



# The DISPATCHER

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## Inside Line

### SOLID CONTRACTS

This union is very focused on the longshore contract, its negotiations and administration. And for good reason. The Longshore Division is the backbone of the ILWU, the source of its strength, longevity and prosperity.

But the union's warehouse locals, especially those in California (Locals 6, 17 and 26) negotiate and regularly mobilize to enforce dozens of different collective bargaining agreements. That challenge is all the more daunting since they have to do it with far fewer resources than their flush sister longshore locals. How they accomplish all they do is a tribute to their ILWU spirit of determination and savvy.

In this issue we report on several of the recent contracts Northern California Local 6 has wrested from less than willing employers. Each one of them is a remarkable achievement, demonstrating some shrewd negotiating skills and inspiring solidarity. And each one has made notable gains, especially impressive in the current concessionary atmosphere unions across the U.S. and Canada are facing.

Take the case of the Bayer Healthcare workers (see page 5). More than 550 ILWU workers operate this facility that manufactures blood-clotting agents for hemophiliacs. The unit's one contract covers them all, from lab technicians to janitors. The employer aimed to whittle away at the unit, trying to peel off the janitors in this round. The employer's first proposal included outsourcing the janitors' work altogether. When that didn't fly, the next offer contained huge wage cuts for the janitors and bonuses for everyone else if they accepted the deal.

But the unit would have none of it and soundly voted down that contract. Facing an undividable group, the employer finally relented.

The workers at Republic Services, a landfill operation in the East Bay, knew they were being under-compensated compared to other union workers at similar facilities nearby (see page 6). So 15 of the 16 workers signed and presented a petition to their employer requesting Local 6 represent them and bargain a new contract. When the employer refused, they took action, walked out and shut the place down. Soon they had talks and eventually a new contract bringing them up to industry standards.

The workers at Recycle America faced a familiar problem (see page 6). The recycling processing industry is relatively new—not to mention labor intensive, dirty and dangerous—and minimal organizing has been done in it. So wages are low and conditions poor, and workers face employers getting local government contracts based on lowest bids.

But the workers at this East Bay facility threatened to strike if their employer didn't end the two-tier wage system. They also demanded and got not only significant raises, but a new pension plan while maintaining their health coverage.

It's not hard to see the recurring formula in these success stories. Difficulties are overcome as the workers themselves understand what they need and, with the help of experienced local leaders, stay solidly together and present a unified force the employers can't break.

—Steve Stallone  
Editor

# PRESIDENT'S REPORT

## Dockers of the world unite and win

By James Spinosa  
ILWU International President

Capital, like water, flows downhill, seeking the path of least resistance. Investments flood into where labor costs are the lowest, where working conditions and environmental standards are the lowest. If it weren't for the kinds of levees and protections workers joined together in unions provide, we would all drown in a sea of greed and poisons.

Outsourcing and runaway shops, the *maquiladores* of Mexico and the sweatshops of China, closed American factories and plummeting standards of living—these are the results of employers seeking the competitive edge of lower costs. This policy is encouraged and helped along by expanding free trade agreements and by anti-labor laws governments pass and courts and police enforce wherever workers are not organized strongly enough to resist them.

But unlike manufacturing plants that can be shifted from country to country, ports cannot be moved. So the international ship-owning and terminal operating corporations have to challenge union dockworkers head on, even in countries

where they are well organized and have won laws protecting their jobs and rights. They have once again aimed their fire at the port workers of Europe.

On Jan. 16 the European Parliament, the legislative body overseeing the economic relations and regulations among the 25 countries of the European Union, considered legislation that would deregulate the port industry throughout the continent. In effect, the proposal

would override national and local laws, regulations and labor contracts guaranteeing union dockworkers' jobs, wages and conditions. It would allow shipowners to have sailors do longshore work and allow terminal operators to bypass registered union dockers and hire casual, temporary workers to load and unload ships. Its backers justify the change in the name of the free market and enhanced competition. Its opponents—union dockworkers in Europe and around the world—see it as a threat to their lives and livelihoods.

The proposal is known as "Port Package 2" because it is the second time in a little more than three years that employers have tried to get the European Parliament to impose their economic interests by passing this law. The first time, in late 2003, dockworkers across Europe united in one strong voice, closing down ports all over the continent and holding mass demonstrations in Rotterdam and Barcelona on Sept. 29.

The ILWU sent a delegation to Europe in solidarity then. In Rotterdam our members were asked to lead the march sponsored by the European Transport Workers Federation (a division of the International Transport Workers Federation) with their ILWU banner proclaiming "An injury to one is an injury to all." A few days later they went to Barcelona to extend

our solidarity to our brothers and sisters in the International Dockworkers Council.

The European dockworkers were prepared to take further actions—and said so publicly—had the legislation passed. But their warnings were heeded and it was defeated, although only by a slim margin, on Nov. 20, 2003. They knew their victory wasn't complete, that they hadn't driven a stake through the heart of privatization and its proponents. Still, they were angered when the same people brought the same proposal back to the European Parliament less than a year later.

But their mobilization machinery had not had the time to get rusty, so the dockworkers quickly set it in gear and got moving again. They lobbied the members of the European Parliament and held a mass demonstration at its meeting in Brussels Nov. 21, 2004. And they organized for the final vote the following January.

The week before the vote, on Jan. 11, dockers in many European ports held two-hour work stoppages and informational actions. On Jan. 16, 10,000 dockers from throughout Europe and the world marched through Strasbourg to the meet-

ing of the European Parliament. The ILWU and the Maritime Union of Australia sent delegations in solidarity (see story page 3). In the end the European Parliament voted down the privatization plan by a huge margin, 532 to 120, in a great victory for the dockers.

But several dockers were arrested during the demonstration and some are still in jail.

As part of the international dockworkers movement, we will be helping

these brothers in any and every way they request of us.

The cost of our good jobs, of our good wages, conditions, health benefits and pensions, of our union that provides the collective strength to protect all of those, is not just constant vigilance. It is also the committed participation of our members. Your activity is what makes the ILWU proud and strong.

Sure, after a hard day working 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 tired and bring so much to our families.

If you don't think our employers, the same international corporations now attacking the rights of dockworkers in Europe, will come after us if they smell weakness, think again. They risked an economically damaging, nearly two-week long lockout against us in 2002. They have stonewalled us for three years now on implementing the final agreement, particularly on technology, still trying to find ways to outsource our work. And they will surely try again when negotiations on a new longshore contract begin in another two years.



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## The DISPATCHER

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# European dockers quash port de-unionization

by Tom Price

Thousands of European dockers took to the streets of Strasbourg, France in a militant demonstration to defend their jobs and their unions Jan. 16. With delegations of ILWU longshore workers and Maritime Union of Australia wharfies in support, they demanded the European Parliament drop its latest plan to privatize their ports. The day after the raucous march and confrontation with local police, the dockers won a lop-sided vote, killing the bosses' last hope of taking out the unions.

The European Parliament had been debating schemes to privatize the port industry in one form or another since 2001. But its ideas of bringing "free market competition" to port services meant terminal operators could ignore the labor contracts of unionized, registered, trained dockworkers and employ temporary workers to do longshore work under whatever pay and conditions they could get away with, or have the ships' sailors do the work in port. The proposals also included contracting out the skilled work of port pilots.

European dockers saw these plans for what they were—not-so-disguised ways of busting their unions and taking the global race to the bottom straight into their homes. So union dockers organized in the European Transport Workers Federation, the regional affiliate of the global International Transport Workers Federation, and the International Dockworkers Council united in one voice to oppose the plans. On Sept. 29, 2003 dockers in ports throughout Europe went on strike and held mass demonstrations in Rotterdam, The Netherlands and Barcelona, Spain. Under that pressure, the continent-wide port privatization plan, known then as the European Port Directive, was narrowly voted down by the European Parliament the following November.

But the right-wing free-market forces would not accept defeat. The dockers barely had time to celebrate their victory when, less than a year later, another similar proposal, now known as the Port Package 2 (PP-2) was floated in halls of the European Commission, the executive body of the European Union. More angry than before, the dockers mobilized again.

The International Transport Workers' Federation and the International Dockworkers Council sent out an urgent request asking all affiliates to send dockers to Strasbourg, France to march on the European Parliament two days before that legislative body was to vote on PP-2.

In response, the ILWU Coast Committee sent six dockers under the



Police fired tear gas at the demonstrating dockworkers as they approached the European Parliament building.

leadership of International Secretary-Treasurer William E. Adams and Director of International Affairs Ray Familathe. ILWU Canada sent its Secretary-Treasurer Ken Bauder and longshore Local 500 President Glenn Bolkowy. The delegation also included longshore Local 19 President Herald Ugles, International Executive Board member and clerks' Local 52's Max Vekich, longshore Local 8 Executive Board member Lanell Johnson and walking bosses Local 94's Louis Hill.

The week before, on Jan. 11, some 50,000 dockers shut down ports all over Europe as a prelude to the Strasbourg demonstration. Early on Jan. 16 the ILWU delegation met up with the Maritime Union of Australia one and with Frank Leys, Secretary of the ITF Dockers Section. Familathe described the scene as "a United Nations of dockers."

"A lot of those countries don't really get along with each other, but when it comes to the working class getting together for a common cause—it gets pretty interesting," Johnson said.

Leys rode the bus with the visiting delegations to where the march was to begin.

"As we boarded the bus, people gave us peace signs and clenched fists, including white collar people. There was a lot of support," Vekich said. "We saw all these guys in yellow safety vests who were very animated. They were the IDC dockers from Barcelona. They're so excited we were over there to support them."

The temperature that day in Strasbourg was a sunny 25 degrees Fahrenheit. But the warmth of soli-

darity defied the cold and the universal camaraderie of dockworkers overcame all language barriers.

"We shared our pins and buttons with dockers, letting them know we were there," Glenn Bolkowy said. "The MUA, Canadians and the U.S. ILWU rallied together. As dockers from the other countries saw us, they rushed up to us to take pictures of us and our banners."

The ILWU and MUA groups got near the front of the march as it streamed along the streets toward Parliament with the ILWU banner declaring "An injury to one is an injury to all."

After a couple hours they reached the Parliament. Ten thousand dockers arrived, about one sixth of all dockers in Europe. Marchers set off a constant barrage of deafening firecrackers and the loud, raucous bands played music from all parts of the march.

"The energy was electric," Familathe said.

Arriving in front of Parliament, the ILWU contingent saw a huge building with walls of police in front and sharp shooters on the roof.

"Herald Ugles, Louis Hill and I were in front of the crowd," Familathe said. "Then Julian Garcia Jr., from Barcelona, Spain and the IDC, came up and grabbed us and said, 'You guys have to get back now. This thing's going to get ugly.'"

Garcia, the son of Julian Garcia, General Coordinator of the IDC, was right. As the ILWU and MUA people moved to the rear, a fusillade of tear-gas canisters poured into the crowd while water cannons shot streams of freezing water.

"Right at the head of the chaos Frank Leys of the ITF and Julian Garcia [Sr.] of the IDC stood back-to-back trying to calm down the workers as the tear gas flowed," Adams said.

The retreat was as orderly as could be while the acrid, brownish yellow gas engulfed the area.

"Suddenly my eyes began to burn like I never felt anything burn in my life," Familathe said. "You put your head down and it's chaos. You're worried about being trampled and you're running with your hands out in front of you and you can't see because you're eyes are burning."

"Then my throat began to burn. I thought I was choking to death, and as we ran we were kicking tear gas canisters beneath our feet. I got to a point where I couldn't breathe, my throat was actually seizing up and I had my eyes closed, and I said, 'Dear lord, don't let me choke and pass out

or I'll be trampled.' We kept moving. Then I saw Herald and Glenn. It was a great relief to see your brothers with you."

"We stood back when the tear gas started. We were there for support, not combat, but we thought it was good to show our banners nearby," Vekich said. "I had a bottle of water and a clean stocking cap from the Marseilles dockers and we used that to wipe our eyes."

The ILWU and MUA dockers had arranged a rendezvous at a bar in the Place de Lattre Tassigny. While decompressing, drinking and talking the seriousness of the events began to sink in.

"It took a while to get my head around that that was what's really happening to these workers, and I felt their frustration," Bauder said. "If I was facing scab legislation taking my job, I would be upset too."

"The great thing we saw in this demonstration is the fact that there have been struggles in the past few years, Patrick's in Australia, and the Liverpool struggle, our contract in 2002, which showed dockers that an international picket line is necessary in the global economy," Familathe said.

"I was moved that day by the power of the union people to stir the conscience of Europe and the world," Adams said. "I knew nothing that day could stop the marching feet of determined people."

The day ended with 13 demonstrators in jail, 10 Belgian dockers, two French ones and a Spaniard. Eight of the Belgians were given jail terms of one to four months and two of them were given suspended sentences. One French docker received a three-month sentence and the other a one-month suspended sentence. The Spaniard got five months in jail. They were all sentenced without trial. The prisoners could appeal their sentences within ten days, but any semblance of justice was denied until then. The Belgian unions put out an call for financial support for the families of those in jail.

The next day, as the gas cleared away, Adams, Vekich, Leys and Jimmy Tannock, MUA Deputy National Secretary, sat in the gallery of the European Parliament and heard its members debate the port privatization plan. Almost all of those who spoke were against it. Only a couple spoke for it.

They returned the next day and saw PP-2 go down in flames. It got only 120 "yes" votes while 532 voted against it and 25 abstained.



The ILWU delegation mingled with European dockers: International Secretary-Treasurer Willie Adams (second from left), Local 52's Max Vekich (third from left) and Director of International Affairs Ray Familathe (far right).

# WASHINGTON REPORT

## The ILWU goes to Washington

By Lindsay McLaughlin  
ILWU Legislative Director

Fifty ILWU grassroots lobbyists will travel to Washington, D.C. March 12 to lobby on the issues important to this union's members and their families. The goal of the conference is building political power for future struggles similar to the 2002 lock-out and to lobby for issues important to all working families.

The ILWU lobbyists will focus on five key issues:

- Port infrastructure development and the environment
- Port security
- Health care reform
- Pension Security
- Right to organize

On the first issue of port infrastructure development and the environment, the ILWU has embarked on a mission to support the movement of goods but deal with the environmental issues that impact our members and communities as well. We must lead the fight for reducing ship emissions while building our infrastructure to handle the growing volume of containers expected to be processed through our West Coast ports.

At a press conference on Jan. 30, 2006, James Spinosa, president of the ILWU, said, "The thousands of men and women I represent and work for raise their families under the cloud of port pollution. They have made a simple demand of their union. While they want to make a good living, they do not want to pay with their lives for a stronger economy."

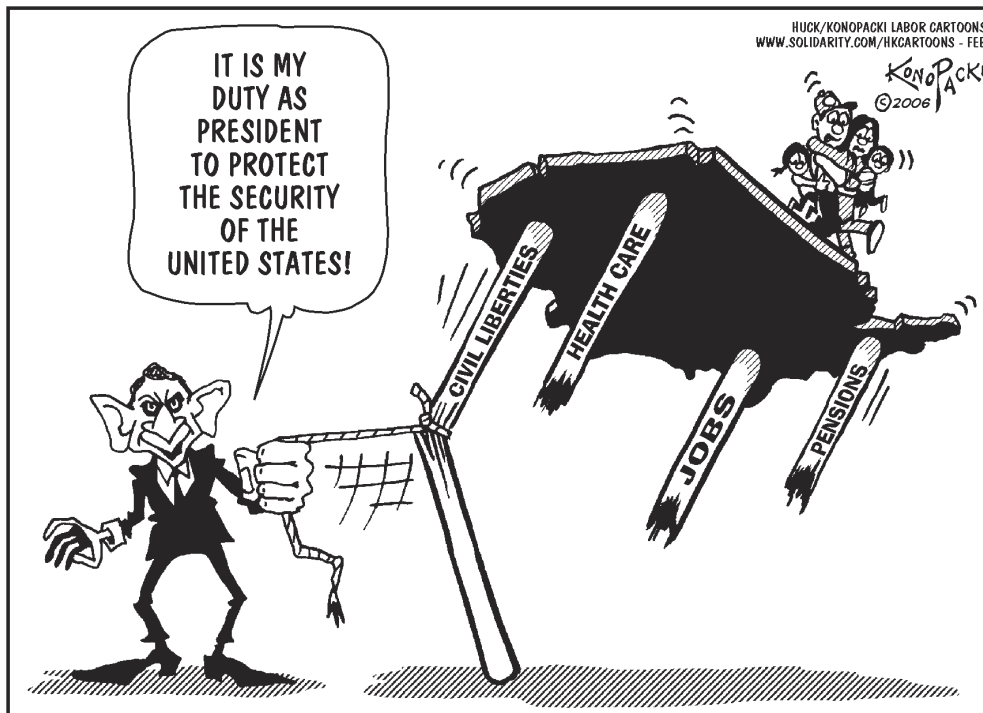
Studies by the South Coast Air Quality Management District attribute approximately 70 percent of the estimated cancer burden to exposure to diesel particulate matter, and emissions from ships in the ports make up the largest part of that pollution. This is a public health crisis. The ILWU's goal is to work for at least 20 percent ship emission pollution reduction by 2010 for all carriers that call at U.S. ports. The technology to reduce emissions is available.

President Spinosa said the ILWU will seek to meet these goals by, among other things, encouraging ship builders to use the latest technology in their new fleets, convincing longshore employers to retrofit current ships and harbor craft with cleaner engines and exploring the use of alternative, less polluting fuels.

Secondly, the ILWU supports real port security including the checking of seals and empty containers—not cosmetic fixes that do nothing to ensure the safety and security of our workers. The union favors of the protection of civil liberties and due process rights of its members as the Transportation Security Administration promulgates regulations to implement criminal background checks and issue transportation security cards. Below are some of the bills being considered by Congress on port security that will be a focus at the union's legislative conference.

The Greenlane Maritime Cargo Security Act (S. 2008), introduced by Senator Patty Murray (D-WA), directs the Secretary of Homeland Security to submit to Congress a comprehensive strategic plan to enhance international supply chain security for all modes of transportation by which containers arrive in, depart from, or move through U.S. seaports.

The bill gives U.S. officials in foreign ports the authority to inspect suspicious containers before they are



loaded for departure to the U.S. It also mandates that the Department of Homeland Security establish minimum standards for securing containers in transit. The ILWU delegation will insist that the standards include a common-sense mandate to verify seals.

Sen. Ted Stevens (R-AK) and Sen. Daniel Inouye (D-HI) introduced the Transportation Security Improvement Act of 2005 (S. 1052). As a result of ILWU lobbying, Inouye wrote a provision into the bill that makes it clear that a work stoppage or other non-violent action resulting from an employee-employer dispute does not constitute an economic terrorism disruption. This is necessary because the Maritime Transportation Security Act of 2002 includes a provision that says that any economic disruption at a port is a transportation security incident, possibly criminalizing job actions.

Additionally, the Coast Guard authorization legislation that passed the House of Representatives includes a provision that guarantees longshore workers due process rights during background checks. It also attempts to tie the background checks to real terrorism security risks rather than felonies that have nothing to do with national security. This provision is currently being considered in a conference between the House and the Senate.

Third, the American people need real pension protection. Last summer, the courts agreed to let United Airlines renege on nearly \$10 billion of its pension promises to 134,000 of its workers. This is not just about United but corporate American generally breaking promises to workers. Many companies not shirking their pension obligations by filing for bankruptcy are switching their defined benefit pension plans—which promise a fixed monthly check—to riskier defined contribution plans like the 401(k)s that are dependent on the uncertainties of the stock market, or to no plan at all.

Some progressive voices in Congress have raised serious concerns that the two pension protection bills considered by Congress make the problems of underfunding pension funds worse. They also fail in many other respects. Most significantly, the bills do not stop companies like United Airlines from dumping billions of unwanted pension debt onto the Pension Benefit Guaranty Corporation (PBGC), the government agency established to insure workers' pensions.

The ILWU has attempted to protect the ILWU/PMA pension plan in this legislation. In 2002 longshore negotiators and the PMA agreed to a pension funding schedule that was approved by the PBGC. However, the legislation considered by Congress would alter this funding schedule. Both the union and the PMA spoke to representatives of Sen. Ted Kennedy (D-MA) and Sen. Michael Enzi (R-WY) about the importance of the ILWU plan. As a result, Kennedy and Enzi's amendment in the Senate included a provision grandfathering in the ILWU-PMA plan.

This provision will soon be considered by a conference between the House and Senate. We are lobbying conferees to retain it for our union members.

The ILWU has historically supported single-payer, affordable health insurance for all Americans. Sen. Kennedy is drafting legislation to offer Medicare for all Americans starting with individuals in the age range of 55-65 and to children 18 years old and younger. Rep. John Conyers (D-MI) has introduced the U.S. National Health Insurance Act (H.R. 676) establishing an American single payer health care system. The bill would create a publicly financed, privately delivered health care program that uses the already existing Medicare program by expanding it to all U.S. residents and residents of U.S. territories. The ILWU will consider endorsing both of these bills after a thorough study.

On the other hand, President Bush proposed expanding Health Savings Accounts (HSAs), his cornerstone health care policy. HSAs allow individuals to save a portion of their income in special tax-free accounts to be withdrawn to pay for medical expenses. These accounts are designed to be partnered with high-deductible health insurance plans. According to Bush, this would empower consumers to shop around for the best prices and would reduce "unnecessary" hospital visits as people weigh the cost versus their need.

The problems with this proposal abound. These changes are like a new coat of paint on the Titanic's lifeboats: it looks nice, but it doesn't solve the fundamental problems with the nation's health care or with HSAs in particular. On the most basic level, it seeks to destroy the risk-pooling system of insurance in use since the days of the New Deal. Sick Americans become consumers of health care services, 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 power of large, comprehensive health insurance plans. When an ambulance is whisking you away to the nearest hospital, it is unlikely you will have the driver pull over while you call around to other hospitals to check prices.

The poor would be the hardest hit by an expansion of HSAs. Millions of Americans simply pay too little in income taxes to make any tax credit an attractive option. Moreover, those who are already uninsured do not have the means to save enough money to make a significant contribution to these accounts.

So Bush and his backers in the financial services industry who stand to earn billions from managing and administering these accounts are forcing this "consumer-driven" health care onto the country. He is doing to health insurance what he failed to do with last year's failed Social Security privatization.

The American people need guaranteed coverage. Universal coverage would free the economy from the burden of juggling accounts and the impossibility of comparing hospital prices. It is the only fair, equitable and economical solution to our current health care crisis. We will make this position clear to lawmakers during the union's legislative session.

Finally, the legislative conference will focus on passage of the Employee Free Choice Act (H.R. 1696). It amends the National Labor Relations Act to establish card check recognition during organizing efforts. Identical legislation has been introduced in the Senate

Under the legislation, when a majority of employees sign union authorization cards, they can file a petition with the National Labor Relations Board (NLRB) and the NLRB must investigate the petition. If the NLRB determines that authorization forms have been signed by a majority of employees, it must certify the union as the employees' collective bargaining representative.

The legislation also provides for first contract mediation in the event that the parties cannot reach an agreement for a contract within 90 days. If the Federal Mediation and Conciliation Services is unable to bring the parties to agreement after 30 days of mediation, the dispute will be referred to arbitration and the results of the arbitration will be binding for two years.

There are strong penalties in the legislation to punish coercive behavior by employers and increases the amount an employer is required to pay to three times the amount of the employee's back pay when an employee is discharged or discriminated against during an organizing campaign or first contract drive.

The ILWU legislative conference is an important way that the union promotes its values and shared interests to advance the cause of working people. We are scheduling an extensive list of influential lawmakers to address the delegates and answer questions and concerns from our members. Despite the culture of corruption and a corporate agenda that permeates the halls of Congress, the ILWU will continue to advance an agenda that truly represents the interests of workers.

# McCall won't talk so workers walk

by Marcy Rein

At 12:01 a.m. Dec. 5 the workers from McCall Oil and Chemical in Portland walked off the job, with the beat of the No War Drum Corps filling the freezing night and nearly 100 people rallying to buoy their unfair labor practice strike.

Those supporters helped keep at least 15 people on the picket line throughout the 36 hours the workers stayed out to protest McCall's refusal to bargain a first contract. McCall's 10 operators and one maintenance man voted unanimously to join the IBU March 8, 2005.

"One hundred percent of us have been along for this ride," bargaining team member Vicky Wintheiser said. "This is a company that does not want to deal with us. They legally have to now and they still don't."

Over the last nine months, the company met with the workers just 11 times to discuss the contract—and threw the union bargaining team out of one of those. It claimed it didn't have to put issues in writing and refused to look at the union's counterproposals. It refused the union's request to go to federal mediation and broke off talks, telling the union it had made its last, best and final offer.

"Their favorite comments at the table were, 'We're not going to discuss this,' and 'We never asked for this,'" bargaining team member Charlie Finger said.

McCall's behavior moved the IBU to file charges with the National Labor Relations Board. After a careful investigation, the Board issued a complaint Nov. 15, saying the company "failed and refused to collectively bargain with the union."

The workers say the company's refusal to bargain reflected the same attitudes that drove them to organize. They handle ship fuel, diesel and asphalt, working 24 hours a day, seven days a week, 365 days a year. They fuel barges and tugs, many crewed by other IBU members. They unload hot asphalt from rail cars, mix it to customers' specifications, then load it in trucks. This work requires knowledge and experience, and can be hazardous, but McCall's management shows no respect.

"They dismiss safety as an annoyance," Wintheiser said, and routinely yell, scream and bully the workers.



The McCall oil workers and supporters keep up the ULP picket line through the freezing weather.

"This company is the exact reason unions exist."

On the line, Wintheiser and her co-workers saw another reason to be union. Members of ILWU warehouse, retail and allied Local 5, longshore Local 8, marine clerks' Local 40 and longshore Local 21 from Longview walked with them. So did ILWU pensioners and members of Jobs with Justice, SEIU, AFSCME, the Teamsters and the Carpenters. The IBU set up a regular schedule to bolster the line.

"People turned down overtime and didn't take work calls so they could be there," said IBU Columbia River Patrolman Mike Conradi. IBU crews on Sause Bros. tugs didn't fuel up at McCall till the picket came down. Teamster truck drivers and railroad workers (members of the Brotherhood of Locomotive Engineers, now merged with IBT) also honored the line, so trucks didn't

fuel up and trains didn't drop off at McCall.

Solidarity literally kept people warm on the line. Local 5 brought a Weber grill and Local 8 members donated the firewood to burn in it, as well as a propane heater.

"I've been on strike many times and never seen this kind of support, not only from the ILWU and the IBU but from people in the community," IBU Columbia River Region Executive Board member Joe Maresh said. "Jobs with Justice put a lot of people out there."

Any kind of picketing takes determination, Finger said, but the round-the-clock line had some special challenges.

"In the middle of the night it can get a little daunting," Finger said. "But trucks come by and people honk so that buoys up your spirits. Up the road [from McCall] is the dump and the transfer station. Lots of ordinary

Joes drive by. It's an industrial area."

McCall brought in three scabs the first night, hired six extra security guards and kept security cameras trained on the workers. Still, all the workers stayed out until noon Dec. 6.

Some 40 people gathered for a back-to-work rally, Oregon AFL-CIO President Tom Chamberlain among them. The people scheduled to work at noon walked back in without incident, except for some sour words from the sales manager.

During the strike, McCall signaled it would be ready to sit down again. The NLRB hearing on the complaint is set to begin March 7. And ILWU members in the Portland area took another step together.

"The McCall workers walked off their job, and that takes a lot of courage and a lot of faith," Conradi said. "The group out there with them helped supply the courage. It really reaffirmed my faith in us all."

## Bayer Healthcare workers stick together, save jobs

by Tom Price

In their recent contract negotiations, warehouse Local 6 members at Bayer faced down a serious threat to their jurisdiction—the contracting-out of union janitors' jobs.

The trouble began last June when Bayer Healthcare Products told Local 6 BA Donal Mahon and other members that it would hire a janitorial contractor and remove the janitors from the bargaining unit. If the company had its way, the 54 janitors at the Berkeley, Calif. facility would see their jobs outsourced to a company that paid most of its people \$10.35 an hour, almost a 50 percent less than Local 6 workers. From the beginning, the 550 union members knew they were in for a battle, all for one and one for all.

"The employer looked at the janitors as if they were supporting one person instead of a complete family," bargaining team member Trina Lewis-Moore said. "We said: '550 for 54.' That was our saying—550 of us were willing to walk out for 54."

The bargaining team had spent some six months preparing for the negotiations, which began July 19 with an exchange of proposals. In addition to Mahon and Lewis-Moore, the team consisted of Chief Steward

Alex Magsano, Asst. Chief Steward Christian Sledge, Ron Hershman, Rebecca Allen, Rodney Ball, James McMahan, Lorena Ruance, Regina Allen and Mike Tryon. They come from all areas of the plant and met regularly throughout the year as an informal stewards council.

Local 6 workers at the Bayer plant make blood-clotting agents for hemophiliacs, people who lack the gene that triggers the production of blood-clotting proteins. Clotting prevents blood loss in the event of cuts. The gene that makes the protein, human 'Factor 8,' is spliced onto the genes of baby hamster kidney cells. Local 6 workers grow the cells in fermentors, siphon off the liquid, purify it by filtration, freeze dry and ship it.

For the bargaining team, preparation was key.

"Before negotiations we met at the hall for five or six Saturdays and had weeknight meetings that we invited all the members to," Mahon said. "We sent out surveys and wrote proposals, and then the committee sat down two more Saturdays and a couple weeknights and put together our final proposals."

The Local 6 team met with the employer every weekday in August and

two Saturdays for a minimum of eight hours. They stuck to the principle that the janitors would remain in the unit. The company abandoned its contracting-out demand, but it insisted on paying janitors a whole lot less, offering them \$13 and later \$14.50 an hour.

The Aug. 22 bargaining session began at 9:00 a.m. The company boosted its janitors' pay offer to \$18 an hour and agreed they would stay in the unit. But that was still a \$2 an hour pay cut. Talks continued until 11:15 that night when the company made its "last, best and final offer." Bayer added a sweetener to the deal—if the members agreed to screw the janitors, Bayer would kick in a \$1,500 signing bonus.

"After we finished bargaining that night, we discussed the offer with the committee," Mahon said. "Then at midnight we went to the plant and spent maybe two hours in the maintenance offices copying the offers for all our members. Then we went back at 6:00 a.m. for our first meeting of the day with the members."

On Aug. 24, the members rejected the deal by a two-thirds majority.

"It was a pretty impressive act of solidarity," Local 6 Secretary-Treasurer Fred Pecker said, referring

to the refusal to take the bonus blood money. After that Pecker joined the team at the table.

Bargaining continued until Sept. 8. The team presented a proposed agreement to the membership Sept. 12 and two days later the members voted to accept it with a two-thirds majority.

In the end, the janitors got a wage freeze for those who do not work in the special production rooms where medicines are prepared. They would still be classified General Workers. They will keep their salaries of \$20 an hour and all union health and pension benefits.

Janitors working in the production areas will now be called Production Area Cleaners. They will get about a two percent raise in the second and third years of the contract. The rest of the nearly 40 classifications in the unit will get raises of 3.5 percent the first year and second year, and 3.8 percent the third year. Other benefits will remain as before and some people will move into the same medical plan as the supervisors.

"It was my first time bargaining. I learned a lot," Lewis-Moore said. "I'd do it again, even with all that work, because we did it for a lot of people, and that's a plus in the end."

# Recycle America workers bargain big gains

by Tom Price

SAN LEANDRO, CALIF.—Warehouse Local 6 workers at Recycle America stand on a platform 20 feet off the ground as recycling trucks discharge their fresh loads below them. All around the yard, the ground seems covered in a papier-mâché moon-cape, but it's actually a slush of paper soaked in rain water.

Other workers with power shovels load hoppers with mixed recyclables, which then flow along conveyor belts to be separated by hand. Local 6 members sort out plastic, paper, metal and glass and send the materials off to be reused.

All around the trucks come and go, while fork lifts and power shovels dart about everywhere. The chaos is only apparent, as the workers swiftly process society's refuse in a workplace that is surprisingly orderly. But the work is hard and the pay is low. Chief Steward and bargaining team member Jose Solano remembers the mood of his coworkers.

"The membership was very militant," Solano said. "About a month and a half before we settled, we came back to the membership with the company's offer without a pension. The workers voted to strike."

Bargaining went on for a year. Pay and pensions were big issues, but what seemed to get under people's skin was a wage system in which newer workers got less than senior

workers.

"People were very upset by the two-tier system," Solano said. His job is driving a fork lift and a loader. "Getting rid of the two-tier made people feel like we all do the same work, and by the last two years of this contract everyone will be paid at the same rate for the same work."

After a year of bargaining, the 80 workers have achieved another contract, retroactive to 2004, with substantial improvements. Workers ratified it Aug. 10.

Local 6 members have had two ILWU contracts at the transfer station. This time, they got both a pension and a wage increase, and an end to the two-tier pay scales that had previously divided the workers. When this six-year deal expires in 2010, many workers will be making about \$12.50 an hour, almost twice what they had before unionization. The contract also establishes a pension plan based on earnings. The company will pay workers two percent of their last five years earnings when they retire. They will also have six sick days and one floating and seven paid holidays. Medicals will remain the same.

Recycle America will soon expand the facility and add 20 more workers. More trash will have to be sorted at facilities like Recycle America as cities are finding it cheaper to make one pickup of mixed recyclables and sort it out later. Cities are also mandated



Local 6 Secretary-Treasurer Fred Pecker (left) confers with a Chief Steward Jose Solano at the Recycle America facility.

by law to produce less landfill, so there will have to be more recycling.

"There's a serious hypocrisy in making recycling a matter of environmental policy, and making that policy more important than the people sorting the garbage," Local 6 Secretary-

Treasurer Fred Pecker said. "If it is a matter of public policy to sort the garbage, then the people who do it should be paid a living wage with medical benefits and pension so they can support their families while they do this vital work."

## Local 6 tech workers win new contract

by Tom Price

Warehouse Local 6 workers at San Leandro Hospital bargained hard and long and on Dec. 22 they approved a new, three-year contract. The agreement provides hefty raises and improves benefits. But getting there took some patient negotiating.

Chief Steward Shon Young, Asst. Chief Steward Roxann Lewis and Business Agent Donal Mahon began bargaining with the hospital Oct. 19. The 18 workers in Local 6's Technical, Office and Professional (TOPs) Division do x-ray and ultrasound imaging, CAT scans, magnetic resonance imaging and nuclear medicine.

"We started a long way apart,

at the beginning it looked like we would never get together," Mahon said. "When I looked at this contract the first thing that jumped out at me was the no-strike, no-lockout clause that said that no union official could discuss not crossing another union's picket line with a member. We got that out. We told them on the first day it had to go."

Local 6 studied the wages of other skilled workers at the hospital and concluded their wage demands were in keeping with what nurses and other tech workers got.

"A lot of our x-ray techs work in different hospitals and know the people there, so we have a lot of contracts to compare with, including the nurses at San Leandro," Mahon said. "We shared that information with the

employers and they saw our position wasn't unreasonable."

Mahon also called on the resources of the ILWU.

"I was in touch with Local 142's BA Brian Tanaka, via e-mail, and we exchanged ideas on work in the medical tech field," Mahon said. Tanaka represents, among others, 640 health care workers on Oahu, Hawaii.

Bargaining continued until 7:15 p.m. Dec. 20 when the employers and union came to agreement. The new contract will include a nine percent wage increase on Jan. 1, 2006, and ultrasound and senior radiological techs will get another four percent increase July 1, 2006. In January 2007 workers get a four percent across-the-board increase. In December 2007 the contract

will reopen for discussions on wage increases.

"The hospital was sold from Triad to Sutter a few years ago and when they switched employee healthcare plans, some things were locked up," Mahon said. "In this contract we regained 'well baby care' up until the child's third birthday, mammograms and pap smears once a year, and immunizations."

The hospital has been offering its non-union employees \$25,000 retirement health savings accounts, and Local 6 got that in its contract. They also improved the language on educational benefits and got up to \$1,200 for educational fees. Pension contributions remain at two percent of wages in an employer-paid, defined benefit plan.

## Local 6 scores big win in Republic contract

by Tom Price

Workers at Republic Services bury the waste our supposedly affluent society produces at the Vasco Rd. landfill in Livermore. But for many years their pay was considerably less than affluent, and they just finished an 18-month campaign to change that. They signed their first contract Nov. 1 as warehouse Local 6 members and have won some big gains.

The struggle began in June 2004 when the workers asked the employer to recognize Local 6 as their bargaining representative. They presented a petition to the company asking for recognition and 15 of the 16 workers signed it. But management refused to respond.

The workers knew they were paid significantly less than union people doing the same work just a few miles away. In fact, Local 6 heavy equipment operators at Altamont Landfill made \$24.30 an hour at the time, while Vasco Rd. workers were often pulling down \$18 for the same work, with far fewer benefits.

On the morning of July 16, 2004

workers greeted the arriving garbage trucks with a picket line. Management responded with a two-hour lockout. Meanwhile, many of the trucks had turned around and parked with their loads reeking in the hot sun. Local 6 Secretary-Treasurer Fred Pecker went inside for a chat. As more garbage trucks lined up, management saw that opening communications with Local 6 was a good idea.

The workers elected Antonio Flores and Mark Pursell to the bargaining team. They joined Local 6 President Efren Alarcon and Secretary-Treasurer Fred Pecker. The team began talks Aug. 24, 2004.

"Negotiations were long and drawn out, but everybody was together and it wasn't always a fight," Pursell said. "The give and take went well, and there were only a couple times things got heated."

They continued talking for almost a year and a half and a big stumbling block was pensions.

"The company was offering a 401(k) and we were proposing a defined pension plan, the Local 6 Industrial Employers and Distributors

Assn.," Alarcon said. "Finally, they agreed."

Wage issues were complicated by the widely different pay rates within the facility and the difference between Republic wages and union shops in the area.

Now the pay will be comparable to other waste management companies. Equipment operators will get \$22.54, laborers will get \$15 an hour, skilled laborers will be paid \$18.50, mechanics start at \$25, operators start at \$22.50 and will end up at \$26.38. Wage increases over the last five years of the contract will step up each year 2.5, 3, 3, 3.5, and 3.5 percent, beginning Nov. 1, 2006.

"On Nov. 1, 2005 we came to an agreement to move up the classifications and pay everyone in the class the same amount, so some people got between \$4 and \$6 raises right away," Alarcon said. "We got a defined benefit pension plan, and the medical costs will be paid by the employer effective June 1, 2007."

Members had been paying on average \$200 a month for medicals before the contract. A few paid less, but

one person was paying almost \$300 a month for his family. Now the whole family gets coverage. From Nov. 1, 2005 to June 1, 2006 workers will pay \$1.43 an hour for medical. After June 1 they'll only pay 50 cents an hour and that drops to zero on June 1, 2007. The company's medical payments will be capped at \$909 a month after June 1 2006. If it exceeds that, the members will have to pay a percentage of the difference out of pocket.

The pension plan now provides much more than the former 401(k) plan. The employer will now contribute \$2.43 an hour to the Local 6 plan, with a \$.22 increase in June, 2006, and further increases will be negotiated. The workers will contribute \$1.43 an hour until May, 2006, and then \$.50 until June, 2007. After that the employer will pick up the whole cost.

"My overall take is that the company was fair, and part of that is that they knew that our rank and file was a strong and united unit who were ready to do what they had to do to get a decent contract," Alarcon said. "We had a very good committee, they were solid, non-selfish individuals."

# ILWU member Michael Ponce named to Harbor Area Planning Commission

For a generation, residents around the Port of Los Angeles seeking a more livable community fought bitterly with an indifferent planning department and visionless city officials. Residents of San Pedro, Wilmington, Harbor City and Harbor Gateway would drive to downtown Los Angeles only to battle with the very developers who seemingly owned City Hall.

Chances for local voices to be heard improved in 1999 when voters citywide approved changes to the city's charter that moved some power down to the local level. The reforms not only created neighborhood councils, but also a series of Area Planning Commissions to consider neighborhood development projects.

"We have a real chance now for more traditional development," said Wilmington resident and ILWU member Michael Ponce, 42, who recently took up duties as the newest member of the Area Planning Commission that serves communities around the port of Los Angeles.

This marks the second high-profile appointment of an ILWU member by Los Angeles Mayor Antonio Villaraigosa, who took office in July. The ILWU Southern California District Council President, Joe Radisich, now serves on the city's Board of Harbor Commissioners.

"I come from a labor background," Villaraigosa told 250 labor leaders gathered Oct. 11 in San Pedro for a luncheon in his honor. "I am going to turn to people I know."

It's hard to move around Wilmington and not know the Ponce family. Michael Ponce is a third-generation Wilmington product, having been born at Wilmington Community Hospital, a facility that is now gone. As a boy, Ponce accompanied his father—a general contractor whose first language was neither English nor bureaucratese—to City Hall, where he would be interpreter for talks between his father and city planning officials.

"I read the blueprints for my dad," said Ponce, who spent more than 25 years working in his family's construction company and who also held a contractors license from 1985 to 1999. Ponce joined the ILWU in 1997 and got his book in 1999. He spent eight years with longshore Local 13 before transferring this year to clerks' Local 63.

A background in construction and his work in the ILWU convinces Ponce that what is needed most in the Harbor Area is development that promotes families, home ownership and cohesive neighborhoods.

"We need more community resources, like parks and services," said Ponce, who cites a Wilmington Beautification Plan from the 1980s



Michael Ponce, Los Angeles Mayor Antonio Villaraigosa and Cyndi Ponce at the swearing in.

pushed by Mayor Tom Bradley and Councilwoman Joan Milke Flores, as an example of what can be done with vigorous city leadership. The plan died after Bradley left office and Flores was replaced on the Council. Subsequent city leaders abandoned the vision just as final funding details were being ironed out.

"I'm pleased that my appoint-

ment means ordinary people will have a bigger voice in what our community looks like," Ponce said. "Local needs should be what drives development."

Ponce's appointment to the five-member Harbor Area Planning Commission fills the seat left vacant by outgoing member Leland Hill. His term expires in 2009.

—Bill Orton

## ILWU Canada docker killed in accident

by Peter Haines

Local 500 Secretary-Treasurer

Epifanio (Epi) Hernandez died while walking out to relieve his partner on the rubber tire gantry crane at TSI-Vanterm at approximately 6:30 p.m. on Wednesday, Jan. 4. Hernandez was 63 and a half years old.

His body was found by his co-worker Satvinder Sandhu. He had been run over by a large piece of machinery. There are no eye-witnesses to the fatality.

Hernandez was born July 12, 1942 in San Pablo City, Laguna, Philippines. He was orphaned as a young child. As a young man he trained to be a skilled heavy duty mechanic. He worked in Vietnam from 1966 to 1972 for Alaska Barge and Transport.

He found work as a mechanic at Cullens Detroit Diesel during the 1980s, and then as a Vancouver log-shore mechanic from 1987 to now. He was instrumental in securing the maintenance work on the bombcarts for ILWU Canada's longshore Local 500 at Vanterm because of his back-



Epifanio (Epi) Hernandez

ground with Cullens Detroit Diesel.

There is an ongoing investigation into the fatality by Labour Canada. There is now a no-walk zone in the container yard at Vanterm.

Hernandez is survived by his wife Perla and his son Grover and daughter Dorothy. At the funeral mass at Our Lady of Sorrows Parish, Hernandez's passing was honored by hundreds of his family, friends, co-workers and executives from TSI-Vanterm.

More information is at his son's website: [www.groverhernandez.com/epi](http://www.groverhernandez.com/epi)

## Longshore retired, deceased and survivors

### RECENT RETIREES:

**Local 8**—Larry Roberts, Michael R. Smith; **Local 10**—Robert Donahue, Robert L. Carter Jr., Charles Medley, Ernest Evans, Alvin Garrett Jr.; **Local 12**—John Hudson Jr.; **Local 13**—Robert Garcia, Ronald Giorgio, Leslie Phillips, Rudd Newton, Thomas Gonzales, Edward Sanchez Jr., Michael P. Lomeli, Lee Boynton, James Cayton; **Local 19**—Ronald Ware; **Local 21**—Norman Gleave, Richard Hadlock; **Local 23**—Oneal Moore, Roy Renggli, Richard Kohut; **Local 24**—Melvin Peterson; **Local 26**—Fred A. Contreras; **Local 27**—Joseph Chaisson; **Local 32**—Richard Schneider; **Local 34**—William Olivares, Tom Lund; **Local 40**—Royce Freeman; **Local 46**—Joe J. Lopez; **Local 52**—Don Brady, Dennis Santos; **Local 63**—Howard Hotra, Paul Hackworth, Richard Weeks, Clarence Gravett Jr.; **Local 91**—Charles W. Wright, Robert Nealon, Frank Relva, Luis Berdeja, Ralph O. Edalgo

Jr.; **Local 94**—Nick Poduje.

### DECEASED:

**Local 4**—George Schafer (Leona); **Local 7**—Marvin Simonsen (Alice); **Local 8**—Jack Easter (Leona), Robert Webb (Rosemaire), Frank Evans (Mary), Everett Hamlik, Jimmy Walker; **Local 10**—Ector Quiros (Grace), A. Cesar Parraga (Pilar), Joe Lewis (Eddy), James Brandon (Ellen), George Robertson (Daisy), Donald Wilson (Margorie), Joseph Colacicco, Alfred Ferrari; **Local 12**—Lloyd Spurgin (Doris), Billy Hardman (Clara), John Clark (Roman), Clarence Seamon; **Local 13**—John Brunac (Ann), Stephen Curtis (Margaret), Richard O. Cruz (Nicole), James Arendain (Alice), Ratko Babarovic (Ivanka), William T. Lung Jr. (Nadine), John Bossi (Maria), John Reese (Mercedes), Jose Pigao (Estela), Heron Urrea (Socoro), James Alexander, Laza Tomin, Frank Sandoval, Salvador Tomasello, Frank Herrera; **Local 19**—Emanuel J. Taylor Jr.; **Local 21**—Cloyd

## LOCAL 10 DRILL TEAM TURNS 40



The ILWU Local 10 Drill Team threw itself a party for its 40th Anniversary Dec. 2, celebrating four decades of service as ILWU ambassadors, spreading good will and solidarity for the union. The evening's ceremonies also honored its leader and founder, Captain Josh Williams.

Williams established the Drill Team Dec. 12, 1965 along with Joe Brown and Richard Thomas. The 20 longshoremen who comprised the first Drill Team gave their first public performance in 1966, leading the United Farm Workers grape strike solidarity parade down San Francisco's Market Street.

Since then the Drill Team has represented the ILWU proudly at many important events. They escorted Martin Luther King Jr. when he visited the Local 10 hall and was made an honorary member of the local. They marched in South Carolina at the demonstration supporting the Charleston Five, over the Vincent Thomas Bridge during the celebration of Harry Bridges' 100th birthday, at the protest in front of the PMA during the 2002 longshore contract struggle and performed at International Conventions.

That evening ILWU International President James Spinosa presented Josh Williams with a plaque honoring him for his 40 years of leadership. "Your creative contributions as Drill Team Captain exemplify the high quality standards, traditions and discipline of the rank-and-file men and women of the ILWU" the plaque read.

—S.S.

Seachris (Ladonna); **Local 23**—Vincent Peterson (Doris); **Local 29**—Harold Kuehne (Sharon); **Local 32**—Leon Brown (Mary); **Local 34**—Raymond Duran (Patricia), Borgar Christoffersen; **Local 52**—Robert Vaux Jr. (Kathryn); **Local 63**—Robert Schroeder (Connie), Victor Christensen (Bonnie), Lloyd Hershey (Bernice), Earl Young (Janine), Edward Trivision (Nina), James Lavery (Penne); **Local 92**—Bernard Condart (Ruby); **Local 94**—Marcus Gutierrez (Eva). (Survivors in parenthesis.)

### DECEASED SURVIVORS:

**Local 8**—Viola Cox, Bernadette Helgerson; **Local 10**—Neola Taylor, Jovine Nappi,

Estelle Rogino, Lucy Anderson, Isabel Estreito, Mabel Roberts, Elizabeth Jacques, Edith Jenkins, Elsie Wallace; **Local 12**—Juanita Carlsen, Marguerite Moomaw; **Local 13**—Della Espalin, Sylvia McDonald, Shirley M. Smith, Althea Mahon, Yasna Tomich; **Local 19**—Patricia Simmons, Roberta DeLeo, Anna Houchens, Carmela Mirante; **Local 21**—Ruth Kellar, Beverly Schneider, Edythe Erickson; **Local 23**—Irene Johnson; **Local 40**—Margie Dubay, Charlene Tanner, Betty Cox; **Local 47**—Norma Bemis; **Local 52**—Margaret Fisher, Viola Gray; **Local 92**—Bergliot Koppen; **Local 94**—Bessie Dalton, Alyeen Dragovich.

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