

USW Focuses its Attention to Chemical Sector

By Carol Landry, International Vice President at Large

The chemical sector is among the most diverse in our union, manufacturing and distributing literally thousands of distinct products from house paint to cleaning products to the raw materials for cosmetics as well as hundreds of basic chemicals that form the building blocks for these and many more products we use every day.

It also is unique among USW industrial sectors because members come almost equally from former PACE and USWA units. This is a wonderful example of how the 2005 merger created strategic opportunities that help make gains for our members and set the stage to allow the USW chemical sector to grow stronger.

Three years ago, President Leo W. Gerard tasked me with bringing the sector together in order to begin taking advantage of this unique opportunity for our union. What I learned very quickly is that along with the wide diversity of products the industry makes and distributes, it is one of the largest manufacturing sectors left in North America.

Since most of the chemical industry remains unorganized, it provides our union a major opportunity to grow. This will be vitally important going forward because when more of the chemical industry is organized under the USW banner, the stronger each of our local unions and bargaining units will be when we sit down at the bargaining table.

This sector is one of the most dangerous in which our members work, and so health and safety is a crucial concern. Due to the growing power and visibility of this sector, our health and safety experts have been better able to make our voices heard on crucial issues, such as chemical security and toxic chemical reform.

I'm pleased to report that the four bargaining councils already in existence at the time we began this effort – Dow, DuPont, BASF and Honeywell – are going strong. They are forging new and better international links. They are bargaining effectively with these very difficult employers. And they are dealing pro-actively with the many challenges posed by company sales and restructur-

ing that bedevil this industry.

Also, our members at Solvay have been able to use links previously existing among the locals to create a bargaining council for that company. Among its first significant achievements was the role it was able to play in persuading Solvay to sign a new global framework agreement governing its behavior all over the world with the global union federation IndustriALL.

Furthermore, our concerted efforts to broaden communications between members and USW staff have resulted in better response time when corporate restructuring situations affecting our members come to light.

These are just a few examples of what our activism in the chemical sector can accomplish. There remains much more to do and, working together, I know we will be able to accomplish so much more.

Metropolis Local Heads Back to Bargaining Table with Honeywell

USW Local 7-669 in Metropolis, Ill. is scheduled to head back to the bargaining table with Honeywell this summer for the first time since the epic 14-month lockout in 2009-10. The local's members are preparing ahead of time for this challenging round of contract negotiations. They have engaged in an intensive Building Power training course and have begun major shop-floor mobilization and communication actions.

The Honeywell Union Council met the first week in June for a face-to-face meeting in Metropolis, and made plans for a stronger council. A major priority is to support local unions that are part of the council as they enter contract negotiations. Delegates from Unite the Union in the United Kingdom and the Honeywell European Works Council also attended the meeting and made plans with the council to build solidarity at Honeywell facilities around the world.

May Council Meeting Highlights Progress at BASF

BASF is growing in the United States, and so is our USW BASF Council. The company is expanding in Geismar, La., and announced two new major projects: an ammonia joint venture project with Yara at Freeport, Texas, and a world-scale, on-purpose propylene facility on the U.S. Gulf Coast. Our BASF Council is also growing in solidarity and in strength. Our locals supported each other in this last round of bargaining, and successfully ratified contracts with improvements in wages, benefits and contract language for our members.

The council's annual two-day meeting in May was informative, engaging and productive. On the first day we held a meeting in our Pittsburgh headquarters with presentations on the chemical industry, BASF, investigating chemical hazards in the workplace and organizing. Day Two was in Monaca, Pa., where Local 10-74 arranged for and conducted a plant tour.

Some locals present expressed concern about asbestos problems at their sites, and members learned that it's the company's responsibility to eliminate exposure and that the union has a right to see all relevant documents.

Another local circulated a Safety Health Environmental Action Report Form it developed to

ensure that the local had its own records of any incidents. Another circulated a Memorandum of Understanding it had signed with BASF about the company's Exposure Reduction Process.

We were honored to have International Vice President at Large Carol Landry with us for both days. She emphasized the need for us to engage our younger members in our locals. The USW Next Generation (Next Gen) program now has district coordinators, making it easier to get members involved. She also suggested we share best contract language, especially on successorship and new-hire orientations.

All the locals present shared information on their sites, and we had a lively discussion about the importance of communicating with our members. To that end, we created a closed BASF Council Facebook page, providing a great tool for communication among council members.

All present agreed that our council has come a long way since its creation in 2007. The tremendous support during bargaining in this last cycle has had its effect. As one local president said, "BASF knows that it is bargaining with the council."

Dow North American Labor Council Reports Major First on Safety, Global Outreach

By Kent Holsing, DNALC Chairperson and USW Local 12075 President

The Dow North American Labor Council (DNALC) has been active since its last meeting in September 2013, and work is beginning on constructing the agenda for the October 2014 council conference.

In November I represented the USW and the DNALC at the UNITE Industrial Sector Conference held in Brighton, England. I gave a presentation summarizing the chemical industry in the United States, the USW chemical sector, and the role and purpose of the DNALC. I also stressed the need for global networking. Multiple discussions I had with colleagues from the U.K. and across Europe strengthened the global outreach of the DNALC.

The DNALC and representatives of Dow Chemical have been working on the significant safety concerns our council identified at its 2013 conference. The council brought to the company's attention issues such as Life Critical Standards, consistent training and application of standards, and various site-specific concerns. Discussion of these issues has been ongoing, and Dow has begun responding and working to resolve the concerns.

This recent cooperative effort between the company



and the DNALC on safety is a first for all parties involved. This is significant. Never before has Dow been willing to work directly with the DNALC as the common voice of the company's unionized sites.

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USW Bargaining Council Formed at Solvay

We are excited to announce that the USW bargaining council at Solvay is up and running. Since the end of 2013 the USW Solvay Council has had regular meetings via conference call with solid engagement by the USW locals. Preliminary work has focused on building a network among locals and talking about objectives as a council.

We have been working to identify common issues, specifically around health and safety, and to determine ways that locals can assist each other moving forward. Both the USW Health and Safety and Legislative Departments have been an important resource on our calls. They have provided up-to-date and valuable information and assistance to our locals as we continue to find ways to improve health and safety in our sector while building power overall.

Another important component for the council is global outreach. At the end of 2014 Solvay signed a global framework agreement with global union federation IndustriALL. A representative from IndustriALL joined us on our last call. **An important part of the global framework agreement is neutrality, a provision that limits the ability of a company to fight us when we organize and so makes organizing new sites within the same employer easier.**

One of the objectives of the council is to continue to look for organizing opportunities. The USW Organizing Department has joined locals on our calls and has been another very helpful resource. Being organized into a bargaining council presents opportunities to work closely with various departments within the USW. We are excited to continue our work and be part of building power in the chemical sector.

Dow North American Labor Council Reports Major First on Safety, Global Outreach

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Another issue the DNALC is addressing is that employees (union and non-union) who decide to retire from Dow and give proper notice of their election to retire, have not received the materials, resources and documents necessary to process their retirement. This can delay the ability of retirees to make the appropriate selection for their pension and 401(k) options. As a result, pension checks can be delayed. Local unions at Dow, coordinated by the DNALC, have filed simultaneous information requests and will work jointly on the issue. The goal is to ensure that employees who elect to retire do not have to experience these obstacles when they choose to leave the company.

The chemical industry is getting more complex with an increase in mergers, acquisitions, divestures and Master Limited Partnerships. Other complications include the increase, availability and exporting of liquid natural gas in the U.S.; the availability of oil from North Dakota and the sands in Canada; global competition; and

pressure from Wall Street investors and what they tout as the best way to “maximize” the value for the shareholders. Dow Chemical is in the middle of this change and the effects roll down to the workers.

Dow Chemical is quite diversified and spread out across the U.S. and the world. Each represented site has a separate collective agreement. Our experience is proving that the DNALC network model is essential if we are going to be successful with this company. It is now more important than ever to strengthen this network and others like it within the chemical industry.

The Dow North American Labor Council is composed of locals at 10 manufacturing sites of Dow and Dow Corning from various unions including the USW; the Operating Engineers (IUOE); the Pipefitters (UA); the Machinists (IAM); and the UFCW Chemical Workers (ICWUC). The council works on a global basis, staying in touch with unions representing Dow sites in Brazil, Argentina, the United Kingdom, Germany and Japan, as well as with the global union, IndustriALL.

USW Fights for Better Worker Protections in Chemical Legislation

2014 has been a busy year in Washington, D.C. for issues affecting the chemical industry. The House of Representatives, the U.S. Senate and the Obama Administration have been active on these matters. Here are just a few of the issues we've been working on:

Chemical Facility Anti-Terrorism Standard Authorization

The Chemical Facility Anti-Terrorism Standards (CFATS) Program began in 2007 and allows the Department of Homeland Security to oversee security at chemical plants. There are efforts in the Congress to authorize and provide funding for the program to continue. In testimony before the House and Senate, USW stressed the importance of worker participation in security efforts, whistleblower protection for workers who report vulnerabilities, and protections for workers who undergo background checks. USW also is working directly with the Department of Homeland Security to ensure that workers and their jobs are well-protected.

TSCA Reform

The Toxic Substances Control Act (TSCA – pronounced Toss-Ka) originally passed in 1976 and is the law in the United States that regulates chemical safety. The law is badly outdated and inefficient, and reform is necessary. In the House, Republican Congressman Shimkus introduced draft legislation, called the Chemicals in Commerce Act (CICA), which the industry supports. USW testified in opposition to the CICA because it would not protect workers more than current law. A reform bill was introduced in 2013 in the Senate that USW does not support. Discussions and negotiations are ongoing in both the House and the Senate.

Trans-Atlantic Trade and Investment Partnership

The Obama Administration is in the process of negotiating a new trade agreement with the European Union. The Administration's stated goal is to reduce non-tariff barriers to trade. It is estimated that the chemical industry will be one of the major beneficiaries of the agreement because some effort will be made to harmonize the way the U.S. and

the European Union regulate chemicals. The USW is following the negotiations very closely and is working to prevent a trade agreement that is a race-to-the-bottom on labor standards, chemical regulations, and other issues.

Executive Order on Improving Chemical Facility Safety and Security

Last year President Obama signed an executive order that required the Environmental Protection Agency, the Occupational Safety & Health Administration, and the Department of Homeland Security to work together to prevent chemical disasters. The USW has been actively engaged with the agencies and with Congress throughout the information-gathering phase. Our union submitted lengthy comments about the need to more effectively involve and protect workers and communities from catastrophic disasters. The agencies will be sending a report to President Obama with recommendations about how best to modernize regulations and coordination among various government agencies.

Other Issues

As always, your USW legislative team is continuing to work on a wide range of issues in Washington that affect USW members, including retirement security, Affordable Care Act implementation and fixes, extending unemployment insurance for those who have lost their jobs, funding and programs to rebuild U.S. infrastructure with American-made parts, equal pay for women, paid sick leave, enforcement of trade laws to protect American industry, and many, many more.



USW DuPont Workers Reach Out Globally

Last October, USW formed an alliance, the DuPont Global Network, with other DuPont unions at a chemical network conference for trade unionists.

DuPont is known for changing our work life with little advance notice. For example, DuPont announced the spinoff of the Performance Chemical business segment—which affects three of the four USW facilities (Deepwater, N.J.; Edge Moor, Del.; and Niagara Falls, N.Y. Buffalo, N.Y. is not affected). Our Brazilian brothers and sisters were informed mid-April that the company planned to shut down and demolish the plant in Camaçari, Bahia at the end of May. Little did we know the future importance of these global connections.

“We polled our International allies and discovered we weren’t the only ones left in the dark about DuPont’s restructuring plan,” said USW Vice President at Large Carol Landry, who heads up the USW’s chemical sector. The four USW facilities hosted our partner unions in Wilmington, Del., for two days. Members were able to share information on working conditions at different plants, develop strategies for future actions, and learn more about the global chemical industry. The highlight of the day was an International panel illustrating that when DuPont is mandated by law to supply information to the union, it improves company/worker relations.

The next day at the shareholders meeting, the DuPont Global Network had an opportunity to ask direct questions of DuPont CEO Ellen Kullman. Our delegation consisted of Unite the Union (United

Kingdom), Sindiquimica/CUT (Brazil), IndustriALL (a Swiss-based global trade union federation that represents workers in multiple USW industries, including chemical), and the chairman of DuPont’s European Works Council (EWC), who represents union workers at every DuPont facility in Europe.

The network confronted the company about the long-term effects and the lack of transparency regarding the spinoff. “Once we found out about the spinoff, we wrote the company a respectful letter asking for more information and a date for a face-to-face meeting,” said USW District Four Director John Shinn. “I never received a response from DuPont to just simply sit down and have a dialogue.”

Our Brazilian brothers presented a letter from the state government with alternatives for the Camaçari plant, and handed CEO Kullman a petition signed by 500 community members. One of the members who will be affected by the closure, Jairo Rodrigues de Jesus, said to the CEO: “I ask you to show your workers, their families and the community we live in the respect they deserve. Keep the plant open.”

Gary Guralny, president of the USW DuPont Council, said: “Everyone is ready for some straight answers about their future. If we are going to break through DuPont’s stone-walling, we have to stand together not only at our individual sites, but also throughout the world. The best way to push back against a multi-national corporation like DuPont is to take a global approach ourselves. And we are on that path.”

Looking For Trouble – The USW’s New Model Health & Safety Program

The USW’s New Model Comprehensive Health and Safety Program will be unveiled in August at the 2014 USW International Constitutional Convention. We’ve investigated, sadly, more fatal and life-altering accidents and more incidents in general than any other institution in America and it’s unacceptable. Together with our local unions we have an enormous amount of knowledge and experience to draw from to make this an effective program. Unfortunately, too many employers have implemented behavior-based safety programs and practices, or what the USW calls “blame-the-worker” programs.

We hope that employers will see value in the USW New Model Comprehensive Safety Program and work with local unions to implement its key elements. Nevertheless, the program is designed for all workplaces, whether or not management chooses to participate. Key elements of the program include: identifying and

addressing workplace hazards before an incident happens, the employer’s responsibility to provide a safe workplace, union safety representatives, labor-management safety committees, walk-around inspections, accident and near-miss reporting, and investigations and emergency response.

The program also touches on hazard controls and safety systems, training and education, medical surveillance, protection for those who report unsafe and unhealthy conditions and an end to employer retaliation for reporting accidents or injuries. Some of the elements of the new plan were pioneered by the USW’s successful “Triangle of Prevention” programs, which currently exist in a number of refineries, chemical plants and other workplaces. Most local unions may find they already have some of the program elements in place, but it gives them an opportunity to conduct a self-evaluation of those elements.