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USA

# Longview Port Workers Set Example for All Labor

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**Until Jan. 23, few people in the labor and social justice movements expected anything less than a major class confrontation at the state-of-the-art \$200 million grain facility at Longview, Wash. The scab complex was operated by the multi-billion-dollar Export Grain Terminal (EGT) and owned by three giant international agribusiness holding companies—Bunge Ltd. (one of the seven top grain exporters in the world), Itoche, and STX Pan Ocean.**

The scene had been set for what might have erupted into a battle of the first order – more akin to the mass labor struggles of decades past than the present spectacle of a class-collaborationist labor bureaucracy acceding to the boss class's every incursion on past contract gains won in class-struggle confrontations long ago.

On the ruling-class side, the Obama administration authorized armed U.S. Coast Guard vessels, which operate under the authority of the Department of Homeland Security and in collaboration with the U.S. Navy, to escort a cargo ship to load hundreds of thousands of tons of grain for export to Asia. Breaching union pickets, EGT had accumulated sufficient grain via rail and truck shipments from all over the Midwest and beyond to fill this massive non-union storage facility, capable of loading a typical bulk-grain-carrying ship in 24 hours as compared to the week required at less mechanized operations.

This was the first time in 40 years that the U.S. government authorized the use of the military in an overt strike-breaking operation. The cargo ship was also to be escorted by armed military helicopters. On the ground, police and associated military forces throughout the region and beyond were readied to thwart any union interference.

## Relationship of forces

On the union side stood the ranks of the small but battling ILWU Local 21, unsure that their broad call for ILWU and national rank-and-file union mobilizations would be answered by sufficient forces to challenge this government-sponsored union-busting venture. Local 21 was also in close collaboration with the Occupy movement, including sending messages of solidarity with Occupy Oakland's mobilizations that twice closed the Port of Oakland—once on November 2 in the course of the “general strike” and again on Dec. 12.

While no one knew the precise date that EGT would attempt to head up the Columbia River to test the relationship of contending forces, the tension grew in mid-January as a major grain cargo ship set anchor at the coastal port city of Astoria, Ore., 30 miles from the EGT operation. This was seen by both sides as a virtually assured test of strength, which if successful on EGT's part, could open the door wide to doing to the entire West Coast ILWU what was planned for Local 21's 10 to 50 workers who had been replaced by the scabbing Operating Engineers Local 701.

It was in this context that rumors of an impending settlement began circulating on Jan. 23.

At the initiative of Washington Governor Chris Gregoire negotiations were opened between the ILWU and EGT on Jan. 23. A tentative agreement regarding arrests was reached that included the dismissal of most, but not all, of the charges filed against some 225 union activists and their supporters. It appears that it has been approved by the ranks of Local 21. Since then all six jury trials have dismissed EGT charges against ILWU members, indicating that

the Longview community has no stomach for jailing courageous union fighters and their allies. The ILWU is pressing for the dropping of all charges.

â€¢ EGT has bought out the contract it signed with the General Contractors, the agency that hired the International Operating Engineers Union to scab on Local 21. At present there are no scab workers at the EGT facility – only ILWU Local 10 members.

â€¢ The grain cargo ship anchored at Astoria has left, thus eliminating the immediate threat to load grain from EGT's terminal.

An announcement approved by the Solidarity with Longview working groups of Occupy Oakland, Occupy Portland, Occupy Longview, and Occupy Seattle reads as follows: "Supporters of the Longview workers are still planning to mobilize if needed, but are asking the caravans [organized to travel to Longview in defense of Local 21] to wait for official word on the contract negotiation outcome. If in fact the membership of ILWU Local 21 approves a contract, Occupy will mobilize in celebration of this victory for the community of Longview and workers everywhere."

There is no doubt that some minority elements in the Occupy Movement have made excessive, if not foolish, statements that dismiss the U.S. labor movement in its entirety and see the Occupy movement, despite its absence from capitalism's central points of production and transport, as a present alternative to the unions. This usually anarchist and substitutionist minority, who have claimed to represent the "89 percent" of unorganized workers, have good reason to be harsh critics of the present union bureaucracy. But they are entirely mistaken in any assertion that a movement lacking an organized class base at the point of production can substitute for a reinvigorated, democratic, and fighting labor movement, and especially one with an emerging class-struggle left wing aimed at the heart of the capitalist system itself.

This said, the vast numbers of these enthusiastic and dedicated activists see their fates tied to the victories of workers against the capitalist establishment and hail what they hope will be a resounding victory for the ILWU.

It appears likely that Local 21's ranks will approve a basically sound contract even if it includes some important concessions that have previously been negotiated by ILWU locals in the region. History will record this struggle as among the first critical victories registered by class-struggle fighters in decades.

EGT did not eagerly return to the bargaining table. Its intention was to break the ILWU and set a precedent for future union busting along the entire coast. As far back as the 1980s the Pacific Maritime Association reported, "We continued in 1986 to see a slow but steady progress toward an improved labor environment. Dramatic and essential reductions were accomplished in offshore labor costs. A clear reversal of trend in longshore labor costs was accomplished in the East Coast and Gulf Coast ILA settlements, although a fragmented approach to bargaining was required to set this in motion." (Emphasis added.)

## Class struggle confrontations at Longview

EGT's filling its new terminal to the brim was accomplished with brute force as local and regional police and company-hired goons repeatedly breached the fighting Local 21 picket lines. In early September, Local 21, with some 250 members, and aided by ILWU locals in the region from Tacoma, Seattle, and beyond, mobilized over 1000 workers in defiance of a court injunction and entered EGT's expansive 34-acre rail and trucking line complex to challenge the scabs and company goons head on. This ILWU mobilization had the added effect of closing down the

Tacoma and Seattle ports.

By pulling the plug on several grain-laden rail cars, tons of grain were dumped onto the EGT terminal's railroad tracks while goons protecting the scab operation were "gently" moved out of the way—union style. Police and company officials later charged the union with "kidnapping" some of these paid union busters.

EGT responded soon after the September battle with a massive display of ruling-class power. They mobilized an army of cops and hired strikebreaking "protection agencies" to challenge Local 21 and its allied picketers. They arrested some 225 workers and leveled a broad array of punitive charges against the trade unionists. But these workers were doing what unions are supposed to do in such disputes—close down employer operations and defend their jobs at the point of production. Fines exceeding \$300,000 were levied against Local 21 by compliant judges. Union efforts to reverse these fines and arrests in court were rejected with impunity, but union appeals are still in process and may be negotiated in any final settlement.

The national AFL-CIO assisted the EGT scab operation when the federation ruled that the hiring of the scab workers from the International Union of Operating Engineers (IUOE), as opposed to the ILWU that had jurisdiction over West Coast ports for the past 70 years, was a "jurisdictional" dispute to be resolved by "arbitration within the AFL-CIO." The Richard Trumka-led American "Fakeration" of Labor, as the IWW used to call it long ago, bent to its higher dues paying Building and Construction Trade Council affiliate as opposed to the smaller, 55,000 member ILWU.

## Local 21 calls for working class solidarity

The ILWU's signature solidarity credo, "An Injury To One Is An Injury to All," was put to good use as Local 21 initiated a call to the entire labor movement and all its supporters to mobilize in Longview to challenge the planned scab operation. Local 21's call was enthusiastically supported by AFL-CIO-affiliated Washington State county central labor councils, which called on "all able-bodied workers" and community supporters to come to the aid of Local 21.

ILWU Local 10, based in the San Francisco-Oakland area, allocated \$10,000 to organize Bay Area caravans to prepare to join the Longview mobilization. The San Francisco Labor Council allocated \$1500.

Union locals across the country and AFL-CIO state federations, as in Wisconsin, passed resolutions condemning the government's use of the military to break strikes. Carpenter locals in the AFL-CIO's Building and Construction Trades Council broke ranks with the Trumka leadership to condemn EGT scab herding.

A powerful new ally in the form of the broad Occupy movement joined the ILWU Local 21 cause early on. This was seen in the course of the Nov. 2 "general strike," called by Occupy Oakland to protest the brutal police dismemberment and tear-gas and pepper-spray attack on the Frank Ogawa Plaza Occupy encampment and the police-fired canister-missile that fractured the skull of encampment activist Scott Olsen, an Iraq War veteran. In that action, 30,000 protesters closed down the Port of Oakland, with the obvious solidarity of ILWU Local 10 members, who refused to cross the Occupy "mass picket lines."

While the ILWU's International leadership took its distance from this port closure, it was not so passive on Dec. 12, when Occupy Oakland moved to organize a West Coast port shutdown in solidarity with Local 21.

A message of appreciation from Local 21 President Dan Coffman was read out to the Oakland crowd of 6000 and widely publicized. ILWU tops in contrast, stood in direct opposition to this partially successful effort—*instructing its*

members to cross the Occupy picket lines up and down the coast. Even here, a number of ports were closed, including Portland, where an estimated 4000-5000 mobilized.

When the Occupy Wall Street organization in New York City allocated \$12,000 toward the organization of caravans to Longview and other mobilization efforts, it was clear that Local 21 had a new and important ally that was serious about mobilizing to defend labor's cause.

## ILWU's "one-day strikes"

From the ILWU bureaucracy's point of view, it is one thing to employ the union's historic contract provision that allows members, for reasons of "health and safety" to respect third-party picket lines, as ILWU members have done for decades on issues ranging from opposition to the Iraq and Afghanistan Wars to demands to free Mumia Abu-Jamal; it is quite another to challenge the bosses and their government on an issue pertaining directly to the ILWU itself—in this case Local 21's fight against EGT's government-backed and AFL-CIO-abetted union-busting onslaught.

The occasional one-day ILWU strikes over the years were aimed at expressing workers' solidarity with the oppressed and persecuted in the U.S. and around the world. But the one day's lost pay that ILWU members usually incurred was more than offset by the great majority's working double or even triple shifts soon afterward to more than make up for the loss. One could honestly say that the ILWU ranks, among the most highly-paid workers in the country, were most often both honored to express their solidarity with radical political causes on the one hand and pleased to take a day off on the other, and especially so because the union faced no employer threats to invoke Taft-Hartley.

We must add here that not all ILWU one-day strikes have been conducted under the union's "health and safety" contract provisions. The ILWU's May Day 2008 West Coast antiwar port closure, for example, was a strike in defiance of the PMA and in the face of its threat to invoke Taft-Hartley. Today, the ILWU tops cite this anti-union law to justify their effective paralysis in the face of a major ruling-class offensive. To the very extent that this remains the policy of the ILWU, and virtually all other unions in the country, American labor relinquishes its most powerful weapon—solidarity. No single union is capable of taking on the full force of the U.S. government. But the full utilization of the combined forces of all labor does present more than a formidable obstacle to employer/government abuse.

The stunning reversal of EGT, embodied in its return to the bargaining table and the intervention of the Washington state governor to try to settle this dispute has no explanation other than an emerging and major change in the relationship of forces on the ground.

It is one thing for a giant multi-billion conglomerate to take on a small ILWU local; it is quite another when that local successfully calls on its allies inside and outside the trade-union movement to mobilize in massive numbers to challenge the bosses and their capitalist state, that is, its police, military, courts and antiunion legislation.

Local 21 took on these powerful forces and, indirectly, perhaps, the ILWU tops as well. The latter pledged to mobilize workers in Longview, while at the same time guaranteeing the Pacific Maritime Association bosses that no other West Coast ports would be closed—a contradiction indeed!

If the ILWU bureaucracy had any real intention of challenging the union-busting effort at Longview it could not divide its forces and present a credible power at the same time. It could not promise the bosses in the massive ports of Los Angeles, San Pedro, and Oakland—and at every other port—that work would continue as usual while mobilizing in

Longview at the same time. In fact, the most serious challenge that the ILWU could offer would be to mobilize the full power of ILWU's Longshore Division to simultaneously shut down the scab operation in Longview and close down the West Coast ports at the same time.

# ILWU tops bend to Taft-Hartley

While ILWU's international president, Robert McEllrath, pledged to support the impending Longview confrontation, the union's solidarity statement went to great lengths to affirm, denunciations notwithstanding, its obligations under the Taft Hartley Law to refrain from interference with what that reactionary law defines as "the full flow of commerce" (see *Socialist Action*, January 2012, for key portions of the ILWU statement). Taft Hartley, historically dubbed by the entire labor movement the "Slave Labor Act," was passed by Congress in 1947. It explicitly prohibits jurisdictional strikes, wildcat strikes, solidarity or political strikes, secondary boycotts, secondary and mass picketing, and closed shops. In short, it bans labor from mobilizing in solidarity with workers under attack.

Early on in the Local 21 struggle, one could argue that McEllrath's statement was little more than a defensive formulation aimed at officially protecting the ILWU from future law suits and punishment under Taft Hartley. But it soon became clear that "protective" legal language was not the ILWU's intention.

When Labor Solidarity Committee members of Occupy Oakland and leading activists in Local 10 traveled to Portland and Seattle to join with Local 21 rank and filers and other trade-union and Occupy leaders at public meetings to plan solidarity mobilizations for Longview, the ILWU officialdom was outraged.

In Seattle some two dozen ILWU officials, led by three northwest ILWU presidents, physically attacked a meeting of some 200 Occupy and trade-union activists gearing up to mobilize for the then impending Longview confrontation. The officials' stated pretext for the disruption was that they were demanding to read aloud McEllrath's statement that warned against any efforts to close West Coast Ports and against ILWU locals taking their lead from forces not under the control of the ILWU—a more than oblique reference to the Occupy movement. These ILWU leaders were physically escorted from the meeting but not before they hurled a few punches and screamed vile and sexist epithets at a number of the woman who helped monitor the meeting.

Some in the solidarity and socialist movements have argued that this confrontation might have been avoided had the meeting's leaders agreed to read and debate McEllrath's fork-tongued statement early on rather than announcing that it would be read immediately after the meeting's speakers had concluded their remarks. Whatever the merits of this view, they are subordinate to the fact that it was well known in advance of the meeting that the ILWU officials aimed to disrupt the Seattle solidarity event rather than engage in a fraternal exchange.

The ILWU's top leaders judged with fear and trepidation that their most likely tepid Longview protest might have taken on a different character altogether had the Occupy forces proved capable of mobilizing the forces on the scale of or exceeding the 30,000 that had closed the Port of Oakland on Nov. 2. The ILWU ranks themselves could not be other than inspired by tens of thousands of working people mobilizing on their behalf.

The dynamic set in motion by Local 21's call for a mass mobilization, already supported by local central labor councils, other ILWU locals, and union bodies across the country—combined with the youthful ranks of the courageous Occupy movement—might well have resulted in an outcome far exceeding anything the bosses, their government, and the ILWU officialdom had anticipated.

Following the disruption in Seattle, the Seattle-based ILWU Local 19, in accord with the warning against Occupy signaled by McEllrath, passed a lengthy and angry motion denouncing the Occupy movement and breaking all relations with it, while demanding that Occupy leaders come to the union's hall with a formal apology. Yet the same local maintained its commitment to support Local 21 when the EGT scab operation was at hand. Such is labor's contradiction, and especially operable in the ILWU, where democratic forms exist to this day that allow the ranks to elect their officers on a yearly basis. In general, those who fail to lead in accord with the interests of the ranks are not long for top posts in ILWU locals.

## Ruling class and EGT back off

The potential for such a serious challenge to the EGT/government offensive, in the context of a grinding economic crisis that has cut deep into the fabric of American life, proved to be decisive in the decision of the ruling class, the one percent, to back off in order to seek to take their pound of flesh at another place and another time. The Obama administration chose not to risk a nationally publicized spectacle of thousands, if not tens of thousands, of workers and their allies confronting a government scab-herding military operation.

The Longview events will undoubtedly teach labor and social justice activists some important lessons: First and foremost is that the labor movementâ€”still based in critical points of manufacturing, transportation, construction, shipping, and many other decisive sectors of the capitalist systemâ€”retains the power to bring the system to a grinding halt and to win important gains, not to mention inspiring support from unexpected layers.

Equally important is the fact that the Longview battle demonstrated the absolute necessity of labor reaching out to all the oppressed and exploitedâ€”to the unemployed and youth, to the immigrant communities and oppressed nationalities. And it is essential to be on the alert for alliances with new movements that have been brought into being by virtue of a capitalist crisis for which there are no solutions other than deeper repression and incursions on working-class life.

History is replete with examples of workers finding these new allies and new forms of struggles, from the mass unemployment leagues of the 1930s and '40s to the worker's councils and assemblies that periodically rise up to provide new organizational forms to encompass all those who are driven to fight back in order to survive and to stand in solidarity with all others in the same situation.

The emerging Local 21 victory can only inspire even bolder and more conscious efforts. The first hard fought victories after a long string of defeats are always among the most important and longest remembered. They serve as an example to millions that a united labor movement in alliance with all its allies can win.

**Socialist Action** Editor's note: As we go to press the EGT conglomerate has formally recognized ILWU Local 21 as the bargaining representative for all workers at its Longview, Washington terminal and on all vessels that load grain from that facility. Contract negotiations are presently underway and are expected to be concluded on union favorable terms in the next few days.