



VOICE OF THE ILWU

HONOLULU HAWAII
LOCAL 142

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Mazie Hirono



Mufi Hannemann



Colleen Hanabusa

ADDRESS LABEL

ILWU endorses Hanabusa, Hannemann and Hirono for U.S. Congress

The ILWU Local 142 Political Action Committee has endorsed Mazie Hirono for the U.S. Senate, Colleen Hanabusa for the U.S. House of Representatives First Congressional District, and Mufi Hannemann for the U.S. House of Representatives Second Congressional District in 2012. Senator Dan Inouye's term runs until 2016 and he already has the full support and endorsement of the ILWU.

Last March, U.S. Senator Daniel Akaka announced his retirement after 36 years of distinguished public service in Congress. Mazie Hirono has chosen to run for the vacancy created by Akaka's retirement. Colleen

Hanabusa will run for the seat she currently holds, and Mufi Hannemann will run for the seat being

Now more than ever Hawaii needs a progressive and united team in Washington DC to end the Republican blockade of any meaningful job creation programs, their refusal to end the Bush tax breaks to the wealthiest 1%, and the Republican insistence on cutting government programs which serve the needs of the vast majority of working Americans.

Hirono, Hanabusa, Hannemann, and Inouye have a long and proven record of standing up for working families and share many of the same goals and

philosophy of the ILWU.

ILWU members will be able to count on them to work hard to fix our broken bridges and highways, stimulate job growth by investing in education, protect workers and the environment, preserve Social Security, Medicare and Medicaid, and work to create a more just and equitable America.

Please talk to your friends and family, volunteer to support their campaigns, and vote to elect Mazie Hirono, Colleen Hanabusa, and Mufi Hannemann. Sign up to vote absentee or go to your polling place for the 2012 Primary Election on August 11 and the 2012 General Election on November 6.

Major legal battles won at Pacific Beach Hotel

Court orders second injunction and contempt order

HONOLULU—As the result of a hearing before Federal District Court Judge J. Michael Seabright held on October 31, 2011, a second 10(j) injunction order and a contempt order were issued against Pacific Beach Hotel owner HTH Corporation.

The injunction, dated November 21, 2011, required HTH Corporation to: rehire illegally fired union supporter Rhandy Villanueva, restore housekeepers' room assignments to 15-16 rooms a day, lift the ban on negotiations spokesperson Dave Mori's and Carmelita Labtingao's access to the hotel, provide the union with information needed for bargaining and representation, and convene an employee meeting on work time—so

that HTH Corporation CEO Corine Watanabe or President John Hayashi could read the injunction order to employees.

The reading of the injunction took place on November 30, 2011. Approximately 90 percent of bargaining unit workers attended the meeting, even though notice of the meetings was given only two days in advance, the hotel did not post meeting notices—except for one hand-written notice in the bell department—and managers generally did not encourage workers to attend the meetings. Instead, ILWU negotiating committee members and core supporters spread the word to other workers to get them to attend.

HTH Corporation found to be in contempt

The final decision on contempt charges against HTH Corporation was issued by Judge Seabright on November 29, 2011. The judge found both the company and HTH Regional Vice President of Operations Robert Minicola in contempt of court. HTH Corporation and Minicola were found to be in violation of an injunction order issued by Judge Seabright on March 10, 2010. The March 2010 injunction ordered the employer to, among other things, cease and desist from: refusing to recognize or bargain in good faith with the ILWU Local 142, discharging employees in order to discourage Union activities,

On the Inside

Longview, WA struggle, page 2

How the Occupy Wall Street movement began, page 3

ILWU Tourism Caucus, pages 4 & 5

Tourism units mobilize, page 6

News you can use, page 7

Around the union, page 8

unilaterally changing terms and conditions of employment, and in any other manner interfering with, restraining, or coercing employees in the exercise of their rights under the National Labor Relations Act.

Judge Seabright stated in his contempt order that "the Petitioner [NLRB] has established by clear and convincing evidence that Respondents [HTH Corporation] violated the March 29, 2010 Injunction," and described the employer's behavior as "bordering on farcical."

The next Local 142 Executive Board (LEB) meeting is scheduled to start at 9:00 am on March 16, 2012, in Honolulu at the ILWU building on 451 Atkinson Drive. ILWU members are welcome to attend as observers.

ILWU Longview members prepare for long struggle

ILWU Local 21 members are continuing their fight for fairness at the EGT grain terminal in Longview, Washington, where the high-stakes struggle continues to generate some dramatic twists and turns. “The fight for justice in Longview involves a lot more than just our little town it’s about corporate greed and the future of America’s middle class,” said ILWU Local 21 President Dan Coffman.

Over 200 ILWU members have now been arrested, including International President Bob McEllrath who was charged on September 26, and Local 21 President Dan Coffman who was cuffed on September 21 along with a dozen local women. Most are charged with trespassing and blocking EGT grain trains.

Responding to complaints of police harassment and discrimination, The ILWU filed a lawsuit in federal court that charged local law enforcement officials with violating the civil rights of union members and supporters in Longview.

In response to the ILWU’s Civil Rights suit, the Cowlitz County Prosecutor’s office finally took action against an EGT employee who assaulted two ILWU picketers with his Chevy Suburban on August 29th. Although the man was charged with two counts of felony hit-and-run driving (instead of felony assault with a deadly weapon), the prosecutor refused to have him arrested like so many union members who have been charged with minor offenses. Unlike union members, EGT’s violent driver was allowed to receive a summons in the mail for his violent attack on two workers. Law enforcement officials had refused for weeks to arrest the driver; instead deputies arrested union members who allegedly kicked the car driven by EGT’s employee who tried to run over picketers then fled the crime scene and went to work in the outlaw grain terminal.

A community rally on September 29 sponsored by Jobs With Justice attracted 1,000 supporters who gathered in front of the Longview City Hall. Concerned community members from throughout the Columbia River area and beyond joined with local

small business owners and union supporters to show their solidarity.

On September 30, a federal judge imposed a \$250,000 penalty on the ILWU, saying the union should reimburse EGT, local law enforcement and government attorneys for expenses he attributed to events on September 7 and 8 when union members allegedly blocked trains and entered EGT’s facility on Port property. The ILWU is appealing the judge’s ruling and penalties.

In a separate Federal Court ruling on October 7, the same judge rejected EGT’s motion for summary judgment and determined that EGT was “acutely aware of the (ILWU Local 21) Working Agreement, and of the Port’s (and ILWU’s) belief that it established union longshore jurisdiction over the property to be leased both on the docks and on the land side of the facility.” While the ruling was positive, it was only one decision in an extensive legal battle.

The fight for good jobs at EGT seems to be entering a phase where legal and courtroom battles compete for attention with events on the ground. The announcement of the \$250,000 penalty and threat of future fines attracted predictable media attention and fodder for anti-union outlets including Rush Limbaugh and Wall Street Journal editorial writers who are trying to use the Longview story to turn the public against unions.

Rough justice

The September 30 court ruling against the ILWU by the Federal Court in Tacoma was not unexpected because federal labor laws generally favor business and commerce over workers and the community. ILWU Coast Committeeman Leal Sundet was quick to make that point when the court issued their ruling and he criticized the method used to arrive at the \$250,000 penalty, explaining, “The judge took the NLRB’s proposed damage amount of nearly \$300,000 and rounded it down to \$250,000 without any findings of fact or ruling on our evidentiary objections. This kind of ‘rough justice’ and imprecise decision-making is exactly what the law is supposed to prevent. But this court used back-of-the-napkin guestimates. There was



Photo by ILWU Local 40 President Dawn Des Brisay

ILWU President Robert McEllrath is detained by law enforcement while supporting Longview ILWU members on September 7, 2011.

also not even an attempt to determine which, if any events, were arguably connected to what the union allegedly did on the 7th and 8th of September.”

Questionable accounting

The court-ordered penalty includes reimbursement to local law enforcement for the cost of police uniforms that were purchased in July before a court order was in effect. Other questionable expenses included the purchase of weapons by public and private police forces, overtime pay for unnecessary and wasteful staffing by the Cowlitz County Sheriff, exorbitant travel and salary costs for EGT lawyers including time billed at over \$400 an hour and first class airfare, and the reimbursement of government lawyers at hourly rates exceeding \$400 which is far more than they’re actually paid. The ILWU issued a statement saying that the union will appeal the decision and expects the ruling to be overturned.

Strong support

The Large Rally on September 29 offered convincing proof that support for ILWU Local 21 has deep roots. Jobs With Justice worked with

the AFL-CIO Labor Federations in Oregon and Washington to spread the word and encourage attendance. Jeff Johnson, President of the Washington State AFL-CIO, summed up the fight to more than one thousand supporters who gathered in the park: “We’re going to win this fight because we’re right. We’re going to win this fight because this work loading and unloading ships is Longshore labor. And we’re going to win this fight because we’re going to stay out here one day longer,” he said.

Resuming talks is key

EGT and ILWU Local 21 participated in collective bargaining negotiations between September 2009 and May 2011. In April 2011, contract negotiations got stalled over EGT’s demand to have longshoremen work 12 hour shifts without any overtime pay and the company’s refusal to recognize maintenance, repair, and master console jurisdiction. To date, EGT has not returned to the negotiating table and continues to refuse to agree to the Grainhandlers Agreement even though ILWU Local 21 expressed its willingness to modify the agreement to meet EGT’s particular needs.



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“We are the 99 percent”—understanding how the Occupy Wall Street movement began

Along with this ownership of wealth comes control and influence over the political system. While the wealth of the one percent has grown, the conditions for the vast majority of people have worsened, with more people unemployed, living in poverty, carrying greater debt, and struggling to make a living.

Wall Street is the location of the New York Stock Exchange, where investors buy and sell the stocks of U.S. companies. It is the largest stock exchange in the world, trading over \$150 billion in stocks every day. Wall Street is the symbolic center of the world's largest banks, investment funds, and global corporations which hold so much power over our jobs, the mortgages on our homes, the price of medical care, and the future of our communities.

Occupy is an action based on the freedom of assembly. The right of the people to peaceably assemble is protected by the First Amendment of the U.S. Constitution and the Universal Declaration of Human Rights adopted by the United Nations.

Birth of a movement

The Occupy Wall Street movement started on September 17, 2011, when

Declaration of the Occupation of New York City

As we gather together in solidarity to express a feeling of mass injustice, we must not lose sight of what brought us together. We write so that all people who feel wronged by the corporate forces of the world can know that we are your allies.

As one people, united, we acknowledge the reality: that the future of the human race requires the cooperation of its members; that our system must protect our rights, and upon corruption of that system, it is up to the individuals to protect their own rights, and those of their neighbors; that a democratic government derives its just power from the people, but corporations do not seek consent to extract wealth from the people and the Earth; and that no true democracy is attainable when the process is determined by economic power. We come to you at a time when corporations, which place profit over people, self-interest over justice, and oppression over equality, run our governments. We have peaceably assembled here, as is our right, to let these facts be known.

1. They have taken our houses through an illegal foreclosure process, despite not having the original mortgage.

2. They have taken bailouts from taxpayers with impunity, and continue to give Executives exorbitant bonuses.

3. They have perpetuated inequality and discrimination in the workplace based on age, the color of one's skin, sex, gender identity and sexual orientation.

4. They have poisoned the food supply through negligence, and undermined the farming system through monopolization.

5. They have profited off of the torture, confinement, and cruel treatment of countless animals, and actively hide these practices.

6. They have continuously sought to strip employees of the right to negotiate for better pay and safer working conditions.

7. They have held students hostage with tens of thousands of dollars of debt on education, which is itself a human right.

8. They have consistently outsourced labor and used that outsourcing as leverage to cut workers' healthcare and pay.

9. They have influenced the courts to achieve the same rights as people, with none of the culpability

Join us and make your voices heard!

This document was accepted by the NYC General Assembly on September 29, 2011

It is a simple idea. “We are the 99 percent.” This simple statement speaks to the huge and growing inequality where one percent of Americans own and control most of the wealth of this county.

a thousand people responded to an e-mail message asking people to come to Wall Street to protest the inequality of wealth, to fight back against the power of major banks and multinational corporations over the democratic process, and to hold these corporations responsible for creating the greatest economic recession in generations. A few hundred people stayed and camped out in Zuccotti Park, which they renamed Liberty Square in honor of the Egyptian mass uprising which forced the resignation of Egyptian president Hosni Mubarak. The Egyptian protestors occupied Cairo's Tahrir Square—which they called Liberty Square.

Movement spreads

As the Wall Street occupation continued, it began to spread across the United States, into Canada, and around the world. On November 17, two

or responsibility.

10. They have spent millions of dollars on legal teams that look for ways to get them out of contracts in regards to health insurance.

11. They have sold our privacy as a commodity.

12. They have used the military and police force to prevent freedom of the press. They have deliberately declined to recall faulty products endangering lives in pursuit of profit.

13. They determine economic policy, despite the catastrophic failures their policies have produced and continue to produce.

14. They have donated large sums of money to politicians, who are responsible for regulating them.

15. They continue to block alternate forms of energy to keep us dependent on oil.

16. They continue to block generic forms of medicine that could save people's lives or provide relief in order to protect investments that have already turned a substantial profit.

17. They have purposely covered up oil spills, accidents, faulty bookkeeping, and inactive ingredients in pursuit of profit.

18. They purposefully keep people misinformed and fearful through their control of the media.

19. They have accepted private contracts to murder prisoners even when presented with serious doubts about their guilt.

20. They have perpetuated colonialism at home and abroad. They have participated in the torture and murder of innocent civilians overseas.

21. They continue to create weapons of mass destruction in order to receive government contracts.

*

To the people of the world,

We, the New York City General Assembly occupying Wall Street in Liberty Square, urge you to assert your power.

Exercise your right to peaceably assemble; occupy public space; create a process to address the problems we face, and generate solutions accessible to everyone.

To all communities that take action and form groups in the spirit of direct democracy, we offer support, documentation, and all of the resources at our disposal.

months after September 17, similar occupations and protest movements have taken root in all 50 states and the District of Columbia, to 29 countries, and 2,420 cities around the world.

“We are the 99 percent” carried the force of an idea that captured the frustration and anxiety people had about their future, made sense of the economic mess in the country, and gave people the understanding that they hold the real power of democracy in their hands.

Global uprising

The Occupy Wall Street movement began in the United States in September, but it drew from many of the ideas of similar mass protests of ordinary citizens taking place around the world. Most of the protests were directed at politicians and governments that were trying to deal with the economic losses caused by the global financial crisis of 2008-2009. The political solution adopted by most governments was to bail out the failing banks and make the average citizen

pay. Government services were cut, public workers lost their jobs, taxes and fees were increased.

The financial crisis was caused by U.S. banks and investment companies which had sold trillions of dollars worth of mortgage backed financial products to banks around the world. When the U.S. housing market collapsed, banks around the world found themselves in deep trouble, with potential losses of billions of dollars in “toxic” mortgage backed investments.

“They got bailed out, while the people suffer” is a common theme of these global protests.

The people of Iceland were among the first to rebel against paying to save the banks for their bad investments. They demonstrated by the tens of thousands in 2008 and voted by a margin of 93 percent against a March 2010 referendum to repay loans made to bail out Iceland's banks. A second referendum to repay the loans in April 2011 was also defeated.

In Spain, hundreds of thousands of people took to the streets on May 15 to protest government attempts to make the people pay the cost of economic recovery. The Spanish protestors called for a global day of protest on October 15, 2011, and demonstrations were held in more than 950 cities in 82 countries. Protest signs included: “We are the 99%,” “United for Global Change,” and “Human Rights for Everybody.”

Same-sex couples gain legal rights on January 1, 2012

On February 23, 2011, Hawaii enacted a law which makes same-sex and opposite-sex couples eligible for civil union recognition beginning January 1, 2012, and grants civil union couples many of the same rights as married couples in Hawaii.

The new law will recognize civil unions entered in other states between two individuals not recognized under Hawaii's marriage law beginning January 1, 2012, provided that the relationship meets the eligibility requirement of Hawaii's civil unions laws, has been entered into in accordance with the laws of the other state, and can be documented.

To comply with the law, many medical plan are changing their rules to allow same sex couples to be covered the same way married spouses are covered by their partners health plan. The plans should mail you notice of the change, but you can also talk to your employer for more information.

As of January 1, 2012, the ILWU Health and Welfare Plan will cover same sex partners, but members have 30 days to inform the trust and must meet the requirements established by the Health and Welfare Plan Trustees. Domestic partners must have been

living in a spouse-like arrangement 12 months prior to coverage and show proof of the relationship, such as joint bank accounts, joint loans, etc. You should call the ILWU Health and Welfare plan administrators at 866-377-3977 for more information.

Federal law does not recognize civil unions so federal programs such as Social Security, COBRA, veteran benefits and federal taxes are not affected.

Some areas covered by civil unions are worker's compensation, Hawaii family leave, inheritance without a will, hospital visitation, loan eligibility, property rights and protection under Hawaii domestic violence laws. Private employers must also extend the same benefits to same sex couples as married couples. This includes medical benefits, funeral leave, and pension benefits. Visit www.hawaii.gov/doh/civilunion for more information and eligibility requirements.



Participants from the Unit 2520 - Grand Wailea Resort discuss their plan and timeline for mobilizing members around contract issues. (L-r, standing) Steve West, Jason Medeiros, Michael Friday, Henry Oandasan, and Valerie Salmon. (Sitting) Helene "Lei" Kaiahua-Sado, Robert Apo, Merlina Valdez, and Perlita Manlansing.

Wailuku, MAUI—Over 130 member-delegates from ILWU hotels and golf courses met at the Maui Beach Hotel on October 19, 2011, to build unity and reach agreement on the most important goals for upcoming contract negotiations with their employers. The one-day caucus is the second statewide meeting of some 40 ILWU units in the tourism industry from all islands. The first caucus of the same tourism industry group was held last year on Maui on September 27 and 28, 2010.

In the coming three years—2012 to 2014—over 7,600 ILWU members in 36 hotels and golf courses will be negotiating new labor contracts. The industry-wide tourism caucuses are intended to prepare the union and its members to negotiate contracts that will raise the standard of living of hotel workers and substantially increase contributions to the pension fund in order to provide an adequate retirement benefit.

Local President Isaac Fiesta, Jr. opened the caucus by stressing three goals for negotiations in the tourism industry—put more money into the pension fund to pay a decent retirement benefit, bring more hotels into the health and welfare trust fund, and start a new fund to provide medical benefits to retirees.

Maui Division Director William Kennison welcomed the delegates to Maui. Kennison told the delegates that tourism has done better than other industries during the recession and is now leading the recovery as the economy improves. The high cost of medical insurance is hurting many companies, but ILWU hotels in the Health and Welfare Trust Fund are saving a lot of money and are paying a composite rate of \$620 a month for family or single medical coverage in 2011. Kennison revealed that some companies pay over \$1,200 a month for family coverage and \$800 a month for single coverage. The employees of these companies are also hurt when they are forced to pay part of the higher cost of medical coverage. These companies and employees would benefit by negotiating with the

ILWU to join the Hotel Health and Welfare Trust Fund or the separate General Trades Health and Welfare Trust Fund.

Wesley Furtado, ILWU International Vice-President Hawaii, stood in for ILWU International President Robert McEllrath, who was unable to attend the caucus. McEllrath was tied up with the struggle to retain longshore jurisdiction at the EGT grain facility in Longview, Washington. Furtado explained how the West Coast longshore membership learned it was vitally important to take care of both pension and wages. Four negotiations ago in 1996, longshore negotiations focused on increasing wages and less on pensions, but members who retired found their retirement benefits were too low. In the 1999 and 2002 negotiations, the longshore division made increasing pension a high priority and in some years agreed to smaller wage increases in order to put more money into their pension fund.

Guy Fujimura, Local 142 Secretary-Treasurer, told the delegates how ILWU hotels used to have the same wages, benefits, and standard language under a master contract with the Council of Hawaii Hotels. Money and benefits were the same no matter where you stood in the hotel industry or which island your hotel was located. There was an industry-wide Adjustment Board to interpret the contract. In 1995, the Council of Hawaii Hotels broke up and hotels began negotiating separate agreements with the ILWU. Wages, benefits, and contract language began to move away from a state-wide industry standard to island-based standards.

Fujimura thanked the delegates for their support and the support of the membership when they voted to increase Local union dues by 0.5 percent in the 2009 ILWU Convention. The increase was needed to recover from the economic recession and the loss of income due to the closure of a number of companies. Fujimura reported that the union's finances are now on a sound footing and sufficient money has been set aside to rebuild the union's emergency reserve fund. The

Tourism Caucus se Delegates focus on pensi

union had sufficient income to hold the two Tourism meetings and one General Trades Caucus even though these expenses were not included in the budget adopted by the Local Convention in 2009.

Increase in contributions needed for pension fund

Charlie Furuike, the ILWU's pension plan consultant, gave the first major presentation of the day. He explained why the union must negotiate a substantial increase in contributions to the hotel pension fund.

The hotel pension fund did well from 1986 to 2001. A housekeeper with 25 years of service who retired at age 66 would receive an income from pension benefits and Social Security which would replace over 80 percent of their income while they were working. A housekeeper with 30 years of service would receive a combined income from pension and Social Security which was closer to 90 percent of their working income.

Stock market crashes

Led by the spectacular growth of internet-technology companies, stock market prices were soaring and breaking historical records. Between 1995 and 2000, the ILWU-Hotel Pension Fund grew by about 20 percent a year and by 2000 had a market value of \$185 million, which was more than enough to cover estimated liabilities (payments to current and future retirees) of about \$160 million.

In March 2000, the economy stopped growing and stock prices began to fall.

The investment craze over internet companies had driven the price of their stocks far beyond what these companies were worth. Many of these

companies never made a profit, were founded on ideas that would never succeed, or were poorly managed. Within two years, half of the internet startup companies went out of business after spending all of their investment capital.

The impact of these closures rippled throughout the U.S. economy. Thousands of their employees lost their jobs while still in debt for home loans or new cars. Newly constructed office complexes stood vacant and landlords lost rental income. Suppliers and service providers were left with unpaid bills. Investment funds discovered their stocks of many of the internet-technology companies were worthless. Established and stable companies lost money due to their exposure to technology investments. Banks lost money as individuals and companies defaulted on their loans and debts became uncollectible.

The U.S. stock market would lose \$5 trillion in market value from March 2000 until October 2002.

Pension plan underfunded

Pension funds are prohibited from making risky investments, but every pension fund in the United States lost money during the recession and stock market crash of 2000 to 2002. Furuike estimated the ILWU Hotel pension fund lost about 22 percent or \$40 million in the market value of its assets over this three year period.

By 2003, the ILWU Hotel pension fund was significantly underfunded. The fund was worth about \$145 million but to be fully funded, the plan needed assets of at least \$175 million to pay projected benefits owed to retirees. The Trustees made changes to the plan's benefits that were necessary to keep the plan funded in accordance with the Employee Retirement Income



Unit 2516 - The Hyatt Regency Maui will be the first major hotel opening negotiations in 2012. It is crucial that Hyatt bargaining goes well, because the contract at the Hyatt may set the standard for following negotiations. The unit is already several months into an intensive education and mobilization effort led by unit leaders, pictured above. (L-r, back row) Ronald Johnson, Timothy Lessnau, Steven Lee, Business Agent Abel Kahooanohano, and Pamela Dyson from the Hyatt Maui Spa. (Front) Unit Chair Cyrus Kodani, Charlene Kahoe, Esther Balala, Danilo Baldos, and Rose Abut.

ts bargaining goals ons and medical benefits

Security Act (ERISA) and the stock market began a slow recovery after 2004 and the pension fund's market value increased for the next four years, but then another economic crisis hit.

The financial crisis of 2008-2009 was the worst since the Great Depression of the 1930s. The hotel pension fund lost over \$60 million of its market value in a single year. In 2009, the pension fund lost everything it had gained since 2003 and was back to a market value of \$145 million. The fund's liability, or money owed to current and future retirees, continued to grow and was now over \$216 million.

This level of underfunding put the ILWU Hotel Pension Fund in the critical "Red Zone" according to rules set by ERISA. Once a pension plan is certified as "Red," employers must increase their contribution to the pension plan by 5 percent of their current rate for the remainder of the year. Employers must increase their contribution by 10 percent in the second year until the expiration of the current collective bargaining agreement.

In addition, the trustees of the pension plan must develop and adopt a rehabilitation plan to increase

contributions, reduce the level of underfunding, and bring the plan out of the "Red Zone."

The rehabilitation plan adopted by the ILWU Hotel Pension Plan included the following:

1) Effective January 1, 2010—plan participants will earn a pension benefit equal to one percent of their total employer contributions for that year and for following years.

2) Effective January 1, 2011—three changes were made:

a) Disability retirements were eliminated.

b) Pre-retirement death benefits would only be paid after a participant is age 55 or older.

c) Early retirement benefits were reduced according to a new formula for participants who reach age 55 after December 31, 2010. However, benefits earned before December 31, 2010 are protected and remain at the higher rate.

Out of the Red Zone

The ILWU Hotel Pension Fund also took advantage of the Pension Relief Act of 2010 signed by President Obama which eased funding requirements and gave pension plans a longer period of time to recover investment losses during 2008 and



(Left) Oahu Business Agent Karl Lindo reviews caucus material with Unit 4524 - Ohana Airport Hotel Unit Chair Owen Castagan. Ohana Airport Hotel is one of two ILWU-organized hotels on Oahu; the other is the Pacific Beach Hotel, whose workers are still fighting for their first contract. Lindo is also the Business Agent for Pacific Beach Hotel workers. (Right) Unit 2523 - Ritz Carlton Kapalua members Kanaiela Palazzotto, Amy Kawaguchi, and Michael Spath discuss a schedule of mobilizing activities for their unit. The Ritz Carlton contract expires in 2013.

2009. These changes have allowed the ILWU Hotel Pension Fund to get out of the critical "Red Zone."

Pension increase needed

The ILWU Hotel Pension Plan is recovering from the losses suffered in two major recessions in the last 10 years. However, because of the changes that the Trustees have had to make to the plan benefits since 2000 in order to keep the plan funded in accordance with ERISA, pension benefits for the years after 2001 are much too low to provide an adequate income for younger workers who will retire in 10, 20, or more years from now.

ILWU hotel members must support a substantial increase in pension contributions when they negotiate new union contracts with their employers.

Furuike indicated that, based on the plan's current benefit formula, a contribution rate of \$1.50 to \$1.85 an hour would provide a decent retirement benefit (i.e., a combined retirement benefit of 80% of working income).

Health and Welfare

Paul Tom, the union's medical consultant from Benefit Plan Solutions, Inc., explained how the ILWU Health and Welfare Trust Fund has benefited members. He covered how it would be possible to create a separate fund to provide medical benefits to retirees.

Approximately 3,700 out of 8,000 ILWU tourism members and covered under the ILWU Health and Welfare Trust Fund.

The Health and Welfare Fund started in 2005 with three hotels—the Hyatt Regency Maui, the Grand Hyatt Kauai, and the Hilton Waikoloa Village. In 2007, the Four Seasons Resorts Lanai (The Lodge at Koele and Manele Bay Hotel), Castle and Cooke Resorts Lanai, and the Kaanapali Beach Hotel on Maui joined the Fund. In 2010, the Mauna Kea Beach Hotel on the Big Island came under the Health and Welfare Fund. In 2011, The Westin Maui Resorts and Spa and Princeville Operating Company (Kauai) came under the Health and Welfare Fund.

How pension funds work

The union contract requires each hotel to pay a set amount of money into the Pension Trust Fund for each hour you work. Pension funds must collect enough income from all sources to pay the current retirees their benefits and accumulate sufficient assets to pay you your benefit when you retire. Pension funds receive income from employer contributions and from returns on investments. A healthy pension fund is fully funded, which means it has enough investment assets and income to pay benefits to all future retirees. The amount of money a pension fund needs is not an exact science but is more like predicting the weather. It is an estimate calculated on how much money will be made from future investments, how many years retirees will live and collect benefits, and the years of service and expected retirement age of current workers. These calculated estimates are based on historical experience and trends, and do not account for unexpected events such as recessions and financial crisis.

The trust fund is jointly managed by trustees

appointed by the union and hotel management. Federal law requires the trustees to act in the best interest of the beneficiaries of the trust fund, who are you, the active workers, and the retirees who receive pension benefits from the fund.

A number of federal laws regulate how the pension fund must operate. Some of these laws include ERISA, the Internal Revenue Code of 1986, the Taft-Hartley Act, the Labor-Management Reporting and Disclosure Act (LMRDA), the Pension Protection Act of 2006, and the Pension Relief Act of 2010. In addition, several federal agencies, the Internal Revenue Service (IRS), Department of Labor (DOL) and the Pension Benefit Guaranty Corporation (PBGC) are involved in making certain that plans comply with these laws. These laws are intended to guarantee your benefits, provide regular reports and notice to participants, prevent misuse of funds, require pension funds to make secure and reasonable investments, and mandate pension funds to have enough assets and cash to pay benefits to current and future retirees.

How much do you need to retire?

How much money do you need to have a comfortable retirement? If you want the same standard of living you have now while you are working, then you will need about 80 percent of your present income after you retire.

The 80 percent is an estimate based on the fact that you will not be paying payroll and other taxes or saving for retirement. You may need less than 80 percent if your children have moved out and your home loan is paid off. You may need more than 80 percent, if you have serious health problems or are still paying off loans or mortgages.

To get the most accurate estimate of the income you need in retirement, you should make

a detailed budget which lists all of your expenses and sets aside money for auto repairs, replacement of appliances, and regular upkeep and maintenance of your home.

Please note that these numbers are rough estimates and your actual benefits may be very different. Your Social Security benefits would be based on your lifetime earnings and your pension benefits would be based on the number of hours you work each year and the contribution rate made by your hotel.

You can use a quick calculator on the Social Security website to estimate your Social Security benefits at:

<http://www.socialsecurity.gov/OACT/quickcalc/index.html>

Tourism units mobilize for negotiations

In the afternoon session, the Tourism Caucus focused on how to prepare for negotiations. Officers from two hotel units—the Hilton Waikoloa Village and the Hyatt Regency Maui—explained what they are doing to organize and mobilize their members.

Hilton Waikoloa Village

The Hilton Waikoloa Village on the Island of Hawaii is one of the ILWU's largest hotels with close to 700 members. Their union contract expires in September 2013, but the unit has already begun to organize and mobilize their members.

Hawaii Island Business Agent Corinna Salmo explained how they started. "We had a lot of holes in our unit structure. We worked to fill them with stewards and mobilizers."

"Stewarding had no union stewards so I picked two stewards and one mobilizer," said Dallas Holeso-Kuhaiki from culinary. "I'm the only steward in Culinary. Now we have two more stewards and one mobilizer. We meet twice a month."

Dallas explained how she recruited people. "When I ask people to volunteer as a steward or mobilizer, they tell me they don't want to come to meetings or talk in front of people. I tell them don't worry, I'll go to the meetings and fill you in on what's happening. You can sit back and chill. You only need to talk to the people in your department."

"We do 'tunnel talks'," said Janice Barrios and Wesley Martinez from the Front Office and Concierge departments. "We talk to people, ask them what is happening, and explain things to them. We use the unit bulletin as a source of information. We post the names and departments of the Unit Officers on the union bulletin board."

The Hilton Waikoloa has three towers connected by long underground tunnels where workers walk to different parts of the hotel, and electric carts move laundry, food, and other supplies from the central area to the outside towers.

Freda Ezzo from the Laundry

Department spoke from years of experience. "Always listen to your membership," said Freda. The hotel also gives her time to talk to the housekeepers during the morning briefings.

Hyatt Regency Maui

The Hyatt Regency Maui is one of the larger ILWU hotels with a membership of over 600. Their union contract expires in September 2012.

Maui Business Agent Abel Kahooanohano organized the Hyatt Maui by bringing in good people to fill vacant positions in the unit. "Look for people who have the run of the hotel such as maintenance and banquets," he advised. "Our contract expires in September 2012 and we began to prepare for negotiations by raising unit dues from \$1.50 to \$2.50 a month. We cashed a \$32,000 certificate of deposit. By the time we begin to negotiate, we should have a war chest of \$50,000. We hold meetings every month and they spread the word to everyone in the hotel," said Abel.

"Talk to your unit officers first and they will spread it out to other people," added unit chair Cyrus Kodani. "We are doing something for the future—we want to leave future generations something. We identify leaders in each department. We target leaders and get them involved. We take two unit officers every month and sit on the loading dock to talk to people and sign new hires on the union membership form. We raised unit dues. We didn't know if it would be approved—we thought maybe a large group of people who opposed the increase would come out and vote against it. But we explained why we needed a dues increase and our members voted to pass the increase. This sent a strong message to the hotel that we are prepared to fight for the long-run in these negotiations," said Cyrus.

Ron Johnson comes from Michigan from a union family. One of his grandfathers worked in the auto industry and was a member of the United Auto Workers union. The other



Unit 1517 - Hilton Waikoloa Village steward Dallas Holeso-Kuhaiki explains how she recruits stewards and mobilizers for the Hilton's culinary department. (L-r) Janice Barrios, Wesley Martinez, Holeso-Kuhaiki, and Business Agent Corinna Salmo.

grandfather worked for the railroads. "Political Action is very important," Ron stressed. "We need to tell the politicians to work for the people and not for big business and the big bankers on Wall Street. We need politicians to know now what it takes to have fairness in the workplace."

share what you've learned here with your members. Educate your members about the importance of taking care of our pensions, of the health and welfare fund, and the retiree medical. Organize your units and prepare for negotiations."

Go back to your Units

Local President Isaac Fiesta, Jr. told the tourism delegates to take what they learned back to their units. "The Local gave you the tools and will support you. The next step is up to you. Go back to your units and



(Above right) Unit 2509 - Four Seasons Resort Lanai Chairperson Joe Felipe (with unit officers Priscilla Felipe and Linda Fernandez) asks that caucus members support Castle & Cooke's wind energy project in order to protect tourism industry jobs on Lanai.

"What was the best part about the Tourism Caucus?"

Here are some of the answers from the participants:

"Pension & health concerns and how to approach next year's negotiations. Medical after retirement and how to have enough money to retire . . ."

"The importance of mobilization and negotiation tools for current union contracts close to expiration."

"I have several members nearing retirement so this is good info to pass along—and being young, I didn't fully understand the importance of a good pension plan while I'm young."

Initial survey results: email preferred

101 rank-and-filers responded to the survey on the Best Way to Contact Them. Only 90 completed the section on contacting them. A surprisingly large number (43 people) indicated e-mail as the best way to contact them; 41 people indicated phone calls or texting was the best way to contact them.

Best Contact	Count	Percent
E-mail	39	43%
Phone	35	39%
Text	8	9%
Phone or Mail	3	3%
E-mail or Text	3	3%
Phone or Text	1	1%
E-mail or Phone	1	1%
Total	90	

Best Source of Info

There were 162 responses on the Best Way to Get Information to People. Some people put down more than one source, which accounts for the larger

number (162) than the actual surveys (101).

It was surprising that e-mail was the best way to get information out. In fact, a total of 131 people could be reached by automated messaging through e-mail, the VOICE of the ILWU, unit bulletin boards, texting, Facebook, and postal mail. Only 31 responses indicated a phone call or word of mouth was their preferred source of information. Very few people used Facebook or Twitter.

Source	Count	Percent
E-mail	39	24%
Phone	30	19%
Voice	26	16%
Bulletin Board	24	15%
Text	19	12%
Website	15	9%
Facebook	5	3%
Mail	3	2%
Mouth to mouth	1	1%
Twitter	0	0%
Total	162	

News You Can Use

Working shorter hours, laid off for a couple weeks a year?

You may qualify for partial unemployment benefits

In December 2008, Hawaiian Commercial and Sugar Company (HC&S) imposed a one-week furlough on all employees for either the week of December 8 or December 15. A full-time employee of HC&S went to the Unemployment Insurance office and was told the December furlough would be his waiting period and he would be paid for future furloughs. He believed the word of the unemployment officer and did not file a claim.

HC&S then imposed a two-week furlough in 2009. They allowed employees to determine when they would take that furlough. On April 5, 2009, the HC&S worker applied for unemployment benefits for March 30 to April 5. He was informed that this would be his waiting period.

The worker was told back in December of 2008 that this first furlough would serve as his waiting period. His ILWU Business Agent stepped in to help the worker and advised him to file a claim for the December 2008 week. He filed the claim on April 23 and explained the delay was due to good cause—he was just following the information given to him by the unemployment office.

On June 9, 2009 the Department of Labor (DOL) rejected his claim as being untimely because it was more than 28 days after the last day in December 2008. The Department of Labor argued that the good cause exception was only for total unemployment and not for partial unemployment.

The ILWU referred the case to the union's attorneys and helped the worker file an appeal on June 12, 2009.

The DOL held a hearing on July 9 and upheld the denial of the worker's claim. The ILWU attorney and the worker appealed and requested reopening of the issue on August 7, 2009. A court hearing was held on April 15, 2011.

The ILWU attorney argued that the law only placed a time limit on claims for benefits and there was no time limit on appealing the waiting period. The Court agreed and ruled that December 2008 served as his waiting period and the member was entitled to unemployment benefits for March 30 to April 5, 2009.

Get it in writing

The worker should have filed a claim for the December 2008 furlough, which would have established his claim in writing. The verbal statement of the unemployment officer was not enough to establish a claim. He would have been informed that the first week would serve as the waiting period. Then in April 2009, he could file a claim for continuing benefits and be paid for that period.

Because he failed to file for unemployment benefits in December 2008, the court had to decide whether

his April 23, 2009 appeal on the waiting period for December 2008 was valid. Fortunately, the court agreed with the ILWU attorney that the law does not impose a time limit on appealing the waiting period, only for appealing benefits. This applies to both full and partial unemployment. This appears to open the door to allow any unemployed worker to back track and appeal their waiting period if they were previously unemployed (within the previous 12 months) but failed to apply for unemployment benefits at that time.

The lesson: file immediately

All ILWU members are advised to file for unemployment benefits immediately and within the first week you are unemployed. If you are denied benefits, you should continue to submit claims for benefits every week. If you appeal and win the appeal, you will only be paid for those weeks for which you submitted claims. If you are partially unemployed, you should have your employer complete a "Weekly Report of Low Earnings."

You should appeal your waiting period if you were previously unemployed or partially unemployed for seven calendar days and didn't file for unemployment benefits for previous periods.

Partial Unemployment

If you are still attached to your regular employer, worked less than your full-time hours, and earned less than your weekly benefit amount during a week, then you may be eligible to file an initial claim for partial benefits, which

can be backdated 28 calendar days to the week of less than full-time employment.

To qualify for partial benefits for a week, you must have accepted all work offered by the employer, file a claim certification for that week within 28 calendar days from the week-ending date, and have your employment status, earnings, and acceptance of all work offered verified by the employer.

A "Weekly Report of Low Earnings" must also be completed by the employer and submitted before you can be paid for a week of partial unemployment.

When you file an initial claim for partial unemployment, a supply of low earnings report forms will be provided to you. If necessary, additional forms can be obtained from your local unemployment office. If you are not scheduled to work for four consecutive weeks, or do not have a definite recall date within four consecutive weeks, you may be considered to be totally unemployed and will be required to register for work with the Workforce Development Division, and to make an active search for work. If you expect to obtain work through your union, you will need to register for work and verify that you are a member in good standing. If your regular employer terminates your employment, file an additional claim immediately via Hawaii Tele-Claim.

Part-Total Claims

If you are working part-time on a regular basis while seeking full-time employment, you must file your claim certifications within seven calendar days after the week-ending date of your weekly claim, or after the second week-ending date of your bi-weekly claim.

You must report your gross earnings from your part-time job for each week that you claim, even if you have not yet been paid. A "Weekly Report of Low Earnings" to verify your earnings and acceptance of all work offered must be completed by your employer and submitted to your local claims office for each week that you file before payment can be made.

Any casual employment—such as yard work—must also be reported and the gross earnings deducted from the week in which you worked. These earnings do not need to be verified with a low earnings report.

Contact the union

If you have any questions or need help and advice on unemployment insurance benefits, you can always talk with your ILWU business agent.

Facts you should know about Social Security

Social Security Normal Retirement Age

If you retire at your normal retirement age, you would receive 100 percent of your Social Security benefit, which is based on your earnings. The normal retirement age for people born between 1943 and 1954 is age 66. The normal retirement age for people born in 1960 and later is age 67.

1943-1954	.....Age 66	1958.....	Age 66 and 8 months
1955	.....Age 66 and 2 months	1959.....	Age 66 and 10 months
1956	.....Age 66 and 4 months	1960 and later	.....Age 67
1957	.....Age 66 and 6 months		

Reduced Benefit for Early Retirement

You can retire and collect Social Security as young as age 62, but your benefits will be reduced by 25 percent for people born between 1943 and 1954 and by 30 percent for people born in 1960 and later.

Year of birth	Collect at age 62	Collect at age 63	Collect at age 64
1943-1954	75% of SS	80% of SS	83 1/3% of SS
1960 and later	70% of SS	75% of SS	80% of SS

Extra Benefit for Delayed Retirement

You can get as much as eight percent more each year in Social Security benefits if you delay collecting your Social Security after your normal retirement age. For example, if your normal retirement age is 66 and you wait until 67 to collect Social Security, then your benefit will be eight percent higher. If you wait until age 68, your benefit will be 16 percent higher. If you wait until age 69, your benefit will be 24 percent higher. No extra benefit credit is given after age 69.

Around the Union

Maui BA Espeleta attends event for Philippine president

HONOLULU—Maui Division Business Agent Teddy Espeleta was invited as a guest of Maui Mayor Alan Arakawa to attend a welcome dinner reception for Philippine President Benigno “Noynoy” S. Aquino III on November 13, 2011. Nearly 1,000 local Filipinos welcomed the Philippine president at the reception held at the Hilton Hawaiian Village Hotel in Waikiki. The dinner was organized by the Philippine Consulate General and the Philippine Celebrations Coordinating Committee (PCCC).

“President Aquino noted the importance of the Filipino community in Hawaii, which is the largest population of Filipinos in the United States,” explains Teddy. “Aquino stressed the importance of building a partnership with Hawaii and creating a better economy for both countries.”

Unfortunately, with tight security and a high demand for the president’s attention by Hawaii’s dignitaries, Teddy was not able to take a picture with the president. But for Teddy, it was an honor to attend an event that celebrated the Filipino community in Hawaii.

The Westin Maui Resort & Spa wins community service award

The Westin Maui Resort and Spa won the Pacific Business News’ Community Spirit Awards at the 2011 Business Leadership Hawaii (BLH) dinner and awards event at the Sheraton Waikiki on October 7th.

The hotel and its rank-and-file employees began building a community of living aloha through the creation of the Hoolokahi Council. The council sets the goals and direction for the resort’s community participation.

Employees have shown strong support in participating in various events for Maui United Way, American Cancer Society, Friends of Lahainaluna, Seabury Hall, Kupuna Holiday dinner, Charity Walk, American Red Cross, Toys for Tots, Maui Food Bank, Theatre Maui, Associate Assistance, Na Lamaku, Associate Enrichments Program and the list continues to grow.

Hawaii’s Plantation Village honors ILWU Local 142 and Tony Bise

Hawaii’s Plantation Village honored ILWU Local 142 and former Oahu Sugar unit leader Tony Bise at their 4th Annual Plantation Legacy Awards fundraiser and dinner on September 17, 2011. The fundraiser also honored Tosh Hosoda, Moses “Uncle Moke” Pakaki, Charles and Beverly Keever, and Esperanza Garcia.

Tony Bise worked as a machinist at Oahu Sugar Company, and was involved in organizing the union in the sugar industry. He was a leader during

the Great Sugar Strike of 1946 and in played an important role in developing the ILWU’s housing program. Bise is still active in the Ewa Villages community and with the ILWU.

Bise was unable to attend the fundraiser in his honor, but ILWU Oahu Division Director Dave Mori and former Oahu Sugar unit officers Rudolfo Ramos and Adrian Lobetos were on hand to receive the honor on his behalf. Mori also accepted a legacy award on behalf of the ILWU.

Unit 4414 - Ball Corporation takes Oahu basketball championship

HONOLULU—The ILWU Oahu Division wrapped up its basketball league on Saturday, December 3, 2011, with an undefeated champion—ILWU Unit 4414 - Ball Corporation—who earned a stellar 4-0 record.

The Ball Corporation team had only five members, so each member played the whole game, every game. The scores for the final games held on Saturday, December 3 at the Kaimuki Recreation Center on Waiialae Avenue were:

GAME 1—Ball Corporation 71/Pepsi Beverages Co. 56

GAME 2—Pepsi Beverages Co. 57/Dole Food Co., Wahiawa Plantation 43

GAME 3—Love’s Bakery Inc.65/Hawaii Logistics, LLC 52



League Final Standings

First place:
Unit 4414 - Ball Corporation (above).
Second place:
Unit 4402 - Love’s Bakery Inc. (left).



Third place:
Unit 4404 - Pepsi Beverages Company (above).
Fourth place:
Unit 4405 - Hawaii Logistics, LLC (left).

Sportsmanship:
Unit 4305 - Dole Food Company
Hawaii, Wahiawa Plantation (right).

If you are interested in participating in the ILWU Local 142 sports program, contact your division at: 935-3727 (Hawaii); 244-9191 (Maui); 245-3374 (Kauai); 949-4161 (Oahu or Longshore Division).



ILWU Kauai Division participates in Lihue Christmas parade

ILWU Kauai Division members, officers, staff and retirees participated in this year’s Christmas parade in downtown Lihue. (L-r) Jayelle Bray, Alna Sapalasan, Doreen Kua, Business Agent Pamela Green, Ipo Kamoku-DeMello, Division Director Michael Machado, Mia Pauletto, and retired Business Agent Jesus Guirao.