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“THE THEOLOGY OF WORK AND THE DIGNITY OF WORKERS” CONFERENCE KEYNOTE ADDRESS

RICHARD L. TRUMKA

INTRODUCED BY: DENIS M. HUGHES

EDITOR'S NOTE: President of the AFL-CIO Richard L. Trumka delivered the Keynote Address at “The Theology of Work and the Dignity of Workers” Conference. His address was preceded by brief comments by President of the NYS AFL-CIO Denis M. Hughes.

HUGHES: Thank you. My name is Denis Hughes. I am privileged to be president of the New York State AFL-CIO. My goal and purpose tonight is to introduce, in my opinion, one of the most influential labor leaders of my generation: Rich Trumka. But before I do that, I want to make a couple of comments, seeing that I have a microphone.

Let me start by saying that I just have to express my admiration for Professor David Gregory. You know, as Jack Ahern and others have made clear tonight, the idea of us having a smart, competent, responsive, and understanding legal bar is crucial when it comes to working men and women's welfare. And David, in my opinion, is the guy that does that for New York City, New York State, and maybe for the whole East Coast. So, I am really honored to be asked by David to come here and do this, and I am honored to be part of the community that he serves; because we know now the problems that the labor movement has, and we know the challenges that we must face—but we also know our history.

Our history is a very interesting one: We had a panel today with Jack Ahern and my friend over the years, former New York State Senator Serphin Maltese—who has always advocated for laborers—that exposed what it is to work in inhumane conditions and how such conditions result in tragedies like the Triangle Shirtwaist Factory fire.¹ We have seen that reality today; and we heard it in the song about Dorothy Day (1897–1980).²

Very quickly: I grew up on Staten Island, New York—well before the Verrazano Bridge was built or Dorothy Day made her footprint there. As most of you know, she lived at the Spanish Camp community in Annadale, which she also used as a sort of headquarters before starting the Catholic Worker movement. She likewise had an organic farm on the south shore of Staten Island—also part of the Catholic Worker movement—so she was many things to many people.³

She took religious and Catholic doctrine and she used it to the benefit of all working men and women; and she stood with those working men and women. That history is one that should never be lost on any of us, whether we are Catholics or non-

¹ Senator Serphin R. Maltese was first elected in 1988 and re-elected nine times to represent the 15th Senatorial District in Queens County in New York City, encompassing Southern and Central Queens. Senator Maltese lost his grandmother and two aunts in the Triangle Shirtwaist Factory fire of 1911. See Ruschell Boone, *Triangle Shirtwaist Fire: Queens Brothers Document Family's Ties to Tragedy*, NY1.COM (Feb. 23, 2011, 11:24 PM), http://www.ny1.com/content/special_reports/triangle_shirtwaist_fire_remembered/136126/triangle-shirtwaist-fire--queens-brothers-document-family-s-ties-to-tragedy (displaying article and video of Senator Maltese and his brother, Vincent, discussing their family members' deaths).

² See THE N.Y. PRESERV. ARCHIVE PROJ., *Spanish Camp*, NYPAP.ORG (2010), <http://www.nypap.org/content/spanish-camp>; PRESERV. LEAGUE OF STATEN ISLAND, *Dorothy Day Cottages Demolished*, <http://www.preserve.org/plsi/dday.htm> (last visited Dec. 16, 2011) (describing Dorothy Day's activities on Staten Island as part of the Catholic Worker Movement).

³ See David M. Halbfinger, *O'Connor Says He'll Work To Propose Sainthood for Dorothy Day, Servant of the Poor*, N.Y. TIMES, Nov. 10 1997, at B2 (outlining Day's activities on Staten Island).

Catholics. There is some degree of real dignity in working, and there is more dignity and more righteousness in standing up for those who work and making sure that they have their dignity. That is what Professor Gregory does: He trains people to fight for that dignity. And for that, David, I want to say, thank you.

Now, all of us know—and I think the discussion at this seminar has been about this issue—the jam that the labor movement is in today, a jam that we are in through no fault of our own. Maybe we can do things better, maybe we can be more competent, maybe we could be more ethical, maybe we can do all those things. Yet the contemporary pressure on the middle class in this country and on those who advocate for the people—work at great sacrifice for little reward—is unprecedented in the last 100 years.

We have not seen this type of assault in quite a long time. I have had the pleasure to meet and, in some cases, work with the four presidents of the AFL-CIO, from George Meany through the present—five if you count Tom Donahue—and I still cannot think of a man that could be more equipped to be the leader, now, than Rich Trumka. Rich Trumka started as a mine worker, a miner. He understands what it is to work in dangerous conditions, to be disrespected by your employer, and how important the union was to him and his family. He also understands that there is a lot more to our struggle than mere action: One has to be smart about it, to be educated about it, to understand the broader concept.

We see here the importance of legal education—because Richard is, in fact, a lawyer, has a law degree. He fought for the mine workers when they dealt with some of the worst corruption and unthinkable violence. He was there, and he stood

up for those union members and for the labor movement at that time—an achievement that is singular and, in fact, historic.

And today, Richard understands this struggle better than anyone. He is able to bring together the forces of this movement better than anyone I know. He is an example and mentor to all of us that do this work. And tonight he has chosen to be here because he understands the importance of schools like St. John's Law and how if, in fact, we are going to establish ourselves as leaders of this movement, as advocates for what is important, what is right—if we're going to restore dignity—then we all have to work together, whether we are part of the legal community, the business community, the labor community, or, yes, the religious community.

So, with that, it is my great and singular pleasure to introduce you to my friend, the President of the AFL-CIO, Richard Trumka.

TRUMKA: Denis, I want to thank you for that kind and overly generous introduction and say I am truly honored to speak with you here at St. John's University School of Law.

I also want to thank you, Professor Gregory, not only for inviting me here to speak tonight, but for what you do every day to make our country a better place—a more hospitable place—for workers. I want to thank the University for organizing this Conference, and I want to give you, Mr. Blumenfeld, another round of applause: You were absolutely terrific.⁴

⁴ Hugh Blumenfeld, Ph.D, M.D., is a singer-songwriter who came out of the Greenwich Village folk scene in the 1980s. Through the 1990s, Dr. Blumenfeld released four critically acclaimed albums on Prime CD, an independent New York label. His most recent album, *Dad*, was released on the Waterbug label in 2011. Mr.

I have to say, I am glad to be speaking with you today, when the breathtaking attacks on working people are matched only by working people's incredible and historic courage and activism.

Who would have predicted six weeks ago that any time you turned on your computer or radio or television, or picked up a newspaper—for weeks on end now—the news would be focused on a term that defies the brevity of a sound bite: collective bargaining? See, the actions of CEO-backed, Republican governors and legislatures in Wisconsin, Ohio, Indiana, New Jersey, Florida, and so many other places have thrust this obscure subject into the spotlight. We have wanted this debate for years. Now, it is here, and guess what: The American people are saying “yes” to collective bargaining—in ever-growing numbers. And to us, that is a wonderful thing.

By its name alone, the definition of collective bargaining seems apparent enough; but lately, the term is gaining meaning from its context, its enemies, and its champions. Just why are the politicians whose campaigns were funded by corporations and CEOs fighting so very hard to take away collective bargaining rights? They claim it is necessary to close budget holes, yet they make this claim after giving huge tax breaks to corporations and the wealthy.

Blumenfeld performed at the Annual Conference of the NY Labor/Religion Coalition in 1997 and St. John's University School of Law Labor Law Conferences in 1997 and 1998. In October 2003, he spoke and sang on a panel with Hugh Masekela at the 4th annual UNESCO Conference on Human Rights. Dr. Blumenfeld has opened for Arlo Guthrie and Richie Havens and performed with Ani DiFranco and poet, Martín Espada. While researching the effects of singing to premature babies at the Connecticut Children's Medical Center and during a stint with Hartford Hospital's Integrative Medicine Department he decided to become a doctor, becoming a board certified Family doctor in 2010. He currently practices in Hartford, Connecticut and is an advocate for patient education and increased access to healthcare in what is the nation's second poorest city. Immediately preceding President Trumka's address, Dr. Blumenfeld performed in a labor song medley and singalong.

Just why are firefighters and nurses and teachers and police officers and construction workers and other regular folks willing to march and to rally for it, to pack capitol buildings day and night, for weeks and weeks on end? It is because of the two things that you gathered here to discuss: the basic legal rights of working people and the fundamental dignity of work.

At the core of the world's great faiths and traditions is the moral imperative to treat workers fairly, to extend justice into the employment relationship.⁵ And that tenet is echoed in U.S. law, particularly in the National Labor Relations Act of 1935, which unequivocally states, and I quote, "It is hereby declared to be the policy of the United States to . . . encourag[e] the practice and procedure of collective bargaining . . ."⁶ The words are not "tolerate," or "allow." The words say, "[We will] encourag[e] the practice and procedure of collective bargaining . . ."⁷

Now, those aspirational lines have been celebrated for generations as an affirmation of the basic rights and freedoms of working people: fundamental human rights necessary to a middle-class economy of shared prosperity.

If the stunning energy and solidarity displayed in cities like Madison, Cleveland, and Indianapolis, have a historic parallel, it would be the surge of

⁵ See, e.g., *Matthew* 20:1–16 (New Revised Standard) (relating the parable of the day laborers and the vineyard owner, in which the vineyard owner pays all of his day laborers "the usual daily wage . . . whatever is right," regardless of how many hours they worked on the particular day).

⁶ 29 U.S.C. § 151 (2006).

⁷ *Id.* The text further asserts that it is the policy of the United States to "protect[] the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment . . ." *Id.*

organizing, strikes, and legislative and political action across America in the years before the passage of the National Labor Relations Act.

But the energy and solidarity and commitment to improve the lives of working people did not fade away after that 1935 victory⁸: They powered more gains. They powered our successful struggles to win civil rights legislation, to create Social Security, and to protect workers' safety and health on the job. The United States went on to create agencies like the Mine Safety and Health Administration⁹ because the dignity of work means that no one should be forced to risk limb or life for the privilege of having a job.

Now, my father and my grandfathers were coal miners and, as David said, I followed them into the mines near my hometown of Nemacolin, Pennsylvania, and I am speaking as someone who has been trapped on the wrong side of a roof fall. Even while you are worried about your life, your thoughts are filled with practical concerns. See, there is nothing theoretical about it: A mine shaft has finite supports. If those supports fail, the roof will fall, and the air trapped behind that fall contains only so much oxygen.

In my case, the roof fall was not deadly, and we escaped. We had generations of miners to thank for that: those who had organized, mobilized, and won federal laws designed to allow us to come out with our bodies—and with our lives—intact.

⁸ Congress enacted the National Labor Relations Act on July 5, 1935. *Id.*

⁹ The Mine Safety and Health Administration ("MSHA") was created in 1978 after Congress enacted the Federal Mine Safety and Health Act of 1977. See U.S. DEPT OF LABOR, MINE SAFETY AND HEALTH ADMIN., *History of Mine Safety and Health Legislation*, <http://www.msha.gov/MSHAINFO/MSHAINFO2.HTM> (last visited Dec. 16, 2011) (detailing the history of federal mining legislation and regulation, from the 1910 establishment of the Bureau of Mines, the first authorization of mine regulations by Congress in 1947, and eventually the creation of the MSHA).

You see, the rallies and protests we are seeing today—from Trenton to Miami and from Sacramento and all across the Midwest—are the groundwork for a new surge of justice for workers and a new period of American prosperity. Once again, the operative tool would be the workers' ability to bargain collectively for a voice and a better life, because working people who cannot bargain must beg; and that is a role they cannot accept.

It is easy to treat each of these political battles separately: "it's a win," or "it's a loss." But future generations will recognize the incredible grassroots uprising of this moment as an inflection point—a moment when the arc of history bent towards strengthening the freedoms of working people and ensuring the dignity of work.

Now, do not misunderstand me—we have a long way to go. Americans desperately need good jobs and economic security, but too many politicians—in Washington and the states—are hiding right now behind deficit hysteria. The farce is easy to maintain because too often journalists are not differentiating between political spin and fact. Nobody is pulling back the curtain to see who the Wizard of Oz really is.

Look at what happened this past December: As reenergized House Republicans waited to take power, Congress passed the extension of unemployment insurance, but only after tying it to a broad slate of tax cuts for the super-rich. Now, journalists and pundits invariably described the deal as a simple compromise, a package of pork for "interest groups." Quite frankly, I can see why it is tempting—in some vain effort to appear impartial—to describe it that way; but the package was not even-handed in any sense of the word. The unemployment insurance extension was fair

and absolutely needed. But the tax cuts for the wealthiest are a danger to our future prosperity and an ugly violation of the American dream, made all the more apparent by the budget holes that federal, state, and local politicians are now using as a pretext to attack workers.

But anyone who pays a lick of attention can see that if balancing budgets were an actual priority we would not act this way: We would not be using budgets to tear down middle-class families, steal workers' rights, undermine job growth, and weaken and destroy unions.

Have you taken a look at the budget plan proposed by the Republican House in Washington? It would take an axe to services that working people rely on every day—from early-childhood education and college aid to food safety, job safety, job training, child nutrition, transportation, infrastructure, and more. On its heels they now desire to whittle away any security we might have in retirement by cutting Social Security and Medicare. If anybody has any doubts, let me assure you that the AFL-CIO will oppose any and all cuts to Social Security and Medicare—no matter who proposes them—because destroying the economic security of our seniors is bad policy and, in our opinion, just plain wrong.

Future generations are likely to shake their heads and wonder why it took so long for Washington to act on the priority concerns of working people across the United States. Thirty percent of the voters in November had a family member out of work last year. The last three elections—2006, 2008, and 2010—have all been about jobs. For years now, nearly fifteen million Americans have been searching fruitlessly for jobs. There are five applicants for every job opening out there, and more than twenty-five million more are

underemployed—working part-time when they want to work full-time, accountants working as telemarketers, IT professionals taking jobs as hotel porters. Yet still, politicians who are elected—thanks to CEOs—see the budget crisis everywhere they look, not a jobs crisis. And if their budget cuts cost even more jobs, well, “So be it,” said House Speaker John Boehner—“So be it,” he said.¹⁰

Now, until we stop catering to America’s corporate CEOs, until we stop trying to drive down working people, and until we stop our race to the bottom, then energized, mobilized, united working people will demand that we, as a nation, affirm the value of work and the basic premise of American life. And what is that basic premise? It is that all of us—or, *each of us*—if we work hard and do our part, can earn for ourselves a measure of economic security, an education for our children, and some dignity in our old age.

Several months ago, an opinion column in the *New York Times* carried the headline, *Who Will Stand up to the Superrich?*¹¹ Now, I don’t mind rich people being rich. I don’t advocate a class war. But America needs to regain a fundamental balance. We cannot have so much at the top that less and less is available for everyone else. You see, over the last twenty years, fifty-six cents out of every dollar earned in the United States went to the wealthiest one percent of America’s population. Thirty percent of every dollar gained went to the top one-tenth of one percent, meaning one person in a thousand takes home thirty percent of Americans’ income gain.

¹⁰ See Carl Hulse, *House G.O.P. Pushes \$61 Billion in Cutbacks*, N.Y. TIMES, Feb. 16, 2011, at A16.

¹¹ See Frank Rich, Editorial, *Who Will Stand up to the Superrich?*, N.Y. TIMES, Nov. 14, 2010, at WK8.

We are all in this together. It is wrong to believe that we can continue to have such huge income disparities without paying a price in terms of our democracy's health.

The Obama administration has been trying to restore balance in our economy and the rights of workers to organize and bargain for a better life. Its appointments to the National Labor Relations Board are the best examples of this effort. I would like to take a moment to recognize the leadership of Wilma Liebman, who chairs the Board.¹² She has been a Godsend to working people. Thank God we now actually have an NLRB that believes in balance and rights.

My friends, American workers are standing up and we are standing together. And tonight, I am asking you to stand up with us, because it is up to us—all of us. If we want to change the climate, change the economy so that it really does work for everybody, all of us who care about our country being its best moral self, all of us who believe in the best America has to offer, must engage with one another and business owners, public leaders, faith leaders, and community activists to create strong communities to fight for good jobs and to fight for justice.

If we need a measuring stick to assess our ideas and our actions, it should be this: Does it increase or decrease economic inequality? Does it widen or does it narrow the gap between rich and poor?

We have to fight, not only for the principles, but for practical measures to help working people in our day-to-day lives. That includes the freedom to bargain collectively, because with it we do much

¹² See Wilma Liebman, Chairman of the National Labor Relations Board, Moderating Remarks (Mar. 19, 2011), in Jack Ahern et al., *The Future of Labor Plenary Panel Discussion*, 50 J. CATH. LEGAL STUD. 147, 149–52 (2011).

more than raise wages and improve benefits; you see, with it, we support families, improve workplaces, strengthen communities, and professionalize jobs through training and standards. Thus, teachers bargain to lower class size. Nurses advocate for better patient care.

In this way—working together—we raise standards for all working families out there, not just our members'. It is up to us to bridge the disconnect between political leaders and the needs and priorities of working families. We must seize on the momentum from Madison and transform this moment into a movement.

In Madison, I saw students and steelworkers who had been sleeping in the capitol building for what must have felt like forever. I saw teachers and snowplow drivers with their families. I saw people from all walks of life—people who had no direct stake in the Wisconsin fight for public employees' right to organize. And the crowd swelled that first weekend by the tens of thousands; and then we topped 100,000 and the rallies spread to Ohio and Indiana and every single state in the nation.

You have to remember that this was not one union calling on members to turn out, and it was not the AFL-CIO making the call, or the Democratic party, or the Obama organization. This was a bottom-up, grassroots movement—a true, spontaneous outcry against our disastrous, winner-take-all political culture.

One legislative setback only galvanizes our will. See, the Madison protests have not stopped. A victory can never be more than a starting point for more organizing and more activists. You see, all across our country, the labor movement and hundreds of our allies and hundreds of thousands

of workers spontaneously all across the country—in numbers not seen in ages—are turning their energy and their anger into real action.

In dozens of states, they are pushing for legislation to solidify our rights and to save our communities. In Wisconsin, they are collecting recall petitions to oust CEO-funded politicians, and in the very first weekend that those recall petitions were out, while woefully understaffed in the recall-petition fight, they gathered twenty-six percent of the votes necessary to recall three of the senior people who had lied about why they were trying to take rights away from working Americans. After Governor Scott Walker zeroed in on workers' collective bargaining rights, more than twenty thousand Wisconsinites joined Working America—that is the AFL-CIO affiliate for people without a union. Faculty members at two University of Wisconsin campuses just voted to join AFT-Wisconsin.¹³ More than forty thousand officers of the Transportation Security Administration are voting right now on whether to join AFGE,¹⁴ the nation's largest union of government employees.

These are just a couple of examples of what the national interest in collective bargaining has sparked. Nationwide, working people will mobilize on the days surrounding April 4th to continue to build this powerful movement for the future that we must have.

Join with us. Be a part of April 4th. On campuses, students and professors are holding teach-ins. At work sites, in diners and coffee shops, in homes and congregations, working people will gather to

¹³ That is, the American Federation of Teachers, also an affiliate of the AFL-CIO.

¹⁴ The American Federation of Government Employees is also an affiliate of the AFL-CIO.

talk about the attacks on workers, our right to bargain, and what we can do together to prevail. Together.

Now, why are these events being scheduled around April 4th? Because on April 4, 1968 Dr. Martin Luther King, Jr. was assassinated. He gave his life helping Memphis sanitation workers—public employees—win the basic right to have a union and to bargain collectively for a voice on their job and in the economy. You see, that was their cause. That was what those powerful “I AM a man” signs that they carried were all about. It was about dignity. It was about respect. It was about a voice.¹⁵

We remember that day. We remember that day because it is burned into our memories.

My friends, if we do what we must, the future will remember our actions and our movement in just the same way.

Thank you for listening.

¹⁵ See, e.g., Rev. Dr. Martin Luther King, Jr., I've been to the Mountaintop, Speech Delivered in Support of the Striking Sanitation Workers at the Mason Temple in Memphis, Tennessee, (Apr. 3, 1968), available at <http://www.afscme.org/union/history/mlk/ive-been-to-the-mountaintop-by-dr-martin-luther-king-jr> (“[W]e are determined to be men. We are determined to be people. We are saying that we are God’s children. And that we don’t have to live like we are forced to live.”).