Ports of Auckland responds to dockers’ legal victory with unlawful lockout

The 292 New Zealand dockworkers who were illegally fired by the Ports of Auckland in the beginning of March scored an important legal victory on March 21st when their employer agreed to withdraw the termination order. The port was forced to reverse course because they feared that New Zealand’s Employment Court would not allow the firing of the union dockworkers, said Garry Parsloe, President of the Maritime Union of New Zealand (MUNZ).

The employer decision to cancel the firings also came as international solidarity efforts geared-up around the globe, focusing attention on the harsh, anti-union policies employed against workers by management at the Ports of Auckland.

Spurring union’s good faith offer

When management agreed to withdraw the firing order, MUNZ members voted to end their strike and unilaterally return to work. But any sense of celebration was short lived. Instead of reciprocating the union’s good faith offer to end the strike and return to work, the Ports of Auckland management immediately issued a lockout notice and refused to let the dockers back to work. Under New Zealand labor law, parties must give a 14-day notice prior to a strike or lockout at the port.

Port management ‘out of control’

After the lockout notice was served, workers and community supporters took to the streets, including over 60 students from the University of Auckland. MUNZ President Garry Parsloe said Port’s action was illegal and destructive.

“We’re ready to go back to work and get this port moving again for Auckland,” said Parsloe. “It is deeply disturbing that the company’s vision is so blurred that they now want to stop the port from functioning,” he said.

Parsloe said management at the Ports of Auckland is “out of control,” and called on Auckland’s Mayor and Council to “step in, sack management and replace them with a group willing to run this important asset for the benefit of Auckland.”

Erratic port management

Port officials have given conflicting rationales for the lockout. Ports of Auckland board chairman Richard Pearson was quoted in the New Zealand press saying that the lockout was aimed at moving toward a “competitive stevedoring system” which is management-speak for casualizing the workforce. The following day, Pearson made the outrageous claim that the lockout was imposed to protect the safety of replacement workers, saying the lockout would continue until the MUNZ assurance that replacement workers would not be subjected to violence. No evidence of threats or violence was cited by the port.

New Zealand’s Council of Trade Unions (CTU) President Helen Kelly criticized Pearson’s unfounded accusations against MUNZ members.
Harry Stamper: Longshoreman and artist

The life of Longshoreman, musician and poet Harry Stamper was celebrated at the ILWU Local 12 hall in Coos Bay, Oregon on March 17. Stamper passed away on March 9 at the age of 67. The celebration featured music frequently about union, environmental, and political issues. No topic was off-limits. The last song he recorded was titled, "God, Guns and Gays." He also wrote songs, stories and a book for his grandchildren, Kevin, Stephen and Jack, that made them laugh, dance and sing.

Working as a longshoreman for more than 30 years, he was a proud member of ILWU Local 12 and wrote many short stories about life on the docks in Coos Bay.

In the 1980's, Stamper performed at Pete Seeger's Clearwater Revival Folk Festival in New York with Arlo Guthrie and Sweet Honey in the Rock. Stamper began playing music at the age of 13 and made the Bay Area his home in the early 1970's, writing frequently about union, environmental, and political issues. His wife Holly, and daughters, gave him the chance to meet people from around the world. Working as a longshoreman for more than 30 years, he was a proud member of ILWU Local 12 and wrote many short stories about life on the docks in Coos Bay.

His wife Holly, and daughters, Nell and Anna recalled him as a devoted and loving husband, father, grandfather and best friend. He was cheerful and kind to all and many people were inspired by his open heart and warm smile.

"My idea is to create something useful, fun and just as relevant down the road," said Stamper when asked to reflect on his life's work.

DEAR EDITOR,

In March, I had my first chance to work on a log ship, but it won't be my last. I wasn't sure what to expect when I travelled from the Bay Area up to Eureka, but it turned out to be a thrilling experience.

That applies not just the work itself, but to all the people I got to work with. I've been a "B" registrant for a year this month, and hadn't traveled yet for work beyond the Bay Area. Working in Eureka at the Fairhaven Port gave me the chance to meet people from Stockton, Sacramento, Oregon, and, of course Eureka. The logs are brought to the ship on trucks, then slung on the deck by swing and dock men. The logs are then lifted by a winch and brought into the hold of the ship until that is full, then finally onto the deck of the ship where the logs are laid in a series of layers, stacked upon each other using "hog wire" to secure the layers that keep cargo shifting to a minimum. Stanchions are raised along the rails of the ship, which also helps to secure the logs. This photo was taken at the start of the shift as everyone was making their way to the next section we had to hog wire before another layer of logs was laid. I want to thank the members of Local 14 for helping me learn about how to work a log ship. Thank you for the experience.

Kelley Kane Local 10 Oakland, CA
Construction is expected to begin soon on ILWU Local 13’s new dispatch hall now that the entitlement and permitting process for the new building is complete. The new 32,565 square-foot hall will be a state-of-the-art “green” building and will achieve the LEED Gold standard, the second-highest environmental rating available. The rating is achieved by utilizing environmentally friendly building materials and incorporating energy efficient elements into the building so that it uses less energy and water and minimizes the structure’s carbon footprint.

“The Joint Port Labor Relations Committee and the Los Angeles Harbor Department have finalized the agreement and are now initiating the construction phase of the new dispatch hall,” said Local 13 President Joe Cortez. “This is a state-of-the-art Gold LEEDs building. This is not only a triumph for Local 13, but for the Harbor Area Community.”

Cortez noted that the new hall will be able to accommodate 2,962 people, (2,307 on the dispatch floor) which is four times the capacity of the current hall.

The new hall will include construction of an on-site parking lot (812 spaces) with outdoor lighting, which would be enclosed by a 6-foot metal fence and parking lot entrances secured by 6 foot-high rolling gates.

“The new hall will have the most up to date technologies for dispatching jobs,” Cortez said. “This will create a more expedient and efficient method of dispatching jobs.” He added that the space will also be used for monthly membership meetings.

The new hall is expected to open at the end of 2013.

On Feb. 1st, ground broke on the James R. Herman Cruise Terminal at San Francisco’s Pier 27 which is located between Fisherman’s Wharf and the Ferry Building.

The redevelopment is a part of the city’s effort to prepare for the America’s Cup that will bring economic benefits to San Francisco after the races have ended. The terminal will be named after former ILWU International President Jimmy Herman. He served in that position from 1977 to 1991 and also served as a San Francisco port commissioner for 15 years.

“Jimmy was passionate about preserving maritime jobs for the working men and women of the waterfront,” said president of ILWU Local 10 Mike Villeggiante who spoke at the ground breaking. “Jimmy was a visionary who understood the future jobs potential of a cruise ship terminal.” In the photo, Bay Area ILWU members from Locals 10, 75 and the Inlandboatmen’s Union are pictured here with San Francisco Mayor Ed Lee (center).

Defending healthcare

The Golden Gate Labor Coalition, which represents 19 Bay Area unions including the Inlandboatmen’s Union demonstrated outside of the fancy San Francisco house of Janet Riley, Golden Gate Bridge Board President on March 22. The demonstration drew attention to the fact that 380 workers have been negotiating for a fair contract for over 11 months with the Bridge District. The District is insisting on principle, not on economic need, that workers should be forced into a healthcare premium sharing plan that unfairly burdens families with the highest costs. The District is also insisting that retirees’ vested healthcare benefits should be reduced.
“If he has got any evidence of this he should give it to the police,” said Kelley, “but there is no evidence,” she told Radio New Zealand.

Conflict of interest

The New Zealand Herald newspaper reported a possible conflict of interest involving an unnamed port manager who participated in contract negotiations and is connected to a company hiring non-union dockworkers. The company, Pacific Crew Holdings Ltd., was registered on February 27th, nine days before the Ports of Auckland announced the firing of the 292 MUNZ dockworkers.

The allegations suggest management was not negotiating in good faith because at least one member of their negotiating team had a predetermined view – and possible financial conflict that could allow him to benefit from firing union members and replacing them with private contractors.

International pressure mounts

The port is facing mounting international pressure for their attack against union workers, and efforts to undermine working conditions for port workers. The ILWU and other unions affiliated with the International Transport Workers Federation (ITF) mobilized quickly to show solidarity and offer support.

Dockers belonging to the Maritime Union of Australia refused to handle cargo coming from the Port of Auckland, triggering a multi-million dollar legal threat against the union.

ILWU’s speedy solidarity action

The ILWU sent a team of 16 rank-and-file members to New Zealand just days after the Port of Auckland notified the MUNZ in early March that union dockers were being fired. ILWU International Vice President Ray Familathe was on the ground early and spent 10-days in New Zealand helping to coordinate international solidarity efforts with the MUNZ dockers.

The 16-member delegation consisted of Kevin Johnson and Michael Gardner from Local 8, Ed Ferris and Melvin Mackay from Local 10, Bobby Olvera Jr. and Mark Williams from Local 13, Richard Austin II and Jason Gross from Local 19, Scott Mason and Roger Boespflug from Local 23, Sean Farley from Local 34, Dawn Des Brusay from Local 40, Andrea Stevenson from Local 52, Pete Caramanian and Mike Ponce from Local 63 and Fred Gilliam from Local 91.

When the ILWU delegation arrived in Auckland they went first to the MUNZ hall to meet with the dockworkers and hear firsthand about their ongoing struggle to preserve good paying jobs and prevent the casualization of the workforce at the Port of Auckland. After meeting with the dockers, ILWU members joined them on the picket line outside the port for several hours. The ILWU delegation returned the following afternoon for a massive community rally and march through the streets of Auckland to the port.

Mobilizing support in the US

ILWU members organized a coordinated group of solidarity actions on March 19 to raise public awareness and educate west coast port officials about the struggle by the New Zealand dockers.

Solidarity in Seattle: Local 52 President Andrea Stevenson and 19 President Cameron Williams led a delegation to the Port of Seattle offices to convey concern about union-busting in Auckland, New Zealand.

Standing tall in Tacoma: Local 23 members visited the Port of Tacoma office where President Scott Mason delivered a letter to Port officials who promised to convey concerns to officials in Auckland.

Large delegation in Los Angeles: Dozens of ILWU members went to the New Zealand consulate in Santa Monica. A smaller delegation led by Local 13 Vice-President Bobby Olvera, Jr. and Local 63 President Mike Ponce went inside to meet directly with the Consul General, who promised to send a report to his home office.

Presenting in Portland: Local 8 President Jeff Smith (R) and member Mike Gardner delivered their letter to officials at the Port of Portland.

On guard in Oakland: A delegation led by ILWU International Vice President, Mainland, Ray Familathe delivered our message to Oakland Port officials. Front row (left to right) Local 34 Vice President Dave Hill, ILWU Vice President Ray Familathe, Jean Banker Port of Oakland Deputy Executive Director, Local 34 President Sean Farley; Back row: Local 10 member Melvin Mackay, Local 10 Sec-Treasurer Ed Ferris, Local 10 member Tommy Villeggiante, Local 34 Sec-Treas. Alan Fung

ILWU envoys visit the Embassy: (L to R): Local 63 Vice President Peter Peyton, ILWU International Secretary Treasurer Willie Adams and Northern California District Council Chair Adam Mendez delivered a letter of concern to the New Zealand Ambassador in Washington, DC.
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In each location, a delegation of ILWU members delivered a letter explaining how the use of bribery and illegal firings by Ports of Auckland management is an abusive tactic that is unlawful in the United States and many other nations.

- In Washington, DC, a letter of concern was delivered to the Ambassador at New Zealand’s Embassy by a delegation that included ILWU International Secretary-Treasurer Willie Adams, Local 63 and International Executive Board member Peter Peyton, and Local 10 member Adam Mendez.
- In Los Angeles, ILWU Local 13 Vice President Bobby Olivera, Jr., and Local 63 president Mike Ponce, led a delegation of 35 members to the New Zealand Consulate in Santa Monica. A group of representatives had a 15-minute meeting with the Consul General, who promised to directly convey our concerns to his home office.
- In Oakland, California, a delegation delivered their letter of concern to Port of Oakland Deputy Executive Director Jean Banker. The delegation was led by Ray Familathe, ILWU International Vice President, Mainland, Local 34 President Sean Farley, and Local 10 Secretary-Treasurer Ed Ferris.
- In Portland, Oregon, ILWU Local 8 President Jeff Smith and Local 8 member Mike Gardner delivered a letter of concern to Port of Portland official Dan Pippenger.
- In Tacoma, Washington, the ILWU delegation of 15 members was led by Local 23 President Scott Mason, who delivered a letter of concern to Don Esterbrook, Chief Commercial Officer at the Port of Tacoma. Port CEO John Wolfe later confirmed he would make contact with the Port Authority in Auckland to convey concern and request a satisfactory resolution.
- In Seattle, Washington, the delegation was led by Local 52 President Andrea Stevenson and Local 19 President Cameron Williams. Their delegation met with Seattle Port Commissioner Rob Holland. The group also communicated with Port of Seattle CEO Tay Toshitani.

ILWU leader in Auckland: ILWU International Vice President Ray Familathe addresses a solidarity rally in Auckland. He spent 10 days on the ground in New Zealand coordinating international solidarity efforts.

Solidarity delegation: The ILWU delegation was mobilized to support the New Zealand dockers immediately following the illegal sacking by the Ports of Auckland. The treatment of the MUNZ by the company has come under international scrutiny.

Carrying the So Cal solidarity banner: (R-L) Local 13 Vice President Bobby Olivera, Jr., Secretary-Treasurer Russell Mayn of the Maritime Union of New Zealand Local 13, and Local 13 member Mark Williams.

Marching for justice: (L-R) Local 23’s Roger Boespflug, Local 34 President Sean Farely, Local 91 President Fred Gilliam, Local 63 President Mike Ponce, and Local 10 Secretary-Treasurer Ed Ferris. Local 13 member Mark Williams.

Global fight: Local 40’s Dawn Des Brisay displays the ILWU logo filled with solidarity signatures. Des Brisay also carried her camera to document the events in Auckland.

Holding it high: Local 23 President Scott Mason and the ILWU delegation joined thousands in a march against union-busting by the Ports of Auckland management.
Rio Tinto Replay

It’s been two years since the Local 30 hall in Boron was buzzing with talk about how to beat a lengthy lockout by the international mining giant, Rio Tinto.

“It feels like ‘déjà vu’ all over again,” said Local 30 member Kevin Marz, who came to the union meeting on Tuesday, February 21 to offer his solidarity and support to union leaders from the town of Alma in Quebec, Canada who represent 700 workers locked-out by Rio Tinto since Dec 31, 2011.

Lessons from the Boron lockout

The delegation from Quebec came to Boron because it’s where 550 ILWU members overcame a vicious lockout in 2010 – thanks to an intensive solidarity campaign that mobilized support from workers, family members, local communities, and international unions.

“We’re here because you know what it takes to beat a Rio Tinto lockout,” said President Marc Malhas, of Local 9490 that represents workers at Rio Tinto’s ultra-modern and very profitable aluminum smelter in Alma, Quebec. Accompanying President Malhas were Guy Farrell, assistant to the regional director for the Syndicat Metallos, as the Steelworkers Union is known in French-speaking Quebec, and staffer Dominic Lemieux.

“Above all, we support those locked out by Rio Tinto in Alma, Quebec. We’re here to learn from their experience, and offer what little help we can,” said Mark Jurisic, Local 9490 President.

Rio wants cuts despite big profits

Rio Tinto’s goal in Alma is similar to what they wanted in Boron – replacing members with outsourcing and subcontracting to weaken and eventually destroy the union. In Quebec, Rio Tinto receives generous public subsidies in the form of cheap electricity generated by massive dams and hydro projects. But the heavy subsidies, high productivity and big profits at the modern plant haven’t stopped Rio Tinto from demanding even more concessions from the communities and workers in Quebec.

Local 30 members contribute

Local 30 members had already passed the hat at work before the union meeting, collecting hundreds of dollars that were presented to the solidarity team from Alma that travelled two thousand miles to Boron, the first stop on a worldwide, month-long solidarity tour. Before the meeting adjourned, Local 30 members approved an additional donation of $2500 that was presented after the meeting by President Dave Liebengood.

“We know what you’re going through and we want to help out,” said Liebengood. Local 30 members also showed their support by signing a giant “solidarity banner,” including personalized messages of support, such as, “hang in there,” and “keep fighting.”

Local 13 solidarity

After the final round of handshakes and thank you’s, the Alma lockout team headed toward Los Angeles, for a meeting the next morning at the Los Angeles Federation of Labor hosted by Director Maria Elena Durazo that featured 60 labor representatives, including Local 13’s Mark Jurisic, Local 63’s Cathy Famulare, Local 20 President Rudy Dorame and Local 20 President Luisa Gratz. Many other unions in the room had provided critical lockout support that helped Local 30 members survive their fight two years ago.

“Helping workers win their fight in Quebec will make it easier for us next time if we have to fight Rio Tinto here again,” said Durazo.

Longshore support: Local 13 President Joe Cortez (R) and Vice-President Bobby Olvera, Jr., signed the solidarity banner and agreed to send a delegation of longshore workers to support the 780 families locked-out by Rio Tinto in Alma, Quebec since December, 2011.

Local 13 President Joe Cortez, Secretary-Treasurer Chris Vinavert and Vice-President Bobby Olvera, Jr., graciously cleared their busy schedules to welcome the visitors. After a tour of the building, President Cortez invited the group into his office for a meeting to discuss the lockout struggle. Cortez offered to help by sending a delegation of Local 13 members to a rally in Alma scheduled for late March. “We understand what solidarity means,” said Cortez, “and you can count on our help.”

Local 20 helps in Wilmington

The final stop on the day’s solidarity tour was a late-afternoon visit with workers at Rio Tinto’s facility on the docks of Wilmington, timed to hit the shift-change. The solidarity banners were displayed outside the plant gate and signed by Local 20 members.

“The meeting was a great way to start,” said Local 9490 President Malhas. “Your support means a lot to members back home who are still freezing on the picket line.”

Putting it in writing: Local 30 member Ros Johnson signed his name and included a message of support to the solidarity banner that went to families in Alma, Quebec.

Getting down on the docks: Local 20 members in Wilmington welcomed the locked-out Rio Tinto workers from Quebec to the Rio Tinto facility at the Los Angeles Harbor. A donation was presented from Local 20 members to help the families win their fight.

Longshore support: Local 13 President Joe Cortez (R) and Vice-President Bobby Olvera, Jr., signed the solidarity banner and agreed to send a delegation of longshore workers to support the 780 families locked-out by Rio Tinto in Alma, Quebec since December, 2011.

Local 13 solidarity

After the Los Angeles event, Mark Jurisic invited the Alma team to visit Local 13’s office in San Pedro where President Joe Cortez, Secretary-Treasurer Chris Vinavert and Vice-President Bobby Olvera, Jr., graciously cleared their busy schedules to welcome the visitors. After a tour of the building, President Cortez invited the group into his office for a meeting to discuss the lockout struggle. Cortez offered to help by sending a delegation of Local 13 members to a rally in Alma scheduled for late March. “We understand what solidarity means,” said Cortez, “and you can count on our help.”

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“Starting our solidarity tour with ILWU members was a great way to start,” said Local 9490 President Malhas. “Your support means a lot to members back home who are still freezing on the picket line.”

Brothers & sisters in Boron: 780 families locked-out of work by Rio Tinto in Alma, Quebec sent their solidarity team on a world tour that began in Boron on February 21.

Utah, Australia & New Zealand

When the shift change ended at Wilmington, the banners carrying signatures and greetings from union members in Boron, Los Angeles, San Pedro and Wilmington, were packed up by the Alma team members who headed for LAX to catch a plane to Utah. The next day they met with Rio Tinto workers at the giant Kennecott Copper mine near Salt Lake City, then flew to Australia to meet union members from around the world – including ILWU International officers – at the Maritime Union of Australia convention. The final leg took them to New Zealand for meetings with miners and locked-out dockworkers in Auckland.

“Starting our solidarity tour with ILWU members was a great way to start,” said Local 9490 President Malhas. “Your support means a lot to members back home who are still freezing on the picket line.”
ILWU International Secretary-Treasurer Willie Adams attended an international meeting of the Mining and Maritime Initiative in Sydney, Australia on February 26.

Adams said the gathering of leaders from key mining and maritime unions focused on two important issues:

• The lockout by Rio Tinto against 780 families in Alma, Quebec.
• The anti-union attack on port workers in Auckland, New Zealand.

Thanks for solidarity in EGT fight

A third action item involved EGT’s effort to bypass ILWU jurisdiction at their new grain terminal in Longview, Washington – but that dispute was settled shortly before the Mining and Maritime meeting. As a result, delegates were thanked for their solidarity efforts that helped make the settlement possible.

Quebec workers attend meeting

Representatives of the 780 locked-out workers at Rio Tinto’s aluminum smelter in Quebec attended the Mining & Maritime meeting. They reviewed their strategy for building solidarity that includes tours of Australia and New Zealand, followed by a trip to Africa. In every location, they plan to meet with Rio Tinto workers, unions and other community groups. The Quebec miners reported on their recent tour with ILWU Local 30 members in Boron, ILWU Local 20 members at the Port of Los Angeles, and various union leaders who gathered at the Los Angeles County Federation of Labor.

Quebec workers attend meeting

When security officers working for Kaiser in Oregon wanted to get more training and special certification, the first response from management was, “Sorry, there’s no money for training.”

That didn’t stop dispatcher/security officer Greg Chavez. He was interested in a special accreditation certificate offered by the International Association of Healthcare Safety and Security (IAHSS). The standards are tough; only 16 hospitals in the United States have security staff with these standards, including the famous Mayo Clinic.

Chavez learned about a special training fund that was available to help employees advance their skills. So he and his fellow officers – all members of ILWU Local 28 – completed a self-study program on their own time. Every Tuesday night for about four months, they held a study group at the Kaiser Permanente Building, until everyone had taken enough course work to earn the certification.

“It’s a mark of distinction,” explains Bob Black, security manager at Kaiser Sunnyside Medical Center. The group is now working on several other projects, including a paperless incident report system and ongoing training to manage difficult patients and visitors.

Keeping history alive

Former Local 10 President Cleophas Williams spoke at Oakland’s African American Museum and Library on Saturday, March 24. Williams was the first African-American to be elected President of Local 10 and served three terms. During his tenure, Williams fought to keep the dispatch system fair and equitable. Asked by an audience member for his views on “doubling” that allows high-seniority members to work double-shifts when lower-seniority have none, Williams said such a policy was “wrong.” The audience included students who are studying the Civil Rights Movement with the Oakland-based Martin Luther King, Jr. Freedom Center. The event was sponsored by Local 10’s Education Committee, chaired by member Derrick Muhammad.
Social Security cuts are baloney: ILWU Local 6 member Carey Dall joined the California Nurses Association/National Nurses United, California Alliance for Retired Americans and other community activists March 6, 2012 to protest the Oakland, CA appearance of Erkine Bowles and Alan Simpson who were in town promoting their call for a deficit plan that features sweeping cuts in Social Security, Medicare, and Medicaid. Dall and other protesters passed out baloney sandwiches to make their point.

Bowles and Simpson, co-chairs of the 2010 President’s Deficit Commission, which failed to get its plan through Congress, are on a national speaking tour intended to continue pressure for their proposals, which include raising the retirement age, taxing benefits, and other cuts.