



# The Workers' Edge

The Voice of the Tompkins County Workers' Center



## The Tompkins County Coffee Workers Union

[Editors Note: On February 21, 2010, a majority, 8 of 11, nonmanagerial workers at the Ithaca Coffee Company signed a petition indicating interest in starting a union at their workplace. In late March, the union submitted this petition to the National Labor Relations Board to trigger an election. In mid-April, the organizing workers decided to call off the election. What follows is the story of one of the organized workers who is choosing to stay anonymous for strategic purposes.]

On the Edge...

Spring 2010

The Tompkins County Coffee Workers Union is a small grassroots union comprised of the majority of the rank and file workers of Ithaca Coffee Company, plus a few new friends that we've gained along the way.

Our Union started with a whisper... "I know I could get fired just for saying this, but... What if we had a union?"

New questions sprung from that first one: What if we had power to make sure our grievances wouldn't be ignored? If we all pointed out inefficiencies, could they be fixed? What if we stood up for each other? Could we get better pay? These questions became urgent when a series of firings, made our job security unsure. We came to the Tompkins County Workers' Center to seek guidance and support.

A triumphant feeling filled the night when we officially started the Union, as we realized we were exercising a powerful democratic right, which offered the possibility for positive change, and respect at our jobs.

Unfortunately, Ithaca Coffee Company's ownership refused to accept a nearly unanimous representation of workers asking, in person, to be voluntarily recognized as a Union. This left us no other option but to submit a National Labor Relations Board (NLRB) petition for an election, in order to verify that the Union represented a majority of the workers, which would legally compel the owners to communicate with us.



After filing the NLRB petition the workers faced a daily barrage of pressure tactics to stop the Union. Ownership hired a union-busting lawyer, who advised waging a formulaic anti-union campaign, which only proved to most of the workers that our intentions were being completely misunderstood. Propaganda titled "The Union Is Lying To You" seemed ridiculous to the small group of workers who had themselves founded the Union. The election process itself became excruciatingly long, as our majority dwindled because it left so much time for many new employees to be hired, who were overwhelmed with anti-union propaganda.

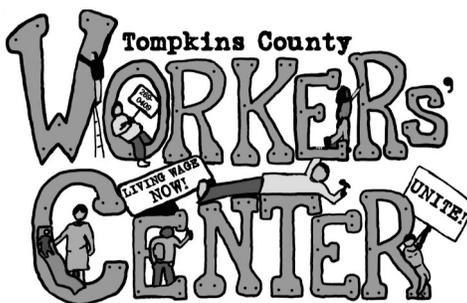
We counteracted these anti-union attacks with a positive campaign strategy of our own. Avoiding pickets and boycotts, we urged the community to wear buttons in support of our cause, to visit our stores and to show the

ownership support for a unionized coffee shop, that shouldn't interfere with the workers' choice to collectively organize. Seeing the outpouring of support from customers wearing our buttons helped us to stay strong in the face of vicious union busting. We are extremely grateful to everyone who wears a button.

From the very beginning, the strategy of the Union has been very sensitive not to overshoot our goals. We want to see Ithaca Coffee Company strengthened by a Union of empowered workers. We want our business to be successful and we believe we should have a stake in that success.

Our many supporters may have been surprised to hear the news of the Union's withdrawal of the petition only days before the scheduled election. This was a calculated decision, made with our lawyer Richard Furlong, whom the Worker's Center found to fight at our side. Through the election process we learned the shortcomings of the NLRB process, the hard way. Ultimately the largest flaw in the NLRB system was the months or years of hearings, which would have been required in order to stop the ownership from stuffing the ballot box with the votes of supervisors, managers and complete strangers. This convinced us that we needed to find an alternative strategy. We withdrew

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# Workers' Center Member Spotlight: Eric Byrd

## How the Seeds of Activism Grow

By Eric Byrd

*We like to profile a Workers' Center member in each issue of the newsletter, so that we can get to know each other better, and to inspire each other. While the usual format is an interview, this month's profile is in the member's own words.*

I got involved with the Worker's Center because of a gradual awakening process that started almost 10 years ago, when a local journalist first suggested to me that Bush was involved in some kind of conspiracy surrounding 9/11. Ideas tend to "grow" on me: they start as a seed, but their power doesn't influence me right away. Rather, they grow like ivy vines, increasing in prominence on the walls of my mind, so to speak, until I realize they are influencing my thinking. If after pondering them a while, I realize they are high on the list, then I start to cultivate them, and their growth is still a slow process, but accelerated nonetheless.

Through various important events since then, I have grown more politically aware, until about three, maybe four years ago, I came to the crucial realization that I should get active, as the simplest remedy for being futilely outraged. Nothing gives me more relief from this feeling of anger than actively working to correct the ills that so beset our society. And, adding to this, I assert that no activity is more effective toward that end than being **organized** with people who agree with me. As I told a friend recently, by myself I am not strong: but if I have enough



Eric Byrd

people helping me pull on the same rope, together we can tow an aircraft carrier. We can, and we **will**, turn this ship around, against the express wishes of our wealthy and massive corporate enemies.

I am involved as one of the Worker's Center's new Community Union Organizers (CUO). For a while, I was a steward at TC Public Library, and today I see myself as something of a "steward" to the community: as a CUO, I help raise consciousness of labor issues in the community, and I help handle "grievances", so to speak, from workers who feel wronged by their employers. We are not a "union" in the legally-established sense, and we are therefore not limited by the legal definition. As a member of the community union, I work in the interstices between law and morality, in creative ways, to put pressure on local employers to treat their workers fairly. That's

all I'm asking (and for that matter, I'm not "asking"). I don't want to limit the small or large businesses in this area, in their ability to generate profits. I just want fairness, in the pure ethical sense, and I want to work to change the law, so that the power of government can be leveraged to enforce fair standards for workers, because since Reagan's regime, workers have lost more and more, as part of a broad redistribution of wealth, upward. I am not ashamed to say, I am in favor of wealth redistribution: I am in favor of reversing the trend of the past 30 years. I want the wealth that trickled UP returned to me.

Currently I work at two restaurants as a pizza delivery guy. No, scratch that: I am not a "delivery guy," I am a "courier." I play a crucial role in this area, helping desperately hungry people, who are tired and spent from hours of toil, so much so that they cannot bear the thought of preparing a meal; they need pleasant rejuvenation, and I deliver it. After all, the root-word of "restaurant" is "restore". And to top it off, I do this in an environmentally-friendly way: my courier's chariot recently clocked an impressive 40.6 miles per gallon, helping to minimize carbon emissions in our local atmosphere.

And in my spare time, I am the organist at the Baptized Church of Jesus Christ (on First Street on the Northside) with my wife Lily, and we love to hike and wander the countryside, hunting for local wildflowers and wild berries with our kitty cats Phoebe, Bleena and Frankie, around our house in Newfield. We don't like to be tied down: our house isn't stuck in one place, like most folks'. Our

# Tower Climbing An Extremely Dangerous Job

By Mary Loehr

**C**ell phones. So many of us use them. Did you know that climbing the towers to install, maintain and upgrade the equipment needed for them is one of the most dangerous jobs in the U.S? I was horrified to learn recently that tower climbers (for other media too – radio and TV) have the highest death rate per capita of any occupation in the country. Tragically, climbers fall to their deaths on a fairly regular basis.

Attending a conference in Syracuse in late April, sponsored by OHCC (the Occupational Health Clinical Center: the Workers' Center works with them) gave me a lot of new information. There were two former climbers there, one of whom was Mark Fernandez of Ithaca, who is also



**Next time you drive past a tower, look up and thank the 'Tower Dog' who climbs it.**

a Workers' Center member, and Wally Reardon, of the Syracuse area. They both spoke eloquently about the many reasons why tower climbing is so dangerous. Mark used to climb often with his brother, who he saw, tragically, fall to his death about seven years ago. He is still working through the trauma of that event.

First of all, the companies that need the work done contract it out, and the companies that agree to get it done then hire

climbers. Sprint or ATT, or whomever, is not then directly responsible for what happens on those towers. So there are places where the responsibility for safety can fall through the cracks. There is also huge pressure to work quickly and to cut corners, which is of course more dangerous. Safety-conscious workers are scoffed at by co-workers and sometimes will not be asked back. A macho culture has developed, and sometimes climbers "free-climb" – with no safety ropes at all!

Also the people who design the towers do not do so with the climbers in mind. There are usually huge bolts to climb on (not ladders), and these are much more likely to rust, or pull away, to fall off completely, or to be placed at weird distances. The climbers are standing on these sometimes for hours at a time, which is hard on their feet. There are also – amazingly to me – often no places to clip in (to secure with the climbing rope) up at the top. Mark spoke about looking high and low once for a decent place to clip in because there wasn't one built-in, and settling for one that was rusty. He prayed that it would hold. And this was in high winds.

According to Mark, many climbers are barely trained, or not trained at all! One person may be sent to a training, and he then passes that information on to others. Mark said, imitating a contractor, to an average 20 year old adventurous guy, "You want to climb? Ok, go ahead, climb." Meaning, no training given, just go ahead, as if it's not dangerous. There is barely any regulation at

all. Beauticians who give us manicures are licensed, but people who climb hundreds of feet in the air are not! People on the ground, who are part of the team, are also often poorly trained. The danger to climbers from exposure to radiation and other emissions has not even been calculated.

Mark and Wally admitted that climbing can be a high, and also said that climbers make very good money, but this does not excuse the fact that the profession needs much more oversight.

There is a group called the National Association of Tower Erectors (NATE), which is working to improve safety, and they have come up with some safety guidelines – but they are voluntary!

Some suggestions from NATE and OHCC to bring more safety to this line of work would be:

- *Hold the tower companies themselves responsible for what goes on, on their towers. Right now, their "hands-off" sub-contracting is a big part of the problem. In countries where they are held responsible, there is a zero or nearly zero death rate.*
- *Address the sub-contractors' seeming need to work quickly at the expense of safety.*
- *Design the towers with climbers' needs in mind and climbers' input. For example, built-in ladders instead of the huge bolts which can fall off the towers.*
- *Create higher standards for radiation exposure*
- *Get consumers aware of the issue, and have them mobilized to demand of the stockholders safer conditions.*

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**The Tompkins County Workers' Center is a Project Partner of the Center for Transformative Action**

# Organizing Around Cost Cutters

by Pete Meyers

In late January of this year, Tompkins County Workers' Center (TCWC) Member Jami Breedlove contacted our central office with a story of corporate abuse that was very personal for her. For the past several years, Jami and her family had gotten their hair cut and styled at Cost Cutters (a Division of the Regis Corporation, owner of 34 hair salon brands nationally) in Ithaca. Cost Cutters and the Regis Corporation are the world's largest and most profitable hair salon chain in the world. In mid-January, when Jami went to get her hair cut, she requested her favorite stylist, Amber Little, a stylist at Cost Cutters for the past 3 ½ years.

Jami was informed that Amber no longer worked for Cost Cutters. Jami tried talking to the management of Cost Cutters to find out what had happened to Amber, and was basically stonewalled. Jami then, through nook and cranny, was able to finally locate Amber. Turns out that Amber, a single working mother of two young children, had been fired from her position at Cost Cutters due to a new corporate policy that requires hair stylists to sell hair care products equaling 15% of their hair cutting revenue. Meanwhile, Amber, like most other Cost Cutters workers, was paid \$8.00/hour. In addition, taxpayers help to subsidize corporations such as Regis as Amber made a meager enough hourly wage that she had to collect food stamps, WIC, Section 8, and Medicaid.

The Workers' Center believed that Amber's ability to provide for herself and her two small children cannot be held hostage to a corporation's desire to make a profit above all else. If a corporation is going to have such expectations of sales, the right thing for the corporation to do is to let customers know that if they don't buy products that their beloved hair dresser may be fired!

What made this story particularly damning is the fact that Amber was in line to receive the next Habitat for Humanity House in Tompkins County (in Lansing). Amber and her family have already put over 500 hours sweat equity into the building of the house. Amber has been able to relocate to another salon where she is working two days a week (A Personal Touch, 23 Cinema Drive, 607-257-6098, behind Triphammer Mall for those of you in Tompkins County that want to support a business/hair stylist who believes in worker's rights!). Amber is presently working four days a

week at the Super 8 Motel in Ithaca until she can get her salon clientele fully up and running.



**Above, Amber Little in front of her Habitat for Humanity house in Lansing, NY with kids, Ki and Max.**

The TCWC was in touch with a number of other workers who currently work at the Ithaca Cost Cutters who successfully took what's called 'concerted action' (a 'protected activity' as defined by the National Labor Relations Act definition of two or more workers addressing their employer about improving their working conditions and pay) by expressing to Cost Cutters what they believe to be an unfair policy. The workers, uniformly, enjoy working for Cost Cutters but feel as if they've been hired to be hair stylists and that their livelihoods are now threatened by the Regis Corporation's relentless drive for profits. In addition, the TCWC cultivated a relationship with another worker, TJ Goehner, who resigned from his position at Cost Cutters as he knew that he, just like the other current workers, would have very little chance to keep up with the new sales expectations. (TJ now has his own 'chair' at the Ivy League Barbershop on Dryden Road in Collegetown.)

Interestingly, the Regis Corporation was noted in an August 29, 2009 New York Times article by Steven Greenhouse as proactively seeking to insure that its employees would never unionize, by having employees at a Montana Regis Corporation Cost Cutters, sign statements that they would never agree to a union (known as a 'yellow dog contract'). In fact, employees at the Tompkins County as well as Cortland Cost Cutters were also

required to sign the same such statements!

The TCWC filed an Unfair Labor Practice on both Amber and TJ's behalf. As well, we contacted the Minneapolis Star-Tribune about the situation which motivated a Sunday front page story about the illegal signings of 'yellow dog contracts' and subsequently motivated the Minneapolis office of the National Labor Relations Board

(NLRB) to open a national investigation (there were approximately 5 similar complaints nationally related to the 'yellow dog contracts', but the NLRB had not consolidated the cases. Our contacting the Star-Tribune appears to have forced the NLRB's hand. Stay tuned for details about charges from the NLRB coming down upon the Regis Corporation!

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## Tower Climbers

If you would like more information, or to get involved, contact the Workers' Center or OHCC. OHCC is taking the lead in NY to ensure that guidelines will be adopted to safeguard the health and safety of tower climbers. Let no more tower climbers be injured or fall to their deaths! To contact OHCC, call 315-432-8899 or 800-432-9590 between 9 am and 4:30 pm Monday through Friday. Their website is [www.upstate.edu/cnyohcc](http://www.upstate.edu/cnyohcc).

## Support these Certified Living Wage Businesses



- Advocacy Center
- Alternatives Federal Credit Union
- Ancient Wisdom

### Productions

- ASI Renovation
- Autumn Leaves Used Books
- Black Box Computer Consulting
- Blue Spruce Painting and Decorating
- Boyce Thompson Institute
- Buffalo Street Books
- Catholic Charities of Tompkins/Tioga
- CFCU Community Federal Credit Union
- Colonial Veterinary Hospital
- Community Foundation of Tompkins County
- Contemporary Trends, Inc.
- Custom Construction
- Day Care & Child Development Council
- Downtown Ithaca Alliance
- Finger Lakes ReUse
- First Baptist Church of Ithaca
- First Presbyterian Church of

### Ithaca

- First Unitarian Society of Ithaca
- Green Clean
- GreenStar Cooperative Market
- Home Green Home
- Hospicare and Palliative Care
- Human Services Coalition of Tompkins County
- Ithaca Carshare
- Ithaca Health Alliance
- IthacaMed
- Ithaca Neighborhood Housing Services
- Ithaca Urban Renewal Agency
- Jeffrey Feirman Building & Renovation
- Jewel Box
- Jillian's Drawers
- Loaves and Fishes
- Money with a Mission
- Morris' Men's Wear and Morris Too
- Multicultural Resource Center
- Northeast Pediatrics and Adolescent Medicine
- Opportunities, Alternatives and Resources (OAR)
- Ongweoweh Corporation
- PPM Homes, LLC
- Renovus Energy

- Shade Tree Auto
- Significant Elements, A Program of Historic Ithaca
- Singlebrook Technology
- Snug Planet LLC
- Sparks Electric
- Sprague and Janowsky
- St. Catherines of Siena Church
- St. John's Church
- St. Luke Lutheran Church
- Stone Quarry House, B & B
- Sunny Brook Builders
- Taitem Engineering
- Taughannock Aviation Corporation
- Temple Beth El
- The Frame Shop
- The Strebel Planning Group
- Tompkins Community Action
- Tompkins County
- Tompkins County Public Library
- Town of Ithaca
- TRC Energy Services (Ithaca)
- United Auto Workers Local 2300
- Upscale Remodeling Corporation
- Ward and Murphy

# Community Union Organizers: "It Takes A Village"

By James Douglas

*The Tompkins County Workers' Center has gathered a growing group of dedicated folks who are talking and working towards a Community Union. They are now Community Union Organizers. James Douglas explains what that means.*

To understand what the Community Union is, and what we hope to accomplish, it is important to understand the larger context in which we operate. For several decades, American social and economic policy has generally favored the interests of businesses rather than people. This has resulted in more Americans having lower wages for the same work, less union representation, unfair labor practices, stolen wages, and the incalculable rising stress levels which correspond to such things. The Tompkins County Workers Center recognizes that members of our local community are dealing with these problems everyday, and the Community Union will be one way in which we will work to help people deal with their problems, while also working towards change

on a larger social level.

We, as employees and employers, as producers and consumers, as friends and neighbors, have choices to make. Will we support companies which support our community through fair wages and employment practices, or will we support companies that treat their employees as if they were expendable? Will we work together to affect change, or suffer alone? The foremost mission of the Community Union is to cultivate this level of consciousness in Ithaca and Tompkins County in a tangible manner which would see responsible labor practices by business owners, both local and corporate. This consciousness would support those businesses which act according to our shared principles, and combat those who actively oppose them.

The Community Union is not a labor union in the traditional sense, but we seek similar ends. Our bargaining unit is made up of potentially everyone in the county, and we are actively seeking to negotiate a better social contract with the businesses that we shop and

work at. This all may seem idealistic and abstract, but already we have seen our ideas in action. Community Union Organizers who are at the forefront of this movement have already done things such as :

- helping to organize and plan a May Day and Immigration Reform rally
- helping to recover illegally deducted and back wages for co-workers
- creating a support group for unemployed people in Tompkins County
- helping to organize and participate in campaigns to help workers at Cost Cutters and the Ithaca Coffee Company.

These are no small feats, and they are only the beginning. As a group, the Community Union seeks to bring about change by both organizing on larger levels and helping people with their problems on a personal level. It can be a daunting situation when you are dealing with problems such as wage theft, or discrimination at work, and we are actively working to change the landscape of Tompkins County, so that our friends, neighbors, and members of the community don't have to deal with their problems alone.

## Coffee Workers Union

Continued from front page

from the NLRB process in order to preserve the integrity of our union, and to build an organization which could be copied - by other groups of workers - following our example. We can continue to work towards improvements at Ithaca Coffee Company, without governmental certification.

We believe in the Tompkins County Workers' Center's idea of

the community union, which could revolutionize the existing model of a labor union for America's low-wage service workers. This depends on the active involvement of the entire community to support emerging Unions. The voice of a small group of workers is greatly amplified when they have the backing of the community. We imagine a standard for Fair Trade that could be applied to all the coffee workers in Ithaca. It's a new ethical shopping standard: Fair Trade from Bean to Cup.

## Eric Byrd

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home is a mobile one. Also, in line with this theme of mobility, I love to tinker with the coolest car ever made: I have a classic copy of the '90 Honda Civic CRX, which will soon (hopefully) receive an (ahem)

"upgraded" engine transplant from a '95 Acura Integra, thereby further improving its already-impressive delivery times. It is said that if your vehicle is worth more than your domicile, you might be a Red-neck.

# May Day 2010



On May 1st, many folks gathered on the Commons to show support for Immigrant and native-born workers.



## What is the Tompkins County Workers' Center?

The Tompkins County Workers' Center is composed of a group of residents of Tompkins County committed to worker justice.

Our Mission is to stand up with all workers treated unfairly at work or faced with critical poverty, racial, housing, health care or other social and economic issues.

We will support, advocate for, and seek to empower each other to create a more just commu-

## What does being a member of the Workers' Center mean?

A member is someone who believes:



1. In helping each other to make our community a better place to live.
2. We all deserve to have good jobs with good wages so we can live decently.
3. We all deserve rights and fair treatment.
4. Healthcare is a right—everybody should have affordable access to it.
5. We all deserve a livable neighborhood and affordable housing.

## I Want to Get Involved in the Fight for Workers' Rights!

\$ \_\_\_\_\_ Individual Annual Membership  
Due = One Hour's Wage or \$7.25 if not working

During the next year, I'LL BE THERE at least five times for someone else's fight, as well as my own.

Please contact me with Rapid Response Alerts.

Signature

Your Name (please print)  
Home Street Address  
City  
State Zip  
Phone (s)  
Email

Send to: TC Workers' Center, 115 The Commons, Ithaca, NY 14850

You'll receive a laminated card in the mail or at a meeting. Great to have you with us!

I'll Be There.....

...standing up for our rights as working people to a decent standard of living.

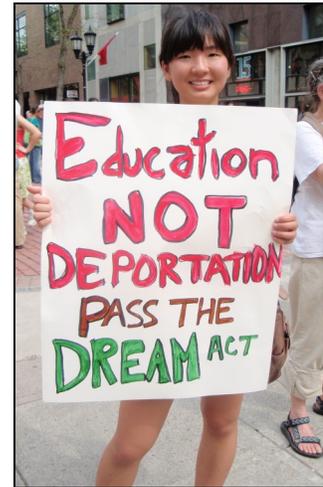
...organizing working families to take strong action to secure a better economic future for us all

...fighting for secure family-wage jobs in the face of corporate attacks on working people and our communities.



# Join us for our Member Potluck!

Saturday, June 12 5:30 to 7:30 pm  
Unitarian Church of Ithaca  
Corner of Buffalo and Aurora Streets  
Ithaca



Best wishes to Jessica Yoon, our intern from Cornell University. Jessica will be teaching high school math in New Orleans — and we will miss her!

**Check out our new blog:  
[tcworkerscenter.wordpress.com](http://tcworkerscenter.wordpress.com)**

**Tompkins County Workers' Center      607 269-0409**  
**[www.tcworkerscenter.org](http://www.tcworkerscenter.org)**



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