

## Chapter 27 : Murdered by Capitalism



“They intimidate the workers by fear and that’s why they have him there. Everybody around here is so afraid that if something gets crossed up...lumber gets crossed up...they will try to fix it without stopping the machine for fear of being yelled at by the foreman if they do not stop the machine. It’s a constant environment of fear, totally.”

—Randy Veach, L-P Millworker, interviewed by Judi Bari, August 1992<sup>1</sup>

“Management doesn’t care about our feelings—it’s insignificant to them. OK? Basically we’re nothing but a paid robot. And we’ve been told...our jobs are graders...both of us we’ve been told graders are a dime a dozen.”

—Don Beavers, L-P Millworker, interviewed by Judi Bari, August 1992<sup>2</sup>

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<sup>1</sup> “Judi Bari interviews Louisiana Pacific Mill Workers”, Transcript of a KZYX FM radio interview; Reprinted in the *Industrial Worker*, August 1992.

<sup>2</sup> Bari, August 1992, op. cit.

Earth First! – IWW Local #1 knew about the state of affairs in G-P’s and P-L’s mills, thanks to the efforts of its members, but what were conditions like at L-P? Local 1 had tried, unsuccessfully, to try and get one of their members, Allen Anger—who had relocated from Washington—hired at an L-P mill in order to try and organize the mill from within.<sup>3</sup> Without a willing organizer in the plants, IWW Local #1 had to settle for using information supplied by underground dissidents within the mill to provide a picture of what took place on the inside. Luckily, thanks to the coalition being forged in opposition to L-P’s outsourcing, at least two, Don Beavers (a grader who had once worked in the Potter Valley Mill before it closed) and Randy Veach, were able to reveal that if safety and working conditions were bad enough in the nominally union Georgia-Pacific mill in Fort Bragg, they were substantially *worse* in Louisiana-Pacific’s nonunion mills. Yet, the L-P workers were least likely to openly declare their opposition to such repression. As Judi Bari explained in 1991, it wasn’t difficult to understand why:

“How does a company as cold and crass as (L-P) keep their workforce so obedient? A look behind the barbed wire fence that surrounds their Ukiah mill might yield some clues.

“It’s their little world, and when you step through the gate you do what they say or you don’t stay in their little world,” says one millworker. The work rules are designed to turn you into an automaton. There’s a two-minute warning whistle, then the start-up whistle. You have to be at your work station ready to go when the start-up whistle blows, or you can be written up for lateness (three white slips in a year for the same offense and you’re fired). You stay at your work station doing the same repetitive job over and over for two and a half hours (two hours in the planing mill and a half hour in the sawmill) until the break whistle blows. Then you get a ten-minute break, except that it takes you two minutes to walk to the break room and two minutes to walk back, so you only get to sit down for six minutes. And don’t get too comfortable, because there’s a two-minute warning whistle before the end of break time, then you have to get back to your station ready to go when the start-up whistle blows again. If

you ever wondered what they were training you for with all those bells in public school, here’s the answer—life at L-P.

“In the Land of the Free, democracy stops at the plant gates. The Bill of Rights is supposed to protect against unreasonable or warrantless searches. But not at L-P. Their drug policy reads like the Gestapo: ‘entry onto company property will be deemed as consent to inspection of person, vehicle, lockers or other personal effects at any time at the discretion of management. Employee refusal to cooperate in alcohol and other drug testing, or searches of other personal belongings and lockers are subject to termination [sic].’ And, before you even get hired you have to submit to a urine test and sign a consent form to let them test your urine any time ‘for cause,’ again at the discretion of management.”<sup>4</sup>

Such rules were obviously designed to maximize production and quell dissent, particularly about the lax safety standards, which—had they been stronger—would have threatened Harry Merlo’s “log-to-infinity” profit-oriented forestry.

“Loss of life or limb is a constant danger at L-P, but it doesn’t happen every day. What does happen every day is the mind numbing tedium of the job, and L-P’s constant rush for production. Take the job of lumber grader. Rough cut lumber, 2x12 and up to 20 feet long, comes up on the chain, and the grader has to scan it, turn it over, decide the best way to trim it for length and split it for width, and put the grade marks and trim marks on the board. You have two to three seconds to perform all these tasks, while the chain keeps moving and the next board comes up. All night long. Back injuries, tendonitis, and shoulder strains, common among graders and other millworkers, are caused by turning over the heavy lumber. But the company just wants its production quotas. ‘We broke a production record in our section,’ said one of my sources. ‘We used to get pizzas and beer for that, but this time they just got us one of those six-foot submarine sandwiches. We probably made them \$200,000 in L-P’s pocket that night and they gave us a sandwich.’

<sup>3</sup> “Minutes of the February 1990 IWW Local #1 General Membership Branch meeting”, recorded by Judi Bari, February 4, 1990.

<sup>4</sup> “Notes from Hell, Working at the L-P Mill”, by Judi Bari, *Anderson Valley Advertiser*, April 17, 1991.

“...In such a petty, dictatorial atmosphere, some petty dictators are bound to arise. And there is none better known at L-P than Dean Remstedt, swing shift foreman in the planing mill. Remstedt runs his shift with threats and favoritism and is known as a racist. A few years ago he passed out a flyer making racist jokes about Jesse Jackson. It offended some of the millworkers so much they took it to the *Ukiah Daily Journal* (anonymously of course). Remstedt denied that there was a problem. ‘It was something laying in the break room that we was laughing about,’ Remstedt told the *Journal*. But Hispanic workers, who make up about one-third of the shift, were not laughing. ‘To me, when I got that, that was from the company,’ One of them told the *Journal* reporter. And of course, L-P’s upper management did nothing to change that impression.<sup>5</sup>

This was just a case of a petty dictator throwing his weight around however. Evidently such behavior was rampant throughout L-P. For instance, in April 1989, African-American sawblade filer Cigam Nam X sued L-P for five years of racial discrimination he experienced while working at the Samoa mill. In his complaint, he stated that he was routinely called “nigger” and even subjected to images of lynched blacks with the slogan “KKK all the way!” at his workstation. His supervisor dismissed his concerns by telling him that KKK was “just letters of the alphabet.” He was also demoted from his job and told that the company “would make it hard on him” if he complained.<sup>6</sup> Remstedt was the rule rather than the exception, and he did not especially set a good example either:

“Millworkers say Remstedt is ‘a fanatic about production’ and that he ‘intimidates people into taking chances [with safety] for fear of being disciplined or of losing their job.’ He sets the example with his own reckless behavior, which has led to him having several on-the-job accidents himself. He once climbed onto an automatic lumber stacking machine that was not properly turned off, and he was knocked to the ground when the auto-cycle started up and the lumber moved forward, sending him to the hospital with minor injuries. Another time he

stood on the forks of the forklift raised to a high position so he could reach something overhead. He fell off and knocked himself out cold. They wrote up the forklift driver for that one, but they never write up Remstedt, even though the injuries to others on his shift have been a lot more serious than his own, including a woman who lost her leg walking between roller cases on a machine that bands lumber.”<sup>7</sup>

Randy Veach and Don Beavers elaborated further a year later when they finally openly criticized the company. According to Veach,

“...A board got crossed up on what’s called the landing table that comes out of the planer. We had to stop the landing table chains to get this cross up fixed. Well, one of the workers was trying to do it, the chains were turned off and he was trying not to get up on the landing table, he was trying to do it from his work station so he wouldn’t have to lock everything out...because he was safe from where he was. (Remstedt) came along and started yelling at that particular employee. He told him, ‘We don’t have all night to run this stuff.’ And that intimidated that employee to jump up there and fix it immediately. And that’s what happened. The employee jumped up on the landing table. Nothing was shut down.”<sup>8</sup>

Under such conditions it was inevitable that someone would eventually be killed, and sure enough, that is exactly what happened. The victim was 33 year-old Ukiah millworker R. Fortunado “Forty” Reyes, who died on the night of September 14, 1989.<sup>9</sup> It was sickly ironic that the tragedy occurred on the very day that L-P admitted that they were outsourcing their milling operations to Mexico.<sup>10</sup> Reyes, a family man, had worked at L-P’s Ukiah facility since that March after being transferred there following the closure of the Potter Valley mill. Forty had been one of the unlucky group of workers with the misfortune of being under Remstedt’s supervision. On the night in question, Remstedt wasn’t present, but Reyes worked as if

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<sup>7</sup> Bari, April 17, 1991, op. cit.

<sup>8</sup> Bari, August 1992, op. cit.

<sup>9</sup> “Worker Killed at Ukiah’s L-P Mill”, by Keith Michaud, *Ukiah Daily Journal*, September 15, 1989 and “Louisiana-Pacific Millworker Dies in Accident on the Job”, staff report, *Willits News*, September 20, 1989.

<sup>10</sup> “LP Plans Mexico Expansion”, by Richard Johnson, *Mendocino Country Environmentalist*, September 15, 1989.

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<sup>5</sup> Bari, April 17, 1991, op. cit.

<sup>6</sup> “Racism Alleged at Mill”, *EcoNews*, April 1989.

he were, having been severely traumatized by the petty dictatorial supervisor the previous week. According to Bari:

“A few days earlier Remstedt had ridiculed Fortunado in front of his co-workers for pushing the emergency stop too much and slowing down production. ‘He called Forty a sissy, and that’s not all,’ say his friends.

“No one knows exactly how he died because no one saw or heard it. But apparently Fortunado was straightening lumber on a tray when he was caught unawares by another moving tray of boards, and was crushed between the lumber and the machine’s steel beams. Co-workers found him lying on the cat-walk. ‘We looked up and Forty was lying on the catwalk, like he was listening in. I said *Hey, what are you doing?* but he didn’t answer. We poked him and he didn’t move, and we knew something was really wrong. When we turned him over you could see the indentations from the lumber in his chest.’ Some of the millworkers, and later the ambulance crew, tried to revive Fortunado with CPR, but it was too late. ‘By the time the ambulance took him away he was already starting to bloat up,’ eyewitnesses said.”<sup>11</sup>

Louisiana-Pacific was less than forthright about the nature of Reyes’s death. When Sheriff’s Lieutenant James Tusso found the millworker, he declared that Reyes “*May have failed to push the emergency stop button before trying to free (the) jammed equipment,*” never once considering the possibility that the deceased had been *ordered* not to push it. No doubt that had much to do with the fact that Shep Tucker hinted that the millworker was responsible for his own death. Both Tusso and Tucker suggested that Reyes might have “become complacent and careless.” The only other statement Tucker issued was, “What can you say...it’s a tragedy.”<sup>12</sup> Evidently, however, it wasn’t significant enough to halt production pending an investigation, no doubt because an investigation would have revealed that Reyes had died due to company pressure.

L-P assumed no responsibility for the mill worker’s death either. Although State Farm Insurance was L-P’s largest stockholder at the time of Reyes’ death, the company provided no health insurance for

its non-management employees. The company paid Maria Reyes, Fortunado’s widowed wife, a paltry sum of \$2,000 for burial expenses, as was company policy.<sup>13</sup> Reyes’s fellow workers were appalled and filed their own OSHA complaint, despite lacking a formal union to represent them. Because of this and fearing for their jobs as a result, they asked Judi Bari to speak on their behalf (which she did as a representative of IWW Local #1).<sup>14</sup> L-P was fined for two safety violations, including violation of the emergency stop rules and “fined the pitiful amount of \$1,200 for taking a man’s life.” Remstedt was ordered to give a talk on safety and the procedures for using the emergency stop, but a week later, he was back to his old habits.<sup>15</sup> The company appealed and got the fines reduced to \$600<sup>16</sup>, but, amazingly enough, Mendocino County District Attorney, Susan Massini—usually quick to dismiss any charges against corporate timber interests and prosecute environmentalists to the fullest possible extent of the law—prosecuted Louisiana-Pacific for the industrial murder of Fortunado Reyes.<sup>17</sup> As a result, L-P was fined a total of \$5,000, the maximum amount allowed by law at the time.<sup>18</sup>

Rather than learn from this experience, L-P management, all the way up to Harry Merlo remained set in their ways. In late January 1990, Willits L-P mill worker Ken Snearly had his legs injured when a load of boards slid off of the forklift.<sup>19</sup> A few days later, yet another mill worker, Gabriel Guerra, underwent surgery after getting his foot caught in the mill machinery.<sup>20</sup> A few days after the filing of the charges for the death of Reyes, Merlo wrote a memo to the Ukiah millworkers blaming “inflammatory claims made by a

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<sup>13</sup> “Opinion”, by Don Lipmanson, *Mendocino Commentary*, October 5, 1989.

<sup>14</sup> “Earth First! in Northern California: An Interview with Judi Bari” by Douglas Bevington, reprinted in *The Struggle for Ecological Democracy: Environmental Justice Movements in the United States*, edited by Daniel Faber, New York, NY and London, Guilford Press, 1998, 256.

<sup>15</sup> Bari, April 17, 1991, op. cit.

<sup>16</sup> Bevington, op. cit., 256.

<sup>17</sup> “DA Will Scrutinize L-P Mill Fatality”, by Mike Geniella, *Santa Rosa Press Democrat*, August 14, 1990; “Here and There in Mendocino County”, by Bruce Anderson, *Anderson Valley Advertiser*, September 5, 1990; “L-P Faces Criminal Charges in Worker’s Death”, by Lois O’Rourke, *Ukiah Daily Journal*, September 14, 1990; “Criminal Charges Filed Against L-P” *Willits News*, September 14, 1990; “L-P Charged in ‘89 Death of Worker”, by Mike Geniella, *Santa Rosa Press Democrat*, September 15, 1990; and “L-P on Criminal Charges”, *EcoNews*, October 1990.

<sup>18</sup> Bevington, op. cit., 256.

<sup>19</sup> “Willits Millworker Injured at L-P”, staff report, *Willits News*, January 31, 1990.

<sup>20</sup> “A Second Worker Injured at L-P Mill”, by Maureen Conner-Rice, *Ukiah Daily Journal*, February 2, 1990, and “Another L-P Mill Worker Injured”, staff report, *Willits News*, February 7, 1990.

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<sup>11</sup> Bari, April 17, 1991, op. cit.

<sup>12</sup> Michaud, September 15, 1990, op. cit.

few groups of rabid preservationists” for the “negative atmosphere” leading to the criminal charges.<sup>21</sup> Merlo had stopped just short of suggesting that unwashed-out-of-town-jobless-hippies-on-drugs had come into the mill *themselves* and killed Reyes.

By contrast, Judi Bari accused both Merlo and Remstedt of “murder”, and certainly, many of the L-P workers agreed, even if they were afraid to openly state it.<sup>22</sup> The *Ukiah Daily Journal*, rather than condemn L-P for profit driven “terrorism” again expressed utter silence over the matter within its editorial pages. On the other hand, Earth First! in Humboldt and Mendocino County repeatedly made it a point to remind everyone—especially when *they* were accused of being terrorists, that it was *L-P* (and *P-L*) who had terrorized the workers, quite literally to death. The yellow-ribbon adorned self-described “representatives” of the timber workers on the other hand, namely Mothers’ Watch, TEAM, and WEC-ARE—and, to no small extent now, Don Nelson—were too busy blaming “unwashed-out-of-town-jobless-hippies-on-drugs” to notice that Earth First!ers and IWW members were actually defending the very workers the former claimed to represent.

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<sup>21</sup> Bari, April 17, 1991, op. cit.

<sup>22</sup> Bevington, op. cit., 256.