



AFL-CIO Executive Secretary Richard Trumka Addresses SF Bay Area NLG Dinner May 4, 2002

Matthew Ross, Bay Area Chapter NLG member and labor attorney with *Leonard, Carder et. al Oakland/San Francisco* introduced Rich Trumka:

It is my great pleasure to introduce our keynote speaker tonight, Richard Trumka. As most of you know, Richard Trumka is the Secretary-Treasurer of the AFL-CIO. He was elected to that position in 1995 along with President John Sweeney as part of a national effort to reinvigorate the American labor movement.

Brother Trumka mentioned to me before the evening's program that I should introduce him by simply saying that he is a third generation coal miner from West Virginia. But aspects of his background will be of special interest to this body so I will ignore his modesty and give you the high points.

After working in the coal mines as a youth, Richard became active in his local and was elected to the position of Chair of the Local's Safety Committee. As those of you familiar with the history of the UMWA know, the Safety Committee Chair in an UMWA local is an important position. And since tonight's honoree is a Health and Safety activist, let me also point out that the UMWA had the best, most "state of the art" "Health and Safety" program ever developed, in my opinion, by a union although it wasn't called a "Health and Safety" program at the time. I don't know if this is still true, but if mine conditions were really bad, you used to be able to summarize the Mineworker's "safety" program with three words: "SHUT * IT * DOWN!"

Brother Trumka was active in the *Miners For Democracy* caucus within the UMWA nationally. That group successfully campaigned against and got rid of Union President Tony Boyle, a true viper and murderer of Jock Yablonski and a cancer on the labor movement. In the early 1970s, Richard graduated from Villanova law school and eventually took a position with the UMWA legal staff. This was a serious litigation position, I have learned. Earlier Richard told me that he participated in the team of attorneys that successfully litigated *Carbon Fuel* to and in the Supreme Court. *Carbon Fuel* is an important Supreme Court decision for labor movement, well known to those of us here tonight who practice traditional labor law. And I am very happy to see that there are more than a few of us here tonight!

After a few years in our domain, Brother Trumka returned to the mine fields, literally and figuratively speaking. He soon became President of his Local. Not long after that he was elected as President of the national Union and he served in that position until being elected as Secretary-Treasurer of the AFL-CIO with John Sweeney as President, in 1995. His tenure in office as President of the UMWA was the second longest in the Union's history, second only to the legendary John L Lewis.

Before yielding the podium to Richard let me say that the Mine Workers Union holds a special place in the history of the Movement for many of us. This is the union of the Molly McGuires, Mother Jones and the Ludlow Massacre. It has also held a special place for the lawyers who have served this Union. In thinking about my remarks tonight, I did a little bit of utterly frivolous and totally unauthorized Westlaw research to confirm a long-held belief. I have always suspected that, at least on a *per capita* basis, the UMWA has been sued or has sued more than any other national union. To test this hypothesis, I ran the phrase "United Mine Worker!" through Westlaw and came up with over 1740 "hits" since 1944, all courts, federal and state, locals as well as the International Union, both defendant or plaintiff. That number includes all possible mentions of the Union's name, in memorandum decisions, cert applications, etc. but regardless, that is a whole lot of litigation. SEIU and the Steelworkers had about a hundred more hits apiece, and the Teamsters came in with three times as many "hits," but those unions, especially the Teamsters, are much larger, and at least SEIU and the Teamsters have many more locals than the UMWA to get in trouble. When you do the same analysis of Supreme Court-only references, the UMWA moves up into second place, not far behind the Teamsters. So, based on my not so reliable analysis, I feel comfortable awarding the ex-President of the UMWA, our speaker tonight, and for his former affiliate, bragging rights and the dubious award for "MOST LITIGIOUS UNION." Keep up the trouble-making and keep them cases coming!

Richard, the Bay Area Chapter appreciates the fact that you came a very long way to speak to us tonight. Thank you for participating in our annual dinner and welcome to the Lawyers Guild.

Remarks by Richard L. Trumka, AFL-CIO Executive Secretary

Testimonial Dinner for Frances Schreiber

National Lawyers Guild San Francisco Bay Area Chapter San Francisco, California

May 4, 2002

Thank you very much, Noreen [Farrell] for your kind introduction and your very generous words.

This is a wonderful evening to spend in San Francisco with great company for a great cause, and I'm delighted that you invited me to join you.

It's great to be entertained by Will Durst and to visit with Shelley Kessler of the San Mateo Central Labor Council, and your Chapter President Kevi Brannelly, and Marilyn Waller and David Borgen, who co-chaired the organizing committee for tonight's dinner and did a terrific job, and especially the well-deserved subject of this evening's doings, Fran Schreiber.

I bring you greetings from my partners at the AFL-CIO — John Sweeney and Linda Chavez-Thompson — from our Executive Council, and from the 13 million working men and women across America who are members of unions affiliated with our Federation.

For seven decades now, our union movement and the National Lawyers Guild have grown and grown together.

Wherever working men and working women have marched for economic fairness and social justice, you've marched step by step and side by side with us.

When we've been attacked, you've been there to defend us.

When we've been jailed, you've been there to bail us out.

When we've been denied our rights, you've been there to ably and eloquently represent us.

I know that no chapter in the Guild has done more or worked harder or put more sweat and heart into the cause of building a more caring and just society and country than you have right here in the Bay area.

From fighting for a living wage, for fair treatment in the courts for juveniles, for ending racial and gender discrimination, for city budgets that provide for the people and help lift up the poor, your work has been invaluable.

We appreciate what you've done, and working families and our unions are enormously thankful for your generosity and goodwill — you are terrific.

How often, as children, did we hear from our parents: be careful who you hang around with because people will judge you by the friends you keep.

However, in our case — our unions and the Guild — we're more proud of all of the enemies we've made together ...

... the bigots and fascists and haters...

... the union-busting bosses...

...the anti-Semitic, anti-immigrant, anti-worker, anti-women reactionaries...

What terrific enemies we've made together!

We're proud to have made enemies of all of the politicians and so-called leaders who have despised the rights we stand up for — from Richard Nixon and J. Edgar Hoover, right on down to today and the Dick Armys and Tom DeLays and Trent Lotts of this world...

...And we can't forget Bob Barr, and Dan Burton, and Jesse Helms and John Ashcroft, and all those who would give anything to turn back the clock a century ...

... and undo all of the progress we've achieved and all the strides we've taken toward equality and justice ... and the opportunity for people to lift themselves up and share the bounty of this country.

With enemies like that, we know we're doing something right ...

What angers and frightens our enemies, of course, is that on our side we have good people who won't give up and won't give in who won't be intimidated or demoralized who won't sacrifice principle for what's easy or expedient.

What frightens them is that we have people on our side with a passionate conviction and unwavering commitment to guaranteeing that every individual across this land, no matter who they are, will enjoy the rights that are theirs and have a fair chance to live out the life of their dreams.

And what frightens them more than anything else are the Fran Schreibers on our side ... the backbone and the heart and the soul of our progressive movement and our struggle for justice.

We're lucky to have you, Fran, and we'll always be grateful for what you've done to help our unions and America's working families.

If anyone is looking for an example of how to stick to your ideals and help make this a better world, we have her here tonight — it's Fran Schreiber ...

Fran's career has been a roadmap for helping others ... from giving legal aid to the indigent in New York City and juveniles in Contra Costa County ... representing members of the Sioux Nation at Wounded Knee, ... teaching students law at the University of San Francisco, ... to working in the California governor's office and the state government for safer workplaces.

Fran's work on the National Lawyers Guild's Labor and Employment Committee and especially her work to promote occupational safety and health in our workplaces has been invaluable.

Fran believes, as we all do, that workers should never have to choose between earning a living in a hazardous, unsafe workplace where their health and their lives are at risk ... or not having a job at all.

We believe bosses have not just an ethical and moral obligation to make sure that job sites and workplaces are safe – they have a legal responsibility to guarantee that they're safe

And when they don't live up to that responsibility, we believe they should be afforded some quality time behind bars to consider why they valued profits more than the health of workers.

But as you know, having friends in high places can make all the difference, and the bosses have a kindred spirit in the highest of places these days.

And with a wad of money jammed into Republican campaign coffers, the bosses have persuaded President Bush to trash our ergonomics rules and replace them with a pathetic, laughable set of meaningless, voluntary guidelines that have no teeth ... target no industry ... and would not be enforced by any federal agency.

That's 10 long, careful years of work to protect America's workers trashed by this Administration ... and that's a national disgrace.

That's more than 1.6 million workers who every year suffer painful injuries on the job who will be denied the protections they have a right to...

That's tens of thousands of workers here in California, especially Latino workers, who labor at hazardous jobs with repetitive motion and heavy lifting who face crippling and disabling injuries – all for just trying to make a living and support their families.

Musculoskeletal disorders – such as strains, back pain and carpal tunnel syndrome – already are going the wrong way in California – going up from 46 incidents per 10,000 workers in 1999 to more than 54 incidents today.

It's a tragedy and a scandal, and our union movement will never give up ... not until every workers is guaranteed a safe workplace.

I'm telling you tonight that we will fight on this issue across the bargaining tables ... we will fight on the workfloors, in the press, down the halls of Congress and at the ballot boxes this fall.

And we will turn the Bush Administration's so-called ergonomics standard on its head because we're on the right side and the American people are on our side.

We'll win because today's labor movement in fundamental ways is tougher than ever, and much of our new strength comes from the wonderful diversity of today's union members.

We've come a long way in opening our doors to all workers, in truly helping all Americans lift themselves up.

Today, almost two out of every 10 African-American men, and nearly as many African-American women, belong to unions.

Today, the percentage of African-Americans who belongs to unions is higher than for any other group of U.S. workers.

Likewise, union membership among other people of color is on the rise: the percentage of Latino workers in unions is up by 20 percent over the last two decades and today 12 percent of Asian-American men and women are members of unions.

Through unions, workers know they can be guaranteed a share of the wealth we produce, and that's especially important for women and people of color who still have to fight in too many workplaces for fair treatment and a fair deal.

Joining a union makes a huge difference for workers and their families. It raises wages by 40 percent for working women, by 44 percent for African-Americans, and by 53 percent for Latinos.

And joining a union means huge differences in benefits — 86 percent of union workers receive health benefits on the job, compared to only 74 percent of nonunion workers and almost eight out of every 10 union workers are covered by guaranteed, defined-benefit pensions, compared to less than half of workers who are not union members.

But we haven't just opened our doors, we've opened our minds as well, especially when it comes to embracing the newest arrived workers to this country

Many of you, I know, recall the days when organized labor saw new immigrants as a threat and there were few hands of help extended from our unions.

That's no longer true. Today's AFL-CIO proudly stands on the side of immigrant workers.

New arrivals from every continent are contributing their energy and talents to making the United States richer and stronger, and they're also strengthening and reviving many of our unions.

But immigrant workers should have full workplace rights in order to protect their own interests as well as the labor rights of all American workers.

Today, millions of hard-working people who make enormous contributions to their communities and workplace are exploited by employers and denied basic human rights because of their undocumented status.

The AFL-CIO supports a comprehensive reform of our immigration laws to lift undocumented workers from the shadows and bring them fully into our society and economy, with the full rights enjoyed by other workers — and we won't stop until we get it.

Today's union movement is reaching out not only to immigrants but to all American's who share our vision of a fairer economy and more just society.

Organizing the unorganized and building progressive coalitions isn't an option any longer; it's a priority.

Through our "Voice At Work" initiative and our Working Families Network, we're reaching out in every communities where there are people of like minds who are out of patience with our new Enron economy of corporate corruption and greed.

We're building bridges to people who are outraged by the ripping about of our families and neighborhoods by the drive of global capitalism for cheaper and cheaper labor at the bottom of the world's economy.

We're building alliances to people who want America's agenda to serve all Americans, not just the privileged few...

To people who want a society that puts into practice every day the belief that all citizens should be able to seek and find equal justice under the law — regardless of the color of their skin or the size of their pocketbook

... a society where the rights of workers are respected, where honest work is rewarded with fair wages, and where corporations are held to higher standards of honorable behavior — much higher standards!

I know that's Fran Schreiber's dream — that's my dream and I know it's all of yours.

So let's keep pushing, ... and keep marching ... and keep fighting ... and keep helping our union movement, ... keep helping working families ... we'll make it ... we'll make it together.

Because we are men and women ... old and young ... blue collar workers and white collar workers ... African-Americans, Latinos, Asian Pacific-Americans and Native Americans and we are struggling together ... fighting together ... and by God, we are winning together.

Thank you very much.