

... Police, ILWU clash

(From Page 1)

In a media briefing, Cowlitz County Sheriff Mark Nelson said police were trying to disperse the crowd through a public address system, but their orders were shouted down.

"We've danced this dance before," Nelson said. "When our officers went in to make peaceful, lawful trespass arrests, they were rushed by a mob of hundreds of protesters who were resistive and throwing things at the officers."

In all, 19 protesters were arrested. "Everyone came to the tracks on their own free will to stand up for justice and protect good jobs in this community," said ILWU International President Bob McEllrath, who stood with the protesters and was detained by police, but not arrested. "It shouldn't be a crime to fight for good jobs in America."

McEllrath told protesters after he met with police that: "You can get maced and tear-gassed and clubbed (today)" or wait for longshore support from all over the West Coast when the next train tries to enter the EGT terminal.

"If we leave here, it doesn't mean that we gave up and quit," he said. "It means we're coming back."

Early the following morning, on Sept. 8, hundreds of ILWU members reportedly stormed the EGT terminal, broke down the gates, overpowered security guards, damaged railroad cars, and dumped grain, according to Longview Police Chief Jim Duscha.

Fifty police officers from Kelso, Longview, Cowlitz County, the Washington State Patrol, Woodland, Kalama and the Burlington Northern Railroad responded to the scene. No one was injured, and there were no arrests, Duscha said.

The Longview Daily News reported that grain was spilled from about 70 of the 107 cars.

Associated Press reported that security guards were held hostage.

"That didn't happen," Craig Merrilees, communications director of the ILWU, told Carlisle, Pennsylvania, radio host Rick Smith on the Rick Smith Show. "The reporter and the police



Police detain ILWU International President Robert McEllrath for standing with his members against multinational EGT. (Photo by Dawn Des Brisay)

chief who was responsible for that erroneous information recanted that account," Merrilees said.

(Turn to Page 8)

Trumka: ILWU dispute with #701 is jurisdictional

A resolution adopted by the Oregon AFL-CIO Executive Board condemning Operating Engineers Local 701 in a work dispute with the International Longshore and Warehouse Union (ILWU) at the Port of Longview has been nullified by national AFL-CIO President Richard Trumka.

ILWU presented the resolution to the Oregon AFL-CIO Executive Board on July 29, charging that Local 701 was "aiding and abetting" an employer that the ILWU had a dispute with.

Longview-based ILWU Local 21 has been trying to secure an agreement with EGT Development to use longshore workers to operate its new \$200 million grain export terminal under a "Working Agreement" the union has with the Port of Longview that covers the operation of ship and barge docks, handling cargo, and facility operations.

EGT Development, a joint venture of Japan-based Itochu Corp, South Korea's STX Pan Ocean and St. Louis-based Bunge North America, leased the property from the Port of Longview and argues that it is not obligated to use ILWU members. EGT has sued the Port in federal court to avoid hiring ILWU members.

Talks between EGT and ILWU broke off earlier this year.

In July, EGT signed a five-year agreement with General Construction

Co. of Federal Way, Washington, to run the terminal. Employees there are represented by members of Gladstone-based Operating Engineers Local 701.

The motion to adopt the resolution condemning Local 701 for taking the work was ruled out of order by Oregon AFL-CIO President Tom Chamberlain, who determined it was a dispute over jurisdiction. But the board overturned him and passed it by a wide margin.

Both ILWU and Operating Engineers Local 701 are affiliates of the AFL-CIO at the state and national levels.

In his ruling, Trumka said Chamberlain was correct to rule the resolution out of order. "The work at issue involves a jurisdictional dispute," he wrote, pointing out that jurisdictional disputes are governed and settled by Article 20 of the AFL-CIO Constitution. "In view of these provisions, neither the Oregon AFL-CIO, nor any other AFL-CIO state, area, or local central body has authority to intervene or take sides."

In conclusion, Trumka wrote: "Let me be clear that this letter concerns simply the issue of the authority of the state federation to take action relating to jurisdictional disputes. This should not be construed as a judgment on the merits of the dispute."



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