



## Behind his daily spectacle, Trump is pounding workers and their rights

August 2020

Donald Trump ought to be required to wear a mask for all of his public outings. Not the COVID-19 safety gear that we're donning to help slow the spread of the virus, but one of those over-the-head, full-face ski masks that bank robbers favor. Trump's mask could even have "MAGA" knitted across the forehead, for rather than hiding his identity, this covering would be meant to expose him to all as the thief he is.



For nearly four years, Trump and his henchmen have been moving constantly behind the scenes, furtively using our government to take wealth and power from the many to further enrich the few.

His daily torrent of tweets and tantrums diverts the media, political opponents, and the public from focusing on the grand larceny taking place right in front of us.



He has even exploited this tragic, raging pandemic as a screen, flamboyantly spewing a whirlwind of statements and stunts – promoting medical quackery, belittling scientists, hurling xenophobic slurs at the Chinese, blaming testing, rushing to reopen meat plants, restarting his demagogic rallies, pushing children back into classrooms, et cetera, ad nauseum – that provide cover while he monkeywrenches labor laws, dynamites environmental regs, raids the tax code, jackhammers basic civil and human rights, and burglarizes our People's commitment to justice and opportunity for all.

Corporate theft didn't start with Trump. For the last 40 years, every president has actively abetted or at least condoned it. But never has the stealing been orchestrated on such

Cartoon by Brian Duffy

a sweeping scale, driven by such naked greed, or pulled off with such little public awareness as now. It's a plutocratic plunderfest!

Mind you, it's not simply a matter of the more blatant power grabs that have occasionally popped into public view (the gross giveaway of small business relief funds to multibillion-dollar giants, for example, or permitting Big Oil to drill in the Artic Wildlife Refuge). Rather it's the daily slicing and dicing of regulations and rights by Trump functionaries ensconced in countless government offices that is steadily corporatizing our country. Using soft words like "relaxing," "modernizing," and "streamlining," these corporate crafters are, piece by piece, advancing the privatization of education, increasing infant brain damage through more mercury poisoning, okaying racial discrimination by lenders, usurping community rights, aggressively suppressing voting rights, sanctioning further corruption of politicians by dark-money donors, politicizing the Census Bureau, strengthening corporate control of the legal system ... and so awful much more. So much more that this issue of The Lowdown will focus on just one area of that thievery: Labor.

## **Pounding workers**

In building glittery enclaves like Trump Towers, luxury resorts, and casinos, our shady dealmaker of a president has routinely used lies, bankruptcies, union busting, and plain-old wage theft to stiff the working people who built and staffed them. So it's no surprise that, while bombastically asserting at rallies that he's the workers' champion, he's been waging a savage war behind the administrative curtain to make employees wholly subservient to the profiteering whims of CEOs and rich investors. How savage? Consider just a few of Trump's non-stop assaults on workplace safety – direct life-and-death threats to millions of people in America's workplaces. Trump and his appointees have:

- **Eliminated** the Fair Pay and Safe Workplace rule requiring federal contractors to follow safety and labor laws
- **Repealed** requirements that corporations maintain accurate injury records
- **Commanded** by executive order that agencies repeal two worker protections for every new one they adopt
- **Directed** all agencies to identify existing worker safeguards that can be labeled "burdensome" to industry and therefore are subject to repeal
- **Withdrew** more than a dozen rules protecting mineworkers from major hazards such as explosive coal dust and mining chemicals
- **Halted** implementation of an Obama-era rule requiring hospitals and nursing homes to adopt plans, provide staff training, and stockpile equipment (respirators, masks, etc.) to protect health workers and patients from future outbreaks of airborne infectious diseases – yes, specifically like COVID-19

- **Abandoned** an Obama initiative meant to protect workers from deadly lung disease caused by silica dust (created when “engineered stone” is fabricated and cut to make imitation marble and granite)
- **Scorned** the importance of workplace safety by pointedly failing throughout his tenure to put anyone in charge of the Occupational Safety and Health Administration
- **Gutted** OSHA’s enforcement ability by reducing its number of safety and health inspectors to the lowest level in its 50-year history. (There are so few inspectors now that it would take the agency 165 years to visit every US workplace just once.) Meanwhile, every year, 14 workers are killed on the job and up to 5 million are injured.

## **The anti-Labor Department**

This abominable governmental performance comes, of course, at the behest of our gilded president’s corporate peers – the CEOs and lobbyists who keep demanding that the financial “burden” of worker safety be removed from their multibillion-dollar balance sheets. To gauge Trump’s deep empathy for protecting profits over lives, just look at the three men he’s chosen to preside over the Labor Department, the one agency specifically intended to stand up for working stiffs.

### **Choice #1 Andrew Puzder**

As CEO of the Hardee’s and Carl’s Jr. chains, Puzder was notorious for exploiting low-wage fast-food workers. He has a rap sheet of employee abuses so ugly that even the GOP-controlled Senate gagged, refusing to confirm him.

### **Choice #2 Alex Acosta**

A long-time Republican partisan and legal activist for corporate interests, Acosta lasted barely two years in the Trump maelstrom. He was nominally forced to resign over the disclosure that, as a Florida prosecutor, he had cut a sweetheart deal for infamous pedophile sex trafficker Jeffery Epstein. Insiders say, however, that Acosta’s real sin in Trump’s eyes was not moving fast enough to kill worker protections enacted by Obama.

### **Choice #3 Eugene Scalia**

Finally, a year ago, Trump got the kind of deregulatory wrecking ball he wanted as labor chief. Son of Antonin – the late, ultra-rightist Supreme Court justice – Eugene is a virulent anti-worker lawyer who had become Corporate America’s go-to attack dog in legal fights. From Boeing to Walmart, he defended blue-chip giants in cases of sexual harassment, union busting, stealing tips, killing workers, and a litany of other abuses. (He even argued that UPS workers – not the corporation – should pay for essential workplace safety equipment.)

AFL-CIO president, Rich Trumka called Scalia’s appointment “insulting” and “dangerous.” Sure enough, this “labor” secretary has served as a tool for corporate interests to pry loose labor protections. Most recently, he’s been a pompom-waving cheerleader for cutting off working people’s

unemployment benefits in order to force them back into COVID-infested jobs. “We want workers to work, not become dependent on the unemployment system,” he babbled in April, apparently considering collecting jobless benefits worse than death. What about his statutory duty to protect worker interests? His aides pointed to a poster Scalia’s agency had released suggesting steps corporations can take to help employees avoid infection—“can take,” not must take. Seriously, a poster!

## **DO SOMETHING!**

**I**t’s hard to keep up, so... both the non-partisan Brookings Institution and Harvard Law School maintain “deregulation trackers” that monitor the Trump administration’s assault on policies that protect consumers, workers, and the environment. (The Harvard project focuses specifically on the destruction of environmental protections—as worthy of increased public attention and alarm as attacks on labor escalate.) Brookings’s Tracking Deregulation In The Trump Era ([brookings.edu/interactives/tracking-deregulation-in-the-trump-era](https://www.brookings.edu/interactives/tracking-deregulation-in-the-trump-era)) and Harvard’s Regulatory Rollback Tracker ([eelp.law.harvard.edu/regulatory-rollback-tracker](http://eelp.law.harvard.edu/regulatory-rollback-tracker))

For day-in, day-out coverage of labor news, we recommend *The Payday Report*, an independent, crowd-funded publication that “covers labor in news deserts” (which, as far as labor reporting goes these days, includes most of the US). The founder, veteran reporter Mike Elk, started up with the modest settlement he received after being fired as a shop steward in a union drive at *Politico*.

## **Wreck of the NLRB**

The National Labor Relations Board, part of Franklin Roosevelt’s New Deal reforms, was intended to provide the nation a basic framework for protecting and promoting the collective rights of workers to unite for improving their pay, benefits, and working conditions. It worked: For 40 years, NLRB bargaining produced a fairer economy—and a greatly expanded middle class. By 1980, though, corporate lobbyists, politicians, and courts had begun loosening the bolts of this democratic structure, causing a drastic decline in worker power and a persistent rise in economic inequality (now the highest in US history).

Then along came Trump with bolt cutters and a white-hot acetylene torch. Working with practically no public exposure, he and his far-right, anti-worker acolytes have in short order mangled the NLRB’s structure, transforming it into the “No Labor Rights Board.” Trump has neglected to replace two Obama appointees to the five-person panel, and the board now operates with three members—all appointed by Trump, all white males, all Republicans, and all corporate ideologues.

For a signifier of their damage, consider that when Trump took office, the US Chamber of Commerce issued a wish list of 10 NLRB fixes to strip workers of their rights and increase executive-suite control of America’s workplaces. Only three years later, Trump’s board is 10 for 10, having rubber stamped the Chamber’s entire corporate agenda, including:

- Forcing more disputes into corporate-run arbitration, rather than engaging in open bargaining with employees
- Allowing executives to gag employees by banning them from talking with each other about internal investigations into corporate violations of worker rights and other work-related issues
- Preventing employees from using cafeterias and other open- to-the-public company spaces to discuss workplace matters
- Expanding “management rights” to let bosses make unilateral changes that undermine the collective bargaining process
- Denying worker access to the company email system to communicate with co-workers about workplace issues
- Permitting bosses to fire workers who use “offensive” language about the bosses.

Emboldened by their successes at incrementally rigging labor rules, Trump & Co. moved to impose wholesale corporate control. In May, under the guise of rescuing America from the COVID crisis, Trump issued an executive order directing every federal agency to identify and excise regulatory protections that “inhibit” business interests from returning promptly to full production. This blanket directive announced to industry lobbyists and Trump’s governmental capos that, henceforth, it is open season on worker safeguards. By giving a green light to public officials and bosses to rush open the nation’s commercial swirl, the order amounted to a death sentence for thousands of Americans. Not consulted along the way was the virus itself, which promptly exploded with renewed ferocity. In another ploy, Trump’s NLRB sided with major corporate chieftains in a crude powerplay to sweep aside the core right of workers to form unions. Early this year, a wide range of workplaces, including some Amazon warehouses, Trader Joe’s supermarkets, and an HCA-owned hospital, were on the verge of being unionized. Workers’ fighting spirits and hopes were high, but—Bam!—the corporations began busting the organizing drives by simply firing the leaders or even their entire workforce. Then, on March 18, the anti-labor NLRB gave these anti-union bosses a big, sloppy kiss when it abruptly decreed that every unionizing election campaign in America was cancelled until further notice!

The official rationale for autocratically inter-vening to kill the momentum of legitimate unionizing drives was this: COVID made us do it. We simply didn’t have the heart, said the NLRB, to endanger workers’ health by having them gather to vote during a pandemic. Bullstuff. Have they never heard of the US mail? Our splendid postal workers could securely and efficiently handle all the ballots, thus allowing people to vote from home with no exposure risk. Indeed, the board’s election-cancellation decree was such a blatant case of political union-busting—and so fundamentally un-American—that the agency came under withering public ridicule as strumpets of industry, so it had to reverse its ruling ... for now.

## Tilting at the rat

**H**ow extreme are the anti-worker Trumpeteers? So far gone that they've lost not only their sense of humor but their grip on political sanity. Witness their maniacal obsession with Scabby the Rat. Scabby – a cartoonish balloon in the shape of a giant, grotesque rat – symbolizes both the greed of corporations and their use of strikebreakers (historically called scabs). Appearing in versions from 6- to 30-feet tall, Scabby has been a popular fixture on picket lines and protests since its debut at a 1989 union demonstration. The spoof has long vexed the boss class (whose children might ask why daddy is depicted as a rat), though they couldn't do much but complain. But the litigious Trump, who has no laughter in him and would sue a ham sandwich if it offended him, wants to exterminate Scabby – and he's working through Peter Robb, a corporate operative who's chief lawyer of the NLRB.



Robb first tried to muscle the fervid Republican partisans on the NLRB into declaring the lampooning rat an unlawful labor practice, but even they were too embarrassed to do it. Next, Trump's consigliere actually sought a federal court injunction to bar the blow-up rodent from a union protest, claiming it was "threatening and coercive." But the judge essentially said: Get out of here. Get a grip. So, Scabby lives on as a pure free-speech satire, fully protected by labor law and the First Amendment.

## The show goes on

Trump's approach to our people's COVID-19 nightmare—with the CDC forecasting up to 175,000 reported US dead by mid-August—has not merely been incompetent, but also bizarrely nonchalant. It seems inexplicable from a president ... unless (excuse my cynicism) Trump doesn't actually want to defeat a virus that is proving so useful in achieving his career-long goal of defeating economic democracy.

In fact, he (along with a Washington army of corporate lobbyists and the usual gaggle of pusillanimous GOP lawmakers) is presently mounting a furious campaign in Congress to let corporations literally get away with murder, using the health crisis as their Trojan horse. As a condition for allowing a desperately need relief package, they are demanding a blanket corporate exemption from lawsuits when workers, customers, or others get sick or die from COVID infections resulting from a corporation's profit-driven actions or carelessness – such as forcing employees to return to infested workplaces.

“You’ve got to give the businesses some confidence here that if something happens ... you can’t throw big lawsuits at them,” wailed Larry Kudlow, Trump’s corporate-hugging economic adviser. Gosh, Larry, thanks for your little moral homily, but what about giving workers some confidence that “if something happens” (death, for example) they and their families retain a basic civil right to pursue justice?

Immunity from lawsuits—not only those by workers, but also by consumers, small business suppliers, communities, environmentalists, and any and all others harmed by corporate malfeasance—has long been the wet dream of the giants of industry, commerce, and finance. It will be a huge structural breakthrough for corporate supremacy if they can slide this COVID exemption into law. Indeed, Trump says he has ordered federal agencies to find ways to make his COVID deregulation moves “totally permanent.”

Even the attempt to grant preemptive legal amnesty for business wrongdoing that sickens, robs, and kills reveals the extreme threat this regime poses to basic morality and to America’s democratic aspirations. What’s coming out of Corporate America and this White House is no longer just business-as-usual greed, but a new level of ruthless, inhumane greed.

**You can subscribe to 12 monthly issues of the Hightower Lowdown for \$15 a year at  
<https://online.icnfull.com/pii/?action=SUBSCRIPTION>**