

Pacific Beach Hotel Boycott: Background and Factsheet, April, 2008

A short history of workers' struggle at the Pacific Beach Hotel:

There are 400 workers at the Pacific Beach Hotel, who do everything from cleaning rooms to making and serving meals, carrying bags, keeping the place clean, and in every other way taking care of the guests.

The workers started organizing a union in January, 2002. At that point they had gone *eight years without a raise*. The workers petitioned the federal government to hold an election so they could vote to join ILWU Local 142, which represents 10,000 other hotel workers in Hawai'i. The government scheduled the election for July 31, 2002, but before the vote could take place, the company brought in large, threatening "security" staff, and used a combination of threats, bribes and anti-union intimidation tactics to make workers afraid to support unionization – including forced one-on-one and group anti-union meetings with managers, and having managers call workers at home telling them to vote "no." The federal government (the National Labor Relations Board, the federal agency that oversees labor law) held a hearing and ruled that the company had violated the law in such a severe manner that it was impossible to hold a fair election.

The company appealed this decision to Washington, DC, but the officials in DC ruled the same way as the Honolulu officials. But this took more time – the second election wasn't held until August 2004. Once again, the government found that the company violated federal labor law to such an extreme degree that workers were intimidated out of voting their conscience. Despite this level of intimidation, the vote tally showed a majority in favor of unionization – so the government certified the ILWU as the union for Pacific Beach employees, and ordered the company to begin good-faith negotiations.

The company again appealed and delayed, and didn't begin negotiations until November 2005. However, relatively quickly negotiations became deadlocked over the company's refusal to agree to standard contract terms regarding two items: "union security" and dues deduction. Union security means that all workers at the hotel are responsible for paying union dues, even if they choose not to join the union, since they're all protected by the union contract. Dues deduction means that the dues will be collected automatically through the company's payroll system rather than requiring union organizers to personally badger employees every month for a check. Both these clauses are included in every other hotel union contract in the state. Neither of them poses any financial cost whatsoever to the company. The only reason to insist on these issues is to break the union or to intentionally deadlock negotiations.

Throughout 2006 and 2007 workers held rallies, demonstrations and pickets in support of a fair union contract, with 75% of the employees signing a petition supporting a quick settlement of the contract.

In January 2007, the company announced that the Outrigger company was being brought in to manage the hotel, and said that the workers would now legally become

employees of Outrigger, but that Outrigger would continue to negotiate the union contract. Negotiations continued but remained stuck on the same issues. In March 2007, a majority of the employees signed a second petition calling for a fair union contract.

Then in December 1, 2007, the hotel cancelled its management contract with Outrigger, and as of that date all the workers legally returned to being employees of the hotel. As December 1 approached, the company announced that since there would be a “new” employer, all employees had re-apply for their jobs. The application contained a pledge stating that they are applying to be “at will” employees – i.e. not union. They were also required to sign promises to not say anything negative about the company.

Of the 400 employees at the hotel, on December 1 the company refused to hire back 32, and changed the hours, status or job description of many others. The 32 people fired include two-thirds of the employees’ negotiating committee and most of the vocal union supporters inside the hotel. Finally, as of December 1, 2007, the company announced that it would refuse to participate in any more negotiations with the union.

Additional changes since December 1:

Since the company cut off negotiations on December 1, the hotel has made several unilateral changes in working conditions, which is illegal under federal labor law. Most important is that they increased the number of rooms that housekeepers must clean per day from 16 to 18 or 19. Many housekeepers now are scrambling so furiously to meet their room quota that they can’t afford to take their lunch break. Recently one housekeeper collapsed on the job and was taken away from the hotel in an ambulance. She had cleaned 11 rooms before lunch, and then collapsed on the job.

The law:

Pacific Beach Hotel and its parent company have been charged with dozens of violations of federal labor law. These charges are awaiting a hearing before the National Labor Relations Board.

It is illegal for the company to refuse to negotiate with the workers’ chosen union. It is illegal for the company to make workers re-apply for their own jobs. It is illegal to make unionized workers sign a statement that they are “at will” employees. It is illegal to fire people for being outspoken union supporters. In fact, once the workers voted to be union, and this result was certified by the government, it is illegal for the company to fire anyone unless it is through negotiations with the union.

We expect that, once the Labor Board hears this case, they will decide, as they have in the past, that Pacific Beach Hotel has violated the law on an extreme scale. But this process could take many years, and we can’t wait that long.

The boycott:

In early December, a boycott was announced against Pacific Beach Hotel (and Pagoda Hotel, which is owned by the same parent company) by a labor-community coalition called *Justice At the Beach*. The coalition is headed by the president of the Hawaii state AFL-CIO. Its members include over 40 local organizations, the biggest unions in the state, several of the large Filipino community organizations, 10 state legislators, and U.S. Senator Daniel Akaka.

Since the boycott was declared there have been regular picket lines, employee leafleting, and demonstrations. A number of events have been cancelled and groups pulled out of banquet events and meetings planned for the hotel. On February 15, 2008 the national AFL-CIO in Washington, DC announced its support for the boycott nationwide.

The majority of the hotel's guests are from Japan, and when the AFL-CIO announced its nationwide boycott, it also asked Japanese labor unions to endorse the boycott and do what they could to support the Pacific Beach Hotel workers. Several Japanese unions have officially voted to support the boycott. In March, Service RENGO, the union that represents tourism workers in Japan – including travel agents at most of the major Japanese travel agents – sent a letter to Pacific Beach Hotel's owner supporting the workers and calling on the hotel to rehire all the fired workers and negotiate a fair contract. On April 17th, 2008, Japanese union activists held a rally in the Ginza business district in Tokyo supporting the boycott of the hotel.

The biggest period of Japanese travel to Hawaii is Golden Week, which in 2008 runs from Tuesday, April 29th through Tuesday, May 6th. Justice at the Beach will be holding daily picket lines, all day long every day during Golden Week, in order to inform Japanese visitors about conditions at the hotel.

Why community support is so important:

Workers at Pacific Beach Hotel desperately want – and need – to have their legal union rights recognized. But, having seen more than 30 of their co-workers fired for speaking out for the union, the people still working at the hotel are understandably scared for their jobs. Although it is illegal for workers to be fired for participating in a picket line, this company has already shown its disrespect for the law. Neither the ILWU nor *Justice at the Beach* wants to put any more workers' jobs at risk to a reckless and vindictive management. For this reason, the hotel workers themselves cannot afford to be on the picket lines. To make the pickets a success during Golden Week, we are relying on the support of community members from across Oahu.