



# The DISPATCHER

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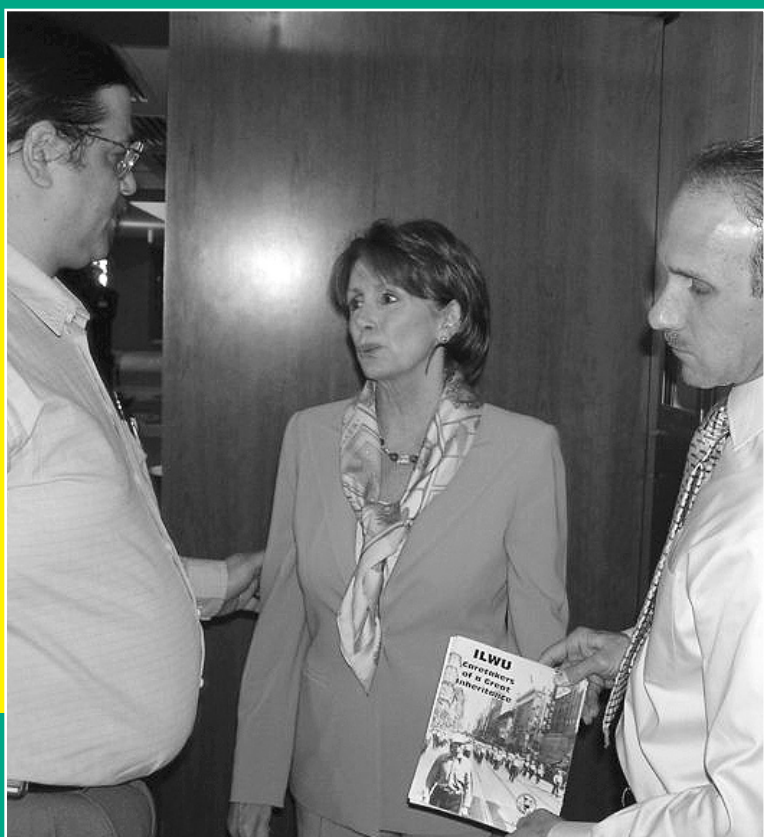
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## Inside Line

### HARD LUCK

There's really no such thing as luck. There's chance and opportunity and being prepared to pounce on it and turn it into success. You have to make your own luck—the hard way.

This is one of those times of opportunity, an opening in history when a social movement can insert and assert itself to make a difference. Past experiences and the insights gained from them determine if and how well people do intervene and change things.

Right now the Republicans have paved the way for their own demise in the 2006 mid-term elections, with their missteps, mistakes and high crimes and misdemeanors. (And that's not even counting the class-war crimes of their last six years.) These guys have stepped in front of more buckshot than a Dick Cheney hunting partner. Once again history is showing its disdain for the arrogant abuse of power. But it's up to us to enforce the punishment.

The Republicans have put the hurt on themselves with a dizzying array of blunders. The Iraq War is dragging on into its fourth year with no end in sight, with some 2400 American soldiers killed, thousands more wounded and maimed, tens of thousands of Iraqis killed and wounded as the country spirals into civil war, terrorism is growing and the conflict is seemingly spreading in Iran.

The Jack Abramoff affair is the most widespread influence-peddling case yet to be uncovered. Republican House Speaker Tom DeLay departs in disgrace. Hurricane Katrina exacerbated not only the perception of Bush incompetence and racism, but the decline of his poll numbers. Vulnerability abounds.

From March 13-17 into this chasm of blunders a troop of more than 50 ILWU local officers and rank-and-file activists took to Capitol Hill intent on pushing the ILWU pro-worker agenda. As ILWU Legislative Director Lindsay McLaughlin relates in his Washington Report (see page 4), they had some preparation, some veteran leaders and a lot of focus and determination.

The groundwork had been in process for a while. This was the third such orchestrated Congressional blitz in the last five years, the union's regional District Councils have been more active recently and the union's education program has provided expanded rank-and-file training and opportunities to participate. And, of course, McLaughlin's lobbying work on the Hill for 16 years helped open doors.

They came in pounding their points on port security, port pollution, pension protection, health care for all and union rights. The new lobbyists took their assignment seriously, veteran Northern California District Council Legislative Representative Lawrence Thibeaux told me the day after he returned from D.C.

"The new people were a bit intimidated at first, but each was given an assignment of a certain subject and by the end of the week presented it to the legislators," Thibeaux said. "They all pulled it off great. It was good to see the young people involved in the legislative process. It gives us hope the District Councils will continue as they have in the past."

A simple case of preparedness seizing opportunity. How lucky was that? Hardly.

—Steve Stallone  
Editor

# PRESIDENT'S REPORT

## The dispatch hall is our solidarity center

By James Spinosa  
ILWU International President

Are we revisiting 1934, back before the dispatch hall, when longshore labor was hired through favoritism and individual deals, when some had work and others had none? Are we headed back to the time of the shape up, with the way employers are luring steady workers with enticements and leaving fewer jobs for those working out of the hall?

Back before there was an ILWU, longshore work was not considered by most people to be a desirable job. You hauled heavy cargo in and out of a ship's hold on your back at a fast pace until the ship was finished. If you couldn't keep up, there was always someone ready to replace you. If you collapsed from exhaustion, you were fired. If you got hurt, that was your problem. And to add insult to injury, you had to beg or bribe the foreman for a chance at that. Longshore work was demanding of the body and demeaning of the soul.

That's why when West Coast longshoremen went out in the great maritime strike of 1934, they didn't just demand union recognition and higher wages. They demanded a union-run dispatch hall and a six-hour day to bring dignity and equality to getting a job. The dispatch hall would end the employers' favoritism and control by ending the system that pitted workers against each other. The six-hour day would help guarantee there was enough work to share.

The longshoremen of 1934 stayed out on strike for three months, withstood being beaten, shot and killed, for that vision of solidarity. We still commemorate the bloody birth of our union every July 5, Bloody Thursday. All West Coast ports close that day. No cargo is moved in solemn remembrance of that sacrifice that went on to build the proud and strong ILWU.

We are so privileged to be able to share in the bounty those before us gave so much to gain. And sharing is exactly what they fought for, for the right to share the work opportunities and the wealth among all our longshore brothers and sisters.

Ever since 1934 the dispatch hall has been the center of ILWU solidarity and strength. It is where we meet, socialize and share our community. That's why the employers are against it. That's why they have been attacking the dispatch hall as "obsolete" since 1936. They tried to eliminate it from the contract in 1936 and 1938. They tried to legally abolish it in 1948. Failing that, they have tried to dismantle it piece-by-piece ever since the Mechanization and Modernization Agreement. They have always been clear in their minds and actions that the dispatch hall is the greatest challenge to their power.

The only thing that has changed over time is how they go about attacking the dispatch hall, how they try to weaken our solidarity. In recent years the employers have moved to over use the provision in the longshore contract allowing them to employ steady workers, those who report to the same terminal every day without going to the hall to get their job. But the contract sets restrictions on how many hours and shifts steadies can work in a week and on the compensation they can receive. The employers are purposefully violating that. They have been giving some of their steadies extra hours and shifts and slipping them bonuses

and gratuities.

These practices undermine the dispatch hall, taking job opportunities away from those who work out of the hall. They undermine the very solidarity that makes the ILWU strong and able to protect its members.

The employers are always finding new ways to undermine our contract and our solidarity. As they go about implementing new technology on the docks in accordance with the 2002 contract, they are using the technology not just to send our work to other, non-union workers. They are also using it to set us against each other by overlapping and blurring the distinctions among the jobs of longshore workers, marine clerks and walking bosses.

They put computers in longshore equipment intent on replacing the work clerks do, overlapping and shifting responsibility to the equipment operator and often creating an unsafe situation. They are also using new technology to confuse the work of flowing the cargo by hatch clerks and foremen under the hook.

As we look at the subterfuge and how the employers are using technology to outsource our jobs, we must also see how they are trying to use technology to set us against each other. We cannot let them choose one section of our union over another.

Instead we have to reinforce each others' contracts and jurisdictions. As it is, technology will make some jobs we do disappear. But that makes it all the more important to protect the ones that remain and to make sure we equalize work opportunities.

We must not allow ourselves to become pawns in the employers' quest to disenfranchise our great union. The ILWU stands on principles that support equal work opportunity and social justice for all. The employers see the success of our industry and use not force, but 21st century strategy to frustrate us and pit worker against worker.

*ILWU rank and filers have an obligation to steer clear of enticements and gratuities the employers offer them.*



Harry Bridges, our great founder, always said we must never find ourselves in a position where special interests groups are formed in our union and are recognized by the employers. Our rank and file has an obligation to steer clear of enticements and gratuities offered them. We must continue to abide by the contract and union by-laws that have preserved the dispatch system we live by.

We have the greatest work force in the world. Whether we are workers out of the hall, steady or preferred, our obligation is to move cargo and meet the needs of our industry. In doing this task we must recognize that every job plays an important role and requires skills to accommodate the industry's needs. The hall worker must never be considered second-class.

The success of past and future contract negotiations relies on the strength of our hiring system. Skill work must be available to ensure hall men and women that work in our industry and equal earning capacity.

The 2008 negotiations are only two years away from starting. Focusing on problems that weaken our dispatch system must be recognized as one of our top priorities.

It is time, in my opinion, that a work guarantee equal to those who work under a steady guarantee be made available to hall workers. Rank and filers must come together in solidarity and remember our slogan: "An injury to one is an injury to all."

## The DISPATCHER

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# Pride and protest fill Sacto César Chávez march

By Marcy Rein

SACRAMENTO—With their yellow balloons bobbing in the wind, workers from Blue Diamond Growers walked proudly over the Tower Bridge in the César Chávez parade here. For them, the March 25 event marked an anniversary and a victory. They took their drive to join ILWU warehouse Local 17 public for the first time at the 2005 Chávez march. And after a rough first year, they got a firm decision from the NLRB backing their right to organize.

With Local 17 members beside them and the longshore Local 10 Drill Team stepping ahead, the Blue Diamond workers also became part of a huge national wave of protest. Millions of people took to the streets all over the country in a week of actions against anti-immigrant bills in Congress. Sacramento's 5,000-strong parade far outstripped last year's event. A million marched in Los Angeles, a half-million in Chicago, and tens of thousands of others in cities from Charlotte, North Carolina to Denver to Phoenix. Workers stayed home in Atlanta. Students walked out of high schools all over.

"Thank you for the opportunity to speak to you on this day for César Chávez," Blue Diamond organizing committee member Cesario Aguirre told the loud crowd at the rally after the march. "This is a day for the rights of workers," he said in Spanish.

Blue Diamond Growers (BDG) runs the world's largest almond processing plant, employing more than 600 workers at the Sacramento facility. The organizing committee started off quietly in September 2004. People just had enough of flat wages, mushrooming health costs and trash-talking supervisors. Blue Diamond responded with what it called "an aggressive union avoidance campaign."

"Since we've been organizing, we've faced many obstacles," Aguirre told the rally. "The company has threatened us with closing the plant, they have spread fear, they have fired three people for supporting the union and divided the workers in the plant," he said.

Labor law bars such firings and threats, so the ILWU filed charges with the National Labor Relations Board. After a three-month investigation and a four-day hearing, the Board found Blue Diamond guilty as charged on almost all counts. NLRB Administrative Law Judge Jay Pollack ruled March 17 that Blue Diamond Growers should re-hire two of the three fired workers. He also ordered BDG to post a notice telling workers their rights under labor law,

listing the ways it broke the law and promising not to do so again.

Pollack pulled no punches in his findings. He referred to management conduct as "suspicious" and "self-serving" and pointed out holes in their stories.

Organizing committee members took heart from the decision.

"Things are looking up," Eugene Esparza said while leafleting outside the plant a couple weeks later with Mike Flores, one of the workers the judge ordered BDG to re-hire. People smiled and took the information more readily than they did before, Esparza said. They greeted Flores with congratulatory shouts of, "Hey, Mikey, when you comin' back?"

Blue Diamond has said they will appeal and not re-hire anyone yet, much to the committee's disgust.

"They need to take responsibility for what they did and sign the judge's order so we, the employees, can have our voice," Pat Senteney said.

As the Blue Diamond workers passed out their flyers and talked to others in the plant, the immigration debate kept raging in Congress and in the streets. One look at the crowd at the Chávez march told you this issue hit close to home. Once the morning rain stopped, people started streaming in. Families came with babies in strollers and teens in stocking caps and tattoos. Some people came with unions, churches and community groups, but many just showed up.

The lead banner said, "No on U.S. Bill HR 4437, Rep. James Sensenbrenner's border protection, anti-terrorism and illegal immigration bill." The hand-marked signs said, "Working. Paying taxes. Not a criminal!" All along the way people shouted "Aquí estamos, y no nos vamos/ We're here and we're not going away." and the United Farm Workers' "Si se puede!/Yes, it can be done!"

Sensenbrenner's bill, passed by the House of Representatives in December 2005, would make people criminals for being in the U.S. without documents—or for helping undocumented workers.

"I'm a dispatcher," Local 17's Everett Burdan said. "If I sent someone to get a job for a day, or a charity agency fed him, and he didn't have documents, we could get thrown in jail."

The bill from Sensenbrenner (R-WI) also proposes to build 700 more miles of wall along the U.S.-Mexico border, for a cost of \$2.2 billion, according to the National Network for Immigrant and Refugee Rights ([www.nnirr.org](http://www.nnirr.org)). It offers no path to legalization and would overturn Supreme Court rulings against indef-



The ILWU contingent crosses the Tower Bridge during Sacramento's César Chávez parade. Marchers honored the UFW founder and shouted their support for the rights of workers and of immigrants—becoming part of a huge national wave of protest against anti-immigrant bills in Congress.

inite detention.

As Congress headed towards its Easter recess, immigration bills were churning through the Senate. A compromise was announced, then fell apart. Even the most liberal proposals included problem sections, like those permitting guest worker programs.

"Guest worker" programs create special visas for workers in certain occupations. The workers have to pay high fees for their documents and can only stay in the U.S. for a short time if they lose their jobs. The "bracero" program that brought farm workers to the U.S. in the 1950s set up a type of guest worker arrangement. Just as that program created obstacles to organizing farm workers in Chavez's day, guest worker programs would hurt workers today, the AFL-CIO Executive Council noted in a March 1, 2006 statement.

"Guest worker programs lower labor standards and working conditions for all workers within our borders," the Council said. The AFL-CIO is actively lobbying on the immigration bills, and the ILWU is backing its efforts. International President James Spinoso sent a letter to U.S. Senators in January opposing HR4437 and outlining the union's priorities for

immigration reform. These include:

A path to legalization and documentation for undocumented workers who now live in the U.S., paying taxes and contributing to their communities.

Enforcement of workplace standards. "Lax enforcement of labor and employment laws gives unscrupulous employers an incentive to exploit immigrant workers and penalizes employers who abide by the law," Spinoso wrote.

Replacement of employer sanctions with a system that targets and criminalizes employers who recruit undocumented workers from abroad for economic gain.

"The ILWU itself was founded by an immigrant in 1937 seeking worker parity, regardless of national origin or race," Spinoso wrote.

"In 1997 the ILWU [International Convention] passed a resolution stating in part, 'it is a well known fact that America is a land of immigrants and not made up of any one race, creed or color; and it is also a well known fact that under the United States Constitution all people are created equal and every citizen and non-citizen living in the U.S. has the right to be protected....'"

## ILWU watchmen nab port intruders

At nearly 4 a.m. the shuttle bus trudged through the Port of Long Beach's Hanjin Terminal having finished its regular routine of taking longshore workers from the parking lot to the dock for their hoot shift. ILWU Local 26 watchman Officer Mark Aproda was at the wheel Saturday, March 15. When he made his usual visual sweep of the area, he spotted two guys by the perimeter fence in dark clothing. They were wearing no reflective gear. Aproda knew he had either a safety or security violation.

As soon as he saw them, Aproda called the sergeant in charge, Sgt. Mitchell, and asked if there was any activity scheduled there that night. A quick check of the vendor and entry log books ended negative and they knew they had trespassers. Mitchell immediately called the Harbor Patrol, a division of the Long Beach Police Dept., and radioed other watchmen for backup.

Aproda approached the suspects armed only with his badge and his wits. ILWU watchmen don't carry guns or handcuffs and can't make physical arrests. So he just started talking to them. One said they were students doing a project and had permission to be there. The other said they just were happening along and weren't doing anything. Their stories conflicted and didn't add up. Their small SUV was parked on the other side of the fence where they seemed to have gotten through a gate left open at construction site next door.

"They had real sophisticated camera equipment set up, two cameras on tripods that cost at least \$5,000 each," Aproda said. "The way they were posted they had a clear shot of whole vessel operation in process then."

Aproda knew he had to stall waiting for his backup.

"I was kind of bluffing them a

bit," Aproda said. "I gained their trust for a minute and made them believe I was going to let them go."

He spotted a third man about 25 feet from where they got in who was hiding out like he was a lookout. Within minutes another ILWU watchman who was patrolling the terminal, Officer Clarence Britt, responded to the call for backup. They asked to see the suspects' IDs.

One of them was anxious to leave, but Britt told them they just needed to check their identifications and then would let them go.

"The other two kind of liked that idea and told the third guy, 'Just give him the ID. We're not here to cause problems,'" Britt said. "But once we had it, they couldn't leave. We told them to take a seat."

Two of them had California driver's licenses with Long Beach addresses. The third had a Portuguese passport.

Soon two other Local 26 watchmen arrived and so did the Harbor Patrol. The Long Beach Terrorist Task Force, called by the Harbor Patrol, showed up a couple of minutes later. The Coast Guard and the Navy were contacted and also appeared quickly.

"They took it seriously," Aproda said.

At that point the police took over, arrested and questioned the suspects, searched their vehicle and took them away. Later, Aproda said, he heard from his sergeant that the Coast Guard sent each terminal a report on the incident that said the authorities found a weapon in the car.

"When I heard that I thought, 'I'm sure glad backup happened quickly,'" Aproda said. "This time it worked out pretty good. We were able to control them with just our presence and authority."

—Steve Stallone

# WASHINGTON REPORT

## ILWU takes Capitol Hill

By Lindsay McLaughlin  
ILWU Legislative Director

It could not have occurred at a more opportune time. More than 50 members of the ILWU met in Washington, D.C. from March 13-17 to lobby members of Congress on issues that matter to working families.

Following on the heels of the Dubai Ports World controversy, politicians were more prepared to listen to the agenda of the ILWU. Led by Legislative Action Committee members Max Vekich, Dawn Desbrisay, Lawrence Thibeaux, and Southern California leaders Mike Ponce and Joe Radisich, the delegates studied the issues of concern to the ILWU and lobbied very hard to convince Congress to adopt our agenda.

"The ILWU has been talking about port security for several years, yet it seemed Congress finally heard what we have been saying," said Desbrisay, the Legislative Action Committee member from the Columbia River Region. "Democrats and Republicans were eager to hear what ILWU had to say and, even though we have been talking about the inspection of empties and inspecting seals for several years, it seemed like everyone agreed with us on this trip."

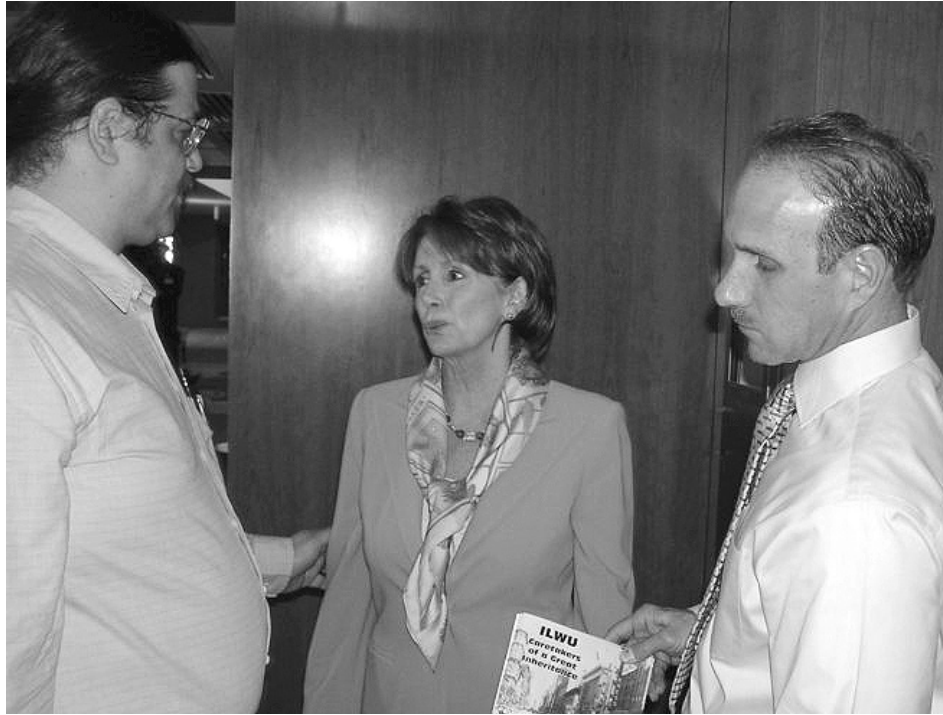
The Conference was centered around a number of core ILWU issues:

- Port security
- Green ports/Saving lives campaign
- Pension protection
- Health Care
- Employee Free Choice Act
- Service Contract Act/ Alcatraz ferry boat contract.

The ILWU invited an impressive list of policy makers to address the union about port security. Dabney Hegg, Democratic staffer for the Senate Commerce Committee and Shay Hancock, Legislative Assistant to Senator Patty Murray, addressed the Conference its first day on two bills they helped draft, S. 1052, the Transportation Security Act, and S. 2008, the Green Lane Cargo Maritime Security Act. The two senior staffers heard from longshore workers on a number of port security topics, including the need to exclude labor disputes from what the Department of Homeland Security (DHS) views as a transportation security incident. Current law includes a felony conviction on a "transportation security incident" to be a reason to exclude an individual from working in the ports. This change in the law is of the highest priority for the ILWU.

Representative Frank LoBiondo (R-NJ) spoke about the need to fully implement the Maritime Transportation Security Act. He expressed exasperation that port security has not been adequately funded since Congress passed legislation to address the problem in 2002. He also spoke on the controversial issue of background checks and Transportation Worker Identification Cards (TWIC). Although the Maritime Transportation Security Act of 2002 mandated TWIC cards for workers, the DHS has failed to implement this mandate.

Since the Conference, the DHS has announced plans to issue regulations this year and to implement background checks and TWIC cards in the 25 most vulnerable ports by March 2007. The ILWU continues to work on this critical issue in advocating that only crimes related to terrorism should be a matter of concern to the DHS. We are demanding a fair appeals process and if longshore workers are subjected to background



ILWU warehouse Local 6 Secretary-Treasurer Fred Pecker (left) lobbies Rep. Nancy Pelosi (D-CA), the House Democratic leader, as longshore Local 13's Mike Piazza prepares to give her some ILWU literature.

checks, then every individual with access to terminals, including truck drivers, must be subjected to the same checks.

The Chairman of the House Homeland Security Committee, Peter King (R-NY), spoke at a Congressional reception sponsored by the ILWU. King agrees with the ILWU that longshore workers deserve an independent Administrative Law Judge (ALJ) to hear appeals when a worker is denied a TWIC card by the Transportation Security Administration. It appears that an ALJ process may become law given that a provision is included in the Coast Guard Reauthorization Act that mandates an Administrative Law Judge process for port workers denied a transportation security card. The ILWU has lobbied hard for fair due process for our members and it looks like that work is finally paying off.

During the Conference, ILWU members packed a House Homeland Security Committee hearing on port security legislation. Subcommittee Chair Dan Lungren (R-CA) and Rep. Jane Harman (D-CA) introduced the SAFE Ports Act and scheduled this hearing on the subject. In the hearing, Rep. Lungren referred to his meeting with longshoremen when he discussed the issue of access control. Longshoremen brought to his attention the case of a man who breached security on three occasions and traveled on board ships bound for Los Angeles, Japan and China. It was not until after the third incident that the Coast Guard asked for longshoremen's help in keeping this individual off the docks.

As a result of information given to her by ILWU members, Rep. Loretta Sanchez (D-CA) spoke of the need to address the threat of empty containers, and later introduced an amendment to the bill that sets up a pilot program to evaluate the empty container threat.

Joe Radisich, President of the Southern California District Council, spoke on our second topic: saving lives by promoting greener ports. Radisich spoke of working with Los Angeles Mayor Antonio Villaraigosa in setting goals for a 20 percent ship emission pollution reduction by the year 2010 for all carriers that call at U.S. ports. He also noted that the efforts in Los Angeles have peaked the interest of the mayors of Seattle and Oakland.

Rep. George Miller (D-CA) mirrored our concern on pension security. Miller is outraged that corporate

CEOs have written pension plans for themselves that cannot be taken away, but have no problem breaking the promise to their workers for lifetime benefits. Miller has introduced legislation to prohibit the practice of setting up two tiers of pension plans—one for the company bigwigs and another for the workers.

Delegates at the Conference lobbied to protect longshore pensions from being adversely affected by legislation currently being considered by Congress. An ILWU-supported amendment to the Pension Protection Act would protect the ILWU/PMA plan from reductions in benefits. The legislation is now in the hands of negotiators in the House and the Senate where we continue to lobby to retain the ILWU provision.

To tackle the health care issue, we invited Joel Segal, Legislative Assistant to Representative John Conyers (D-MI), Jo Ann Volk, health care lobbyist for the AFL-CIO, George Romero, benefits specialist for the ILWU, and Kyle Weimann, Legislative Assistant for the ILWU, to participate on a panel to discuss and debate these important issues.

The ILWU has long advocated high quality comprehensive universal health care coverage for all Americans. We believe that health care is a basic human right, one of a civilized society's central precepts. Rep. Conyers has introduced the United States National Health Insurance Act establishing a publicly financed, privately delivered health care system. It would use the already existing Medicare program, improving it and expanding it to all U.S. residents and all residents living in U.S. Territories. This bill absolutely fits into the principles enunciated throughout the history of the ILWU. We are still studying it and may suggest amendments to make it a more feasible program to put into practice.

Delegates also discussed and lobbied on our union's opposition to health savings accounts. People who create these accounts are permitted to save a portion of their income in a special tax-free shelter, to be withdrawn to cover medical expenses. These accounts are then combined with high-deductible health insurance. On the most basic level, these health savings accounts destroy the risk-pooling system of insurance we have used since the days of Franklin Delano Roosevelt and the New Deal.

Sick Americans become consumers of health services instead of patients, forced to worry about the costs of every procedure and test their doctors recommend. Individuals are left to bargain with hospitals alone instead of with the bargaining power of a large, comprehensive health insurance plan.

Rep. Peter DeFazio (D-OR) addressed the Conference on a number of topics, including the insane trade policies the U.S. has adopted. He began his speech by announcing, "We have the best government money can buy." And he's right. Corporate money bought trade policies that devalue human work and allow multinational corporations to scour the earth searching for cheap labor and no regulations on their ability to foul up the environment.

We lobbied to put the brakes on free trade policies. The ILWU is not immune from job losses caused by trade policies. In anticipation of CAFTA implementation, Del Monte Fresh in Hawaii announced it was leaving Hawaii, abandoning the 800 workers and their families who have served it well in search of cheap labor overseas. Del Monte will be expanding its operations in Costa Rica (a CAFTA country) rather than continuing to employ Americans in the production of pineapple.

We were particularly pleased that Rep. Nancy Pelosi (D-CA), the Democratic leader in the House of Representatives, addressed the Conference. She made a promise to the ILWU that if she becomes Speaker in November, she would place the Employee Free Choice Act (EFCA) on the floor of the House. The Act would greatly help the ILWU and other unions organize workers, strengthening the protections for workers' freedom to choose by requiring employers to recognize a union after a majority of workers sign cards authorizing union representation.

Last, the ILWU lobbied to protect the sanctity of the Service Contract Act. This Act is similar to the Davis-Bacon Act for construction workers in that it protects the prevailing wages for workers providing services to a government agency. The National Park Service has decided this act does not apply to them and has refused to apply it to the contract for ferry services for service to Alcatraz Island in the San Francisco Bay.

Members of the Inlandboatmen's Union of the Pacific, the Marine Division of the ILWU, work aboard the Blue and Gold Fleet taking passengers and National Park service workers to Alcatraz. The National Park Service recently awarded this contract to a non-union employer, Hornblower, which refuses to pay union wages and to recognize the unions providing services to the island.

As a result of lobbying by IBU San Francisco Bay Regional Director Marina Secchitano, Sen. Barbara Boxer (D-CA) placed a hold on the nomination of David Bernhardt the for Interior Dept.'s top attorney position to try to influence the National Park Service policy. We continue to monitor this situation and work to protect the jobs of these workers by lobbying for the sanctity of the Service Contract Act.

We ended the Conference with a debriefing and a chance for every delegate to get up and speak about the need for ILWU political action. I want to take this opportunity to thank the delegates for the outstanding job and service they performed on behalf of the ILWU.

# ILWU Canada Convention builds future on solidarity

by Tom Price

ILWU Canada looked back and then forward at its 29th Convention/19th Biennial as it charted its course for the new century.

The union pledged during its March 21-24 gathering at its Maritime Labour Centre in Vancouver to continue working locally in municipal and provincial politics, nationally with the Canadian Labour Congress (CLC) and the New Democratic Party (NDP), and internationally with the ILWU, the Maritime Union of Australia (MUA), the International Transport Workers' Federation and any workers who find themselves in distress.

The officers reported on the struggles of the last two years and on how the previous convention resolutions had been implemented. Many resolutions were proposed and voted on for the future. Guests from Australia, the U.S. and affiliates in Saskatchewan told their stories while the union's allies in Ottawa reported on a political strategy for the next parliament.

In his opening remarks ILWU Canada President Tom Dufresne announced that the Convention would honor the memory of Canadian Area President Roy Smith and the nine local presidents who went to jail with him for three weeks 40 years ago.

"We will honor their legacy with a presentation to brother Les Copan at this convention," Dufresne said.

The 10 presidents were jailed for refusing to order their members back to work in a beef over unpaid holiday wages. Retired Local 501 President Les Copan is the last survivor. He was given a plaque at the banquet.

"They got out when the then-Minister of Labour changed the law to partially include longshore workers under Part 3 of the Canada Labour Code, and this year we will fight to be completely included under the Code," Dufresne said.

Convention guests included International Vice President Bob McEllrath; Hawaii Vice President Wesley Furtado; International Secretary-Treasurer William Adams and Coast Committeeman Joe Wenzl; MUA's Asst. Secretary Jim Tannock; and NDP leader Jack Layton.

"We can't do anything about yesterday, but today we can do something about tomorrow, and that's why we're here," McEllrath told the convention. "When we leave here we will do something about tomorrow, and tomorrow we're going to do something about the next day."

McEllrath complimented ILWU Canada on its sense of global solidarity.

"In 2002, we were threatened with a military takeover of the docks," McEllrath said. "Do we really believe that we got through that by ourselves? Absolutely not. We did it with international solidarity. We had brothers and sisters in Canada, Australia, Japan, and others too many to name."

## OFFICER REPORTS

Dufresne's President's Report outlined the struggles of the last two years, particularly the ILWU's fight against a security screening system that would impose invasive background checks on dockers that could lead to dismissal without appeal.

"The union is still waiting for an answer from the Justice Dept. on several issues, including privacy," Dufresne said.

The union wants to raise the threshold on any screening from "reasonable suspicion to reasonable cause" and establish a real appeals process.

The ILWU will maintain its vice presidency in the CLC and work with maritime unionists coast to coast through the Maritime Workers Council, Dufresne reported.

First Vice President Chad O'Neill helped negotiate numerous con-

tracts, including ones for Local 517 with Nanaimo Port Authority and Squamish Terminals. He represented the ILWU on the B.C. Federation of Labour's committees on organizing and strike coordination.

Second Vice President Tim Footman reported on his meetings with Immigration Canada over the issue of foreign, non-union crews loading logs. Footman also reported on his trip to Alaska to picket Carnival Cruise Line's decision not to use ILWU labor to load its ships. The union recaptured that work in June 2005.

Third Vice President Al Le Monnier reported on safety issues. The union has reviewed the proposed changes to the Canada Shipping Act, including changes in cargo handling regulations, and will make its voice heard on all of these. The union is also pressuring for improved Marine Occupational Health and Safety Regulations, and will continue to oppose the employers' proposed vertical tandem lifts, the dangerous practice of lifting more than one container at a time.

Secretary-Treasurer Ken Bauder gave an eye-witness report on the defeat of European Union's efforts to deregulate and casualize dockers' work. Bauder reported that the union's finances are in good shape. The delegates voted for a dues increase of \$2 per month beginning in 2006.

## RESOLUTIONS

The convention congratulated the crew of the ferry *Queen of the North* for their heroic efforts in rescuing 99 out of 101 persons on board after the 8,806-ton ferry sank 70 miles south of Prince Rupert March 24. The resolution also called for an independent investigation into the cause of the accident, and a safety review of other single-compartment vessels in service.

- ILWU Canada will continue to oppose the privatization and deregulation of the economy.

- Free-trade agreements continue to close Canadian factories and erode the government's power to act on behalf of citizens in a sovereign manner. ILWU Canada reaffirmed its opposition to them and will lobby and protest for their repeal.

- ILWU Canada continues to demand an immediate withdrawal of all foreign troops from Iraq and will participate in further demonstrations. The delegates resolved to increase their solidarity with the Iraqi people, especially those in the trade union movement.

- The union will work with the Council of Canadians to oppose "deep integration" of the Canadian and U.S. economies. That policy would mean losing national control of oil and natural gas, and the loss of sovereignty over fresh water, social programs, defense and culture.

- The delegates reaffirmed their commitment to bargain benefits for pensioners.

- Since container service growth is happening inland, the ILWU should target that growth for organizing.

- The ILWU will send representatives to the April 28 Day of Mourning ceremonies to observe one minute of silence at 11 a.m. that day on the job.

- Resolved to hire a full-time organizer, when deemed necessary by the organizing committee.

- The Convention called for the creation of a commission to study the causes of increased log exports while Canadian jobs in milling are being exported.

- The ILWU asks the CLC to study the formation of a new Bill of Rights for Canadians. It should guarantee better health care, children free of poverty, water free of toxins, justice for First Nations, greener sovereign



Dufresne presents NDP Leader Jack Layton with an ILWU hook pin.

national industries, progressive tax laws, pay equity, schools, jobs, university for youth, proportional representation, a strengthened Labour Code, peaceful fair trade and the demilitarization of the economy.

## SPEAKERS

Wesley Furtado reported on ILWU activities in Hawaii. Container growth is butting up against real estate interests, and the union is working to assure the ports maintain their maritime roles and jobs.

"We are involved in the Hawaii Harbor Users Group, and we are down at the legislature talking to the politicians and asking them for funding to expand and upgrade the facilities," Furtado said.

Coast Committeeman Joe Wenzl reported on longshore activities in the U.S.

"We established education programs because we used to be able to teach each other in the hold of the ship, and that has all changed, our work is different, we're separated from each other," Wenzl said. "We also adopted a public relations strategy so we have our people trained to talk to the media and to our communities about the value the union brings to the community."

Grain Services Union President Michael Raine carried greetings to the convention from the prairies.

"In the ports you know us by our grain, potash, meat, steel, pipe, petroleum, but most we want we want you to know us by our solidarity," Raine said. He went on to list the numerous industries represented by GSU-ILWU (meat, food and fish processing, stores, warehouses, transportation, hotels and restaurants) and the recent victories they have had in organizing and legislative action.

Resale, Wholesale Department Store Union Secretary-Treasurer Chris Banting reported on its Local 454's strike at Sobey's groceries in Regina, Saskatchewan.

"We have held the line since last September and the company is really feeling it," Banting said. Delegates voted to donate one day's per diem payments to the strikers.

The CLC's Georgetti praised ILWU Canada for its commitment to solidarity. He reported that Canada's Parliament had passed a protection plan for workers' paychecks and pensions when employers go bankrupt.

"Everything we have to get, we have to struggle for. Everything we got, we fought for. And everything we are going to have as rights, we have to fight to keep," Georgetti said.

The MUA's Jim Tannock gave a detailed report on harsh new labor laws being imposed Australian workers.

"The government's strategy was to wipe out the two strongest unions in Australia, the CFMEU mining division and the MUA," Tannock said. "It didn't work. So now they have another strategy—to undermine our conditions."

The law allows employers with 100 or fewer workers to fire them for no reason at all. Larger companies can fire anyone for vague "operational reasons." Employers will be able to force individual contracts on workers and fire them if they refuse. The new law undermines union agreements and allows employers to set new deals on overtime pay and shift premiums.

The NDP's Jack Layton praised the support the ILWU gave in recent elections.

"One thing about the ILWU is you know what side you are on," Layton said. "I'm proud to lead the party that is supported by your union and is on the side of working people."

Fraternal delegates included pensioners Frank Kennedy, Mike Marino and Bill Duncan; and Jean Ordano, President, Federated Auxiliaries. Representatives from affiliated unions included: the Retail, Wholesale, and General Division President Fred Roycroft and its Provincial Representative Brian Debeck; RWDSU President Diane Melrose and its Secretary-Treasurer Chris Banting; Grain Services Union President Michael Raine and its General Secretary Hugh Wagner.

The convention nominated candidates for its upcoming national elections. Dave Pritchett will challenge incumbent Tom Dufresne for President; First Vice President Bob Ashton is unopposed; Pat Bolen will run against incumbent Tim Footman for Second Vice President; Third Vice President Al Le Monnier is unopposed; and Gordon Westrand will challenge incumbent Secretary-Treasurer Ken Bauder.

Ballots must be returned to the locals by April 21, the locals will send the ballots to ILWU Canada by April 28. Results will be announced May 1.

# LETTERS

## POLLUTION IS WORKER SAFETY ISSUE

Thank you for your October 2005 story regarding occupational and environmental health hazards reported at the Southern California Maritime Trades Department. Your editorial and the Dirty Diesel coalition stories in the same edition were cut from the same cloth.

Many of these kinds of issues arose especially during the San Francisco Inlandboatmen's Union strike of 1987, where we resolved to mourn our dead and fight for the living who were being exposed to terrifying amounts of hydrocarbon vapors during oil cargo longshore operations. We passed International Executive Board policy in favor of vapor recovery for all cargoes at that time and we won Air District regulations in San Francisco and Los Angeles. Our work conditions changed dramatically, almost instantly, even though the employers never really acknowledged the issues in bargaining.

Today the issue has arisen again, for example, as not all cargoes were included in San Francisco regulations, and because the regulations are not being enforced in Los Angeles. Vapors from many fuel oil cargoes are not being recovered, including bunker fuels. All the companies are still very concerned about these matters. Coastwise, by the early 1990s, close to \$600 million were scheduled in engineered vapor recovery systems along the U.S. West Coast. Many closed recovery systems were accomplished by that time. Others are still left to be done, either the systems themselves, or to include more cargoes, as is now the debate in San Francisco.

Political and economic action that began some 20 years ago still has potency and urgency today. Maritime workers from both the oil cargo and dry cargo industries are still being exposed in all ports, particularly to fuel oils, including bunker fuels. Our victories can be renewed, and we can be resolved to carry our work into the future with good effect, for our wages, our hours, our conditions, for port security and for bettering the port environments throughout our West Coast jurisdictions, as well as throughout the world.

**Jeff Quam-Wickham**  
IBU San Francisco Region

## THANKS FOR THE VOTES AND SUPPORT

I would like to thank the members of the ILWU for their support and help during my campaign for Port of Port Angeles Port Commissioner. I found that running for office was not only very time consuming, but also very expensive. Being elected by 60 percent of the citizens of my county could not have happened without the support of the ILWU.

I ran against an incumbent who most people gave me no chance to beat. My opponent attacked me as I expected, but he also attacked my supporters, including the ILWU. He ran a very negative campaign with numerous ads. I kept my ads positive and about the issues.

I would like to give special thanks to the ILWU International, Puget Sound District Council, Locals 19, 23, 51 and 52, and the many individual ILWU members for their generous donations. I also want to thank past and present Port Commissioners Dick Marzano of Tacoma, Jack Block of Seattle, Don Hopkins of Everett, Larry Larson of Longview and Jess Herrera of Port Hueneme for their help, and Local 27 members who did everything from putting up campaign signs to doorbelling.

They all stepped up to the plate and helped even though I was running in a race that did not affect a lot of them. Electing members from the ILWU into any leadership position can only make the whole ILWU stronger. My election has proved that the ILWU can get members elected if we stand together as we did during my campaign.

Again, thank you for your support and help.

**George Schoenfeldt, Local 27**  
Commissioner Elect, Port of Port Angeles

## SOLIDARITY AND INVOLVEMENT WORK

The January 2006 edition of *The Dispatcher* provided excellent coverage of the triumphs that can be achieved when workers are united. I read it cover to cover—twice.

Victories by warehouse Local 6, the IBU and the European dockers all had one common theme—solidarity. In the President's Report we are reminded that "...after a hard day's work you're tired and feel like going home to the comfort of your family. Going to meetings and doing more unpaid work seems a burden. But if we don't do it, if we don't help other workers protect their rights in solidarity actions, we may not keep the jobs that make us so tired and bring so much to our families."

That statement personifies the 8th Guiding Principle of the ILWU: "The basic aspirations and desires of the workers throughout the world are the same. Workers are workers the world over. International solidarity, particularly to maritime workers, is essential to their protection and a guarantee of reserve economic power in times of strife."

During the 2002 Longshore Negotiations we witnessed international labor solidarity. Pledges of support poured in from all over the globe. The "reserve economic power" stated in the 8th Guiding Principle was evident. We, in turn, must always be ready to continue to assist our brothers and sisters worldwide whenever they are under attack.

The Washington Report spells out crucial issues that we as workers must work to achieve. We must never forget that our active participation in our union and its policies and programs is what has brought us success over the years. Our rank-and-file legislative lobbyists, together with our Legislative Director Lindsay McLaughlin, carry our principled working class positions to D.C. in order for Congress to hear from real people instead of bought and paid for corporate lobbyists. Our District Councils do the same at state levels. The brothers and sisters in Canada are likewise involved in protecting and furthering working class principles.

In closing, I will once again reference our Guiding Principles. What follows is the concluding statement to the Principles that were adopted by the 1953 Convention in San Francisco: "This code for rank and file unionism is implemented by the membership's participation in organization, negotiations, strike machinery, contract enforcement and every other aspect of union life. There is absolute democracy in its affairs. It is run by the rank and file. Thus, its discipline springs from participation, conviction and the right of the membership to decide its own course of action. The above principles and steps to implement them, and an informed and alert membership makes the union what it is."

Get involved! Stay involved! "An Injury to One is an Injury to All."

**Rich Austin, Local 32, retired**  
Former International Vice President

## MAY IS MEDICAL, DENTAL CHOICE MONTH

Active and retired longshore families in the ports where members have a choice can change medical and/or dental plans during the open enrollment period May 1 to May 31, 2006. The change will be effective July 1, 2006. In addition to the May open enrollment period, members may change their health/dental coverage once at any time during the Plan Year (July 1-June 30).

The July 1, 2002 Memorandum of Understanding between the ILWU and PMA provides that new registrants in the ports where members have a choice of medical plans shall be assigned Kaiser HMO Plan or Group Health Cooperative HMO Plan for the first 18 months of registration. After 18 months, those registrants who have qualified for continued eligibility under Mid-Year/Annual Review hours requirement will have a choice of medical plans. New registrants in San Francisco, Los Angeles, Portland/Vancouver and Washington will have a choice of dental plans on the first of the month following registration, and may change dental plans during the Open Enrollment period and one additional time during the Plan Year.

**MEDICAL CHOICE:** The medical plan choice is between Kaiser Foundation Health Plan and the ILWU-PMA Coastwise Indemnity Plan for Southern California Locals 13, 26, 29, 63 and 94; Northern California Locals 10, 18, 34 (San Francisco), 34 (Stockton), 54, 75 and 91; and Oregon-Columbia River Locals 4, 8, 40, and 92. In the Washington State area, the choices for Locals 19, 23, 32, 47, 52 and 98 are Group Health Cooperative and the ILWU-PMA Coastwise Indemnity Plan.

**DENTAL PLANS:** For Los Angeles Locals, dental choice is between Delta Dental and the Harbor Dental Associates (formerly Sakai, Simms) group plan. For San Francisco Locals, dental choice is between Delta Dental, City Center Dental and Gentle Dental San Francisco group plan. For Portland/Vancouver Locals dental choice is between Blue Cross of Oregon Dentacare, Oregon Kaiser Dental Plan and Oregon/Washington Dental Service. For Washington Locals dental choice is between Washington Dental Service and Dental Health Services.

Information on the dental plans, and Coastwise Indemnity Plan, Kaiser and Group Health Cooperative medical plans, and forms to change plans can be obtained at the Locals and the ILWU-PMA Benefit Plans office.

**All enrollment cards must be completed and submitted to the Benefit Plans office by May 31 for the change to be effective July 1.**

## HIDDEN AGENDA

Bush's threat to veto any legislation regarding the Dubai Ports World deal raises a question in the mind of our retired member Hugh Hunter of the to-this-date unreported issue of what goes on in the United Arab Emirates. The recent report of human rights abuses over there against dissenters, women and children, no mention of trade unionists (if there are any allowed) reminds Hugh of where the Australian government military types and scabs were trained in the failed attempt to destroy the Maritime Union of Australia? Dubai, of course! Hugh was born in Sydney, and he stays current on Australian affairs. I heartily agree with him.

Bush's stooge Tom DeLay seems to be out of the business of destroying waterfront collective bargaining at the moment. Bush however may be trying another anti-union tactic by bringing the UAE company to bust up the longshoremen and teamsters on the East and Gulf coasts. We know already Homeland Security's phony longshore screening rules. Who's next, the ILWU in 2008?

**Al Perisho, Local 63, retired**  
President of the So. Cal. Pensioners

## CLEAN PORTS FOR ALL

I would like to call to the attention of all members and friends of the ILWU the story on page one of the *San Francisco Chronicle*, Business Section, "Shipping's Dirty Cargo" by George Raine, published Saturday, March 4. [available at: [www.sfgate.com](http://www.sfgate.com)]

The story tells some of the history of pollutants on the docks and the towns nearby. Extra heavy diesel fuel used in ships, idling trucks on the piers, equipment exhaust from cranes, buses, lifts, etc. Add to an extra foul air and environment where we work and to near and even far cities and states.

The ILWU is a leading part of the challenge against ship and dock pollution. As President Jim Spinosa and Coast Safety Comm. Chair John Castanho state, we have advocated "cleaning up the act" for many years and have tried to get the California State Legislature and enforcement in place.

It does make sense to push the issues in 2008 negotiations. Not just for our own sake, but also for all the people and animals living near to the whole West Coast, and indeed, inland also, as particulate matter blows far to the east, and contributes to global warming.

Just as we have been a leader on many issues such as civil rights and liberties, decent wages for all, Social Security, anti-war and pro-health care, let us each be an advocate for clean air and docks.

**Lew Gibbons, Local 34, retired**

## THEY'RE BACK

Brace yourself! They're back!

More years ago than most current ILWU members can recall, "they" came. Their aim back then was to root out the strongest, the most "stand up for the union" guys. (We didn't have any females back then in longshore.) Get them blacklisted out. That way weaken the union, striking fear into the remaining members.

Essentially "gutting" the one and only ILWU! They used "patriotism" then. They'll use Homeland (port) Security now!

They didn't succeed back then. And, unless our union's done a complete about face, their new blacklist will wind up on the same trash heap of history with the old one.

They're gonna come at you with a demand that each longshore person submit to a background check. The "backgrounds" of strong union men and women will be subject to "check and double check." Faceless stool pigeons will be dug up from under the nearest rock pile to denounce you. I know. I've been there. But the ILWU fought for each and every one of us and our right to work the waterfront. I'm retired now. "ILWU retirement!" A beautiful way to spend your final years. Worth working for! Worth fighting for!

Don't let any phony bastard, no matter what disguise the lying SOB is wearing these days, take that away from you or your brothers and your sisters in the ILWU.

It still fits, that old saying: "An injury to one is an injury to all."

**Ted "Whitey" Kelm, 6571**

# ILWU Attorney Norman Leonard, 1914-2006

By Harvey Schwartz  
Curator, ILWU Oral History Collection

The ILWU lost a great friend and champion when former labor and civil rights attorney and ILWU legal counselor Norman Leonard died recently. Leonard, who twice successfully defended Harry Bridges before the U.S. Supreme Court, practiced law in San Francisco from 1938 until his retirement in 1986, except for four years in the Navy during World War II. Throughout his long and distinguished career Leonard represented the ILWU tirelessly and with consummate skill. He was 92 when he passed away March 7.

In 1986 ILWU International President Jimmy Herman authored an introduction to a rich oral history Leonard completed with interviewer Estolv Ward of the Regional Oral History Office at the Bancroft Library of the University of California, Berkeley.

“For nearly half a century Norman’s working life has been devoted exclusively to the defense of working class people, organizations and causes,” Herman wrote. “The very existence of the ILWU today, the fact that we survived all the attacks to which we have been subjected, in no small measure is a reflection of his ability and dedication.”

Longshore Coast Appeals Officer Rudy Rubio, who served as ILWU International Vice-President from 1977 to 1988, remembers Leonard as a man with a brilliant legal mind. For most of Rubio’s vice-presidency Leonard was the attorney for the International.

“We all thought he’d have become a federal judge if he hadn’t fought for progressive causes and defended Harry and the ILWU all those years,” Rubio reflected.

For all his prodigious legal talent Leonard was an unpretentious, gracious person. Rubio described him as “a plain, down-to-earth guy who got on great with union officers and rank-and-file members alike. He communicated in every-day language and never played the intimidating lawyer. Norman made you feel comfortable whether you were out for a relaxed dinner or in his office discussing complex legal issues.”

Rubio commented glowingly about how Leonard functioned as the International’s lawyer. “Often Norman would sit in with the International officers during decision-making sessions,” Rubio explained. “He would be there to give legal advice and to keep us out of trouble. Norman always found a way to cover what we wanted that was actually within the law. He had a great capacity for this.”

Cleophas Williams, a four-term Local 10 president between 1967 and 1978 and the first African American elected to that post, recalled Leonard best as Local 10’s attorney.

“He labored through all our legal problems with us,” Williams said. “When we were forced to make certain decisions for the good of the union that could be challenged under the law, Norman always carried the ball for us.”

“In Local 10 we followed Harry’s philosophy, which was to do what you had to do and then let the lawyers figure it out if there were legal repercussions,” Williams explained. “When there were, Norman always did all he could to get us out of any jam we might be in. He also used to attend our union meetings, listen patiently to our questions and then clarify things for us in straightforward terms. The bottom line is, Norman was a good man who hung in there all the way. He never, ever turned his back on us.”

While Leonard argued several cases before the U.S. Supreme



Leonard wins a big one! Harry Bridges (left), Henry Schmidt (standing) and Bob Robertson (center) celebrate after the Supreme Court decided in their favor in 1953 at end of the long “BRS” trial. Norman Leonard, their stalwart attorney, is all smiles too.

Court, he actually did not perform in the courtroom very often himself. During his lengthy career most people thought of him as a consummate legal strategist rather than a courtroom showman. Among his peers, who could seriously understand his work, he was especially well respected for his superior research and writing skills.

Bill Carder was Leonard’s last law partner. He emphasized that there were several high-profile cases in which well-known people like Bridges got their trial convictions overturned on appeal because of Leonard’s briefs.

“Through it all, Norman was truly unassuming,” Carder recalled. “He didn’t care about grabbing the courtroom spotlight. All he wanted was what was right for his clients.”

When Carder joined Leonard’s law firm in 1980, he was already a seasoned attorney with much experience representing the United Farm Workers. Still, he characterized practicing law with Leonard as “a great opportunity to learn from a guy with such a long perspective.” Carder was especially impressed because “Leonard usually did not waste many words with judges and other lawyers. But when he did speak, those people really paid attention.”

Norman Leonard was born in the Bronx, New York, on Feb. 27, 1914. His parents, Sam and Ana Leonard, were Jewish immigrants from Eastern Europe. Norman’s father worked as a tailor in New York City’s garment industry, which was notorious for its sweatshop conditions in the years around World War I. A prolonged strike caused Sam to seek work in Los Angeles, and the family relocated there in 1929. The next year Norman finished high school and began classes at UCLA.

Leonard was interested in social issues from the start. Influenced by his family background and by the economic tragedy of the Great Depression, he majored in political science and joined one of UCLA’s most progressive student clubs. He graduated in 1934 and returned to New York to earn a master’s degree in international relations a year later at Columbia University. Leonard then attended Columbia’s law school. There he met his future wife, Marjorie Friedman, who was one of only five women in his law school class.

In 1938 Leonard graduated from law school. That year he and Marjorie, now married, left for San Francisco, where Leonard joined the law firm of Gladstein, Grossman and Margolis. The firm had a high public profile by

1938 for its defense of Harry Bridges and the ILWU. Over the years the legal group has undergone several name changes. Today, two decades after Norman Leonard’s retirement, it is known as Leonard Carder.

The year Leonard started with Gladstein, Grossman and Margolis he was asked to defend Bridges in a free-speech case. Bridges had been found in contempt of court and fined for criticizing a Southern California judge. Leonard appeared before the U.S. Supreme Court during the ensuing legal appeal, which was decided in Bridges’ favor.

In the early 1940s, while World War II was on, Leonard served overseas as a Navy lawyer. He returned to San Francisco when the war ended in 1945 and resumed civilian legal practice. One of the many high points of his long career came in 1953 when he defended Bridges again before the nation’s highest court.

This time Leonard wrote the successful Supreme Court brief in a widely-followed case that had been front page news for three years. In 1950, with the red scare of the McCarthy period in full swing, the Australian-born Bridges was convicted of perjury for having sworn at his 1945 naturalization proceeding that he had never been a member of the Communist Party. ILWU International Vice President J. R. (Bob) Robertson and Coast Committeeman Henry Schmidt had stood witness for Bridges, so they were convicted of conspiring with him to commit perjury.

As the famous “BRS” case—for Bridges, Robertson and Schmidt—became a national *cause celebre*, it attracted scores of volunteers from inside and outside the ILWU. Many worked for months raising funds and informing the public about what amounted to a witch hunt. Finally, in 1953, the Supreme Court decreed, as Leonard had argued, that Bridges had been indicted illegally because the statute of limitations on the charges against him had expired. Bridges, Robertson and Schmidt were free. While the victory owed much to the movement and the publicity for the truth it generated, it also came, of course, largely through the superior legal work of Norman Leonard.

Two years later Bridges came under another legal attack, this one a civil suit heard before Judge Irving Goodman in the U.S. District Court for Northern California. The federal prosecutor in the case asked for the ILWU president’s denaturalization so he could be deported. Leonard crafted the defense strategy again, and again

he was successful.

The defense in the Goodman hearing demonstrated that the government’s evidence amounted to hearsay, innuendo and sometimes plain fabrication. In his oral history Leonard told Estolv Ward, “As a consequence, Judge Goodman ordered the proceedings dismissed and at that point the government gave up. They didn’t file an appeal and the case finally ended after more than 20 years of hounding Bridges.”

Subsequent to the Bridges legal battles Leonard represented and advised the ILWU many times, but perhaps never more importantly than in the 1960s, when the landmark Mechanization and Modernization Agreements (M & M) allowed for the initially peaceful coming of containerization to the West Coast waterfront. Bill Ward, an ILWU Coast Committeeman between 1963 and 1983, remembers how Leonard “put together some great briefs that spelled out the language we needed when the M & M agreements were coming in.” In later years Leonard also provided legal counsel as the union wrestled with the many problems raised by the container revolution.

Throughout his career Leonard also accepted numerous civil rights and related cases. Often he did pro bono work. During the McCarthy period of the 1950s he defended many people besides Bridges who were accused of Communism. Some were subjected to trials, while others sought counsel when they were barred from waterfront jobs by the Coast Guard’s infamous anti-activist “screening” program or were forced to testify before the inquisitorial House Un-American Activities Committee.

In the 1960s Leonard helped conscientious objectors to the Vietnam War who faced legal difficulties, and represented people arrested for picketing against whites-only hiring at San Francisco’s Sheraton Palace Hotel. When student protesters were arrested at the University of California, Berkeley in the 1960s and 1970s, Leonard was there for them too.

“Norman sure was a class act as an attorney,” Ward said. “He always did the best he could for everyone, including our membership. He really deserves our respect.”

Leonard is survived by his wife Marjorie, his son Eric, a professor at Colorado College, another son, Stephen, an environmental lawyer in Boston, his brother, Dr. Alvin Leonard of Berkeley, four grandchildren and countless grateful ILWU members and their families.

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**Books and videos about the ILWU are available from the union's library at discounted prices!**

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