

# Industrial Worker

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## New rules attack 40-hour week

BY JON BEKKEN

The U.S. Labor Department published final regulations April 23 that could immediately strip more than a million workers of their overtime protections. Millions more could lose protection as inflation erodes a new salary cap, and as employers continue to increase educational requirements for jobs. The rules will take effect August 23, unless the House of Representatives takes up legislation to block them. However, workers in 18 states may not be immediately affected because of provisions in state laws.

The final regulations were scaled back from sweeping proposals the Labor Department issued March 31, 2003. More than 75,000 public comments were filed in response, almost all from workers expressing their outrage at proposals to strip the limited overtime protections available under U.S. labor law from an estimated 8 million workers.

Under U.S. law, employers can generally force workers to put in as many hours as they want, but must pay time-and-a-half wages to hourly and some salaried employees for any hours worked in excess of 40 hours a week. Some states limit the number of overtime hours employers can demand, most commonly for health care workers. Federal and state law also restricts working hours for most transportation workers.

However, millions of "administrative," "executive" and "professional" employees will now be exempted from overtime provisions if they receive a salary of at least \$455 a week rather than an hourly wage.

Teachers are "exempt" even if paid less or on an hourly basis, and are not covered by federal minimum wage laws. Under a little-known 1989 amendment to the Fair Labor Standards Act, firms doing less than \$500,000 a year in business and not engaged in interstate commerce are also exempted from overtime and minimum wage laws.

The new regulations expand the "administrative," "executive" and "professional" exemptions, and would for the first time allow employers to dock salaries for absences and other offenses and treat some hourly employees who are guaranteed a minimum weekly wage as exempt. Under the new rules, workers paid on an hourly basis would still generally be covered by overtime regulations, as would salaried workers earning less than \$455 a week. Employees earning more than \$100,000 a year (including bonuses) would generally not be eligible for overtime.

The *Industrial Worker* first reported on the proposed regulations in March 2003, a detailed analysis ran in our May 2003 issue. The IWW was among the many labor organizations that filed objections to the changes (excerpts appeared in our October issue).

### Strengthening overtime protections, or gutting them?

The Labor Department's web site and press releases claim the new regulations strengthen workers' existing overtime protections, pointing in particular to the provision requiring that employees paid less than \$455 a week would be entitled to overtime coverage. The department claims that 1.3 million workers will benefit from this change.

"The Administration is engaged in consumer fraud," charges Ross Eisenbrey of the Economic Policy Institute, "selling this new regulation on the promise of benefits it knows full well will not materialize." Available data indicate that *continued on page 8*

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## Troqueros wildcat California ports

Thousands of waterfront and other truckers joined a wave of wildcat strikes that reached as far north as Tacoma, Washington, and across the country to Virginia, but were strongest in California, where the truckers are commonly known as "troqueros."

The strikes began in late April and were ending as the *Industrial Worker* goes to press, although 100 truckers in Concord, Calif., struck May 14, demanding that trucking companies increase rates and improve working conditions. Given the widespread grievances, a new round of strikes remains quite possible.

Only about 15 percent of California's 12,000 port truckers were working at the height of the strike, tying up cargo at ports in Los Angeles, Long Beach and Oakland.

The port truckers haul cargo from the waterfront to nearby rail and trucking terminals. They are paid by the load, out of which they must pay fuel costs and other expenses. Some own their (often heavily mortgaged) rigs, others lease trucks from the freight companies. The California Trucking Association, an employers group, said fuel prices are so high that many owner-operators lose money every day they are on the road. Shipping companies insist the truckers are "independent contractors" even though they have no say over their rates or working conditions.

The strikes were called by a loosely organized network of troqueros, with support-

ers in nearly every trucking company. However, the companies are unevenly organized - one company is solidly organized but others only have a handful of militants. The most militant have worked the ports for many years, waging a difficult struggle against deteriorating conditions.

Hundreds of workers struck the Los Angeles and Long Beach ports in April 1996 to demand union recognition and dispatch from a union hiring hall, but the strike was undercut by union scabbing and legal maneuvers. At that time, truckers complained that they were working under a motorized shape-up in which they waited for hours at the ports. Since then, waits have only grown longer.

Two unionization drives and efforts by Los Angeles truckers to organize a co-op to get around employers' efforts to use anti-trust laws against the troqueros also failed.

Without a stable organization, workers have been unable to develop an effective strategy to get past the bosses' refusal to recognize them as workers. Several militants are trying to pierce the elaborate veil of contractors and subcontractors, insisting that they actually work for the Pacific Maritime Association - an association of shipping and dock companies that control West Coast ports. But to date, their network has been able to mobilize thousands of workers for short-term action *continued on page 6*

## Rank-and-file Rebellion Metropolitan Hotel workers take on the boss and their union

BY JEFF SHANTZ, TORONTO

Working conditions at Toronto's elite Metropolitan Hotel have been so brutal for so long that many among its predominantly immigrant workforce refer to it as a "Five Star sweatshop." When Met workers turned to their union, HERE Local 75, for assistance, their supposedly progressive local responded with inaction and patronizing dismissals.

So the Met workers, in the best tradition of rank-and-file initiative, got mad - and then they got organized. In order to deal with the issues that were affecting them at work they took matters into their own hands by organizing the Metropolitan Hotel Workers Committee. If HERE leaders would not treat their concerns seriously, they would do it themselves. Within a few months of meetings and discussions, the committee had grown to include 56 of approximately 200 Met workers.

More than two-thirds of Met workers are women, most of Filipino, Chinese, South East & South Asian, and West Indian backgrounds.

The miserable conditions faced by hotel workers across the industry are well documented. The hotel industry is the largest employer of immigrants, women of colour and single parents. Long work hours are matched with low pay and unsafe working conditions. At the Metropolitan Hotel, housekeeping workers have been made sick from using chemicals that are not even properly labeled. It is believed that one in ten workers at the Met presently suffers from some type of workplace injury. By law the workplace is required to have a joint health and safety committee including Local 75 representation, but the reps have had no contact with the workers, despite repeated requests, and have done nothing even to ensure proper labeling (let alone to support work refusals).

Workers are forced to work as many as 16 hours without a break. When one ban-

quet worker took a cookie that was going to be thrown out because she had worked all day without a dinner break she was disciplined for taking company property. Even when breaks for food are skipped because of work demands the company still takes a half-hour deduction from workers' pay.

Workers are also punished for speaking languages other than English with fellow workers. Such racism is rampant among hotel management. One worker of Pakistani background was driven from his job for praying in the staff room, as part of the racist backlash after Sept. 11, 2001.

Incredibly, Local 75 has offered as an excuse for its failure to file grievances the fact that the local's staff do not speak the workers' languages and cannot offer translations.

Prior to the Committee's founding, workers who spoke up or tried to defend fellow workers were targeted for special abuse. False accusations of theft have been a preferred management tactic in this regard.

So where has the union, HERE Local 75 - a supposedly progressive local - been through all of this? Well, it seems they've decided to put their energies into fighting the rank-and-file committee. Sadly, the union has long been complacent in management's treatment of workers, and has even joined with management to target activists.

Recently the union rep and the Met's manager jointly called a meeting with shop stewards to co-ordinate an attack on the Ontario Coalition Against Poverty, which has supported the Committee's efforts. Workers were then pressured in the presence of management to sign a statement demanding that OCAP stay away from the hotel.

After repeated attempts to get some assistance from Local 75, the Met workers have lost all confidence in the local's leadership. *continued on page 11*

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## Mobs and unions

While I really do respect the sincerity of your reports, I find something seriously lacking in your view of contemporary labor. It's not just you, nobody ever talks about something we all know is true. So how come no one ever mentions the extensive presence of organized crime permeating organized labor as it exists today?

Everyone officially ignores this fact of modern life, which only strengthens the position of the labor racketeer. How is it you're silent on this subject too?

A labor racketeer is your right wing antithesis. For that reason alone, aren't they worth your attention? I guess I can only let you be the judge of that.

George Cortesi

**Editor's Note:** We have on occasion run articles on organized crime in particular union locals, including a series a few years ago on a Teamsters local whose mobbed-up president was an associate of the Carey administration. But it can be difficult to prove that undemocratic and corrupt union locals are that way because of mob influence (a serious and potentially libelous charge), as distinct from more general corruption.

We do run a number of articles on rank-and-file struggles for union democracy and against corrupt and sell-out dealings. We also have covered many criminal prosecutions of union officials for embezzling union funds or taking bribes from corrupt employers to sell out their members. I am not sure how useful it is to speculate as to whether the officials involved are mobsters, or simply out for themselves.

No doubt it is particularly difficult to organize a rank-and-file movement in a mob-run local (though the mob hardly has a monopoly on the use of force; no one has suggested the UMW Boyle administration was tied to the mafia, for example, but that fact does not bring its victims back to life). But the key struggle remains bringing the unions under the control of their members.

## The Rambling Kid

Fellow Workers,

I'm writing in response to the editor's note appended to Carlos Cortez' review of *The Rambling Kid* by Charles Ashleigh in the May *Industrial Worker*. The book's introduction was written by me and I was the one who first suggested its reprinting to the editors at the Charles H. Kerr company. I would agree with much of what our editor says about the book. In truth Ashleigh is not a great writer (although he is a passable one) and he did leave the IWW to become a Communist. However, *The Rambling Kid* contains much that is of value and Ashleigh did considerable good work while an IWW member.

Ashleigh was an IWW organizer from 1912-1917 who, while he never worked at any of the hobo pursuits, traveled around in boxcars and lived in hobo jungles just like the folks he was organizing. In the book Ashleigh's young hobo hero follows the harvests and beats his way across America on freight trains. The best material in the work are the adventures and the camaraderie of the road which Ashleigh presents.

*The Rambling Kid* joins a small group of novels that portray IWWs on the road in the teens and twenties that includes *Break Their Haughty Power: Joe Murphy in the Heyday of the Wobblies* by Eugene Nelson, *Jimmie Higgins* by Upton Sinclair, *Timber* by Edwin Stone Parker and a few others not specifically about the IWW but reflecting the same milieu: *The Main Stem* by William Edge and some of the novels of Jim Tully.

*The Rambling Kid's* shortcomings, i.e. the soap opera early chapters before the hero hits the road and the Communist anachronisms that mar the final chapters, not to mention the criminality of some of the IWW characters, are real enough. But that notwithstanding, the book is of value to read. There are not many others like it and it gives an interesting look at our history.

Steve Kellerman, Boston

## Why be an activist?

I was asked the following question the other evening, after delivering some anti-war and pro-labor songs at a concert: "why do you bother?" – and that got me to thinking ('bout time something did!), just why do I give a rat's ass about who's in Washington or what's going on in the streets or Iraq? I had to come up with a response real quick, before this guy left.

I told him that I was an activist because I'm standing up for all those who stood up before me despite persecution, jail, being tossed out of the country. I'm standing because they were there – they stood so that my life would be better – and I'm standing for and with my fellow workers so that all of our lives may be better.

I told him that, as a folk singer, it would be a terrible injustice to ignore what happened to Joe Hill and many others.

I told him that I did what I do and sang what I sing because, to be quite honest, I'm human and can do no less.

Look inside yourselves, fellow workers – why are you an activist, why do you stand for the rights of others? More importantly, if you don't do these things .....

As Phil Ochs wrote in "Links on the chain," "which side are you on?"

Steve Horn X356431

## 12 more Marines killed

Today, April 6th, as I came into our apartment, my fellow worker wife Judy was in tears. Twelve more Marines were killed in Iraq today. This brings today's total to nineteen or twenty. At least twenty were wounded today. Judy says she didn't want to tell me, but figured I would hear anyway.

Bush gave the American people fraudulent reasons for going into Iraq. Rationalizations from conservative talk show hosts, the comments of neoconservatives and Republican spokesmen, and some military and diplomatic spokesmen is of an Orwellian nature.

If you read George Orwell's "Politics and the English Language" you will see that Orwell identifies conservatives as the most unscrupulous people in their propaganda.

Orwell said that certain things are wrong no matter who does it, and this includes the war in Iraq.

In Solidarity and Peace,  
Raymond Solomon, New York

## Boosting morale for May Day

This year, with May Day coming up, it was easy to feel a little down what with the world situation. Bush and the neo-cons on the rampage and our – Labour! – prime minister behaving the way he is! Anyway, in the run-up to May Day I encountered your web site and ordered some material to cheer up the May Day weekend.

Well, it has certainly had a most positive effect on our morale. The CDs "Rebel Voices" and "We Have Fed Your All For A Thousand Years" have had a wonderful effect, with us singing along in the car, and Franklin Rosemont's *Joe Hill* is a beautiful, compassionate piece of work. All in all, we just wanted to write and say thank you for raising our spirits in these difficult times.

Nick Matthews & Susan Moon-Garcia,  
Warwickshire, UK

## Pittsburgh Wobs in quickie safety strike

Workers at Pittsburgh's East End Food Co-op held a quickie strike May 5 over safety conditions. The store is in the midst of major remodeling, and welding has been going on during store hours. Smoke was being given off by the welding. Instead of waiting it out and inhaling the fumes, cafe and stockroom workers walked out of the store (still on the clock) for about half an hour – negotiating with management for the welding to stop, waiting for the fumes to dissipate, and then returning to work.

An IWW committee has been present in the store for over a year. Originally formed in response to cutbacks in employee benefits, Wobs have been agitating for a safer workplace since the remodeling began. An earlier "cookie strike" saw workers refuse to bake cookies until more staff were hired. Most of the new hires joined the safety strike.

## Industrial Worker

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Industrial Unionism

- ★ ORGANIZATION
- ★ EDUCATION
- ★ EMANCIPATION

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## Australian Wobs plan organizing

BY ADAM LINCOLN, X354714

The Australian Regional Organising Committee (AusROC) is a subordinate body of the Industrial Workers of the World, grouping together all IWW members in the region.

The Annual Regional Assembly was held May 2 in Sydney, Australia, at Jura Books.

This was my third annual assembly and despite the relatively small turnout – with only members from the Sydney General Membership Branch attending – I felt that it was the most productive in those three years.

The Sydney GMB is certainly building up a critical mass of active members and this means that we are able to support the administrative functions of the AusROC, at least for the time being. In the longer term, this will create difficulties as the Melbourne GMB found, where local branch activity can be swamped by ROC and administrative duties. After a lull of a couple of years there has been recent membership growth in the Melbourne GMB, which is positive news.

Apart from the usual bureaucratic duties such as nominating ROC office bearers, and electing ballot committees and the like, we were able to hold a number of useful strategic discussions around local and Australian organising opportunities, the direction and role of the Australian IWW, and our relationship with the U.S.-based international administration of the IWW.

On the local front we agreed to recommend to the next elected *Direct Action* (our local IWW paper) editor that we move to one A4 fold-over (4-page) format due to the excessive cost and low membership base of the local IWW. It was agreed that we will keep our web site updated monthly and place monthly issues on the site to increase its availability and circulation. We will maintain the quality of the previous tabloid *DA*. We also thank the current *DA* editor Wal Larkin for the high-quality job he has done so far. The problem is one of cost and low distribution, the quality was always outstanding by international standards. The plan now is to have smaller but more frequent papers and other propaganda for use with local organising.

We discussed the role of local Wobs in building Industrial Union Branches, and some preliminary work has been done in this area. An organising attempt is being made by Sydney GMB organisers with timber workers in Oberon, Western NSW; and other wobs are looking at building IUBs in Education and various other industries. In addition we set some goals for the Australian IWW aiming for 2007 (the 100-year anniversary of the founding of the IWW in Australia), including doubling our current membership and building several functioning IUBs.

On the international front we discussed the unconstitutional international ballot process in late 2003 and the debates that have resulted from the election review process created by the General Executive Board. In particular the AusROC Assembly supports the attempt by Australian Secretary/Treasurer Ray Elbourne and GEB contact Jim Ellsworth to negotiate a written agreement to give effect to the constitutional requirements for ROCs.

We note that the structure of the union is focused on North America and we believe there should be more of a separation of the North American subordinate bodies and the international administration. The AusROC will conduct an internal audit to ensure that we can meet our local and international administrative requirements while allowing time and money for local organising. The AusROC Assembly has allocated \$300 to partially fund an elected ROC Delegate to the 2004 General Assembly in Canada and hope that the GEB will be able to support this to ensure that we may participate fully in the affairs of the international IWW.

### 2004 IWW Assembly

The 2004 IWW General Assembly will be held in Edmonton, Canada, Sept. 3 - 6.

## Building the One Big Union in Oberon

BY ADAM LINCOLN

Oberon is a scenic alpine farming and forestry town, located three hours drive west of Sydney, in New South Wales, Australia, close to the Blue Mountains World Heritage area. It is home to five major manufacturing operations, employing over 400 workers producing structural timber, door skins, panel products, flooring and appearance grade wood products. It is organised by the Construction, Forestry, Mining & Energy Union. It is also the subject of an IWW organising campaign from the Sydney Branch designed to build dual membership and a parallel labor body called the Oberon Workers Industrial Union (IWW IU120/420/530) designed to unite workers across the plants and occupations into a fighting rank-and-file union.

New Zealand/Australian wood products giant Carter Holt Harvey (CHH) operates three plants in town and employs the majority of timber workers in the local community. CHH is majority owned by U.S.-based International Paper, one of the more ruthless U.S. corporations.

Over the past 18 months workers have been slowly rebuilding union strength and solidarity in the region as they face increasingly blatant attacks on their working conditions, safety and collective agreements.

Organising at the plants has focused on building union density and job organisation in the plants, achieving some common conditions of employment in the various site collective agreements, aiming for a common collective agreement expiry date in 2006 to allow these sites representing different companies to bargain together, and building confidence through small but escalating direct actions on safety and other issues.

So far workers at the Highland Pine (CHH and Boral joint venture) sawmill (one of the largest softwood sawmills in the Southern Hemisphere) and the Jeld Wen (U.S. door manufacturer) door skin plant negotiated outstanding agreements last year using wild-



Carter Holt Harvey workers waged a successful safety walkout in Oberon in December.

cats and direct action to break new ground for 12-hour shift conditions, including 30 hours pay for 12-hour shifts on public holidays, 4-5 percent yearly wage increases, and common agreement expiry dates for 2006.

Just before Christmas 2003, workers at the main CHH MDF plant walked off the job over safety concerns following the discovery that management had avoided dumping and refilling 300,000L of Heat Transfer Oil (hot oil under pressure to run the hot presses) and it was dangerously volatile. In fact the oil was only a few degrees (Centigrade) above automatic ignition, meaning a leak or spills would self-combust and cause a major fire and evacuation. This resulted in a major investigation by the government safety agency and corrective actions by the company.

Workers at the CHH plants are currently negotiating their collective agreements and are attempting to unite together and also achieve some of the common claims from the Highland Pine and Jeld Wen bargaining rounds. The significance of the CHH bargain-

ing dispute in Oberon is that the CFMEU failed to achieve its objectives nationally in 2003 during a short-lived national campaign against CHH. The company stared down a number of strike actions and workers at other CHH sites eventually accepted the company offer and returned to work. In Kinleith, New Zealand, the company withstood over two months of continuous strike action.

In Oberon IWW tactics are being mobilised to win by using direct action and striking on the job. They carry the hopes of other CHH workers around Australia if they can win and advance working conditions stalled elsewhere.

### Midwest Wob Fest June 25-27

The 2004 Upper Mid-West Wob Fest will take place in Chicago on the weekend of June 25 - 27. Plans include workshops, a cultural evening, and a tour of historic labor sites. To arrange housing, or for details, contact the Chicago GMB at 815-550-2018 or e-mail michaelhargis@netscape.net.

### Preamble to the IWW Constitution

The working class and the employing class have nothing in common. There can be no peace so long as hunger and want are found among millions of working people and the few, who make up the employing class, have all the good things of life.

Between these two classes a struggle must go on until the workers of the world organize as a class, take possession of the means of production, abolish the wage system, and live in harmony with the earth.

We find that the centering of the management of industries into fewer and fewer hands makes the trade unions unable to cope with the ever-growing power of the employing class. The trade unions foster a state of affairs which allows one set of workers to be pitted against another set of workers in the same industry, thereby helping defeat one another in wage wars. Moreover, the trade unions aid the employing class to mislead the workers into the belief that the working class have interests in common with their employers.

These conditions can be changed and the interest of the working class upheld only by an organization formed in such a way that all its members in any one industry, or all industries if necessary, cease work whenever a strike or lockout is on in any department thereof, thus making an injury to one an injury to all.

Instead of the conservative motto, "A fair day's wage for a fair day's work," we must inscribe on our banner the revolutionary watchword, "Abolition of the wage system."

It is the historic mission of the working class to do away with capitalism. The army of production must be organized, not only for the everyday struggle with capitalists, but also to carry on production when capitalism shall have been overthrown. By organizing industrially we are forming the structure of the new society within the shell of the old.

### Join the IWW Today

The IWW is a union for all workers, a union dedicated to organizing on the job, in our industries and in our communities both to win better conditions today and to build a world without bosses, a world in which production and distribution are organized by workers ourselves to meet the needs of the entire population, not merely a handful of exploiters.

We are the Industrial Workers of the World because we organize industrially – that is to say, we organize all workers on the job into one union, rather than dividing workers by trade, so that we can pool our strength to fight the bosses together.

Since the IWW was founded in 1905, we have recognized the need to build a truly international union movement in order to confront the global power of the bosses and in order to strengthen workers' ability to stand in solidarity with our fellow workers no matter what part of the globe they happen to live on.

We are a union open to all workers, whether or not the IWW happens to have representation rights in your workplace. We organize the worker, not the job, recognizing that unionism is not about government certification or employer recognition but about workers coming together to address our common concerns. Sometimes this means striking or signing a contract. Sometimes it means refusing to work with an unsafe machine or following the bosses' orders so literally that nothing gets done. Sometimes it means agitating around particular issues or grievances in a specific workplace, or across an industry.

Because the IWW is a democratic, member-run union, decisions about what issues to address and what tactics to pursue are made by the workers directly involved.

**TO JOIN:** Mail this form with a check or money order for initiation and your first month's dues to: IWW, Post Office Box 13476, Philadelphia, PA 19101.

Initiation is the same as one month's dues. Our dues are calculated according to your income. If your monthly income is under \$1,000, dues are \$6 a month. If your monthly income is between \$1,000 - \$2,000, dues are \$12 a month. If your monthly income is over \$2,000 a month, dues are \$18 a month.

- I affirm that I am a worker, and that I am not an employer
- I agree to abide by the IWW constitution
- I will study its principles and make myself acquainted with its purposes.



Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Occupation: \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail: \_\_\_\_\_

Amount Enclosed: \_\_\_\_\_

Membership includes a subscription to the Industrial Worker.





Mr. Block: "If you hate America so much, why don't you leave the country?"  
Wobbly: "What . . . And become a victim of our foreign policy?"

★ ★ ★

We who once were fools and dreamers then shall be the great and wise;  
There amidst the world new builded shall our earthly deeds abide,  
Though our names be all forgotten and the tale of how we died. — William Morris

★ ★ ★

We have all been to those meetings where someone wants you to give more than 100%. What makes 100%? What does it mean to give more than 100%? How about achieving 103% or even 118%?

Well, here's a little mathematical formula that might help you answer these questions:

If the letters of the alphabet: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z were represented as: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26, then: HARD WORK would be: 8+1+18+4+23+15+18+11 = 98% and KNOWLEDGE: 11+14+15+23+12+5+4+7+5 = 96%; but ATTITUDE: 1+20+20+9+20+21+4+5 = 100%; however, BULLSHIT 2+21+12+12+19+8+9+20 = 103% and ASS-KISSING: 1+19+19+11+9+19+19+9+14+7 = 118%.

So one can then conclude with mathematical certainty that: While hard work and knowledge will get you close, and attitude will get you there, it's Bullshit & Ass Kissing that will put you over the top!

★ ★ ★

This from *Counterpunch Magazine*: In a fitting end to an evil life, former Guatemalan Defense Minister Hector Alejandro Gramajo Morales died March 12 after being attacked by 'Africanized' bees at his farm. Gramajo was a graduate of Harvard University. "The Center for Constitutional Rights sued Gramajo under the Alien Tort Claims Act on behalf of nine Guatemalans for acts of torture, abduction and murder under his 'pacification' program in the western Guatemalan highlands in 1982, when he was Army chief of staff.

"After retiring from the army, Gramajo described his 'pacification' program by saying: 'You needn't kill everyone to complete the job... We instituted Civil Affairs, which provides development for 70% of the population while we kill 30%.'

"A week after Gramajo graduated from Harvard, CCR brought a second lawsuit against him in the same court on behalf of U.S. nun Dianna Ortiz, who was abducted and tortured by the Guatemalan military in November 1989. Gramajo lost both lawsuits by default on Nov. 7, 1991, because he failed to respond to the court's requests for basic information. Six weeks later, in late December 1991, Gramajo was honored as a guest speaker at a graduation ceremony at the School of the Americas in Fort Benning, Georgia."

★ ★ ★

Nelson Mandela has been very outspoken in regards to the war in Iraq and has recently strongly spoken out against the use of torture there. But I think folks here in the U.S. need to also remember the record of the Mandela's African National Congress on torture, especially of "dissidents" within its ranks: Trotskyists, anarchists and anti-Stalinists.

The following is from the Truth and Reconciliation Commission's report on the ANC: The ANC and particularly its military structures responsible for the treatment and welfare of those in its camps were guilty of gross violations of human rights in certain circumstances and against two categories of individuals, namely suspected 'enemy agents' and 'mutineers.'

The Commission found that suspected agents were routinely subjected to torture and other forms of severe ill treatment and that there were cases of such individuals being charged and convicted by Tribunals without proper attention to due process, sentenced to death and executed. The Commission found that the human rights of individuals so affected were grossly violated. Likewise, the Commission found that the failure to communicate properly with the families of such victims constituted callous and insensitive conduct.

The Commission also found that all so-called mutineers who were executed after conviction by military Tribunal, irrespective of whether they were afforded proper legal representation and due process or not, suffered a gross violation of their human rights... the security department of the ANC routinely used torture to extract information and confessions from those being held in camps particularly in the period 1979-1989.

★ ★ ★

It turns out the famous radio and TV journalist, Edward R. Murrow, widely credited for bringing down Sen. Joe McCarthy, had been an IWW: "After graduating from high school and having no money for college, Ed spent the next year working in the timber industry and saving his earnings. He was no stranger to the logging camps, for he had worked there every summer since he was fourteen. The camps were as much his school as Edison High, teaching him about hard and dangerous work. He also learned about labor's struggle with capital.

"Throughout the time Ed was growing up, the Industrial Workers of the World 'the Wobblies,' were organizing in the Pacific Northwest, pursuing their dream of 'one big union.' The powerful forces of industry and government were determined to snuff that dream. IWW organizers and members were jailed, beaten, lynched and gunned down. A lumber strike during World War I was considered treason, and the IWW was labeled Bolshevik. Ed Murrow knew about red-baiting long before he took on Joe McCarthy." (This is taken from Bob Edwards' discussion with Renee Montagne on NPR; McCarthy pointed to Murrow's membership in "a terrorist organization" as part of his response to the See It Now broadcast.)

★ ★ ★

Heard of Talking Windows? It's a new invention to sell us stuff as we walk by storefronts. Talking windows uses the store's windows as a low level speaker, which will "talk" to us at a conversational level. Soon everything will be "communicating" to us, whether we want it to or not. When do we get our privacy? When will common spaces, such as sidewalks, become all of ours, not commercial space? You know when, the One Big Union will be the metaphorical brick through all of capitalism's talking windows.

Remembering Fellow Worker

**Frank Girard**

(passed on, Feb. 19, 2004, at age 77)

For a principled revolutionary  
life, well-lived.

Harry Siitonen, Bay Area GMB

## Unions betray general strike, health workers

BY TOM HANSEN

Palpable rage was expressed against the sellout of their strike by HEU and B.C. Federation of Labour leadership at a May 3 rally at Vancouver General Hospital. Union officials Jim Sinclair and Chris Alnut were denounced as traitors, and calls for their resignation were repeatedly made.

Some 43,000 health support workers – ranging from cleaners to licensed practical nurses – struck April 26 over government demands to reopen their existing contract in order to impose lay-offs and 17 percent retroactive wage and benefit cuts. The BC nurses' union honored picket lines.

As the government sought to crush the strike with threats of fines and jailings of union leaders, growing numbers of workers joined the picket lines and unions threatened a general strike to force the government to back down.

The shock at the depth of the betrayal left many workers overwhelmed by disappointment, anger and rage. After one week on the picket lines, during which public support was increasing, the B.C. Federation of Labour lost whatever will they once had to fight. As it became evident that workers throughout the province – organized and unorganized, public sector and private, white collar and blue – along with innumerable community organizations and groups were ready to take on the Gordon Campbell government over its treatment of the Health Employees Union.

On every picket line, whether at the large hospitals or small non-profit societies, HEU workers and supporters were greeted with overwhelming public support. The Campbell blow back was underway, and it was coming from the grass roots.

An imminent general strike was about to happen and it scared the hell out of the BC Federation of Labour and the "socialist" New Democratic Party. To stop it, the union leadership had to get in front of the movement in order to lead it into an early grave.

Provincial NDP leader Carol James gave Premier Campbell and the Fed leadership an out with her open letter on April 30 calling for forced arbitration, no retroactive pay cuts, and implementation of the 15% wage cut over a longer period to allow workers time to accommodate themselves to reduced wages.

The next step was to get through May Day. Jim Sinclair and the Federation leadership did everything possible to stop the general strike call from taking hold. Instead, the Fed adopted the position of "We won't back down." Hardly indistinguishable to many workers, but a warning flag to experienced old hands.

No sooner was the May Day event over

when the Labour leadership went about implementing the NDP plan. At the Vancouver District Labour Council May Day dinner, several Labour leaders discussed these proposals. The fix was in. By Sunday night, the "we won't back down" stand was replaced with, please Premier Campbell, we didn't mean it. You can have the wage reduction, we don't care about the firings underway and those already taken place, just give us a small face-saving gesture and we will kill the protest movement.

Premier Campbell was delighted. The results is that thousands of low-paid, mainly women workers, will lose their jobs. Thousands more will receive a 15% wage cut, and many more will be subject to firings and employer retribution.

The employers now know they can do what they want as the unions are not willing to fight. This is a defeat not only for the HEU, but also for all workers in the Province of British Columbia.

Why did this happen? Why was it necessary for the BC Federation of Labour and the NDP to gut the grassroots movement building towards a general strike? If the HEU strike and protest movement had grown they may have become unmanageable. Gordon Campbell might have called a snap election where the central issue would be: is it labour leaders who run this province or government? Such a scenario is a horrifying to the NDP and the Federation, so it was better to cut their losses and gut the strike.

For the NDP and the BC Federation of Labour it is more important to have favorable election issues than to protect workers. It did not matter who was going to get hurt. It did not matter either how many workers suffered, it was more important that nothing upset their plans for the election next May.

### Unions fund union-busters

The president of the Canadian Labour Congress, Ken Georgetti, serves on the board of a Vancouver-based developer that donated \$16,665 to the B.C. Liberal party last year.

Concert Properties Ltd. is owned by 21 union and management pension funds; 13 of the company's 17 directors have extensive backgrounds in the labour movement.

Unions have been sharply critical of Liberal Party anti-labor policies, including Bill 37 which slashed hospital workers' pay and benefits. However, according to Elections BC records, Concert Properties was the 35th-largest donor to the B.C. Liberal party.

Concert Properties was founded in 1989 to build apartment buildings using unionized labour. It is now one of Vancouver's most successful developers, completing projects worth more than \$750 million.

### Tyson workers lose jobs

More than 100 Tyson Foods strikers in Jefferson, Wisconsin, will not be rehired after the NLRB rejected the United Food & Commercial Workers union's claim that workers were engaged in an Unfair Labor Practice strike and so were entitled to reclaim their jobs. The strike ended after 11 months when the UFCW agreed to the company's demand for deep concessions.

### Senate rejects extending unemployment benefits

With Democratic presidential candidate John Kerry out raising funds from his fellow millionaires, the U.S. Senate rejected by a single vote an effort to extend federal unemployment benefits. The measure would have reinstated a program under which workers who have exhausted their six months of state benefits could receive 13 weeks of emergency jobless benefits.

Millions of workers have lost jobless benefits and now have no means of feeding themselves or their families.

### BC teachers' right to criticize

An arbitrator has ruled that school boards in British Columbia which banned teachers from criticizing provincial authorities to parents or through leaflets on school bulletin boards violated their constitutional rights.

The teachers began a campaign against the ruling Liberals in fall 2002, after the government imposed deep contract concessions on the union through legislation. As part of the campaign teachers handed out "report cards" blaming the Liberals for school closures, increased class size, service reductions and an erosion of public education.

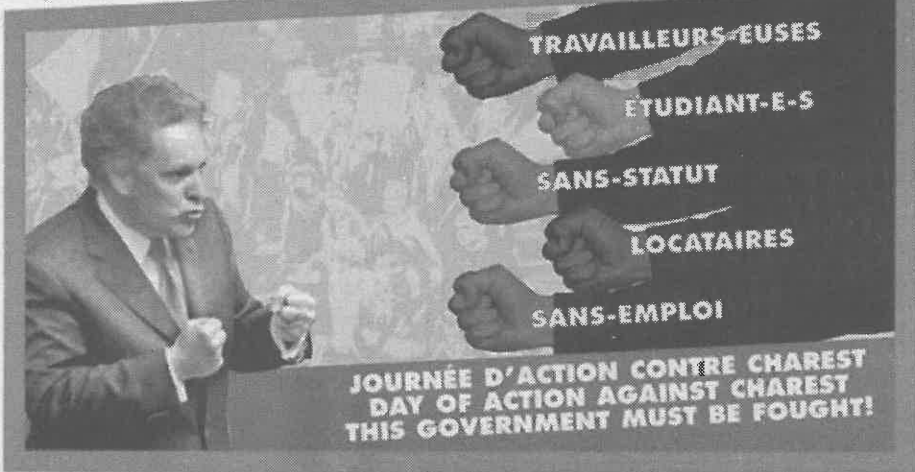
Many school boards ordered them to stop, prompting the B.C. Teachers' Federation to file the successful grievance.

Is the  
Industrial Worker  
available in your bookstore?

Why not take a bundle?



# LA PAIX SOCIALE ★★★ EST TERMINÉE!



**14 AVRIL 2004** [logement.clac.taktik.org/charest](http://logement.clac.taktik.org/charest)  
Comité des sans-emploi & CLAC logement

CLAC-Logement's flier announcing the day of action. <http://logement.clac.taktik.org>

## A thousand have-nots storm elite hotel in Montreal

A-INFO NEWS SERVICE

Over a thousand angry protestors marched on Montreal's posh St. James hotel April 15, causing havoc and disrupting the tea-time of the idle rich. The protest was part of a province-wide day of action marking the one-year anniversary of the elections that brought Jean Charest and the Liberal Party to government in Quebec.

Since taking power, Premier Charest has initiated a business-oriented restructuring of the province's government in an attempt to undermine the many social-democratic programs still running in Quebec. This has taken the form of anti-union laws, cuts to sub-

dized childcare, plans to reduce the number of people on welfare and other attacks on working people. As if we didn't have enough trouble making ends meet with low salaries, precarious jobs, insufficient welfare and high rents, this government has given itself the clear mission of making us even poorer.

A demonstration organized by the Comité des sans-emploi (Committee of the Unemployed) and CLAC-Logement (the Anti-Capitalist Convergence - Housing Committee) saw protestors march down busy Ste. Catherine Street and into a downtown mall, chanting "The social peace is over!" and "Make the rich pay!"

## Workplace Bullying: Another safety hazard

BY X337969

Workplace hazards are often only characterized as physical hazards: chemical exposure, falls, factory machinery, diesel equipment, and lifting heavy loads, to name a few.

In the last couple of years, unions and other advocates for workers' health and safety have begun raising the issues of and developing strategies around combating workplace bullying from supervisors. Unions such as United Electrical, as well as press accounts in Australia, Canada and Europe, have given a lot of attention to this form psychological abuse on the job, citing cases of reactive depression, post-traumatic stress disorder (PTSD), substance abuse, and even death from suicide in some cases. Such targeting of workers is without regard to protected classes of workers recognized by civil rights legislation; it can happen to anyone.

Often referred to as workplace "bullying" or "mobbing," the intent is to force a worker to quit using psychological manipulation and pressure, where firing someone may be difficult, particularly in a union shop.

According to the Campaign Against Workplace Bullying, the top reasons for workplace bullying that respondents in a poll gave was that the target refused to be subservient; that the bully envied the target's competence in his/her work; social skills, popularity and positive attitude; that the victim was a whistleblower; or even because of the personality of the bully in itself.

According to UE's website, "most personnel managers don't do anything to protect the victims of harassment... in 42% of the cases the immediate boss of the harasser helped harass the victim or tried to punish the victim rather than the harasser... HR managers refused to help the victims in 51% of the cases despite repeated pleas for help."

Workers Online, a publication of LaborNet in Australia, referenced the Public Service Association of New South Wales Women's Conference, where psychologist Meddwyn Coleman outlined the brutal consequences for workers who are victims of this

form of harassment. The article outlines cases of death from suicide as a result of bullying on the job, and another case where a nurse "was bullied to the point that she suffered from depression... bullying eventually stopped her from leaving her home, filing a... claim for an injured back and even saw her forced to do personal work such as sewing for her antagonist... [She] was isolated from other workers who were 'turned against her' by the bully - a supervisor in a health-related field." Often the perpetrator will form a "clique" of the target's co-workers to escalate the level of harassment.

Bully-online, a website based in the UK, has a comprehensive description of the problem: "Bullying is a compulsive need to displace aggression and is achieved by the expression of inadequacy (social, personal, interpersonal, behavioral, professional) by projection of that inadequacy onto others through control and subjugation (criticism, exclusion, isolation etc)... bullying is sustained by abdication of responsibility (denial, counter-accusation, pretence of victimhood) and perpetuated by a climate of fear, ignorance, indifference, silence, denial, disbelief, deception, evasion of accountability, tolerance and reward (e.g. promotion) for the bully." The site has numerous links to journals, union websites and even the business press that build the case for making bullying a union issue.

Lawmakers as well as unions are taking notice. In Providence, Rhode Island, last year, the city council president advocated a city ordinance to address the issue. A national law in Canada was proposed in 2003. British Parliament debated the issue last March.

There appears to be no significant discussion of workplace bullying on the state or national level of government in the U.S. However, it is possible that OSHA regulations can be applied. According to UE's website, which advises shop stewards on workplace bullying, "Under the General Duty Clause, Section 5(a)(1) of the Occupational Safety and Health Act of 1970, employers are required

Shoppers in fancy boutiques were startled by a thousand angry working-class youth in their midst. The demonstration snaked its way through the mall and the connecting train station, exiting several blocks later. The crowd then proceeded past the American consulate and ended up at the St. James Hotel - perhaps the most expensive in Montreal at which rooms can cost up to \$5000 (Canadian) a night.

Protestors rushed the doors and pushed into the exclusive first-floor dining room. Businessmen in expensive suits were shocked as masked anarchists jumped on the oak tables or tried unsuccessfully to pull the tableclothes out from under the plates and glasses without knocking them over. Protestors played the grand piano or pocketed silver forks and ashtrays.

Others demonstrators sat down at tables with the hotel's dismayed, paying clients and helped themselves to their wine and hors-d'oeuvres. "Down with capitalism" was graffitied on the wall. Hotel security guards attempted to grab a demonstrator, but were quickly restrained by other protestors. Another guard said to one organizer, "Don't worry, I'm not going to stop you. They only pay me \$10 an hour. I'm on your side."

After a few minutes of mayhem, the demonstrators made their way out through the connected, ultra-chic, indoor shopping center of Montreal's World Trade Center.

### Work till you drop

The Organisation for Economic Co-operation and Development has issued a report calling for workers to put in another five years of their lives at work before they are permitted to retire. The OECD, which groups the world's richest 30 countries, says a retirement age of 70 is necessary because workers are living too long.

to provide their employees with a place of employment that 'is free from recognizable hazards that are causing or likely to cause death or serious harm to employees.'" UE advises stewards to file grievances on incidents around bullying, even though cases are difficult to prove. Making civil action even more difficult in the U.S., one must prove that the victim was injured, which is difficult in cases of psychological damage.

Workplace bullying will continue to be a top issue in labor struggles, if unions make it an issue. This means that we will need to have a better understanding of how Human Resource managers structure the workplace and how HR managers respond to complaints. We need to develop strategies on how we respond, how it affects our members, and most important, to be vigilant in dealing with the issue of bullying within our own unions and worker organizations.

Resources: [www.bullyonline.org/resources/groups.htm](http://www.bullyonline.org/resources/groups.htm) and [www.ranknfile-ue.org/stwd\\_bullies.html](http://www.ranknfile-ue.org/stwd_bullies.html)

### Workers' lives worth \$30,000

Six months after a parking garage being built at Atlantic City's Tropicana Casino collapsed, killing four workers, the U.S. Occupational Safety and Health Administration has fined the contractors involved \$119,500 for recklessly endangering workers.

"Thirty thousand dollars a man ain't shit," said Ed Wittland, whose father died Oct. 30 when the top five stories of the 10-story structure collapsed on him. "Thirty grand? Come on. It's ridiculous."

Ed Wittland was also working on the garage, suffering a broken neck, a back injury and a head injury. He has lost his sense of smell and taste and has memory loss.

He said the safety violations by concrete contractor Fabi Construction Inc. came as no surprise. "I've been on Fabi jobs before. It doesn't surprise me at all."

Workers had complained about contractors' slipshod methods and unsafe practices, but the unions did not shut down the job.

### Workers without bosses: Argentina's occupied factories

In December 2001 Argentina's economy collapsed due to IMF policies, leaving thousands unemployed. In some factories, workers refused to leave when the bosses announced plant closures and occupied the factories and ran them themselves. The result was often efficient and profitable factories with horizontal decision-making structures.

A new project has sprung up called Workers Without Bosses that focuses on the Brukman factory. The idea is to provide some concrete solidarity from unions and social movements to acquire maintenance manuals and parts for the Brukman self-managed factory; set up screenings of films that have been made on Brukman; and start discussions about workers' self-management.

This project seems to be gaining some momentum, with unionists from Korea expressing interest. Those interested can subscribe to the e-mail list: [www.burngreave.net/mailman/listinfo/workerswithoutbosses](http://www.burngreave.net/mailman/listinfo/workerswithoutbosses)

### 13-year Fiji miners' strike

A lawsuit over Fiji's longest running strike, which began in February 1991, went before the Lautoka High Court in May. Some 400 workers of the Emperor Gold Mining company went on strike 13 years ago for better pay and improved mine safety.

The company sacked them, saying the strike was illegal, and hired new workers. The government then de-registered the union.

The company refused to abide by the report of a government-ordered commission of inquiry into the strike in 1995, claiming it was issued a few days late.

The union is seeking US\$20 million in compensation for the misery and hardship faced by the strikers who have maintained a picket outside the mine for 13 years.

### Nuclear fund ignores workers

PHILAPOSH SAFER TIMES

Four years after Congress created a \$74 million fund to assist nuclear weapons plant workers suffering work-related illnesses as a result of lax safety procedures, the U.S. Energy Department has paid out only \$15,000 to a single worker.

Nearly 22,000 eligible workers have filed claims, and 372 have received determinations from the agency as to whether they have sufficient evidence to prove their illnesses are job-related. Some \$26 million is being spent on the program this year; the department says it needs another \$33 million to do a better job processing claims.

While the Energy Department balks at paying workers, it has hired a private contractor which is eating up the available funds - billing the government \$90 an hour for nurses to help process claims. "Only in a government contract can people make so much money and perform so poorly," said Iowa Senator Charles Grassley during a Senate Energy Committee hearing. The Labor Department typically spends half that amount for a fund it administers to help weapons plant workers exposed to radiation, and has processed thousands of claims.

### Electricians discriminate against gay couples

International Brotherhood of Electrical Workers Local 103, which represents some 6,000 workers in Eastern Massachusetts, has amended its benefits plan to exclude gay married couples from receiving health and pension benefits. The Supreme Judicial Court has ruled that gay and lesbian couples are entitled to marry under the state constitution.

Trustees of Local 103's benefit plan voted unanimously to change their benefit plan's coverage to define "dependent spouse" as "a person of the opposite sex."

Several other Massachusetts unions have decided to include same-sex spouses in their benefits package, including five SEIU locals representing 75,000 workers.



# Wildcats disable West Coast ports

BY PETE LITTLE

Largely unreported in the mainstream press, one of the largest eruptions of independent worker rebellion in the U.S. in many years began April 30 with truckers shutting down a freeway in Los Angeles. Soon, thousands of truckers from Oakland, Sacramento, Stockton, Tacoma and as far away as Virginia and Texas were shutting or slowing down ports and rail centers across the country.

These workers have for years been misclassified as independent contractors, leaving all liability for injuries, insurance and other risks or costs on the backs of the workers themselves. This classification has also left these workers without the limited protections for collective activity or union recognition provided in the United States through the National Labor Relations Board.

The largely immigrant workforce in Los Angeles and Oakland have been building organization for years. After ten years of failed attempts to negotiate employee status and union recognition, workers have simply struck, picketing the ports. Demands have ranged from employee status and increased reimbursement for rising gas costs to recognition of the Intermodal Trucker's Union.

The mobilizations were initially cited as a response to rising gas costs, organized largely through CB radios, leaflets and publicized by sympathetic Spanish-language radio stations in the LA area. As the week pro-

gressed, daily gatherings of hundreds of workers in public parks around the ports have been used to rally workers behind the call for a new union.

After a week of picketing, the Port of Oakland succeeded in getting a court injunction, alleging that the strikers were impeding business by harassing truckers who crossed their picket line. At the same time, the Port began to offer small raises and gas reimbursement increases while negotiating with 'strike leaders.' In articles in the local press, the Port complained that although they had 'strike leaders' negotiating an end to the strike, they couldn't seem to find anyone capable of actually ending the strike. The self-appointed leaders attempted to downplay calls for a new union, insisting that the truckers work in conjunction with the companies.

Due to the somewhat spontaneous nature of the protests, and the limited level of organization, strike actions have dissolved or called off, although meetings of the independent truckers, or troqueros, continue across the West Coast and throughout the country. These workers have pledged to continue their actions, and ideas of the birth of a new independent truckers union, or with the IWW, have been discussed.

There are important lessons for other transportation workers within this short strike. With the failure of the National Labor Relations Act to act as a vehicle for effective

change, with a general rejection of the Teamsters and their corruption and reliance on a legal bureaucracy that continues to fail these workers, the troqueros have taken things into their own hands. Rather than approaching each employer in the ports as individuals, they have simply decided to shut down the port themselves.

It is hard to know the real level of support for the strike within the workforce, but the effectiveness of these workers actions can be measured by reports of 85% reduced truck traffic at the Port of Long Beach, total closures and an inability to accept freight in railyards across Southern California, and the Port of Oakland's pleas to the courts to halt the workers' picket. What remains to be seen is how effectively these workers can use their week-long strike to continue to develop sympathy and support for continued activity and organization within the industry.

In an economy structured around just in time production, transportation workers occupy an increasingly powerful position in the economy. By comparison to the entire number of truckers in the industry, a relatively small number of workers engaged in a risky, aggressive action that proved itself to be incredibly successful. The question remaining is whether this demonstration of power by even a minority can be used to propel new levels of organization, and with them new victories and greater strength.

Virginia truckers also question whether freight companies are passing along fuel surcharges assessed to shippers, and are demanding an open registry to prevent chiseling.

In Houston, 100 port haulers walked off the job in a one-day action May 10.

Jim Stewart, port division representative for the Teamsters union, said port haulers were fed up over many issues besides fuel prices: chassis that are not made ready or safe for the road before they're hooked up; the practice of "bobtailing for free," where truckers are expected to haul empties back and forth from off-port locations and not get paid for it; and long waits necessitated by security precautions, among other things.

Once the strikes began, Teamsters officials distributed literature on the picket lines. But in the days leading up to the strike, they discouraged strike plans.

The International Longshore and Warehouse Union was noticeably absent from the lines. The ILWU agreed to meet with the troqueros to discuss ways to reduce waits in the ports, but has shown little interest in organizing this sector of maritime workers. During the strike, the troqueros picketed at truck gates, allowing longshoremen to report to work without encountering picket lines.

"It's quieter than usual, but it hasn't shut us down," Theresa Lopez, a spokeswoman for the Los Angeles port, told the Bloomberg business news service. "The longshoremen continue to unload the cargo, and they have just been waiting for the truckers to show up."

## No money for food

"We are just asking for our fair share, nothing more than that, and we're going to be out here as long as it takes," said Oakland driver Jatinder Singh. "We're getting paid the same as 10 years ago, but everything else keeps going up. Insurance goes up. Everything goes up. And now gas. We make no money."

Truckers receive \$50 to \$200 per container hauled, depending on where they are taking the load. While many make \$70,000 a year, they spend \$30,000 or more a year for fuel, insurance, registration, repairs and maintenance. And because of long waits at the ports and the high cost of maintaining their rigs, many work 15 to 18 hours a day, resulting in hourly wages of \$8 to \$9.

"I have no money for food, for my family, for my house, for nothing," said angry driver Raul Rivas.

This article draws on reports from Brendan Crill and Ernesto Nevarez, as well as indymedia.

## Troqueros wildcat...

continued from page 1

tions and to win substantial concessions on a firm-by-firm basis, but has been unable to develop an agreed-upon strategy or the power to force the port bosses to abandon the "independent contractor" fiction and address the troqueros' needs.

The strike centers were in the Los Angeles and San Francisco Bay area ports, each of which saw 2,000 or more truckers join rallies and picket lines, and thousands more stay away from work in support.

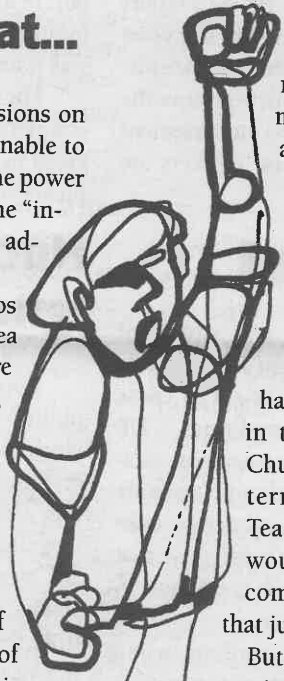
Other areas were also affected. In the inland city of Stockton, hundreds of truckers struck the Union Pacific and Burlington Northern Sante Fe freight terminals April 26, cutting off 95 percent of truck traffic in and out of the terminals. In an article characterizing the strikers as "independent truckers," the *Sacramento Bee* reassured readers that the "truckers aren't unionized employees going on strike," but rather "independent contractors" seeking higher shipping rates.

But the strike took off April 30, when troqueros in Los Angeles and Oakland, California, joined in. In Los Angeles, police said truckers parked three rigs on Interstate 5, south of town, tying up rush hour traffic for an hour before they could be removed. An informant had tipped off police, who had tow trucks ready; otherwise the blockage could have taken hours to clear. Several other trucks carrying containers slowed and blocked traffic moving northbound and southbound on the 110 (Harbor) Freeway, which links downtown with the Port of Los Angeles.

Troqueros also struck the Port of Oakland April 30, demanding substantial pay hikes to compensate for 10 years of wage stagnation and skyrocketing fuel prices. Diesel prices average nearly \$2.27 per gallon in the state, up dramatically from previous levels. Because the truckers must buy their own fuel, the increases pose a major hardship. Workers also sought agreements to reduce the hours-long waits that have become routine at maritime terminals in recent years.

Leading port hauler APL Inc. reported that its movement of cargo was off 90 percent at the Port of Oakland, down from 1,100 moves daily to just 115 on May 4.

Port of Oakland officials announced a settlement May 4 without allowing a committee of truckers time to discuss the terms



with their coworkers. Under the agreement, roundly rejected the next day, a committee would meet four times a year to hear truckers' complaints and attempt to resolve them. That committee would include truckers and representatives of shipping companies, terminal operators and railroads.

The Teamsters quickly hailed the agreement as "a step in the right direction." Said Chuck Mack, director of the International Brotherhood of Teamsters' Port Division, "It would open up an avenue of communications for a group that just doesn't have a voice."

But truckers rejected the agreement, insisting that they needed an immediate response to their most pressing grievances. Negotiations continued into the evening of May 7, but while several trucking companies offered 20 percent pay hikes, some of the largest firms refused.

That same day, the port secured a temporary restraining order against the truckers, and ordered them to stop picketing. Workers refused to accept copies of an injunction ordering them to leave Port Authority property, but withdrew to nearby sidewalks under threat of mass arrests.

However, strikes continued at terminals across the state for a few more days. Workers shut down the Yang Ming terminal in Los Angeles May 7, demanding union recognition. The company's 80 workers settled later that day, winning substantial pay increases and reinstatement of four fired coworkers but leaving union recognition for another day.

## Strike action spreads

Two hundred port truckers in Norfolk and Hampton Roads, Virginia, set up picket lines at the ports May 6 and 7. Hundreds of other truckers honored the lines, tying up one of the East Coast's busiest cargo ports.

One trucker told reporters that she earned \$76,000 last year, but was left with just \$15,000 after paying for fuel, insurance, maintenance and taxes. Trips that once took an hour now take three hours or more, as a result of increased port security and truckers being required to mount their own chassis (a job longshoremen did until recently).

Like their coworkers across the country,

## San Pedro recognition strike

A leaflet issued by truckers on the San Pedro waterfront May 5 (Cinco de Mayo) called for strike action in solidarity with the Oakland drivers and for union recognition:

Last Friday the world saw the power that Troqueros have in the State of California as virtually all commercial truck traffic came to a standstill. It was just a show of force by the drivers. Oakland was the rabbit, took off first, strong. The ships came south to Los Angeles. The UPRR stopped all trains to California Saturday morning only to rescind the action on Monday. Those trains should be getting here about now as should be the ships from Oakland.

Troqueros are commonly referred to by the popular misnomer "owner-operator" in order to conceal their true identity, an employee; in order to deny them their labor rights including the right to collective bargaining. It gets worse. The economic employer is the motor carrier that leases the trucks from the lessor-drivers... But while inside the terminal gates all control and direction is exercised by the terminal operators.

The shipping lines are also required to have a written contract with the trucking companies which are Contract Carriers. No such contracts exist! For troqueros to initiate labor actions against the motor carriers is useless as the shipping lines easily manipulate the motor carrier community due to the lack of contractual liability.

Troqueros have no choice but to identify the truthful employer and, especially for work done inside the terminal gates, to initiate the collective bargaining process. The shipping lines and their terminal operators must instruct their labor bargaining agent, the Pacific Maritime Association, to recognize the troqueros as their employees under the National Labor Relations Act and to initiate the collective bargaining process.

Today, Cinco de Mayo, 2004, troqueros working daily in Berth 126 in San Pedro have decided to take legal labor action against their employer in a recognition strike.

## Chronic Racketeer Syndrome

The *Village Voice* reports that Teamsters Joint Council 16 president Anthony Rumore has come up with a novel excuse for shaking down union members for cash and using union staff as personal valets: chronic fatigue syndrome made him do it.

Rumore said he was so exhausted he didn't know what he was doing when he pressured his local's business agents to get his 3,800 members to ante up \$100 each to pay his legal bills (incurred fighting corruption charges that led to a two-month suspension from office) and held up their pay checks when "donations" fell short. The B.A.s balked when he suggested canceling all pending arbitrations until the members paid up.

"If my lawyers don't eat, they don't eat," Rumore allegedly said in a meeting last July. Rumore earns \$222,000 from union salaries, and his wife earned another \$202,500 for running the union's retirement fund.

Rumore inherited Local 812 of the Soft Drink and Brewery Workers from his father, who was listed by the FBI as a member of the Gambino crime family. Louis Rumore was forced out of the union in the early 1990s.

Rumore is apparently free of mob ties, but the Teamsters are investigating charges that he regularly used his staff to carry out personal tasks including building a new roof, deck and skylight at his Pennsylvania vacation home; chauffeuring his two daughters to school and shops in Manhattan; and other personal errands.

## GCIU, Teamsters to merge?

The Graphic Communications International Union has opened merger talks with the Intl. Brotherhood of Teamsters, after rejecting a proposal from the Communications Workers of America which has absorbed the other major unions in the printing industry.

After a final agreement is reached, it will be put to a vote of GCIU's 65,484 members.



## Workers celebrate, protest on May Day

Eighty thousand Thai workers crammed downtown Bangkok, protesting privatization of state enterprises, and demanding real protection for the right to organize and the immediate withdrawal of Thai troops from Iraq. More than a thousand marchers stormed Government House, holding it for an hour before withdrawing. A government-sponsored May Day celebration was boycotted by the five national labor federations.

In Indonesia, tens of thousands of workers took to the streets, condemning temporary contracts and violations of union rights. A march of 5,000 workers in the capital briefly seized the Radio Republik Indonesia station to air their demands.

A May 1 mine explosion that killed at least 35 coal miners underscored the dismal plight of many Chinese workers on International Workers Day.

"In China right now the most important thing is money, it is more important than the dignity of workers, than the rights of workers, the health of workers and the safety of workers," said Han Dongfang, director of the Hong Kong-based *China Labor Bulletin*.

"May Day should be a day for awareness of labor issues and the difficulties workers are having, but now all the government wants to do is promote consumerism."

In Gaza City, hundreds of Palestinian laborers marled May Day with demonstrations demanding better working rights and conditions, and calling on the International Labor Organization to take a "stand against wars."

A banner called for "manufacturing peace, medicine and others that serve humanity, instead of producing weapons and death."

Gaza Labor Federation spokesman Abdul Samih Najjar told the crowd that "all workers of the world suffer from one repression, except the workers of Palestine, who suffer from the repression of (Israeli) occupation and from the class suppression."

The Pakistani capital of Karachi saw several rallies and meetings condemning worsening economic conditions and repressive labor laws. Workers also condemned the IMF



**May Day in Göteborg.** The Central Organization of Swedish Workers (SAC) organized May Day protests in 20 cities across the country around the slogans: Hands off the right to strike; International Solidarity - Union rights to all; and Let union members vote on the contracts. (The dominant LO federation has agreed to several concessionary agreements which it is imposing on members.) Some 250 people joined the SAC's May Day festivities in Gävle, concluding with a rally at the birthplace of IWW songwriter Joe Hill. Thousands joined SAC marches in Göteborg and Stockholm, Sweden's largest cities.

and World Bank for economic reforms that have forced many into dire poverty.

In the Philippines, thousands of workers at a May Day rally organized by the Kilusang Mayo Uno union vowed to continue fighting for a hike in the daily minimum wage and condemned the government's anti-labor policies. The TUCP federation also called for a higher minimum wage, but turned its May Day platform over to the president.

Hundreds of thousands of workers rallied across Europe, condemning the war in Iraq and economic policies that are reversing decades of social progress.

German police arrested 170 protesters after attacking a May Day demonstration in Berlin. In the former Soviet Union, unions and socialist parties rallied for labor rights and condemned the U.S. war in Iraq.

In Malta, May Day took on a festive air with festive and satiric parade floats, music and dancing. Placards criticized the government decision to join the European Union.

In Maputo, Mozambique, thousands of workers marched under the slogan "For employment, development and social justice." Government ministers in the reviewing stand were subjected to a steady stream of protest over deteriorating economic conditions and anti-labor government policies.

In Nairobi, Kenyan police barred workers from holding an independent May Day rally. The workers, drawn mainly from garment Export Processing Zone firms, boycotted the official rally, saying there was nothing to celebrate since they were suffering at the hands of their employers. Police also barred a May Day protest in Cairo, Egypt.

In Seoul, 20,000 South Korean workers, mostly members of the militant Korean Confederation of Trade Unions, demanded the withdrawal of a government promise to send more than 3,000 troops to Iraq.

They also urged the government to punish employers who violate workers' rights to organize, strike and negotiate collectively, and called for an end to discrimination against temporary workers, who do not receive the same benefits as full-time employees.

Across the United States, more modest May Day events ranged from a 50-person march in Tucson, Arizona, to a week of events in Madison, Wisconsin, that included a mass rally at the state capital building.

### Four May Days in Canada

BY 355424

Montréal, Quebec: 100,000 demonstrators celebrated May 1st in Montréal. This was the largest workers' rally in both the history of Quebec and that of the rest of Canada.

Quesnel, British Columbia: Nearly a thousand people showed up at the May 1st rally. Quesnel has a total population of less than 18,000. Plans for a General Strike for the following Monday were made, hours after an 11th hour memorandum was signed by the major business unions. This agreement was both widely denounced and ignored in Quesnel, where Vancouver "leaders" were not listened to by the local Worker Council.

Surrey, BC: Hundreds of workers celebrated May Day at easily the most militant hospital during the recently attempted general strike in BC. Among the unions I saw were: BC Rail Employees, ferry workers, BC Teachers Federation, CUPE (city workers), Health Employee Union, Health Sciences Association, ILWU, IWW, and the Telecommunications Workers. I'm told that the BC Nurses Union, Canadian Auto Workers, and other CUPE locals were also present.

Vancouver: Some estimates put the crowd at over 10,000, most said it was slightly less, but in either case this was substantially higher than the last two decades. Vancouver Wobs took part. Talk of a General Strike was in the air May 1st, naturally derailed by the major trade unions the following evening.

### Portland, Oregon

About 2,000 people participated in the Portland May Day march. Nearly 200 folks joined the IWW feeder march to the main march 20 blocks from the IWW hall. Other unions joining the IWW included Portland UBC (Carpenters) Local 247, Portland ILWU Local 8-Dockers, Seattle ILWU Dockers - Local 19, Portland ILWU Local 5 - Powell's Books, and Bricklayers Local 1.

Anarchists from the Firebrand labor collective and Socialist Party presidential candidate Walt Brown also joined the IWW march, as did members of several worker-owned collectives, including Red and Black Cafe, City Bikes and Redwing Coffee and Baking.

### May Day at Waldheim

Chicago IWW members and friends held a picnic May 2 at Waldheim cemetery in Forest Park, Illinois. The picnic was both to celebrate May Day and to commemorate those who gave their lives in the fight for emancipation from wage-slavery. More than 50 people came out to share food, sing songs, swap stories and recite poetry. In addition to the Haymarket martyrs, such labor heroes as Lucy Parsons, Voltairaine de Cleyre, Emma Goldman, Elizabeth Gurley Flynn, Art Shields and Raya Dunayevskaya are buried at the cemetery. Many others, like "Big" Bill Haywood, Fred Thompson and Joe Hill, have had their ashes scattered there.

### New Brunswick, NJ

The New Jersey and some NYC Wobblies went to Feaster Park, and had a May Day picnic with the socialists, Anti-Racist Action, and a NEFAC collective. After a bit to eat we had soccer and conversation. Then we circled around ex-detainee Farouk Abdul-Muhti who gave a moving and personal speech about how the attack on immigrants is the same as the attack of the working class. We then heard a poem about Rachel Corrie.

Farouk then encouraged us to sing, so we obliged him with "Preacher and the Slave" and a local favorite, "Solidarity [Tear Gas Canisters]." After the festivities at the park were over, Wobblies retreated to a private home where we drank tasty homebrews and talked revolution.

## Edinburgh, Scotland

Eight members of Edinburgh GM Branch, some with partners and young children, attended the 400-strong Edinburgh May Day march and rally. It was the branch banner's first real outing and it was well photographed as we marched along Princes Street.

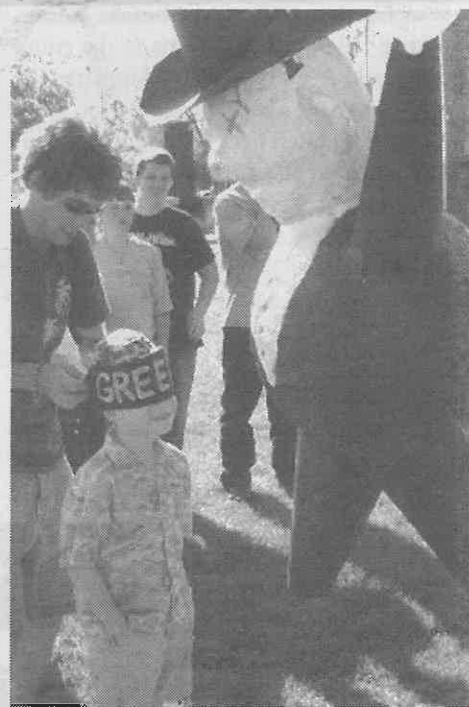
We distributed a special Mayday issue of *Burning Issue*. The two centre pages were devoted to an article by Dave Douglass, NUM branch secretary and IWW member, criticising Arthur Scargill, miners' leader during the strike of 1984-85 (and now leader of his reinvented Socialist Labour Party in which Arthur is God and his word is scripture) for his subsequent control freakery in using dead men's votes to stay in power, demanding to be elected honorary president until he reaches 75, etc. Scargill was leading this year's march - evidently he wasn't too welcome at the Mayday Miners' Rally in Barnsley.

Mercifully the Edinburgh rally was not addressed by Scottish Socialist Party boss Tommy Sheridan, who had a sore throat.

Branch member Jacques presented Scargill with a copy of *Burning Issue* as he posed for press photographers, along with "something to read on the train, Arthur" - a copy of Dave Douglass' *All Power to the Imagination*. Love to have been a fly on the wall when Arthur realised what he'd been given, especially now that an Indymedia journalist has sent us a photo he took of Arthur innocently clutching the *Burning Issue* and book!

The branch's literature stall sold £40 of literature, and took in a number of membership applications. It was cheering to see the way branch members worked together in the last-minute mad rush to get *Burning Issue* out, to arrange literature, make t-shirts, etc.

One member even bought splendid new poles for the banner on the morning of the march. And even more encouraging to sense the growing friendship amongst its members as Edinburgh General Membership Branch goes from strength to strength.



## Bashing the boss (piñata) in Salt Lake City, Utah

BY JAY HANSEN

This year May Day was sponsored by the IWW, Utah Jobs with Justice, People for Peace and Justice, Code Pink, and Food Not Bombs.

We had numerous speakers and performers, and a raffle which raised about \$330 for the locked-out Co-op miners. The annual boss piñata was a hit, as always.

Our performers included two poets, guitarists Kyle Wulle and Pete Litster, and the bands Stinkbait and Rhetoric, all of whom performed superbly. Fellow Worker James Mouritzen produced a theatrical reading from the *Autobiography of Mother Jones*, with readers costumed as Mother Jones.

We were at a new venue this year: Jordan Park. It seemed to be a more accessible location, and the weather cooperated.

Salt Lake City Maydays tend to resemble pow wows (appropriately enough). They move under their own power, and with a heavy dose of disorder, but they always work, and this one was no exception.



## Iran frees arrested unionists

BY RADIO SEDAYE KARGARAN IRAN (VOICE OF IRANIAN WORKERS)

Seven labor leaders arrested as part of a crack-down on May Day protests in Saghez, Iran, were released May 12, following protests from unions [including the IWW] around the world. Hundreds of workers and their families had joined a rally and march organized by the First of May Council, a network of independent labor activists. More than 40 marchers were arrested by police.

Radio Sedaye Kargaran Iran would like to take this opportunity to express its sincere thanks to unionists, political organizations and individuals who supported the campaign for their release. Your genuine solidarity secured the release of these workers.

We hope that you will continue supporting Iranian workers in their daily struggles against non-payment of wages, against privatization and job losses. Iranian workers will need your continued support as they confront the repressive measures of the religious state as the defender of the interests of capital.



## New rules erode 40-hour week...

continued from page 1

few of the 1.3 million affected low-paid "managers" and "professionals" actually work overtime, though the department's estimate assumes that all do. Interestingly, the department made a very different assumption — that "only" one in seven U.S. workers works overtime — when calculating the number of workers who would lose overtime protection under the new regulations.

While the Labor Department claims the regulations would not affect "non-management blue collar employees," working foremen and "team leaders" could lose overtime coverage as long as they supervise at least two employees. As employers expand the use of "teams" in workplaces, this new category of exempt employees could skyrocket. (The regulations describe blue collar workers as "manual laborers ... who perform work involving repetitive operations with their hands, physical skill and energy.")

"The final rule turns current law on its head and eliminates the right to overtime pay for low-level supervisors who spend the vast majority of their time performing routine, manual, non-exempt production," notes Ross Eisenbrey of the Economic Policy Institute.

Current regulations say supervisors who spend more than 20 percent of their time on non-exempt duties must be paid for overtime.

"The current rule is simple common sense. An employee who spends 90 percent of his time frying French fries and flipping burgers is not a bona fide executive, even if he is simultaneously responsible for supervising the other two employees on his shift," Eisenbrey added. "An employee who works on a sewing machine six or seven hours a day is not a bona fide executive, even if he does supervise other employees."

The Labor Department claims it is simply incorporating court decisions (notably the Burger King cases) into the regulations, but it is in fact extending these bizarre rulings from two federal circuit courts to the entire country, and to every industry. Similarly, the regulations create a new exemption for "team leaders," who often have few if any management duties. While the Labor Department claims "blue collar employees" will not be affected by the new regulations, MIT management professor Thomas Kochan estimates that 2.3 million working foremen and team leaders could lose overtime coverage.

### 18 states not affected

Eighteen states have their own overtime requirements, most of which mirror the current federal rules being replaced in August.

### German bosses demand 40 hours

German industrial workers won the 35-hour week 20 years ago, but now many employers are forcing workers to return to the 40-hour week or lose their jobs. Some 220 technicians at a Siemens phone repair lab were the latest to face this choice, when the firm threatened to move their work to Hungary.

Siemens is just one of dozens of major German companies demanding longer hours, under threat of relocating production to other, lower-waged, European Union countries.

The Siemens deal illustrates the need for an international labor movement to confront the power of transnational corporations, but it also points to the bankruptcy of business unionism. German law requires employee representatives to sit on company boards and be involved in decisions to close plants. But in accepting this collaborative relationship, unions also accept the legitimacy of capitalist values.

The employee representative told reporters that Siemens could have saved 20 percent or more by moving production to Hungary. "We tried to show in various ways how it would be possible to match this cost

in some states, regulators could change the regulations on their own authority; others would require legislative action.

A Chicago-based lawyer with the union-busting firm Seyfarth Shaw described the resulting situation as "absolute craziness." The Illinois legislature has passed a law protecting workers from the new federal regulations.

The federal rule is a minimum standard. States can establish their own requirements, but can not be less generous with overtime eligibility. Alaska, California, Colorado, Connecticut, Hawaii, Kentucky, Maryland, Minnesota, Montana, North Dakota, Oregon, Pennsylvania, Washington, West Virginia and Wisconsin have their own rules, which are more protective than the new federal regulations. Arkansas is considering changing its regulations to match the new federal rules.

### Health care workers hit hard

Health care workers and others in jobs that call for at least some college education could be included in a dramatically expanded professional exemption. (Licensed practical nurses and paramedics would retain their protection, at least for now, but most technicians would not.) Nursery school teachers, many minimum wage workers, will lose their existing overtime and minimum wage coverage on the theory that such workers are typically required to hold a college degree.

Funeral directors are explicitly exempted under the new regulations under the same theory, even though five states require only a high school diploma (and Colorado not even that) to enter the field. Insurance claims adjusters and other financial services workers would also lose overtime coverage. The exemption for professional employees was originally intended to apply to highly paid "learned professionals" such as lawyers and doctors; over the past several decades it has gradually been extended to include computer programmers, teachers, and now even dental hygienists paid on a salary basis.

While hourly employees would generally retain overtime coverage, the new regulations also allow employers to exempt hourly employees covered by a weekly guaranteed minimum as long as it is "reasonably related" to hourly compensation. This provision would enable employers to pay overtime hours at straight pay as long as they had a "salary" system in place that guaranteed workers pay for 30 or 40 hours a week. And the regulations expand a provision allowing film and television managers and professionals hired by the day to be considered "salaried" as long as they are paid at least \$108 a day.



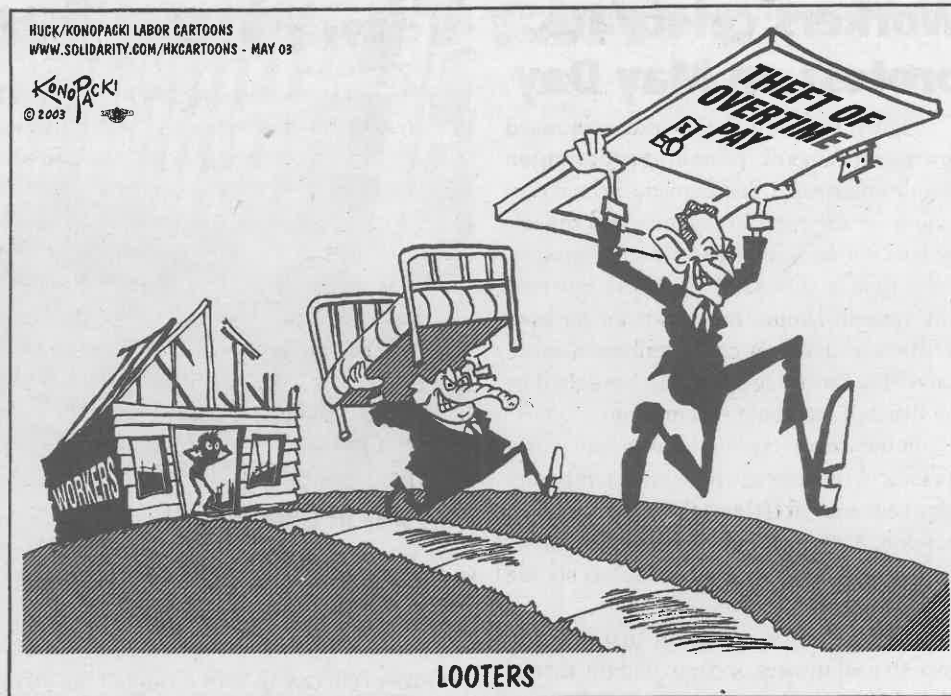
advantage here."

"Unfortunately it wasn't possible to do it by other means," he said. "We were instead forced, if we wanted to keep the work, in the end to introduce a longer working time. Just by doing that, we achieved a cost saving of 14.3 percent." The rest of the savings came from dropping extra pay for night shifts and replacing the year end bonus of a month's pay with a merit pay system.

But in accepting Siemens' premise that the company can legitimately move production to wherever it can get the cheapest price, the officially socialist labor movement has in fact accepted capitalism, and agreed to a system in which all workers are pitted against each other in a mad competition toward misery.

### Take Back Your Time day

There's still time to attend the Take Back Your Time Day conference being held in Chicago June 10-13. Details and a registration form are at [www.timeday.org](http://www.timeday.org).



LOOTERS

The Labor Department would allow employers to require these salaried employees to clock in and out, and to work specified schedules of any length. Employers would also be allowed to dock salaries for time missed for personal reasons or for infractions of company rules. (Of course, these "exempt" salaried workers would not be compensated when forced to work additional hours or additional days.) Even employers who unlawfully docked workers' salaries, for example for taking breaks, would not be penalized so long as they reimbursed the affected workers prior to any final legal or regulatory action.

Former Labor Department Wage and Hour Investigator Karen Smith, who now works as a consultant to employers, told Congress the new rules "artfully weaken the current regulation in very subtle but significant ways." Provisions allowing employers to pay exempt employees by the hour or to dock their "salaries" for missed work or other offenses are incompatible with the idea that they control their own hours — the ostensible justification for the exemption.

Many computer workers are already exempt. But the new regulations delete the requirement that a computer "professional" have a high degree of skill and expertise enabling them to work independently, opening the door for employers to declare workers engaged in routine programming and even data entry "exempt" professionals.

Even some call center staff could lose their coverage, under new exemptions for financial services employees who gather information on prospective customers' assets and needs and recommend particular financial products. And in an economic climate where some employers already demand four-year college degrees from call center staff, a determination that these workers are exempt professionals may not be far off.

The Labor department says the new regulations simply codify existing practice. However, in a May 2 column for the *Arizona Republic*, management employment lawyer Lori Higuera concedes: "The medical industry could be highly affected... Jobs once eligible for overtime pay, including nurses, medical assistants, pharmacists, dental hygienists and others, could now be exempt from overtime."

Higuera says the new regulations should bring an end to the growing number of lawsuits for violating overtime laws. Employers paid more than \$212 million last year in fines and back pay for such violations.

### Class war at the time clock

The department's justification of the new regulations thinly veils the class nature of its changes, ignoring the vast majority of public comments (objecting to the entire thrust of the proposed regulations) as "not substantive," and then counterpoising comments supporting the changes from the Chamber of Commerce and various employers associations to "some commenters" representing unions and workers. While the department never acknowledges this class divide, it appears consistently throughout its discussion of the new regulations.

Indeed, even when making concessions to labor objections, the department cites "general confusion, especially among employees" (e.g. page 22128), rather than the deeply held conflicting class interests actually at stake.

Rather than try to defend the changes as consistent with the intent of the FLSA, the department argues that courts have historically granted "broad authority" to interpret and enforce the law. Inevitably, many of the new provisions will be challenged in court.

In several places, the language of the Labor Department's explanation betrays the fundamental switch from restricting overtime to encouraging it. Page 22152, for example, notes that "Certified Public Accountants ... will not ... lose the learned professional exemption" because they follow required accounting guidelines. A few paragraphs later, we are informed that "A number of commenters ask the Department to declare various occupations as qualifying for the learned professional exemption." Not surprisingly, the example that follows is an employers' group (the Newspaper Association of America) seeking to define its employees as "learned professionals" so they can be denied overtime protection. While the Labor Department did not issue the blanket exemption publishers were seeking, it did remove overtime protection from many journalists.

(The April 30 *Newsletter on Newsletters*, a trade publication for the publishing industry, mistakenly reports that the rules would expand overtime protection for journalists. The article is generally accurate in describing the new rules, but falsely claims that nearly all journalists were formerly exempt.)

### It could have been worse

The regulations do withdraw or modify several provisions that had drawn intense criticism. The salary threshold below which workers will be automatically covered by overtime was increased from \$425 to \$455 a week, and the ceiling over which they will be automatically excluded was raised from \$65,000 to \$100,000 a year.

The department withdrew a provision excluding any worker in a "position of responsibility" from overtime protection after some employers expressed concern that the proposal might go too far. A rule that exempt employees' duties must require discretion and independent judgment was kept; but no longer must exempt employees "customarily and regularly" exercise independent judgment, now the weaker "include" will suffice. The Labor department also added a list of factors to consider when determining whether an employees' duties include discretion, including "whether the employee performs work that affects business operations to a substantial degree, ... has authority to waive or deviate from established policies, ... [or] represents the company in handling complaints." This language could potentially bring millions of retail clerks and other clearly non-managerial employees under the administrative exemption.

The Labor Department also scaled back its unprecedented proposed expansion of the



# Wide Wide World of Sweatshops

Of all the targets for sweatshop solidarity actions in all the world, why should we focus our energy on our Major League Baseball teams? For nine months out of the year our communities are saturated with baseball logos, each one meticulously protected by MLB lawyers who act as though copyrights are more important than the workers' rights. MLB sets the standard throughout the licensing and marketing industries. Baseball has the longest reach, from our communities to the floors of the global sweatshop.

Everyone identifies to some degree with the baseball team in their region – if only because we paid to build the ballparks. People either love baseball or they love to hate baseball. It does not matter which. The majority of attendees at any given game are not rabid sports fans, but people who attend 3-5 games per season. They come with their schools, churches, unions and civic groups. 12-30,000 people attend most games.

There are 80+ games a year at ML ball parks. The teams work to sell tickets from spring training in February until the end of the regular season in September. There is no larger, more diverse group of people to do sweatshop education with anywhere. The ball parks are where we launch our sweatshop education, but what we do there can resonate throughout the area from which the team draws fans and sucks tax dollars.

Baseball will help us coordinate a campaign. The baseball schedules tell us when teams from cities with other campaigns will be in town. They tell us when the sweatshop promotional items will be given away. The advertisements in the ballparks are showing us other secondary targets. We can run campaigns alongside the team's outreach for group ticket purchases. From spring training, to opening pitch, to the All Star Game, straight through the play offs... baseball marketers are working to keep the momentum

of the baseball season. When we learn to work this momentum in a coordinated way in several markets, we will force our teams to the bargaining table.

There are lots of resources available for SweatFree Baseball activists. Check out the National Labor Committee's Baseball and Bobble Head reports ([www.nlcnet.org](http://www.nlcnet.org)). Check out Ralph Nader's League of Fans, committed to ethical practices in sports ([www.leagueoffans.org](http://www.leagueoffans.org)). See what universities are doing with their copyrighted logos to protect the workers who sew them ([www.workersrights.org](http://www.workersrights.org)).

SweatFree Schools and SweatFree Cities provide precedents and standards that many communities have already agreed to. The world is ready for SweatFree Baseball.



*Pittsburgh Pirates fans say "No Sweatshops Bucco!," talk to hundreds of baseball fans about sweatshops and sing a round of Solidarity Forever before marching on the team offices to deliver our demands.*

*Providing the best Major League Sweatshop education in America around PNC Park this summer, on May 28th we will demonstrate that we can get baseball fans to read about sweatshops when we pass out the first series of Major League Sweatshop Baseball Cards.*

**Overtime;** continued from preceding page professional exemption to any worker with a community college or trade school diploma. The department insists critics "misconstrued" the proposed regulations, and that "The Department did not and does not intend to change the long-standing educational requirements for the learned professional exemption." But the final regulations repeatedly state that if employees customarily are expected to have a four-year college degree or an "equivalent" combination of college and trade school coursework, that is sufficient to exempt them as learned professionals.

In today's economy, millions of animal control officers, bookkeepers, bank tellers, customer service representatives, laboratory technicians, retail clerks, telemarketers and similar workers are expected or required to hold college degrees. Far from modernizing the regulations to reflect present industrial conditions, as the Department claims, it is in fact riddling them with loopholes that in coming years have the potential to eliminate overtime coverage for the majority of workers. (Even now, many workers retain coverage under the new regulations only because the Department inserted specific language covering their job title; employers are sure to contest these provisions through legal challenges, new job titles and other maneuvers.)

In some areas the new rules go further than the original proposals, such as a provision – inserted at the request of the National Automobile Dealers Association – eliminating overtime protection for workers displaying or selling products or services at a trade show lasting as long as two weeks.

While employers generally welcomed the new regulations, some objected to provisions extending overtime coverage to managerial staff earning less than \$455 a week. Evidently, many firms – particularly in the fast food and retail industries – are accustomed to paying managers and supervisors even lower salaries. One suspects these are the same "managers" flipping burgers and stocking shelves as they supervise their coworkers. The National Association of Convenience Stores similarly suggested that employees making as little as \$36,000 a year should automatically be exempt from overtime coverage.

Several unions complained that the new threshold does not come close to keeping up with inflation – and would need to be at least \$850 a week to match the buying power set in 1958. However, the Labor Department rejected the notion that management and professional wages should keep pace with inflation. Instead, the department deliberately set the threshold near the very lowest salaries paid "managers" anywhere in the country.

## Senate votes to bar rules

The rules remain unclear in many areas. Chefs would be exempt from overtime protections, but cooks would not. The regulations note that many chefs have a college degree and exercise substantial creative and/or management duties, but suggest that on-the-job training can substitute for culinary school. Employers are sure to seize on this ambiguity to claim that any cook whose duties include overseeing other kitchen staff or trying new recipes is an exempt professional.

Similarly, exempt "executives" now need only manage a "grouping or team," perhaps having the authority only to suggest sched-

## Gap admits unfair practices

The Gap has released a report admitting that many of the 3,000 factories in 50 countries around the world manufacturing the clothing it sells fail to comply with minimum labor conditions.

"Few factories, if any, are in full compliance all of the time," concluded the report. The Gap ended contracts with 136 factories because of serious or persistent violations.

The company said 90 percent of factories seeking Gap contracts employed child labor, subjected workers to physical coercion, or failed other minimum labor standards.

The report conceded that violations of workers' rights to organize and discriminatory employment practices may be far more widespread than is obvious on the surface.

Other problems are more visible. The report found repeated health and safety infractions in most parts of the world. For example, more than half the factories making Gap products in sub-Saharan Africa expose workers to machinery that does not have proper protective and safety devices.

The most frequent violations of The Gap's code of conduct included not complying with local laws on annual leave, failure to pay the minimum wage, work weeks in excess of 60 hours, inaccurate record keeping and machinery lacking safety devices.

The report also highlighted efforts to end the practice of indentured labour in Saipan in the U.S. Marianas Islands. A federal class-action lawsuit against Gap and other clothing companies showed that factories there were hiring workers from abroad but imposing financial debt on them which they were then forced to work off.

The Gap is the U.S.'s largest clothing chain, operating more than 3,000 Gap, Old Navy and Banana Republic stores. The full 42-page document is available on its website, [www.gapinc.com](http://www.gapinc.com).

ules or train new employees.

The new regulations were quickly met with a 52-47 vote by the Republican-controlled Senate to maintain overtime coverage for all workers currently covered. While the administration claims that only a handful of highly paid workers would lose coverage under the new regulations, they lobbied fiercely against the Senate measure and have vowed to defeat it in the House.

The AFL-CIO has invested substantial sums lobbying legislators to kill the proposed regulations, but few expect House leaders to allow the measure to come to a vote. Even if they do, the Labor Department's long-standing failure to enforce the existing regulations has led to a situation where thousands of lawsuits are filed each year by workers who have been cheated of their overtime.

## The scourge of overtime

The time-and-a-half premium provided for by federal law has proved entirely inadequate to discourage employers from requiring workers to work overtime. As a result, unemployment continues to rise even as millions of our fellow workers are forced to put in paid and unpaid overtime.

Ultimately, the scourge of overtime will not be beaten back by government regulators or politicians – it will require an organized working class, determined to wrest back the 8-hour day we won decades ago, but which has been snatched away from us minute by minute. But we should not stop there – our productivity levels have more than tripled since the 8-hour day was established, and only a small portion of that increased productivity has gone into higher wages. We have already earned the four-hour day, it's simply a question of organizing the industrial power to claim what is rightfully ours.

The full text of the regulations, and of the Department's lengthy justification for them, can be found in the April 23 *Federal Register*, available online at [www.dol.gov/esa](http://www.dol.gov/esa) (under Laws and Regulations).

# Bosses pay \$116 m in solidarity pact

Kroger, the corporate parent of Ralphs supermarkets, has paid \$116 million to the Albertson's and Safeway chains as a result of the mutual aid pact the three companies entered into in anticipation of the 4 1/2-month Southern California grocery strike. Ralph's lost less money during the dispute than its partners because the UFCW decided to withdraw pickets from its stores in a failed attempt to divide the companies.

A lawsuit pending the agreement on anti-trust grounds is pending in federal court.

In a document called a 10K, which corporations must file annually with the Securities and Exchange Commission, Kroger described the agreement as "designed to prevent the unions from placing disproportionate pressure on one or more of the retailers by picketing one or more of the retailers but not the others."

After final results are in, Kroger says it could end up paying another \$44 million.

## Borders Books action

Melbourne IWW members have joined recent actions outside Borders Books, alongside members of Unite – which is working to organise casual workers for decent pay and conditions. The Melbourne IWW last held an action about Borders when they opened in Australia way back when. Now they are in several cities and still unorganised, alas.

A stall outside the Borders Bookshop in Carlton attracted great interest, although not without conflict. Two Unite members were subject to violent threats from shopping mall management when setting up the stall, threats which continued throughout the day. Nevertheless the action continued to rally support from the general community in support of workers' rights at Borders. Borders bookmarks – a cut down leaflet of sorts – was given to customers, and were a great success in raising awareness.



NOV. 2003 RALLY FOR THE OAKLAND 25 PHOTO: BERNIE

## Oakland 25 victory

Criminal charges filed against 25 anti-war protesters arrested last year at the Port of Oakland were dropped April 22, ending a year-long saga that added another blemish to the city's police department.

Protesters have filed a federal lawsuit against the police department and the city seeking compensation for medical expenses, lost wages, and civil rights abuses.

The protesters were arrested April 7, 2003, after police fired wooden dowels, bean bags and rubber bullets at a crowd of more than 100 who were picketing entrances to two maritime terminals operated by companies with major war-related business interests.

## Bari-Cherney settlement

The U.S. Justice Department and the city of Oakland have finally signed off on terms for a \$4 million settlement with two IWW activists injured in a 1990 car bombing.

Judi Bari and Darryl Cherney were injured when a bomb blew up in their car while they were on a speaking tour to promote Redwood Summer, a campaign to save old-growth trees. They were arrested shortly afterwards, and authorities never investigated the bombing.

In 2000, a jury awarded Bari's estate and Cherney \$4.4 million. The plaintiffs and defendants have been working on a settlement agreement since then.

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# Book Reviews: Frank Little & militant labor in Butte

REVIEW BY STEVE KELLERMAN

*The Truth About the Lynching of Frank Little*, by Mike Byrnes and Les Rickey. Old Butte Publishing, 2003, illustrated, 126 pages (\$16.95 autographed from IWW's lit dept.)

*The Truth About Butte*, by George R. Tompkins, edited by Mike Byrnes and Les Rickey. Butte, MT: Old Butte Publishing, 2003, illustrated, 80 pages.

In an organization featuring brilliant and courageous organizers, Frank Little stood out for his brilliance and courage. Little was one of a remarkable group of Western Federation of Miners militants including Vincent St. John, Bill Haywood and Fred Hesselwood who entered the IWW at its inception and stuck with the union when the rest of the WFM disaffiliated. They were among its most influential and prominent members prior to the First World War.

Amateur historians Mike Byrnes and Les Rickey have written a short book on the labor troubles in Butte, Montana, Little's coming to the camp in July 1917, and his lynching August 1. It is the most complete account of these events to date and contains some new biographical information on Little. We learn for instance that Little, who proclaimed himself "half white man, half Indian, and all IWW," actually had a relatively small amount of Native American ancestry. We further learn that Little, generally assumed to have been a native Western working stiff, was actually born in Illinois to the family of a physician. He left home early and became a hard rock miner, joining the WFM around 1900.

Butte had had an extremely turbulent labor history. The copper deposits under the city were fabulously rich. A number of companies worked the mines in the 1880s and '90s and employed a large workforce. The miners formed themselves into Local #1 of the Western Federation of Miners and secured acceptable wages and conditions.

When the Anaconda company – part of the Rockefeller interests – drove out its competitors, establishing a monopoly in Montana

copper mining around the turn of the twentieth century, it turned on the miners, slashing their pay and imposing unsafe working conditions. The company was able to reduce the WFM local to the status of a company union and, with its approval imposed serf-like conditions on the miners through the use of rustling cards and blacklists.

The disgusted miners destroyed the union hall with dynamite in 1914 and drove the WFM out of town. Conditions continued atrocious with the mines operating open shop and all the civil authorities and press of Montana under the domination of the Anaconda company.

In June 1917, with the company reaping enormous war-time profits, a fire and explosion in the Speculator Mine in Butte took the lives of 168 miners. The surviving miners of the city spontaneously walked off their jobs and formed the independent Metal Mine Workers Union. The miners' strike was solid with the organized crafts striking both in sympathy with the miners and in order to advance their own members' interests. However, after a couple of months the strike was weakening, with the AF of L pressuring the crafts to withdraw support and the Anaconda-dominated press poisoning the minds of the public. The politicians – local, state and national – did all they could to aid the company.

This was the situation when Frank Little arrived in late July 1917 at the invitation of Butte's 500 IWW members. In a series of speeches Little strongly urged the MMWU to pursue such winning tactics as widening the strike to other Anaconda properties around the state and engaging in mass picketing. He also attacked the First World War, in which the U.S. had been involved for just a few months and to which he was strenuously opposed. On the night of July 31/August 1 six Anaconda thugs (including the city police chief of detectives) seized Little from his room, tied him to the back of their car, and dragged him out of town to a railroad trestle from which they hung him. His last words

were, "I stand for the solidarity of labor."

The intimidation worked – the strike collapsed and the Butte mines remained open shop until the 1930s. Frank Little joined Joe Hill and Wesley Everest in the IWW's trinity of prominent martyrs along with, perhaps, 100 other more obscure Wobs likewise murdered for their IWW activity. •

Byrnes and Rickey are to be commended for assembling this information. *The Truth About the Lynching of Frank Little*, however, suffers from amateurish writing with sentence fragments, misplaced modifiers and poor syntax abounding. More serious is the repeated assertion that the IWW is a violent organization and that Little was an advocate of violence. It is easy enough to figure out where the authors picked up these ideas, given the volume of Anaconda-inspired propaganda abroad in Montana in those days and therefore in the historical record – but that hardly excuses it. Byrnes and Rickey, well-intentioned though they obviously are, would benefit from the services of a skilled editor.

The second book, *The Truth About Butte* by George R. Tompkins, reprints an original published in 1917 and edited by Byrnes and

Rickey. It is a very well written history of labor relations in Butte whose author was evidently active in the MMWU as well as other labor organizations over the years. Although he wrote it while the events it discusses were still unfolding, Tompkins is able to place the material in a solid perspective.

The editors claim that Tompkins was an IWW member. While this may be true, it is not apparent from the text. Nowhere does he call for industrial organization nor does he employ language specifically associated with the IWW (aside from once characterizing capitalists as "plutes"). More serious, Byrnes and Rickey again tell us that the IWW was violent and regularly engaged in the telling of untruths. They also state that IWW stands for International Workers of the World, an appellation they describe in the Frank Little book as being a common error of historians, and they aver that the *Industrial Worker* later became the Communist *Daily Worker*! Once again Byrnes and Rickey would have benefited from the services of a good editor.

Both books feature excellent photographs from the collection of Mike Byrnes, some never having been published before.

## Art and social change

BY CARLOS CORTEZ

Bram Dijkstra, *American Expressionism: Art and Social Change, 1920 - 1950*. Harry Abrams, 2003, \$60 (hardbound).

Unfortunately, art books are not getting any less expensive – like everything else under our present economy – and although this book could be written off as a luxury item, why in Hell aren't workers entitled to an occasional luxury every now and then?

The IWW has long been known as a cultural organization, as well as an organization waging a struggle on the economic front. This tome aptly shows that the arts do not have their genesis in some ivory tower, but sprang from the gutter along with the rest of us. The decades represented here were the turbulent ones following the First World War and up into the second, when the union movement made some of its greatest strides toward racial equality, the break up of the tenant farmer system, and the siege of unemployment prior to the outbreak of the second war.

It was at this time, when the country was on the verge of revolution, that the master politician Franklin Roosevelt through his New Deal rescued capitalism's derriere to become canonized by much of the working class, including many so-called radicals. He realized that the only way to save the works was to become benevolently pro-labor. Organized labor was already beginning to win things on its own, so he knew better than to buck the tide.

It was my German mother who said if you have an armful of steaks and are surrounded by hungry dogs, the prudent thing to do is to toss them a few scraps before they decide to take who whole armful for themselves. That's why the New Deal initiated a program of make-work. He even had a make-work program for unemployed artists.

Many otherwise unemployed artists were employed painting murals in post offices and other government buildings. Not only that, but the country needed a lot of new roads, not to mention the big project that would ensue in a few years. Great emphasis was lavished upon labor, not to mention economic turbulences rearing out of the recent depression which could be conveniently laid at the feet of the previous administration.

This all changed with the final outbreak of World War II and its attendant outburst of hysterical patriotism. The first chapter of *American Expressionism* gives a disturbing example of this trend. In December 1943, a junk dealer picked up a number of untidy bales of water-stained and mildewed canvas consisting of the government-commissioned art work. With the street smarts of a New York

junk dealer, instead of junking them he took them to secondhand book stores for resale. Word got out, and many of the artists were able to buy back their work at a song – as were professional art collectors who knew how to turn a fast buck. This is the status of the arts and culture under our present economic system! No doubt, some of the discarded work is shown in this book.

Unfortunately, space does not permit printing examples of the art; descriptions of a few works will have to suffice.

The print "Strikebreakers" shows a group of men armed with two-by-fours and other blunt objects, desperately encroaching the strikers, willing to accept the low wages and bad job conditions the strikers hope to alleviate. William Gropper's canvas depicts a strike in Youngstown, Ohio.

The Dust Bowl is featured in many pieces. "Dust Horizon" shows a farmed-out couple in front of their dilapidated shanty, hopelessly wondering what the future holds for them.

"On The Train," two seats in a second-class car are piled, kids and all, off to some unknown destination. In "The Unemployed," a battered sedan load of weary job seekers are catching forty winks as a policeman checks them out through the opposite window.

James Turnbull's "Ride By Terror" shows a black family crouched in a wheat field, while in the distance can be seen the conical tips of klansmen hoods protruding above the wheat. In "The Hunt," we see what appears to be a group of cracker hunters, hounds and all, except that their quarry happened to be a black woman in the distance, fleeing with her child. "Lynch Family" depicts a young woman whose husband has just been lynched, bent over in grief as she holds her child innocently playing with his rattle.

"Laid Off" by Florence Cramer shows a young woman with the look in her face of having just finished one meaningless job, now facing the realization that she must find another meaningless job. In "Pretzel Vendor," an old immigrant is trying to make a living selling pretzels on a sidewalk crowded with faces that are as exotic to him as he is to them.

One of the most dramatic canvases is "What Nuclear War Will Do To You." A woman holding her child holds up her free arm. Her distorted limbs pack a wallop.

These are only a few of the hundreds of pieces showing the impact of the right application of artistic expression. Our present society is composed of the many of us who do the work in this society, and the few whose only function is to live off of our work. Seeing work such as this impels us to evolve a better-administered world.

## The business of America is class warfare

BY X355424, VANCOUVER

Even a broken clock is right twice a day. Despite all the self-serving fairy tales of the mainstream press, occasionally the truth is told. The American business press is sometimes honest about the true nature of capitalism: that it is far more concerned with class warfare than with maximizing profits.

In other words, with apologies to former president Calvin Coolidge's famous quip, the business of America is *not* business.

Proof can be found in the April 12 issue of *Business Week*, in an article titled "The Costco Way," with the interesting sub-title: "Higher wages mean higher profits. But try telling Wall Street." Costco recently posted a 25 percent increase in profits; Wall Street responded by driving its stock down 4 percent.

As the authors report, "One problem for Wall Street is that Costco pays its workers much better than archrival Wal-Mart Stores Inc. does, and analysts worry that Costco's operating expenses could get out of hand." Not that they are now. Wall Street 'experts' will not tolerate any company which isn't being sufficiently brutal in the class war.

"At Costco, it's better to be an employee or a customer than a shareholder," says an analyst with Deutsche Bank. But that claim is manifestly false.

The article compares Costco to Wal-Mart's Sam's Club, with which it directly competes. Costco has about a 20 percent unionization rate and pays workers 40 percent more than Sam's Club. It also has better benefits.

And it makes more money. Costco's higher profitability is directly related to lower employee turnover and far higher productivity. Costco nearly matched Sam's Club annual sales last year with one-third fewer employees. Only 6 percent of Costco workers quit each year, compared to 21 percent at

Sam's. Costco's operating revenue was higher as was its operating profit per hourly employee and sales per square foot.

Now ask why? That is, why doesn't Wall Street live up to Coolidge's dictum? It's not that hard to figure out, especially if you already believe in the reality of class warfare. Many wage slaves cling to the belief that the profit motive is king in America. But it just ain't so. And it's simply inaccurate to say that Wall Street doesn't care about things like workers' conditions. It does care, although in a negative way. Put simply, the noble souls of Wall Street recommend companies that expose workers to lousy conditions. Profitability is, at most, a secondary concern.

This sort of observation is not new for *Business Week*. Years ago, they were honest enough about greater profits for the U.S. auto industry when the Big Three decided to open new plants in Ontario instead of Detroit. The Canadians got better pay, but there were savings from the much better system of unemployment (then, alas no more) and health insurance. The financial numbers were better, but it was still heresy to recommend more investment in Canadian manufacturing.

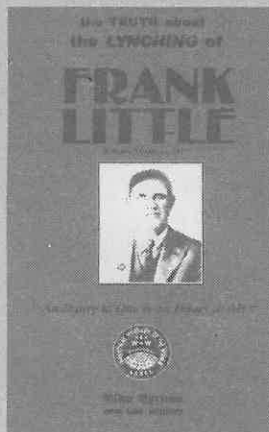
GM, Ford and Chrysler were strongly disliked by Wall Street analysts until they started playing class warfare much more seriously. These people don't care primarily about profit. It's whether you're dedicated to class warfare. Other cases, such as the recent lock-out of California grocery workers, point to the same conclusion.

So what should we do? Not what the liberals would do – they'd buy Costco, sell Wal-Mart and go back to sleep.

A more intelligent approach would be to start ranking our enemies and being selective about which branches of capitalism should be smashed first.



# BOOKS FOR REBELLIOUS WORKERS



## The Truth about the Lynching of Frank Little

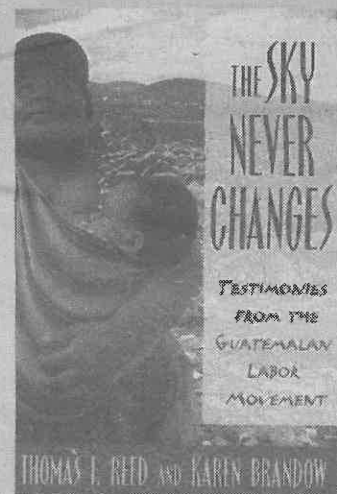
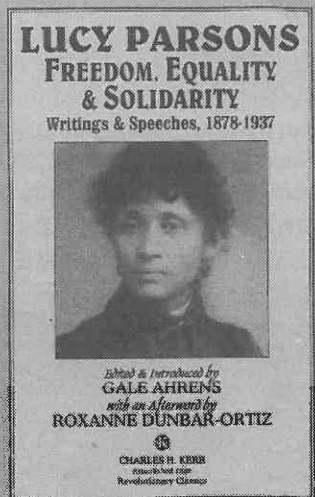
by Mike Byrnes and Les Rickey  
This is the first book-length treatment of the August 1, 1917, lynching of IWW organizer Frank Little during a miners' strike in Butte, Montana. The authors, both long-time Butte residents, have tracked down contemporary historical records and newspaper accounts – and several photographs reproduced here for the first time – to offer a definitive answer to the question of who killed Fellow Worker Little, and why. A richly detailed narrative of the event that transformed Butte and crushed the IWW presence in Montana's mining industry. See review page 10

127 pp, signed, \$16.95

## Lucy Parsons: Freedom, Equality & Solidarity: Writings & Speeches: 1878-1937

edited and introduced by Gale Ahrens with an afterword by Roxanne Dunbar-Ortiz  
"More dangerous than a thousand rioters," that's what the Chicago police called Lucy Parsons – America's most defiant and persistent anarchist agitator, whose cross-country speaking tours inspired hundreds of thousands of working people. Here, for the first time, is a hefty selection of her powerful writings and speeches: on anarchism, women, race matters, class war, the IWW, and the U.S. injustice system.

183 pp, \$17.00



## The Sky Never Changes: Testimonies from the Guatemalan Labor Movement

by Thomas Reed and Karen Brandow  
Ten moving oral histories reveal the memories and hopes of workers actively involved in the struggle for labor rights in Guatemala in the 1970s and 1980s. The speakers include rank-and-file activists, union organizers, indigenous leaders, and the widows of assassinated unionists. Together, their testimonies give personal immediacy to the anguish and heroism of the Guatemalan labor movement. "Hope never dies... In the workers' movement, they say as long a people are subjected to this level of injustice there will be only one option: to challenge the oppression, to change the structure completely so that people can develop themselves and live in a real democracy. ... We have to maintain hope to live, not only to live but to live well. To live just for the sake of living doesn't make sense." Rodolfo Robles

192 pages, \$12.00



## Jewish Workers in the Modern Diaspora

edited by Nancy Green  
Documenting the history of the Jewish working class from the 1880s through 1939, this draws upon contemporary newspaper articles, letters, memoirs, and literature to give voice to the workers who left Eastern Europe for the West - and in the process, played a key role in building the modern labor movement as they battled intolerable conditions in their new jobs and communities. This book chronicles those struggles in cities around the world, and the cultural and social institutions the Jewish workers built.

256 pages, \$10.00



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## The Rambling Kid: A Novel About the IWW

by Charles Ashleigh, intro by Steve Kellerman  
See letter, page 2  
302 pages, **\$14.00**



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## Blackboard Unions

by Marjorie Murphy  
A history of the unionization of public school teachers, from the first steps in the 19th century to the struggles between the AFT and NEA. Murphy pays particular attention to the controversy over whether teachers are employees or professionals, and struggles between teachers and citywide administrations. 284 pages, **\$8.00**

## Office Politics: Computers, Labor, and the Fight for Safety and Health

by Vernon L. Mogensen  
A look at the ways in which the desktop computer has transformed office work, this book challenges the notion that the use of video display terminals (VDTs) would free workers from routine tasks, giving more time for creative work and chances for career advancement. It argues that, for many VDT workers - most of whom are non-unionized women in low-paying jobs - the opposite is true. VDTs routinize office tasks; export work via satellite to low-wage, nonunion offshore offices; de-skill workers and closely monitor their activity, in addition to the sundry of health and safety-related problems. 223 pages, **\$7.00**



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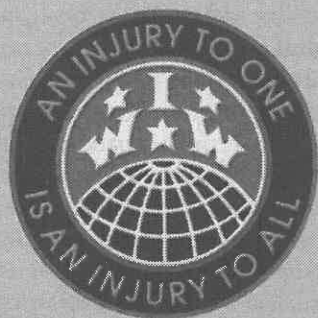
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## Metropolitan Hotel workers

continued from page 1

Two years after a collective agreement was signed, without member input, the workers have yet to see a copy. Grievances have become a cruel joke as reps fail to file or follow up on them.

When one Committee member, who had been an active militant within the local, was previously elected as a steward the union president intervened to remove him. Another member of the committee was fired and the union sabotaged his arbitration by failing to call the witness who was essential to his case.

So the Met workers decided to take things into their own hands. A rank-and-file movement has come together to take on the boss in a manner that is direct and effective. Overcoming isolation, they have reached out to other rank-and-filers and militant community groups like the Ontario Coalition Against Poverty to organize several direct actions and rallies at the workplace.

When a delegation of Committee members went to the HERE Local 75 offices to present nine demands for action, officials made it clear, in arrogant and patronizing terms, that they were not interested in any sort of serious battle with the employer. After the abuses suffered were laid out in detail the president responded "Welcome to the hotel sector," as if these are simply facts of life that workers should put up with. The leadership even suggested that workers wait until 2007 when everything would get better after HERE merges with UNITE.

The leadership's response was a textbook case in business unionism. Furthermore they took the position, so typical of union leadership, that the rank-and-file committee was a divisive threat to the union.

Local 75 officials told the Committee there were too few resources to file grievances. While the leadership bemoans the lack of translators, without explaining why a union would hire staff who don't speak the same languages as the members, the Met Workers Committee members have shared skills with each other to teach themselves how to pursue grievances and work refusals. While the union's top-down authoritarian structure prevents it from drawing on the skills and talents, including multilingualism, of members, the Met workers have provided translation skills that have allowed OCAP to expand its own anti-poverty casework to people it otherwise could not have assisted.

The Committee has already made some important gains. A number of grievances have been satisfactorily resolved. Within weeks of forming the MHWC, workers were able to have a particularly nasty manager removed. This after repeated requests to Local 75 to do something about this manager had left the situation unchanged.

Due to the efforts of the Met Workers Committee a conference scheduled to bring 300 people to the Met was cancelled, a move that stunned management. The Committee is taking the boss on in the community as well as the workplace. Met workers have made alliances with the rank-and-file Anti-Poverty Working Group at Canadian Union of Public Employees Local 3903, to press York University to remove the Met owner Henry Wu from the Board of the York Foundation.

As the Committee has grown and enjoyed some successes they have been approached by workers from other hotels to see about starting similar committees in more workplaces. These are important steps in building a vital network among rank-and-file activists geared towards autonomy and self-activity.

## Simpsons win strike

The six actors who provide the voices for "The Simpsons" won a six-week strike against Fox TV, signing a four-year contract doubling their pay to about \$250,000 per episode. "The Simpsons" is a billion-dollar franchise, thanks to syndication revenue, DVD sales and an endless stream of licensed merchandise. The actors had sought a share of total profits, but Fox threatened to cancel the top-rated show.



# World Labor Solidarity

A COLUMN BY THE  
INTERNATIONAL SOLIDARITY COMMISSION

## Guatemalan peasants press for land, elites for foreign investment

BY PETER S. MOORE,  
TRANSLATED FROM THE SPANISH

This is an edited version of an interview with Rafael Gonzalez of the United Peasants Committee (CUC), a grassroots, independent movement fighting for the land and labour rights of Guatemala's primarily indigenous agricultural workers. It was severely repressed during Guatemala's civil war, which ended in 1996. Since the signing of the peace accords, it has rebuilt and continues the struggle to resolve long-term conflicts over land and human rights. To learn more about the CUC, visit their web site: [www.cuc.mundoweb.org](http://www.cuc.mundoweb.org).

Rafael Gonzalez (RG): My name is Rafael Gonzalez. I am the national director of culture and a member of the national direction of the United Peasants Committee, CUC.

One of the areas of the CUC's work is the theme of the land. We have begun a major struggle with two thrusts: One is to pay attention to the different land conflicts and the other is to organize communities so they can act effectively on the land issue or for them to be able to buy farms.

Peter Moore: How do the elections affect the question of land and labour?

RG: The serious fact is that there could be difficulties. The communities have a lot of needs. Some are to resolve the legal standing of their lands. Other peasant communities need a bit of land on which they can produce. Others had their land seized. This conflict needs to be dealt with urgently. But with regard to the new government's point of view, we are going to continue.

Do we have expectations? I have very few.

The [new president is from] the GANA – Great National Alliance, a conservative party that represents the strongest economic sector in the country. We don't have anything in common. Let's just say they don't see land as a necessity. What they see as Guatemala's problem is that they don't receive [foreign] investment. The peasant movement needs lands to be returned to the communities and technical assistance, credit and markets for their products. The [business elite] say that this isn't the need. They say that they need to have more investment to produce and give the communities the opportunity to work.

So it is two very different questions we are putting forward. So with Berger and the GANA Alliance I don't share any point of view.



## Nepal: General strikes forces government from power

Tens of thousands of workers have shut down Nepal's capital, Kathmandu, since April 1 in a series of demonstrations aimed at restoring democracy to the country. The protests have forced Prime Minister Surya Bahadur Thapa from power, and unions continue to demand the restoration of parliamentary rule, suspended Nov. 2002.

A joint statement by the General Federation of Nepalese Trade Unions (GEFONT), the Nepal Trade Union Congress, and the Confederation of Professionals condemned the royal government's "inhumane and savage" repression of the multi-party movement for democracy and the government's resuscitation of the 1957 Essential Services Act to restrict union rights.

The government arrested hundreds of

PM: So the election advertisements and campaign promises of access to water and health, themes on which you are working, are false or impossible?

RG: This is how our country's history has been. All of the candidates have always made many promises before they rise to power. The questions of health, education, housing and all that they imply – that there should be cures and preventive medicine, that families can live with dignity in a home – also implies the parents earning a good salary and being able to better feed their children and all that.

No government has fulfilled its promises. They've done nothing but bit work, taking care of something here and there, but there is no government plan, no government policy on rural development. This is why there are 131 municipalities facing a tough time with poverty. There are 49 municipalities in extreme poverty – the death of children, women with raw hunger – so we believe that the new government should pay attention to this, especially the hunger, over the next four years. Then the government should put in place policies of fundamental development. We're saying development of a community and this means having land, having credit, education, a market, but that is long-term. In the next four years, we think the government should deal with the hunger in communities.

PM: How have the external pressures changed? I've heard that the United States government has been putting a lot of pressure against the FRG [a political party led by a general implicated in the bloody counter-insurgency campaign of 1982-83] so they don't win the election. Is this a political change for the US?

RG: No. What is going on is that the interests on the international level, of the United States in this case, say, "We want democracies. We want countries to respect human rights." But this is a façade. Now at the national level, there is a lot of pressure for people to be loyal to the business state.

They are bringing in the Panama Plan and this implies that we become subject to whatever they say. These policies don't benefit anyone in the peasant population. They say they are for human rights, but put forward policies that violate human rights. But with a façade, no one sees it. They say, "If we put in place the People's Panama Plan, there will be more employment, there is going to be more development in Guatemala."

This is all propaganda. It may bring in jobs, but only for a certain amount of time. Who is going to verify that their labour rights are respected? This won't be done in our country. There is a large labour force so young people and those people older than 40 years

unionists as part of its efforts to crush the democracy movement, including GEFONT chair Mukunda Neupane after he led a massive April 21 rally. Police broke up the demonstrations with tear gas and batons, sending several to hospital.

Over 2,000 protesters have been arrested, though most have been released after several hours in police custody.

## ILO: Work deadlier than war

Workplace illnesses and "accidents" kill more people every year than war, according to a new report from the International Labour Organization.

Six thousand workers die every day from ailments or accidents related to their work. The "6,000 deaths a day, or one every 15 seconds, add up to more than the ravages by war," note labour experts Luc Demaret and Ahmed Khalef.

Accidents kill 350,000 people each year, but five times as many die through sickness contracted on the job such as through exposure to poisonous chemicals.

"Work accidents must not be seen as fated. They don't just happen. They are caused," the report concludes.

old don't have the right to work. All of these rights: who is going to respond to us and guarantee them? There isn't anything there.

PM: And this free trade agreement the Central American countries are trying to sign with the United States, CAFTA?

RG: They signed it. And what I am conscious of right now is the matter of what is missing, aside from enacting it. There wasn't much information. The government did not consult with civil society. The Central American governments met secretly. We call for a moratorium on signing because we haven't been included in the proposals about basic needs, products, such as the ortaliza plant, the folk art, handicrafts – they don't give us [information about] what they are offering.

PM: So the governments sign free trade agreements but they don't speak to their own people.

RG: Governments face a lot of pressure from the economic sectors. So in the end their plans respond to the economic interests, because that is where the money is. This makes them not fulfill their promises. For example, the pressure against [President] Arzu changed the entire peace agenda toward the neoliberal policies that the United States implemented. All this changed the government's plan.

Supposedly, they had to respond to the outcome of signing the peace agreement. They started to privatize. They privatized, for example, the electrical industry. Instead of strengthening these institutions, they privatized them and this completely changed the

discourse they had proposed. But this happened due to external pressures. These external and internal pressures made it so the government could not fulfill its promises.

IW: How can unions and Non-Government Organizations support your work?

RG: There are many ways to support us. We've required international accompaniment in the communities involved in land conflicts. Since 2000, 12 of our community leaders were killed over land conflicts. So we called for the international accompaniment to witness and accompany the communities involved in land conflicts.

Another way is to give technical agricultural advice. Another is to become involved in the legal questions in our legal office. Another way is the economic support the NGOs provide for projects because we are working on six approaches: land, plantation workers, community development, gender, the question of indigenous peoples, and the organization itself. On labour, we have to have legal advice. We can't fight a rancher if we don't have legal advice and support. And on the question of community development, there is a need to provide technical assistance to communities that now have land. Up to now, we have obtained 12 farms – some as the result of land conflicts, others through the lands fund – so all our communities need agricultural technical assistance. What we have made the most progress on are the themes of the land and workers.



## Guatemalan workers fight for jobs at Pepsi bottler

BY PETER MOORE

In Guatemala City's main square, 40 workers from the Mariposa Bottling company have occupied the plaza in front of the National Palace of Culture for 19 months to demand reinstatement to their jobs.

On Oct. 5, 2002, their boss fired 100 workers who bottled and sold Pepsi, 7-Up and other Pepsi products. Sixty-three of the workers belonged to the SITRAEMSA union. After months in the courts, workers set up the blue tarp tent marked with banners and Pepsi logos. "Our families are suffering," said one banner. "Pepsi: What is cool if they only come to Guatemala and fire us? We demand our reinstatement," said another.

The workers provided the *Industrial Worker* with a copy of the union's legal brief, detailing a struggle that started in June 2001 when the union attempted to renew its collective agreement. Mariposa began to isolate union leaders and pressure workers to quit the union. Then it began hiring new employees under the names of as many as five different companies.

Guatemalan labour inspectors repeatedly ruled in favour of the union, barring any further firings. But when the union began organizing new hires, the company ignored the court order and fired the 100 workers. The court has yet to enforce its decision.

Mariposa claimed the union did not represent the workers. However, Guatemalan labour law defines a union as an organization representing 25 percent of the workers. The union also had an existing collective agreement and recognition.

Many of the 100 workers are looking for other work, but a hard core continue to press their demands. Workers are asking for a Pepsi boycott and for supporters to protest to Pepsi CEO Steven Reinemund, 700 Anderson Hill Rd., Purchase NY 10577 (fax: 914.253.2070)

## Haitian Free Trade Zone workers win

BY BATAY OUVRIYE

Workers at the Codevi factory in the free trade zone near Ouanaminthe, Haiti, have won a victory in their fight for workers' rights.

After the illegal firing and physical abuse of 34 workers in March, the workers' union, SOKOWA, working with other groups around the world, effectively pressured the owners to rehire the workers. On April 13, Free Trade Zone officials and Levi-Strauss agreed to reinstate all workers in the conflict, pay medical costs for the worker who was most severely beaten, payment for the time workers were fired, recognition of union rights within the factory, and negotiations with the union.

A concrete victory, therefore, has been obtained. Not only for the workers in conflict, but for all those in the factory; not only for them, but also for all those who will be later called to work there; not only for this future group but also for those who will be called to

defend their rights in free trade zone territories throughout Haiti, as well as in the rest of dominated countries and in the whole world.

This first victory in the first confrontation in this first Haitian free trade zone thus marks an important point in the working class's struggle internationally, especially whenone considers international solidarity's vital support. It is thus a victory for us all. But this success becomes even more fundamental when we consider that it was the determination of the workers themselves, in the field, and their own independent struggle that was the true motor of the entire mobilization.

Already, management has tried to delay rehiring workers (making them wait for a work post at the Training Center) and attempted to reissue workers' badges (which would cause them to lose their seniority, restrain their movements within the factory, and jeopardize their job security). But workers remain vigilant, and will defend their victory.