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Striking a new tone

Appealing to the public, unions trade their pickets for banners

By Joe Morris

Business Editor

You may have noticed that labor disputes aren't what they used to be. Organized labor certainly hopes you have.

"Picket lines tend to get attention only when trouble happens," said Scott Brewer, service representative for the Mid-Atlantic Regional Council of Carpenters in Charleston. "We get a lot of bad publicity."

That's one reason why Brewer's and other construction-oriented unions in the state have lately been trying something else when nothing's being served on the bargaining table.

They're unfurling 20-foot banners in front of construction sites they feel have unfairly shut out unions, appealing directly to the public instead of confronting employers or contract workers with pickets. Two union members are usually posted with the banner, waving to passing traffic, dispensing leaflets and feeding the union line to the curious.

"Bannering," as the practice is called, "is a fairly new tactic for us," Brewer said.

Last month, the Carpenters planted their first banner, reading "Shame on Panera Bread," on the Southridge Centre lot where the bakery chain is building a restaurant. A second banner, manned by local members of the Laborers International Union, went up this month in front of the future office of cardiologist John L. Goad on Chesterfield Avenue in Kanawha City.

Both Panera owner Covelli Enterprises of Canton, Ohio, and Goad picked contractors paying "poverty wages" for their construction jobs, Brewer charges. Neither Covelli nor Goad returned calls for comment.

With bannering, "the idea is to inform the public of the owner's activity," said Steve White, director of the Affiliated Construction Trades Foundation, an umbrella group for West Virginia construction unions. "The audience is more for the general public and the decision-makers" than employers.

The decision to appeal to the public stems from the growing rootlessness of the construction labor force, according to White.

“Work forces are a lot more mobile now,” he said. “Years ago, people couldn’t travel as far to work sites as they can now, so the message of ‘local jobs for local people’ isn’t as effective; boundaries don’t matter as much.”

But when the dispute is framed in broader social terms of paying people livable wages — a matter of “shame,” as the banners put it — then, the unions reason, the general public has a stake, or at least some emotions to be played upon.

“The folks that are using these services, they do have the ties,” White said. These companies “want us to patronize them, but why should we?”

Though new to area unions, bannerings has been around for a long time, said Earl Ledford, a lawyer for the National Relations Labor Board in Cincinnati. “It’s really an offshoot of handbills,” he said, though he added that recently unions across the country have been employing it more.

In the most eye-catching examples, frequently seen in big cities, the protesting unions deploy giant inflatable rats instead of, or in addition to, banners, Ledford said. “We don’t have plans to use the rat,” White said.

The key legal issue that bannerings poses, according to Ledford, is whether those involved ever cross the line into picketing, which would happen if they blocked access to the site. Picketing contractors, as opposed to picketing the employer handing out the work, is generally forbidden by labor law.

So far, the Kanawha County bannerings haven’t crossed that line. On the contrary, Brewer said they’ve proven extremely successful.

Last week, in fact, the Carpenters reached terms with Covelli and called the bannerings at the Panera site to a halt. Covelli vowed that it would employ workers from the Carpenters and Laborers unions in its future construction in West Virginia, where more than 22 stores are in the works, Brewer said.

The bannering “was very instrumental” in reaching the deal, Brewer said. Covelli executives “claimed they didn’t even know this was happening.”

Meanwhile, new bannerings, some in Kanawha County, may be mounted before long, Brewer said. And the protest at Goad’s construction site also goes on. “The first two or three days there, we handed out around 500 handbills,” he said. “It’s been very positive.”

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