

PRESIDENT NIXON INSTRUCTED the Department of Justice to apply for a Taft-Hartley injunction ending the longshore strike on the Pacific Coast. Although the Board of Inquiry appointed by the President under the Taft-Hartley Act was instructed to act on both the East and Gulf Coast strike of the ILA, and the Pacific Coast strike of the ILWU, it recommended only that an injunction be issued against the ILWU and the Chicago Grain Handlers, Local 1121, of the ILA.

On Saturday, September 25, 1971, I met with the President in Portland. Here is a portion of the official transcript of President Nixon's remarks to the news media in Portland:

"Having said that, let us suppose that, as some have indicated, that we will be confronted very soon with an eastern longshore strike. If you have an eastern longshore strike, and western longshore still continuing, Taft-Hartley automatically is going to be applied, because then the damage is going to be very great."

The President originally stated that there was no emergency affecting health and safety and national welfare on the Pacific Coast.

The claim that there is a dire national emergency affecting the health of the nation on the Pacific Coast is just not so. Here are facts:

- Military shipments from Pacific Coast ports have continued uninterrupted. During the month of August 1971, 85 vessels carrying about 400,000 measurement tons of cargo was shipped from Pacific Coast ports.
- An emergency relief cargo at the request of President Nixon, amounting to about 30,000 tons of bulgur wheat from Seattle, Astoria and Long Beach, was loaded to India for refugees from East Pakistan.
- Another emergency request to load 5,000 tons of cargo for a NASA project to Mars was granted by Local 19, Seattle, upon urging of the federal government.
- Hawaii longshoremen were not struck and Hawaii was being serviced from the East Coast and Vancouver.
- Terminal grain elevators up and down the Coast were reopened to receive grain and other agricultural products.
- Rice shipments for Puerto Rico were taking place from Sacramento by rail to the Gulf and then to Puerto Rico by water.
- Perishable cargo was released at the start of the strike.
- Cargo on the docks was released six weeks ago by the decision of the Strike Strategy Committee.
- Passenger ships were operating so as not to destroy what was left of the American passenger fleet.
- Ensenada, Mexico, Vancouver, BC, and Alaskan ports were open.

Shipowners were hurting and commercial cargo was not being delivered but there was no real emergency threatening national health and welfare.

So what happened between September 26 and October 4 which made the big change? All the major ports on the Atlantic and Gulf Coasts went on strike!

The question of dock strikes creating a national emergency underwent a prolonged government investigation last year. A joint interdepartmental study conducted under the supervision of the then Secretary of Labor, George Schultz (now head of Emergency Management for President Nixon), reported in January, 1970: "The strike had no visible impact on the economy as a whole—industrial production, retail sales, national income or total employment." The report further stated:

"The general pattern in all three strikes was: Some buildup in both exports and imports in the month before the longshore contract was due to expire; and an additional buildup the month before the Taft-Hartley injunction expired; sharp drops in both exports and imports during the month the ports were closed; and then a significant recovery in the two or three months following the final settlement.

Also, "there appears to be no evidence of a permanent loss of export markets because of the strike. Any permanent losses would presumably show up in a slowdown in the rate of growth, of exports or imports not directly traceable to other causes—no such slowdown appears in the data."

The only national emergency seems to be the possibility of two unions—the ILWU and ILA—uniting to fight against common employers and for similar demands. Such a development could easily be viewed by shipping companies as a real emergency stopping their operations. But affecting national welfare? NO!

In the meantime, the objective of the employer propaganda and lobby machine was to prevent a situation where both the ILA and the ILWU would be on strike at the same time against substantially the same

employers. The combined power of both coasts could obviously move toward bringing victories which one coast by itself could not do.

So on September 30, 1971, at least five leading shipowners from New York sent telegrams to President Nixon, demanding that he not issue a Taft-Hartley injunction in the Atlantic and Gulf Coasts strike. Let me identify some of them:

1) James J. Dickman, president of The New York Shipping Association and also a top official of the Universal Stevedore and Terminal Company of California;

2) Michael E. McAvoy, chairman of Sealand Service, Inc., a member of the East Coast Negotiating Committee and a company against whom we are on strike;

3) D. J. Talbot, president of Terminal Operating Co., Inc., stevedore firm for US Lines and other leading shipowners against whom we are striking.

The official spokesman for the Pacific Maritime Association, representing the same companies who were against a Taft-Hartley injunction for the East Coast, at the hearing before the Board of Inquiry in San Francisco, October 4 stated the PMA position on a national emergency and the need for a Taft-Hartley injunction: "We prefer to leave that matter to the Executive branch of the government."

So the executive branch of the government becomes the executive committee of the shipowners!

The reason for these two different positions by representatives of the same companies is very clear. The combined strength of both coasts acting as a unit could accomplish two things!

1. It would bring additional pressure to bear on the PMA to move toward a settlement acceptable by the ILWU.

2. It would strengthen the bargaining position of the ILA with their employers on the East and Gulf Coasts.

NOW THE DECISION before us is what do we do in the face of this unjust anti-labor injunction?

The ILWU Strike Strategy Committee unanimously recommends to all locals on strike that we comply with the injunction and return to work.

We make this recommendation because it is our judgment that the ILWU acting by itself cannot successfully defy this injunction. To defy an injunction bolstered by the full might of the federal government without the full support of the trade union movement in the USA, supported by longshoremen in foreign ports, could end in a defeat for the union.

While we return to work for the duration of 80 days, as provided in the injunction, the strike is not called off!

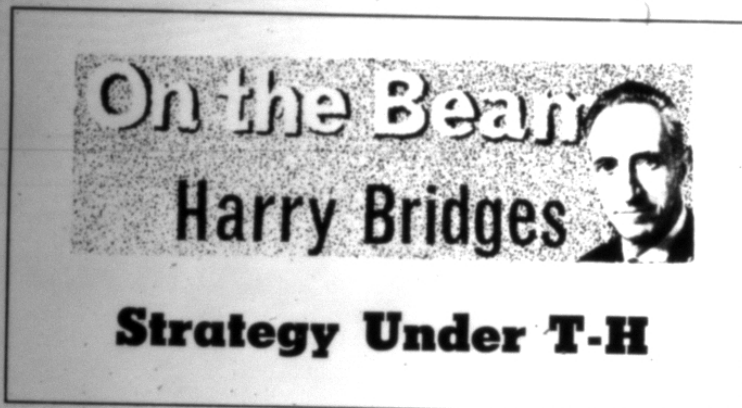
This recommendation is merely an emergency measure by the Coast Strike Strategy Committee to cope with the present situation.

The program of the Strike Strategy Committee calls for the resumption of the strike after the 80-day period, if necessary. During the period of the 80-day injunction we will establish meetings with the ILA in order that joint strategy may be formulated and then implemented at appropriate times and places.

Among the problems which must be considered by our two unions are such questions as neither union accepting nor signing any agreement which may be detrimental to the aims of the other; joint action with regard to common problems with individual companies who have operations on all three coasts; possibility of a Taft-Hartley injunction against the ILA at a later date so that the legal date to resume a joint strike will be different for both unions.

As International president I intend to explore all the possibilities of implementing an alliance between the ILWU and ILA as unanimously approved by the last meeting of the International Executive Board.

It may well be that the present situation will bring about the condition that one-time ILA president Joe Ryan (believe it or not) spoke about in 1934—a tie-up of all ports, on both coasts to win a common fight for the union demands of both unions, solidly united in a common program!



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