

MARINE ENGINEERS' BENEFICIAL ASSOCIATION (AFL-CIO)



"On Watch in Peace and War since 1875"
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In this issue//Supreme Court to Rule on Strike Protections//House Rules Package Seeks End to Congressional Unions//M.E.B.A. Juneau Rep. Has Retired//White House Issues Transport Decarbonization Plan//Solidarity Peace Prize Renamed for Richard Trumka//WSF Ridership Up Slightly//CMES Openings for Wartsila RT-Flex Classes//Graves is House T&I Chair//Halls & Offices Closed Monday for MLK Day//

SUPREME COURT TO RULE ON STRIKE PROTECTIONS

The Supreme Court heard arguments this week in a case that potentially threatens workers' right to strike and the effectiveness of the National Labor Relations Act (NLRA). Justices took up the case after an appeal by Glacier Northwest, which provides construction services and building materials, after a lower court sided against them and for a Teamsters Local in a labor dispute case.

In 2017, after the expiration of a collective bargaining agreement between Glacier and Teamsters Local 174, the union went on strike. Some Teamster drivers working for Glacier were in the process of delivering mixed concrete when the strike was called and left the job midway and returned the trucks to a company facility to participate in the strike. Glacier says the mixed concrete became unusable (though the trucks were unharmed). Glacier later filed a lawsuit against the union and argued this was intentional destruction of property not protected by the union's right to strike. The Washington State Supreme Court disagreed, finding that, while "employees must take reasonable precautions to protect an employer's plant, property, and products...economic harm may be inflicted through a strike as a legitimate bargaining tactic." The court noted prior National Labor Relations Board (NLRB) decisions upholding strikes that resulted in loss of perishable products. The State Supreme Court concluded that the strike was arguably protected under the NLRA, and therefore the NLRB should determine whether the actions taken were reasonable.

During Supreme Court arguments on Tuesday, Glacier's lawyer argued that the conduct of union members should not be covered under federal law in this case, just as "steelworkers can't walk out in the middle of a molten iron pour," "federal security guards can't leave their posts in the middle of a terrorist threat" and "a ferry boat crew can't drive their boat out into the middle of the river and abandon ship."

The Teamsters lawyer agreed that certain damaging activities as part of a strike are not permitted under the law ("you cannot burn down the factory"), but in this case, the union members were instructed to take reasonable precautions to avoid undue harm before joining the strike. Concrete doesn't harden until the drums on the trucks stop turning, and the union had instructed drivers to return the trucks with the drums still spinning before they walked off the job, which they did.

A concerted withdrawal of labor is virtually the only way employees can exert economic pressure on employers in attempting to bargain collectively. If strikes could not threaten economic loss to employers, they would be useless as bargaining tools, and employees would return to the pre-Act days of lacking any legally sanctioned bargaining power. The NLRA protects employees' "concerted activities" and explicitly recognizes the right to strike. The right to strike is essential to a core purpose of the Act to restore "equality of bargaining power between employers and employees."

The U.S. Supreme Court case is *Glacier Northwest v. International Brotherhood of Teamsters Local Union No. 174*, 21-1449. AFL-CIO President Liz Shuler said that "Glacier's argument flies in the face of long-standing precedent and is a direct attack on the right to strike, a pillar of any democracy...It is crucial to the livelihoods of America's workers that the U.S. Supreme Court affirm the lower court's decision."

Teamsters General President Sean O'Brien said "The anti-worker case before the Court is undemocratic and disregards long-standing legal precedent. It is about corporations using the legal system to try to deny workers their inherent power. Regardless of the outcome, Corporate America will fail in such pursuits because American workers will never be broken...The right of workers to strike must be preserved and protected."

The high court's decision is expected sometime in June.

HOUSE RULES PACKAGE SEEKS END TO CONGRESSIONAL UNIONS

After Republicans took control of the House of Representatives last week, the majority party passed a Rules package dictating the course of House operations that includes an anti-worker provision. The Rules plan includes some of the concessions made by GOP leadership to help secure enough Republican votes to enable Rep. Kevin McCarthy's election as House Speaker. Some of the more publicized provisions in the 55-page package include certain limits on spending, elimination of automatic debt limit increases, weakening the Congressional Ethics Office and restoring the ability for a single member to force a vote to remove the Speaker.

But another lesser-known provision within the Rules package looks to cut off collective bargaining rights for Congressional staffers. Democrats had previously given the green light to allow the 9,100 House staffers to unionize.

The Congressional Workers Union, representing Hill staffers was formed soon after the initiative was endorsed by the former House Majority party last year. Since then, six House offices were successfully unionized by the CWU which asserted that staffers had been long subjected to minimal protections as well as grueling work conditions that exacerbated burnout and turnover rates. A non-partisan study released early last year found that 1 in 8 Congressional staffers are not paid a living wage and that their insufficient pay is hindering recruitment and retention.

The CWU reacted with chagrin to the provision in the GOP-passed Rules package which they described as anti-worker and anti-union language from the same party "that claims to value America's working class."

"We have no plans to stop our unionization drive," a CWU statement read, "and this has in fact invigorated workers to want to utilize their collective power even more and cement our seat at the table no matter what party is in control. Our right to a democratic workplace is here to stay."

M.E.B.A. JUNEAU REP. HAS RETIRED

M.E.B.A.'s longtime Representative in Alaska has decided to take a well-deserved retirement after 20 years at his post in Juneau. Ben Goldrich eased into reduced operating status with 30 years under his belt as an M.E.B.A. member. He has been the Union's point person in the Last Frontier since 2003 assisting our mariners on the Alaska Marine Highway System and our members working for the City & Borough of Juneau, who toil on a wide range of municipal jobs.

Ben noted, "It has been a real honor to work for you and I will miss it... I know the Union is strong and in good hands and they will continue to fight for you. I recommend retirement, it is awesome."

Thanks Ben! While the Union considers a more permanent arrangement, M.E.B.A.'s Seattle Patrolman Kevin Cross will be handling Alaska-related matters in the interim. He can be contacted at the Seattle hall. The Juneau phone and email (alaska@mebaunion.org) are being directed to him.

WHITE HOUSE ISSUES TRANSPORT DECARBONIZATION PLAN

This week, the White House issued a strategy for cutting greenhouse emissions from the transportation sector by 2050. Called the U.S. National Blueprint for Transportation Decarbonization, the plan was developed by the Departments of Energy, Transportation, Housing and Urban Development, and the Environmental Protection Agency.

The Blueprint focuses on a three-pronged strategy for achieving that end: 1) Increase convenience - Community design at the local and regional level so that work and the amenities people need are located near where they live; 2) Improve efficiency - Expand options like public transport and rail, and improve efficiency of all vehicles; and 3) Transition to clean options - Deploy zero-emission vehicles and fuels. This is the key strategy that will drive the most emissions reductions.

The Blueprint will be followed by more detailed decarbonization action plans, to be developed and implemented by those agencies in cooperation with governments at the State, local, and Tribal level, philanthropic organizations, the private sector, and global partners.

"Transportation policy is inseparable from housing and energy policy, and transportation accounts for a major share of US greenhouse gas emissions, so we must work together in an integrated way to confront the [climate crisis](#)," said U.S. Secretary of Transportation Pete Buttigieg. "Every decision about transportation is also an opportunity to build a cleaner, healthier, more prosperous future. When our air is cleaner; when more people can get good-paying jobs; when everyone stays connected to the resources they need and the people they love, we are all better off."

SOLIDARITY PEACE PRIZE RENAMED FOR TRUMKA

Former AFL-CIO President Richard Trumka, who died last August, was posthumously presented with the Irish Peace Foundation's World Peace Prize For Solidarity and the award was renamed in his honor. Trumka was a former recipient of the World Peace Prize Roving Ambassador for Peace award and delighted in the fact that this special award recognized the beneficial change labor unions create through [solidarity](#) and the pursuit of justice.

The posthumous award, which Trumka had agreed to receive before his death, was presented at a function in Baltimore, MD last week and his wife Barbara and son Rich Jr. accepted the award on

his behalf. This year, the prize was re-named the “Richard L. Trumka World Peace Prize For Solidarity,” and it was presented for the first time to the general president of the International Union of Elevator Constructors Frank J. Christensen.

WSF RIDERSHIP UP SLIGHTLY OVER PREVIOUS YEAR

Washington State Ferries carried 17.4 million riders in 2022, a ridership increase of roughly 100,000 – or 0.5% – over 2021. The rise in annual ridership was fueled by a strong increase in walk-on passengers as tourism and in-person work rebounded from the COVID-19 pandemic. Walk-on passengers increased by 500,000 – or 17.8%. Overall ridership growth was more modest as the number of vehicles carried dipped a bit, possibly because new travel patterns are emerging even as pandemic restrictions have lessened. Since late 2021, WSF has been working to restore service to pre-pandemic levels on a route-by-route basis.

After two years of vehicles outnumbering [passengers](#) for the only time in its history, WSF returned to carrying more passengers (8.8 million) than vehicles (8.6 million) last year. While it is difficult to forecast trends in the still-evolving “new normal,” ridership is expected to steadily increase in the years ahead.

OPENINGS FOR CMES FEB. & APRIL WARTSILA RT-FLEX CLASSES

The Calhoun M.E.B.A. Engineering School has announced that there are still spots available for upcoming Wartsila RT Flex Basic and Operator classes. They include:

- ***RT Flex Basic*** (3-day course, Monday-Wednesday) - No time required on a flex engine. Dates: February 13–15; April 24–26.
- ***RT Flex Operator*** (5-day course) - Time on a flex engine recommended. Dates: February 6–10 (limited space available); April 17–21;

Neither of these courses are company specific and are open to any member meeting eligibility requirements to attend the CMES. Applications should be submitted as normal and can be sent via the CMES website (mebaschool.org), faxed to (410) 822-7220, or emailed to applications@mebaschool.org

GRAVES SELECTED AS HOUSE T&I CHAIR

Congressman Sam Graves (R-MO) has been selected to serve as Chairman of the Transportation and Infrastructure Committee in this 118th Congress. Graves has served as the Committee’s Ranking Republican Member for the last four years and has been a strong proponent for U.S.-flag shipping.

The House Transportation and Infrastructure Committee is critically important to the M.E.B.A. given its jurisdiction over legislation and regulations pertaining to the U.S. Merchant Marine (i.e. Jones Act, cargo preference, etc.), ocean shipping, and America’s ports and waterways. In addition, the committee conducts oversight of key agencies such as the U.S. Coast Guard, the Maritime Administration, and the Federal Maritime Commission.

Rep. Graves said, “It’s now one of the greatest honors of my life to be chosen by my colleagues to chair what I believe is one of the most important and effective committees in Congress. America cannot prosper without a safe and efficient transportation network that meets the economic needs of our diverse states and communities.

The new Ranking Member of the Committee, Rep. Rick Larsen (D-WA), was pleased with the selection and said, “we have a lot of work to do to keep the economy moving and to build a safer and more accessible transportation system. Sam has a well-deserved reputation for serious policy-making and good faith bipartisanship, and I look forward to a fruitful partnership in the 118th Congress.”

M.E.B.A. HALLS AND OFFICES CLOSED MONDAY TO HONOR MLK

M.E.B.A. Union halls and offices will be closed on Monday, January 16th in honor of Martin Luther King, Jr. Along with his exceptional leadership in advancing civil rights, MLK was a champion for workers and for those seeking union recognition. He believed that unionization is one of our most important civil rights. At the Illinois AFL-CIO Convention in 1965, King declared, “The labor movement was the principal force that transformed misery and despair into hope and progress. Out of its bold struggles, economic and social reform gave birth to unemployment insurance, old-age pensions, government relief for the destitute and, above all, new wage levels that meant not mere survival but a tolerable life.”

NEXT MONTHLY MEMBERSHIP MEETINGS *(All times are local)*

Monday, February 6 – Boston@1200; Seattle (Fife)@1300.

Tuesday, February 7 – CMES@1430; Charleston@1400; Houston@1315; Oakland@1230.

Wednesday, February 8 – Jacksonville@1300; **New Orleans@1315; Online HQ “Town Hall” Meeting@1300 (No Voting) – Register by emailing mebahq@mebaunion.org**

Thurs. February 9 – L.A. (San Pedro)@1230; NY/NJ@1300; Norfolk@1300; Tampa@1300.

Friday, February 10 – Honolulu@1100.

-----FINISHED WITH ENGINES-----



*M.E.B.A. does not tolerate assault, or harassment of any kind.
If you see something, say something – The M.E.B.A. Emergency Hotline
can be reached at 1-888-519-0018.*

The M.E.B.A. is the nation's oldest maritime labor union, established in 1875. M.E.B.A.'s expertise and demonstrated track record of readiness, safety, and loyalty in answering America's call to action in times of both peace and war is unrivaled in the world. M.E.B.A. HQ – Phone: (202) 638-5355; mebahq@mebaunion.org. For publication and related inquiries (and to send photos & hot news tips) contact Marco Cannistraro, M.E.B.A. Special Projects & Communications – marco@mebaunion.org. Visit us on Facebook, follow us on Twitter and check us out on Instagram.