

## **Confronting Houston's Demographic Shift: The Harris County AFL-CIO**

By Tom Karson

Four years ago the city of Houston witnessed a spontaneous strike by eighty Hispanic workers at one of the many non-union manufacturing plants that ring the city. Workers complained that their employer was segregating Vietnamese and Spanish-speaking workers into two different areas of the plant, assigning Hispanic workers to the more dangerous work moving heavy pieces, and exposing them to fiberglass dust. They couldn't get a transfer to the better paying jobs where fabrication was mechanized. Especially galling was the fact that only Hispanic workers were assigned to clean up the lunchroom that everyone used. Sick of being discriminated against, one day, they just walked off the job. The striking workers were fired by their employer, Quietflex, a manufacturer of air-condition ducts.<sup>1</sup> They were out in the parking lot when a union organizer just happened to be driving by.

This scene shook local labor leaders and progressives. Houston's central labor council, the Harris County AFL-CIO raised the alarm and helped build a spirited coalition that pressured the employer to put the strikers back to work. The Council filled its Justice Bus with union advocates, sympathetic clergy, and local politicians and confronted the employer with street heat action. The Sheet Metal Workers began an organizing drive. Ninety-one workers filed EEOC charges and the Mexican American Legal Defense Fund filed a lawsuit on their behalf.<sup>2</sup>

Organizing immigrant workers into new labor unions, like all organizing in the metro area, has been a continuing battle. Now, years later, workers at Quietflex still don't have union recognition. Their NLRB election failed, 145 to 81, after the employer spent nearly a half a million dollars on their anti-union campaign. The vote split down ethnic divisions in the plant. Richard Shaw, the secretary-treasurer of the Harris County AFL-CIO Council was quoted in a New York Times article saying it is "a classic case of pitting one racial or ethnic group against another." The EEOC is still working on nailing the employer after it refused to agree to a settlement on continuing violations.<sup>3</sup> But the Harris County AFL-

CIO Council's role in this campaign characterizes a shift in its activities – a necessary change to confront a worsening situation in Houston, where employers are taking open advantage of the thousands of immigrant workers entering the city.

Until recently, immigrant issues have been seen as largely outside the concerns of labor, with the Council drawing its strength from the higher paying established sectors. And immigrant advocates have often been wary of or unfamiliar with the strategies of labor unions. Several local unions have been making the change, hiring young Hispanic organizers to better represent workers in the food processing and service sectors. But now, even in sectors not greatly affected by demographic changes, union representatives face a new reality - the only way to revitalize the labor movement and build regional power in Houston is to come to grips with the dramatic growth in foreign-born workers, workers often stuck in low-paying jobs. Worker and union rights must be integrated with a progressive immigrant rights agenda for all workers in the city.

This paper describes how the Harris County AFL-CIO Council has effectively increased its involvement in the city's immigrant rights agenda while, at the same time, strengthened its ability to fulfill its more traditional central labor council responsibilities. The recent work of the Council is an accomplishment by any standards, but especially so when weighed against the economic and political environment it is up against.

### **A Hostile, Yet Shifting Environment**

While Houston is the fourth largest city in the country and the population of Harris County runs upwards of 3.5 million<sup>4</sup>, the Harris County AFL-CIO Council draws from a total union membership of under 100,000.<sup>5</sup> The odds are tough here – besides Texas legislation, there are Texas politicians and a Texas tradition where union busting has been as much a part of the scene as the cowboy boots and chili

beans. Today, more people work in Texas than in any other state except California, yet union density is nearly the lowest in the nation, running just under 6% of workers in 2003.<sup>6</sup> While there are pockets of strength in the transportation and communication sectors, in the oil and chemical industries, and along the coast, Texans certainly suffer as a so-called “right-to-work” state. Beyond the pale, state law makes public sector collective bargaining agreements illegal!<sup>7</sup>

Houston’s economic setback in the 1980s brought a period of concessions for some established unions from which they have not fully recovered. Organizing activity since then has been modest. From 1995 to 2003, there were between seven and fifteen NLRB elections a year, with a 45% win rate. Teamsters, Steelworkers, IBEW and UFCW have been among the unions running the most campaigns. SEIU won a large bargaining unit with 700 workers with Gulf Coast Community Services in 1997. The Sheet Metal Workers won a hard fought and close election at a Mitsubishi Caterpillar Forklift plant, which included an ethnically diverse workforce, but they lost the union a year later in a decertification vote in 2003.<sup>9</sup> Many employers that live with collective bargaining agreements in other areas of the country, like public utility companies, draw the line in Houston.

The long-time dominance of the petro-chemical industries are now tempered with strength in other areas of the economy. Houston’s port leads the nation in international tonnage and the Texas Medical Center is billed as the largest in the world. Then there is the Astrodome, Mission Control, and large transportation and communication centers. Today Houston enjoys economic projections for continued recovery after the 1980s oil-bust. While little job growth is likely in manufacturing, the prospects look good in health care, social assistance, hotel, and restaurant sectors.<sup>8</sup> There is potential for union growth here. Employees at Houston’s new downtown convention center hotel, the Hilton Americas, recently won card-check recognition. The Harris County AFL-CIO Council leadership helped lay ground-work for this victory, brokering the union-built building projects and card-check agreements.

Of course, the movers and shakers have their own coalitions that help maintain Houston's "free-enterprise" environment. Greater Houston Partnership bills itself as "the primary advocate of Houston's business community, dedicated to building economic prosperity in the region." That business community includes Exxon-Mobil, Shell Oil Co., SBC, the Port Houston Authority, J.P. Morgan-Chase and Conoco-Phillips" - and a couple thousand other companies. The Partnership board sponsors debates and issues "think-tank" opinions on current issues that affect the metropolitan area - including health care issues, education, and Houston's notorious traffic and air quality problems.<sup>10</sup> Houston is known nationally and internationally for its "pro-growth" environment and the city has been built on a "free enterprise" model, guided by a succession of business elites, often working behind the scenes, and promoting policy direction. The low-tax, pro-development model that has been de rigueur, is perhaps best exemplified by the fact that the city has no traditional land use regulation or zoning laws. The influence of the "small government/free-enterprise" model -- spawned in Houston's elite social clubs and ranch culture -- is certainly recognizable on the national stage today.<sup>11</sup>

When Houston was touted as the model boom-town in the 1960s and 70s its great shortcomings were glazed over. But when the energy crisis hit in the early 1980s the city had to face up to its problems.<sup>12</sup> The flip side of Houston's free-enterprise "triumph" has been the starving of public services and public works. Over the decades, Houston's poorer residents have suffered disproportionately in the waves of crisis involving flooding, water and sewage treatment problems, affordable housing, inadequate street maintenance, traffic congestion, and air pollution. Contrasts in the city have been sharpening in other ways too.

Before the recession, increases in Houston's Anglo population drove the city's population growth. Today the metropolitan area still grows dramatically, but since 1990 nearly 70% of the city's population growth has come from immigration. According to the Rice Houston Area Survey, the 2000 Census

counted 38% city's population as Hispanic or Latino origin, overtaking the Anglo's 31%. Nearly twenty-five percent of the population claims African American identity and Asians number 7%. The Survey surmises, "As a major immigrant destination, Houston has become one of the nation's most ethnically and culturally diverse metropolitan areas. It is now at the forefront of the new diversity that is radically reconstructing the social and political landscape of urban America." In Harris County over 15% of total population is not U.S. citizens and one-fifth are foreign born.<sup>13</sup> There is something of an image problem then when the City of Houston boasts that more people eat out in Houston than in any other city in the nation, but they don't mention the sixteen-hundred taco stands!<sup>14</sup>

This huge demographic shift directly and indirectly affects the job security and collective bargaining gains of an increasing number of union members. Rick Lord, business agent with the Plumbers, fears that spiraling health care costs are pricing union workers out of the market where non-union contractors use immigrant labor to drive wages and benefits down.<sup>15</sup> As the City contracts work out to the lowest bidder, AFSCME local 1550 is fighting for its survival. Thomas Webb, a long-time employee of the Harris County Hospital District and now AFSCME staff representative puts it this way, "They take people, human beings, and put them in almost a gladiator pit. It's about who is going to do this and who is going to accept that, and the winners take all. How are you going to take care of your family with honor and dignity, when somebody else can come along and take half of what you accept?"<sup>16</sup> And then there are the struggles to organize immigrant workers and keep them organized, when turnover can be a great hurdle, like in the poultry industry where turnover rates can average seventy percent.<sup>17</sup> The general worker rights and wage environments are certainly bound to a labor market where, according to estimates, over 100,000 undocumented immigrants live in the metropolitan area, mostly working in service jobs, construction, and small manufacturing.<sup>18</sup>

## **Changes at the Harris County AFL-CIO**

In many ways the Harris County AFL-CIO Council is embedded in the older Anglo-dominated Houston environment. Many affiliated unions represent workers employed by the corporate giants – at the refineries and chemical plants, at the port and at the transportation hubs and communications centers. Today the Council’s largest unions include the CWA with 6500 members, PACE with over 5000 members with offices in Pasadena near the oil and chemical plants, IBEW has over 8000 members, the Houston Federation of Teachers with 6000 plus members, UFCW over 3000, and Longshoremen with about 1500.<sup>19</sup> Numbers are strong in the trades and the Machinists, Steelworkers, Transportation Workers, Locomotive Engineers, and Teachers are active Council participants. AFSCME and SEIU are affiliated, but they say they have sometimes found more promise tagging along with the unaffiliated public sector unions or going their own way, rather than actively working with the Council.<sup>20</sup> Two of the three Teamsters locals, Police and Firefighters, and the Letter Carriers are not affiliated which makes for a total of about 20,000 members not represented at the Council.<sup>21</sup>

Current Harris County AFL-CIO Council leadership, Dale Wortham, president and Richard Shaw, secretary-treasurer, took office in 1995 when they ran on opposing slates. Don Horn, the previous secretary-treasurer stepped down after thirty years in office. Secretary-treasurer Shaw filled this only full-time leadership position, and is the principle day-to-day staff person at the Council. Despite its modest resource base, the council supports two other full-time support staff members including Ceole Speight, director of the Volunteers in Programs (VIPS) who also manages the Council’s voter database used in GOTV campaigns, and Virginia Scott, administrative assistant. The first VP of the executive board is Dorothy Barker who is secretary-treasurer large the large CWA local.

As a former AFSCME rep, Richard Shaw learned to scramble politically and constantly innovate to get anything for his members. He explains, “As a rep for city workers, where formal collective

bargaining is prohibited, I did bargain, but I bargained with anybody I could get my hands on. It might have been a politician or a department head - you fly by the seat of your pants, constantly trying to figure something that you can get for your members.”<sup>22</sup> Dale Wortham is an electrician and worked for years as an organizer for IBEW. He has played a strong role brokering deals on the City’s public works projects. Wedding public sector and building trades experience Richard and Dale are at home with city politics and they committed early on to go beyond the labor council's traditional activities to focus on organizing in the broad sense of the term.

On another level the Council has made some moves to make itself a more inclusive organization. Led by African-American board member B.R. Williams, the Council has changed its by-laws to welcome constituency group affiliation. A. Philip Randolph Institute, the Labor Council for Latin American Advancement (LCLAA), the Harris County AFL-CIO Retiree Council, and CLUW, the Coalition of Labor Union Women are now voting members (except for political endorsements).<sup>23</sup> But most dramatically the Council is expanding its field of action through coalition work in the city, moving into immigrant rights work on a number of fronts, and working to integrate worker rights issues into the immigrant rights struggle in Houston.

### **Work Around Immigrant Issues**

A recent scene at the offices of the Harris County AFL-CIO Council reflect these changes. The large meeting room and work area are strewn with the mayhem of getting the word out for the Council’s endorsed candidate in the mayoral runoff. A conservative opposition candidate, an immigrant from Cuba, is promising lower taxes and has made a campaign promise to eliminate the Mayor’s Office of Immigrant and Refugee Affairs. There is an urgent conversation in Spanish going on over in one corner of the hall. People are coming and going collecting yard signs. Somebody wheels in a hand truck to stock the large

refrigerator for the emergency food pantry. Maria Jimenez, a well respected immigrant rights advocate, is on the phone. She has been hired by the Council's 501c3 Community Service Program to do some development work. Across the street from the Council is a bus station serving the Spanish-speaking immigrant communities with destinations in every direction, North and South.

The scene reflects the new work of the Council leadership. They are putting themselves in the middle of immigrant issues in the city by joining coalitions, not necessarily taking the lead, but making labor's presence real and positive. And they are moving local unions to realize that it is impossible to divorce immigration issues from the struggle for union strength in city at large. In the past few years the Council has played a key role in the creation the Justice and Equality in the Workplace Partnership (JEW) - a pioneering effort to extend legal protection to immigrant workers through the coordinated efforts of federal enforcement agencies and foreign consulates. The Council has also worked with prominent immigrant advocates to support establishment of the Mayor's Office of Immigrant and Refugee Affairs (MOIRA) to provide an effective referral service for a variety of issues, including wage and hour violations and workplace safety issues. The three city sponsored day-labor sites, which includes the Oscar Romero Day Labor Center, have received the direct support from the Council as well. The Council is a founding member of a newly organized Committee for Occupational Safety and Health (COSH) group in Houston which has begun to educate workers at the day-labor sites about safety rights. And Richard Shaw has been working on the Council's own project to create The Workers Center, which would provide more comprehensive assistance to vulnerable workers. Project by project, Richard and the Council are developing working relationships with many of the city's community activists. A more detailed look at several of these projects provides a sense of the potential and challenges of this pioneering work.



### *Justice and Equality in the Workplace Partnership*

The Justice and Equality in the Workplace Partnership (JEWEP) is officially billed as an EEOC initiative, but Shaw feels that the impetus came out of the building trades' prevailing wage enforcement. He explains, "We went before the EEOC commissioners and we presented a white paper called, 'Houston's Dirty Little Secret,' documenting prevailing wage violations on building projects in the city. You could look down the list of people getting cheated and they were all Spanish surnames." The EEOC responded with a task force, and people came to testify about many serious issues, including abuse of domestic workers and wage and hour violations. The Justice and Equality in the Workplace partnership grew out that forum.<sup>24</sup>

Now there are many players involved in JEWEP including the Mexican consulate, the consulates of Guatemala, El Salvador, and Columbia; U.S. agencies including the DOL Wage and Hour Division, the Department of Justice, and OSHA; and other government and advocate organizations including the Houston Mayor's Office/Immigrant and Refugee Affairs, the Galveston-Houston Catholic Diocese, the Mexican American Legal Defense and Educational Fund, the Interfaith Committee for Worker Justice, and of course the Harris County AFL-CIO. Richard explains, "Each organization makes a commitment to work together, to participate and commit some resources. They have created one centralized phone number so when a complaint goes in it gets out to the agency that can jump on it." A key part of the idea is to provide safeguards for undocumented workers.<sup>25</sup>

Billboards in the city post that phone number. Between July 2001 and June 2003, the Wage and Hour Division of the U.S. Department of Labor claims it has recovered over \$1.3 million in back wages for 1,900 workers from referrals generated by Program. In the first year of the program the EEOC's Houston office received over 500 employment discrimination complaints from Latino workers. Typical

of the kinds of problems women workers face, a charge filed by a Latina cashier, who was fired after complaining of sexual harassment by her supervisor, received a favorable jury verdict.<sup>26</sup>

Stephanie Weber, now a Justice Promoter for the Houston Dominican Sisters, initially served on JEWP board representing the Catholic Campaign for Human Development. “The agencies weren’t used to having community advocates sitting at the table exposing all,” she says. “It took us two years to get the agencies to agree not to ask questions about documentation. Then we kept running up against problems in the way the agencies handle problems. Their concern has been going after the big stuff. Nobody knew what to do with the housekeeper who calls in and says she is being treated horribly and complains about having to use all these chemicals. If there was any talk that maybe the agencies should change, things went quiet.” These kinds of issues that affect women workers and include labor trafficking are also difficult for labor unions to address, she says.<sup>27</sup> But the partnership work has successfully turned the attention of government agencies toward serving some of Houston’s most vulnerable workers and contributed to the growing common experience of labor and advocate groups.

#### *Mayor’s Office of Immigrant and Refugee Affairs*

Another initiative supported by the Harris Co. AFL-CIO Council is the Mayor’s Office of Immigrant and Refugee Affairs (MOIRA), led by Benito Juarez. Like Justice and Equality in the Workplace Partnership, MOIRA provides referrals to help immigrants and refugees. Their official charge is to “encourage access by all persons, regardless of nation of birth or current citizenship status, to the full benefits, opportunities, and services which are provided and administered by the city of Houston.”<sup>28</sup> The creation of MOIRA was originally part of a political platform in 2001, supported by the Harris County AFL-CIO, which helped re-elect Mayor Brown, an African-American, over a serious challenge by City Council member Orlando Sanchez. Richard Shaw reports that the mayor recognized the Council’s role in

the creation of MOIRA and its GOTV campaign, in what was a racially divisive campaign. Sanchez, a Cuban born conservative Republican, endorsed by President Bush and New York Mayor Rudolph Guiliani, effectively merged the conservative Anglo and Hispanic vote, taking 72% of the growing Hispanic vote and 73% of the Anglo vote. A huge turnout of African American votes saved the election for Brown, and with the narrow 51.6% to 48.4% margin, the Council's endorsement and GOTV was in play.<sup>29</sup>

Benito, whose official title is Community Involvement Coordinator, first became involved with immigrant issues in the 1980's educating people about human rights abuses in El Salvador, Guatemala and Nicaragua. Later he worked with the Houston Immigrant and Refugee Coalition, which was an umbrella organization for different immigrant advocate groups in the city. When that funding dried up in 1999, he went to work for the UFCW for a year as an organizer at a chicken plant in east Texas. He is a constant player in the evolving immigrant rights/labor coalitions and Richard Shaw has a seat on MOIRA's steering committee which includes key immigrant advocates in the city.

Benito explains that you have to build trust for people to make formal complaints about the problems they are facing. Most of the questions are about immigration, especially about family petition under immigration law, but with them comes the complaints about workplace issues. Non-payment of wages is the most frequent complaint, with workplace safety also high on the list.<sup>30</sup> Many complaints come from workers in sectors where unions are rare. Benito explains, "Workers are taken by an employer to work for two or three weeks, sometimes a month, and they don't get paid. One example is a woman hired to cook Mexican food at a local gas station. When she was hired she was told she was going to be paid \$6 an hour. And that's all she got though she was working twelve hours a day, seven days a week. She never received overtime pay. On top of that the employer was deducting \$50 in taxes that may never have been recorded to the IRS. Then when she complained she was fired. This is a typical

case, but in another case involving over \$1000 in back pay for a worker, there were about thirty others involved.”<sup>31</sup>

Funding for Benito’s office became an issue again in the last mayoral race, when challenger, Orlando Sanchez, pledged to do away with MOIRA as part of a cost-cutting campaign promise. But Bill White, former chair of the Texas Democratic Party, handily won a run-off vote. Besides getting the labor’s endorsement from the Council, the Latino Labor Leadership Council, newly formed to counter conservative influence, endorsed White. The stakes in Houston’s municipal elections are growing and White’s campaign gathered over eight million dollars in contributions, including two million of his own money.<sup>32</sup>

### *Immigrant Worker Freedom Ride*

While the Council’s participation in high-level governmental work has helped build new relationships at a political and administrative level, the Council has also aimed at developing a grassroots capacity for continuing struggles. The Immigrant Worker Freedom Ride (IWFR), co-sponsored by the national AFL-CIO in the fall of 2004, provided an opportunity for such work.

Maria Jimenez, was instrumental in building the coalition which supported the IWFR in Houston. She worked as a consultant for the Community Service Program, operated out of the Harris County AFL-CIO, to do development work for the Workers Center and the Freedom Ride. Participation in the Ride was strong, with close to a hundred people boarding two buses for the ride across the South, following the routes of Freedom Riders in the 1960s. Locally the UFCW, CWA and IBEW sponsored seats on the Houston bus, and SEIU participated in the planning. Houston riders were predominantly immigrants, originally from Mexico, Central America, Guatemala, and Honduras. Training sessions, which educated workers on how to respond to any potential threats during the ride, were key to building trust and building

participation in the ride, says Paul Vasquez, AFL-CIO national field representative for the state of Texas, who planned the route.<sup>33</sup> A few months before the Ride, Maria and the Council helped organize a kick-off rally in the great hall at IBEW Local 716. Attended by two hundred people, speakers included U. S. Representative Gene Green, D-Texas and Houston City Council members. Advocate organizations, including ARCA, the Association for Residency and Citizenship for America, and LCLAA, Labor Council for Latin American Advancement spoke up for their constituents. The Houston Catholic Dioceses, Dominican Sisters, the Southern Christian Leadership Conference, and city's large Nigerian community were also well represented.<sup>34</sup>

Besides creating a public stage for advocacy groups, grassroots membership was challenged to take in the "bigger picture." ACORN organizer Jenny Goldman said that they used build-up to the Freedom Ride as an opportunity to have their newer immigrant members sit down with their African American leadership to talk about immigrant rights in terms of a second wave to the civil rights movement. "If we want to build a majority constituency organization in Houston, we can't really do it without including the fast growing immigrant population," she says.<sup>35</sup>

In Southern cities, turnout along the route was built with support from the black legislative caucuses. Houston riders were amazed when 5,000 people turned out to greet them in Atlanta, instead of the expected 500, in what turned out to be the largest immigrant rights demonstration Georgia had ever seen.<sup>36</sup> The question now for many is where do we go from here? Stephanie Weber, who had a seat on the IWFR bus, said the Freedom Ride really exposed a need for deeper communication if coalition work is going to continue to be successful. Active in many of the city's immigrant/labor coalitions for years, she says that some of the larger immigrant rights groups like ARCA (The Association for Residency and Citizenship of America) continue to have a 'dotted line' relationship with the coalitions, "They stay in touch," she says, "but they don't necessarily attend all the meetings." And the Freedom Ride also raised

some touchy issues about leadership. "All the events along the route were clearly orchestrated and you had a little more politicking for candidates than immigrant rights groups normally do," explains Weber. "It was clear early on that labor had not always done its job by connecting with the immigrant groups in its own communities. The stops seemed primarily photo ops for labor and the politicians to stand with the brown people. It started to get pretty hairy on the bus, and by the fourth or fifth day, people said 'we want our people speaking, we don't care what's on the agenda, we want to tell our own story.'" A few months after the ride, a reunion for the Houston riders was held at the Dominican House to discuss these issues and future directions for the IWFR coalition. People turned out and there was some heated discussion, but it was clear to everyone that the Ride had really done its work and opened up dialogue at the grassroots level.<sup>37</sup>

### *The Workers Center*

A long-term project that Richard Shaw and the Council have been trying to hatch is the expansion of its Community Services Program into more comprehensive workers center. Since 1981, the Council's 501(c)(3) Community Services Program has been providing social service referral and counseling, minor home repair, and emergency food pantry services to hundreds of families each week. Plans are to include employment services, beyond day-labor. Education and training at the Center would include ESL classes, worker rights and apprenticeship training, and citizenship formation. Emergency assistance will expand to include health, clothing and legal assistance. The Council joined with The Metropolitan Organization (TMO) - a grass-roots interfaith coalition that has had success influencing policy decisions in Houston - and the Associated Catholic Charities to submit a proposal to private funding sources to support The Workers Center. Start up funds have been contributed by the Hotel Workers, Bricklayers,

and Sheet Metal Workers. Although the pieces haven't come together yet for this expansion, it provides a vision of the Council's ambition.<sup>38</sup>

City funds currently support three organized day-labor sites in the city, including the Oscar Romero Day Labor Center, where the Council is helping to promote worker education programs covering OSHA safety rights, discrimination and wage and hour laws.<sup>39</sup> The Council is also a founding member of a newly organized Committee for Occupational Safety and Health (COSH) group in Houston, which aims to bring safety rights information and support to the immigrant communities.

### *Potential and Controversy of the Immigrant Work*

The shape of the immigrant coalition work changes as ideas and resources ebb and flow. For several months SEIU has led a work group, convening immigrant groups at the labor council to work on an immigrant family agenda. "These groups are not all used to working together. They are even more diverse than all the unions and they aren't "affiliated" with one another like the unions," notes Shaw. "They often represent their national origin interests, which can be very different. It has been interesting to see the African groups and some of the refugee status groups like the Cubans who don't have the legalization issues - but they have to work it out together." The immigrant family agenda focuses on basic needs such as access to driver's licenses, health care, and legalization issues. SEIU is building on this initial work to encourage more civic participation in the immigrant communities. Shaw argues that this kind of ground-work promises to pay off in the long run. "We are going to do some things that unions don't know how to do, or don't have the time to do. It's this whole shift of reaching out to workers who need help through the concept of a workers' center. I was telling a rep the other day that we weren't going to organize unions for him - a workers' center doesn't organize unions - but by the time he gets to the parking lot, the workers will know who the hell he is and what he is there for."<sup>40</sup>

But putting so much time and energy into immigrant work is controversial. A case can be made that in the long run organized labor's future in Houston is intertwined with the fate of the growing immigrant communities, but for local unions facing immediate battles over privatization and contract concessions, “ground-work” may seem a luxury. For example, has sinking time into working with government agencies in the Justice and Equality in the Workplace Project aided the basic work of union organizing? The Council has tried to get the NLRB to be a part of JEWP, but they wouldn't join. Shaw says they have never been “pro-active,” so he took the initiative himself to train the staff at the EEOC and the Consulates about legal rights to organize a union. He is hopeful now that when they recognize labor violations they can refer workers to the AFL-CIO.<sup>41</sup> Emilio Gomez, President of UFCW Local 408 was also part of the committee that originally put JEWP together. He has had concerns about the work pulling people away from a focus on union representation but he says his union doesn't have a problem with the EEOC or Wage and Hour in Houston. He reports that there have been times when workers were pointed in his direction when the agencies didn't have any remedies to offer, but its not a flood.<sup>42</sup>

Economic hard times can breed cooperation by throwing groups together. However, it can also lead to conflict when the issues confronting different groups are not brought together under the same tent. AFSCME'S membership in Houston is over 85% African-American and facing massive privatization and layoffs. Many of their jobs are being taken up by Hispanic contractors. Thomas Webb explains, “We have literally thousands of people who twenty-four months ago were productive citizens and now they are challenged with basic existence. Then with everybody laid off and nobody making a livable wage you want us to get on this bus and ride all over the country, saying immigrants deserve rights? All right, but what about our rights? What happened to our rights?”<sup>43</sup>

From time to time tensions can and do arise between and among the African American and Hispanic communities. Rick Lord with the Plumbers, who has been active in Houston politics for years



explains, “There is such a rift between the African American community and the Hispanic community. We have two communities that have the same problems, yet they are not speaking.”<sup>44</sup> But across town Orell Fitzsimmons, Field Director for SEIU local 100, is working to create some ground for that dialogue. “Our membership here is about half black and half Hispanic. We represent Head Start and school district employees, and we also represent vendors at the sport arena. And we are becoming more and more Hispanic as the days go on,” he says. “One project we have going is a family association of immigrants that are organizing the taco stands in the city. They make sub-minimum wages so we’re right there in the middle of that community.”<sup>45</sup> Experience shows that the only way to get different groups together is through action, says ACORN organizer Jenny Goldman. “When a bunch of African American ACORN members showed up to be part of the action to save one of our Latino members from eviction, people came together really, you know, to get something done, rather than just talking about it in theory or at meetings and looking at some things on a piece of paper.”<sup>46</sup>

Part of the challenge is for established unions to face up to new realities and change their way of doing business. Often, when there has been a threat to union jobs, the first instinct for labor has been to circle the wagons. Dale Wortham explains that there has been a turn around in the trades. “Before, when we found what appeared to be an undocumented worker on a job the union would call the INS and have them runoff. But still, the contractors didn’t come down to the union halls to hire us. They had an unlimited supply of workers coming across that border, coming across the street. We decided that if immigrant workers are going to be here anyway, let’s make sure they’re not going to be cheated. So we started concentrating our efforts on making sure whoever was doing the work got paid properly.” And so the building trades started enforcing prevailing wage rather than trying to get immigrants booted off the job.<sup>47</sup>

B.R. Williams, Executive Vice President of ILA Local 28, and Council Executive Board members tells a similar story, “At the docks the immigrant workers were convinced that the unions were their enemy. The union wanted the I-9 verification enforced when the non-union vendor went out and did their hiring. But the INS didn’t have enough resources to monitor it. They would call the company several days ahead of time and tell them they were coming. We found out that the non-union employers would tell the workers that the union called up and that’s the reason they were being laid off. But the workers were told to come back to work next week.” Now the Longshoremen are befriending these workers, protecting their jobs and bringing them into the fold. The next step is to build leadership within the union.<sup>48</sup>

### **Tools the Labor Council Offers Unions**

Resistance and apathy among affiliates to the Harris County AFL-CIO Council’s immigrant workers agenda has been offset, in part, by its "Street Heat" Justice Bus actions and its coordinated approach to electoral action, which involve affiliates in more traditional labor council activities.

#### *The Justice Bus*

About six years ago the Council started something they call the Justice Bus. Each year, on a day in June, they fill a bus with union representatives and community advocates, and drive around the city confronting hostile employers with some street heat. It started as part of the AFL-CIO Voice@Work Campaign and has become a regular thing. Baker Concrete, a major contractor for the new stadiums in Houston, has been on the “No Justice Here” list for the past three years. The Carpenters have been battling for union recognition and continue to fight for a first contract for their eighty or so, mostly Hispanic, employees.

Last year the union set up a tamale barbeque outside the cement yard fence to greet the Justice Bus. “It’s street theater,” says Diana Dale, Chair of the Houston Interfaith Committee for Worker Justice, and director of the Worklife Institute, a non-profit providing training and mediation services. “We have these “No Justice Here” awards that look like an actual award - it’s a certificate that we put in these black plastic frames. When the Justice Bus gets there, we get out the bullhorns and all the signs. After we have been at the chanting for a while, somebody makes a statement about what has been happening here. Then Richard and Dale walk up to office to present the award to the manager. Every time we do the Justice Bus that is the spin,” explains Diana. “Sometimes the manager says thank you very much and asks us to leave, other times they refuse to touch the thing. But we take a picture and try to dialogue with them for a few minutes. Richard is there with his Cheshire grin and I’m there with my Anglican collar and cross,”<sup>49</sup>

Everyone has their Justice Bus stories. Jim Lefton, PACE representative in Pasadena praises it as a great way to get members out of their seats. “It shows members they can get on this bus, rally around for people, and you don’t get hurt.” This past year the bus visited the Lyondell-CITGO refinery in Pasadena for a second year in a row to support the union’s continuing struggles with an employer that is bringing its labor relations model up from Venezuela.<sup>50</sup> Emilio Gomez, President of UFCW Local 408 describes how the Justice Bus turned out in support of UFCW organizing at a Wal-Mart. “When they went in to present the ‘No Justice Here’ to the manager all the union folks went in too with UFCW shopping bags. At Wal-Mart if you get 10 paces from an employee, they are supposed to greet you and say, ‘Can I Help You?’ So we all said ‘yes’ and started talking about the union.”<sup>51</sup> A mayoral candidate made an appearance and later when the Justice Bus set up a chant outside, some “greeters” on the payroll came out with their anti-union signs and slogans. The Houston Press, a progressive weekly tabloid covered the story. Perhaps the biggest gain for labor was the commradery it built among the riders. Al Zack an organizer with the UFCW was quoted saying, “To organize Wal-Mart will require the sort of social

movement we last saw with the civil rights movement... the obstacles are just as great.”<sup>52</sup> Meanwhile the Justice Bus keeps on rolling.

The Council solicits donations from its affiliates to charter the bus. Shaw remembers how he used to worry about getting people to turn out, but now they always seem to get 40 to 50 people. “It’s not just the full-time reps anymore,” he comments, “its mostly union activists, rank-and-file, and retirees, with a handful of community members.” This past year there were contingents from LCLAA and ACORN. Shaw admits that they don’t always get publicity every time they go out. However, a visit to several smaller towns in the area got really good stories in the Bay Town Sun and the Pasadena Citizen.<sup>53</sup>

To set up the stops, Shaw works closely with the locals. He tells the locals that when the day is done, and the Justice Bus leaves, the employer is not going to like them, and they had better be prepared for that. Ideally the local union, not the Labor Council organizes the actual event. “They have to take that chance of doing it themselves,” Shaw argues. “When I’m more of a participant than an organizer, that’s what I claim as a victory.” During its first six years, the Justice Bus has staged over sixty “street heat” events, supporting union organizing, contact campaigns, and community actions. This past year the Justice Bus showed up to support a UNITE organizing campaign at one of the large laundry facilities that serve the Houston medical center. The Bus supported an ACORN action against a real estate business whose “contract for deed” agreements take advantage of immigrants hoping to own a house. One year the bus stopped at Tom DeLay’s office for a little chat.<sup>54</sup>

To provide some balance, the Council has also given “Justice Here” awards for good labor/management relations. For example, the Port Authority was awarded a “Justice Here” award for building a working relationship with the Longshoreman's union in support of the Bay Port project, a new container terminal that is a visible part of the city’s future.<sup>55</sup> This year a “Justice Here” award was handed to management at the New Hilton Americas Hotel, where the Hotel Workers have received card-check

recognition and are bargaining for a first contract. The Justice Bus has clearly helped build good will between the Council and its union affiliates. Its “street heat” actions provide a tool to bring the labor movement to life, helping unions take their struggles public and energize membership. Over the years, it has helped the Council and its affiliates create some shared history outside of the meeting hall.

### *Political Machinery*

The Council also counts among its achievements a growing perception of political influence. Wortham boasts, “When everybody else got their ass kicked a couple years ago in the state of Texas, in Harris County the union vote made a difference in the 25<sup>th</sup> Congressional District race, the Harris County Commissioner’s race and the Mayor’s race. And helping the Mayor really paid off. We had a part in getting Benito Juarez in at the Mayor’s office and we were able to make some real gains with our prevailing wage campaign.”<sup>56</sup>

Gaining greater political influence has come through revitalizing the Council’s traditional political mobilization work. The Council works a typical Get-Out-The-Vote, with phone banking and mailings. They leave work site leafleting mostly to the local unions; the Council concentrates on canvassing members at home. The political operations operate around several “recycled” cardboard boxes in the Council workroom that contain updated union membership lists referenced against county voting and registration data. The Council can produce a quick list of union voters by congressional district, school district, city council wards, etc. While the union voter list accounts for the bulk of area union members, given histories of raiding between unions, some unions are still wary of sharing such information. Richard Shaw attributes much of the success here to the trust that the Council’s administrative staff member Ceole Speight has built over the years with the locals.<sup>57</sup>

The Council leadership claims that they have raised the percentage of union members voting from 19% to 52% in the city. Since overall voter turnout is often low, labor can become a real player when elections are close. Reflecting a new-found significance, AFL-CIO endorsements were recently printed in the Houston Chronicle for the last election cycle. Out of fourteen seats on the Houston City Council, three are filled by union members. "If you take each geographical jurisdiction." Dale Wortham argues, "city council B, C, or D, or the State Senate District 12, there are probably enough union members there to have an impact. We've shown them that, and they are all aware of it."<sup>58</sup> The Council builds continuing relationships with elected officials by sponsoring labor summits and breakfasts. Of course political action is not without its internal controversy. As in many labor councils individual unions do not always agree on endorsements, but the Council's endorsement meetings are well attended.

#### *Entering Local Economic Development Debates*

These political and mobilization tools have developed in a context of forays in to city economic development policy. In 1997, for example, the Council and SEIU Local 100 joined with ACORN in an ambitious ballot initiative to establish a city-wide minimum wage of \$6.50 an hour. An outright win proved ultimately too big a prize. A voting analysis by SEIU after the loss showed that the referendum lost 60 to 40 percent in black middle-income precincts, something that is chalked up to the \$1.5 million dollars in advertising spent by the opposition that threatened loss of city services. A researcher hired by the opposition prophesized a kind of "demilitarized zone" ringing the city abandoned by businesses and restaurants. The minimum wage campaign did, however, increase the Council's public profile, demonstrated what a coordinated city campaign involving grass-roots organizations like SEIU and ACORN might accomplish.<sup>59</sup>

For a textbook victory for labor in Houston, where the Council wielded some power and extended its reach, Shaw and Wortham point to the city's stadium and hotel projects, including the huge Reliant stadium that dwarfs the Astrodome, and the new convention center Hilton America hotel. After City approval of the hotel project in 2000, the Council and the Building Trades pushed for the hotel to be built union. There was also a deal that included a neutrality agreement for hotel employees when it went into operation. Richard explains how it happened:

The key was Dale, who is on the Harris County Hospital District Board. The hotel needed a tax abatement on some related lands. Dale early on said, 'if we are going to provide a tax abatement then all the people working in that new hotel to have health insurance.' And the people we were working with the city agreed, and that kind of paved the way. Instead of requiring the Hilton to buy health insurance for all its employees, they were coaxed into agreeing to a "labor peace" agreement and card check recognition where all those things could be negotiated. The hospital district services about one million people in Harris County that don't have health insurance, so Dale's seat on the Board is a key position in the labor movement.<sup>60</sup>

Letters collected from the different international union headquarters backed up the promise that if there was a union operated hotel in town it would get union convention business. Eventually a deal was brokered that got the hotel its tax abatements, labor got construction jobs, and a neutrality agreement was won for the future hotel employees. Card-check recognition was in fact won recently and HERE Local 251 is bargaining for a first contract.

With the baseball stadium, the contractor Brown and Root had originally rejected a labor offer from the trades, but came back to the table after the Council and the Building Trades pushed the city for strict enforcement of prevailing wage. The campaign ultimately won a limited neutrality agreement with the stadium's future vendor, and the whole thing was built about 80% union. The Trades renegotiated some craft definitions to bring some jobs that were being run non-union back under union jurisdiction - negotiating what an electrician does, what a carpenters does, and with the bricklayers they allowed three helpers to one journeyman. The Trades also got to pick two of its own to be prevailing wage monitors as well.<sup>61</sup> These forays into economic development issues helped build Council credibility among its

affiliates and the larger community. After the stadium and hotel deals, Council leaders perceived a new respect in town...and even some Republican candidates began coming around to try for endorsements.

### **Challenges for Greater Power Building**

The Harris County AFL-CIO has helped launch the larger labor movement on a path of common ground with immigrant communities, potentially positioning labor as a player in one of the central economic shifts in the region. At the same time the Council has strengthened its ability to mobilize affiliates in support of each other, and reenergized its political work. Impressively the Council has become more visible in the public arena, with its leadership sitting on coalition committees and boards, where they are constant spokespersons for labor and progressive issues. These accomplishments have come in an environment extremely hostile to organized labor. All of this work involves crucial elements for building a regional power building strategy. The Council has forged new coalitions, contributed to some political victories, and paved some ground for union organizing. How can the Council build this work into a full-fledged, self-conscious project for building regional power? The Council faces three challenges in this regard.

### *Agenda*

In order to sustain a growing sense of momentum, progressive power building needs an agenda that goes beyond specific campaigns. Such agendas need to be rich enough to combine the interest of many groups, yet focused enough to offer doable reforms. With the field of play so great, how can the Council focus to greatest affect? Should the Council's agenda be primarily concerned with affecting metropolitan political and economic policy issues? Or should it focus on creating a bargaining environment that can increase and protect union membership, as a highest first strategy? Or will a focus



on building service and support for immigrant and vulnerable workers lead the Council to the widest influence? The Harris County AFL-CIO Council is now working in all these areas on a project-by-project basis. It counts its best victories when a project spills into two or three of these areas, like the stadium and hotel projects which led to union building contracts, card-check for service workers, and an improved environment for immigrant workers through enforcement of prevailing wage rates. Is there a way to improve the chances for this kind of success?

An agenda focused on regional legislative and economic policy can lead to living wage campaigns, corporate subsidy accountability reforms, and anti-sprawl/smart growth measures. There is a lot of potential here to spin off gains in more than one area and to build alliances. This is the natural venue of grassroots advocate organizations and the public and service sector unions here. For many Council affiliates issues in this arena can seem a long way from their own shop floor so there are a lot of bumps to smooth out along the way to build buy-in. It's especially difficult when labor-endorsed candidates flip on public issues. For example, labor lost a recent vote to protect city employee's pensions, even though the turnout was less than 9% of eligible voters. The labor-endorsed mayor Bill White, along with business interests raised over a half-million dollars to support raiding the pensions to pay off the City deficit.<sup>62</sup>

A similar challenge faces the immigrant rights work. The Council has laid important new ground for connecting labor to immigrant communities. But what are the next steps? How can aging labor really connect with youthful immigrants? What is the longer-term agenda for local pro-immigrant coalitions and activism – how might projects transcend and spill over into multi-faceted victories in with policy, union organizing, and community building elements?

### *Resources*

The ambition here is great and the dignity of the cause unassailable, but this kind of regional power building requires a serious level of resources to proceed. Aggressive and innovative public policy campaigns that involve think-tank research and aggressive mobilization need full-time staff dedicated to the project to be effective. Once launched, a campaign requires continued mobilization and coalition building. Similarly, sponsoring leadership development, fostering champions among elected officials, doing creative media work, and maintaining on going relationships with allies, all takes time and energy. A labor council has two options for finding greater resources for such work. It can re-deploy its existing resources or it can raise additional funds by drawing from within the labor movement and seeking foundation support from the outside.

The current effort to establish a Workers' Center is an example of an attempt to expand with outside funds and targeted donations. Besides turning to City for potential block grants, the Council collected seed money from local unions some of which was used to provide Maria Jimenez a temporary stipend. Other sources of funds might include special projects of national significance that sometimes bring in power building resources, like the recent national AFL-CIO support for severance pay for abandoned ENRON employees in Houston.<sup>63</sup> Houston's AFL-CIO Union Community Fund, a labor alternative to the United Way, is also an asset for certain projects, as the United Way has been in the past. The old fashioned way of course is to increase membership base and affiliation. Adjusting the work of current staff positions to better support a regional power building agenda is another possibility that labor councils must discuss.

### *Strategic Planning for the future*

Part of the power building process is focusing on issues, doing the power analysis, and creating plans that attract sponsorship. For now Richard and the Council are mining veins that show promise and

staking claim to in its growing relationships with coalition partners. Coalition partners seem to show up wherever the action leads. There is a “home town” dedication here to make things better and keep at it. What could be gained from a sustained commitment to strategic planning with a core group of labor leaders and allied organizations remains to be seen. The Council has not yet taken that step and the players may not be ready to step so far outside their circles, as they fight for their own survival. The challenges here are as big as they are anywhere in the country. Yet opportunity and promise is great because the contrasts are visible on such a grand scale, and they model the best and the worst of what may be on the way for the rest of us.

David Reynolds provided direction, made substantial contributions, and edited this report. Cathy Howell, Deputy Director Southern Region AFL-CIO and members of the Building Power Research group contributed as readers. It’s a testament to the work of Richard Shaw and the Harris County AFL-CIO Council that so many people were willing, even anxious to contribute to this report. Thanks to those who took the time to share their thoughts and I hope omissions and misrepresentations will only stimulate more discussion about how to build progressive regional power in the Houston.

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