

AFD Ep 342 Links and Notes - The West Coast Ports Lockout of 2002. [Bill/Rachel/Kelley] - Jan 17

- Last week's episode on Taft-Hartley:
<http://arsenalfordemocracy.com/2021/01/10/jan-10-2021-taft-hartley-arsenal-for-democracy-ep-340/>
- <https://www.nytimes.com/2002/10/09/us/president-invokes-taft-hartley-act-to-open-29-ports.html?pagewanted=all>
 - In October 2002, while everyone else was focused on the Iraq War Resolution (which was passed the next day), George W. Bush signed an order invoking the Taft-Hartley Act (for the first time since 1971) to end a lockout of longshoremen at ports on the West Coast. Owners had refused to reopen voluntarily or give an interim contract extension because they believed workers would intentionally slow down their work without federal intervention and monitoring. The unions, primarily battling over the contract details around further automation of port work, contended that they had been working slower in response to legitimate worksite safety concerns from the deaths of five workers earlier in 2002. (if you read far enough into the article, it turns out the lockout was causing an estimated \$10 billion in economic damage but the union was essentially trying to win just \$20 million. So of course he forced them to go back to work as-is instead of forcing owners to pay that!)
- <https://money.cnn.com/2002/09/27/news/ports/index.htm>
 - *Union officials continued to deny there was any slowdown at the ports, saying the union was moving record amounts of cargo. There are 10,500 ILWU members working at 29 West Coast ports. "PMA's slanderous allegations of slowdowns during the biggest speedup in ILWU history that coincides with a record number of on-the-job deaths is literally adding insult to injury and making any progress toward a contract more difficult," said a statement Friday from ILWU International President James Spinosa. "Still the ILWU is prepared to go back to the table and seek a negotiated settlement."*
- <https://www.nbcnews.com/id/wbna3073398>
 - *How does the Taft-Hartley Act Work? Under the law, the president must appoint a board of inquiry to determine whether a work stoppage poses a national emergency. President Bush took this step Monday, and on Tuesday the three-member board reported it had no confidence the two sides would resolve their dispute "within a reasonable time." Administration lawyers then filed documents in U.S. District Court in San Francisco requesting a court order ending the work stoppage for an 80-day "cooling off" period. Judge William Alsup issued a temporary restraining order that expires Oct. 16, when both sides will return to court to discuss whether Alsup should impose an 80-day cooling-off period as mandated by Taft-Hartley. Over the past 55 years courts have granted such injunctions in 29 of 31 cases, according to the Labor Department.*
 - One interesting thing to note from the NBC article, in light of [our episode on the clerical revolution](#) that arose in tandem with the transportation sector during the Second Industrial Revolution, is the role of unionized white-collar clerks and blue-collar site administrators (?) in making the longshoremen a powerful union: *Do workers really make \$100,000 a year? Many do. Longshoremen made an average of \$83,000 last year, but more than half worked enough hours to make more than \$100,000, according to the PMA. **Unionized clerks made an average of \$119,000 last year, while so-called walking bosses made an average of \$157,000.** About three-quarters of the 10,500 union workers are at the lowest-level, longshoremen, and union officials point out that many of them work*

only part-time or “casually.” Still, union leaders say wages and benefits are not an issue in the dispute. “Dockworkers make a good salary,” said Trumka. “The issue is whether these jobs will continue to be good jobs into the future.” [due to automation]

- <https://www.businessinsider.com/a-labor-dispute-that-stalled-work-at-west-coast-ports-may-be-over-2015-2>
 - Similar negotiation troubles over automation and the slowdown vs lockout dynamic occurred in both 2008 and 2015, demonstrating that invoking the Taft-Hartley act was an short-sighted solution

- <https://www.historylink.org/File/8692>
 - Note on automation in the 2002 contract: “In addition, although the union agreed to new technology expected to eliminate as many as two-thirds of the 600 or so longshore clerk jobs on the West Coast, the contract ensured that all currently employed clerks would keep their jobs until they chose to retire. Perhaps most importantly to the ILWU, which saw control over port jobs as key to its survival, the union not only retained jurisdiction over the clerk jobs, but won agreement that some terminal and rail-planning jobs that were previously non-union would become union positions.”

- Last year’s Lily Geismer interview (which we referred to this week in passing):
<http://arsenalfordemocracy.com/2020/08/24/aug-21-2020-reflections-on-dont-blame-us-with-author-lily-geismer-arsenal-for-democracy-ep-321/>