US auto union goes to court against its own members

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The degeneration of the American trade unions has long been a repugnant spectacle with tragic consequences for the working class. But the events of the last week in Detroit have underscored a basic rule of thumb: never underestimate how low the labor bureaucracy can descend in its services to corporate America.

The week began with the agreement by the United Auto Workers union (UAW) to grant historic concessions to General Motors, including the company's demand to cut billions of dollars worth of health care benefits for its 750,000 workers, retirees and their dependents. The agreement will impose enormous hardships on former auto workers and their families, including the imposition of hundreds of dollars a year in out-of-pocket expenses for premiums, deductibles and emergency room visits.

It will also cut the pay of active workers, and establish for the first time the framework for a "defined contribution" as opposed to "defined benefit" health care plan—thus marking the beginning of the end of guaranteed benefits.

DaimlerChrysler and Ford immediately said they would seek similar concessions from their US workers. And both General Motors CEO Richard Wagoner and UAW President Ron Gettelfinger indicated that the concessions agreement was only a down payment on further cost reductions to be imposed on the backs of the workers, including a new wave of plant closings and job cuts, and further concessions in the contract that will be negotiated after the current pact expires in 2007.

The actions by the UAW in the days that followed the announcement of the agreement demonstrated even more clearly the antagonism that exists between this organization and the workers it supposedly represents.

The agreement evoked widespread anger against both the company and the union. Pensioners argued that the company was reneging on its commitment and robbing them of medical benefits they had worked three decades or more to earn. Others expressed outrage over the UAW's insistence that retired workers would not be permitted to vote on the settlement.

Anticipating a wave of legal challenges by retirees against both GM and the union itself, the UAW filed a complaint before US District Court Judge Robert Cleland in Detroit asking the judge to legally sanction the agreement with GM. According to the *Detroit Free Press*, "legal experts immediately suggested that they took such an unusual step to keep disgruntled retirees from challenging the union's right to negotiate such concessions and tying the deal up in years of litigation."

The pretext the UAW used to go into court underscores the cynicism of the union officialdom. The legal action was depicted as a fight against GM's threat to unilaterally terminate or modify retiree health benefits that are guaranteed under the collective bargaining agreement. Noting that GM CEO Richard Wagoner had threatened to do just that last June, the UAW requested that Judge Cleland issue a permanent injunction barring such action.

The UAW complaint was filed in the name of two retired Michigan auto workers, whom the union asked the judge to accept as representatives in a class action on behalf of half a million retired autoworkers and their families.

This was all window dressing to give the appearance that the UAW was trying to defend the retirees' benefits and uphold the right of the rank and file to have a say in any changes. In fact, the opposite was the case. The motion explained that the company and the union had already reached an agreement on the retiree health benefit issue that made the previous dispute a moot point. The "plaintiffs anticipate the lawsuit will be settled" in the next 90 days, the motion stated. With this issue taken off the table, the motion suggested the only business left was getting Judge Cleland to sanction the agreement.

This legal maneuvering had one purpose: blocking potential lawsuits by retirees by arguing that 500,000 retirees and their families—supposedly bound together in the class action lawsuit initiated by the UAW—already had their day in court and the matter had been settled to the satisfaction of all parties.

Behind the scenes, UAW representatives all but

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acknowledged that the union's "dispute" with GM was little more than a pretext to get into court. One unnamed "union source" told Reuters News Service, "It's strictly part of the approval process. It's the way things have to be done."

This was reiterated by UAW spokesman Paul Krell, who told the *Detroit Free Press* that the dispute outlined in the lawsuit was necessary to get the contract changes before the court for approval; he characterized the case as "procedural." Krell added, "These changes have to be approved by the court. First you have to have a dispute.... It is certainly not a big deal in the sense that the UAW is mad at GM."

Just in case any nervous Wall Street investors might mistakenly think the lawsuit was a hostile action by the UAW that could disrupt GM's cost-cutting and restructuring plans, the union and the company quickly issued statements that the two sides "were certainly not at odds."

In an official statement, GM said: "GM and the UAW agreed, as part of the overall tentative settlement announced on October 17, 2005, that the UAW would seek court approval. GM also agreed to work with the UAW to expedite such reviews and approval. Today's action constitutes the initial step in implementing this element of the agreement."

GM spokesman Stefan Weinmann alluded to the essential point of the lawsuit, stating, "The court case will bind retirees together so that there is no doubt the settlement applies to all of them."

The problem confronting the UAW was that federal labor law does not automatically recognize the right of unions to bargain—in this case, negotiate the slashing of benefits—for workers who are retired and only tangentially covered by current collective bargaining agreements. "The UAW cannot bargain on behalf of retirees," said labor specialist Thomas Kienbaum. "So the only way you are going to bind every retiree to the agreement is through a court order."

What does all this mean? The UAW has gone to court to strip its retirees and their families of the right to defend themselves through legal means. In the end, if the federal judge accepts the argument that the UAW is the legitimate legal representative of the retirees, these workers and their families will have been deprived of a basic democratic recourse—the right to seek redress through the courts—that is normally available to all citizens. In other words, their association with the UAW will leave them even more powerless to resist the depredations of GM than if they had been nonunion employees!

"They're worried about being sued by retirees for changing benefits," auto industry analyst Brian Johnson told the *Detroit Free Press*. "They're out to make sure they don't."

Nothing could demonstrate more clearly the relationship between the UAW and the auto companies, on the one hand, and the workers it nominally represents, on the other. After more than a quarter century of betrayed strikes and labor-management collaboration in downsizing and cost-cutting, the role of the union has been transformed—from defending, within the framework of the profit system, the elementary economic interests of auto workers, to suppressing the democratic rights of its members in order to impose the dictates of corporate America.

This process has gone hand in hand with the extirpation of any genuine rank-and-file democracy or control over the organization, its thoroughgoing bureaucratization, and a relentless ideological assault on the traditions of militant class struggle that attended the birth of the union in the great sit-down strikes of the 1930s.

Central to this degeneration has been the refusal of the UAW and the American labor movement as a whole to break with the capitalist two-party system and take the road of independent political struggle.

The UAW is not today an organization of the working class, but of a privileged and parasitic middle-class stratum whose social interests are opposed to those of the workers it claims to represent. The union engages in "collective bargaining" not to defend the jobs, wages and benefits of union members, but rather the perks, positions and privileges of the bureaucracy.

Thus the UAW made certain that the bureaucracy would profit from the very agreement that slashed its members' wages and health benefits. The deal with GM provides for a new slush fund controlled by the UAW—the so-called Voluntary Employee Benefit Association—to which GM will initially contribute $3 billion, and which will then be funded by deferring raises and cost-of-living increases due to current GM workers.

The unions' embrace in recent decades of outright corporatism is itself the outcome of the devil's bargain between the American labor movement and the ruling class that was cemented in the postwar period through the purge of left-wing and socialist elements from the unions. The spectacle of the UAW's open attack on its own membership over the last week is further proof of the irreconcilable contradiction between the defense of the interests of the working class and organizations based on nationalism and the defense of the profit system.

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