

Legislative Report: 2019 Session



2019-2020 Legislative Session

The 2019 Long Session of the General Assembly's 2019-2020 Session was indeed a very long one, beginning in January and adjourning in mid-November. For the first time in memory the session extended beyond our Annual Convention in September. We presented a "Session-to-Date" report at that convention and offer this slightly modified report now that the long session has ended. Over 1700 bills were introduced and we kept an eye on more than 150 bills that related to work or election law in some way.

Because the leadership in each chamber is controlled by an anti-worker majority, many bills that we supported did not even receive discussion in committee; indeed, most legislation introduced by Democrats did not. These included bills to raise the minimum wage and to repeal the ban on public sector collective bargaining, both the subject of well-attended and well-publicized press conferences.

Some examples of other legislation we hoped to see advance included bills to reinstate the Earned Income Tax Credit; to restore Unemployment Insurance benefits that were so drastically cut a few sessions ago; to further address the problem of wage theft; to fully repeal HB2; to establish a retail workers' bill of rights; to protect the employees of contractors; to provide more safety for railroad employees; to prohibit the outsourcing of call centers; to reenact film credits; to provide for paid sick leave; to protect day laborers; and to increase the minimum wage for noncertified school employees. Bills intended to create a nonpartisan redistricting process also did not advance. And although the budget did contain support for film credits to support the industry in North Carolina, the amount was disappointing.

No state budget was passed. Governor Cooper vetoed the budget in late June because it did not expand Medicaid to thousands of low-income working adults, it included corporate tax breaks, and it did not include the raises that school employees deserve. Because the Republican-controlled legislature no longer has a veto-proof majority in either chamber, legislative leaders, rather than negotiate with the Governor, continued to convene skeletal sessions—at the cost of \$42,000 per day—in the hope they would have

enough votes present to override the veto. Unable to get enough votes, they finally adjourned at the end of October.

Two of our priority issues warrant detail in this brief report: 1). the need for a law establishing work breaks for employees and 2). workers' health and safety and the protection of workers compensation.

PAID WORK REST BREAKS

Our state law, unlike that of many other states, does not require work breaks for most employees. While many employers do allow breaks, others do not. We began a discussion about this issue at our legislative conference and local legislative meetings around the state. Several legislators stepped up to introduce modest legislation that we helped draft that provided for a 20-minute paid break for every six hours of work.

As noted above, many such bills went nowhere in the current political climate. But in this case the proposed legislation was turned into a bill for a study commission to assess the merits of the proposed law, consider many of the issues surrounding the proposed law, and report back research findings to the 2020 session upon its convening.

The study bill passed the House by a vote of 90-25, with all Democrats and many Republicans voting for the study. Thanks go to Reps. Dahle, Hawkins, and others for their support and also to Reps. Torbett and Szoka, who engaged with us about the issue at our legislative meetings and without whose assistance the study commission bill would not have been possible.

Unfortunately, the Senate leadership has not allowed the paid leave study bill to be heard in the Senate.

WORKERS' COMPENSATION, HEALTH, & SAFETY

An area of concern every session is workers' health and safety, including workers' compensation. First, the N.C. Department of Labor (NCDOL) drafted and introduced a bill this session intended to protect employers by severely limiting the ability of injured workers to have access to information obtained in NCDOL investigations. We jumped in, as did several other organizations, and with the help of several legislators, the bill was amended in a satisfactory manner.

Second, as in the past few sessions, a workers' compensation bill was introduced that would be unfair to truck drivers and employers of Teamster-represented drivers. Although the bill had powerful supporters, we along with the Teamsters and workers' compensation attorneys were able to generate enough opposition to defeat the bill in committee.

Also, a provision in the budget that could leave workers who come into our state to help in emergencies without workers' compensation was removed. In addition, at the beginning of this session, we declined to sign an agreement with the plaintiff workers' compensation lawyers and the employer community about limits on new legislation because the employer group refused to allow a carve-out for a disease presumption bill that the firefighters had long sought. That presumption bill passed the House as did one that created a study commission for a special separation allowance for firefighters.

With over 1700 bills introduced this session, this brief report is not intended to be comprehensive. If you have any questions about the bills discussed here or about any legislation, do not hesitate to call us.

We want to thank the many legislators who stood with us throughout the session. We want to thank our allies who worked on bills of concern to us. We want to thank the locals that sent people to lobby on their issues or on our general issues.

Most of all we want to thank our members who attended our legislative meetings or conference, who participated in our political work, or who contributed in so many other ways. Whatever success we have enjoyed in protecting workers and their families is the result of those efforts.

There is much, much more to do in the future. Indeed, the legislature will start meeting again this month. We look forward to and count on your continued involvement.

Contacting the NC State AFL-CIO

By Phone: 919-833-6678 (Office)
919-523-2835 (President MaryBe McMillan)

By Fax: 919-828-2102

By Email: info@aflicionc.org

On the Web: aflicionc.org

Facebook: [facebook.com/ncstateaflicio](https://www.facebook.com/ncstateaflicio)

Twitter: [@ncstateaflicio](https://twitter.com/ncstateaflicio)

By Mail: P.O. Box 10805
Raleigh, NC 27605

In Person: 1408 Hillsborough St
Raleigh, NC 27605