

Worker strikes in U.S. were up in 2011, but still extremely rare

Large-scale strikes and lockouts rose slightly in 2011, according to the latest numbers from the U.S. Bureau of Labor Statistics. The bureau releases data once a year on what it terms "work stoppages" involving at least 1,000 workers that last at least one day. There were 19 such work stoppages in 2011, up from 11 the previous year.

The 2011 strike with the biggest impact, in terms of lost workdays, was the 10-day strike at Verizon by 45,000 members of Communications Workers of America. Also of note was the four-month lockout by the NFL of 1,900 members of National Football League Players Association.

While an increase from 11 to 19 strikes is a 72 percent increase, it doesn't buck the trend: Strikes have almost disappeared in the United States since 1980. The 1950s averaged 352 large-scale work stoppages a year, a record which fell to 283 a year in the 1960s, and 289 a year in the 1970s. Work stoppages then plummeted to 83 a year on average in the 1980s, 35 a year in the 1990s, and 17 a year in the first decade of the 21st century.

And that's just the *number* of work stoppages. Strike activity from the 1950s to 1970s also involved more workers, and lasted longer: In a typical year, one to two million workers took part in work stoppages which lasted on average 20 days. Last year's

major work stoppages, by contrast, involved 113,000 workers, who stayed out nine days, on average. Eleven of the 19 large-scale work stoppages last year lasted a week or less, including five hospital strikes that lasted just one or two days.

Two of the 19 large-scale work stoppages in the BLS list were in the Pacific Northwest — an eight-day strike by 1,900 teachers in Tacoma, Washington, and a purported 11-day strike in April by 1,500 members of Oregon-headquartered United Association of Plumbers and Steamfitters Local 290.

But details of the Local 290 work stoppage cast doubt on BLS figures. Al Shropshire, elected Local 290 business manager this January, said intermittent pickets were put up at just three contractors after a multi-employer agreement expired. Picketing occurred on just four or five days, with fewer than 50 members impacted — far less than the 1,500 members covered by the contract. Subsequently, the employer group's contract offer improved, and a new labor agreement was approved on a close vote.

Most of the time, a work stoppage is a strike by employees. But as the New York Times noted Jan. 22, lockouts — once rare — are increasingly being used by employers to squeeze concessions out of their unionized workers.

Two work stoppages that began last year — both lockouts — continued into 2012:

- In late November, Cooper Tire and Rubber Company locked out 1,000 members of United Steel Workers Local 207L at its plant in Findlay, Ohio, after they rejected a second round of wage and benefit concessions. The company operated the plant with replacement workers brought in from elsewhere, but locked-out workers were ruled eligible for unemployment benefits. In January, workers ratified a new contract and went back to work.

- A lockout continues for 1,300 members of Bakery, Confectionery, Tobacco Workers and Grain Millers in Minnesota, Iowa, and North Dakota. Their employer, American Crystal Sugar Company, is the country's largest sugar-beet processor.



Laurie Kelly, Megan Rivas and Renae Miller, union reps for United Food and Commercial Workers Local 555, were among 250 attendees at the 16th annual Oregon Labor Law Conference in Portland.

Labor Law forum draws 280 union reps, shop stewards

Another sellout crowd of 280 participants attended the 16th annual Oregon Labor Law Conference Jan. 27 in Portland.

Coordinated by Norm Malbin, general counsel for the International Brotherhood of Electrical Workers Local 48, the day-long conference is all about educating union reps, shop stewards, and elected officers on the latest labor laws so they can better represent their members.

A host of labor law experts were brought in to lead workshops. Among the presenters were retired National Labor Relations Board (NLRB) regional director Richard Ahern; Oregon Employment Relations Board chair Paul Gamson; and labor attorneys Liz Joffe, John Bishop, Nelson Hall, Barbara Diamond, Mike Tedesco, and Cheryl Coon.

The luncheon's keynote speaker was Labor Commissioner Brad Avakian.

In a morning plenary session, management-side attorney Rick Liebman provided an overview of recent employment law court decisions, as well as an update of new statutes and regulations.

One topic Liebman touched on was a new NLRB regulation that has caused a management uproar. The rule requires all private-sector employers to display a poster that explains workers' rights to form a union under the National Labor Relations Act. The regulation originally was to go into effect Dec. 21, 2010, but the backlash by big business was so intense (the National Association of Manufacturers sued to block it), that it was postponed — twice. It now is set to go into effect April. 30.

"I break ranks with most of my management colleagues in that I



Bob Bussel, director of the Labor Education and Research Center at the University of Oregon, conducts a hands-on workshop that focused on the national assault on public employees.

see nothing wrong with it," Liebman told the union audience. "It's nothing more than what employers have posted for years. We've got an OSHA (Occupational Safety and Health Administration) poster; we've got an OFLA/ FMLA (Oregon Family Leave Act/Family Medical Leave Act) poster; we've got an EEOC (Equal Employment Opportunity Commission) poster; we've got a BOLI (Bureau of Labor and Industries) poster on wage and hours; a Department of Labor poster — why would this be any different? All it does is tell employees what their rights are."

Liebman actually advocates for the posting requirement, saying it possibly could ward off a unionizing drive by nipping in the bud early whatever problem a worker(s) might have.

Liebman believes the third time will be the charm. "I suspect this time it will get posted. Most employers have gotten used to the fact that it is coming," he said.

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