

## **WATER WORKERS' STRIKE CONTINUES DESPITE DWSD CLAIMS**

- *AFSCME Local 207 asks for solidarity, public show of support as negotiations continue*
- *Council 25 supported workers' strike vote*

**By Diane Bukowski**

**October 3, 2012**

**DETROIT**– The strike by Detroit's Wastewater Treatment Plant (WWTP) workers is continuing despite the city's claims that the walk-out has ended, after its suspension of 34 workers, and U.S. District Court Judge Sean Cox's back-to-work order.

"The Executive Board of AFSCME Local 207 has voted not to end the strike until there is an agreement from DWSD management that there will be amnesty for all of the 34 fired workers, and that there will be no retaliation against any other workers or union officers," AFSCME Local 207 said in a release.

"The power of our strike is based on the support of Detroit's Black community and the surrounding communities of Michigan, including unions and churches, and is being expressed more and more each day. The power of our strike cannot be measured by numbers alone, but in what it represents to hundreds of thousands of people who understand that the striking members are heroes. Unless our members are all returned to work, there is no deal, and the strike is still on."



*Local 207 VP Lekita Thomas*



*DWSD Director Sue McCormick (r) ,  
Water Board Chair James Fausone (l)*

In published reports, Mary Alfonso, spokesperson for DWSD, claimed workers have returned to their posts and the plant is now operating normally, but that negotiations continue.

John Riehl, President of AFSCME Local 207, told workers on the picket lines yesterday that the city had canceled a meeting with the union prior to sending out the suspension notices.

Alfonso's statement that negotiations are continuing lends validity to the union's contention that it will reach no deal without amnesty for the fired workers.



DWSD workers face the loss of 81 percent of their jobs over the next several years, under a proposal by the EMA Group. The suburban-dominated Detroit Water Board approved a \$46 million contract with EMA Sept. 7.

**Catherine Phillips**

At that time, AFSCME Council 25 negotiator Catherine Phillips told reporters, “DWSD has never been broke, it has all the money and resources. We are angry. They want to take away everything that the people of Detroit have built. Now they want us to go sit at the bargaining table and in good faith negotiate an agreement to send our members out into the streets. Well, whatever they get from us, they’re going to have to take it.”

Local 207 workers struck after meeting last week to take strike authorization votes. Both Council 25 President Al Garrett and his executive assistant Ed McNeil were present.

“McNeil said he supported us,” Local 207 Vice-President Lekita Thomas told VOD on the picket line Oct. 2. “He told us Council 25 would have our back and they would provide picket signs for us.”



Despite those stances, McNeil, Phillips and Council 25 representative **Ed McNeil** Mel Brabson went to the WWTP picket Oct. 1 to give workers the judge’s order, attached to a flier from Council 25 which told them “Comply with court order, let common sense prevail in court.”



**Mel Brabson**

Brabson was previously president of AFSCME Local 542, which represents the Recreation Department, including workers on Belle Isle. The city’s “jewel,” as many call it, is now threatened with a state takeover.

The Council 25 trio appeared to act as process servers for Judge Cox, who is an ultra-conservative member of the Federalist Society appointed to the bench by George W. Bush. Members on the line said they began to take workers’ names, and that police began to photograph workers

after they appeared. The trio did not give them documents filed by Local 207 attorneys Shanta Driver and George Washington which asked Cox to dissolve his order and recuse himself because he has no authority as a federal judge to issue back-to-work orders in any strike. The attorneys also asked the Sixth Circuit Court of Appeals to order him to do so.



**Co. 25 Pres. Al Garrett told Council, Mayor’s reps he would “SHUT THE CITY DOWN.”**



**Judge Sean Cox**

The federal Norris-LaGuardia Act says, “No court of the United States shall have jurisdiction to issue any restraining order or temporary or permanent injunction in any case involving or growing out of any labor dispute to prohibit any person or persons participating or interested in such dispute . . . from . . . ceasing or refusing to perform any work or remain in any relation of employment . . .” among other actions.

But McNeil said later that the workers had to honor the judge’s order, legal or not.

The Sixth Circuit is set to hear appeals of U.S. District Court Judge Sean Cox’s Nov. 4, 2011 order abrogating DWSD union contracts on Tues. Oct. 9 in Cincinnati. AFSCME Council 25, AFSCME Local 207, and the International Union of Operating Engineers (IUOE) filed the appeals. Local 207 members on the WWTP picket line said they will attend.

On Oct. 2, dozens of workers gathered at the plant’s front gates to listen to Local 207 President John Riehl explain what was happening, and hear from attorney Driver. Riehl read off names of a list of workers to whom suspension notices had been mailed. As he did so, some of the workers named responded, “Well, I might as well stay out here on strike for sure now,” and “I’m going over to get a hot dog,” which workers were grilling next to their cars.

Riehl began to count the names, but hesitated, concern for his members evident on his face. So he read them off again, as workers in the group called out “1, 2, 3 . . .” to support him in getting an accurate count. He and Driver then told the workers the union local would fight to get their jobs back.

Support for the strike from truck drivers and construction workers who honored the picket lines, and passing motorists who constantly honked their horns, has been strong. Detroit youth and members of the Moratorium NOW! And BAMN coalitions have been at the picket lines, along with union members from other city locals and the UAW.



**Local 207 Pres. John Riehl**

Council 25 President Al Garrett has said the organization is throwing its support behind campaigns to repeal Public Act 4 and amend the state constitution to include collective bargaining in this year’s November elections. The union has focused on the campaign to elect President Barack Obama as well.

None of those actions, however, will stop the dismantling of Detroit, including its Water Department, Belle Isle and numerous other city departments and assets.



The City of Detroit and Michigan Governor Rick Snyder have insisted that Detroit's consent agreement is not related to Public Act 4, despite Corporation Counsel Krystal Crittendon's legal opinion that it is.

Snyder and State Treasurer Andy Dillon have said that if Public Act 4 is rescinded, Public Act 72, the "emergency financial manager" act, will take its place.

***Belle Isle threatened too***

Public Act 4 repealed PA 72. MCL 8.4 of the State Constitution says,

***"Whenever a statute, or any part thereof shall be repealed by a subsequent statute, such statute, or any part thereof, so repealed, shall not be revived by the repeal of such subsequent repealing statute."***

During oral arguments before the State Supreme Court on putting PA 4 on the ballot, Chief Justice Robert Young specifically noted at the close of the hearing that PA 72 could not replace PA 4.

It is clear that even if PA 4 is rescinded, the state and the banks, to which it guarantees payment of huge municipal debts, will continue to act as they please, dismantling cities and destroying the standard of living for working and poor people, unless the people take action such as that just taken by the heroic WWTP workers and the Flint workers in 1937.

(See VOD post on Flint strike, where workers also refused to honor judges' orders.)



***GM workers' Flint sitdown strike, 1937***