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If We Can Change the White House, We Can Change the Hog House

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Smithfield workers and supporters gather in a Williamsburg, Virginia church, in August 2007, prior to a protest at Smithfield's annual shareholders meeting.

IF WE CAN CHANGE THE WHITE HOUSE, WE CAN CHANGE THE HOG HOUSE

ON DECEMBER 11, 2008, FORTY-SIX HUNDRED MOSTLY BLACK AND LATINO Smithfield Foods slaughterhouse workers in Tar Heel, North Carolina voted to join the United Food and Commercial Workers Union (UFCW). They ratified their first union contract the following July, after a sixteen-year fight against one

of the most insidious anti-union employer campaigns in recent decades. The victory was the result of both a national campaign to win public support and a persistent on-the-ground organizing program. This article will focus on the successful in-plant organizing segment—the largest victory in UFCW history.

SMITHFIELD'S HISTORY

THE 1992 CONSTRUCTION OF THE MIL-lion-square-foot Tar Heel hog plant marked a transformative moment for both Smithfield and the pork industry. The plant was designed to enable workers to kill more than thirty-two thousand hogs a day (Smithfield raised its own supply of eight million hogs a year

for the plant in the surrounding rural counties). This provided Smithfield with a competitive advantage referred to as “vertical integration,” described by the company as a way to control production “from the squeal to the meal.”

Workers immediately began to organize.

Smithfield Foods expanded—nationally and internationally—over the next fifteen years by acquiring a series of profitable companies in the Midwest, leaving the unions, the well-known product brand names, and the existing management teams of the newly acquired companies in place. By 2008, more than half of Smithfield's thirty-six thousand pork-plant workers were under union contracts—mostly with the UFCW—and Smithfield became the

largest pork- and turkey-producing company in the world, with \$12 billion in revenues. But CEO and Chairman of the Board Joe Luter III, grandson of the company's founder, believed that if the massive Tar Heel plant went union, there would be a dramatic balance of power shift between the UFCW and Smithfield. And he was determined to prevent that from happening.

THE CHALLENGE OF MOBILIZING WORKERS

TWO NATIONAL LABOR RELATIONS BOARD (NLRB) elections lost by the union, in 1994 and 1997, were overturned by the NLRB due to Smithfield's flagrantly illegal acts of misconduct. In June 2006, the UFCW expanded the Justice@Smithfield campaign into both a national media-focused and a community-based campaign to mobilize consumer and public support for the Tar Heel plant workers, to convince Smithfield to agree to a set of rules for a free and fair election that went beyond those required by the NLRB. The UFCW thus found itself faced with a contradiction common to comprehensive organizing campaigns: how do you actively engage workers in an open-ended fight for a free and fair process when there is no election scheduled?

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Then there were other daunting challenges:

- A workforce of nearly five thousand people—with a turnover rate as high as 100 percent—and a one hundred-mile-diameter

area within which workers lived (and frequently moved).

- Leaders and activists who were regularly fired or who just moved on out of fear or hopelessness, or out of exhaustion from the unrelenting daily pace of the work.
- Constantly shifting demographics within the workforce, which was largely made up of rural Mexicans and African-Americans who had little personal or family union experience.
- Black and Latino workers who were divided by a language barrier, cultural differences, and company-fueled manipulation tactics.
- An inexperienced organizing crew made up of former plant workers and new organizers.

There was no clear blueprint. In fact, some influential staff members and leaders within the UFCW argued that the local, on-the-ground efforts weren't important and success would instead hinge on the work of the national campaign. Many in the UFCW remained skeptical that Tar Heel would ever be unionized.

The Tar Heel campaign needed an activist core of at least one hundred people at any given time to maintain a visible local presence. The in-plant campaign focused on developing leaders, activists, and activities to challenge the company's authority, minimize the plant workers' fears, win some immediate demands (to "act like a union"), and keep constant pressure on the company. Leaders were challenged again and again to prepare themselves for an eventual card check or alternative election process.

As the public consumer campaign went forward, it complemented and supported the in-plant campaign. The Tar Heel workers themselves took their stories about the plant across North Carolina and beyond, in key markets for Smithfield

products, attracting extensive media coverage and broad community support.

Organizers were in constant search of natural leaders—those who could generate a following—and they made ongoing efforts to develop leadership skills in others. To this end, they increased their contact with workers, reassured workers and listened to their concerns, encouraged workers to take a stand, assigned specific responsibilities to leaders, and provided various types of training sessions.

Workers joined in because of the feelings of dignity and respect that came from standing up for their rights and seeing their self images evolve from line workers to activists or leaders. Every worker understood the risks that came with plant activism.

Initially, organizers found very little interest among members of the workforce that (since 1997) had changed from largely African-American to largely Latino—a demographic shift that reflected a national trend within the meatpacking industry. Smithfield took advantage of the 50 percent to 100 percent annual turnover rate by actively recruiting and welcoming increasing numbers of Mexican and Central American workers, as a steady stream of eager Latino workers found their way to Tar Heel. The company was well aware of many of the Latino workers' vulnerable immigration statuses. Smithfield realized that Latinos were less likely to file complaints with regulatory agencies (such as OSHA) or file for workers' compensation—and that they were easier to manipulate on the production line.

The union sponsored a workers' center which helped develop trust over time. It became a valuable resource for workers who needed advice about immigration issues, injuries and workers' compensation problems, wage and hour issues, or unfair firings. The workers' center also served as a social anchor, hosting monthly potlucks, cultural nights, and ESL classes, while also giving the union a public

face in the community. A strong relationship was developed with the local Catholic priest who served as the pastor for most of the Latino workers. Still, the Latino-African-American fissure remained a problem to be solved.

SMITHFIELD'S COUNTER-CAMPAIGN

THE COMPANY RAN A CONTINUOUS propaganda campaign that maligned the UFCW as a “third party.” For the most part, the union ignored these kinds of attacks and instead focused on the specific issues that workers raised and the company continually created.

The floor-level supervisors maintained a regular whisper campaign that exacerbated the cultural and language differences separating the black and Latino workers, telling the blacks that they needed to work harder to prevent the Latinos from taking their jobs; and telling the Latinos that the black workers wanted them out and couldn't be trusted. The stereotypical prejudices about both groups (that were prevalent in North Carolina) shaped each group's attitudes toward each other. Smithfield felt confident that they had a workforce that was unlikely to unify. Smithfield also maintained an aggressive and selectively enforced point system for tardiness and absences, which made it easier for them to fire union supporters under the pretext of sub-par job performance.

Despite the company's opposition, the incredibly difficult conditions inside the plant kept the campaign alive. The pace of the production line was unrelenting, with sixteen thousand hogs killed during each shift. Disrespect, sexual harassment, unfair disciplinary measures and firings, rampant wage and hour violations, and epidemic levels of injuries and workers' compensation violations were constant. Many workers' physical survival was at stake every day. These conditions generated

feelings of anger, resentment, and mistrust of management.

In November 2003, most of the 250 Latino sanitation workers employed by Smithfield's subcontractor QSI walked off the job to protest dangerous working conditions. The UFCW intervened to support the protest and filed unfair labor practice (ULP) charges against both QSI and Smithfield. The union hired one of the fired workers and both this worker and others told the story of repression at events around the country. The NLRB found that QSI and Smithfield—via their company police—physically assaulted, falsely arrested, threatened to call immigration services, and fired workers who engaged in protected activity. In 2006, QSI agreed to provide back pay to fired workers, although Smithfield's legal maneuvering eventually saved them from more serious repercussions.

THE IN-PLANT APPROACH: BUILDING THE ON-THE- GROUND STRUGGLE

IN SPRING 2005 AND APRIL 2006, LATINO production line workers led health and safety battles against the dangerous conditions that they faced. They filed petitions and voiced concerns to the human resources department, with the help of some African-American workers. Although they made limited gains, they got a sense of their potential power to impact production.

On May 1, 2006, Latino plant workers decided to join in on national immigrants' rights activities. Close to five thousand Latino workers and their families—joined by a contingent of African-American workers—marched and rallied in a union-sponsored coalition under the slogan: "Immigrant rights are workers' rights." Both before and during the march through friendly and curious rural black neighborhoods, the union distributed leaflets linking the march

to the legacy of Martin Luther King, Jr. (MLK) and the civil rights movement.

In July 2006, close to one thousand black and Latino workers came to work wearing golden Justice@Smithfield T-shirts, declaring it "yellow fever" day. The union issued a scathing public report, entitled "Packaged with Abuse," about the plant's health and safety violations, and held a dramatic public hearing in nearby Fayetteville with workers testifying before a prominent Workers' Rights Board.

The report revealed that plant workers were expected to continue working in spite of carpal tunnel syndrome, rotator cuff injuries, serious cuts and lesions, and back problems. Some workers lost fingers, damaged limbs, were trampled by hogs, and incurred permanent injuries. They were routinely denied workers compensation and were forced back on the line, while still in pain, in order to avoid being fired. Many workers simply didn't report injuries; but the resulting humiliation created a deep sense of anger and mistrust—and an opportunity for the union to support injured workers' fight for their rights and desire to go public with their stories.

Momentum was building.

THE NOVEMBER 2006 WALKOUT AND ITS AFTERMATH

ON NOVEMBER 16, 2006, CLOSE TO ONE thousand Latino workers walked off the job for two days to protest Smithfield's issuance of one thousand "Social Security no-match" letters and the subsequent firings.

For two days the workers rallied non-stop from early morning until midnight, in front of the plant. The walkout resembled a protest in Mexico more than a U.S. strike, although most of the demonstrating workers didn't seem to have been active in social movements in Mexico. They brought in amplifiers for music,

gave speeches, chanted, and signed union cards. Company security made it very difficult for the union staff to get onto the property. Once UFCW organizers arrived, they provided water, bullhorns, pizza, and regular advice—but the workers remained in charge. A group of at least twenty-five African-American and white union supporters joined the walkout. The Justice@Smithfield campaign broadcast the story across the nation and around the world: courageous Latino workers were standing up to an anti-union and anti-immigrant company.

On the first night of the walkout, fifty Latino and African-American workers met with the union organizers and decided on their demands. They wanted Smithfield to promise (in writing) that it would: withdraw the no-match letters, rehire all fired workers, impose no penalties for striking, and meet with worker-chosen reps to determine how to deal with these matters going forward.

At the end of the second day, the company agreed to these demands. But the agreement proved to be a short-lived solution. In late January 2007, two months after the walkout, the company handed twenty-one workers over to immigration services. Each worker who was affected by this stealth raid was arrested and then deported. The November 2006 victory bubble burst and, when the company reissued the no-match letters, many Latino workers—including key union activists and walkout leaders—quit to get out of the spotlight.

After the Latino-led walkout, African-American workers in the plant felt challenged to increase their own involvement and militancy. Working with the union organizers, they presented a petition to the company, with more than two thousand black and Latino signatures, demanding a paid MLK Day holiday on January 14, 2007. They threatened to walk out if this

demand was not met. The UFCW set up a Smithfield worker-centered MLK Day event in a large Fayetteville church, and linked King to Cesar Chavez. But the plan failed and the African-American workers (and the UFCW) got a wake-up call—there was not enough leadership strength within the plant to pull something like this off (although, in January 2008, Tar Heel workers won an important victory when Smithfield agreed to a paid MLK Day holiday to head off another conflict).

This setback signaled the beginning of the transition from Latino to African-American leadership, as immigration pressures forced out large numbers of Latino workers. In the wake

Workers in the livestock department—who herd thirty-two thousand hogs a day into the plant for their daily slaughter—staged a several-month fight for soap, warm water, and clean drinking water.

of the second immigration raid and arrests in August 2007, the workforce went from two-thirds Latino to two-thirds African-American.

Throughout their organizing work, the UFCW built up black-Latino unity at every opportunity. All literature and all meetings were in both languages, and the organizing staff was diverse. Unity was constantly stressed in conversations with the workers and in workshops conducted for the organizing staff members and leaders. Over time, the organizers carefully worked with both the Latino and

black churches, focusing on issues that were important to each group. Although the demographics changed dramatically, the union was able to hold support among both groups and develop the necessary diversity of leadership. The composition of the organizers gradually changed to more closely reflect the increasing numbers of African-American workers.

Smithfield claimed the Justice@Smithfield campaign attempted to extort a union relationship with the company, and had damaged the company's brand name.

In May 2007, workers in the livestock department—who herd the thirty-two thousand hogs a day into the plant for their daily slaughter—staged a several-month fight for soap and warm water (so they could wash their hands), and clean drinking water. This effort, led by a white worker returning with back pay after having been fired during the 1994 election, culminated in a workers' petition to OSHA and, ultimately, a one-day work stoppage in June 2007. In the end, they got new plumbing, new locker rooms, and an improved system for drinking water. This success provided hope and inspiration, and became a training source for new leaders. Over the next eighteen months, the livestock leaders applied this militancy to the rest of the plant.

The August 2007 Smithfield annual shareholders meeting, in Williamsburg, Virginia, was a watershed event in the campaign. The company and union officials had started meeting to see if they could agree to the union's demand

for a free and fair process. The campaign organized a one thousand-person, worker-led solidarity action. While union and community supporters from all over the eastern United States marched outside, Smithfield plant workers—and a contingent of ministers—presented the Smithfield board with petitions signed by more than two thousand Smithfield workers, demanding company neutrality and a free and fair process to bring in the union. This action outraged the company, but further inspired the workers and their supporters.

Talks fell apart and, in October 2007, Smithfield filed a multi-million-dollar RICO suit against the UFCW and its national leaders, Change to Win and Jobs with Justice. Smithfield claimed the Justice@Smithfield campaign attempted to extort a union relationship with the company, and had damaged the company's brand name and the total value of the company stock.

THE TURNING-POINT YEAR OF 2008

AFTER THE LAWSUIT WAS FILED, AND after extensive discussions and disagreements at the national level, the UFCW decided to escalate the ground campaign and deemphasize the public protests. They hoped to come up with other strategies to offset the union's resource-heavy, consumer-oriented actions.

Anger and frustration among African-American plant leaders (about their daily mistreatment by management) led to talk about shutting down production and bringing the conflict to a head. In response, the UFCW focused on building strength among the eight hundred—primarily African-American—workers on the “Kill Floor,” where the heart of the production takes place. The Kill Floor

was adjacent to the already activist livestock department, and there were many worker links between the two departments. If a solid core of workers from those departments were to take action, production in the plant would stop.

Semi-monthly meetings were held, focusing on these workers, and attendance grew steadily. Leaders actively recruited others in the plant. Workers from the large cut and conversion departments began to attend as well. While there was no strict segregation by race or ethnicity in the plant, most of the Latino workers were concentrated in these two departments.

The union began holding daily meetings between the first and second shifts in the back room of a small Mexican-owned store, a half-mile from the plant. This became a second union hall, a watering hole where workers could meet each other, a training and education center, a staging area for imminent plant actions, and a post-action debriefing room. The core group of mostly African-American leaders began to gel and grow.

The union started a monthly newsletter, *Gone Hog Wild*, with extended quotes and photos from workers, on key issues in the plant: health and safety concerns, wage and hour violations, the mistreatment of women (who comprised more than a third of the Tar Heel plant workforce), and the 2008 U.S. presidential campaign (in which North Carolina's African-American population played a key role in Obama's victory).

While another full-scale walkout never developed, there were times when smaller groups of workers organized work stoppages. And support for the union grew.

At the workers' initiative, a new tactic of "liberating territory" developed to replace the riskier production line-based direct action strategies. Led by the more experienced militants from livestock, groups of black and Latino

leaders marched into the huge cafeterias during lunchtime in their yellow Justice@Smithfield shirts and held union meetings, with up to one thousand workers in the room, and management looking on helplessly. They handed out the *Gone Hog Wild* newsletter and discussed the articles, chanted, and signed up workers for a massive wage and hour suit.

Black and Latino leaders marched into the huge cafeterias during lunchtime and held union meetings, while management looked on helplessly.

These actions electrified the plant. Workers then began a movement—in which about one thousand workers eventually took part—to write "Union Time" on their helmets. The growth of these activities demonstrated the strength of the union sentiment in the plant, and put to rest the company's line that the union was a "third party."

VICTORY AT LAST: THE RICO SETTLEMENT AND THE ELECTION

THE RICO TRIAL WAS SET FOR OCTOBER 2008. To send a clear message to the company that the RICO suit wouldn't silence the union's right to free speech, the Justice@Smithfield campaign conducted a high-visibility "Packaged with Abuse" public campaign in the summer of 2008, in the media and in African-American neighborhoods of Washington, D.C.—one of Smithfield's largest markets.

On the eve of the October 27th trial, Smithfield agreed to withdraw the RICO charges as part of a settlement with the UFCW that included special rules for an NLRB election within six weeks. In response, the UFCW agreed to stop the public campaign. While the details of the settlement are still under court order, the rules gave the union some access to the plant, limited the company-mandated anti-

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union meetings, required positive messaging (rather than mutual attacks) from both sides, and installed a mutually-selected court monitor to oversee the process.

The union's election campaign consisted of the following key elements:

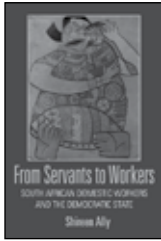
- A message of "Yes We Can," building on the momentum of President Obama's 2008 presidential campaign. Obama had publicly supported the Tar Heel plant workers' campaign.
- Leaders and activists created their own slogan: "If we can change the White House, we can change the hog house."
- Intensive in-plant activity by the more experienced organizing committee activists,

who set the tone in the plant that "Union Time" had finally arrived.

- An extensive program to visit workers in their homes, with more than eighty organizers from the UFCW and other unions going door to door to build pro-union support.

On December 11, 2008, Smithfield workers voted for the union, 2,041 to 1,875. Despite the huge effort made by the union, more than one thousand workers remained uncontacted at the time of the election. For several days prior to the election, Smithfield—fearing that a loss was coming—surreptitiously flooded the break rooms with leaflets about plant closings and the growing economic crisis that had not been approved by the court monitor. They leaned heavily on the Latino workers and relied on the loyalty of some longtime employees. But it wasn't enough.

The Smithfield victory represented one of the largest wins for the labor movement in decades. It sent a clear signal that unions can win in the South if they are willing to choose their targets carefully, stay in the fight over the long term, and put in the necessary resources. In meatpacking and manufacturing plants throughout the South, opportunities abound. Whether the Tar Heel victory is a blip on the radar screen or a transformative event depends on how the UFCW—and the rest of the labor movement—takes advantage of this moment and the lessons it brings. That history has yet to be written.



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