



WE BELIEVE IN EQUALITY, OPPORTUNITY, AND PROSPERITY FOR ALL.

2020 WINTER STATE EXECUTIVE COMMITTEE MEETING Resolutions and Platform Committee Report | February 29, 2020

Resolution Honoring the Contributions and Service and Memory of Archie Levon Cross

WHEREAS, Archie Levon Cross was born on October 8, 1955, and died on December 19, 2018, and

WHEREAS, his interest in politics led him to encourage friends and neighbors to vote in every election, as well as helping the Chatham County Democratic Party by being an ever-present worker at the polls for candidates and causes he believed in, and when he became too ill to be at the polls, his family members came to work during the 2018 election, just as their father had done so often before; and

WHEREAS the service of Archie Cross and his family has helped to elect Democrats up and down the ballot in every election; and

WHEREAS, the people of Chatham County and the Town of Pittsboro will remember him riding his wheelchair around town with love in his heart for everyone, his smile, his love for his church, family, friends and community; and

WHEREAS his service, leadership, grace and attitude about life and the community inspired many members of the community; and

Now, therefore be it resolved, that the North Carolina Democratic Party honors Archie Levon Cross for his service to the party and the community.

Resolution Formally Adopting the North Carolina Democratic Party's Code of Conduct

WHEREAS, the Preamble of the North Carolina Democratic Party's Plan of Organization states: "We...embrace and serve all peoples of our Party without regard to race, age, gender, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status, or physical disability to insure the blessings of liberty and equal opportunity, and to work together for the welfare and happiness of all citizens"; and

WHEREAS, for good cause the North Carolina Democratic Party's State Executive Council unanimously adopted the Code of Conduct guided by the spirit of the Plan of Organization's preamble and presented by former First Vice Chair Aisha Dew, current Second Vice Chair Matt Hughes, and DNC Member John Verdejo on June 24, 2017; and

WHEREAS, the North Carolina Democratic Party wants every member of the party to feel welcomed and supported and free from harassment, bullying, and hate speech; and

WHEREAS, every Democrat has the right to be treated fairly, equally, and within the bounds of party rules; and

WHEREAS, every member of the Party has a responsibility to behave in a manner that does not negatively impact other members, officers, staff, volunteers, and people who interact with the Party in a professional or volunteer capacity, and that does not negatively impact the reputation of the NCDP;

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THEREFORE, BE IT RESOLVED that the North Carolina Democratic Party’s State Executive Committee formally adopts the Code of Conduct (including any future revised or updated version) and endorses the principle of including the Code of Conduct in our Party's Plan of Organization by incorporating that stand-alone document by reference within the Plan, and further endorses including appropriate sanctions by the Council of Review for proven violation; and

BE IT FURTHER RESOLVED that the State Executive Committee strongly encourages every officially recognized auxiliary or caucus of the North Carolina Democratic Party also to adopt the same or very similar Code of Conduct, and passage of this resolution shall add inclusion of a Code of Conduct as a conditional requirement of any official auxiliary organization or caucus of the Party before re-chartering beginning in 2021; and

BE IT MOREOVER RESOLVED that the North Carolina Democratic Party’s State Executive Committee formally commits our Party to be a place free from harassment, abuse, bullying, and other harmful interpersonal relationships at all levels of our Party.

Resolution on the Value of Organized Labor to the U.S. Economy and the Need to Stop the War on Unions and Come to the Aid of Organized Labor and Working People

WHEREAS, United States labor unions have contributed significantly to the building of a working class that gave the U.S. a roaring economy that allowed it to become a worldwide superpower; and

WHEREAS, by 1937, organized labor actions created enough political momentum to pass the Fair Standards Labor Act that helped in giving all Americans a shorter 40-hour work week; and

WHEREAS, organized labor and U.S. labor unions were instrumental in ending the shameful practice of child labor; and

WHEREAS, from the 1940s through the 1950s, a time when most Americans belonged to a union, income inequality was at its lowest point in the history of the country, and as union membership has declined so has the middle class share of national income; and

WHEREAS, U.S. labor unions’ involvement led to the first great expansion of healthcare for workers; and **WHEREAS**, U.S. labor unions spearheaded the Fight for the Family and Medical Leave Act; and

WHEREAS, U.S. labor unions have fought for safety regulations and their enforcement against corporate interests more concerned with profit margins; and

WHEREAS, U.S. labor unions have given the American public:

1. Weekends
2. All breaks at work, including lunch breaks
3. Paid vacation
4. Family Medical Leave Act (FMLA)
5. Sick leave
6. Social Security
7. Minimum Wage
8. Civil Rights Act Title VII (prohibiting employer discrimination) 9. 8-hour workday

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10. Overtime Pay
11. Child Labor Laws
12. Occupational Safety & Health Act (OSHA)
13. 40-hour work week
14. Workers Compensation
15. Unemployment Insurance
16. Pensions
17. Workplace Safety Standards and Regulations
18. Employer Health Care Insurance
19. Collective Bargaining Rights for Employees
20. Wrongful Termination Laws
21. Age Discrimination in Employment Act of 1967
22. Whistleblower Protection Laws
23. Employee Polygraph Protect Act
24. Veteran's Employment & Training Services
25. Compensation Increases and Evaluations
26. Sexual Harassment Laws
27. Americans With Disabilities Act
28. Holiday Pay
29. Employer Dental, Life, & Vision Insurance
30. Privacy Rights
31. Pregnancy and Parental Leave
32. Military Leave
33. The Right to Strike
34. Public Education for Children
35. Equal Pay Acts of 1963 & 2011
36. Laws Ending SweatShops in the U.S.

WHEREAS, for an entire generation there has been a war waged by Republicans on U.S. labor unions and the working people who are members; and

WHEREAS, this war has led to a decline in union membership and an increase in wage stagnation for working people, while the ratio of CEO pay to pay for the average worker has risen from a ratio of 40 to 1 to the present day 800 to 1;

NOW THEREFORE, BE IT RESOLVED that the time has come for the Democratic Party to again champion the rights of working people, to help stop the war on U.S. labor unions, to publicly state that the Republican Right to Work initiative is nothing less than a union busting effort; and

THEREFORE, BE IT FURTHER RESOLVED that to assist working people, the Democratic Party must acknowledge that Supply Side Economics have never worked and never will; and

BE IT MOREOVER RESOLVED that the North Carolina Democratic Party affirms that Wall Street and the big banks need regulations to check their extravagance and to stop runaway inequality.

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RESOLUTION TO REPEAL UNCONSTITUTIONAL ANTI-BOYCOTT LAW

WHEREAS, the Supreme Court of the United States in the case of *NAACP v. Claiborne Hardware Co.* [1982] unanimously affirmed that boycotts are protected free speech under the First Amendment; and

WHEREAS, boycotts were an effective non-violent means of protest in the 1960s to end segregation and Jim Crow laws in the US; and

WHEREAS, boycotts were an effective non-violent means of protest in the 1980s to pressure South Africa to end apartheid rule; and

WHEREAS, boycotts are now a non-violent means of protest to restore full human rights and to end discrimination and occupation of the Palestinian people by the Israeli government; and

WHEREAS, similar laws passed by Republican state governments in Kansas, Arizona and Texas have been found unconstitutional; and

WHEREAS, in the case of *Koontz v. Watson* in Kansas, the court states that “Under the First Amendment, states cannot retaliate or impose conditions on an independent contractor ““on a basis that infringes his constitutionally protected freedom of speech.”””; and

WHEREAS, in the case of *Jordahl v. Brnovich* in Arizona, the court states that “A restriction of one’s ability to participate in collective calls to oppose Israel unquestionably burdens the protected expression of companies wishing to engage in such a boycott. The type of collective action targeted by the Act specifically implicates the rights of assembly and association that Americans and Arizonans use “to bring about political, social, and economic change.””; and

WHEREAS, in the case of *Amawi v. Pflugerville Independent School District* in Texas, the court stated that “In the First Amendment context, however, plaintiffs are neither required to formally submit a contract nor have a contract rejected to have standing to bring a facial challenge to a law allegedly infringing the right to free expression . . . This is because the First Amendment harm alleged—chilling of speech—occurs regardless of whether a plaintiff is denied a benefit on the basis of protected expression; the possibility of denial is enough.”; and

WHEREAS, Session Law 2017-193, House Bill 161, Part I. DIVESTMENT FROM COMPANIES BOYCOTTING ISRAEL put into law in 2017 places similar burden on North Carolina businesses seeking to contract with North Carolina state government and entities but also participating in constitutionally protected free speech to restore full human rights to the Palestinian people; and

THEREFORE, BE IT RESOLVED that the North Carolina Democratic Party supports the repeal of General Statute, Chapter 147 – Article 6G “DIVESTMENT FROM COMPANIES BOYCOTTING ISRAEL” (§ 147-86.80 - § 147-86.84) for being an unconstitutional law infringing on the First Amendment right to free speech.

Resolution in Support of the Prevention of Unconstitutional Wars



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Whereas Article I, Section 8, Clause 11 of the United States Constitution gives Congress the sole power to declare war, but the President of the United States currently has de facto sole authority to order war without any required consultation with Congress or any system of checks and balances; and

Whereas the Trump administration has moved the U.S. into a war posture with Iran through increased hostile rhetoric, and by using the routine deployment of a battleship in the region to threaten “unrelenting force”; and

Whereas the Trump administration unilaterally withdrew from The Joint Comprehensive Plan of Action (the Iran Nuclear Deal) and is using sanctions as a weapon of war to instigate hostilities with Iran; and

Whereas it has been reported that National Security Advisor John Bolton is overseeing the revision of war plans to send upwards of 120,000 troops and 120 additional warships to the Middle East: and

Whereas it is vital that Congress preemptively assert its constitutional war authority, and take steps to fulfill its ethical obligation to ensure that the President of the United States no longer has the unchecked authority to launch war; and

Whereas the War Powers Resolution, of 1973, section 2(c), subsection 3 authorizes the President to conduct undeclared wars without congressional consent only in a national emergency created by attack upon the United States, its territories or possessions, or its armed forces;

Therefore, be it resolved that the North Carolina Democratic Party supports and applauds members of Congress who are working to fulfill their ethical constitutional obligation to their people by reestablishing a system of checks and balances to ensure that the President of the United States no longer has the sole and unchecked authority to launch war; and

Be it further resolved that the North Carolina Democratic Party supports immediately ending the use of the Authorization for the Use of Military Force of 2001 (AUMF) by the Administration to justify America’s undeclared wars in the Middle East, and asks Congress to repeal the War Powers Resolution of 1973 which has been used by this and previous administrations to justify current laws and resolutions allowing the President to conduct undeclared wars; and

Be it further resolved that the North Carolina Democratic Party thanks members of the U.S. Senate who supported S.1039, the Prevention of Unconstitutional War with Iran Act of 2019, and thanks members of the US House of Representatives who supported companion bill H.R.2354; and

And finally, be it resolved that the North Carolina Democratic Party shall send a copy of this resolution to the President of the United States, the Senate Majority Leader, the Speaker of the House of Representatives, and to each member of Congress who represents North Carolina.