

Newsday

September 9, 2010

Port truck drivers deserve healthier conditions;

National legislation would help New York replace old vehicles, improve air quality

By Elizabeth Yeampierre and George Miranda

Americans know all about the deplorable conditions in overseas factories. But few are aware that the tens of thousands of skilled U.S. workers who transport goods like television sets and tennis shoes from shore to store endure disturbingly similar conditions.

An estimated 7,000 toil for low pay each day in New York's polluted ports, among 110,000 such workers nationwide. The average hourly take-home pay for commanding the wheel of those diesel-belching heavy-duty container trucks that travel the Long Island Expressway is just below \$10 for a 58-hour workweek, according to a recent Rutgers study. Few port drivers have health care insurance; the majority lack basic workplace protections such as workers' compensation, overtime pay or sick leave.

The powerful trucking industry that created these "sweatshops on wheels" jobs may finally be held accountable, thanks to a new bill in Congress, backed by more than 65 sponsors, including all five House Democrats representing Long Island.

For years, many employers have labeled struggling truck drivers "small businessmen" to avoid payroll taxes and push on them all operational costs - truck payments, fuel, maintenance, insurance, registration and so on. Small wonder these so-called independent contractors can only afford the oldest and dirtiest rigs on the road, and that 95 percent of our nation's port trucks fail to meet Environmental Protection Agency emissions standards.

The Clean Air Task Force projects that this year, diesel pollution will lead to 1,400 premature, preventable deaths and more than 48,000 asthma attacks in the metropolitan region alone. Dirty trucks are a major culprit, as they pump thick toxic plumes into the air along major highways, past schools, through both poor and affluent neighborhoods, irritating the lungs of drivers and residents alike.

Furious over these environmental and economic consequences, Mayors Michael Bloomberg and Cory Booker of Newark joined several counterparts on both coasts who want the trucking industry to clean up its act. Backed by the Port Authority and other leading ports, they took their case to Washington.

The Clean Ports Act of 2010, introduced by Rep. Jerrold Nadler (D-Manhattan), would make it clear that local officials possess the regulatory authority to enact and enforce sustainable “Clean Truck Programs,” as Los Angeles did almost two years ago. L.A.’s EPA award-winning policy put 6,600 new clean vehicles on the road by providing incentives to companies of all sizes to replace dirty fleets and adhere to legitimate employment practices, at no direct cost to consumers. The Port of Los Angeles has seen a nearly 80 percent reduction in emissions.

The American Trucking Associations challenged the Los Angeles program in court, but late last month, a federal judge ruled the program legal.

Still, the litigation already deterred the Port Authority of New York & New Jersey. Officials here introduced a limited plan that aims to upgrade only 8 percent of the fleet. And taxpayers and low-income truck drivers must pay the multimillion-dollar price tag instead of profitable companies.

New Yorkers deserve better. Fortunately the Clean Ports Act has support from responsible, forward-looking segments of the harbor industry. The entire New York congressional delegation should join Nadler to help protect these interests, local residents and workers.

The trucking industry has driven down the low road for too long. The Clean Ports Act would fix our stalled economic and environmental progress by making dirty air and dead-end jobs at trade hubs a thing of the past. And that would give New Yorkers a reason to breathe easier.

Elizabeth Yeampierre is executive director of United Puerto Rican Organization of Sunset Park, Brooklyn’s oldest Latino community-based organization. George Miranda is president of Teamsters Joint Council 16, representing 125,000 workers in New York City, Nassau, Suffolk and other nearby counties.