

# On the West Coast waterfront

*As the war against terror in the US hots up, US employers went on the offensive and locked out thousands of West Coast dockworkers. Tim Shorrock reports on the lockout and its implications for US labour.*

**O**n 29 September 2002, after weeks of growing tensions on the US West Coast waterfront, the shipping lines and terminal operators that make up the Pacific Maritime Association (PMA) locked out more than 10 500 dockworkers and marine clerks represented by the International Longshore and Warehouse Union (ILWU).

The employer's strike represents a significant escalation in a war against the ILWU being waged by US and foreign shipping lines, major US importers and manufacturers and the Bush administration.

Since the West Coast contract expired last July, employers have been collaborating to break the ILWU's 67-year hold on West Coast dockworker jobs and weaken one of the AFL-CIO's most militant unions.

But the union has no intention of backing down. 'The ILWU will not be intimidated,' ILWU president Jim Spinosa said the day after the start of the lockout.

The lockout was ordered after the

ILWU, concerned about an increasing number of waterfront accidents, instructed its members to 'work safely in strict accordance' with all local and federal safety regulations.

The ILWU said that work on the docks had intensified in recent months, particularly at mega-terminals operated by Maersk Lines of Denmark and South Korea's Hanjin. The increased workload and congestion in the terminals was raising the potential for accidents, injuries and fatalities.

The work-to-rule action slowed down work on the docks. In response, the PMA shut down the ports and said the lockout would continue until the union agreed to a new contract or extends the old one. 'I will not pay workers to strike,' declared PMA president Joseph Miniace. 'We will not extend the contract,' countered Spinosa.

The labour situation began deteriorating during the first week of September, when the ILWU said that Miniace had sabotaged the negotiations by changing the terms of

a deal he had made with the ILWU. The union temporarily walked out of the talks and cancelled the day-to-day extension that had been in effect since their coast-wise contract expired on 1 July.

Despite the Labour Day breakdown, the two sides continued to talk. Within a week, they had reached an agreement on health benefits, a key issue.

A strike on the West Coast, which handles about \$300bn every year in exports and imports, or about 7% of the US GNP, would deal a devastating blow to the US economy.

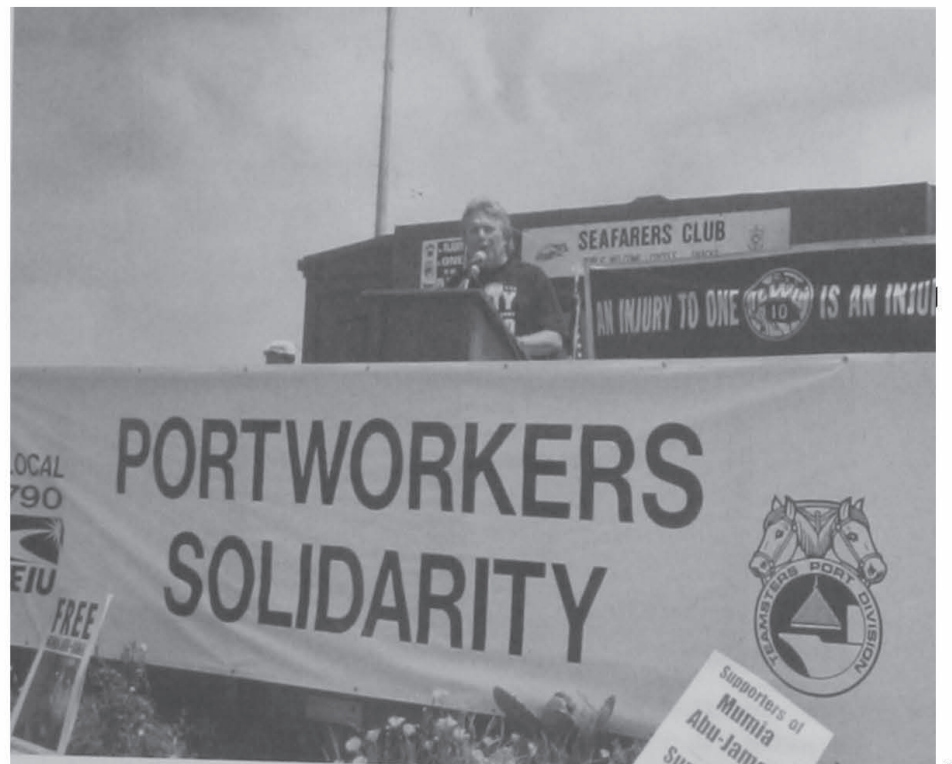
A few days after the health agreement was reached, the PMA responded angrily when the ILWU organised demonstrations at terminals operated by Stevedoring Services of America (SSA), a Seattle-based company with global operations. The ILWU said SSA had been 'promoting an agenda that seeks to move as much work away from unions as possible.' The union believed that SSA was attempting to undermine the

negotiations with the primary aim to break the union. According to the ILWU, SSA has been 'systematically' moving hundreds of jobs away from the ports and creating new companies to avoid union contracts. The PMA responded by threatening a lockout and accusing the union of 'putting their self-interests over those of the nation.'

### Technology

The SSA incident underscores the importance of technology in the talks. The shipping lines want to make the flow of information across the docks more efficient and allow shippers and carriers to plug data sent from foreign ports and incoming carriers directly into their IT systems without having unionised clerks retype the information when the ships arrive. The ILWU, the PMA says, 'cannot brush aside the need for port modernisation. Port security and volume growth can only be achieved with modern work systems at the terminals.'

The union is widely known for its innovative approach to technological change. During the 1950s, it helped revolutionise ocean shipping by agreeing to the containerisation of cargo in return for lifelong guarantees of employment. This time around, its attitude has not altered: it welcomes changes in technology, such as bar codes that scan cargo, but wants to ensure that any new workers have



union contracts.

But along with efficiencies, the employers also want maximum flexibility to shift workers around in the ports. They would also like to weaken union jurisdiction, particularly in the clerical sector. In this campaign, the shipping companies and terminals have received strong pressure from a coalition of large importers and manufacturers, the West Coast Waterfront Coalition, which relies heavily on West Coast ports.

'This contract is obviously very important because we've told the terminals they need to do a better job of managing containers and trucks,' Robin Lanier, the coalition's executive director, said. 'The terminals have come back and said that some of the reasons we don't manage containers and trucks real well is because we have some difficulties with the union in employing basic information technology.' She said the shippers and importers have taken no stand on

wages, jurisdictional issues or benefits. But that's not the way the ILWU sees it.

The importers' coalition began meeting with the Bush administration and members of Congress long before the ILWU-PMA contract expired on 1 July. During extensive discussions with the Bush administration, the importers and manufacturers conveyed the need for labour concessions on technology and linked the issue with national security. At one point, Tom Ridge, director of the administration's Homeland Security agency, telephoned the union and suggested that a dockworkers' strike could weaken US security.

The importers' talks with senior White House officials, the Department of Labour, the Maritime Administration and the US Trade Representative apparently convinced the Bush administration that some kind of action was needed. In early August, the Bush administration signalled its



intentions through the media. In interviews with selected reporters, unnamed administration officials criticised the ILWU and threatened to invoke the Taft-Hartley Act, a Cold War-era law that allows the president to order an 80 day cooling period if pending strikes imperil the 'national health and safety'. That act is rarely used, and was most recently invoked by President Carter to stop a coal strike in 1978.

But the tactic backfired. The ILWU won considerable public support, even from some US conservatives, by claiming that the threat of presidential intervention tilted the playing field in favour of its employers. The PMA itself was forced to issue a press release saying it opposed the use of Taft-Hartley.

The ILWU itself has tapped into public anxiety about port security terrorism. In August, ILWU negotiators asked the PMA to allow dockworkers to inspect container seals on incoming ships to ease the threat of terrorism. Taken by surprise, the PMA turned the issue back towards automation, urging

the ILWU to cooperate with shipping lines and the federal government in developing technology 'designed to track, scan and identify cargo coming into this country'.

The ILWU and its allies in the AFL-CIO have also gone to Congress to discuss the reluctance of Maersk Lines and other PMA carriers in the World Shipping Council to accept a proposal from the US Customs Service's proposal to require that vessel manifests be filed electronically 24 hours before cargo is loaded.

The ILWU has also put pressure on Maersk, a key member of the PMA and the largest container shipping line in the world. In September, the union sent delegations to Maersk offices on the West Coast and complained that the company 'is a major stumbling block in our ongoing attempts to win a fair contract'.

#### **Tensions between unions**

The struggle on the West Coast has brought out tensions between unions as well. The International Association of Machinists (IAM) hopes to win new

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maintenance and repair jobs at a terminal in Long Beach that SSA will soon take over, but the ILWU claims jurisdiction over that work. The dispute became so heated that the AFL-CIO brokered a meeting between the ILWU and IAM on 14 September. 'We still have some differences, but the issue was settled,' said Stallone.

Meanwhile, the Seafarers International Union, which represents seafarers working for Maersk, has protested inside the AFL-CIO about the ILWU's targeting of the Danish shipping line. Maersk is the SIU's largest employer.

The Bush administration expressed concern about the lockout, which is costing the US economy about \$1bn a day. Federal mediators want the two sides to come back to the bargaining table. The PMA accepted the offer, but the union only wants direct negotiations with its employers. 'We don't need outside people to come in,' Spinosa declared.

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