

Washington senator demands police escorts to aid lockout

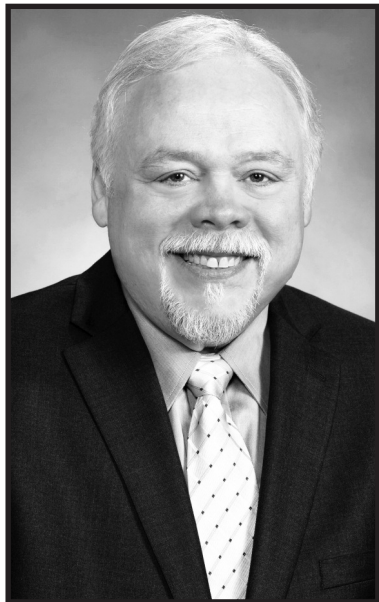
By DAVID GROVES

VANCOUVER, Wash. — What obligation do taxpayers have to provide security indefinitely to a for-profit corporation engaged in a protracted labor dispute so it can continue operating with cheaper workers after locking out its unionized workforce?

None, says the governor's office, local law enforcement and labor leaders.

But state Sen. Don Benton (R-Vancouver) disagrees. In fact, he is so angry that Democratic Gov. Jay Inslee has stopped providing Washington State Patrol escorts for state grain inspectors to cross a union picket line at the Mitsui-United Grain Corp. terminal at the Port of Vancouver that he filed an ethics complaint against the governor. Benton claims that Inslee "has unlawfully involved himself in a labor dispute, using his executive authority in an attempt to force a private corporation to negotiate with a labor union."

The governor temporarily authorized the escorts last fall in hopes it would give Mitsui-United Grain and the International Longshore and Warehouse Union (ILWU) time to negotiate a settlement, according to his spokeswoman, Jaime Smith. But eight months later, she said it was clear the escorts weren't producing the intended results, so Inslee stopped providing the service in early July. The effect has been to slow operations at the terminal, leading to aggressive criticism of Inslee from conservatives like Benton. Meanwhile, the



STATE SEN. DON BENTON

ILWU reports that negotiations with the Pacific Northwest Grain Handlers continued last week and through the weekend.

But why do grain inspectors need security? And why were these workers locked out in the first place?

Some background is necessary to understand the complex situation and give some context to Sen. Benton's demand for escort services.

In the fall of 2012, the member companies of the Pacific Northwest Grain Handlers Association sought a contract for all of the region's grain export facil-

ities that the ILWU described as including "deep concessions." Grain workers rejected the employers' proposal by a 93.8 percent margin in December 2012.

TEMCO, which operates grain export facilities in Portland, Tacoma and Kalama, subsequently resumed talks with the union and in February 2013 the ILWU ratified a new 5-year contract agreement with TEMCO. By all accounts the company is thriving under the new contract.

In contrast, the Japanese conglomerate Mitsui, which runs the United Grain Corp. terminal at the Port of Vancouver, simply imposed the terms of the concessionary contract that its employees had rejected. (The workers' previous contract had expired.) The company's hostile stance and refusal to continue negotiations was decried by the ILWU and angered their employees, but they continued to work rather than going on strike.

On the morning of Feb. 27, 2013, just days after the TEMCO deal had been announced, Mitsui locked out its unionized workforce. The company claimed it was initiating the lockout because an angry union employee "sabotaged" company equipment and it had security camera evidence. The union immediately claimed that the lockout was planned, that Mitsui had already solicited the services of replacement workers and tugboats, and the company had just been looking for an excuse to impose it.

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CLARK COUNTY SHERIFF
GARRY LUCAS

County prosecutors never filed charges for the alleged "sabotage" due to lack of evidence, but the company still insists it happened and that it merited locking out every member of the ILWU Local 4 — nearly 50 men and women — from their jobs and continues to merit keeping them out of the terminal more than 17 months later.

Ever since then, the locked-out local United Grain workers and the ILWU have maintained a picket line outside the facility as the company has sought to operate the terminal with cheaper nonunion workers — who the union says have been brought in from out of state. It has created a volatile situation at the picket line that has included charges of illegal harassment by both sides and at least one picketer hit by a truck.

In August 2013, a state grain inspector filed a police report claiming to have been harassed while crossing the picket line. Initially, the Vancouver Police Department escorted grain inspectors through the picket line, but soon stopped. In October, Gov. Inslee directed state troopers to escort the inspectors, who are state employees with the Department of Agriculture. But in early July, after 10 months of providing escorts, the governor pulled them. With no grain inspectors going into the terminal, United Grain's ability to operate has been seriously hindered.

Mitsui-United Grain has since asked the Clark County Sheriff's Office to provide the escort — and even proposed reimbursing them for the cost — but Sheriff Garry Lucas flatly rejected the request.

In a letter that was published in the Columbian newspaper, Lucas wrote:

"My position is that the law enforcement role is a neutral enforcement role that preserves the peace, protects life and property, and protects the rights of the parties as it relates both to the law and the Constitution of the United States. It becomes difficult to maintain neutrality when a police agency is a contractor/employee of one of the parties... We have never, and as long as I'm the sheriff never will, act as an escort to a private company involved in a labor dispute to transport or escort management staff, subcontractors, or third parties onto management's property."

Sheriff Lucas, like Gov. Inslee, believes that the government should maintain its neutrality by staying out of it. Instead, these public officials are encouraging both labor and management to negotiate in good faith and resolve the dispute as quickly as possible.

That position is being praised by labor leaders.

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Happy Labor Day!

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United States Congress
Oregon, District 4

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