

STANDING STRONG at SOLVAY

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Lack of Workplace Structure Motivates Former Union Members to Organize Nonunion Solvay Plant

Those who have worked in a union manufacturing plant experience another world when they are employed at a nonunion facility. It was their union experience that motivated three former union members to organize Solvay's nonunion Pasadena, Texas, plant.

Marisela Payne, an outside operator, spearheaded the campaign. She was a former USW Local 227 member at the Chevron Phillips Petroleum plant, and told her coworkers that their working conditions at Solvay were nonexistent at her former employer.

"When we first started at Solvay, the company hired half of the workforce from Texas and half from Pennsylvania. Here, there is a certain standard; we will do what it takes to get the plant going," Payne said.

Solvay shut down its plant at Marcos Hook, Pa., and opened up a new facility in Pasadena, Texas in 2015. It offered positions to the Marcos Hook workers.

"In good faith, operators were changing gaskets, doing maintenance work. What management promised and what happened were two different things. They promised a state-of-the-art unit and that the majority of it would be automated. But it wasn't," Payne said.

"We moved rail cars. We did our lab work at night during our time off work. We off-loaded chemicals from 18-wheeler trailers. We had all these jobs to do and I didn't see us getting compensated.

"Plus, we had to keep up computer training. We were two years behind on our training. Some outside operators fell behind and it affected their training bonus," she said.

Safety Risk

USW District 13 Staff Representative Marcos Velez said that management had workers driving 18-wheelers who were not licensed or certified.

"Workers would come in every day and management would make them perform work they felt they weren't

qualified to do," Velez said.

If a worker performs a job he or she is not qualified to do, a safety incident could arise, he added

Managers also did not respect their own policies and procedures. Velez said they would tell workers to take actions that violated company policy and operating procedures, and then discipline the employees for not following company policies if an incident occurred.

Unsurprisingly, turnover was high.

Outreach Squashed

About a year ago, management announced a change in the work schedule. Unhappy with the new hours and impact on employees' health and family life, workers signed a petition that Payne created.

"We were breaking production records. Safety was good. We asked management to please consider changing our hours back," Payne said. "My shift presented the petition to the superintendent, who talked to the plant manager. He said management would not consider this and might revisit it in six months."

Unhappy with the work environment, Payne started asking friends and family members who were operators and workers at the other Solvay plant in the area about their pay and working conditions. Next, she organized her coworkers. Two of them, Steve Tote and Kennieth Nelson, were former union members as well. Tote, a former Teamster, Machinists and USW member, came to Pasadena from the Marcos Hook plant.

"The CEO signs a contract. Marriage is a contract. This world is based on contracts. Why not in the workforce?" Tote said. "I don't understand why all companies aren't unionized. Everyone should have a contract.

"It's not a matter of 'us vs. them.' There is a relationship between the company and the union.

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Pasadena Organizing Campaign Proceeds Quickly

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Put a set of rules to it, and it makes it simpler. It's especially critical to have rules in a new plant. It avoids complications down the road," he said.

Nelson, a lab technician and former USW member, started at the plant in June 2015 and set up the lab with another person before the official November 2015 opening. He said his previous union experience was positive and thought that organizing the Pasadena plant was a good idea because "a union sets order and accountability for workers and management."

He also felt a union was needed because of the plant's culture.

"Many people were wearing many hats. You had a multi-billion dollar company being run like a mom-and-pop operation. Everything was disorganized. No one had accountability," he said.

"I think with the right mindset, unions are healthy for management because everything is on paper and you know what is going on," Nelson added.

Act Fast

Payne made an appointment with Velez, and she, along with Tote and Nelson, met with him at the Local 227 hall. Velez brought in District 13 organizer Dionisio Gonzalez, who provided the three workers with union membership cards and worked the organizing

campaign.

Gonzalez set up a meeting and the three brought with them nine additional coworkers. They had 15 out of 17 signed cards. One person was out on long-term disability and the other was disinterested.

Gonzalez answered questions, led everyone through the organizing process, explained how management would react, and described the dues structure and how dues dollars are used.

Gonzalez filed a petition with the National Labor Relations Board (NLRB) for a union election, and a vote was scheduled one week after the meeting.

"With the help of Marcos, we moved quickly," Payne said. "Before management knew it, the NLRB was there and they didn't have much time to react."

Local 13-227 President Steve Ballesteros, who also worked on the campaign and spoke at the organizing meeting, said that Pasadena management was surprised by the union victory.

"It was a two-day vote. The first day the plant manager was confident. After the vote, management was like, 'What happened?'" Ballesteros said.

On Nov. 5, 2017 Payne and her coworkers overwhelmingly voted to join the USW in an NLRB election. Now, they face the next hurdle: Getting a first contract.

Solvay Council Solidarity Action Helps Pasadena Workers

At the end of March, the International sent "Fair Contract Now" stickers and leaflets explaining the action to the Solvay Council.

The newly-organized Solvay group at the Pasadena, Texas, plant was having a difficult time bargaining a first contract. Management was dragging negotiations and proposing concessions and draconian language.

Some of the Solvay locals experienced such management behavior when negotiating their current agreements two years ago. Solidarity helped then, so the locals handed out the leaflets to their members and wore Fair Contract Now stickers.

Local 12517-05 members at the Solvay Baltimore, Md., plant wore the Fair Contract Now stickers on their work helmets to show the company that all of its workers stand as one.

"We will always have each other's backs," said Unit President Troy S. Fulwiler III. "We send prayers for a great contract."

District 13 Staff Representative Marcos Velez, who is helping to negotiate the agreement, said he saw an immediate change in management soon after Local 12517-05 members expressed their solidarity.

"The company sent in an additional corporate human resources manager, and the existing management team started working with us," he said. "We were able to achieve more in the two bargaining sessions after the action than we were in the rest of our sessions combined."



Local 12517-05 members proudly wear "Fair Contract Now" stickers on their hard hats to support Pasadena Workers in their fight for a first contract.

Pasadena Workers Fight for a First Contract

Kenneth Nelson, a lab technician, helped organize Solvay's Pasadena, Texas, plant because he felt a union was needed.

"I think with the right mindset, unions are healthy for management because everything is on paper and you know what is going on," Nelson said.

"I'd like to see a more genuine and harmonious relationship between management and the employees, with the mindset we all have the same goal. It is not 'us against them.' We need a culture change of fairness and accountability between each other," he added.

Solvay corporate management in Brussels has said similar remarks. Brussels officials signed the Global Forum Agreement (GFA) and the Memorandum of Understanding (MOU) for Labor Relations in the U.S. last year.

These documents specify the company's desire to work with its unions, not hinder organizing efforts, and negotiate quickly with unions.

However, U.S.-level corporate management appears to act like these documents do not exist. District 13 Staff Representative Marcos Velez said the company is dragging negotiations for a first contract and offering concessionary proposals.

"The company's proposals negate the purpose of having collective bargaining," Velez said. "Management rights are three pages saying management can do anything it wants, however it wants.

"If we propose a start, stop time or the number of hours a person can work, we're told management has the right to set hours as it sees fit. There really are no rules of engagement," he said.

Negotiations began January 29, 2018 and both sides have met a few times. Velez said progress has been slow, with only a few language items settled.

Stall Tactics

Here is an example of how bargaining has progressed: Velez said it took three bargaining sessions to negotiate nondiscrimination language.

"This is the first company I've had to argue with over what is the meaning of nondiscrimination," Velez said. "A company negotiator said that if Solvay overly describes discrimination, it could put them in a bad way. He said the company would follow federal laws.

"We say all discrimination is wrong and you should define it to prevent it from happening. We want protections as to how the company plans to follow federal law and go above and beyond it," he said.

He said Solvay has rejected all health and safety language, such as the right to a safe workplace, the right to immediate medical attention when injured, and the right to refuse unsafe work without reprisal.

Also rejected were organizing neutrality language and a successorship clause to protect the union and the contract in case the facility is sold.

"We spent four-and-a-half hours fighting over what 'just cause' meant, so I had to give examples. Who do you encounter in contract negotiations these days that doesn't understand 'just cause'?"

"Progressive discipline and the grievance and arbitration process took a while to settle, and are the only substantial pieces of language we were able to resolve. Had it not been for the solidarity action from the Solvay council, I do not believe we would have settled those issues.

"We also resolved jury duty, bulletin board usage and access to employee records. These simple issues took multiple days to negotiate. We haven't even gotten to wages and benefits yet," Velez said.

Scheduling bargaining time has been difficult, he said. Both sides met only four times in March and April. One additional day is scheduled in June.

"I think the company is dragging out negotiations to break our group, and is hiring workers in hopes of diluting the bargaining unit," Velez said. "But the new employees are supportive of the union. We have a solid group here that is prepared for the long haul."



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