Organizing upsurge wins pro-union NLRB ruling

By Steve Gillis

In a headline-grabbing move on Aug. 25, the National Labor Relations Board (NLRB) issued a ruling hailed by some labor lawyers and union organizers as a potential game-changer. The “Cemex Construction Materials (Pacific, IL) and International Brotherhood of Teamsters” decision takes place in today’s climate of rampant and ubiquitous corporate union busting.

The NLRB ruling opens with a description of union-busting tactics used by Cemex, one of the world’s largest cement and construction companies, when a majority of 366 truck drivers at “batch plants” in Las Vegas and southern California presented the company with signed Teamsters union cards.

According to the Labor Board, Cemex “violated Section 8(a)(1) of the [National Labor Relations] Act more than two dozen times, including by threatening employees with plant closures, job loss, and other reprisals if they selected the Union, surveilling employees and interrogating them about their union activity, prohibiting employees from talking with union organizers or displaying pro-union paraphernalia and hiring security guards in order to intimidate employees immediately before the election.” (nrlb.gov)

Cemex also fired union organizer Diana Ornelas, a bilingual truck driver and fearless union advocate who openly translated union material for other Spanish-speaking workers. The company spent a whopping $1.1 million on union avoidance firm Jackson Lewis P.C. to defeat a union election by 13 votes. (yahoo! news, Jan. 24, 2022)

It’s a scenario that millions of workers nationwide will recognize as what happened to them in recent years at global giants like Starbucks, Amazon, Trader Joe’s and Amazon, Trader Joe’s and “now and pop” coffee shops and other small employers.

Some of Joy Silk restored

The NLRB Cemex ruling throws out the ill-gotten election — born of blatant lies, fearmongering and intimidation—and orders Cemex to recognize and bargain with the Teamsters. Ornelas is to be reinstated with full back pay and benefits, upholding a previous judge’s order.

The decision also overturns corporate-backed NLRB decisions which had systematically negated the 1935 National Labor Relations Act’s (NLRA) original intention and practice. The Labor Board’s 1949 “Joy Silk doctrine” required that, in order to be recognized, unions show by a signed card checkoff that a majority of workers wish to join the union. The burden of demonstrating the need for an election was put on the employer. Joy Silk had resulted in huge numbers of U.S. workers at the time—from restaurant workers to truck drivers, autoworkers, nurses, miners, teachers and other government civil servants—readily signing up to form unions to defend themselves from capitalist greed and exploitation.

The NLRB-sponsored union election, where workers are subjected to a barrage of intimidation and misleading corporate propaganda leading up to it, only became the norm after a 1969 ruling by the Supreme Court of the United States (SCOTUS).

“The way Cemex conducted itself when its workers sought to organize five years ago was on par with the way elections are undertaken in a coup dictatorship,” said Teamsters International Vice President At-Large and President of Teamsters Joint Council 42 Chris Griswold. “This company fired union supporters, intimidated them, harassed them, and broke nearly every other rule under the sun. If any good came out of this company’s scorched-earth thuggery, it’s that now employers will think twice before they break the law to break the union.” (Teamsters.org, Aug. 28)

Trades Joe’s United comes out swinging

Inspired by the COVID-19 pandemic era wave of rank-and-file driven union organizing, exemplified by the Amazon Labor Union in Staten Island, New York, and Starbucks Workers United in Buffalo, New...
DeSantis and Jacksonville racist killings

Once again racism raised its ugly head in a violent manner: A racist shooter killed three Black people near a Dollar General store in a predominantly Black neighborhood in Jacksonville, Florida, on Aug. 26. The city is home to Edward Waters University, a historically Black college, which was a potential site for more shootings.

The victims were Angela Michelle Carr, 52; a store employee A.J. Laguerre, 19; and Jerald Gallion, 29. Ryan Christopher Palmeret, a 21-year-old white man, was identified as the shooter.

When the extreme-right-wing, bigoted Florida governor, Ron DeSantis, dared to speak at a vigil for the victims on Aug. 28, Black residents heckled and booed him for his crocodile tears for the victims, and rightfully so. It is the DeSantis administration’s “Stop Woke Act” that has bashed Black History studies, which expose the realities for enslaved people under the heinous institution of enslavement and educate on what Black people have endured from that time to today — reflected in these horrendous shootings.

This past spring the oldest Civil Rights organization, the NAACP, issued a travel advisory warning for Black people planning to visit Florida due to what Florida State House Democratic Leader Fentrice Driskell characterized as “emboldening” racists and extremists.

DeSantis also signed the infamous “Don’t Say Gay” bill in 2022 that prohibits or limits discussion of sexual orientation or gender identification in public schools.

In some instances, the police offer comfort to these neo- fascists following their despicable acts, as in the case of Dylan Roof who was provided a hamburger to eat while he was arrested peacefully after carrying out the Charleston massacre.

Black people and other people of color will continue to be targets of both state and extralegal violence at both the hands of the police and white extremists like Palmeret until the system that creates and fuels such violence is once and for all eradicated.

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Justice for Junito!

By D. Rodriguez

There were just five seconds between when police officer Mark Dial got out of his police car and when he shot and murdered Eddie Irizarry Jr. on the summer afternoon of Aug. 14, in the East Kensington section of Philadelphia. Another state-sanctioned murder leaving a family reeling with anger and confusion and the Philadelphia community searching for answers.

These are not irregular circumstances. This is the role of the police — to protect property and the elite while suppressing working class and revolutionary movements and the senseless killing of colonized people throughout the world.

Eddie Irizarry Jr. was a 27-year-old Puerto Rican man who came to the United States seven years ago. His family, who affectionately called him Junito, describes him as a young man who enjoyed reggaeton, fixing cars and dirt bikes. He spoke and understood little English and struggled with mental health issues, including schizophrenia and bipolar disorder, according to his father and sister. His family noted that he was a good person, protective of his sister and helpful to his family. (Inquirer.com, Aug. 24)

According to police reports, Dial and a second police officer pulled Irizarry Jr. over for failing to stop “illegally” and against traffic. In their initial report to the press, the officers claimed Irizarry parked his car and got out, lunging at Dial with a 3-inch pocket knife, only to later recant the story. (CNN, Aug. 28)

In the recording, police are heard searching the car for the knife. Dial has been suspended for 30 days, pending firing, for failure to cooperate with the investigation and failure to follow orders, not for Irizarry’s murder. But as can be expected, he has the full support of the Fraternal Order of Police (FOP).

Family, community rally for ‘Justice for Junito’

The Irizarry family and multiple community groups rallied at Taller Puertorriqueño on North Fifth Street, on Aug. 31, with around 90 people calling for “Justice for Junito.” They demanded transparency in the handling of the case; the immediate release of all bodycam footage of all the officers involved in Irizarry’s murder; and an independent investigation to hold accountable all of the officers involved.

Speakers called for justice to the full extent of the law for their murder and for an end to the police violence wielded mostly against Black and Brown people, the most vulnerable members of our community.

Robert Saleem Holbrook, executive director of the Abolitionist Law Center, criticized the FOP for failing to respond to years-long calls for police accountability and justice: “The reason why we can’t get accountability is because the FOP uses politicians that attempt to bring police accountability.” (Kensington Voice, Sept. 2)

The march through the Latinx community that followed grew to around 200 participants, many carrying white flowers and Puerto Rican flags. They stopped on East Willard Street where Irizarry Jr. was killed. A prayer was led by the pastor who presided over his funeral, and rally members paid respects to the family.

Participants laid white roses at a temporary memorial set up at the site. Chanting “No justice, no peace” and “El pueblo unido jamás será vencido” (the people united will never be defeated), demonstrators marched to the 24th District police headquarters, where they held a concluding rally, chanting, raising fists and calling out their demands before a group of lined-up police officers. Only bike lanes separated them.

Irizarry’s family members took the mic to speak directly to the police officers: “For you to have the respect of the community, as police officers, you have to earn it,” said Eddie Irizarry Sr. in Spanish.

Another speaker, Alfredo Santiesteban, gave a moving, emotional account of witnessing the murder.

The community demands answers for the murder of Eddie “Junito” Irizarry Jr. The state’s violence against the most oppressed and marginalized is a common occurrence in this country. The violence the U.S., its military and police wield on the working class and colonized people of the world is part of the fiber of this capitalist system. The militarization of the red is the same used against us here, and the people are demanding change.

Betsy Piette contributed to this article.

Fukushima wastewater threatens people in region

By Otis Grotewohl

The Japanese government began releasing wastewater from the Fukushima nuclear plant into the Pacific Ocean on Aug. 24. The controversial move has angered workers throughout the region, sparking numerous protests in South Korea, China and Japan.

Following the Tohoku earthquake and tsunami on March 11, 2011 — which destroyed the Fukushima nuclear plant, resulting in three nuclear meltdowns, three hydrogen explosions and a release of radioactive contaminants — the nuclear company Tepco started pumping in water to cool down the reactors’ fuel rods.

Radioactive wastewater has been added to tanks every day since then, and more than 1,000 tanks have been filled. The government of Tokyo argues the process is “no longer sustainable” to maintain and promises people that “after treatment and dilution the water is safe to release.” (BBC, Aug. 24) Many people in the area are understandably skeptical.

More than a million metric tonnes of water stored at the nuclear plant is expected to be discharged over the next 30 years, and there are mixed feelings among scientists about this. Among those who are most supportive of Japan’s plan is the United Nations nuclear watchdog “dog” known as the International Atomic Energy Agency. Many more people oppose the plan, especially environmentalists and workers in the fishing industry who are familiar with the Pacific Ocean.

Socialist China — most vocal opponent of potentially hazardous plan

The People’s Republic of China has historically been the largest purchaser of seafood from Japan. In response to the wastewater discharge, China announced it would ban imports of Japanese seafood. Chinese officials stated the sanctions are necessary “to prevent the risk of radioactive contamination of food,” and they have also accused Japan of “extremely selfish and irresponsible behavior that endangers the international public interest.” (CNN, Aug. 28)

China is a socialist country that openly plans to release the wastewater into the Pacific Ocean from the very beginning, ever since the idea was introduced two years ago. Japan, on the other hand, is a capitalist country that is driven by profit, and as a result, ignores the concern for humanity that is shared by the government of China. Economic shareholders who are invested in the Japanese economy are now worried a boycott could cripple their profits.

Despite its attempts to be a voice of reason regarding consumer safety, the People’s Republic of China and the Communist Party of China have faced retaliation from Western imperialists and their media lackeys after announcing a boycott of Japanese seafood. Several corporate media outlets attempted to use the false allegation that China’s response is somehow filled with “disinformation, ultimately ignoring any concerns over the consumption of contaminated fish.

Just as the Japanese government and its Western enablers accuse China of “disinformation,” the capitalist rulers of Washington and Tokyo are waging a major public relations campaign to convinces people in the region that seafood from the Pacific Ocean will still be safe to consume after the release of wastewater.

In one desperate attempt to prove their point, Japanese Prime Minister Fumio Kishida was recorded eating Fukushima fish sashimi at a press conference on Aug. 30. (AP, Aug. 30) The U.S. Ambassador to Japan, Rahm Emanuel, also had a seafood lunch photo op with the Fukushima mayor the following day. (AP, Aug. 30)

An attack on China is an attack on the working class

Under a centrally planned economic system, the Chinese government has led the way of green energy in recent years. For example, China generates more solar energy than all other countries combined, and its solar capacity is now 21,502 gigawatts. (The Guardian, July 6).

In addition to having a strong focus on environmental improvements, China has also prioritized bettering the material conditions of its citizens. In 2021, the Chinese government declared the success of its mission of lifting 770 million people out of poverty. (greennetwork.asia, Oct. 17, 2022)

These recent developments have enraged U.S. imperialists and Japanese capitalists. The public relations campaign desperately being waged by the U.S. and Japan is being vilified and attacked by imperialist powers.

The Chinese government advocates for the interests of the working class and the global oppressed, whereas the governments of the U.S., South Korea and Japan represent the interests of a capitalist class. Anyone concerned with the well-being of humanity and our ecosystem should defend China and stand in solidarity with the working class and colonized people of the world.

La intolerancia anti-LGBTIA+ detrás de otro crimen de odio mortal

Lauri Carlen, propietaria de una tienda de ropa en Cedar Glen, California, y firme aliada de la comunidad LGBTIA+, fue asesinada a sangre fría el 18 de agosto de 2023.

La reacción de esta pequeña ciudad al oeste de Los Ángeles fue de conmoción e incredulidad, pero también de rabia, especialmente en la comunidad LGBTIA+.

Pero este violento crimen de odio contra un aliado no se produjo de forma aislada. Al menos 15 personas transgénero y de género no conforme han sido asesinadas en lo que va de 2023, la mayoría mujeres trans de color.

Los tiroteos masivos en la discoteca Pulse de Orlando en 2016 y en el Club Q de Colorado Springs, Colorado, en 2022, forman parte de un patrón de violencia homófoba y transfóbica. Los miembros de la comunidad LGBTIA+ tienen el doble de probabilidades de ser objeto de un delito de odio que las personas heterosexuales cisgénero.

La gravedad situación ha llevado a Human Rights Campaign, una organización moderada de derechos civiles, a afirmar que "ha declarado oficialmente el estado de emergencia para las personas LGBTQ+ en Estados Unidos".

HRC ha citado un "pisco sin precedentes y peligroso en los ataques legislativos anti-LGBTQ+ que barren las cámaras estatales este año". La idea de legislación intolerante ha fomentado el odio que está detrás de las trágicas muertes de Carlen, de personas trans y de género no conforme, y de otros miembros y aliados de la comunidad LGBTIA+.

Ese es el contexto en el que hay que considerar el repunte de los delitos motivados por el odio.

Pero, ¿cuál es la raíz de esos numerosos proyectos de ley, que van desde la prohibición de ir al balneario a la prohibición de la atención a menores para la reafirmación de su género, pasando por los proyectos de ley "No digas gay" ("Don’t say gay"), entre otros? Los republicanos de derecha, algunos de ellos auténticos fascistas, están impulsando estos proyectos de ley.

¿Aparecieron de la nada? La extrema derecha de la clase capitalista no es más que eso: un ala de la clase capitalista. No son más que la representación más extremña del sistema de valores patriarcal, que incluye el fanatismo anti-LGBTIA+, endémico de la sociedad de clases.

Como explicó Leslie Feinberg en 1992 en "Liberación transgénero, un movimiento al que le ha llegado su hora": "En realidad fue el auge de la propiedad privada, la familia dominada por los hombres y las divisiones de clase [lo que] llevó a restringir lo que se consideraba una autoperspectiva acceptable, lo que había sido natural fue declarado su carácter".

Para poner fin a los actos de violencia llenos de odio contra la comunidad LGBTIA+ y aliados como Lauri Carlen, debemos deshacernos del sistema capitalista que los engendra.

Organizing upsurge wins pro-union NLRB ruling

York, en 2021, Trader Joe’s workers made history in June 2022. Workers at the Heathwood, Massachusetts, site 512 store voted overwhelmingly to unionize as Trader Joe’s United Local 1. (workers.org/2023/08/73021)

Trader Joe’s site 941’s initial success in turn inspired union organizing campaigns at other sites across the U.S., including at the Essex Crossing store in New York City. Workers there immediately came under a barrage of Cemex-like attacks, including the firing of a lead union activist. This led to a tie vote (76-76) in the NLRB election, legally a union loss.

The Essex Crossing store in New York City. (law360.com, Aug. 29)

Trader Joe’s called Cemex a “ground zero post-Cemex-ruling charge at the NLRB. During this period, the Biden administration, its secretaries of labor and administração, its secretaries of labor and Democratic politicians in general have at best given lip service to the workers’ organizing campaigns, through toothless NLRB rulings regarding illegal corporate activity. At worst they’ve smashed strikes by executive order, such as legally stopping the national rail strike last year and sacking cops on striking baristas in Boston when their historic 84-day occupation of a Starbucks storefront threatened to bring a unified mass movement.

The Cemex ruling may rightfully give heart and some modicum of legal backing to the courageous workers taking on these behemoths of capital. But it is soli-darity and concerted, collective action, not more court orders, that will drive the ruling class is conniving to curtail.

All out for the Starbucks Workers United “National Day of Action” on Sept. 14 (@StarbucksWorkersUnited, X) and every other picket line, rally, boycott, fundraiser, strike and occupation that will be necessary to beat back and win against capital’s ultra-organized, infinitely funded criminality.

Steve Gillis is a 37-year member and an elected leader of the Boston School Bus Drivers Union, United Steelworkers Local 8791, now working for the members and retired from driving.

High Tech, Low Pay
A Marxist Analysis of the Changing Character of the Working Class
By Sam Marcy with an updated introduction by Fred Goldstein, author of Low Wage Capitalism.

Low-Wage Capitalism
Describes in sweeping detail the drastic effect on the workers' class in the United States of new technology and the restructuring of global capitalism in the post-Soviet era. It uses Karl Marx's law of wages and other findings to show that these developments are not only continuing to drive down wages but are creating the material basis for future social upheaval.

For more information on these books and other writings by the author, Fred Goldstein, go to LowWageCapitalism.com
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