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## The Economic Crisis and the Labor Movement in America

The ILWU Rises to the Challenge

by Mark Vorpahl

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Anyone who still believes that U.S. workers and the labor movement are incapable of mounting a struggle against the conditions that the economic crisis is forcing on us has not been paying attention. Evidence to the contrary was vividly provided on the morning of September 8th, when 500 International Longshore and Warehouse Union (ILWU) Local 21 members and their supporters took over the Port of Longview in the state of Washington. Railroad cars were damaged and the grain they carried was dumped in an effort by these workers to defend their jobs by resorting to the only tactic they had left, that is, using work site action to hurt the employers bottom line.

To do so they had to use their strength in numbers to overpower the police and security guards. Though the police attempted to make arrests, the workers pushed back and managed to release their brothers and sisters. The standoff that developed was explosively tense. As the hours rolled on the police began to bring out an arsenal of "non-lethal" guns and tear gas, demonstrating that they were prepared to inflict heavy casualties in order to secure the port and defend the bosses' property and profits. The workers withdrew, for the time being, after having made their point by inflicting costs on the port bosses dearly. It is a credit to their unity that there were no successful arrests or injuries.

This action was accompanied by wildcat strikes (that is, strikes not sanctioned by the union) in Seattle and Tacoma, Washington. This shows how big the stakes are at the Port of Longview. For workers to sacrifice their wages and make such extraordinary efforts, the cost of such actions have to greatly outweigh the costs of not taking them.

## **Corporate Greed**

In this case the corporation compelling the ILWU to take such dramatic actions is the multi-national consortium EGT Development. Last year alone they made \$2.5 billion. In spite of these deep pockets, they want to bust the ILWU at the \$200 million grain terminal in Longview. If they succeed, this will encourage other longshore employers to do the same.

Promising jobs, EGT got a state tax exemption and a sweetheart lease deal to build the grain terminal. However, rather than providing local construction jobs in a county with an August unemployment rate of 11.7 percent, they initially imported non-union lower paid workers. If anyone was expecting some gratitude towards the community from EGT for the breaks the company received, that illusion quickly evaporated.

Then EGT's greedy behavior got even worse. For 70 years the Port of Longview has employed the members of ILWU Local 21. In May of 2010, EGT had stated that they would continue the practice. This appears to have been a stalling tactic, however. In following negotiations EGT made unreasonable demands, such as asking ILWU members to work 12 hour shifts without overtime pay in addition to an exemption from recognizing maintenance, repair, and master consul jurisdiction. After not getting their way, EGT refused to meet with the ILWU, which is, most likely, what they wanted to do all along.

## **ILWU Push Back**

The ILWU began to hold rallies and picket EGT in an attempt to pressure them back to the negotiating table. EGT refused to budge. This arrogant stubbornness resulted in a protest on July 11 where ILWU members tore down a chain-link gate and stormed the EGT terminal. 100 union workers and leaders were cited for arrest.

On July 14th union workers successfully blocked a train from delivering grain to the EGT terminal. As a result, the train company suspended its shipments for safety reasons. EGT was feeling the heat, but they weren't burned yet. They had another cynical maneuver up their sleeve. They signed an agreement with the Federal Way-based General Construction Company to operate the terminal with union members from the International Union of Operating Engineers (IUOE) Local 701. Now they hoped they could portray the conflict as union against union rather than union against EGT. However, because the members of IUOE 701 are employed by a general contractor, they can be replaced by non-union workers the moment EGT decides to take over the job itself. Seeing through this ruse, both the Oregon and Washington State AFL-CIOs have condemned the leadership of IUOE 701 for their actions in assisting EGT's attempts to divide the union movement.

## **Choosing Sides**

In all of this, it is important to note, the role of the police and legal system. While there have been many arrests of union members and leaders with stiff sentences for charges as trivial as not moving quickly enough when asked, those acting against the union have consistently gotten off scot-free. For instance, one person drove his car through a picket line so carelessly that a picketer was sent to the hospital. Rather than arresting the driver, the police arrested a protester for allegedly denting the car with his knee. With this twisted logic, if the driver had gotten out of his vehicle and struck a protester in the mouth with his

fist, the police would have arrested the protester for assaulting the driver's hand with his face.

The National Labor Relations Board (NLRB), which was established in the 1930s ostensibly to protect union rights, has also been lining up with the employer. This board filed a temporary injunction against the ILWU, prohibiting union members from all traditional forms of protest. This moved ILWU International President Robert McEllrath to observe:

"The NLRB complaint and the motion seeking a TRO (Temporary Restraining Order) and injunction were expected by the Coast Committee. The complaint itself has no legal significance unless sustained after a full trial and currently represents nothing more than mere allegations that are based on incorrect facts and bogus legal conclusions. This, unfortunately, is typical of the NLRB ever since the Taft-Hartley Act of 1947 transformed its mission to restrict the union and civil rights of union members. The NLRB exists for one reason and that is to protect commerce at the expense of workers, and we are not surprised that EGT is employing the NLRB to put down a legitimate labor dispute."

Fortunately, the ILWU defied this injunction on September 7, when they again clogged the railroad tracks to prevent grain from being delivered to the EGT terminal, and again on the morning of September 8 when they took over the terminal. Had they played by the rules of a game rigged in favor of the bosses, EGT would have no reason to settle the dispute. Consequently, the police and courts would have greater incentive to trample on the ILWU members' rights.

On September 8th, a United States District Court Judge denied the NLRB's motion to ban picketing at the EGT facility. It is more than likely that part of the motivation behind this was that such restrictions were not muzzling the ILWU membership, but emboldening them. If an unjust law is followed, it remains. If it is resisted and defied through mass collective action, there is a better chance of doing away with it.

The role of the corporate press should also be noted. Few, if any, articles have made a genuine attempt to give the union side in this conflict, though the ILWU has strong community support in Longview. The initial reports in the corporate websites and papers even claimed that security guards were held hostage by those who stormed the EGT terminal. Since these accounts came out, even the police have said they were false. Nevertheless, these claims still turn up uncorrected in the corporate media. This should surprise no one. The corporate media have more economic interests in discrediting labor and any actions that effectively hurt corporate profits than they do in providing the truth.

### **Changing Times**

Even with the press, the legal system, as well as the political establishment lined up against us, labor can win. A new mood is rising from the ranks as a result of the attacks against all workers and the insatiable greed and power of those tiny few at the very top economic rung. This mood is turning into a mass force. We have already witnessed it in Madison, Wisconsin which, though not resulting in an immediate victory, showed that the political climate opposed to workers' struggles can be turned around. The 45,000 member-strong strike at Verizon alone equaled all the unionists out on strike in 2010. Now the

ILWU in Longview has introduced a new boldness in overcoming legal restrictions and hitting the employers where they are most vulnerable: their profits.

When ILWU International President Robert McEllrath urged members to end their standoff at the EGT Terminal take over, he stated:

"If we leave here, it doesn't mean we gave up and quit. It means we're coming back."

And when they do come back, they need to do so with the active support of Longshore workers across the west coast. They also need to mobilize their community supporters in the streets. If this is done, the ILWU could again provide a watershed moment for Labor like they did in the 1934 San Francisco General Strike.