Overview:

The Metropolitan Washington Council, AFL-CIO, is comprised of 180 local unions representing working people in all public industry sectors. The Metropolitan Washington Council AFL-CIO’s priorities are outlined below:

- creating family sustaining jobs for all;
- investing in education, infrastructure, healthcare and transportation;
- improving the lives of workers through education, quality job training, career advancement and livable wages with good benefits;
- ensuring fair, progressive tax policies;
- making high-quality, affordable healthcare available to everyone;
- holding corporations and government more accountable to ensure that the public good is served by taxpayer dollars; and
- ensuring that a worker’s universal right to organize and to bargain collectively for wages, hours and conditions of work are maintained and enforced.
GENERAL INFORMATION:

Name Joel Rubin

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Candidate for: State Delegate, District 18

Campaign Committee Name and Address: Friends of Joel Rubin

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Does your campaign accept PAC contributions? Yes

Previously elected / appointed office:

Office: Chevy Chase Town Council Term: Elected Spring 2017

Have you ever received labor’s endorsement? _________________ When? _________________

PLEASE EXPLAIN WHY YOU SEEK LABOR’S ENDORSEMENT:

I am seeking Labor’s endorsement because fighting for opportunity and economic security are central components of my campaign. As a currently-serving Council Member in the Town of Chevy Chase, which makes me the only non-incumbent elected official in the race, I am the only candidate, other than the sole incumbent, who is involved in the planning, approval and evaluation of public projects. I am in this race to win. We are losing two veteran leaders and I am the candidate most qualified to fill one of the vacancies and best equipped to get the job done.

SIGNATURE: _________________ DATE: 3/29/18
A. **Workplace Rights:** (Please answer by checking the box)

There are certain basic workplace rights that the unions and members of the Maryland State and District of Columbia AFL-CIO believe are fundamental and absolutely essential. Collective bargaining elections and representation are permitted for private sector employees, whereas for public sector employees in Maryland, legislation is required in order to have these same rights. Over the past decade, these rights have been given to many state, higher education and K-12 public school education employees and some county employees. However, thousands of public sector employees are still denied these rights.

1. Would you support comprehensive collective bargaining legislation that would provide collective bargaining rights (including exclusivity, binding arbitration and an independent labor board) for all public employees-local, county, school boards and state?

   Support

   What is your position on each of these fundamental rights?

2. The right of workers to organize and have union representation

   Support

3. The right to freely exercise workplace rights free from harassment, intimidation and/or delays

   Support

4. The right to bargain collectively with a legal obligation on both sides to negotiate in good faith

   Support

5. The right to resolve differences in a fair, impartial and timely manner, including binding arbitration

   Support
The National Labor Relations Act grants private sector workers the right to organize themselves and be represented by a union in collective bargaining negotiations. From time to time, opponents of collective bargaining propose legislation to curtail workers’ bargaining strength and effectiveness. Under the innocuous sounding name of “Right-to-Work,” this legislation purports to protect the rights of workers and improve the state’s economic development climate. But the net result in Right-to-Work states is that workers earn less, have fewer health care benefits and have higher job fatality rates. Right to Work laws prohibit workers from negotiating a “union shop” or “union security” clause in their contracts. Such a clause obligates those in the bargaining unit to pay their fair share of the collective bargaining representation costs. By wiping out that protection, Right to Work actually weakens the rights of working people.

6. Would you support Right to Work in Maryland?

No

Opponents of the labor movement have tried in recent years to stifle labor’s political and legislative voice through a friendly sounding proposal called “paycheck protection.” It proposes to give rank and file members more control over how their dues money is spent. It does so by requiring unions to spend an incalculable amount of time and money jumping through bureaucratic hoops. The net effect is that it would make it virtually impossible for unions to represent their members in the political and legislative arenas.

7. What is your position on the so-called paycheck protection idea?

Oppose

Maryland’s community colleges were established by state law and receive part of their funding from the state. Yet, unlike K-12 public school employees in each county, community college workers do not have the right to organize and engage in collective bargaining.

8. What is your position on granting collective bargaining rights to community college employees?

Support

When workers choose an exclusive collective bargaining representative, that union is legally obligated to represent every worker in the unit. Even when some people choose to be non-members, the union must represent them fully and fairly. In other words, those who pay dues are obligated to subsidize those who don’t.

9. In your opinion, should a union be permitted to collect a service fee from non-members for the cost of union representation as long as there are protections for those who object on religious grounds?

Yes
B. **Health Care**: (Please answer by checking the box)

The financial imperatives transforming the health care industry increasingly undermine the ability of clinicians to make health care decisions based strictly on the needs of their patients. This includes a pervasive practice by hospital corporations not to have on shift at all times a sufficient number of registered nurses taking care of patients, a practice which is dangerous for patients and studies show increases morbidity and mortality rates among hospital patients. Another manifestation of this problem is that Maryland has the longest emergency room wait times in the country, according to the US federal Centers for Medicare and Medicaid Services; one clear cause of this is understaffing in the ERs and other units of the hospitals. What steps would you pursue to protect and improve the quality of patient care in county hospitals and clinics? Do you support mandatory, minimum nurse-to-patient ratios in acute-care hospitals? Do you support measures to limit unsafe, premature discharges of patients or transfers from acute care hospitals to nursing homes or other sub-acute facilities? Do you support legislation to enact new protections for hospital patients warehoused in “observation status” with fewer protections accorded other patients?

Currently 28 million Americans, including 389,000 Marylanders, have no health insurance and tens of millions more across the country have inadequate insurance with high co-pays and deductibles that prevent them from seeking care. While this is an improvement from the number of uninsured people in the state before the passage of the Affordable Care Act and the expansion of Medicaid in Maryland, it is still unacceptable to the state’s registered nurses. Over 10% of Maryland’s population (i.e., over 600,000 people) still cannot afford to see a doctor.[1] This situation will get worse if CareFirst, the state’s dominant health insurance carrier, obtains its requested 52% rate hike from the Maryland Insurance Administration. President Trump and Congressional Republicans have sought to make a bad situation much worse by attempting to pass (un unsuccessfully thus far) new federal legislation that will deny care to an additional 22 million people, including those in Maryland dependent on Medicaid and the ACA exchanges. But even without these Republican proposed changes, the US still ranks poorly among industrial nations in a large number of health indicators, despite paying more per capita than most other OECD countries.

1. Do you believe that health care is a human right? Are you in favor of a publicly-administered, single-payer universal health care system? Will you champion legislation to implement such a plan in the State of Maryland?

   Yes

2. Nurses have some of the highest rates of work-related, musculoskeletal injuries of any occupation. Do you support legislation that would require that hospitals institute and utilize lift teams and lift equipment, and that also protects the rights of nurses to speak out regarding unsafe patient care practices?

   Yes

3. The rates of workplace violence in health care settings have risen to epidemic proportions. The Bureau of Labor Statistics showed that 48% of all non-fatal injuries from occupational assaults and violent acts occurred in healthcare and social service settings. Healthcare workers specifically are five
times more likely, than all other major industries combined, to be the victim of assault. Thus far, California is the only state to have passed comprehensive workplace violence prevention legislation to protect registered nurses and other healthcare workers. In order to be effective, such a standard must mandate that every hospital develops a workplace violence prevention plan in conjunction with registered nurses that is unique to the needs of each unit, and is in effect at all times in every unit. It must include hazard identification and correction procedures, annual program evaluation, in-person training for all employees and sufficient staffing to respond to workplace violence incidents. Do you support the creation of a comprehensive workplace violence prevention standard for healthcare workers in Maryland?

Yes

As health care costs continue to escalate, many Marylanders do not have access to affordable quality health care services.

4. What should the next Administration and General Assembly do to solve this problem?

Leave it to the federal government to fix
Do nothing/monitor the situation
Adopt a state universal health care system
Provide coverage to the uninsured but leave private insurance plans in place

Other (please specify)

Fully meeting the nation's health care needs requires a national, universal and publicly-funded system similar to that of many other western democracies. I will support this transformative health care policy in Annapolis by:

1. Declaring the State of Maryland can, and must, play a crucial leadership role in contributing to the ultimate realization of a national and universal public health care program.

2. Supporting legislation to steadily improve the health of Marylanders by expanding access to higher-quality health care in ways that clearly demonstrate the superiority of a public, administratively integrated and comprehensive system over the present fragmented, hyper-expensive and selective non-system.

3. Supporting legislation in Annapolis to fund a Medicare expansion which will be lost due to the repeal of the individual mandate at the national level. This “backfill” funding would ensure that people do not lose their healthcare and that rate increases are kept under control.

I believe this will require a carefully-structured public health care state development plan. Principal elements of this plan would include banning private insurance that fails to meet the standards of the original Affordable Care Act and establishing the legal existence of a single insurance pool to which all Maryland citizens who are financially able will contribute.

We should pursue a state-run medical care program providing essential clinical care to all those on lower
incomes who lack coverage or prefer this public option. While we are awaiting a national system, those covered by insurance from employers or who are in the private market may retain their present coverage. This state-run program can in future become the Maryland delivery agency for the eventual national program. Having such a system in existence in Maryland can reduce the development time required to provide the anticipated national public system and serve as an effective demonstration of the superiority in cost, care quality and access, of integrated public care.

C. **Education:** (Please answer by checking the box)

1. Would you support returning to an all-elected Board of Education for PGCPS?

   Yes

2. Would you support removing all authority of the County Executive from PGCPS? Including returning the CEO position to that of Superintendent as outlined by the State.

   Yes

3. Will you as an elected official commit to providing a budget that will fully support the Prince George’s public school system and the necessary resources needed?

   Yes

4. Do you support collective bargaining for teachers in Charter Schools?

   Yes

Maryland continues to have one of the best public education systems in the country. Much progress has been made since 1999 and the establishment of the Thornton Commission and the passage of legislation based on the commission’s recommendations.

5. Do you support Full Funding for Thornton?

   Yes

D. **Accountability/Economic Development:** (Please answer by checking the box)
Good Jobs First has developed model legislation aimed at improving government transparency and accountability for subsidized economic development projects. Many states and municipalities have adopted the model legislation.

**As an elected County official, will you introduce and support legislation to** (Please check all that apply):

YES ☐ Require company-specific reporting for each subsidy deal as originally granted, and annual reporting for each deal’s actual outcomes with regard to jobs created, wages and benefits paid, capital invested, and other public benefits.

YES ☐ Establish job creation standards for economic development projects receiving County subsidies, such as the number of new full-time jobs that must be created for a specified level of financial assistance

YES ☐ Establish job quality standards for economic development projects receiving County subsidies, such as the number of hours that must be worked per week, provision of paid leave, provision of health insurance, apprenticeship participation, and wage standards

YES ☐ Recapture or rescind subsidies if a recipient fails to achieve its job creation, wage and healthcare requirements

YES ☐ Require annual reporting of companies receiving County property tax abatements and reductions

YES ☐ Require a publicly accessible unified economic development budget that provides a comprehensive accounting of economic development spending all in one place

**E. Standing with the Democratic Party:** (Please check all that apply)

Every four years, the Democratic Party establishes its party platform—the ideas and beliefs that govern the party as a whole. In 2016, the platform included the following tenets related to workers. As a Prince George’s County councilmember and member of the Democratic Party, please indicate which of the following you support.

YES ☐ Make it easier for workers to exercise their right to organize and join unions

YES ☐ Bring companies to the negotiating table

YES ☐ Support binding arbitration to help workers who have voted to join a union reach a first contract

YES ☐ Oppose so-called “right to work” laws

YES ☐ Vigorously oppose any efforts to roll-back prevailing wage standards
YES ☐ Defend the right of workers to collect their defined benefit pensions and ensure workers get priority and protection when pension plans fail

YES ☐ Make investments to spur the creation of jobs for our young people

YES ☐ Fight to ensure every American has access to quality, affordable health care

YES ☐ Push for more educational benefits and job training for veterans

**THIS SECTION APPLIES ONLY TO MONTGOMERY COUNTY CANDIDATES**

F. Extending Montgomery County’s Prevailing Wage Law to Include School Construction:
(Please answer by checking the box)

Prevailing wage laws assure that workers on public works projects are paid a wage that is most common or “prevailing” for a specific job in a specific geographic location. They prevent contractors from undermining local employment by low bidding or bringing in workers at lower wages.

MCPS is budgeting its school construction projects to avoid paying prevailing wages—seeking to achieve cost savings by paying construction workers as little as possible in a county with a high cost of living.

Maryland enacted its prevailing wage legislation in 1945. Montgomery County enacted its prevailing wage law in 2008, but excluded school construction projects. Consequently, MCPS construction is governed solely by the State’s prevailing wage law. The threshold for applying the State’s prevailing wage law occurs when the state funds 75% or more of total project costs.

According to OLO Report 2017-4, “New School Construction Costs,” by Stephanie Bryant, to avoid paying prevailing wages on its school construction projects, MCPS does not request more than 24.9 percent of state funding for any school projects.

1. As a Montgomery County elected official, will you introduce and support legislation to close the loophole and extend the County’s prevailing wage law to cover County school construction projects?

YES

I support the Federal Davis-Bacon Act and Maryland’s Prevailing Wage Law, particularly its overtime provisions and reporting requirements on contractors. School construction is a priority for Montgomery County and wages for local workers benefit the local economy. It is reasonable that the contribution level threshold should be on par for workers employed in similar conditions, so I would support extending the law to cover school construction.

G. Establishing a Montgomery County PLA Ordinance: (Please answer by checking the box)
Project Labor Agreements (PLAs) have been proven to bring in projects on time and on budget. They also have the added benefit of building community partnerships with contractors and unions to hire locally, provide family healthcare, pensions, and a career path for residents.

Across the DMV area, LiUNA has been successful securing PLAs on a wide range of projects, including the DC United Soccer Stadium, the Wizards Practice Facility, the Northeast Boundary Tunnel, and the South Capitol Street Bridge in Washington, DC; the Purple Line in suburban Maryland; and the 395 HOT Lanes in Virginia, among others. This pipeline of projects enables laborer apprentices to move from project to project as one ends and another begins, accumulating the hours they need to graduate and become journey workers earning family-supporting wages.

Other jurisdictions have also adopted PLA ordinances. For example, in Prince George’s County, the County Executive has had express authority since 2011 to execute PLAs on County-funded projects of $1 million or more. In the District of Columbia, a law was passed in 2016 requiring PLAs on city-funded construction projects valued at $75 million or more, unless the Mayor indicates in writing that such an agreement is not in the best interest of the District.

1. As a Montgomery County elected official, will you introduce and support legislation to require PLAs on County construction projects valued at $20 million or more unless the County Executive indicates in writing why a PLA on a particular project would not be in the best interest of residents?

Yes

Like any contract, I would first want to focus on PLA’s that are logical, transparent, and clearly outline the rights and responsibilities of all the parties involved. I would apply the principle of sustainability to judge the process by involving stakeholders from the community, as well as contractors and labor representatives to create solid, reproducible PLA’s that get the job done on time and within budget. This should be done without sacrificing the rights and well-being of workers or members of the community in which the construction will take place. I would also want to ensure that the PLA on a particular project does not displace higher standards.

2. Will you sign PLA's per Current county law?

Yes

3. Will you adopt apprenticeship readiness programs with RFP's on County projects?

Yes
THIS SECTION APPLIES ONLY TO PRINCE GEORGE’S COUNTY CANDIDATES

H. Strengthening Prince George’s County’s PLA Ordinance: (Please answer by checking the box)

Project Labor Agreements (PLAs) have been proven to bring in projects on time and on budget. They also have the added benefit of building community partnerships with contractors and unions to hire locally, provide family healthcare, pensions, and a career path for residents.

Across the DMV, LiUNA has been successful securing PLAs on a wide range of projects, including the DC United Soccer Stadium, the Wizards Practice Facility, the Northeast Boundary Tunnel, and the South Capitol Street Bridge in Washington, DC; the Purple Line in Maryland; and the 395 HOT Lanes in Virginia, among others. This pipeline of projects enables laborer apprentices to move from project to project as one ends and another begins, accumulating the hours they need to graduate and become journey workers earning family-supporting wages.

While the County Executive for Prince George’s County has had the express authority since 2011 to execute PLAs on County-funded projects of $1 million or more, only one project (the Brandywine Firehouse in 2012) was built with a PLA. There has been virtually no effort by the County Executive to utilize this authority since then.

1. As a Prince George’s County elected official, will you introduce and support legislation to require PLAs on County construction projects valued at $20 million or more unless the County Executive indicates in writing why a PLA on a particular project would not be in the best interest of residents?

N/A

Prince George’s County has pockets of poverty and high unemployment. According to The Workforce Landscape in Prince George’s County, nearly 10 percent of residents live in poverty, and many of the communities that border the District of Columbia have unemployment rates in the double-digits, including Oxon Hill, Bladensburg, Capitol Heights, and Hyattsville.

Despite these dire statistics, the County’s local hiring ordinance only sets “best efforts,” aspirational goals for County contractors. In contrast, other jurisdictions that have adopted local hiring ordinances have established very specific requirements for their contractors, and levy fines when violations occur. Some of these jurisdictions include the District of Columbia, San Francisco, Pittsburgh, Seattle, and Milwaukee.

2. As a Prince George’s County elected official, will you introduce and support legislation to amend the County’s local hiring and apprenticeship ordinances to set firm requirements rather than “best efforts” or aspirational goals for County contractors?

N/A
3. Short-term rental companies like, Airbnb, have grown exponentially in the last few years. In order to protect our neighborhoods and communities against commercial operators who convert valuable housing to de facto hotels, do you support stronger regulations of short-term rentals that would track short-term rentals, limit them to primary residences, and put a reasonable cap on the amount of days a host can share their home while not present?

N/A

4. During the past several years, real estate developers have taken advantage of Prince George’s County by seeking financial subsidies for low-quality, sprawl developments with no protections to ensure high-quality jobs are created or that workers are treated fairly. This approach is exacerbating inequality in the County. Would you require developers to hold to high standards for job quality, and work to ensure the right of their employees to join a union without fear or intimidation, whenever the County is involved in development projects?

I. **Transportation:** (Please provide your response on a separate sheet).

1. Going into WMATA's FY2019 budget season, politicians, community groups, labor, and business groups have weighed in on the dedicated funding debate. If you are elected, what would you propose to provide WMATA dedicated funding, and how would you navigate the politics of the situation and unite the jurisdictions around your proposal?

I would support dedicated, bondable funding for Metro totaling at least $500 million a year including at least $167 million from Maryland. I would be open to supporting additional funding but in a manner that is subject to improvements based upon an independent review of the overall transportation network.

In order to pay for local transportation systems and support the increases that WMATA needs, which are actually on the order of $25 Billion over the next ten years according to reports by both WMATA and the Council of Governments, I would take several steps:

I would press for legislation to create an independent commission akin to a Public Utility Commission but with more up to date standards and procedures to ensure that transportation services are fair, efficient, clean and safe. This is essential if we are to be using long term contracts through Public Private Partnerships, which are one or more steps removed from direct responsibility to elected officials and the voters. I would alter contracts that are not in the public interest, ensuring that neither the private partners nor affected residents experience any taking of property without due process or fair compensation. This is why have testified in support of Delegate Al Carr’s recently introduced legislation to create an Office of Transportation Oversight (HB 1641).

I would ask the independent panel to study the success of some cities around the world to determine whether and at what rate to levy a modest fee on the developers and owners of land nearest transit stops. Doing so would help to capture a portion of the profits derived from the publicly supported transit systems that draw so many to their properties.
I would support an increase in truck registration fees, to preferably be imposed in a uniform manner in the tri-state DMV area on heavy trucks, as they cause the greatest damage to the roads and tend to be the most highly polluting.

I would also support levying a state tax on non-renewable energy-related pollution at the most efficient point in the supply chain, such as on the generation or transmission utilities and wholesale fuel suppliers.

These fees and taxes could be phased in and then paid back out in part to residents of Maryland, as Maryland completes the process of ensuring a fully functioning transportation system using increasing percentages of renewable, clean energy and energy augmented by cyclists and pedestrians who should be provided with safe pathways and bike lanes that are convenient, quiet and shaded to the maximum extent possible.

2. In the last few months, there have been several major safety concerns that have been raised publicly?

3. ATU Local 689 leadership and members. From operator assaults to issues with the 7000 series trains, the public has seen that WMATA management doesn't seem to be able to create a true safety culture at WMATA. How would you work with and support employees who raise safety concerns and are ignored?

I would emphasize that the safety and well-being of riders starts with safe conditions for WMATA’s workers. We need workers to operate with the utmost attention and react quickly to unforeseen challenges. That means instituting best practices across the board and fully funding healthcare obligations. It also means aggressively investigating cases where workers are punished for refusing to work in unsafe conditions or for speaking out about safety concerns.

4. In addition, how would you work with labor to help tackle the larger issue of establishing a safety culture at WMATA and solving some of the recent safety issues, like operator assault, that have been brought to the forefront?

I would support empowering law enforcement to fully investigate, prosecute, and ban from the system anyone involved in an assault or intimidation of a transit worker. Our region depends on efficient mass transit and an aggressive act against WMATA personnel directly affects all of us. I would also speak out on behalf of workers who are unfairly targeted by management for speaking out in cases of assault and intimidation.

5. With the recent revelation that WMATA and ATU Local 689 have reached an impasse in negotiations due to their inability to agree regarding the employee's defined benefit pension, many politicians and advocates for privatization have tried to make a case for lowering "labor costs" by eliminating hard earned, very basic worker protections. How would you champion worker protections and change the narrative surrounding "labor costs" and defined benefit pension costs?

“Labor costs” are simply the price of moving millions of people around the DMV region safely, efficiently and reliably. As Delegate, I would support policies that both strengthen the job security of union members and quality of life in the communities they service. My narrative follows the logic
that if we want a world-class mass transit system worthy of a major metropolitan system, we have to invest wisely in building, maintaining, and refining it.

6. In the last six months, there has been a lot of discussion surrounding the possibility of the establishment of a federal control board to run WMATA. If that happened, the possibility of eliminating legally binding labor contracts would become a reality, endangering thousands of workers. What are your thoughts regarding the takeover of a federal control board and would you be open to adding a labor seat to the WMATA Board?

WMATA is a regional entity and as such it should answer to the elected representatives of the regions that it serves. The Federal government is certainly a stakeholder in WMATA’s success, but it should not be the sole arbiter. I would be open to adding a labor seat to the board, as I believe all stakeholders deserve a seat at the table, contingent on their ability to deliver meaningful results in the public interest.

J. **Bail Reform:** (Please provide your response on a separate sheet).

Under the current money bail system, judges in Maryland typically set financial conditions of release, with little consideration as to whether the defendant can meet them. Defendants must then either pay the court or a commercial bail bondsman to get out of jail. Those who can’t afford bond often remain incarcerated until their cases go to trial, sometimes for periods of weeks or longer.

1. Maryland’s highest court approved key changes to the state’s bail system, setting into motion a reform designed to keep defendants from languishing in jail before trial simply because they’re poor, do you support Bail Reform Efforts?

Money bail should be eliminated. I support the decision of the Maryland Court of Appeals to require judges to consider an accused person’s ability to pay in their rulings. It is long past time for significant reforms to be enacted that use methods other than financial penalty to ensure that defendants appear in court to face charges. Bail should not be used as a tool that detains such defendants, which is a violation of the human rights of our citizens. And bail should not be used as a tool to enrich corporations, as the bail-bond industry is currently configured. If anything, bail-bonds should be converted into a non-profit industry so that bail loans can be made but at a rate that does not extract financial hardship on the defendant. If a defendant is guilty of a crime, their conviction will be penalty enough. But if they’re innocent, they shouldn't go into financial duress just because they didn’t have enough resources to make bail. Lastly, new efforts should be made by the state to ensure that defendants show up in court, including more effective supervision, text and phone reminders, and additional funding to expedite the pretrial process. I will work to keep pressure up in Annapolis for significant bail-bond reform.

K. **Confederate Monuments and Memorials:** (Please provide your response on a separate sheet).
At the federal level, legislation is being proposed that would prohibit the use of taxpayer funds for the creation, maintenance, or display of any Confederate symbols on Federal property. The Federal proposal defines “Confederate symbol” as a Confederate battle flag, any symbol or other signage that honors the Confederacy, any monument or statue that honors a Confederate leader or soldier or the Confederate States of America. Localities across the nation are having this debate.

2. What is your position on this matter?

I support the immediate removal of Confederate symbols from public property. I do not view them as having historical or cultural value. They are contemporary monuments to white supremacy.

3. Should there be legislation removing Confederate symbols from libraries, parks, streets, and public buildings?

Yes.

Candidate (Please Print Legibly): Joel Rubin

Signature: [Signature]

Date: ______________________

Thank you.