

## PHILADELPHIA

# The general strike that wasn't

By David Moberg

PHILADELPHIA

**A** FINANCIAL CRISIS IN PHILADELPHIA's public schools has been in the making for several years now. This fall it finally came to a head as the board of education announced that its projected \$900 million budget for fiscal year 1982 would be \$233 million in the red. To remedy that, it would cut over 3,500 positions—most of them teachers—and cancel the scheduled 10 percent pay increase and benefit improvements for teacher union members. The board also increased class size from 33 to 36 students and dropped or drastically curtailed around 50 programs for reading, art, music, aid to problem students, counseling, libraries, bilingual education and much more.

With those harsh measures the board not only violated the contract that it signed with the teachers union last year but also approved precisely those program changes described last spring by the school superintendent as likely to devastate Philadelphia's public schools and leave them little more than a baby-sitting service.

The revocation of the teachers' contract provoked a walkout on Sept. 8 by the 22,000 members of the Philadelphia Federation of Teachers, slightly more than half of whom are classroom teachers. Protests mounted as the strike dragged on and political leaders in the city could not agree on a solution—though all assumed that the teachers should carry the bulk of the financial burden. Parents clamored for any action that would get their kids back in school. Unions decried violation of contract and union-busting. (The court ruled that the teachers' contract was financially unenforceable, because it violated state law requiring a balanced budget, even though another state law prohibits layoffs to balance budgets. Nevertheless, by a curious turn of judicial logic, the judge ruled the contract was still in force and teachers therefore could not legally strike.)

At the urging of teachers union president John Murray, who was elected just two years ago, Philadelphia's Central Labor Council voted unanimously to call a general strike. Two unions led the drive for a general strike, the hospital workers (Local 1199C) and the white-collar and professional district council of AFSCME (municipal employees). But the crucial muscle had to come from the Transport Workers Union, which had undergone a strike earlier this year and was still under injunction, and the Teamsters. And as the Oct. 28 date approached those key unions, as well as the bulk of the local federation, remained solid.

## Who pays the teacher?

The general strike, with its political connotations, was an appropriate escalation of the teachers' contract dispute. Although nominally—and in some ways substantively—a financial crisis, the Philadelphia school conflict is fundamentally a political crisis.

If the school system is not adequately supported, Henry Nicholas, president of the hospital workers, argues, "the families of the poor and working class will have no means to educate their kids. The issue is more than a collective bargaining agreement. It's who funds education."

This year's deficit—about \$70 million earned over from last year and \$160 million now—arose largely because of a political unwillingness to develop a progressive tax base for public education. What shows up in several ways. Three-fourths of the local tax contribution to the school budget, which in turn makes up one-third of the total expenditure, comes from real estate taxes. Unlike many parts of the country, real estate in Philadelphia has not provided a contin-

uously inflated tax base to match the rising costs of the schools. (The city budget is largely supported by a tax wage that does keep up better with inflation.) Furthermore, tax assessments have been grossly unfair, ranging from 20 percent of market value in affluent areas to 80 percent of value in poorer neighborhoods.

Corporations in the city have also gotten off the hook. In 1972 the corporate net income tax support for schools was dropped. Just this year the City Council rejected an oil refinery tax that could have brought in \$75 million a year. Increasingly businesses have been granted tax abatements, despite evidence that such giveaways do little to gain or retain jobs. Also, according to a governor's commission, the city collects only \$7 million a year in tax on unearned income—mainly going to wealthier people—but should collect \$42 million.

## The school crisis is fundamentally political, as the cities' unions understood.



In addition to laying off teachers and cancelling a pay raise the board proposed dropping many programs such as music, art and remedial instruction.

Combining state and local taxes for a composite manufacturing company, Philadelphia ranks seventh among the top 10 cities, but on local taxes it is at the bottom.

## Rizzo's revenge.

With corporations and the wealthy escaping the demands of a progressive tax system, political squabbling develops among the rest of the population. Seventy percent of Philadelphians do not have children in public schools. (There are 213,000 students in public schools, fewer than 100,000 in Catholic schools.) Seventy percent of the kids in the schools are black or Hispanic. Consequently, many lower and middle-income whites write off the schools and don't want to support them, and the anti-city state legislature does the same. The school board has sued for \$45 million in funds for special education that the state has not provided despite a legal mandate to do so. (The state has finally agreed to cough up part of that, but a \$36 million shortfall in special

education support for fiscal 1982 is still in question.)

The problem has been compounded by incompetent school administration, the political decisions of former Mayor Frank Rizzo, the failure of Mayor Green to provide leadership in anything but fighting public employee unions and the power of a local teachers union that has been very successful in advancing its members' contractual interests but has been far less successful—either in fact or in public image—in using its clout for the benefit of students and the community.

Green and many others in Philadelphia have been trying to get rid of School Superintendent Michael Marcuse, but his position has remained secure due to a powerful network of Rizzo appointees and recipients of school system patronage. Critics contend Marcuse wastes money due to poor planning and top-heavy administration.

Rizzo, who appointed Marcuse, followed a pattern established earlier by Chicago's Mayor Richard Daley of trying to buy off public employees and their unions, ignoring needs of the black community and failing to take the needed steps to pay the city bills. "We are reaping the results of the Rizzo years," Parents Unions executive coordinator Happy Fernandez says.

But liberal Green is no improvement. After personally intervening last year to settle the teachers strike, this year he

between some black leaders and the union during the strike. This fall the teachers wanted labor solidarity, but last spring they crossed picket lines of striking maintenance workers in the schools.

The union has, in a short time, greatly improved teacher working conditions. The average teacher wage in Philadelphia, \$23,900 a school year, is the highest in the country, though close to that of other big cities. But it has also won protection of some positions and salaries that even the most sympathetic observer would find hard to justify.

Insiders claim that the union was close to a renegotiated contract a few weeks ago that would have spanned three to five years, slowed the pace of layoffs and delayed pay increases. But worries of internal political threats from rivals drove Murray to take a harder line. The union is, however, ready to compromises on some points: the pay increases can be delayed but must be paid as a lump sum next summer and teacher pay can be stretched out over 12 months.

"Our position is that we are willing to talk about or negotiate anything that affects teachers or people we represent," vice president Raymond Pollard says. "But we're not even going to talk about cutting programs for kids." Earlier, the union had been talking mainly about contractual rights, but now has shifted to defending quality education to win friends. But it still has no plan of its own for new revenues. Pollard did argue that if teachers had to take a cut because of a financial crisis, the schools should be treated like a bankruptcy and all creditors—the banks holding bonds, the vendors with their contracts—should share equally in the sacrifice.

The evening before the general strike was scheduled an appeals court partially

overturned the lower court decision. It ruled that although the new contract was invalid because the school board did not have the money, the teachers should return to work under the last valid contract. That preserves the threatened jobs but does not restore the pay hike. The general strike was called off, teachers returned and the union could take satisfaction with a partial victory while continuing negotiations.

Though there was no test of whether Philadelphia's unions could actually get their members out on a general strike, clearly their threat precipitated a compromise that benefited the teachers. It stands as a small but meaningful contrast to the broken air controllers strike. And it suggests why unions, working in the current hostile political and economic environment, must go beyond traditional collective bargaining in the direction of greater political initiative, solidarity despite legal risks and rethinking of their demands to encompass the broader needs of the community. ■



## NUCLEAR WASTES

By Ann Spanel

NEW YORK

## New Jersey has a radioactive road

**T**HE MAYWOOD CHEMICAL Company had been dumping piles of radioactive waste in the northern New Jersey communities of Maywood and Rochelle Park since 1915, but the problem only came to light last year. Though the Atomic Energy Commission and its successor, the Nuclear Regulatory Commission (NRC), have been reviewing the radioactive-dumping license of Maywood Chemical and its successor, Stepan Chemical, since the mid-'50s, the public knew nothing about the situation until an amateur geologist accidentally discovered high concentrations of radioactivity along Route 17. (He had been searching for two canisters of radioactive iridium that fell off a truck during a shipping accident.)

The contamination, according to an April 1981 NRC aerial survey, is widespread. The sandy dirt containing thorium—a naturally occurring element that retains half its radioactivity for 14 billion years—was not only used in construction on Route 17 but also dumped in several places: in a vacant lot behind a carwash; under a Sears distribution center; in a large swampy area close to the Saddle River (which provides drinking water for many Bergen County towns); and under at least six homes. A total of 2.16 million pounds of the waste has been disposed of illegally.

In one of the affected homes, radiation levels this year were measured to be as high as 0.25 millirems (M/rem) per hour, or 250 times normal background radiation for the Maywood community. In the yard behind the house, the levels measured 100 to 300 times normal background. The previous owner, now deceased, had worked for Maywood Chemical during the '40s and had hauled truckload after truckload of the dirt to his backyard to use for cheap landfill.

As for the present danger to the residents of those houses, John Kinnerman of the NRC has said, "I think it's not very serious on a day-to-day basis. That doesn't mean it's desirable, but I think it would be irresponsible for me to say what I don't believe—that they have to leave their houses right away."

Yet in a May 1981 meeting with the New Jersey Department of Environmental Protection, the federal Department of Energy and the Environmental Protection Agency, the NRC's director of safeguards and radiological safety told officials present that he would not recommend the most contaminated house for continued occupancy. Its present



New Jersey has already had its share of clean-up woes. Here, workers in Elizabeth contemplate the results of a chemical explosion.

owners have lived there for six years and have been receiving four times the maximum permissible annual dosage of radiation—the equivalent of about 40 chest X-rays each year for six years.

In contrast to the NRC's public disclaimers, a recent interagency memorandum expressed considerable concern for the public's safety. "We believe," it concludes, "that it would be in the public interest for the NRC to make whole body counting [of radiation dosage] available to the residents in the vicinity

of Stepan Chemical Company." But this project would cost the NRC up to \$200,000 every three months, and could set an expensive precedent for other areas of the country with radiological problems.

Bergen County's water supply is also endangered. A 1961 Atomic Energy Commission memorandum noted that "A mound of 170,660 pounds of thorium phosphate is stored in the open, adjacent to the main roadway of the plant. ...The mound is adjacent to a marsh area, which drains into the Saddle River, part of the drinking-water supply of Bergen County." (The Hackensack Water Company, which services 60 towns in northern New Jersey, draws heavily from the Saddle River.)

Though thorium is not water soluble, radium (the first radioactive decay product of thorium) is, and it and its gaseous relative, radon (once called thoron), are automatically released by decaying thorium. Radium is a well-known agent of bone cancer and leukemia, and airborne radon is a leading source of lung cancer among uranium miners. (At one time thorium, now used chiefly to make gas lanterns glow, was injected into patients' veins to make their bones or organs glow, until it was recognized that this means of diagnosis could prove lethal.)

## The Manhattan legacy.

Responsibility for the clean-up of the waste—which has also been found in the towns of Hackensack and Lodi and, according to one NRC report, under a Paramus shopping mall that serves 30,000 people a day—has been shifted from one agency to another. The NRC is not legally empowered to take action. The Environmental Protection Agency also does not cleaning up. According to Jeff Risberg, an aide to Rep. Marge Roukema (R-N.J.), the federal Superfund will be so difficult to funnel into the state

that the much smaller New Jersey Spill Fund is a more realistic option.

One of the many ironies of the Maywood case is that Rep. Roukema, who has been prodding the federal agencies to clean up her district, is a pro-nuclear, conservative Republican.

But perhaps the most far-reaching irony is that the Maywood wastes, first produced during World War I when the German supply of thorium had been cut off, may ultimately be disposed of as a consequence of the Manhattan Project during World War II. Scores of millions of tons of radioactive wastes were generated during the production of the first atomic bomb, and there are still 460 contaminated sites across the country. So far the Department of Energy has chosen only 34 for decontamination.

Four sites are contaminated in New Jersey alone, and one of them, according to Sierra Club staff physicist Marvin Resnikoff, may be used as a political lever to open up a nine-state regional dumpsite in the state. The uranium ore sampling plant at Middlesex was one of the three main storage sites for uranium imported from the Belgian Congo and Canada for bomb manufacture. Radiation levels just south of the plant now measure 1,847 times background, and there are 27 irradiated sites nearby, including seven houses and the rectory of Our Lady of Mount Virgin. But the Department of Energy will clean up these sites only if New Jersey agrees to find what amounts to permanent storage of the wastes from all four sites within its borders. The state has signed an agreement to that effect with the Department of Energy's Formerly Utilized Sites Remedial Action Project (FUSRAP, pronounced either Fuse-rap or Fuzz-rap).

FUSRAP director Ed Delaney and an attorney for the New Jersey Department of Environmental Protection, agrees that, once opened, such a dump site, while intended for military wastes only, could

## Federal clean-up help may hinge on New Jersey's accepting new dump sites for military wastes.

also be used for commercial wastes. (The Department of Energy handles all military wastes from atomic submarines and airborne warheads and the like and already has seven disposal sites of its own.)

Two grim precedents exist for such joint ventures by the military and commercial industries. In Canonsburg, Pa., a residential and commercial town 23 miles from Pittsburgh, the Vitro Corporation of America, one of the big uranium contractors for the Manhattan Project, dumped 200,000 tons of radioactive material into a lagoon and onto ground that was later covered by an industrial park. Radium levels 3,000 times federal standards were later found in the lagoon, which drains into the Ohio River, a source of drinking water for several communities downstream. The Atomic Energy Commission gave Vitro permission for the dumping without any legal authority to do so in 1965.

And in Lewiston, N.Y., eight miles north of Niagara Falls, African Metals, a subsidiary of a Belgian company, was permitted to dump 20,000 tons of uranium ore into reservoirs at an old WWII factory. Monitoring of surrounding water began only in 1979, and no reliable results have yet been released. African Metals still holds a lease in Lewiston, and expects to leave when it expires in 1983.

Ann Spanel has organized the New York State Coalition Against Radium Mining. Linda Sachs and Marvin Resnikoff assisted in the preparation of this article.

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