

Workers Struggles: the Americas

26 March 2002

Protests against new Brazilian labor law

Workers in Sao Paulo held a protest on March 21 against a draft reform of Brazil's Consolidated Labor Law that would give employers more flexibility in hiring, firing and imposing inferior working conditions. The workers rallied at an auto parts plant in the Sao Paulo suburb of Taubate. Ford workers in Taubate stopped work during the morning.

At the giant Sao Bernardo do Campo plant, autoworkers entered the facility and refused to turn their machines on. First shift workers also held rallies in front of the plant to discuss the new legislation. Oil workers, organized by the United Labor Central (CUT), Brazil's principal labor federation, also joined in the protests. Workers at the Paulinia Refinery, near Campinas, rallied at the plant. Oil union officials estimated that about 2,000 workers participated in the demonstrations in Campinas. Sao Paulo area teachers also participated in the protests, together with some 5,000 public employees.

Venezuela's president threatens to militarize oil refineries

Venezuelan President Hugo Chavez has threatened to put the oil industry under military control to prevent workers from striking. "I will not allow a strike, if they strike I will militarize the company," declared Chavez during the Radio Program "Alo, Presidente."

Chavez accused oil workers leaders of sowing discord and indicated the government had contingency plans to keep production going.

Mexican copper miners continue strike

Strikes against two large Mexican facilities continued last week. In Zacatecas, 523 workers at the San Martin mine have been on strike for three weeks. The workers rejected a management offer of 5.75 percent and payment for half the days workers missed due to the strike. The workers initially demanded a 10 percent raise, but union leaders indicated they would settle for less.

At the Mexicana de Cobre mine in Nacozari de Garcia, in Sonora state, workers are in the third week of their strike with no settlement in sight. The strike began over the company's refusal to address workers' demands for a 20 percent raise in wages and a 10 percent increase in benefits.

Public health workers protest in Santiago

On March 20 health workers mobilized against new legislation that would limit public access to medical care. In the Chilean capital of Santiago three columns of workers marched in protest. The three contingents met up at Chile's government house, the La Moneda Palace. The workers petitioned President Ricardo Lagos for joint negotiations between patient representatives, the union and the government.

Union leaders are threatening a national health workers strike unless the Lagos administration responds within the next two

weeks. Esteban Maturana, President of the Confederation of Municipal Health Employees (CONFUSAM), declared, "the government must sit and have a dialogue with the users and with the unions instead of manipulating poor people in an insulting manner."

Lockheed Martin strike enters third week

The strike by 2,700 machinists at Lockheed Martin's Marietta, Georgia aerospace factory entered its third week Monday, with workers saying they expect a long walkout against the US's largest defense contractor. After overwhelmingly rejecting the company's last offer, members of the International Association of Machinists Local 709 walked off the job March 11. There have been no negotiations since picketing began, and as of late last week none were scheduled.

Workers say the strike is less about wages than about job guarantees and enhanced retirement and health benefits. The company offered 10 percent wage increases over three years and \$1,000 signing bonuses, but managers insist on retaining flexibility to outsource manufacturing and maintenance jobs.

Top executives for the company, which won the largest Pentagon contract in history last year, received huge bonuses and salary increases in 2001. This included \$4.3 million for Dain Hancock, president of Lockheed Martin Aeronautics Co., \$7.09 million for Vance Coffman, chief executive of Lockheed, and \$2.8 million for Robert Stevens, president and chief operating officer of the parent company—an 86 percent increase over 2000.

The big pay increases for Lockheed's top executives came despite the fact the company lost \$1.05 billion in 2001, compared with a loss of \$519 million in 2000. Sales for 2001 were \$23.99 billion, down slightly from \$24.54 billion in 2000. Lockheed officials have said they expect the company to turn a profit of about \$1.1 billion this year. Sales are expected to be up to \$25 billion, and 2003 sales are expected to rise to \$27.4 billion.

Stalemate in contract talks at United

The International Association of Machinists (IAM) asked federal mediators to halt negotiations, declaring they had reached an impasse in their contract negotiations with United Airlines. The IAM represents 23,000 ramp workers and customer service agents who have been without a wage increase since 1994.

While United claims that its offer is "industry-leading," the IAM negotiating team is charging that the agreement divides workers by not making its offer consistent for all within the bargaining unit. "If it takes a countdown and the possibility of a strike to conclude these negotiations, we will take that step," said IAM Vice President Robert Roach. The National Mediation Board would have to formally declare an impasse before a 30-day cooling-off period could begin. At the end of that period, the IAM could

legally strike. The Bush administration has gone on record threatening to intervene against any major airline strikes.

During the recent marathon negotiations between United and its mechanics, negotiations exhausted the cooling-off periods before a contract that offered a 37 percent pay increase was agreed upon. An important element of the final agreement was the right of rank-and-file workers to vote on any future concessions. It is well known that once United has concluded negotiations with all its bargaining groups it will seek concessions to restore profitability in the wake of last year's \$2.1 billion in losses.

High Court rules employers not required to inform workers of Family and Medical Leave Act

The US Supreme Court, in a 5-4 decision, ruled that a company is not obligated to notify workers they are entitled to take up to 12 weeks unpaid medical or maternity leave each year under the Family and Medical Leave Act. The case strikes down a penalty stipulated under a Labor Department regulation requiring companies formally notify workers of the leave through a written notice called a designation form. Failure to do so in the past could have resulted in the company being required to grant a worker an additional 12 weeks off.

In the case before the Supreme Court, a shoe factory worker at an Arkansas factory came down with cancer less than a year after she began working for Wolverine Worldwide, Inc. The company fired Ragsdale after she used up a seven-month leave but was still unable to work. Ragsdale then sued claiming the company never notified her of the Family and Medical Leave time she was due.

The possible ramifications flowing from the case will not be missed by employers. Knowing that the overwhelming number of workers are not aware of their rights due to the byzantine structure of law, they can essentially lay a trap for workers by granting a leave without informing them it is federally mandated or that it has a legal limit of 12 weeks.

Ellen Messing, former president of the Massachusetts Employment Lawyers' Association, told the *Boston Globe*, "'Most employees, despite the publicity, are not familiar with the Family and Medical Leave Act. They do not know that it is 12 weeks. They do not know they could be fired after 12 weeks and one day because they stayed out too long. The reason they must be notified of their rights is so they can act accordingly.'"

Laundry workers strike for union representation

Some 35 laundry workers continue to maintain their picket lines since walking out against Carousel, a Chicago-area company that rents fine linens. The workers, mostly young Latino women, are seeking union representation by the United Needletrades, Industrial and Textile Employees (UNITE).

Workers became frustrated because, despite years of service, they only receive \$5.15 an hour. By finding part-time work and receiving food, clothing and other donations from other workers, they have been able to continue their struggle.

"It isn't easy now," said Consuelo Toledo, one of the strikers, "but if we didn't take this step, how else were we going to get a higher salary? My oldest son is already asking about a computer. They need new clothes because they grow every year. But our salaries aren't growing."

Carousel's owner claims he will abide by a National Labor

Relations Board election to settle the issue of unionization. But UNITE is holding out for a third party from the community to oversee the vote in order to avoid any possible intimidation.

Retired firefighters charge union with discrimination

Boston firefighters who retired between 1999 and 2001 are charging that their union cut them out of a deal that bought back sick leave from firefighters. The agreement was based on the number of years of service and averaged about \$18,000 per firefighter. The contract between the city and Firefighters Local 718 runs from 1999 to 2003. However it later emerged that only firefighters who retired after September 1, 2001 were eligible to collect the payment.

"I didn't have to retire," Daniel Donovan told the *Boston Globe*, "I could have waited, but I was under the impression that anything they negotiated, we would share. The union was responsible for representing us but they didn't at all." Donovan retired in March of 2001.

Flight attendants at Frontier Airlines to hold vote for union

The Association of Flight Attendants (AFA) announced March 20 that it had received the signatures of over half of Frontier's 450 flight attendants, paving the way for the third union election in the last six years. AFA organizer Kit Rafferty said the main issue prompting flight attendants to vote for another union election was the desire to have work rules clearly established in writing so as not to allow the company to alter them at will.

The National Mediation Board will review signatures and issue mail ballots that could determine an election result in about 60 days. The AFA obtained the necessary signatures to hold a union election in 1998 and again in 2000. In the last election, attendants failed to get a majority, with the final tally at 40 percent in favor. The National Mediation Board will review the petitions. Frontier's pilots, mechanics and dispatch workers recently voted to join unions.



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