



INFORMATION UPDATE #30

August 29, 2011

Hear Ye, Hear Ye – USW Local 1005 Weighs In



In approving an injunction against USW Local 1005, the judge declared that Local 1005 had provided no proof that the bricklayers crossing its picket line were scabs. This is a hilarious statement given, as the judge said, scabbing is legal in Ontario and that refuting proof of scabbing is not a requirement to grant an injunction! Despite this, several affected parties seem to think they have been vindicated by the judge's pronouncement – notably Hamilton's own Benedict Arnold, U.S. Steel's "I lost my GPS" Trevor Harris and now several others who seem to think the bricklayers deserve an apology for being called scabs. So we thought we would weigh in on the matter.

By any definition one wants to use, performing the work of Local 1005 members, or facilitating others to perform the work of 1005 members, is scabbing.

There. We said it.

So, are the bricklayers performing work of Local 1005 members, or facilitating others to perform the work of Local 1005 members?

Yes they are.

What are the facts?

In November 2010, when U.S. Steel locked the gates and idled the plant, U.S. Steel informed Local 1005 it wanted to keep the coke ovens running and needed to bring a bus load or two of salaried personnel to do this work. It was a phony lockout, but after serious deliberation, Local 1005 agreed to let U.S. Steel bring in its management personnel to keep the ovens running (versus having them hot or cold idled), since this is best for the ovens and the best course of action to maintain their future viability. This was a serious gesture that showed good faith as part of trying to settle a new contract with U.S. Steel based on GOOD FAITH BARGAINING.

It then turned out that the salaried personnel U.S. Steel buses in to run the coke ovens do not have the expertise required to maintain the ovens. This work involves ceramic welding normally done by outside bricklayers, and patching normally done by Local 1005 members who work alongside the outside contractors. U.S. Steel, of course without discussing anything with Local 1005, decided to contract the entire job to a company called Glasrock, which employs members of the Bricklayers' Union.

In December 2010, Tony DiMaria, President of Local 1 Bricklayers informed Local 1005 that he had a contract with Glasrock to ceramic weld the coke oven brick and to perform

through a "patcher gang" other work normally done by Local 1005 members. Despite DiMaria being informed that Local 1005 would prefer that no one should cross the Local 1005 picket line, the bricklayers said they had to respect the contract with U.S. Steel rather than respect the picket line. They crossed the line. Local 1005 members remained calm. Showing good faith they sidestepped the provocation and once again put the onus on U.S. Steel to engage in good faith bargaining and end the phoney lockout.

Not only did U.S. Steel respond negatively to Local 1005's gesture by dragging out its phony lockout, but to add insult to injury, it started shipping the coke out of Hamilton! No negotiations, no good faith bargaining, no respect for the picket line by those who should know better, with the end result the shipping of Hamilton's coke out of the plant. USS even claimed that the coke was headed for Lake Erie not as a transshipment point to plants in the U.S., but for use at Lake Erie to service Canadian clients. Presumably, it thought that made shipping the coke out okay in the eyes of Hamiltonians! So, no bad faith there oh no, the coke stays in Canada and is used to make steel for Canadian clients.

Then the coke-laden boats started heading in the opposite direction for open ocean waters but hey, no bad faith there – business as usual.

From producing steel, Hamilton is reduced to producing pollution, and all this time, U.S. Steel has not made a single gesture to bargain in good faith with its Canadian steelworkers. Now ten months later after all these shenanigans, USS spokesperson Trevor Harris tells Hamiltonians to conclude that Local 1005 does not care about its members' jobs.

Commenting on the injunction obtained by Glasrock August 24, 2011 against USW Local 1005, USS "Canadian" spokesperson Trevor Harris crowed in the local newspaper, "We cannot understand why the leadership of Local 1005 believed that such activity [stopping the scabs from crossing the picket line] was in anyone's interest. Such actions cause us to wonder whether the leadership is actually interested in preserving the jobs of their membership."

We don't know what USS Kool Aid Mr. Harris is drinking to make him think that Hamiltonians have not already concluded that U.S. Steel has absolutely no intention of bargaining in good faith or ending its phony lock-out. What world does he think he lives in? Maybe his GPS is still wrongly wired, the one which

showed the coke was heading to Lake Erie when it was already out to sea, and that we live in a world of his own fancy. In Hamilton the reality is not a matter of his fanciful wishes and workers defend their rights. But none of this changes anything as concerns who bears the responsibility for the phony lockout.

The president of the bricklayers' union has denied that his members are doing the work of 1005 members. They even seem to think that the judge vindicated their disrespect when he issued an injunction against Local 1005, saying that scabbing is legal in Ontario. They say they should be let back into the Labour Day Parade because Local 1005 has provided no proof that they are scabs. As one of our members put it, "They are the proof. What more proof do they want?"

Clearly, they are not merely doing what it takes to maintain the ovens. Clearly, they are facilitating the production of large amounts of coke, which is by no stretch of the imagination destined for use in Hamilton. Clearly, this is not contributing to pressuring U.S. Steel to bargain in good faith. Do the bricklayers deny that the patching work they are doing is work Local 1005 members would otherwise perform?

Do the bricklayers deny that whether or not they are personally engaged in the work of operating the coke ovens, including lids, sides and coal handling, this work is normally performed by members of Local 1005 and the ceramic work and patching permit the salaried personnel to perform the work of members of Local 1005?

If this is not the definition of a scab, what is? Perhaps Brother DiMaria would be so kind as to enlighten us on his definition of a scab.

We urge the Bricklayers' Union to withdraw their support for any work done inside U.S. Steel's Hamilton Works as of September 4, 2011. We call on all Hamilton bricklayers to urge their union to take an honest stand on this matter so as to restore the dignity of their union and earn their rightful place in this year's Hamilton Labour Day parade.

P.S. A hint to Benedict Arnold – Crowing is an attribute of roosters, not reporters. There is no disunity in Hamilton's labour movement. There is a problem which we are sorting out and will do so by strengthening our unity, not undermining it as you would wish. Find yourself another perch.

What the Workers Had to Say

"Glasrock has 4-5 bricklayers in a crew who go in a week at a time. They may work 8-12 hours a day. Before the lockout the ceramic welding and patching only took 4 hours a day and, if there were bad cracks, they may work 8 hours. Are we to believe that at \$5,000 a week, they are just sitting around waiting for cracks to appear in the coke ovens?"

"Labour Council should call on the Bricklayers Union to do the right thing and stop siding with U.S. Steel. They should refuse to cross the picket line and join The People vs. U.S. Steel.

"Is Steve Arnold implying that if we had an affidavit from a salary person or from one of the bricklayers that they are doing our work, then they could be legitimately called scabs but at present there is no proof?"

"Trevor Harris has lost his GPS again. By adding phony righteousness to his phony lockout he thinks he is fooling who exactly?"

"It would be laughable if it were not so pathetic to see the likes of Trevor Harris join our own Benedict Arnold at the Speculator Scabulator in thinking they can teach the folks in Steeltown what it means to be a scab."

"The reality is this. Coke is being produced in Hamilton while the Local 1005 workers who would normally produce the coke are locked out. These salary people and anyone else who goes into the plant to help U.S. Steel is shafting the workers at Local 1005."

"These scabs are helping U.S. Steel impose its dictate on the members of Local 1005. That is bad enough. But now we are supposed to apologize to the scabs? That's a laugh and a half!"

"These bricklayers are helping US Steel shaft the 9,000 pensioners by eliminating their indexing. And let's be clear about something. At one time Stelco employed about 100 or so bricklayers directly, who were members of Local 1, and they received a pension from the Local 1005

pension plan. These pensioners have already lost two indexing raises because of U.S. Steel's actions. The bricklayers who are going across the picket line are helping to shaft their own!"

"USS needs Hamilton coke in the U.S., as its main coke batteries at Clairton have not yet been rebuilt following the most recent explosion. [USS CEO] John Surma has made a big fuss about the high cost of coke on the open market. Why would Hamilton bricklayers help him undermine us?"

"Thousands of people in this city have made sacrifices and made wonderful donations to help us in this fight for our rights. None of them have a problem respecting our picket line."

"Crossing the picket line and receiving \$5000 a week to do it – is there any confusion on what this should be called?"

"And they want to proudly march in the Labour Day parade to show worker solidarity? You've got to be kidding!"

Injunction

As a citizen I can obey an injunction. As a Canadian I cannot stand by and watch as the air, water and lands are polluted for the almighty dollar.

I cannot stand by as the Canadian economy and social structures are destroyed for the almighty dollar.

Thereby I cannot obey an injunction to stand by and let my country be raided, looted and raped for the almighty dollar.

If you want the people to obey the injunction and cease and desist; an order must also be given to the companies that are causing the upheaval.

The companies are likely to ignore the order because they have broken agreements with the Federal government as well as retirees.

They have also threatened and bullied the City Council or Municipal government.

**To contact USW Local 1005: Call 905-547-1417 or e-mail info@uswa1005.ca.
Visit the website: www.uswa1005.ca**