

# **The Montpelier Downtown Workers' Union Is In Effect!**

Sean West/Green Mountain Anarchist Collective

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In Vermont, where 79 percent of businesses employ nine or less people, building a strong union movement could be an uphill battle. Many workers are employed in small service sector operations highly dependent on tourist dollars, where organizing has been a seemingly impossible task. Additionally, most of these workplaces pay low wages and employ people on an 'at will' basis, where workers can be fired at any time for any reason. These economic 'on the job' realities have long posed difficult questions for workers interested in building a movement that gives them a voice on the job and strives to organize broad based working class power in the Green Mountains. Enter the Montpelier Downtown Workers Union.

For almost a year, organizers from the Vermont Workers' Center, a statewide workers' rights organization, and the rank and file oriented United Electrical Workers (UE) have collaborated with downtown workers to bring all service and retail workers in the state capitol of Montpelier into a single citywide union. Our union seeks to represent cooks alongside cashiers, coffee shop workers next to bartenders and gas station attendants with movie theater concession stand clerks.

Unlike other more "skilled" strata of the working class, most workers who are employed in the service and retail sectors are living check to check, week to week. To be fired could mean getting your electricity shut off, eviction, foreclosure, sleeping on a friend's or family member's couch, navigating labyrinthine bureaucracies just to get some cash to buy diapers for your kids, filling up on crap food at church soup kitchens, or any number of other undesirable consequences. Such conditions of poverty and precariousness don't often help build the sense of entitlement among workers that leads us to take collective action to bring about changes in our workplaces. More often our vulnerability in capitalism limits us to more individualized forms of resistance: slacking off, stealing and shirking off work for a day by calling in sick. In this context, our unionization effort has not only been an uphill battle but also a bold statement that if we band together change is possible.

### **LOOKING BACK**

"I joined the union because I know one voice doesn't always get heard. If we all stand like an army, then we will be heard." commented Diana Duke, a cashier at M&M Beverage Bottle Redemption Center, last fall. Diana was not alone. Workers in over a dozen downtown shops had formed an organizing committee during the late summer and early fall months to bring the Montpelier Downtown Workers' Union into existence. There was a buzz among many workers about getting the effort off the ground and getting involved.

In mid-October of last year, a majority of workers at J Morgan's Steakhouse, La Pizzeria, State Street Market, Charlie O's, Karma Imports, and the Savoy Theatre announced at a press conference that they had signed up with the union. These workers demanded that their employers recognize the union and sign a "one size fits all" contract that entitles the workers to a fair grievance procedure, a fifty cent an hour raise, and a 'just cause' standard for discipline and firing.

While the fledgling citywide union drive had met with some immediate success in signing up members, it faced a backlash from a number of local business owners and the area's upper middle class as soon as it went public. Only one of the businesses where workers demanded union recognition, The Savoy, has to this day signed the contract. Other businesses have been resistant, and, in the case of J Morgan's Steakhouse, hostile towards the unionization effort.

At J Morgan's, an upscale downtown restaurant which employs over 40 people, management has gone to great lengths to combat the efforts of their workers to win union representation. The Bashara family, owners of J Morgan's and about half a dozen other Central Vermont businesses, have intimidated and harassed workers, threatening them with dismissal if they joined the union, offering bribes of meals and pay increases if they opposed the union drive, forcing them into captive audience anti-union meetings, and coercing them to reveal the names of union organizers and prospective members. They have fired at least one server to date, Val Tofani, for her unwavering pro-union stance and have awarded pro-union employees with the worst shifts and hours in an effort to break their morale. The efforts of the Bashara family were highly successful in breaking the initial push for unionization and severely polarizing the workplace. As one pro-union employee Ellen Thompson put it, "Suddenly fifty people who had so much to say about improving their workplace were even scared to talk about what they did last weekend."

In December, UE stepped up to defend union workers and put a stop to management's attempt to 'chill' the union drive, by filing 20 Unfair Labor Practice charges against the restaurant. NLRB investigators later dropped only two of UE's charges and concluded by adding ten of their own, bringing the total number of charges to 28. As this article goes to print it looks as if a settlement of the charges is near. Tentatively, the settlement would provide financial restitution to a number of pro-union workers that were given worse or fewer shifts as a result of their union activities and would also require management to post notices promising not to violate workers' rights in the future.

While the union had to appeal to the federal government for help in defending union workers at J Morgan's, the workers themselves have not been entirely content with using the law alone in the struggle for union recognition. "Since our boss has refused to recognize our union we've had to use many different approaches. We've tried to sway our boss with everything from community delegations, to candlelight vigils, to coffee-ins (where union supporters occupy tables and order nothing but coffee), to large protests," said line cook Jesse Rosado, "We even had Santa Claus pay a visit a couple days before Christmas and present the Grinch of The Year Award to management."

The union busting actions of the Bashara family and J Morgan's management are not unique, but are rather a reflection of the attitude many downtown business owners and the area's upper middle class in general. Owners of businesses who were considering recognizing the union, received phone calls from peers who told them, "Don't you dare sign that contract." Workers at several area businesses were told they couldn't speak to a union organizer while on the clock, even if they weren't talking about the union. After the announcement of the citywide organizing drive the mayor of Montpelier at the time, Chuck Karparis, immediately chimed in with a few condescending comments on the matter. "I think a citywide union is totally unnecessary for this community," he said. "Yet again, we're drawn into something that is being proposed that will absolutely have a negative effect on businesses downtown."

Brian Mitosky, the owner of Coffee Corner, an overpriced downtown diner, wrote up an anti-union statement, demanded that all of his employees sign it and then taped it up in the window of his business. After receiving a number of negative comments from customers and downtown workers he removed the sign. Weeks later while drinking at a bar, he threatened, James Haslam,

the director of the Vermont Workers Center and told him to get out of town. Blood was averted when Brian was herded out of the bar by his friends to another area bar, where he proceeded to talk trash about the union and then collapse in a drunken mess on top of a very small waitress.

Clearly, there was a determined anti-union campaign afoot that polarized many downtown workers and, to a large extent, shut down the dialogue among workers about unionizing. Point blank: workers were scared. In round one the bosses were successful but we weren't giving in that easy.

While some workers responded to the backlash with silence or apathy, others stepped up to the union bashing activities of bosses and politicians with solidarity and determination. In response to Mayor Karparis' attempt to whip up fear and resentment towards The Montpelier Downtown Workers' Union, rank and file workers circulated a letter in response to his comments that was eventually published in a local paper. Additionally workers and community supporters flooded the local paper with letters to the editor. A 200 person mass march was organized on J Morgan's, and well attended weekly pickets sprung up outside the upscale steakhouse. Additionally, in February, workers in the union got together and started publishing a monthly newsletter, The Downtown Workers' Journal, to get their views and opinions out.

The struggle at J Morgan's has been the main battle in the public eye, but has by no means been the only one in town. At La Pizzeria pro-union server Amanda Lyon had her best shifts given to newly hired wait staff. Amanda appealed to her bosses to give her back her shifts to no avail. In most circumstances, workers faced with this all too familiar scenario would seek out a second job. However, as a member of the Montpelier Downtown Workers' Union, Amada had other options. After receiving a phone call from Amanda, workers on the organizing committee went as a delegation and spoke with the bosses. Downtown union workers made it clear that taking shifts from a veteran 4 year employee and giving them to newly hired servers, without first consulting her, was intolerable. The bosses were cold towards the delegation at first, refusing to sit down and address the issue. However, after a few days they called Kim Lawson, Amanda's union representative, and worked out an amicable solution that gave Amanda almost all of her hours back.

Kristen Warner, an outspoken pro-union worker, faced a different sort of calamity when she was seeking new employment. While attempting to get a job at Capitol Grounds, Montpelier's most popular coffee shop, the owner Bob Watson told her that he wouldn't hire her because "she wasn't bringing the union in here." In response, a union iron worker paid Bob a visit to put him in check and let him know that, not only was his behavior illegal, but that it also would not be tolerated. According to our friendly neighborhood ironworker, when faced with the knowledge that there could be consequences for his anti-union discrimination, the boss backed off and said Kristen could have the job if she wanted it.

To many workers in Montpelier, the actions of helping a fellow worker stand up for herself, and checking a boss' blatantly anti-union behavior, represents what the downtown union is really about. In short, workers sticking together and watching each other's backs.

Faced with the fact that the area bosses' anti-union campaign was fairly successful, we began to renew our efforts as the spring approached with a survey. In an attempt to break out of a polarized

dialogue about unions, (for or against) we conducted a survey that focused on finding out what workplace and community issues were of most importance to downtown workers. In three weeks we conducted 100 surveys at over 40 different shops covering approximately 16% of the entire downtown workforce. The survey revealed that most workers were looking for what a standard union contract could provide. Out of approximately twenty options presented in the survey, the number one issue for downtown workers was protection against unfair firing and discipline, with advance notice of work schedule coming in second and a standard grievance procedure trailing slightly behind at number three. The survey helped us reopen the conversation about unionization with a number of workers who were “shut down” due to the anti-union backlash. In late April, we unveiled the results at a downtown workers town meeting where we discussed what we had found through the survey, what issues we were facing in our places of work, and where we wanted to see the union go.

### **LOOKING FORWARD**

It would be a foolish lie to say that our union drive has been a flawless success. Here we stand after almost an entire year since the effort began with one union contract, and a small, but high quality group of workers holding the unionization effort down. It would also be the worst sort of cynicism to dismiss our effort as a complete failure. It is what it is: a work in progress.

The fact of the matter is that we have brought together a group of workers who might never have even connected with one another, let alone taken the huge risk of organizing a citywide union in Montpelier. People who may never have otherwise stood up to the status quo are now speaking out, building skills, and spreading class consciousness to others. We have forced a dialogue in Central Vermont about those of us who work for scraps in the service economy and are always conveniently ignored by do-gooder liberals and politicians alike. For the time being our invisibility is over. Additionally, merely because of our presence, we have, to some extent, put area bosses on their best behavior in years: unusual raises have been given out at a number of workplaces and some workers report that concerns have been listened to with uncommon attentiveness, when before they would have been simply brushed aside.

Our first strategy was to get majorities at a shop and then demand recognition. If the boss wouldn't recognize the union we would then put the pressure on. This strategy failed for numerous reasons: turnover in the shops, successful anti-union backlash, lack of rank and file self-activity in the shops, and lack of a coherent strategy of community pressure and escalation.

However, despite the odds, our union has stuck together and that is a success in of itself. Our organizing committee could have fallen apart very easily, but we are tough motherfuckers and we made it through a long, hard winter.

Currently, we are orienting ourselves towards future goals rather than bemoaning the trials of the previous months. We have decided to start “acting like a union” in lieu of having union recognition at various shops. Now, instead of just signing a union petition, we ask other workers to become dues paying members so they feel more ownership over the organization. We have transitioned from an organizing drive into being part of UE Local 221, (An amalgamated local of different shops across the state) and are electing our own officers to bottom-line different responsibilities. A number of us are busy learning how to be shop stewards and we have set up

a steward system based on geography (i.e. different stewards are assigned to different parts of town) with the plan to help other workers, union and non-union alike, when they have grievances with their boss that they're having difficulty reconciling on their own. In this way, whether the boss chooses to recognize us or not, we are still an organized force that they must contend with when they are mistreating their employees. If the boss doesn't want to deal with the workers' grievances or the steward, we then bring in our newly formed "defense squad" which is a group of downtown workers, workers in other unions and community members who have committed to mobilize in defense of downtown workers when called upon.

In concert with this effort of building a steward system, we are refocusing on the most important part of building any organization: asking others to join. With a steward system coming into place, a monthly newsletter, and a more tightly knit organizing committee, other downtown workers have more of an incentive to cough up the twelve dollars a month in union dues, because they know that there are now more concrete resources they can draw upon from the union.

Although we don't know what the future will bring for our efforts, we are determined to move forward into a new phase of our unionization effort and give it the god damn best that we've got. With a focus on membership sign up, dealing with workers' grievances, and continuing to put the issues of downtown workers at the forefront of community dialogue, we're hopeful that we'll fight and win in the struggle for the unionization of downtown Montpelier. As Bruce Springsteen puts it, "No one wins unless we all win!" and all I gotta say is we're gonna fight this one 'till the bitter end or victory.

*\*The writer, Sean West, is a rank and file member of The Montpelier Downtown Workers' Union (UE 221) and The Green Mountain Anarchist Collective (NEFAC-VT).*

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