New Zealand dockers back on the job 4
ILWU joins solidarity rally against Rio Tinto lockout 5
Waste Management workers organize against rat infestation 6
LETTERS TO DISPATCHER 7
TRANSITIONS 8
ILWU BOOKS & VIDEO 8

Resolving ongoing legal issues in Longview. page 3
Notice of Nomination and Primary Elections at ILWU Convention and Longshore Division Caucus

The tri-annual Convention will be held at the Hotel del Coronado at 1500 Orange Avenue, Coronado, CA 92118 beginning at 10:00 a.m. on Monday, June 4, 2012, and closing on or about Friday, June 8, 2012. The elected Convention delegates will vote to decide the International budget, proposed increases in per-capita rates, as well as policies and direction of the ILWU for the next three-year period. Pursuant to Article VI, Sections 3 through 7 of the ILWU International Constitution, nominations and primary elections for the offices of the International President, International Vice President (Mainland), International Vice President (Hawaii), International Secretary-Treasurer and for approximately 20 International Executive Board members will be held on the last day of the Convention, which is expected to be on Friday, June 8, 2012.

All Convention delegates have the right to nominate candidates for titled office. Nominations shall be from the floor and shall be conducted separately for each titled office. No person may be a nominee in Convention for more than one titled office. There shall be no limit for the number of nominees. No one not an accredited delegate from his/her own local to the Convention may be nominated, except that titled officers who by virtue of having held office in the previous term shall be eligible to be nominated for office. A roll call vote shall be held and the two (2) nominees receiving the highest number of votes shall be declared elected in the primary election. No person shall be nominated for any International office unless such person has been a dues paying member of the ILWU for at least five (5) years, including having worked as a rank-and-file worker under jurisdiction of the ILWU for at least two (2) years, or has been a dues-paying member of the ILWU for a period of at least ten (10) years. The nominees so elected in the primary election shall be placed on a referendum ballot for a vote of the entire International active membership for final election.

A local may send as many delegates as it chooses to the International Convention. Delegates shall be elected by either secret referendum ballot of the entire membership or by ballot at a regular meeting of the local, or where for geographical reasons meetings of the entire membership are not practicable, by ballots of regular meetings of its subdivisions. Nominating procedures for delegates shall be established by the local where a local has more than one division or unit, it is up to the local to allocate representatives among the divisions or units. A local's constitution and by-laws may provide that only the active members of the local within each area designated by the Convention shall vote for executive board members for their respective area and provided further that exclusive of titled offices there shall not be over one executive board member from any one area. This restriction shall not apply to Local 142 in Hawaii. In Hawaii, there shall not be over one executive board member from any one industrial group in Local 142.

With respect to any primary election held at the Convention, such election shall be conducted by the International President, provided he/she is not a candidate for office. In the event the International President is a candidate for office, he/she shall appoint another International titled officer who is not a candidate for office to conduct the primary election. If all titled officers are candidates for office, the International President shall appoint an incumbent IB member who is not a candidate for office, and if none is available then a credentialed Convention delegate who is not a candidate to conduct the primary election.

Each Convention delegate may vote for up to two (2) nominees in the primary election. A roll call vote shall be taken either by each affiliate or by individual Convention delegates within an affiliate as determined by the procedures of each affiliate.

All credentials must be in the International Office thirty (30) days prior to the Convention. The International determines the number of votes allocated to each local based on the average per capita payments on members in the prior calendar year (2011). The number of votes allocated to each local is provided in the Call which is sent to each local. The International will send each of the locals copies of all resolutions, statements of policy, and Constitutional amendments for distribution to their delegates at least two (2) weeks prior to the beginning of the Convention. All members in good standing of any affiliate of the ILWU shall be eligible to vote in the election in accordance with such affiliate's established rules defining membership in good standing that conforms to the International Convention.

Pursuant to Rule 6.C of the ILWU Election Rules, which are an Appendix to the ILWU Constitution, any accredited delegate to the International Convention who publicly declares an intention to run for International office may request from the International Union a list of accredited delegates to the International Convention at any time within thirty (30) days prior to the Convention. A list of addresses of those delegates will also be available at the International Union for inspection. The International Union will not provide copies of the addresses of delegates or members of the Union.

Any accredited delegate to the International Convention who publicly declares an intention to run for International office may designate an intention to view on behalf of his/her local affiliate the list of nominated candidates. Designation of the list must be made by filing a written acceptance of the delegate with the International office. The designee shall be accredited at the Convention with the same status and authority as any delegate, and shall be provided a copy of the Convention delegate list. The designee shall be entitled to view the delegate list and the writing must be signed by the delegate. The designated delegate may also designate a second delegate with the same authority and access to the designated delegate's list. The designated delegate must be given immediate access to the designated delegate's list, and the designated delegate must be provided with immediate access to the designated delegate's list.

The custodians of the Convention delegate list are International Research Director Russ Bargman, Executive Secretary Linda Kuhn and Manager. Assistant to the President Alexia Jurczak. Inspections of the delegate list may only occur during regular business hours between 9:00 a.m. and 1:00 p.m., and between 2:00 p.m. and 5:00 p.m., Monday through Friday.

Nominations and primary election for the offices of the two (2) ILWU Coast Committeeman will take place during the Longshore Division Caucus, which will convene on Monday, June 11, 2012 and close on or about Friday, June 15, 2012. The Longshore Division Caucus delegates may be held at the Convention in a hotel of the International's choice. A local may vote for as many as two (2) nominees in each race or may vote for one (1) delegate from each race. A local may vote for the same candidate in the race for two (2) different Coast Committeeman positions. A local may not vote for the same candidate in each race. No person not an accredited delegate from his/her own local to the Convention may be nominated, except that each titled officer who by virtue of having held office in the previous term shall be eligible to be nominated for office. A roll call vote shall be held and the two (2) nominees receiving the highest number of votes shall be declared elected in the primary election. The nominees so elected in the primary election shall be placed on a referendum ballot for a vote of the entire Longshore Division membership for final election.

Publicly declared candidates for the position of Coast Committeeman have the right to inspect the list of accredited delegates to the Longshore Division Caucus at any time within thirty (30) days prior to the Caucus meeting. Procedures for inspection shall be the same as those provided with respect to nominations and primary elections held at the ILWU International Convention.

CORRECTIONS:
Local 63’s President was misidentified in the March issue. Mike Podue is Local 63’s President; Mike Ponce is Local 63’s Secretary-Treasurer. The photo caption of International Secretary-Treasurer Willie Adams in the March issue was taken at the pensioner’s meeting in Sydney, Australia, not the Mining and Maritime Initiative meeting there.
Resolving ongoing legal issues in Longview

I

In the January 2012 issue of the Dispatcher, we reported that EGT had signed a contract with ILWU Local 21, ending a bitter and hard fought labor dispute, but that many legal issues remained unresolved.

Legal issues that could not be resolved by a settlement between the ILWU and EGT include the ILWU’s appeal to the Federal Court of Appeals of $300,000 in contempt fines ordered by the Federal District Court, the ILWU’s ongoing civil rights lawsuit against Cowlitz County and City of Longview law enforcement for their program of harassment, assault, and intimidation of those involved in the labor dispute with EGT, the ongoing criminal prosecution of union officers, members, and supporters, and the National Labor Relations Board (NLRB) charges filed against the ILWU by EGT and the Pacific Maritime Association (PMA).

Settlement of NLRB charges

During the labor dispute in Longview, both EGT and PMA filed numerous unfair labor practice charges against the ILWU. The NLRB investigated these charges and issued a complaint against the ILWU in which it consolidated EGT and PMA’s charges into one action. Once the NLRB issued its complaint, the NLRB became the representative for the charging parties. This meant that any settlement of the NLRB charges was now up to the NLRB and not the charging parties themselves and that any “amnesty” agreement between the ILWU and EGT would have no power to resolve the remaining charges.

In March, the ILWU finally reached a settlement agreement with the NLRB encompassing both EGT and PMA’s charges. The settlement agreement included a non-admission clause clearly stating that the ILWU, by entering a settlement agreement with the NLRB, did not admit having violated any provision of the National Labor Relations Act (NLRA). In addition to the settlement agreement, the ILWU signed a notice in which it agreed not to take certain action at the EGT facility. All of the provisions of the notice are expressly limited to the past dispute with EGT, meaning that no one can use the notice to restrain union conduct in other future disputes.

While EGT agreed to and was supportive of the ILWU’s resolution with the NLRB, PMA objected to the settlement agreement, arguing that the language of the notice was too narrow because it did not encompass a promise to abstain from future violations of the NLRA outside of the EGT context. While the ILWU prepared to go to trial and fight the NLRB on PMA’s bogus charges, the NLRB declined, over PMA’s objections, to approve the settlement agreement and the notice. PMA did not appeal the NLRB’s decision, and the ILWU is in the final stages of compliance with the settlement agreement, which involves the posting and mailing of the signed notice.

The ongoing prosecution of union officers, members, and supporters

More than 100 cases have been filed against ILWU officers, members, and supporters in what appears to be a pattern of targeted incrimination against longshore workers and their supporters for engaging in public protest and free speech demonstrations related to the ILG labor dispute. Members of ILWU Local 21 and their supporters protested at railroad tracks and around EGT's facility, which is located on public port property, from July 2011 through September 2011. During that time, local law enforcement arrested demonstrators on a range of charges, including disorderly conduct, trespass, train blocking, and assault. Many individuals facing criminal charges have been cleared of all wrongdoing. Others have been forced to take plea deals on misdemeanor charges to avoid the risk of facing trumped up felony charges.

In December 2011, ILWU Local 21 member Shelly Porter received a not guilty verdict after a jury deliberated for 20 minutes. Porter was accused of assault for an incident that took place on July 22, 2011. Porter was on public port property when EGT’s General Manager, Gerry Gibson, shoved a cell phone in her face. Porter raised her hand in a sweeping motion to get the phone away from her face and made contact with Gibson. Gibson alleged that Porter had assaulted him, and Cowlitz County prosecutors pursued charges against Porter. The jury determined that Gibson was the aggressor and that Porter was justified in using force to defend herself.

That same month, ILWU Local 21 member Kelly Palmer was found not guilty of disorderly conduct by a jury after the jury deliberated for 12 minutes. Palmer was among individuals picketing at the entry gate of EGT’s facility on July 25, 2011. The president of an out-of-state security firm hired by EGT pulled alongside the picketers and took pictures with his cell phone. At no time did he attempt to turn and drive through the company gate so the picketers continued their peaceful demonstration. The driver then accused Palmer of intentionally blocking his car, and, despite the evidence to the contrary, Cowlitz County prosecutors pursued charges against Palmer. Following the trial and not guilty verdict, Palmer stated, “I’m relieved. I’ve never been arrested in my life. I couldn’t believe I was being arrested when I didn’t do anything wrong.”

Shortly after the Porter and Palmer not guilty verdicts, Cowlitz County prosecutors dismissed a number of misdemeanor charges against individuals for demonstrations against EGT that took place on July 25, 2011 and September 7, 2011.

In February 2012, a jury found Erica Ramee Farland, Cara Marie Lindemann, Kabeen Bell Widmer, and Jennifer Lynn Wood, four ILWU supporters, not guilty of misdemeanor trespass and train blocking. Police had arrested Farland, Lindemann, Widmer, and Wood for peacefully sitting on railroad tracks on port property on September 21, 2011. Jack Peterson, the attorney for the four women acquitted stated, “The clear message the jury sent to the Cowlitz County Prosecutor’s Office is that, when citizens assert their constitutional rights, it does not mean they are criminals.” A month later, in March, another five supporters who took part in the September 21 demonstration were given 10 hours of community service and charged a small fine in exchange for a stay of proceedings and a dismissal of all charges.

In April 2012, a Cowlitz County jury acquitted Bill Roberts, the father-in-law of an ILWU Local 21 officer, who was facing misdemeanor trespass and train blocking charges associated with events that took place on September 7, 2011. In court, Cowlitz County prosecutor

continued on page 8

Local 21 members rally to support longshoreman Ron Stavas

Local 21 members showed their un bend ing support for one of their own on April 11 as he walked into the Cowlitz County courthouse to serve a 22-day sentence related to protest activities at EGT.

Greeted at the jailhouse by about 50 friends, family and Local 21 members, Stavas entered the jail at 10:30 a.m. among hearty cheers and a few tears from his supporters. Cowlitz County Prosecuting Attorney Sue Bauer had threatened Stavas and others with trumped-up felony charges unless they pled guilty to lesser charges.

“We stood up for him and his community, and he’s being punished for it,” said Dan Coffman, Local 21 president. “We showed up to tell them that we’re behind him one hundred percent, and we can’t wait to see him back in the hall when his time here is done.”

Byron Jacobs, the local’s Secretary-Treasurer and a personal friend of Stavas’, served a week-long sentence of his own in March. Jacobs said that for reasons that were never explained to him, he was put in a maximum security cell for a significant portion of his sentence. There, he was alone with only a hatch where meals were dropped.

He wasn’t given a cup for four days and had to drink with his hands. Jacobs said that he was hoping to be able to talk with Stavas within the coming days. Both will have to serve additional work-release time this spring.

Jacobs said he was happy to finish his sentence and get home to his wife, Megan, who is active in the Auxiliary, and their daughter, Harlow.

“She knew I was gone,” Jacobs said of his daughter, who turned two just after his release. “She wouldn’t leave my side for two days when I came home.”

DISPATCHER • April 2012 3
By early April, union dock-workers were back on the job at the Port of Auckland, following an employer lockout that ended with an order by New Zealand’s Employment Court and a massive show of international solidarity that included help from the ILWU.

“Many members of Congress understand how problems in New Zealand can quickly impact ports around the globe,” said ILWU International Vice President Ray Familathe.

The Maritime Union of New Zealand (MUNZ) reported that negotiations have gone slowly since the lockout ended. MUNZ President Garry Parsloe says negotiations should have been completed months ago.

“The only response we have ever got is that they want total flexibility in the workplace with no guaranteed days off, no protection against casualization and a package that would significantly reduce pay.”

In March, members of the ILWU’s Coast Legislative Committee briefed members of Congress in Washington, D.C. about the anti-union attacks then underway against dockworkers in Auckland. Members of Congress expressed their concern by writing formal letters to the government of New Zealand.

New Zealand dockers resume work while talks continue

Congressional concern: The Coast Longshore Division Legislative Committee met with several legislators while in Washington, DC at the end of March. ILWU members expressed their concern about the treatment of dockworkers by the Ports of Auckland in New Zealand. Congressman Jerry McNerney and Congresswoman Janice Hahn are among the members of Congress who wrote letters to Len Brown, the Mayor of Auckland, urging a reasonable settlement, a safe work environment and fair wages.

Holding politicians accountable: Members of the Coast Longshore Division Legislative Committee were in Washington DC from March 19-22. The committee met with key legislators and tackled a range of issues including support of a comprehensive transportation bill, the harbor maintenance tax, and getting congressional support for the New Zealand dockers. They also hosted a fund raising event for Norman Solomon, congressional candidate for California’s 2nd District. In the photo from left to right are Federal Maritime Commissioner Mario Cordero, former talk show host Phil Donahue, ILWU Secretary Treasurer Willie Adams, congressional candidate Norman Solomon, ILWU Legislative Director Lindsay McLaughlin, Nor Cal District Council Chair Adam Mendez, International Executive Board member Max Vekich (Local 52) and Local 63 Vice President Peter Peyton.
ILWU joins massive show of solidarity against Rio Tinto lockout in Québec

ILWU members joined 8,000 supporters for a massive march and rally on March 31 in Alma, Québec, Canada, where 780 families have been locked-out by the mining giant Rio Tinto since December 31, 2011.

The company’s Alcan complex in Alma is a massive, modern and profitable aluminium smelter that runs on huge amounts of cheap hydro-power subsidized by the people of Québec. Like the Boron lockout two years ago, Rio Tinto imposed their lockout at Alma after workers refused to go along with the company’s scheme to outsource union jobs to independent contractors.

“Corporate greed doesn’t respect international borders, and neither does our solidarity,” said Local 13 member Mark Jurisic who joined the delegation of twelve ILWU members who marched with thousands through the streets of Alma where 30,000 residents live 300 miles northeast of Montreal, Québec.

Local 13 sent one of the larger international delegations with seven members that included Christine Aguirre, Sunshine Garcia Campbell, Melody Hall, Luke Hollingsworth, Mark Jurisic, Jeff Linares, and Jimmy Monti. Local 13 President Joe Cortez decided to send the delegation after meeting in his office with representative of the locked-out workers in February.

Also attending were ILWU members who work at Rio Tinto’s U.S. Borax operations in California; Chuck Kennedy from Local 30 in Boron and Local 20 members Mike Clark and Dan Frasure from the company’s operation in Wilmington.

Romeo Bordignon, Dispatcher at Local 502 in Surrey, British Columbia, Canada, travelled from the West Coast to represent ILWU Canada members at the event.

After marching in the chilly weather, the group converged on a sports stadium in Alma where thousands filled the seats to hear speakers representing workers across Canada and around the world, including solidarity delegations from Australia, New Zealand, South Africa, France, the Netherlands, the United Kingdom, Mexico and other nations.

The international solidarity was no accident, thanks to a meeting in Alma planned by the International Metalworkers Federation (IMF) and International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM).

The groups represent a combined membership of 50 million union workers worldwide. ILWU Secretary-Treasurer Willie Adams represented the ILWU at the meeting where international solidarity efforts were coordinated.

“We’re proud to be here with you today, but the truth is that most of us will be gone tomorrow,” said Adams to supporters in the stadium. “That’s why community support is so critical to sustain you in the days and weeks ahead,” he said, noting the important role that community support played in beating Rio Tinto’s lockout in Boron two years ago.

“We’re all working class, so we just have to keep kickin’ ass,” Adams told the largely French-speaking crowd who seemed to have no problem trans­lating his remarks.

Rio Tinto’s greed contaminates Olympic medals

Rio Tinto executives hoped to score points at the company’s annual shareholder meeting in London on April 19 by boasting that the global mining giant will supply the gold, silver and bronze used in Olympic medals at the London Summer Games.

Instead, shareholders heard a delegation of locked-out workers from the aluminum smelter in Québec who detailed the company’s illegal labor practices — and announced plans for a massive public education campaign that will expose how Rio Tinto’s illegal practices are tarnishing the Olympic Games and medals.

Protesters outside the meeting made their voices heard and distributed Olympic medal replicas with a message about Rio’s abusive labor history.

Besides backing from the Steelworkers Union, support for the effort is coming from UK’s Unite union, the London Mining Network and three global union federations: the International Federation of Chemical, Energy, Mine and General Workers’ Unions (ICEM), the International Metalworkers Federation (IMF) and International Transport Workers’ Federation (ITF).

The company wants to phase-out union workers at the Alma smelter and replace them with subcontractors earning less than half of the current union wages and benefits. Besides hurting 780 families and the community in Alma, the lockout has been costly to the company. Shareholders were told that aluminum production in Alma has fallen to a fraction of the output before the lockout.

Protesters outside the meeting in London drew attention to the company’s abusive labor history. The demonstrators said that the Rio Tinto-mined gold, silver and bronze that will be used for in Olympic medals at the London Summer games is tarnished by Rio Tinto’s poor treatment of workers around the world.
Most recycling workers at Waste Management's Davis Street facility in the East Bay are being paid a paltry $12.67 an hour or less. It’s less than the Local 6 members need to support their families. On top of the low wages, they had to deal with a dangerous rat infestation that plagued their workplace until they organized to exterminate the problem.

Big ugly rats
The Waste Management rats aren’t just big and ugly – they can carry 70 dangerous diseases including the plague, typhus, and deadly hantavirus. Droppings and urine from diseased rats also can create dangerous disease vectors, especially if workers inhale dust or come in contact with the feces, urine or decayed carcasses.

Breaking point
Allowing the rats to run wild was Waste Management’s first mistake. Ignoring worker complaints and concerns compounded the problem. Ordering workers to enter enclosed spaces where rats were roaming freely and defecating pushed workers to the breaking point. “Making us work with the rats was dangerous and disrespectful,” said Jaciel Gonzalez, Secretary Treasurer Willie Adams and Hawaii Vice President Wesley Furtado.

Company ignored safety & health laws
By allowing the rats to run wild and exposing workers to hazards, the company also was violating health and safety laws, but the threat of violations didn’t make management lift a finger to fix the problem.

CEO’s don’t have to worry about rats
The CEO doesn’t have to worry about rats in his office, or get down on his hands and knees with rat urine or droppings, but some of us do,” said Victoria Leon, Secretary Treasurer Willie Adams and Hawaii Vice President Wesley Furtado.

Even before the petitions had been presented, management got word that workers were angry and organizing about the rats. The company quickly hired an exterminator. Workers asked for more safety equipment, more frequent cleaning, and testing to make sure areas are safe before they enter to do cleaning, especially in enclosed areas. There are still some rats at Waste Management, but Local 6 workers are learning how to control them with organizing and unity.

We heard from Mick Carr, President of the MUA, and the keynote speaker, Paddy Crumlin, National Secretary of the MUA and President of the International Transport Workers’ Federation, Crumlin said “The new world order has been one of greed, price manipulations and financial crisis which has caused massive unemployment around the world. Globalization of trade has seen a reduction of organized labor around the world and there is a war against workers and unions.”

Crumlin also stated that, “We need a world union movement.” He also stated that labor movement is at a crossroads and we need to build a movement that does things differently than what we have done before. “Union workers that mine or manufacture or move stuff that needs to be transported by trains, trucks or ships has to be a part of the world union movement. This will be our global supply chain of the future,” he said.

Crumlin added that “We can’t call ourselves a progressive union if women are left out.” The MUA and other unions have been having trouble with Rio Tinto in Australia, New Zealand, South Africa and Quebec, Canada. Rio Tinto has locked out and replaced union workers by working with labor brokers, recruitment companies or competitive stevedoring companies who supply part-time non-union workers when union workers refuse to go along with Rio Tinto’s demands.

I only attended the first day of the conference. The other days were taken up by retiree activities. It was a wonderful experience and a privilege to attend the conference.

Lawrence Thibeaux, Local 10 (Ret.)
Berkeley, CA

Send your letters to the editor to: The Dispatcher, 1388 Franklin St., San Francisco, CA 94109-6800 or email to editor@ilwu.org. Letters may be edited for clarity and length.
Cheated out of pension credit?

Local 10 member Rivers Williams has worked more than forty years on Bay Area docks. Like most longshore workers, he’s had his share of accidents and close calls. Now he’s finally looking forward to enjoying his retirement and pension benefits – but there’s a catch.

Denied pension credit

Williams says he can’t get all the pension credit he’s owed because his employers and the Pacific Maritime Association (PMA) are refusing to recognize time he was unable to work – usually with pay – after being injured on the job.

“I just want everyone to get what they’re entitled to,” said Williams. “Employers encouraged us to reach these informal settlements instead of filing comp claims, but now it’s hurting our pension credit, so we need to get together and do something about it.”

Williams is asking longshore workers who reached informal injury settlements that are now impacting pension credits to call him between 9am-5pm at 415-902-4440 or fax him at 415-467-0454.

ILWU Canada Convention

ILWU Canada delegates tackled a range of challenging issues at their 32nd Convention on March 27-30. A Longshore Caucus was held the day before, on March 26.

“The convention gave us a chance to look back over the past two years and address some challenges that we’ll face in the future,” said ILWU Canada President Tom Dufresne who is retiring after 16 years at the helm. Dufresne noted that ILWU Canada delegates made some impressive financial commitments to back-up their concerns.

Delegates heard details about the recently concluded battle at EGT’s grain terminal in Longview, Washington, from ILWU International President Bob McEllrath, who delivered an overview of the lengthy and sometimes bitter struggle that protected ILWU jurisdiction. Delegates responded generously by unanimously adopting a $50 per member assessment to help defray the legal costs of defending President McEllrath and the civil rights of others who led the fight for good jobs in Longview.

International solidarity was another hot topic, including the ongoing attack against dockers in Auckland, New Zealand. Delegates expressed concern that a victory by employers in Auckland would encourage companies to test unions everywhere. With this in mind, the body unanimously adopted a $10 per member assessment to help the Maritime Union of New Zealand (MUNZ) defray some of their legal bills. ILWU International Vice President Ray Familiar shared some details of his recent visit to Auckland. ILWU International Secretary-Treasurer Willie Adams noted that solidarity begins “at home” and pointed to the upcoming ILWU support for Rio Tinto workers in Alma, Quebec. If officials from the Maritime Union of Australia (MUA) were on hand to offer solidarity greetings, as were officials from the International Longshoremen’s Association (ILA) locals in Montreal, Quebec and Halifax, Nova Scotia. Other highlights included:

• A report on the successful solidarity action organized in Toronto to support Pacific Beach Hotel workers

Delegates to the ILWU Canada Convention, passed two emergency resolutions – both unanimously – on March 28 to backed-up their sense of solidarity with financial contributions from every member. One calls for a $10 per-member assessment to help New Zealand dockers defend their jurisdiction at the Port of Auckland. The other resolution is $50 per-member assessment to help defray legal costs of defending International President Bob McEllrath and others who “stood to defend ILWU jurisdiction at EGT.”

ILWU Canada delegates tackled a range of challenging issues at their 32nd Convention on March 27-30. A Longshore Caucus was held the day before, on March 26.

“The convention gave us a chance to look back over the past two years and address some challenges that we’ll face in the future,” said ILWU Canada President Tom Dufresne who is retiring after 16 years at the helm. Dufresne noted that ILWU Canada delegates made some impressive financial commitments to back-up their concerns.

Delegates heard details about the recently concluded battle at EGT’s grain terminal in Longview, Washington, from ILWU International President Bob McEllrath, who delivered an overview of the lengthy and sometimes bitter struggle that protected ILWU jurisdiction. Delegates responded generously by unanimously adopting a $50 per member assessment to help defray the legal costs of defending President McEllrath and the civil rights of others who led the fight for good jobs in Longview.

International solidarity was another hot topic, including the ongoing attack against dockers in Auckland, New Zealand. Delegates expressed concern that a victory by employers in Auckland would encourage companies to test unions everywhere. With this in mind, the body unanimously adopted a $10 per member assessment to help the Maritime Union of New Zealand (MUNZ) defray some of their legal bills. ILWU International Vice President Ray Familiar shared some details of his recent visit to Auckland. ILWU International Secretary-Treasurer Willie Adams noted that solidarity begins “at home” and pointed to the upcoming ILWU support for Rio Tinto workers in Alma, Quebec. If officials from the Maritime Union of Australia (MUA) were on hand to offer solidarity greetings, as were officials from the International Longshoremen’s Association (ILA) locals in Montreal, Quebec and Halifax, Nova Scotia. Other highlights included:

• A report on the successful solidarity action organized in Toronto to support Pacific Beach Hotel workers

Delegates to the ILWU Canada Convention, passed two emergency resolutions – both unanimously – on March 28 to backed-up their sense of solidarity with financial contributions from every member. One calls for a $10 per-member assessment to help New Zealand dockers defend their jurisdiction at the Port of Auckland. The other resolution is $50 per-member assessment to help defray legal costs of defending International President Bob McEllrath and others who “stood to defend ILWU jurisdiction at EGT.”
Resolving ongoing legal issues in Longview

continued from page 3

prosecutors tried to paint the picture that the entire ILWU organization was engaged in a criminal conspiracy to block trains and that criminal intent should be imputed to all those taking part in the protest. The jury acquitted Roberts because there was no evidence to convict him of criminal wrongdoing.

In addition to jury acquittals, a handful of individuals facing the Cowlitz County Prosecuting Attorney’s threat of trumped-up felony charges have plead guilty to misdemeanors. Dan Coffman, President of ILWU Local 21, plead guilty to three simple misdeme- nor charges because of the threat by the Cowlitz County Prosecuting Attorney that felony charges stemming from the peaceful demonstration at EGT’s facil- ity on July 31, 2011 would be filed otherwise. Several other union officers and members facing similar threats took the same course in order to avoid the strain of trial and the possibility of felony convictions, which result in long prison sentences and heavy fines.

The ILWU views the use of the threat of trumped-up felony charges to coerce plea deals into simple misde- meanor charges as a form of extortion and just another tool in the war chest of a local law enforcement that has engaged in a pattern of intimidation, harassment, and the use of excessive force in defense of big business instead of the public interest.

The ILWU’s Civil Rights lawsuit

In September 2012, the ILWU filed a civil rights lawsuit against the City of Longview, Cowlitz County, and their top officials challenging law enforcement’s conduct. Most recently, the United States District Court judge presiding over the civil rights lawsuit denied Cowlitz County and Sheriff Mark Nelson’s request that the court dis- miss the case. The judge ruled that “the Union has adequately pled its causes of action against Mr. Nelson” and the facts described in the union’s complaint “are sufficient to state a claim for municip- al liability” against Cowlitz County. In the same order, the judge granted the ILWU’s request to add Cowlitz County Prosecuting Attorney Susan Baus and Deputy County Sheriff Charles Rosen- zweig as defendants to the case.

Appeal of contempt fines

In March 2012, the ILWU filed an appeal to the United States Court of Appeals for the Ninth Circuit challenging over $300,000 in contempt awards ordered by a United States District Court during the EGT dispute. The appeal process could take up to two years.