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# Metropolitan Washington Council

**AFL-CIO**

# 2018 District of Columbia

# Committee on Political Education

**PRIMARY ELECTIONS**

**CANDIDATE QUESTIONNAIRE**

# Overview:

# The Metropolitan Washington Council, AFL-CIO, is comprised of 185 local unions representing working people in all public industry sectors. The Metropolitan Washington Council AFL-CIO’s priorities are outlined below:

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##### 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.

### Metropolitan Washington Council AFL-CIO

### 2018 CANDIDATE’S QUESTIONNAIRE

**GENERAL INFORMATION:**

Name: **Elissa Silverman**

Address: **692 4th Street NE**

City / County: **Washington, DC**  Zip: **20002**

Phone: **202.386.2173**

Email: **elissa@elissa2018.com**

Candidate for**:** **DC Council, At-Large**

Campaign Committee Name and Address: **Elissa 2018, P.O. Box 14585, Washington, DC 20044**

Campaign Committee Phone: **202.858.2178**

Email / Web: **elissa2018.com**

Campaign Manager: **Zach Weinstein**

Campaign Treasurer: **Robert Price**

Does your campaign accept PAC contributions? **No.**

Previously elected / appointed office**: Incumbent, D.C. Council At-Large**

Have you ever received labor’s endorsement? **Yes**

When? **General Election, 2014**

**PLEASE EXPLAIN WHY YOU SEEK LABOR’S ENDORSEMENT:**

**We need for the District of Columbia to be a city that is fair and just, a city in which working families can afford to live here. I am seeking labor’s endorsement because I am an ally of unions and the workers they represent. As chair of the Council’s Committee on Labor and Workforce Development, I want to expand opportunities for living wage careers for D.C. residents as well as make sure that our labor laws are enforced and workers are treated and paid fairly.**

SIGNATURE: **Elissa Silverman, electronic signature** DATE: **September, 8, 2018**

**Please return your signed questionnaire by Saturday, September 8, 2018 to the below address:**

 **Metropolitan Washington Council, AFL-CIO**

**Attn.: David Dzidzienyo**

**815 16th St NW, Washington, DC, 20006**

**Submissions can also be e-mail to** **ddzidzienyo@dclabor.org**

**2018 Candidate Questionnaire**

# 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 those same rights. Over the past decade, these rights have been given to many states, 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?

 **X Support  Oppose  Not sure**

What is your position on each of these fundamental rights?

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

 **X** **Support  Oppose  Not sure**

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

 **X Support  Oppose  Not sure**

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

 **X Support  Oppose  Not sure**

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

  **X Support  Oppose  Not sure**

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.

1. Would you support Right to Work in DC?

**Yes X No  Not sure**

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.

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

 ** Support X Oppose  Not sure**

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.

1. 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?

 **X Yes  No  not sure**

1. Please provide us with at least two examples of what you have done legislatively to support workers’ rights?

**As labor chair, I funded two attorney positions at the Office of the Attorney General so that Attorney General Racine and his team could pursue wage theft cases. That has born fruit, resulting in the expansive wage theft case against Power Design. It is a massive case, with hundreds of workers either misclassified, or not receiving overtime or paid sick leave.**

**I co-authored the District’s groundbreaking paid family leave law, which will give workers eight weeks of parental leave, six weeks of family leave, and two weeks of leave to take care of themselves. It is now law and being implemented.**

# B: Workforce Violence:

1. What is your position on work place violence in the Hospital and Health care facilities?

**We need to do everything we can to protect our healthcare workers. I have called attention to these issues in DC owned or operated facilities, including United Medical Center.**

1. How do you see yourself as an elected leader championing this issue for workers?

**First, I think we need to make sure workers are fully aware of their rights, and that they should not be subject to any kind of harassment or violence. We need to make sure they report any incidents either to the Office of Human Rights or if needed, to the Metropolitan Police Department. In District owned or operated facilities, we need to make sure that the proper security measures are in place to protect our workers.**

**C: Health Care:** (Please answer by checking the box)

1.      Nurses and other health care workers are often required to perform manual lifting of patients, without support offered by additional personnel, equipment, or training.  As a result, registered nurses experience high rates of musculoskeletal disorders and injuries from lifting patients.  Such injuries can have long-term detrimental effects on workers’ ability to perform daily tasks, leaving them with chronic debilitating pain and often forcing them to leave the workforce.  Indeed, about 12 percent of the nursing workforce leaves the bedside each year due to back injuries.

Do you support legislation that would require every healthcare employer to implement a

comprehensive, evidence-based safe patient handling program that includes the use of lift

teams, patient handling equipment, and proper training for healthcare workers?

YES.

1. Health disparities, including those resulting in deaths, in the District of Columbia between black and white residents and between those in different wards are severe.  Do you believe these disparities are a serious problem?

**X Yes  No  other (explain below)**

If so, what policies are you proposing to eliminate these disparities?

**We need to make health care accessible and available particularly east of the Anacostia River and in other lower-income areas of our city. I am very troubled by the closing of Providence Hospital as an in patient facility, and the limited care at UMC. The District has been a trailblazer in terms of health care coverage for residents, but coverage does not mean that residents will go to seek care. We also need to make sure that we close the food gaps in our city, so residents have access to good nutrition. And as I am labor chair, we need to make sure that residents have access to good jobs so they can have health care and be able to afford to take care of their families.**

Will you highlight these problems in your election campaign?

**X Yes  No  other (explain below)**

 3. Currently 28 million Americans, including at least 26,000 people in the District of Columbia, have no health insurance.  Although the District government moved to expand Medicaid to cover an additional 35,000 people and has created an insurance exchange pursuant to the federal Affordable Care Act, it is the case now and will continue to be true that many people with health insurance cannot afford to use it due to high premiums, high deductibles and high co-pays.  Nurses are concerned about the impact on access to health services resulting from limited networks of providers, and high out-of-pocket costs. Health insurance companies have reported record stock price increases, and hospitals anticipate increased revenues as well.

Furthermore, the subsidies promised under the Affordable Care Act may not be available because of federal budget constraints, and in any case will be insufficient for many Americans with low and moderate incomes.  And the DC government contracts with private insurance companies to administer the District’s Medicaid program, while some states administer their Medicaid insurance program in-house at approximately half the cost.

4. Will you support a “patient bill of rights” to ensure health care access and limit out-of-pocket costs for receiving care outside of insurance company-established networks?

**X Yes  No  Other (explain below)**

5. Do you support prohibiting “balance billing” of patients by healthcare providers who seek reimbursement beyond what insurers pay?

**X Yes  No  Other (explain below)**

1. Do you support “in-sourcing” DC’s Medicaid program so that private insurance corporations aren’t allowed to profit off this vital public program?

**X Yes  No  Other (explain below)**

1. Are you in favor of a publicly administered, state-based, single-payer universal

health care system and, if so, what steps are you prepared to take to make it a reality in the District of Columbia?

**X Yes  No  Other (explain below)**

**D: Education:**

1. What steps will you take to promote public unionism in DC if, as is expected, the Supreme Court will rule against unions in *Janus vs. AFSCME*?

**I believe unions create fair and just workplace environments. They create a balance of power between labor and management. I will work against any efforts that will weaken public unions in DC.**

1. Do you believe that the students of Washington, DC would be better served if the District ended Mayoral control of schools and educational policies were once again the purview of an elected School Board?

**Yes  No X other (explain below)**

**I do want the District to return to an elected school board. At this time, I don’t want to get into a debate about governance. I think we need to focus on the chancellor, closing the achievement gap, and putting resources into addressing the social emotional learning.**

1. Do you believe the Washington Teachers’ Union and DCPS should have the right to collectively bargain on teacher evaluation standards and procedures? If so, what steps will you take to achieve this goal?

**X Yes  No  other (explain below)**

**I will support any effort to unionize charters schools to create an apples to apples environment with DCPS. I also think we need to make every effort to strengthen our neighborhood schools.**

1. DCPS has one of the highest teacher turn-over rates in the nation. What would you do to address this problem?

**I think this is at least a two-pronged approach: We need to help our new teachers become stronger by pairing them with mentors and giving them the space to improve. We also need to support our veteran teachers, by giving them planning time and treating them like the professionals they are.**

1. How are you going to help guarantee transparency in the DCPS budgeting process to make sure that funds earmarked for Title I programs and at-risk programs are used as intended?

**This is non-negotiable! We need to understand from central office how our tax dollars are being spent. I think the education committee on the council needs to be much more aggressive in pursuing this information. I also support the legislation from Councilmember Cheh, which I am a co-introducer on, making an independent research consortium.**

1. The achievement gap in DC between low income students and their more affluent peers is 38 times the national average.
	* What do you believe are the causes of the achievement gap?

**I believe poverty and structural racism are causes of the achievement gap. We need to flood the zone in the early years of a child’s life to do what we can to close the word gap and address any and all social/emotional needs of the child to remove obstacles to learning.**

* What will you do to address this problem?

**First, we need a chancellor who knows how to close a gap and has a track record doing it. Then we need to put the proper resources in place to do it.**

1. The DCMR Title 5 states that principals and assistant principals serve one year without tenure in the position.  Retention and reappointment shall be at the discretion of the Chancellor.  Principals and Assistant Principals have no due process rights resulting in a high turnover of school administrators.  How would you propose building continuity of leadership in the face of this situation?

**We need to support principals and be realistic that change cannot happen in one year.**

**E: Accountability/Economic Development:** (Please answer by checking the box)

Short-term rental companies like, Airbnb, have grown exponentially in the last few years. In order to protect our neighborhoods and communities from commercial operators who convert valuable housing into de facto hotels, Councilmember Kenyan McDuffie introduced the *Short-term Rental Regulation and Affordable Housing Protection Act of 2017*. This bill will1) limit short-term rentals to primary residences, 2) remove the incentive to operate commercially by putting a cap on the amount of days a host can rent their home while not present, and 3) hold hosting platforms accountable.

1. Will you vote in support of this bill?

**X Yes                        ☐ No**

1. Late last year, a Council committee held a hearing on noise complaints.  It was evident from this hearing that the vast majority of the complaints should be addressed through better enforcement of the existing Noise Control Act.  Unfortunately, some have proposed solving their noise concerns with draconian legislation that would limit the exercise of free speech in the District.  Do you promise to defend the Noise Control Act, which provides critical protections for residents and visitors seeking to exercise their free speech rights in the District of Columbia?

**X Yes                        ☐ No**

1. Would you be willing to support DC legislation that would require any and all

presenters, promoters, vendors, “Events DC”, et al doing any form of for-profit theatrical presentation, show or concert on City property or on property controlled by the City to pay all of their employees an area-standard wage, provide health care coverage and access to job training in the Technical Entertainment Industry?

**X Yes                        ☐ No**

1. Congress extended the Abolishment Act (D.C. Code §§ 1-624.08 et seq.), effectively

allowing the DC government to define the procedures governing any RIF initiated by an agency head, by limiting the procedures to which an aggrieved employee is entitled, and rendering those procedures nonnegotiable. Although this was a misguided effort to help DC government reduce costs, agency heads exploited this Act, often using it as a means to rid their agencies of unpopular employees.

1. The use of such improperly targeted RIF’s is an abuse of authority and does not serve the interests of the District. DC workers covered by a collective bargaining agreement have been unfairly deprived of any meaningful opportunity to assert the rights that they were intended to have under the District of Columbia Comprehensive Merit Personnel Act.

Will you support legislation to repeal provisions of the Abolishment Act that override collective bargaining agreements?

**X Yes                        ☐ No**

1. Should DC government be able to override collective bargaining agreement provisions regarding RIFs?

**☐ Yes                        X  No**

The Comprehensive Merit Personnel Act of 1974 (CMPA) establishes the right or DC government employees to form unions if they so desire, and sets out how representation elections will be held, how collective bargaining will be conducted, and how disputes will be resolved.

1. Some ES employees (paraprofessionals) work only 10 months out of 12. Would you

support legislation to allow these workers to receive unemployment services during the summer months when they are deemed as officially being laid off employees?

**X Yes                        ☐ No**

1. Will you vote to uphold the provisions of the CMPA if they are challenged in any way which reduces workers’ rights?

**X Yes                        ☐ No**

Noncompliance with wage and worker protection laws persists at a high level around the country. A 2008 survey found that 68% of people working low-wage jobs in large cities experience wage theft every week, losing about 15% of their earnings.When our laws regarding the minimum wage, overtime, wage theft, and paid sick leave are violated, workers and their families face real and dire consequences. They suffer increased poverty rates and are more likely to rely on public assistance, straining safety net programs and hindering workers’ ability to improve their economic futures. But the harms of wage theft also extend beyond its immediate victims, reducing taxable income and exerting downward pressure on the wages of all workers in affected industries. Law-abiding business owners are also harmed as their competitors unlawfully trim labor costs\*.

1. What steps will you take toward eliminating all forms of wage theft and fostering an environment of worker protections throughout the District of Columbia?

**As labor chair, I support taking a strategic enforcement approach to wage theft. We need to focus on the industries in our city, such as construction and hospitality, where we know wage theft happens. We need to build relationships as a government with community groups who can help workers feel comfortable coming forward with complaints. And we need to make sure enforcement has teeth. That’s why I funded attorney positions at the Office of the Attorney General to bring forth wage theft cases.**

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.

1. Will you work with community groups, city administration and others to support proven programs that combat wage theft: Community engagement in language access programs; Public Education Partnerships; the Development of Community Allies to assist with third party enforcement?

 **X Yes                        ☐ No**

1. Will you increase funding in the departments and programs that have proven to ensure that workers are paid correctly and made aware of their rights under the law, such as: increased funding in DOES for investigators, funding for community members who are third party enforcers; increased penalties for employers who violate the laws and; funding for a robust Public Awareness and Accountability Program?

 **X Yes                        ☐ No**

12. Will you provide the funding to implement the Procurement Integrity, Transparency, and Accountability Amendment Act of 2016, which requires that city contracts above $75 million have a Project-Labor Agreement?

**X Yes  No  other (explain below)**

1. Income and racial inequality are growing in DC. What would you do to address that?

**We need to make this an urgent priority of our government and put resources in place to combat poverty. It means putting our resources strategically into education, affordable housing, and making sure that DC residents have access to living wage careers.**

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

1.                  Do you believe that any privatization of public transit is acceptable for the improvement of service at WMATA, DC Streetcar or DC Circulator? If so, please explain.

☐ Yes                        **X  No**  other (explain below)

2.          In the 2018 legislative session in Maryland, ATU Local 689 aggressively pursued legislation to see assaults on transit workers charged as an automatic felony. Will you work to make sure D.C. joins Maryland in raising the penalty of assaults on transit employees?

**X Yes**                        ☐ No

1. CLASS I / Freight & Passenger Railroad – Safety & Security

Union Station is the second busiest station in the national Amtrak network with five million annual passengers. MARC, and Virginia Railroad Express (VRE) transport daily 50,000 commuters and visitors to the District of Columbia. The combined ridership for Amtrak, MARC, and VRE is expected to increase from 14 million – 34 million by 2040.

Freight railroad traffic through the District of Columbia is projected to increase by 57% to 48 daily double-stacked freight trains from the Ports of Norfolk, Charleston, Jacksonville, and Miami.

Wards 4.5,6,7 host the railroad corridors with a combined population of 297,747 residents equaling forty-four (44%) percent of the total population. Our 700,000 population is projected to increase by 30% by 2040. Many of these new residents will live and work in the old and new communities adjacent to railroad corridors.

The past two years the District of Columbia has experienced major railroad incidents:

∙ May 2016 - 170 car CSX train freight train derailed in Ward 5 traveling through the District of Columbia on the CSX Capital Sub-Division from Cumberland, Maryland to Hamlet, North Carolina. Fourteen cars derailed with seven tanker cars containing sodium hydroxide, ethanol, and calcium chloride leaking its contents.

∙ June 2017 – Two CSX Transportation employees were struck and killed by a southbound Amtrak Train No. 175 north of Union Station in the Ivy City.

In 2017, the Council approved the Rail Safety and Security Amendment Act (D.C. Law 21-254) authorizing the creation of an Emergency Response and Rail Safety Division within the Department of Energy and the Environment (DOEE). It also would establish of a Railroad Advisory Board.

1. In FY 2018 budget, the Council did not appropriate any funding to establish the State

 Rail Safety Office. Would you support full funding to establish the Rail Safety Office

 in the FY 2019 budget?

**X Yes  No  other (explain below)**

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

**X Yes  No  other (explain below)**

# G. Utility Issues: (Please provide your response on a separate sheet)

I. DC Water – Clean River Impervious Area Charge (CRIAC) Fee

Over past 30 years, the Metropolitan Washington Council / AFL-CIO has opposed policies that denied reasonable, fair, and equitable utility rates to District of Columbia residents.

It is our view the (Clean Rivers Impervious Area Charge) CRIAC being imposed on ratepayers by DC Water is of these policies. The CRIAC is onerous and undermines public support for Clean River Projects to improve storm water management and the Anacostia River.

More importantly, the CRIAC fee disproportionately affects senior citizens, working families, and long-term homeowners. It is also contributing to accelerated gentrification and the de-stabilization of many legacy neighborhoods and communities.

The CRIAC fee is making the District of Columbia unaffordable for its many public servants and residents. DC Water must develop a plan​ ​to broaden its rate base, to include assessments on the District of Columbia and Federal Governments.

The Metropolitan Washington Council Labor Council is committed to reducing the financial burden of the CRIAC charges and a more equitable formula to fund restoration and preservation of the Anacostia River.

If elected to the Council of the District of Columbia, will you commit to:

1. Do you support efforts to reduce and expand the distribution of CRIAC charges across rate groups?

**X Yes  No  other (explain below)**

1. Do you support greater oversight of DC Water operations and ratemaking? Including

requiring Council approvals for all new fees, charges and rate hikes imposed on District of Columbia ratepayers.

**X Yes  No  other (explain below)**

**H. Retail/Service**

* 1. Do you support Fair Scheduling legislation to require employers to give retail and restaurant workers their weekly work schedules at least two weeks in advance, and requires employers to offer part-time workers more hours when a fellow employee leaves, rather than hiring additional employees?

**X Yes  No  other (explain below)**

* 1. What is your position on Initiative 77 and the efforts to repeal it?

**I am against repeal of Initiative 77. However, I believe without a compromise, it will be repealed. I am working with advocates, my staff, and the restaurant community to find a package that will protect workers from wage theft which is rampant in this industry and provide a higher wage to ensure it a career with a living wage.**

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# Candidate (Please Print Legibly): Elissa Silverman

# Signature: Elissa Silverman, electronic submission

# Date: September 8, 2018

# Thank you.