

By David Moberg

**T**HE UNITED MINE WORKERS' NINE-MONTH battle with Pittston Coal—one of the most varied, innovative and militant labor struggles in recent decades—has tentatively ended in what appears to be a mildly qualified victory for the miners.

Late last week lawyers were still arguing over final language of the still-secret pact, and there are several big hurdles to jump before the contract will even be submitted to the 1,900 United Mine Worker (UMW) strikers and to qualified laid-off workers. Coal analyst Joel Price of the securities firm Donaldson, Lufkin & Jenrette, however, calls the tentative contract "a smashing victory for the union."

If that assessment holds, union members across the country may take inspiration from what the Pittston miners did. Maybe a decade from now—in a wildly optimistic scenario—Pittston will represent for labor in the '90s

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what the air traffic controllers' defeat symbolized for labor in the '80s.

UMW President Richard Trumka started with a sophisticated plan to win public allies and to conduct campaigns of corporate financial, legal and stockholder pressure. When the contract expired in 1988, the union at first did not strike. Then Pittston axed all health care for its disabled and retired miners. The union fought back with a vigorous "inside" campaign, disrupting work enough to prompt Pittston to lay off 200 miners in retaliation.

When the miners went on strike last April, UMW leaders strongly discouraged violence—despite company provocations and massive intervention by state police on the side of Pittston. Taking a page from the civil-rights movement, strikers peacefully sat down in front of mine entrances and coal trucks and submitted to mass arrests. Nevertheless, leaders were not able to suppress some violence such as throwing rocks and flattening tires.

**A broad base:** Miners mobilized mass support from their wives, children and community; local and national clergy; and other unions. Some 40,000 supporters—including a European labor delegation on an unprecedented visit—flocked to Camp Solidarity, a union-run kitchen, campground and rallying point in the Virginia coalfields. Other coalminers walked off the job in an industrywide sympathy strike last summer. Ninety-eight miners and a minister seized a Pittston coal plant near Carbo, Va., for four days last September, with thousands of supporters protecting them by peacefully blocking entrances to the facility. District union President Jackie Stump won a stunning write-in election victory to the Virginia state legislature, and the union brought the rest of the coal industry behind a bill introduced by Sen. Jay Rockefeller (D-WV) that would have forced Pittston to comply with a key union demand.

The Rockefeller legislation combined with international embarrassment may have been what finally forced Labor Secretary Elizabeth Dole to intervene last October by appointing veteran mediator William Usery, who brought the negotiators to terms by New Year's Eve.

There were four central points in the dispute: retiree benefits, health care, job security and, to a lesser extent, work rules. But

# Innovative Pittston strike nears end



Striking miners and supporters at a rally in July. The miners donned camouflage as an unofficial uniform during the nine-month Pittston battle.

before miners will vote on—or even see—the contract, a massive, tangled web of litigation and fines must be dissolved. Foremost is the unprecedented \$65 million in fines assessed against the union, mainly by Virginia Circuit Court Judge John McGlothlin. McGlothlin fined the union from \$100,000 to \$500,000 for each in a long list of rock-throwing and highway-"roving" incidents that involved unidentified people in camouflage—even though no arrests were made and police admitted that some of their undercover officers worked in "camo," the strikers' unofficial uniform.

This week the company and union are expected to ask McGlothlin to rescind the fines. Although conservatives rail against what they see as leniency for union lawlessness, county officials—to whom much of the money is owed—have said they want the penalties dropped.

In addition to the fines, dozens of actions by both the company and the union before various courts and the U.S. National Labor Relations Board, as well as some remaining felony and misdemeanor charges, remain unresolved. Although it is not unusual for labor settlements to dissolve all litigation, the Pittston controversy is extremely convoluted and Pittston is reportedly dragging its heels. Contract approval and a resumption of production—now cut by as much as two-thirds—are hostage to these still-chancy legal settlements.

**Crucial step:** Before the miners vote, the contract must be approved by the five trustees of the industrywide pension and health funds for retirees, since the contract departs from the national contract negotiated with the Bituminous Coal Operators Association (BCOA).

As part of a deal to permit rapid mechanization of the mines after World War II, former UMW President John L. Lewis negotiated an industrywide fund to provide pensions and

health care to miners. For legal reasons, the 1950 fund was divided into separate pension and health funds, and in 1974 new funds were established for all miners retiring after 1976. After an 111-day strike in 1978 to defend the industry funds, the 1974 fund was changed to protect only "orphan" miners—those whose employers had gone out of business—while individual companies covered their own retirees.

Both of the pension funds have been financially solid. The UMW agreed to end payments to the 1950 pension fund in its 1988 BCOA industry agreement, saving employers \$1.11 in payments per ton of coal mined. But the 1950 health fund, which covers about 118,000 retirees and widows, is now running a \$50 million to \$60 million deficit, and coal companies are fighting the fund trustees' demand for increased payments. Company efforts to dodge health-care responsibility for retirees have provoked most of the union's bitter strikes in recent years. Now the 1974 health plan is also running into financial trouble. The problems: quickly escalating health-care costs and a sharp drop in coal employment as a result of rapid productivity growth and steel-industry decline.

Pittston wants out of the funds, but miners think separate company plans would destroy comprehensive retiree protection. Under the new agreement, Pittston reportedly will make annual lump-sum payments into the 1950 health fund instead of following the standard formula for hours worked and tons mined. As one union official said, "Pittston's out of the formula but not out of the fund." The big questions for the trustees and miners are whether the new contract will adequately enforce Pittston's obligations and whether it could threaten the fund's future integrity.

Rockefeller, the UMW and the BCOA will all continue to press for federal legislation, which will undoubtedly be influenced by a new commission appointed by Dole to inves-

tigate health care for retired miners. The industry wants to transfer the estimated \$200 million surplus in the 1950 pension fund to cover health-fund deficits. The union has insisted, however, that legislation mandate continued payments by all earlier signatories of the fund—a provision that could be jeopardized, depending on how Pittston's deal is interpreted.

The union successfully fought attempts to cut active miners' current 100 percent health-care coverage, according to all reports. There are some reports of a modest increase—from \$5 to \$20—in deductibles, but one source said that Pittston plans to pay each beneficiary \$500 every six months to cover the first \$500 of health-care costs or to pocket it if not needed. The company—mistakenly, the union believes—thinks the plan will save money by being an incentive to use health care less frequently.

The union also claims to have won new job-security protections that cover leasing, subcontracting and other matters at union mines consistent with the industrywide BCOA contract.

**A tentative victory:** It looks like the union can reasonably claim it has preserved the basic outlines of a national contract, despite continued industry fragmentation. Under Trumka, the UMW has resisted any concessions while seeking to stabilize the industry and permit growth in efficiency. UMW spokesman John Duray says the union believes health-care costs must ultimately be socialized through national health insurance. But until then the union is willing to fight tenaciously for health care for miners, active and retired.

UMW research director Michael Buckner warns, however, that unsolved health-care problems may disrupt the industry. "If people's grandmothers lose benefits," he said, "they're not going to be too happy about going to work."

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By Paul Hockenos

CLUJ-NAPOCA, ROMANIA

**I**N THE LIBERTATII SQUARE, AS DUSK SETTLES ON its faded pastel facades and knotty pines, people begin to gather around memorials that mark the sites of their revolution's casualties. Perched in Christmas trees, amid tinsel and strips of black cloth, candles flicker in the subzero wind, illuminating weathered photographs of the victims and poems in their honor. At the same time, two weeks after troops opened fire on demonstrators here, the mood in the streets is light. In contrast to the days of the dictator, neighbors chat freely in their native tongue and students shout to one another across the 16th-century marketplace.

Over the old party headquarters on the 22nd of December Street, formerly Lenin Avenue, the Romanian flag hangs with a neatly cut hole at its center, where the emblem of the socialist republic once stood. Now the heavily guarded Transylvania branch office building of the National Salvation Front (NSF) is the seat for the Cluj interim leadership. Inside, bustle and disorder, the civilian sentries and the spirit of camaraderie invoke images of 1917, the twisted legacy of which Romanians are now trying to rectify.

The government's overthrow unfolded here as it did throughout the country. On the evening of December 21, after the army's defection, party functionaries fled before emboldened demonstrators stormed the building. The regional party secretary, still convinced of the regime's infallibility, was arrested before he could address the furious crowd from his balcony. Demonstrators burned portraits of Nicolae Ceausescu—one in every room—and emptied the well-stocked pantry, but left the bureaucrats' offices and documents untouched.

## Rooting out the regime and building a democracy

With smashed windows and office door name plates covered over with cardboard, the interim body has lost no time setting about its daunting task. The leadership, which consists entirely of local dissidents, has taken over responsibility for the county until the April election. Ethnic Hungarians, a quarter of the region's population, hold proportionate representation in the new administration. At the top of their agenda is the distribution of food and international aid to schools, hospitals and factories, as well as the democratic reorganization of the city's social institutions. Specialists, from social workers to ecologists, have been brought in as advisers.

"We're checking the biographies of every person here very carefully," explains Mircea Puscă, vice president of the Cluj NSF. Puscă, a 34-year-old technical engineer, was harassed by the Securitate, Ceausescu's paramilitary police force, for years before he finally lost his job last May. "The old leaders are known," he says, "but at another level, bureaucrats continue to hold their old jobs, and, of course, their old politics too. We've got to be so thorough that there is no chance that they can come back. We owe that to those who have died."

**In the beginning:** The problems facing Romania's second-largest city attest to the enormity of the project ahead of the country. "All the figures here were lies," says Puscă,

through eyes bloodshot from consecutive sleepless nights. "The numbers say we've got 8,000 kilos of meat, for example, but in fact we have only 2,000. The people need food

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immediately, and they won't wait for long. But now we have to start from the beginning."

At the national level, the Cluj NSF is formulating proposals for the country's transition to a constitutional democracy. Their articulate representative is Doina Cornea, 60, one of the country's best known and most outspoken dissidents. Cornea, a lecturer in French at Cluj University before her dismissal, openly opposed the Ceausescu regime since the early '80s, writing essays and letters condemning its repressive policies as well as the public's apathy.

### In contrast to the days of the dictator, neighbors chat freely.

Romania must work toward an "absolutely democratic society" with full individual freedom and human rights, says Cornea, who, living under house arrest, had a Securitate agent posted on her doorstep since 1986.

This country "has had Stalinism imposed upon it for 40 years. It's an illusion to think that the worst system, and the worst system only, was Ceausescu's. It's through communism in general that we forgot how to think. Now is the time to make a clear break with that."

Cornea, like the majority of opposition figures, advocates a Western-style democratic state based on private ownership and competition. The country is not in a position to experiment with new systems, she says. "Romania should at least take back the position that it held in Europe before the war." That implies cultural, economic and technical collaboration "with the West, not the Soviet Union."

Although an original member of the national NSF, which took power immediately upon Ceausescu's fall, she, as well as the Cluj administration, is critical of the Bucharest leadership. The national government includes many former party members, and underneath it a large bureaucracy left over from the dictatorship. They have no democratic tradition behind them, she argues. "Those of us who want a democratic system have to fight against those who had power in their hands before," she says, referring to the bureaucracy. "They are still strong and have a lot of political experience, much more than we do."

Just back from Bucharest, the veteran oppositionist expressed her skepticism about the direction of the NSF, which had intended only to serve as a transition government. "I made it clear that if the front becomes an electoral party, then I'm stepping out," explains Cornea, a member of the Eastern-rite Catholic Church who associates herself with the National Peasants Party. "I don't want to wake up and find myself in a communist