

# NATIONAL BARGAINING

## GREEDY OIL INDUSTRY FORCES WORK STOPPAGE



USW members rally at the entrance to the Marathon refinery in Catlettsburg, Ky., as part of a national day of action on Feb. 7.

AP Photo/The Independent, Kevin Goldy



USW members rally at Shell headquarters in Houston.



National day of action at the Marathon office building in Texas City, Texas.

**A**rrogant oil refiners concerned more about profits than the safety and workplace concerns of thousands of USW-represented oil workers forced the union to call an unfair labor practice (ULP) strike.

The industry, represented by Royal Dutch Shell, gave the USW no other option when it refused to bargain in good faith over a national contract even though the union was prepared to continue talking beyond the midnight deadline.

"Shell refused to provide us with a counter-offer and left the bargaining table," International President Leo W. Gerard said. "We had no choice but to give notice of a work stoppage."

The negotiations for a new national contract cover 30,000 USW-represented workers at over 230 facilities, including 65 U.S. refineries and dozens of oil terminals, pipelines and petrochemical plants.

Once bargaining broke down over the companies' bad faith bargaining, strikes began on Feb. 1 at nine refineries and related facilities in four states that employ 3,800 workers and produce nearly 10 percent of the nation's gasoline, diesel and other fuels.

The companies committed ULPs at all locations that resulted in the strike, including failure to bargain over benefits, threatening employees with reprisals if they struck, and cutting vested benefits once strikes began.

The initial targets included a Shell refinery and laboratory in Deer Park, Texas; two Marathon refineries and a co-generation power plant in Texas City, Texas, and Catlettsburg, Ky.; Tesoro refineries in Anacortes, Wash., Martinez, Calif., and Carson, Calif.; and a LyondellBasell refinery in Houston.

After a week of little progress at the bargaining table, the strike was expanded on Feb. 7 to include two BP refineries in Whiting, Ind., and Toledo, Ohio.

The escalation of the strike brought another 1,440 USW-represented workers into the fight, including about 1,100 members of Local 7-1 in Whiting and 340 members of Local 346-3 in Toledo.

The ULP strike was the most widespread action in the oil industry since 1980 when workers represented by the Oil, Chemical and Atomic Workers Union (OCAW), now part of the USW, struck for three months seeking improved pay and benefits such as dental coverage.

### Initial strike targets

All four of the struck companies have publicly announced contingency plans to keep the refineries running during the strike with non-union labor.

The remaining USW-represented refineries and oil facilities, including those operated by BP PLC and Exxon Mobil Corp., were operating under a rolling 24-hour contract extension.

The union's bargaining agenda was developed last October during a meeting in Pittsburgh of 300 delegates from oil locals and units who met in 10 company councils.

Delegates passed the resulting policy by unanimous vote. It was then distributed and explained to rank-and-file oil workers who voted on the document, approving it by a necessary 75 percent margin.

Leading up to the start of negotiations in January, oil workers around the country made preparations for the possibility of a strike and discussed negotiations with co-workers, friends and family. They held rallies, conducted informational pickets, distributed leaflets and displayed stickers and placards.

### Members are ready

"Our members are ready to do what it takes to get a fair contract," said Local 12-591 member Steve Garey, who works at the Tesoro refinery in Anacortes, Wash.

"We are determined to get a contract that improves safety in the workplace, provides contractors the ability to become full-time employees and compensates us for the dangers we face every day for our contributions toward making the oil industry one of the richest in the world."

While Shell spokesmen were telling the public during negotiations that the company was focused on reaching a settlement, the industry never gave the union's proposals any serious consideration and failed to give key relevant information.

As lead bargainer for the industry, Shell made five woefully inadequate offers that the union's bargaining committee rejected as an insult to hard-working USW members.

The bargaining took place as the cost of crude oil plunged to its lowest prices in years. Yet wages and economics were not the driving issues prompting the strike. The strike was primarily about unsafe working conditions in an industry

that regularly experiences fires and explosions, as well as unresolved ULPs.

International Vice President Gary Beevers, who heads the union's National Oil Bargaining Program, said the industry refused to address workplace safety, safe staffing issues and its brutal, dangerous scheduling that is frequently manipulated to avoid paying overtime.

The industry also refused to address its unhealthy and unsafe reliance on outside contractors to handle day-to-day maintenance at its refineries. And it would not discuss offering opportunities for job training so that critical work in USW-represented refineries can be done by USW members who actually know and work in the facilities.

### Health care an issue

In addition, the industry refused to discuss out-of-pocket maximums in health insurance coverage and the financial strain created by high costs when members and their families have serious health issues.

"This work stoppage is about onerous overtime, unsafe staffing levels, dangerous conditions the industry ignores, and the daily occurrences of fires, emissions, leaks and explosions that threaten local communities," Beevers said.

"It's also about the flagrant contracting out that impacts health and safety on the job; and the erosion of our workplace, where qualified and experienced union workers are replaced by contractors when they leave or retire," he added.

Other issues at the struck locations concern membership reports of company supervisors and others violating our members' legal right to support their union and their bargaining committees, Beevers said.

The USW bargaining team is prepared to return to the table to negotiate a fair agreement for both sides, but the industry must first abandon its arrogant and illegal stance and no longer disregard the union's proposals.

"The oil companies do not want to work with us to improve the workplace and safety at oil refineries and facilities," said International Vice President of Administration Tom Conway.

"The problem is that oil companies are too greedy to make a positive change in the workplace and they continue to value production and profit over health and safety, workers and the community," Conway said.