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Disputes a contrast in cultures

By David Wilson

At Smithfield Packing Co., the dispute is about treating employees as human beings. They may be African-American or more likely Hispanic. Some may not have work visas. They are people without much political leverage, but they deserve to be treated with respect and dignity.

Goodyear Tire and Rubber management regards a motivated and satisfied work force as essential to the well-being of the company. This was evidenced by the outcome of the recent labor dispute between the company and the employees union, the United Steel Workers. Smithfield Packing in Bladen County sees employees as easily replaceable necessities that should be provided a bare minimum of consideration.

The rank-and-file workers at Goodyear Tire and Rubber and the company's management have resolved their differences. All is well at the local Goodyear plant and at Goodyear sites around the nation, except for Tyler, Texas, which is scheduled for closing. The new contract for the USW union members at Goodyear was a classic example of collective bargaining.

Each side lost but each side gained. The strike was the catharsis necessary for both sides to begin afresh. Some hostilities remain, I am confident. Strikers have difficulty forgiving and forgetting when it comes to crossing picket lines.

The Goodyear rank and file were striking for job security, better wages and a health-care plan they could count on when they retired. These were reasonable objectives. Workers at the Smithfield plant have different objectives based on viable grievances. Disputes between workers and management usually involve wages, benefits and working conditions. At Goodyear the issues were primarily wages and benefits. At Smithfield it is working conditions.

At Goodyear, workers are relatively well paid. The union wanted the new contract to provide for those good wages to continue. The benefits for Goodyear workers are excellent. The union did not want any erosion of those benefits. At Smithfield, where no union exists, the company takes advantage of the employee demographics. Many Hispanic workers have immigration issues. An employee anywhere in this country who

is here without valid documents does not want to make waves. They are easily intimidated and can be manipulated with threats. They can, in a word, be treated unfairly.

The culture at Smithfield, in spite of its recent spate of institutional television ads, is to be adversarial with employees. They have an internal security force, of all things, to control the workers. If employees are being properly treated, why should they need controlling? Work rules are designed for maximum output with little regard for employee comfort or well-being. The company may argue that employee well-being is secondary to shareholder well-being, but both groups are stakeholders in the company and both deserve fair consideration.

Employees by law are allowed to organize a labor union. The laws controlling such activity are very specific. During a campaign the company may not take any action to interfere with organizing efforts except to not allow such efforts on premises during work hours. The company may not spy on employees on or off company premises. The company may not threaten or intimidate employees. The company may not discharge employees for engaging in union organizing activities. The company may not engage in retaliatory activities during an organizing campaign.

Should the company fail to comply with the rules, an administrative law judge or the National Labor Relations Board can rule that the company engaged in unfair labor practices and order the company to begin contract bargaining with the union. It has been alleged that Smithfield has violated most of the rules thus far with impunity.

Now the company is testing a new tactic. Employees are being asked to sign company-prepared letters asking for a vote. This may or may not work in the company's favor. Normally, union organization involves card-signing. Organizers distribute cards to eligible employees and collect the signed cards. Once 30 percent of eligible rank-and-file employees have signed, the cards can be presented to a regional National Labor Relations Board office with a petition for a vote. Usually, the union organizers will wait until at least 60 percent are signed to ensure a better chance for union victory.

It would seem that Smithfield is playing a high-stakes game with its letter-signing ploy. The company is betting that a vote will go its way and want to get on with it before union organizers can further solidify union support. Smithfield may also have a card or two up its sleeve. Even though the NLRB conducts and supervises a "secret" ballot, the ballot may not be sufficiently secret. The immigrant Hispanic employees may be intimidated into voting "No." Smithfield needs to join the 21st century in terms of employee relations and the United Food and Commercial workers may well be the organization to help.

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