Port truck drivers walk out again in southern California

Marc Wells
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Truck drivers working for four drayage companies at the ports of Los Angeles and Long Beach went on strike Monday over wage theft and to be classified as employees instead of as “independent contractors.” A total of 16,000 drivers work at the two ports.

The drivers are highly exploited and forced to work in hazardous and often unsanitary conditions. Cases of negative paychecks are not unusual. While these grievances are genuine, the Teamsters union has continually limited the impact of previous strikes. The chief concern of the union is to work out a deal with the trucking companies and local Democratic Party politicians to ensure the increase in the number of dues-paying members.

Los Angeles/Long Beach port workers, including truckers, are integral to a crucial economic gateway: combined, the two West Coast ports move more than 40 percent of all trade to and from the US. It is a major nodal point in the global distribution chain, and a serious mobilization of these workers would affect billions of dollars in economic activity.

For the last several years, the four companies involved in the current truckers’ struggle—Pacific 9 Transportation, Intermodal Bridge Transport, Pacer Cartage, and Harbor Rail Transport—and several others have sought to transfer operating costs onto truckers by classifying them as “independent contractors.”

By so doing, the companies circumvent wage, hour and job protections typical for most employees. They also cut their costs by transferring the expense of fuel, truck maintenance and health insurance onto the truckers, not to mention fees that drivers pay companies to lease their vehicles.

Denunciations of wage theft have become common among poverty-wage workers: warehouse workers and service employees are also victims of this type of exploitation.

A large majority of truckers are immigrants. Workers’ fear of companies’ retaliation is compounded by President Obama’s immigration policies, which criminalize undocumented immigrants. The Teamsters, like the other unions, continue their complete support for the Obama administration.

Last year, truckers went on strike five times over the same issues. The conditions these workers confront have not only not been resolved, they have deteriorated. This is despite an annual increase of 11.86 percent of total inbound-outbound volume since March 2015.

Last November, after an eight-day strike, drivers were forced back to work after the political establishment designated Los Angeles’ Democratic mayor, Eric Garcetti, to broker an agreement between the Teamsters and the companies. The union shut down the strike with none of the workers’ demands achieved.

In the current strike, the Teamsters have already reached out to Garcetti as well as the Long Beach mayor, Democrat Robert Garcia. If left in the hands of the Teamsters, the outcome will be a replay of November’s debacle for workers.

In February, the Obama administration intervened directly against 20,000 West Coast dockworkers to end the dispute with the Pacific Maritime Association in favor of the shipping and terminal owners. On that occasion, the International Longshore and Warehouse Union (ILWU) carried out Obama’s orders and forced another sellout contract while preventing the struggle from spreading.

The record of labor law violations for the drayage companies is long and well documented. The National Labor Relations Board has charged them with dozens, if not hundreds of violations. These include firing and threatening drivers for union activities and planting

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operatives among drivers to spy on them. Yet, the union has opposed any genuine mobilization that would quickly garner support from dockworkers.

In March 2014, the Teamsters and Pacific 9 Transportation reached a settlement that prohibits the company from penalizing truckers who support the union's efforts to organize.

This is part of a union strategy, of controlling workers' demands in order to get the blessing of the trucking companies and the government to be the sole bargaining agent for the truckers. The approach is twofold. First, the Teamsters call for isolated and harmless strikes to defuse anger among truckers. Second, the union pursues class action and other forms of lawsuits that convert workers to employees to gain a degree of perceived credibility and convince workers to unionize and pay dues.

Last January, a Superior Court judge ruled that truck drivers in the ports of Los Angeles and Long Beach are employees, not independent contractors. Pacer Cartage, one of the trucking companies involved in the current strike, was ordered to pay $2 million in damages to seven drivers.

The ruling is subject to appeal and it does not necessarily compel a company to hire workers as employees. In fact, it's not the first of such rulings. The pro-corporate *Journal of Commerce* noted that the ruling "underscored the expensive and time-consuming nature of the Teamsters' strategy, under which trucking companies have to be challenged individually in court."

From the Teamsters' perspective, this is an operating expense aimed at attracting and unionizing workers, and it is already bearing its fruits. Last January, drivers from Shippers Transport Express voted to be represented by the Teamsters. Afterwards, Teamsters vice-president Fred Potter applauded the company enthusiastically.

In fact, Shippers Transport Express's general manager, Kevin Baddeley, commented that his company was compelled by a court decision to adopt an "employee-based model." Baddeley later acknowledged, "This is the future of the industry, I think."

Should workers be classified as employees, there is no guarantee that their living standards would improve. Companies are ready and equipped to handle possible reclassification. "We respect the right of each member company to decide for itself which model—employee-based or independent owner operator—works best for its own operations," California Trucking Association chief executive Shawn Yadon said in a statement Monday.

Thanks to the complicity of the unions, the drayage industry is continuing its cost-cutting and unsafe policies in pursuit of higher profits at the expense of workers. The argument of the Teamsters is that these cost-cutting measures can be implemented more effectively with the unions rather than without them.

Last July, the ILWU deliberately prevented the truckers' strike from becoming a catalyst for a joint struggle with dockworkers who had been laboring without a contract for months. In a cynical move, the union agreed with port management to extend the previous contract, thereby imposing a no-strike provision.

The Teamsters, like the ILWU and the United Steelworkers (USW), which recently shut down the oil workers' strike in the Los Angeles-Long Beach area, all oppose a joint struggle by the workers in this central economic hub.

Such a struggle would affect the entire US economy, attract immense support from other sections of workers, in the US and worldwide, confronted by similar assaults, and lead to a direct political confrontation with the Obama administration, with which the unions are allied. This the unions seek to prevent at all costs.

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