



The DISPATCHER

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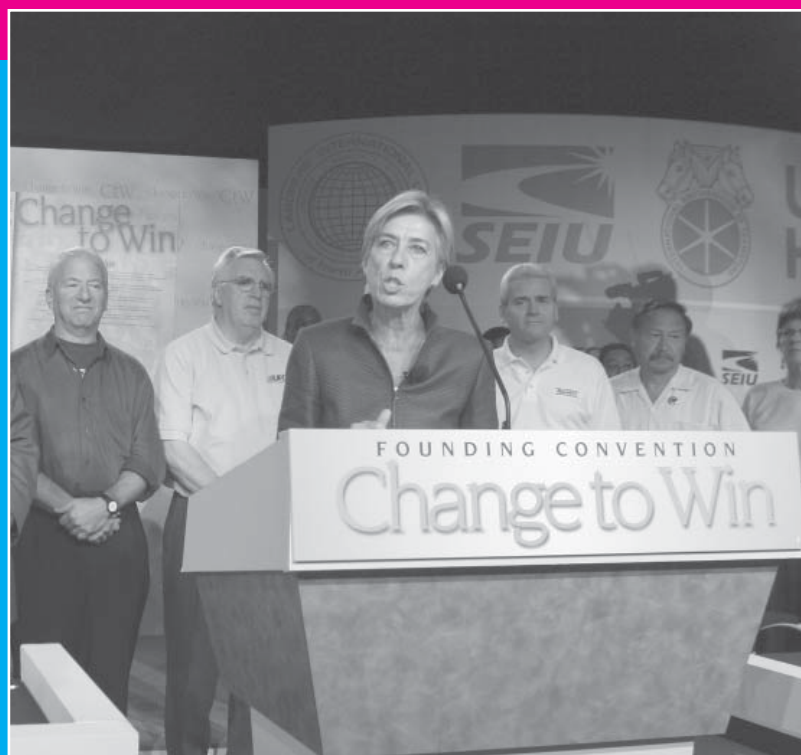
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Inside Line

IT'S IN THE AIR

The old saw of environment versus jobs is dying hard, but its days are numbered. The idea that concern for not being killed by poisons and pollution is a “job-killing” policy is *almost* a thing of the past. More and more workers and their unions are understanding this is a false choice, imposed by the owning class to make working people pay for profit and privilege one way or the other. It's not acceptable that the only way to make a living means over the long run killing yourself, your family and your community.

It's been 35 years since the first Earth Day sought to bring environmental consciousness to the general public. Most of today's workers grew up with that as an accepted background moral. We now all recycle, try to avoid chemicals in our food and water and know we should conserve water and energy even if we don't always do all we could.

Manufacturing and the ever-increasing transportation industry in the U.S. and Canada have been coming under increasing scrutiny and criticism as their health affects accumulate and become statistically obvious. Not surprisingly, where pollution is at its worse—in the California ports of Los Angeles, Long Beach and Oakland—is where the movement against it is organizing the strongest and loudest.

Now the LA Harbor Commission, with anti-pollution pioneer S. David Freeman as its new president and ILWU Local 13 member and Southern California District Council President Joe Radisich, is moving rapidly and radically to make Los Angeles the international model of a low-pollution port. They understand that jobs and economic expansion need sustainable systems and bold action. They are looking to quickly put in place new technologies for low- or no-polluting equipment for docking vessels, yard equipment, trucks and railroads.

Whether the Commission's ambitious goals can be achieved, especially in the time frame being projected, remains to be seen. But it certainly won't happen with that aggressive attitude, without the approach that you can both clean up and grow the port.

Diesel pollution has been a community issue for more than 15 years in the poor, mainly African American, West Oakland neighborhood adjacent to the port. Asthma and lead poisoning have been endemic in the children there for years.

So a movement to change the laws and culture of pollution has arisen there, a coalition of environmental, health and community groups. The ILWU, many of whose local members are from the area, has added its authentic voice, lending clout, legitimacy and moral righteousness to the cause. (see story page 4)

In the current political atmosphere the movement toward cleaner ports that have less public health impacts is so necessary that it is nearly unstoppable. From the ILWU's top officers to its rank and file, that is understood and is increasingly becoming part of the union's policy and program.

On-the-job injuries are not just traumas like broken bones or smashed hands. The steady poisoning of pollution and chemical exposures can take health and life too. And that business as usual will no longer be allowed.

—Steve Stallone
Editor

PRESIDENT'S REPORT

Remembering the past to better the future

By James Spinosa
ILWU International President

Time goes so fast in our hectic, modern world that taking the time to look back—even a short while—is hard to find. Seeing the patterns in those events and trying to figure out what they mean for our future is even harder. But what happens to the ILWU, our members and their families, and what happens to the working people of this country and around the world depends on our figuring it out.

In late September I and 15 other ILWU officers and rank and filers flew to Liverpool, Great Britain. We went to participate in a commemoration of a dock worker struggle 10 years ago that has defined port labor relations around the world ever since (see story page 3).

As part of an anti-union campaign in Great Britain in the 1980s conservative Prime Minister Margaret Thatcher's government abolished the country's National Dock Labour Scheme set up after WWII that nationalized the ports and guaranteed job security for union dockers. The ports were privatized and casual, non-union workers brought in to replace the union ones. The Liverpool dockers, some of the country's strongest and most militant union workers, resisted the buyouts and held onto their jobs.

But in September 1995 a group of about 80 dockers set up a spontaneous picket line when about 20 of their co-workers were fired and replaced by non-union workers. The remaining 400 dockers refused to cross the line. An injury to one was an injury to all.

For their efforts all the Liverpool dockers were sacked and replaced by non-union workers. In response, the dockers, who had a history of solidarity, taking actions in support of South Africa's anti-apartheid movement, against Chile's military dictatorship and others, tried to organize an international movement in support of themselves this time.

The ILWU understood the significance of this episode early on, understood that if long-unionized dockers in a major world port could be quickly replaced by casual workers laboring without guaranteed wages and conditions, it could happen to any longshore union. Our members contributed heavily to the financial support of the unemployed Liverpool dockers while they kept up their picketing and fighting to get their jobs back.

In 1997 the *Neptune Jade*, a ship loaded by the employer that fired the Liverpool dockers, sailed into the Port of Oakland. ILWU members refused to cross a community picket line and wouldn't touch the cargo. The ship sailed on to Vancouver, B.C. where ILWU members there also refused to handle it. Japanese dockers gave it a similar greeting when it went there. The action buoyed the Liverpool dockers' hopes, but was not by itself enough to win them back their jobs. The international dock workers movement wasn't united and coordinated enough at that time to beat back this concerted attack on Liverpool.

Still their loss exposed things all of us in the international dockers movement learned from and must continue to learn from, things about solidarity in action, and about its strategic, coordinated and timely use.

At the same time we learned the employers' strategy against us. So we were not surprised when in 1998 Australian Prime

Minister John Howard and Patrick's Stevedoring moved against the Maritime Union of Australia. This time the international dockers movement mobilized quickly and with multiple actions.

The ILWU took action against the first scab-loaded ship from Australia, the *Columbus Canada*, when it came to the U.S. Again, ILWU members, this time at the Port of Los Angeles, wouldn't cross a community picket line to work the cargo. The ship was sent back down under and reloaded by union labor. Other docker unions around the world also responded immediately with solidarity actions, and the combined effect backed down our enemies.

When the employers and the state of South Carolina decided to test the strength of ILA Charleston Local 1422 in January 2000, bringing in scab labor to do the local's work, the union longshore workers set up a picket line. When a massive police force was sent in to bust heads and imprison workers like they used to do in the Old South, the ILWU was there immediately to say “No!” And we moved quickly to rally other unions, union federations and civil rights and community groups to the cause.

Then the Spanish dockers of *Coordinadora* backed us up with targeted pressure on the employer that had used scab labor in Charleston. That pressure made the employer back down, and the right-wing state Attorney General spearheading the case saw

his political career vanish, the Charleston Five won their freedom and the longshore workers of Charleston are stronger than ever.

Then came the ILWU's turn with our 2002 negotiations. Sure we played that bargaining tough and shrewd. And we had big support throughout the American labor movement. But the employers also knew the ILWU belonged to international dockworker associations that were committed to supporting us. That gave the employers pause and saw us through to our victory.

In all their calculations, there was one

variable the employers could never quite account for. They could never quite comprehend workers' empathy and compassion for each other, in a word—solidarity.

At the gathering in Liverpool, leaders of docker unions around the world recommitted themselves to each other and the international movement to keep our ports union and safe. We have a common understanding of what we are up against, the globalized forces seeking to eliminate strong, unionized port workers. And we are using that knowledge and new technologies to globally organize and protect ourselves.

The ILWU has been in the forefront of this international docker organizing. We belong to both the International Transport Workers' Federation (ITF) and the International Dockworker Council (IDC), solidifying our network of support. We are doing what we need to do to be prepared for our 2008 negotiations.

But our employers are relentless. They have no intention of conceding our victories and trying to peacefully co-exist.

As we have seen with the recent attacks on our Chilean brothers in the Port of Iquique, as we have seen in the latest attempt to privatize the European Union countries' docks and the Dutch government's moves to eliminate union dockers' rights and jobs, as we have seen in the continuing moves of the Australian government to outlaw unions, they are not letting up. And neither will we.

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10th Anniversary of the Liverpool Dockers' sacking Dockers gather to commemorate Liverpool struggle

By Jack Heyman

Once again dockworkers from around the world met in Liverpool Sept. 23-24, this time not to co-ordinate solidarity actions for the Liverpool dockers, but to recognize those unions that participated in the worldwide actions and learn the lessons of that struggle in preparation for future waterfront battles.

The Liverpool struggle began 10 years ago when young dockworkers spontaneously set up a picket line over substandard conditions and other union members of the Transport and General Workers Union (T&G) honored their picket line, as they had always done. All 500 dockers were sacked by the employer, Mersey Docks and Harbour Company.

Starting the weekend's main event, Liverpool dock steward Jimmy Nolan opened by reminding participants that the gathering was not a celebration because the dockworkers did not win their struggle, rather it was a commemoration of a struggle that reignited militancy and underscored the necessity of international workers' solidarity in today's global economy. In the heat of the Liverpool battle, maritime unions around the world awakened to their call—from Europe to Japan, the United States, Canada, Australia and New Zealand.

In the end the Liverpool dockers lost because they couldn't mobilize mass picketing on the Mersey docks to stop scabbing. That key element of solidarity was betrayed by the lack of support of their own union, the T & G, the Trade Union Congress (Britain's AFL-CIO) and British Prime Minister Tony Blair's so-called New Labour Party.

Bob Crow, General Secretary of the Rail, Maritime and Transport Workers Union (RMT), whose union was recently purged from the New Labour Party for its militancy and opposition to the war in Iraq, fired up the crowd when he cited the illegal strike action by Gate Gourmet workers, mainly South Asian women, earlier that month. Their action sparked an unofficial strike by baggage handlers that grounded all flights of British Airways at Heathrow Airport. He condemned the banning of solidarity actions by Thatcher's anti-union legislation and left intact by Blair's New Labour Party.

To rousing applause Crow asked, "What's a 'secondary' action? Surely that's what the trade union movement is based on."

One of the first speakers was ILWU International President Jim Spinosa, who headed a delegation of 15 members and officers. He reminded the audience that the Liverpool dockers' struggle had inspired longshore workers to network and to organize solidarity actions: first, the *Neptune Jade* in Oakland in support of the Liverpool dockers, then the *Columbus Canada* in Los Angeles in support of the Australian wharfies, then actions in defense of the Charleston longshoremen and most recently the bloody police assault on dockworker union president Jorge Silva Baron in Iquique, Chile. Spinosa noted what dockworkers have been learning in this era of international capitalism.

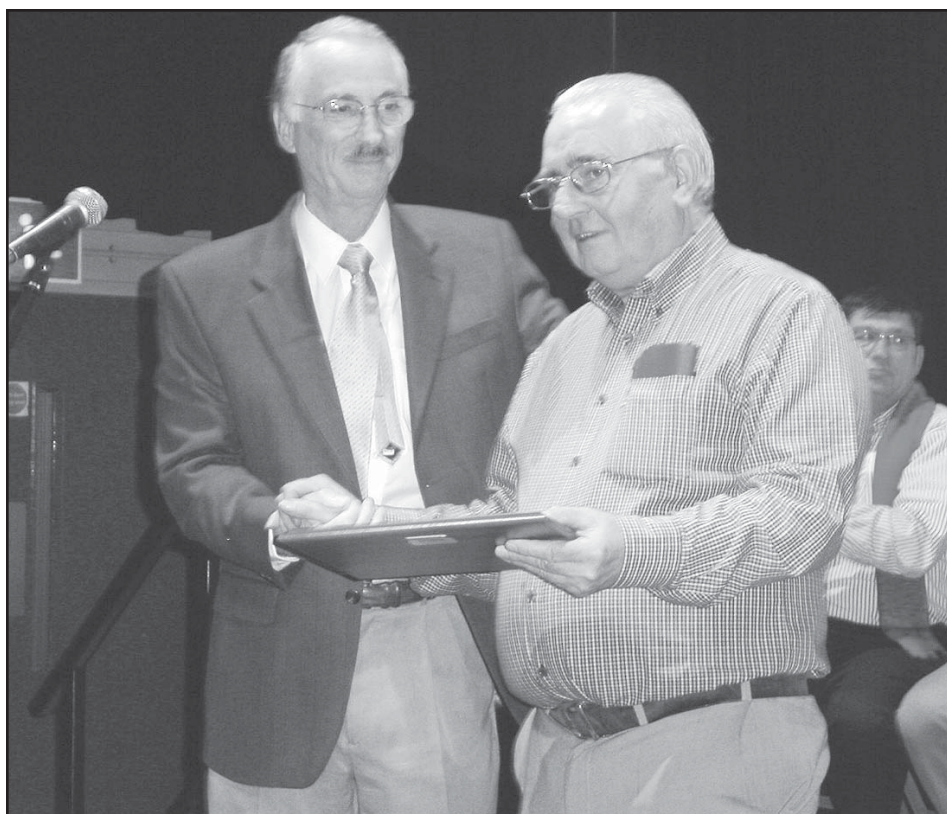
"We have to understand how the employers have been able to mobilize and get an upper hand in globalization," he said. "They project out 10, 15, 20 years. We working people are now doing the same thing, hooking up with organizations and networking around the world in solidarity. We are closing the world tighter and tighter so we can put together actions much quicker than we did for the Liverpool situation."

Receiving warm applause for his open and honest appraisal, Frank Leys, Secretary of the ITF Dockers Section, acknowledged that mistakes were made by his five million-strong organization during the Liverpool dispute. The T&G never supported the strike, making it unofficial and thereby illegal. Since the T&G was an ITF affiliate, the ITF didn't support the dockers either.

"Staying silent has never brought the workers forward," Leys said. "Mistakes of the past will be remembered in order to avoid repeating them."

He exhorted all dockworkers to unify now in order to fight and defeat the European Unions' Port Directive on "selfhandling" that would allow ships' crews to do longshore work in port. If implemented in Europe, this union-busting move will be repeated in all the world's ports.

Ken Riley, president of ILA Charleston longshore Local 1422,



Steve Zeltzer

ILWU International President Jim Spinosa presents Liverpool dock steward Jimmy Nolan with a plaque from the ILWU recognizing the historic struggle of the Liverpool dockers.

recounted how their contract struggle with Nordana Lines in 2000 and the subsequent Charleston 5 defense campaign was ultimately successful because of ILWU's international dockworker links, especially the *Coordinadora* of Spain, that were brought into play. These bonds were forged at international conferences in support of the Liverpool dockers.

In the tradition of Harry Bridges' good Aussie friend, Tas Bull, then-head of the waterfront workers union, Paddy Crumlin, National Secretary of the Maritime Union of Australia (MUA) spoke poignantly about the practical reality of the state of trade unions and of class struggle globally. He praised the Liverpool dockworkers for their courageous struggle and criticized Bill Morris, then-General Secretary of the Transport and General Workers Union, for not supporting the strike.

"The ITF should have played a stronger role, no matter how difficult, in making sure it was a win...not a loss," Crumlin said. He said now the movement has "the experience to go forward" and "we've learned the

lesson from the Liverpool struggle: unions must organize properly, supporting rank-and-file workers on the job, and organize globally."

As an example, Crumlin cited the ILWU's solidarity action during the MUA strike. The *Columbus Canada* had been loaded by scabs in Australia and because of the labor-community picket in the port of Los Angeles, the ship was forced to return to Australia to be loaded by union wharfies before it would be discharged on the U.S. West Coast.

He pointed out that dockworkers' unions are being targeted by maritime employers and the governments because of their progressive stands, including dock protests against wars like in Vietnam and Iraq.

"They are systematically taking us on because we are a threat to what they are doing to our societies and our global market, and I'm proud of that," Crumlin said. "We've identified the enemy and most of us here have looked the devil in the eye and we find if we are prepared to stick together and work together, the devil always blinks."

How international labor solidarity works—The *Neptune Jade* action

The activities commemorating 10th anniversary of the start of the Liverpool dockers' struggle began with the showing, appropriately, of the video "Solidarity Has No Borders: The Journey of the *Neptune Jade*."

"There were many actions in support of the Liverpool dockers during the course of our two-and-a-half-year struggle, but one stands out, the *Neptune Jade*," Liverpool dock steward Terry Teague said when introducing the video.

The *Neptune Jade* action will leave a high watermark on the pilings of labor history because of its boldness, level of co-ordination and timing.

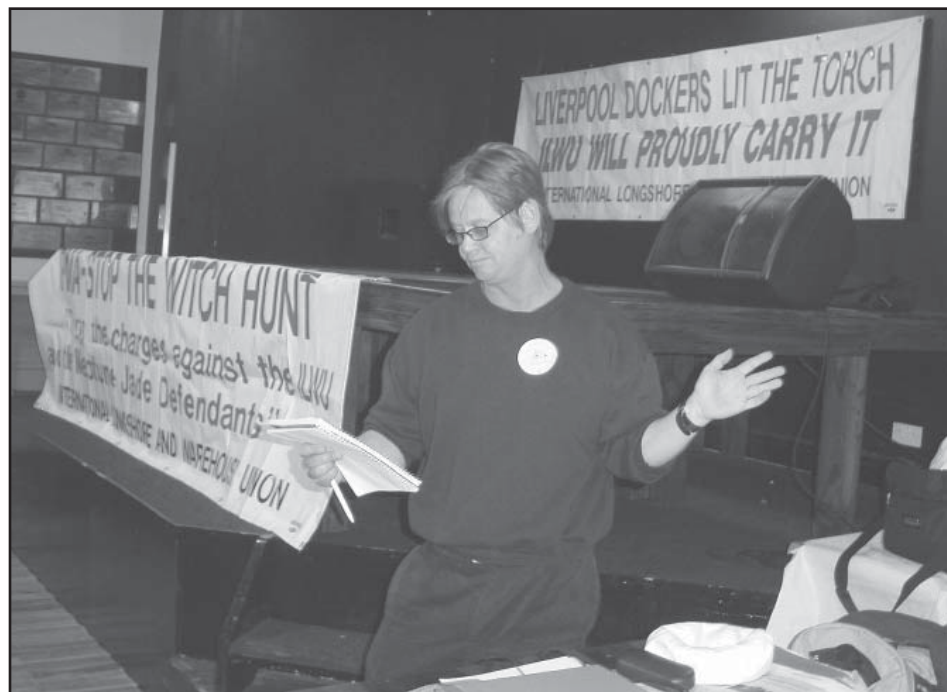
"The action came at just the right time because after two years in dispute the men's spirits were low and this picked 'em right back up," Mickey Tighe, Liverpool dock steward, noted.

It enabled the stewards to keep the dockworkers together. Like a ripple in the water, it reawakened workers' awareness of the importance of international solidarity and became the model for other solidarity actions that followed, like the 1998 boycott of the *Columbus Canada* in Los Angeles

in support of the Australian wharfies and the action by the Spanish dockers against the Nordana shipping line in support of the Charleston Five longshore workers.

Since previous arbitrations restricted the employer group, the Pacific Maritime Association (PMA), from retrieving its losses due to industrial actions by the ILWU, it moved to sue the individuals who were on the picket line for the financial hit its member companies claimed they took because of the picket. The PMA subpoenaed documents with information about who they were from the ILWU International, *The Dispatcher*, and Locals 10 and 34. Eventually PMA hauled then-International President Brian McWilliams and *Dispatcher* editor Steve Stallone into court, seeking to have them found in contempt of court and thrown in jail if they continued to refuse to turn snitch. The ILWU won that case based on a ruling that found that *The Dispatcher*, as a newspaper, had a First Amendment right to gather information without the interference or intrusion of the government.

In pre-trial motions the charges against two of the three only named



Steve Zeltzer

ILWU/IBU member and *Neptune Jade* picket captain and defendant Robert Irminger recounted the picket action and court case at the Liverpool commemoration gathering.

defendants, Local 10 activist Jack Heyman and the Golden Gate chapter of the Labor Party, were thrown out and the court restricted PMA to suing

only those it allegedly had evidence committed illegal acts on the picket line. But the court allowed PMA to

continued on page 11

WASHINGTON REPORT

Protecting longshore pensions from Congress

By Lindsay McLaughlin
ILWU Legislative Director

Sometimes the interests of ILWU members and their employers coincide and it makes a world of sense to work together. We seek to work with employers on a national sugar policy and against trade deals that give ILWU sugar jobs away. We seek to work with our employers on a national health care program that preserves health benefits. On the issue of pension legislation, the ILWU and the longshore employer group, the Pacific Maritime Association, agreed to work together to protect the pension agreement reached in 2002 embodied in the Coastwise contract. The agreement to work together in Congress was reached at the highest level in a discussion between ILWU International President James Spinosa and PMA head James McKenna.

In 2002, longshore negotiators and the PMA agreed to a pension funding schedule that was approved by the Pension Benefit Guaranty Corporation (PBGC). The PBGC is a federal corporation created by the Employee Retirement Income Security Act of 1974 and charged with insuring workers' pensions. It currently protects the pensions of 44.4 million American workers and retirees in 31,200 private single-employer and multi-employer defined benefit pension plans.

The PBGC receives no funds from general tax revenues. Its operations are financed by insurance premiums set by Congress and paid by sponsors of defined benefit plans, investment income, assets from pension plans trustee by PBGC, and recoveries from the companies formerly responsible for the plans.

In order to receive approval by the PBGC, the ILWU-PMA plan had to show that the covered work in the agreement was stable, demonstrate that its funding schedule constitutes an effective and sound method for funding the benefits provided under the plan, and establish that if one or more of the employers withdraw from the plan, the funding schedule poses no risk to the PBGC. The 2002 contract's pension plan passed all those tests.

However, legislation being considered by the House and Senate would alter this funding schedule. The legislation would mandate certain funding levels Congress deems safe for multi-employer plans similar to the ILWU-PMA plan. The 2002 agreement, with its increases in benefits, was designed to dip below Congress' newly defined "safe" level, and most likely will next year. But in the future it would rise above it based on the growth and profitability of the industry and the funding requirements built into the plan. But in the meantime the legislation could require changes in the 2002 contract that might complicate the collective bargaining process.

Both the ILWU and the PMA agreed that, given that the pension plan was approved by the PBGC, we must protect the sanctity of the collective bargaining agreement. Both the union and the employer spoke to representatives of Sen. Edward Kennedy (D-MA) and Sen. Mike Enzi (R-WY) who will manage the legislation on the Senate floor. They agreed that we made a strong case for the preservation of our existing ILWU-PMA funding plan, and agreed they will sponsor an amendment on the Senate floor that protects this plan. We hope that the House of Representatives will adopt the same or a similar provision.

We had expected the Senate to take up this issue several weeks ago, but Sen. Mike DeWine (R-OH) and Sen. Barbara Mikulski (D-MD) put a hold on the bill. At issue is a provision in the legislation that would force companies with low credit ratings to beef up their pension contributions. The sponsors of the legislation say it's a form of assurance that if companies go bankrupt, at least they will have put some money in their pension funds for current and future retirees. The requirement would kick in if a company's credit rating went to junk bond status for two consecutive years.

But the United Auto Workers and

the AFL-CIO say that's unfair. They say plenty of companies have fluctuating credit ratings, even those that are considered junk bond status, yet they keep their pensions. Secondly, if a company is struggling financially, as indicated by its low credit score, why penalize it by making it pay out cash that it needs for operations? That might push it into bankruptcy and make it eliminate its pension plan or freeze out new employees from participating in the pension.

Although the labor community is pleased that the Senate bill attempts to take action regarding the crisis in the airline pensions, there is great consternation that the single-employ-

er plan provisions make workers pay the price for pension reform. In a letter to the Senate, the AFL-CIO said that unfair provisions include new restrictions on benefit increases and freezes on benefit accruals as well as cuts in federal pension guarantees.

"Not only are arbitrary automatic limitations on pension accruals and benefit increases unfair to workers, they put rank-and-file workers at risk of employer manipulation of their pension plan's funding," said Bill Samuel, Legislative Director of the AFL-CIO.

The legislation includes provisions sought by airline unions and carriers for leniency regarding their pension plans. Offering greater leniency "would dig that hole deeper and put more workers' pensions at risk," said Senate Finance Committee Chairman Charles Grassley (R-Iowa), whose committee shares jurisdiction over the legislation. "At some point, Congress has to say enough is enough."

He suggested he would scuttle the bill—along with its airline aid provisions sought by Delta Air Lines and other carriers—rather than agree to more concessions.

Delta badly wants a provision that would allow cash-strapped airlines to spread pension plan payments over many years. The current Senate version has a 14-year provision, while Delta wants 25.

The outcome of the airline aid issue could bear on whether Delta, flying under Chapter 11 bankruptcy protection, tries to terminate its pension plans to save cash. Such a move would shift responsibility for pension payments, up to certain limits, to the PBGC.

A number of labor unions along with their employers are working in a coalition to reform the pension laws. As flawed as the pension legislation may be, unions involved in the National Coordinating Committee for Multiemployer Plans (NCCMP) including the Teamsters, Iron Workers and other Building Trades unions, have advocated legislation that may in fact allow pension plan trustees to make cuts to ancillary benefits that have been promised. Ancillary benefits are not the primary promised benefits to retirees, but they may include disability and certain other subsidized early pensions. In their view, they would rather see some cuts rather than have the plans fail.

We are living in an America where corporations continue to steal—legally—from the American people and from their employees. Last summer the courts agreed to let United Airlines renege on nearly \$10 billion of its pension promises to 134,000 of its workers.

But this isn't just about United. It's about corporate America breaking its promises to workers. Many companies that are not shirking their pension obligations by filing for bankruptcy are switching their defined benefit pension plans—which promise a fixed monthly check—over to riskier defined contribution plans like the 401(k) that is dependent on the uncertainties of the stock market—or to no plan at all.

ILWU longshore workers have a solid plan, a great union and work in an industry that is growing and profitable. If we are successful in getting the amendment that will exempt the ILWU-PMA plan from these new regulations, it will continue to serve us well through our collective bargaining process.

DITCHING DIRTY DIESEL



John Showalter

Longshore Local 10 President Trent Willis (at microphone) joined health, environmental and community groups Oct. 18 to publicize a state law prohibiting diesel truck idling that has been on the books for over a year, but is regularly ignored and violated. They held a press conference on the issue and ILWU members handed out more than 600 informational flyers to truckers at the Port of Oakland.

Local 10's actions were part of a coordinated "Don't Sit Idle Day of Action" by the Bay Area Ditching Dirty Diesel Collaborative, a group of 20 organizations—including the American Lung Association, the United States Environmental Protection Agency, the California Department of Health Services, the Pacific Institute, Contra Costa Asthma Coalition, West Oakland Environmental Indicators Project and Bayview-Hunters Point Community Advocates—whose goal is to reduce diesel pollution regionally.

Particulate matter from diesel engine emissions, the fine black soot that pours from truck smokestacks, has been shown by various medical experts to be carcinogenic and contributes to higher rates of childhood and adult asthma, as well as other medical conditions. In portside communities like West Oakland, residents face 90 times more diesel emissions than the state average, while there are more than 350 asthma-related emergency room visits per year associated with diesel pollution in the Bay Area.

Willis was joined by Oakland City Councilmember Nancy Nadel, regional physicians and public health experts, truckers and representatives of various communities whose health has been most severely impacted by diesel emissions. Willis said his local was supporting the Day of Action's efforts in the Bay Area because he and his fellow longshore workers are part of the community and that they are exposed to the same risks from diesel emissions at work and home as other Alameda County residents. Willis also pointed out that more state revenues must be devoted to building a cargo movement infrastructure that does not pollute the air and relies upon alternative fuels—like biodiesel or liquid natural gas—which produce far fewer emissions harmful to people's health than petroleum-based diesel.

"We're spending billions monthly on the unjust war in Iraq, and this money could be going towards improvements in port infrastructure, highways, rail infrastructure and other projects that allow cargo to move freely without trucks idling in our neighborhoods," said Willis. "This money could also go towards retrofitting tractors and trucks to burn biodegradable fuel."

Two days after the Day of Action, Bay Area Ditching Dirty Diesel Collaborative members persuaded California Air Resources Board (CARB) officials at a public meeting in Sacramento to close a loophole in the state idling law that permits trucks with sleeper cabs to run their engines while drivers take naps. The CARB voted unanimously Oct. 20 for the new regulation after Collaborative members illustrated the impacts of these vehicles' emission on community health while also showing how its passage would allow truckers to conserve 160 million gallons of fuel each year statewide. One technological solution to overnight truck idling being installed at locations around California is called Truck Stop Electrification (TSE), which allows truckers to plug in to an electric grid when they park.

—John Showalter

How the other half percent die

by Jack Rasmus

After more than four years of incessant tax cuts for the wealthy and corporations, George W. Bush and Co. are now preparing to come back to the table for another huge tax cut feast at the expense of workers and consumers in America.

Congress has passed record tax cuts every year from 2001 through 2004, with more than 80 percent being distributed to the wealthiest taxpayers and corporations. Last April the House of Representatives passed—and now the Senate is considering—another \$1 trillion handout to the rich by repealing the Estate Tax, also called the “Death Tax.” It is a tax heirs of the super rich pay when the head of the family’s estate dies and leaves his or her property to them as beneficiaries.

Even before the current proposed Estate Tax cut, the tax burden in the U.S. has been shifting dramatically for the last several decades—with workers paying relatively more and the wealthiest one percent of households paying progressively less.

In 2000, the year before Bush took office, the Estate Tax applied to only two percent, or 52,000, of the 2.5 million heads of households who died that year. And for that two percent, there was still a \$1.35 million deductible before a 55 percent tax rate on the estate applied.

Following Bush’s 2001 Estate Tax cut, less than one percent of wealthiest families remained subject to the tax. By 2005 the 52,000 eligible for the tax had been reduced to only 13,700 out of the more than 2.6 million heads of households projected to die this year. And even their deductible level has been raised to \$4 million and their tax rate has been reduced to 45 percent. Furthermore, under the current law, by 2009 the deductible will rise to \$7 million, and only 2,400 will be subject to the tax at that time.

Still, Bush and his wealthy backers have been pressing hard throughout 2005 for immediate and permanent repeal of even today’s watered-down Estate Tax. Even though that tax is scheduled to disappear altogether after 2009, they are refusing to wait four more years.

Hurricane Katrina recently dealt a wild card into the table stakes Estate Tax-cut game, however. With what looks like \$500 billion at minimum needed to rebuild the Gulf Coast, it may prove difficult (though not impossible) for pro-corporate/pro-wealth interests to pass another \$1 trillion tax cut for the wealthiest one percent of taxpayers at the same time.

So as a contingency Bush and the pro-wealth interests in Congress have developed a fall back position nearly as generous in the event a permanent repeal of the tax is not immediately possible. Led by Senator Jon Kyle (R-AZ), an alternate proposal in the Senate at present is to raise the Estate Tax’s exemption immediately to \$7 million (or higher) and immediately reduce the 45 percent tax rate to 15 percent. That would produce a tax cut of more than \$700 billion over the coming decade alone, with more to follow, for the wealthiest 0.3 percent of households left subject to the tax. Even that \$700 billion is probably an underestimation, since other provisions in the legislation, as well as cases before the courts at present, will render existing state-level Estate Tax laws null and void as well.

Should Bush and corporate America succeed in repealing the Estate Tax and making Bush’s 2001-2005 tax cuts permanent, the non-partisan Center on Budget and Policy Priorities estimates the total long-term cuts will amount to no less than



\$11.6 trillion—80 percent of which once again will accrue to the wealthiest 20 percent of households and the largest corporations.

To give a sense of the magnitude of

the full picture. To cap off his tax legacy on behalf of corporate America in his second term, Bush wants to totally restructure the entire tax code. The campaign to do that kicked

cuts given to workers and consumers between 2001-04 that were considered politically necessary at the time to ensure passage of Bush’s first-term tax cuts for the wealthy. In addition, the panel’s report is expected to launch a new assault on the few remaining benefits in the federal tax code that working class households have been able to take advantage of for many years, such as home mortgage interest, state and local tax deductions and deferral of taxes on health insurance premiums.

Bush’s tax cuts could pay for the alleged \$3.4 trillion shortfall in Social Security, fully resolve the real growing crisis in Medicare funding and provide free prescriptions drugs for all Americans.

\$11.6 trillion in tax cuts: that money would eliminate Bush’s alleged \$3.4 trillion shortfall in Social Security, fully resolve the real growing crisis in Medicare funding and provide free prescriptions drugs for all Americans in need—not just partial payment for drugs for those in retirement.

But even this \$11.6 trillion is not

off recently with the release Sept. 30, 2005 of the final report of Bush’s appointed special Advisory Panel on Tax Reform. Expectations are that the panel will recommend, and Bush and Congress will eventually propose, not only further breaks for the wealthy and corporations, but also a scaling back of many of the token tax

A more detailed treatment of the ‘Great American Tax Shift’ is contained in Jack Rasmus’s just released book, *THE WAR AT HOME: THE CORPORATE OFFENSIVE FROM RONALD REAGAN TO GEORGE W. BUSH*, which can be purchased from the website, <http://www.kylosproductions.com> or soon on Amazon.com.

Unionists examine pollution health risks

By Bill Orton

Maritime trades workers toiling amidst the belches of truck exhaust and ship emissions face a dramatically heightened risk of contracting leukemia and other forms of cancer, according to experts who spoke to a gathering of union officials in Long Beach Sept. 23.

“The ports of Long Beach and Los Angeles are the single largest source of harmful pollution in the South Coast Air Quality District,” said Richard Takiushi-Drury, an attorney and a former adviser to the Clinton Administration’s EPA panel on environmental justice.

Statistics show that 70 percent of all cancer risk in Harbor area is due to diesel particulate matter, a situation now made worse by a ruling from a NAFTA panel that allows older, dirtier Mexican trucks into the U.S.

“Exposure in the Harbor is 10 times or more that of the general population,” Takiushi-Drury said.

“Occupational cancers are an epidemic, as four out of 10 workers will contract cancer,” said Raphael Metzger, a toxic tort litigation lawyer whose clients have included leukemia and

cancer patients whose illnesses were allegedly contracted from workplace exposure to products like benzene.

“I know the ILWU has seen large clusters of lung cancer and ultimately, we’re all front-line workers,” Maritime Trades president Larry Barragan said.

Talk of toxic tort litigation and coalitions with environmentalists prompted intense debate, with Barragan calling the entire topic “highly controversial.” But all agreed that workers are the ones on the front line who suffer the greatest effects of workplace pollution.

“Workers are really the canaries of occupational cancers,” Metzger said. “A lot of your members are going to develop cancer that will be caused by exposure to chemicals in the workplace, like benzene. The rate of incidents is much less in the general population.”

Metzger told union leaders that benzene is so unsafe that studies have shown the current federal OSHA standard of one part per million is enough exposure to cause cancer. Scientific evidence indicates a standard of one-tenth part per million is the maximum level a person could safely be exposed to. By settling on a standard that

industry claims is the lowest it can afford to meet, the rule for benzene guarantees workplace cancer.

But employers have always warned that health and safety regulations will be the financial ruin of their industries, and are only proven wrong when political power forces them to comply. Another benefit of good anti-pollution measures, Takiushi-Drury noted, is that the upgrades in infrastructure required creates jobs.

Metzger pointed out other ways the legal deck is stacked for business.

“The whole workers comp system was set up to protect employers,” said Metzger, who pointed out that the highest monetary compensation for a worker who dies on the job is capped at \$150,000.

With daily ship traffic representing the equivalent of one million car trips, and older Mexican trucks spewing benzene-laden exhaust into the air, workers need to reach out to the community and environmentalists to form what Takiushi-Drury referred to as a “green-blue-brown coalition.”

“Where we live and work is the most important environment to focus on,” said Takiushi-Drury.

Representing the Union: Sam Kagel and t

Introduction by Harvey Schwartz

This is the second in a series of oral history articles featuring the legendary Sam Kagel, who retired as Coast Arbitrator for the longshore industry in 2002 after 54 years on the job. In the 1930s, well before he began his storied career as an impartial judge, Kagel was an economics graduate student and then a union advocate with the Pacific Coast Labor Bureau, a consulting firm that represented organized workers in negotiations, mediations and arbitrations.

Kagel was employed with the Labor Bureau from 1932 to 1942. He left to serve in the War Manpower Commission when the U.S. entered World War II. After the war ended in 1945 he became an impartial arbitrator and attended law school. By the 1970s he was the nation's leading figure in labor arbitration.

During the great 1934 West Coast maritime strike, Kagel was a close consultant to Harry Bridges, the longshore union and other waterfront worker groups. His testimony about that phase of his seven decades in labor relations was the focus of last month's oral history article.

This month the spotlight is on Kagel's association with the warehouse union in the five years following the 1934 strike. Those were the days of the longshore union's triumphant organizing drive into the San Francisco Bay Area warehouse industry that became known as "the march inland." As a representative of the longshore union's new warehouse local, and several other Northern California unions as well, Kagel participated in the events of that period on a daily basis.

In 1999 I was commissioned by the ILWU Coast Labor Relations Committee to interview Kagel. Those 1999 discussions provided the basis for this article. I would also like to acknowledge Jennie Kogak, J. E. Rieber and San Francisco State University Labor Archives Director Susan Sherwood for their help. Front page portrait: courtesy San Francisco History Center, San Francisco Public Library.

SAM KAGEL

**Edited by Harvey Schwartz,
Curator, ILWU Oral History Collection**

In the 1930s there were lots of warehouses in San Francisco. The city was a big distributing center. You had public warehouses and warehouses in grocery, drug, hardware and coffee. All of them were part of the waterfront, really. Right after the 1934 strike most were still unorganized. But soon there was a conscious decision to move off the 'front and on to the warehouses. And for good strategic reason. They were easy pickings, too, because they were paying 45, 55, 65 cents an hour with hardly any other conditions. Those wages were low even for the Great Depression.

Eugene Paton was one of the San Francisco warehouse organizers. He was an extraordinary guy. I remember how Pat got recognition at this one warehouse that specialized in packing fancy Italian olives and stuff like that. Pat had the workers orga-

nized, but the employer wanted to go to the National Labor Relations Board (NLRB) for an election. Congress had recently passed the Wagner Act of 1935 that set up the board. Well, Pat said to me, "This guy wants a vote. Okay, we'll give him a vote."

I went to the plant with Pat. He asks the guy, "You want a vote?" The guy answers, "Yes." Pat says, "Well, come on out to the gate." Off we go. Pat has the steward with him. He turns to the steward and says, "Tell the guys to come out." They start coming out, and Pat tells the employer, "Count 'em." That was the vote—the whole company! There must have been a hundred persons working there. They didn't stop work. They just walked out and walked right back in. The employer had his "vote." He recognized the warehouse union quickly all right.

At most other places where the people were organized shortly after the 1934 strike, the employer either knew it and accepted it or, once in a while, asked for a card count. There was an "atmosphere" for union organizing in those days. People were eager to sign up and many employers got it. But this guy was so adamant that it had to be a formal vote under the Wagner Act that Pat got a little pissed. So he said, "I'll really give him a vote."

The public warehouses was the first employer group that we sat down to negotiate with. Wes Howell headed a key company in that group and he represented the employers. It had taken us a long time to get an agreement to meet. It was a real touchy deal. I can still see Wes Howell sitting on one side of the room across from Pat, myself and the people from the union. Well, there had been a movement within the warehouse local at the time that there should be an audience of workers. So we had an audience about two or three rows back.

I was the economics guy with the proposals. Therefore I started the meeting. All of a sudden one guy in the audience stands up. He says he wants to say something. Everything stops. He starts, "My wife passes the Roos Brothers clothing store on her way to work. She sees all the wonderful clothes in the window and she believes we should have enough money to buy them." The place was stunned 'cause this guy was not part of the negotiating committee and he was not an officer.

Finally the guy sat down. With that, Wes Howell said, "I don't think we should continue with this meeting." It took another four or five weeks to get back into negotiations. Thereafter, we didn't have an audience. We had a negotiating committee that represented the warehouse persons in a particular plant and any officers of the union who wanted to be present. Pat and I would keep away from guys who were constantly making what I call "speech 84b," too. We had a job to do. The job was to organize and to get a contract that was acceptable to the persons affected by it, period.



Employer and union negotiating committees, 1938 San Francisco warehouse local. (for the employer) Wes Howell and B.R. Funsten, (for the union) Henry Melnikow, Harry Bridges, (for the union) Marshall Madison, James Reed, Edwin Pillsbury, "Navy" Bill

Once a place was organized the employer would sit down and negotiate seriously or we'd have a strike. In those days we had a lot of strikes going all the time, and not only in the warehouse industry. There were strikes on at Safeway, department stores, hotels. During the whole period between '34 and 1937, '38, there was hardly a time when there weren't four, five or six strikes going on. All of this union activity, of course, was inspired by the longshoremen winning the 1934 strike. That victory gave backbone to a lot of people to organize.

For example, how come the department store clerks got organized? Well, around 1937 the longshore union's new warehouse local went on strike at Woolworth's dime store in San Francisco. One of the clerks working there was a young woman named Marion Brown, later known by her married name as Marion Sills, labor leader. She was talking to the warehousemen who were on strike. From that she got an idea of what the hell a union was all about. Ultimately that led her to call a lot of people working in the big Emporium store and they arranged to have meetings at night. Bingo! You've got an organization going.

I was involved in an important labor dispute at the Santa Cruz Fruit Packing Company in 1935. The wage rates at Santa Cruz Packing were around 35, 45 cents an hour with no other conditions. With the conditions so poor at Santa Cruz, getting the people organized into the warehouse union was easy. I didn't speak to the people directly or sign them up, but I helped the organizers with the planning.

Santa Cruz was an outfit that canned food and sent it around the world. Some of the workers there came to the union and asked to be organized. A lot of people who were working in various places did that after 1934. The demand was made upon Santa Cruz to enter into collective bargaining. In this case we wanted to get the company certified under the new Wagner Act.

A lawyer named Paul St. Sure represented Santa Cruz. He was the guy who headed the Pacific Maritime Association (PMA) in the 1950s and negotiated the famous longshore Mechanization and Modernization Agreement (M&M) of 1960 with Harry Bridges and the ILWU.

Paul took the position that Santa Cruz was not covered by the Wagner Act because less than 50 percent of its product went into interstate commerce. Since the constitutionality of the act was based on its covering industries that affected interstate commerce, St. Sure thought he had a workable argument. I was not a lawyer yet, but the regional NLRB took the position I took and the union took, that the act still applied since interstate commerce was affected.

The case went through the court of appeals. We won. A couple of years had passed by then. I'd been dealing with Paul St. Sure on many cases involving many unions. He was a straight-on guy. We had a great relationship and rarely needed to go to arbitration. Of course,



Local 6 President Eugene Paton trying to conduct union business during a labor dispute at Euclid Candy Company in San Francisco just after the warehouse "march inland."

ILWU ORAL HISTORY
Volume 1
*Representing
Sam Kagel
Warehouse "March
1934*

The Warehouse “March Inland,” 1934-1939



Warehouse lockout. From left to right: (for the employers) Adrien Falk, Wes [unclear], Sam Kagel, Eugene Paton, Donald Maguire and Bob Moore. (for the union) Bill Ingram.

courtesy Sam Kagel

when it came to the Santa Cruz case, Paul—being an attorney—went through all of the steps right up to the U.S. Supreme Court.

In 1938 St. Sure went back to Washington, D.C., to argue before the high court. The attorneys for the NLRB were there. When Paul came back from Washington he called me up. He said, “I don’t think I’m going to make it.” I asked, “Why do you say that?” He said, “Because of some of the questions these people asked me.” I said, “Well, congratulations, I’m glad to hear that.”

Paul was right. The majority of the Supreme Court justices held that Santa Cruz’s business did affect interstate commerce. Thereafter the Santa Cruz judgment was considered, in legal language, a “leading case,” because it decided an important element of the statute in question. One result was that it widened the overall application of the Wagner Act.

In the early organizing years, 1935, ’36, ’37, there were two basic issues that always came up. This was all part of the “march inland,” when everybody was organizing—hotel workers, grocery clerks—not just our warehousemen. One issue was that the unions wanted to have the right to arbitrate discharge cases. The employers wouldn’t agree to that. The other issue was the unions wanting to have the closed shop, which was legal in those years. A closed shop meant that only union members could be employed in a plant.

One day while there was a grocery strike going on, “Navy” Bill Ingram called me up. Ingram was the football coach at U.C. Berkeley who had his players scab on the longshoremen during the 1934 strike. He’d been dumped as coach and had been appointed head of labor relations for Safeway. He wanted to know what this closed shop thing was all about. Obviously, his background was not in labor relations!

I knew Ingram didn’t care about the union’s point of view. You think he’d be happy with the idea that the union wanted to be secure so it could beat the ass off the employers every year? Of course not. So I told him a union was like his business. You had to have a certain amount of money to survive. You’ve got rent, secretaries and so forth. He listens and listens. Then he says, “I can understand that.” Well, that grocery strike finally ended and we got the closed shop.

During a lot of other strikes, including warehouse ones, I would make speech 84b until I was blue in the negotiations. There would be no progress. Eventually I would say, “Listen, why don’t you call up Bill Ingram and discuss it with him?” I can

tell you now that Bill Ingram settled more closed shop provisions for the unions than we ever got by economic strength.

About the discharge deal, well, we finally got it through the employers’ heads that if you don’t have some kind of internal machinery to settle these beefs, the unions would have to strike every time there was a

discharge or a suspension. Many of the employers could ultimately see that, ’cause it made sense. That’s how we got arbitration clauses written into so many of the early contracts.

As is generally known, the ship owners tried unsuccessfully to bribe Harry during the 1934 strike. I even cited a Matson Navigation Company source on this in a memoir I wrote. Still, in my experience there were actually very few underhanded efforts to end labor disputes in those early days, or even after. Our area of the country was always pretty clean.

One time, though, I was in a San Francisco saloon called The Streets of Paris. This was 1937, ’38. I was waiting to meet with a guy who was coming from a union meeting. It was after ten o’clock at night and there was hardly anybody in the place. I was sitting there reading the newspaper when three guys came in. One was a little short stubby guy. The other two were great big monsters. They walked straight up to me.

I looked at these two big guys, who were what we called “goons” in those years. They were dressed in long black overcoats called “bennies.” I said, “What can I do for you?” The short guy answered, “I’m here to settle the strike with Owens Illinois Glass.” At the time I was representing the warehouse union in negotiations with that firm. I came back, “I have no authority to settle that strike. What is your interest in it?”

He said, “They used to supply me with bottles during Prohibition.” I asked, “What’s your name?” He said, “Waxie Gordon.” So I’m looking at this guy who I now realize is a notorious Chicago gangster. I didn’t know what the hell was going to happen. I offered, “Do you want me to arrange a meeting with the union?” No, he didn’t. “Well,” I said, “I’ll be in my office tomorrow if there’s anything you want.” And they left.

I immediately telephoned Jack Shelly, then the secretary of the San Francisco Labor Council. He said, “I’ll take care of it.” He called the chief of police, whose men visited Gordon at the St. Francis Hotel, where he was staying. They asked him what he was doing in town. He said he was there to introduce a new cleaning process.

The police then saw that he went out to the airport. They put him on a plane headed East. He indicated he was going to stop off at Reno, so they alerted the Reno cops, who wouldn’t permit him to get off the plane. So off he went. That was the end of my experience with the gangster Waxie Gordon.

A little later, in August 1938, there was a big industry-wide lockout of all the Local 6 ILWU warehouse employees in San Francisco. By then the West Coast longshore and warehouse workers had left the International Longshoremen’s Association (ILA), which they were affiliated with from 1934-1937, and formed their own new union, the ILWU. Most of the city’s 6,000 warehouse people were now

covered by Local 6 contracts.

The contracts in different groups in the industry—the grocery houses, coffee houses, and so forth—had different termination dates. We used to go from one group of employers to the next trying to get a better deal in each set of negotiations. This was called “whipsawing.” The employers finally decided they wanted one “master contract” in the whole industry to stop the whipsaw.

So the employers as a whole locked out all the Local 6 workers in the city by moving a boxcar containing non-union products from warehouse to warehouse. That car became famous around town as “the hot boxcar.” Local 6’s members wouldn’t work its contents. The whole industry remained down for two months with the local insisting it would not give up the whipsaw or accept a master contract. That lockout was front page news for weeks in San Francisco.

I used to discuss the situation daily with Paton, who was now president of Local 6. We always got the early editions of the *San Francisco Chronicle* to read Paul C. Smith’s blasts at us. Smith was the editor of the newspaper. He had not been an unreasonable, anti-union guy before. Finally we decided we would write him a letter asking him to be mediator. He accepted.

Paton and I knew that when we got into mediation we would end up with a master contract. There was no way we were going to get the employers to agree to permit us to whipsaw. But we didn’t sit around and say, “Hey, they won.” You don’t do that. You suddenly come to the realization that, “Are we going to stay out another 60 days with nothing happening and we’ve got our people not working?”

Interestingly, Harry thought we should take the master contract all along. He sided with, for christsake, Adrien Falk, one of the main employers. We had a public meeting with the world there and both of them were arguing for the master contract. We used to call them, in fun, “the Bridges/Falk Axis” after the Hitler/Mussolini Axis. Anyway, from the beginning Harry said, “You guys are going to have to agree to a master contract.” And so we did. We also got some decent concessions in the arbitration proceedings that settled the details of the master contract in 1939.

Around this time the ILWU boycotted the export of scrap iron to Fascist Japan to protest that country’s invasion of China. I participated in the picket lines down on the waterfront. My point here is that this boycott was not related to negotiations or contracts. The ILWU was always socially minded, and not just the ILWU.

The union movement never said, “All we’re interested in is how much money we’re getting today,” because labor by its very history was part of a social movement. It always asked, “Who the hell got schools? The eight-hour day? The five-day week? Who was concerned about children working?” Despite all the contracts, that’s what it was all about. It was about concern for all people. That’s why the ILWU boycotted the scrap iron and I was on the picket lines, protesting what the Japanese were doing to the Chinese.



courtesy Sam Kagel

The “hot boxcar” during the 1938 San Francisco warehouse lockout. The rail car was loaded with scab products and moved from plant to plant by order of the city’s employers, who used the ploy to lock out the union’s members.

STORY PROJECT
XI, Part II

ing the Union:
Kagel and the
March Inland,”
1934-1939

Change to Win establishes new union federation

By Mark Gruenberg
PAI Staff Writer

ST. LOUIS (PAI)—Declaring they want to devote three-fourths of their new group’s money to organizing, leaders and representatives of seven unions formally established the Change to Win federation Sept. 27 in St. Louis.

The federation’s unions have more than 6 million members. They are the Service Employees, Teamsters, United Food and Commercial Workers, the Laborers, the Carpenters, UNITE HERE and the Farm Workers. Of those, all but the Laborers—who will leave soon—and the United Farm Workers, are former member unions of the AFL-CIO.

The new group, to be headquartered in Washington, named SEIU Secretary-Treasurer Anna Burger as its chair and Edgar Romney, Executive Vice President of UNITE HERE, as its Secretary-Treasurer. SEIU’s organizing director, Tom Woodruff, becomes Change to Win’s organizing director—a key post—and Greg Tarpanian moves from the New York-based Labor Research Association to become Change to Win’s full-time executive director.

Burger, who will chair the monthly meetings of the new group’s 10-person board and serve as its public face, will keep her SEIU post. Woodruff will head its Strategic Organizing Center. The center “will lead federation-wide coordinated growth initiatives, leveraging the collective resources of its affiliates for growth” and “integrate their organizing plans,” a Change to Win statement said.

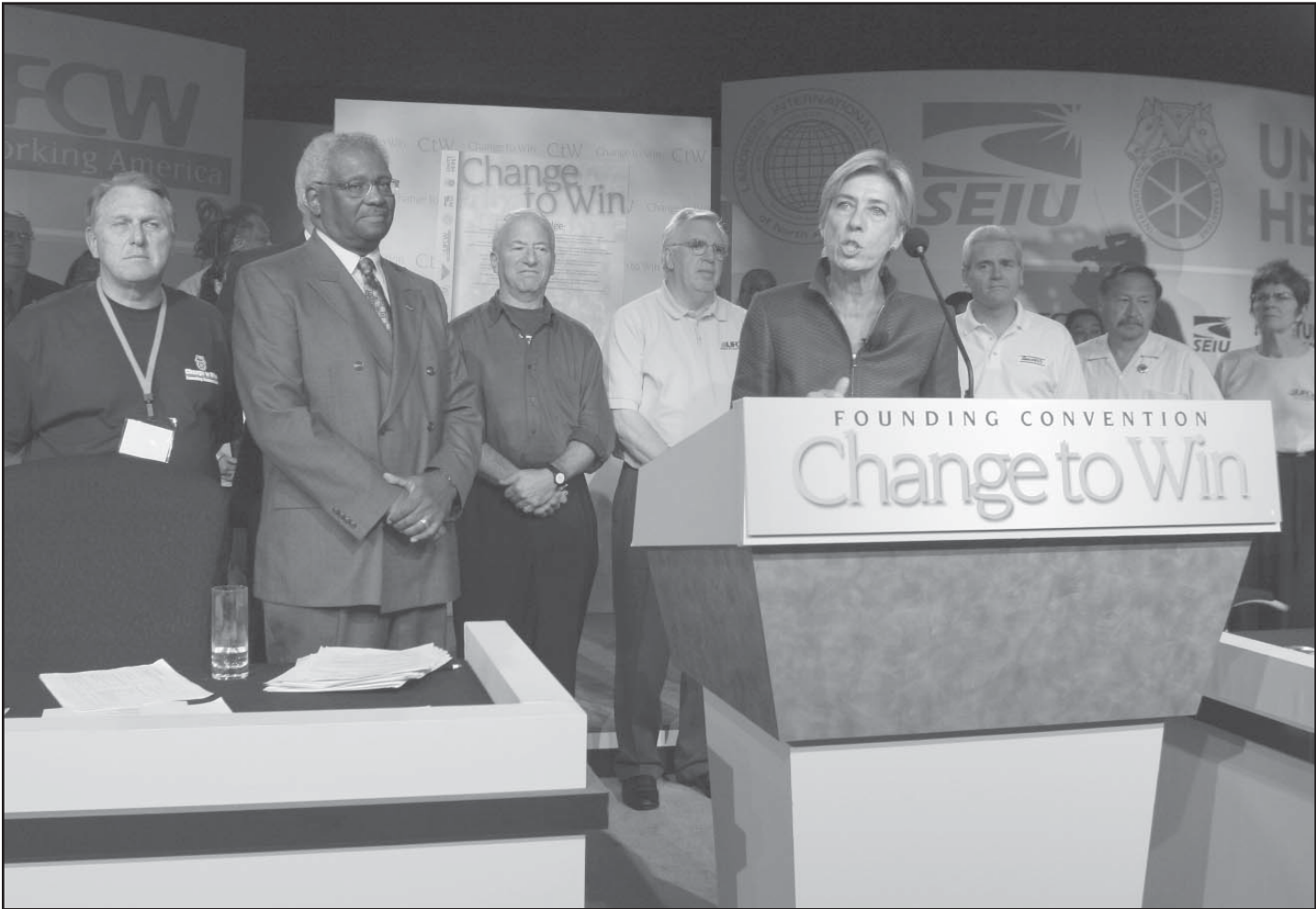
At its first-ever convention, almost 500 delegates from the unions ratified the organization’s constitution and its goals and program by voice votes. Leaders said organizing the unorganized will be Change to Win’s overriding goal.

Teamsters President James Hoffa declared Change to Win would spend \$750 million on organizing. The Teamsters, on the international level alone, spend \$40-\$45 million and will add \$5 million next year, Hoffa said. UNITE HERE Co-President Bruce Raynor said his union spends 55 percent of its national-level budget—\$35 million—on organizing.

But there is more, or maybe less, to that figure than meets the eye.

That’s because the figure includes not just what the new federation and its member international unions spend on organizing, but what their locals, councils and affiliates spend, too.

And spending next year will increase only slightly, using the funds those unions would have otherwise sent to the AFL-CIO in dues—minus the 25 cents per member per year



courtesy of the IBT

The Change to Win leadership: (left to right) Jim Hoffa, General President, International Brotherhood of Teamsters; Edgar Romney, Secretary-Treasurer of the CTW Federation; Andy Stern, SEIU President; Joe Hansen, UFCW President; Anna Burger, Chair of CTW Federation; Terry O’Sullivan, LIUNA General President; Arturo Rodriguez, United Farm Workers President; Geralyn Luty, UFCW International Vice President.

they’re going to send to Change to Win.

And they stated that their core industries—hotels, hospitals, restaurants, textile, construction, transportation and others—have 50 million workers, but only 6 million are unionists. Workers they will pursue hold jobs that cannot be outsourced or moved overseas, they added.

“We commit ourselves to the 50 million unorganized workers and to rebuild the labor movement,” Burger said.

Many of those jobs are held by minority group members, immigrants or both, and the convention showcased statements from African-American and Latino/Latina workers. Change to Win also demands full legalization of immigrants.

Key concepts of Change to Win’s program include:

- Concentrating organizing in each union’s “core industries,” such as transportation for the Teamsters, according to Hoffa. Change to Win, which Burger and the union presidents emphasize would be a small, coordinating body, would mediate and decide conflicts.
- Multi-union organizing campaigns, and multi-union support for each other’s organizing drives, strikes

and other action.

- Creating coordinating committees for organizing and bargaining in the specific core industries. The panels would develop joint plans and enforce provisions to ban individual unions from reaching contracts that undercut their colleagues’ efforts.

- Nationwide organizing of national targets, including DHL, Wal-Mart, Cintas, Smithfield, FedEx and possibly the Beverly Nursing Home chain. The Change to Win 10-person council—each union’s president plus an additional member each, for diversity, from SEIU, the Teamsters and UFCW—will set more targets and flesh out plans at a Nov. 1 meeting in Washington, D.C.

- Using actions, including strikes, in other cities or metro areas to support demands for recognition and contracts in one area.

- Downgrading political action to link endorsements to organizing, and endorsing only politicians who openly support the right to organize—even if those pols oppose labor on other issues.

- Using of labor’s financial resources, such as money in health, welfare and pension funds, to further union organizing goals. Laborers Union President Terry O’Sullivan

said that includes \$200 million in so-called “Taft-Hartley” pension funds in the construction industry, and \$2.6 billion in public employee pensions.

- Making the areas of Mississippi, Louisiana and Alabama devastated by Hurricane Katrina a test case for a new union role, not just immediate relief, but training area workers to rebuild communities. “It’s an opportunity to present ourselves in the South,” where the labor movement is weak and even unionists under national contracts, such as IBT master freight agreements, have lower wages, Hoffa said.

- Using the three-fourths of the \$16 million that Change to Win will collect in per-capita assessments from member unions for planning and implementing joint organizing.

Change to Win leaders confirmed contacts with other unions about joining their new federation, but said they are not actively soliciting them. A prime target mentioned was the unaffiliated 2.7-million-member National Education Association, the nation’s largest union. Asked specifically if NEA would be asked to join, SEIU President Andrew Stern said no.

“There are now two federations,” Stern said. “The question is now that we changed, can we win?”

Schwarzenegger vetoes trucker bill

By Tom Price

Port truckers lost a round in their efforts to gain a voice on the job when California Governor Arnold Schwarzenegger vetoed a bill that would have recognized their collective bargaining rights.

Senate Bill 848, introduced Feb. 25 by Sen. Joseph Dunn (D-Garden Grove), would have acknowledged what is obvious to everyone on the waterfront—that port truckers are workers who should be able to combine together and bargain with their employers. But in a selective interpretation of states’ rights, Schwarzenegger claimed the bill would violate federal anti-trust laws and the state didn’t need to get into a fight over it. The bill passed the Senate 24-14 and the Assembly 47-31. Schwarzenegger vetoed it Sept. 29. The bill had the backing of the

Teamsters’ Union and the opposition of the Calif. Trucking Assn.

“It’s typical Schwarzenegger—if anyone in the business community objects to legislation, he’s going to veto it,” said Chuck Mack, Director of the Teamsters’ Port Division. “If it has anything to do with labor and there’s an objection—it’s an automatic veto.”

The steamship companies that contract with the truckers have anti-trust immunity and are allowed to fix shipping rates among themselves. These immunities allow the companies “to engage in collective activities to increase their market clout, and these activities decrease the ability of port owner-operator drivers to negotiate for higher rates,” the bill reads. Anti-trust laws deny port truckers the same privileges.

The bill would cover drivers who

own only one tractor and drive under agreements with maritime shippers. Sen. Dunn’s reasoning is that the truckers are kept unfairly poor and cannot maintain their rigs. Therefore the citizens suffer the pollution and pay the medical bills for underpaid workers. While the National Labor Relations Act bans unionization by “independent contractors,” it does not preempt California from passing labor laws to protect its environment and its workers, according to the bill.

The bill’s supporters argued that since truckers provide their own tractors but in every other way use the employers’ facilities, they are no more independent than mechanics who bring their own tools to work.

Schwarzenegger could have looked like a fighter for the underdog if California took the lead and tried to solve the problems of port congestion

and the exploitation of port truckers. But he didn’t sound like the action hero in his veto.

“The litigious firestorm this bill would assuredly ignite is counter-productive to the cooperative work that must be accomplished to capture the economic potential afforded by growth in international trade,” Schwarzenegger’s veto message read.

Mack, who is also Secretary-Treasurer of Teamsters Local 70 and a Teamster International Vice President, promised more action next year.

“This veto only reinforces what we already know about this guy—he’s in the pocket of big business and he does their bidding to the detriment of workers, in this case, workers who are just absolutely exploited,” Mack said. “We’ll re-introduce the bill, we’ll get it passed and, when we get a new governor, we will get it signed.”

LEAD seminar focuses on democracy and participation



Northern California members discuss strategy: Cesar Garibay and Jose Nunez (Local 6), Bonnie Houston (seated) and Byron Moore (Local 10), and Jack Wyatt, Sr., Local 17.

ILWU members from all sections of the union gathered in Palm Springs, California, last month to participate in the latest Leadership Education and Development (LEAD) institute.

"This is the most diverse and representative group of participants

we've had come out for this type of training," said ILWU International Secretary-Treasurer Willie Adams.

The 85 participants, including 23 women, came from all industries and regions under the union's jurisdiction to spend the week of Sept. 19-23 at the Riviera Resort learning about "the Tools and Traditions of Democracy" in the ILWU—which focused on how to run efficient, productive, and democratic membership meetings. Special attention was also paid to building personal skills in achieving effective decision-making and maximum member participation in the life of the union.

"What we are about in the ILWU," said International President Jim Spinoso in his opening remarks, "is democracy—rank and file democracy from the bottom up in the ILWU and throughout organized labor. From real democracy we build real unity."

The week-long program began with an overview by Professor Elaine Bernard of the Harvard University Trade Union Program about the importance of union democracy to members—and about how essential unions are in fighting for and defending democracy for all workers.

Joel Schaffer and Rick Oglesby of the Federal Mediation and Conciliation Service led a day-long workshop on how ILWU members can work better together in committees and meetings, and why rules are necessary in a democracy. Max Vekich, member of clerks Local 52 and the International Executive Board, presided over a lively session on Robert's Rules of Order and other ILWU meeting procedures.

Skill-building sessions took place between several presentations about ILWU principles and traditions. Pensioner and former Coast Committeeman Bill Ward and Ian Ruskin of the Harry Bridges Project painted a picture of the



Participants exchange insights and experiences about challenges of working constructively with different kinds of personalities in their union and community (foreground, back to camera, Tony Flaherty [Local 7] and Rachel Lohse [Local 30]; left to right Marc Cuevas [Local 54], Karen Bonkoski [Local 5], Angel Blanco [Local 13], Jerry LeMaster [Alaska Longshore Division]).

democratic discussion and debate that swirled around negotiation of the historic longshore agreement in 1960 known as the Modernization and Mechanization Agreement. Ah Quon McElrath, retired Local 142 social worker, evoked the threats posed to civil liberties by anti-communism in the 1950s and anti-terrorism today. On Thursday, the participants rose to their feet in response to a stirring performance by Local 23 member Zeek Green about the plight of workers and the promise of solidarity.

A research team from the University of Washington's Harry Bridges Center for Labor Studies under the leadership of Professor David Olson reported on trends in member participation in the ILWU. The team, including graduate students Jon Agnone, Julianna Rigg, and Ali Waggener Boyd, also engaged the LEAD participants in a dynamic discussion about the core values of the ILWU to help the team develop a survey among new members about how union membership affects attitudes and opinions about a variety of workplace and union issues.

The nuts and bolts of financial administration and local autonomy were laid out by a panel of warehouse Local 17 Secretary-Treasurer Jack Wyatt Sr., IBU National Secretary-Treasurer Terri Mast and ILWU Research Director Russ Bargmann. What the participants learned about democracy and meetings and finances were put to the test in a lively afternoon of mock membership meetings convened to deal with declining member participation.

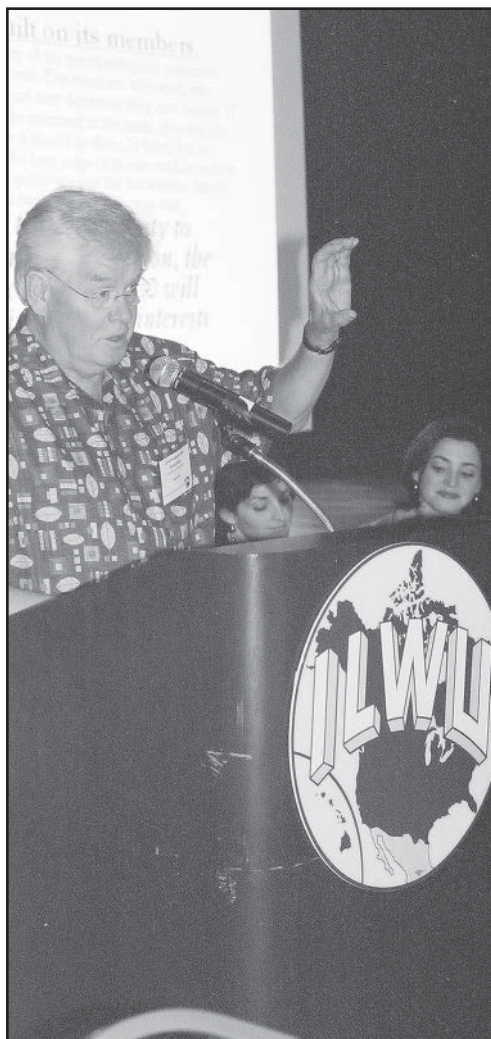
ILWU Vice Presidents Bob McElrath and Wesley Furtado participated throughout the week and, along with Coast Committeeman Joe Wenzl, helped facilitate Friday's brainstorming session on new opportunities for organizing led by Organizing Director Peter Olney.

"This kind of brainstorming always helps us," said Olney. "We get new leads for organizing, which strengthens the entire union in every way imaginable."

Many of the conference materials will soon be available on the member section of the ILWU website (www.ilwu.org).

—Gene Vrana, ILWU Director of Educational Services

—Photos by Frank Wilder, ILWU clerical staff



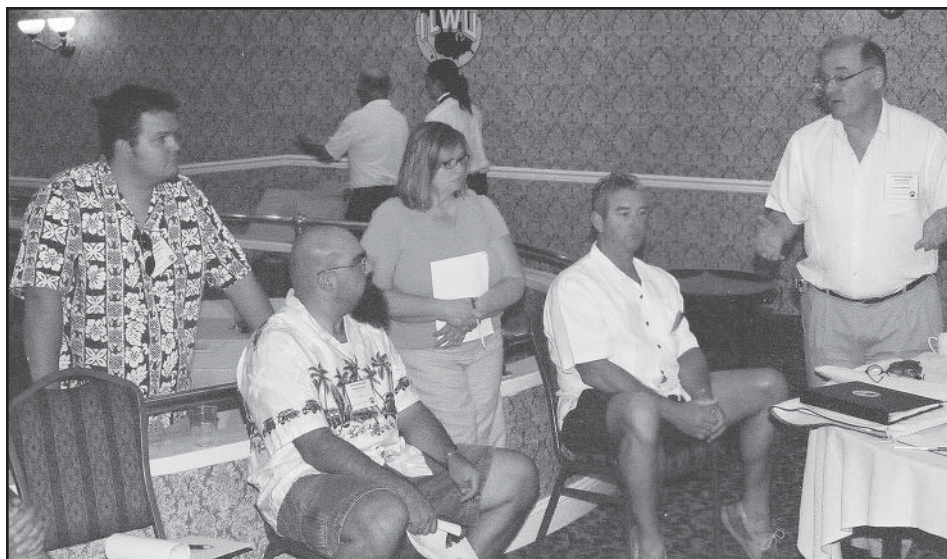
University of Washington Professor David Olson delivers main presentation about trends in member participation in the ILWU as members of his research team from the UW Harry Bridges Center for Labor Studies look on (Ali Boyd, Julianna Rigg.; not shown: Jon Agnone).



Emilei Noceti, Local 63 Marine Clerks, leads group problem-solving exercise.



International Vice Presidents Bob McElrath (standing, left) and Wesley Furtado (standing, right) discuss organizing in Hawaii with 142 members Dillon Hullinger, Stephen Castro, Abel Kahooanohano and Patrick DeCosta (Back to camera).



Talking about organizing in the Puget Sound area: Lance Anderson (Local 23 Tacoma), Chuck Cepeda (Local 19 Seattle), IBU national Secretary-Treasurer Terri Mast, Jeff Moore (Local 98 Seattle), Coast Committeeman (Northwest) Joe Wenzl.

**BUILDING THE COAST COMMUNICATIONS TEAM
LONGSHORE COMMUNICATIONS SEMINAR IN JANUARY**

During our Longshore Division’s 2002 contract negotiations, the media became a key factor in influencing the public opinion of the community, labor, business interests and politicians. What people said about our negotiations impacted the contract bargaining process and how the politicians reacted to our contract struggle. Based on this reality, the Coast Committee, with recommendation from the Coast Public Relations Committee and approval from the Longshore Division Caucus, has committed to improving our communications program. A fundamental and critical aspect of this program is to form an ILWU Coast communications team that, under the direction of the local officers and Coast Committee, assists the ILWU in promoting its messages during the 2008 contract bargaining sessions and beyond.

On **Monday, January 23 through Friday, January 27, 2005**, the ILWU Coast Committee, in conjunction with the Coast Public Relations Committee, will conduct a Communications seminar in Palm Springs, California at the Riviera Hotel. This seminar will include as instructors labor communication professionals with expertise in areas such as **public speaking** (press conferences, community meetings, outreach), **print media** (writing flyers, newsletters, press releases), **audio/visual presentations** (video and photographic), and **e-activism** (using e-mail and the internet to network, mobilize, and disseminate information).

APPLICATION PROCESS

The Coast Committee is looking for registered ILWU members who are committed to promoting the message of the ILWU and who will make a three-year commitment to the ILWU Coast Communications team. Registered rank-and-file longshore members interested in becoming part of the team can pick up applications from their local officers. **Applicants must turn in one copy to their local president and send one copy separately to: The ILWU Coast Committee, 1188 Franklin Street, 4th Floor, San Francisco, CA 94109. Application deadline: November 21, 2005.**

SELECTION PROCESS

With the advice of local officers and the Coast Public Relations Committee, the Coast Committee will select members to participate in the seminar for eligibility on the ILWU Coast Communications team (requests for additional member participation will be considered based on space availability).

ROOM ACCOMMODATIONS, TRAVEL, PER DIEM

The Coast Committee will provide room accommodations, reimbursement for travel and per diem. Locals may choose to pay wages at their own discretion.

PORT SECURITY – PENSION SECURITY – SOCIAL SECURITY

Your Union’s Security



The ILWU International officers would like to thank all the members who donated their time, energy and money to our 2004 political campaign. We are proud of the stand the ILWU made in opposition to the Bush administration. Although we did not prevail then, events of the last year have proven us right and polls show that the majority of Americans now agree with our position. All those who contributed to our Political Action Fund in 2004 will be receiving a commemorative pin and window decal (pictured above) acknowledging their participation.

Now we are gearing up for the 2006 election cycle. The Republicans are vulnerable as the Iraq War drags on with continuing carnage and costs and no end in site, as Bush strategist Karl Rove appears to be facing indictments, and as Republican Senate leader Bill Frist and Republican House Majority Leader Rep. Tom DeLay are facing criminal charges. We stand a chance next year of stripping them of their hold on the Senate or House or both and block Bush’s continuing anti-workers agenda.

But to do that will require another all-out effort, even more than we did in 2004. We will need all our members to contribute financially as well as be ready to volunteer in our campaign efforts as the election approaches. Please fill out the attached form and send it with a check to:

ILWU Political Action Fund
1188 Franklin Street 4th Floor, San Francisco, CA 94109

All contributors will receive the new 2006 Political Action Fund commemorative pin. Contributions from outside the ILWU’s solicitable class will be screened and returned.

ILWU FEDERAL POLITICAL ACTION FUND

The Officers of ILWU request that you make a voluntary contribution of at least \$50 or more to the ILWU International Political Action Fund (PAF). The purpose of this fund is to make expenditures in federal and/or local elections to protect and advance the interests of ILWU members and the entire ILWU community.

The contribution requested is voluntary and is separate from your union dues and is not a condition of membership. You may give more or less than the amount requested and there will be no reprisals if you give less than the requested amount. Your contribution is not tax deductible.

Please send a check made payable to ILWU PAF for at least \$50 or more, complete the requested information below, and mail it in this envelope. PLEASE DO NOT SEND CASH. Thanks!

Any donation \$500 and over makes you a President’s Club Member and entitles you to receive a PAF jacket. Please circle your size S - M - L - XL - 2XL - 3XL - 4XL.

Name to be embroidered on jacket _____

PLEASE PRINT

ILWU Local _____ Registration/Membership # _____ Amount enclosed \$ _____

First Name _____ Last Name _____

Home Address _____

City _____ State _____ Zip Code _____

Telephone (_____) _____ Email _____

Occupation _____ Employer _____

Beyond my donation I would be interested in the following:

- _____ volunteer work
- _____ being on an ILWU PAF mailing list _____ being on an ILWU PAF e-mail mailing list
- _____ information on donating personally to key state and national elections that advance the interest of ILWU members

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JULY/AUGUST 2005

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Scottsdale: The Phoenician

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Los Angeles: New Otani Hotel & Garden;

Palm Springs: La Quinta Resort & Club (KSL), PGA

West;

San Diego: Sheraton Hotel & Marina, Westin Horton

Plaza;

San Francisco: Ana Hotel (Argent); Fairmont, Four

Seasons, Grand Hyatt Union Square, Holiday

Inn Civic Center, Holiday Inn Express, Holiday

Inn Fisherman’s Wharf, Holiday Inn Union

Square, Hilton, Hyatt Regency, Omni Hotel,

Sheraton Palace, Westin St. Francis Hotel

(Saint); Santa Clara: Westin

CONNECTICUT

Waterbury: Four Points by Sheraton

FLORIDA

Miami: Hyatt Regency, Hotel InterContinental;

Lake Buena Vista: Best Western-Grosvenor

Resort (Located at Disney World, but separately

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GEORGIA

Atlanta: Indigo Atlanta, InterContinental Buckhead,

Westin Peachtree; Lake Lanier: Emerald Pointe

(KSL)

HAWAII

Kahuku: Turtle Bay Resort (Owned by Oaktree

Capital Management, LLC, Managed by

Benchmark Hospitality)

ILLINOIS

Chicago: InterContinental

MASSACHUSETTS

Boston: Hyatt Regency Boston Financial,

Hyatt Regency Cambridge

MINNESOTA

Minneapolis: Grand Hotel Minneapolis (Owned and

operated by the Wirth Companies)

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NEW YORK

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WASHINGTON

Seattle: Sheraton Seattle Hotel & Towers

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NEPTUNE JADE

continued from page 3

continue to pursue picket captain and IBU member Robert Irminger and try to force him to name others on the line. After Bay Area longshore locals shut down the Port of Oakland July 22, rallied in front of the PMA's Oakland office and marched 1,000 strong to the courthouse demanding the charges be dropped, and the Coast Committee threatening coast-wise action if PMA carried out the prosecution of Irminger, the employers gave in.

The Labor Video Project produced the video. Following the video showing, Steve Zeltzer of the LVP, chaired the event with Irminger and Heyman speaking, followed by discussion.

Irminger chronicled how the *Neptune Jade* sailed into the port of Oakland Sept. 28, 1997 from Thamesport, England, a port operated by Mersey Docks and Harbor Company which had sacked the 500 Liverpool dockers. It was the second anniversary of the strike. Labor and community activists set up a picket line in solidarity with the Liverpool dockers. At this 10th anniversary commemoration Liverpool, steward Terry Teague presented Irminger with a plaque for his dedication to the struggle.

For three-and-a-half days longshore workers refused to cross the picket line, despite a court injunction ordering them to do so. Finally, the *Neptune Jade*, desperate to unload its cargo in a U. S. West Coast port but finding no safe haven, departed for Vancouver, Canada, another ILWU port. Labor activists across the border also set up a picket, forcing the *Neptune Jade* to sail for Japan. There Japanese dockworkers, well aware of the hot cargo on board, didn't touch the ship. Finally the ship sailed to Taiwan where the cargo was discharged and the *Neptune Jade*, now internationally notorious, was renamed.

Such power of coordinated action by workers in three different countries sent shivers down the spine of maritime companies around the globe.

The website of the *Neptune Jade* Defense Committee was swamped by visits from global corporations fearful of the specter of labor solidarity.

At the Longshore Caucus held after the ILWU Convention in Portland in 2000, attorney Rob Remar, who was instrumental in helping to pilot the *Neptune Jade* campaign through legal channels, explained that we live in a country with repressive anti-labor legislation like the Taft-Hartley Act which makes solidarity actions, or as employers say, "secondary boycotts," difficult for unions to organize.

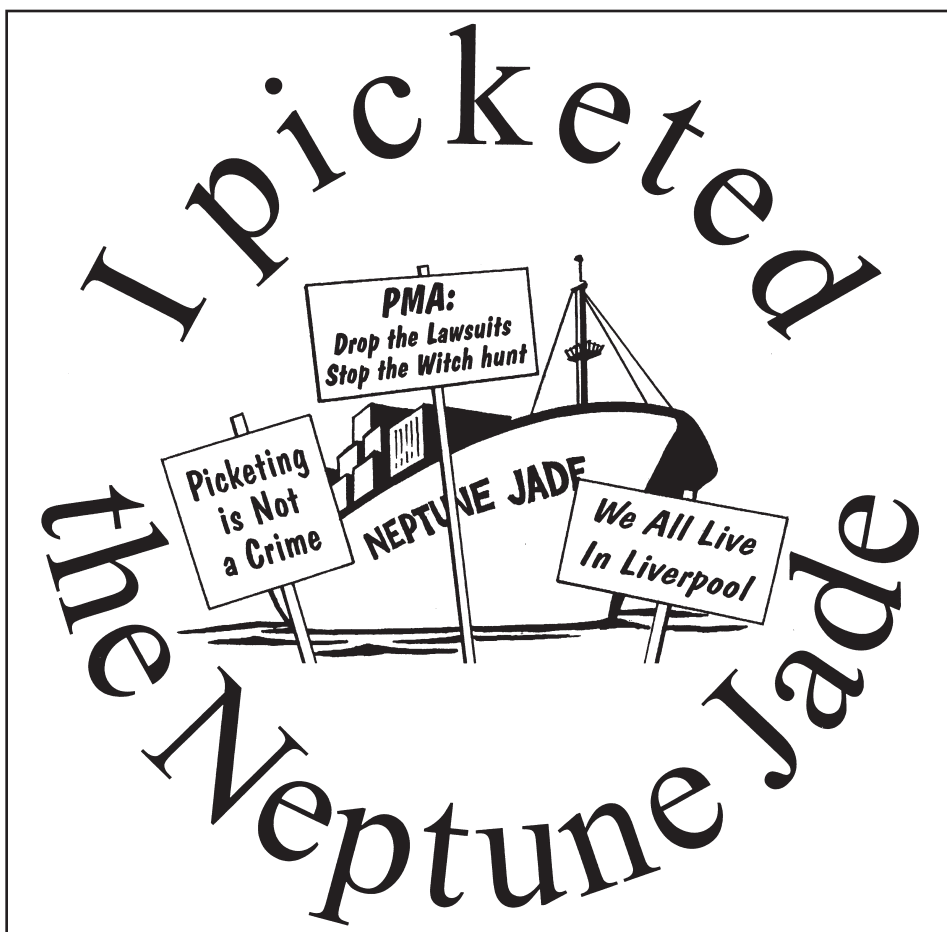
"The significance of the *Neptune Jade* action lay in the fact that the ILWU was able to implement its policy of support for their Liverpool brothers while defending itself against legal attacks," he said.

At the Liverpool gathering Irminger pointed out how the *Neptune Jade* action influenced later events.

"It was the *Neptune Jade* action which strengthened the links between Bay Area organized labor and community groups, preceding and laying the basis for a global justice movement here," he said.

In 1999, he pointed out, ILWU and other trade unionists marched with young protesters demonstrating against the WTO in Seattle. And again, in 2001, global justice activists successfully picketed an Italian ship in the Port of Oakland to protest the killing of a young anti-capitalist globalization protester in Genoa.

Jack Heyman, who had been sent to Liverpool by then-ILWU President Brian McWilliams early in their struggle in 1996, drew a direct connection from Liverpool to the *Neptune Jade* to the ILWU's contentious 2002 contract negotiations and the anti-Iraq War protests. When PMA and the Bush administration threatened the ILWU during the 2002 contract negotiations, he said, these activists and dockworkers internationally were readily mobilized to support the ILWU, from marches and rallies in San Francisco



As PMA went on a witch hunt, searching for pickets to sue, supporters of the Liverpool dockers around the world wore buttons and stickers with this graphic and slogan in solidarity.

to parrying with right-wing politicians in the Australian press.

Heyman said when anti-war activists demonstrated in the Port of Oakland at the start of the Iraq War, longshore workers refused to cross their picket lines as they had done six years earlier in the *Neptune Jade* picket line. One difference, he noted, was that Oakland mayor Jerry Brown himself participated in the *Neptune Jade* picket, but he now supports the bloody police repression of the anti-war demonstration.

The veil of 9/11 "national security," had been used by the government to cover the peaceful protesters as "terrorists." Scores were shot with so-called less-than-lethal weapons, including nine longshore workers and then-Business Agent Heyman was arrested while trying to protect his members against the police assault.

Although the port was not shut down, the case against the police, ILWU Local 10 v City of Oakland, is scheduled for court in January.

—Dispatcher staff reports

"Solidarity Has No Borders: the Journey of the *Neptune Jade*" is available for \$20 (plus \$5 handling fee) from its producer:

Labor Video Project
P.O. Box 720027
San Francisco, CA 94172
Voice: 415-282-1908 / Fax: 415-695-1369
Email: lvpsf@labornet.org

Fifty percent of the proceeds will go to the legal defense campaign to expose the brutal police attack on peaceful anti-war protesters and longshore workers in the Port of Oakland in April 2003. The campaign is being organized by the Transport Workers Solidarity Committee.



Tom Price

The *Neptune Jade* not being worked at the Port of Oakland.

JEFF SMITH RECOGNIZED AS POLITICAL ACTIVIST



Dawn Des Brisay

ILWU Columbia River District Council President Jeff Smith (center) received the Pat Quigley Award for outstanding contributions to labor's political program at the Oregon AFL-CIO Convention in Portland Oct. 18.

Pat Quigley was a longtime member and president of Asbestos Workers Local 36 and a political activist. He died several years ago from liver cancer at the age of 52. The Oregon AFL-CIO established an award in his memory to be given to a union member active in politics. The award was presented by Tim Nesbitt, President of the Oregon AFL-CIO (left) and Brad Witt, Secretary-Treasurer of the Oregon AFL-CIO (right).

In making the presentation Nesbitt said Smith deserved the award for his never-say-die enthusiasm and tireless commitment to Oregon's union movement, for feeding hundreds of Labor 2004 volunteers, for fueling the federation's best-ever political mobilization in 2004 and for always being there for his brothers and sisters on the front.

ILWU Book & Video Sale

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

BOOKS:

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- A Terrible Anger: The 1934 Waterfront and General Strike in San Francisco** By David Selvin: the newest and best single narrative history about the San Francisco events of 1934. **\$16.50**
- The March Inland: Origins of the ILWU Warehouse Division 1934-1938** By Harvey Schwartz: new edition of the only comprehensive account of the union’s organizing campaign in the northern California warehouse and distribution industry. **\$9.00**

VIDEOS:

- We Are the ILWU** A 30-minute color video introducing the principles and traditions of the ILWU. Features active and retired members talking about what the union meant in their lives and what it needs to survive and thrive, along with film clips, historical photos and an original musical score. DVD or VHS version **\$5.00**
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