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Port Plan Could Boost Teamsters

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A huge plan to help clear the air at the ports of Los Angeles and Long Beach not only will **result in the extermination of hundreds, perhaps 1,000 or more, small trucking firms that serve the ports, but it may well usher in the return of the Teamsters union, the trucking industry says.**

“This plan is literally going to change the face of the industry, completely turn it upside down,” said Patty Senecal, vice president of Rancho Dominguez-based Transport Express and an official with the California Trucking Association.

The plan is called the Clean Trucks Program, and it is a joint effort by the ports as part of their wide-ranging Clean Air Action Plan. It is designed to reduce diesel truck emissions by as much as 80 percent by retrofitting or replacing old, heavily-polluting rigs with new, cleaner burning vehicles. Only the new, cleaner trucks, which can cost \$100,000 or more, would be permitted in the ports.

Since the ports will heavily subsidize the retrofitting or purchase of the cleaner trucks and will have first liens on them, the ports are calling for the trucks to be operated not by independent owner-operators, who now number about 16,000 and who mostly work as contractors for small trucking companies. Instead, the trucks will be operated as fleets by a few companies.

That could well usher in the return of the Teamsters as the now-independent short-haul drivers switch status and become truck company employees. As independent contractors, the truckers are prohibited from joining labor unions. But as employees, they could join a union.

“If they’re employees, then they have certain rights to organize,” said **Barry Broad**, legislative representative for the International Brotherhood of Teamsters. “We’re hopeful that drivers will soon be in a position where they can unionize if they want to unionize. We need to fundamentally change the actual economic model at the ports.”

Since the plan was unveiled in April, the Teamsters have put the proposal on their front burner.

The truck program will only apply to the ports in Los Angeles and Long Beach, but the union hopes that approval of this proposal will provide a model and springboard for similar efforts nationwide. Broad said the union plans to present similar proposals to the commissioners of four other ports – Oakland, Seattle-Tacoma, New York-Newark and Miami. “This is a very, very serious effort by the Teamsters on a national basis,” Broad said. “We’re out there organizing again.”

To gain support, the union last month conducted what it called a “10-Day Blitz” at the local ports: Dozens of Teamsters walked around the complex, talking to drivers and handing out leaflets. Organizers say they collected more than 3,000 signatures in support of the plan. The Teamsters further beefed up their chances at the ports by teaming with environmentalists and immigrant rights groups in the Coalition for Clean and Safe Ports.

Patricia Castellanos, co-chair of the Los Angeles Alliance for a New Economy, which is a member of the coalition, said the groups came together when they realized their broad objectives of reforming the port trucking industry were complementary. “This just seemed like a natural issue to work on together,” she said. The coalition also recruited drivers and community members who would help push its cause. They put together a proposal to reform port trucking that they said would reduce emissions and improve working conditions by forcing the ports to grant contracts only to trucking companies “that agree to honor basic environmental, labor and national security standards.”

But before the plan can become effective, it must be approved by the ports – and there could be legal challenges. Both the California Trucking Association and Curtis Whalen of the American Trucking Association have said they do not believe the plan could stand up to legal challenges due to the intricacies of federal interstate commerce laws.

The industry has been upset because the plan means that the 1,300 or so trucking companies that currently serve the ports in some fashion, according to the California Trucking Association, could shake out to only about 100 larger firms.

“This will wreak havoc on our business,” said Michael Lightman, president of Long Beach-based Great Freight Inc. “It’s hamstringing my company already because I don’t know what the business will look like a year from now.” Great Freight contracts with about 60 independent drivers who visit the ports regularly. Lightman said if the program passes, he may not be able to stay in business at his current size. “I’ll need to get either a larger depot or go out of business,” he said. “I’m between a rock and a hard place.”

The ports invited trucking companies to give feedback on the proposal last week during a presentation in Long Beach, and nearly all trucking company representatives at the meeting opposed the plan, saying it would drive many of them out of business. Senecal of the trucking association said, “They’re going to eradicate small business. What happens to the companies that are put out of business?”

The ports are to vote on the plan next month.

‘Stable workforce’ James Hankla, Long Beach Harbor Commission president and a member of the committee that developed the proposal, said it was not the intention of the program to phase out the owner-operator system at the ports, but it became necessary as a matter of practicality.

Since the plan is so expensive – \$1.2 billion – and since the ports have promised to subsidize a portion of the program, officials say they need to be able to track the trucks. They claim that would be difficult with thousands of individual owner-operators. “We feel we need a stable workforce and we can’t have individual relationships with 16,000 truck drivers,” Hankla said.

He rejected the idea that the Teamsters wielded any unusual influence in the formulation of the proposal, which was developed jointly by the ports’ harbor commissions. “This was not a plot,” Hankla said. “We met with them early on. They offered a plan, we rejected it.” The parties involved with the Teamsters’ original proposal declined to offer details of the plan.

The Teamsters did at one time have a major presence in the ports. Union membership swelled in the mid-20th century, hitting its peak of more than two million in the late 1970s, but started declining about that time as Congress deregulated the freight industry. Since deregulation opened the door to competition from small, non-union trucking companies, several hundred unionized trucking companies soon went out of business. “The union really lost a lot of presence after deregulation,” said Kristen Monaco, a

trucking industry expert and professor at California State University Long Beach. The Teamsters currently represent just a small fraction of local port drivers – mostly proprietary fleet drivers or those with specialized trucks, such as refrigerated units.

Today, more than 90 percent of the drivers serving the local ports are independent contractors – the result of a flood of predominantly Latino immigrants willing to work long hours for low wages. At least some seem willing to join a union.

For example, German Merino, a 53-year-old immigrant from Ecuador, has worked as an independent contract driver at the port complex for 23 years. He said that with the cost of fuel, permits and fees, he takes home only about \$7 an hour – without such benefits as health insurance or a retirement plan – and he struggles to support his wife and four children. “All of my colleagues, all of my people are waiting for the moment that they will make us employees,” he said. “Once we become employees and we’re able to get together and decide if we want a union, we’ll be able to have the benefits and decent wages we deserve.”

But Lightman of Great Freight said most of his drivers do not want to become employees because they like having the freedom to work just two or three days a week if they choose.

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