Truck drivers on strike at two California ports

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Truck drivers at the ports of Los Angeles and Long Beach went on an indefinite strike Monday morning protesting against unfair practices, including lower than minimum wage pay, intimidation and retaliatory firing. The three transport companies involved are Total Transportation Services Inc. (TTSI), Pacific 9 Transportation, and Green Fleet Systems.

Workers' primary demands pertain to misclassification, intimidation and safety. Companies classify drivers as independent contractors to reduce labor costs. An employee would cost additional taxes and benefits. Moreover, employers apply a number of deductions against drivers' compensation for fuel costs, insurance and truck maintenance. Many drivers also pay rent on their truck. For these reasons, the misclassification practice has been defined as "wage theft."

The difference between the two definitions—independentcontractorversusemployee—is subject to legal dispute. While California authorities began a review of the truck industry on this question as early as 2008 and the state legislators implemented a law in January 2012, SB459, which penalizes such misclassifications, corporations like TTSI continue the practice virtually unabated.

These companies are infamous for their record of labor law violations. Last June, Green Fleet Systems was accused by the National Labor Relations Board of more than 50 such infractions, from retaliation against pro-union employees to firing drivers for union activity.

Trucker Dennis Martinez explained in a recent interview posted on youtube.com that his company lured him in by offering a contract as independent contractor, exploiting the mantra that he'd be his own boss and his income would increase.

"But we just keep making them richer. We don't have a business, they do," Martinez said. "We just work paycheck to paycheck. Sometimes [we] even take off from the next paycheck to survive."

Three years ago, truck drivers began filing wage theft complaints related to misclassification. As of the end of 2013, more than 400 port drivers have filed wage and hour claims with the California Labor Commission, worth an estimated $50 million in back pay and damages.

Last April, TTSI workers Alex Paz and Faviel Alvarenga filed a complaint over hazardous working conditions. The plaintiff explained, "There is so much dust at the yard that drivers have problems breathing. Drivers have experienced nosebleeds and other effects when in the truck yard to the point where some drivers wear dust masks to protect themselves." Sanitation was also an issue, with dirty portable toilets and lack of toilet paper.

Alex Paz alleges he was fired by TTSI last May in retaliation for his legal efforts.

Despite the overwhelming evidence and legal struggles, conditions for port drivers continue to worsen. A large majority of these workers are immigrants. They continue to operate under conditions of overexploitation and continuous intimidation in a largely unregulated environment.

Most of them work at least six days a week, more than 10 hours a day. Pay is on a per-container basis, no matter how long delivery takes. "Sometimes one container can take you 7 to 10 hours," explained Martinez. "They only pay you for that container," not for the time. Delivery of one container is paid $48 average.

These conditions are made possible and in fact facilitated by the action of the trade unions and their

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full support of the Democratic Party and its anti-workers policies.

The current strike is the fourth work action in a year. The common characteristic of these protests is their toothless length of 24-48 hours. Employers are fully content with such practices, which not only have no substantial effect on ongoing operations; they isolate, disarm and demoralize workers into accepting increasingly unfavorable conditions.

While no end to the current strike was announced, its basic function designed by its organizers, the International Brotherhood of Teamsters (affiliated to Change to Win Federation), is to recruit and feed off much-needed dues-paying members at a time when union membership is in consistent decline, while reassuring employers that the union will accept imposed conditions.

The strike is happening in concurrence with the closure of some of the terminals for the observance of a labor holiday called “Bloody Thursday,” celebrated by longshoremen in memory of the 1934 San Francisco general strike.

This is no coincidence. Almost 20,000 West Coast dock workers are working, as of July 1, without a contract. At the time of this writing, the International Longshore and Warehouse Union (ILWU) has refused to support the truck drivers’ struggle. Moreover, as of Tuesday, the ILWU agreed to extend the expired contract until the weekend.

Both the Teamsters and ILWU bureaucracies are well aware of the danger posed to their relations with the employers by a unification of workers across different sectors. Through these one and two-day strikes, the unions are seeking to isolate, control and muffle workers, and prevent any unified industrial struggle.

There is fear within political and corporate circles that, should workers mobilize beyond the control of the unions, this could effectively paralyze the entire economy. More than 40 percent of imports coming into the US pass through California ports.

This explains why the political establishment deployed the services of Rep. Janice Hahn, a Democrat, who pontificated at a news conference about “the right to negotiate fair wages, medical security and respect on the job.”

A supporter of Obama’s policies of war and homeland security, Hahn was elevated to her congressional position through the support of the AFL-CIO, California Governor Jerry Brown, California Senator Dianne Feinstein and House Minority Leader Nancy Pelosi. She has made a career protecting the interests of port employers.

Obama, who has already intervened to block a strike by Philadelphia commuter rail workers, would no doubt follow the lead of his Republican predecessor—who invoked the anti-labor Taft-Hartley Act against West Coast dock workers in 2002—if the struggle were expanded.

The fight to defend the conditions of port workers will require the development of an industrial and political movement that is independent of the pro-company unions, the Democratic Party, and the profit system they defend.

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