

# I Was a Victim of Union Violence

by Bill Hinote

**T**hey shot me as I opened the door of my pickup truck. They hit me five times. One bullet tore into my left knee. A bullet went into my right hand. A bullet went into my right side and exited next to my navel. Two bullets went into my thigh. I felt like I was being burned with a hot poker, and then I went into shock.

I dragged myself behind the truck, hoping to protect myself from further shooting. I dragged myself into the house so I could call for help. An ambulance took me to Mid-Jefferson Hospital, a few miles away in Nederland, Texas. I didn't see or hear anything.

I didn't have to see them to know they were militants from the local of the Oil, Chemical and Atomic Workers International Union. This was October 2, 1982, amidst a bitter strike at the American Petrofina oil refinery in Port Arthur, Texas, where I helped maintain boiler systems. I had been the first to defy union bosses and exercise my right to work.

About 25 years ago, a small group of men had taken over this local. Like union bosses elsewhere, they exploited the powers of compulsory unionism and forced dues, sanctioned by federal laws. The Wagner Act (1935) in particular made it easy for union bosses to gain control of a workplace and

extremely difficult for workers to get rid of the union bosses. They forced workers to join the union against their will. Membership was effectively a condition of employment. Union bosses spent members' dues in ways that would enhance their power, and there wasn't much anyone could do about it.

To flex their muscles they called a strike at the expiration of every two-year contract between 1972 and 1982. I'd say the strikes averaged about a month and a half. One strike lasted about three weeks, another about three months. Consequently, it was hard for anyone there to build up life savings. We saved to get through the next strike.

I was sick and tired of these pointless strikes. I reckon the best way of putting it is that you don't have bad companies or bad unions. What you have are bad leaders. If they would work with each other, things would be great.

But the union bosses were like kids who were never willing to back down for anything. Instead of negotiation, there was confrontation. The union hierarchy was having an ego trip. They enjoyed the power. If I had to quit the union, I was willing to do it.

Well, on January 7, 1982, the Petrofina contract expired again, and union bosses called another strike. The issue supposedly was work rule changes which the company

*Mr. Hinote, now retired, lives in Texas.*

wanted. Some 300 workers walked out. Peer pressure to do so was tremendous, as always.

Petrofina supervisors and non-union workers from other refineries kept our refinery going. Soon there was violence as militants shot a company vehicle. They shot a security post with three guards in it. Cars were vandalized. The road going into the refinery was littered with nails.

By 1982, my 18-year-old daughter, Wendy, was in college, so I faced big expenses. I decided that if the strike dragged on, I'd go back to work. Naturally, my wife, Barbara, was anxious, but she agreed I should do what I needed to do.

On September 22nd—I remember it was a Wednesday—I was working again. It was something of a milestone, because in the entire 45-year history of this refinery, no member of the Oil, Chemical and Atomic Workers International Union had gone against the bosses and crossed a picket line.

But the Texas constitution guaranteed one's right to work. On paper anyway, exercising one's right to work wasn't supposed to be a big deal.

Plenty of other Petrofina workers were worried about family finances. The union got many calls from workers anxious for the strike to be resolved soon. Union bosses feared that unless something were done about me, more members might return to work, and their power would collapse.

We got threatening phone calls. A caller warned Barbara: "Tell Bill we're going to get him—and you had better watch your little girl."

At the entrance to the Petrofina plant, union militants hanged a life-sized effigy of me from a tree. There was a sign saying "THIS IS WHAT WE DO TO SCABS."

One evening as we sat in our house, rocks crashed against the outside walls.

Then came the shooting that morning as I was about to head for work.

Threatening calls continued to come. One caller warned Barbara at the Wal-Mart where she worked: "We didn't do such a good job on your husband, but you'll be next!"

Other callers threatened to blow up the store if Barbara weren't fired.

I was still in the hospital when Roy Lynch, chaplain of the local, wrote a letter to the local newspaper saying, "Lots of us wished we would have done it [shot me] because of what he did by crossing." This was the union chaplain sanctioning violence! After the first trial, he told my wife he was sorry from the bottom of his heart.

## A Small Minority

I'd guess there were fewer than ten militants in our local. It doesn't take many to intimidate a whole community. A person can be a wife beater or a murderer, and they're one of the boys, as long as they're loyal to the union bosses. The union takes the place of religion for some of them.

I got out of the hospital after about two weeks and returned to work. I limped, but I crossed that picket line. I remember telling Barbara: "I've never run from anyone, and I don't intend to start now."

I must say I didn't expect things would go as far as they did. I figured the militants would try to lump my head. Shooting seemed a bit much. I served in the Korean War, and I never got a scratch.

I knew those guys. I had worked at that refinery since 1958 when I was 26.

My job was to take care of steam, water, and air lines throughout the plant, so I saw all kinds of people. Everyone was nice. I thought I was well-liked. I learned that everything suddenly goes out the window if you defy the union bosses.

I have never been able to look at work the way the union bosses do. If a man hires me and pays me what he says he will, I don't care how much money he has. I work for so many hours, he pays me what he says, that suits me.

Such views are heretical, especially since we lived in a union town. Practically everyone worked at the oil refineries. Union bosses influenced local government, including the police. When there was union violence, militants were seldom ever caught. Witnesses, if any, didn't dare step forward.

The veneer of law wears pretty thin when people know they can get away with violence.

In my case, there weren't any witnesses. It was about 5:30 in the morning—no cars going by our residential street, no people out walking their dogs. It was dark, and I didn't look up as I walked out of the house.

As far as I knew, the police seemed to be doing their job, but there wasn't anything brought out, because no one was going to talk. Although a crab fisherman found a semiautomatic rifle whose identification number had been rubbed out, police couldn't prove anything. A grand jury called some union militants, but they took the Fifth Amendment, and that was that. Nobody was ever arrested.

If it hadn't been for the National Right to Work Legal Defense Foundation, nothing would have been done. They had plenty of experience fighting union violence. I talked to them about three weeks after I was shot, and their attorney Bob Gore visited me.

He began gathering strong circumstantial evidence for a civil case against the union. For example, the telephone company has records of all local calls placed to a number. These records aren't shown on your bill, but the phone company has them. If you give phone company people your number and the approximate time someone called you, they can find where the call came from. Barbara and I kept a journal of the threatening calls, all traced to known union militants. Some calls were traced to the vice chairman of the union local.

We filed suit against the local and four union bosses. The charge was conspiracy to violate my right to work under Texas law. The trial began in Beaumont, Texas, September 1986. Right-to-work attorneys called witnesses to many acts of violence which had occurred during the Petrofina strike. One of the union bosses was on record as warning members not to be violent in front of television cameras that

Petrofina had set up on its property. The attorneys presented evidence about my case. The jury, however—in this heavily unionized area—found the union bosses not guilty.

The attorneys subsequently learned that one of the jurors was the niece of a striker who was a former defendant in the case—and she was less than forthcoming when questioned by attorneys. Another juror confirmed that the union juror had intimidated the rest.

Judge Jack King ruled the case must be tried again, this time in an area less subject to union influence—about 95 miles away in Huntsville. In October 1987, the jury ordered the union to pay us \$1.2 million in damages. But a month later, the presiding judge invalidated the jury award.

National Right to Work Legal Defense Foundation attorneys brought the case before the Texas Court of Appeals. In July 1989, judges there decided that union leaders had sanctioned violence and failed to curb the militants. The jury verdict was upheld.

Then the union appealed to the Texas Supreme Court, but it declined to hear the case, which meant the jury decision stood. The union declared bankruptcy.

I'm still feeling the injuries I suffered. I've had my knee operated on three times, and I drag my left leg. I can't squat down or lift very well.

Barbara is a strong person, but this was the first time union violence hit home, and it was bad for her. I didn't realize it affected her as much as it did. She was so worried about me and our daughter. We have learned to live with it.

Incidentally, the strike ended about two months after I was shot. There hasn't been a strike at the Petrofina refinery since—more than a decade of peace and prosperity. Workers can now save for their families instead of always preparing for another strike. □

# How Government Destroys Jobs for Poor Women

by Dorothea M. Eiler

California's Director of the State Department of Social Services, Eloise Anderson, created quite a stir when she insisted that welfare mothers would be better off working than collecting from the government. Surely there are very few who totally disagree with her, but the fact is that the government has made it very difficult, almost impossible, for women coming off of welfare to get a job.

Traditionally in Western civilization there have been two ways in which unmarried women, with or without educations, could support themselves. One, of course, was the world's oldest profession, but the respectable one, the one with even a slight hope for a decent future was domestic service, from laundress or cook to nanny. In recent years the government has made the second choice virtually unattainable. In fact, labor regulations have actually eliminated most of the market for casual domestic service.

Until a couple of decades ago, poor women did housework to put food on the tables for their families. Perhaps they didn't approach the job with much enthusiasm, but doing what must be done for themselves and their families must have produced more than a little satisfaction and self-esteem. Domestic workers were often employed

by five or six households per week, often at very low wages. But cash wages went directly into workers' pockets, and nobody reported the income to the government. In those days casual domestic labor was exempted from Social Security and other taxes. In effect those workers were probably at least as well off as most are on welfare today.

Of course they didn't have any "benefits," such as Social Security and health insurance. If a domestic worker was injured on the job, the employer often took her to the doctor for care, and though serious illnesses were a tragedy for all concerned, employers, family, and friends usually joined together and did what they could to assuage the difficulties.

Thus many women, who would have been otherwise forced to go on welfare, found a way to care for and support their children. Instead of relying on daycare, they often took care of each other's children. But, then again, babysitters were not licensed, so they could charge very little. Sometimes the babysitter simply picked up a little "pin money" to supplement her husband's salary. Or domestic workers might take their children to work with them, teaching the youngsters the skills of housework and the dignity of earning a living as they were growing up. These children were then available to help in times of health or financial problems.

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