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**AN INJURY TO ONE IS AN INJURY TO ALL**

## The Janus Decision – Organized Labor’s Response

By Blair Bertaccini

Former President, AFSCME Local 269

Past President, Western Connecticut CLC

Some time in February 2018 the US Supreme Court will hear oral arguments in the Janus vs. AFSCME case and will most probably render a decision in June or at the latest in October of this year. Public sector unions are expecting an unfavorable decision given the current composition of the Supreme Court and the judicial history of the five conservative members of the court. The decision will most likely make every public sector bargaining unit in the United States an open shop, abolishing agency fees for employees who do not sign a membership card and allowing all current members to drop out of the union if they wish.

Most public sector unions are currently conducting a campaign to sign up current fee payers as union members and/or speaking to current members about the upcoming decision and its implications. Even if these efforts are highly successful, all public sector unions will suffer some level of drop in income due to the decision. This expected shortfall has caused some of them to enact budget reductions and cutbacks in staff. Some are so focused on their internal campaigns to retain members that they have stopped even considering conducting campaigns to fight back against other right wing assaults on the US working class, such as the recent Republican tax legislation, and are content to issue statements expressing their opposition or at best to engage in small symbolic actions.

Panic and resignation seem to be the reactions to this impending major change in the legal field in which public unions must operate. Whether this change proves to be an existential attack on the labor movement leading to its sidelining or elimination as a relevant force in the political economy of the United States could be decided within a few years after the decision.

Many union activists are asking what the response should be to this decision, what must we change to not only insure our survival but turn us into a powerful movement that will unite workers across the country to fight for and win working class power.

To answer that question we need to look at how we got into a situation in which a Supreme Court decision could threaten our existence.

For too long most unions have depended on legal frameworks: grievance procedures, arbitration, NLRB or state labor relation board rulings, court cases, passage or defeat of legislation as the main battle ground for winning (or more recently losing) better working conditions, wages and



*New York State teachers rally in front of the Supreme Court building.*

benefits for their members. These forums should be part of any union’s strategy but they are no substitute for militant tactics and actions conducted in the workplace.

Many public sector unions gave up the right to strike in order to win the right to collectively bargain for their members and often fight to preserve a binding arbitration system which is stacked against them. One of the first tasks activists should fight for is the restoration of the fundamental right to strike in those states in which they do not have it.

For union members to have allegiance and investment in their union they must see it as an organization that values their ideas and participation. They must see their fellow members as people who will protect them and fight with them to win a better life on the job and in their community. This is what solidarity means.

We must not only have solidarity at the workplace but amongst all workers as a class of and for itself. Many unions are afraid that they will not be able to function with less staff, believing that their members will be incapable of survival if left to be more self-sufficient. This will prove to be true if the current campaigns to retain members do little or nothing to develop and find worksite leaders and militants who can organize and fight. If the campaigns are basically transactional, that is, paying dues so you can have benefits, modest wage increases and grievance protections, then their efficacy is dubious. Many unions have suffered recent setbacks in all those areas, so members will be asked to keep

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## Legendary Alabama Union Militant Hosea Hudson and the Doug Jones People’s Victory

By Joseph Hancock, Editor, Labor Today

& Dr. Frank Goldsmith, Regional Coordinator,

WFTU North American Region

Hosea Hudson lived a 90 year long life (1898-1988) especially as a steelworker trade unionist in the powerful mills of Alabama. His highly successful life as a political organizer was only cut short by the Un-American fascist-like McCarthyism as imposed in the industrial Deep South state of Alabama. As a Black political activist Hudson was dealt the sharpest attacks by the steel bosses, Hoover’s FBI and local Right-wingers. His joining and becoming a leader of the Communist Party USA was a logical step. Undeterred, Hudson continued his great working-class career. In the McCarthy witch hunt period, Hudson was removed from the Birmingham Industrial Union Council, and as President of Local 2815 of the United Steelworkers of America (USWA) (a union that he helped found). He was fired from his job at the steel mill in 1947. (See his book: *Black Worker in the Deep South* Hosea Hudson, International Publishers, New York, 1972) During this period, because of racism, union locals were segregated into Black and white workers. This did not change in the USWA until the early 1960’s.

Doug Jones’s grandfather and father were steelworkers at the US Steel plant in Fairfield, AL, through that same period. Jones’ law firm represents the USWA in Alabama. Given the silence required through the racist, anti-communist period, and up to today, one can only assume that Senator-elect Jones’s lineage encapsulated that full devastating experience. He proudly talks about his industrial background. How many elected officials speak about their industrial background? He rejected the terrible racist past of Alabama.

The International Union of Mine, Mill, and Smelter Workers (Mine-Mill) represented racially integrated, class



Hosea Hudson

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## Is it Déjà vu all over again? You decide

By Joseph Hancock  
Editor, *Labor Today*

I was rummaging through some old materials I found from when I was a UFCW Shop Steward. I came across a copy of California Labor News from June of 1999. Guess what the lead story was about? “Prevailing wage is now state law.” (Prevailing wage means the regular wage for a particular line of work, not the minimum wage.) The story told how former Governor Pete Wilson tried unsuccessfully for five years to lower prevailing wages in the golden state by changing rate calculations. Building trades unions rallied in Sacramento and Los Angeles, and eventually sued to prevent a pay cut estimated at 20%. The trades won their legal battle with the Governor. How much did that cost the union treasury? State Building Trades President Bob Balgenorth said at the time, “Pete Wilson tried to take a wrecking ball to construction workers’ pay; and bring down their unions along with it. This bill [SB 16] makes sure that a fair wage structure, built over the last forty years, can’t be brought down by those who favor greed over fairness.” Now the modal rate, the single rate paid to the greatest number of workers in an industry and area, is the correct method by law. SB 16 became law on June 1, 1999.

Pete Wilson is also the Governor that campaigned hard to bring a right-to-work law (which allows workers to avoid paying union dues, even though they are represented by the unions) to California. A right-to-work bill was prepared in the state assembly. Only the mobilization of the trade unions kept the bill from moving forward. My quick arithmetic tells me that from 1999 was 19 years ago. Yet, here we are fighting the same battle. At the federal level, Representatives Steve King (IA) and Joe Wilson (SC) have introduced national right-to-work legislation. King has also introduced a bill to repeal the Davis-Bacon prevailing wage act which has protected the wages of construction and maritime workers since 1931.

This is what Robbie Hunter, the current President of the State Building and Construction Trades Council had to say on the subject last July in an Op Ed piece in the *Los Angeles Daily News*: “The idea behind the prevailing wage is to keep unscrupulous operators from low-bidding the legitimate competition to the detriment of the local workforce. The effect has been to allow blue-collar workers — 450,000 of whom are represented by the State Building and Construction Trades Council of California — to maintain their place in the American middle class.” (*Los Angeles Daily News*, July 5, 2017)

The choice is yours. All workers must mobilize to stop “right-to-work” laws. And make sure you register and vote. This year it matters, unless you prefer life as it was in 1999 with its lower wages and benefits and abuse on the job. Independent political action on the part of class-oriented trade unionists is the only road ahead. Better talk to your fellow workers. That’s the safe and healthy bet.

We’ll be writing more on this pivotal election and what’s at stake: saving and expanding Cal-OSHA, fighting for public health and hospital improvements, working class affordable housing, Medicaid, fighting against the Trump administration’s bad environmental disasters, and always keeping a peaceful world in sight.



**NO CUTS**  
to  
**Social Security**  
**Medicare & Medicaid**

By David Lawrence

The just-released President’s fiscal year 2019 budget drastically cuts vital safety net programs for millions of older workers, our country’s most vulnerable citizens. The authors admit that soaring budget deficits caused by the Trump-GOP tax cuts and enormous spending increases will not be resolved any time soon.

This is all great news for the very wealthy who will get huge tax breaks, and the military-industrial complex which will vastly increase the obscene profits of war. The rest of us get to pay off government debt levels that are expected to rise by \$7 trillion over the next decade! Here are some of the worst immediate consequences of the President’s proposed FY 2019 budget

- Cuts Medicare by \$500 billion over ten years, threatening the health care of tens of millions of retired workers and their families
- Slashes \$1.4 trillion from Medicaid which covers long-term care for millions of seniors
- Calls for an estimated \$700 billion in spending reductions by repealing and replacing the Affordable Care Act, which will cut needed health care for millions of families. Includes \$64 billion in cuts to Social Security Disability Insurance (SSDI)
- Slashes \$90 million from Social Security customer service, which will delay benefits payments and create longer waits for many services
- Defunds the Low Income Home Energy Assistance Program (LIHEAP), which helps low income seniors pay their heating bills
- Fails to control health care costs by refusing to allow Medicare to negotiate lower drug prices, forcing them to pay premium prices to drug companies

Wages have been technically flat, and in practice, declining for decades due to corporate influence of politicians and public policy. Pensions have been all but obliterated over the last few decades. War has been waged against organized labor. And now, in the wake of massive tax cuts for the wealthy and profitable corporations, President Trump proposes to slash programs that help retirees and the whole working class attain proper medical care and make ends meet.

Our families, our lives are being undermined and shattered. It is time to go into the streets with our union brothers and sisters, our church members, our school friends, our entire communities. It is time to put an end to the exploitation, impoverishment, and attacks on our very existence.

Source: **National Committee to Preserve Social Security and Medicare**

## Building Trades Members Rally at Hudson Yards

Members of different unions in the building trades are rallying at 50 Hudson Yards (10th Avenue and 34th St. in Manhattan) every Tuesday at 3 PM and Thursday at 6 AM (before work). They are demanding a Project Labor Agreement, which is a pre-hire agreement designed to facilitate complex construction projects by establishing work rules, pay rates, and dispute resolution processes for every worker on the project.

The real estate developer, Related, is one of the largest developers in the city (and very close to the administration of former Mayor Michael Bloomberg). The building will cost \$4 billion to construct, and will be the fourth largest office building in the city. It is only one of 16 buildings to be constructed at Hudson Yards, the largest private construction project in US history.

In previous years, almost all major construction in New York was done with union labor. But with the increasing general attacks on labor, there have been growing attempts to use non-union labor.

The workers involved in the rallies come from all different building trades unions. They have united in this struggle, which is important for all labor. As the workers say: Count Me In.



# The Janus Decision – Organized Labor’s Response

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paying dues to keep retreating. Ultimately how convincing will that be?

William Z. Foster developed the idea of the militant minority almost a century ago, but it is still relevant today. A militant minority spread out within a union local’s worksite is the best insurance to maintain a union in an open shop. Most union members have neither the consciousness, time, nor will to be day-to-day militants within their unions but they might follow and support such leaders if they are presented with a plan in a forthright manner that explains what is at stake, why their participation is required and the risks involved.

How such a strategy will be applied will depend on each local union’s circumstances, but what must unite them is an overall plan to grow and increase power among all workers, not necessarily by bringing them in as

members, but including them in campaigns to fight corporate power and win tangible gains. Such campaigns must use the tactics of civil disobedience and non-cooperation with a system whose rules and structure were designed by our class enemies to control us and keep us from threatening the wealth and power of the few who rob us of our labor to benefit themselves.

This means militant use of these tactics in the class war in which we find ourselves. Too often civil disobedience as it is currently used in the labor movement has degenerated into a choreographed affair in which arrangements are made with the police prior to the demonstration and there is little or no inconvenience inflicted on our enemies. If our class enemies inflict pain and disruption on our lives, we must do the same to them.

Fighting for the working class and making clear to our fellow workers what that fight means needs to be the response to the Janus decision.

## Legendary Alabama Union Militant Hosea Hudson and the Doug Jones People’s Victory

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oriented trade unionism in the Birmingham District. The Mine-Mill effort lasted approximately 15 years during the 1930s and 1940s. Despite its short life, the organization influenced subsequent desegregation efforts in the civil rights movement.

A bitter campaign ensued between Mine Mill and the United Steelworkers of America (USWA) in preparation for an election to determine which organization would be recognized by the company as the official representative of the workers. The USWA attracted most of the white workers, and Black workers remained staunch Mine Mill supporters. Mine Mill lost the election and its ability to represent the workers. To Black workers, Mine Mill was much more than just another labor organization. For them, the union meant a coming of freedom, justice, and equity. The organization became a way of life that the workers cherished. With the loss of the election, many felt that this way of life had been dealt a critical setback.

The interracial, class-oriented direction of industrial organization in Mine Mill ultimately succumbed to the debilitating effects of the anti-union, anti-democratic Red Scare from within and outside of the union. Mine Mill leaders Jim Lipscomb, Frank Allen, Eugene Calhoun, Alton Lawrence, Asbury Howard, and Phil Tindle, among others, sought equality and justice for Black workers and warded off the demise of Mine Mill for 10 years. In 1949, Mine Mill lost the consent election to determine representation and never regained its former status. <http://www.encyclopediaofalabama.org/article/h-2314>

As a Junior in law school, Jones personally witnessed “Southern Justice” when those who were responsible, were not all found guilty of the 1963 planning and bombing of the 16th Street Baptist Church in Birmingham, AL, that killed 4 girls, Addie Mae Collins, Cynthia Wesley, Carole Robertson and Carol Denise McNair. FBI Director and well-known racist, anti-Semite, anti-communist J. Edgar Hoover opposed any trial for the KKK bastards who made and set off the bomb at the church. Years later in the mid-1990s as a US federal prosecutor Jones got his revenge against this vile Southern Justice by bringing to trial, trying, and convicting the last of the fascist bombers. Jones didn’t have to do this. While Bill Baxley managed to convict Bob Chambliss in 1977 for his role in the bombing of the 16th Street Baptist church, law enforcement for years had suspected others of involvement. “The church was well aware, as the families were, that there were others out there somewhere,” said Rev. Chris Hamlin, who pastored 16th Street Baptist Church in the late 1990s. “Cherry and Blanton — those were very common names.” A 1965 FBI memo had identified Thomas F. Blanton, Jr., Frank Cherry and Herman Cash (who died in 1994) as possible co-conspirators in the case.

Hudson almost lived to see that happen. While the coming weeks and months will be played out in the public media, it will be up to the trade unions, rank and file and elected leaders, to continue to bring worker and community justice to Alabama, the rest of the “South” and our whole country.

The victory of Doug Jones in Alabama is very instructive for several reasons. African-Americans came out in large numbers to vote for Jones, a product of Alabama’s rich industrial heritage and a fighter for justice for



African-Americans. Large numbers of Black women voted for Jones. The majority in Alabama voted for Jones in record numbers for a special election. Republicans were expecting a voter turnout of 25%. What they got was a voter turnout of 40-46% which is unusually high for a special election. [https://www.laprogressive.com/trump-loses-heartland/?utm\\_source=LA+Progressive+Newsletter&utm\\_campaign=fbf09c9259-LAP\\_News\\_4\\_15\\_April\\_17\\_PC4\\_15\\_2017&utm\\_medium=email&utm\\_term=0\\_9f184a8aad-fbf09c9259-286798949&mc\\_cid=fbf09c9259&mc\\_eid=69867a04e9](https://www.laprogressive.com/trump-loses-heartland/?utm_source=LA+Progressive+Newsletter&utm_campaign=fbf09c9259-LAP_News_4_15_April_17_PC4_15_2017&utm_medium=email&utm_term=0_9f184a8aad-fbf09c9259-286798949&mc_cid=fbf09c9259&mc_eid=69867a04e9)

The lesson is clear. The campaign was “old school.” They mobilized the trade unions and community organizations to turn out for Doug Jones. The campaign used the strategy and tactics of Hosea Hudson and the Black workers in Mine-Mill from the 1930’s. The campaign was a massive organizing campaign, not just on the internet, but in the streets. This is an excellent example of Black working class power, the power of women, the power of trade union unity and racial integration, and community organizing. It is a clear rejection of the money politics of Wall Street and the Democratic National Committee (DNC).

This political example shows us how to build the people’s democratic workers’ party and independent politics. It shows workers that we can win using class-oriented militant tactics. The fighting spirit of Hosea Hudson and Doug Jones gives all of us lots to use in our daily working-class struggles. This is what we must do to preserve our democracy.

“Congratulations for keeping alive the heroic contributions of Hosea Hudson. His legacy lives on in the triumph of Doug Jones, which was a peoples’ victory because the fruits of Hosea’s work are still blooming, and will continue as we keep his memory and his solid work alive and in the consciousness of people, especially the youth.”

Vinie Burrows, Actor, writer,  
playwright  
Member of Actors Equity  
Association, AFL-CIO



World Federation of Trade unions (WFTU): “The Working Youth Committee of the WFTU strongly condemns the state of Israel for arresting and imprisoning Ahd Tamimi, a 16-year-old Palestinian girl, because she resists the Israeli occupation of her homeland. The Working Youth Committee will never accept the silencing of the struggling young people.”

Jewish Voice for Peace: “Israel systematically prosecutes as many as 700 children in military courts each year. And according to Defense for Children International-Palestine, three out of four are subject to physical violence. E-mail your Representative about the Promoting Human Rights by Ending Israeli Military Detention of Palestinian Children Act, H.R. 4391”

# Right to Work Law Contributes to Stunt Worker's Death

## OSHA Fines Production Company \$12,675

### Lack of Worker Rights Shows Need for Independent Political Action

On July 12, 2017 professional film stunt worker, **John Bernecker**, aged 33, was killed while performing a job which involved a 20' fall from a balcony in a scene for season 8 of the AMC Entertainment hit television series, *The Walking Dead*. The federal Occupational Health and Safety Administration (OSHA) saw fit to fine the employer, Stalwart Studios LLC, only a paltry **\$12,675**. The logical question is why did this death happen, and why was the employer only fined an amount that is not going to get any change of corporate behavior of greed and power?

When OSHA was passed in 1970, enforcement of occupational safety and health was supposed to change. Before that, every state of the Union had their own plans, under OSHA each State was to be held to a much higher standard.

In the South and other Right to Work (R-t-W) states, this was not the case. On the West Coast, trade unions have been actively involved in forcing government to do a good job. Not so in R-t-W states. According to the industry-wide guidelines that follow this article, the Stunt Coordinator and Associate Producer are the two management representatives responsible for making sure that the stunts are safe, and that all adequate safety equipment is in place before any rehearsal "dry-run" of the stunt. A SAG-AFTRA representative was not present that tragic day. But who is financially responsible? Stalwart Studios, LLC was acting as the production company for AMC Entertainment, LLC which developed *The Walking Dead* cable series for their network. Mr. Charles F. Dolan is Executive Chairman of AMC Entertainment. The buck stops with him.

In OSHA's first 10 years, the establishment of strong rules to protect workers was good. Chemicals and other toxic substances were getting far stricter standards. Of course, not enough were found and covered.

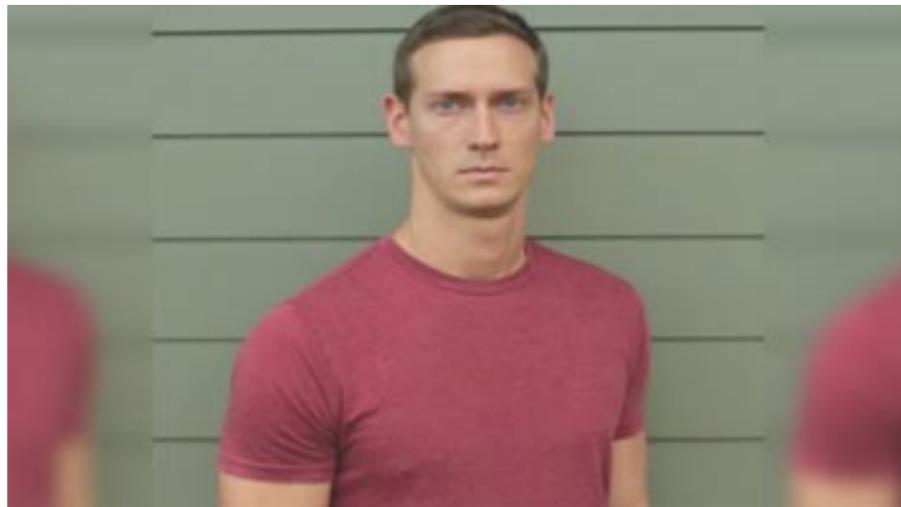
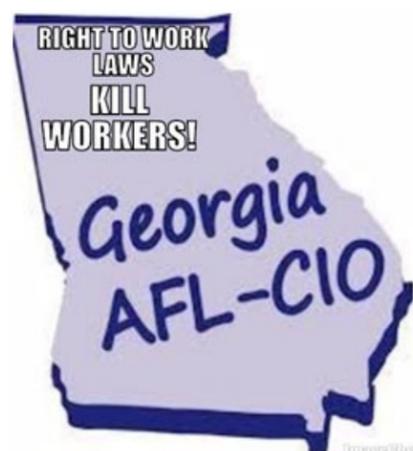
Enforcement was strong, and the bosses complained to both their main Party, the Republicans, and to the Democrats. Many employers reside in Democratic districts, and the DNC wanted to appear more attractive to these employers. 1980 saw a big change: With Reagan's win and the Democrats caving in on every trade union issue, OSHA was stripped of many rule-making and enforcement powers. Right to Work states were encouraged to expand. The next 12 years were hell for working people and their unions.

It was not just the Republicans who contributed to the weakening of OSHA. Following the 1991-92 general election, the Democratic Leadership Council (and then the Democratic National Committee itself) under Clinton and Obama's leadership agreed with the Republicans on OSHA protections. Those 8 years saw little OSHA expansion in enforcement and standard setting. In fact, with Clinton's NAFTA, unions were marginalized and treated with disdain.

#### SAG-AFTRA in Georgia

The 8 years of George W. Bush picked up where Reagan left off, and were just as brutal. Currently for non-union and union workers alike OSHA enforcement is less than zero, and only hopeful for workers in trade unions if the unions actually represent their members. In other words, from 1980 to the present time, federal regulations governing workers and their unions have been killing abysmal. Entertainment bosses are rushing to Georgia and other R-t-W states to avoid employees protected by unions. SAG-AFTRA has negotiated strong national labor contracts. For example, a worker who is a card-carrying union member in New Orleans or New York City working on a job in such a site as the 'fly by night' Stalwart Studio in Georgia must get union wages with related health and pension benefits. **BUT** the union cannot protect against bosses like Stunt Coordinators and Associate Producers pushing work schedules and cutting corners that are often killing film workers. Such is the case here. John Bernecker's mother Susan, discussing her son's tragic death, said *she will "seek justice" for her son, so that "no other parent with a child working in the film and television industry suffers this kind of heartbreak."*

Bernecker told fellow actor Austin Amelio, the only actor on the balcony with him at the time of the fall, that he "had done a few falls like this before but never from this high up." Amelio told the investigating police officer that he [Bernecker] "seemed a little nervous." There were no safety and health or union representatives on the set when the stunt went wrong. Because of the existence of state Right-to-Work laws, unions cannot fully represent their workers and workplace tragedies occur. Avoiding legal and financial liabilities increases profits. Bernecker's



*SAG-AFTRA member John Bernecker killed on the job by corporate greed* mother is suing the production company. WWAY-TV reported that Jeff Harris, attorney for Bernecker's family, said in a statement that they'll proceed with civil litigation now that the Occupational Safety and Health Administration has cited Stalwart Films for what it says are serious violations and proposed the maximum allowable fine in the death of the 33-year-old Stunt worker.

The very definition of R-t-W states' value to worker-killing production companies is the state's guarantee that companies can "come to our states and make your money, kill workers, and get almost no fines." The offer is clear. [That is why national and international auto manufacturers are rushing to the South.] OSHA inspectors are almost never called by any workers in fear of being fired by their employers, and OSHA inspectors are often government appointees in fear of their own jobs. That's why corporations like Stalwart have clean safety records, and avoid "repeat" and "willful" safety violations. Otherwise the fines would have been in the hundreds of thousands of dollars.

#### ONLY DEATHS GET THEIR ATTENTION. ALMOST NOTHING ELSE.

For example, occupational exposure to asbestos that causes lung cancer and diesel fumes and other deadly toxic substances such as industrial solvents are never enforced. There's lots of money to be saved with production in these states {even with strong union contacts that guarantee union wages and benefits}.

#### 2018 and 2020

The promises that the Democratic National Committee (DNC) made in the run-up to the 2008 general elections were broad and deep. "We'll make it easier to join unions and; we'll produce many more and stronger federal standards and rules. Deregulation as the Bushes practiced it is over." The assumption was that trade unions would have a decent chance at organizing in R-t-W states. Nothing like this even came close to happening.

With rare exception, 8 years under the Democrats in the White House and Congress, every promise was broken. The Employee Free Choice Act (EFCA) was scrapped, and the Libertarian, anti-union, Cass Sunstein was hired to make sure that no new regulations would be enacted or considered. And, in the first two years of Obama's presidency the DNC controlled the House, Senate, and the Executive branch of the government. Disappointment and disenchantment ran rampant. No wonder the DNC lost the House and Senate in 2010.

No wonder trade unions and workers didn't trust the Clinton and Obama White Houses and other Congressional runs for office. The DNC objectively, created the Trump win. They sold the trade unions and workers down the river, and still do. Any new set of DNC promises being made for the 2018 congressional elections can only be accomplished by believable deeds.

For the trade unions, the tragic death of SAG-AFTRA worker John Bernecker should be the catalyst for a new working class, trade union political formation. This can establish a new political dynamic. A true two-party system: One for bosses and One for Workers. This would also pressure the DNC from the outside of the two-party corporate controlled system.

Folding the rages and working-class discontent into the DNC organizations would be a tragic mistake. Also, it won't work. With the DNC corporate strategy, Republicans will win in 2018 and 2020. This accident shows clearly why the trade unions must assert political independence to demand safer work places, but also, a greater union presence in all of society. There is no doubt that had Right-to-Work laws not existed in Georgia, John Bernecker would be alive today. The accident has touched off a worldwide campaign by film crew workers to promote better safety on film sets. John Bernecker did not die in vain!

**INDUSTRY WIDE LABOR-MANAGEMENT SAFETY COMMITTEE SAFETY BULLETIN #4 STUNTS**  
(EXCERPTS FROM THE FULL BULLETIN ON SAG-AFTRA WEBSITE: FOR USE IN THIS LABOR TODAY REPORT)

The following recommendations and guidelines are intended to give general guidance on the preparation, safe set-up, and performance of stunt sequences. You should also refer to the Safety Bulletins and “General Code of Safe Practices for Production,” which addresses concerns regarding specific equipment and/or procedures on the various topics listed in the Safety Bulletin Table of Contents.

- A stunt coordinator and/or qualified individual is *in charge of all aspects of the physical stunt, including script review, planning, site selection, preparation, testing, rehearsal, modification and recommendation of the qualified personnel and equipment to be utilized to perform the stunt.*

- When a Producer requires a performer to perform a scripted or non-scripted stunt or stunt related activity, an individual qualified by training and/or experience in planning, setting up and/or performance of the type of stunt involved shall be engaged and present on the set. No performer without the requisite training and/or experience shall be required to perform a stunt or stunt related activity without an opportunity for prior consultation by the performer with such qualified individual.

- *The performer must consent to participation in the stunt prior to its performance.*

- The Producer or Producer’s representatives on the set or location should comply with requests and requirements for safety equipment that is generally accepted in the industry for the safe and proper performance with stunts.

*Advance notice is to be given to stunt personnel in order to plan a safe stunt.* If changes are made to these plans, the Producer is to provide

sufficient time to safely accommodate the changes. Safety Bulletin #4 Stunts Revised: January 26, 2005 Page 2 of 2 SAFETY BULLETINS ARE RECOMMENDED GUIDELINES ONLY; CONSULT ALL APPLICABLE RULES AND REGULATIONS SAFETY BULLETINS MAY BE VIEWED OR DOWNLOADED FROM THE WEBSITE WWW.CSATF.ORG

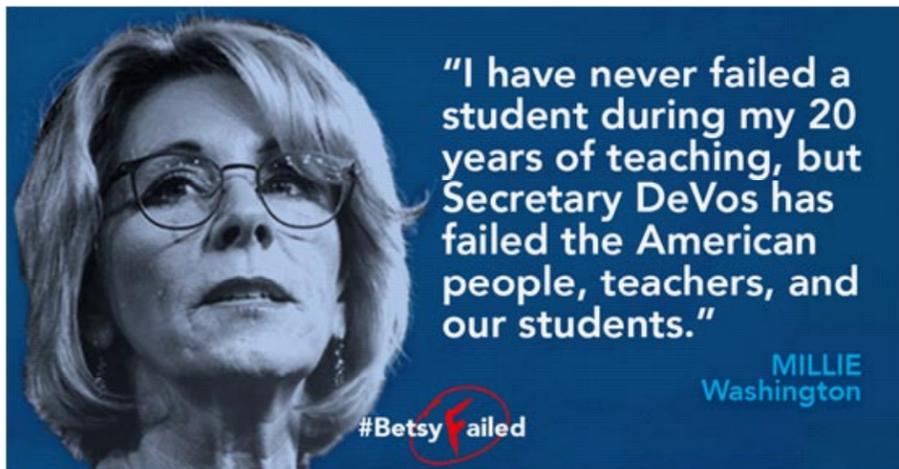
*An on-site safety meeting, including all participants and others involved, must precede the performance of all stunts.*

*This meeting should include a “walkthrough” or “dry-run” with the stunt coordinator and/or effects people.* An understanding of the intended action, possible deviations, and authority to abort should be made clear. Before rolling cameras, should any substantive change become necessary, the First Assistant Director will again call all persons involved in the stunt to another meeting to confirm everyone’s understanding and agreement to said change(s).

Communications: The stunt coordinator and/or qualified individual will coordinate with the designated production representative and implement a plan for communications between the participants. The chosen methods of communication should reflect the conditions and circumstances at the scene. *Note: It is recognized that there can be unforeseen or unique situations which might require on-site judgment differing from these guidelines. Such judgment should be made in the interests of the safety of cast and crew.*



## Educators Deliver the Message: Militant Action Needed to Save Public Education



America’s two largest teachers’ unions, the National Education Association (NEA) and the American Federation of Teachers (AFT) gathered 80,000 failing “report cards” from educators across the country to present to Education Secretary Ms. Betsy DeVos. When they arrived to deliver them, they found the doors to the Department of Education locked. “This is a remarkable moment,” Ms. Weingarten, AFT President, told the crowd, adding of the department: “They knew that teachers and parents and stu-

dents from all over the country have actually taken their time to say what is going on in their schools. And here on Betsy DeVos’s anniversary, this is the first time that I have ever been to this building where we were not let in — where the educators, where the students, where the parents of America were locked out of the federal Department of Education.”

WATCH THE VIDEO: <https://youtu.be/cR6-dSYeM7o>

SIGN THE PETITION: <https://actionnetwork.org/forms/tell-betsy-devos-its-time-to-resign>

“All unionized teachers in the US are represented by the American Federation of Teachers or the National Education Association. When the heads of the AFT & NEA delivered petitions against the Trump-DeVos anti-student pro-privatization policies they were speaking for tens of thousands of teachers, students, and parents. A great continuing step to win.

“Now, nationwide street actions are needed culminating in a national march In Washington, D.C.”

--Angelo D’Angelo, PhD.

Retirees Chapter, United Federation of Teachers Local 2, AFT, AFL-CIO

### WFTU General Secretary Greets *Labor Today* Editor

*Labor Today* editor Joseph Hancock (L) attended the 3rd World Federation of Trade Unions (WFTU) North American Trade Union Seminar in Athens Greece.

18 delegates attended the seminar, including educators from New York City and Anchorage, Alaska, shop stewards and local union presidents from Connecticut and Henipin County, Minnesota locals of AFSCME. New York City hospital workers SEIU Local 1199 also sent a delegate. The main topics were the International condition of class oriented trade unions, and their growing participation in WFTU. The continuing international economic and political crises were discussed. Delegates held meetings to determine their local and nationwide action plans for the next period of time.

#### LATE BREAKING NEWS. URGENT ACTION NEEDED!

There is a national and international campaign against the denial of a visa to enter the USA for the General Secretary of the WFTU. Gen Sec Mavrikos has appointments at the United Nations, where WFTU has been a member since 1945; and, also with many US trade unionists and their unions. JOIN THE STRUGGLE! Send letters of protest to the U.S. government and we will forward them to the proper authorities. Mail your letters to the attention of Joseph Hancock, Editor, LABOR TODAY, P. O. Box 93116, Los Angeles, CA. 90093 or by e-mail to: [joseph@labortoday.us](mailto:joseph@labortoday.us).



# N.Y. Teamsters form ‘sanctuary union’ to fight ICE agents

By Ginger Adams Otis  
NY Daily News  
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Across Long Island and throughout the city, some 120,000 Teamsters are getting prepped to become a “sanctuary union.”

In 27 shops, business agents, supervisors and front-line workers are getting schooled on their rights under U.S. law — and when and how to challenge federal immigration agents who show up to search their work sites.

The training is complex and technical — hinging on specific types of warrants and the definition of a raid.

But in fundamental labor terms, it follows one simple rule: Union solidarity first, immigration status second.

The Teamsters’ decision to openly challenge immigration enforcement under President Trump is rooted in the loss of one of its own members.

On Aug. 24, Teamster Eber Garcia Vasquez, 54, a married father of three U.S.-born children, was detained by immigration agents when he showed up for a routine annual appointment.

Shipped first to a Bergen County jail in New Jersey, then to Louisiana, Garcia was whisked back to his home country of Guatemala roughly 10 days later — despite a clean criminal record and two pending green card applications for him, one from his U.S. citizen wife and another from his son.

Furious Teamsters picketed outside 26 Federal Plaza in lower Manhattan, demanding Garcia be returned home. “We were all appalled at what happened to Eber,” Teamsters Joint Council 16 President George Miranda told the Daily News at a sanctuary training meeting last week.

“Eber is part of our family — we in the Teamsters rely on each other to get through the tough times,” he said.

Many Teamsters are white, blue-collar men — a demographic that in some unions skewed toward Trump in the 2016 presidential election.

But the organization — which covers a variety of fields, including airlines, truckers, dairy farmers and more — also has a sizable share of immigrant workers, roughly a third, 40,000.

After what happened to Garcia — one of many recent forced deportations — worry ran through Teamster shops, Miranda said. “We saw and felt that concern, and we are responding to it. And that includes all our members, from all backgrounds. When we’re out on strike, we’re all the same on the picket line — what matters is that you’re a Teamster, and fighting with us.”

At a Wednesday class, funded by the Consortium for Worker Education, Mike Spinelli of Local 553 listened carefully as trainer Luba Cortés walked everyone through the difference between an administrative warrant and a judicial one.

Immigration and Customs Enforcement agents often present a document that says “warrant” on it — but that doesn’t mean that it’s a judicial warrant, Cortés warned.

Under the Fourth Amendment to the Constitution, only a judicial warrant allows authorities to search a home or business or make an arrest.

“A judicial warrant will be signed by a judge and will have the name of a state or federal court at the top,” says the training guide handed out by Cortés. “An administrative warrant will be signed by an ICE supervisor — and that does not allow ICE entry.”

Spinelli paid particular attention because many of his members — immigrants who work at a Long Island dairy farm — were profoundly shaken when federal agents raided nearly 100 7-Eleven stores last month in a search for undocumented workers.

“We deliver all the dairy to all the 7-Eleven stores in the city — you can imagine how scared some of these guys are,” he said. “It’s a scary time in general, and we’re hoping this can help the workers feel prepared and help protect them — and also so employers know they don’t have to just roll over.”

A key part of the Teamsters training is how to bargain future contracts that contain clauses to force employers to follow proper procedures before



Union staff and officers will learn the information needed to train their members on what to do in interaction with immigration authorities. (Marcus Santos)

granting federal authorities access to a work site.

Many times employers are as rattled as workers when a raid occurs — or even when feds come politely knocking, Cortés said.

“You are not obligated to turn over extra information if authorities come looking for a certain person,” she said. “You don’t have to say, ‘Oh, he’s not here but you can find him at the corner store,’ or offer to look up a home address or things like that.”

Employers also have the right to three days’ notice if the feds instigate what’s known as an I-9 probe — basically, a review of employees’ working papers, Cortés said.

“I wish I had known that when we had an I-9 raid,” said Adrian Merced, business agent with Local 210. His shop was investigated in the waning days of President Barack Obama’s administration. “They came flying in, it was a furniture distributor place, they had big guns out and everything. There was no three-day notice,” he said.

Merced would have been aided by the dense, six-page contract negotiating guide from the AFL-CIO distributed by Richard Blum, staff attorney for the Legal Aid Society.

While unions can’t pressure employers to ignore federal laws, they can bargain certain protections into place, Blum said.

“Some laws require an employer to do X — and the union can get language in a contract that says they will do X but nothing more,” Blum told The News. “Unions can also bargain for notification when something is happening so they can offer help or possibly intervene, or for a guarantee that if a worker is required to get more paperwork, they be given the maximum time available, and returned with full seniority. Or if they can’t return, they get severance, things like that.”

The sanctuary training also includes information on what workers should do if stopped while driving or approached at home.

Vinnie Marino of Local 917 said one of his members — a Dreamer brought to the U.S. by his Guatemalan mom when he was 10 — is in constant fear of being grabbed.

“He’s a great kid, 22 years old, works really hard and shows up on time every day,” said Marino, whose truck-driving members supply the city’s bars, hotels, restaurants and stores with wine and liquor.

“He has to check in with authorities every two years and this last time they gave him a really hard time — we had to get a lawyer involved,” he said. “He got through it, but he has to do it again fairly soon, and the lawyer said there’s not much she can do. He’s just living in limbo and terrified he’ll get deported.”

*The editors of Labor Today wish to thank Ginger Otis and the Daily News for covering this important issue.*

## CONTACT US:

Labor Today is published by Labor United for Class Struggle (LUCS), a nationwide organization of union and unrepresented workers that have come together to build a stronger, class oriented working class movement. Comments should be sent to us by e-mail: joseph@labortoday.us or by post to: LABOR TODAY, P.O. Box 93116, Los Angeles, CA. 90093

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