

Kali's Cries

CAN MOTHER KALI'S BOOKS MAKE IT AMID
LABOR, ECONOMIC AND PERSONNEL ISSUES?
PART 1 by Aria Seligmann

A sense of righteous indignation fills 19-year-old Tiffany Lee Haggmark's voice as she takes the stage at Sam Bond's on Feb. 4, a night labor activist Anne Feeney is performing. She introduces the women who are part of Industrial Workers of the World local 660, the staff of Mother Kali's books, and explains to the rapt audience that they are having "some struggles as a union trying to get fair treatment; our jobs have been terminated, health benefits are being withheld, and we want jobs with justice."

The crowd applauds.

As Anne Feeney picks up her guitar and begins singing, "You can't scare me, I'm sticking with the union," Haggmark tells her story.

Haggmark's mother died of cancer when she was 13, and during her mother's prolonged illness, Haggmark would walk across the street from the hospital to Mother Kali's, where she would find solace by flipping through the books and magazines. She became acquainted with women's issues and felt at home there. In high school, she earned credits by volunteering at the store, hoping that eventually it would lead to a job, which it did. "I was proud to work there," she says. "I had strong opinions and saw Mother Kali's as a place where women are strong and not afraid to stand up for themselves. Mother Kali's is like a mother to me."

After receiving a letter of termination from the board, she wonders, "How can they let me go so easily? Are they not women?"

"Kali Ma, Mother Kali, give me your courage that I may face my fears. Let me name them; let me offer them to you."

On Friday the 13th of February, a handful of protesters picketed outside Mother Kali's Bookstore on the UO campus strip of East 13th. While they drew would-be customers' attention to the ongoing labor dispute between the bookstore's board and two past staffs, other women entered the store, carrying in Valentine's cookies and brownies, a love offering to new manager Karen Luna, and to the community resource provided by one of the last 66 independent feminist bookstores remaining in the U.S.

Even with the knowledge that Eugene is damned lucky to have such a treasure, however, many formerly loyal customers are finding hard to swallow the type of labor issues Mother Kali's workers have faced over the past year and a half. Issues that were kept publicly mum during the first wave of disgruntlement are now shining in the media spotlight because a second, more outspoken staff has pushed the issues forward.

On Jan. 23 the board delivered termination letters to each of its four staff members, giving one staffer two weeks notice and the rest three weeks notice. About three weeks prior, board told staff they could no longer access their health benefits because of the store's financial difficulties.

But Mother Kali's staff, including current and past booksellers Jessica Ellis, Cheryl RiversHailey, Carly Deicher, Jennifer Goyette, Becca Perry and Sandra Pasman, had unionized last April, new staff members had joined the union since, and as members of the IWW Local 660, were entitled to bargain the details of their termination.

(Former manager Teri Ciacchi was also listed as a union member, but managers with authority are not entitled to be part of unions, according to the NLRB's Jeffrey Jacobs, who is investigating the Mother Kali's complaint.)

Whether or not the board met its obliga-

tions in allowing the staff to bargain is a matter of debate. On Jan. 27, the board held a meeting at the store, allowing staff to sit down and discuss their terminations. Staff showed up 10 minutes later, after joining protesters outside, and handed the board a copy of the wrongful termination complaint filed with the NLRB. At that point, the board said the meeting was rescheduled, but two days later, before a new meeting took place, workers were handed final letters of termination and asked to turn in their keys.

The board said the intention was to close the store and reorganize it before reopening, and that staff would be paid through their original termination dates. Workers say they were locked out.

Just before this story went to press, staff members were paid through their termination dates.

Making matters murky is the fact the staff had not yet bargained a contract, despite sev-

Izzie Harbaugh 'became the warm, engaging face of Mother Kali's. She was a force of nature; there was no replacement for her.'

-LORRAINE IRONPLOW

eral attempts to begin the process. IWW representative Jeanine Malito, who says she is not an official representative, but a community activist helping the women, had begun contacting board member Donella Alston last April to begin the process of bargaining. But Alston was busy. On June 20, she did send an e-mail to then manager Teri Ciacchi saying the board would soon have the documentation the staff could use to build upon in their process of collective bargaining. Those documents were not received by staff, but neither did the staff begin writing up a contract.

"Staff talked about things they would want,

but it all seemed so in flux, and the priority was to save the store," says Malito. Community meetings were held over last summer to discuss labor issues while at the same time talk about the future of Mother Kali's.

"We didn't start writing a contract. I was the host at the board fund-raiser at Keystone. I greeted people and thanked them for coming," says Malito.

As recently as Jan. 26, the staff again asked to bargain. On Jan. 29, current board President Kathleen Kendrick acknowledged the efforts of staff to bargain in good faith but declined to do so, saying board members were too busy as they all work full-time jobs, according to staff.

NLRB's Jacobs is still investigating the case and says these matters can take four to eight weeks from the date (Jan. 31) the complaint is made, and that after he finishes his reports, he'll forward the case to his boss in Seattle who will make the final decision.

"The issue becomes that of the reason somebody was let go," he says. "An employer that has become unionized does not give up its right to go out of business. The question of whether they will be in business or not is not subject to union negotiations. Given that, if an employer is making a decision to go out of business, there still may be a number of issues that, if a demand is made to negotiate certain things, they may be required to negotiate." Those things include severance pay, when the last day will be, who will be laid off when, etc.

When informed that Mother Kali's had reopened Feb. 9, Jacobs replied, "Oh."

With that bit of information, Jacobs says it is still incumbent upon the staff to demand to bargain the circumstances of the termination.

"The union must be the moving party to make a demand," he says, adding that the staff itself does not have the right to bargain, but must go through its representative. The staff calls Malito its IWW rep, but Malito says that the IWW is a democratic, decentralized organization, and that staff members can do their own bargaining.

Another issue is the re-opening of Mother Kali's. The board hired new full time manager Karen Luna to replace part-time co-managers RiversHailey and Pasman, who did not want full time jobs. One part time position was available, and offered to any staff member who wanted to apply for it. As of this writing, none of them have.

"Former employees would have rights to any new jobs before those jobs get offered to anybody else," says Jacobs.

At this point, according to manager Luna, the board has decided not to fill the part-time position, on the advice of its lawyer.

Questions also arise concerning the title of "co-manager." As long as they had no more authority than the rest of the staff, there is no problem with RiversHailey and Pasman being part of the union. But if they did have authority, then the employer "would be violating the law by having somebody in management in a union," says Jacobs.

"Two co-managers would fall into this category and not have any protection of the NLRB. A manager is not an employee. It depends on their authority, not their hours," he says.

But Malito says that isn't a problem. "The board wasn't letting them have any authority," she says.

Last week, the board contacted the former staff, offering mediation. But RiversHailey and Pasman were unavailable at the chosen time, and the mediator picked by the board was unacceptable, as staff was aware she had unsuccessfully mediated between a former staff and a former board.

The staff was directed to a list of media-

