Breaking Rio Tinto’s Lockout:
We’re going back to work with our heads held high!

With help from their neighbors and supporters around the world, 570 working families in Boron, CA faced down global goliath Rio Tinto. The ILWU Local 30 members who work Rio Tinto’s massive mine in Boron approved a new contract May 15, breaking the company’s 15-week lockout. The agreement provides guaranteed raises and a $5,000 per worker bonus, protects full-time jobs and seniority rights, and removes scabs from the workplace.”

“Most of us are happy to be going back to work, earning our paychecks, and doing the jobs that we love,” said Terri Judd, Desert Storm veteran and heavy equipment operator who served as an official spokesperson for Local 30 members during the lockout. “We’re going back with our heads held high, but we’re also guarded about dealing with a company that locked us out.”

The tentative agreement with Rio Tinto was reached in the early morning hours of May 14th with help from ILWU International President Bob McEllrath, Vice President Ray Familathe, and Secretary Treasurer Willie Adams. Local 30 President Dave Liebengood and the rank and file Negotiating Committee asked the ILWU International officers to assist them during the final week of intensive negotiations.

The settlement met members’ key goals of securing good jobs and stopping Rio Tinto’s assault on their union contract. Rio Tinto had been pushing a package of 81 “take-away” demands, part of the company’s ultimatum that was rejected by workers one day before the January 31 lockout. Those ultimatum demands included:

• Converting full-time jobs into part-time positions with skimpy benefits.
• Authority to cut employee pay at any time for any reason — or no reason at all.
• Eliminating seniority and allowing discrimination, favoritism, and nepotism.

• Allowing management to pick and choose who would or wouldn’t get raises.
• Giving management unlimited power to outsource and subcontract work.
• Declaring parts of the plant to be “non-union” where workers had no union rights.

The new six-year agreement protects workers from the worst of the company’s attacks and includes guaranteed annual wage increases of 2.5 percent. The new agreement will also:

✓ Limit outsourcing by requiring full utilization of all workers and machines before any work goes outside.
✓ Retain seniority protection for shifts, layoffs, and vacations. Transfers and promotions will remain subject to seniority for workers with relatively equal qualifications.
✓ Expand opportunities for overtime while reducing coercive, mandatory overtime.

continued on page 2
Following the January 31st lockout of Local 30 in Boron, I called for an officer’s meeting, with attorneys and staff. The Boron lockout would be our number one priority. Our efforts were to support our Local 30 members and help them win the lockout against Rio Tinto, one of the largest mining companies in the world.

It was no surprise Local 30 had been negotiating since September 2009. The contract ended on November 4th. Rio Tinto states on their website that their strategy is to consistently find the competitive advantage wherever possible. It was clear that the fight was on. With unemployment in double digits, it is not surprising that workers are afraid of losing their jobs and may be less willing to take risks. This fact was not lost on Rio Tinto, and the timing of their lockout – in the middle of our Great Recession – was no accident. Some companies demand cuts because they are under real economic pressure. Some companies that are making billions, like Rio Tinto, will try to take advantage just because they can. By any measure, Rio Tinto was a powerful adversary with a global reputation for playing hardball. It was David vs. Goliath.

As President, my job is to work with the Local, their President and negotiating committee. If I were to answer or do what every individual suggests, the International and the Local would have no direction. Working with Local President Dave Liebengood is part of the process. Even though there may be differences in strategy, Dave led his committee.

All assets were directed to the fight. Working with the President of Local 30 and his committee, we moved to support the families after they lost their paychecks and benefits. We set up an emergency fund, food banks and support groups. The Los Angeles County Federation of Labor organized a campus, collected donations from thousands of working families and delivered $50,000 worth of groceries. Our contacts and allies in the labor movement gave us important support and resources. The AFL-CIO headquarters contributed staff and resources to generate pressure. Rio Tinto International Vice President Hawaii Wesley Yurtado and I addressed the AFL-CIO Executive Council on the lockout. I personally spoke with Vice President Joe Biden about the situation. From there, International Secretary-Treasurer Willie Adams and Sister Terri Judd from Local 30 went to Australia to rally in front of Rio Tinto’s Australian Headquarters. Vice President Mainland Ray Familante went to London with Brother Dave Irish from Local 30 and attended the Rio Tinto Shareholder’s meeting, with a rally from supporting unions outside the building. All this was occurring while Locals up and down the Coast, Canada, Alaska and Hawaii were supporting and donating to the campaign.

Lindsay McLaughlin in Washington D.C. and I worked together in Sacramento in our final bargaining sessions in Sacramento were already speaking with political allies to stand up for working families before Rio Tinto attempted the same strategy in support of their profits. Rio Tinto, a foreign owned corporation, added to the political pressure the unions were facing from the lockout. Political pressure was not surprising. It was an atrocity to see all the unions donating food and money to help our families in Boron. At any measure, it was unbelievable,” said Nichols. It’s just amazing when you come from a little town like we do. It was really mind-blowing to see all the unions donating food and money to help our families because it showed everyone that people really do care about each other.”

“I learned that if you stick together and you have a common goal, you’ll come out OK,” said Nichols. “I’ve seen our union fall apart before, but this time we stuck together, and we did it.”

See Lessons of the Lockout on page 3.
Lessons of the lockout:

Unity is everything: the families in Boron stood strong and didn’t fold under pressure. No group ever broke ranks and wanted to take the company’s concessionary ultimatum. There were disagreements, but the differences were over strategy and tactics—not the fundamental point that we’re strongest when we stick together.

Support for families was the top priority. Within days of the lockout, contributions from the ILWU International, locals and individuals were flowing to help families. Funds were distributed by an Emergency Committee that met weekly with families in crisis. ILWU locals 500 and 502 in Canada passed monthly assessments that provided an impressive funding stream, and other locals plus the Longshore Division made monthly pledges that helped families survive.

The broader labor movement provided important support and resources. The state and national AFL-CIO contributed help that generated leverage against Rio Tinto and supported Local 30 families. The Los Angeles County Federation of Labor responded quickly by gathering donations from hundreds of thousands of working families, organizing a “Docks to the Desert Caravan” that delivered $30,000 worth of groceries, and coordinating an action at the British Consulate in Los Angeles that involved 1,000 supporters and generated positive media to end the lockout. Other unions played key roles, including the United Food & Commercial Workers Union, the California State School Employees Association, the Teamsters Union, SEIU, and dozens of others.

International solidarity was critical. Because Rio Tinto is a global goliath with operations on every continent, the ILWU’s connections with unions around the world proved important. Secretary-Treasurer Willie Adams helped the Mining and Maritime Conference convene a meeting near Boron after the lockout. Vice President Ray Familathe met with union leaders around the world and kept them informed as the lockout developed. When it came time for us to attend Rio Tinto shareholder meetings in London and Melbourne, we were able to count on our allies in Europe and Australia to increase pressure on the company.

Involving rank and file leaders. Before the lockout, Local 30 leaders formed a “Contract Action Team,” composed of dozens of active members who took responsibility for keeping co-workers informed with newsletters and flyers that provided facts and cut down on rumors. When the contract expired, those CAT members made sure members understood their rights, and helped lead actions on the shop floor when it was necessary to protect those rights.

Working with new allies and winning public support. The High Desert isn’t an easy place for unions, but Local 30 members won strong support in their communities by networking with local churches and community groups like the American Legion and Veterans of Foreign Wars. They won support from dozens of business owners who called on Rio Tinto to end the lockout. Local restaurants owners donated food for the picket lines. Members even won support from some of the local sheriff’s deputies who became friends with many on the line. Children and spouses were also encouraged to attend rallies, marches, and spend time on the line. The approach generated widespread public and made Rio Tinto’s expensive advertising campaign a dud with High Desert residents.

Positive media matters. From the beginning, Local 30 members worked to get positive media coverage for their families—and avoided mistakes in the past that encouraged media to focus on picket line violence that alienated local residents. Rank and file members served as official spokespersons, emphasizing that the lockout was about good jobs for their community and that the struggle in Boron was being fought by greedy corporations. Members also generated positive media attention by organizing marches and rallies that emphasized family involvement and put children in the picture to make the point. Volunteers wrote “letters to the editor” that were published. Positive events like the “Docks to the Desert Caravan” and using “human chains” to unload food deliveries made good media coverage—and public support—much easier to get.

Having friends in Washington and Sacramento is important. Rio Tinto executives know that politicians have power to make or break a lockout. They immediately flew to Sacramento after the lockout and their lobbyists were working the halls in Washington. But the ILWU was able to beat Rio Tinto in both Sacramento and in Washington because of relationships with politicians who are willing to stand up for working families and put pressure on Rio Tinto to settle.
**U.S. Senate:** Barbara Boxer  

**STATE OFFICES:**  
Governor: Jerry Brown  
Lieutenant Governor: Gavin Newsom  
Attorney General: Kamala Harris  
Insurance Commissioner: Dave Jones  
Secretary of State: Debra Bowen (D)  
Treasurer: Bill Lockyer (D)  
Controller: John Chiang (D)  
Superintendent of Public Instruction: Tom Torlakson (D)  

**State Board of Equalization:**  
District 1 Betty Yee (D)  
District 2 Chris Parker (D)  
District 3 No Endorsement  
District 4 Jerome Horton (D)  

**STATE BALLOT MEASURES:**  
Proposition 13- Tax Assessment for Seismic Retrofit: **YES**  
Proposition 14- Top Two Primary: **NO**  
Proposition 15- California Fair Elections: **YES**  
Proposition 16- Two-Thirds Approval for Local Public Power: **NO**  
Proposition 17- Alter Auto Insurance Company Regulations: **NO**  

**U.S. Congress:**  
CA-1- Mike Thompson (D)  
CA-2- No Endorsement  
CA-3- Ami Bera (D)  
CA-4- Clint Curtis (D)  
CA-5- Doris Matsui (D)  
CA-6- Lynn Woolsey (D)  
CA-7- George Miller (D)  
CA-8- Nancy Pelosi (D)  
CA-9- Barbara Lee (D)  
CA-10- John Garamendi (D)  
CA-11- Jerry McNerney (D)  
CA-12- Jackie Speier (D)  
CA-13- Fortney “Pete” Stark (D)  
CA-14- Anna Eshoo (D)  
CA-15- Mike Honda (D)  
CA-16- Zoe Lofgren (D)  
CA-17- Sam Farr (D)  
CA-19- Les Marsden (D)  
CA-20- Jim Costa (D)  
CA-21- No Endorsement  
CA-22- No Endorsement  

**Contra Costa County Supervisor,**  
**District 4:**  
Alameda County Supervisor:  
District 2- Nadia Lockyer  
District 3- Wilma Chan  

**San Francisco Democratic County Central Committee:** Eric Mar
Local 23’s Todd Iverson runs for County Council

ILWU Local 23 member Todd Iverson declared his candidacy for Pierce County Council last December, and has been running hard ever since.

“I want to see more people in office who have lived our issues,” Iverson said. “It’s important to get more union members elected. Just because people say they support us doesn’t mean they really get it—look at what happened with the Employee Free Choice Act in the Senate, for example.”

Iverson has been working on the waterfront since he was 16. He worked weekends and summers while he was studying political science at the University of Portland, then went to work full-time on the docks when he graduated.

During the hard-fought 2002 Longshore Division contract battle and lockout, ILWU members got a new look at the importance of having political allies. Once that fight was over, Iverson and a few other brothers and sisters from Local 23 started “America In Solidarity,” a non-profit education and advocacy group for working people.

“We were doing town halls and forums on health reform a few years ago. His top priority has to be creating jobs. He wants to see the county create a diversified economy that provides jobs for people with varying skills.

“Running for office is almost a full-time job,” Iverson said. “He’s been busy raising money, answering endorsement questionnaires, speaking to groups and doorbelling voters. In his conversations he’s already getting a feel for the sort of nuts-and-bolts issues that demand commissioners’ attention. Voters want to know what he’ll do to help urban homeowners on aging septic systems, or whether he would help keep a forest from being leveled to build a home for foster children.

Already Iverson has picked up a fistful of endorsements. Local 23 got on board early, of course, as did the Pierce County Central Labor Council, the Pierce County Building and Construction Trades Council, the Pierce County Democrats, the 27th LD Democrats, IBEW Local 483, UFCW Local 367, IBEW Local 483, AFSCME Local 120 and the Laborers Union. The campaign has a Facebook page, Todd-Iverson-for-Pierce-County-Council, and will soon have a Web site up at www.toddiverson.org.

Working as a longshoreman gives him the flexibility to run a campaign, Iverson said. “I’ve always had a yearning to do a little something extra, and this is a good opportunity.”

Local 54’s David Griffen runs for School Board

Local 54 member David Griffen (#208880) said his ILWU experience gave him the confidence to run in the June 8 election for a spot as a Trustee of the Stockton Unified School District.

“The biggest thing I learned on the docks is that you can push back on anything,” Griffen said.

Monitoring the School Board for the San Joaquin-Calaveras County Labor Council, Griffen saw some things that needed pushback. Former Superintendent Tony Amato blamed unions for all the district’s woes, Griffen said, and his anti-union rhetoric seeped into the San Joaquin-Calaveras-Alpine, Amador Building Trades Council, the Stockton Teachers’ Association, CSEA Local 318 and Operating Engineers Local 3.

The School Board may seem a long way from the docks, but Griffen takes a long view. He remembers when he was working in a print shop.

“This sweet little old guy kept bringing us a flyer to print. It started out one-sided and kept growing until it was a little newspaper. Finally we asked him what it was, and he said it was a conservative magazine that went to school boards all over the country. They were using it in their campaigns. We’re taking over! he said. The conservatives started with runs for school boards and small local offices, and they took over the Congress in 1994. We have to do the same thing,” Griffen said.

Anyone wanting to support David’s bid for elected office can contact him on his Facebook page, David Griffen for SUSD School Board (area 7), http://www.facebook.com/group.php?gid=108022291800605&ref=share

March for California’s Future

Locked-out workers from Baron and their families joined the “March for California’s Future” as it set out from Bakersfield on March 5. Six marchers made the whole 48-day, 365-mile trek to Sacramento, and thousands of people, like the families from Baron, walked part of the way with them. All connected in some way with the organizers’ vision of a state that works for everyone, their desire “to transform a crumbling California to the prospering State it once was by investing in public services vital to maintaining our quality of life: our schools, parks, libraries, safety net services, infrastructure and more.”

Along the route, the walkers had conversations, teach-ins and town hall meetings. They registered voters and gathered signatures to put the Majority Vote Budget measure on the ballot in November. The Majority Vote proposition would make the California budget process more democratic by overturning the need for a two-thirds vote to get a budget through the Legislature. The California Federation of Teachers anchored the broad coalition that sponsored the march.
Battle of Ballantyne: The lost strike that built a union

Canadian longshore workers will celebrate the 75th anniversary of the Battle of Ballantyne this June, a little less than a year after ILWU members in the U.S. marked the 75th anniversary of Bloody Thursday. Just as the U.S. dockers’ victory in 1934 built on decades of organizing, repression, and rebuilding, the Battle of Ballantyne marked a watershed event for Canadian dockworkers that came after years of struggle.

On June 18, 1935, tensions between the Vancouver and District Waterfront Workers Association (V&DWWA) and the Shipping Federation had been building for months, and it was only a matter of time before a showdown would take place.

The union, led by Ivan Emery, was determined to take over the dispatch system, improve wages and benefits, and end the method of distribution of surplus work. The Shipping Federation adamantly opposed these changes. It had determined that the time had come to break the union once more, just as it had in 1923.

The Shipping Federation had already established a new company union, the Canadian Waterfront Workers Association (CWWA). According to a union’s daily strike bulletin on July 18, the employers had announced their intention to break all the maritime unions in B.C. and replace them with company unions.

When non-union workers loaded newsprint in Powell River, bypassing the newly organized longshoremen, the new federation unifying the waterfront unions placed the ships from Powell River on the unfair list. When the newsprint arrived in Vancouver, longshoremen refused to unload it.

The ILWU Canada and the Longshoremen’s Women’s Auxiliary established a first aid post in the Longshoremen’s Hall to treat the injured. The police smashed the windows and hurled tear gas bombs inside.

The union hung on for six months, but officially called off the strike on Dec. 9, realizing it was a losing battle. The CWWA had won a complete victory, but change, though stalled, could not be halted. Soon the company unions, the CWWA and the Vancouver Longshoremen’s Women’s Auxiliary (VLA), were lobbying for equalization of earnings and rotation dispatch.

The CWWA and the VLA amalgamated in 1941 so they could present a unified body to the employer.

In 1943, the BC Council of Longshoremen (BCCl) brought together six independent unions, including the CWWA, the VLA, the North Vancouver Longshoremen’s Association (NVLA), the ILWU Vancouver, the ILWU New Westminster and the International Longshoremen’s Association (ILA) Vancouver.

ILWU jurisdiction was established in British Columbia in 1944, with Vancouver getting chartered as ILWU Local 501 in March, and New Westminster becoming ILWU Local 502 in July.

In 1945, the BCCl became the BC District Council (BCDC) and included Vancouver, Port Alberni, Prince Rupert and New Westminster.

The Battle of Ballantyne dealt a harsh setback to the Vancouver and district longshoremen—but they resolutely managed to build a militant, representative union out of a lost strike.

The Shipping Federation failed to realize that the intermittent nature of longshore work, the injustice of the dispatch and the threat of capricious dismissal, combined with the skill needed to perform the job, left the longshoremen no choice but to look to each other in militant solidarity.

— by Gary Serafin, ILWU Local 500

(With thanks to Roy Smith and “The Man Along the Shore.”)

Longshore talks shadow ILWU Canada convention

The troubled longshore negotiations between the ILWU Canada and the British Columbia Maritime Employers Association (BCMEA) dominated the union’s 31st Convention, held March 23-26 in Vancouver, B.C.

“All around the world, employers are using the bad economic situation to attack the unionized workforce,” said ILWU Canada President Tim Dufresne. “The BCMEA wants total flexibility, to be able to bypass seniority. They have it on a patch,” he said. The employers also want to reduce costs and control of the dispatch and expects us to pay for what we get.”

“The BCMEA wants total flexibility, to be able to bypass seniority. They want to be able to hire and fire at-will. They have it on a patch,” he said. The employers also want to reduce costs and control of dispatch. “They’ve said publicly that they’re doing this,” he said, likening the BCMEA’s tactics to those used by the U.S. employers in 1948. “They’re trying — bullying their workers. The only way to continue to build unity amongst the membership, is to be able to bypass seniority.”

Bargaining began January 2, 2010. Two federal delegates have been appointed to facilitate. They have helped the parties make some progress, despite the employers’ group conducting an aggressive campaign away from the negotiating table. The BCMEA has brought complaints against the ILWU to the Canadian Parliament’s Committee on Labor Relations and the Subcommittee on Women in Non-Traditional Work of the Committee on the Status of Women.

The employers charged the union with discriminating against women, “but it’s a joint hiring process and the matter of accountability on their part has not been addressed,” said newly elected ILWU Canada Vice President AtLarge, Mandy Webster.

The ILWU went to Parliament with some of the B.C. Human Rights Coalition to speak to the Subcommittee. Dufresne called the charges “involuntary and vexatious,” part of the employer’s plan to drain the union’s resources and cause as much aggravation and grief as possible for its officers. “They’ve said publicly that they’re doing this,” he said, likening the BCMEA’s tactics to those used by the U.S. employers in 1948. “They’re attacking members’ work ethic, our wages, our reputation, trying to create a public backlash,” he said.

“Nobody has claimed things were perfect in regards to employment equity,” Webster said, “but we are seeing a traditionally male-dominated industry evolving into a more balanced workplace and the improvements will show over time. The BCMEA is shamefully taking advantage of an issue that hits many people emotionally as part of their campaign to publicly destroy the image of the Union,” she said. “I would be the last person to minimize the validity of seeking employment equity at any workplace, but in this case, the employer has used this issue as a red herring to attacking the very core foundations of equality that this union stands for.”

Delegates to the ILWU Canada Convention also heard that the union had carried its fight against repressive security legislation as far as it could. The Court of Appeals ruled that the government is within its rights to require dock workers to submit to security searches, and on March 11 the Supreme Court declined to hear an appeal.

The Convention elected several officers by acclamation. In addition to Webster (Local 517), the delegates chose Tim Farrell (Local 502, New Westminster) as 2nd Vice President, Al Le Monnier (Local 500) as 3rd Vice President, and Mark Gordenko (Local 500, Vancouver) as Longshore Trustee. Members will vote for 1st Vice President and Secretary-Treasurer.

“The new officers will have to continue to build unity amongst the membership, if nothing else,” Webster said. “We’re coming off a few good years when there was lots of work and money to be made. Now that the economy has suffered, you see many employers — not just within the longshore industry — bullying their workers. The only way to continue to stay strong and cohesive, she said.

June 19, 2010

9:00 AM: March from Maritime Labour Centre (1880 Triumph Street) to New Brighton Park

12:00 PM: Unveiling at New Brighton Park

5:30 PM: Dances open at Maritime Labour Centre

Tickets $40 each Contact: Tim Farrell (604) 812-5678

Shhh... it’s a labour secret.

Calling all ILWU members and their families.

The ILWU 31st Convention is calling on all ILWU members to join them at the ILWU Convention 2010. For 75 glorious years, the ILWU has been fighting to make work safer and more enjoyable.

On June 19, 2010, we will march from the Maritime Labour Centre to New Brighton Park in Vancouver.

The ILWU will be celebrating its 75th year of fighting against repressive security legislation.

It appears the Shipping Federation had determined to take over the dispatch system of the ILWU Local 500, Vancouver, if nothing else,” Webster said.

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A 5 union members through- out Costa Rica mobilized against government attacks on public services and basic labor rights, the ILWU’s Coast Longshore Division was building political support for the Costa Rican dockworkers union SINTRAJAP at the highest levels of the U.S. government. The protests in Costa Rica came to a head April 29, the same day 25 members of the U.S. Congress sent a letter to Secretary of State Hillary Clinton to “express great concern about the current labor right situation in Costa Rica” and to say that “Costa Rica needs to comply with its obligations to the U.S. and the International Labour Organization (ILO).”

Dockworkers in Costa Rica’s Caribbean ports of Limón and Moin have been the standard-bearers in the country’s recent struggle against priva- tization. Two years ago, the Costa Rican government took out a $72.5 million loan from the World Bank to “modernize” these ports, which meant turning them over to private owners. The dock workers union, SINTRAJAP, has resisted every step of the way. At their March 4 meeting, SINTRAJAP members voted unanimously to reject a government buyout that would pave the way to privatization.

The Costa Rican government has responded by replacing the union’s democratically elected leaders with a new board of government-backed directors and freezing the union’s bank accounts. The Coast Longshore Divi- sion has published letters of support for SINTRAJAP in the country’s largest daily newspaper, La Nación, and in the University of Costa Rica’s weekly pub- lification El Semanario. ILWU Interna- tional President Robert McElrath wrote to President Barack Obama, asking him “to immediately communicate to the Costa Rican government that its current course of conduct is unacceptable and contrary to Costa Rica’s stated commit- ment to democracy and human rights.”

On April 29, thousands of teachers, students, public employees, and dock- workers participated in a national day of protest. The teachers’ union APSE (Asociación de Profesores de Segunda Enseñanza) called a one-day work stoppage, denouncing a proposed new law governing public employment. APSE called the proposal “an attack on eco- nomic, social and political rights won by the working class in struggles over many years.” It will cut wages and bene- fits and gut collective bargaining rights.

In Limón on April 29, riot police attacked dockworkers who had blocked off streets around the port. The confrontation ended with seven trucks burned, many demonstrators beaten, 22 arrested and two police officers hurt by gunfire. SINTRAJAP issued a statement saying that it nei- ther planned nor approved of the vio- lence in any way, but that “it is hard to restrain people who feel they must defend themselves.”

The union also declared its deter- mination to keep up the fight. “We will not rest until the responsible parties inside and outside of JAPDEVA (the state agency that administers the ports) pay for the damage they have caused to the workers of JAPDEVA and of the country,” SINTRAJAP leader José Luis Castillo told the newspaper El Pús. Castillo also expressed his gratitude for the solidarity shown by the ILWU, most recently the letter to Secretary of State Clinton.

The action by the North Ameri- can Congress members is one more sign of the enormous support we have in the defense of the sacred right to our work, condemnation of corruption and the illegal and dictatorial action of the government,” Castillo said.

ILWU mobilizes support for Costa Rican dockworkers

Longshore Caucus takes a reality check

Delegates to the Coast Longshore Division Caucus, held April 5 - 9 in San Francisco, confronted a record drop in work, and the challenges to jurisdiction that such a drop in work brings. The ILWU also took stock of the new federal health care legisla- tion and took action in solidarity with working families in Boron and in Costa Rica.

“For the second year in a row, the global economic downturn resulted in reduced cargo volumes on the West Coast,” the Coast Committee wrote in their report to the Caucus. “In the 75 years of our existence, there has never been a drop in work as sudden and deep as the one we have experi- enced in the last 18 months.”

When cargo volumes go down, the cost of paying for the benefit package is reflected in increased hourly wage costs and tonnage assessments, so the Employes have a greater incentive to avoid using ILWU labor. They use any pretext they can find.

Employers have also used “port security” as an excuse to go after the ILWU ever since Sept. 11, 2001. Many ports have taken advantage of fat federal and state security grants to make changes that cut into ILWU jurisdic- tion. The union continues to fight security measures like diskocameras and the Transportation Workers Identification Credential (TWIC) that are being used to target workers rather than to promote security. TWIC “has become a tool that employers and government use to selectively discipline workers and restrict union ability to organize and monitor work sites,” said ILWU Interna- tional President Robert McElrath.

The spreading practice of Port Authorities leasing dock areas to employers who don’t have contracts with the ILWU also threatens work opportunities, as do proposals to send cargo by barge or small motor vessels down inland waterways. Public officials promote this practice, called “short-sea shipping,” as a greener alternative to trucking. In reality, it is so inefficient and costly relative to moving cargo by truck that it doesn’t generate a profit unless union labor is used.

The Caucus spent little time talk- ing about new technology, though the Division has focused lots of resources on defending its jurisdiction in the changing environment. “The union agreed to new technology in the last contract, but technology is now doing the work when members go home,” said Local 13’s Mark Mendoza. “This should be a wake-up call.” Several dele- gates talked about the need for more training to allow members to capture the jobs of the future—and for continued vigilance on the job.

The union also put considerable energy into following the federal health care legislation, and the Caucus tried to assess the impact of the freshly minted bill. Both the Caucus and the Conven- tion had passed resolutions supporting single-payer, and the union stuck to its guns throughout the Congressio- nal debate. International President McElrath was one of only three rep- resentatives on the AFL-CIO executive committee to oppose the Obama plan. Though the bill will expand Medicaid to cover extremely low income citizens, it does nothing to regulate insurance companies.

“What is a complete, 100 percent win for the insurance companies,” said Coast Committeeman Leaf Sundt. “It guarantees that the insurance compa- nies are going to be able to take a big chunk of money and put it in their pockets in the way of profits,” he said. The main source of funding for the bill will be a tax on insurance plans that pro- vide good benefits to their members, so-called "Cadillac plans." If current trends continue, the excise tax could cost the

The 81 elected delegates to the April 5-9 Longshore Division Caucus confronted the problems posed by hard times and corporate greed.

Costa Rica’s dock workers are fighting to protect good jobs at their ports and defend their union from a government takeover.

El Semanario
Vans carrying scabs leave the Rio Tinto mine in Boron after Local 30 members won their fight to end the lockout and protect their contract on May 15, 2010.

TRANSITIONS

NEW PENSIONERS:

DECEASED & NEW SURVIVORS:
- Local 19: John R. Ramirez; Michael L. Ivicevich; Clarice Hernandez; Local 29: Maria Alice B. Dillon; Local 12: Dorothy E. Martin-Sexton; Local 98: John C. Eastland (lavonne); Local 50: John C. Eastland (Susan); Local 63: Robert A. Cano; Lloyd J. Smith (Christina); Local 91: Theodore Lax Jr. (Christina); Dennis Bruckner; Local 98: Laurence A. Carpenter

DECEASED SURVIVORS:
- Local 4: Dorothy E. Martin-Sexton; Local 6: Florence Pitchford; Local 10: Betty J. Dawson; Frances Wells; Felomiera R. Farinas; Local 12: Alice J. Yuen; Local 19: Alice B. Dillon; Local 29: Maria Hernandez; Local 34: Evelyn V. Chilunya; Josephine D. Ashley; Betty R. Traverro; Local 63: Harlene Morales; Mary R. Winter; Harriet Wingard; Local 75: Cornelia L. Hofman; Local 91: Clarice Graham

Wallace Matteo (Carolene); Eric J. Cruz; Local 40: Harold K. Mendenhall (Jackie); Local 46: William Gunvara (Joyce); Local 50: John C. Eastland (Susan); Local 63: Robert A. Cano; Lloyd J. Smith (Christina); Local 91: Theodore Lax Jr. (Christina); Dennis Bruckner; Local 98: Laurence A. Carpenter

May, 2010

NOTICE TO ALL ILWU-REPRESENTED EMPLOYEES, ILWU MEMBERS, FINANCIAL CORE NON-MEMBERS AND NEW HIRES

This notice applies to all ILWU-represented employees, ILWU members, nonmembers and new hires working in an ILWU bargaining unit, including members and individuals who happen at any time to become financial core members by any means, including by choice, suspension or expulsion from union membership in any local or division affiliated with the ILWU, for the one year period following the date of this notice or until such time covered by a later notice of similar kind.

The information contained herein applies to ILWU International per capita and, for those working in the Longshore Division, the ILWU Coast Longshore Division Pro Rata fees or payments of any kind under a union security clause. This notice also applies to local dues and fees paid to any affiliated ILWU locals or divisions, except those affiliates who have chosen not to be covered by this notice and have issued their own separate notice under their own separate policies and procedures. (Accordingly, this notice shall be supplemented by any other notice issued by any affiliated ILWU local or division with regard to its dues and fees.)

Please be advised that individual working under a union security clause contained in a collective bargaining agreement, notwithstanding the specific provisions of such contracts, are only a condition of employment under such clause to pay uniform dues and any required initiation fees and may, by writing to the ILWU Secretary-Treasurer, or to their local ILWU secretary-treasurer, resign or decline union membership and choose to become a “financial core” member at any time. Such “financial core members” are deemed to be in compliance with any union security clause, regardless of any specific wording to the contrary, so long as they timely pay all regular and periodic financial core dues or fees properly charged by their bargaining representative as explained herein.

Please be advised, however, that financial core members deprive themselves of the valuable rights of union membership in the ILWU and their local or division. A financial core member does not have the right to vote, nominate for office, hold office, or be a candidate for office in the ILWU, nor may he/she participate in or even attend ILWU meetings or any functions of the union that are limited to union members. In addition, a financial core member has no right to vote on dues increases or on contracts submitted to the membership for ratification. These rights and privileges of union membership are accorded only to union members in good standing.

Nevertheless, financial core members are still legally required to vote on their union for the costs related to collective bargaining, contract administration, grievance adjustment, and other non-representational activities, as well as for the costs of activities related to the representation of the employers and other activities reasonably related to the ILWU’s representation duties (hereinafter called “chargeable activities”). However, union expenditures for non-representational activities such as political activities, lobbying (hereinafter called “nonchargeable activities”) - activities which most workers know help build a better climate for us all in bargaining with employers and in securing fundamental worker rights - may not be charged to financial core members who file timely objections.

For calendar year 2008 which is the most recent audited year, the financial review has confirmed that no more than 12% of all ILWU costs were expended for nonchargeable activities. While each ILWU local and division may have different percentages of nonchargeable expenditures, financial reviews and practical experience confirm that the nonchargeable percentage for ILWU locals is significantly lower than that for the ILWU International. Nevertheless, those ILWU locals and divisions covered by this notice will not collect or seek to collect financial core fees greater than that based on the nonchargeable percentage of 12% stated above for the ILWU International for the applicable collection period herein or until such time as such local issues a separate notice.

For those employees included in the ILWU Longshore Division and work for FMA-member companies under the Pacific Coast Longshore and Clerks Agreement, please also note that with respect to CoR Pro Rata Fees (including “Fighting Fund” fees), for calendar year 2008 (which is the most recent audited year), the financial review has confirmed that no more than 5% of all ILWU Coast Longshore Division’s expenditures were for nonchargeable activities.

The ILWU Executive North Board and the ILWU Coast Longshore Division have adopted the following Procedures on Financial Core Members Objecting to Nonchargeable Expenditures (hereinafter called the “Procedures”). Under the Procedures, a financial core member of any affiliated ILWU local and division has within an applicable 30 day period of time to object to expenditures for nonchargeable activities of its her or his local dues paid to the ILWU local and the per capita paid to the ILWU International, as well as any CoR Pro Rata fees paid to the ILWU Coast Longshore Division. In the event a financial core member perfects such objection, he or she shall receive either the appropriate monthly reduction or an advance rebate of a portion of the local dues, per capita and pro rata fees properly charged by the ILWU local and division, along with any Coast Pro Rata fees (including “Fighting Fund” fees), for calendar year 2008 which is the most recent audited year, the financial review has confirmed that no more than 12% of all ILWU costs were expended for nonchargeable activities. While each ILWU local and division may have different percentages of nonchargeable expenditures, financial reviews and practical experience confirm that the nonchargeable percentage for ILWU locals is significantly lower than that for the ILWU International. Nevertheless, those ILWU locals and divisions covered by this notice will not collect or seek to collect financial core fees greater than that based on the nonchargeable percentage of 12% stated above for the ILWU International for the applicable collection period herein or until such time as such local issues a separate notice.

Unless changed by a later notice, those financial core members and new hires who file timely objections will not be charged from the date they file a timely objection through July 1, 2011 for expenditures related to nonchargeable activities based on the applicable percentages noted above and also will be provided detailed, independently audited financial information concerning the breakdown between chargeable and nonchargeable expenditures of the ILWU International, the ILWU Longshore Division and (if the objector works in the Longshore Division) of their ILWU local (if covered by this notice as explained herein). Objec-
tors will also be given an opportunity to file, within 30 days of receipt of such financial information, a challenge to the amount and calculation of any such nonchargeable expenditures and percentages, as well as an opportunity to have such a challenge resolved, if not voluntarily settled, through expedient arbitration before a neutral arbitrator selected by the American Arbitration Association (AAA) in proceedings conducted under AAA Rules applicable to objections to agency fees. Please also note that the amount or portion of financial core fees pending the period for filing any objection and challenge as well as the amount reasonably in dispute pursuant to any challenges will be kept in an interest bearing escrow account pending resolution of such challenges. Objec-
tors who file challenges will receive any amount that may be determined to be owed them, plus accrued interest, pursuant to these Procedures.

It is important to note that the vast majority of ILWU represented workers believe that the little extra in dues for maintaining union membership and enjoying all the valuable benefits of full participation in the governance of the ILWU, and the negotiation of working conditions is quite a bargain. For a few cents more each week, union members enjoy all the benefits of membership in the ILWU. We sincerely believe that after careful consideration, new hires and financial core members too will agree that becoming and remaining a union member makes the most sense. If you are not a union member already but are eligible for membership under your Local’s constitution and rules, please contact your local ILWU to join the ILWU.

This notice may be superseded or amended by later notices as issued by the ILWU, the Coast Pro Rata Committee or affiliated locals and divisions of the ILWU.

So long scabs!