

legal behavior on the part of employers, if you're willing to bite the bullet and take it."

In the end the union won all its demands, around a \$40,000 settlement.

"The key here was that everyone acted in a disciplined manner," says Brown. "The unity of the workers was clear for all to see. And our demands were such that we held the moral high ground: this was money that we were owed."

"Secondly, we did not simply go after the small family owner of the business, we made it clear that the main adversary was the bank which was calling the shots. Our focus on the bank, including the threat to occupy a floor of their headquarters, led them to count their losses and come across with what they owed."

Brown believes that the UE's plant occupation has had a good effect both on the UE and on the local labor movement. "I know that our District Council which met in February was one of the most spirited council meetings that we've had in the past years as a result of this," says Brown. "And I know it was discussed by a number of AFL-CIO unions in the city, many of whose presidents I am in touch with, and they congratulated us and thanked us for paving the way and giving them some ideas about things they may have to do in the future."

"My father was a union man," says Shop Chairman DiBenedetto. "He taught me everything. This is what I believe in. It just ain't going to happen any other way. I really hope that other people get the same idea."

Pittston Miners Take the Tipple

A chapter on plant occupations would not be complete without the dramatic story of the United Mine Workers' take-over of the Pittston Coal Group's Moss 3 processing plant in 1989. The well-planned 77-hour occupation took place when the miners' strike was over five months old and is widely regarded as having forced the company back to the bargaining table.

Pittston, a multinational conglomerate, was out to destroy the Bituminous Coal Operators Association (BCOA) national master agreement—which sets standard wages and benefits in the coal industry—and seriously weaken the Mine Workers. The company was demanding huge concessions from active workers and benefit cuts from retirees, and wanted to pull out of the industry-wide pension and health care funds.

For 15 months before the strike began in April 1989, the miners worked without a contract, using the time to prepare for battle. Miners were trained in non-violent civil disobedience; community, spouse and family support was built; and laid-off and disabled miners were prepared to become as much a part of the strike force as active workers.

Throughout the summer of 1989, the UMWA employed a corporate campaign, roving pickets, mass demonstrations, direct action, and civil disobedience. Whenever the company got a court injunction against

certain activity, the miners responded by developing new tactics or reviving tactics of the past. Sometimes, the strike resembled the non-violent civil rights movement of 40 years earlier. Other times, it was a pitched battle in what UMWA Vice-President Cecil Roberts dubbed "class warfare in southwest Virginia."¹³

The strike had cut the company's coal production by 30%. Yet Pittston, bent on destroying the union and willing to sustain heavy losses to do so, refused to bargain.

Clearly, a dramatic act was needed.

The Turning Point

"The turning point of the strike was the takeover of the Moss 3 processing plant," says Brad Burton, director of UMWA Region 3. District and local officials debated the merits of the take-over tactic for several weeks, finally deciding that such a bold action might break the stalemate. "We knew we were placing the union in jeopardy," Burton says, "but we also knew the union was in jeopardy if we didn't win the strike."

The Moss 3 plant is one of the largest tipples, as such plants are called in coal country, in the world. All of the Pittston coal mined in southwest Virginia is shipped through Moss 3 to be sorted and cleaned. The 77-hour occupation shut down Pittston's operations and cost the company as much as \$1 million per day.

The union planned the occupation for weeks, with military-like precision. Each day, small amounts of supplies were brought into Camp Solidarity, the encampment of miners and supporters a mile down the road, so as not to attract the attention of state police stationed along the roads.

The logistics were timed to the minute. No one knew exactly what would happen except for the strike leaders—not even the 98 strikers who volunteered for "special duty" on September 17. Other miners from Illinois, West Virginia, and other parts of Virginia were given maps indicating Moss 3 and instructed to be there on September 17.

That day, at 3:30 pm, a convoy of miners and supporters began to arrive near the main plant gate. State troopers and company security guards, by now used to large demonstrations at the gate, quietly observed as the demonstrators gathered near a bridge a quarter mile from the plant.

By 4:15 about 1,000 people had gathered and more were waiting to be called in. Three large trucks wound their way up the road to the gates of Moss 3.

At the entrance to the plant, the trucks stopped, their rear doors opened, and out stepped 98 miners and one minister. Clad in camouflage—the symbol of their class war—and loaded down with sleeping bags, gas masks and rations, the 99 marched quickly into Moss 3. As they did, they raised their hands over their heads to show that they were unarmed. Two Vance Security guards at the front gate were caught off guard and fled. A few other guards, maintenance workers, and management personnel, badly outnumbered, retreated into an inner office, until they were escorted out by the occupiers.

As the miners marched into the plant, their 1,000 supporters massed at the entrance to prevent the state police from following them inside.

Word of what happened spread quickly throughout the coal fields. The state troopers called in reinforcements and blocked off all roads leading to the plant, hoping to stop the influx of more supporters. But within an hour, cars of supporters lined the roads leading to Moss 3. People started walking in over the hills, forcing the police to abandon the roadblocks.

By nightfall, miners from neighboring states and a caravan of supporters from New York had arrived, swelling the number outside the plant to 2,000. "They'll have to arrest each and every one of us out here before they get those inside," Cecil Roberts told the crowd. Fists shot up into the air. Chants of "Union" filled the countryside.

For the first time in the strike, the plant was in union hands.

Miners in Control

Throughout the occupation miners were stationed along the road between the preparation plant and Camp Solidarity. Using radios and walkie-talkies, miners stayed in constant contact with each other—planning strategy, organizing their supporters outside the plant, and monitoring the state troopers' movements.

The troopers had two main positions: one stationed across the road at the Clinchfield Laboratories; the other a quarter mile down the road at the scale house. A helicopter circled the plant constantly throughout the occupation. The miners allowed two state police to be stationed in the guardhouse on the plant grounds.

The first word to reach the outside after the takeover was a written statement by the minister who had accompanied the miners inside, Rev. Jim Sessions. Strike leaders had been worried that the group might be shot at on the way in, so all possible precautions were taken, including inviting Sessions as a symbol of non-violence.

"The Pittston Company claims ownership and control not only of this place, but of the Lord's day itself, and of these human beings whose labor and lives have built the company's wealth," the statement said.

"I would be personally and vocationally unfaithful were I not here to urge the nonviolent redress of grievances which the miners have so faithfully been seeking, to urge those now in bad faith to enter into

dialogue and reality, and prayerfully, into negotiations and a just contract for the sake of all Pittston employees."

After this statement was released, Vice-President Roberts led a delegation of two state troopers and a company inspector across the bridge and into the plant to inspect the facility and to



Some of the 98 miners occupying Pittston's Moss #3 plant read about themselves in the paper.

Cindy Reiman/Impact Visuals

prove that no damage had been done. The inspection became a daily ritual.

Despite the inspections and the miners' vow of nonviolence, each morning brought new rumors of the state police coming to evict the occupiers. In response, miners' supporters would flood the bridge at the entrance to Moss 3. The police never arrived.

"The main purpose of the people outside Moss 3 was to show support, but also to defend the occupiers inside," according to Brad Burton.

"Every day, when we were in front of Moss 3, we would discuss how best to defend the plant," said Mike Ruscigno, a Teamsters for a Democratic Union activist who traveled with the caravan from New York. "We would break into groups: those who agreed to be arrested and those who would provide support.

"And each evening we would walk back to the Camp and see the police buses lined up, ready to haul people off..."

When the police tried again to close the road leading to the plant on September 18, miners simply took supporters through the woods, around the police barricades, and up to the plant.

The days outside Moss 3 were filled with singing and with discussions on the significance of the occupation. Many compared it to the auto workers' Flint sit-down strike in 1937. Camp Solidarity ran a 24-hour kitchen; each day miners would bring sandwiches to feed the supporters.

unions were hung outside the plant. One sign from striking New York telephone workers—"From NYNEX to Pittston: The CWA Supports the UMWA"—became the miners' favorite; it was hung inside. The occupiers painted "UMWA Forever" and the numbers of the local unions involved in the sit-in on the outside of the plant.

Some supporters were allowed inside the plant to talk to the occupiers firsthand. Here the mood was upbeat. Some miners played cards or "horseshoes" made from rubber machine belts. Others simply sat outside on the big coal dust-covered roof and watched the thousands who had gathered below.

Pittston Coal Group President Michael Odom called the miners "violent" and claimed that he would never "negotiate with terrorists." In response, the occupiers, each of whom owned one share of stock in Pittston, told the press: "As stockholders we have the right to inspect our investment. What we are finding is that the scabs and management have left this place a mess and we'll have to be here for a few days to assess the damage."

'Stood the State on Its Head'

On September 18, the National Labor Relations Board (NLRB) filed court papers to have the sit-in declared illegal. A court official said the NLRB was seeking heavy fines, jail terms and an end to the \$200 weekly strike benefits to the occupiers. The following day, Circuit Judge Donald McGlothlin imposed fines of \$13.5 million against the UMWA for violations of court injunctions in July and August. The judge ordered UMWA leaders to order the occupiers out of Moss 3 or face arrest.

Instead, Roberts told the occupiers, "I figure they'll come looking for us to get arrested, but somebody will be there to fill our shoes. Just like with all of you—when you are arrested, others will be there to fill your shoes."

On September 20, Virginia Democratic Governor Gerald Baliles said that he would no longer allow the strikers to defy the state and federal governments. He ordered more state police into the area, to join the 300 state police and 200 marshals already there.

At 3:00 pm U.S. District Judge Glen Williams ordered the miners to vacate the plant by 7:00 that night, or face more fines and possible eviction.

In a show of strength, the miners ignored the deadline. Instead, they changed the location of their regular Wednesday night rally from a nearby town to the gate at Moss 3. At 7:00 pm 5,000 supporters rallied outside the tipple. Although the state police temporarily withdrew to a new location down the road, the air was tense as the crowd braced for a showdown.

For two hours the crowd heard speaker after speaker denounce the company and the police-state tactics of Governor Baliles. At about 9:30, just after a bluegrass band had finished playing, dozens of people suddenly surged toward the bridge and a wave of anxiety swept the crowd. For a moment, a few thought the troopers had somehow slipped through.

But then the crowd parted like the Red Sea and Cecil Roberts emerged from the plant. He ran across the bridge carrying the flag that had flown over the tipple, the 98 miners and Sessions behind him.

"We stood the state on its head. We defied all the forces trying to get us out—the courts, the state police, and Pittston," Roberts shouted to the crowd. "We only leave when the UMWA says that it's time to leave." As Roberts spoke, the miners somehow managed to spell out the letters "UMWA" against the wall of the plant with their flashlights.

As the rally broke up, Judge Williams retroactively extended his deadline to vacate the plant to 11:00 pm, and did not fine the miners for the action.

Deadlock Broken

The take-over of Moss 3 had a dramatic effect on the strike, which had not seen serious negotiations since early in the summer. Within days Pittston announced that it would return to the bargaining table. U.S. Labor Secretary Elizabeth Dole convened a meeting between the company and the union on October 14.

Ten days later, Dole announced the appointment of W.J. Usery, Jr. as a mediator. On December 31, a tentative agreement was reached.

The union won small wage increases and granted the company some concessions on "flexibility." The important part of the settlement, however, was that the union beat back Pittston's union-busting and checked, for a time, continued erosion of the BCOA agreement. The miners had forced Pittston to stay in the industry-wide pension and health funds, something CEO Paul Douglas had vowed before the strike that the company "would never do."

Eddie Burke, one of the strike's masterminds, says, "It was a psychological tune-up for our folks—people started saying, 'Why didn't we do that before?' There was just a warm glow throughout the area. And it had to have a severe psychological impact on the other side up in Greenwich, Connecticut. Every time a big truck would go by they'd start worrying, 'Are those guys going to do it again?'"

Conclusions

In workplace occupations, just as in work-to-rule campaigns, slowdowns, in-plant strategies and strikes, the key is to hurt the company economically: look for the leverage points. In the case of Houdaille, for example, the union's leverage was that the company owed its customers a few weeks' more production.

Following are some technical and political points about a workplace occupation:

1. The workplace seizure depends upon the element of surprise. Everything must be planned secretly and workers must then act quickly.

2. At the same time you must try to organize ahead of time as much as possible—clothes, food, recreation equipment, VCR, classes on union history.