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December 12, 2017

Councilmember Joe Buscaino, Chair, Trade, Travel, and Tourism Committee
Councilmember Curren Price, Chair, Economic Development Committee
City of Los Angeles
200 North Spring Street
Los Angeles, CA 90012

RE: File No. 17-0725-S1

Dear Councilmembers Buscaino and Price:

I drive a truck for Intermodal Bridge Transport – known commonly as IBT – at LA’s port. Like so many others at the ports, IBT claims I’m an independent businessman but that’s a lie. In late November, an Administrative Law Judge with the National Labor Relations Board (NLRB) ruled that my co-workers and I are misclassified as “independent contractors” and that one of the reasons they misclassify us drivers is to keep us from forming a union. That’s illegal and the company has been told to change its ways.

Make no mistake about it: I have to show up every day at my company’s yard to work. The company tells me where to go, what load to pick up, and where to take it. The company decides how many hours I drive, and how much I am paid. And my company forces me to pay to work:

- I pay to lease the truck.
- I pay to fuel and maintain the truck.
- I pay all the fees on the truck.
- Often there are “mystery” deductions on my paycheck and I don’t even know what they are for!

My working conditions at LA’s port are a constant struggle. All we do is pull loads – the drivers make LA’s port successful – yet they treat us bad. It’s fine that they make all the big money; we just want enough to survive. We’re the blood arteries who make the company survive. Without us, there is no them. But I also know that without them, there is no us. They own the customers. They dispatch us. They are the boss. I ask you, “When does capitalism become greed? When does greed turn into abusing people?”

It doesn’t have to be this way. I move valuable merchandise for IBT’s customers, like Michael Kors, Target, General Electric, Trek Bicycle, and Sony, and the company has deep pockets – they’re owned by COSCO Shipping Lines North America, Inc., which is owned by the Chinese government. The ports generate billions of dollars a year in taxes and economic activity. Every job at LA’s port should be a good job – you should DEMAND this.

My co-workers and I have been on strike five times, and we will continue to do whatever it takes to win, including filing legal claims and going on strike. It's the only way we have to impact the company so they'll pay attention. They lose money when we aren't working, and it's the only way to get them to listen. It's the only way we can get a seat at the table. We never even get a real chance to ask them to change anything – we're just asking them to listen!

We are grateful that you are looking into ways to use your authority to help us fix this broken system by banning companies that are breaking the law. It's the only way to hold the retailers who are exploiting this broken system accountable.

We urge you to move quickly – every week drivers like me at LA's port are losing millions of dollars from wage theft due to misclassification. That's hundreds of millions of dollars in wages that are going into the pockets of trucking company owners and retail giant CEOs, and not into our communities.

Sincerely,

Daniel Aneseko Uaina, Port Driver
Intermodal Bridge Transport