

RESTRUCTURING THE WATERFRONT AND THE GEOGRAPHICAL PRACTICE OF THE INTERNATIONAL LONGSHOREMEN'S ASSOCIATION

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Best Graduate
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ABSTRACT: Within a decade of its introduction to the New York/ New Jersey waterfront in the mid-1950s, containerization transformed longshoring from a labor intensive to a capital intensive industry. As a result, thousands of dockers who had historically worked the waterfront were displaced. In response, the International Longshoremen's Association forced a series of restrictive work practices upon waterfront employers. Significantly, the dockers' union adopted a deliberate geographical strategy to confront the threat posed to its members' livelihoods by technological innovation, namely the exclusion of certain types of work practices within a 50-mile radius of the Port of New York. This forced several employers to reorganize their own geographical structures. The paper uses the example to argue for a closer analysis of how the actions of trade unions structure industrial geographies.

This paper arises out of a personal dissatisfaction with the way in which labor has been conceptualized in economic geography. My basic concern is that geographers, whether in the neo-classical tradition of the 1950s and 1960s, or the critical tradition of the 1970s and 1980s, have largely told the story of capital. Whilst this is hardly surprising of the positivist, neo-classical tradition—a tradition which has been widely and thoroughly critiqued for too often appearing to be subservient to the economic and political ambitions of corporate America and/ or the state (e.g. see Massey 1973 for an early critique)—it is perhaps a less forgivable transgression amongst those who have sought to critique that very tradition and instead develop more radical traditions in geography.

Henri Lefebvre (1974, 1976) was one of the first theoreticians to examine the link between the production of space and the survival of capitalism, or, in other words, how capitalists produce unevenly developed geographies as a consequence of the fundamentally spatial nature of competition and the pursuit of profit. Lefebvre's seminal work laid the basis for much of the pathbreaking theoretical and empirical investigation of the 1970s and 1980s which sought to show that not only was space socially produced but that it did not have an ontological status separate from, and prior to, the economic and political relationships which produced it (e.g. see Harvey 1982; Smith 1984). Yet such work, whilst based in a political critique of the production of capitalist geographies, largely examined those geographies from the very perspective of a pro-active capital, often condemning labor to a marginal footnote in the development of the industrial landscape. If labor has been stripped of any active qualities by the descriptive terms in which it is conceptualized by the neo-classicists, viewed as merely a "factor" influencing industrial location, it has fared little better with the Marxists who have marginalized workers' role in creating space in the face of the powerful machinations of capital accumulation.

The paper seeks to redress some of this imbalance. Specifically, it argues for a different conceptualization of labor in economic geography, one in which the geographical practices of

working people are fundamental to the production of space. Such a "labor geography" moves beyond mere taxonomy to examine how workers actively shape the landscape through their political struggles (see also Herod 1991). Using a brief empirical study of the response of the International Longshoremen's Association (ILA) dockers' union to the massive job losses on the New Jersey/ New York waterfront brought about by the adoption of containerization, I show that not only did the union adopt specifically geographical strategies to protect its members from job loss, but that those actions were crucial in the creation of a new waterfront landscape.

RESTRUCTURING EMPLOYMENT RELATIONS ON THE WATERFRONT

During the past three decades mechanization in general, and containerization in particular, have radically transformed the geography of work on the New York/ New Jersey waterfront. Work on the piers had historically been extremely labor intensive. Low levels of capital investment required moving all solid cargo (with the exception of bulk commodities such as coal or grain) through ports on a piece by piece "break bulk" basis (Larrowe 1955; Jensen 1964). However, after World War Two a number of steamship companies (most notably Sea-Land Services) began to experiment with containerization. By packing cargo into standardized containers, shippers sought to negate the need to physically rehandle each piece of cargo at traditional break bulk points. The new technology drastically increased labor productivity and so diminished the need for labor. The decasualization program initiated in 1955 by the Waterfront Commission of New York Harbor further removed thousands of part-time dockers from the port's employment rolls (Levy 1989). Whereas over 35,000 dockers had worked the waterfront in 1954, by 1988 the number had fallen to 8,000 (Waterfront Commission 1989).

Containerization not only reduced the number of dockers required to move any given amount of cargo, but it also allowed greater locational choice over where the work of packing and unpacking containers could be done. By its very nature, break bulk cargo handling had historically been conducted at the pier where ships docked. However, cargo could now also be packed at inland warehouses because it was only necessary to handle the containers themselves, rather than the individual pieces of freight they carried, at the port. This allowed employers to take advantage of cheaper warehouse labor away from the waterfront, a practice which led to the rapid growth of off-pier "consolidating" facilities, facilities in which cargo belonging to several owners would be packed into a single container in order to obtain cheaper transportation rates than were possible if each owner sent their goods by individual truck.

The ILA's response to the massive employment dislocation brought about by the transformation of its traditional work, both in terms of the amount of work available and its geographic location, was to seek job security for those who remained in the industry, whilst at the same time ensuring that displaced dockers were provided for financially. As technological innovation and the growth of off-pier consolidating threatened to destroy its members' jobs, the ILA adopted two strategies which it hoped would ensure these goals were met.

First, the union negotiated a series of contract provisions aimed at preserving work. Perhaps most controversial of these, certainly judging by the amount of litigation to which they have been subjected, have been the "Rules on Containers." The Rules reserved for the union the right to pack ("stuff") and unpack ("strip") certain types of containers within 50 miles of ILA-represented ports. Second, whilst maintaining that it was not against the notion of technological innovation per se but that it did oppose the burden of such change falling entirely

on its members, the ILA secured a series of benefits for displaced dockers which included a Guaranteed Annual Income (GAI) program. The GAI allows senior dockers to opt for pay without work, ensuring a full annual wage for those eligible to receive it (DiFazio 1985).

NEGOTIATING THE IMPACT OF CONTAINERIZATION ON DOCKERS

For several years after the introduction of containerization to the waterfront, the ILA and the employers (represented by the New York Shipping Association [NYSYA]) had wrestled with the issue of how the new technology would and should reshape historical work practices. Based on what it perceived to be traditional work demarcations, the union initially had demanded the right to stuff and strip all containers at the pier. The NYSYA, on the other hand, contended that in order to take full advantage of this new technology the movement of containers had to be allowed without any union hinderance. The issue had been at the forefront of drawn out contract negotiations in 1959 which were only finally concluded after arbitration and an 80-day "cooling off" period ordered by President Eisenhower under powers laid out in the 1947 Labor-Management Relations ("Taft-Hartley") Act. Finally, the two parties had agreed that containers carrying cargo belonging to a single shipper or consignee (called Full Shipper Loads [FSLs]) would be permitted to move through the port freely, whereas containers holding cargo consolidated from several shippers or consignees (called Less Than Container loads [LCLs]) would be worked at the pier by ILA dockers (ILA-NYSYA 1959).

Despite this settlement, strife in the form of wildcat "quicky" strikes continued to plague the waterfront, largely because of the differing interpretations made by the ILA and the NYSYA concerning the precise nature of the provisions laid out in 1959. For instance, whereas the NYSYA maintained that the 1959 settlement applied only to containers belonging to its employer members --which would leave open the possibility that individual steamship companies could leave the NYSYA as a means to evade the agreement-- the ILA claimed that it applied to all containers passing through the port (Anon 1973).

Throughout the 1960s, the use of containerization became increasingly more widespread. In 1966 less than 3% of break bulk cargo had been moved through the Port of New York in containers. By 1968 that figure had jumped to 12% (Ross 1970). Worried about the effects this growth would have on its members, at its July 1967 convention the union returned to its earlier demand that ILA dockers stuff and strip all shipper-owned and leased containers at the pier. When its contract with the NYSYA expired in October 1968, the union called a coastwide strike from Maine to Texas in support of its claim. The NYSYA, keen to preserve the unfettered movement of FSLs which the 1959 settlement had guaranteed, also returned to its earlier position.

THE RULES ON CONTAINERS

In January 1969 the ILA and the NYSYA attempted to settle their outstanding differences over containerization by adopting the "Rules on Containers." The most crucial element of this agreement concerned the stuffing and tripping of containers carrying consolidated loads --the LCLs. The Rules provided that if such containers were to

"stuffed or stripped within a radius of 50 miles of the local port area by anyone other than the employees of the beneficial owner of the cargo --that

is, [if they were to be worked] by employees of consolidators, warehousemen, etc.-- the work instead must be performed at the piers by ILA labor" (NYSA-ILA Settlement Terms 1969).

The Rules, then, guaranteed the ILA the right to stuff or strip at the pier all LCL containers coming from or destined to points within 50 miles of the port. The union was able to enforce this provision by the fact that the containers were owned by the steamship companies who could dictate the conditions under which they were supplied to the off-pier consolidators. If such a container arrived at the pier pre-packed (i.e. if it had been stuffed at an off-pier consolidating facility within 50 miles of the port), ILA members were entitled to strip it and restuff the contents into a different container. In such instances, the steamship companies were responsible for ensuring that containers were not accepted for transportation or released to consignees until the required stuffing and stripping had been done. The union was empowered to enact a \$250 (later increased to \$1000) liquidated damages provision for each and every such container scheduled to be worked at the pier but which the employers allowed to pass through the port in violation of the Rules (Federal Maritime Commission 1987). As might be imagined, the implementation of the Rules stimulated a deluge of litigation, not by the NYSA which had (however reluctantly) agreed to the union's restrictive work clause, but by off-pier consolidators who saw the Rules as a direct attack on their business. Indeed, in the legal entanglements which followed, the NYSA would actually support the ILA in its defence of the Rules over and above the challenges posed by off-pier consolidators, out of fear that the invalidation of the Rules would lead the union to engage in costly strikes tying up shipping all along the Atlantic and Gulf coasts (as had happened in 1968). As this example illustrates, the introduction of new technology cannot simply be conceived in terms of an assault on labor. Not only is the introduction of new technology an arena of conflict between capital and labor, but it can also lead to unexpected cross class alliances and intra-class disjunctions as both workers and employers renegotiate their own positions within the boundaries of new political possibilities.

Opponents of the Rules sought to have them overturned on the basis of two issues. First, that they violated relevant labor laws, most notably the Taft-Hartley Act's proscription of secondary boycotts in which third parties (in this case the consolidators) who are not signatories to a collective bargaining agreement are nevertheless impacted adversely by such a contract. The consolidators thus argued that the ILA was using the Rules as a means to acquire illegally consolidators' work to which the union was not entitled (ILA, 221 NLRB 956 [1975]). Second, that the Rules represented a discriminatory practice under the 1916 Shipping Act because they treated containers differently depending upon whether they originated from or were destined to points beyond 50 miles from the port (Federal Maritime Commission 1987). As a consequence of this legal history, the Rules were not enforced constantly between 1969 and 1989 (when they were finally abolished by the Federal Maritime Commission as discriminatory under the Shipping Act) but, rather, were in operation periodically depending upon the current status of litigation.

THE ILA AND THE PRODUCTION OF SPACE

The introduction of containerization led to a fundamental restructuring of employment relations on the waterfront. But this is not to say that the transformation of the waterfront's contemporary industrial landscape has been the sole dictate of capital and the shippers who introduced this new technology. The ILA's political struggles to mediate the impacts of mechanization on dockers have also been fundamental to the production of a new geography

of work. Through enforcement of the Rules on Containers' restrictive provisions, the ILA sought to control where certain types of containers could be stuffed and stripped in an effort to halt the growth of off-pier consolidating which, it claimed, had been taking work away from the New York waterfront. This had a number of consequences for the production of the new waterfront landscape.

Perhaps most directly, the Rules' enforcement led to the closure of several off-pier warehouses which had been used to consolidate LCL containers. One such example is the experience of Mahon's Express, a family-owned trucking business in Newark, New Jersey. Before the implementation of the Rules, Mahon's had operated three off-pier facilities. However, in 1975 the steamship carriers refused to handle containers which had been stuffed at Mahon's off-pier operation. The loss in business caused the company to cease operations at two of these warehouses (Mahon 1984). More directly, the ILA forced two steamship companies (Seatrain and Sea-Land Services) to close a number of their own facilities away from the waterfront which had been used to consolidate LCL cargo (Novacek 1973; Dickman 1973). As a result of union pressure, these two companies were forced to confine their stuffing and stripping operations to the waterfront area where ILA dockers could do the appropriate work.

A second consequence of the ILA's enforcement of the Rules was the decision of several off-pier consolidators to move their operations beyond the 50-mile radius in order to evade the union's stuffing and stripping regulations, clearly an example of the unintended consequences of the union's actions conspiring to undermine its policy of retaining work for its members. Several companies rerouted freight through southern ports (particularly Jacksonville, Florida) to be handled by non-union dockers, with the cargo then hauled by road to its final destination (Lee 1980). Still others reorganized their distribution systems, using private warehouses that were not subject to the Rules' provisions rather than the public ones which came under their ambit (McNeil 1983). This, too, fundamentally helped reshape the geography of which work was done where.

The above vignettes illustrate some of the ways in which the enforcement of the Rules on Containers directly impacted the waterfront landscape, but also how different off-pier consolidators sought to avoid their provisions, avoidances which in turn themselves led to the creation of new geographies of work. Whilst not exhaustive by any means, they are suggestive of the many ways in which the union's ability to force a work preservation agreement on the employers helped regulate the location of where certain types of work were conducted.

CONCLUSION

Significantly, the ILA adopted a deliberate geographical strategy to confront the threat posed to its members' livelihoods by containerization. The legal and political conflicts between supporters and detractors of the Rules largely centered on these two groups' struggles to reconstruct their own work traditions in such a way as to lay claim to the contemporary work of stuffing and stripping containers. But these conflicts have also fundamentally been struggles over the production of new industrial geographies in response to the restructuring of traditional patterns of employment conditioned by technological innovation. By forcing shippers to change their patterns of cargo distribution and warehouse utilization, the ILA played an active role in shaping how the geography of work evolved as the longshore industry was restructured.

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