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Jay, Maine, Fights for Jobs and the Environment

Abstract

[Excerpt] Since 1937, a social contract existed between International Paper and the paper-mill unions. This social contract is referred to locally as "The Smell of Money": IP pays high wages, and workers and their families don't complain about the foul smell created by the paper mills' pollution that permeates the local communities. When IP broke the social contract by permanently replacing the local workforce with out-of-town scabs, the local community was left with the stink and no highpaying jobs.

In June of 1987, 1,250 workers at International Paper Company's Androscoggin paper mill in Jay, Maine, went on strike. What happened next was a familiar site in the post-PATCO and pre-Wagner Act eras: within two months, all the union workers were permanently replaced, and 16 months later, the strike was called off.

But the story of the Jay workers doesn't end there. While the battle over bargaining rights was lost, the workplace fight was transformed into a broad campaign to exercise local political power. Indeed, out of this struggle emerged a new tool to extend workers' rights.

Keywords

environment, worker rights, labor movement, strike, organized labor



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But the story of the Jay workers doesn’t end there. While the battle over bargaining rights was lost, the workplace fight was transformed into a broad campaign to exercise local political power. Indeed, out of this struggle emerged a new tool to extend workers’ rights.

■ Peter Kellman attended the Labor Studies program at the University of Massachusetts, Boston. He is a former president of Shoe Workers Local 82, and after that shop closed, became a shop steward in the Painters Union. Peter worked for the Maine AFL-CIO and worked with the local unions in Jay during the strike of 1987-88.

BEFORE THE STRIKE: SOWING THE SEEDS OF POWER

The seeds were sown for the Jay workers to seize local political power before the strike began. The Maine AFL-CIO hired me in the summer of 1986 to work with union members to help elect pro-labor candidates to the Maine legislature. While doing a workshop at the Maine AFL-CIO Summer Institute, I met Randy Berry and Sonny Sanborn, two executive board members of UPIU Local 14, which represented 1,150 workers at the IP mill. Both Randy and Sonny were enthusiastic about getting members of their local involved in the upcoming elections. They realized that benefits won or lost at the bargaining table could be enhanced or undermined by the legislature. At the time, they were most concerned about cuts in workers' compensation benefits and striker replacement legislation.

One of the AFL-CIO's endorsed candidates running for the legislature was a UPIU member from another local named Dick Tracy. But Tracy had a problem. He was running against a conservative Republican who was a native of Livermore Falls, the largest town in the contested legislative district. Not only did Tracy not live in Livermore Falls, he was not well known in town. However, he did have one advantage: out of the town's 3,500 citizens, 350 worked for IP. I asked Sonny and Randy if they wanted some help mobilizing the membership to elect Tracy and dump the incumbent. They said yes and invited me to make a presentation to the executive board of Local 14.

In the presentation to Local 14's executive board, I made the case that the reason for supporting Tracy was clear. Tracy would vote for pro-labor legislation; the incumbent always voted against labor. Our campaign for Tracy would be based on his support for working-class issues. We would organize on two fronts: among the union members in the mill who lived in Livermore Falls; and within the Democratic Party of Livermore Falls.

Inside the mill, members of the local's executive board were given lists of people in their respective work areas who lived in Livermore Falls. They broke these list into groups of not more than 25 and assigned a captain to campaign for Tracy among those people. A captain received a card for each person and, after making the pitch on behalf of Tracy, noted the date and the person's reaction. This way, every Local 14 member in Tracy's district was spoken to by a fellow worker, and the cards were used to keep track of how we were doing. This campaign was carried on in the mill during working hours.

The vice-president of the Livermore Falls Democratic Party and her



husband, a member of the boilermakers union, spearheaded our work with the local party organization. Our goal was to find enough people to call all the Democrats and independents in Livermore Falls on behalf of Tracy. To be successful, we looked to match callers only with people they knew. Seventeen people, calling only their friends, reached all the Democrats and independents in Livermore Falls over a two-week period.

Tracy won by a wide margin. The program of running a candidate on working-class issues with a working-class organization had worked. The Tracy campaign gave Local 14 members a taste of exercising working-class electoral power. The organization and theme used in the Tracy campaign before the strike set the local stage for workers to confront the company.

BEFORE THE STRIKE: UNION COUNTERS IP OFFENSIVE

Meanwhile, International Paper was a steamroller, squeezing concessions out of workers and communities around the country.

IP had laid out its game plan in a speech by President Paul O'Neil to the Maine Chamber of Commerce in October, 1986. O'Neil said IP wanted a cut in workers compensation costs, a reduction in property taxes, the elimination of double-time pay on Sunday, and a backing off from environmental legislation. O'Neil also said IP wanted to end the adversary relationship everyone had with them. He implied that if the workers, town, and state fulfilled those conditions, IP would keep the mill open.

The campaign would force IP to deal with both workers and their communities as centers of power. And that is how the struggle to link a

healthy environment at work and a healthy environment in the community evolved.

In the spring of 1987, IP put in an application to expand its landfill. At a public hearing to discuss the issue, IP claimed that it did not use the dump to dispose of toxic materials. Dennis Couture, a vice-president of Local 14 and citizen of Jay, asked IP representatives if they ever buried the residue from the lime kiln in the dump. They said no. Dennis asked them if they were sure. They said they were positive. Dennis then revealed that that very day, he had loaded more than 45 large truckloads of toxic waste from the lime kiln headed for the IP dump.

The union then launched an investigation to prove the case against IP. Film was taken at the dumpsite and workers signed affidavits confirming that they had witnessed the dumping of toxic materials. The evidence was forwarded to the Natural Resource Council of Maine (MNRC), a statewide umbrella environmental group.

The MNRC suggested we take our case to the state Department of Environmental Protection (DEP). Dennis found that the state's role in environmental matters left a lot to be desired: it sided with IP. The lack of support from the MNRC and the DEP helped start the political mobilization in Jay that would eventually force the state and federal authorities to charge IP with repeated, flagrant violations of environmental law. The most significant was a 1991 federal case in which IP was found guilty of five felony counts and paid a \$2.2 million fine.

In March, 1987, workers at IP's mill in Mobile, Alabama, rejected the company's contract proposal. The iron heel came down quick and hard. IP locked out all 13,000 workers and replaced them with scabs. Then, in June, workers at IP mills in Lockhaven, Pennsylvania, Depere, Wisconsin, and Jay, Maine, went out on strike in response to the lock-out at Mobile and local concessions demanded by the company.

THE STRIKE: UNION CHAMPIONS THE ENVIRONMENT

The 1,250 union members of Local 14 struck on June 16. The union immediately linked its struggle with those concerned about the environment. It didn't take the union long, with IP's unintentional help, to show that the company would sacrifice the environment to impose its will. A large union sign mounted on a pickup truck said, "IP MOTTO: RAPE THE PEOPLE, RAPE THE FOREST, POLLUTE AIR 'N' WATER."

The newspapers reported that on the first day of the strike, a clearly visible brown liquid flowed from IP's effluent pipe. IP's environmental-affairs manager said that there were no problems. The DEP said its

inspector tested the water and did not detect any anomalies. The union accused the DEP of doing the wrong test on the water. The DEP responded that the inspector did the right test, but used the wrong piece of equipment.

It was a circus. However, the television footage of the spill contradicted the DEP and IP and, for the first time, IP was forced to defend itself in the court of public opinion. Repeatedly, IP would have a spill or a leak and the union would bring it to the public's attention, only to have state officials support IP's contention that nothing bad had happened.

Jay workers started to lobby the town's selectmen to get something done. At a union mass meeting in mid-July, Jay Town Manager Charles Noonan announced that the Board of Selectmen had formally notified IP that the board was reversing its decision to proceed with a \$4.5 million bond issue. At the same mass meeting, Noonan announced that three ordinances would come before a special town meeting called for August 11. The ordinances would ban the use of professional strikebreakers; prevent IP from housing people on site; and require town officials to ensure that the state enforced environmental laws and ordinances affecting citizens or businesses.

"THE JAY LABOR TEMPLE"

The mass meetings took place every Wednesday night in the Jay Community Center's gymnasium, which has bleachers that hold 900 people on one side and a stage on the other. It was a rare night when fewer than 1,000 people were in attendance. At these meetings songs were sung, strike updates given, and speeches made. The meetings were central to the life of the labor community. The Jay Community Center was also the place where the August 11 Jay town meeting was held.

The Maine town meeting is a form of pure democracy. It is similar to a Constitutional Convention because everything is up for grabs at every meeting. A regularly scheduled town meeting is held once a year. Special town meetings can be called at any time by the Board of Selectman or by petition of the citizens. Any registered voter of the town has a vote at the meeting—and, to make it simple, you can register to vote at the meeting. All the legislative business of the town, like the budget and ordinances, is conducted at the town meeting. Five Board of Selectman members, elected to staggered terms, execute the decisions made by the town meeting. By the time the special town meeting was called to vote on the three ordinances, IP had permanently replaced over half the workforce.

The town meeting on August 11 was over in 29 minutes. About 900 voters approved overwhelming the three new ordinances. When the votes were taken, you could feel the breeze created when 900 people raised their hands at the same time. You really could sense the wind of change in the Jay Community Center that day. Bill Meserve, President of Local 14, called the Jay Community Center the Jay Labor Temple.

Meanwhile, IP tied up the ordinances in court. The three ordinances had been drafted quickly by lawyers representing organized labor in Maine. They were not meant to institutionalize any long-term changes but to send IP the message that, if you they didn't back off, labor had the potential to hurt them through the power of government. The message was sent and IP sued the messenger.

A COMMUNITY TAKES SHAPE

Over the ensuing months, as IP permanently replaced the entire workforce and continued to threaten the health and safety of the community with massive chlorine and chlorine dioxide leaks, something happened. A real community of workers formed. For the first time in their lives, several thousand people came together to talk about working-class problems and issues. Every day they worked together, not to make paper at the direction of IP, but to build a community to promote their own interests.

People came to understand that the foundation of the old social contract was flawed. They no longer accepted the idea that you had to trade the environment for good jobs. They decided to fight for both: jobs and the environment.

However, the fight for local power was only one aspect of the overall struggle that the strike community undertook. The weekly mass meetings were jammed; a round-the-clock picket line was maintained; a food bank fed 1,000 families; more than 10,000 people attended a demonstration in Jay to protest IP's greed; the strikers' media committee put out 150 press releases during the 16-month strike; plant gates were leafleted all over New England; a caravan of 50 people visited 30 Maine towns and other New England states; striking local members spearheaded a letter-writing campaign to other union members in IP mills who were not on strike; and a corporate campaign was launched.

The Jay Board of Selectman, in response to community pressure, instructed the town attorney to come up with an ordinance that would give the town the power to enforce state and federal environmental laws. The attorney hired the best constitutional and environmental lawyers, who drafted the Jay Environmental and Improvement Ordinance,

which was enacted in May, 1988. The ordinance encompasses all state and federal environmental laws relating to land, air, and water pollution. The town assumed the responsibility to license, monitor, and enforce pollution. Workers in Jay now have a full-time Environmental Administrator. Their environmental "group" is their town government. Their advocate does not raise money through bake sales and dances, but through taxation. Best of all, IP pays over 80% of the taxes. And the town plays no favorites: it fined IP \$390,000 in 1993 for violation of the company's air license.

After three years of battle, the town and IP had both scored some victories. IP had the union decertified, and the state legislature gutted the workers compensation law. The Town raised IP's evaluation by \$100 million. Dennis and his brothers and sisters no longer have to go to the EPA, DEP, or MNRC to get environmental laws enforced. They do it themselves.

The struggle in Jay demonstrates that we do not have to operate within the narrow confines of the Wagner Act to improve our conditions. It shows that we can fight and win struggles not to spite a corporation but to protect ourselves and future generations. Many of our struggles are aimed at forcing a corporation to be responsible, to bargain in good faith, not to harm the environment, not to sell poison. The Jay experience raised the pressure to a new level because Jay workers accepted the responsibility to enforce environmental laws. They created a law to protect their community. ■

Slides by Rene Brochu; photos by Ed Slick

