



California Labor Federation

AFL-CIO

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April 20, 2010

Chairman James Obserstar  
Transportation and Infrastructure Committee  
2165 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Oberstar,

On behalf of the 2.1 million members and 1,200 unions affiliated with the California Labor Federation, I am writing to express strong support for legislation to empower ports to set strong labor, environmental, and efficiency standards for the trucking industry.

The State of California, as one of the largest importers and exporters in the country, has long been on the forefront of addressing environmental and public health impacts associated with ports. The issues are not limited to ports but touch every corner of our state, as port trucks travel our busy highways delivering freight. However, faulty economics within the port trucking industry threaten our ability to reap the benefits of these initiatives, as tens of thousands of independent truck drivers are saddled with debt to upgrade their trucks to meet strict emissions standards aimed at reducing deadly diesel pollution that causes cancer, asthma and other respiratory diseases.

Every morning you will find drivers lined up at our ports – whether it is Los Angeles, Long Beach or Oakland – waiting to work. They are akin to day laborers on wheels, as they don't get paid unless they are dispatched to haul a container. The average port driver in California works from 11-14 hours per day and takes home as little as \$8 per hour after expenses. They have no benefits, including health insurance, sick pay, vacation, unemployment payments, or even workers compensation, and as independent contractors they are legally barred from organizing a union and collectively bargaining to change that.

Furthermore, independent contractors are responsible for purchasing and maintaining their trucks, as well as upgrading them to meet new State standards. Unfortunately, despite tens of millions of dollars in government subsidies, thousands of truck drivers lost employment earlier this year when the new standards went into effect. Simply put, the truck drivers and taxpayers cannot afford to pay for clean air while cargo owners and shippers get away with not paying any of the costs.

There is a better way, and that is the Clean Trucks Program instituted by the Port of Los Angeles in 2008. By ending the independent contractor system and requiring well-capitalized motor carriers to purchase clean trucks and hire drivers to operate them, in a very short time almost 6,000 USEPA 2007-compliant trucks were put into service at the Port. This reduced more than 30 tons

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of diesel particulate matter emitted by trucks per year, roughly equal to removing the particulate matter emissions of nearly 200,000 automobiles from our Southern California highways. This was accomplished with over \$500 million in private investment to purchase and lease new, clean trucks. Moreover, truck drivers began to exercise their democratic right to organize a union and have a voice at work.

Despite these unprecedented gains, litigation from the American Trucking Association now threatens the Clean Trucks Program, and effectively halted the Port of Oakland from adopting a similar program despite recommendations from a port-sponsored economic analysis and strong political support. It is critical that Congress acts so that our ports can sustain these environmental initiatives and improve the quality of life of workers at our ports and the people who live in the communities surrounding them.

I look forward to your support as legislation comes to your Committee that will cement the authority of ports to create quality, green jobs and clean up port pollution.

Respectfully yours,



Art Pulaski  
Executive Secretary-Treasurer

cc:      Congresswoman Speaker Nancy Pelosi  
          Congressman Mike Thompson  
          Congresswoman Doris Matsui  
          Congresswoman Lynn Woolsey  
          Congressman George Miller  
          Congresswoman Barbara Lee  
          Congressman John Garamendi  
          Congressman Jerry McNerney  
          Congresswoman Jackie Speier  
          Congressman Pete Stark  
          Congresswoman Anna G. Eshoo  
          Congressman Mike Honda  
          Congresswoman Zoe Lofgren  
          Congressman Sam Farr  
          Congressman Dennis Cardoza  
          Congressman Jim Costa  
          Congresswoman Lois Capps

          Congressman Brad Sherman  
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          Congressman Adam Schiff  
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          Congresswoman Lucille Roybal-Allard  
          Congresswoman Maxine Waters  
          Congresswoman Jane Harman  
          Congresswoman Laura Richardson  
          Congresswoman Grace Napolitano  
          Congresswoman Linda Sanchez  
          Congressman Joe Baca  
          Congresswoman Loretta Sanchez  
          Congressman Bob Filner  
          Congresswoman Susan Davis

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