



VOICE OF THE ILWU

HONOLULU HAWAII
LOCAL 142

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January 2005

Are You a New Member? Then this is for you . . .

Are you a new employee, hired within the last 12 months?

If so, this issue of the Voice of the ILWU was prepared especially for you. As a union member, you are entitled to many rights and benefits and some responsibilities. This issue will help get you started with the essential information you need as a member of the ILWU. (Even longtime members may find the information useful.)

First of all, the Voice of the ILWU is the official newspaper of the ILWU Local 142. You are receiving the newspaper because you are now a member of the ILWU. Your membership in the ILWU started when you were hired into your job. At the time you were hired, you signed a form which allows for the automatic payment of union dues by payroll deduction. This form also serves as an application for membership in the union.—**more on pages 2, 3, 7 and 8.**



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Harriet Bouslog Labor Scholarship applications due April 1, 2005
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IMPORTANT INFORMATION CONCERNING YOUR OPPORTUNITY TO BECOME ACTIVE MEMBERS OF INTERNATIONAL LONGSHORE AND WAREHOUSE UNION, LOCAL 142, AFL-CIO, AND YOUR RIGHTS UNDER LAW

As a result of your current employment, you are eligible for membership in the International Longshore and Warehouse Union, Local 142, AFL-CIO. Union membership is a right and privilege to be proud of.

As an active member of ILWU Local 142 you have the right to participate in the affairs of the Union. Your participation includes involvement in the formulation of proposals for contract negotiations, voting on proposed changes to your collective bargaining agreement, attending and participating in regular and special Union meetings, Union elections, and other affairs of the Union as provided in the ILWU Local 142 Constitution and By-laws.

We believe that most people would want to become active members of the ILWU Local 142, and desire to fully participate in the affairs of their Union. Strong, active and informed members are essential to the strength of your Union. Your participation will benefit both you and your co-workers by helping the Union gain improved wages, benefits and working conditions.

The right, by law, to belong to the Union and to participate in its affairs is a very important right. Currently, by law, you also have the right to refrain from becoming an active member of the Union and you may elect to satisfy the requirements of a contractual union security provision by paying monthly dues and fees to the Union which reflect the representational expenditures of the ILWU Local 142. Please be advised: That 1.97% of funds were spent in our most recent accounting year (2004) for nonrepresentational activities; that nonmembers can object to having their union security payments spent on such activities; that those who object will be charged only for representational activities; and that if a nonmember objects, the Union will provide detailed information concerning the breakdown between representational and nonrepresentational expenditures. Any objections by a nonmember shall be filed within 30 days and sent to ILWU Local 142 at 451 Atkinson Drive, Honolulu, Hawaii 96814.

Please be advised that nonmember status constitutes a full waiver of the rights and benefits of ILWU Local 142 membership. More specifically, this means you would not be allowed to vote on contract modifications or new contracts; would be ineligible to hold Union office or participate in Union elections; and all other rights, privileges and benefits established for and provided for ILWU Local 142 members by its Constitution and By-laws.

We are confident that after considering your options, you will conclude that the right to participate in the decision making process of your Union is of vital importance to you, your family, and your co-workers, and you will complete and transmit your application for membership in ILWU Local 142. Thank you.

Next Local Executive Board Meeting scheduled for March 17-18, 2005 • 10:00 am • 451 Atkinson Drive, Honolulu

A Guide to the ILWU

what every member should know

Welcome to the ILWU!

As a member of ILWU Local 142, you are part of a long and proud tradition where workers join or form organizations for their mutual benefit and to promote fairness and justice on the job. These organizations are called labor unions, trade unions, or just unions.

In Hawaii, one out of every four workers are members of a labor union. The most common kind of union is based on the job the worker does. For example, there are unions of airline pilots, firefighters, bricklayers, teachers, and nurses, and only workers who do those jobs are members of those unions. Another kind of union is based on an entire industry—such as hotel workers, government employees,

or postal workers. A third kind of union, like the ILWU, organizes and includes workers from many different industries. This kind of unionism brings the highest level of unity to workers.

There are 22,000 ILWU members on all major islands in Hawaii, which makes the ILWU one of the largest unions in Hawaii. ILWU members work in every major industry including: tourism, longshore, sugar, pineapple, manufacturing, transportation, and hospitals. ILWU members hold diverse jobs—they include mechanics, drivers, cooks, hotel housekeepers, store cashiers, computer clerks, hospital technicians, and more.

Dignity and Respect in Unions

Believe it or not, most workers organize into unions because of bad working conditions and poor treatment by management and not for higher wages and benefits. When workers are organized into unions, they gain the power to change their working conditions and demand respect and fair treatment from management.

With a union, **workers have job security** and can no longer be fired, transferred, or demoted at the whim of their bosses. In the United States, workers are hired “at-will.” This is a term which means workers are not slaves and can quit their job at their choice—or at their will. **It also means an employer can fire a worker for any or no reason**—or at the employer’s will. U.S. and Hawaii law only protects a worker from being fired for an illegal reason—such as discrimination by race, sex, age, religion, sexual orientation, ancestry, disability, marital status, or arrest and court record. However, unionized workers have a **written contract which gives them additional protection** against unjust or unfair firing or treatment on their job.

With a union, **workers gain the power to meet with management on equal terms** and bargain collectively to improve their wages and benefits. Union workers no longer have to go to their boss as individuals and beg for an increase in wages. With a union, workers have a voice on the job because management is required to negotiate with them on any changes in the terms and conditions of employment. With no union, management can take back benefits and change things on the job at anytime with no notice and no need to consult with workers.

Unions give workers dignity, respect, and a voice on the job. Many workers consider these to be the most valuable benefit of having a union.



ILWU members work to bring the benefits of unionization to non-unionized workers. Participants in the ILWU’s three-day organizing training class learned skills that will help them organize new workers into the ILWU.

Know non-union workers who need help organizing?

The ILWU represents workers in the following industries: transportation, agriculture, tourism, automotive, retail, healthcare, and more!

If you know workers at a non-union company who need help securing their jobs and making improvements at their workplace, let your union representative know! Call the ILWU and ask for the Organizing Dept. at your Division Office:

Hawaii: (808) 935-3727 • Maui County: (808) 244-9191
Kauai: (808) 245-3374 • Oahu: (808) 949-4161

Changed your address? Let us know!

Did you know members have a duty to keep us informed of your latest home address?

The US Post Office will only forward mail for 60 days, so send us a card to let us know you moved. We need your name, old address, and new address. Send the card to: Mailroom, ILWU, 451 Atkinson Drive, Honolulu HI 96814

“What this Union is trying to do, what it stands for, the program that it is dedicated to is essentially a program that is necessary for the welfare of the majority of the people of America: a decent livelihood; a decent future; the right to talk back; the right to think as they desire; the right to organize, bargain, and strike; and to do things within the framework of our government.”

—Harry Bridges, ILWU founder
1947 ILWU Convention



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A Guide to the ILWU: what every member should know

Organization for mutual benefit

A third and very important benefit of union membership goes far beyond your job. You are now a member of a workers' organization--dedicated to defend your interests as a worker and to promote the general welfare of you and your family.

This is spelled out in the ILWU Declaration of Principles:

We, the men and women working under the jurisdiction of ILWU Local 142 Hawaii, in order to build and maintain a strong local organization and provide for the defense of our common interests, promote the general welfare of our members, their families and other wage earners in the community, and uphold the rights and dignity of our labor and its organized expression, have determined that we shall be guided by the following principles . . .

One of the most important way the union defends our interests is through Union Political Action. The legal system is extremely important to working people. Laws can be passed to give additional rights and protection to workers or, just as easily, take away workers' rights and protections. The story on page 3, "What Is At Will Employment?" clearly shows how laws affect your job security.

In our country, the U.S. Congress and our State Legislature

have the power to make new laws and change old laws. Every year in Hawaii, our State Legislature considers thousands of bills that propose changes in our laws--some of these proposals benefit workers and some take away rights and benefits. For this reason, the ILWU and other unions must be actively involved in the legislative process, monitoring all of the bills, stopping legislation that would hurt working families, and urging legislators to pass legislation that benefit workers.

The success or failure of union political action depends on numbers—it takes a majority of legislators to pass a piece of legislation. This is why the ILWU and other unions endorse certain candidates over others during the elections. In the last election in 2002, the ILWU Political Action Committee interviewed dozens of candidates and questioned them on issues important to workers.

Union members were then urged to vote for only those candidates who would support working families.

Every year in Hawaii, our State Legislature considers thousands of bills that propose changes in our laws—some of these proposals benefit workers and some take away rights and benefits.



ILWU members work together to help each other at work and in the community. Members, retirees, and their families at Poamoho Camp in Wahiawa are working with government agencies, legislators and the business community to preserve their plantation camp and lifestyle.



Being a ILWU member means getting involved in issues that affect the workplace. Above, longshore unit leaders meet with management, the Dept. of Public Safety, and the Dept. of Transportation at the Hawaii Employers' Council office for a briefing on port security. (l-r) Matson Navigation Co.'s Peter Burns and ILWU members Nathan Dudoit, Wallace Kiyabu, Unit Chair Nate Lum, and David Anderson.

You have rights on the job

As a member of a union, you have rights on the job. With the ILWU you have the combined strength and experience of the union on your side.

You have the right to have a union steward or business agent help you with any problem on the job. You have the right to ask for a union representative if the company calls you into a meeting which may lead to disciplinary action.

You put yourself at a disadvantage when you try to settle a problem by yourself, or when you fail to let your union know of problems you and your fellow workers have.

If you have a question or

problem on the job, the first thing you should do is talk to your on-the-job union steward.

Your company is called a "unit" within the ILWU structure. **Each unit has its own elected officers and union stewards, who serve as volunteers. They get no special treatment or privileges from the company or from the union, but they are ready to help you and your fellow workers.**

Get involved in your union!

Know your rights. Read and understand your rights and benefits under the union contract and the ILWU Constitution. You can get copies from your union representative. **Take an active part in shaping your working life.** Get to know your union stewards and get involved with union activities. The union is only as strong as its members.

Come to union meetings. You'll learn about your rights as a

working person. It's an education that will make you a better person and your employment at your company more rewarding and enjoyable. Your participation in the union is always welcome and you will be glad you got involved. Meeting notices are posted on the union bulletin board, along with other important announcements. **Make it a practice to regularly read the notices on the union bulletin board.**

**Need a copy of your contract?
Contact your Business Agent.**

Hilo: (808) 935-3727 • Waimea: (808) 885-6136
Kona: (808) 329-2070 • Lihue: (808) 245-3374
Wailuku: (808) 244-9191 • Honolulu: (808) 949-4161

ILWU Tourism Industry News

Work in a hotel? Lucky you live Hawaii

Hawaii hotel workers earn among the highest wages of any hotel worker in the nation. According to the US Bureau of Labor Statistics, the average annual pay of Hawaii hotel workers was \$31,045 in 2003. Maui County hotel workers did even better with an average pay of \$32,526.

The only hotel workers who earned more were in the state of Maryland and the District of Columbia, where they averaged \$33,018 and \$32,746 respectively.

New York City hotel workers are probably the highest paid hotel workers in the country. In 2003, their average pay was an impressive \$42,552 a year, but hotel workers outside of the city earn far less. The statewide average for New York is \$30,355, much lower than Hawaii's statewide average of \$31,045.

Hawaii even did better than Las Vegas, where workers in the casino hotels averaged \$30,524 in annual wages.

Thanks to unionization

The high wages of hotel workers in Hawaii, New York, Las Vegas, and other areas is the direct result of unionization. The workers in these areas are organized into unions and have the power to negotiate higher wages and benefits. Through the years, these unionized workers have made tremendous gains in improving their conditions as workers.

On the other hand, hotel work in most of the United States remains low paid and dead-

ended. In 25 states, the average pay is less than \$8.00 an hour. In South Dakota and Mississippi, hotel workers earn just a few cents more than the federal minimum wage of \$5.15 an hour. These are areas of low unionization, where so called "right-to-work" laws have been passed to weaken unions.

What's Average?

The US Bureau of Labor Statistics calculates the average pay by taking the total wages paid and dividing that by the total number of workers. "Total wages" is only what is reported to the state for unemployment purposes and will not include unreported tips and gratuities. The total number of workers does not adjust for the fact that many hotel workers are part-time. The actual annual pay for full-time workers would be much higher than the calculated average.

This information is from the US Bureau of Labor Statistics "Census of Employment and Wages" — <http://www.bls.gov/cew/cewover.htm>. Their website also contains information on the average earnings of workers in all industries.

Hotel workers

There are about 36,000 hotel workers in Hawaii employees and there may be about 28,000 "pro Local 142 has about 11,000 hotel members and Employees Union) has about 9,000 hotel memb

This adds up to 20,000 union members which means about 70% of Hawaii's hotel industry is unionized. This high level of unionization explains why Hawaii's hotel workers have some of the best wages and benefits of any hotel worker in the nation.

Almost all of the ILWU's 11,000 hotel members are on the neighbor islands of Hawaii, Maui, Lanai, Molokai, and Kauai. Only 140 of our hotel members are on Oahu. HERE's membership is mainly in Waikiki on Oahu, where they have 16 organized hotels.

ILWU and Hotels

How is it that the ILWU has more hotel workers than HERE and why are ILWU members mostly on the neighbor islands while HERE is concentrated in Waikiki?

Go back 45 years to 1960. Hawaii's tourism industry was just beginning to expand rapidly with the introduction of jet aircraft like the Boeing 707 which cut travel time in half to 5 hours. Propeller aircraft like the Boeing 377 Stratocruiser took 8 - 10 hours to cover the 2,400 miles from California to Hawaii.

Waikiki was the primary tourist destination where 80 percent of the visitors stayed.

Most of the big hotel chains like the Sheraton and Hilton had hotels in Waikiki, which were organized by the AFL-CIO Hotel Employees and Restaurant Employees Union.

In 1960 there were only a handful of hotels on the neighbor islands with a total of 1,100 rooms. The wives and daughters of many of our sugar and pineapple members worked in these hotels and they wanted to unionize to improve their conditions. In response, the ILWU began a major campaign to organize neighbor island hotels, starting with five hotels owned by InterIsland Resorts. Those hotels were the Naniloa Surf, Kona Inn, Kaiaka Lodge, Kauai Inn, and Kauai Surf.

ILWU wins first election

Under US labor law, workers can unionize if a majority of them vote in favor of the union. The election is supervised by the National Labor Relations Board (NLRB) and both the union and company have a period of time to campaign for the workers' vote. The company has the advantage because they have daily access to the workers. To offset this advantage, the NLRB requires the company to provide the union with a list of workers and their addresses. This allows the union to visit these workers at home to explain the benefits and advan-

Highest Earnings for Hotel Workers

1	New York City	\$42,552
2	Maryland	\$33,018
3	Washington D.C.	\$32,746
4	Maui	\$32,526
5	Boston, Massachusetts	\$32,252
6	San Francisco	\$31,150
7	Hawaii Statewide	\$31,045
8	Nevada Casino Hotels	\$30,524
9	Chicago, Illinois	\$26,224

Lowest Paid Hotel Workers

1	South Dakota	\$11,189
2	Mississippi	\$11,717
3	Iowa	\$12,708
4	Arkansas	\$12,872
5	Montana	\$13,205
6	Wisconsin	\$13,542

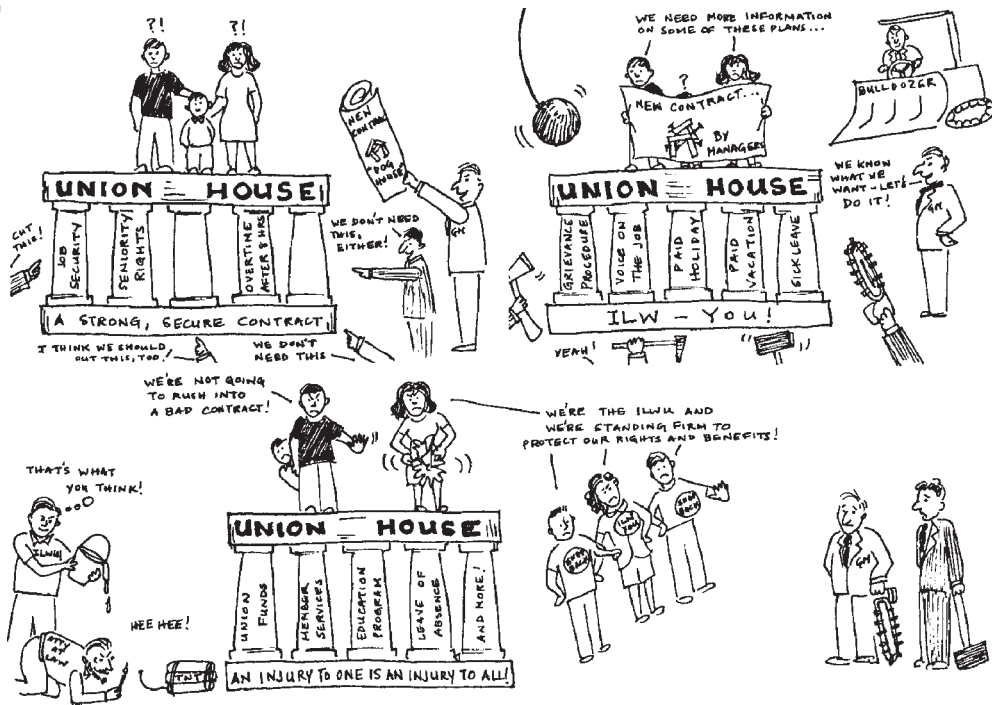


Maui ILWU members at Grand Wailea Resort Hotel & Spa fought for and won a fair contract.

ILWU Tourism Industry News

win with ILWU

Take out management and other non-bargaining "production" workers in the hotel industry. The ILWU HERE Local 5 (Hotel Employees and Restaurant



Cartoon from the 1995-96 hotel negotiations, during which ILWU hotel members maintained solidarity and fought hard to get fair contracts.

tages of unionizing.

ILWU members from other industries helped in the organizing and visited and talked with hundreds of InterIsland Resorts workers on Hawaii and Kauai. Their efforts and hard work paid off as the overwhelming majority of InterIsland Resorts workers voted in favor of the ILWU in 1960 and again in 1962.

Maui organizes

After the InterIsland Resorts victory, the ILWU turned its organizing efforts to Maui. The union continued the successful strategy of using members from other industries like sugar and pineapple to help with the organizing by talking to hotel workers. In 1964, Royal Lahaina Resort workers voted to join the union, which was followed by an election win at the Kaanapali

Beach Hotel in 1965.

In the next few years, the ILWU won elections at the Mauna Kea Beach Hotel, the Maui Lu Resort, the Sheraton Volcano House, and the Hotel King Kamehameha.

In most of these elections, the other hotel union (HERE) would intervene and get on the ballot so workers actually had the choice between two unions. But the ILWU had the advantage of a large, existing membership on the neighbor islands, a reputation as a clean and democratic union, and the involvement of rank-and-file members in organizing.

The ILWU continued to win elections in the 1970s and 1980s, adding another 20 hotels to the ILWU family. By the end of the 1980s, the ILWU had more hotel members than HERE and ILWU wages and benefits were equal to

or better than Waikiki.

Getting good contracts

Winning the election is just the beginning—it only requires the employer to negotiate with the union. In order to improve wages and working conditions and get a good contract, the newly organized workers must get actively involved and continue to support their union.

When the ILWU negotiated its first hotel contracts in 1962, the union used principles of industrial unionism which were significantly different from the HERE contracts in Waikiki. HERE was formerly a bartenders union organized along craft lines and their contracts tended to favor the skilled jobs.

The ILWU organized all workers in the hotel and negotiated contracts that benefit all workers with no divisions by skill or craft. ILWU hotel contracts contain strong language to preserve seniority and job status. A lot of contract language is designed to take care of workers as they build seniority — more sick leave, more vacation, long term disability insurance, and preservation of seniority in case of long illness or disability.

Equality and solidarity

By organizing industrially, the ILWU had to build solidarity among workers who do very different jobs, immigrants and locals, men and women, skilled and less skilled, and so on.

One of the major divisions in a hotel is between the “front of the house” and “back of the house.” “Front of the house” are those jobs that have regular contact with hotel guests—front desk,

lobby, recreation, and restaurants. “Back of the house” are those jobs that keep the hotel running but have much less contact with hotel guests—housekeeping, laundry, grounds, maintenance, and kitchen.

Another major divisions is tipping and non-tipping workers. Tipped workers are waithelp, banquet workers, and bell attendants who earn most of their income from tips. Non-tipped workers are everyone else.

Recent immigrants tend to concentrate in the back of the house. People who grew up speaking English tend to be in tipping categories in the front of the house. The majority of housekeepers are women, while maintenance is mostly men.

The ILWU was able to build solidarity among all these groups by using ILWU principles of equality and democracy. The union made sure negotiating committees had members from each of these groups or could at least fairly represent the interests of these groups. The negotiating process also had to be democratic—members had to be involved in putting together the initial demands, members had to be informed and mobilized during negotiations, and members had to approve any final agreement.

Union gains

The high level of unionization has enabled Hawaii hotel workers to make tremendous gains in wages, benefits, and working conditions. Before the union, hotel work was temporary until you could find a better job. Today, unionized hotel workers can make a good living and many make it their lifelong career.

Support Union Shops!

- Hawaii Naniloa Resort • Mauna Kea Beach Hotel
- King Kamehameha's Kona Beach Hotel • The Fairmont Orchid
- Mauna Lani Bay Hotel & Bungalows • Hilton Waikoloa Village
- Hapuna Beach Prince Hotel • Ohana Keauhou Beach Resort
- Royal Lahaina Resort • Maui Lu Resort • The Westin Maui
- Kaanapali Beach Hotel • Maui Eldorado Resort • Lahaina Shores Beach Resort • Napili Shores Resort • The Lodge at Koele
- Manele Bay Hotel • Maui Prince Hotel • Renaissance Wailea Beach Resort • Kapalua Bay Hotel • Hyatt Regency Maui • Diamond Resort
- Grand Wailea Resort • Maui Tropical Plantation
- The Ritz-Carlton Kapalua • Maui Beach Hotel • Molokai Ranch
- Hyatt Regency Kauai • Honolulu Airport Hotel



ILWU, Hawaii Government Employees Association (HGEA) and other union members joined an informational picket in support of New Otani Kaimana Beach Hotel workers, who are trying to get a first contract. Participants included Local President Fred Galdones (second from right) and Local Secretary-Treasurer Guy Fujimura (right).

ILWU Pineapple Industry News

Maui Pine workers qualify for assistance

Laid-off workers from Maui Pineapple Company's Kahului Cannery are eligible to receive a wide range of job assistance from the federal government. The ILWU successfully filed a petition requesting these benefits under the Trade Act of 1974, which provides Trade Adjustment Assistance (TAA) to workers who lose their jobs because of increased foreign imports and additional assistance for workers over the age 50.

Maui Pineapple is the only company still canning pineapple in the US, as other companies such as Dole and Del Monte have long moved their canning operations overseas. In recent years, the cheaper, imported canned pineapple has been hurting sales of Maui Pineapple's canned products.

In response, the company moved ahead with plans to cut back on canning, and expand its fresh pineapple products, which continues to do well. The move resulted in the permanent layoff of 150 cannery workers in January 2005. About 40 of these workers transferred to fresh fruit operations at Haliimaile, but about 100 workers, many of whom were over the age of 50, were laid-off.

Imports cause job loss

An investigation by the US Department of Labor found a direct link between increasing imports of canned pineapple and declining sales and employment at the Maui Pineapple Cannery.

"The investigation revealed that sales and employment at the subject firm declined in 2004 compared with 2003.

"The investigation also revealed that United States imports of canned pineapple far exceeded U.S. production in 2003 and 2004. In addition, the ratio of imports to U.S. production increased in January through November, 2004 compared with the same period one year earlier, from 282 percent of production in January through

November 2003 to 353 percent of production for the same period in 2004."

The US Department of Labor approved the ILWU's petition on January 27, 2005. The ruling covers all Kahului Cannery workers who lost hours or their jobs on or after December 15, 2003, and continues for two years until January 27, 2007. This means eligible workers may apply for assistance anytime within this two year period.

Benefits include

In addition to the regular 26 weeks of state unemployment insurance, laidoff Maui Pine workers are eligible to receive: 1) retraining and assistance in finding a new job; 2) reimbursement of expenses in seeking work outside of their normal commuting area; 3) relocation expenses if the worker must move to get a new job; 4) training up to a maximum of 104 weeks including an additional 26 weeks if basic education such as English is required; 5) income support while a worker is receiving full-time training (this must be done within 8 weeks of certification); 6) a tax credit of 65 percent of the monthly health insurance premium.

Eligible workers over age 50 may also receive a wage subsidy if they get a new, full-time job that pays less than their old job.

There are time limits and deadlines for applying for these benefits. See box for a list of services and benefits available.

Maui Pine members should contact their Rapid Response Unit, WorkSource Maui, at 984-2091 for information and assistance in applying for TAA benefits. In addition, Maui Pine members may also contact their ILWU business agent, Delbert DeRego, at 244-9191 or the ILWU's social services coordinator, Joanne Kealoha, at 808-949-4161.

Trade Adjustment Assistance (TAA) Services and Benefits

Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) help trade-affected workers who have lost their jobs as a result of increased imports or shifts in production out of the United States. Certified individuals may be eligible to receive one or more program benefits and services depending on what is needed to return them to employment. [This information is from the US Department of Labor website at <http://www.doleta.gov/tradeact/benefits.cfm>.]

► **Rapid Response Assistance** - a special team of people from the State's Dislocated Worker Unit is assigned to help the laid off workers apply for the benefits listed below.

Reemployment Services - offer workers assistance in finding a new job. Many TAA-eligible workers will be able to return to employment through a combination of these services. For individuals who require retraining, these services will help identify appropriate training programs, and help them obtain reemployment at the conclusion of the training program. To ensure workers are referred to appropriate job openings and placed in jobs that utilize their highest skills, the following services are generally provided through One-Stop Career Centers: 1) Employment counseling; 2) Resume writing and Interview skills; workshops; 3) Career assessment; 4) Job development; 5) Job search programs; and 6) Job referrals

Job Search Allowances - may be payable to cover expenses incurred in seeking employment outside a certified worker's normal commuting area, if a suitable job is not available in the area. Job search allowances reimburse 90% of the total costs of allowable travel and subsistence, up to a total of \$1,250.

Relocation Allowances - may reimburse approved expenses when certified workers must move to a new area of employment outside their normal commuting area. Relocation allowances may include:

- 1) 90% of the reasonable and necessary expenses of moving workers who have secured employment outside of their normal commuting area, their families and their household goods. The amount will be reduced if the worker is entitled to reimbursement from other sources.
- 2) A lump sum payment equal to three times the worker's average weekly wage (but no more than \$1,250) to help them get settled.

► **Training** - is provided to certified workers who do not have the skills to secure suitable employment in the existing labor market. Training is targeted to a specific occupation and provided to help certified workers secure employment at a skill level similar to or higher than their layoff employment, and sustain that employment at the best wage available. Based on the individual's existing skills and labor market conditions, training will be of the shortest duration necessary to return the individual to employment, with a maximum duration of 104 weeks. Individuals who require remedial education in order to complete occupational training may be eligible for an additional 26 weeks of training.

Allowable types of training include: 1) classroom training; 2) on-the-job training; 3) customized training designed to meet the needs of a specific employer or group of employers; 4) basic or remedial education, which may include training in literacy or English as a second language.

► **Income Support** - Trade Readjustment Allowances (TRA) - are available to provide income support to individuals while they are participating in full time training. Under certain circumstances TRA is also available to certified workers for whom training is not feasible or appropriate. TRA benefits are defined in two (2) categories: Basic TRA and Additional TRA. Each category has its own set of eligibility requirements.

- Basic TRA is payable if the worker is enrolled or participating in TAA training, has completed such training, or has obtained a waiver of such training requirement.
- Additional TRA is payable only if the worker is participating in TAA approved training.

In general, certified workers may be eligible for 104 weeks of income support, usually broken out as follows: 1) Normally 26 weeks of state unemployment insurance (UI) compensation; 2) Followed by 26 weeks of basic TRA; and 3) Up to 52 weeks of additional TRA to assist the worker in completing a TAA training program.

Important Deadlines: Within 8 weeks of certification or 16 weeks of the most recent qualifying separation workers must be enrolled in approved training, or have a valid waiver, to receive TRA. In order to qualify for additional TRA, an individual must have submitted a bona fide application for training within 210 days of their layoff or of the certification, whichever is later.

► **Health Coverage Tax Credit (HCTC)** - Workers who are eligible to receive income support under the TAA program may be eligible to receive tax credits for 65% of the monthly health insurance premium they pay. Qualifying insurance coverage includes COBRA, state COBRA, continuing individual coverage or other state-qualified plans. For detailed information on HCTC, and a list of state-qualified health plans, visit the Internal Revenue Service website or see http://www.irs.gov/pub/irs-utl/hctc_program_hipaa_statement_and_disclaimer_pdf.pdf.

Alternative Trade Adjustment Assistance (ATAA) Program Benefits

Alternative Trade Adjustment Assistance (ATAA) program benefits are provided as an alternative to the benefits offered under the regular TAA program. Participation in ATAA allows older workers, for whom retraining may not be appropriate, to accept reemployment at a lower wage and receive a wage subsidy. [Many of the benefits are similar to those under TAA, except for the wage subsidy benefit below.]

► **Wage Subsidy** - Eligible workers age 50 or older who obtain new, full-time employment at wages of less than \$50,000 within 26 weeks of their separation may receive a wage subsidy of 50% of the difference between the old and new wages, up to \$10,000 paid over a period of up to two years.

Note: A worker receiving a wage subsidy under the ATAA program may not receive benefits under the TAA program.

Important Deadline: To qualify for ATAA a worker must obtain qualifying reemployment within 26 weeks of layoff. This remains true even if the certification is not issued until after the 26 weeks have passed.

A Guide to the ILWU: what every member should know

Your union contract—what is it?

Your union contract is a written agreement with your employer. It defines your wages, benefits, conditions of employment, and rights on the job. It is enforceable through a grievance procedure and ultimately in a court of law.

Most union contracts are renegotiated every three years, although some contracts run for only one year and others run for as long as six years. How long the contract runs is up to you and your negotiating committee. **The ILWU is a democratic union and members are involved in every step of the negotiation process.**

Before the old contract expires, the union members at your company (which we call a Unit in the ILWU) will be asked for their input and ideas on what to change in the contract. This is usually done at a membership meeting, called by the officers of your Unit. **This is one good reason why you should attend union meetings—it's your chance to improve your union contract.**

Your unit will also select a committee to represent them in negotiations with management. This committee is usually composed of your elected unit officers, but many units will expand the committee to make sure different parts of your unit are represented. A hotel unit, for example, might select a committee with members from different departments like housekeeping, food and beverage, maintenance, and front desk.

The Local or Division office will also assign a full-time business agent or officer to work with your negotiating committee as your spokesperson. **During negotiations, unit members may be asked to support their committee by wearing union buttons, attending rallies, and mobilizing in other activities.**

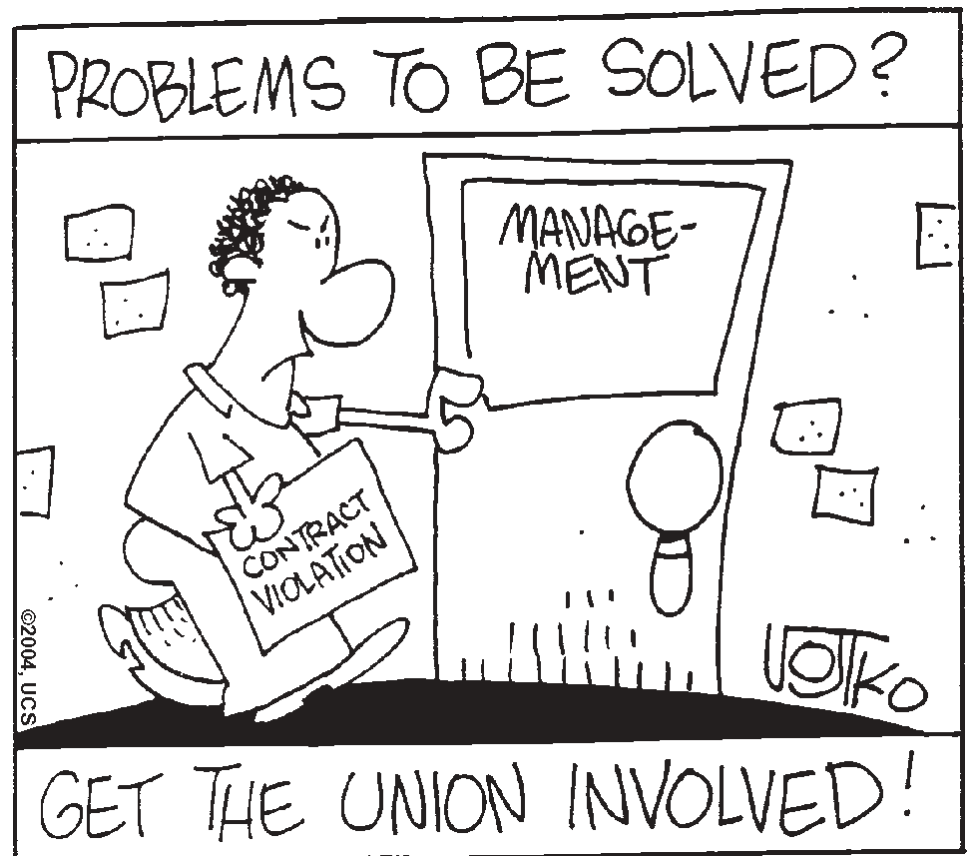
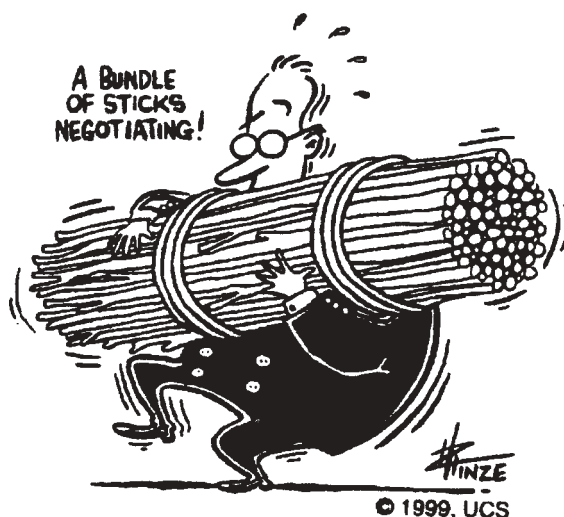
When your committee thinks a fair settlement with management has been reached, they must get your vote of approval before the new contract can be finalized. This happens at a membership

meeting where your committee will report on the settlement and where your unit members can vote to accept or reject the settlement. This is another part of ILWU democracy which requires membership approval for all contract settlements.

In rare cases, management may refuse to agree to a fair settlement and your committee may ask you to authorize a strike. Again, ILWU democracy requires membership approval for a strike.

Your union contract is a very important document. You should read the contract and be familiar with its terms. You should challenge management whenever they violate the contract. You can get a copy from your unit officers.

WHICH IS STRONGER?



What to do if you need help

If you are given an oral or written warning or are disciplined by management, you should contact your union representative immediately. You have a right to ask for a union representative, if you are called into a meeting with management and you believe the meeting may result in disciplinary action.

The company may have House Rules, Standards of Conduct, Dress Codes and work policies that are separate from the union contract. These are the company's rules, however, the union may get involved if you are disciplined as a result of any of these rules or if these rules are unfairly applied, are unreasonable, or unrelated to the business objectives of the company.

The company may not discipline or discharge any employee, except for just and proper cause. Just and proper cause involves the following principles:

1. **The company must give the employee forewarning or foreknowledge of the possible or probable disciplinary action as the result of the employee's conduct.**
2. **The company's rule must be reasonably related to the orderly efficient and safe operation of the employer's business, and the performance that the company might properly expect of the employee.**
3. **Before administering discipline to an employee, the company must make an effort to discover whether**

the employee did in fact violate or disobey a rule or order of management.

4. **The company's investigation must be conducted fairly and objectively.**
5. **When the company conducts its investigation it must obtain substantial evidence or proof that the employee was guilty as charged.**
6. **The company must apply its rules, orders and penalties evenhandedly and without discrimination to all employees.**
7. **In determining the degree of discipline the company must show that the penalty is reasonably related to the seriousness of the employee's proven offense and shall consider the employee's record of service and length of employment with the company.**

The union will work on your behalf to investigate if the company acted properly in taking disciplinary action against you. If you are disciplined, there is a time limit within which to contact the union and have the union file a grievance. Because of this time limit, do not delay. Contact the union representative as soon as you can.

The VOICE of the ILWU welcomes letters, photographs and other submissions from members.

Write to: Editor, VOICE of the ILWU,
451 Atkinson Drive. Honolulu, HI 96814

Or e-mail: ilwuvoice@hawaii.rr.com

A Guide to the ILWU: what every member should know

The benefits of union political action

A single worker is powerless to bargain with his employer for good wages and conditions. In the same way, a single voter can't do much to influence the legislature.

Workers join unions so they can bargain as an organized group, and this pays off in better wages, working conditions, and job security. Likewise, unionized workers can organize their votes, which gives them the power to get laws passed that benefit workers and their families.

Through Union Political Action, working people in Hawaii have

passed many good laws that have improved the conditions for all working people. Four examples of these laws are: 1) Workers Compensation Insurance; 2) Temporary Disability Insurance; 3) the Minimum Wage; and 4) the Pre-paid Health Care Act which requires employers to provide medical plans to covered workers.



Unit 4405 - Foodland Super Market Ltd. Chair Dillon Hullinger, Business Agent Shane Ambrose, Business Agent Karl Lindo, and Unit 4405 - Sack 'n Save Chair Gordon Ogawa visit State Representative Marcus Oshiro (center) on the opening day of the 2005 State Legislature. Rep. Oshiro and other ILWU-endorsed candidates have been strong advocates for working people at the state legislature.

Not registered to vote?
 Stop by the your union office—let us help you!
 (See addresses below)

Contacting the Union

If you cannot reach a unit officer or steward you can call your business agent at the ILWU Office on your island. Regular office hours are from 8:00 a.m. to 4:00 p.m., Monday through Friday.

- Hilo PHONE: 935-3727 FAX: 961-2490
- Waimea PHONE: 885-6136 FAX: 885-0450
- Kona PHONE: 329-2070 FAX: 329-2070*01
- Wailuku PHONE: 244-9191 FAX: 244-7870
- Lihue PHONE: 245-3374 FAX: 246-9508
- Honolulu PHONE: 949-4161 FAX: 941-5867

If your business agent is not in the office, you should leave a message, a phone number and a time when you can be reached. If you have a serious problem, you should contact the union as soon as possible. There is a time limit on reporting any problem.

HAWAII DIVISION

HILO: 100 W. Lanikaula St., Hilo HI 96720

WAIMEA: Uilani Plaza, Suite F, 64-1035 Mamalahoa Hwy., Kamuela HI 96743

- Richard Baker Jr. Division Director
- Isaac Fiesta Jr. Business Agent
- Greg Gauthier Business Agent
- Elmer Gorospe Business Agent
- Wallace Ishibashi Jr. Business Agent
- Roy Jardine Business Agent
- Richard Kaniho Business Agent
- Ann Chong Hawaii Division Clerk
- Sui Sin Coloma Hawaii Division Clerk

MAUI DIVISION

WAILUKU: 896 Lower Main St., Wailuku, HI 96793

- William Kennison Division Director
- Robert "Bobby" Andrión Business Agent
- Steve Castro Business Agent
- Jerrybeth DeMello Business Agent
- Delbert DeRego Business Agent
- Teddy Espeleta Business Agent
- Joseph Franco Jr. Business Agent
- Claro Romero Business Agent
- Wayne Takehara Business Agent
- Jocelyn Victorino Maui Division Clerk
- Joyce Naruse Maui Division Clerk

KAUAI DIVISION

LIHUE: 4154 Hardy St., Lihue, HI 96766

- Clayton Dela Cruz Division Director
- Pamela Green Business Agent
- Michael Machado Business Agent
- Melissa Ragasa Kauai Division Clerk

OAHU DIVISION

HONOLULU: 451 Atkinson Dr., Honolulu, HI 96814

- Dave Mori Division Director
- Shane Ambrose Business Agent
- Brandon Bajo-Daniel Business Agent
- Karl Lindo Business Agent
- Larry Ruiz Business Agent
- Tyrone Tahara Business Agent
- Brian Tanaka Business Agent
- Michael Yamaguchi Business Agent
- Lisa Maehara Oahu Division Clerk

LOCAL OFFICERS

- Fred Galdones President
- Donna Domingo Vice President
- Guy Fujimura Secretary-Treasurer

LOCAL STAFF

- Mel Chang Communications Director
- Desmond Kochi Office Manager
- Joanne Kealoha Social Services Coordinator
- Lynette McComas Program Assistant
- Michael Murata Contract Administrator
- Eadie Omonaka Program Assistant
- Rae Shiraki Archivist
- Arlyn Yoshinaga Program Assistant

INTERNATIONAL REGIONAL OFFICE

- Wesley Furtado International Vice President, Hawaii
- Tracy Takano International Representative
- Mathew Yamamoto International Representative

ORGANIZING DEPARTMENT

- Merlita Crespin Organizer
- Jing Tabudlo Organizer
- William Udani Organizer