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California Governor Arnold Schwarzenegger has been beaten and bloodied in November's election. All four of his anti-worker ballot propositions went down for the count. In fact, every measure on the ballot in his "special" election was defeated, leaving some analysts to teasingly emphasize what a useless waste of money it was.

Still, Schwarzenegger had his reasons—he was going for the union movement's jugular. There was no mercy or restraint in his attack. Early on my big brother taught me the rules of the neighborhood. You had to look out for your self. If you were going to be in the fight, you had to finish the job and send him back to making movies. We needed a political force in the state, making it much easier for him and California Republicans to move their pro-corporate, anti-worker agenda.

In response the unions moved with unapologetic aggression in defense of working people and labor rights. They slammed Schwarzenegger for months with TV ads. And the nurses dogged him at every campaign event and fundraiser he held in the state and across the nation. They got all kinds of free media coverage with more than 100 such demonstrations, contrasting the hard-working angels of mercy with the fat cat corporate crowd spending $10,000 each to have dinner with Arnold. Finally, we just basically out-campaigned them. We raised millions of dollars to keep the TV ads pounding. But more importantly we wore out the shoe leather. Union volunteers went door-to-door talking to working people about the issues. And we organized an effective GOTV (get out the vote) effort.

In our strongholds of Los Angeles and the Bay Area, ILWU rank and file volunteered for the upcoming campaign.

Unions are the most progressive political voice speaking for all working people in society today and we showed it in the campaign.

By James Spinosa
ILWU International President

The California special election proved not only to be Governor Arnold Schwarzenegger's undoing, it proved the union movement can still stop the fanatic attacks of right-wing Republicans. And it proved the formula to do it.

The Republicans tried to turn this election into a national referendum against unions, understanding that as goes California, so goes the nation. Schwarzenegger traveled throughout the country gathering millions of dollars at Republican fundraisers to pass the ballot initiatives aimed at politically disarming the unions. Many of these donors had no particular interests in the country other than limiting the influence of organized workers. But these nasty attacks awakened and reenergized the labor movement, and the unions used their enemies' energy against them. And in doing so we not only slapped Schwarzenegger down and reconfigured the political forces in the state, we have put the Republicans on notice that they are in trouble as we prepare for the 2006 national mid-term elections.

We did a number of things right in this election and we need to review them and understand them so we can repeat them and the success they brought us.

First and foremost, the labor movement remained united in California through the November election despite the splits and rancor between the AFL-CIO and Change to Win leaders that made headlines last summer. The California Labor Federation, the central labor councils and the locals working on the ground refused to recognize the divisions among their national leaders. They treated Schwarzenegger's initiatives as an assault on all workers and responded as one.

The unions also used a campaign strategy that tied our cause directly to the larger social good. For instance, the teachers made it clear that they were opposing Schwarzenegger's cuts in public school funding. That hit home for every parent in the state who understood how that affected their children and their future. The nurses made it clear that their fight with Schwarzenegger over smaller nurse-to-patient ratios wasn't just about making their work load lighter, but about better care. Every one who has been in a hospital or has tended a family member in a hospital knows what a difference that makes.

Unions are the most progressive organized political voice in society today speaking for all working people and they showed it in the election campaign. So when the teachers, nurses and firefighters appealed to voters to turn back Schwarzenegger's initiatives, it worked.

While the arrogance of the super-wealthy would think they could take over, teachers, nurses and firefighters showed again that if he gets elected for another four years. We must never forgive or forget.

While Napoleon Bonaparte's advice to never interrupt your enemy while he's making mistakes has its kernels of truth, we need a little 1960s slogan "If you don't hit it, it won't fall." We can't just watch and hope Republicans walk the talk.

Sometimes a good push is in order. That's why right now I tend toward my brother's strategy—we gotta kick 'em while they're down.

The Dispatcher

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Blue Diamond workers get strong shot of hope

by Marcy Rein

SACRAMENTO, CA—The speaker was former James Cameron’s British accent, so the Blue Diamond organizing committee members gathered around the phone after work, straining to catch every word. James Cameron works in the London headquarters of the International Transport Workers’ Federation as assistant secretary of the dockers’ section. She had gotten through the midnight London time Nov. 21 to report to them on the solidarity actions taken around the world the day to back up their fight.

Two days earlier, many of those same workers had been driving all over the county trying to find workers at home and talk union with them away from the prying eyes of managers and supervisors. The organizing committee has been working hard with ILWU warehouse Local 17 for a few weeks. They work at the Sacramento almond-processing plant to agree to a fair process that would recognize Sacramento almond work.

They get raises ranging from 50 cents to $3 per hour, through these 18-hour days, in a sector where workers are said to earn $11 after 30 years. The Blue Diamond workers are not thriving.

For 15 years their wages stayed mostly flat while their health care costs went up. They hired lawyers, in 2004, and each of the 800-some workers fired have been fired, and are now fighting for their pensions and see the plant close. They got raises ranging from 50 cents to $3 per hour, through these 18-hour days, in a sector where workers are said to earn $11 after 30 years. The Blue Diamond workers are not thriving.

The workers are not thriving. They call for an appointment, they patiently reassured her. “We simply wanted to use its moral influence.”

On the International Day of Action, delegates from all the ITF affiliates in South Korea visited the Busan offices of the World Food Company, a major distributor. The ITF coordinator in Japan couldn’t get a meeting with anyone in Blue Diamond’s office there, so he sent a protest letter. The ITF’s point person in Rotterdam has been contacted by organizers, trying to get them to sign on to a joint statement to Blue Diamond.

In South Korea pooled their efforts to send an 11-member delegation to meet with three major Blue Diamond importers there. Because the ITF sent a letter first, management at one company had already talked to Blue Diamond.

The general attitude towards our delegates was kind and friendly,” ITF Korea Coordinator Hye Kyoung Kim said.

S.R. Kularkar, president of the All-India Dock Workers’ Federation and head of the Asia-Pacific Dockers’ Federation, led a delegation of 30 activists to meet with a Blue Diamond distributor in Mumbai. The ITF distributor refused to talk with them. The delegates stood their ground and chanted loudly as they walked. They then signed a memo to Blue Diamond as requested. A 16-member delegation from the All India Railway Men’s Federation General Secretary J. P. Chauby visited another Blue Diamond distributor in the U.K.

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The International Union of Food Workers, which brings together some 336 unions, also stepped in to help. ITF affiliates in France and Spain sent strongly worded letters to the management of Nestlé, another major Blue Diamond consumer. The letter from the French Fédération Générale Agricolesenureale, called Blue Diamond’s threats of plant closure and pension loss “acts from another century.”

When James finished her report, the workers introduced themselves, giving their names and years of seniority. Among them, the nine present had given a total of 152 years to Blue Diamond. Gene Esparza thanked James heartily on behalf of the workers, and then committee member Larry Newsome added a little something extra.

“My brothers and sisters at Blue Diamond are demanding a change and we will show them they cannot crush our faith or keep us from bonding,” Newsome said. “Blue Diamond has met some people that will take a stand and not back down.”

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During the Halloween Howl for Justice, members of New York Jobs with Justice, along with rank-and-file members of the I.A.T.S.E. Local 700, stood in front of the Hershey’s Chocolate shop in Times Square. Some of the leafleters got into the spirit of the day by dressing as Hershey’s kisses.

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November 2005

THE DISPATCHER
Why labor should oppose Alito for Supreme Court Justice

By Lindsay McLaughlin
ILWU Legislative Director

The organized right wing has nominated President George W. Bush to bow down before them. They successfully trashed Supreme Court Justice nominee Harriet Miers, a Bush cronie and legal counsel, claiming she was not conservative enough. Then they pushed Bush to nominate Federal Appeals Court Judge Samuel Alito as Justice Sandra Day O’Connor replacement. That move has focused on Judge Alito’s rulings on several hot-button issues such as abortion, the death penalty, and union rights laws. As with Miers, there are so many other matters that affect the quality of life of working people. Alito has issued rulings on issues of concern to working people that strongly suggest he sides with big business over ordinary people.

Alito spent 15 years on the Third Circuit Court of Appeals. There he ruled on many labor law cases and dissented from the majority opinion from a more conservative perspective. To the chagrin of Alito’s tenure on the court, the vast majority of judges, currently two-thirds, have been appointed by Republican presidents and they are from their already conservative opinions. Alito demonstrated just how far he is from the middle of the road.

In cases involving minimum wage, discrimination, retirement, public employee benefits, and union labor law Alito displayed a pattern of alternatively narrow interpretations of statutory language, but the outcome is almost always the same: he does whatever he can to limit workers’ benefits at the expense of the employees.

LABOR UNION CASES

In Caterpillar v. UAW Local 786, the Third Circuit Court upheld a system that the company and the union negotiated for union stewards to benefit the company and disable union grievance procedures. The company sought to have it overturned by the Third Circuit Court, but the court found that the Navy was violating federal labor law for public employees in refusing to give a union the names and addresses of employees it was seeking to organize. Alito dissented, voting to bar the organizing drive by denying the union access to the employee names.

SAFETY PROTECTIONS FOR WORKERS

In INS Services v. Secretary of Labor, the court found that a mining services company was violating safety laws under the Federal Mine Safety and Health Act. The court rejected the company claim that it was not covered by mining safety laws, seeking to narrow application of the law to mines, not coal processing plants associated with such mines. Alito dissented and voted to exempt the facility from those mining safety regulations.

The court, represented based on several factors, including his misunderstanding of the majority opinion. He asserted that “the majority holds that any person who performs any activity under any circumstances is subject to the Mine Safety and Health Act, not what the majority ruled. They had a much narrower scope than Alito implies.

Alito, who in other cases is excessively verbose when it comes to narrowing the meaning of language stated, “While this interpretation may not be the most literal reading of the statutory language, it seems to represent the best we can do with the unfortunately worded provision that confronts us.” Here, Alito blows out the literal interpretation of the statute because it is not in the best interest of big businesses.

MINIMUM WAGE PROTECTIONS

In Reich v. Gateway Press, the court majority found that a newspaper chain had violated federal minimum wage and overtime laws. But Alito sought to interpret the law in the way that would have excluded the newspaper workers from protections under the law.

EMPLOYMENT DISCRIMINATION

In a race discrimination case, Brady v. Marriott Hotels, Marriott sought to deny the plaintiff, an African-American woman who alleged racial discrimination, the right to even present her case to a jury. The Third Circuit Court argued that given facts in the case, it was up to a jury, not judges, to decide if discrimination had occurred. In dissent, Alito argued for a panel of judges to decide.

President Bush watches judge Samuel Alito, right, speak after he announced Alito as his new nominee for the Supreme Court, Monday, Oct. 31, 2005.

PUBLIC EMPLOYEE RIGHTS

In an assault on the civil rights of government employees, Alito voted in the minority in Honey v. Gilbert, arguing that governments do not violate the due process rights of employees when they are suspended without a hearing and without pay. Alito rejected the majority’s view that “some minimal hearing was required beyond the initial accusation—in this case a drug charge never proven in court—but that the process of the discharge was constitutional.” Alito declared that a mere accusation justified loss of pay and employment.

RETIREMENT AND PENSION CASES

In a case of great importance to retiring workers, DiGiacomo v. Teamsters Pension Trust Fund, the court found that a Teamster truck driver, who had worked in a union position from 1960 to 1971 and then returned to his job in 1978 only to lose it, had to be credited for the time worked before 1971 for calculating his pension. This was based on an interpretation of the federal Employee Retirement Income Security Act (ERISA) which prohibits the “defeat” of a benefit due to a break in service.

Alito, in a lone dissent, argued for destroying the worker’s retirement and for denying the worker credit for early years of work. In his dissent, Alito argued that it promises made to a worker may not apply if that worker was not continuously employed. Alito declared that “in the context of a driver who had worked 18 years away of service, the opposite would be equally friendly toward companies, perhaps even more so. Although Alito might still only “swing” his hammer over the hundreds of cases Alito has considered in his judicial career, business advocates have far more pleased him with his approach on questions of securities law, arbitration, discrimination and workers’ benefits.”

Labor, not surprisingly, is less than pleased.

Bush, from the right wing of the party—a decision guaranteed to spark a fight over the protection of fundamental rights and freedom.

ILWU International President James Hoffa, whose nominee of Alito declared that he is hostile to the empowerment of working people, said in a Nov. 3, 2005 story that Alito was seen as an “ally by business.” The article states that Bush’s new Supreme Court nominee has been a staunch proponent of limits on collective bargaining, employee rights and federal regulations. Of the dozen or so names on Bush’s rumored short list of high court candidates, Alito ranked near the top for the boardroom set.

Bloomberg, a business news service, said in a Nov. 3, 2005 story that Alito was seen as an “ally by business.” The article states that Alito’s 15-year record on the Philadelphia-based Third Circuit Court of Appeals indicates he would be equally friendly toward companies, perhaps even more so. Although Alito might still only “swing” his hammer over the hundreds of cases Alito has considered in his judicial career, business advocates have far more pleased him with his approach on questions of securities law, arbitration, discrimination and workers’ benefits. Alito declared that a mere accusation justified loss of pay and employment.

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Brown v. Board of Education in the 1950s was a landmark case that overturned the "separate but equal" doctrine and paved the way for civil rights advancements. This decision had far-reaching implications, leading to desegregation in schools and other public spaces. The case is widely regarded as a pivotal moment in the fight against racial discrimination in the United States.
Introduction by Harvey Schwartz

This is the third in a series of oral history articles featuring Sam Kagel, who retired as Coast Arbitrator for the West Coast longshore industry in 2002. As the first two installments in this series illustrated, Kagel worked tirelessly as a labor advocate and consultant to Harry Bridges and longshore and warehouse unionists from the 1934 strike until December 1941.

Then, with America’s entry into World War II, Kagel re-directed his considerable talent and energy to employment with the War Manpower Commission (WMC), a federal agency established in 1942. The WMC sought to strengthen American wartime production through the recruitment of workers into war plants, ship yards and other enterprises important to the military effort. It used labor-management committees, coordination with a vast array of related war agencies, staged public events and various other devices to achieve its goal.

After the war ended in 1945, Kagel worked as an impartial arbitrator and attended law school. His wide experience in labor relations led to his 1948 appointment as the first Coast Arbitrator under the ILWU-PMA longshore contract. When he retired after 54 years on the job, Kagel was a legend on the waterfront and the nation’s leading figure in the field of labor arbitration. This month’s story focuses on his career from World War II through his Coast Arbitrator years.

In 1999 I was commissioned by the ILWU Coast Labor Relations Committee to interview Kagel. Those 1999 discussions provided the basis for this article. Special thanks to the staffs of the Labor Archives, San Francisco State University and the San Francisco History Center, San Francisco Public Library, for their help.

Sam Kagel, 1972

Edited by Harvey Schwartz, Curator, ILWU Oral History Collection

In December 1941, when the United States got into World War II, collective bargaining as I had experienced it disappeared. The ILWU stated publicly that there would be no strikes within its jurisdiction. Throughout the whole country there were few strikes or lockouts while the war was on. That did not leave a very exciting role to the Pacific Coast Labor Bureau that I had worked for representing unions in negotiations and arbitrations since 1932. Instead, government boards were set up with union and employer representatives and arbitrators in the middle or chairmen who became arbitrators.

Joining the new War Labor Board (WLB), which functioned that way, didn’t appeal to me. I had just come off the battlefield as a union advocate and I wasn’t prepared to go into a convent. Under the WLB, regulations came down covering various issues, but the WLB was mainly active trying to get at employers who were violating its guidelines. That’s when the lawyers came into collective bargaining in large measure because now you had government regulations. The lawyers, for god’s sake, were happy as larks. They were back in business on both sides. It was not my cup of tea.

Fortunately, the War Manpower Commission (WMC) was set up in 1942 by an order from President Franklin Roosevelt. There was a local labor-management committee of big wheels that asked me to work there, and I accepted. The mission of the WMC, as the military called it in those years, was to recruit and prioritize labor for the war effort.

Our WMC office staff worked closely with a labor-management committee that met weekly. We also coordinated with all the other war agencies to figure out the best way to recruit and retain workers for war industries. To me, that was a much more direct deal than I would have had going into a board to decide a penalty whenever an employer violated a regulation by offering somebody another ten dollars to leave a war job and come over to his place.

Jim Blaisdell from the employer side went into the WMC before I did. He became the Northern California director and I was the assistant. Then Jim was asked to go to Hawaii to organize the Hawaiian Employers’ Council. I moved into his position as director, but I didn’t get paid as director because charges were made accusing me of being a Communist. There were people who opposed me because I had represented Harry Bridges. It took a couple of years before I got cleared by the Civil Service people. So I worked on the WMC for two years and got assistant director’s pay while doing the director’s job.

After the war I thought about going to law school. I had wanted to go in 1929, when I graduated from U.C. Berkeley. But then the Depression set in, and I just didn’t have the director’s job.

I was an arbitrator, I found myself with all kinds of arbitration cases. To manage work and school I arranged with the dean to take less than the standard number of units each semester by going to arbitration one week off every year for the three years I was in law school. I would have arbitration cases and then start studying. At U.C., one o’clock in the morning I would still be at it. I also taught a course in arbitration. I convinced the guy to whom regional or area arbitration decisions could be appealed. I said I wanted to meet and discuss the terms. We came together in a conference room. Across from me sat Harry, Lou Goldblatt and Howard Bodine of the ILWU plus all of the employers. Harry said to me, “Well, we’ll be working together again.”

What I didn’t anticipate was that as soon as it was announced that I was going to go to law school and I was an arbitrator, I found myself with all kinds of arbitration cases. To manage work and school I arranged with the dean to take less than the standard number of units each semester by going to arbitration one week off every year for the three years I was in law school. I would have arbitration cases and then start studying. At U.C., one o’clock in the morning I would still be at it. I also taught a course in arbitration. I convinced the guy to whom arbitration decisions could be appealed. I said I wanted to meet and discuss the terms. We came together in a conference room. Across from me sat Harry, Lou Goldblatt and Howard Bodine of the ILWU plus all of the employers.

By this point I was kosher with the waterfront employers. They knew about my activities with the WMC, when I used to appear publicly before big war shows in San Francisco to promote our slogan, “Stay on the job and finish the job.” This experience sort of dried the red out of me for them. They now thought I’d been cleansed.

So both parties, the ILWU and the PMA, asked me if I would help as Coast Arbitrator. He would be the guy to whom regional or area arbitration decisions could be appealed. I said I wanted to meet and discuss the terms. We came together in a conference room. Across from me sat Harry, Lou Goldblatt and Howard Bodine of the ILWU plus all of the employers.

For the first time in their history Harry and his group and the ship owners were on the same side of the table. I was sitting over here by myself.

We started negotiating and I asked whether it would be agreeable that I could continue to arbitrate other than just longshore cases. That was worked out. We talked money and agreed on a retainer, which I needed since I had just gotten out of law school.
story project
part iii
from war duty to coast
the longshore
1942-1999

Sam Kagel in his office when he was Northern California director of the War Manpower Commission, circa 1944. Responsible for the recruitment and retention of workers for war industries, Kagel coordinated his efforts with key labor, management and government representatives.

school and didn't have any love for it. When all that was
done, I said, "I want a new Arbitrator."  

Harry was puzzled. He asked, "What do you mean by that? Are your going to cause a caucus with I?" I said, "With
time, I'm just going to figure out my mind whether I
ever really want to do this work. It's been
ted out in the hall just like you would when you
took about a minute thinking about everything in
my mind, went back in, and said, "We got a deal."

Under the new ILWU-PMA setup we established a process called "instant arbitration" with Area Arbitrators available 24 hours, seven days a week. Later we had Relief Arbitrators for the weekend. I can't say that somebody sat down and came up with the idea of instant arbitration. It occurred to me, but I think it occurred to everybody else because it was so obvious. As soon as we had Area Arbitrators in place it became plain sensible.

When I met with the ILWU guys and the employers in '48 and they told me they were going to set up a grievance procedure, I said, "Listen, I've picked me as Coast Arbitrator because I had a background representing unions and presumably I know something about the longshore industry. So why don't we do the same thing with the Area Arbitrators? You're going to have four of them. Pick two from the union and two from the employers. You have the right to cancel 'em at any time." They thought that was a great idea.

We knew the locations for the four Area Arbitrators—San Pedro, Northern California, Oregon and Washington. Now we're in our 51st year. At no time was any Area Arbitrator dis-

In practice it functions like this. If any work stop-
page occurs, the Area Arbitrator goes right down to
there and look at it, not sit around and wait until
there was a hearing at PMA headquarters with the
ship standing by.

The idea was to get the ships out because there
were crew, interest and other expenses to pay for
and if the longshoremen were not working they
were not getting paid. So instant arbitration was
just a matter of common sense. Now, after a dis-
pute has been settled on the dock, if you still want
a formal hearing you can have it. As noted, the
resulting decision by the Area Arbitrator roles
are completely different. When I'm an arbitrator,
I'm going somewhere, I'm representing a union, you
are seeking an accommodation, but you can't

ticate one. Mediation is not very spectacular. It's
just hard work.

About 1961 I acted as the mediator between the
ILWU and the ship owners in Hawaii. The union
had given 48 hour strike notice and when I got to
the Islands there were lots of workers and employers
present when we met at the old Hawaiian Village
hotel. I said, "I'm not going to mediate with a mass
meeting. You're going to have to give me a small
committee," which they did.

So, if you start mediating with a mass meet-
ing, everybody's going to disagree. If you get a
small group, at least you can try to work something
out with them and then tell 'em, "Go sell it." If
they can, they'll come back and tell you why and
then you'll try again. That's the kind of mediation
I like. It's the only form that makes any sense.

Through mediation we did arrange an agreement
covering the main issues in Hawaii, by the way. So
there was no strike.

I also mediated the end of the 1971 West Coast
longshore strike. The strike had been going on for
over 100 days. As a result of President Richard
Nixon's directions, Congress was entertaining the
idea of a statute providing for compulsory arbitra-
tion. At the time, I was not going to meet with the
employers, because I thought that would take away the
union's main weapon, the strike. So there's no
doubt that this was part of the pressure on Harry to meet with the employees. That's when I was called in, and even though I was
the Coast Arbitrator, they called me in as mediator.

We met for seven days and eight nights and
came to an agreement. That ended the '71 strike.
What was interesting to me is that there were
five, six, eight issues involving what we call "smart
men," or workers who are employed directly by ste-
vedore companies rather than through the union-
controlled hiring hall. These matters were not
settled at the time. I said to Harry, "How the hell
are we going to settle the strike with these issues
unresolved?" He replied, "Oh, you and Rudy Rubio,
one of our officers, will meet afterwards and work
'em out." And that's what happened.

Looking back at my nearly 70 years of experi-
ence, I'd say that in the collective bargaining field
there is a "climate" at any one time. That was true
in 1971. There's a climate for settlement, a climate
of excitement and a climate that's going to lead to
a strike or a dispute. It depends on whether the
employers and the union have a beef or whether
they want to have a beef. The climate of collec-
tive bargaining changed almost immediately, for
example, when the Taft-Hartley Act was passed in
1947.

Taft-Hartley came in at the beginning of the
McCarthy era. It made union officers sign an anti-
communist affidavit to use the federal labor board.
The waterfront employers went farther. They said,
"We're going to make you sign an anti-communist
statement or we won't do business with you." They
also insisted, "We're going to get rid of the union-
controlled hiring hall because the act says you can't
have one anymore.

Taft-Hartley outlawed the closed shop, which
required that all employees be union members. So this was the new climate. The result was the
1948 longshore strike, which the union won. But,
the point is, in any collective bargaining situation
one has to discern what the current climate is. Is it
calm, is it collected, is it stormy, is it threatening?

There is always a set of questions: Will the
employers accept arbitration? Will they offer med-
iation? Will the employers accept mediation? Will
the union strike? Will the employers fold because
they don't want a strike? That's what I mean when
I talk about climate. This is human relations and I
think that's really what is the exciting part about
collective bargaining. It's been that way for me all
my life.

As to Bridges and the ILWU, I'd say that
Harry had an integrity that was recognized by the
workers. He was interested in having a democrati-
cally run union and he never lost touch with the
rank-and-file. If you have integrity, are honest and
straightforward, take firm positions—even when
you're wrong but are representing the interests
of the people you're supposed to represent in a
democratic fashion with no discrimination—what
else do you want? In my book, Harry had all these
characteristics.

The union itself truly works in a democratic
manner and is responsive to its membership. You
don't have any dictators. Everything is submitted
to a vote. The drafting of proposals is done by an
caucus of elected officials. Negotiations are carried
on by an elected negotiating committee. During the
life of the longshore contract you have an elected
Coast Committee which represents the workers
in enforcing the agreement.

These characteristics, while not rare, are not
common in most unions. They are certainly com-
mon in most unions that are interested in collective
bargaining. While the ILWU has gone to the
best conditions it can, and has one of the best long-
shore contracts in the country, it is not perfect. It
has been willing to take positions on social issues. The
union took positions condemning discrimination. It
was not always successful with all of its own people,
but it still did that. This is why I think the ILWU is
a different union and an outstanding operation.
O nce word got around that they needed people at the Local 6 hall. Curtis McClain, who was president of Local 6 in the 1970s, asked us to picket African-American ILWU leaders. “He was strategic, he was careful and he was really passionate about the union to break the color line in the West generation of African-American labor leader for you!”

“The next thing I know I’m being restrained by a couple of cops. I’m struggling to get my head up and my cap raises my club. He was going to bust my head open.”

“We discussed what Curtis grabbed that club with both hands. The cops said, ‘Are you trying to release my prisoner?’ Curtis said, ‘No, but you won’t lift him with that club!’ LeRoy King was up in that cop’s face too. Huh? For that. There’s a labor leader for you!”

—Oral History of Ted “Whity” Ayers, ILWU Local 10

C urtis McClain, ILWU Secretary-Treasurer Emeritus, died Nov 6 after a long illness. He was 80 years old. He was part of the first generation of African-American leaders to break the color line in the West Coast labor movement.

McClain’s service as an ILWU officer began in 1960 when he was elected Local 6 Business Agent. For at least 15 years before that he had been an activist and steward at Schmidt Lithograph, a large Local 6 house in San Francisco. He was elected Local 6 President in 1969 and International Secretary-Treasurer on 1977. He was re-elected to that position five times, retiring in 1991.

“Curtis was a class act,” said Keith Eickman, who served as Secretary-Treasurer of Local 6 during many of the years McClain was president. “He was really passionate about the union and the ILWU. He was a natural leader,” remembered longtime Local 6 leader Leroy King, who, with McClain was one of the first African-American ILWU leaders. “He helped lead the efforts to break the color line, not only in the ILWU, but in other unions and in the community. He was an outstanding negotiator and was always a good caretaker of business for the members.”

Over nearly 20 years as a leader in the ILWU Local 6, Curtis McClain compiled an enviable record of achievement on behalf of the members. As a member of the executive board, at one time he had as many as 9,500 members with offices in San Francisco, Oakland, Crockett, San Mateo, San Jose and Stockton.

• With Lou Goldblatt, he helped form and then cement the alliance between the Teamsters and the ILWU which created the Northern California Organizing Project. He led the negotiations for the Northern California Warehouse contract, which set a new level of pay and benefits for warehouse workers. Using the power of the international, he worked to get the rank and file to participate in the negotiations.

• McClain helped pilot the union back into the Arthurianard system and electing good people to leadership roles in the union. Things worked out as they should have, in a more democratic fashion,” he recalled in the early 1970s. “We began working together on forming good house committees and a strong steward system and electing good people who were going to work for the whole union.”

These years, the late 1940s and early 1950s, were hard years for Local 6. There were short strikes in 1947 and 1948 and then a 111-day strike in 1949. There were attacks by the federal government, and raids by other unions. Articulate, informed and committed, McClain was drawn more into the leadership of Local 6. He became a steward and a member of the Schmidt warehouse negotiating committee.

With the support of the Frontrunners and supporters like International Secretary-Treasurer Louis Goldblatt, Local 6 President Chili Duarte, Local 6 Secretary-Treasurer George Valter, and other friends like Billy Lufaro, he helped build the first African-American business agent in the history of Local 6. He was re-elected through the 1960s, with the highest vote of any candidate. He was elected Local 6 president in December 1969.

“For many of us in the next generation, Curt McClain was a mentor and a friend,” said International Secretary-Treasurer Willie Adams. “He supported young leaders. He wanted the union to go on. He had endless patience. We are going to miss him.”

Curtis is survived by his sons Rene McClain (and his wife Doris), Charles McClain and Eric McClain; his father Olean Avery McClain, his mother Lucile Jingles, his two sisters, Lucile Jingles and Kate McClain; and by the Moreland-Spinnagor Research Center at Howard University.

Curtis McClain’s statements are excerpted from obituary by Harvey Schauer, Curator of the ILWU Oral History Project, and by the Moreland-Spinnagor Research Center at Howard University.

—Danny Beagle
Emeritus Curtis McClain 1925-2005

(left) McClain the young rank-and-filer; (center) McClain with ILWU International President Jimmy Herman, 1989; (right) McClain with President Herman and International Vice-President Rudy Rubio (center behind) at the 1984 anti-apartheid demonstration at UC Berkeley's Sproul Plaza.

McClain with his predecessor International Secretary-Treasurer Lou Goldblatt during master warehouse negotiations.

Local 6 President McClain at a 1974 Sears strike picket line.

(left) McClain with Congresswoman Nancy Pelosi, 1992; (center) McClain, right, with Congressman John Burton, center, and longshore Local 10's Carl Smith, 1977.

Local 6 President McClain with other Local 6 officers Keith Eckman and Leroy King picketing the NLRB at the San Francisco Federal Building, 1971.

McClain, right, with Local 10 President Cleophas Williams and Eleanor McGovern at a George McGovern for President fundraiser in 1972.
Wal-Mart in trouble

Just before release of a devastating film about its treatment of its workers and their health care costs, Wal-Mart, the biggest U.S. employer— and one that has been repeatedly anti-union and anti-worker—finds itself facing a new threat. A new, free association founded for its present and former workers.

The Wal-Mart Workers of America (WWOA) is not the union the retailer fears. But it has union backing, and it's meant as an outlet for workers to band together, give them information about their rights as workers and provide a toll-free number for complaints, criticism and information-sharing.


To publicize its services to Wal-Mart, WWOA will distribute $200 each in health care aid to 50 uninsured Wal-Mart employees. That's money UFCW members raised in "Halloween candy" sales last weekend of October outside of 84 Wal-Mart stores nationwide, with the candy earmarked for former and current Wal-Mart workers, said Paul Blank, Wal-Mart campaign director for the United Food and Commercial Workers.

"Every day 1.3 million workers help make Wal-Mart one of America's most profitable companies, and yet, every day it seems Wal-Mart finds new ways to exploit them," WWOA will be a powerful tool to help Wal-Mart's workers join together to improve their lives and make Wal-Mart change for the better," Blank said.

WWOA isn't the only wide-ranging blow that hit Wal-Mart. Robert Greenwald's film, "Wal-Mart: The High Cost of Low Price," was aired in New York Nov. 2. It was booked for 7,000-plus screenings nationwide during "A National Week of Protests Against Wal-Mart," an event sponsored by the President Andrew Stern, after the first airing, called the film "not just the premiere of a movie but the premiere of a movement."

That international week of protests saw UFCW members and other anti-Wal-Mart activists from community groups and their allies nationwide. The film not only highlights Wal-Mart's abuses of its workers, but its harm to communities through its "big box" stores, which drive local retailers out of business and destroy three times more paying jobs for every two low-paying positions that Wal-Mart creates.

"This will provide a forum for the many people across the country and the world concerned about the policies of Wal-Mart and other big chains," said Ronnie Cummins of the Organic Consumers Association, one of the groups helping organize the week of protests. The demonstrations "will call attention to these policies in a very public way. We are engaging consumers to buy responsibly," he added.

Meanwhile, UFCW is continuing its holiday campaign against Wal-Mart by urging shoppers to patronize unionized competitors or mom-and-pop stores starting on the biggest shopping day of the year, the day after Thanksgiving, Nov. 25, through the end of the year.

WWOA was founded after the New York Times revealed a secret memo by Executive Vice President Susan Chambers. It called for more cost-cutting at the behemoth, which already makes enormous profits.

The cost-cutting moves would cut workers' hours, shift them from full-time (54-hour) to part-time jobs, push out senior workers and cut health care costs by discouraging unhealthy or obese people from applying. Wal-Mart has also forced workers to toil unpaid for overtime—the latest instance is in Connecticut—and discriminated against women, who are 72 percent of its workers, in pay and promotions.

It discriminated racially against African-American shoppers in Kentucky, broke child labor laws in New York and Connecticut and has its cleaning subcontractors, with Wal-Mart "excess" knowledge, hire undocumented immigrants. —Ronnie Cummins, director for the United Food and Commercial Workers.

The ILWU (International Longshore & Warehouse Union) is a union representing longshoremen, warehousemen and transportation workers. The ILWU was founded in 1917 and is a member of the International Transport Workers Federation. It represents more than 150,000 workers in the United States, Canada, and other countries.

The ILWU International officers would like to thank all the members who donated their time, energy and money to our 2004 political campaign. We are proud of the stand the ILWU made in opposition to the Bush administration. Although we did not prevail then, events of the last year have proven us right and polls show that the majority of Americans now agree with our position. All those who contributed to our Political Action Fund in 2004 will be receiving a commemorative pin and window decal (pictured above) acknowledging their participation.

Now we are gearing up for the 2006 election cycle. The Republicans are vulnerable as the Iraq War drags on with continuing carnage and costs and no end in site, as Bush strategist Karl Rove appears to be facing indictments, and as Republican Senate leader Bill Frist and Republican House Majority Leader Rep. Tom DeLay are facing criminal charges. We stand a chance next year of stripping them of their hold on the Senate or House or both and block Bush's continuing anti-workers agenda.

But to do that will require another all-out effort, even more than we did in 2004. We will need all our members to contribute financially as well as be ready to volunteer in our campaign efforts as the election approaches. Please fill out the attached form and send it with a check to:

ILWU Political Action Fund
1188 Franklin Street 4th Floor, San Francisco, CA 94109

All contributors will receive the new 2006 Political Action Fund commemorative pin. Contributions from outside the ILWU's solicitable class will be screened and returned.

ILWU FEDERAL POLITICAL ACTION FUND

The Officers of ILWU request that you make a voluntary contribution of at least $50 or more to the ILWU International Political Action Fund (PAF). The purpose of this fund is to make expenditures in federal and/or local elections to protect and advance the interests of ILWU members and the entire ILWU community.

The contribution requested is voluntary and is separate from your union dues and is not in a condition of membership. You are giving more or less than the present requested and that shall be no reprisal if you give less than the requested amount. Your contribution is not tax deductible.

Please send a check made payable to ILWU PAF for at least $50 or more, complete the requested information below and mail it in this envelope. PLEASE DO NOT SEND CASH. Thanks!

Any donation $500 and over makes you a President's Club Member and entitles you to receive a PAF jacket. Please circle your size S - M - L - XL - 2XL - 3XL - 4XL

PAF mailing list being subscription permitted to key state and national elections that advance the interest of ILWU members

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November 2005

by Tom Price

Longshore locale 23 members wanted to do something to remember civil rights activist Rosa Parks on the occasion of her death Oct. 24. Member Scott Mason, who sits on the Tacoma Human Rights Commission, asked the commission to dedicate its Oct. 29 meeting to Rosa Parks. At the meeting Mason read the provisions of Congressman Adam Smith (D-WA) who had earlier entered into the Congressional record in her honor.

"Nearly half a century ago, she refused to comply with a racist law and she touched the entire nation," Mason "She was a woman of quiet dignity and a lifelong fighter for equal rights for all Americans."

The commission then asked Mason to draft a resolution to dedicate the Tacoma Port Commissioner, also a Tacoma city council. When Tacoma Mayor Bill Baarsma heard of Mason's action, he moved quickly.

"I invited Mason to speak to the City Council," Baarsma said. "After he spoke, I made a motion to dedicate the meeting to Rosa Parks' memory."

A Local 23 member Dick Marzano, a Tacoma Port Commissioner, also asked the Port Commission to take a moment to remember Rosa Parks' honor before its Nov. 3 meeting.

"For most people of my age, her actions in 1955 was the defining moment everyone remembers about the civil rights movement," Mason said.

Zeek Green, a Local 23 member and spoken word artist, was asked by the Southern Florida Americans, to tell the Tacoma News Tribune what Parks meant to them.

"Although a country is not perfect, we have come light years from the days of Jim Crow," Green said. "So even though I will never again see a mass movement based on race or gender inequality. No single category of people—the American white kids rode on a school bus."

"If we are wrong—the Supreme Court of this nation is wrong," Mason said. "We are here to work and fight until justice runs down like water, righteously like a mighty stream."

"And the peacefull mass movement attracted worldwide attention— and violence from racists. As the winter of 1956 turned into the winter of 1956, the bus company was nearly broke. A bomb was set off on Rosa Parks' front porch."

"There have been moments when raining waters of disappointment poured over us in staggering torrents," King said toward the end of the protest. "We can remember days when unfavorable court decisions came upon us like tidal waves, leaving us treading in the deep and confused waters of despair. We have seen truth crucified and goodness buried, but we have kept going with the conviction that truth crushed to the earth will rise again."

"And the peaceful mass movement attracted worldwide attention—and violence from racists. As the winter of 1956 turned into the winter of 1956, the bus company was nearly broke. A bomb was set off on Rosa Parks' front porch."

"They are the best test case since she was a pregnant, unmarried teenager."

"Nearly half a century ago, she refused to comply with a racist law and she touched the entire nation," Mason said. "She was a woman of quiet dignity and a lifelong fighter for equal rights for all Americans."

Public opinion in the country was turning. Parks' attorney, Fred Gray, along with Nixon and Clifford Durr, also an attorney, filed a federal law suit Feb. 1, 1956 against Montgomery's mayor over the earlier mistreatment of Aurelia Browder and other black women on city buses. The Supreme Court ruled Nov. 13, 1956 for Browder in its famous Browder v. Gayle case that ended the legal basis for segregation in public transit. It took the bus company five weeks to wake up, and the boycott ended Dec. 21, the day after the court order arrived.

For Parks the victory led to another year of threat and harassment. She moved in 1957 with her mother and husband to Detroit, the old terminus of the Underground Railroad. Parks worked in a garment factory from 1957 until she got a job in Congressman John Conyers' Detroit office in 1965. She retired in 1988.

"People in the ILWU need to be aware of Rosa Parks' role for black youth. When South African President Nelson Mandela visited Detroit in 1990, he paid tribute to the "Illegally" boycotting Montgomery's buses.

Longshore retired, deceased, and survivors

RECENT RETIREES:
Local 10—Joseph D. Marino; Local 13—Pius E. Otuaga Jr., Charles Clune, Ben Groover, Larry Livingstone; Local 21—Stanley Tow, Robert Ramsey; Local 23—James O'Connell, George Clough; Local 34—Edito Anders, Daniel Johnstone; Local 63—Robert Cheryl, Alfonso Lessner, Gerard Mulcahy; Local 75—Burton Kneepkens, Duane Bukovitch, Local 94—Santiago Aparicio, Bruce A. Williams Jr.

DECEASED:
Local 1—Richard Probst (Betty); Local 3—Francis, Raymond Lehto (Carlos); Local 5—Mac Beard (Ginna); Lawrence Debo (Betty); Local 6—Donald Vawter; Local 10—William Fay (Joseph), Joseph Estrada Jr. (Patricia); Local 11—Clarence Earl (Joyce); Local 12—Sidney Pelleo (Margarette), Glenn Cotton (Jesse); Randolph Johnson, Ceser Parraga; Local 13—Hershey Soochoor (Ursula), James Matthew Jr. (Louisa), David Parra (Alice), Steve White (Betty); Local 21—Johny Jones to Richard O. Cruz, James Riggs, Local 19—Jerry Lott (Valerie), Robert Flanary (Marlene), Romulos Baldado; Local 23—Walker Anderson; Local 24—John Billings (Jeanette); James Bryson (Gail); Local 28—Richard Lester, Local 27—Raymond Greer (Mary); Local 34—Fred Bassett, Local 40—Gary Gaulth; Local 52—Louise Firth; Local 63—Joseph Young (Beverly); Local 75—Idell Raybon; Local 92—James E. Hubbard (Ida).

DECEASED SURVIVORS:
Local 4—Doris Andrews; Local 5—Helen Simmons, Jessie Matthews, Ruth Henderson, Local 16—Clara Christiansen, Nina Bariani, Savannah McAmis, Amalia; Local 12—Katherine Gill; Kathleen Thompson; Local 13—Stella Johnson, Connsolo (Joe); Local 24—Pochel Ortiz (Jesse), Geno; Local 19—Evelyn Gould, Gladys Clark, Audrey Anderson, Vesta Emary, Ada Brunet, Local 21—Mildred Quinab, Barbara Cameron; Local 24—Joyce Kasnak, Local 29—Alta Koester; Local 32—Louise Firth; Local 34—Margaret Smith.

Rosa Parks' fingerprinted Feb. 22, 1956, after being indicted the previous day for "illegally" boycotting Montgomery's buses.
Books and videos about the ILWU are available from the union's library at discounted prices!

**BOOKS:**
- **The ILWU Story:** Unrolls the history of the union from its origins to the present, complete with recollections from the men and women who built the union, in their own words, and dozens of rare photos of the union in action. $5.00
- **The Big Strike** By Mike Quin: The classic partisan account of the 1934 strike. $6.50
- **Workers on the Waterfront: Seamen, Longshoremen, and Unionism in the 1930s** By Bruce Nelson: The most complete history of the origins, meaning, and impact of the 1934 strike. $13.00
- **The March Inland: Origins of the ILWU Warehouse Division 1934-1938** By Harvey Schwartz: New edition of the only comprehensive account of the union's organizing campaign in the northern California warehouse and distribution industry. $9.00

**VIDEOS:**
- **We Are the ILWU** A 30-minute color video introducing the principles and traditions of the ILWU. Features active and retired members talking about what the union meant in their lives and what it needs to survive and thrive, along with film clips, historical photos and an original musical score. DVD or VHS version $5.00
- **Life on the Beam:** A Memorial to Harry Bridges A 17-minute VHS video production by California Working Group, Inc., memorializes Harry Bridges through still photographs, recorded interviews, and reminiscences. Originally produced for the 1990 memorial service in San Francisco. $28.00

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- copies of **The March Inland** @ $9 ea. = 
- copies of **The Union Makes Us Strong** @ $15 ea. = 
- copies of **A Terrible Anger** @ $16.50 ea. = 
- copies of **Life on the Beam** @ $28 ea. = 
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