



# Railroad Workers United

**Unity – Solidarity – Democracy: The Rank & File in Action!**

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## Railroad Workers United Resolution of Support for the Borax Miners

**Whereas:** The Rio Tinto Corporation is waging an all-out attack on the miners represented by the International Longshore & Warehouse Union in Boron, California; and

**Whereas:** Rio Tinto has locked out the ILWU Local 30 members who have refused to sign a contract that virtually destroy everything the workers have fought for over decades of struggle demanding the following concessions:

- The power to convert full-time jobs, whenever management wants, into part-time positions with little or no benefits.
- Authority to reduce employee pay, any time the company wants, regardless of the contract wage rates and without any right of workers to file a grievance.
- The ability to outsource all jobs, any time it wants, to contractors and temp agencies that pay low wages and provide little or no benefits, without any right to file a worker grievance.
- If Rio Tinto violates any state or federal labor laws, which it has already done, workers would be required to pay for the company's legal penalties, fines, damages and even attorney fees.
- The unlawful discrimination against military personnel by denying them seniority credit for military service if they've served in the Armed Forces for less than one year or for more than four years, which constitutes a violation of federal law (USERRA). Also among the company's demands is the elimination of the Veteran's Day holiday starting in 2011.
- The removal of scores of workers from the union contract and power to declare entire sections of the plant to be "non-union" areas where employees could be fired at any time, for any reason, or for no reason at all.
- The ability at any time to change shifts, hours and work assignments, and impose mandatory overtime, with no scheduled days-off or regular shifts, making life impossible for families.

- Require workers to give up their Constitutional and legal right as Americans to go to court if the foreign-owned company discriminates based on race, sex, age, disability, military status or religion, or if it violates any other state or federal laws, including the U.S. Civil Rights Act, FMLA, ADA, ERISA, FLSA.
- Under the Rio Tinto lockout contract, all legal rights would be transferred from American courts to a private arbitrator, which the company gets to pick in at least half the cases.
- Authority to eliminate long term disability coverage for any new employee, which protects workers -- and provides economic security to families -- when an employee is injured and can't work.
- The drastic reduction of retirement benefits for current employees, and the total elimination of pension benefits for new employees who would only get a small 401(k) contribution.

**Therefore, be it Resolved**, that Railroad Workers United, recognizing that a defeat for the miners would be a defeat for all labor, pledges full support to the ILWU and the locked out miners at the Rio Tinto Corporation; and

**Be it Further Resolved** that Railroad Workers United calls upon all rail unions to support the Borax miners by using the power that rail workers can wield in the transportation industry.

***This Resolution adopted by the members assembled at the RWU Second Biennial Convention Friday, April 23rd, 2010 in Dearborn, Michigan***