



# THE DISPATCHER

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Documentary filmmaker Joan Sekler premiered her Rio-Tinto lockout movie in Boron. [page 3](#)



Photo by Robin Doyno

**Getting out the union vote:** Local 13's Sal Pardo reviews voter lists with U.S. Congresswoman Laura Richardson before ILWU volunteers walked precincts in the Nov. 2nd election.

## Election results signal danger for working families

**A**nti-union politicians scored dramatic gains across the country in the November 2nd elections, signaling new dangers ahead for working families and union members. While there were some important victories by pro-union candidates and ballot measurers on the West Coast, the national results will pose new challenges for workers and unions in the years ahead.

### A new political landscape

In Congress, a new crop of 60 anti-union politicians were elected to the U.S. House of Representatives where anti-union forces now control the majority of votes. This gives them the power to select an anti-union Speaker, appoint new Committee Chairs, and decide what issues and legislation will be considered. House Speaker Nancy Pelosi will become a minority leader and George Miller, the pro-union Chair of the House Education & Labor Committee will be replaced by Minnesota Congressman John Kline who opposes unions and is pushing legislation to make it even harder for workers to organize.

In the U.S. Senate, the balance of power now hangs precariously, with nearly half of Senators holding anti-union views.

### Some state & local races were better for ILWU members

Californians scored two major victories, including the defeat of former EBay CEO Meg Whitman who spent over \$180 million – much of it from her personal corporate fortune – on a campaign for governor that saturated airwaves with anti-union TV ads. Former Governor Jerry Brown won the race with a fraction of Whitman's budget, but his messages were mixed — sometimes he defended union members and other times he threatened to “get tough with unions.”

Golden State voters also defeated a second CEO-turned-candidate in former HP executive Carly Fiorina, who also pushed an anti-union agenda but failed to defeat union-advocate Barbara Boxer for the U.S. Senate. Boxer distinguished herself during the past year by helping ILWU families at Local 30 in Boron, CA, defeat the 100-day lockout by global mining giant, Rio Tinto.

Anti-union forces spent massively to defeat union-supporter Jerry McNerney who may lose his Central

Valley swing district that includes many Local 54 members from greater Stockton who volunteered to stop David Harmer, an anti-union candidate previously employed by the corporate-funded, anti-union Heritage Foundation. As the *Dispatcher* went to press after the election, the McNerney race was still too close to call.

Southern California Congress member and union supporter Loretta Sanchez won a close race in Orange County that received outside funding from anti-union corporate interests.

California ballot measures included several of special concern to ILWU members and working families, such as Proposition 23, that would have rolled-back California's global warming law that aims to cut pollution in cities and ports. The roll-back measure was backed by big oil companies, including Tesoro which operates the refinery in Wilmington, CA where dozens of ILWU Local 13-A members were dumped in May because the company hired a non-union contractor.

In a disappointing turn, California voters defeated Prop. 24 that would have plugged corporate tax loopholes - requiring companies to pay more of their fair share in taxes.

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# LETTERS TO THE *DISPATCHER*

*Dear Editor,*

I'm writing to share my experience last month as ILWU Northern California GOTV (Get Out the Vote) Coordinator. Our Coast Legislative Committee asked me to engage our membership for the 2010 election cycle and I gladly accepted.

When we saw that there were candidates hostile to the interests of workers that were trying to buy elections, we called our membership into action. I am proud to say they rose to the challenge. We asked our members to register to vote or reregister if they had moved. We registered members that had never voted. We distributed slate cards in the areas where our members live. I visited members from Local's 6, 10, 34, 75 and 91. We had help with printing signs and slate card by members in Local 54 and 18.

We worked on behalf of candidates on the side of organized labor and the ILWU. Our current and (now re-elected) Senator Barbara Boxer is a great example of an ILWU friend. During the 2002 Coast-wide employer lockout, Senator Boxer worked with us to prevent President Bush from bringing in the military to do our work. Senator Boxer also helped settle the lockout in Boron. California Governor-elect, Jerry Brown, is also a friend of labor. He stood behind farm workers in their fight for a union and fought for public employees. Boxer and Brown embraced organized labor while their opponents tried to blame all our states problems on unions. The voters in California chose the values of Main Street over the values of Wall Street.

My local 10 President, Richard Mead, called on our membership to get involved in Oakland City politics. Oakland is where a large part of our long-shore work is in the Bay Area. We interviewed candidates and endorsed some. The ILWU started working with mayoral candidate, Jean Quan. She was 1 of 10

people running for that office including former State Senate Leader, Don Perata. They both received a dual endorsement from the Northern California District Council and Alameda Central Labor Council.

Our members phone banked, walked precincts, and provided data entry and other clerical and support functions. It was "all hands on deck." We sent out mailers to our members, casuals' and to our pensioners. There was solidarity between the different locals and a buzz around the water front. As of this writing, Jean Quan is leading the race for mayor in the ranked-choice voting. She picked up the second and third choice votes we were promoting in our campaign work.

What a pleasure it was to be able to do this important work. I learned so much from my fellow campaign workers about how to effectively participate in elections to make our voices heard and to protect our interests in the ports. I am proud of what we accomplished and know that we will be even more effective next time around. Politics is one part of our water front game plan. And the ILWU is in the game to stay.

**Charlie Lincoln, Local 10  
Fremont, CA**

*Dear Editor,*

When I received the October issue of the *Dispatcher*, I was taken aback by what I learned about the threat to Social Security. This is an important issue for all working Americans. I will do all that I can to distribute this information to my friends and neighbors.

**Nick Kathrein, IBU  
Portland, OR**

Send your letters to the editor to: *The Dispatcher*, 1188 Franklin St., San Francisco, CA 94109-6800 or email to [editor@ilwu.org](mailto:editor@ilwu.org)

## FOR THE RECORD: CORRECTIONS AND OMISSIONS

In the October issue of *The Dispatcher*, James McDonald was listed as deceased. In fact, he is very much alive and should have been listed as a New Pensioner for Local 75. [Editors note – The lists appearing in the "Transitions" section of the paper are provided to us by the ILWU/PMA Benefits office, which gathers information provided by local unions. We simply print those lists, but are happy to make corrections.]

## Bayer workers win political support

The fight by 450 Bayer pharmaceutical workers in Berkeley, CA has gained support from a host of local elected officials who share the concerns of union and community members about the importance of protecting good jobs at Bayer.

After the company laid-off 29 workers during the summer, Bayer employees mobilized inside the plant with co-workers to organize a large rally. They also reached-out to local politicians and organized delegations of rank-and-file workers who visited the offices of local and state leaders.

### Rank and file reach out and get positive response

Berkeley Mayor Tom Bates met with workers and heard how the layoffs were affecting families in the community who had lost their jobs.

State Assembly member Nancy Skinner met in her office with workers who discussed the tax breaks and subsidies that Bayer received after promising to provide good jobs – before announcing the layoffs.

State Senator Loni Hancock heard about the layoffs firsthand from workers and explained how she has been working to hold companies more accountable when they receive public subsidies.

Berkeley City Council member Darryl Moore represents a district that includes the Bayer plant. He was one of the first officials to sit down and hear from Bayer workers after the layoffs.

"Elected officials need to know what's happening at Bayer from those of us who work there or were recently laid-off," said Garon Peleauma. "We plan to keep them informed."



Bayer workers Jose Espinoza and Garon Peleauma (right) meet with CA State Representative Nancy Skinner. Peleauma was laid off in August.



ILWU members in Portland might see some familiar face on Portland's light rail MAX Train—and not just fellow passengers. Every year, the local United Way asks a labor union to participate in a promotional campaign and this year they asked the ILWU. You can see the result in the photo above. From left to right: Dawn DesBrisay, President, Local 40; Jeff Smith, President, Local 8; and Martha Hendricks, Sec-Treasurer, Local 40 are featured on the MAX Train graphics.

## DISPATCHER

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# Frequently asked health and pension questions

Benefits specialist, John M. Castanho, answers some of the most commonly asked questions about our health and pension benefits:

## When a person begins working as a Longshoreman, at what point do they qualify for health benefits?

Per the 2008 Memorandum of Understanding, class B members working in Choice Ports will acquire HMO coverage for themselves and their eligible dependents on the first of the month following their class B registration for 24 months (with no requirement for 400 hours of work for initial eligibility for coverage). Class B members working in ports that do not have HMO coverage will have coverage for themselves and their eligible dependents on the first of the month following their class B registration under the Coastwise Indemnity Plan for 24 months. After the expiration of 24 months, the member will have a choice of HMO or Coastwise Indemnity Plan coverage.

## Am I entitled to welfare and/or pension crediting of hours for any time off work if I become sick or incur an injury?

Yes, if you become sick or incur an injury while working on the job, you are entitled to credited hours for the continuing accrual of your benefits. If your time off work is due to an illness or injury sustained while working on the job, you may be credited with hours based upon your work hours under covered employment, averaged within the last four quarters prior to your injury or illness. For an injury or an illness that is sustained outside of the workplace, participants may receive up to 200 hours per year of credited accrual. If the person had welfare coverage prior to getting sick or being injured on the job, he or she will have continued welfare coverage for a period of up to five years while off

work. If the injury or illness was not work-related, the member will be covered for a period of up to three years while off work.

## Who do I contact if I have any questions or concerns about my health benefits and/or my pension benefits?

There are several resources that can be utilized to have most benefits-related questions answered. There are Benefit Plan employees that work in the four major port areas. They are Joe Cabrales - Northern California, Sam Alvarado - Southern California, Ty Gorton - Columbia River, and Nick Buckles - Puget Sound. These employees are known as the Area Welfare Directors, and are very good at assisting members with many issues related to their benefits. Additionally, some locals may have a designated officer that handles these issues. You can also contact the



Benefits Specialist John Castanho

Benefit Plans Office in San Francisco at (415) 775-0533 for most welfare and pension-related questions, and you can contact the Coastwise Claims Office at (415) 543-0114 or (800) 955-7376 for any billing and/or claims-related questions that you may have.

— John M. Castanho

## Locked Out 2010: Premiere of new documentary film is shown first to families in Boron

Oct. 30th was a big night for families in Boron. Approximately 300 people came to see the new documentary film, "Locked Out 2010," which premiered at the Boron High School on a chilly fall evening that failed to deter the big crowd.

There was free popcorn, juice, and cookies provided by Local 30 members, but everyone quickly took their seats and became quiet when the lights went down and the film lit up the screen.

*Locked Out 2010* is a true-to-life documentary about the struggle between Rio-Tinto Minerals and families from the International Longshore and Warehouse Union Local 30. It conveys the bewilderment felt by union members who tried in vain for months to reach a fair agreement with the company. It eventually became clear that the giant international mining company wasn't interested in a fair contract but wanted a concessionary deal that would destroy the union.

When their contract expired on Nov. 4, 2009, members ignored attempts by the company to scare

workers and trick them into striking. Instead of walking out, they remained on the job and kept working without a contract – using new strategies developed in a day-long training session that emphasized solving problems through collective actions to show unity and get quick results.

Local 30 members made it clear to Rio Tinto that they wanted no part of the company's concession demands. When Rio Tinto realized that families had no intention of folding, the company locked-out the workers on January 31, 2010 and tried to run the plant with non-union replacement workers.

The film captures the dramatic first hours of the lockout, when hundreds of workers dressed in overalls and hardhats came to the union hall with their families who marched through the desert in the crisp, chilly morning to the locked plant gates. At the gate, families confronted dozens of sheriff's deputies but continued marching up to the line where they demanded to work, chanting "we want to work."

Television news cameras and the documentary crew captured that event in terms that would frame the conflict over the next 100 days as a David vs.



Photo by Patti Orr

Filmmaker Joan Sekler receives flowers at the premiere of *Locked Out 2010*, a new film that documents the struggle for fight for justice against Rio Tinto.

Goliath struggle, with families in Boron facing down a greedy and powerful international corporate foe.

Terri Judd, one of the locked out miners, explains in the film, "It was a real slap in the face when [Rio-Tinto] locked us out. We put our hearts and souls into our jobs." Many other union workers felt the same way.

Some in the audience laughed, but most hissed when Rio-Tinto General

Manager Dean Gehnrung was interviewed saying, "We're just trying to improve the production and quality of our product and to make a better working environment for our employees."

The cameras follow the families for the next three-and-a-half months as they struggle through hardships, but the film also captures the impressive outpouring of solidarity that followed almost immediately after the lockout.

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## Federated Auxiliary Executive Board holds biennial meeting in Oakland, CA



THE ILWU Federated Executive Board's biennial meeting convened on October 23rd and 24th at the Airport Hilton in Oakland, CA. Personally or by proxy documentation, representatives from British Columbia, Northern California, Oregon, Southern California and Washington participated.

Guest speakers included Joe Cobrales, ILWU Northern California Welfare Director and Craig Merrilees, ILWU Communications Director. Auxiliary members were encouraged to persist more proactively than ever, in their efforts to promote justice for organized labor, globally and locally. This includes education in trade unionism and current political issues, pro-labor advocacy in legislation, using purchasing power in the interest of labor, voluntary picketing and leafleting as necessary, advancing workers' economic welfare, and assisting workers to secure decent and fair working conditions.

Over the past year, Federated Auxiliary members have actively supported locked out workers in Boron, CA, Rite-Aid workers in Lancaster, CA who are fighting for a fair contract, and the family, friends, and residents grieving for Oscar Grant, a victim of police brutality in Oakland, CA.

The meeting was facilitated by ILWU Auxiliary 17, comprised of East Bay and San Francisco Bay Area relatives of ILWU workers. Persons interested in Auxiliary 17 activity are welcome to contact President Clydenia Austin at (415) 989-1179.

# Election results signal danger for working families

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The measure's defeat was influenced by heavy funding from anti-union corporations.

## Oregon

Former Governor and union supporter John Kitzhaber was narrowly elected over anti-union rival Chris Dudley. Kitzhaber visited with ILWU members before the election where he expressed strong support for working families.

Anti-union forces also tried to take down Oregon Congress member Peter DeFazio, who co-sponsored the Employee Free Choice Act, a proposed law that would make it easier for workers to join a union. Tons of money from out-of-state corporate executives failed to take down DeFazio.

In the state legislature, anti-union politicians gained six seats in the House and at least one in the state Senate, giving both houses a tiny majority of legislators who are willing to stand up for working families.

## Washington State

U.S. Senator Patty Murray appeared to be squeaking-by in a tight race against anti-union candidate Dino Rossi as the *Dispatcher* was going to press. The Senator visited the ILWU Local 21 hall in late October where

she spoke to hundreds about her plan to fight for good jobs. Murray supported the Employee Free Choice Act in the Senate when a strong minority of anti-union politicians blocked the measure from moving forward. But Murray also angered some ILWU members by pushing port security measures that did little to improve security while exposing workers to harassment. In the Port of Stockton, CA, officials used funds approved by Senator Murray to build a "security" fence that functioned more like a device to separate union workers from non-union employees in nearby operations.

## Alaska

U.S. Senator Lisa Murkowski is not a strong union advocate and she refused to support the Employee Free Choice Act, but she has been willing to hear ILWU concerns and consider helping at times. She was challenged in November by Joe Miller, a rabid anti-union extremist endorsed by Sarah Palin and corporate Tea Party backers. Murkowski launched a historic write-in campaign after losing to Miller in the Republican primary – and was headed to victory as the *Dispatcher* went to press.

## Hawaii

Longtime ILWU supporter Neil Abercrombie won the race for governor, replacing Governor Linda Lingle who held the office for eight years during which time she vetoed bills and killed funding for ILWU priorities. Senator Daniel Inouye easily won another term. The hottest race in the Islands was over who would win Hawaii's 1st Congressional District, formerly held by Neil Abercrombie. Union supporter Colleen Hanabusa won a tough race against Charles Djou who relied on outside anti-union money that bought heavy negative TV advertising. A total of 55 out of 59 ILWU-endorsed candidates in Hawaii won their races.

## Analyzing the election results

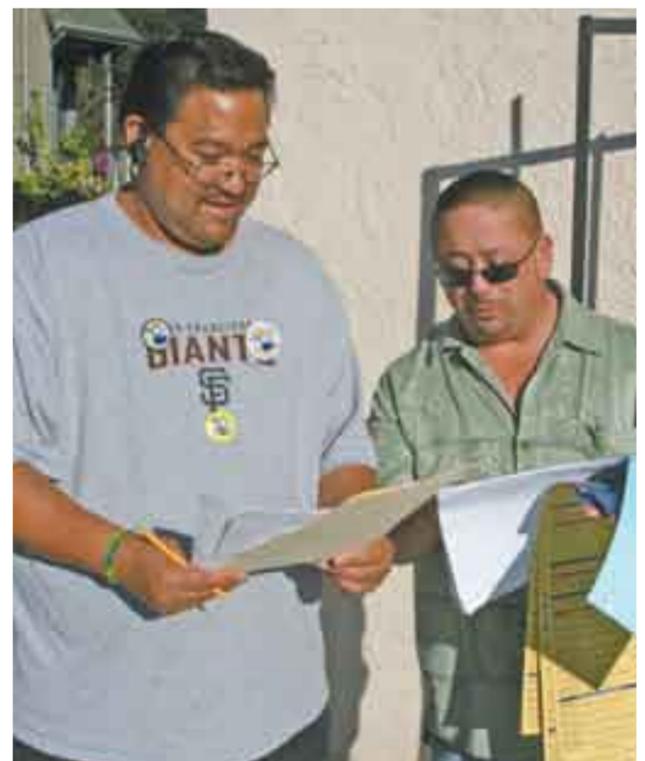
ILWU International officers and Executive Board members will discuss and analyze the November election results at the next Executive Board meeting on December 9th and 10th. Among the points that ILWU leaders may discuss are the following:

- Large numbers of blue-collar voters supported anti-union politicians, including many union members. Why is this happening and what can be done about it? How can unions do a better job of educating and involving members in the political process?

- Most union campaign contributions are used to buy TV and radio advertising along with direct mail and phone calls. But research shows those approaches are much less effective than member-to-member conversations involving trusted co-workers on the job. How could unions take advantage of this natural resource to boost member involvement in elections?
- Because of the recession, there were fewer "wedge issues" used to divide and confuse working class voters – and greater emphasis on jobs and the economy. What were the winning arguments that anti-union candidates used to win-over working class voters when it comes to jobs and the economy? How could unions counter these arguments and offer better solutions?
- Does it make sense for unions to support candidates who are unwilling to help union members? One group of politicians in Congress, known as the "Blue Dogs," receive contributions from many unions, while refusing to support laws like the Employee Free Choice Act that could make it easier for workers to join unions. In the November election, 23 out of 46 of these "Blue Dogs" up for election were defeated.



Local 10's motorcycle crew took to the streets on Election Day as rovers to mobilize the vote.

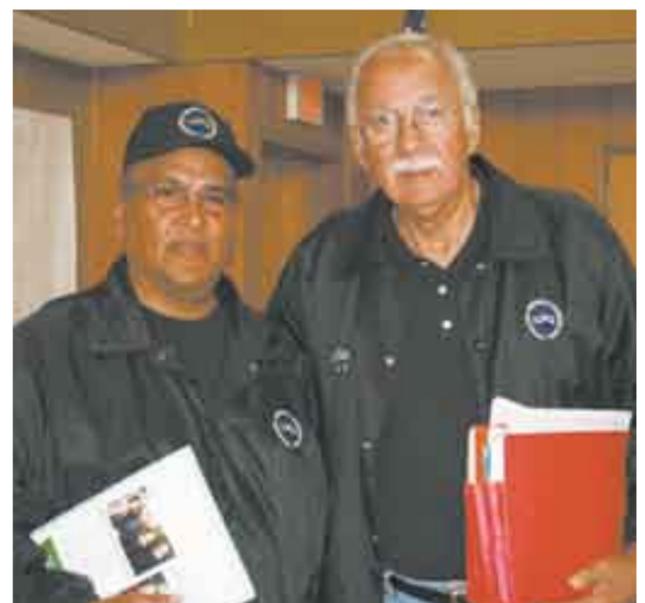


Local 75 Sec-Treas. Patrick Kim and Local 75 Member Albie McCarthy check voter rolls on Election Day as part of the Northern California ILWU's GOTV effort.



Photo by Robin Doyno

Under the watchful eye of the portraits of Louis Goldblatt (left) and Harry Bridges, area high school students phone bank at Local 13's hall in San Pedro, CA.



Local 54's Epi Rivera and Ray Silva at Local 6's hall on Election Day helping to mobilize voters.

# Bay Area locals mobilized for Oakland Mayor's race, tipping balance for Jean Quan

ILWU members in the Bay Area put a tremendous volunteer effort into the campaign of Oakland City Councilwoman Jean Quan who ran for Mayor of Oakland on November 2nd. ILWU members phone banked, walked precincts, put up yard signs, did data entry for the campaign, and were a vital part of the get-out-the-vote effort. ILWU volunteers identified voters who were likely to support Quan and encouraged them to vote on Election Day. The Quan campaign used the Local 6 hall in Oakland as a staging area for their Election Day effort and hosted an election night party there.

## Underdog scores upset

Quan won despite a lack of name recognition compared to political heavyweight Don Perata who was favored to win. Quan's campaign had far less money than Perata, who broke previous spending records and outspent her nearly 6-1 in a crowded field of 10 candidates. Quan relied on grassroots mobilization and a network of volunteers including ILWU members who stepped-up to participate in the campaign.

The Oakland mayor's race uses a ranked-choice or "instant run-off" voting system. If a candidate fails to gain at least 50 % plus one of the vote, the last-place candidate is eliminated and their second or third choice votes are redistributed among the remaining contenders. The process continues until a candidate receives a majority of votes. It can take several days or even weeks to determine the winner, but it is much faster and less expensive than a run-off election.

## First time for many volunteers

"I was proud to be a part of this campaign," said Local 75 Secretary-Treasurer Patrick Kim. "We were able to make a big impact—not by donating lots of money—but with hard work. Politicians will be coming to us not just for our endorsement, but because we can help get people elected."

Like many other volunteers, this was Kim's first experience on a major political campaign. The Quan mayoral campaign marked the largest electoral mobilization by Bay Area ILWU locals in decades and represents a new commitment to become engaged in local electoral politics.

"We don't have enough money to put into any campaign to compete with what those with deep pockets can do," said Local 34 President Sean Farley. "The ILWU does have one advantage—putting boots on the street for those we support. ILWU Local 34 Clerks made a difference in this campaign by answering phones, and making calls. In the future we will be even better."

## It started with ILWU membership

The union's electoral organizing committee began their outreach efforts with the ILWU's membership. They combined the membership lists of Locals 10, 34, 75, 6 and pensioners to produce a list of 1,000 ILWU members and retirees who live in Oakland. They asked members if they would consider voting for Quan and put signs up in their yards. This proved to be a very popular approach. Nearly 90% of ILWU members responded positively to the appeal for votes and signs.

## In it for the community

When Local 10 President Richard Mead spoke at the Quan's election night victory party hosted by ILWU Local 6 in Oakland, he explained why ILWU members mobilized behind Quan.

"We're in this campaign because we care about the community," Mead said. "Of course we also care about what happens at the ports, but we really want to help this community get the best possible jobs for the working families who live here, and make sure



Oakland mayoral candidate Jean Quan speaking at Local 6's hall on election night.

that the Port respects the surrounding community where we work."

"We're thrilled that Jean Quan won the campaign, but we also won something else important because our union got more involved in the community and we gained respect for our work," said Mead.



ILWU members along with other campaign volunteers mobilized to get out the vote on election day.

# ILWU members run for office in California's Central Valley



Two members from ILWU Local 54 ran for seats in California's Central Valley. Local 54 member, Wesley Cagle (right), was elected to school board in the City of Galt and Local 54 Secretary-Treasurer, Gene Davenport, was narrowly defeated in his bid for Galt City Council. Local 54 has made a commitment to be engaged in politics and we have worked hard to convince members that it should be a part of our culture," said Local 54 President Mark Cuevas. "These brothers took it a step further by running for office. They understand that we need to be engaged in politics to build power and fight for our community."

# College students crank up the heat on Rite Aid execs

The nation's most effective student action network, United Students Against Sweatshops, launched a campaign on October 29th in eight major cities that aims to make Rite Aid executives more respectful toward employees – including better treatment for the 550 workers at Rite Aid's giant distribution center in Lancaster, CA, who have joined the ILWU and are determined to win a first contract.

"We represent students around the country who refuse to allow corporations to profit from exploiting their workers and we organize to build power for working people who are willing to push back to protect their families and communities, whether they be Nike workers in Honduras or Rite Aid employees in Lancaster," said Teresa

Cheng, International Campaigns Coordinator for USAS.

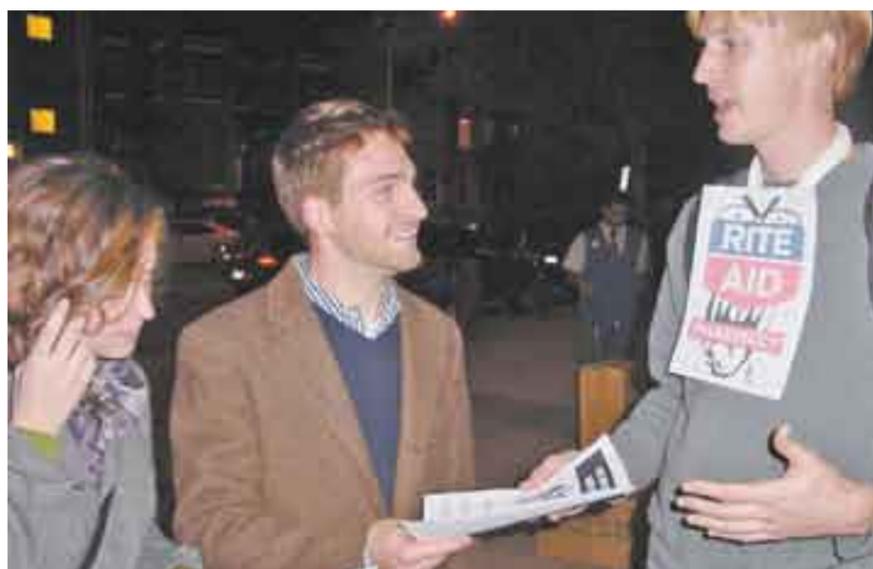
Cheng says students are particularly concerned about Rite Aid's history of union-busting and the health care insurance rip-off that Rite Aid officials have proposed to workers at the Lancaster distribution center. The scheme would overcharge employees for health care – essentially cutting take-home pay – by charging workers up to 28 times above the actual cost increases for a worker's share of health insurance.

Cities where students organized their "Day of Action" at Rite Aid stores included: State College, PA; Mountain View, CA.; Boston; Los Angeles; Ithaca, NY.; Seattle; Chapel Hill, NC; and Washington, D.C.

The Day of Action represented an escalation that went beyond the previous solidarity action on October 22 when USAS sent an e-mail blast to students and supporters that gener-



Across the country, activists from United Students Against Sweatshops staged Halloween actions in solidarity with Rite Aid Workers in Lancaster, CA. Pictured above are USAS activists in Los Angeles. Below left is the Washington, DC action and below right are student activists in Boston. Actions also took place in State College PA, Seattle WA, Chapel Hill, NC, Ithaca NY, and Mountain View CA.



ated hundreds of messages to Rite Aid executives. The messages blasted Rite Aid officials for "sweatshop abuse" and criticized the company for failing to respond to previous letters of concern sent by USAS leaders.

USAS has an impressive record of victories against large corporations that profit from sweatshop conditions. This past July, USAS forced Nike to pay their 1,800 subcontracted college apparel workers in Honduras millions of dollars in severance pay. That settlement came on the heels of a successful USAS's campaign against Russell Athletic, in which the company re-opened a union plant it had illegally closed. The company also agreed to stop anti-union campaigns in all of their Honduran garment factories, ending the largest university boycott of a corporation in the history of student activism.



Photo by Jason Prama/Open Media Boston

## Bay Area ILWU members endorse rally seeking justice for unarmed civilian killed by BART police officer

Hundreds of union and community supporters rallied in Oakland on Saturday afternoon, October 23rd at an event attended by ILWU members from Locals 6, 10 and 34 to seek justice for Oscar Grant, an unarmed African-American man killed by a BART transit police officer in 2009.

### New Year's Day Killing

Grant was killed while he and several friends were detained by transit police at 2 a.m. on New Year's Day, after BART staff reported that the young men were intoxicated and fighting on a train. Dramatic camera phone videos taken of the incident that followed show Oscar Grant being held on the ground by two BART police when one of the officers, Johannes Mehserle, suddenly pulled out his semi-automatic pistol and fatally shot Grant in the back.

### Cop convicted in shooting

Mehserle was charged with second degree murder by the Alameda County District Attorney's office, but the jury decided to convict Mehserle of involuntary manslaughter involving a firearm, which carries a maximum possible sentence of 14 years in prison. Mehserle's attorney argued that his client mistakenly used the gun instead of a Taser, and deserved no more than probation.

The October 23rd rally attracted a diverse group of union members, community activists and students. Dozens of speakers addressed the crowd for almost four hours, although the group thinned considerably after several hours.

### ILWU involvement wins positive media coverage

The event garnered positive media coverage, including two favorable articles in the *San Francisco Chronicle* newspaper, and television news reports including Channel 7 Eyewitness News. At one point in the live TV coverage, ABC TV news anchor Alan Wang asked field reporter Lisa Gulezian: "What's the connection between the union and Oscar Grant?" The reporter on the scene responded: "The union says that what's important to the community is what's important to the union...the bottom line is that they don't like to see injustice."

### Connection to Mayor's campaign

Several speakers, including Local 10 President Richard Mead, invoked the ILWU slogan, "An injury to one is an injury to all," which was cited by several reporters to explain why local union members would care about getting involved in this struggle for justice. Mead noted that candidates running for the Oakland Mayor's race need to ensure that police are better trained and held more accountable. He urged everyone to vote in the November 2nd election, and said Local 10 members

are actively volunteering to help candidate for Mayor Jean Quan because she supports working families, unions, and the need to hold police accountable.

### Changing "stop work meeting" date

In addition to covering the rally, reporters were curious about claims that longshore workers were "shutting down all Bay Area ports" on Saturday as a sign of solidarity toward Oscar Grant. Local 10 officials asked and received approval from the PMA to change the local's regular monthly "stop work meeting" from Thursday to Saturday. While Port officials said only one ship was tied up on Saturday, changing the "stop work meeting" to Saturday made it easier for members to attend the weekend rally. Local 10 officials also encouraged member participa-

tion by issuing special credit stamps to "B members" who attended the rally.

### Judge sentences shooter

On November 5th, Judge Robert Perry sentenced Mehserle to 2 years in state prison and was credited with nearly one year of time served. The sentence was less than many in the community had expected.

Farless Dailey, Local 10 Secretary Treasurer, helped organize ILWU participation at the rally and felt it was a success. "What happened to Oscar Grant was a terrible injustice that never should have happened. Our ILWU tradition calls on us to stand with the community whenever an injustice occurs. Taking action and speaking out is what we mean by 'an injury to one is an injury to all.'"



Photo by Bradley Stuart / Indycitybay.org

An Injury to one is an injury to all: ILWU Local 10 rallied behind took a stand against calling for justice in the police killing of Oscar Grant.

# Congress considers deregulating ocean liner industry

## Bill could dramatically lower wages for workers

A potentially devastating piece of legislation that could lower wages for longshore workers was introduced in Congress shortly before the election recess. The legislation, co-authored by Jim Oberstar (D-Minn.), chairman of the House Committee on Transportation and Infrastructure and Elijah Cummings (D-Md.), chair of the Subcommittee on Coast Guard and Maritime Transportation, would deregulate the process by which carriers set shipping rates and significantly alter the way the industry does business. Most significantly, the Shipping Reform Act of 2010 (H.R. 6167) would repeal carrier's antitrust immunity with regard to rate discussions that has been in place since 1916. The bill's opponents say the changes would create significant price volatility in shipping rates, lead to greater consolidation of the shipping industry and cause downward pressure on wages for longshore and maritime workers. The bill would still allow vessel sharing agreements (VSAs) but would impose significant restrictions on them that carriers say would render them so unworkable that they would no longer effectively function. The bill is being promoted as "free market" reform despite the fact that the bill would dramatically expand the power of the Federal Maritime Commission (FMC) over the liner shipping industry and create and burdensome reporting requirements for carriers.

### Backlash against service interruptions

The bill came about from service complaints from the first half of 2010 as carriers were emerging from the effects of the recession that had a devastating impact on the ocean shipping industry in 2009. Opponents of the bill point out, however, that the legislation does nothing to address the economic conditions that created those problems. The recession devastated many carriers, driving some to the brink of bankruptcy. Carriers were forced to reduce service to adjust to reduced cargo levels. They note that those service issues have corrected themselves now that the economy and the shipping industry have partially recovered.

### Legislation likely "dead on arrival" this year

Both supporters and detractors of the bill agree that Congress will not take any action on the legislation any time soon. It was introduced one week before the House recessed for campaign season and no movement is expected in the "lame duck" session after the elec-

tion, which means it would need to be re-introduced after the new Congress is seated. The future of the legislation is also clouded by the fact the Congressman Oberstar lost his re-election bid in November. Nevertheless, many carriers as well as organized labor are raising awareness about the potential negative consequences this legislation would have on the industry.

"We are watching this legislation very carefully because of its potential to undermine wages and working conditions for longshore workers. We urge all of our members to pay close attention to this as well," said ILWU Coast Committeeman, Leal Sundet.

The World Shipping Council, a trade organization representing 29 carriers that handle most of the world's ocean liner cargo, issued a statement opposing the bill, saying that it would lower service quality and increase costs for American importers and exporters:

"The industry's operating agreements improve service and increase the number of competitive options on any given trade lane. The bill would disrupt

current services and operations, and it would make cooperative arrangements impractical in the future. We can identify no benefit and many disadvantages for American commerce arising from such a proposal. If enacted, the bill would create an ocean transportation system that would make U.S. trades less efficient and more costly for carriers, resulting in less choice, less capacity, lower service quality, and higher costs for U.S. exporters and importers."

"The Department of Homeland Security has said that the ocean liner shipping industry is a part of America's critical infrastructure so the system needs to work for both shippers and carriers alike," Christopher L. Koch, President and CEO, World Shipping Council said in a recent online debate hosted by the Journal of Commerce ([www.joc.com](http://www.joc.com)). Koch also posed some important questions about the potential impacts of the legislation. While most of the arguments for ending rate discussion immunity are grounded in abstract principles and economic theory, Koch asked what the real world impact of the changes would be.

"Most observers believe that it is likely that if you end the rate discussions, there will be more rate volatility. Is that a good thing?" Koch asked. "Is the assumption of eliminating rate discussion immunity that this is going produce significantly lower carrier revenues and if so with what effect? There [would be] no choice but for carriers to cut costs."

In addition to the questions posed by Koch, there are other important questions that could also be asked:

What would be the impact of the legislation of the wages of longshore and maritime workers? Will it promote a "race to the bottom" in worker wages and benefits? Will workers be forced to do the same amount of work but with a reduced work force?

What would be the impact on health, safety and other working conditions for longshore and maritime workers? Would workers be at higher risk for occupational injury or illness? Would it make our ports less safe?

### 'Free market' failed workers in trucking industry

Michael Belzer, an economics professor at Wayne State University and a former Teamster long-haul tank truck driver, said that deregulation of the trucking industry in the 1980s had disastrous consequences for workers and for public safety. Belzer wrote *Sweatshops on Wheels: Winners and Losers in*



Congressman James Oberstar introduced legislation that would deregulate the process by which carriers set shipping rates and could potentially dramatically reduce wages for longshore workers. Oberstar lost his House seat in the November 2 election.

*Trucking Deregulation*, which details the negative consequences deregulation had on workers. Deregulation lowered shipping costs, which in turn led to a considerable decline in wages and working conditions for truck drivers, Belzer said.

In a recent interview with *The Dispatcher*, Belzer said the term "deregulation" is really a misnomer and that instead, one kind of regulatory regime is being traded for another. "This is really all about shifting from institutional regulation—like collective bargaining—to market regulation," Belzer said. "And when markets regulate, there are winners and losers. The people with the power win and the people without the power lose."

Belzer added that in addition to lower wages for workers in the shipping industry, another consequence of the legislation would be an increased loss of manufacturing jobs in the United States. "The purpose of this bill is to get liner fleets to compete with one another more aggressively and use that to reduce the costs of the transportation of freight. The cost of freight of transportation is already low—which has helped to facilitate the exporting of American jobs to Asia," Belzer said. And while some may argue that that the Shipping Reform Act would aid US exporters by reducing transportation costs, Belzer said the legislation would equally benefit importers. "The legislation will lower costs for exporters and importers. There is no way this bill advantages exporters; it will make it cheaper for more industries to move their manufacturing operations to China," Belzer said.

## Retired longshore president gets top port post

Former ILWU International President, David Arian, was appointed to the LA Harbor Commission on September 27th by Mayor Antonio Villaraigosa. Arian will fill the vacancy created when former International Vice President Joe Radisich stepped down earlier in September.

In announcing the appointment, the Mayor praised Arian, saying: "David Arian brings an inherent understanding of how the Port can function more efficiently as well as the needs of the surrounding community."

Arian grew up in San Pedro and started working on the docks when he was 18. He was elected President of Local 13 for three terms before serving as ILWU International President from 1991-1994. Arian returned to work on the docks, retired in 2009 and is active in the Southern California Pensioners Group.

"I'll do my best to represent the community and workers, so we can keep generating good jobs for working families and protect the environment around the Port," said Arian.

## TRANSITIONS

### NEW PENSIONERS:

**Local 4:** Ronald W. Bernhardt; **Local 10:** George E. Hunter; **Local 13:** Theodore A. Thomas; Michael G. Mirabal; Irene M. Bautista; **Local 19:** Steven D. Shafer; **Local 23:** Garth T. Wilhelm; Michael Tober; **Local 27:** James R. De Bord; **Local 34:** Darryl L. Kasper; **Local 52:** Anthony Fowler; **Local 53:** James H. Rice; **Local 63:** Louis E. Herrold; Linda D. Mc Elroy; Jon R. Adams; **Local 91:** Albert C. Rodrigues Jr.; **Local 98:** Wesley Young; Earl J. Burks

### DECEASED:

**Local 8:** Donald Thorud; Robert A. Watt; **Local 10:** Milton Wise; Eddie Galloway (Mary); Donald M. Richardson; C. B. Scott; **Local 13:** Raymond Halladay (Christina); Veljko Bozanich; Joseph Mirkovich; Ben C. Harrington; Donald E. Redman; **Local**

**19:** Franklin A. Schur (Maryann); **Local 23:** Lyle B. Brewer; **Local 25:** Aaron C. Frank; **Local 34:** Murray L. Martin; **Local 54:** Gino P. Parenti; John F. Field (Hazel); **Local 63:** Jerry W. Spray (Edna); Alfonso I. Lozano (Margaret); Pat R. Scognamiglio; **Local 92:** Richard C. Rancore (Claudia); **Local 94:** Sidney E. Johnston

### DECEASED SURVIVORS:

**Local 10:** Frances Frleta; Rose H. Harris; Patricia Steele; **Local 13:** Lenore Lopez; Elsie Kirchner; Nevenka Mardesich; **Local 14:** Helen M. Anderson; **Local 19:** Callie Newton; **Local 32:** Jane M. Paglia; **Local 34:** Mary G. Freitas; **Local 91:** Mary A. Braz; **Local 92:** Marilyn J. Patterson; **Local 94:** Ann K. Blahnik; Carol R. Williams

## Local 19 2010 scholarship awards

On October 14th, Local 19 presented their 2010 scholarships to the following recipients:

**Melvin Stenberg Memorial Scholarship: Madison Freedle, daughter of Leo Steiner**

**Edward Kendall Memorial Scholarship: Ariel Smith, daughter of Covie Smith**

**ILWU Local 19—S.S.A. Safety Scholarship:**  
**Haley Bergman, daughter of Todd Bergman**  
**Natalie Buslach, daughter of Bard Buslach**  
**Chelsea Purcella, daughter of Barry Purcella**  
**Tomas Enquist, son of Scott Enquist**

Each received a check for \$775

The award money from the S.S.A. Safety Scholarship is derived from an incentive to promote a safe working environment in which S.S.A. contributes \$1,000 per quarter less \$25 for each time loss job injury reported to them.

The award money for the Melvin Stenberg Memorial Scholarship and Edward Kendall Memorial Scholarship are from funds bequeathed to Local 19 to provide scholarships to children of Local 19 members. All children of Local 19 active members are eligible to apply for the scholarships in the spring and must be planning to attend a college or vocational/technical school.

## Locked Out 2010: Premiere of new documentary film

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There's footage of the "Docks to the Desert" food caravan organized by the Los Angeles County Federation of Labor that quickly gathered \$50,000 worth of groceries – much of it donated by members of the United Food and Commercial Workers Union. The food was loaded into four giant semi-trucks donated by the Teamsters Union and the Food & Drug Council that joined with 100 cars and drove in a convoy from Dodger Stadium to the union hall in Boron – making a dramatic show of solidarity as they paraded through the little town with air horns blaring as residents waved back to welcome the support. Those groceries and other deliveries that followed were distributed each week by rank-and-file volunteers who staffed a food pantry that supplied families with "lockout meals."

The film also shows how cash donations from ILWU locals and other unions helped families avoid foreclosures and medical emergencies during the lockout, thanks to a committee of ILWU members who did their best to allocate the donations in a fair way to the neediest families.

Also captured on film are the outreach and media committees that lined-up community support and kept the media informed with positive stories – putting the families and their struggle in the best possible light.

This determination and organizational strategy eventually forced Rio Tinto to back down, reach a settlement and end the lockout.

The cameras are there when workers returned to work on May 17, 2010 – but there were no illusions about the damage done by the company to employees and the community.

"We're glad to be working again, but the trust that was once there has been destroyed. There have been some small changes, but for the most part, things are still the same," Judd said.

Kim Evans, another locked out union member said, "Since we've been back to work, it's been rocky." With statements like these, the documentary ends with a sober reminder that the fight for justice continues, even after winning a big battle against a powerful adversary.

Filmmaker Joan Seckler says she got the idea for making the documentary on the first day of the lockout.

"I saw the article in the *Los Angeles Times* when the lockout began and thought it might be a good idea to make a film about what was happening in Boron," She approached Local 30 officers about her idea, who were supportive, and then started charging her credit cards.

The total cost for making the documentary, including filming, travel, and other expenses came to "around \$65,000 of which \$8,000 was paid for by a grant," said Sekler. She financed the rest of it herself, which is where the sale of the DVDs come in. "If I can sell enough DVD's, then I have a chance of breaking even," she explained.

After the premiere, when asked how she liked the film, Terri Judd exclaimed, "I loved it!" Raymond Wilkins, another union member who went back to work after the lock-out also enjoyed the film, as did dozens of others who were interviewed for their opinions and feedback.

*Locked Out 2010* is more than an important historical document – it's an entertaining and inspiring blueprint that shows how workers can take on powerful employers – and win.

DVD's of the documentary are on sale for \$20 at the website. [www.lockedout2010.org](http://www.lockedout2010.org).

*(Thanks to Patty Orr of the Mojave Desert News who contributed to this article and provided photos.)*

## A Helping Hand...

...when you need it most. That's what we're all about. We are the representatives of the ILWU-sponsored recovery programs. We provide professional and confidential assistance to you and your family for alcoholism, drug abuse and other problems—and we're just a phone call away.

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