



LABOR TODAY

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CLASS ORIENTED • UNITING • DEMOCRATIC • INDEPENDENT • MODERN • INTERNATIONAL



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AN INJURY TO ONE IS AN INJURY TO ALL!

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UMWA Strike Against Warrior Met Coal Company Continues . . .

By Joe Morman.
LT correspondent
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The class struggle is alive and well in Brookwood, Alabama. In March, over one thousand coal miners belonging to the United Mine Workers of America (UMWA) began a strike which continues to this day. Their previous contract was agreed upon after their former employer went bankrupt and was replaced by Warrior Met Coal, a company which is backed by investment firms in Wall Street that have no relationship to the workers in Alabama. As a result, while the new



management got huge bonuses from bankruptcy court, the mine workers were subjected to pay cuts, poorer health insurance, and fewer holidays. They were told that these losses were only temporary and necessary to help the company get on its feet. However, now that the new

company has shown that they intend to keep these changes to preserve their own profits, the striking workers have been forced to take action and have demanded the pay and benefits that rightfully belong to them. The rejected contract which was presented to the workers is nothing

less than an insult and a demonstration of Warrior Met's indifference to the standard of living of those who make their profits possible through their labor. Under this contract, pay rates would be raised only slightly from their already cut values, and only one of the multiple holidays that had previously been taken away would be given back. Additionally, the proposed contract was nowhere near competitive with the working conditions for other companies in the area, despite the fact that Warrior Met has received millions of dollars in profits since the previous company's bankruptcy in 2016. Seeing that management had reneged on their promise to reestablish the working conditions they once had, the workers decided to fight back, with approximately 95% of the union member-

Continued on page 3

A HUGE VICTORY FOR WORKERS

California Judge Rules Gig Economy Law "unconstitutional" and "unenforceable"

ALAMEDA COUNTY SUPERIOR COURT JUDGE Frank Roesch wrote Proposition 22 is unconstitutional because "it limits the power of a future Legislature to define app-based drivers as workers subject to workers' compensation law." That makes the entire ballot measure unenforceable, Roesch said.

Roesch further wrote that a provision in the initiative that prevents the Legislature from granting collective-bargaining rights to driv-

ers is unconstitutional because it "appears only to protect the economic interests of the network companies in having a divided, ununionized workforce."

We at Labor Today know firsthand the level of exploitation that takes place in the so-called gig economy. The entire working class will benefit from this ruling. We are sure that the ride-hailing and food delivery companies will appeal Judge Roesch's decision to the California

Supreme Court, which is expected to uphold the Superior Court's decision. According to Service Employees International Union (SEIU) California State Council President Bob Schoonover, the union that brought the case to the court, "they tried to boost their profits by undermining democracy and the state constitution," referring to the companies who pushed for Prop. 22. "drivers have been saying that democracy cannot be bought. And today's decision shows they were right."

Some workers and advocates have said the benefits detailed Prop. 22 are falling short of what was promised. They continue to press to be classified as employees rather than independent contractors, a change that would give them benefits such as paid sick leave

and minimum wage for all the hours they spend on the app.

POSTMATES FLEET	
Weekly Summary	
These numbers include deliveries completed last Monday through this past Sunday.	
Total Weekly Earnings:	\$39.10
Rated Deliveries:	6
Unrated Deliveries:	1
Weekly Average Rating:	4.3
Total Lifetime Average:	4.7
Number of Tips:	2
Total Tip:	\$0.68
Total Distance Traveled:	8.13 Miles

The rate of exploitation in this ride hailing and food delivery industry is very sharp and barbaric. We know this from personal experience. New York city taxi drivers have been driven to suicide because they are in insurmountable debt. In California, it is impossible to make any money because the costs associated with driving for app companies outweighs the compensation that drivers receive. This law blocks the State of California from enforcing workers' compensation by giving this particular class of companies an exemption to state law. Judge Roesch saw this for what it is: a bold attempt to circumvent labor laws that protect workers. Workers must provide their own acci-

Continued on page 4

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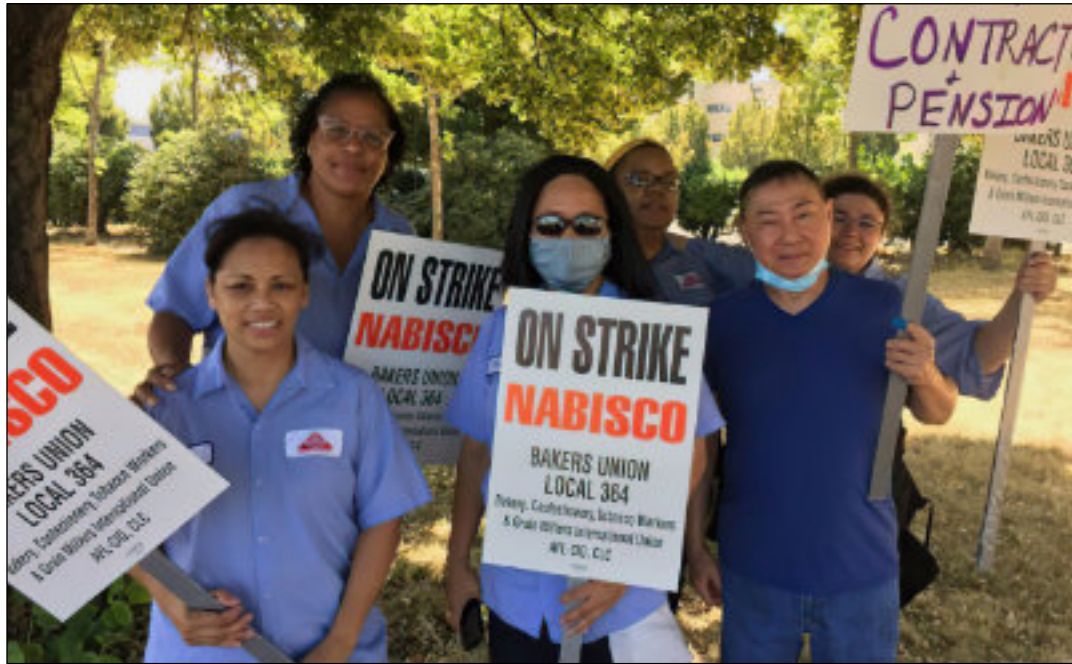
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Dr. Frank Goldsmith — Labor Today, Associate and International Editor; WFTUNORTH Coordinator

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We welcome your signing up for our LT On Line reports; and also the WFTU WEBSITE itself: WFTUcentral.org.

BCTGM TRADE UNION STRIKES NABISCO IN 5 U.S. CITIES AND FNLCT NABISCO-MONDELÉZ UNION STRIKES IN VENEZUELA



By Don McIntosh
Northwest Labor Press
<https://nwlaborpress.org/>

IT'S BEEN A LONG TIME coming. Provoked by round after round of demands by Nabisco for concessions, the Bakery, Confectionery, Tobacco and Grain Millers (BCTGM) union reached a breaking point. At noon on Aug. 10, members of Bakers Local 364 walked off the job and began a 24-hour-a-day picket line on the sidewalk outside the Portland

Nabisco bakery at 100 NE Columbia Boulevard in Portland.

"THEY WALKED OUT OF THERE WITH huge smiles on their faces because they've been wanting to fight back against this company for a long time," said Local 364 business agent Cameron Taylor.

SHARON EVANS, AT THE AGE OF 74, operates a packing machine at the Portland Nabisco bakery, where she's worked for 53 years. The last time workers at the bakery struck, Evans was 22 and just a year on the job. It was 1969, and the company was called the National Biscuit Company. [That's where Nabisco got its name.] Back then it had a dozen bakeries around the country, employing 8,900 workers total, including 550 at the Portland plant. Today only 1,000 production workers remain employed by Nabisco in the United States, at three bakeries—Portland, Chicago, and Richmond—and the company makes much of its product at a plant in Mexico. The 1969 strike lasted 56 days. As reported in the Labor Press, it was a win for workers.

Members of Bakers Local 26 at a Nabisco distribution center in Aurora, Colorado, joined the strike Aug. 12. On Aug. 16, the strike spread to Local 358 at the Nabisco bakery in Richmond, Virginia. Workers at the Chicago bakery joined the strike Aug. 19.

At the core of the dispute is a shameless demand for worker concessions by a highly profitable company that paid its CEO \$18 million last year. Mondelez-Nabisco earned over \$1 billion in the second quarter of 2021 on \$6.6 billion in sales. But instead of inviting production workers to share the good times, the company is demanding sweeping cuts in pay and benefits. In contract negotiations in Nashville in May and again in Baltimore in July, the company proposed to eliminate premium pay for work on weekends, end bonuses for perfect attendance, and get rid of daily overtime pay after eight hours. It also wants to stop providing supplemental health care for retirees, require workers to start paying part of the health insurance premiums, and increase the use of nonunion temps.

"Last year they made record profits during a pandemic, and now they're coming for more," Taylor said. "We had to take a stand. If we didn't take a stand, there'd be nothing left worth fighting for."

Over union objections, the company stopped

contributing to the pension in 2018 after bargaining halted over the current contract. Now Mondelez-Nabisco is even more profitable and is demanding further concessions. On the picket line, workers say they got the company's message loud and clear.

"They couldn't care less about us," says Donna Marks, a strong union supporter and 17-year employee at the plant.

"They want us to work more and pay us less."

Marks is one of 210 strikers at the Portland bakery who are maintaining round-the-clock pickets in four-hour shifts.

They get near constant honks of support from passing motorists on busy Columbia Boulevard.

WHAT WE LEARNED FROM THE STRIKE AT FRITO-LAY FOR BETTER PAY AND ONE DAY OFF

*STORY COURTESY OF KANSAS CITY REFLECTOR

TONY SPICER, JOHN NAVE AND ANDY SANCHEZ ARE OFFICERS OF THE KANSAS AFL-CIO, A STATE FEDERATION OF LABOR REPRESENTING MORE THAN 85,000 MEMBERS OF 300 UNIONS IN KANSAS.

WE OBSERVED SOMETHING DIFFERENT THIS past month as the Frito-Lay Corp. and workers agreed on a contract at the Topeka facility. The Bakery, Confectionery, Tobacco Workers and Grain Millers Union Local 218 were out on strike for over three weeks. At the center of these failed talks were wage increases and forced overtime with no time off. The members there hadn't received an increase in over 10 years. We have witnessed in past contracts between Frito-Lay and its workers that the union members would have informational pickets and the membership would approve the agreement and it was back to work with the same issues. However, this time was different. It was as if a sleeping giant was waking up, and the members had had enough. They voted a contract offer down. Many of the members who had been working at Frito-Lay for 10-plus years said they were fed up with the unbearable work schedules that included 70-80 hours per week with no time off, and no family time.

We witnessed what is the heart of all unions across the country. SOLIDARITY! Local 218 members coming together, standing shoulder-to-shoulder on the picket line. When a union stands together, they gain strength in negotiations, with a stronger voice at the table. The company will treat their workers with dignity and respect and remove the proverbial foot off their employees' necks. We are proud and admire the courage of these workers risking all that they hold most valuable — their family's well-being. Think beyond lost wages and possible permanent job loss. Think health insurance and retirement, the future of

"Our biggest problem is people dancing in the streets right now," said Taylor, the Local 364 representative. "It's a safety issue. People are playing music and they're having a good time out there, but those trucks go by really fast."

For striker Jake Willits, the strike comes as something of a break. Willits says he and some of his co-workers have been working non-stop for months, sometimes seven days a week and up to 13 hours a day. It's an exhausting schedule, but at least the union contract makes it lucrative: Saturday work pays time-and-a-half, double time after eight hours, and Sunday work pays double time. Those shift premiums—which are meant to discourage overwork, are among the union rights the company wants to eliminate. "If we're sacrificing time with our family, we want to be compensated," Willits said.

Members of other unions at the Nabisco plant have been honoring the strike picket line, including Operating Engineers Local 701, Teamsters Local 206, and IBEW Local 48. Members of Machinists Lodge 63 who maintain the equipment also left, taking their tools with them when they left the plant.

On Aug. 14, sidewalks filled to overflowing as supporters turned out for a rally spearheaded by retired letter carrier and longtime union activist Jamie Partridge. Organized by the Portland chapter of Democratic Socialists of America and backed by Portland Jobs with Justice and the Northwest Oregon Labor Council, the rally drew support from multiple unions and several elected officials, including Oregon House Speaker Tina Kotek and labor legislator Dacia

Grayber. A staff person from U.S. Sen. Jeff Merkley's office brought bottled water and a statement of support from the senator.

At first, the company didn't try to bring in strike replacements, and production stopped cold. The employee parking lot has been empty, except for the cars of managers and hired security. With **Continued on p.4**

their family unit and the unknown. Wage and hour workers who depend on a paycheck every week are never too far from being homeless with job loss.

Local 218 is not affiliated with the Kansas AFL-CIO but their injustice is an injustice to all of us. We saw many other unions from across the state standing with the workers, and we spoke out about the injustice being done to the workers across the region and the state. The Topeka community came in support of the workers. Indeed, support came from all over the state and the country. The Topeka Capital-Journal, Wichita Eagle and many other news agencies like CNN, Newsweek, the Washington Post and the New York Times all reported about what was happening to the workers in Topeka. Pressure was building against the company to negotiate fairly. More and more stories were being leaked about the work environment.

The strike ended, after **Continued on p.4**

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The United States Senate Must Pass the Pro Act

By Joseph Hancock
Editor, Labor Today

IF NOT US, WHO? If not now, when? American labor law was corrupted in 1949 when the 1935 National Labor Relations Act (NLRA) was changed by the Taft-Hartley amendments.

Not only did these amendments outlaw secondary boycotts, they also established the system of 'Right to Work' laws which allowed states to determine their own labor laws.

Many states voted to accept these laws, which required employee unions to represent workers whether they belonged to the union or not. It allowed a system of free riders, employees who didn't join the union

but enjoyed all the benefits of union representation.

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CATHOLIC NEWS SERVICE

THIS CLIMATE OF REPRESSION AGAINST UNIONS also allowed public employees to be denied the right to

strike. Now we honor the brave federal workers of the Professional Air Traffic Controllers Organization (PATCO), who on

August 3, 1981, when the union declared a strike, seeking better working conditions, better pay and a 32-hour workweek. and on August 5, following the PATCO workers refusal to return to work, Reagan fired the 11,345 striking air traffic controllers who had ignored the order and banned them from federal service for life. In 1971 Postal Workers went on strike to defend their livelihoods. Striking postal workers were replaced by the National Guard under the direction of President Richard M. Nixon. The right of postal employees to strike must be defended along with the right to strike for all public sector workers.

That's why we need the Protect the Right to Organize (PRO) Act. This is no small matter for the U.S. working class.

UFCW: SoCal Workers at Food 4 Less have a new Collective Bargaining Agreement



The United Food & Commercial Workers (UFCW) Local 770 reports that employees of the Food 4 Less grocery chain have approved a new contract that improves wages (0.55/hour each year for three years) For the first time, Food 4 Less wages are tied to the wages of Ralphs employees. If Ralphs workers get a higher rate increase in 2022 and/or 2023, the F4L increases will match the higher Ralphs increases. Both of these chains are part of the huge Kroger empire, the largest grocer in the United States.

Coal Miners Strike from p.1 ship voting no to the proposed contract. UMWA President Cecil Roberts issued the strike shortly afterwards when Warrior Met refused any further negotiation. Since then, UMWA has held over a dozen strike rallies, and the momentum has only continued to build from there. This is the union's first strike in over three decades, and many of the workers have never participated in such a collective action before. These rallies have helped to build their understanding and agitation about the importance of continuing the fight. In addition to these rallies, the union flew a group of active mine workers to Wall Street to lead protests against the three hedge funds which have prevented contract negotiations from moving forward: BlackRock Fund Advisors, State Street Global Advisors, and Renaissance Technologies. When the workers went to their offices and picketed in front of their headquarters, the investors were said to be confused about what the problem was, demonstrating how removed they were from the real consequences their decisions made in the lives of the miners and their families. Other unions, including the Teamsters and SEIU, joined in further picketing activities in a demonstration of solidarity throughout the wider labor movement as a whole. The U M W A Continued on p.4

INTERNATIONAL DAY OF OLDER PERSONS TIMELINE

- 1948**
- Human rights and the elderly**
The U.N. seeks to promote "the full and equal enjoyment of all human rights and fundamental freedoms by older persons."
- 1982**
- Assembly on Aging**
According to the United Nations, "the international community started to highlight the situation of older persons" by adopting the "World Assembly on Aging."
- 1990**
- U.N. proclamation**
The United Nations adopted October 1 as the International Day of Older Persons. About 10 months later, the world observed the first-ever International Day of Older Persons on October 1, 1991.

Frito Lay from p.2 the company agreed to provide a 4% raise over two years and guarantee one day off each week.

The positive takeaways for the labor movement are that you can stand up to the corporate giant you work for if your fight is just and you are united. The public was sympathetic to the truth and reality of their stories because they could relate — the lack of family time in this case was just off the charts!

The Kansas AFL-CIO was obliged to highlight the plight of workers at Frito-Lay as it relates to big business that often invests heavily in fighting to break the union. The Frito-Lay anti-union tactics were yet another example of the bullying that is often done by companies to cease workers from bargaining collectively and having union representation. Frito-Lay and its parent company, PepsiCo, displayed exactly why passing the ProAct (Protect the Right to Organize Act) is necessary. Workers here faced intimidation, an unsafe work environment, threats of

termination, replacement (by temp workers), and discrimination. That was all before they could even get to negotiating compensation, work schedules or benefits like health care and retirement. Now think of the health risks associated with the COVID-19 pandemic, during which these workers kept producing the Frito-Lay products. So this situation, not uncommon, really puts a magnifying glass on these issues when we think of employees trying to come together to form a union for the first time and have a voice for their work environment.

Again, we are so proud of these courageous workers. They stuck together like the family they are and won some gains — not for just themselves but for everybody.

Our National AFL-CIO conducted a poll in 2020 that indicated union favorability trending upward at 65%, and 69% favorability for the PRO Act, so one may say in Topeka and across the country the balance is shifting.

Nabisco Strike from p.2 production halted, the familiar smell was gone from the neighborhood, and Nabisco products may start disappearing from store shelves. What will be the first to go? Workers say the Portland plant is the only one to make Nabisco's Chicken in a Biskit crackers, as well as the

Oreo mix that's used to create McDonald's Oreo "McFlurry" soft serve ice cream.

But on Aug. 17, a bus load of strike replacement workers arrived at 6 a.m., and at least one production line was restarted.

On week two of the strike, BCTGM strike benefits of \$105 a week began. Local 364 President Jesus Martinez said he's hopeful that if the strike drags on, the tight labor market may help keep strikers going with temporary jobs.

Gig Economy from p.1 sion insurance because their personal auto insurance policies don't cover accidents and injuries that occur when they are using their car for employment. Workers don't receive health care insurance of any kind and they do not receive hourly compensation. Delivery rates are set by the app companies. Tips from customers are optional. A typical ride or food delivery of 8.13 miles, for example might pay the driver \$29.42. This represents an hourly wage of \$3.62 per hour! This is below the federal minimum wage of \$7.25 per hour, which is one half of the federal minimum wage! The trade off for this low pay is that drivers have the freedom or flexibility to work when they want to. They simply click on the app on their phone and

A N HISTORIC nationwide strike is brewing in the film production industry. The International Alliance of Theatrical Stage Employees (IATSE) is pushing forward with a vote to strike for all "below-the-line" film workers after negotiations with the Alliance of Motion Picture and Television Producers (AMPTP), which represents major film and television production companies, broke down in early September. IATSE's demands call for addressing simple, yet major grievances such as excessively unsafe and harmful working hours, unlivable wages for the lowest paid crafts, consistent failure to provide reasonable rest during meal breaks, between workdays and on weekends, and discrepancies in pay for "new media" deals which have turned out to be very profitable for the AMPTP. Some companies newer to the market have even tried cutting benefits on set like "meal penalties" which is extra pay earned when filming runs beyond the set meal time. The AMPTP represents nearly all major



production companies and firms such as Sony, Amazon, NBC/Universal, Paramount Pictures, Apple, Disney, Netflix, etc. which each extract billions in profits each year. IATSE represents over 150,000 workers in the entertainment industry, and its locals that span the film and television industry cover about 40% of these workers. The union is urging a strike authorization vote set on October 1st, and as of this moment, is widely supported by the membership, with a showering of support from various other unions, including the Screen Actors Guild and the International Cinematographers' Guild, and many workers internationally. LT strongly supports these workers and their union as they struggle to improve wages and conditions of work in the entertainment industry. Contrary to the rumor, Hollywood isn't all glamor and glitz. The 60,000 men and women behind the scenes are the creators of the magic of Hollywood. To find out how you can help, contact the union: www.iatse.net

begin, sitting and waiting for that "ping" from the app. Workers can wait for as long as an hour for their phone to ping. There is no compensation for this downtime because there is no hourly wage! Workers are paid per diem. So for each service of delivery or ride, workers are paid \$3.62 when they drive 8 miles, which is one-half of the federal minimum wage. There is no greater exploitation than this.

Drivers must rely on the charity of their customers. In some cases, the tips are higher than the company pays! Maximum profits are derived from this system of the "gig" economy. This is the ugly truth of this system. It is the system to gain maximum profits for a select few entrepreneurs at the expense of the entire society. In their wildest

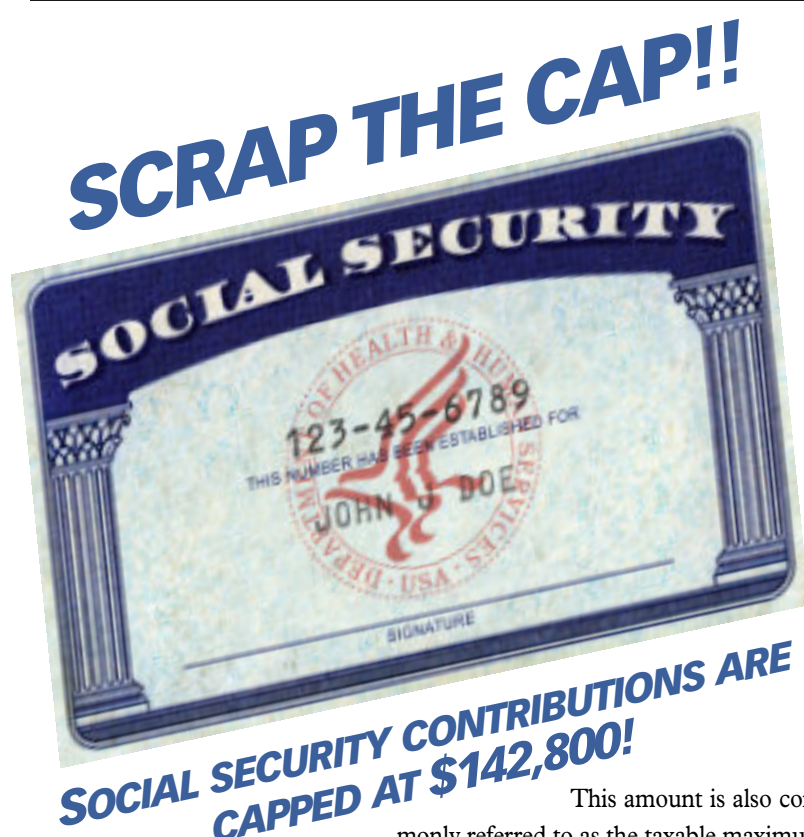
dreams, the robber barons of the 1800's could never dream of a system of exploitation and greed as this one. A warning to all of our LT readers: if it sounds too good to be true, believe it. Promises made are never kept. Without an hourly wage minimum, this remains a failed business model and a shaft for workers. Please don't fall for this scheme. It can cost you your life for one half the federal minimum wage, which hasn't been raised since the presidency of George H. Bush. We only have one life. It is guaranteed that working for ride hailing and delivery services will end workers lives much more quickly than other jobs that are protected by union membership and state and federal law. The judge's ruling is the correct one.

Coal Miners from p. 3 hopes to be able to continue sending members to Wall Street to continue the pressure in New York as well as in Alabama.

An initial counteroffer from Warrior Met which did not improve significantly on the originally rejected contract was again shot down by the union. After that, the management of Warrior Met has refused any sort of constructive communication or negotiation with the striking workers. Instead, the response of the company and its Wall Street allies has been to hire scabs to continue work in the mines, sometimes forcing their way in through violence. There have already been multiple instances of scabs driving cars driving into workers who had formed picket lines and causing serious injuries. Police who have witnessed these events have neglected to take appropriate action. Instead, they have arrested protestors who have tried to shut down the mine during the strike. Despite the continued violence and intimidation against them, the workers have remained peaceful in

their actions.

The strike has been able to continue in the face of these obstacles because of a strong showing of solidarity among the workers, their community, and other supporters of the labor movement. Strike funds have allowed the protestors to continue to pay their living expenses while they fight for the cause, and individuals and local businesses in the community have contributed to food banks to feed those who are on strike. Additionally, the AFL-CIO has supported the effort by contributing to outreach on social media and spreading the word through their communications department. Nevertheless, bills and emergency expenses continue to come in every day that the strike continues, and the strike fund is still in need of donations to keep up with these costs. Donations to the strike fund, which go straight into the pockets of the workers, can be made at <https://umwa.org/umwa2021strikefund>. These donations are essential to allow the workers to continue the strike one day longer, day after day, until they get the contract they deserve.



This amount is also commonly referred to as the taxable maximum. For earnings in 2021, this base is \$142,800. The OASDI tax rate for wages paid in 2021 is set by statute at 6.2 percent for employees and employers, each. LABOR TODAY SAYS...SCRAP THE CAP! Social Security is solvent if millionaires and billionaires pay their FAIR SHARE!

For more information in this important topic, please visit:

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