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# NEWS SERVICE

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## Striking Mail Haul Drivers Face Violence

# APWU Members Strike In Memphis!

Members of the Memphis, TN Area Local APWU went out on strike against the H.B. Phillips and J.E. Phillips companies on April 3 and 4, 2001. The workers have been trying to negotiate a contract with their employers for more than 18 months, while the companies have continued to commit unfair labor practices—including harassment and intimidation. H.B. Phillips and J.E. Phillips contract with the US Postal Service to haul mail, and together employ about 100 workers represented by the APWU.

APWU national business agent and lead negotiator Mike Morris reported that the union has been unable to reach agreement with management on any meaningful provisions—not even just cause or a grievance procedure. The NLRB has upheld unfair labor practice charges against H.B. Phillips, while charges against J.E. Phillips are pending.



Members of the Memphis, TN Area Local APWU are on strike against the H.B. Phillips and J.E. Phillips companies. The workers, who have been trying to negotiate a fair and decent contract with their employers for more than 18 months, have been subjected to physical assaults, harassment, and intimidation.



“After more than a year and a half of frustration as management refused to bargain in good faith, the drivers felt they were left with no alternative. They voted overwhelmingly to strike,” said Morris.

APWU President Moe Biller, Morris and local President Maria Johnson, along with several drivers, served notice on the companies that the drivers were going out on an unfair labor practice strike.

Leading the charge, Biller carried an 18-by-24 inch declaration of demands to hand to the chief of each company as he notified them: “We are officially on strike against your company for unfair labor practices!”

The demands called for each company to: cease all unfair labor practices and illegal acts against its drivers and mechanics; agree to treat all drivers and mechanics with dignity and respect at all times; and agree to immediately negotiate in good faith a decent contract for its drivers and mechanics with the APWU.

### Strikers Endure Assaults and Harassment

APWU strikers who are peacefully participating in the unfair labor practice strike have endured threats and physical assaults by strikebreakers, as well as police intimidation and harassment.

A number of APWU members have been struck by vehicles driven by scabs, while others have narrowly avoided being run down. Strikebreakers have threatened APWU members with brass knuckles, including one incident that took place on USPS property. The strikebreakers also carry firearms onto US Postal Service property.

“I have been in a lot of strikes but have never seen the odds stacked so overwhelmingly against us. Yet, we have been able to overcome the Postal Police, city police and the rich companies and their goons,” observed APWU driver/organizer John White.

“The courageous workers striking in Memphis are struggling to win a decent first contract. APWU will continue to fight by their side until they get the dignity and respect they deserve,” said APWU President Moe Biller.

APWU leaders and members from around the country traveled to Memphis to support the strikers, including Research and Education Director Joyce Robinson, Human Relations Director Sidney Brooks, Organization Director Frank Romero, and national business agents Greg Poferi and Ron Nesmith. Members came from St. Paul, Minneapolis, and the Twin Cities PDC, MN; Chattanooga and Nashville, TN; Tupelo and Jackson, MS; Gadsden, Florence, Tuscaloosa, Birmingham, and Montgomery, AL; Austin and Dallas/Ft. Worth, TX; Little Rock, AR; Shreveport, LA; Albuquerque, NM; Topeka, KS; Worcester, MA; and the Memphis area.

“I couldn’t be more grateful to the hundreds of APWU brothers and sisters who traveled from around the country to support our strike. It was truly inspirational and powerful, and made me so proud to be part of this great struggle in Memphis,” said local President Johnson.

## Correction

The March 22, 2001, letter from APWU Executive Vice President William Burrus to the Board of Governors of the United States Postal Service—reproduced in the March 30, 2001, APWU News Service bulletin—contained a typographical error in two places, both in the second paragraph. The third sentence of the second paragraph should read as follows: “USPS financial data clearly reveals that bargaining unit postal employees governed by collective bargaining agreements consume but 57 percent (37 billion) of operating revenue (64 billion.)”

# ***Biller to APWU Members: ‘Stand Up and Fight!’***

**APWU President Moe Biller has denounced the Postal Board of Governors for their latest missile aimed at postal workers and the American public—a proposed reduction to 5-day mail delivery, and consolidation of postal facilities. Biller assailed this latest USPS announcement, coming just one day before outgoing Postmaster General William Henderson made his final appearance before the US House of Representatives.**

“How can the Postal Service claim with a straight face a \$200 million profit one year, then just a few months later proclaim a \$2-3 billion potential shortfall for this year—and announce drastic service-reduction proposals, and consider a new rate case all at the same time?” Biller said. “It adds up to a perfect scenario for advocates of postal privatization!”

## **Board of Governors Attack Continues!**

The day before the April 4 Congressional hearing began, the Board of Governors directed a study by the Postal Service to consider five-day delivery, announced spending reductions of \$2.3 billion by 2003 and over the next five years to cut 75,000 work years, squeeze administrative costs by 25 percent, and reduce transportation costs by 10 percent.

In the Board’s press release, they stated, **“Among the fiscal challenges faced by the Postal Service is a potential loss of \$2 billion to \$3 billion this fiscal year. Contributing factors include very little control over some labor costs, with arbitrated wage rate increases that can exceed the rate of inflation. . . . Employee compensation accounts for 76 percent of Postal Service costs. The law governing postal operations provides neither a mechanism to control wage rates nor to adjust postage rates quickly in response to market changes.”**

## **The ‘Postal Reform’ Scenario**

This is a blatant effort by the Postal Service to bully the Congress and the American public into

accepting their idea of postal reform (HR 22 or its equivalent), suggesting that failure to do so will result in immediate and drastic service reductions that threaten universal service. Coincidentally, this is the first time since 1954 that Republicans control the White House, House and Senate (with Vice President Cheney’s tie-breaking vote).

In summary, the Postal Service has created a phony ‘crisis’ that took the Postal Service from a \$250 million surplus to a \$2-3 billion deficit projection within a few short months.

The USPS has proposed and/or is implementing the following:

- Cancel capital investment projects
- Consolidate mail processing
- Conduct five-day delivery study (to be completed within 90 days)
- Close rural post offices (consolidations)
- Question the cost of labor through the collective bargaining and arbitration process
- Reduce 75,000 work years over the next five years.
- Squeeze administrative costs by 25 percent
- Reduce transportation costs by 10 percent

It should be noted that six-day mail delivery has been protected since 1977 by statutory language in the Treasury-Postal Appropriations bill, which authorizes its continuation through October 1, 2001 (the beginning of the next fiscal year).

## **APWU Action Needed Now!**

All APWU members, Auxiliary members and retirees are urged to contact their Senators and Member of Congress to urge that they do the following:

- Oppose five-day delivery
- Oppose closing rural post offices
- Oppose consolidating postal facilities
- Support universal postal services throughout the United States.

The US Capitol switchboard number is **202-224-3121**.

## **‘Paycheck Deception’ Amendment Defeated**

# ***Senate Passes Campaign Finance Reform Bill***

**On April 2, 2001, the US Senate voted 59-41 for the McCain-Feingold campaign finance reform bill, S 27. Under S 27, election campaigns would change in several ways.**

“Soft money” contributions to political parties would be banned. Unlimited soft money contributions have been used for party-building activities such as voter registration and get-out-the vote efforts. (APWU does not make, and has not made, soft money contributions to either the Democratic or the Republican national party. All APWU campaign contributions are from voluntary donations made to APWU’s Committee On Political Action—COPA.)

“Hard money” limits on contributions by wealthy individuals would be increased from \$1,000 to \$2,000. Political action committees such as APWU COPA could donate \$5,000 to a campaign per primary and general election (an unchanged amount), and \$25,000 to a political party.

Issues advertisements by corporations, unions, and interest groups which name a candidate for federal office would be prohibited within 60 days of a general election and within 30 days of a primary election. This provision was made applicable to interest groups, such as the National Right to Work Committee, through an amendment proposed by Sen. **Paul Wellstone** (D-MN), which passed 51-46. However, the amendment fails to impose a similar restriction on wealthy individuals.

## **‘Paycheck Deception’ Defeated 69-31**

During debate on the McCain-Feingold bill, Sen. **Orrin Hatch** (R-UT) introduced a “Paycheck Deception” amendment, to require unions and corporations to obtain annual written permission from dues-paying members (of unions) and shareholders (of corporations) before spending money on political

activities. It should be noted that no union member in the United States can be forced to pay dues for union political activities.

All 50 Democratic senators, and 19 Republican senators, voted “no” on the amendment. The Republicans are: **Ted Stevens** (AK), **John McCain** (AZ), **Tim Hutchinson** (AR), **Ben Nighthorse Campbell** (CO), **Peter Fitzgerald** (IL), **Olympia Snowe** (ME), **Susan Collins** (ME), **Thad Cochran** (MS), **Chuck Hagel** (NE), **John Ensign** (NV), **Pete Domenici** (NM), **Mike DeWine** (OH), **Don Nickles** (OK), **Jim Inhofe** (OK), **Arlen Specter** (PA), **Lincoln Chafee** (RI), **Fred Thompson** (TN), **Kay Bailey Hutchison** (TX) and **Jim Jeffords** (VT).

The vote was a major victory for unions and union members, especially in light of President Bush’s statement of support for “Paycheck Deception.”

## **The Final Vote**

In the final vote on S 27, 12 Republicans joined 47 Democrats for passage, while 38 Republicans and three Democrats voted against the bill.

Voting for S 27 were the following Republicans: **Lincoln Chafee** (RI), **Thad Cochran** (MS), **Susan Collins** (ME), **Pete Domenici** (NM), **Peter Fitzgerald** (IL), **Jim Jeffords** (VT), **Richard Lugar** (IN), **John McCain** (AZ), **Olympia Snowe** (ME), **Arlen Specter** (PA), **Ted Stevens** (AK) and **Fred Thompson** (TN).

The three Democrats voting “no” were **John Breaux** (LA), **Ernest “Fritz” Hollings** (SC) and **Ben Nelson** (NE).

The House of Representatives, which has twice previously passed campaign finance reform legislation, is expected to consider the bill, although it is bitterly opposed by the House majority leadership, especially House Whip **Tom DeLay** (R-TX).

## **Breaux Introduces New Bill in Senate**

# ***Bush Signs Repeal of Ergonomics Rule***

**President George W. Bush signed PL 107-5 on March 20, 2001, repealing the federal ergonomics regulations as called for in SJ Res 6, which Congress passed under the Congressional Review Act. This action by the Republican-controlled Congress, Senate and White House is a vicious attack on all working Americans.**

In his signing statement, Bush wrote, “In this instance, though, in exchange for uncertain benefits, the ergonomics rule would have cost both large and small employers billions of dollars and presented employers with overwhelming compliance challenges.

“The safety and health of our Nation’s workforce is a priority for my Administration. Together we will pursue a comprehensive approach to ergonomics that addresses the concerns surrounding the ergonomics rule repealed today. We will work with the Congress, the business community, and our Nation’s workers to address this important issue,” he continued.

Secretary of Labor Elaine Chao released a letter stating that once Bush signed the ergonomics repeal, she would “pursue a comprehensive approach to ergonomics which may include new rulemaking that addresses the concerns levied

against the current standard.” (Emphasis added.)

## **New Ergonomics Bill Introduced in Senate**

Two days after President Bush killed the ergonomics rule, Sen. **John Breaux** (D-LA) introduced S 598, which calls for another ergonomics rule to be issued within two years of the bill’s enactment. This will mean, at a minimum, an additional two years of Americans’ needlessly suffering musculoskeletal injuries, at a rate of more than 600,000 annually.

Under Breaux’s bill, the new ergonomics standard would address work-related musculoskeletal disorders and workplace ergonomics hazards; it would not apply to non-work-related musculoskeletal disorders that are aggravated by work. Under his bill, new ergonomics regulations would set forth in clear terms: the circumstances under which an employer is required to take action to address ergonomics hazards; the measures required of an employer under the standard; and the compliance obligations of an employer under the standard.

Introducing the bill along with Breaux were Sens. **Arlen Specter** (R-PA), **Blanche Lambert Lincoln** (D-AR), **Ted Stevens** (R-AK), **Mary Landrieu** (D-LA), **Ben Nelson** (D-NE), **Max Cleland** (D-GA), **Zell Miller** (D-GA) and **Tim Johnson** (D-SD).