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## **Lost Job, Lost Home, Lost Dreams: A Broken System's Legacy**

**Long before the nation's latest economic troubles, some workers at NG Jensen, a custom brokerage firm on the Washington side of the Canadian border, set their sights on an economic stimulus plan—a union. Their organizing campaign barely got off the ground before it was shot down by management intimidation.**

According to a 2006 poll by Peter D. Hart Research Associates, the custom brokerage workers are not alone. Fifty-eight percent of non-managerial working Americans surveyed indicated that they would join a union if they could. However, one worker is disciplined or fired every 18 minutes for their efforts to organize unions.

Much of the national narrative holds union membership is declining as a result of the shift from a manufacturing to a service-based economy. But a compelling body of evidence points to a far more powerful cause—the uneven playing field in U.S. labor law—a playing field that allows companies to threaten, intimidate and fire workers who want nothing more than the security of a contract.

Labor organizations and our political allies have come up with an answer to this stacked deck against hard-working men and women, the Employee Free Choice Act. This major reform of U.S. labor law, which will soon come before Congress for a second time, would make it easier for workers to organize and penalize employers who threaten and fire workers with stiff fines. And the law would stop employers from endlessly delaying negotiating contracts with workers who have clearly chosen union representation.

If the Employee Free Choice Act had been enacted in 2007, perhaps Liliana Robbins and other workers at NG Jensen would be enjoying the benefits of union workers, who earn, on average, 35 percent more than their nonunion counterparts.

In May 2007, Robbins, one of the most senior and respected workers at one of NG Jensen's customs stations in Blaine, Wash., contacted Seattle Local 77 asking for help for herself and her co-workers, who assign tariff numbers and clear lumber and other Canadian goods for entry into the U.S. Organizer Chris Martin met with her.

Frustrated and angry, Robbins told Martin how a decent job at one of the company's numerous locations had gone downhill as managers snatched away holidays and vacation time, changed work schedules at will and engaged in blatant nepotism.

“There was huge support for the union at the beginning,” says Robbins, who met with some of her co-workers at a nearby gas station. They decided to put informational literature about the benefits of unions on cars in the parking lot. Immediately, supervisors

went out and snatched the literature, so Robbins brought some pamphlets into work with her.

Overnight, Robbins' relationship with her employer changed. She was written up for distributing pamphlets, even though co-workers routinely brought in catalogues to sell merchandise or distributed sign-up lists for fund-raisers.

"I went full force at trying to find every avenue that would help my co-workers, with the same thoroughness that I applied to my job," says Robbins, who set up a meeting at a nearby library for NG Jensen workers to meet with Local 77.

Only three workers showed up for the meeting. Several drove by, but were afraid to show their faces after a rumor circulated about a supervisor who had lined up a snitch to report back on attendance. But, even more persuasive was watching how Robbins, a model employee, was singled out for harassment because of her support for a union.

The union drive was stillborn. But the company was not finished with Robbins. She got a phone call late one night from Jensen telling her that she was laid off because of "business conditions," despite the fact that more junior and far less-experienced workers remained on the job.

With the help of Local 77, Robbins appealed her dismissal to the National Labor Relations Board as discrimination for union activity. Her case looks strong. But relief hasn't come soon enough for Robbins to save her home in Birch Bay, overlooking the Pacific, from foreclosure. After 20 years, she is moving into an apartment.

"I couldn't blame my co-workers," says Robbins. "It takes a strong person to go through what I did." Instead, Robbins blames a labor law regime that is stacked against workers who simply want the rights that come with collective bargaining.

As the Employee Free Choice Act comes closer to a vote in Congress, companies—defending the status quo—are investing millions of dollars into an advertising campaign to paint courageous workers like Liliana Robbins as the persecutors and their employers as the victims.

The key tactic in the employers' campaign is to accuse the unions and their political supporters of being "anti-democratic," by working to pass a law that would permit employees to opt for a union through majority sign-up, rather than a secret ballot representation election.

"The employers are resorting to Big Lie manipulation," says Brian Ahakuelo, Director of Professional and Industrial Organizing. "They know how many workers—union and nonunion—fought in wars and in the civil rights movement to defend our right to vote and to practice democracy." So, says Ahakuelo, they turn reality on its head and make it seem like secret ballot representation elections are run just like elections for public office.

“They don’t talk about the tricks that they play to undermine any semblance of fairness,” he said.

Labor unions will never match the dollars of employers engaged in public relations campaigns to defeat the Employee Free Choice Act, says President Edwin D. Hill. But average members can bring the truth to the light of day, he says, by exposing the myths being spread by the moneyed elite and supporting majority sign-up. “We owe that much to workers like Liliana Robbins and her friends who deserve the respect that comes from work and standing up for their rights.”