



THE DISPATCHER

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First woman IBU President [page 8](#)



Photo by Julianne Duncan

Providing public service: Washington State ferry workers who belong to the Inlandboatmen's Union (IBU) are among millions of public employees who are likely to be impacted by a pending Supreme Court decision that aims to weaken unions, known as the "Janus" case. Shown on deck are (L-R): Matt Williams, Antonia Sullivan, Scott Johnson, Kimberly Berry, and Drew Botti.

Supreme Court's "Janus" case will impact members

The better pay, benefits and rights on the job that ILWU members and other union workers have enjoyed for decades are being challenged this year by a clever plan to weaken unions, called "right to work."

Supreme Court's "Janus" case

The U.S. Supreme Court recently announced they will hear a case in 2018 called "Janus versus AFSCME" that seeks to strip public unions of their right to collect dues from everyone covered by a union contract, and impose "right-to-work" rules on all public-sector union members in the United States. A decision harming public employee union members is virtually certain because President Trump recently filled a vacancy on the Supreme Court with Neil Gorsuch, who holds anti-union views and favors big business.

Details about Janus

Mark Janus is a public employee in Illinois who sued his AFSCME union because he objected to paying his small share of fees needed to cover the union's representation

costs that protect his contract, pay, benefits and rights on the job. Janus says he opposes unions so strongly that paying any fees would violate his First Amendment rights. The Janus case has massive support from anti-union business groups.

Key court cases

In 1977, public unions won a Supreme Court decision called "Abood" that affirmed their right to collect dues or "fair share fees" from all workers covered by a union contract. Since that decision, anti-union Presidents – especially Reagan and both Bush's – appointed more anti-union justices to the court.

Two years ago, the Supreme Court heard a similar case – also backed by big business – on behalf of a California school teacher named Rebecca Friedrichs, who also held strong anti-union views. The court deadlocked on whether she was obligated to pay fees to the teacher's union by a vote of 4 to 4, because Justice Antonin Scalia died suddenly. Anti-union politicians then blocked President Obama from filling the Scalia vacancy with someone who would respect workers and unions. When President Trump filled the

vacancy with Justice Gorsuch, he sent a green light to corporate America that "right-to-work" would soon become the law of the land for public workers, and eventually all union members.

What is "right-to-work"?

"Right-to-work" is a clever scheme designed in the 1930's by big business to keep unions weak and wages low. It essentially outlaws "union shops" – workplaces covered by a union contract where everyone pays either dues or their "fair share" of fees to cover the cost of representing workers and protecting good pay, benefits and work rules.

Encouraging "freeloaders"

Under "right-to-work" rules, union members can no longer vote to require everyone in their workplace to support the union by paying either dues or fair-share fees. Only voluntary contributions are allowed by "right-to-work laws" – and only if each worker provides specific, written authorization. Some "right-to-work" laws already in place in many states require unions to collect separate, signed authorization forms each year from individual workers in

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LETTERS TO THE DISPATCHER

Dear Editor,

Now more than ever I need a strong union!

Therefore, I am sending the ILWU Political Action Committee (PAC) a check for one day's wages at my highest pay category, in this case working as a clerk at overtime.

That is just one measly day – the least I can do.

While I believe getting money out of politics is a crucial step toward returning to democracy, it is only realistic to support the ILWU PAC at this time.

Robin Doyno
Local 13

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



Photo by Kelly Kane

Honoring Dr. King: Bay Area ILWU members were among hundreds of union and community activists who gathered for breakfast on January 15 to honor Dr. Martin Luther King, the martyred social justice leader who spoke at Local 10 on September 21, 1967, six months before he was assassinated while supporting a sanitation worker strike in Memphis, TN. Pictured (L-R) International Secretary-Treasurer Willie Adams, Local 10 bookkeeper Julie Chandler, BALMA staffer Angelique Nayer, Local 10 President-elect Melvin MacKay, Local 10 outgoing President Ed Ferris, Local 34 Vice President Jeanette Peoples, Local 10 outgoing Secretary-Treasurer Derrick Mohammed and ADRP Regional Director Hunny Powell.

ILWU members show generous spirit this holiday season

Southern California

The annual Children's Christmas Party produced by Southern California ILWU locals helped approximately 3,000 kids have a happy holiday season. Locals 13, 26, 63, 94, the Federated Auxiliary 8, Southern California Pensioners, Longshoremen Memorial Association and the ILWU Credit Union all worked to make this year's holiday party possible. The Holiday Events Committee works year-round to plan and organize the annual charity events with a team of over 100 volunteers.

Events Committee Co-Chairs Katy Witkowski and Jose Alvarez, Jr., both from Local 13, reached out to local non-profit groups for help identifying families in the area who needed assistance.

Before those families arrived, volunteers began preparing the room early in the morning by creating rows of toys, bikes, and sports equipment – and preparing for the arrival of Santa.

Children were allowed to pick a toy of their choice and were treated to cupcakes, cookies, punch, face painting and caricature drawings – plus a chance to visit with Santa. "This annual event is one of the many ways ILWU members in Southern California give back to our community," said Committee Co-Chair Katy Witkowski.

The ILWU Children's Christmas Party followed the successful "Feed the Community Day" that was held in November, which helped 2,000 families have a better Thanksgiving. Approximately 250 ILWU and community volunteers worked hard to distribute 2,000 baskets of food that included a turkey and Thanksgiving dinner trimmings.

Bay Area

A half-dozen different events marked the Bay Area's holiday giving spirit this year. The season began with the Annual Children's Holiday Party on December 9 that was sponsored by the Bay Area Longshoremen's Memorial Association (BALMA). A generous donation this year from the ILWU Credit Union covered the children's entertainment expenses. An estimated 100 children attended the event that was jam-packed with food, entertainment and activities. Besides Santa Claus who is always the top attraction, face-painting remained popular, along with balloon-art and clowning by Buki and her friends.

A week later, the Bay Area Pensioners put on their Annual Lunch for staff of the ILWU International, Locals and Benefit Plan office. The venue was Castagnola's Restaurant on Fishermen's Wharf, where Pensioners and Auxiliary #17 members greeted dozens

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Photo by Robin Doyno

Feed the Community: Annual Feed the Community Day event in Southern California was sponsored by ILWU Locals 13, 26, 63, 94, the Federated Auxiliary 8, Southern California Pensioners, Longshoremen's Memorial Association and the ILWU Credit Union.



Photo by Robin Doyno

Teamwork: Hundreds of volunteers made the annual Southern California Feed the Community Day event a success this year. Two-thousand baskets were given out to families to help them celebrate Thanksgiving.

DISPATCHER

Craig Merrilees
Communications Director and Managing Editor
Roy San Filippo
Editor

ILWU TITLED OFFICERS
Robert McEllrath, President
Ray A. Familathe, Vice President, Mainland
Wesley Furtado, Vice President, Hawaii
William E. Adams, Secretary-Treasurer

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ILWU members show generous spirit this holiday season

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of guests. Bay Area Pensioner's President Lawrence Thibeaux welcomed everyone and introduced International President Bob McEllrath who thanked the Pensioners for their generosity and continued devotion to the union – noting that he will soon be joining their ranks.

The traditional luncheon for Pensioner's was also held in December at the Memorial Hall. The annual holiday buffet by Pensioners was made possible with help from BALMA and Auxiliary members.

BALMA also donated money and toiletries to Toolworks, a non-profit that helps people with disabilities and those who have fallen on hard times. Donated items included toothpaste, toothbrushes, shampoo, deodorant and other toiletries that are distributed to women's shelters and homeless shelters serving veterans and others in the Bay Area.

The annual toy drive continued this year in San Francisco, thanks to contributions from BALMA and ILWU members who support the Toys-for-Tots program. Gifts were collected by San Francisco union firefighters who arrived before Christmas and left with a pile of packages, bicycles and other gifts. Local 10 member Felipe Riley volunteered his time again this year, continuing the ILWU Toys for Tots tradition that he started over 20 years ago.

On the other side of San Francisco Bay, Local 6 members in Oakland hosted a Christmas party for ILWU members and their families. Approximately 100 people attended the Saturday afternoon event that featured pupusas, tacos, rice and beans plus cake and cookies for dessert. Kids enjoyed games, face painting, art projects, holiday photos and a visit from Santa.

Puget Sound

Local 19 members Dan Elverston and Christian Kirk helped coordinate a team of union volunteers who raised \$16,000 worth of merchandise and 200 pounds of food for families in the Puget Sound region. Local 19 members also donated \$6,000 in cash to three local charities that help children. The local collected presents for the Giving Tree that helps families with foster children in the Seattle area. Local 19 members secured deep discounts at

union retailer Fred Meyer and another local store, Outdoor Emporium, which allowed the ILWU to purchase more merchandise for families in need. Support came from Locals 19, 52 and 98, plus Pensioners and Auxiliary members. Charities who received the ILWU's help this year included the Harborview Medical Center, Teen Feed, Tree House, Holiday Magic, Sanca, Cocoon House, Highline Schools, the Labor Temple Children's Holiday Party, and Puget Sound Food Bank. "This was truly a community effort," said coordinator Dan Elverston, who noted that the efforts help thousands of families in need throughout the Puget Sound area.

ILWU Local 23 Holiday Partnership

Local 23 had their most successful Toy Drive to date in 2017. Members and pensioners donated \$43,369.25 and we were able to help over 840 children receive two toys each. The Toy Drive Committee purchased most of the toys, jackets and bikes from their local-union Fred Meyer store with discounts to make the donations go further. The annual toy drive had leadership this year from Trustee Kyle Copeland and hard work from Committee members, Mandy Peterson, Amy James, Kimberly Boespflug, Melissa Burkes and Holly Hulscher along with many other Local 23 family, friends and ILWU Auxiliary 35 volunteers who made a difference in their local community.

Local 23 members also donated funds used to purchase over \$32,000 worth of gift cards that are given to 158 local schools. A \$200 gift card is awarded to a worthy elementary student in need of financial assistance, one at each school, selected by a teacher or school counselor on the basis of need and effort to succeed. Local 23 started the program in 1999 with the Tacoma School District and has now expanded to help children in 17 school districts.

During the holidays and year round, Local 23 members, pensioners, family and friends volunteer at the St. Leo's Hospitality Kitchen where they serve food to community members in need on the fourth Wednesday of every month.

Local 23 member Byron Baydo and St. Leo's volunteer said "Local 23 is grateful for another opportunity this year to serve the homeless – not just during the holidays, but every month."



Early start: Holiday giving at Local 46 started in October by collecting donations for families in Northern California who lost 7,000 structures in the October wildfires. Local 94 member Victor Gallardo (left, wearing Stetson cap) drove a truckload of donated clothes, water and canned goods up to San Francisco where Local 10 volunteers greeted him and helped unload supplies for families in Napa and Sonoma. Members at Local 46 then shifted gears and gathered \$1,400 dollars for the Salvation Army's Thanksgiving Dinner that helped those without work, food or shelter.

Portland

Another successful holiday toy drive in Portland was made possible this season thanks to a diverse and generous group of volunteers from Locals 8, 40, 92, the Inlandboatmen's Union and the Portland Local 8 Federal Credit Union. All toys were donated to the "Presents from Partners," a program of the Community Service Agency supported by local labor unions. Distribution took place at a labor-sponsored luncheon for working families who have been impacted by unemployment and temporary hardships.

Local 4

Local 4 marked the 9th year of their Christmas bike drive by partnering again with community social services charities that help families in need. The effort was made possible with members from Locals 4, 40, 92, and Columbia River Pensioners and Auxiliary members.

Coordinator Troy Olson says the process begins around Halloween when case workers at the Children's Justice Center compile a list of kids who could use a bike. The Local then takes steps to secure a bike for each child, making modifications for children with any special needs. Vancouver firefighters complete the effort by donating helmets for each bike.

Local 4's partnership with the Arthur D. Curtis Children's Justice Center connects them to a nationally recognized service that provides a safe, child-friendly place for child victims of criminal-level abuse and their non-offending family members.

Before the bikes are delivered, each one is carefully assembled by a team of Local 4 volunteers who also conduct safety checks on the store-assembled bikes. This year Local 4 members donated a total of 95 bikes.

Local 29

Local 29's 4th Annual Christmas Bike Drive reached over 100 kids in the National City and Logan Heights communities. Marcella Calderon, Erica Luna, Daneille Cruz, Crystal Cruz, Dana Gonzalez, Vieno Castillo, Christina & Alfonso Torres, plus many other members and family members helped with the event. Local 29 members sponsored a child in the community and provided them with an age-appropriate bike and helmet. Outreach to the community will continue beyond the holidays and throughout the year.

Local 46

Local 46 members in Port Hueneme raised money and collected toys for several charity groups this holiday season. Local 46 members made a special effort to donate money and supplies for those affected by the devastating wildfires in Northern California and the massive Thomas Fire in Southern California that charred 300,000 acres in LA and Ventura Counties. Local 46 members also raised \$1,400 for the Salvation Army's Thanksgiving dinner and donated generously to the Toys for Tots program in December.



Portland Toy Drive: From left to right: Ashley Hill, Helen McCann, Marika Castillo, Bobby Niehaus, Dylan Steiner, Jaimie Garver, Michelle Humbert, Santa Bruce Holte, Shelby Palmer, and Josh Hansen



Tacoma toys: Local 23 leveraged a generous discount provided by the local Fred Meyers store to stretch the donation dollars for this year's toy drive.

Supreme Court's "Janus" case will impact union members

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order to collect any dues money.

From South to North

For decades, right-to-work laws existed only in Southern States where business owners used them to keep unions weak, wages low and workplaces segregated. Now there are 28 states, including Wisconsin and Michigan, with these laws. If the Supreme Court rules as expected by June, "right-to-work-for-less" will become the law of the land for every public-sector union member.

Designed to frustrate & fail

When the Supreme Court rules on Janus, it won't just restrict the ability of unions to collect dues or representation fees – it's likely to also maintain the legal obligation for unions to represent all workers covered by union contracts – even those who don't pay any dues or "fair share" fees to cover enormous costs of representation and arbitration. This "double-bind" is exactly how corporations behind the Janus case and "right to work" laws hope to frustrate, weaken and bankrupt unions.

Public workers first

The Janus decision will immediately affect public sector union members, but most observers believe corporations behind right-to-work will eventually ask the court to apply the same restrictive principle to all union members, including those with private-sector employers, including longshore, warehouse, industrial and service workers.

Impact on the IBU and beyond

The ILWU represents thousands of public-sector employees, the largest number being public ferry workers in Washington and Alaska who are represented by the ILWU's Marine Division, the Inlandboatmen's Union (IBU). Hundreds more work for the Golden Gate Ferry District and other public employers including Port Police at Locals 65 and 22; Security personnel at Locals 9 and 28; Port pilots at Local 68, and more.

"Public employees are almost half of the IBU membership, so dealing with "right-to-work" is a top priority for our union now," said newly-elected IBU President Marina Secchitano.

IBU Secretary-Treasurer Terri Mast prepared a memo suggesting a strategy for right-to-work that was distributed to the ILWU International Executive Board meeting that met in San Francisco on December 14-15.

"It's important that we start to build an internal campaign now to educate all our members," said Mast, who outlined a member-to-member outreach effort that envisions trainings to conduct "one-on-one" conversations which explain the need to stay strong and sign dues authorization cards.

ILWU strategy

"The success or failure of this anti-union attack will be determined by what we do this year," said ILWU International President Bob McEllrath, "They picked this fight with public workers for 2018, so we have to start educating and training members now in order to come out on top when the court ruling comes down later this year."

McEllrath says it's too late to stop the Supreme Court from ruling against workers in favor of the right-to-work laws long sought by big business. "That train left the station when Trump was elected President and he appointed Gorsuch to the Supreme Court."

The best move now for the ILWU and other unions, McEllrath says, is the approach advocated by the IBU's Terri Mast: a bottom-up, rank-and-file campaign to educate members by conducting thousands of 'one-on-one' conversations

"Our goal should be to convince 100% of union members that the only way to protect good contracts and power on the job is by voluntarily paying our union dues each month," he says.

First steps

In December, McEllrath told the International Executive Board that he was directing the ILWU's Organizing, Education and Communications Departments to help the IBU and other public workers in the ILWU by gearing-up for an educational campaign.

This article in *The Dispatcher* marks the beginning of a union-wide effort to inform members about the ILWU's strategy for staying strong despite the "right-to-work" attack. Recent issues of *The Dispatcher* have also carried information about the looming threat posed by "right-to-work" (see articles in the sidebar) and future issues of *The Dispatcher* will devote coverage to the ongoing educational campaign.

Education through conversations

The centerpiece of the outreach effort envisioned by the IBU is a rank-and-file educational campaign, based around "one-on-one" conversations between members.

Training volunteer trainers

The IBU is planning to begin with a series of training workshops for rank-and-file leaders who commit to serve as volunteer trainers in their workplaces.

The International Union intends to prioritize the IBU's large public-employee membership in the Washington and Alaska ferry systems, plus other ILWU locals with large numbers of public employees.

The IBU training sessions for rank-and-file volunteer trainers would include time for them to work with organization's elected leaders on a customized outreach plan. The goal is to identify and train enough volunteers to conduct one-on-one conversations with every public worker.

What works – and doesn't

A review of what other unions have been doing – or not doing – to maintain a high percentage of voluntary dues paying members despite right-to-work laws, shows that programs are succeeding because of three factors:

Keys to success

First, unions have to commit time and resources to support an intensive, member-driven educational campaign. Just passing out flyers or mailing newsletters without personal conversations won't work. It takes time and effort to talk with each member, but it has proven to be the most effective approach and there are no shortcuts.

Second, unions need to train volunteers how to engage in two-way conversations. The key is to have a real conversation that begins by asking questions, then listening carefully and making workers feel comfortable about sharing their true feelings. Members who want to share criticism or feedback about the union must feel heard and acknowledged – not dismissed or ignored.

Finally, a successful outreach campaign require local unions to keep careful records that track who has been contacted in what areas, and who has signed a dues pledge card - along with notes of particular concerns that might make a worker hesitate to voluntarily pay dues.

Unions can get stronger

Unions that followed these steps are reporting that most of their co-workers are voluntarily paying dues and keeping their unions strong. Many also say the member-to-member approach has made their locals much stronger because workers are more involved.

High price of failure

On the other hand, there are examples where right-to-work has destroyed unions that failed to involve members, including some in Wisconsin that started too late and didn't engage honestly and personally with co-workers. Those unions have now collapsed with only a small minority who are voluntarily paying dues to unions that have little or no power.



Photo by Julianne Duncan

On Guard: IBU member Matt Williams prepares to secure a barrier on a public ferry, part of Washington State's system that uses two dozen vessels serving 20 ports to safely transport over 24 million passengers a year.

"Unions that don't have strong membership support can quickly lose their dues base because of right-to-work laws, which triggers a financial crisis with staff layoffs and fewer financial resources to help members protect the contract – all of which makes joining the union less attractive," says Mast, who describes that scenario as a "death spiral" that unions must avoid at all cost.

Unions across the country that are successfully using the member-to-member approach to overcome "right-to-work" laws will meet April 6-8 in Chicago at the Labor Notes conference where 2,000 participants will share lessons and experiences. The ILWU will participate in the event and prepare an article on "lessons learned" – along with a report on the ILWU's own education campaign – that will be published in May issue of *The Dispatcher*.

Now's the time to begin

Given what's at stake, McEllrath says he wants to start the membership education campaign immediately.

"If we want to stay strong and united enough to deal with powerful employers, then we can't afford any delays in engaging the rank-and-file."

Recent "right-to-work" coverage in *The Dispatcher*

Anti-union forces have been trying to crush workers and unions with their "right-to-work" strategy since unions were first legalized in 1935. As big business gained more power in recent years and months, *The Dispatcher* exposed their efforts in a series of articles that include:

A profile of Supreme Court Justice Neil Gorsuch's anti-union views (April 2017)

A report on President Trump backing "right-to-work" legislation (March 2017)

An analysis of the racist origins of "right-to-work" (March 1977)

History of “right-to-work”

In 1935, President Franklin Roosevelt signed the National Labor Relations Act (NLRA) that legalized the right of workers to form unions, negotiate contracts and conduct job actions. It also recognized the importance of “union shops” where all workers shared the cost of maintaining their union. The President made a point of signing the NLRA (also known as the Wagner Act) in the port city of Tacoma, on July 5. That date, recognized then and now as “Bloody Thursday,” honored waterfront workers killed during the West Coast waterfront strike that gave rise to today’s ILWU.

Some workers were excluded

The new law helped millions join unions and improve working conditions during the next three decades – and created a more secure working class that was eventually called “middle class” by those who were uncomfortable talking about working class power. But the NLRA also excluded large numbers of workers in order to win enough votes to pass Congress where racist Southern legislators demanded the exclusion of farm workers, domestic workers and public employees. To this day, those three classes of workers lack the same federal protections that once protected most private-sector workers. Today those protections have been greatly weakened by big business, but until recently, they allowed millions of workers to join unions

Business lost the first 4 rounds

Business owners who hated labor unions and President Roosevelt were furious when the NLRA passed in 1935. They sued to overturn the law in federal court and tried to block unions from collecting dues from everyone in union shops. In 1937, the Supreme Court sided with workers by allowing the NLRA to remain in place and confirmed the right of unions to collect fees from everyone in a union shop. In just two years following major strikes in 1934 and organizing by longshore, auto, steel and other workers, at least four dramatic victories had been secured: passage of the NLRA plus two victories in the Supreme Court, and passage of the Social Security Act that passed in 1935.

Excluded, but they organized

While private-sector workers were organizing during the 1930’s and three decades that followed, workers on farms, government jobs and private households continued to struggle on their own, forming unions occasionally when they could, but receiving little or no protection from the federal government.

Farm workers

In Hawaii, the ILWU made history with successful campaigns beginning in the early 1940’s that eventually organized the island’s sugar and pineapple workers on a mass scale, enabling them to become the highest-paid agricultural workers in America. Labor activists helped farm workers organize powerful strikes and some unions during the 1930’s in California’s Central Valley, Salinas Valley, Imperial Valley and in eastern Washington State. Workers there continued organizing job actions throughout the 1960’s and beyond when the United Farmworkers Union passed the first farm labor law in the country in 1975 that allowed farm workers to organize unions in California.

In Southern states, activists helped tenant farmers and sharecroppers build unions during the 1930’s, helping both African-American and white farm workers to loosen the grip of debt and abuse that forced many families to live in virtual slavery since the Civil War.

Domestic workers

Domestic workers, including many African American women, also organized in the 1930’s with assistance from activists including Ella Baker, who described street corners in Manhattan and the Bronx as modern day “slave markets,” where women gathered each morning for a daily “shape-up.” Like longshore workers, they organized, and eventually forced New York’s Mayor La Guardia to create hiring halls with regulations that improved conditions for many. In recent times, new organizing efforts by domestic workers have passed new domestic labor laws in eight states, including California, Oregon and Hawaii.

Public workers form unions

Public employees were inspired during the 1930’s by gains made by private sector workers inside factories and warehouses. Some of the first public workers to form unions were postal workers and teachers concerned about pay, benefits and working conditions – but also about abusive politicians who encouraged bribery to determine pay and job assignments instead of civil service.

Public unions grow in 1960’s

Public sector unions saw relatively little growth until the 1960’s when large numbers began joining unions and demanding the right to become legal and bargain contracts. During the next 30 years, organizing continued on a large scale as teachers, firemen, ferry workers, police, security and prison guards, road repair, water and sewer workers, planners, librarians and others joined public unions. By the year 2000 the number of public sector union members equaled private sector union members – while private-sector union members declined to today’s level – just 6% of the workforce.

Good news and bad news

As public unions successfully organized for better wages and benefits in the 1960’s and beyond, they first tried to catch-up with better-paying jobs in the private sector that had risen because of union pressure. Workers also correctly noted that most public employees received no Social Security (another exclusion granted to conservatives in 1935 when the Social Security Act was passed by Congress), so demands for a secure retirement were addressed with defined-benefit pensions approved by politicians in charge of school districts, cities, counties and state governments. Within a decade or so, public wage increases and benefits began to surpass what private sector workers were able to bargain because their unions were growing weaker.

Anti-union reaction

At the same time, capitalists were shifting investment to the non-union south and overseas, part of the “de-industrialization” and offshoring that still haunts much of middle America. Inflation also increased during the 1970’s because of massive spending for the war in Vietnam, along with funding for healthcare, education Medicare and other important programs. Fear increased among workers and pensioners that they were falling behind and might lose their homes – especially in California where property taxes kept rising to pay for the growing public sector, which accounted for one in six jobs in the Golden State. These factors - including the different fortunes of public and private sector union members – created dangerous divisions within the working class that were ripe for exploitation by right-wing politicians who used the opportunity to harvest votes by turning public and private sector union members – and the large non-union working class – against each other.

Division & conquest

One of the first high-profile battles for the heart and soul of America’s divided working class was fought and lost in California over Proposition 13. The property tax cap was the brainchild of two right-wing extremists; Howard Jarvis and Paul Gann, who called their plan to freeze property taxes, “the People’s Initiative.” The measure passed by almost 2-1 despite strong opposition from public sector unions and most politicians. The following year, Paul Gann passed another initiative to severely limit government spending and punish public union members. Politicians were terrified by the popular support for both initiatives, and some, including Jerry Brown, reversed course to support Paul Gann and become a self-proclaimed “fiscal conservative.”

Union-friendly politicians, meanwhile, tried to maintain loyalty to both private and public sector union members. But private sector members were increasingly anxious about their falling wages, rising taxes

and dim prospects – while public sector members continued to push for as much as they could win at the bargaining table – not always appreciating that their “employers” included many increasingly anxious members of the working class who were being lured with appeals to “cut taxes” and vote against “greedy unions.”

As this conflict brewed, the fiscal crisis grew worse because the public sector kept growing in response to demands for education, health care and services to help more families living in poverty.

Wisconsin and beyond

The culmination of these forces were on full view in Wisconsin during 2010, when voters transformed the state from a union and Democratic Party stronghold, to a state that elected anti-union Governor Scott Walker. After winning, Walker stripped collective bargaining rights from public employees, triggering massive protests and support from ILWU members who travelled there to show their solidarity. But Walker defeated a recall election in 2012 and was reelected in 2014. Similarly, House Speaker Paul Ryan has consistently won his swing district that once included many industrial union members before the jobs left when capitalists closed plants in search of cheaper labor. Similar changes have taken place recently in Illinois, Michigan, Ohio and other states where current and former union members were once a powerful progressive block, but now increasingly vote for anti-union politicians who support tax cuts, de-regulation, low wages, “right-to-work” and other anti-union laws. The final insult to union solidarity came with the election of Donald Trump who had a long record of anti-union behavior that many current and former union members overlooked while accepting his promises to restore jobs and power for the working class – then flipping to embrace Wall Street and the one-percent after winning the election.

Business dream of “right to work”

The Supreme Court is now poised to outlaw the right of public unions to collect representation fees in “union shops,” and impose “right-to-work” laws on all public union members. This reversal marks the fulfillment of a dream going back to the 1930’s when Southern segregationists first peddled the idea of “right-to-work” as part of a strategy to thwart unions, stop “race-mixing” in workplaces, and block racial minorities from gaining their fair share of power and respect in society.

Trump backs anti-union case

On December 6, Trump administration lawyers in the Justice Department filed a “friend of the court” brief backing the Janus case against union members.

El caso “Janus” ante la Corte Suprema afectará a los miembros de los sindicatos



Photo by Julianne Duncan

A proteger y hacer preparativos: Los trabajadores del sistema de transbordadores públicos afiliados a IBU en el estado de Washington y Alaska desempeñan tareas esenciales en decenas de naves todos los días para proteger al público cuando viaja. Estos trabajadores están lanzando un nuevo programa de concientización para proteger los buenos empleos y mantener la fuerza de su sindicato.

Los mejores sueldos, beneficios y derechos laborales que los miembros de ILWU y otros trabajadores sindicalizados han disfrutado durante décadas están siendo amenazados este año por una jugada habilidosa para debilitar a los sindicatos llamado “derecho a trabajar.”

El caso “Janus” ante la Corte Suprema

La Corte Suprema de los Estados Unidos recientemente anunció que conocerá una causa en 2018 llamado “Janus versus AFSCME” que tiene como meta privar a los sindicatos de empleados públicos de su derecho de cobrar cuotas a todos los empleados amparados por un contrato sindical, e imponer reglas de “derecho a trabajar” a todos los empleados públicos que pertenecen a sindicatos en E.U. Es casi seguro que dará un fallo perjudicial para los empleados públicos sindicalizados porque el Presidente Trump recientemente llenó una vacante en la Corte Suprema con Neil Gorsuch, el cual tiene opiniones anti sindicales y favorece a las grandes empresas.

Los detalles acerca de Janus

Mark Janus es un empleado público en Illinois que demandó a su sindicato AFSCME porque él no quiso pagar una pequeña parte de sus cuotas destinada a cubrir los costos de representación del sindicato que protege su contrato, salario, prestaciones y derechos laborales. Janus dice que él se opone tanto a los sindicatos que el pago de cualquier cuota sería una violación de sus derechos bajo la Primera Enmienda de la Constitución. El caso Janus tiene un enorme apoyo de los grupos empresariales anti sindicales.

Las principales causas judiciales

En 1977, los sindicatos públicos ganaron una decisión favorable de la Corte Suprema en la causa llamada “Abood” que afirmó su derecho de cobrar cuotas u “honorarios equitativos” de todos los trabajadores amparados por un contrato colectivo de trabajo. Desde que se emitió este fallo judicial, presidentes anti sindicales – especialmente Reagan y los dos presidentes Bush – nombraron más jueces anti sindicales a la corte.

Hace dos años, la Corte Suprema conoció de un caso similar – también respaldado por grandes empresas – a nombre de una maestra de California llamada Rebecca Friedrichs, que también tenía fuertes opiniones anti sindicales. La corte empató votando 4 a 4 sobre la cuestión de su pago obligatorio de cuotas al sindicato de maestros debido a que el magistrado Antonin Scalia murió de repente. Los políticos anti sindicales luego bloquearon al Presidente Obama para que no llenara la vacante de Scalia con alguien que respetara a los trabajadores y los sindicatos. Cuando el Presidente Trump llenó la vacante con el magistrado Gorsuch, él envió una señal a los empresarios de E.U. que el “derecho a trabajar” pronto sería la ley suprema del país para los trabajadores públicos, y finalmente todos los trabajadores sindicalizados.

¿Qué es el “derecho a trabajar”?

El “derecho a trabajar” es una jugada astuta diseñada en los 1930 por las grandes empresas para evitar que los sindicatos cobraran fuerza y para deprimir los salarios. Esencialmente prohíbe la exclusividad sindical, es decir, los centros de trabajo en los que todos los empleados están amparados por un contrato colectivo y pagan ya sea cuotas de afiliación o “su parte

justa” de la cuota para cubrir los costos de representación y proteger los buenos salarios, beneficios y reglas de trabajo.

Se le dan alas a los “gorrones”

Según las reglas de “derecho a trabajar”, los miembros de los sindicatos ya no pueden llevar a cabo un voto para obligar a todos en su lugar de trabajo a apoyar al sindicato, ya sea pagando cuotas de afiliación o la parte justa de la cuota de representación. Las leyes de “derecho a trabajar” solo permiten el pago de contribuciones voluntarias – y solo si cada trabajador lo autoriza específicamente por escrito. Algunas de las leyes de “derecho a trabajar” que ya existen en numerosos estados requieren que los sindicatos consigan formularios firmados por separado cada año de cada trabajador para el cobro de cuotas.

De sur a norte

Durante décadas, las leyes de derecho a trabajar existían sólo en los estados del sur en los que los empresarios las utilizaban para mantener débiles a los sindicatos, bajos los salarios y lugares de trabajo segregados por raza. Actualmente hay 28 estados, incluyendo Wisconsin y Michigan, que tienen estas leyes. Si la Corte Suprema falla sobre el caso para junio como se espera, el “derecho de trabajar por menos” se convertirá en la ley suprema del país para todos los miembros de sindicatos que trabajan en el sector público.

Diseñado para frustrar y llevar al fracaso

Cuando la Corte Suprema falle sobre el caso de Janus, no sólo limitará la capacidad de los sindicatos de cobrar cuotas de afiliación o de representación sino también es probable que los sindicatos sigan teniendo la obligación

legal de representar a todos los trabajadores amparados por los contratos colectivos, incluso los que no pagan cuotas en absoluto, a pesar de que las cuotas sirven para cubrir los enormes costos de representación y arbitraje. Esta jugada de doble filo es exactamente la manera en que las empresas que respaldan el caso de Janus y las leyes de “derecho a trabajar” quieren frustrar, debilitar y llevar a los sindicatos a la quiebra.

Primero los trabajadores del sector público

El fallo en el caso de Janus afectará inmediatamente a los trabajadores sindicalizados del sector público, pero la mayoría de los observadores consideran que las empresas que respaldan el “derecho de trabajar” finalmente pedirán a la corte que aplique el mismo principio restrictivo a todos los miembros de los sindicatos, incluso los que trabajan en el sector privado, como en los puertos, almacenes, industrias y los servicios.

Impacto en el IBU y más allá

El ILWU representa a miles de empleados del sector público, la mayoría de los cuales son empleados de transbordadores en Washington y Alaska que son representados por el Sindicato de Barqueros de Aguas Internas (IBU) de la Division Marítima de ILWU. Cientos más trabajan para el Distrito de Transbordadores de Golden Gate y otras entidades públicas, incluyendo policías portuarios de los Locales 65 y 22; personal de seguridad de los Locales 9 y 28; pilotos portuarios del Local 68, y otros.

“Los empleados públicos constituyen casi la mitad de la membresía de IBU, así que el “derecho de trabajar” es de máxima prioridad ahora para nuestro sindicato,” dijo Marina Secchitano, Presidenta recién elegida de IBU.

La secretaria tesorera de IBU, Terri Mast, preparó un memorándum que sugiere una estrategia para abordar el derecho a trabajar, el cual fue distribuido al Consejo Ejecutivo Internacional de ILWU que se reunió en San Francisco el 14 y 15 de diciembre.

“Es importante que empecemos a organizar una campaña interna ahora para educar a todos nuestros miembros,” dijo Mast, quien describió un enlace dando entrenamiento a los miembros para que ellos puedan explicar a sus compañeros la necesidad de mantenerse firmes y firmar tarjetas de autorización para el pago de cuotas. Estrategia de ILWU

“El éxito o fracaso de este ataque contra los sindicatos será determinado por lo que hagamos este año,” dijo Bob McEllrath, Presidente Internacional de ILWU. “Ellos quisieron provocar esta pelea con los trabajadores públicos en 2018, así que tenemos que empezar a educar y capacitar a los miembros desde ahora para salir victoriosos cuando el fallo judicial sea emitido este año.”

McEllrath dice que es demasiado tarde para impedir que la Corte Suprema dé la sentencia contra los trabajadores en favor de las leyes de derecho a trabajar que las grandes empresas han deseado desde hace mucho tiempo. “Nos perdimos ese tren cuando Trump fue elegido Presidente y nombró a Gorsuch a la Corte Suprema.”

La mejor estrategia ahora para ILWU y los otros sindicatos, dice McEllrath, es el enfoque propugnado por Terri Mast de IBU: una campaña entre la base para educar a los miembros, realizando miles de conversaciones individuales.

“Nuestro objetivo debe ser convencer a 100% de los miembros de que la única forma de proteger los buenos contratos y tener poder en el trabajo es pagando voluntariamente nuestras cuotas sindicales cada mes,” dice él.

Los primeros pasos

En diciembre, McEllrath le dijo al Consejo Ejecutivo Internacional que él estaba ordenando que los Departamentos de Organización, Educación y Comunicaciones de ILWU ayudaran al IBU y a otros trabajadores públicos que pertenecen a ILWU con los preparativos para una campaña educativa.

Este artículo en *El Despachador* marca el comienzo de un esfuerzo por todo el sindicato para informar a los miembros acerca de la estrategia de ILWU para mantenerse fuerte a pesar del ataque por medio del “derecho de trabajar.” En los últimos números de *El Despachador* también se ha publicado información acerca de la amenaza planteada por el supuesto “derecho a trabajar” (véase los artículos en la barra lateral) y en los futuros

números de *El Despachador* se incluirán reportajes sobre la campaña continua de educación.

Educación a través de las conversaciones

La pieza fundamental de la labor de enlace previsto por el IBU es una campaña educativa de base, en torno a conversaciones de cara a cara entre los miembros.

La capacitación de los entrenadores voluntarios

El IBU tiene planeado empezar una serie de talleres de capacitación para los dirigentes de base que se comprometan a servir como instructores voluntarios en sus lugares de trabajo.

El Sindicato Internacional se propone dar prioridad al gran número de miembros de IBU que son empleados públicos del sistema de transbordadores en Washington y Alaska, más otros locales de ILWU que tengan un gran número de empleados públicos.

Las sesiones de capacitación de IBU para entrenadores voluntarios incluirían tiempo amplio para que ellos trabajen con los dirigentes electos de su local en un plan de enlace hecho a la medida. El objetivo es el de identificar y capacitar suficientes voluntarios para realizar conversaciones de uno a uno con cada trabajador público.

Lo que da resultados – y lo que no

Una revisión de lo que otros sindicatos han estado haciendo – o no haciendo – para mantener un alto porcentaje de los miembros que pagan cuotas voluntariamente a pesar de las leyes de derecho a trabajar, muestra que los programas están teniendo éxito debido a tres factores:

Claves para el éxito

Primero, los sindicatos tienen que apoyar una campaña intensiva impulsada por los miembros, dedicándole tiempo y recursos. Sólo repartir volantes o boletines por correo sin conversaciones personales no da resultados. Se requiere de tiempo y esfuerzo para hablar con cada miembro, pero ha demostrado ser el enfoque más eficaz y no hay atajos.

En segundo lugar, los sindicatos necesitan capacitar a voluntarios para tener las conversaciones. La clave es tener una conversación real que comienza por hacer preguntas, luego escuchar con atención y hacer que los compañeros se sientan con confianza para compartir sus verdaderos sentimientos. Los miembros que quieren compartir las críticas o comentarios acerca del sindicato deben sentir que se les está escuchando y se les toma en cuenta – no ignorados o desestimados.

Por último, una exitosa campaña de enlace requiere que los sindicatos locales mantengan registros precisos de quiénes han sido contactados y en qué zonas, y quiénes han firmado una tarjeta de compromiso - junto con apuntes de sus inquietudes en particular que podrían desanimar al trabajador de pagar las cuotas voluntariamente.

Los sindicatos pueden fortalecerse más

Los sindicatos que han seguido estos pasos informan que la mayoría de sus compañeros de trabajo están pagando las cuotas voluntariamente y siguen apoyando sus sindicatos. Muchos también dicen que el contacto personal entre los miembros ha fortalecido mucho sus locales porque los miembros participan más en el sindicato.

El alto precio del fracaso

Por lo contrario, hay ejemplos de casos en los que el “derecho de trabajar” ha destruido a los sindicatos que no hacen participar a los miembros, incluyendo algunos en Wisconsin que comenzaron demasiado tarde y no se comunicaron con los compañeros de trabajo de manera personal y honesta. Esos sindicatos ya se vinieron abajo, quedando solo una pequeña minoría que está pagando las cuotas voluntariamente, pero los sindicatos casi no tienen poder.

“Los sindicatos que no cuentan con el fuerte apoyo de los miembros pueden quedarse pronto sin el ingreso de las cuotas debido a las leyes de “derecho a trabajar”, lo cual provoca una crisis financiera y el descanso del personal y menos recursos económicos para ayudar a los miembros a proteger el contrato. Todo esto desanima a los trabajadores de afiliarse al sindicato,” dice Mast, que describe este escenario como la “espiral de la muerte” que los sindicatos deben evitar a toda costa.

Los sindicatos en todo el país que están aplicando con éxito el método de contacto directo entre miembros para superar las leyes de “derecho a trabajar” se reunirán en Chicago del 6 al 8 de abril en la conferencia de Labor Notes en la que 2,000 participantes compartirán sus experiencias y lecciones aprendidas. El ILWU participará en el evento y preparará un artículo sobre las “lecciones aprendidas,” además de un informe sobre la campaña de educación propia de ILWU que será publicado en el número de mayo de *El Despachador*.

Ahora es el momento de comenzar

Habida cuenta de lo que está en juego, dice McEllrath que quiere empezar la campaña de educación de los miembros de inmediato.

“Si queremos mantenernos fuertes y unidos lo suficiente para hacer frente a los empleadores poderosos, entonces no nos podemos dar el lujo de no captar a los miembros de base.”

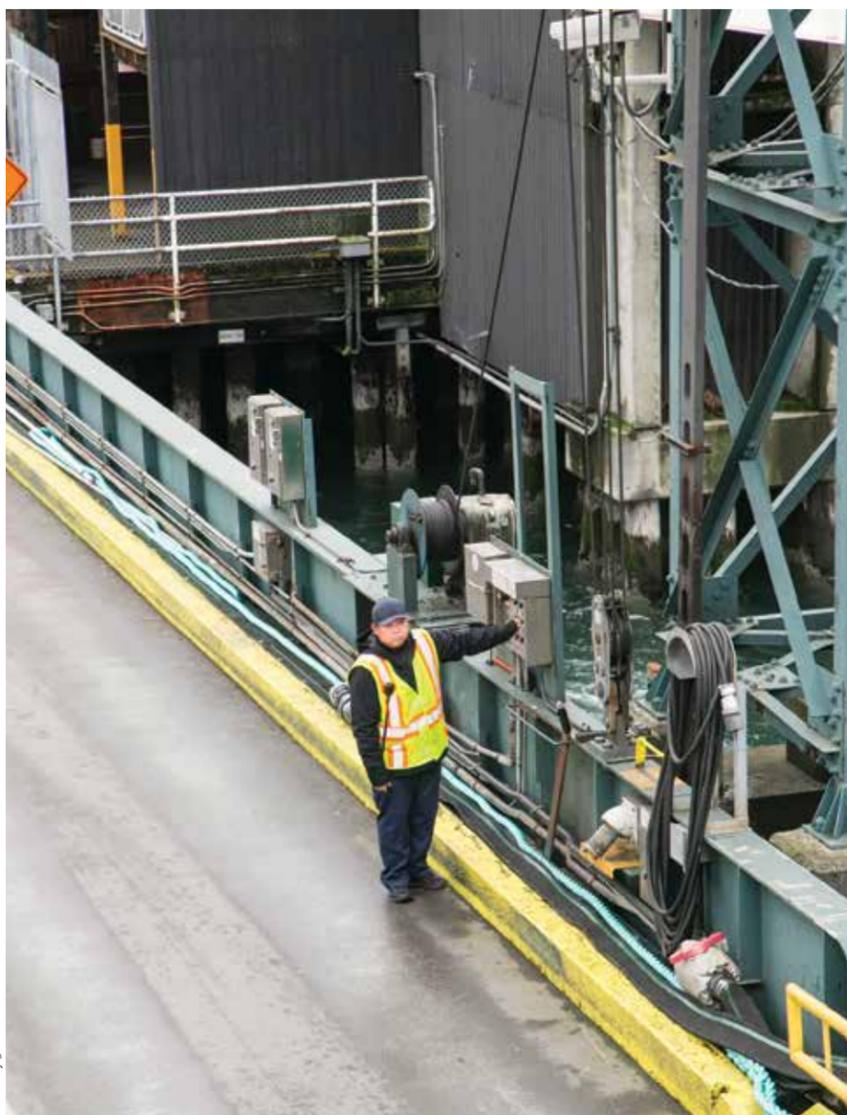


Photo by Julianne Duncan

Photo by Julianne Duncan

Un servicio público importante: Cientos de empleados de gobierno son miembros del sindicato IBU, el cual es parte importante de ILWU. Trabajan en barcos que transportan a más de 24 millones de pasajeros por año en la zona de Puget Sound. Estos y otros agremiados resultarán perjudicados si la Corte Suprema falla a favor de empleadores anti sindicales a mediados de este año en el caso “Janus.”

TRANSITIONS

NEW PENSIONERS:

Local 10: Armando V. Monteiro; Curtis R. Spikes; Dwight E. Sanders; Salvador A. Prieto; Alejandro M. Nono; Rudolph Nash; Jose G. Robles; **Local 13:** Stephen N. Jones; Rohna F. Miles; Linzie R. Gambo; Steve P. Moisen; Kenneth M. Grigsby; Trevor A. Manzer; Steven A. Sanchez; Lee A. Morgan; Dora L. Jimenez; Anthony D. Marco; Terry L. Williams; William R. Lundy; Gonzalo Rangel; Efen Martinez; Russell L. Stewart; Kenneth E. Delancey; John R. Cahill; **Local 19:** Roger J. Murray; Josiah R. Morris; Robert J. Chilson; Ryal E. White; Greg C. Mcelroy; **Local 23:** Thomas Dolly; Todd M. Morrow; Norman M. Freilinger; **Local 24:** Rick L. Green; **Local 27:** Leonard P. Arndt; **Local 34:** Carolyn Swanson; **Local 52:** Anthony A. Woeck; **Local 63:** Guadalupe P. Rendon; Fred Victoria; Sam Phineas; Gloria C. Tena; Michael J. Misuraca; **Local 94:** David J. Stamper; **Local 98:** Allen W. Osterberg;

DECEASED PENSIONERS:

Local 4: Billy B. Bridger; **Local 7:** James A. Rundquist; **Local 8:** William A. Luch; Donald V. Printz; **Local 10:** Adolfo A. Padilla; Larry Wing; Rufus Singleton; Hayne Strong (Annette); Sammy L. Wilson; Lonnie Sheppard; **Local 12:** Charles J. Leibel; **Local 13:** Lewis Loveridge; Manuel Mungaray; Lee Edward E. Helire; John T. Lakis (Mary Lou); Suren M. Ayzazian; John S. Ostoich; Rosemari L. Anderson; **Local 21:** David D. Moore (Janet); Jess L. Hillsbery; Brad L. Johnson; **Local 23:** Monte H. O'Brien; Fred H. Myers (Joyce); **Local 25:** Glenn D. Treadwell (Evelyn); **Local 34:** George D. Lucas; Richard H. De Voe; **Local 63:** Ronald G. Stover; Steven J. Twilligear; Earl L. Short; **Local 92:** Donald D. Nelson;

DECEASED SURVIVORS:

Local 8: Ruth L. Rice; **Local 10:** Emilie Drayton; Ellen W. Wyrick; Betty J. Berry; **Local 12:** Barbara Liggett; **Local 21:** Floy C. Witham; **Local 34:** Violet Park; Elsie E. Walsh; **Local 63:** Shirley M. Wick; Frances C. De Luca; Shirley J. Manchester;

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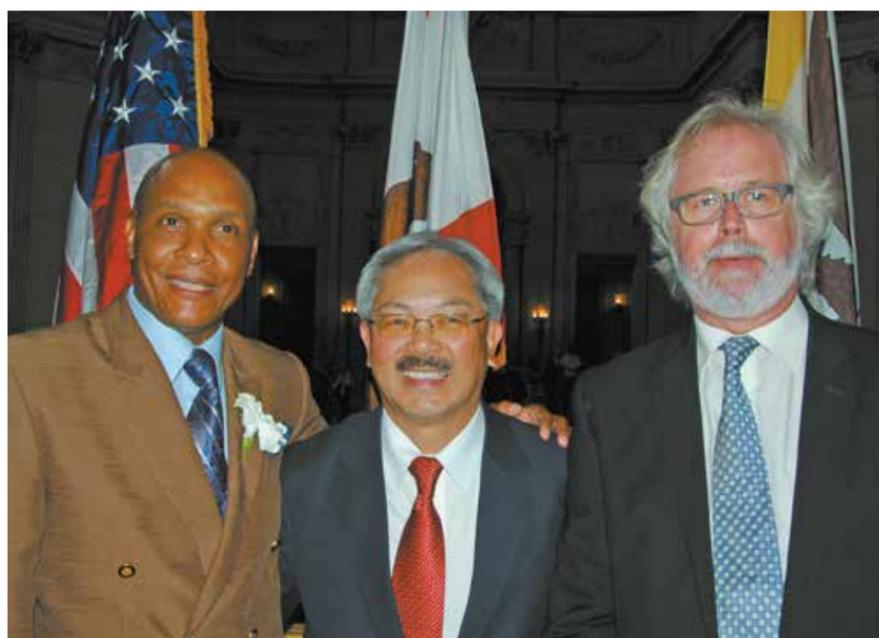
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Secchitano elected IBU President

Marina Secchitano has been elected President of the Inlandboatmen's Union (IBU), becoming the first woman to hold that position. Secchitano began as a ticket-taker for the Golden Gate Ferry System in 1976. She was elected Director of the IBU's San Francisco Region in 1989 and was re-elected until winning a three-way race for IBU President against incumbent Alan Coté on December 15.



Honoring the passage of Mayor Ed Lee: When San Francisco's first Asian-American Mayor died suddenly on December 12 at the age of 65, it ended a remarkable career that began in Seattle's housing projects where Lee's working class family survived on meager wages from a father who worked as a cook and mother who labored as a seamstress. Lee became a public-interest housing lawyer in San Francisco where he helped immigrant tenants, then worked a variety of city jobs before seizing a rare chance to be appointed Mayor in 2011 with help from former Mayor Willie Brown and Chinatown leader Rose Pak. Lee was widely admired for his humility, good humor and respectful demeanor. His decision to attract hi-tech corporations with generous tax subsidies triggered controversy and displaced thousands of low-income residents, which Lee tried to remedy with passionate support for affordable housing and homeless services. With backing from the San Francisco Labor Council, Lee appointed ILWU International Secretary-Treasurer Willie Adams to the Port Commission in 2012 where Adams serves today as President. On December 15, Adams joined International Vice-President (Mainland) Ray Familathe, Local 10 President Melvin Mackay, and BALMA President Chris Christensen to visit San Francisco's city hall rotunda where the mayor's body laid in state for several days while thousands paid their final respects. Adams bowed three times to the Mayor's body, a traditional Chinese expression of respect. "Mayor Lee made history as the City's first Asian American Mayor and he tried hard to reach agreements with unions and workers to keep this a union-friendly city," said Adams. Pictured (L-R) are Port Commission President and International Secretary-Treasurer Willie Adams, Mayor Ed Lee and Labor Council Director Tim Paulson.

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