



**Metropolitan Washington
Council AFL-CIO
Committee on Political
Education (COPE)**

**2020 District of Columbia
Primary Election
Candidate Questionnaire**

Metropolitan Washington Council AFL-CIO • 2020 CANDIDATE QUESTIONNAIRE

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GENERAL INFORMATION:

Name: Patrick Kennedy Ward: 2

Address: 532 20th Street NW Apt. 312

City / County: Washington, DC Zip: 20006

Phone: (202) 630-2201

Email: patrickkennedydc@gmail.com

Candidate for: D.C. Councilmember, Ward 2

Campaign Committee Name and Address: Patrick Kennedy for Ward 2; 532 20th St NW Apt. 312,
Washington, DC 20006

Campaign Website: <https://www.patrickforward2.com>

Campaign Manager: Kari Cunningham

Campaign Treasurer: Marina Streznewski

Does your campaign accept PAC contributions? Yes/No

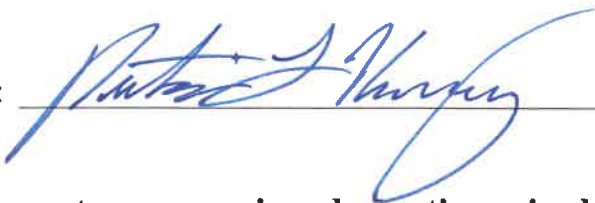
Previously elected / appointed office:

Office: **Advisory Neighborhood Commissioner, 2A01** Term: 2013-Present
ANC 2A Chair (2014-18, 2020-Present)

Ward 2 Committeeman, D.C. Democratic State Committee (2013-2018)

Have you ever received labor's endorsement? Yes/No If Yes, When?

SIGNATURE: _____



DATE: 3/3/2020

Please return your signed questionnaire by Tuesday, March 3, 2020 to:

David Stephen, MWC Political and Legislative Director, dstephen@dclabor.org

For questions, please email or call: 202-974-8222

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Overview:

As the voice of working people across the United States, the Washington Metropolitan Council (MWC), is the heart of the American labor movement.

By uniting labor unions from across the region and mobilizing the local community, the MWC plays a critical role in local, state, and national issues.

The Council's affiliated unions represent over 150,000 area union members across the labor spectrum, from service and hospitality industries, retail sales, and communications to transportation, manufacturing, construction and building trades, and, of course, the public sector at all levels, including DC government.

Our priorities include:

- 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 accountable to ensure that taxpayer dollars serve the public good; and
- Ensuring that workers universal right to organize and to bargain collectively for wages, hours, and conditions of work are maintained and enforced.

CORNERSTONE ISSUES OF LABOR

ALL WORKING PEOPLE SHOULD HAVE THE RIGHT TO:

- **A Good Job with Fair Wages**
- **Quality Health Care**
- **A Safe Job**
- **Paid Time Off and Flexible, Predictable Scheduling**
- **Freedom from Discrimination**
- **Retire with Dignity**
- **Fully-Funded Public Education**
- **Freedom to Join Together**
- **A Voice in Democracy**

Better Wages and Benefits

When people negotiate through collective bargaining, they gain better wages and benefits. Decent raises, predictable schedules, and family-friendly policies do not just happen without working people coming together and advocating for better workplaces.

Workplace Safety

The labor movement has led the charge to protect working people from workplace injury, illness, and death. Working with allies, labor has won strong protections against hazards and stronger rights for workers. Through organizing and collective bargaining, unions have gained robust protections and a real voice in safety and health at the workplace.

Pay equity

In 2016, women in unions made 23 percent higher wages than those not in a union. Moreover, unions have narrowed the gender wage gap to just 6 percent (compared to 16 percent for non-union). In addition, unions are also more likely to have various types of paid leave to balance work and family.¹

Building Power for Working People

Union members work together to negotiate and enforce a contract with management that guarantees things like decent raises, affordable health care, safer workplaces, job security, and a stable schedule.

¹ Economic Policy Institute "Unions help narrow the gender wage gap," Gould, McNicholas April 3, 2017

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2020 Candidate Questionnaire

PLEASE BRIEFLY EXPLAIN WHY YOU SEEK LABOR'S ENDORSEMENT:

The prosperity experienced in the District of Columbia over the last decade has not been evenly shared, and I believe one of the principal reasons for that is the lack of quality jobs available for those who have traditionally constituted the District's working class. Issues of cost of living and inequality are driven in large part by the lack of stable, decent-paying employment opportunities that a unionized workforce provides.

I would like labor's endorsement because the Ward 2 councilmember has a critical role to play in influencing the trajectory of the District's economy. I believe that – partnering with organized labor – my combination of values, experience, knowledge, relationships, and ability to work with people can be assets in ensuring that the next decade of growth will be more inclusive than the last.

COLLECTIVE BARGAINING

Collective bargaining is the process in which working people, through unions, negotiate contracts with their employers to determine the terms of employment, including pay, benefits, hours, leave, job health and safety policies, ways to balance work and family, and more. Collective bargaining is the heart and soul of the Labor Movement. Collective bargaining is a way to solve workplace problems, and is also the best means for raising wages in America. Indeed, through collective bargaining, working people in unions have higher wages, better benefits and safer workplaces.

Do you support for the District of Columbia (please respond Yes or No):

- Yes** The rights of public and private sector workers to organize and have union representation.
- Yes** The right to freely exercise workplace rights free from harassment, intimidation and/or delays.
- Yes** The right to bargain collectively with a legal obligation on both sides to negotiate in good faith.
- Yes** The right to resolve differences in a fair, impartial and timely manner, including a timely resolution to binding arbitration.

Additional Comments or clarification:

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RIGHT TO WORK

“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” legislation, actually weakens the rights of working people and dismantles unions. Would you commit to:

Opposing legislation to bring “Right to Work” in DC?

Yes

No

Other (explain below)

Additional Comments or clarification:

The District has experienced escalating cost of living increases and has one of -- if not the -- highest rates of displacement of any major city in the United States. We need to make certain that people in the District are able to earn a fair, livable wage. “Right to Work” legislation would undermine efforts at achieving this objective and so I could not even consider supporting such legislation.

UNION DUES AND JANUS V. AFSCME DECISION

In 2018, the Supreme Court issued what is probably its single most consequential ruling in *Janus v. AFSCME*. The ruling was a devastating blow against public-sector unions barring them from applying “agency fees” to the public employees for whom they negotiate pay increases and benefits if those employees decline to join the union as full members. Would you commit to:

Working with labor to find a legal remedy to allowing unions to collect a service fee from nonmembers for the cost of union representation as long as there are protections for those who object on religious grounds.

Yes

No

Other (explain below)

Additional Comments or clarification:

HEALTHCARE WORKERS & ACCESS

Universal Health Services Inc. (UHS) hospital (background):

Mayor Muriel Bowser's administration has been negotiating with UHS to be the operator of the new hospital in Ward 8. The deal with UHS is expected to be announced to the public early this year.

Community groups, labor groups, and residents of Wards 7 and 8 have serious concerns about UHS as a bad actor because the company puts profits over patients.

- George Washington University Hospital has just sued UHS because ["Instead of investing" in GWU's mission, "UHS has paid itself" with "outsized dividends from artificially inflated, excess profits."](#)²
- UHS was found to violate labor law by the National Labor Relations Board in 2019. The Court found they attempted to illegally bust the union at George Washington University Hospital.
- A \$127 million judgment was levied against UHS by the Department of Justice after being sued for defrauding Medicare and Medicaid services.
- UHS understaffs its facilities across multiple states, putting patients and workers at risk.
- UHS refuses to create an independent committee to protect rights and health of patients and workers. This secrecy threatens patients' health and workers' jobs.
- UHS does not have plans to build a level-1 trauma center nor a high-risk obstetrics unit or neonatal intensive care unit (NICU), despite great need East of the River.
- UHS and Mayor Bowser's office will not give any guarantees that staff from UMC will have jobs at the new hospital. The deal has no plan for these devoted caregivers, some of whom have worked at the hospital and lived in the community for decades.

Community and labor groups have been left out of this process and the deal has been secretive and rushed, thus leading to a lack of critical services and labor protections. This lack of services and protections will affect the whole city. The labor community believes that DC residents deserve a world-class hospital East of the River. Will you support efforts to:

Yes Require the new hospital to hire the workers from UMC in their current position with their current benefits and union representation.

Yes Guarantee neutrality for workers at the new medical facility to organize.

Yes Ensure high level quality of services needed for the Ward 7 and 8 communities including high-risk obstetrics and a minimum Level 2 trauma unit.

² GWU sues corporate hospital partner, leaving fate of Southeast project uncertain, Washington Post, Peter Jamison, Dec. 10, 2019

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Additional Comments or clarification:

I have worked on issues involving UHS for years as an ANC commissioner in Foggy Bottom and negotiated with them extensively as the ANC chair regarding legislation to authorize a helipad at GW Hospital. After an arduous, yearlong process of community consultation we reached an agreement and I thought had the basis of a productive working relationship. I was therefore enormously disappointed and upset to see that, for the second time in three years, that UHS worked around the community to try and get emergency legislation through the Council in the form of the East End Health Equity Act.

Although the Foggy Bottom community was united in its procedural concerns regarding that bill, in working to oppose the legislation the ANC became aware of a number of related issues with UHS that were being raised by unions, Howard University, other hospitals, and good government advocates regarding the procurement process for the new St. Elizabeths Hospital. We worked in coalition with labor to present our concerns to Council, unsuccessfully as it turned out, although provisions regarding the Hospital expansion in Foggy Bottom were repealed a short time later.

I will never forget the support that our coalition partners in organized labor gave to our community during that fight, and my solidarity with them on their issues with UHS remains intact. It's a moral imperative for the Council to stand with the healthcare workers at United Medical Center who – despite the disinvestment and near-abandonment of that hospital – continue to do the absolute best job that they can to serve patients in the most disadvantaged part of the District. They deserve successorship.

Even setting the moral argument aside, practically speaking...to drive better health outcomes for individuals east of the Anacostia, we need to provide culturally-competent care from trusted professionals and deliver high-quality medical services, beginning at birth and continuing throughout the lifespan. The fact that life expectancy for individuals living east of the Anacostia is more than a decade shorter than for those living in Wards 2 and 3 is not only unacceptable but scandalous, and constitutes an emergency requiring all the resources we can muster.

By retaining the UMC workers who have proven to provide high-quality care and investing in high-risk obstetrics and a trauma unit we can help ensure that individuals get the care they need when they need it in their communities. From my work in the transportation sector I know that transportation is often a barrier for many to reach jobs and critical social services, including health care. Folks should not have to travel to a small area of Northwest D.C. to obtain access to high-quality medical care that is responsive to community needs.

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EDUCATION:

Affiliates of the MWC represent teachers, bus drivers and other school related personnel in DCPS. Despite an increase in Mayor Bowser’s education budget for FY2020, 20 public schools, including 17 schools in Wards 7 and 8, saw significant budget cuts for the current school year.

Overall funding for DCPS has not kept up with rising costs, leading to cuts in many schools. Additionally, the Labor Movement believes that regardless of where a student attends school, they are entitled to the same rights as a student, including transparency and adherence to local laws. To serve the best interest of education in the District, will you commit to:

- Yes** Proving school that receive a net flow of students throughout the school year additional resources.
- Yes** Working with teachers through their union to implement methods to close the opportunity gap of schools in lower-income communities.
- Yes** Working with the community and labor union representatives to address gun violence and student safety including enforcing trauma informed practices and screening.
- No** Supporting the right of all public sector unions and DCPS to collectively bargain on teacher evaluation standards and procedures?
- Yes** Ensuring that all Local Education Agencies (LEA) are subject to FOIA, Open Meetings and transparency laws.

Would you support ending Mayoral control of schools and educational policies and placing them in the purview of an elected School Board?

Yes

No

Other (explain below)

Additional Comments or clarification:

We have tried virtually every model of local schools governance in D.C. in the last 50 years and all of them have had their shortcomings. I don’t think there is anything fundamentally wrong with our present model of DCPS governance that can’t be resolved by improved Council oversight, including additional staff resources for the Education Committee so that it can perform stronger accountability work.

The old D.C. Board of Education did not have taxing authority; under the old structure the Board of Education needed to negotiate with the Council for its budget and the Council maintained an education

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committee all the same. This created a circumstance where a large number of politicians had a role in setting education funding and policy; this splintered accountability and the Board of Education often had a reputation for micromanagement, dysfunction, and cronyism.

The idea of more direct control by elected officials over schools matters sounds better in theory than it worked (and I believe would work again.) David Hall, the former school board member for Ward 2, once proposed expanding the D.C. Council by eight members and having one of the two ward reps be designated to sit on the Council's education committee. I think there is merit to that approach from the standpoint of both encouraging good government and enhancing focus on education matters within a more workable structure than creating a separate body.

I think the Council's role vis-à-vis education should continue to be in the realm of policy and oversight. I don't think a committee of politicians deciding on principal hirings and firings and the like gets us anywhere good, and I think the effort expended on modifying bureaucratic structures and processes would be a distraction from time better spent on efforts more directly geared to enhancing student achievement.

Also- IMPACT is flawed, and the Chancellor has admitted as much in signaling that he is open to consultations on revising it. I would prefer to give him the space to have those conversations and attempt to make improvements, and the Council should convene roundtables to inform that process as necessary. Personally, I would like to see an evaluation system with a greater emphasis on peer and even student reviews. Test scores, even weighted appropriately for growth vs. proficiency, do not tell the whole story of the performance of education professionals – and that's especially true for education professionals who do not teach in so-called "core" subject areas.

I think the union should absolutely be consulted and its recommendations considered seriously in crafting the evaluation system, and the Council can play a role through oversight in holding the chancellor accountable for that, but I would be skeptical about placing this into the realm of collective bargaining.

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ACCOUNTABILITY/ECONOMIC DEVELOPMENT:

Entertainment

Accidents in the event/entertainment industry are far too common. Thankfully you would have to go back in time over 20 years to the last fatal accident in Washington DC when a lighting supervisor working for upstaging fell 90 feet from the catwalk of the DC Armory and died the night before a Marilyn Manson concert, but it has happened, and without regulation it could happen again. Look at what happened to the deputy Mayor this past March, a speaker falling on a person attending a rally should never happen. Unfortunately, accidents like that go un-reported far too often. This is a public safety issue that needs to be taken seriously.

Would you be willing to support DC legislation that would amend [Title 47, Chapter 18 of the District of Columbia Official Code](#) to ensure:

- 1) that a person or party responsible for the staging and operation of a special event in the District holds a basic business license and an Entertainment endorsement to such license and
- 2) to establish a safety qualification program for technicians employed in the staging of special events by requiring that at least one member of the staging crew hold a rigger's certification issued by the Entertainment Technician Certification Program, and that all persons employed in such operations complete a minimum safety training course (OSHA-10) prior to working on the event?

Yes

No

Additional Comments or clarification:

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Wage Theft

While wage theft is pervasive and highly damaging, there is some good news: the problem is not unassailable. To be most effective, anti-wage theft laws must be meaningfully and effectively enforced, and must be accompanied by other legal provisions that empower victims to speak up against their abuse, such as strong anti-retaliation laws.

Will you work with community groups, city administration and other advocates to support proven programs that combat wage theft??

Yes

No

Will you commit to supporting an increase in funding in the departments and programs that work to ensure that workers are paid correctly, including the Department of Employee Services (DOES), as well as securing funding for community members who are third party enforcers, and a robust public awareness and accountability program?

Yes

No

Additional Comments or clarification:

Other jurisdictions have adopted methods such as a strategic enforcement approach in industries proven to have historically high incidences of wage theft, and I think that's worth pursuing here. Collaboration with trusted community-serving organizations in immigrant communities especially and development of grant-funding for public awareness campaigns on worker rights in multiple languages should be done to ensure that we're reaching all of the District's diverse workforce.

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

Transit Worker Assaults

There are dozens of incidents where bus and train operators, as well as station managers, have been spat on, slapped, tased, stabbed, and even doused with urine. Transit worker assaults are not only a danger to the workers, but also to the riding public, who are also placed in harm's way when these incidents occur.

Following the urine-dousing incident on a Metro bus operator in 2018, unions began calling on the respective legislatures of District of Columbia, Maryland and Virginia to increase the penalties for transit assaults. Will you work to ensure the District of Columbia raises the penalty of assaults on transit employees?

Yes

No

Privatization

Will you support efforts by transit workers in preventing privatization of future services at WMATA?

Yes

No

Likewise, will you support efforts by to prevent privatization of future services by the District government at the DC Streetcar and DC Circulator?

Yes

No

Uber and Lyft represent one of the largest threats to public transit in the country. Do you support laws, similar to AB5 in California or New York City's 2019 Rideshare Law, to clarify the rights of rideshare workers?

Yes

No

Additional Comments or clarification:

As a general rule I think basic aspects of government functions should be performed by government workers. I do not believe in outsourcing the provision of basic services simply as a means to avoid paying workers a decent wage and giving them the quality benefits traditionally associated with government jobs.

While there may be a benefit to utilizing private contract work when a degree of flexibility or specialization is required that can't easily be replicated in-house, it shouldn't be a crutch that's used to displace workers on a pure cost basis. And where a capability doesn't exist in-house, thought should be given to how to build that capability rather than rely by default on long-term outsourcing.

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Regarding the question on Uber and Lyft:

I am inclined to support legislation to clarify that ridehailing workers are employees, but I would want to consult with those workers more widely before I commit to a decision. AB 5 was born out of good intent, but there has been some discussion about its impact in areas other than ridehailing, so I would want to understand the ramifications fully before committing a carbon copy. My understanding is that there are a number of modifications to AB 5 pending in the current session of the California Assembly, so I think it's probably prudent to let that process play out and understand all of the potential ramifications and unintended consequences so that we don't experience the same sort of blowback in the District that California has seen.

I do, in general, believe that too many workers are misclassified as independent contractors in order for some employers to avoid paying benefits. I was in that position myself, in my first full-time job, so I absolutely understand the need to crack down on the practice, and I can absolutely commit to supporting some form of legislation that aims to achieve that end.

Freight Crew Size Legislation

The District of Columbia is a major gateway for north/south and east/west freight railroad traffic. By 2040, freight railroad traffic is projected to triple from 15 to 48 daily freight trains.

Today, the average freight train is 1.5 – 2 miles long and three (3) stories tall. The size, length, and commodities, including hazardous material transported by these freight trains, pose significant public safety risks for the communities adjacent to the rail corridors.

Currently, freight trains in the United States are operated with a minimum of two crew members: locomotive engineer and conductor. The coordinated efforts of the crew ensure the safe movement of the freight train. In the event of an accident or incident, the crew coordinates immediate assistance and provide critical information to fire and emergency responders.

The freight railroad industry based on new technology and operating paradigm are seeking to reduce the crew size to just the locomotive engineer.

A reduction of the crew to only a locomotive engineer would create a major public safety risk for the District of Columbia. Locomotive engineers and conductors each have different specific responsibilities they perform to ensure the safe movement of a freight train.

More importantly, the major functions for safely moving a freight train can't be performed by a single crew member.

Single-man railroad operations have been proven unsafe and directly contribute to several horrific accidents, including the 2013 disaster in Lac Megantic, Quebec - Canada.

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Seven (7) states: California, Illinois, Colorado, Nevada, Wisconsin, Arizona, and West Virginia, have enacted legislation requiring a minimum two-persons crew on all freight railroad trains.

QUESTION:

To protect the communities adjacent to our rail corridors, would you support legislation requiring a minimum two-person crew on all freight rail trains operated in the District of Columbia?

- Yes** NO OTHER

Additional Comments or clarification:

Rail Safety Inspections and Oversight

In 2016, D.C. Law 21-254 authorized the creation of the Emergency Response and Rail Safety Division (ERRSD) within the Department of Energy and Environment. ERRSD is the State Rail Safety Office responsible for monitoring and overseeing all railroad activity in the District of Columbia. ERRSD is comprised of an Associate Director and Rail Safety Inspectors trained in specific railroad disciplines. Unfortunately, ERRSD has been underfunded each fiscal year since it's creation.

QUESTION 1.

Would you support full funding for ERRSD in the FY 2021 and future budgets?

- Yes** NO OTHER

QUESTION 2.

Would you support an amendment to D.C. Law 21-254: "Rail Safety and Security Amendment Act" authorizing the District of Columbia to assess penalties and fines for safety and security violations on the railroads operating in the District of Columbia.

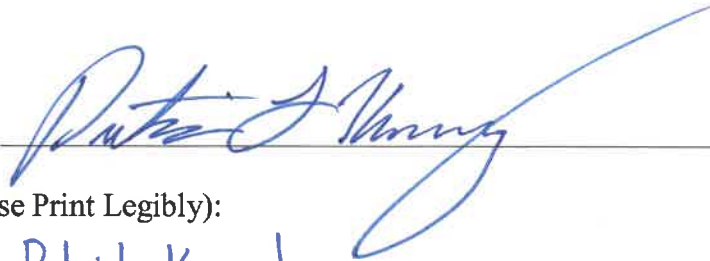
- Yes** NO OTHER

Additional Comments or clarification:

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I certify that the responses in this questionnaire are mine and reflect my political positions for consideration by the MWC.

SIGNATURE: _____



DATE: _____

3/3/2020

Candidate (Please Print Legibly):

Thank you.

Patrick Kennedy