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Abstract: The Ports of New Jersey as a Grey Zone of Work and Employment

The ports of New Jersey, in Newark and Elizabeth, on the western bank of the Hudson River, used to be dominated by the union of longshoremen, who loaded and unloaded the ships plying global union, and the labor markets of the market are becoming increasingly a grey zone where contradictory laws and rules apply, especially among the truck drivers and warehouse workers who move the freight from the port to the commercial districts of the New York metropolitan region.

Truck drivers work as independent contractors for small trucking companies which contract with shippers to deliver and pick up containers of freight at the ports. As independent contractors, they have no labor rights, even though they work for only one trucking company at any one stretch of time. They are responsible for all their expenses, for the maintenance of the trucks, for insurance and permits, and for the fuel that powers their trucks, which tend to be old, polluting, and fuel inefficient, since the drivers can’t afford up-to-date models. Some of the drivers have challenged their status as independent contractors, but so far, have made limited progress in the courts and on the docks.

Warehouse workers are put to work by temporary staffing agencies, which are located in the Latino neighborhoods where most of the labor supply resides. The staffing agencies hire the workers and assign them to work, but do not supervise them on the job. The warehouses where they work are not employers, and take on none of the responsibilities of employers. There is no training or attention to safety and health. Employment is day by day, and there is no opportunity for advancement.

The communities where the trucking companies and warehouses are located welcome the tax revenue that these businesses pay, but they have no interest in maintaining labor regulations or work standards. The Port Authority of New York and New Jersey functions as an extension of the shipping community, and gives short shrift to the workers’ needs. Together, the communities and the Port Authority lobby together against labor demands for the enactment of regulation.

Thus, in this grey zone of work and employment, local governments and the Port Authority are instruments of deregulation, creating an environment where it is uncertain what the law is, and unclear what laws and regulations will be enforced.