

By Ron Williams

CHICAGO

ABORTIONS

Chicago clinics:
High profits for
mistreatment

IN AN EXPLOSIVE SUCCESSION OF headlines under the rubric of "The Abortion Profiteers," the *Chicago Sun-Times* began publishing last week the findings of a five-month investigation into conditions at this city's many abortion clinics.

Although displaying a knack for lurid detail and a flare for the sensational, the on-going series is thoroughly researched and well documented. It names names. And what has been uncovered has stirred up a hornets' nest around the already volatile issue of abortion that may well extend beyond Chicago or Illinois politics.

Focusing on abortion clinics located along fashionable Michigan Avenue, near Chicago's Loop, *Sun-Times* investigators and members of the Better Government Association (BGA) infiltrated the facilities by gaining employment and recorded their observations. The results in some cases are profoundly disturbing to pro-choice and pro-life advocates alike.

Conditions varied greatly from clinic to clinic, but four of the most blatant violators included: abortion procedures performed on dozens of women who were not pregnant, illegal abortions performed on women more than 12 weeks pregnant, unsterile conditions resulting in a high instance of infection and other serious complications, incompetent and unqualified staff, falsified medical records, lack of critical postoperative reports and examinations, and Medicaid fraud.

In some clinics where doctors receive payment by the abortion, the operation was completed in as little as two minutes, without time for the anesthetics to take effect, as physicians raced each other. It was discovered that several referral services receive payment for each patient sent to a clinic, and that some counselors are paid not to counsel but to convince.

Since 1973 more than 200,000 women have had legal abortions in the state of Illinois. As a result of the enormous costs of hospital care and a 1973 law prohibiting doctors from performing the procedure in their offices, it is estimated that 80 percent of Illinois abortions take place in clinics.

Sitting squarely in the middle of all this is the Illinois Department of Public Health, responsible for licensing clinics, inspecting professional credentials and insuring the enforcement of an array of legal regulations. The department is plagued by overlapping jurisdictions with other agencies and a lack of clear definitions regarding some regulations. Almost two months ago the department revoked the license of the Water Tower Reproductive Center Ltd., but the clinic continues to operate.

Likely to change.

A fury of activity has developed since the initial stories appeared, with politicians scrambling to cover themselves or get mileage out of public sentiment. A Cook County Grand Jury has subpoenaed financial and medical records of several clinics. Presidential hopeful Gov. James Thompson, whose hopes strengthened considerably by his resounding reelection last week, immediately ordered the creation of a special task force to investigate named clinics and sent joint teams from the Department of Public Health and the Department of Registration and Education into some clinics for spot checks.

Thompson has a record of moderate support for women's right to choose. In the past he vetoed state legislation forbidding the use of state Medicaid funds for abortion, but the legislature easily overrode the veto. This summer he also vetoed a measure prohibiting state employees from using state medical insurance to pay for abortions, but that veto is also expected to be overridden. Thompson is too seasoned a politician to allow himself to be caught in the middle of such a highly charged issue.

State Sen. Richard M. Daley, son of Chicago's late mayor, hastily announced he would reintroduce legislation requiring state licensing of all abortion counselors. The legislation was introduced last year but was bottled up in committee by strong opposition headed by the Illinois Planned Parenthood Council. Critics of



Abortions have been performed on women not pregnant, and on those more than 12 weeks pregnant. Some clinics offer unsterile conditions, falsified records and incompetent staff.

the Daley measure assert that passage would fail to prevent unethical counseling procedures while unnecessarily disqualifying a large number of volunteer and "non-professional" counselors who work out of crisis centers as well as clinics.

Most predictable, however, is the Right to Life response to the current political climate. On the statewide level, pro-life advocates are demanding additional regulatory legislation and are aggressively lobbying for Illinois to become the 14th state to call for a constitutional convention. Jim Belanger, of the Illinois Pro-Life Coalition (IPLC), told *IN THESE TIMES* that the "con con" "would address one issue: to place a Human Life Amendment, demanding recognition of the personhood and all constitutional rights for the pre-born child in the womb." Belan-

ger explained that "courts have stuck closely to the 1973 Supreme Court ruling and refuse to review the 'life facts.'" Thus in the IPLC's view, a "con con" is the only alternative.

Pro-life activists have been critical of the *Sun-Times* series, accusing the paper of hypocrisy in accepting ads from the clinics they are now exposing. The paper has suspended publication of further abortion advertisements, but has run the names and numbers of two responsible referral services with each daily installment.

The series is scheduled to continue for almost two weeks and is expected to detail favorably conditions found at other Chicago clinics. Friends For Life, another right-to-life group in the Chicago area, is warning of "a whitewash of the

so-called clean clinics, the ones Planned Parenthood recommends."

The "clean clinics."

Susan Hicks is the executive director of a "clean clinic" that Planned Parenthood sends referrals to—the Midwest Population Center. Located just off Michigan Avenue in the Loop, the center offers a broad scope of services including abortions, birth control counseling, vasectomies, gynecological care, sexual health services, and an out-reach program promoting body education. The center is not-for-profit and has an all-volunteer board of directors.

Hicks told *IN THESE TIMES* that "the public information aspect of the *Sun-Times* series is positive. If people had this information earlier, these clinics would not have been able to exist." Since the publicity, women have become more critical and ask many more questions, she said.

Hicks feels that the problem in Chicago is lack of enforcement of existing legislation. She believes that the continuing stigma has made free and open discussion about abortion difficult. She contends that the medical profession has generally been reluctant to strengthen regulation.

Chicago area women's groups, including the Chicago Women's Health Task Force, the Illinois Women's Agenda, the New American Movement's Reproductive Rights Task Force and the Cook County House Staff, held a press conference on Thursday, Nov. 16, to discuss a pro choice response to recent events. Calling themselves the Chicago Coalition of Concerned Women, they stated, "We are faced with two choices—to go forwards or to go backwards. To go backwards is to return to the years prior to 1973, to the time before legalization of abortion and the horrors of back alley abortions, coat hangers, hotel rooms, infections and murders."

They also declared that although they supported the closing of the abortion clinics with the worst abuses, "these clinics are the major providers of services to Medicaid patients, and thus, once more, poor and third world women are the ones most likely to suffer."

Perhaps the most visible focus of the conflicting responses generated from the disclosures will be the fate of the "Burke Amendment" in the Chicago city council. Based on the controversial Akron ordinance now tied up in the courts, and sponsored by Alderman Ed Burke and a host of right-to-life organizations, the measure is an amendment to the Municipal Code of Chicago outlining specific qualifications and requirements with regard to the abortion procedure.

The original amendment never emerged out of the City Health Committee, where opponents successfully prevented public hearings from taking place. The new amendment, redrafted by lawyers from the Americans United for Life Legal Defense Fund, has been resubmitted to the City Health Committee in the aftermath of the current expose. According to Jim Belanger of the IPLC, "There is a grassroots demand from citizenry for extensive regulation statewide."

Phyllis Tholin, Illinois coordinator of the Religious Coalition for Abortion Rights, disagrees. "Of course the city will find that it is unconstitutional, even as rewritten. The Akron ordinance is being litigated in Ohio and a similar statewide measure is being litigated in Louisiana. Why should the taxpayers of Chicago have to pay for it being litigated here?"

The amendment would require, among other things, that instructions or counseling of the woman prior to the abortion upon medical matters be conducted by a physician; that the Board of Health "develop reasonable regulations for the humane disposal of unborn children after abortions"; and that women, their parents when they are minors and their husbands be provided with information on the characteristics of the unborn child at the time of the abortion.

The amendment raises the difficult questions of "viability" (at what point does the fetus become a person with rights) and "informed consent." These questions are unlikely to be resolved soon, regardless of the outcome of the political battle.

TEAMSTERS

Cannery workers upset Teamsters

By Martin Brown

SAN JOSE, CALIF.

THE INTENSE HEAT AND NOISE of heavy machinery moving fruit and vegetables around the plant engulf Delfina Lozoya as she enters a San Jose cannery for the four-to-midnight swing shift.

Machines cut and peel the produce, put it into cans, then cook, label and pack the cans into boxes.

Lozoya's primary task is tending the machines: sorting fruit into grades, feeding the equipment, discarding damaged cans. The speed of the work is regulated by the conveyor belt, carrying thousands of cans around the plant on open metal tracks.

"People?" Delfina says of plant management. "They try to work us like animals."

Complaints like Delfina Lozoya's have reverberated through canneries for decades, even though California cannery workers have been represented by the largest and most powerful union in the country—the International Brotherhood of Teamsters—for the past 40 years.

Now there are indications that the workers—largely Latino, low-wage, and women—are ready to take on the union. Last month the rank-and-file Cannery Workers Committee (CWC) won an upset victory over the incumbent slate of Teamster officials in San Jose's local 679. The CWC won on a majority of executive offices in the 17,000-member local to challenge the union leadership for the first time in 30 years.

The rank-and-file group charges that primitive conditions persist in the cannery industry because of Teamster policy. CWC plans to change these policies by gaining power from within.

If the rise of Hispanic rank-and-file militancy in the California canneries is any indication, several divisions of the much-maligned Teamsters union could become instruments for popular labor power in the 1980s.

The Teamsters gained full control over

the canneries in 1946, competing with the International Longshoremen's and Warehousemen's Union (ILWU) for jurisdictional rights. According to Paul St. Shure, former attorney for the California Processors and Growers, the Teamsters were aided by "the connivance, or certainly the more-than-passive cooperation" of the canning industry itself once unionization seemed inevitable.

"Organizing from above has been one of the distinguishing features of Teamster organizing drives," says Donald Garnel, labor historian and author of *The Rise of Teamster Power in the West*.

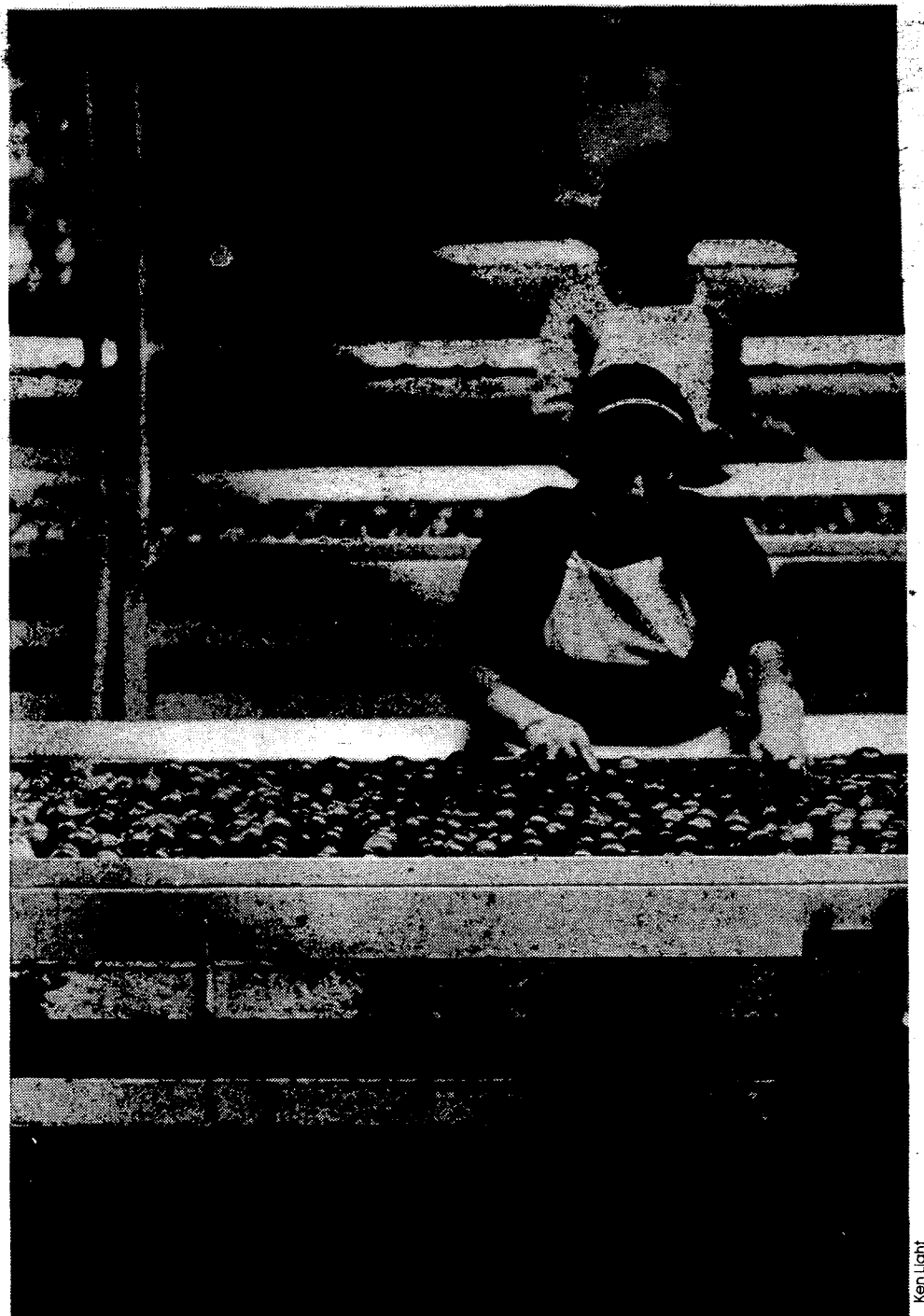
"I run this place just like a business, just like the Standard Oil Company or the Northern Pacific Railway," former Teamster leader Dave Beck once said of his Seattle local. "Why should truck drivers and bottle washers be allowed to make big decisions affecting union policy? Would any corporation allow it?" But 40 years later, one of the key grievances of the Cannery Workers Committee is the exclusion of the workers from the union decision-making process.

About 80 percent of the production workers in the canneries and food processing plants in the San Jose area are of Mexican origin, and about 50 percent do not speak English fluently. Yet under the old leadership of local 679, union meetings were held only in English.

The CWC also complained that Latino workers, the vast majority of whom are employed at seasonal jobs, are cut out of union participation. According to Raul Hernandez, a victorious CWC candidate in last month's election, cannery workers are eligible to run for union office only if their dues are paid up for 24 straight months.

But, says Hernandez, "seasonal workers are not employed year-round so there is no way they could have union dues paid up for two years of consecutive months. Three years ago we estimated that out of the 17,000 members of Local 679, only 37 workers were eligible for union office."

Inspired by the United Farm Workers, Latino workers formed the Cannery Work-



Women workers selecting tomatoes work under poor conditions despite 40 years of unionization.

ers Committee in 1968. The issue of job discrimination goes to the heart of the highly stratified cannery work force. In the processing section of the canneries, where the fruit is sorted and graded and where the jobs are the most tedious and lowest paid, the workers are almost exclusively Latino women.

In the cooking, labeling and packing rooms, where the pay is higher and the worker is less a slave of the machine, there are few women.

And in the warehouse and maintenance jobs, which pay the best, there are almost no women. The higher level jobs tend to be reserved for men, and the top craft

jobs go primarily to whites.

The CWC filed suit against the cannery industry in 1973, charging industry discrimination against Latinos and women. The Teamster union sided with the canneries.

Nevertheless, the CWC won a \$5 million settlement for the cannery workers, and also a multi-million dollar class action suit against the Western Conference of Teamsters Pension Plan that enabled seasonal workers to get benefits without working the minimum hours per year required of non-seasonal workers.

The CWC leadership, however, consid-

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Steelhaulers mean business in Gary strike

By David Moberg

THE DRIVER PULLED HIS LARGE flatbed truck loaded with steel into a Gary, Ind., truck stop. It was a familiar hangout for steel haulers sympathetic to a group that a few days earlier had called for a halt to all steel trucking, warning drivers to stay off the road or suffer the consequences.

The men in the truck stop—supporters of FASH, the Fraternal Association of Steel Haulers—quickly approached the loaded truck and the six cars of Teamster staff—scorned by FASH as "goons"—who were accompanying it in a test of rebel strength. Quickly the FASH crew, "did in a number of goons, slashed tires on the cars, kicked in some doors and thumped a few heads," one of their leaders said later. "They told the driver to go back to the terminal and tell drivers there this was a sample of the protection the union could give them."

"This is a serious fight," FASH organizer George Sullivan said, accentuating the obvious. "We're not playing games. I predict we're going to have a victory—and somebody might get hurt. They [the Teamsters] are going to have to go to gunfire or surrender. And I believe we could outshoot them, even if people don't want to have to do that."

There were reports of violence in Ohio,

West Virginia, and Pennsylvania as strikers tried to chase steel trucks off the road.

The strike, called by FASH on Nov. 11, is a curious and complex affair. Born during a wildcat strike in 1967, FASH is both a small independent union and a rank-and-file dissident group within the Teamsters. They seek to represent the roughly 30,000 steelhaulers of whom perhaps one-third are Teamsters and the rest unorganized. The Teamster steel haulers are covered by the Master Freight Agreement, which expires next April 1, including a special contract "rider" governing steel and other "special commodities."

Nearly all of the steel haulers, Teamster or non-union, own their own trucks—which can easily cost \$50-60,000—but work only for the carrier firms. Because they are part employee, part small businessman, the independent truckers have special needs that many drivers feel have been regularly ignored over the years by the Teamsters.

Consequently, steel haulers have been among the most rebellious Teamsters. They struck against the Teamsters for 13 weeks in 1967 and nine weeks in 1970, fought a bloody gun battle with Teamster agents in Youngstown, Ohio, in 1969, and actively supported the truckers' strike during the 1973 oil embargo.

Unlike other Teamster reform groups, FASH wants to take steel haulers out of the Teamsters. The National Labor Rela-

tions Board has frustrated their effort at decertification by ruling that steel haulers do not constitute a bargaining unit separate from the 270,000 to 400,000 truckers under the Master Freight Agreement. Likewise, they have been stymied in their organizing by frequent rulings that the owner-operators are not really employees eligible to form a union.

Their attempted shutdown of steel hauling, which began to affect numerous steel mills in the eastern half of the U.S. by the middle of last week, is a shotgun protest aimed at the Teamsters, the carriers and numerous agencies of the federal and state governments.

FASH is taking advantage of immediate grievances of many Teamster steel haulers with the 1976 contract, which they say has cut their income below what it would be under the old contract and below non-union levels. Sullivan says it has cost drivers \$4,000 a year in gross income.

FASH is demanding an end to the Teamster contract, a change in federal antitrust law that will permit independent truckers to organize as a union, federal licensing or "full reciprocity" of licenses between states, uniform leasing arrangement with carriers, enforcement of the contract provision that drivers be paid for excessive waiting time, and initiation of a fee for "tarping" (the time consumed in wrapping of products on their open flatbed trucks).

With such varied demands directed to so many authorities, FASH leaders can only hope that their disruption will be severe enough to force government, union and industry leaders to talk with them. They may also be hoping that the turmoil—and any future reaction of the Teamsters, who presently maintain that FASH and its actions have nothing to do with them—will give impetus to decertification moves that can be filed starting next January, 90 days before the contract expires.

Although FASH actions in the past won concessions for steel haulers, there are reports that FASH has lost some of its supporters and did not win endorsement of its strike call at a Nov. 12 meeting of a National Unity Council of various independent trucker fraternal associations. Other reformers within the Teamsters sympathize with FASH criticisms of the Teamster contract and internal democracy but argue that "if you have the power to get out of the union, you have the power to change the union." FASH at this point has the power to disrupt, but it is less clear whether they have the power using their current strategy to win their varied demands.

Feelings are running high on all sides. The chances for violence will increase if the strike's effects broaden, and FASH leaders seem ready for it. Sullivan says bluntly, "This is civil war within the International Brotherhood of Teamsters." ■