

**Michael Gaffney, retail worker and worker organizer, 3/2/2023**

Let me begin with some background. I'm Michael Gaffney, State Coordinator of the American Solidarity Party, in which role I advocate for the preferential option for the poor—the principle that equity demands the needs of the oppressed be prioritized—and saliently, I am also a retail worker and worker organizer. My focus will be on good-cause termination and the proposed prohibition of captive audience meetings, though I'll touch on all four main provisions of the VT PRO Act. I'll speak to issues encountered at my workplace, though these same situations are present throughout businesses in Vermont. After years of fighting with the vital assistance of Teamsters Local 597 and the UFCW, we finally won a wage increase that put us above minimum wage at our store, and I wish the same for every worker in our state.

After extensive ground-level calculation we surmised that for every hour that I work at a vigorous pace, around \$400 is produced for the company. What's done with the surplus over my \$14 wage and the approximately \$50 in other expenses per worker? It's spent on "union training consultants" and captive audience meetings that God knows nobody has a desire to attend. Meanwhile, a multi-million dollar spending priority was installing and producing content for telescreens above our workstations to play propaganda on repeat. Whereas in the interim between the installation of the screens and the delivery of the content for them, we would enjoy listening to music videos in the background and thereby work harder, management now plays 5-minute videos reiterating how to do the work that we already know how to do since, you know, we're the ones doing the job,

and reminding us through interviews with upper management why our concerns are incorrect in their opinion. For example, whereas we have observed first-hand the destruction of countless electronic devices that could be life-changing to us, and been motivated to bring change, we are now reminded that these devices are recycled as part of a "great partnership," which has made us feel invalidated to put it mildly. These screens were one of the highest priorities of the boardroom, as opposed to the priorities of literally every worker surveyed, when presented with a choice between a \$1/hour raise or telescreens. Why? Because union workers are paid more and have better working conditions, which they think reduces the profit they can extract from our labor. As we've seen with the frenzy of unjustifiable inflation, they're just trying to protect their margins, not operating at a loss, let alone trying to personally survive, since the accounting of any competent business owner includes an ample salary for themselves and reserves or the like, while we're just trying to be able to afford food to make it through our shifts, and a means of getting to and from our jobs. When we try to bring change our jobs are at risk, yet we can be forced to listen to misleading platitudes all shift and dragged into meetings to tell us we're treated very well, all paid for from our potential wages. While of course management and ownership have a right to express their opinions, we certainly cannot call them into a break room and make them listen to our opinions under fear for their livelihoods, or mass mail them letters reminding them that their concerns are wrong, as they do to us. It's vital that both ends of the corporate hierarchy enjoy true freedom of speech, so that progress can be made. At a minimum, this entails providing workers with the liberty to both be free from intimidating and forced

meetings, while also providing us with the power to speak without fear of retaliation, as this act aims to do.

The moment I return to work, a target will be on my back from engaging in my protected free speech rights in defense of my fellow workers and our community, at our state's highest legislative body, though I'm explicitly protected by Article 14 of our Constitution. But that's nothing new. The more I began advocating to improve our conditions, the more obscure policies were suddenly enforced, while available hours and the ten-minute tardiness buffer "coincidentally" went away despite increasing understaffing. Given that almost all hourly workers are living paycheck to paycheck, the fear of termination is justified and palpable. I've only remained so long by noting that there's always an appeal, be that to a higher manager, the courts, or community support. Even attending the hospital bedside and funeral of the grandmother with whom I lived and tried my best to care for, and who practically raised me, was used as an opportunity to remind me that I could be terminated for any reason, apparently including responding to the medical emergency of a dependent loved one. The needs of the business reign supreme. But what about the needs of human beings? Requiring a valid reason to terminate workers' livelihoods is at least a start.

Besides the constant threat of unjust termination, an issue we frequently ran into while organizing was the complexity of the process. It's ten times easier to explain "once over half of us sign these, we have a union" instead of "once half of us sign these, we can have our union representative file for an election with the National Labor Relations

Board, and then we'll all have to trek on foot or bus or what have you instead of going to our second jobs, and then if we get half the votes, we'll MAYBE have a union and see some return on our efforts." The worker must be protected instead of befuddled with processes that would confound the average lawyer. This new method will only apply to the public sector, so undoubtedly, even after passing this act, there will be lots of work to do in the fight for economic justice, but a start is a start.

The final major area of the act extends protections to those who lack recourse under federal law, i.e., domestic workers and farmworkers, whose perseverance is truly inspiring. Besides the inherent vulnerability of these workers due to their ordinary reliance on housing directly from their employer, there is a clear issue of racial justice, considering these workers are more often than not immigrants who might be also working to understand the language and culture while working for far less than their reasonable expenses and intrinsic value. On that note, when my girlfriend Melany was diligently doing domestic work in Caracas to pay for nursing school and suffered an accident, I discovered that despite the many criticisms that have been raised here of the situation there, domestic workers are at least provided with equal legal status and protections through the Organic Law on Workers, and it will boggle the mind if Vermont can't accomplish the same.

More fundamentally, why do any workers need the right to bargain collectively? Won't the free market just work it out? There is clearly a huge power differential between massive multi-million or billion-dollar corporations and workers struggling to pay rent for

a, likely shared, room. Nearly every firm prioritizes their bottom line over the empowerment of their employees, particularly those firms fiducially bound to maximize the lucre returned to their owners through squeezing out every last penny from the souls of those laboring for them. Unity is the worker's hope, as are you. Granting the right to collectively bargain to all workers is the reification of that hope, and, as a Chittenden County Republican, something I must note will truly be in the legacy of Abraham Lincoln.

In closing, I quote the fifth chapter of the book of Saint James: "Come now, you rich, weep and wail over your impending miseries...your gold and silver have corroded, and that corrosion will be a testimony against you; it will devour your flesh like a fire...You have stored up treasure for the last days. Behold, the wages you withheld from the workers who harvested your fields are crying aloud, and the cries of the harvesters have reached the ears of the Lord of hosts."

As those that the Providence of the Lord Almighty has ordained with political authority over this great State, I ask you to hear the cries of Vermont's laborers, serve as a model for our Nation, and pass the Vermont PRO Act. To do otherwise would be to spurn Justice.