



***Second National People of Color Environmental
Leadership Summit - Summit II***

**Resource Paper Series
October 23, 2002**

**Just Transition Alliance Frontline Workers and Fenceline
Communities United for Justice
Jenice L. View**

**Just Transition Alliance
1328 U Street, NW, Suite 3E
Washington, DC 20009
Phone: 202-588-1850
Fax: 202-588-1851
e-mail: Justtransition@aol.com
Web Page: www.jtalliance.org**

Summit II National Office
1612 K Street, N.W. Suite 904
Washington, DC 20006
Toll free: 800-736-0986
Phone: 202-833-1333
Fax: 202-833-9770
e-mail: ejsummit2@aol.com
Web Page: <http://www.summit2.org/>

Disclaimer: The Summit II Resource Paper Series was commissioned and assembled by the Environmental Justice Resource Center at Clark Atlanta University with funding support from the Ford Foundation, Turner Foundation, Public Welfare Foundation, Agency for Toxic Substances and Disease Registry, National Institute for Environmental Health Sciences, U.S. Department of Energy, and U.S. Environmental Protection Agency. The opinions expressed in this commissioned paper represent those of the author(s) and not those of the commissioning institutions or the funding agencies.

Just Transition Alliance Frontline Workers and Fenceline Communities United for Justice¹

Jenice L. View
Just Transition Alliance

Abstract

The Just Transition Alliance are individuals who assist in uniting rank-and-file workers and grassroots community residents as they create and promote a just transition from unsafe workplaces and environments to healthy communities with a sustainable economy. This paper discusses how The Just Transition Alliance supports education, organizing and policy development that improve the economic and environmental conditions facing the frontline workers in toxic-related industries, and the people of color communities and Indigenous peoples that live, work, learn, play and pray at the "fenceline" of these industries. The Just Transition Alliance argues that the most effective social change comes from individuals who face injustice in their daily lives and they are the ones who can recommend solutions to the injustices in their lives.

Introduction

The residents of an unincorporated desert community suffer an incidence of respiratory illness that seems unusually high. Yet, despite the strong evidence of severe air pollution, residents are unable to get the management of the adjacent cement facility to respond to inquiries. Workers inside the cement plant lack basic health and safety protections; more importantly, the plant management refused to sign a new contract for four years. Workers feared that plant management in contract negotiations would manipulate the environmental complaints of community residents, or that community demands for clean-up measures that may cost workers their jobs. Community residents feared that workers would automatically side with plant management and ignore the environmental damage to the surrounding area. Could an alliance – using an educational and organizing process -- help workers and residents find common cause and jointly hold a profitable -- and polluting -- facility more accountable?

A failure to ask the right questions creates intractable local tensions. Five years after Just Transition Alliance members¹ first began convening, the public perception of a conflict between labor and environmental justice issues remains. Workers inside toxic-related facilities (the frontline) and the residents of surrounding communities (the fenceline) are those most affected by toxic devastation and those least heard in policy discussions. The Alliance exists to help unite rank-and-file workers and grassroots community residents as they create and promote a just transition from unsafe workplaces and environments to healthy communities with a sustainable economy.

We believe that the most effective social change comes from those who face injustice daily and who can articulate what they need to remedy those injustices and sustain a good quality of life. Our idea of grassroots organizing is to nurture local, long-term community-labor alliances that hold toxic-use industries and government accountable for a lack of worker health and safety and environmental protection, lapses in regulatory enforcement, and outright abuses. We believe in an inclusive approach that does not waste time arguing about which affected group has suffered the worst injustice. Rather, we recognize that corporate (and, too often, governmental) interests regularly injure workers, communities, and the environment for profit. We refuse to abandon one another for economic security or environmental health and safety, as we want both. We believe that the negative economic and environmental effects of globalization require us to have a global consciousness in designing solutions. Our membership includes representatives from the United States, Mexico, and Canada.

¹ A version of this article appears in "Teaching for Change, a publication of the University of California at Los Angeles Labor Education Department, 2002.

JTA partners identify and help organize community residents and workers in select sites for progressive policy development and mutual support, such as joint rallies and supporting testimony at public meetings. The tools for convening local people include educational workshops, and joint strategy and fundraising for long-range partnerships. All of the participating groups have signed a statement of cooperation to discuss and seek common approaches to our differences. This effort has been led by five of the major environmental justice networks and the Paperworkers, Allied-Industrial, Chemical, and Energy International Union (PACE). Within JTA, the process that governs local interaction is as important as the product, so that a long-term partnership (as opposed to an *ad hoc* coalition effort) is as much a victory as a new piece of legislation or stronger regulatory enforcement.

Education is one of JTA's most important tools for organizing. Our workshops include a critical analysis of who has power, who makes decisions, and the motives of decision-makers. With this knowledge, community residents and workers can strengthen their power and organize more effectively for change. Our materials attempt to present the issues and controversies facing participants - such as environmental racism and job fear - in such a way that they evaluate the root causes (such as, corporate policies) rather than blaming each other. For example, small group participants might discuss how downsizing in the oil refinery industry increases the risk of accidents and hazardous substance releases, and compromises the health and safety both of workers and community residents while maximizing profits. Following this discussion, the small group might propose methods for increasing worker and community participation in decisions to insure adequate staffing, improve facility design to reduce hazards, and improve contamination cleanup.

Overarching all is the concept of "Just Transition" -- that is, the reduction or elimination of toxic exposures and environmental contamination without forcing workers or community residents to pay for the improvement with their jobs, income, or a loss of local tax base and a livable habitat.

Major Environmental Justice Issues Addressed

In addition to building alliances with other impacted populations (workers), the major issues addressed by the Just Transition Alliance include pollution prevention; expanding the concept of Just Transition; and the globalization of economic and environmental practices.

- **Pollution Prevention** – The PACE International Union has successfully implemented its Triangle of Prevention (TOP) program in over twenty facilities around the U.S. This is a worker-run, union-led program that analyzes the root causes of industrial hazards and accidents within a specific facility, and involves workers in incident investigation. Using this approach, accidents are not blamed on individual workers, rather on failures of the safety systems inside a facility. The TOP program also includes recommendations for correcting and preventing future problems. Through JTA educational programs, we are promoting the TOP program and encouraging frontline workers to share information with fence-line community residents. Ideally, the TOP program would be expanded to also improve community safety systems such as warning systems, emergency response, and training and procedures in the event of industrial accidents.
- **Just Transition** - Simply stated, “just transition” means fair compensation to impacted workers and communities for economic and health losses due to changes in production. Over time, “Just Transition” has become a solid policy idea increasingly embraced by wider audiences. It has also evolved from the single notion of a national fund to compensate displaced workers in the petrochemical industry, to include compensatory approaches (retraining, relocation, income support, and so on) for all parties affected by unavoidable job losses, property condemnation, and health and environmental damages from economic activities. Other unions -- such as Steelworkers, Machinists, Service Employees, and Transportation Workers -- as well as workers facing toxics exposure but who are not yet organized are potential allies. The ideal Just Transition policies are macro-level approaches that prevent polluters from merely shifting operations from one community or nation to another.

- **Globalization of economic and environmental practices (Global Just Transition)** -- At the national level and outside of the U.S., JTA partners have worked to address the global dimensions of Just Transition. On a physical level, we understand that pollution knows no geographic boundaries and the environmental impact of U.S. production exceeds the U.S.-Mexico and U.S.-Canadian borders. In particular, we understand the need to resist U.S. policies that export racism and economic and environmental injustices to other parts of the world as we work to eliminate those same problems domestically. As such, we seek solidarity with communities in the southern hemisphere, calling U.S. people of color and low-income/working class communities "the South within the North."

In addition, our Canadian partner, the Canadian Communications, Energy, and Paperworkers (CEP) Union was actively involved with the International Confederation of Free Trade Unions (ICFTU) preparations for the 2002 World Summit on Sustainable Development in South Africa to share the concept of Just Transition more broadly. Mexican oil workers are interested in linking with U.S. oil workers, as well as with environmental justice groups. Just Transition Alliance staff and member groups have been active in addressing climate change through the Blue-Green Working Group on Climate Change and the Environmental Justice Climate Change Initiative. Grassroots networks in South Africa and Brazil, as well as Indigenous communities around world have learned of the Just Transition concept in recent years through workshops and conference presentations.

Laws, Regulations or Policies

The Just Transition Alliance concentrates most of its efforts at the grassroots and rank-and-file level, but with an eye toward creating better laws, regulations and policies that serve the concerns of people impacted by pollution. One worthy model is that of the Communications, Energy, and Paperworkers (CEP) Union of Canada which has adopted just transition policies for all of its workers and, through provincial and national government and the energy industry, promotes a full platform of sustainable development policies.² However, there are currently no just transition policies in affect in the U.S. or Mexico.

In addition, current laws, regulations and policies that govern workplace health and safety and community environmental hazards in the U.S. are often insufficient. For example, the federal government uses a flawed formula to calculate the safety of a given plant based only on the number of full-time workers injured at work. This index – the Occupational Safety and Health Act 200 Log Index -- does not require companies to include in its safety calculations serious incidents such as fires, explosions, and spills of hazardous or explosive materials, injuries to contract workers, or injuries to community residents resulting from industrial accidents.³ OSHA training requirements for hazardous materials technicians are minimal, typically far below the standards of local fire departments or state governments.⁴ Even though emergency response plans are supposed to be compatible with local and regional emergency response plans, not all warning systems are appropriate or effective for the local fenceline community.⁵ Almost none of the workplace regulations include communities in the calculation of risk or impact. This lack of consideration of communities serves as a wedge between workers and residents, creating an atmosphere where residents are inclined to encourage the shutting down of nasty production.

To address these and other issues, we recommend a Just Transition consciousness that embraces both workers and impacted communities in decision-making, and encouraging cleaner, safer production. As a last resort, these same impacted groups should be included in decisions regarding a plant closing or production bans/phase-outs. Corresponding policies would include modernizing/retrofitting production, research and development of cleaner technologies, stronger enforcement of existing regulations, compensation for job losses (training/retraining, income support, health insurance, etc.), losses to tax base, environmental clean-up, and compensation for long-term health effects.

To date, just transition language has been introduced to several national and international policy documents including those of the U.N. World Conference Against Racism, the Environmental Justice Climate Justice

statement of principles at the U.N. World Summit on Sustainable Development, and *Clean Energy and Jobs*, a labor-friendly approach to climate change policies issued by the Blue-Green Working Group. However, much more needs to be done to incorporate the idea into the daily practice of businesses and governments.

Current Environmental Protection Apparatus

JTA sites face all levels of government in determining solutions to local issues. In some instances, the regional EPA office or department of labor supports local concerns where the state department of labor or environmental protection fails; in other instances, the reverse holds. Part of the organizing at JTA sites is to determine which governmental apparatus (or which part of the apparatus) should be held accountable for addressing concerns. This broad perspective makes it impossible to make a blanket statement about the efficacy of the current environmental protection infrastructure. However, one important strategy we promote in areas where a toxic-related industry abuts Indigenous communities is to employ sovereign rights to create environmental and health and safety standards that exceed those of state and federal governments.

JTA Alliances: The Rillito, Arizona Case

One case in particular offers insight to how a grassroots/rank-and-file alliance can create important victories. In Rillito, Arizona the PACE Local 8-296, which represents 107 workers at Arizona Portland Cement (APC) is working closely with the local community of Rillito Vista, Arizona and Tucsonans for a Clean Environment⁶

Rillito Vista is a small, unincorporated, desert community 30 miles outside of Tucson that sits at the fenceline of APC. The racial composition of both residents and workers is almost equally one-third white, Chicano, and African American. The PACE workers at the cement facility had been without a contract for more than four years (late 1997 - early 2002). Residents -- largely working-class retirees and middle-aged adults, with few young people -- had a history of community involvement, but were not formally organized. Rillito Vista also suffers from the state's worst air pollution. The EPA recently fined APC \$82,442 for failing to publicly warn residents about nickel and cobalt in air releases, which had been documented five years previously. The fine confirmed union members and community residents' suspicions that the company has not been operating in good faith. In early 2000, JTA organizers held initial conversations with all parties involved to gauge interest in collaboration. All the parties -- including the union and community groups -- agreed, but had no specific knowledge of how the other groups functioned, or of the actors and issues motivating the members. An introductory Just Transition workshop⁷ was held that September.

In a place where the workforce lives largely in the city of Tucson and where the fenceline community is largely composed of retirees and service workers, workshop participants discovered common cause. Since September 2000, activities have included a community cleanup (supported by workers as well as residents), joint picketing outside the plant, and rallies at corporate offices in Phoenix and Los Angeles. Workers and community residents created an agenda for joint work that includes a health survey and a proposal to use the EPA fines to support environmental cleanup. PACE international staff waged a corporate campaign and provided a union organizer, community legal assistance, and resources with which to hire a community organizer. JTA is also supporting on-the-ground community organizing as well.

In January 2002, the workers at APC won a new union contract; they attribute their success in large part to the support of community residents and the Just Transition process. Workers and community residents are pleased with the heightened media and governmental attention (local, state, and federal) to community environmental issues. Workers have vowed to continue to ally with residents regarding unhealthy production processes at APC, as well as other pollution affecting Rillito.

Other Local Alliances

Other areas of the country where Just Transition Alliance is bringing together community residents and union members include:

- *San Antonio, TX*, where 16,000 workers lost jobs following the closing of the Kelly Air Force Base, and the U.S. military left behind toxic hazards that appear linked to cancer clusters and suspicious cases of Lou Gehrig's disease, as well as evidence of significant groundwater and soil contamination;
- *Los Angeles, CA*, where PACE local 8-675 (the largest in the U.S.) and Communities for a Better Environment are working together on a range of common issues, including promoting alternatives to a hydrofluoric acid threat in a nearby facility.
- *Niagara Falls/Buffalo, NY*, where the Haudenosaunee Peoples and members of PACE locals are concerned about job and environmental impacts (especially on the Niagara River) of the 2007 relicensing of the power authority.
- *Ponca City, OK*, where the workers of PACE local 5-857 are locked out of the Continental Carbon facility and the neighboring Ponca Tribe suffers from severe air and water pollution created by the facility.
- The chemical corridor between *Baton Rouge* and *New Orleans, LA*, where communities and workers have struggled for decades against industry, but have not always worked with each other.

Other potential U.S. alliances include work in the San Francisco Bay Area, New York City, Baltimore, Detroit, Chicago, Memphis, and the states of Indiana and New Jersey.

Conclusion

The Just Transition Alliance supports education, organizing and policy development that improve the economic and environmental conditions facing the frontline workers in toxic-related industries, and the people of color communities and Indigenous peoples that live, work, attend school, play and pray at the "fenceline" of these industries. The question posed at the outset was whether there were a way that an educational and organizing process could help workers and residents find common cause and jointly hold a profitable -- a polluting -- facility more accountable? Additional, imbedded questions include: the difficulties of building trust among groups that have traditionally regarded one another with suspicion; the role of government and the political process in mitigating environmental and economic problems; the ways and means of multinational corporations to maintain power over workers and communities; and the long-term sustainability of individual community-labor alliances. Through the larger Just Transition Alliance, we are experimenting with approaches and tactics to each of the imbedded questions.

Naturally, we would recommend greater financial resources to these grassroots/rank-and-file alliances, as well as support for national and international level dialogue among workers, environmental justice networks, and policy makers.

But, to the larger question of the intrinsic value of bringing together people in the labor and environmental justice movements, we think the answer is a resounding "yes."

Author:

Jenice L. View, Ph.D., professional experience includes domestic and international public policy; community-based economic development in rural and urban areas; and curriculum design, workshops and lectures in the areas of education, economic literacy, the economics of racism, the global economy and

women and community-based leadership. She earned her doctorate from the Graduate School of the Union Institute majoring in Education specializing in Critical Pedagogy and Washington, DC African American Studies. She holds a joint Master's Degree in Public Affairs and Urban and Regional Planning from Princeton University, and a joint BA in Economics and International Relations from Syracuse University. She became the Executive Director of the Just Transition Alliance in January 2001.

Endnotes

¹The idea of Just Transition was first conceived and promoted by people such as Deeohn Ferris, former director of the Washington Office on Environmental Justice; Tony Mazzocchi, former president of the Oil, Chemical, and Atomic Workers Union (pre-cursor to PACE); and Les Leopold, director of the Labor/Public Health Institute. Just Transition Alliance Partners include Asian Pacific Environmental Network (APEN); Canadian Communications, Energy, and Paperworkers (CEP); Farmworker Environmental Justice Network (FEJN); Indigenous Environmental Network (IEN); Paperworkers, Allied-Industrial, Chemical, and Energy Workers International Union (PACE); Northeast Environmental Justice Network (NEJN); Southwest Network for Environmental and Economic Justice (SNEEJ). This work is supported by the following foundations: Alki, Ford, New World, Noyes, Solidago, Tides, and Unitarian Universalist Veatch Program at Shelter Rock.

² *Just Transition to a Sustainable Economy in Energy*, Fourth National Convention of the Communications, Energy and Paperworkers Union of Canada, September 10 – 14, 2000, Montréal.

³ “The Government’s Yardstick for Measuring Plant Safety and Health is Inadequate”, in *Just Transition Movement for Jobs and the Environment*, Workbook Volume 2, Pollution Prevention, Draft 3, May 2002, page 47

⁴ “OSHA Training Standards Require Too Few Hours,” in *Emergency Response and Prevention Workbook*, Edition 4.0, July 2001, The Labor Institute, page 63.

⁵ For example, following hazardous releases at a nearby facility, the Asian Pacific Environment Network successfully won resources from the Contra Costa county government to create multi-lingual warning systems.

⁶ TCE is an affiliate of the Southwest Network for Economic and Environmental Justice, which is a member of the Just Transition Alliance. SNEEJ and TCE provided support for community organizing.

⁷ For the most part, introductory Just Transition materials reflect the petrochemical industry and the urbanized communities of our membership and do not include specific facilities or local demographics. Despite the lack of references to the local cement industry or to small, desert communities, participants at the Rillito Vista workshop were able to “insert themselves” into the scenarios very easily. These uses of materials as frames of reference rather than as mandates, and the small group structure of the workshop, are hallmarks of many popular education processes, and we were pleased to see the theory in action.