ON THE WATERFRONT

Theresa Adams

The only sound heard for miles that cold winter morning was from the group of people who circled the driveway, blowing horns and banging pieces of metal together.

“Keep moving,” someone yelled as the men in blue uniforms got out of their cars and walked in the direction of the driveway. A line of vehicles trying to gain access to a lot at the Port of Oakland late last November inched up to the entrance and attempted to drive past the protestors. The men came closer. Each officer stepped in front of a protestor and at the same time they managed to position themselves shoulder-to-shoulder, hands at their waists, never looking left or right, only making eye contact with the person holding the picket signs.

“Lawful order, move back,” said the police officers seemly in one voice. The protestors refused to back down and the police officers were determined to move them out of the way. For every new person who picked up a sign one more officer took the line. Officers moved in unison, forcing the group back until a car was able to pass. Cameras from major news organization in the Bay Area captured the standoff.

“We got together and we talked,” said Charlie Guzman, a 29 year-old truck driver and a spokesperson for the newly formed Port of Oakland Truckers Association (POTA), the group organizing the work stoppage. “We decided we needed to do something.”

Although the members of the association pay dues and vote on procedures, it is not a union; nor is it affiliated with the International Longshore and Warehouse Union, which historically has represented workers on the docks. In other words, the truckers are on their own. Older members of the association have left it to Guzman and other drivers his age to negotiate with private trucking companies and port officials. They are the ones in interviews and on the front line when its time to answer questions from public officials and the media.

The protest on the day before Thanksgiving last year was the fourth time truck drivers delayed or stopped cargo from moving in and out of the SSA Terminal at the fifth largest port in the United States, the Port of Oakland. It was part of a yearlong attempt to secure an agreement from the Bay Area Air Quality Management District and the Port representatives to extend the January 2014 deadline to implement new air quality regulations. Truck drivers working in the port would be required to have trucks with engines manufactured in 2007 or later. Drivers unable to modify or purchase an updated vehicle would no longer be allowed to work around the port.

The group failed to obtain an extension and with the arrival of the New Year came the exit of many of the drivers. It was time to make hard choices--either to stay in the industry, Guzman says, or leave and find another way to survive. While disputes continue to focus on regulations and legal contracts, much more is at stake. What does the plight of the independent trucker—nonunion, disorganized, lacking power—say about the future of work at the port? What kinds of jobs will be available in the years to come? Who will do them? Is what’s happening at the Port of Oakland today yet another step in the decline of labor on America’s waterfront?
The silence near the Middle Harbor Shoreline Park entrance was only broken by the sound of the brakes from the diesel trucks that stopped at the gate before exiting the shipping container yard. Today one of those trucks belonged to Guzman. I was joining him on a beautiful March morning for a trip to drop off a load of clay powder at a company in San Jose. “When I drive along these roads,” he said as he makes his way to the freeway, “I see where truckers have actually put For Sale signs on their trucks.” They were unable to cut their overhead expenses and had no choice but to get out of the business.

With dark hair and brown eyes, a boyish face and easy smile, Guzman looks more like he should be in high school than behind the wheel of a big rig but he handles the truck with confidence. He came to the United States from Honduras with his parents and three brothers when he was four years old. When he was a child, his kindergarten teacher asked him what he wanted to be when he grew up. He said he wanted to be a firefighter. “When I was older I realized it wasn’t because I wanted to slide down the pole,” he said. “It was because I wanted to drive the truck.” Guzman watched his father take care of his family as a truck driver and decided to follow his example. “I have a passion for the industry and want to learn everything about the way the business operates,” he said. In 2008, he applied for a grant through a program sponsored by various environmental protection agencies, port business owners, and the Port of Oakland. He received $50,000 toward the down payment on a truck, as the filter modification previously offered to truck drivers would not fit his old 1991 vehicle. It is not easy to maintain a truck and pay for all of the expenses associated with working as an independent driver. You fill out the forms and pay the fees. There is no company to absorb the costs.

“Some days, some days, I make less than a McDonald’s worker,” Guzman said, as he “Other days, it’s a little bit more.”

In the beginning when unions were organized, there were more people eager to be a part of the organization. There were also, more battles for jobs, salaries, and eventually it became a priority to establish a sense of camaraderie within the groups. Later it became a battle between organized labor and business owners who hoped the lack of unity among some of the local unions would allow them to chip away at their power. Strikebreakers were brought in and cargo was diverted to other locations. Finally, after three major strikes within a five-year period, in 1921, employers managed to silence unions for more than a decade. The union members quickly learned that solidarity was the key to success.

“My dad worked at the port in Los Angeles for a longtime,” Guzman said, shifting gears in the truck. He knows quite a bit, about what has happened in the last 25 years. Most of it seems to be the same now as it was then.

When the unions reorganized in 1933 the longshoremen showed a united front and refused to go back to “business as usual.” A year later employers provoked “pitch battles” in San Francisco, Portland, Seattle, and San Pedro. On what is now known as Bloody Thursday, workers on the West Coast were shot and beaten to death by police and mercenaries hired by companies. The General Strike in San Francisco was the turning point. It was the first time scabs refused to cross picket lines. The actions by employers inspired public support for the unions. After the violence, jobs in the ports were assigned to union workers who maintained a strong work ethic and a system of productivity that allowed them to withstand future attempts to divide them or remove them from their jobs. The organization established a set of guiding principles and has continued to maintain a
powerful voice. According to the Bureau of Labor Statistics, American unions (excluding Canadian members) membership exceeded eight million by 1939.

Since that time, the Port of Oakland has grown considerably, today including Oakland International Airport, real estate consisting of 19 miles of waterfront property that includes Jack London Square, and surrounding commercial property. Revenue is generated from shipping containers, airline passengers, and tenants who lease commercial space. Of the more than 72,000 jobs connected to the port, there are only 450 actual port employees. It is an independent department of the City of Oakland. Almost no other port has access to the kind of lands and railroads in the heart of a seaport. Near the heart of the Central Valley, it imports 55 percent of the agricultural products from the US.

It was 1962 when Oakland became the first major port on the Pacific Coast to build terminals to store containers. The number of containers increased, as did the amount of cargo that needed to be transported. The installation of the terminals changed the operations around the port for everyone.

“During the 1950s and 1960s before they came in with the tall cranes, there used to be 45,000 longshoremen to unload the cargo,” according to Anthony Leviege, a longshoreman at the Port of Oakland for the past 14 years. The installation of cranes was the beginning of the decline in the number of workers at the port. In the past, a clerk directed unloading operations, now there is a GPS system. The monitor sits in something similar to a Simi-truck, called a tractor, which carries the cargo around to various locations in the terminal.

“You turn on the tractor, you wait a minute, and that computer will tell you where to go,” he says. There once were three longshoremen under the crane, now there is one person in a computer room, “We actually lost two people to that job,” Leviege said.

Over the years, when employers attempted changes that jeopardized their financial security, bitter battles were waged to maintain and secure positions. Changing political views created an anti-labor climate among employers in the 1980s. It was around this time that the trucking industry was deregulated. The government believed deregulation was good for the country. It offered more options to drivers who could choose what loads to carry and the distance they traveled. It also created an influx of non-union carriers in transportation companies and a decrease in income for the truck drivers. Truckers formerly part of the Teamsters Union were now independent owner-operators and companies could set their own fee rates. That’s what made it possible for people like Guzman to work at the port, which he started in shortly after his 21st birthday. “There is value in the trucker,” Guzman said. “We know first where everything is going.”

“We like our position as owner-operators,” Guzman said as we moved to the far right lane of the I-880 freeway, not far from Santa Clara. “We do not see the need to be part of a union. We hope that one day this independence will turn into opportunities for growth.”

But business growth seems a dream that will not be realized anytime soon given the mounting expenses for fuel, taxes and truck payments for new vehicles.

New clean air guidelines were mandated after testing revealed high levels of pollution. The Bay area showed significant levels of diesel particulate matter in West Oakland near the port when pollution levels were tested. This pollutant is one of the greatest contributors to ailments such as asthma and bronchitis. The trucks and the ships idling at the port were hazardous to the surrounding neighborhood and required drastic changes in operation by the Port of Oakland and the truck drivers. The Port authorities
implemented the Maritime Air Quality Improvement Plan (MAQIP) to accelerate the implementation of new procedures to help clear the air. Along with new clean-air filters and engines, ports are installing shore power infrastructures, designed to allow ships to plug-in at the docks. The system runs entirely on electricity creating zero emissions. Ships remain operational without the use of diesel fuel.

“We are quite proud of the work we’ve done to help reduce pollution,” says spokesperson Marilyn Sandifur. “The people spoke and we listened.”

In addition to the new shore-power units installed for the ships the Port representatives say they have contributed $38 million in grant money to assist the truck drivers. But the grant money is gone now and even those who received funding say the increased truck expenses and the low pay makes it difficult to survive.

Guzman exited the freeway. We arrived at our destination in San Jose. He drove a few blocks before we turned left into an alley and into the driveway of a company called Burke Industries. He shifted into reverse, angling the back wheels so the truck lined up with the open warehouse door. He opened the door to the container. The warehouse guy is responsible for breaking the seal on the shipment.

“They want to make sure I didn’t take anything home with me,” he said. The cab rocked back and forth as the driver on the forklift moved the heavy bags to the loading dock. Guzman filled out the bill of lading for the cargo. The drivers have not received a rate increase in 10 years, he said. The pay offered by the company to transport his current load, a powdered chemical used for submarines and boats is approximately $70 below what it actually costs for him to make the trip. He has been tracking the expenses for each load and knows he cannot continue this way much longer. If the companies really look at the numbers and consider the costs of transporting the cargo and maintaining the trucks, they would realize I only need “a little more” of an increase. Living and working in California, in particular the Bay area is expensive and we are the lowest paid, Port truckers, Guzman says.

The truck is empty.

“How’s it going?” Guzman said as he handed the bill of lading to the ILWU worker to sign before moving to the back of the truck. The doors to the container slammed shut and soon we are on our way. We stopped for lunch then realized we should keep going, as Guzman needed to unload two containers at the yard. We grabbed our lunch orders and hopped back in the truck. As we turned onto the Dumbarton Bridge traffic was moving at a steady pace. No delays to keep Guzman from returning to the terminal before it closes. It had been raining making it difficult to see the rocks he pointed out near the side of the road. After the rocks dry out the company in charge of draining the area will take the salt and distribute it to various companies like Morton. I’m part of the process of picking up the salt, taking it to the Port and it’s put on a train and it goes around the country,” he says. “So, we play an important part.”

Traveling to various places allow him to learn little details, like where the salt comes from and where it is going.

“I think of it like this,” he said. “Instead of watching it on the Discovery Channel and going through the cameras, I actually get to see it live. I get to be there and ask people the questions.”

It is quiet in the cab for a few minutes before he mentions the outcome of the strike last year and the disappointment he felt when the union and some of the truck
drivers refused to participate. They had hoped a display of unity would make the companies see how important it is to negotiate with truck drivers Guzman says, “divide the pie equally” or at least fairly. He believes the outcome might have been different if not for the actions of the ILWU and some of the truck drivers.

During the San Francisco strike in 1934, the scabs refused to cross the picket line. Last year as POTA blocked the various terminal entrances, longshoremen walked by or drove past the line ignoring the requests to show support for a fellow worker.

“That was a missed opportunity,” Leviege says. “We should have presented a united front.” Historically, whenever something was accomplished it happened when work stopped. Now that the ILWU is in the midst of contract negotiations, some of the members realize that presenting a united front with the truckers then would have helped improve their bargaining power now. “We get our bread from the same companies,” Leviege says, referring to the truck drivers, “but now we’re divided.”

Last year, in Oakland, Los Angeles, Long Beach, and Portland, truck drivers and other workers demanded a number of changes at the various ports. In addition to requests for more pay there were demands to improve unhealthy environments like the lack of bathrooms on sites and loss of work because of long lines to pick up cargo and drop off containers make for the truck drivers to deliver the number of loads needed to make their individual quotas. These are all things that Guzman says point to a lack of efficiency and in turn a cut in the bottom line when it comes to earning a living. Workers say organizations like the Ports are looking for ways to exclude union workers while employees in places like the airports, retail establishments and fast food chains see unions as a link in a chain that binds the average American workers to each other and they demand to become a part of one. Guzman and the men who were on the picket lines last year say their work adds to the successful operations at the port.

“I find it disrespectful of all parties,” he says about the calls for law enforcement during the last demonstrations. “We work here. They see us everyday. We are not criminals. We have something to say.”

Recently, the ongoing conflicts between workers and business owners have played out on television and in newspapers. As it has happened in the past, workers make demands and go on strike while employers hold out for cuts that will improve the profit margins. The biggest fight workers will face in the future is keeping up-to-date on changes in technology that impact positions that can be outsourced or performed by machines.

UC Berkeley public policy professor and former Secretary of Labor Robert Reich says in addition to more money, workers and companies will need to make adjustments, as the distribution of goods and service methods begin to change. Manufacturing jobs are getting an overhaul.

“Assembly operations have been replaced by high-tech, precision manufacturing,” he says. “The good news is new, higher-wage jobs that require skilled workers. The challenge now is to produce more workers who have these skills.”

Many positions were lost after the Great Recession that began in December 2007 and will most likely never return. Traditional labor jobs are slowly disappearing. Good solid middle-class wages or even upper middle-class wages are vitally important to the region, Reich says about the city and the Port of Oakland. One thing cities should avoid is
creating low-wage jobs if they want a vital economy. “Everybody benefits where there is more money in more people’s pockets,” Reich says.

One way everyone wins is with a system that runs more efficiently, Guzman says. Stuck in line behind dozens of trucks does not help him or his colleagues.

“If our wheels are not spinning we are not making money,” he says. Should the truck drivers all decide to go and work for companies tomorrow, which ones would pay to have their employees sit in line for five hours? None.

“Union or non-union, it doesn’t matter because you won’t be competitive if you can’t move the merchandise,” Guzman says.

You also cannot be competitive if you do not have the people qualified to operate the new machines and software. Economists say higher wages are necessary as is training to work with new technology.

“If it is clear that a job can be done more cheaply with technology then you don’t want to be Neolithic and get in the way,” Reich says.

Historically American industrialization and post-industrialization has been about people being replaced by technology but it has also been a history of people using technology to generate higher value. How can we generate even greater value using our workforce but giving them the technology they need to increase output, he says.

Today a union worker is not defined solely as a laborer. They are lawyers, engineers, or divers at the ports. The challenge is to keep the high-wage jobs in the US instead of allowing them to be outsourced to lower-wage earners in other states and countries. Most employees will face this challenge in the future.

Today, there are approximately 42,000 ILWU members in 60 local unions in California, Washington, Oregon, Alaska, and Hawaii. Los Angeles and Long Beach ILWU workers signed a new contract in 2013 that halts outsourcing and provides pay increases for the next few years. Like the ILWU workers in other cities, the longshoremen in Oakland will need to negotiate a new contract in June although union leaders are already meeting with the shipping companies. Leviege says there are concerns that additional automation devices will mean a loss of about 60 percent of the current workforce, bringing the current number of 14,000 down to approximately 8,000 workers if they are unable to obtain an agreement to secure positions for their members.

On another day, Guzman and I met at Middle Harbor Shoreline Park. We sat at the picnic table and watched the dredger near the shore moves slowly up and down picking up sediment from the shallow water and moving it out of the channel to create more space at the bottom of the bay. Although the process is substantially completed, the process will need to be repeated periodically in order to maintain the new 50-foot water levels.

“All the Ports are doing it,” Guzman said. “Deeper water is needed to accommodate larger ships. Larger ships mean more containers. It’s what will keep them competitive.” Dredging machines may be seen more often in Oakland’s port and in other ports across the country. It is the cost of doing business that has more to do with profit margins then union affiliations.

“It’s the future,” Guzman said.

The association is unhappy with the outcome of the strikes last year but does not know quite what to do. No one has money to go and buy a truck for a driver who needs one. Guzman and others will wait to find out the outcome of the negotiations between the
ILWU workers and the private companies that operate at the port before deciding what to do next. Whatever the changes, he hopes one of them is not the sale of his truck. There are changes that can be made that will make it more efficient for everyone right now, he says. “We all play a part what is wrong with the operations but so far, it seems we are the only ones suffering,” he says, turning away to look at the dredger again.

“When I go into the stores, I see the wine and I know where it comes from because I have driven to that vineyard,” Guzman said. “Those canned goods loaded onto that ship are helping someone in another country. Everything comes here. Everything comes to the Port and I play an important part.”
Burns, Washington
Prescott-Joseph Center, 920 Peralta Street, Oakland, CA 94607
510.208.5651 or 510.835.8683 (Breathmobile
http://prescottjoseph.org/programs/breathmobile/ 510.763.1880)

Campbell, Shanthi
Currently the manager of Barragan Transportation. She worked for one of the companies operating in the port before she was laid-off last year. She now works as a dispatcher for four independent truckers. She knows how the port operates. The owner of Barragan would be the liaison between the port and the drivers.

Guzman, Charlie, 29
He owns his own truck. He received a grant from BAAQMD for new model in 2008. He works out of the rails and transports goods for the port both local and interstate. Port Of Oakland Truckers Association is a group started by Oakland truck drivers. Father is a driver for another company. He is a spokesperson for all of the drivers, along with Tarcillo and a few other younger men.

Harley, Robert
A professor of civil and environmental engineering at UC Berkeley. Multi-year study of motor vehicle emission, in particular diesel trucks at the Port of Oakland

Henderson, Ed
ILWU- He is an agent for the port and the representative for the union. This organization’s support is important. They are the “go-to” people for the shipments. Their handling of the cargo determines how many loads the truckers pick up each day.

Leviege, Anthony
Longshoreman – ILWU for 15 years jobs assignments come from the Hall. He has great information about history and current events. Good interview.

Mahar, Sean
Spokesperson for Mayor Jean Quan, 1 Frank H. Ogawa Plaza, Oakland, CA 94612
(510) 238-3141

Parra, Cesar
POTA board member. He is one of two defendants named in a complaint filed the Port of Oakland

Reich, Robert
Chancellor’s Professor of Public Policy at the University of California at Berkeley and Senior Fellow at the Blum Center for Developing Economics was Secretary of Labor in the Clinton administration.
Sandifur, Marilyn
Spokesperson, Port of Oakland, 530 Water Street, Oakland, CA 94607, (510) 627-1193

Siegel, Dan
Former adviser to Jean Quan and former counsel for two of the truck drivers involved in the protests/work stoppages at the Port of Oakland.