

GETTING IT RIGHT

By David Bacon

SAN FRANCISCO, CA (10/2/06)-- Will a new balance of power in hotels make housekeepers and cooks the inheritors of the San Francisco's waterfront labor tradition, and lead to the kind of rise in the standard of living that longshoremen experienced decades ago?

Like the hospitality workers of today, dockworkers of the 1920s were San Francisco's low wage earners -- even scorned as bums and derelicts. Eighty years later, they are some of the best-paid blue-collar workers in North America. A strong union in the 1930s and 40s knitted waterfront and maritime laborers together in every Pacific port. It gave workers a new way to deal with the shippers, and with each other. A radically higher standard of living was one visible manifestation of better organization. The political organizations on the Pacific Coast and in Hawaii, which sent a generation of pro-labor politicians to Washington, was another.

It could happen again, and hotel workers may be the ones to make it happen. Certainly in San Francisco their union avoided the disasters of the Southern California grocery strike and the wage and workforce cuts plaguing thenation's airlines. But the union did more than fight a good defensive battle. It changed the rules. It altered the relationship between hospitality workers and the multinational corporations who now employ them.

San Francisco hotel workers won big in their new union contract. Even Noah Griffin, the dour public face of management intransigence during the two years the city's hotel union went without a contract, gave a sunny assessment to the San Francisco Chronicle. "It's a good settlement," he gushed, "primarily for the workers, but also the city and the hotels themselves."

It will certainly cost them a bundle. Not only will wages rise a dollar an hour for each of the next three years for most workers (half that for those who get tips), but the big chains - Hilton, Hyatt, Intercontinental and Starwood - even threw in 60¢ an hour retroactively for each of the past two years. Poetic justice, since it was their choice in 2004 to refuse to sign an agreement that would have had them negotiating a new contract in 2006. It was expensive justice nonetheless, and they wound up negotiating this year anyway.

As UNITE HERE Local 2 President Mike Casey said in announcing the agreement, "they decided it was cheaper to sign a contract than go to war with us again."

But this wasn't just a limited dispute over wages - a union in a strong labor town getting serious money for its members. Some of the hardest-fought parts of the new agreement didn't involve money at all, at least not directly. Instead, they put in place building blocks that may make hotel labor much stronger in years to come - coordinated bargaining, card check recognition, and civil rights protection balancing the needs of immigrants and African Americans.

If the hotels learned anything in the last two years, it was that the union in San Francisco was better prepared for war than they were. Two years ago, Local 2 asked for a contract that would terminate

this year, enabling them to negotiate at the same time its sister locals around the country were also at the bargaining table with the same hospitality chains.

In 2004 the hotels agreed to a 2006 expiration date in a number of major cities. But by the time the San Francisco union demanded it, they'd realized their mistake and become badly scared. The notion that independent local unions, which previously could be defeated easily in local strikes, would band together to negotiate jointly, was perilously close to even worse ideas (for them.) Common contract expirations might eventually lead to joint negotiations, multi-city strikes, and even, in the longer-term future, national master agreements.

So in San Francisco the companies balked. Choosing this city and this union was a bad mistake. While hotel operators were able to get 2006 off the table in Washington DC, and weaken the momentum elsewhere, San Francisco hotel workers held to their guns. They struck four of the 14 Class A hotels (the city's most expensive) in the Multi-Employer Group, announcing they'd stay out for two weeks. The other ten implemented a mutual support agreement, and promptly locked out their own workers. Once the two week strike was over, workers in the struck hotels were locked out too when they tried to return. The hotels obviously saw no contradiction between their gentlemen's agreement to lock arms in an anti-union alliance, and their opposition to local unions showing the same mutual support. Workers did, though. To them it smacked of hypocrisy, and made them more willing to stay on the picketlines.

As it ground on, the lockout did more damage to the hotels than to their employees. After nine weeks, workers were clearly not frightened, and continued to mount noisy picketlines and drive away guests. When the hotels cut off payments to the union health plan, other unions stepped in to make up for them. Management's own tactics pushed people together, and made broader class solidarity more necessary than ever.

At the same time, the hotels had a hard time with their own business allies. The city's mayor, a photogenic, TV-savvy restaurateur, heretofore viewed as business-friendly, tried to broker a settlement. The corporations' rebuff carried a resentful tone, as though he was betraying those who'd propelled him into office. Mayor Gavin Newsom then went to a picketline at Union Square, in the heart of the tourist district. In front of the Westin St. Francis he declared the lockout was hurting city business, and that he would honor the union boycott of the 14 hotels until they settled.

The hotel corporations finally caved and reopened their doors to their own workers. The Mayor kept his promise, however, and stayed away for the next two years. And as room occupancy rates rose nationally, with the industry recovering from its disastrous decline in the wake of September 11, 2001, an active boycott cut deeply into San Francisco's expected share of sharply rising profits.

Hotel housekeepers, bellmen, cooks and laundry workers returned to their jobs, but without a contract. To pressure them further, the companies refused to deduct dues and turn the money over to the union. Rather than watch its income plummet in the middle of this battle, however, the union set up a system to collect dues by hand from over 5000 workers. In the end, "it brought us much closer to our own members," said Local 2's secretary-treasurer Lamoin Wehrlein-Jaen.

Action in the street continued. Noisy marches reminded managers and travel agents of what a return to war would feel like. Arrests of dozens of members and supporters for sitting in hotel entrances became San Francisco's annual Labor Day observance. And inside the hotels, workers began to use delegations, petitions and other collective actions when they had problems on the job. The official position of the Multi-Employer Group - that since there was no contract, there was no grievance procedure - created more worker cohesion, not less.

2006 finally arrived, and union contracts began to expire in other cities around the country. Local 2 was ready to fight again. The hotels were not. Negotiations, which had stalled not long after the lockout ended, were restarted from scratch. Hotels demanded that new hires receive an inferior medical plan, and pay more for it - the same basic demand which led to the 4-month strike of 40,000 grocery workers in Los Angeles in 2003, and which store clerks in the end had to accept. Local 2 put its old demands back on the table.

This time, however, the parent union's national strategy began to have an effect in San Francisco. The huge New York local, UNITE HERE's largest, reached agreement in May. It was a six-year deal, meaning that the union won't be a factor in the next round of negotiations three years from now. But New York won substantial raises, and most important, card-check recognition.

Of all the union demands, this was anathema to the hospitality chains. Under a card-check arrangement, workers at non-union hotels run by the same company can sign cards asking for union representation. When a majority has signed, the hotel agrees to recognize the union and bargain. This process avoids National Labor Relations Board elections, which over two decades have become a vehicle for scorched-earth anti-union campaigns. Managers facing workers who want a union first hire anti-union consultants. They, in turn, wage a campaign of illegal threats and firings, designed to produce a momentary majority of workers on election day, so scared they vote against their own self-interest.

UNITE HERE has card-check agreements in Las Vegas, where it represents such a large percentage of the casino workforce that the wealthy operators have no choice but to agree. In the rest of the hotel industry, however, union busting is the norm. In San Francisco, it took Local 2 over four years to organize the Parc 55, and at Marriott Corporation's downtown flagship, the campaign lasted at least ten.

Ironically, Hilton Hotels broke the logjam in New York. In the 2004 lockout, Hilton led the other MEG employers in San Francisco in defying Local 2. In UNITE HERE's pre-2006 planning, Hilton had even been chosen as the national target. Workers were interviewed around the country, and their testimony supported a growing indictment of worker abuse, especially in non-union hotels.

Following the company's decade-long binge of buying out smaller chains, a majority of Hilton workers are now unorganized. By moving from a majority-union to a majority non-union workforce, the company has begun to push wages and conditions down, even for unionized workers. Local 2's members understood this. Without organizing their non-union colleagues, they too would feel the same pressure. They recognized that a new contract had to have more than just wage raises. It had to include a better process for bringing unorganized workers into the union.

Local 2's housekeepers and kitchen workers understood power. They knew the advantage they would have if they could force the hotels to negotiate in 2006. They knew why they needed card check. They could have given up these two demands anytime during the nine locked-out weeks, or the two years without a contract that followed. The hotels would have gladly given them raises in exchange. But in a convincing demonstration of the union's ability to educate its own members, the workers wouldn't take the deal.

As New York's new contract was ratified this past May, the union and Hilton also announced that the chain was willing to sign card check agreements in a limited number of other cities. Those agreements would have to be included in new contracts in each of those cities, though, and in San Francisco those negotiations were not going well.

Finally, Local 2 took another strike vote on August 24. A week later, at the end of a noisy march through the tourist district, over 60 members and supporters were arrested for blocking the entrance to the Palace Hotel on Market Street. Managers could envision the possible return of the labor war of two years before. In the shifting alliances inside the Multi Employer Group, Hilton and its allies succeeded in convincing a majority of the other operators that they could live with card check in San Francisco, and reached a deal.

Workers held out for a third strategic goal, however, which may eventually have as profound an effect on the union's strength as card check and common expiration dates. They negotiated an unprecedented civil rights section of the new agreement, which combines protection for immigrant workers with a requirement that hotels make concerted efforts to hire African American workers and residents of other communities underrepresented in the industry's workforce.

The proposal stems from an effort by the union to address changing demographics. In the city's hotels, the percentage of African American workers is falling, as employment continues to grow. African Americans now make up less than 6% of the San Francisco hotel workforce, a number that has declined in each of the past five years but one.

In San Francisco, this issue has a lot of history. The Palace Hotel was the scene of the city's most famous civil rights demonstration. In 1963, hundreds of civil rights activists sat in, and were arrested, in the hotel lobby. They demanded that management hire Blacks into jobs in the visible front-of-the-house locations, where the color line had kept them out. The day after the arrests thousands ringed the entire block in the largest picketline San Francisco has ever seen.

Richard Lee Mason, an African American banquet waiter at the St. Francis, remembers, "African Americans had been kept in the back of the house for far too long. People wanted to be in the front of the house, and rightly so." Employment prospects improved for Black workers for some years after the demonstrations, but the situation changed again in the 1980s.

"I suspect that because the industry had had a great struggle with African Americans, they thought we were too aggressive," Mason speculates. "A lot of us had come out of the civil rights movement, and we were willing to fight for higher wages and to make sure we were treated fairly." Steven Pitts, an economist at the Center for Labor Research and Education at the University of California in

Berkeley, adds that "this perception by employers of African American workers is true nationwide. Blacks aren't perceived as compliant, and therefore when many employers make hiring decisions, they simply don't hire them."

Hotels hired increasing percentages of immigrants, in a move they hoped would create a less demanding and expensive workforce. In kitchens and among the laundry carts, voices now speak in accents from Mexico and Central America, the Caribbean, China, the Philippines and a host of other countries. But if the hotel industry hoped this new workforce would be more compliant, they were disappointed. Immigrants proved a key element of the 1980 citywide hotel strike, and smaller conflicts over the following two decades. But Black employment fell nonetheless.

To restart movement in the other direction, in 2004 Local 2 asked companies to agree to a diversity taskforce, to reach out to African American communities and eliminate hiring barriers. While demanding progress towards ending the de facto color line, the union also proposed new protections for the job rights of immigrants. The union won strong language allowing workers to keep their jobs for up to a year if they have to leave to adjust their immigration status. Management is prohibited from firing workers named in "no match" letters from the Social Security Administration, because their numbers don't match the SSA database (a common cause for termination by employers who assume those workers are undocumented.)

The union proposal strengthened an important ruling won six years ago in San Francisco, when an arbitrator held that management couldn't use a "no-match letter" to fire immigrant workers if they had a union contract. Then in 2003 the union organized the Immigrant Workers Freedom Ride, a national demonstration for immigration reform joining immigrants with Black veterans of the original 1960s freedom rides. The mobilization brought people to Washington to push for immigration reform to make it easier for immigrant workers to join unions, go on strike, and advocate for their labor rights.

The union's civil rights proposal "is an important first step," according to Pitts. "But in the civil rights movement we learned we need structural change, that can bring community residents into the hotels, and make sure they progress." The new outreach requirement may have limited impact, but it is a first step. It puts immigrants and African Americans on the same side. It makes the union part of a new civil rights movement, geared to a changed world of globalization. The key is prohibiting discrimination against immigrants because of their status, while moving towards affirmative action to gain more jobs for underrepresented communities.

Winning structural reform in hiring will take a lot of bargaining power - an important argument for card check and coordinated negotiations in cities around the country. But possibly more important in the long term, the agreement renews the basis for a civil rights alliance that can lead to greater political power, as well as increasing union strength.

In the 1934 San Francisco General Strike, longshore leader Harry Bridges promised African Americans in the city that if they made common cause with the strikers, rather than the ship owners, the union would force employers to take down the color line that barred them from most waterfront jobs. As president of the International Longshore and Warehouse Union, Bridges kept his word.

African Americans became a majority of San Francisco longshore workers in later years, and the union and minority and working class communities formed an alliance that gave them decades of political power.

Local 2 may become the nucleus of a similar political alliance that reflects the new realities of the city's changing demographics. That could give it an influence, not just in raising the standard of living of its members, but over the lives of working class San Franciscans far beyond its own ranks.

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