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California victory lights the way

By James Spinosa
ILWU International President

The California special election proved not only to be Governor Arnold Schwarzenegger’s undoing, it proved the union movement can still stop the fanatic attacks of right-wing Republicans. And it proved the formula to do it.

The Republics tried to turn this election into a national refer- enдум against unions, understanding that as goes California, so goes the nation. Schwarzenegger traveled throughout the country gathering millions of dollars at Republican fundraisers to pass the ballot initiatives aimed at politically disarming the unions. Many of these donors had no particular interests in the state other than limiting the influence of organized workers.

But these nasty attacks awakened and energized the labor movement, and the unions used their enemies’ energy against them. And in doing so we not only slapped Schwarzenegger down and reconfigured the political forces in the state, we have put the Republicans on notice that they are in trouble as we prepare for the 2006 national mid-term elections.

We did a number of things right in this election and we need to review them and understand so we can repeat them and the success they brought us.

First and foremost, the labor movement remained united in California through the November election despite the splits and rancor between the AFL-CIO and Change to Win leaders that made headlines last summer. The California Labor Federation, the central labor councils and the locals working on the ground refused to recognize the divisions among their national leaders. They treated Schwarzenegger’s initiatives as an assault on all workers and the divisions among their national leaders. They treated

The unions approached this campaign with a bolder attitude than they usually do and that made a big difference. Partly it was out of desperation because Schwarzenegger’s attacks were so bold. With Prop 75 he was trying to all but eliminate unions as a political force in the state, making it much easier for him and California Republicans to move their pro-corporate, anti-worker agenda. Prop 75 was 20 points ahead just four months before the election.

In response the unions moved with unapologetic aggres- sion in defense of working people and labor rights. They slammed Schwarzenegger for months with TV ads. And the nurses dogged him at every campaign event and fundraiser he held in the state and across the nation. They got all kinds of free media coverage with more than 100 such demonstrations, contrasting the hard-working angels of mercy with the fat cat corporate crowd spending $10,000 each to have dinner with Arnold.

Finally, we just basically out-cam- paigned them. We raised millions of dol- lars to keep the TV ads pounding. But more importantly we wore out the shoe leather. Union volunteers went door-to-door talking to working people about the issues. And we organized an effec- tive GOTV (get out the vote) effort.

In our strengths of Los Angeles and the Bay Area, ILWU rank and file members joined other unionists on Election Day to mobilize vot- ers. It’s one thing to have the polls in your favor and another to make sure the ballots are cast. And that turn out is often the difference between victory and defeat, especially in an off-year election like this one.

This is what we need to carry into the 2006 election. We need our members to continue to step up. Now is the time to sign up for political action alerts on the ILWU web site (www.ilwu.org and click on “sign up for updates”). Now is the time to contribute again to our Political Action Fund (see ad page 10). And now is the time to contact your District Council and volunteer for the upcoming campaign.

Schwarzenegger is up for election next November and we have to finish the job and send him back to making movies. We will also have the opportunity to take back from the Republicans one or both houses of Congress next year. This will not only allow us to block some of the worst of Bush’s ongoing attacks on working people, it will also help our 2008 longshore contract bargaining. It could determine the political atmosphere we nego- tiate in and could restrict the threats we operate under.

It would be hard to overestimate what’s at stake here in the 2006 election. We can have only one response: All hands on deck!

Unions are the most progressive political voice speaking for all working people in society today and we showed it in the campaign.

Steve Stalnaker
Editor
Blue Diamond workers get strong shot of hope

by Marcye Rein

SACRAMENTO, CA—The speaker phone muffled Sharon James’ crisp British accent, but the Blue Diamond organizers couldn’t miss her. When she spoke, more than a hundred workers and supporters from all over the country were watching many people reel from Blue Diamond’s unjust firings.

“Business and capital don’t recognize the word of the workers, and then commit- ted the public relations department to Blue Diamond. Gene Esparza thanked James heartily on behalf of the workers, and then commit- ted themselves in an April 15 letter demanding that Blue Diamond respect their rights to union organizing committee members hope findings that their favor will cut through the fear fanned by the company’s campaign. “If any of this goes through, it will really open people’s eyes, espe- cially if any of our guys get their jobs back,” committee member Irma Linda Rincon said.

But the union is not relying on the law alone. It is spreading the word of the workers’ fight to all par- ties who have relationships with Blue Diamond, with one simple request: Ask the company to remain neutral and let the workers decide for them- selves whether or not they want a union.

On Oct. 31, the word bounced around the country in the “Halloween Howl for Justice for Blue Diamond Workers.”

The Howl started on the East Coast, with members of New York Jobs with Justice leafleting outside a Hershey’s Chocolate shop near Times Square, along with rank-and- file members of the International Longshoremen’s Association. The leaflets asked Hershey, as a major user of Blue Diamond almonds, to ask the company to back off its anti- union campaign.

It spread to Chicago, where mem- bers of the Workers’ Rights Board from Chicago Jobs with Justice visit- ed World’s Finest Chocolate, another big Blue Diamond customer. They presented their concerns to the assist- ant for the vice president of sales and marketing. When she insisted they call for an appointment, they promptly whipped out their cell phones, they could see her talking to them on the phone, then conferring with the VP.

“World’s Finest is not the target,” Chicago Jobs with Justice committee member Ann Hurlbut said. “We’re just pleased the word is get- ting out, because the more spotlight we can get on Blue Diamond, the more successful we will be,” she said.

With November’s International Day of Action, the word shot round the country.

California almond growers send some 70 percent of their product overseas, Spain, Japan, India, France, Korea and the United Kingdom rank among Blue Diamond’s top 15 inter- national customers—and allies in all these countries took the workers’ case to major importers and distribu- tors.

“Business and capital don’t recog- nize national boundaries and neither do our allies,” the ITF’s Sharon James said as she began her report to the workers. “Trade union cooperation should not at national borders.”

The ITF includes more than 600 unions in 142 countries, the ITU members have on their right to organize, James said. She and ITF Deputies Section Secretary Frank Leys played a key role in coordinating the day’s events and took charge on the U.K. front. They met with a Blue Diamond importer in London, who promised to get their message back to the company.

All five ITF-affiliated unions in South Korea pooled their efforts to send an 11-member delegation to meet with three major Blue Diamond importers there. Because the ITF sent a letter first, management at one company had already talked to Blue Diamond.

“The general attitude towards our delegates was kind and friendly,” ITF Korea Coordinator Hye Kyung Kim said.

S.R. Kulkarni, president of the All-India Dock Workers’ Federation (AIO), led a delegation of 30 activists to meet with a Blue Diamond importer in Mumbai. At the first distributor refused to talk with them. The delegates stood their ground and chanted loudly until he gave in. He heard them out, then signed a memo to Blue Diamond’s managing director. The ITF’s Sundar visited another Blue Diamond importer in Delhi.

The ITF coordinator in Japan could get a meeting with anyone in Blue Diamond’s office there, so he sent a protest letter. The ITF’s point of view was big Blue Diamond consumer. The letter from the French Fédération Générale Accordements called Blue Diamond’s threats of plant closure and pension loss “acts from another century.”

When James finished her report, the workers introduced themselves, giving their names and years of seniority. Among them, the nine pres- ent had given a total of 152 years to Blue Diamond. Gene Esparza thanked James heartily on behalf of the workers, and then commit- tee member Larry Newsome added a little something extra.

“We hope today’s action will begin a dialogue with the company and help workers in Sacramento in their right to organize,” James said. She and ITF Deputies Section Secretary Frank Leys played a key role in coordinating the day’s events and took charge on the U.K. front. They met with a Blue Diamond importer in London, who promised to get their message back to the company.

“Brothers and sisters at Blue Diamond are demanding a change and we will show them they cannot crush our faith or keep us from bond- ing,” Newsome said. “Blue Diamond has met some people that will take a stand and not back down.”

During the Halloween Howl for Justice, members of New York Jobs with Justice, along with rank-and-file members of the ILA, leafleted in front of the Hershey’s Chocolate shop in Times Square. Some of the leafleters got into the spirit of the day by dressing as Hershey’s kisses.
Survived the contract termination agreement over work conditions

It also would have severely limited unions' power in collective bargaining, excluding whatever else the union might want to benefit the company and disable company grievance procedures.

In Caterpillar v. UAW Local 776, the Third Circuit argued that, given facts in the case, it was up to a jury, not judges, to decide if discrimination had occurred. In dissent, Alito argued for a panel of judges to decide.

In Glass v. Philadelphia Electric Company, a race and age discrimination case, Alito would have upheld a lower court's refusal to allow the plaintiff to cross-examine his employer about the host of disputes he had experienced. The majority of the court found that evidence was "relevant to a key aspect of the case," and decided the exclusion illegally undermined the plaintiff's right to a fair trial. Alito dissented and voted to exempt the facility from those mining safety regulations.

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Ivro's position was in the mainstream. Throughout Alito's tenure on the court, he is out of the mainstream. Republican appointees. By dissenting in a race discrimination case, Bray v. Marriott Hotels, Marriot sought to deny the plaintiff, an African-American woman who alleged racial discrimination, the right to even present her case to a jury. The Third Circuit argued that, given facts in the case, it was up to a jury, not judges, to decide if discrimination had occurred. In dissent, Alito argued for a panel of judges to decide.

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November 2005

California worker action defeats corporate agenda

by Tom Price

ILWU members lit up the switch boards, pounded the sidewalks and pressed the flesh in a big effort to get out the vote—and it worked. The defeat of Governor Schwarzenegger’s pro-business agenda in the Nov. 8 special election owes much to ordinary workers standing up to a corporate bully.

Schwarzenegger and his business friends banked four ballot measures designed to bypass the legal legislature and turn California into a corporate free-fire zone. Instead, the measures were met with flames and the governor, whose approval rating is in the mid-30th percentile, took off to look for free trade.

Organizing by the Northern and Southern California District Councils (NSDCD) and other ILWU locals has paid off. But huge corporate contributions to the governor’s ballot crusades were not an uphill battle. The ILWU’s International Executive Board recommended “no” votes on Propositions 74, 75, 76, and 77. The District Councils, composed of retirees and members elected from the locals, were confident that people know the governor does not have their interests at heart.

ILWU gave the last four months on building a game plan to help defeat Schwarzenegger,” SCDC President Dave Freiboth said. Local 13 member Joe Radisich said. “Six weeks out (from the election) the ILWU and the ILWU, Local 13 had a big meeting with political directors and heads of unions and laid out a strategy to defeat Schwarzenegger.”

At that time “yes” on Prop. 75 was leading by a margin, Radioloski said. SCDC started an education program, going to the locals with power point presentations to educate members and keep them from being fooled by TV commercials that tried to make Prop. 75 look like a pro-worker proposition.

“We started with dispelling all the myths,” Radioloski said. “We sent out workers to be active and for the first time did an e-mail blast to 1,500 people in our data banks.”

The warehouse Local 26 became a gathering point for canvassers and organizers.

“The LA area union movement took over our whole hall except for a few clerical spaces,” Local 26 President Luisa Gratz said. “That was fine. Their enthusiasm was incredible. These people mobilized the community and brought out people who had never been active before.”

But he plowed on with the others. Prop 74 would have curtailed the union rights of teachers, extending the school year to 240 days. Prop 49 would have repealed the tax and left state education budgets in the hands of the bureaucrats and the politicians.

With much bravado Schwarzenegger challenged the state’s unions with a series of ballot measures. His meanest one, an attempt to eliminate the defined benefits of public employee pensions, the measure, according to public employee unions, of its poorly written language showed it would also delete the death benefit payment for the families of firefighters and police killed in the line of duty.

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The NCDC worked with county transport offices to find ways to win opposition to them. In the process the unions’ political clout and organization gained strength rather than being crippled as Schwarzenegger planned.

The two measures the governor was most closely identified with, Prop 76 that would have allowed him to unitize the state transport budget,” IBU Treasurer Fred Pecker said. “We got the measure down and it set a positive tone for us.”

But the ILWU needs to improve on the “yes” campaign. In all three branches of state government,” Davis said. “We need to utilize that as much as possible. The vote is urgent and there were a lot of different kinds of actions going on,” Pecker said.

The NCDC will work to find ways to raise more money. “But the ILWU needs to improve on the ‘yes’ campaign. In all three branches of state government,” Davis said. “We need to utilize that as much as possible. The vote is urgent and there were a lot of different kinds of actions going on,” Pecker said.

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This affected the outcome of the election,” Local 6 and NCDC Secretary-Treasurer Fred Pecker said. “We got the NCDC to come out and it set a positive tone for us.”

The ILWU counts on the NCDC to partake in the demonstration, and this affected the outcome of the election,” Local 6 and NCDC Secretary-Treasurer Fred Pecker said. “We got the NCDC to come out and it set a positive tone for us.”

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Sam Kagel: From War Commission Duty to Coast Arbitrator, 1942-1972

Sam Kagel: 1972

In December 1941, when the United States got into World War II, collective bargaining as I had experienced it disappeared. The ILWU still publicly that there would be no strikes within its jurisdiction. Throughout the whole country there were government agencies that did not like the labor-management committee of big wheels that I was in. We were on the same side of the fence sort of dried the red out of me for them. They were back in business on both sides. It was not my cup of tea.

After the war I thought about going to law school. I had just gotten out of law school. I would hear arbitration cases and then arrange with the dean to take less than the standard number of units each semester by going to summer session and intersession. I had maybe ten dollars to leave a war job and come over to his place. Jim Blaisdell from the employer side went into the WMC before I did. He became the Northern California director and I was made the assistant. Then Jim was asked to go to Hawaii to organize the Hawaiian Employers' Council. I moved into his position as director, but I didn’t get paid as director because charges were made accusing me of being a Communist. There were people who opposed me because I had represented Harry Bridges. It took a couple of years before I got cleared by the Civil Service people. So I worked on the WMC for two years and got assistant director's pay while doing the director’s job.

After the war I thought about going to law school. I had wanted to go in 1929, when I graduated from University of California, Berkeley. But then the Depression came along. I knew a number of students at Boalt Hall, the Cal law school, and they told me that to get a job in a law firm you had to contribute money toward the rent that corresponded to what you had.

We started negotiating and I asked whether it would be agreeable that I could continue to arbitrate other than just longshore cases. That was worked out. We talked money and agreed on a retainer, which I needed since I had just gotten out of law school. Unfortunately, the War Manpower Commission (WMC) was set up in 1942 by an order from President Franklin Roosevelt. There was a local labor-management committee of big wheels that I was in. When the strike was settled, the employers asked me to work there, and I accepted. The mission of the WMC, as the military called it in those years, was to recruit and prioritize labor for the war effort.

Our WMC office staff worked closely with a labor-management committee that met weekly. We also coordinated with all the other war agencies to figure out the best way to recruit and retain workers for war industries. To me, that was a much more direct deal than I would have had going into a board to decide a penalty whenever an employer violated a regulation by offering somebody another ten dollars to leave a job and come over to his place.

I had a little money coming from the government and decided to take a chance on law school. At the time the International Ladies Garment Workers Union (ILGWU) and the San Francisco clothing industry employers offered me the job of being Mr. Impartial Chairman, which is what they called their arbitrator. I made an arrangement with them for a year. Interestingly, when I went off to law school, Harry said to me, “Well, we’ll be working together again.”

What I didn’t anticipate was that as soon as it was announced that I was going to law school and I was an arbitrator, I found myself with all kinds of arbitration cases. To manage work and school I arranged with the dean to take less than the standard number of units each semester by going to both summer session and intersession. I had maybe one week off every year for the three years I was in law school. I would hear arbitration cases and then start studying. At 11, 12, one o’clock in the morning I would still be at it, I also taught a course in collective bargaining at UC Extension and raised a family in those years.

About the time I finished law school the 1948 longshore strike was ending. The longshoremen had gotten the union-controlled hiring hall the hard way in 1934. The employers tried to get rid of it in 1948. It took a strike to say, “You can’t do that.” When the strike was settled, the employers installed a new bargaining agency. That group, the Pacific Arbitration Board (PAB), and the ILWU established a new grievance procedure and decided that they were going to pick the arbitrators. Before this the arbitrators were always selected by the Secretary of Labor.

By this point I was kosher with the waterfront employers. They knew about my activities with the WMC, when I used to appear publicly before big war shows in San Francisco to promote our slogan, “Stay on the job and finish the job.” This experience sort of dried the red out of me. They now thought I’d been cleansed.

Both parties, the ILWU and the PAB, asked me if I would be their Coast Arbitrator. He would be the guy to whom regional or area arbitration decisions would be appealed. I said I wanted to meet and discuss the terms. We came together in a conference room. Across from me sat Harry, Lou Goldblatt and Howard Wood of the PAB. The ILWU plus all of the employers. For the first time in their history Harry and his group and the union leaders were on the same side of the table. I was sitting over here by myself.

We started negotiating and I asked whether it would be agreeable that I could continue to arbitrate other than just longshore cases. That was worked out. We talked money and agreed on a retainer, which I needed since I had just gotten out of law school.
school and didn’t have any money. When all that was done I started, “I want a caucus.”

Harry was pressed and asked, “Who the hell are you going to caucus with?” I said, “With myself. I got to make up my mind whether I really want to do this.” Then I went out in the hall just like I was anyway when you have a caucus. I took about ten minutes thinking everything over in my mind, went back in, and said, “We got a deal.”

Under the new ILWU-PMA setup we established a process called “instant arbitration” with Area Arbitrators available 24 hours, seven days a week. Later we got Relief Arbitrators for the weekend. I can’t say that somehow it was down on the rank and file. It was instant arbitration. It occurred to me, but I’m sure it occurred to everybody else because it was so obvious. As soon as we had Area Arbitrators in place it became plain sensible.

When I met with the ILWU guys and the employers in ‘48 and they told me what they wanted to do to set up a grievance procedure, I said, “Look, you picked me as Coast Arbiter because I had a background representing unions and presumably I know something about the longshore industry. So why don’t we do the same thing with the Area Arbitrators? You’re going to have a four area system. Pick two from the union and two from the employers. You have the right to cancel ‘em at any time.” They thought that was a great idea.

We knew the locations for the four Area Arbitrators—San Pedro, Northern California, Oregon and Washington. We’re in our 51st year. At no time was any Area Arbiter dis- charged by either side. That’s not to say that there haven’t been complaints. But Harry had a firm position on that when he was ILWU president. Locals would complain about an Area Arbiter, and Harry would say, “That’s it. We’re not going to start changing arbitrators. Let ‘em die or let ‘em retire.” And that’s what’s been done. That’s the history.

So we weren’t going to have revolving Area Arbitrators. They were going to be permanent, just as the Coast Arbiter was. You have the right that the Area Arbitrators have of revolving arbitrators. Up to 1948 they had over 200 arbitration awards from different arbitrators at different ports. One thing that we were able to do after the ‘48 strike aftermath was to wipe them all out. Then we started anew.

I mentioned the concept of instant arbitration. In practice it functions like this. If any work stoppage occurs, the Area Arbiter goes right down there. The longshoremen are not supposed to strike, but they can stop work if they allege safety. The arbitrator goes down there to check it out. We’re talking about people selected from within the industry, too. We’re not talking about a professor who wrote a book. So they know something about the longshore industry.

The Area Arbiter can order a correction of an unsafe condition or say, “You longshoremen, shut out.” “That’s not a safety beef.” If the Area Arbiter finds that it is a real safety beef, he tells the employer to correct it. The longshoremen come back to work and get paid for their time standing by. There used to be other claims we don’t see now because of containers. Sometimes the cargo was stinking or in need of repair, for which there were penalties, and this would cause work stoppages.

As I recall, the first safety beef involved a load of lumber which was on a very narrow pier. Somewhere it had disintegrated. The longshoremen claimed this was an unsafe condition. They turned out to be right, too. The answer was to go down there and look at it, not sit around and wait until there was a hearing up at PMA headquarters with the ship standing by.

The idea was to get the ships out because there were crew, interest and other expenses to pay for and if the longshoremen were not working they were not getting paid. So instant arbitration was just a matter of common sense. Now, after a dispute has been settled on the dock, if you still want a formal hearing you can have it. As noted, the resulting decision by the Area Arbiter can then be appealed to the Coast Arbiter.

Over the years I have done mediation as well as arbitration. The mediator and arbitrator roles are completely different. When I’m an arbitrator, I presumably am “judge,” so you operate and they operate from that point of view. As a mediator, you are seeking an accommodation, but you can’t dictate one. Mediation is not very spectacular. It’s just hard work.

‘About 1961 I acted as the mediator between the ILWU and the ship owners in Hawaii. The union had given 48 hour strike notice. When I got to the Islands there were lots of workers and employers present when we met at the old Hawaiian Village hotel. I said, “I’m not going to mediate with a mass meeting. You’re going to have to give me a small committee,” which they did.

See, if you start mediating with a mass meet- ing, everybody’s going to disagree. If you get a small group, at least you can try to work something out with them and then tell ‘em, “Go sell it.” If they can’t, they’ll come back to you and tell you why and then you’ll try again. That’s the kind of mediation I use. It’s the only form that makes any sense. Through mediation we did arrange an agreement covering the main issues in Hawaii, by the way. So there was no strike.

I also mediated the end of the 1971 West Coast longshore strike. The strike had been going on for over 100 days. As a result of President Richard Nixon’s directions, Congress was entertaining the idea of a statute providing for compulsory arbitra- tion. Of course, Harry didn’t want that, since it would take away the union’s main weapon, the strike. So there’s no doubt that this was part of the pressure on Harry to meet with the employers. That’s when I was called in, and even though I was the Coast Arbiter, they called me in as an mediator.

We met for seven days and eight nights and came to an agreement. That ended the ‘71 strike. What was interesting to me was the in my lifetime.

As to Bridges and the ILWU, I’d say that Harry had an integrity that was recognized by the workers. He was interested in having a democrati- cally run union and he never lost touch with the rank-and-file. If you have integrity, are honest and straightforward, take firm positions—even when you’re wrong but are representing the interests of the people you’re supposed to represent in a democratic fashion with no discrimination—what else do you want? In my book, Harry had all those characteristics.

The union itself truly works in a democratic manner and is responsive to its members. It doesn’t have any dictators. Everything is submitted to a vote. The drafting of proposals is done by an elected bargaining committee. During the life of the longshore contract you have an elected Co-steer Committee which represents the members and enforces the agreement. These characteristics, while not rare, are not common in most unions. They are certainly completely rare insofar as employer groups or corpora- tions are concerned. And while the ILWU gets the credit for its success in the negotiation of longshore contracts in the world, it nevertheless has been willing to take positions on social issues. The union is in no way discriminatory. It’s not always successful with all of its own people, but it still did this. That’s why I think the ILWU is a different union and an outstanding operation.

Looking back at my nearly 70 years of experience, I’d say that in the collective bargaining field there is a “climate” at any one time. That was true in 1971. There’s a climate for settlement, a climate of excitement and a climate that’s going to lead to a strike or a dispute. It depends on whether the employers and the union have a beef or whether they want to have a beef. The climate of collec- tive bargaining changed almost immediately, for example, when the Taft-Hartley Act was passed in 1947.

Taft-Hartley came in at the beginning of the McCarthy era. It made union officers sign an anti- communist affidavit to use the federal labor board. The waterfront employers went further. They said, “We’re going to make you sign an anti-communist statement or we won’t do business with you.” They also insisted, “We’re going to get rid of the union- controlled hiring hall because the act says you can’t have any anymore.”

Taft-Hartley outlawed the closed shop, which required that all employees be union members. So this was the new climate. The result was the 1948 longshore strike, which the union won. But, the point is, in any collective bargaining situation one has to discern what the current climate is. Is it calm, is it collected, is it stormy, is it threatening? There is always a set of questions for the employers accept arbitration? Will they offer medi- nation? Will the employers accept mediation? Will the union strike? Will the employers follow the strike if they don’t want a strike? That’s what I mean when I talk about climate. This is human relations and I think that’s really what is the exciting part about collective bargaining. It’s been that way for me all my life.

As to Bridges and the ILWU, I’d say that Harry had an integrity that was recognized by the workers. He was interested in having a democrati- cally run union and he never lost touch with the rank-and-file. If you have integrity, are honest and straightforward, take firm positions—even when you’re wrong but are representing the interests of the people you’re supposed to represent in a democratic fashion with no discrimination—what else do you want? In my book, Harry had all those characteristics.

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STORY PROJECT
XI, Part III
II: From War Duty to Coast for the Longshore
1942-1999

Sam Kagel in his office when he was Northern California director of the War Manpower Commission, circa 1944. Responsible for the recruitment and retention of workers for war industries, Kagel coordinated his efforts with key labor, management and government representatives.
**ILWU International Secretary Treasurer**

One time word got around that they needed people at the Local 6 hall. Curtis McClain was one of those Local 6 in the 1970s asked us to picket this place at Eighth and Mission in San Francisco. We had a crowd of at least 20 scabs. Leading 'em was this big bastard. I went up to him and the scab said, "Well, Curtis grabbed that club with both hands. The cop said, "Are you trying to attack me?" McClain said, "No, but you are not going to hit me, I'm going to hit you."" I'll never forget that. ‘There's a labor leader for you!' —Oral History of Ted “Whitey” Kem, ILWU Local 10

But, you are not going to hit me, I'm going to hit you.”

Curtis McClain, ILWU Secretary-Treasurer Emeritus, died November 6 after a long illness. He was 80 years old. He was part of the first generation of African-American leaders to break the color line in the West Coast labor movement.

McClain’s service as an ILWU officer began in 1960 when he was elected Local 6 Business Agent. For at least 15 years before that he had been an activist and steward at Schmidt Lithography, a large Local 6 house in San Francisco. He was elected Local 6 President in 1969 and International Secretary-Treasurer on 1977. He was re-elected to that position five times, retiring in 1991.

"Curtis was a class act,” said Keith Eickman, who served as Secretary-Treasurer of Local 6 during many of the years McClain was president. "He was really passionate about the union and all the things it stood for. But he was so inclusive, he was so warm and he cared. He was a good man.”

"He was a natural leader,” remembered longtime Local 6 leader Leroy King, who, with McClain was one of the first generation of post-war African-American ILWU leaders. He helped lead the efforts to break the color line, not only in the ILWU, but in the general construction industry. He was an outstanding negotiator and union officer. And he took care of business as a member.

Over nearly 20 years as a leader in the Bay Area warehouse industry, McClain compiled an enviable record of achievement on behalf of the members of Local 6 which, at that time, had as many as 5,500 members with offices in San Francisco, Oakland, Crockett, San Mateo, San Jose and San Leandro.

• With Lou Goldblatt, he helped pilot the union back into the leadership of Local 6. He was appointed by the late Mayor George Moscone.
• He opposed McCarthyism and the Cold War, an early part of labor’s opposition to the Vietnam War and supported other efforts for world peace.
• He built a close relationship between Local 6 and Local 142, and between Local 6 and the Longshore Division.
• McClain was overwhelming-ly elected International Secretary-Treasurer in 1977. Working closely with President Jim Herman and Vice-Presidents Ruby Rubin, Randy Vekich and George Martin, McClain helped pilot the union back into the AFL-CIO and carefully managed the union’s financial resources. He continued to speak for the ILWU on major political and social issues. Upon his retirement, he was named Secretary-Treasurer Emeritus.

Curtis McClain was born in Akron, Ohio, July 1, 1925, one of 17 children of Judge and Oteleah McClain. Curtis’s father was a rubber worker who, although he worked for several large rubber companies as a skilled moldman, could never make it into membership in the craft union in that trade. Still Curtis remembered, "I often used to hear him talk about the good of a union, even though he did not belong to one.”

Finishing high school early in World War II, McClain was drafted into the Navy as a cook’s helper. By the time he was discharged in San Francisco at the end of the war, he had risen to the rank of First Gunner. The war changed the course of McClain’s life, as it did for many African-Americans of that generation. As he would often say, “it was about how come I can fight against racism all over the world, but he sub-ject to it when I come home.”

Settling in San Francisco after his discharge, he married the late Olean Avery McClain. They had two sons, Rene and Charles. With a young family to support, he was interest-ed in learning a skilled trade. But these jobs remained closed to African-Americans. So he did the next best thing. He went down to the Local 6 hall in San Francisco where, as he remembered, “color was no barrier” and landed a vacation relief job in the warehouse at Schmidt Lithography, a 750-man, multi-union print shop.

“I went into the paper seasoning department where work was sweaty, hot and dusty. Although it was the last place I wanted to work, I needed the job, so I stayed for 14 years,” he said.

Doors kept closing. “I wanted to work in the bull gang,” he said. “I had to do a lot more money on a straight time basis and you had the opportu-nity to work overtime and you could operate a lift or a jitney. But when I asked to be sent to the bull gang, I’d be told I was too important to be moved...Someone else would then come from the ball, would just hap-pen to be white and would work the bull gang and get the overtime pay.”

McClain continued to search for a means of advancement, and after four years he was made foreman. But he wanted more. “I had hopes of being admitted to a apprenticeship program in the printing or the electrical trades once they got to know me and saw that I was really interested,” he said. “But that’s where you really encountered the old runaround. You didn’t get into the lithographers’ or the printers’ union, you didn’t get into the electro-nical department. I saw many people come in, begin an apprenticeship and become journeymen. I had electrical training, but I was never allowed into the trades.”

McClain was not alone in his frustration. Many of the early black mem-bers of Local 6—Dick Moore, Leon Crockett, Roland Johnson, LeRoy King—shared the same experiences. Local 6’s racial politics were better than they should have been, painfully to be passed over time and again.

Calling themselves The Frontiers-men, a group of African-American members began meeting to talk about the union problem.

“We discussed grievances we thought were not being handled prop-erly, we discussed the need of having a board of people being bypassed for jobs and at that time you did not find blacks in the vast majority of the good clas-sified categories.”

There was a feeling that African-Americans with grievances or other problems were not always represent-ed aggressively by the union. And as an obvious reason, many African-American members were interested in assuming leadership roles in the union.

“We did a great deal of good not only for the black members, but for the union as a whole. Things worked out as they should have, in a more democratic fashion,” recalled in the early 1970s. “We began working together on the job, forming good house committees and a strong stew-ar-dship and elected council that people who were going to work for the whole union.”

These years, the late 1940s and early 1950s, were hard years for Local 6. There were short strikes, a sit-down in 1947 and 1948 and then a 111-day strike in 1949. There were attacks by the fed-eral government, and raids by other unions. Articulate, informed and con-scientious, McClain was drawn more into the leadership of Local 6. He became a steward and a member of the Schmidt warehouse negotiating committee.

With the support of the Frontiersmen and many of his friends and supporters like Billy Lufrano and other friends like Billy Lufrano and Keith Eickman, he ran for busi-ness agent. Three times he lost, but finally, in 1969, he was elected as the first African-American business agent in the history of Local 6, and was re-elected through the 1990s, with the highest vote of any candidate. He was elected Local 6 president in December 1989.

“For many of us in the next gener-a-tion, Curtis McClain was a mentor and a friend,” said International Secretary-Treasurer Willie Adams. “He support-ed young leaders. He wanted the union to go on. He had endless patience. We are going to miss him.”

Curtis is survived by his sons Rene McClain (and his wife Doris), Charles McClain and Eric McClain; his dear-est friend Mary Alice Bolender, her son Joe Benjamin; three grandchil-dren, Shawn, Curtis and Sylvia; one great-grandson, Donovan; two broth-ers, George and Henry McClain, and two sisters, Lucile Jingles and Kate Jackson, countless nephews and a host of friends throughout the ILWU.

Curtis McClain’s statements are excerpted from oral history inter-views conducted by Danny Beagle, Curator of the ILWU Oral History Project, and by the Moreland- Spingarn Research Center at Howard University.

—Danny Beagle

**ILWU International Secretary Treasurer**

November 2005
Emeritus Curtis McClain 1925-2005

(left) McClain the young rank-and-filer; (center) McClain with ILWU International President Jimmy Herman, 1989; (right) McClain with President Herman and International Vice-President Rudy Rubio (center behind) at the 1984 anti-apartheid demonstration at UC Berkeley’s Sproul Plaza.

McClain with his predecessor International Secretary-Treasurer Lou Goldblatt during master warehouse negotiations.

Local 6 President McClain with other Local 6 officers Keith Eickman and Leroy King picketing the NLRB at the San Francisco Federal Building, 1971.

Local 6 President McClain at a 1974 Sears strike picket line.

McClain, right, with Local 10 President Cleophas Williams and Eleanor McGovern at a George McGovern for President fundraiser in 1972.

(left) McClain with Congresswoman Nancy Pelosi, 1992; (center) McClain, right, with Congressman John Burton, center, and longshore Local 10’s Carl Smith, 1977.
Wal-Mart in trouble

Just before release of a devastating film about its treatment of workers and their health care costs, Wal-Mart, the biggest U.S. employer—and one that is virulently anti-union and anti-worker—finds itself facing a new threat: A new, free association founded for its present and former workers.

The Wal-Mart Workers of America (WWOA) is not the union the retailer fears. But it has union backing, and one that is virulently anti-union and anti-worker—finds itself facing a new threat: A new, free association founded for its present and former workers.

The WWOA was founded after the international week of protest against Wal-Mart's abuses of its workers, but its harm to communities through its "big box" stores, which drive local retailers out of business and destroy three better-paying jobs for every two low-paying positions that Wal-Mart creates.

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Longshore Local 23 members wanted to do something to commemorate the rights that Rosa Parks on the occasion of her death Oct. 24. Member Scott Mason, who is also a human rights Commission, asked the commission to dedicate its Oct. 29 meeting to Rosa Parks. The commission read the proclamation Congress Adam Smith (D-WA) had earlier entered into the Congressional record in Parks' honor.

"Nearly half a century ago, she refused to give up a seat she sat in and she lit the spark of the civil rights battle..." Mason read. "She was a woman of quiet dignity and a long-felon for right equals for all Americans.

The Commission then asked Mason to bring that proclamation to the Tacoma city council. When Tacoma Mayor Bill Baarsma heard of Mason's action, he moved quickly.

"I invited Mason to speak before the City Council," Baarsma said. "After he spoke I made a motion to dedicate the meeting to Rosa Parks' memory.

"The woman Local 23 honored was a woman of quiet dignity and a life-long fight for human rights..." Mason said.

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