ILWU-Canada lockout ends —with mixed results

Labor protests corporate trade tour

ILWU stalwart Nick Podue passes

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FREE TRADE HAS ITS COSTS

The Dispatch went off to the printers shortly before everyone packed up and shipped out to Seattle to join the rest of the labor movement, environmentalists and social justice activists protesting the disastrous free trade policies of the World Trade Organization. But the worst-case corporate globalism has many fronts.

Even though the movement against free trade pacts is gaining larger and more multi-national support, the U.S. Congress just passed another agreement extending NAFTA-like trade policies to Africa and the Caribbean (see page 8.)

Critics call the bill the African Re-colonization Act because it ties that continent's countries trade opportunities with the U.S. to their acceptance of corporations rights over their local sovereignty and acceptance of International Monopoly Trade and imposed austerity measures, cutting social spending on education, health care and infra-structure funding, and at the same time it will provide many new places other than Mexico for well-paying, union American jobs to run off to.

Also this month the Clinton Administration made a deal with China to support its entry into the WTO. There can hardly be a better example of how the WTO's free trade policies, divorced from any regulation of labor and human rights or environmental protections, will prove devastating to workers everywhere. Chinese workers are among the lowest paid in the world and the very notion that they would have the right to organize and collectively bargain for an improvement in their conditions is a joke—this is a place where a harmless religious cult is demonized and outlawed. And this is a country with a population of 1.3 billion people, a seemingly endless supply of cheap labor. And we're not even talking about all those related to forced labor camps and prison labor.

When you put the products of that kind of labor on a so-called "free" market, how can anyone anywhere try to make a decent living compete? Already there are estimates predicting the U.S. will lose 150,000 jobs in the textile industry alone in a few years after China's WTO entry is finalized.

But these free trade agreements are not inevitable, as the corporate media would have us believe, and even if made, they are reversible. More and more rank-and-file workers and the general population are becoming aware that these deals are in direct contradiction to their interests. Trade issues are not just for policy wonks anymore.

In an important development in the growth of this movement, the ILWU was instrumental in convincing the Oakland City Council, to unanimously pass a resolution taking a strong stand against the free trade policies of the WTO (see page 7). Even Oakland, home of the fourth largest container port in the country, now officially recognizes that free trade is not in its best interests either, and is on the record supporting the concept of fair trade instead. It may take some time yet, but the WTO can be stopped.

By Brian McWilliams
ILWU International President

The recently ended lockout of ILWU-Canada longshore workers has not resolved the conflict that led to it—the employers' direct attack on the jurisdiction of one of its locals. While our Canadian brothers and sisters are back working the docks in British Columbia, the union still faces a tough battle against a determined employer.

Let's be clear about what's at stake here. If there is a fight over jurisdiction, a fight over the very existence of the ILWU. It is a question of whether we are going to retain the historic work of the ILWU—handling the cargo on the West Coast of North America.

This started last year when Sultrans, a sulfur export company owned mainly by Shell Oil Co., took the contract for testing and sampling its cargo from the company that had been doing it for 30 years with ILWU workers and awarded it to a non-union company. The union did not concede this loss peacefully. Picket lines, court injunctions, arrests, demonstrations and port shut downs followed. Still Sultrans vehemently refused to recognize the union's historic jurisdiction over cargo handling.

ILWU-Canada's longshore contract with its employer group, the British Columbia Maritime Employers Association, expired Dec. 31, 1998. For a year the union tried to deal with the Local 518 issue—as well as other issues of wages, hours and conditions—on the bargaining table. A federal conciliator tried to mediate the matter between the two sides. When that effort failed, the BCMEA locked out all ILWU longshore workers, closing down all port activity on Canada's West Coast except for "essential services" of grain and coal shipments federal law required to continue.

After several days of the shut down and under great pressure from other industries and businesses that were incurring big losses because of it, the Canadian Parliament threatened to pass legislation to force the opening of the ports if the employers and the union did not come to a settlement. After a couple of days of talks with a federal mediator, an agreement was reached that, while it got the workers back on the job, fell short of resolving the Local 518 jurisdictional matter. The union's caucus voted unanimously to recommend the settlement to the membership who voted by 73 percent to accept it.

At the bargaining table and in the press throughout the lockout the BCMEA tried to say it was powerless to do anything about the Local 518 members' jobs. Sultrans, it persisted, is not a member of the employers' association, so it could not negotiate a settlement to the dispute and would not attempt to intervene with an independent business to force the issue and resolve the problem.

But this line is a hoax. It is businesses using paper corporations to hide from the responsibility of their actions. The truth is that Sultrans owns Pacific Coast Terminals, the dock Sultrans uses to ship its products. Sultrans and PCT have the same mailing address and operate out of the same office. Sultrans President and CEO Lorne Friberg sits on the board of directors of the BCMEA, but does so as head of PCT.

This is all a transparent corporate shell game. BCMEA, despite its objections, does have the ability and the responsibility to resolve the Local 518 issue. It simply refuses to do so.

All this raises the question: Why would BCMEA close down the entire West Coast of Canada, costing its members and customers millions of dollars, risking the loss of millions more in future business and pummeling the national economy to the tune of an officially estimated $39 million per day over a relatively few number of jobs at one terminal?

The only possible explanation is that certain employers are conspiring to establish a non-union beachhead on the Coast in the hope that they can use it to expand non-union operations on other terminals and ports. The only possible answer is that they have an appetite to bust the ILWU. This is hardly different from what we've experienced with non-union stevedores pirating our fish transfer work in Alaska and Jefferson or what our warehouse division and the IBU battle every day.

The situation is very much like what happened in Australia last year. Then the second largest stevedoring company in the country locked out the dockworkers of the Maritime Union of Australia, trying to break their coastwise jurisdiction and set up scab docks. The ILWU stood up to the Australian employers and helped the MUA survive then. Now we need even more to stand by our own.

All through this struggle the ILWU-Canada longshore workers from all ports remained solid, keeping the Local 518 issue up front in the face of great peril and extreme threats to their collective bargaining status from national legislation. The message to the employers was clear. We won't stand by and let these attempts at union busting go on.

After listening to the deliberations of the ILWU-Canada longshore caucus in Vancouver, I flew to London to attend an International Transport Workers Federation dockers section meeting. There I reported to representatives of our ITF affiliates from around the world on the situation in British Columbia and our needs for international solidarity. It is very important that our friends aren't confused with the news of a longshore settlement in Canada. The Local 518 issue is not resolved and the struggle will continue on.

We can be successful in this struggle if we keep our resolve and commitment to each other across borders and across oceans.

The employer has the ability and responsibility to solve the Local 518 jurisdiction issue.

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Local 518 jurisdiction unresolved

Canada lockout ends with mixed results

By Tom Price

After an eight-day lockout, ILWU longshore workers returned to work Nov. 15 under a government-brokered deal that hasn't resolved all the issues. It will, however, provide improved wages and conditions while negotiations continue.

The settlement, worked out with a mediator, was approved unanimously by the 45-member longshore caucus Nov. 15 and passed a membership vote by a 73 percent margin. The union got a better deal than the British Columbia Maritime Employers Association's last offer, which was nearly identical to the previous one they had rejected by a margin of 85 percent.

The new base rate for longshore work increased 7.75 percent ($27.76 to $35,000 in 1999, $42,000 in 2000 and $50,000 in 2001), an increase of 87 percent over the three years. To qualify for the allowance all that will be needed after 1999 is 80 percent of the average hours in the local port area instead of the current 83 percent. The ILWU won on other major jurisdictional issues, beating back an attack on workplace solidarity. Maintenance and repair work will remain with longshore Local 500 and traditional work will only be allowed if Wharves is protected by the new agreement.

Still unresolved is the fate of 16 full and part-time members of samplers and testers Local 518. They were locked out in July 1998 when Sultrans, a sulfur exporter, awarded their employer's testing contract to a non-union outfit. The company responded to picketing by getting a court injunction the following day, even information pickets. As a result numerous retirees, members and sympathizers were arrested and fined.

"We're meeting with various shippers to convince them to use union testing and sampling," ILWU-Canada President Tom Dufresne said. "It's all just a big corporate shell game," Dufresne said. Sultrans owns Pacific Coast Terminals, the dock Sultrans uses to export its sulfur, he added. The President and CEO of Sultrans, Lorne Priborg, sits a few pages.

The union tried for a year in negotiations to solve the matter, but the employers refused. After a federal conciliator trying to mediate a solution gave up, the employers locked out all ILWU-Canada longshore workers, closing all the ports on the West Coast. Only grain and coal exports moved by order of a previously passed national law.

In fighting off a settlement for the Local 518 samplers and testers, BCMEA President Bob Wilds persistently claimed that Sultrans was not a member of the employer group, so it was not within BCMEA's power to negotiate a settlement of the issue.

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Labor makes legislative gains in California

Having successfully elected a Democratic governor for the first time in 16 years to come to the helm of the California legislature, the California labor movement moved immediately to turn that into a positive advantage for workers in the state. In the first year of that strategy labor made major gains and positioned itself for more in the following year.

The California Labor Federation assembled a batch of bills designed to protect and promote the interests of working people. While most of the bills made it through the legislative process, Governor Gray Davis unfortunately vetoed some of them despite the massive labor support that elected him. Still, the ones he signed went a long way toward righting the wrongs of 16 years of Republicans.

The California Labor Federation was able to move with a speed and efficiency that those bills passed into law, those vetoed and those that will come back to the legislature.

BILLS SIGNED INTO LAW

Daily overtime pay (AB 60): Restores time-and-a-half for all hours worked over 8 hours in a workday. Right in one day, putting $1 billion back into the pockets of working people and providing family-friendly flex time.

Ban on age discrimination (SB 28): Stops employers from replacing older workers with younger, lower-paid workers.

 Sick days for family care (AB 109): Allows workers to use sick days to care for family.

Picketline freedom of speech (AB 644): Allows pickets to remain on property while putting an end to the threat of lawsuits filed by corporations.

State Disability Insurance benefit increase (AB 508): Raises the maximum benefit to $490 per week and ties it to the cost of living.

Omnibus Civil Rights (AB 1670): Extends protections against harassment to part-time and temporary workers.

Cal-OSHA reform—Worker health and safety (AB 1127): Increases penalties on employers who violate the law, minimum wage, overtime and related labor laws.

Transportation bond for infrastructure (SB 315): Improves accessibility and quality of public transportation. Helps corporates and the super-rich get their estate tax relief. Requires substantial tax breaks for corporations and the super-rich.

The Democratic bill, sponsored by David Bonior (D-MI), increases the minimum wage to $6.15 an hour in two steps, beginning with a $1.50 increase in January 2000 and reaching $5.95 in January 2001. In addition, the Bonior bill requires the U.S. territories of the Northern Marianas Islands to pay the federal minimum wage to its workers. Although a dollar over a year is far too little for impoverished workers, it is the best proposal on the horizon.

Additionally, it is about time that the Congress of the United States and the exploitation of workers on our own territory. The Northern Marianas islands are the only United States islands to have a poverty rate of 40%.

Labor makes legislative gains in California

Playing politics with the minimum wage

The nation’s economy is the strongest in generations. Unemployment is at an historic low. Inflation is low, and interest rates are low. The country’s economy is enjoying an unprecedented period of growth. Yet at the same time, many workers are not enjoying the benefits of prosperity. Large numbers of Americans work 40 hours a week, 52 weeks a year, and still cannot support their families. A minimum wage worker earns $10,700 a year below the poverty line for a family of three.

When the national economy is strong, there is no choice for Congress to fail to respond to the crisis affecting low-income workers by raising the minimum wage. The Labor Party, which the ILWU has endorsed, supports a raise to at least $10.00 an hour. The President and Congressional Democrats support a raise of $1.00 over two years, which will bring minimum wage workers up to the federal level of $6.15 an hour. The Republicans have responded with an alternative to support a $3.60 per hour increase over three years. But both political parties should be ashamed of proposing such a paltry gesture to the most vulnerable workers.

The minimum wage is a particularly cruel hoax. By taking three years to increase the minimum wage to $6.15, the Republicans are penalizing minimum wage workers for a minimum of 3 years in 2001 at only $5.53. Over half the purchasing power of the intended increase is lost to inflation. The members of the U.S. Chamber of Commerce—who support the Republican plan—are laughing all the way to the bank.

Meanwhile House Republicans have cooked up a real feast for their contributors in the version of the tax bill. The so-called Labor-facilitated legislation increases the minimum wage by $1.00 over three years. Yet deep inside their bill are provisions that will deprive millions of certain workers of their overtime pay.

The legislation exempts computer and high tech employees from receiving the benefits of the minimum wage. It offers two exceptions: an estimated 1.5 million "inside sales" workers from overtime pay. "Inside sales" workers are salespeople with specialized knowledge of products and services. They spend all their time in a fixed location under the direct control and supervision of their employers. The provision would exempt those employees from overtime pay if they make over $25,000 in bonuses and commission. Third, the Lario/Shimkus bill exempts funeral directors, embalmers and license embalmers from overtime pay. It appears that lobbyists for funeral home conglomerates are still working in Washington, D.C. The Lario/Shimkus legislation also provides tax breaks for billions in new sales to corporations and the super-rich get a $4.6 billion tax write-off.

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Longshore and the ITF team up on jurisdiction

By Tom Price

In the early morning hours of the July 1st greewatch watch, the captain of the Maruba Trader had his crew crawling over the containers stacking on deck, lashing them down for a quick getaway out of the Los Angeles harbor. The Filipino crew had the choice—on board, down with the work or up, out as the law allowed. They had to comply, but they did have union protection, and they would not have it, they would soon have the opportunity to help out the sailors who had done their work.

Freese and Local 13 had worked closely with the ITF on many other issues, and now they were in a fight for their jurisdiction over the landing and safety of containers that might have shifted with the ship at sea, causing a hazard to longshore workers when they were on the three-deck. Freese got in touch with Local 13 member and Southern California ITF Business Agent Bobby Binsky, who sent a warning up the coast that the work has to be done by ILWU members and all cargo work becomes ILWU.

However the law does just that, protecting American workers from the law calls "aliens" doing longshore work. And with a growing plague of flag-of-convenience ships unloading at sea, a review of the legal protections of longshore jurisdiction is in order.

Section 1288 of Title 8 defines longshore work to include the operation of all cargo handling equipment, including lashing and mooring-line handling, and the forbidding of these from doing any cargo work in U.S. waters, and since almost all crews are foreign, the law criminalizes the unloading of ships unloading within TKf of miles of U.S. shores.

However, the law does not say that a ship's crew has to be done by ILWU members. It says that only people working legally in the U.S. can do the work. But since the ILWU has a contract with the company, the law means in effect that only ILWU members can unload cargo. Once a ship is tied up, it becomes under the ILWU-PMA contract and all cargo work becomes ILWU.

Any time a ship's non-U.S. crew unloads in U.S. waters the captain is violating Title 8. And unless the ship's owners go through an enormous amount of red tape to get an exemption they are violating the law as well. Penalties can be as much as $500,000 per sailor and a one-year ban on U.S. port calls by the ship.

The law forbids exemptions to employers during a strike or if the exemption might be used to influence a union election drive, and the same penalties as above apply.

The law allows exceptions for "liquid bulk dangerous cargoes" and exempt ships from count-

Federal law protects longshore work

ing that only ILWU members can unlash cargo on a moving ship. And an ITF agreement and that they continued to be forced to do lashing and unlashng at sea under unsafe conditions,

Binsky said.

He called longshore Local 10 Business Agent Bobby Guillory and told him what he'd learned.

"Guillory met the ship at the time we accused the captain over our wages," Binsky said. "We got another commitment out of him that there would be no more fines against the ship, and that there would be consequences if that happened again.

Binsky also told the captain that Title 8, Section 1288 of the U.S. Code protects longshore jurisdiction in U.S. waters and that unloading by a foreign crew violates the Immigration and Nationality Act (see sidebar)." When I was leaving the ship, I told the captain that if he didn't allow me to talk to the crew, we all the ganges were going to knock off," Binsky said.

Guillory went below the crew's mess to discuss the matter. The captain and a representative of the company also came below, "probably the first time they'd ever been in a crew's mess," Binsky said. Since they refused to leave, Binsky used their presence to show the Filipino crew they could stand up for their rights. He passed out copies of the ITF's "Message to Seafarers" written in Tagalog and the ITF Uniform Wage Sheet. One AB said he made $750 a month—$200 below the standards of the International Labor Organization and $500 below ITF contracts for the same work.

The crew had a lot to think about as the loading proceeded and ship sailed up the Coast. From Seattle they contacted ITF Inspector Rudy Vanderhider in Los Angeles and told him they were committed to pulling a strike and were asking for help. Vanderhider asked Binsky, who had a good rapport with the crew, to meet the ship in L.A.

Locals 10 and 13, Binsky said.

The crew of the Maruba Trader raises strike banners at the Port of Los Angeles Oct. 1.

BACK TO LOCAL 13 TERRITORY

When the ship docked in Los Angeles Oct. 1, the 17 sailors erected an "on strike" banner and refused to load the bunker barges that had pulled alongside.

"Our strike began," Binsky said. "Locals 10 and 13 wouldn't work the ship, the captain's rep and a PMA representative showed up. I explained what had happened, and the ship was taken off charter by the charterers that stopped the money to the owners, Marlow Navigation. That's serious business, because then the ship's expenses, dockage fees and everything else fall on the owner, not the charterer. The charterers told the captain that having a labor agree-

The captain had an agreement from a fink union, but neither the charterer nor the ITF were impressed. All 17 crewmen sat on the dock while the captain circulated among them, trying to get them to talk to the manning agent and the ship's owners on his cell phone. That stopped the money to the owners, Marlow Navigation. That's serious business, because the ship's expenses, dockage fees and everything else fall on the owner, not the charterer. The charterers told the captain that having a labor agree-

The crew went back to work on the ship's order. The owners were concerned with additional dock fees and liability for lost longshore wages, and their repre-

sentative in Cypress said he'd sign an agreement. The arbitrator ruled in favor of standard wages for the longshore workers as well. After some last minute discussion with the ITF in London, Binsky was able to get the 17 contracts prepared and signed.

The crew went back to work with legitimate contracts, the longshoremen went back to work with their jurisdiction protected and the TFS had a victory with the ITF and ILWU.
Workers at a small mooring launch business in southern California, the Pacific National Labor Relations Board decision that would permit an election for them to choose joining the Independent Seamen's Union of the Pacific, the third national labor union to be established, but never directly answered the question. It existed, but never actually existed. Pepper confirmed the agreement immediately and might want to talk with some SIU representatives pressuring the company based in Mobile, Alabama that the company had an agreement with the ILWU. Gulf Caribe's Pepper, complaining he had never heard of the meeting and had never even discussed what their concerns and demands were. They contacted the SIU and Marrone agreed to meet with them three hours before bargaining talks began.

After a discussion of the demands, the workers asked to attend the bargaining session where the union would only agree to one of them being present. The session Marrone conceded a number of the workers' demands and Gulf Caribe rejected their demands.

Angry and smelling a setback, the workers contacted the IBU. 

Gulf Caribe, a company union. And the company, but the workers alleged—and Marrone expressed the reason if they had been illegally coerced into signing SIU authorization cards and really wanted to join a company union. And the company, but the workers believed—Dispatcher staff reports. They were prepared to sign a contract with Gulf Caribe negotiated the law by demanding recognition. They contacted the SIU and Marrone also suggested that they contact the board agreed—they had been undercut those higher IBU wage and condition standards.客观地说，这个报告从多个角度解释了这个问题，但是它并没有给出明确的答案。
majority of the workers.

The union also argued that the company violated the law by granting recognition to the SIU when it knew the union did not represent an unco- ered majority and by following the wages and benefits. As a remedy the judge ordered the company to no longer recognize the SIU, to desist from retaliating against its employees and to refrain from the quality control processes and benefits retroactive to May 26.

The company appealed to the full national board in Washington, DC, objecting to all the judge's findings. So an election for the workers to vote on IBU representation is held up until the appeals are finished.

Even though Gulf Caribe is not required to carry out the judge's remedies while the appeal goes for- ward, the company has given the workers back their raise and made it retroactive to May 26 and it has with- drawn recognition of the SIU.

"They're just appealing to delay and keep from having an election," Millican said. "They said as much as a settlement hearing. Their smart-ass attorney said to me 'Yeah, you guys may win this case—in three years.' But the guys are remaining strong and we're confident we're going to win."

Steve Stare

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CORPORATE TRADE TOUR ENDS WITH A WHIMPERS

Commerce Secretary Bill Daley's bus tour pushing the benefits of corpo- rate globalization finally ran off the pier in Long Beach Nov. 13 when he was blooged by demonstrators at the West Coast Long Beach Hotel and at a local high school. Daley and his sponsors from the U.S. Chamber of Commerce met a thundering wall of silence from the ILWU when the union refused to lend their presence to Daley's photo op and attend a tour of the Hanjin docks. Members and officers choose instead to join a boisterous demonstration against free trade and the World Trade Organization organized by human rights and fair trade activists at his stops in the area.

"The ILWU opposes any expansion of the WTO and calls for a thorough evaluation of the impact of its activities to date," said Luisa Gratz, ILWU ware- house Local 26 President and member of the ILWU's International Executive Board. "It is important that the WTO and our state and federal government hear loud and clear from workers, environmentalists and others that we will not sit idly by and allow the WTO and their allies to destroy the U.S. labor, worker, environmental and community-protective legislation we fought for and achieved over many years of hard work."

Daley's six-month long tour seemed star-crossed from the beginning. Even its slogan, "Trade Globally, Prosper Locally," became an ironic comment as their bus stopped at sites of industrial downsizing.

Starting in the ruins of the American textile industry May 3 in Fall River, Mass., Daley and his busload of suits preached global capitalism to workers who had watched tens of thousands of textile jobs flushed away to the sweat shop nations of the third world.

Just to get out of their hotel in Long Beach Daley's entourage had to pass over a 60-person demonstration organized by the California Fair Trade Campaign and unionists, including Ginger Cervantes, WTO project coordina- tor for Southern California and longshore Local 13 member.

"It's important that union people get involved now because as the jobs go overseas we'll have less power to resist," Cervantes said. "It should be peo- ple first and profits last."

—Ron Price

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SOLIDARITY SOFTBALL

ILWU Local 30, whose members mine and process borax in California's Mojave Desert, is now playing Co-20A, whose members process, pack- age and load the borax onto ships for export to the Middle East and Asia, separated by 150 miles. But they work for the same company, Rio Tinto. As a way to bring permanent job security to the company's two operations, union representatives from the two locals agreed to hold a softball game to solidify their connections.

"We're two locals, but we have the same employer," said Trini Esquivel, a worker at Rio Tinto Borax and a member of Local 30's Executive Board. "We wanted to do something to show the company that the locals get along, that we are a union and all together."

Local 20A hosted the gathering at Peck Park in San Pedro Sept. 18, providing the food and drinks, and desserts and organizing games like a three-legged race and an egg toss for the children. About 20 Local 30 mem- bers made the trip and brought fami- ly along.

All who attended were asked to bring food donations for the winning ball teams. The sides were decided and Local 30 won the two out of three game contest and brought the food donations home to theieron Senior Citizens.

—Dispatcher staff reports

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OAKLAND SAYS "NO" TO THE WTO

The ILWU, in coalition with local environmentalists and fair trade and community activists, convinced the Oakland City Council to unanimously pass a strong resolution Nov. 16 opposing the free trade policies of the World Trade Organization. The resolu- tion also notes that Oakland is a major trade center and has the fourth largest container port in the country.

While recognizing that the Port of Oakland is essential to the local econ- omy, the resolution puts the line on the record as "interested in the pro- motion of international trade as a means to raise the standard of living for all people and not as means to create the conditions for eco- nomic, environmental, and labor protections."

The resolution also states that the city opposing the expansion of the powers of the WTO to overrule the sovereign policies of local, state, and federal governments, and signs the city onto the "Statement from Members of the California Civil Society" calling for a Millennium Round or a New Round of Comprehensive Trade Negotia-

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THE DISPATCHER • 7

Minutes of Board of Directors Meeting
Protestors from Sweatshop Watch greeted the opening of Old Navy's new megastore in San Francisco Oct. 20 with a sweatshop fashion show, theater skits and a public strip-down under the banner "I'd rather wear nothing than wear Old Navy." Even the cops, who almost outnumbered the 75 protestors, were amused.

According to Old Navy biplane trainer from the 1930s toward an Old Navy Store banner through the San Francisco skies, greeting commuters on their way to work early that morning. Most everyone would have already known, as that morning's San Francisco Chronicle and Orange Martinez was beaten in the presence of his wife and children, and the three were transported to carry the union to the union hall. They were ordered to call Enrique Villela and other members of the local union. The executive was called and told they would be killed if they refused.

At the hall, which was surrounded by armed men, the president of the local, the TUF, handed over an agreement that the union leaders that Bandegua had told him it would leave Guatemala if the union leaders who went on strike were reinstated effective immediately, that Bandegua employees who may have been involved in the violence be dis-missed and that union trade union rights be respected in full and forever and forever be reinstated. The union leaders that Bandegua had told them would be killed if they refused.

The union filed an injunction against the dismissals and announced a mass rally Oct. 14. The evening before 20 heavily armed men took over the union hall and forced union leaders Jorge Palma and Leonel Guerra Evans at gunpoint to take them to the home of SITRABI general secretary Marel Martinez. Martinez was beaten in the presence of his wife and children, and the three were transported to carry the union to the union hall. They were ordered to call Enrique Villela and other members of the local union. The executive was called and told they would be killed if they refused.

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TALKS BALK, LOCAL 5 WALKS

Contrast talks between ILWU Local 5 and Powell's Books have been sputtering along for several weeks, with management showing little at the table. Their rented mouthpiece, Larry Amburgey, routinely signaled they desired the union talk and its proposals.

On the store floor some supervi-
sors seemed to be selectively enforcing new or long-neglected policies. People at the front counter said that long- island Avenue were running ragged with overwork readying the new $3.5-mil-

lion tower expansion for opening.

Then on Oct. 21 a supervisor fired Marty Kruse, one of the workers who had initiated the union talk. In response more than 70 members of ILWU's newest local walked off the job six days later to protest discrimination against union supporters and uneven application of discipline. The brief action succeeded beyond expectations.

"You could see the power we might have in the future," said Sarah Race, a communications steward at Burnside. "I'm amazed to feel it 100 times.

The Oct. 27 "breakout," as the workers called it, started on at 3 p.m. Workers filed out of the store and massed on the front porch. Some brought their coffee cups or caught a quick smoke. Some held umbrellas as the crowd spilled out under the roof and into the rain. At one point of long-shore Local 8 brought the ILWU colors.

Spontaneous chants broke out—"Nothing to lose but our lives"—as we do we want? Contract? When? Now?"—although anyone in the local will readily admit they're not a chanting crowd.

The group included steadfast union supporters, as well as some people who'd never been to a union meeting.

"My job is to process and sell book returns, I can't believe my busi-

ness," said Allen B. Lloyd, a senior used book buyer. But the disparate treatment highlighted by the firing irked him. Kruse got sacked for chronic tardiness, though Powell's workers aren't required to be strictly prompt unless their job demands it, and Kruse's position did not.

"Other individuals can get away with the same behavior Marty was fired for. They believe in a different kind of treatment," Lloyd said. "It's morally reprehensible."

More than 15 workers at Powell's suburban Beaverton store walked at 3 p.m. as well, cutting staff by 1/5.

"We all walked out of the store in a line,形成 a line," said Beaverton's head for receiving at Beaverton. "It was neat to turn around and see everybody standing together.

After 10 minutes spent out front discussing the state of negotiations, they returned together.

"This was a big story," said chief communications steward Cal Hudson, who works in physical plant. "The Beaverton workers are solid union supporters, and not considered to be very demonstrative."

The Burnside action lasted just a little longer and had the unique touch that 15 people walked down to the NLRB office to file formal unfair labor practice charges. They alleged discrimination not only in Kruse's firing, but in threats, dis-

paraging statements and disparate treatment of union supporters.

The buzz from the action lingered long enough—during the past, have been invoked much more recently.

"Employees of six, eight, 10 years have e-mailed me, saying they'd been told they were in violation of the attendance policy when they'd never been spoken to before," said Jim Cowling, bargaining team rep from the team.

Annual raises, awarded in October, ran higher than last year's skinny increases. But absent a clear, salary scale, some workers did far bet-

ter than others. Many booksellers' salaries peaked at a base of $13.50. Powell's workers increased some workers in the Hoyt warehouse felt shorted as well.

"People didn't get the raises they thought they should because their supervisors don't understand what they do," said Mike Parker, who works at Hoyt and serves on the bargaining team.

The union offered its economic proposals Oct. 4. Key elements include bringing workers gradually up to the Portland area living wage and estab-

lishing consistent salary steps pegged to seniority and skills.

Management said it would talk money Nov. 9. But instead of present-

ing a counter-offer or even asking sen-

sibility about the union pro-

posals, it offered no changes.

For starters, some company assumptions departed from reality. Management based projections on zero turnover, when it has hired more than 100 new people since the union election April 22. It assumed the living wage would take effect immediately, when the union kept saying imple-

mentation was on the table. In a move even more frustrating to serious discussion, management didn't provide documents on which their base numbered.

We're not given background fig-

ures to back up their analysis," said Hudson. "It's meaningless—a slap in the face.

In a move even more frustrating to serious discussion, management didn't provide documents on which their base numbered.

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ures to back up their analysis," said Hudson. "It's meaningless—a slap in the face.

Though Powell's does provide some information, it's difficult to interpret.

"Unlike other corporations, Powell's financial statements are not raised fully outside the accounting m-

isms hard to assess since their cat-

egories don't conform with generally ac-

cepted accounting principles," said

Dr. Peter Donohue, an economist working with Local 5. "It's like the mean of Hearts in 'Alice in Wonder-

land' saying, 'these words mean what I say they mean.'

Powell's Books Inc. is a limited li-

ability corporation with Michael Powell as the sole owner. He holds title to the store and the building, and four Powell's locations—commercial real estate with a sales price conservatively esti-
mated by Multnomah County at $5.5 million, not including the new tower.

The stores pay rent directly to Powell, in addition to his owner's share of sales and his own and his wife's salaries as employees.

Publicly available information shows Powell's profitability. Since 1994 the company's worth went up 93.45 percent while sales rose only 27.13 percent. This suggests manage-

ment is holding down operating expenses by increasing the proportion of labor paid.

"They're hiring on a 'use 'em and leave 'em basis," he said.

Management recently let go department manager Larry Amburgey got to the heart of the issue when he told the bargaining team Oct. 16, "Ability to pay is not the issue here. It's not the appropri-

ate standard. It is what management decides is appropriate.

As talks lurched on, Powell's work-

ers hustled to get the tower open. The $8.5-million addition to the Burnside location expanded the country's biggest bookstore by close to 30 percent. Plans for a grand opening were scaled back, perhaps out of fear of union participation. But at 5:30 p.m. the same day management came to negotiating table crying poor, saying they couldn't afford to hire the full staff.

"People are getting the idea we're going to have to put our foot down," said Hudson.

To get more information or offer support, call Local 5 at 503-223-6057.

—Marcy Rein

HYUNDAI TRIES TO STEER CLEAR OF UNION

Korea's biggest shipping company is running into trouble over its attempt to deny union representation to 60 shipping-agency workers in Garden, California.

Workers at Hyundai Merchant Marine and its spin-offs, Hyundai America Shipping and Hyundai Intermodal, Inc., called the ILWU some three months ago. They want coverage under the same Local 63 Office Clerical Unit (OCU) contract that went into effect when Hyundai-owned California United Terminal in Long Beach.

They brought into court slowly, completing its purchase around a year ago.

"The company says it didn't know CUT workers were making union wages when it bought the terminal," said Donna Hille, an organizing committee member and receptionist at Hyundai America Shipping. "I don't think so."

The workers in Gardenia—cer-

nals, buyers, agents, yard people and a rail coordinator—handle the planning and paperwork involved with shipping and tracking cargo. They earn $10 to $14 per hour, compared to $20 to $25 an hour for the Dockers in Long Beach. Vessel planners, boarding agents and the rail planner routinely work 50 to 60 hour weeks.

"We want job security," said Hille. "We want the protection that comes with representing us.

The Hyundai workers filed for an NLRB-supervised election Oct. 16 with a majority of signatures. The company promptly hired arch-union-busters Littler Mendelson.

Littler instigated a week-long hearing at the NLRB to determine who belongs in the bargaining unit. Littler lawyers challenged the pres-

ence of the boarding agents, even though they belonged to the same numerious companies. Union staffers expect a mid-December Board decision on the union. The election would take place about a month later.

While Littler stalks at the Board, management is threatened with unionizing and harassing workers on the job. Supervisors are spreading the rumor that the company will move if the union gets in. They're pulling people in to one-or-one meetings and grilling them for as long as an hour and a half about union activities. And they're scrutinizing everything every single union supporters like Hille, who reports that two or three managers fol-

low her every time she goes on break.

"People are scared to death," Hille said. "But we're not backing down, just looking forward to voting in January."

—Marcy Rein

CONTACT YOUR ORGANIZER

International Director of Organizing
Peter Olney 415-775-0533

Southern California Organizer
Mike Diller 310-835-2770

Northern California Organizer
Jerry Martin 415-775-0533

Puget Sound Organizer
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THE DISPATCHER

November 1999

The ILWU Legacy Fund
STATEMENT OF POLICY ON ILWU LEGACY FUND

Over the years the ILWU has handed over tens of thousands of dollars in donations from members, active and retired—sometimes in the form of bequests—who want to give something back to the Union. Because many of our members and friends also wish to contribute directly to internal education and organizing, the Titled Officers suggest that we formally establish the ILWU Legacy Fund, and that an ongoing request for donations appear in The Dispatcher. Donors will receive a special pin in recognition of their contribution, which will also be acknowledged in our newspaper.

The Legacy Fund is a way to earmark general funds for education and organizing, and to receive voluntary contributions for organizing and educational programs and publications (such as those mandated and funded under the 1994 Convention). The Legacy Fund will require no additional legal or administrative costs, as it is neither a charitable fund nor a corporate entity, and donations to it will not be tax deductible.

The Legacy Fund will stand as a tribute to the men and women who built this Union, and the Fund’s income and disbursements will be entirely under the direction and authority of the elected representatives of the rank-and-file members of the ILWU—the Titled Officers—who will report to the International Executive Board on the status of the Fund.

(passed by the ILWU International Executive Board April 6-7, 1995)

CONTRIBUTIONS SOLICITED

Contributions to the Legacy Fund are needed to finance several programs and projects that are not currently funded by the International Union’s budget. These include:

- Production of non-English language editions of “The ILWU Story” and our award-winning video, “We Are the ILWU.

- Developing advanced leadership training workshops for members who complete the highly successful Leadership Education and Development Institute (LEAD).

- Establishing an audio-visual center in the ILWU library for use and duplication of audio and video materials, including the ILWU oral history project interviews.

- Increased involvement in community outreach programs, including ILWU participation in community organizing projects and development of exhibits and other activities at high schools, colleges, museums, libraries, etc.

- Classes and materials for newly organized ILWU members to be held in newly organized ILWU locals.

Your contribution to the Legacy Fund, however large or small, will help to make these proposals a reality. All contributions of $25.00 or more will receive a commemorative ILWU lapel pin.

Open World Conference of Workers to be held in San Francisco

From the United States and around the world trade union leaders and activists will gather in San Francisco, Feb. 11-14, 2000 to discuss how to work together to combat the global corporate “free trade” agenda and to defend their hard-fought for gains. The Open World Conference of Workers in Defense of Trade Union Independence and Democratic Rights is a pivotal next step after the protests in Seattle against the WTO.

Baldemar Velasquez, President of the Farm Labor Organizing Committee and co-chair of the Labor Party, is a member of the OWCO Organizing Committee. Velasquez stressed “Corporate owners and independent unions are planning to undermine and eliminate unions as independent organizations acting to defend workers’ interests. Besides their direct attacks on workers, their schemes of ‘roundtable agreements’ and ‘social pacts’ are ploys to make trade unions responsible for organizing, eliminating benefits, part-time work and an end to job security.”

The objective of the conference is to develop specific campaigns to reinforce our right to organize and link struggles internationally.

For more info contact Mya Shone and Ed Rosario, OWCO conference coordinators at 415-641-8161 or at www.owco@igc.org for more information.
by Tom Price

Nick Podue leaves behind a legacy of service to his union. Known in marine clerk's Local 63 as "The Blade," "Rock" or "Nick the Enforcer" for his razor sharp humor, he also left with his family and friends many paintings of the San Pedro and environs, plus a number of satirical cartoons of his friends and co-workers. His long and varied life came to an end Sept. 9. He was 69 years old.

"Nick was the master of the one liner," said retired Coast Committeeman Bill Ward. "It didn't matter how serious the conversation might have been, or what it was leading up to, he was able to put some humor into it. A great deal of support for an argument that he endorsed was put over the top by his humor."

Podue began his ILWU career with fisherman and allied workers Local 35 in San Pedro and was elected to its executive board in 1955. He soon transferred to marine clerks Local 63, registered on the 'B' List Sept. 1956, the 'A' List in 1959 and was elected to that local's executive board in 1963. Throughout the 1960s he served on the Local 63 executive board and longshore caucus. He was named overseas delegate and in 1967 and went to Hungary and Bulgaria.

Later that year he was elected vice president and he served the local throughout the 1970s as an officer and delegate to the International Convention and the Longshore Caucus. He served as Local 63's secretary-treasurer during the 1971 strike and worked on negotiations.

The Titled Officers of the International appointed Podue as International Representative for Southern California in 1985.

"He turned the corner in his thought process when he took a tremendous cut in pay to take that job," Bill Ward said. "He was a good, dedicated guy, good ILWU stock."

As International Representative Podue helped in numerous contract negotiations. When the tanker American Trader ran over her anchor in February 1990 while mooring at Huntington Beach, shipcrews and painters' Local 56 members scrambled to perform the cleanup. Even though the union had performed that kind of work since WWll, the 200,000 gallons of crude spilled represented a major disaster. The dispatch bell sent hundreds of workers out for the spill, with Podue coordinating training with OSHA personnel.

"Nick came to work with me when I was Southern California Regional Director," said ILWU International Secretary-Treasurer Joe Ibarra. "Nick's dedication to the ILWU and to working people in general was apparent in the many hours he spent travelling throughout the United States helping the ILWU to perform the cleanup. Even now I remember how much I enjoyed and his family.

Podue retired in 1993 and continued painting.

"He was a unique character here, he always spoke his mind, and you always knew where you stood with him. He was a good organizer for the union," said Local 63 President Tom Warren. "We owned a race horse together named "Would I Fool You?" And he did. He won only one race.

Podue is survived by wife, Martha, daughter Jenny, sons Tony and Nick. Nephews Tim and Michael are in Local 13 and 65, and his brother Anthony "Tiger" Podue, still active in Local 63. His brother Marion "Germ" is a Local 63 retiree.

Long time Local 10 officer Tom Lupher dies

by Tom Price

When Tom Lupher was born in Los Angeles in 1928 his circumstances might have led to a very different future. His father was a wealthy contractor and his mother was from one of the old money families in the state. Even during the Great Depression, which began a few months into his second year, people from that class background usually choose a career in the professions.

But Lupher chose a different path. In 1944, while he was still a student at Stanford, Lupher decided his heart was with the working class. He finished college with a degree in history and went out and got a blue-collar job.

Working in the warehouses soon led to his acceptance into longshore Local 14 in Eureka, Calif. and the members elected him to that local's executive board in 1955. He also served on the auditing committee and went out and got a blue-collar job.

He transferred to longshore Local 10 and received his A- registration in 1959 and 1969. In the 1970s Local 10 members elected Lupher Business Agent many times and he served on various public and demonstration committees, organizing against President Nixon's economic policies and in support of the United Farm Workers. Members also elected him to the local's board of trustees, investigating committees and, in 1981, as Northern California District Counselor.

He was president of the ILWU and to working people in general was apparent in the many hours he spent travelling throughout the United States helping the ILWU to perform the cleanup. Even now I remember how much I enjoyed and his family.

Podue is survived by wife, Martha, daughter Jenny, sons Tony and Nick. Nephews Tim and Michael are in Local 13 and 65, and his brother Tony "Tiger" Podue, still active in Local 63. His brother Marion "Germ" is a Local 63 retiree.

Lupher joined the struggle to racially integrate crane operator positions and walking boss jobs. He retired from Local 10 in July 1982.

His wife Angela Allberry-Lupher, sons Mark and Grant and four grandchildren survive him. He died Oct. 10, 1999.

Tom Lupher

Lupher also served as Santa Claus at the Christmas parties for the kids. During his terms of office Lupher aided the union in founding the credit union and ILWU-PMU Substance Abuse Program.

"He introduced the idea of a recovery program to me and the rest of the union., Northern California Alcohol and Drug Recovery Program Representative George Cobbs said. Cobbs met with Lupher and Jim Edwards from PMA in a restaurant to discuss it, and they got both employer and union support, with Local 10 paying for training the first counselors. Cobbs opened up his office in February 1986.

Lupher joined the struggle to racially integrate crane operator positions and walking boss jobs. He retired from Local 10 in July 1982. His wife Angela Allberry-Lupher, sons Mark and Grant and four grandchildren survive him. He died Oct. 10, 1999.
Books and videos about the ILWU are available from the union's library at discounted prices!

**BOOKS:**
- **The ILWU Story**: Unrolls the history of the union from its origins to the present, with recollections from the men and women who built the union, in their own words, and dozens of rare photos of the union in action. **$7.00**
- **The Big Strike**: By Mike Quin: the classic partisan account of the 1934 strike. **$6.50**
- **Workers on the Waterfront**: By Bruce Nelson: the most complete history of the origins, meaning, and impact of the 1934 strike. **$13.00**
- **Reds or Rackets**: By Howard Kimeldorf: a thoughtful and provocative comparison of the ILA and the ILWU. **$11.00**
- **We Are the ILWU**: A 30-minute color video introducing the principles and traditions of the ILWU. Features active and retired members talking about what the union meant in their lives and what it needs to survive and thrive, along with film clips, historical photos and an original musical score. **$7.00**
- **A Terrible Anger**: The 1934 Waterfront and General Strike in San Francisco by David Savin: the newest and best single narrative history about the San Francisco events of 1934. **$16.50**

**VIDEOS:**
- **Life on the Beam**: A Memorial to Harry Bridges: A 17-minute VHS video production by California Working Group, Inc., memorializes Harry Bridges through still photographs, recorded interviews, and reminiscences. Originally produced for the 1990 memorial service in San Francisco. **$28.00**

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