



NEWS & VIEWS

LEHIGH VALLEY LABOR COUNCIL, AFL-CIO
"UNIONS JOINING TOGETHER AS ONE"



April 2024

www.lehighvalleyclc.org



Over two dozen volunteers from thirteen unions joined in a Lehigh Valley Labor Council community service project on February 27, delivering 350 computer monitors to Roosevelt Elementary School, in Allentown. The council's Executive Vice-President Gregg Potter (*far left*) spearheaded the donation of the monitors from Capital Blue Cross to the school. See page seven for a related photograph.

The State of the Union is Union Strong

AFL-CIO Shuler applauds Biden's speech

The State of the Union is union strong. The most pro-union president in our lifetime laid out a clear plan during his State of the Union speech to keep fighting for working people against Donald Trump and MAGA extremists who are looking out only for the rich and big corporations.



Liz Shuler

President Biden offered a road map that lifts entire communities, builds on the historic investments of the past several years and transforms the economy for generations to come. The State of the Union isn't about just what we've accomplished under Biden's leadership—adding nearly 15 million jobs and sustaining record low unemployment rates—it is also about how we're going to finish the job of building an economy that at long last delivers on America's promise to everyone.

The proposals Biden laid out tonight will strengthen America's industrial renaissance with good union jobs that change the trajectory of families and communities. In stark contrast to Trump, Biden's proposals are centered on making life better for the working class and finally giving working people a fair shot at sharing in the profits we earn. In Biden's America, all workers—no matter our race, religion, orientations or background—have the freedom to fully pursue our hopes and aspirations.



President Joe Biden

Biden is laser focused on lowering costs, demanding that the rich and big corporations pay their fair share and protecting lifesaving programs like Social Security and Medicare. His Investing in America agenda builds things in our country again with good-paying union jobs, invests in child care and elder care, and erases even more student loan debt. With freedom itself on the ballot this year, Biden made it crystal clear that he'll fight with all his will to defend democracy and safeguard voting access while protecting reproductive choice and our freedom to join a union.

We stand ready to fight alongside Biden because America needs a president who walks picket lines with us instead of crossing them.



US Sen. Bob Casey's Labor Scorecard

Percentage of AFL-CIO backed legislation supported by US Sen. Casey

January 2023—September 2023:

100%

Since coming to US Senate in 2007:

99%



(Credit: AFL-CIO, www.aflcio.org)

US Rep. Susan Wild's Labor Scorecard

Percentage of AFL-CIO-backed legislation supported by US Rep. Wild

January 2023—September 2023:

100%

Since coming to Congress in 2018:

99%



(Credit: AFL-CIO, www.aflcio.org)

Lehigh Valley Labor Council AFL-CIO

www.lehighvalleyclc.org

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46th Penna. AFL-CIO Constitutional Convention May 14-16 in Hershey

by the Pennsylvania AFL-CIO

The Pennsylvania AFL-CIO's 46th Constitutional Convention will convene at 9:30 a.m. on Tuesday, May 14, 2024 in the White Room of the Hershey Lodge, 325 University Drive, Hershey, Pennsylvania.



The Convention will be in session until all appropriate business is concluded. We anticipate that the convention will last three days and will adjourn after business is concluded on Thursday, May 16, 2024. The Convention Call and Credentials were mailed out in early March. Please make your room reservations prior to Friday, April 12, 2024. After this date, room prices may increase and/or rooms may not be available.

For more information, visit the Pennsylvania AFL-CIO website at: paaflicio.com/convention-2024/



Lehigh Valley Workers' Memorial will remember the Concept Sciences blast Twenty-fifth anniversary of explosion that killed five: Deadliest tragedy in Lehigh County since 1920



April 28 marks the thirty-third annual Lehigh Valley Workers' Memorial ceremony at the Bethlehem Rose Gardens. For over three decades, family survivors, friends and labor activists have gathered at the Eighth Ave. and Union Blvd.

park to remember loved ones and coworkers lost to a jobsite accident or job-related disease.

This year's event also marks the twenty-fifth anniversary of the Concept Sciences blast, which remains Lehigh County's worst industrial tragedy since 1920. On February 19, 1999, a thunderous explosion leveled the chemical plant near the ABE Airport, killing five workers and injuring fourteen others, including five firefighters. The deaths included Anthony and Paul Mondello, Ruben Soto, Paul Wanamaker and Terry Bowers. All but Bowers worked at Concept Sciences, Inc., 749 Roble Road, the scene of the tragedy. Bowers worked for a vending company. The 8:15 p.m. blast sent shock waves "as far away as Lehigh and Tobyhanna to the north and Trexler-town and Longswamp Township to the west," the *Allentown Morning Call* reported at the time.

The event begins at 1 p.m. In case of inclement weather, the ceremony will gather inside the D.A.R. House, located at the seven-acre park.



Council dinner will honor Pa. House Reps. Schlossberg, Schweyer

April 13 ceremony will celebrate two local state-lawmakers who champion working-family issues

by Gregg Potter, International Union of Operating Engineers #542
Executive Vice-President, Lehigh Valley Labor Council

The Lehigh Valley Labor Council's Annual Award dinner will honor Pennsylvania House Reps. Mike Schlossberg and Peter Schweyer on Saturday, April 13 at the Northampton Memorial Community Center. Union leaders, labor advocates, and rank-and-file members have long recognized both state lawmakers as tireless advocates for working families since their arrival in Harrisburg.



The night of solidarity will once again be held at the borough's community center located at 1601 Laubach Ave., Northampton. Cocktails and hors d'oeuvres begin at 5:30 p.m. with music by Jake Kaligis, an award-winning singer-songwriter. A family style dinner follows at 7 p.m. Coffee and dessert will be served before our awards program. Besides honoring state Reps. Schlossberg and Schweyer, we will also present Jeremy Warmkessel, Allentown Firefighters #302 with our President's Award, and SMART #19 with our Local of the Year Award.

We have sponsorship opportunities for our event:

- Presenting Sponsor \$2500
 - Three tables of eight
 - Inside cover Ad Booklet
 - Union/Corporate Signage at Event
 - Multiple Acknowledgements Verbal/Printed
 - Representative to address audience
 - Platinum Sponsor \$2000
 - Two tables of eight
 - Full Page Ad
 - Union/Corporate Signage at Event
 - Multiple Acknowledgements Verbal/Printed
 - Diamond Sponsor \$1300
 - One table of eight
 - Full Page Ad
 - Verbal/Printed Acknowledgements
- Single seat pricing is \$80 and a table of eight is \$650.



Rep. Pete Schweyer

All booklet advertising is in color. Advertising costs are:

- Inside/Outside Cover \$350
- Full Page \$275
- Half Page \$175
- Quarter Page \$125

Deadline for seating and all advertisements is April 4 by the close of business. Please send payment to:

Dennis Andrews, Lehigh Valley Labor Council
1705 Northampton Street
Easton PA 18042



Opposing America's workers

The Supreme Court's historical hostility toward labor

by Ron Ennis, Editor
Lehigh Valley Labor Council

The Supreme Court's ruling in *National Labor Relations Board v. Jones & Laughlin Steel Corp.* caused a clash of opinion among newspaper editors in the aftermath of its April 12, 1937 decision. A five-to-four majority gave its constitutional approval to the Wagner Act, a recently passed federal law granting workers the right to collectively bargain over wages, hours and conditions of employment.

The Allentown Morning Call expressed optimism for future labor-management relations. Decades of "labor difficulties," the editors wrote, had resulted in "so many losses in wages and productivity, sabotage and bloodshed." The Court's historic decision will "go very far toward" ending years of industrial unrest and tumult, the editors concluded.

The New York Times editors thought otherwise. The Court may have "made legal history" when it declared the Wagner Act constitutional in *Jones & Laughlin*, but they rejected a rosy outlook for labor, believing that the justices would see the Wagner Act as "so partisan in its approach to the problem of industrial relations that it needlessly sacrifices the goodwill of the employer." Future Court decisions might reverse the gains workers made under *Jones & Laughlin*.

The Morning Call editors had correctly summed up labor history before 1937: American workingmen and women had few legal victories pre-*Jones & Laughlin*. But *The Times* accurately predicted that labor's gains in the aftermath of the Court's decision would be short-lived. In fact, the rollback began the following year.

The American Radio Telegraphists Association (ARTA) had organized operators at the Mackay Radio and Telegraph Company a few years earlier. ARTA members had asked for a written contract, wage increase, recognition of the union and a forty-eight hour workweek in its talks with company officials. Mackay Radio responded by threatening to declare bankruptcy. Realizing contract talks would go nowhere, ARTA members called a strike.

Mackay Radio began immediately flying replacement employees to offices struck by the ARTA members. The company's employment of strikebreakers effectively ended the strike a few days later and officials rehired all but four of the strikers. The four operators not rehired were the most senior, best paid and the strongest union supporters. The dispute landed in front of the nine Supreme Court justices in 1938.

The Court unanimously ruled that employers have the right to hire replacement employees and, in subsequent rulings, expanded the rights of employers and strikebreakers in workplace disputes. The rationale in their decision remains controversial to this day, uniformly condemned by union members but resolutely defended by company bosses and owners. Reinforcing the Mackay trend, President Ronald Reagan replaced striking air traffic controllers in 1981, and a Republican-led filibuster in 1994 thwarted legislation banning strikebreakers.



Fig. 1: The free rider hitches a ride on the back of a dues-paying union member, 1922. The above illustration reflected the American Federation of Labor's views toward the worker who enjoys the wages, benefits and protections won by his union coworkers, but refuses to share the cost of supporting the union's work. In *American Federation of Labor v. American Sash & Door*, the US Supreme Court ruled that these so-called "right-to-work" laws were legal. (Credit: American Federationist, June 1922)

A year after the Mackay ruling, the Supreme Court gave further credence to *The New York Times'* prediction that the justices would reverse course from their pro-labor *Jones & Laughlin* decision. In *National Labor Relations Board v. Fansteel Metallurgical Corp.*, the specialty metals manufacturer had planted a spy among employees organizing with the Amalgamated Association of Iron & Steel Workers. Company officials refused meeting with union leaders, persuading the rank-and-file to call a strike. The striking workers, instead of walking off the job, remained at their stations, thus preventing the company from hiring strikebreakers to replace them. The Supreme Court heard the case during its 1939 term.

The Court ruled the National Labor Relations Board could not compel an employer to rehire workers who engaged in a sit-down strike, a five-to-two decision that effectively ended the use of sit-down strike tactics. In subsequent decisions, the Court outlawed other strike weapons by banning collective work slow-downs and collective refusal to work overtime.

After outlawing various strike and jobsite activities, the Supreme Court set its sights after the Second World War on weakening workers' rights to organize. In 1946, the American Federation of Labor (AFL) challenged Arizona's passage of a Right-to-Work law that had granted employees who refused to pay dues to the union in their shop to keep benefits won by the union. In *AFL v. American Sash & Door Company*, the justices declared that states had a right to enact "free-rider" laws, notwithstanding that it forced workers who paid union dues to financially support those who refused to share the cost. These cases - *Mackay*, *Fansteel* and *American Sash* - substantiated the *New York Times*' prediction that what little the Supreme Court gave to labor in its 1937 *Jones & Laughlin* decision, it took away far more in subsequent cases. Decisions like the above, wrote Elizabeth T. Shermer, associate professor of history at Loyola University Chicago, in a June 27, 2018 *Washington Post* column, represented "a part of the much longer war on Americans' basic rights on the job." (Fig. #1)

The Supreme Court's "war on Americans' basic rights on the job" actually extended much earlier. Price V. Fishback, professor of economics at the University of Tucson, Arizona, reviewed major early-twentieth century Court cases. In a 2020 National Bureau of Economic Research paper entitled *Rule of Law in Labor Relations, 1898 - 1940*, Prof. Fishback wrote that workers sometimes received more sympathy from their respective state courts than the Supreme Court.

For example, New York passed a law that banned bakers from working more than ten hours per day or sixty hours per week. A trial court found Joseph Lochner, a German immigrant who owned a bakeshop in Utica, had violated the law and fined him \$50. Lochner appealed his case all the way to the US Supreme Court. In 1905, a five-to-four majority threw out the state court conviction, declaring that the work-hour limits constituted an "unreasonable, unnecessary and arbitrary interference" by the state government on the company owner. (Fig. #2)



Fig. 2: The United States Supreme Court overturned New York's ten-hour workday limit for bakers in 1905. The five-to-four majority in *Lochner v. New York* ruled that a ten-hour workday maximum was an "unreasonable, unnecessary and arbitrary interference" by the state. The decision marked a setback for workers attempting to limit the number of work hours per day. (Credit: *New York Times*, April 18, 1905)



Fig. 3: The Supreme Court discredited after its *Hammer v. Dagenhart* decision in June 1918: Immediately after the Supreme Court struck down a federal law regulating child labor, the above illustrator protested the Court's decision. The Court repeatedly rebuffed attempts to outlaw child labor in the early twentieth century and the *Hammer v. Dagenhart* decision marked a low point in the public's opinion of the Court. (Credit: *The Liberator*, August 1918)

Workers continued suffering other punishing blows from the nation's highest court in the years that followed, such as in *Adair v. United States* (1908), *Hammer v. Dagenhart* (1918), and *Adkins v. Children's Hospital* (1923). After the justices had ruled the Child Labor Tax Law of 1919 unconstitutional, AFL President Samuel Gompers condemned the "class bias of the courts" and its "inability . . . to comprehend and deal properly with human problems according to modern concepts." (Fig. #3)

This historical hostility toward workers helps explain the Supreme Court since John Roberts became its chief justice in 2005. Roberts and his fellow GOP-appointed justices serve, like their predecessors did on previous courts, as agents of capital. "In pretty much any given conflict between an employer and a group of workers," Jamelle Bouie wrote in a June 11, 2023 *New York Times* column, "you can count on Roberts and his Republican allies on the court to side with the employer."

Why? Because "the Supreme Court is first and foremost the leading defender of property within our political order," Bouie added. "The Constitution was written, in part, to protect the rights of property in the face of democracy and the spirit of egalitarianism." One only has to see how Africans were treated when they arrived in early America and forced to work. The Constitution legalized slavery by declaring them property. "The American political system was not built with the interests of workers in mind," Bouie concluded.

If working Americans want a voice in their workplace, it won't be with the help of John Roberts or his allies on the bench.



A cult of personality

Jordan Spatt confronted unpersuadable union voters

by Ron Ennis, Editor
Lehigh Valley Labor Council, AFL-CIO



Jordan Spatt has learned to quickly think on her feet. As an organizer for the Pennsylvania AFL-CIO, the Lackawanna County resident has sharpened her responses answering questions from workers with diverse backgrounds and skills. But recent experiences canvassing union households tested her talents and revealed dramatic changes in electoral campaigns over the past twenty years.

Spatt's canvassing had involved visiting union households in the state's anthracite coal region and taking the pulse of union voters' political leanings. Before approaching a home, she reviewed information prepared beforehand listing both the union voter's labor and political party affiliations, enabling her to tailor an appealing labor-friendly introduction. She concluded her visit by sharing information about issues most important to working families and the state federation's list of endorsed candidates. A striking pattern soon emerged in her outreach to Republican-affiliated union voters.



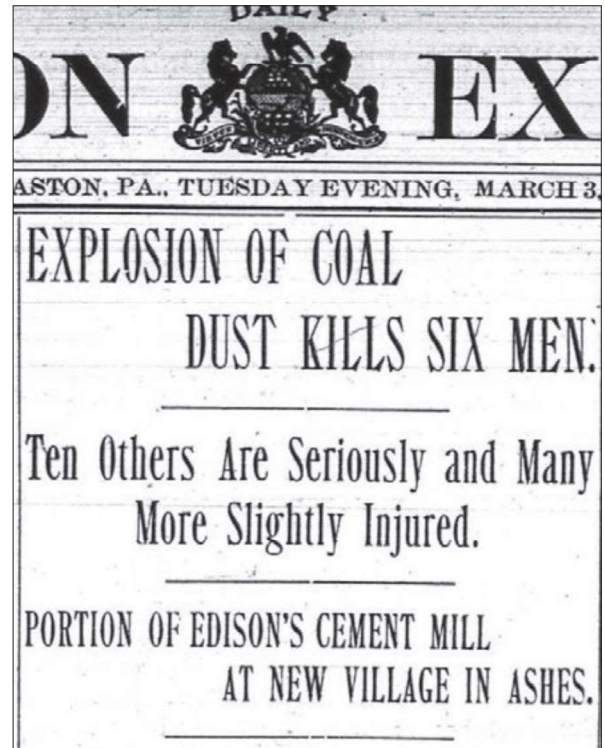
Jordan Spatt,
Pennsylvania
AFL-CIO

Voters with an "R" behind their name almost always asked one simple question after Spatt mentioned the union's recommended candidate in the upcoming election: "does the candidate support Trump?"

"It's a very direct question," Spatt said, recalling her experience. "The answer is either 'yes' or 'no,' and if it's the latter, the conversation abruptly ended because loyalty to Donald Trump mattered most to many GOP-union voters I met." Trying to sway these voters to re-examine their stance proved next to impossible, she added, "because we live in such polarizing times."

Our current political climate stands in stark contrast to twenty years ago. Few, if any, Republican-leaning union voters cast their ballots in 2004 on fealty to George Bush. Instead, they based their preferences on issues important to them, such as restricting women's reproductive freedoms or expanding gun rights. These issues, however, were open to discussion. Would the voter consider exceptions for rape and incest? How could he or she call themselves pro-life when they supported the Iraq War? Would the union member agree to bans on assault weapons? Questions provoked a response allowing a union canvasser to shift the dialogue to labor issues. Spatt's experience showed that she had little opportunity for dialogue because the cult of personality swept away concerns for issues.

Regardless of the changed political climate, issues still matter. Social Security matters; women's rights matter; joining a union matters. Democratic-leaning union voters and even some voters with an "R" behind their name will cast their ballots based on issues. Ignore the Trump cult and focus on what is important. Labor's time-tested practice of an issue-based campaign still matters.



Above: Nine workers died at the Edison Cement mill, near Phillipsburg, New Jersey, March 1903. Named after the company's famous founder, Thomas Edison opened the plant at New Village, New Jersey in 1899. The plant suffered serious mishaps soon after it opened. When six workers perished instantly on March 2, 1903 and three others died days later, Edison's plant gained a tainted reputation. (Credit: Easton Express, March 3, 1903)

Below: The *Easton Express* declared the County Coroner's jury verdict "a whitewash" when it placed no fault on the company after a seventh man died. The *Easton Free Press* demanded that these "frequent and fatal accidents should be . . . investigated by the coroner." And when another death occurred in May 1905 after Thomas Edison had visited the plant, the *Express* described the plant as "a death trap" after learning the company had issued "orders not to tell the newspapers the facts" concerning the plant's accidents. (Credit: Easton Express, March 4, 1903)



Labor history comes alive June 14-15 Penna. Labor History Society fights for the future by preserving the past

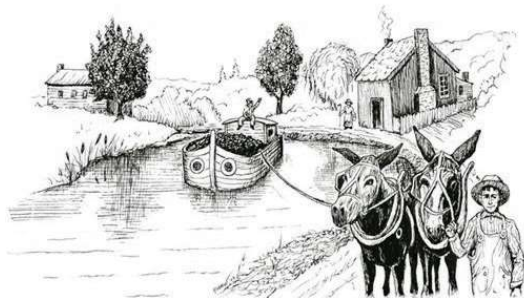
by John Werkheiser, Treasurer
Pennsylvania Labor History Society, AFL-CIO



The Pennsylvania Labor History Society (PLHS) returns to the Lehigh Valley June 14 to June 15, sharing lessons of our state’s storied labor history as we face the challenges of the twenty-first century. Our two-day event will visit some of our region’s most historical and memorialized sites and pay recognition to local contributors to our labor movement.

The PLHS conference will begin by honoring our Society’s founders, recall one of our area’s earliest strikes, and explore how our changing economy challenges workers today. Following our afternoon session on June 14, we will gather at the United Steelworkers #2599 Van Bittner Hall and enjoy a buffet dinner beginning at 6 p.m. The union hall, located at 53 East Lehigh Street, Bethlehem, will also host our three award announcements.

On June 15 beginning at 9:30 a.m., we will meet at the National Canal Museum and Park, 2750 Hugh Moore Park Rd., Easton, for coffee, tea and donuts. We will continue our 50th anniversary weekend with a one-hour canal boat ride and lecture on the Lehigh Canal starting at 10:30 a.m. The barge is limited to eighty passengers. A box lunch follows before other activities yet to be finalized. More info will follow next month.



(Credit: Howard Scott)

“ ”



“The wave of interest in labor organizing that has swept through coffee shops, warehouses and college campuses is fueled by a widening, bone-deep understanding that solidarity is the only shield against capitalism’s scorching rays. . . . It is the job of the labor movement’s institutions to turn that enthusiasm into the maximum possible gain.”

Hamilton Nolan, labor journalist based in New York, in a June 21, 2023 *The Guardian* article entitled “Americans are hungry to be part of unions: So why is US labor so timid?”



Dates to remember for 2024

April 8—Last day to Register to vote in the Primary Election

April 14—Lehigh Valley Labor Council Awards Dinner

April 16—Last day to apply for a mail-in or civilian absentee ballot

April 23—Primary Election. Polls open 7 a.m. to 8 p.m.

April 28—Lehigh Valley Workers’ Memorial. See page three

June 14-15— Pennsylvania Labor History Society Conference & Awards Dinner. Conference at the Bethlehem Rose Gardens DAR House and Awards Dinner at the Steelworkers #2599 Hall, Bethlehem.

September 1—Labor Day Picnic

October 21—Last day to Register to vote in the November election

November 5—General Election.
Polls open 7 a.m. to 8 p.m.



Over two dozen local union volunteers joined in a Lehigh Valley Labor Council Community Service Project on February 27, delivering 350 computer monitors for Roosevelt and Sheridan Elementary school students. The unions involved included: United Food & Commercial Workers #1776, Postal Workers #268, Workers United, Laborers #1174, Auto Workers #677, Steamfitters #420, Brotherhood of Electrical Workers #126, Brotherhood of Carpenters #167, Union of Operating Engineers #542, Allentown Education Assoc. and Coalition of Labor Union Women. Council Executive-Vice President Gregg Potter coordinated the delivery of the monitors donated by Capital Blue Cross.



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THE NEXT MEETING WILL BE HELD ON
WEDNESDAY, APRIL 17, 2024
Executive Board @ 7:00 PM – Delegate meeting @ 7:30 PM
Teamsters #773 3614 Lehigh Street, Whitehall PA 18052
(One block east of the Whitehall Township Police Department)

The *News & Views* is produced by members of the Communication Workers Local #14827,
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