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June 13, 2002

Mr. Ralph V. Maly, Jr., Vice President  
Communications Workers of America  
501 Third Street, NW  
2<sup>nd</sup> Floor  
Washington, DC 20001

Dear Ralph,

This is in response to your letter of May 28, 2002 concerning

- H-1B Visas, and
- Work now being performed in non US locations

You indicate in your letter that you need this information "to represent [your] members effectively".

AT&T does employ individuals in the United States who are here on H-1B visas. Consistent with the purposes of the H-1B status, individuals in that category include foreign professionals with specialized knowledge such as scientists, engineers, etc., or other individuals with specialized knowledge, and the attainment of at least a bachelor's degree in that specialty. No H-1B visa holders occupy positions which would otherwise be filled by occupational employees and given the H-1B visa definition, it is highly unlikely that an AT&T employee with an H-1B visa is doing work properly done by union represented employees.

While your letter requests significant details covering the various H-1B visa holders, it is unclear how the requested information relates to the employees the CWA represents or the CWA's role as bargaining representative of these employees. If you can provide additional information concerning the purpose of your request and the relationship of the information requested to bargaining unit employees, we can, as appropriate, respond in more detail.

Separately, you also request information about the number of foreign nationals employed at AT&T. Initially, it should be noted that applicable laws against discrimination restrict and prohibit us (and you) from discriminating against individuals because of their national origin. In any case, as you know, AT&T is a global company with employees around the world. AT&T currently employs individuals outside the United States in 60 different countries performing a variety of

functions. Some of them are expatriates, others are local country nationals. Similarly, many of the contractors or vendors that AT&T uses are also global in nature. Whether any of their employees are employed in the U.S. on H-1B visas is simply not information that we would be in a position to have. However, our contracts with all of our vendors require that in order to do business with AT&T they must adhere to all applicable laws.

Regardless of where we do business network reliability and network and database security are a top priority and we are world class in that regard.

Finally, the subject of work, which was "previously performed in a CWA bargaining unit", which is now performed outside the unit, whether in the U.S. or elsewhere, is a subject that should be addressed in the recently negotiated Construction Relationship Council (CRC) and the Subcontracting Committee. The CRC is designed to provide a forum for discussion of "the state of the business, technological developments and projected contracting initiatives." The CRC is also chartered to form a subcontracting committee to discuss current and future contracting initiatives. The parties have agreed to share appropriate information within the context of those committees and to address and resolve within the CRC any disputes about the adequacy or relevance of requested information. We should give the process a meaningful opportunity to work and to address any concerns you have in that context.

Regards,

*Fred*

cc: C. W. O'Flinn  
D. Bradley