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## **Environmental-labor alliance to fight poverty, pollution at American ports gets national attention with *New York Times* story**

***From New York to Los Angeles, mayors, port authorities recognize need to properly classify drivers as employees and place burden of truck maintenance on companies***

LOS ANGELES – A *New York Times* [story](#) today highlighted the unprecedented blue-green alliance of labor, port drivers and environmentalists that's appealing to Members of Congress to protect an innovative green-growth model to clean the air and good jobs at U.S. seaports.

The LA policy backed by Mayor Antonio Villaraigosa has received public acclaim by the entire California Democratic Delegation to Congress, Speaker of the House Nancy Pelosi, Transportation & Infrastructure Committee Member Rep. Jerrold Nadler (D-NJ), Rep. Debbie Wasserman Schultz (D-FL), Senators Barbara Boxer (D-CA), Dianne Feinstein (D-CA), and Rob Menendez (D-NJ).

As noted by reporter Steven Greenhouse in his story, "[Clearing the Air at American Ports](#)," deregulation laws have permitted the costly burden of owning and operating port trucks to fall on mostly Latino, East African and other immigrant drivers who typically net \$8 to \$10 an hour. Port drivers, the majority of whom are misclassified as independent contractors, do not have the means to properly maintain trucks or buy newer low-emissions trucks, and the result is more deadly diesel pollution. Studies have shown that these workers and port-area residents suffer from significantly higher rates of asthma and cancer.

"I used to see a lot of people drive messed up trucks, badly maintained trucks," Los Angeles driver Carlos Santamaria told the *Times*. "They often had to make a decision, 'do I fix my truck or do I put food on the table?'"

The Coalition for Clean & Safe Ports on the West Coast, and its sister alliance in New York and New Jersey, is a broad national partnership of over 100 labor, environmental, public health, community and other organizations that has advocated a solution that halts the use of contract drivers who eke by with meager wages to instead transfer responsibility for fleet modernization and maintenance from drivers to capitalized companies. In return for complying with environmental and operational standards, legitimate trucking firms can receive powerful financial incentives or subsidies to help jump-start a cleaner and alt-fuel market. The Port of Los Angeles implemented such a model, the U.S. EPA award-winning LA Clean Truck Program, in October 2008 and pollution levels dropped dramatically. But the heart of the program – a mandate transferring responsibility from trucking companies – has since been stalled by industry polluters.

Without that key mandate, environmentalists argue the Clean Truck Program will fail. The pollution controls on rigs that were bought with millions of dollars in public subsidies will break down in a few years. Similar initiatives across the country, such as one considered in Oakland,

are now on hold due to the Virginia based-American Trucking Association's legal challenge, scheduled to go to trial in April.

"You can't get clean air on the backs of the drivers," Amy Goldsmith, executive director of the New Jersey Environmental Federation, told the Times. "They can't possibly earn enough the way the system is set up, with the drivers required to buy gas, insurance and equipment."

The Ports of Oakland, Los Angeles and the Port Authority of New York and New Jersey, along with big-city mayors across the country, including New York Mayor Michael R. Bloomberg and Seattle Mayor Mike McGinn, also want Congress to modernize antiquated statutes of the Federal Motor Carrier Act to clarify that local port officials can fully and legally implement clean truck programs, which improve efficiency, port safety and security enforcement.

Without Congressional action, the Coalition argues thousands of truck drivers now sentenced to low-wage jobs will be forced to lease trucks they cannot afford or face unemployment. Additionally, more than 87 million Americans who live in neighborhoods by the ports will continue to breathe toxic smog, and job-creating infrastructure programs will be frozen.

Poverty is not limited to the Los Angeles port. A 2009 Rutgers [study](#) showed that drivers average \$28,000 a year nationally. Rafael Prestol, a truck driver at the Port of Newark, told Greenhouse that he sometimes makes today what he made driving in 1978 -- \$425 a week. He says can't afford to buy a cleaner truck.

"If we invest \$100,000 in a new vehicle and we're making \$2,000 a month or less, it doesn't make sense," Prestol said. "And what guarantee do you have after you buy a new truck that you'll continue to get work?"

The abuse of the independent contractor classification by unscrupulous companies was highlighted in another Greenhouse [story](#) on Feb. 17, 2010.

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*The **Coalition for Clean & Safe Ports** is a partnership of environmental, public health, community, labor and faith organizations that promote sustainable economic development at West Coast ports. We are working to make the port trucking system a less polluting, more competitive generator of good quality jobs for harbor-area residents. The **Coalition for Healthy Ports** is the sister alliance working to create cleaner, greener ports in New York and New Jersey. We are over 100 organizations strong nationwide.*