face of obvious

safety issues at the House of Raeford and has said that she will continue to do business the same way. She negotiates fines with companies who violate safety measures, and under her leadership both fines and investigations of businesses in North Carolina have significantly decreased. This puts North Carolina workers at risk. I have made it a central purpose of my campaign to point out her failings to the people of North Carolina, and have attached two much longer statements on her failures regarding the House of Raeford. These statements are also available at my website at, www.andersonforlabor.org/



Robin Anderson Responds to Charlotte Observer's Investigation of House of Raeford

February 19th, 2008

Raleigh – Robin Anderson, a Democratic candidate for Commissioner of Labor, had strong words for incumbent Cherie Berry following newspaper reports surrounding conditions at House of Raeford plants throughout North and South Carolina.

“The Commissioner of Labor has a moral and legal responsibility to protect the health and safety of workers, and to protect the interests of businesses that play by the rules. The newspaper investigation has brought national attention to North Carolina for conditions that are tragic and deplorable,” Anderson said. “It shouldn’t take an investigation by the media or Congress for the Commissioner of Labor to do her job.”

The investigation by the *Charlotte Observer* revealed that Commissioner Berry has hamstrung her Department, keeping it from fulfilling its duty to protect the health and safety of the workers of North Carolina through the use of inspections and fines.

The response of Commissioner Berry to the investigation was that her department should work with the Hispanic Community to make sure they are reporting violations. Anderson countered that enforcement is a critical tool, both as a deterrent to violators and as a means of ensuring that businesses and workers alike understand that violations will not be tolerated.

“It is the Commissioner’s legal obligation to inspect these facilities and prosecute violations. It is obvious that Berry hasn’t done the job. It is time we replace her with someone who will.”

“You can't inspect a factory from inside an elevator.”

Anderson, currently the first female Chair of the State Personnel Commission, has practiced labor and employment law on behalf of individuals and businesses for 18 years. Prior to entering the private practice of law, Anderson served as a law clerk for Senior Justice Louis B. Meyer of the North Carolina Supreme Court. She earned her law degree from the University of North Carolina at Chapel Hill, and her B.A. *cum laude* in Political Science from the University of Massachusetts at Amherst.



Robin Anderson Outraged over Berry's Responses in Interview

March 10, 2008

Raleigh – In response to Commissioner Cherie Berry's interview with the *Charlotte Observer* published Sunday March 9th, Labor Commissioner Candidate Robin Anderson released the following statement.

"The Commissioner of Labor is charged with the duty to inspect factories for safety violations and enforce the laws of this state. Commissioner Berry was not elected to be a champion of companies who continue to violate them."

In her interview with reporter Ames Alexander, Berry was asked about a number of specific charges made by the newspaper in its investigation of the deplorable working conditions in poultry plants in North Carolina, specifically the House of Raeford. In response to the drop in the number of safety inspections while she has been in office, Berry stated that "...You have to have a reason to do an inspection. We can't just go and inspect."

Anderson responded, "What is she waiting for? Someone else to be seriously injured? The Labor Commissioner is legally required to inspect factories for workplace safety violations. After 7 years in office it is shocking that Berry has yet to understand her responsibilities."

When asked whether some companies could be underreporting injuries, Berry declared that she was offended by the suggestion that companies may not keep proper records. Berry went on to say that she would not change what she was doing simply because of 'ink and paper' from media reports or investigations. Berry refused to agree that stiff penalties for willful violations were necessary, stating that no company would change its ways because of fines. She went on to add that she should be re-elected because of her ability to appease the business community.

Anderson responded, "Berry has failed in her duty to inspect factories and to punish companies that refuse to play by the rules. Our workers can not afford 4 more years of being ignored. They deserve a leader who will carry out the duties and obligations of the labor laws and champion their rights. The hard working families of North Carolina deserve a Labor Commissioner who will do the job she was elected to do."

Robin Anderson is a candidate for Commissioner of Labor. She has 18 years of employment and labor law experience in North Carolina. A graduate of UNC School of Law, she is a partner at Nicholls & Crampton, P.A. of Raleigh and she currently serves as the first female chair of the State Personnel Commission.