



QUIET ON THE DOCKS

A container from a Sea-Land barge is unloaded without incident Saturday morning after a court ruled Friday that Teamster pickets must be taken off Sea-Land's gates in

Anchorage and Seattle. Earlier in the week, Teamsters picketed Sea-Land operations in both cities because of a dispute over the use by Sea-Land of non-union truck drivers.

Sea-Land ship unloaded as Teamsters' strike stopped

By TOM KIZZIA
Daily News reporter

All was quiet on the Anchorage waterfront Saturday, as union employees went back to work to unload a Sea-Land cargo ship after a court order stopped a three-day strike by Teamsters.

The cargo ship Galveston was due to depart at 8 p.m. Saturday after unloading 220 vans, according to Sea-Land port manager Tom Coburn.

A temporary restraining order sought by the National Labor Relations Board was imposed against the Teamsters Friday by U.S. District Judge James Fitzgerald. Further hearing on the strike has been set for next Thursday.

The dispute that began Wednesday centers on pay and benefits for firms that

subcontract to haul for Sea-Land. The NLRB sided with the company, arguing before Fitzgerald that the strike was an illegal secondary boycott.

Underlying this week's dispute is an allegation by the company that the Teamsters union is trying to get back at Sea-Land for resuming shipments for Anchorage Cold Storage, a wholesaler the Teamsters have been striking for 15 months.

Meanwhile, an attorney for Anchorage Cold Storage expressed optimism about the outcome of a union certification vote held last June, despite a ruling from the NLRB this week denying the company's request for a review of the election procedure.

The NLRB determined that the June election, though rushed to meet certain dead-

lines, was handled properly by the regional director, said Doug Eyer of the NLRB Anchorage office.

But Doug Riggs, speaking for Anchorage Cold Storage, said the NLRB "went out of its way" to tell the company it still could file objections to the election after the ballots are tallied sometime next week.

The ballots have been kept in a safe in Anchorage since the June 28 election. There were nearly 200 ballots, said Eyer — about half cast by striking Teamsters and half by the workers hired to replace them.

Most ballots are likely to be challenged by one side or the other, he said, resulting in a hearing that could last as long as 20 days to determine which votes are valid.

Teamsters' strike found to be legal

By STEVE SEPLOCHA
Daily News business editor

U.S. District Judge James Fitzgerald ruled Friday that Teamsters Local 959 was not engaged in illegal secondary boycotting when it struck Sea-Land Service Inc. last week.

He will decide Monday whether to let the strike continue.

The ruling, contained in a finding of fact, went to the heart of the National Labor Relations Board's (NLRB) case against the union. It further raised the possibility that Sea-Land, the state's largest cargo

carrier, may have to get union approval of all subcontractors it employs to haul freight from the Port of Anchorage to customers around the state.

While Friday's ruling was a resounding victory for the union, neither side was willing to speculate on whether Fitzgerald will let the strike go on. From a legal standpoint, the judge was asked only to rule on whether the NLRB had a reasonable argument.

Should he decide that the NLRB has a reasonable case, he could grant a temporary injunction which would stop the strike for at least a year while the

alleged labor law violations are argued in other legal channels.

Teamsters counsel Herman Wacker pleaded with the judge not to grant the injunction because he said it would take away the union's only means of redress for its grievance.

At issue in the strike is whether Sea-Land should be compelled to guarantee to the union that cargo handling, even by subcontractors, will be performed by drivers getting union scale pay and benefits.

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The issue grew out of Sea-Land's decision two years ago to go out of the trucking business. It dissolved a 70-person trucking force and turned that work over to subcontractors. It retained a small force for driving inside the Port of Anchorage.

At the time the truck force was being dissolved Sea-Land cooperated with the union in finding jobs for the truckers and agreed to give all of the business handled by Sea-Land drivers to so-called "house carriers." These house carriers, Alaska Rapid Transport Inc. and Pan Alaska Trucking, hired all the displaced Sea-Land truckers.

Earlier this year Pan Alaska went out of business and Alaska Rapid Transport decided its share of the Sea-Land business was no longer profitable.

The result was that all the Sea-Land truckers who went to the two carriers were out of work. Further, according to the union, Sea-Land went back on its word and started hiring contractors who paid less than union scale. These companies picked up all the business previously done by Teamsters and, in effect, eliminated job opportunities for union truckers.

Central to the union's argument was that it had long had jurisdiction over the work

and that the jurisdiction remained no matter which company performed the work.

The company's argument was that when the bargaining unit left the Sea-Land payroll, so did the company's responsibility to the union.

The judge disagreed. Most of the local trucking is still performed by union drivers, and the union said it had no problem with those operations. However, it claimed that practice of having union drivers handle each stop of multi-stop loads was eroded during the subcontractor turnover.

Following arguments Friday, the union agreed to postpone any strike activity until Fitzgerald issues his ruling on the injunction even though a temporary restraining order had expired.

The company, meanwhile, was expected to notify its customers that a strike could occur.

Sea-Land handles about 1,000 containers of freight a week on three ships that arrive Monday, Wednesday and Saturday.

A prolonged delivery interruption or slowdown would have a profound effect on the availability of goods, including grocery items, according to the company. Union spokesmen have disputed this claim and say the business could be absorbed by other carriers.

Sea-Land loses customers to strike

By STEVE SEPLOCHA
Daily News business editor

About 25-30 percent of the customers of Sea-Land Service Inc. switched or made plans to switch their cargo deliveries to other companies Tuesday as Teamsters Union Local 959 resumed its strike against the state's largest cargo hauler.

Sea-Land, which delivers about 1,000 containers of cargo a week for statewide distribution, advised all its customers to make other arrangements for delivery of perishable goods.

Meanwhile, management made some concessions to the union which were rejected and both sides settled in for what may be a protracted battle.

In Seattle, the National Labor Relations Board (NLRB) issued its formal complaint of unfair labor practices against the union and set a hearing for Dec. 7 in Anchorage. The NLRB has charged the strike is an illegal secondary boycott.

It failed, however, to convince U.S. District

Judge James Fitzgerald of the validity of the charge and the judge Monday lifted a temporary order that had stopped the strike Oct. 15. Transcripts of the court proceedings will now be examined to determine whether Fitzgerald's ruling will be appealed, said NLRB counsel James Sand.

From a practical standpoint, agreement between the union and company is the only factor that can stop the strike in less than a month, according to Sand. Legal maneuvers could take at least that long.

Management personnel finished unloading the 525-foot vessel, the Galveston, which was in the Port of Anchorage when the strike resumed Monday night.

Another Sea-Land ship is due today and the company is prepared to unload it with management personnel. Sea-Land's Alaska general manager Jim Davis said he did not anticipate any severe shortages of goods in the state at this time but said deliveries will be slowed.

On the negotiating front, it was learned that

the company notified all its customers to immediately stop a practice called respotting which was the focal point of the union grievance.

Teamsters had complained that the company was permitting customers who received van loads at several drop off points to make their own deliveries after the first stop. The practice, according to the union, deprived union members of job opportunities in violation of an agreement the union said it has with the company.

Sea-Land reportedly told the union that the practice had been stopped, until its legal obligation could be further resolved, and asked the union to return to work.

The union reportedly responded that it wanted further concessions in the way of compensation for members who had been damaged by the practice.

Union and management personnel had no official comment on the negotiating events of the day.