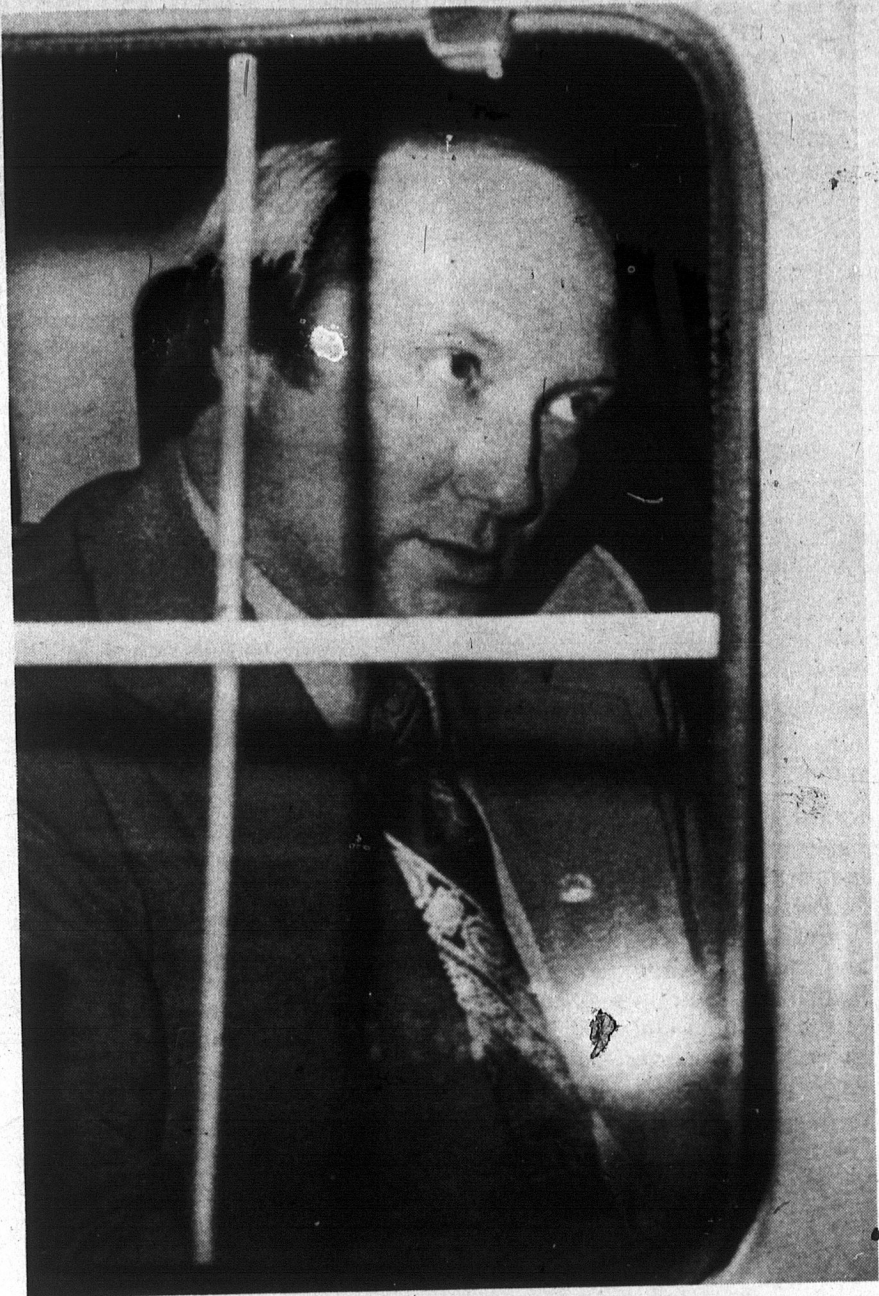


2nd reporter jailed for protecting source



Wide World Photo

Prison-bound

Los Angeles newsman William Farr is carried off to jail in a police van after reiterating his refusal to identify the sources of a Los Angeles Herald-Examiner story on the Charles Manson murder trial.

National press council to be launched in '73

New York City—A 15-member national press council will be established early next year under the auspices of the Twentieth Century Fund.

Establishment of the council to monitor performance of the nation's print and electronic media was recommended last week by a Twentieth Century Fund task force, composed of nine newsmen and four others.

The task force proposed that the council act not only as an ombudsman to investigate complaints against the press but as a media advocate when government or other sources threatened freedom of the press.

The task-force report said the body, tentatively titled the Council on Press Responsibility and Freedom, "will attempt to make the media accountable to the public and to lessen the tensions between the press and government."

The task force named a com-

mittee headed by Roger Traynor, former chief justice of the California Supreme Court, to establish the council and seek funds for it. Traynor will be council chairman.

Membership in the council will be drawn from the press and the public but will not include

(Continued on Page 6)

Los Angeles newsman William Farr is in jail again, and it may be his residence for years to come.

His continued refusal to disclose the sources of a story on the Charles Manson trial could keep Farr sitting behind bars for as long as the judge who sentenced him sits on the bench.

Los Angeles Superior Court Judge Charles Older, in ordering Farr jailed Nov. 27, accused him of having "a strong desire to become a martyr." Farr had maintained his refusal to name his informants in a dramatic 2½-hour court session.

The six trial attorneys who Farr had previously said included two who had given him the information all swore under oath they were not Farr's source and agreed he should be released from any obligation not to disclose who the source was. But Farr said that the two who gave him the information had "beseeched" him privately to ignore their waivers.

Farr's attorney is pressing new court action to win his release, but initial attempts in the California courts were unsuccessful.

Farr, who went to jail briefly Nov. 16 but was freed temporarily, is the second newsman in two months to be imprisoned for protecting his sources.

Meanwhile, in other developments in the growing privilege controversy:

• A Chattanooga talk-show host, Harry Thornton, was jailed for several hours Dec. 5 for declining to divulge the name of a grand juror who called his program to say the jury's investigation of a former judge was "white-washed."

• Harvard government professor Samuel L. Popkin, jailed for refusing to disclose sources of information about the Pentagon Papers, was freed unexpectedly after a week when the grand jury before which he was called was dismissed.

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THE GUILD REPORTER

OFFICIAL ORGAN OF THE NEWSPAPER GUILD (AFL-CIO, CLC)

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Washington, D.C.

December 8, 1972

Sacramento package lifts key top by \$70, to \$314

Sacramento, Calif.—Top minimums for reporters and advertising-sales representatives are increased \$70.46, to \$314.71, in a new 33-month contract at Copley's Sacramento Union.

The wage settlement parallels increases won almost a year ago at the Sacramento Bee and approved, in their first two stages, by the Pay Board in August. It is based on a formula under which San Francisco-area newspaper contracts were renegotiated late in 1970 under the auspices of mediator Sam Kagel.

The increase in key top minimums covers both display and outside classified-advertising representatives. In addition, the top for telephone salespeople is increased \$49.22, to \$197.57, that

for telephone operators \$41.90, to \$168.18, that for stenographers \$46.40, to \$186.23, and that for copy clerks, messengers and library clerks \$34.82, to \$139.78.

A number of the job titles were changed to eliminate sex distinctions. They include those of display and classified salesmen, copy boys (changed to clerks) and deskmen and rewriters (changed to desk men/women and rewrite men/women).

The commercial-sales department is added to contract coverage, and a revised jurisdiction clause protects the Guild's jurisdiction over new or additional work that may be assigned to covered employees.

The Guild won \$10,000 hazardous-assignment insurance and \$100,000 coverage for air travel. Property-damage insurance of from \$10,000 to \$25,000 is added to automobile-liability insurance previously paid for 50 percent by the publisher.

Bereavement leave of three days is added, and maximum paid jury leave is extended from two weeks to three.

A pending arbitration over dual work performed by the chief photographer was settled under the contract by a clause allowing the incumbent employee to write and take photographs for an outdoor column with additional compensation of \$20 a day, or \$40 a week if the work takes more than a day.

Discrimination charged in N.Y. pay slash

A four-point appeal is being filed by the New York Guild against the Pay Board's order slashing third-year increases from 11 to eight percent at four metropolitan dailies.

It will include a charge that the board's action constitutes "discriminatory treatment" because it does not allow diversion of the lost wages to fringe areas normally not included in the board's calculation of allowable increases.

Two more New York craft

unions, the ITU Mailers and the Stereotypers, meanwhile announced they will terminate their contracts in 60 days because of the pay-cut order. The Newspaper and Mail Deliverers had previously announced termination.

Although the Guild and other unions also have clauses allowing termination if wage provisions are reduced by government edict, they have not yet acted to terminate. Typographical Union President Bertram A. Powers said the question would ultimately be submitted to a membership vote, and the Pressmen's Union, like the Guild, is appealing the decision. So are the Stereotypers.

In other wage-control developments, the Pay Board announced a recodification of regulations permitting increases of seven percent for wage reopeners effective during Phase Two if they were provided for in contracts predating Phase Two.

The new ruling will affect reopeners in at least three Guild contracts—at the Waukegan News-Sun, the Eugene Register-Guard and the Jersey Journal. Increases of approximately eight

percent were negotiated in Waukegan last February and in Eugene last month. A reopener is scheduled at the Journal next May.

Among other changes in the recodification is one permitting tandem wage and benefit increases above the 5.5-percent standard in the second and subsequent years of long-term contracts.

In addition to charging discriminatory treatment in fringe

areas, the New York Guild appeal will object to a requirement that the eight-percent increases allowed be calculated on "scales" rather than salaries, the local said.

The Guild's contracts have minimums rather than scales, it points out, and under the board's ruling employees receiving more than the top minimum would actually get increases of less than eight percent.

The Guild charged that the re-

(Continued on Page 7)

Video-display work at UPI awarded to editorial staff

New York City—An arbitration board ruled last month that editorial employees represented by the Wire Service Guild rather than teletype operators represented by the United Telegraph Workers should operate United Press International's new video display terminals.

A ruling by I. Robert Feinberg, chairman of the board, held that operation of the terminal is an editorial function and not a method of transmission falling

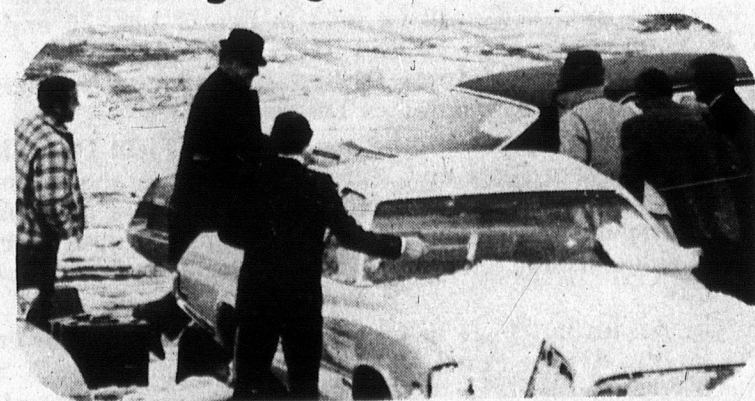
under the UTW's jurisdiction.

The opinion was handed down in an arbitration initiated by the UTW, which has lost 40 jobs as a result of the VDT's installation. The Wire Service Guild was not a party to the proceeding.

The VDT is used to edit stories stored in a computer and return them to the computer with instructions for filing on the wire. The UTW claimed that, because the latter step initiated

(Continued on Page 6)

What's going on here? ...



... See Page 3

Simons, Wright, Garvey to judge contest Seattle Guild presses fight on jail access

Howard Simons, managing editor of the Washington Post; Frank Wright, chief of the Minneapolis Tribune's Washington bureau, and Bruce Garvey, Washington correspondent for the Toronto Star, will be the judges for TNG's 1972 Heywood Broun Award contest.

Their selection was announced this week by contest chairwoman Stella Roberts. The deadline for entries is Jan. 20.

The winner will be announced at an award luncheon at the National Press Club in Washington Jan. 29, the opening day of the International Executive Board's winter meeting.

A \$1,000 prize and a Guild citation will go to the winner. The contest, for journalistic work in the spirit of Heywood Broun, the Guild's founder and first president, was won last year by Aaron Latham of the Washington Post.

Employees in the Guild's jurisdiction on newspapers, news services, magazines and broadcasting stations in the United States, Canada and Puerto Rico are eligible, whether or not they are Guild members.

Contestants have been asked to send entries to TNG's new headquarters at 1125 15th St. N.W., Washington, D.C. 20005, into which the Guild expects to move by the first of the year.

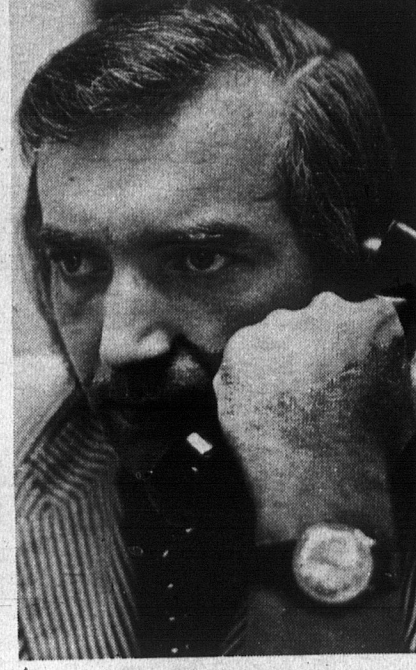
Jan. 20, the Broun contest deadline, is also the deadline for nominations for the 1973 Guild Service Award for outstanding



HOWARD SIMONS



FRANK WRIGHT



BRUCE GARVEY

service at the local level.

Simons, a Guildsman while serving as Washington Post science writer from 1961 to 1966, has been managing editor since last year. Before that he was deputy managing editor and assistant managing editor.

He has been American columnist for the New Scientist of London and was editor of Science Service before going to the Post. He has won numerous science-writing awards and received the Raymond Clapper Award for best Washington reporting in 1966.

At one time he was a consultant to the National Academy

of Sciences' information office and a speech writer for former Presidential Science Adviser George B. Kistiakowsky.

Wright was a Guildsman at the Minneapolis Tribune until transferring to the Washington bureau in 1968. He was unit chairman and the local's editorial vice president for six years, serving as chairman of several Tribune negotiating committees.

Wright was assistant city editor at the Tribune before specializing in political news. He has won several Page One Awards from the Twin Cities Guild and last year received the Worth Bingham prize and a second-place

award in the Raymond Clapper contest for articles on the dairy industry's campaign contributions to President Nixon.

Garvey, a Toronto Guildsman and former shop steward, is British-born and was a member of the National Union of Journalists while a reporter for the East Anglian Daily Times. He was formerly city editor of the Montreal Gazette and national editor of the Toronto Star.

He also worked for the Montreal Star, and last April he flew to Montreal from Washington to aid in a weekend blitz that organized the Star's editorial department.

Seattle, Wash.—The Pacific Northwest Guild and the American Civil Liberties Union are pressing a joint fight in the Ninth Circuit Court of Appeals to gain reporters the right to interview inmates of the McNeil Island Federal prison.

An appeal is being pressed from a lower court's dismissal of a suit challenging restrictions on access to news sources at the penitentiary.

The suit was launched by the Guild, the ACLU and author Jessica Mitford in March 1971 after prison officials refused to let reporters or Mitford interview leaders of a prison strike. One of the strikers' demands was for access to reporters.

Federal Judge William Goodwin dismissed the suit last May when the government said it was willing to permit interviews under certain circumstances, with the approval of prison officials.

Goodwin, in dismissing the suit, said the interests of prison order may require that inmates be denied certain rights. He said the government's new rules governing interviews appeared to be "reasonable."

The ACLU and the Guild said the regulations were unsatisfactory, and a Guild membership meeting last month voted a \$200 appropriation to appeal the case, in addition to \$349 to pay previous costs.

The ACLU contends the restrictions violate the First Amendment.

\$278 key minimum

\$18 hike won for Gary reporters

Gary, Ind.—The reporter top minimum is increased \$18.04, to \$278.04, in the first year of a new two-year contract at the Gary Post-Tribune. There will be a wage reopener for reporters in the second year.

Life-insurance coverage is increased \$6,000, to \$10,000, with the employees' share of the premium reduced from 60 cents per thousand dollars to 50 cents. And

the publisher's contribution to health-insurance premiums is increased from two-thirds to three-quarters.

Four months' maternity leave is provided in the contract, and the company will pay the difference between salary and remuneration for employees called to jury or witness duty.

A new clause provides 24-hour protection to photographers

against theft or damage of their equipment. The company will also pay \$17.50 a month as rental for the equipment.

Scholastic unit achieves goal of job protection

New York City—A long-sought goal of job security was achieved last month in a new contract between the New York Guild and Scholastic Magazine.

The Guild unit, which had voted strike authorization over the issue, won a clause requiring that dismissals be in inverse order of seniority, with exceptions subject to arbitration. Up to now there had been no job protection in economic dismissals.

The two-year contract provides for general increases of 5.5 percent in each year. They will produce top minimums of \$356.17 for the associate editorial director, up \$36.17; \$200.34 for assistant editors, up \$20.34, and \$125.78 for clerk-typists, up \$12.78.

Other contract gains include a deductible amount of \$300 per family for major-medical coverage.

Christmas fund for needy sparked by Gary Guild

Gary, Ind.—The Gary Guild is sponsoring a "Christmas 1972 Neediest Fund" for poor children, the aged, infirm, blind and disabled in five counties in the Gary area.

The Guild has contributed \$100 and the Gary Post-Tribune has made a matching contribution to initiate the drive. Individual employees are also contributing.

All of the money will be used to purchase Christmas gifts. A

five-member committee headed by Tom Stundza has been established to conduct the drive and distribute the gifts.

The committee will contact area welfare departments and other agencies for the names of needy persons and for gift suggestions. The Gary National Bank has agreed to accept contributions at its branches.

The campaign is intended to become an annual fixture.

TNG automation institutes to start

The first two in TNG's 1973 regional institute series on "Automation Revisited" will be held in Peoria Jan. 20 and 21 and in Youngstown Feb. 10 and 11. The Peoria institute will be sponsored by the Midwest District Council and the one in Youngstown by the Great Lakes District Council.

The weekend institutes will be conducted by Field Operations Director J. William Blatz and Administrative Operations Director Ellis T. Baker. They will examine the application and effects of new newspaper technology, including the use of optical scanners and video display terminals in both editorial and commercial operations.

Additional institutes are being planned for late winter or early spring for the Empire State, New England, Middle Atlantic and Western councils, as is an institute in the Pacific Northwest.

GR to skip issue

The Guild Reporter, normally published the second and fourth Fridays of each month, will not be published Dec. 22. The next issue will appear Jan. 12.

The second December issue is being skipped for economy reasons and because TNG offices are scheduled to move into new quarters at 1125 15th St. N.W. in Washington late this month.

Guild gains 6 at Vancouver radio station

Ottawa, Ont.—The Canada Labour Relations Board last month certified the Vancouver-New Westminster Guild as bargaining agent for six newsroom employees of radio station CKLG in Vancouver.

The Guild was certified on a showing of signed cards despite management objections that the Guild was an inappropriate union to represent broadcasting employees.

CKLG contended that the Guild was inappropriate on the grounds that the newspapers whose employees it represents are aggressive competitors with radio stations, that a newspaper reporter "writes for the eye" and a radio reporter "for the ear," that radio stations must operate under extensive broadcast regulations not required for newspapers and that radio news departments, unlike newspapers, must "be very much aware" of the commercial side of their companies' operations.

The certification brought to 912 the number of employees for whom the Guild has won representation rights in the United States and Canada during the fiscal year starting last April. It is the 18th unit to be successfully organized during the year.

Washington Guild, AFT resolve dispute

An unfair-labor-practices complaint issued by the National Labor Relations Board against the American Federation of Teachers has been dropped following resolution of a dispute with the Washington-Baltimore Guild. The Guild represents the AFT's editorial and administrative staffs.

Parley brings improvements in UPI offices

New York City—The first meeting of a joint Guild-management committee on office conditions at United Press International bureaus has produced pledges of improvements in noise, ventilation and other problem areas.

UPI said its 1973 budget provides money to eliminate long-standing noise problems in Hartford and Boston and that it will decide by the end of the year whether to move or remodel its Columbus bureau to eliminate the noise problem there.

Management said a static-filled police radio will be replaced in Philadelphia and that ventilation, as well as lighting and noise conditions, will be improved in Denver. And it promised to do all it could to speed the installation of nonglare screens to eliminate eyestrain produced by new video display terminals.

UPI said it is also working toward compliance with provisions of the 1970 federal Occupational Safety and Health Act.

Operation scabherd

THIS PICTURE, taken by Maple City Reporter newsman Ray Huchek, helped bring a crackdown by Adrian College on the campus strikebreaking activities of its security chief, Wally Ottinger, for Thomson's struck Adrian (Mich.) Telegram (GR, Nov. 24).

Snapped from the third-floor window of a nearby dormitory, it shows Ottinger, second from left, shepherding strikebreakers into a car to be driven to the airport. Ottinger, in charge of security for the strikebreakers, has had to discontinue use of his campus office for strikebreaking activities following the Reporter's story and pictures.

Huchek and other members of the staff, following a tip, photographed the strikebreakers leaving the Telegram parking lot. They were waiting for the scabs when they arrived at the college to change cars on their way home for the weekend after helping put out a weekly shopper for the Telegram.

Students helped Huchek get his pictures on the campus after the strikebreakers' car temporarily eluded the Reporter staffers. Walking to his own car afterward, the Reporter said, Huchek was approached by one of Ottinger's guards and told that Ottinger said "the next time he sees Ray Huchek on the campus, his ass has had it."



Crafts to end Herald-Examiner lockout benefits

Los Angeles, Calif.—The International Typographical Union and the Printing Pressmen have announced they will cut off benefits to locked-out members at Hearst's Los Angeles Herald-Examiner after this month.

The Herald-Examiner Joint Strike-Lockout Council has developed "contingency plans" to assure continuation of the struggle against Hearst despite the end of benefits and is circulating them among the international unions

involved, the unions' publication, On the Line, announced this week.

The printers and pressmen have been on the picket line with striking Guild members and other craft unionists for five years. Hearst has continued to publish, with steadily decreasing advertising circulation, since the start of the strike on Dec. 15, 1967.

The Stereotypers' annual convention in September voted to cut benefits to its Herald-Examiner

members from \$75 to \$50 and to discontinue them in mid-March unless new strike developments called for a review.

There has been only one bargaining session in the past five months, on Nov. 1. It produced statements of desire for a settlement by both sides but no progress.

TNG President Charles A. Perlik, Jr., said that the Guild will "maintain the status quo" in Los Angeles for the present but that "these developments obviously require the International Executive Board to consider the situation anew when it meets Jan. 29."

The Los Angeles Guild still has 190 members actively engaged in strike activities and receiving benefits.

The ITU cut off benefits by action of its executive council, the Pressmen's union by its board of directors. The ITU will pay pensions to printers and mailers with 22 years' membership who

reach 65 before Jan. 31 and those with 27 years' membership who are under 60.

On the Line said that plans developed by the Strike-Lockout Council, if approved by the internationals, would ensure that the Herald-Examiner "continues to endure the consequences of its efforts to crush the unions."

The plans, which focus in particular on intensification of the unions' highly effective advertising boycott, include moving strike-lockout headquarters into smaller offices and curtailing commissary operations.

The unions' boycott campaign is continuing to take a toll of Herald-Examiner advertising. Media Records figures for September showed another loss—1,380,042 lines—in September 1971 to 1,256,588.

The National Labor Relations Board, meanwhile, dismissed a petition by the Teamsters' union to take over representation of 45 strikebreaking circulation drivers

at the Herald-Examiner. The board ruled that Herald-Examiner drivers have "a clear history of bargaining on a broader basis" under the Guild and "a community of interest with other employees in the over-all unit."

The board said that, while the strike has continued for five years, "there appears to be no bargaining impasse and the parties continue to meet regularly in an attempt to reach a collective-bargaining agreement."

The Guild reported \$2,082.75 in additional contributions increasing the strike total to \$261,387. They include the following:

San Diego Guild	\$ 32.25
Chicago Guild	100.00
Sacramento Guild	400.00
San Francisco-Oakland Guild	681.00
San Jose Guild	100.00
Seattle-Tacoma Guild	325.00
Stockton Guild	50.00
Toledo Guild	50.00
Washington-Baltimore Guild	100.00
Western District Council	174.50

The San Francisco-Oakland contribution included \$257.75 from a Thanksgiving raffle for the strikers.

Ridder fails in 2nd try to shrink San Jose unit

The National Labor Relations Board last month refused for the second time to order wholesale exclusions from the San Jose Guild's bargaining unit at Ridder's Mercury and News.

The board said that to grant the 38 new exemptions sought by management in the middle of

a contract period would be "disruptive of an established bargaining relationship."

The NLRB ruled similarly last May on an earlier petition filed only a short time after the current contract was negotiated. Anticipating the failure of that petition in advance, the company filed a second petition shortly before a contract reopener.

It claimed, at a hearing held after the May decision, that the reopener made the exemption request timely, but the NLRB rejected the contention. The company, it noted, did not propose any exclusions during bargaining on the reopener, and the supplemental agreement that followed did not contain any.

The jobs that the company contends are supervisory "have existed for many years and their status has not changed since the execution of the current contract," the board added.

The two decisions constitute "a 100-percent Guild victory," Gene Bryant, administrative officer of the San Jose Guild, declared in a bulletin on the ruling.

"In effect," he said, "management has sought to undo the contract that it presumably had signed in good faith. It failed."

Sacramento moves to add unit at Bee

San Francisco, Calif.—The Sacramento Guild last week filed a petition to represent 27 inside circulation employees of McClatchy's Sacramento Bee.

The petition was filed simultaneously with a request to management for voluntary recognition of the Guild. The Guild currently represents employees in the Bee's editorial, art and advertising departments.

Toronto Globe rebuffed in exclusion bid

Toronto, Ont.—The Ontario Labour Relations Board has rebuffed a move by the Toronto Globe & Mail to exclude two editors from coverage under the Guild's new contract.

The Globe & Mail claimed that its picture editor and assistant city editor should be exempted as managerial, but the board said there had been no change in their functions under the new agreement.

"The board does not assist a party to unilaterally repudiate its agreement to include persons in a bargaining unit," Vice Chairman J. D. O'Shea declared.

He noted that the company could have raised the issue during the last round of bargaining but did not.

A similar request, covering 15 employees and an unstated number of secretaries, has been submitted to the board by the Toronto Star. The Star contends that it needs more excluded positions because it has hired a number of employees of the defunct Toronto Telegram.

The Star went to the board after eight months of negotiations failed to resolve the issue.

Charge held 'irresponsible'

Post seeks to quash bias case

Terming charges of racial discrimination by the Equal Employment Opportunity Commission "irresponsible," the Washington Post last week asked the EEOC to dismiss the charges as "vague, unsupported and obviously baseless."

The Post, in an official reply, said the EEOC's district office had failed to cite "one specific instance of discrimination against any black employee or job applicant."

The Post said it had "led all the other major newspapers in the United States in seeking blacks for reporting jobs."

"Blacks were working as professional journalists at the Washington Post while the schools and streetcars of the District of Columbia were still racially segregated," it declared.

The charges were originated by seven black reporters on the Post's metropolitan desk. Guildsman Richard Prince, one of the seven, said in response to the Post's statement that "we stand by our original charges."

The Post said six percent of its editors are black and that many black reporters have declined offers of positions as "supervisory editors." Blacks constitute 21 percent of the staff, compared to 4.2

percent for the U.S. newspaper industry as a whole, it added.

The Post said nine percent of its "officials and managers" are black, four times the proportion of blacks in "comparable executive grades" in U.S. government positions in Washington. And minority-group participation in apprenticeship and training programs is 30.1 and 23.7 percent, respectively, it said.

Countering a charge that educational and testing requirements discriminated against blacks, the Post said only eight entry-level jobs require aptitude tests and that these are not "determinative." And while defending questions about criminal convictions, it said that since July 1971 it had knowingly employed six ex-convicts, all black.

The Post said it does not require that newly hired reporters have previous newspaper experience. A principal purpose in asking applicants to list prior employment, it said, is to determine their experience level for salary purposes.

Denying salary discrimination, the Post said that 21 black reporters and editors earn an average of \$359.71 a week and seven earn more than \$400. No blacks are paid less than whites for do-

ing the same work, it asserted.

The Post charged that for the EEOC to have issued its statement that there is "reasonable cause to believe" the paper discriminates against blacks, "based on so obviously inadequate investigation, with no effort made to verify the accuracy of the statements made, was irresponsible."

TNG plan pays 1st \$2,000 claim

TNG has paid the first \$2,000 claim under the Guild's group life-insurance program, only two months after the option of doubled coverage went into effect.

The claim was paid last month to the widow of Thomas J. Clark of the Scranton Guild. Clark died Oct. 16, 15 days after the Scranton Local went under increased coverage.

Locals participating in the program have the option of increasing coverage from \$1,000 to \$2,000 at the same cost per thousand dollars—85 cents per member in the United States and 75 in Canada.

THE SHORT

OF IT

A survey by the Columbia Journalism Review finds irked managements responsible for a high mortality rate among journalism-review writers on their staffs—and in one case for the death of the review itself. It cites retaliatory measures against staff critics in Philadelphia, Houston and Atlanta—and forced discontinuation of a journalism-review supplement by the monthly Oregon Times when Newhouse's Oregonian threatened to fire staffers writing for it . . . But new reviews continue to sprout. Among the latest: Countermedia in Alaska (billed as the "world's farthest north journalism review") and The Pretentious Idea, published by the University of Arizona journalism department (which took the title from a deprecatory remark by the editor of the Tucson Citizen) . . . The NLRB has resolved a jurisdictional dispute that led to a brief stoppage at the New York Daily News's plant in Brooklyn last April by awarding mail-bundle work to the Newspaper and Mail Deliverers rather than the ITU Mailers. . . . Former International Vice President James H. White, now counsel to the Memphis Guild, was elected to the Tennessee Senate last month after a tally-sheet mixup had him declared an unofficial loser. He won by only 314 votes—17,591 to 17,277—on the Democratic ticket and credits his victory to an endorsement by the Memphis Commercial Appeal, against which he led a strike in 1969.

Two male reporters have filed a suit charging the Dayton Journal Herald with sex discrimination because it maintains a cafeteria for female employees only. The lunch room was established in the 1890s to give women a place to eat where liquor wasn't served. . . . Washington's Gridiron Club has admitted its first black member—columnist Carl Rowan—and has condescended to allow members to bring "prominent women" as guests to its annual dinner. . . . Theta Sigma Phi, the women's national journalism society, has simultaneously, and contradictorily, changed its name to Women in Communications and admitted its first male members. . . . The latest Columbia Journalism Review relates the 10-month odyssey of Helen Drusine in a vain quest for a job with one of UPI's European bureaus. She quotes European Night Editor Alvin Webb as saying UPI's policy is "three females in Europe and one female to a bureau."

The North Jersey Guild is sounding out the Hudson County, Lehigh Valley and Scranton locals on the possibility of a "serving federation" with a fulltime officer. . . . A U.S. District Court judge has ordered the Justice Department to include one or two newspapers as defendants in an antitrust suit aimed at changing syndicate-exclusivity practices by Hearst, Field Enterprises and the Chicago Tribune-New York News Syndicate. The Justice Department says it will cite one but isn't telling which. . . . Toledo Guild President Walter Taylor has resigned from the Toledo Blade and his Guild post following disagreements with management over assignments and work schedules. Former President Richard Parthemer will fill out the term. . . . It's the Sacramento Guild Journal, no longer the Guildsman, in deference to the local's female membership. Washington-Baltimore, with a similarly named publication, is also weighing a change.

The murder of a Garment Workers' organizer, Eugene Hampton, in Brownsville, Ky., during a strike has produced the passage of an antistrikebreaking ordinance by Edmonson County. It is the nation's 126th such local law. . . . Newspaper magnate Lord Thomson has picked up another: the Fond du Lac (Wis.) Reporter, a cashbox with a circulation of 22,500. . . . The American Newspaper Publishers Association is expanding its program of journalism-education assistance from blacks to other minorities. . . . Bruce Jones, chairman of the Toronto's Guild's Oshawa Times Unit, got a picture of a charging cow for his paper before it tossed him through the air. In addition to the picture, Jones got a cut mouth, bruised shoulder and injured ribs when he landed on his camera.

Spouse's firing vetoed by arbiter in San Jose

San Francisco, Calif.—Brushing aside a company rule against hiring permanent employees whose spouses already work for it, arbitrator Sam Kagel last month ordered the San Jose Mercury and News to reinstate a newswoman who had been kept on the payroll past the time limit for temporary employees.

Kagel ruled that Cathleen Castillo was entitled to permanent status on the Mercury because she had been employed for more than three months, the limit set by the Guild's contract.

The arbitrator did not come to grips with the rule prohibiting the hiring of spouses. He said that, irrespective of the stated

policy, the company had waived it in the Castillo case by retaining her for more than three months. Castillo's husband, Elias, is in the Mercury editorial department.

The Guild had challenged the policy, terming it a unilateral one whose implementation constituted an unfair labor practice. The policy itself constitutes sex discrimination, it charged.

The company maintained that Cathleen Castillo had not been employed continuously for more than three months because part of her employment was in relief of a sick employee and the other part was as a vacation replacement. But Kagel said this distinction had no validity.

Court tells N.Y. Greek paper to honor Guild's old contract

New York City—A New York Supreme Court judge ruled last month that the Greek-language daily Atlantis was obliged to observe its contract with the New York Guild in a dismissal dispute predating the contract's expiration last March.

The ruling came down as Guild pickets continued to march in a lockout precipitated by Atlantis's firing of three more employees last month.

Publisher Solon G. Vlasto, who claims he no longer is bound by terms of the contract, had obtained a temporary injunction against arbitration of the dismissal of two employees in February. He claimed that although the contract had not expired at that time, Atlantis was not required to arbitrate the case because the Guild did not move to arbitrate until after its expiration.

The three employees fired by Vlasto on economy grounds last month constituted the paper's entire editorial staff. Vlasto said he, as editor, would constitute the entire staff, but Local Representative William South charged that Vlasto was planning to bring in nonunion employees at lower salaries.

Vlasto has refused to pay sick leave provided by the contract and has already hired a switchboard operator at a salary below that required by the contract. The Guild contends the contract continues in effect during negotiations for a new one.

At bargaining sessions since the start of the lockout Vlasto has insisted that the three dismissed employees remain off the payroll and that the status of the unit's remaining five employees be negotiated. He has proposed a reduction in wages, to be compensated for by a reduction in hours.

The Guild is demanding a wage increase, as well as restoration of the dismissed employees.

Vlasto attempted to obtain



Guild Reporter photo by Jules Geller

Out on the street

Unit Chairman John Petrou and Sofia Analitis march on a lockout picket line at the Greek-language daily Atlantis. Petrou was among three Guild members whose firing precipitated the shutdown.

agreement to craft layoffs at a Dec. 4 meeting attended by representatives of the Typographical Union, Pressmen, Stereotypers and ITU Mailers, as well as the Guild. But the craft unions de-

clined to discuss the matter until their contracts expire next April and said they would not interfere in Guild bargaining.

A negotiating session with the Guild was scheduled for today.

Code of ethics urged

APME eyes outside-activities curb

Managing editors of Associated Press newspapers are moving toward a code of ethics that might prohibit both outside activities for editorial staffers and the acceptance of gifts.

The AP Managing Editors' professional-standards committee, after conducting a survey on newspaper practices in these areas, has recommended that they be covered by a "code of professional standards" it urged be drawn up by next year's committee.

"The question of outside activities will not go away," said Paul Poorman of the Detroit News, who handled the survey on this subject. "The newspaper will have to choose some ground and hold it."

The survey produced mixed responses on employees taking outside jobs, holding public office and becoming involved in politics.

The Guild's Model Contract provides that "employees shall be free to engage in any activities outside of working hours." Most contracts contain prohibitions only against work for a competitor.

The survey on gift policies also produced far from uniform

responses. A majority of the newspapers queried said they would accept free seats on a flight sponsored by a local business or industry to a major event, and almost 75 percent said they did not prohibit the acceptance of all gifts.

But one editor said he was reluctant to reply because the answers might make it look like "we were running a whorehouse." And a survey of public-relations directors conducted in conjunc-

tion with the editors' survey showed 35 percent saying they gave gifts to assure "more favorable coverage" and 31 percent because they felt reporters expect gifts.

Carol Sutton, editor of the Louisville Courier-Journal's "Today's Living" section, reported that, attending three major fashion presentations recently to see how much a reporter could collect, she had come away with an estimated \$250 in gifts.

Perlik appeal seeks money to hire rights coordinator

TNG President Charles A. Perlik, Jr., last month urged Guild locals to contribute to the Guild's new Irving Leuchter Memorial Fund so that an interim human-rights coordinator can be hired quickly.

Perlik acted in accordance with an International Executive Board resolution authorizing the solicitation of funds for an interim coordinator and the development of a program to retain a permanent coordinator through a special per-capita increase to be sub-

mited to next year's Guild convention.

The Fund has \$8,200 on hand, Perlik said in a letter to locals, but additional funds are needed to finance salary and expenses through the convention.

Perlik urged an early response so that "the coordinator can be selected, hired and assigned to the Guild's multitude of human-rights activities and problems as early as possible and well in advance of the convention which will decide the position's future."

Paper plant the prize

Newark News's death laid to mismanagement

ARTICLES IN THREE PUBLICATIONS suggest strongly that a gold-plated reel of recycled newsprint with "nonmanagement" stamped on one end and "mismanagement" on the other might be a proper memorial to the Aug. 31 closing of the Newark Evening News.

The official "explanation" that "advertisers and readers wouldn't come back" after the paper was closed for 320 days (175 of them by a Guild strike) "might not be so factual," states a Business Week examination of the fortunes of Media General, owner of the News for its final 27 months.

"Newspapermen and analysts who have studied the Newark situation doubt Media General really intended to make a go of the paper," Business Week's Nov. 25 article notes. It spotlighted the Garden State Paper Co., portion of the package-purchase and the 20-million-dollar sale of the "thick and profitable" Sunday News to Newhouse's Star-Ledger.

Garden State possesses unique patents on the only successful newsprint-recycling process and the nation's only recycling plants. It should provide nearly a third of Media General's estimated 115-million-dollar income this year, Business Week reported.

Media General moved so fast in purchasing the News and Garden State "that it never really checked out what it was getting in Newark," says a lengthy analysis of the paper's closing in the November/December Columbia Journalism Review.

And when it found out, "it acted out the classic role of absentee landlord . . . it liquidated the property to cut its losses (probably to zero)," Richard Reeves, a contributing editor of New York Magazine, wrote in the Review.

MARK STUART, assistant editor of the non-Guild Bergen Record in Hackensack, N.J., in a column published the day after the News was closed, accused management of "dissembling" when it said it "could never recover from the effects" of the strike that began in May 1971.

Stuart, like Reeves, pointed to management's failure to maintain the paper's once-outstanding local coverage as a major factor in its decline. He traced the cutback from the beginning of control by two grandsons of the News's founder, calling them "absentee owners in deed if not in fact."

Media General "was hardly the medicine the News needed," Stuart wrote, adding that he, too, saw "reason to believe Media General made the purchase more to gain control of the News's Garden State Paper Co., than of the News."

The Business Week article, headed "Media General's Fortunate Misfortune," says the company's "public and industry image . . . is that of a low-performance, labor-busting conglomerate that frequently bites off more than it can chew."

The magazine points out that in automating its flagship Richmond, Va., dailies, the company replaced nearly 200 striking printers with "140 clerks and art-school graduates whose average salary is \$50 a week less than what a printer makes," saving \$750,000 annually in the process.

Quoting New York market analyst Ellen Sachar, Business Week says Media General President Alan S. Donnahoe is credited with the "courage to forge ahead of the industry, often in spite of what she describes as 'delicate' union situations." Donnahoe "does what he says he'll do," according to Sachar, adding "he said that . . . if the News didn't turn around in six months, he'd close it."

What Media General had after it bought the News and Garden State, sold the Sunday News and most of the paper's physical assets, then finally closed the News entirely was "more cash than the News seemed to be worth, eight-million dollars' worth of presses and Garden State Paper," the magazine said.

While quoting Donnahoe's denial of "a link between the purchase of the News and the newsprint operation," the magazine points out that "skeptics" note that "Time Inc., had previously considered buying the News alone but walked away after studying the dismal financial outlook."

"It was after the Time Inc., turnaround that the Scudder family (founders of the News) . . . added Garden State to the package," Business Week said.

IN HIS SEVEN-PAGE Columbia Journalism Review article, Reeves, a News staffer in the mid-1960s, says an anonymous Time executive told him the firm not only withdrew a 29-million-dollar offer it made for the News in early 1968 after studying the paper's operations but also turned down a later offer to sell for nine million less.

"The property was in terrible shape," the Time official was quoted as saying. "It was almost unmanageable. It had just been neglected for so long that there was nothing we could do about it."

Reeves, who also was critical of the Guild for striking the News for an initial contract, quotes a memo by a former News editor describing Garden State Paper as "the beginning of the end" of the News.

"The News presses began ridiculous overruns, providing tons of returns for Dick's [Richard Scudder's] papermill. . . . Suddenly the Passaic Valley Water Commission, the Teamsters union and everybody else involved with the paper mill were off limits to snoopy Newark News reporters."

Part of the paper's editorial costs, Reeves writes, "were the rent and salaries of the 'San Francisco bureau,' which was actually a townhouse where two Scudder relatives lived."

Media General, Reeves says, "never could find \$500,000 in 'circulation receivables' listed as part of the paper's assets" by the Scudders, nor could they find \$100,000 worth of newsprint listed as inventory.

While criticizing the Guild's conduct of the strike, Reeves said that Bruce Mair, the former Philadelphia Inquirer labor-relations director whom Media General installed as News president, "got tougher and tougher, doing little to hide his determination to break the strike."

Said Reeves: "He was negotiating with the craft unions to persuade them to cross the Guild line and he was negotiating with Newhouse to, in effect, eliminate craft unions at the News."

When Mair succeeded with the latter effort, Reeves noted, Media General "was, at worst, coming out very close to even."

Said a News reporter to Reeves: "Media General cannibalized what was left of the paper. They sold off everything of value so it couldn't compete, then they said they had to kill it because it couldn't compete."

Comments the Columbia Journalism Review elsewhere in the same issue:

"Media General Inc., may not have to answer legally for what it has done to the journalism and journalists of Newark. But its officials certainly cannot be abandoning the city with consciences clear."

Cleveland seeks to bar mounted police in strikes

Cleveland, Ohio—The Cleveland Guild is pressing for the adoption of city and state laws that would prevent repetition of a mounted-police charge into the Guild's picket line at the Cleveland Plain Dealer Oct. 21.

A Nov. 28 membership meeting voted unanimously to protest the use of police cavalry at the Plain Dealer. It asked the Cleveland City Council to enact an ordinance banning the use of mounted police on picket lines and urged the state legislature to enact a similar ban covering both police and sheriffs' horses.

John Yates, newly elected president of the United Automobile Workers' Cleveland Community Action Program, representing 48,000 UAW members, this week pledged support of the campaign for a municipal ordinance.

The City Council has announced a hearing on the matter, but no ordinance has yet been introduced and no date has been set for the hearing. There have been charges that council action is being stalled at the Plain Dealer's behest.

The Guild is joining other area unions in organizing a committee to push the legislation.

"The pages of organized labor's history are filled with the crimes and injuries caused union members by horses and their police riders," the Guild resolution said. "Many older union members still bear the scars from previous attacks."

"The Guild's experience again proves that no lessons were learned from the past. Now is



Photo by William F. Miller, Cleveland Guild

Cavalry charge

This was the scene outside the Cleveland Plain Dealer when mounted police charged without warning into the Guild's picket line Oct. 21. At

center, with his back to the horse, is Local President Donald L. Bean, who was driven through the plant door by the force of the charge.

the time for law and order to prevail so that never again will innocent union members be the victims under the horses' hoofs."

Mayor Ralph J. Perk told a Cleveland Federation of Labor delegation that he had instructed the city's safety director to issue orders ensuring that "in the future mounted police will not be

used to break up peaceful picket lines."

"During my administration," he said in a statement after the meeting, "mounted police will no longer be assigned to what might be called normal strike situations."

Perk termed it "an error in judgment" by the detachment

commander to have ordered mounted police to ride up on the sidewalk into the picket lines.

"We were fortunate that no serious injuries were incurred when the mounted police shoved and bumped scores of people at the Plain Dealer," he declared.

But Perk has indicated there will be no discipline against the

policemen involved and that he will not appoint an impartial commission to investigate the incident, as requested by Bill J. Casstevens, regional director of the United Automobile Workers.

Perk said the charge had been called by a police captain because he had been told there would be bloodshed when printers tried to cross the picket lines.

Point of View, a newsletter published by former newsman Roldo J. Bartimole, reported in its Nov. 13 issue that "rumor has it that a deal was struck" between the Plain Dealer and City Council President Ed Turk not to hold a hearing in return for the Plain Dealer's discontinuation of a series on an attempt by George Steinbrenner to corner the Lake Erie grain-shipping market. It described Steinbrenner as Turk's "political benefactor."

Turk reportedly had promised Casstevens that the ordinance would be introduced.

Point of View said that Plain Dealer Managing Editor Wilson Hirschfeld, accused by the Guild of asking for the mounted police, has blamed Executive Editor Thomas Guthrie for the incident.

The Guild's Nov. 28 meeting also adopted resolutions thanking Cleveland unions for their assistance during the strike, singling out Casstevens, Frank J. Valente, president of the Cleveland Federation of Labor; John Osters, president of the Lake County Central Labor Council, and Frank Sherman, an officer of UAW Local 45.

National press council to be established in '73

(Continued from Page 1)
representatives of any "major suppliers of news" during its first year.

Task-force members said at a Nov. 30 press conference that the council would operate on an experimental basis for three to five years. It will consider complaints against news magazines, broadcasters and wire services, as well as newspapers, but will concentrate on major national news suppliers rather than local media.

M. J. Rossant, director of the Twentieth Century Fund, said that the task force envisages a council with a fulltime staff and an annual budget of \$400,000. Funds are being sought from "a

consortium of foundations," including the Ford Foundation, he said.

While the Twentieth Century Fund will be part of the consortium, Rossant said the council will be entirely independent once it begins its operations.

The task force said it was initiating the council because it found "an apparent unresponsiveness to public pressure and criticism" among the news media.

It said that while it also favored the establishment of local, state and regional press councils, there was "a definite need for a national body that could serve as a model for other councils."

It said the council would have

"no coercive power but rely solely on the cooperation of the public and the media in making known its findings."

In addition to investigating and reporting on complaints, the council will initiate its own studies on infringements of press freedom.

Members of the task force included Robert Chandler, publisher of the Bend (Ore.) Bulletin, which participated in an experimental local press council sponsored by the Melleit Fund for a Free and Responsible Press with funds bequeathed to the Guild by the late Scripps-Howard columnist Lowell Mellett.

The task force was headed by C. Donald Peterson, associate

justice of the Minnesota Supreme Court and chairman of the Minnesota Press Council, and Lucy Wilson Benson, national president of the League of Women Voters.

Other members included Barry Bingham, Sr., chairman of the board of the Louisville Courier-Journal; Hodding Carter, 3rd, editor of the Delta Democrat Times in Greenville, Miss.; Richard Harwood, assistant managing editor of the Washington Post and former Post ombudsman; John B. Oakes, editorial-page editor of the New York Times; Richard Salant, president of the Columbia Broadcasting System, and former California Assemblyman Jesse Unruh.

"We looked upon this as a

source of unbiased criticism," Chandler said at the press conference. And Salant said the council would take examination of media performance "out of the hands of the people who have an ax to grind" and "put it into the hands of systematic, independent investigators."

But the council is unlikely to meet with general approval in the media. William B. Dickinson, chairman of the ethics committee of the American Society of Newspaper Editors, reported that a recent society questionnaire showed three-to-one opposition against such a council, and the National Broadcasting Co., issued a statement opposing the Twentieth Century Fund's move.

Suit seeks equal pay at Colorado daily

Boulder, Colo.—The Colorado Civil Rights Commission has been asked to order an "affirmative-action program" to upgrade the salary of newswomen on the Boulder Camera.

A class-action suit against the Camera was filed by Patricia Hodgins, a librarian who said she quit the Camera because she had been denied promotion to a full-time reporting job. In addition to seeking general pay equality for women, the suit asks back pay for Hodgins as a reporter and an opportunity to fill the first reporter opening that develops.

At a two-day commission hearing Hodgins charged that, while being allowed to write stories for the Camera, she was kept from becoming a reporter despite the fact she holds a B.A. degree.

Four other present and former women employees of the Camera also testified at the hearing. They complained of pay inequities and refusals of promotion.

Linda Sahl, formerly on the Camera copy desk, said that she had been denied two reporting jobs on the grounds they "weren't good enough" for her. She testified that, although she was first in her journalism class at Colorado University, she had been hired at \$100 a week, \$40 less than was paid a male journalism graduate who was hired at the same time.

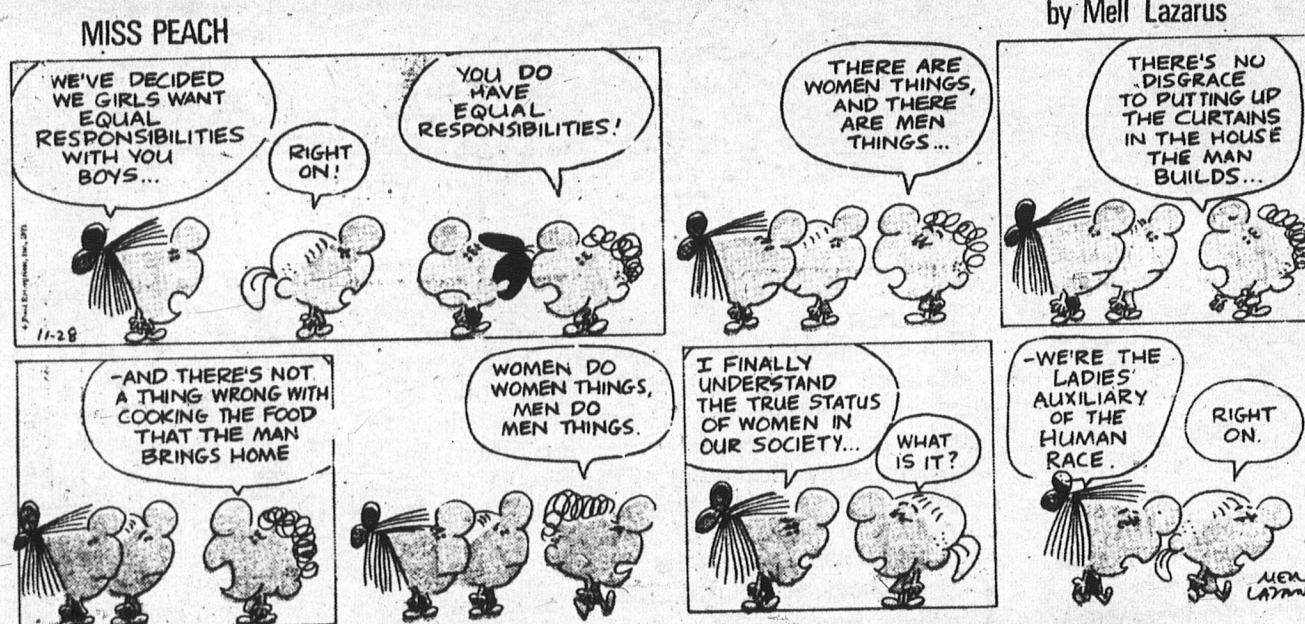
Locals urged to join fight to ratify ERA

Guild locals in 11 states that have not ratified the Equal Rights Amendment were urged last month to let legislators know they favor its approval.

A letter from Yetta Riesel, TNG Research and Information associate, suggested that the locals adopt resolutions of support and write, telephone and visit state legislators to state their position.

"You can bet that those who oppose ERA will campaign actively against it," she wrote. "Unless your legislators hear from you and others who support ERA, they will act accordingly."

The letter was sent to locals in Indiana, Maine, Minnesota, Montana, Oregon, Virginia, Washington, Connecticut, Illinois, Missouri and Ohio. It noted that the International Executive Board and this year's Guild convention both urged locals to actively support the amendment.



Video-display work at UPI awarded to editorial staff

(Continued from Page 1)

transmission, teletype operators were entitled to perform the VDT work.

But Feinberg held that the performance of VDT functions analogous to those previously performed by operators is minimal. In any case, he said, the UTW had implicitly agreed to surrender the work during 1970 bargaining in return for increased pensions and protection against job losses.

The decision paralleled one handed down in a similar case involving the Associated Press's video terminals last year. An arbitration board in that case held that editorial employees should operate the tube when any editorial functions are involved.

"All of the work performed on the VDT up to the time the stories have been edited or rewritten, including the fixing of the sequential order in which they are to be transmitted, were previously performed by newsmen or editorial employees," Feinberg noted in his opinion. "It cannot realistically be said therefore that

the operation of the VDT by newsmen to perform these functions, up to that point, constitutes the transmission of news or the operation of the wire-news service."

Feinberg said the punching of two keys "for a fraction of a second" to tell the computer on what wire to send the story and to effectuate transmission, "cannot realistically be separated from the other uses to which the VDT is put."

"It would be overly simplistic," he said, "to hold that a UTW operator must be employed to wait around and peer over the shoulder of the newsmen merely to punch one or two keys at unspecified intervals."

Even were the UTW's arguments about operation of the VDT sound, he added, "the 'transmission' duties performed on the keyboard below the screen of the VTD are de minimus and do not justify the assignment of the entire operation of the VTD to UTW employees."

Feinberg said it was clear

from agreements reached during 1970 negotiations that "the parties recognized and the union accepted" the fact that introduction of the new system would result in the elimination of UTW jobs.

Feinberg rejected a UTW request that, in the event of an unfavorable ruling, UPI be required to extend job protection to employees hired prior to March 1, 1972, and to make special pension contributions to compensate for the loss of contributions for displaced employees. He said he had no jurisdiction to order that and termed it more properly a subject for negotiations in bargaining for a new contract.

U.S. court enjoins Detroit VDT use

Detroit, Mich.—The Typographical Union last month obtained a temporary injunction barring the Detroit News from printing material generated through a video display terminal operated by editorial employees.

Federal Judge Lawrence Gu-bow issued the order under a printers' contract clause forbidding the use of certain types of equipment without an arbitration award if the union objects. The Sixth Circuit Court of Appeals is weighing an appeal by the News.

The News had been testing the display terminal, which is allowed under the contract. But the union objected when the company served notice it would start printing the material.

Reporter top minimum rises to \$235 at Virginian-Pilot

Norfolk, Va.—The top minimum for the higher of two reporter classifications at the Norfolk Virginian-Pilot is raised \$30, to \$235, in a two-year contract negotiated by the Hampton Roads Guild.

The top for clerks and stenographers is raised \$6, to \$103.

A new automation clause requires notice to the Guild of new processes or equipment, provides

for retraining at company expense and bars dismissals resulting from automation for all except copy boys and girls.

The Guild won two days' bereavement leave, libel and automobile-liability insurance, and reimbursement up to \$100 for damage to an employee's car while on company business.

Two new job titles were added: desk woman and copy girl.

Widen base, Toronto asks press body

Toronto, Ont.—The Toronto Guild is protesting the structure of the new Ontario Press Council, calling for Guild representation and a stronger voice for the public.

The local executive committee sent a resolution to the council in September urging a restructuring of the council's organization. To date, there has been no reply.

The council, established in July by eight Ontario dailies, consists of 10 publisher representatives, 10 "public representatives" and the chairman, Davidson Dunton, retired president of Carleton University.

All of the press representatives were appointed by the participating publishers, and they in turn selected the "public members."

The only Guild member on the council is Alistair Dow of the Toronto Star. He was named by Star Publisher Beland Honderich, who initiated the council.

Objecting strongly to the council's structure, the Guild said it should have direct representation and that press representatives generally should be equally divided between publisher appointees and representatives of "working journalists." The latter, it said, should be elected by the newspapers' editorial staffs.

The Guild contended that public representatives should outnumber press representatives on the council and that, to protect the council's credibility, working-press members should have an equal opportunity with publisher representatives to name the public appointees.

The current structure "makes a mockery of the concept of a press council as a genuine and sincere effort by the media to create a watchdog on the media," the Guild declared.



Heywood Brown and Guild Service Award contest deadline, Jan. 20, TNG Headquarters, 1125 15th St. N.W., Washington, D.C. 20005.
Midwest District Council, TNG Regional Institute, "Automation Revisited," Jan. 20 and 21, Peoria-Hilton Hotel, Peoria.
International Executive Board, winter meeting, Jan. 29-Feb. 1, TNG Headquarters, Washington.
Western District Council, winter meeting, Feb. 3 and 4, San Jose.
Great Lakes District Council, TNG Regional Institute, "Automation Revisited," Feb. 10 and 11, Quality Courts North Motor Hotel, Youngstown.

Second reporter imprisoned for protecting source

(Continued from Page 1)

• The Detroit Guild mounted an extensive campaign to prevent the extradition of Paul M. Branzburg. Detroit Free Press Guildsman under a jail sentence in Kentucky for refusing to disclose the sources of a story on the manufacture of hashish.

Farr, a former Los Angeles Herald-Examiner reporter, is being kept in isolation in a windowless cell in the county jail, unable to watch television, listen to the radio or communicate with other prisoners.

Judge Older, in sentencing him, suggested that Farr had made "some kind of under-the-table deal" with the trial lawyers if he was not motivated by a desire for martyrdom. Farr told the judge he considered that "a personal slur" and said his refusal was "a matter of personal conscience and professional ethics."

Farr's attorney cited Older's courtroom manner in his appeal for release, claiming the judge was "so personally embroiled in controversy with Farr" as to make objectivity impossible.

The California Court of Appeal and Supreme Court turned down pleas for a habeas-corpus writ, but Farr took his appeal to Federal District Court, where Judge Robert J. Kellener refused to free Farr immediately last week but said he might change his mind after reviewing records of the case.

Farr supporters have launched a "Get Farr Out" protest and fund drive, including posters and bumper stickers. Among speakers at a support rally was District Atty. Joseph Busch, who has

urged Farr's informants to come forward and save him from continued imprisonment.

The Los Angeles Times, for which Farr now works, is paying his salary while in prison.

Popkin's release Nov. 28 came with surprising swiftness when the Justice Department dismissed the grand jury a month and a half ahead of schedule. Sources close to the case said the government was anxious to avoid a confrontation with the academic community.

The decision came after Harvard's general counsel, Daniel Steiner, met with A. William Olson, head of the department's Internal Security Division, and urged that some way be found to free Popkin quickly.

"I'm not trying to protect any privilege," Popkin said on his release. "I'm protecting the public's right to a free flow of information. . . . Lawyers have an immunity from testifying because lawyers write the laws—journalists and scholars do not."

Popkin's case was the first in which a scholar had invoked a right akin to reporters' privilege in order to protect the confidentiality of sources assisting in research. That right was far from unanimously supported in the academic community despite condemnation of his imprisonment.

The Detroit Guild mounted a public campaign to prevent Branzburg's extradition amidst fears that Gov. William O. Milliken might grant the request. Milliken sent the original request back last month because of technical deficiencies, but Kentucky was preparing to renew it.

Irish journalists protest jailing

Dublin, Ireland — Irish journalists struck for 24 hours Nov. 28 to protest a contempt sentence imposed upon a television newsmen.

The newsmen, Kevin O'Kelly, was sentenced to three months for refusing to testify whether Sean MacStiofain, Irish Republican Army leader, was a man he had interviewed. O'Kelly was freed on bail pending an appeal.

Branzburg is under a six-month sentence for contempt for adhering to his refusal to name his sources for the hashish story after the Supreme Court turned down his appeal last June.

The Guild, in a letter to Milliken, said Branzburg's position was "in the finest tradition of the free and independent American press" and of TNG's Code of Ethics. It noted that legislation to protect reporters' privilege is expected to be introduced in Michigan this month.

The Guild asked the Detroit Council of Newspaper Unions, the city and state AFL-CIO organizations and the United Automobile Workers to join in the appeal. William Marshall, president of the Michigan State AFL-CIO, fired off an immediate letter to Milliken.

The Guild asked for a meeting with the Free Press to discuss a paid leave of absence for Branzburg should he be forced to go to jail, but the company said that was "a matter between Paul and the Free Press."

In Chattanooga, Thornton, host of the "Morning Show" on station WDEF, was freed by the Tennessee Court of Appeals pending a hearing Jan. 2 after a Criminal Court judge sentenced him for contempt.

Thornton said he had promised not to disclose the grand juror's name and would go to jail rather than reveal it. The caller's remarks were aired on the show.

The grand jury investigating former City Judge Bennie Harris had demanded he disclose the caller's identity.

Responding to the Farr controversy, the California Senate voted 23 to 9 Nov. 30 to strengthen the state's privilege law by preventing grand juries from requiring the disclosure of confidential sources. And legislation to protect both newsmen and scholars was introduced in Massachusetts by a state senator who is an active supporter of President Nixon.

In New Jersey, a bill to bolster that state's privilege law in the wake of Peter Bridge's October jailing was reported out of an assembly committee Nov. 22. It would protect the confidentiality of sources but limit that protection to "information obtained by newsmen in connection with their work."

A joint letter urging adoption of the bill has been sent to the legislators by the Guild's North Jersey and Hudson County locals and the Newark Branch of the Wire Service Guild.

"If sources are to be scared away," the letter said, "a newspaper cannot readily gain access to . . . information, and the law enforcers, as well as the community at large, are therefore the losers."

The letter was signed by North Jersey President George Dawson, Hudson County President Arnold Freilich and Newark Wire Service Chairman Lewis Head.

Herbert G. Klein, President Nixon's communications secretary, echoed his chief's advocacy of state rather than federal privilege legislation in an appearance on NBC's "Today" show. Klein said he had "serious doubts" about the need for a federal law, saying

the problem is one for the states.

Nixon took that position in a letter to the American Society of Newspaper Editors last month. But the ASNE's board of directors went on record in favor of an unqualified federal law, as had Sigma Delta Chi and Sen. Vance Hartke of Indiana, the latter in a speech to the National Association of Broadcasters.

Klein, while opposing a federal privilege law, said that in jailing Bridge and Farr the courts had done "a disservice to the logical pursuit of basic issues concerning the rights of newsmen and the judiciary process."

New York Gov. Nelson Rockefeller emerged as a strong proponent of shield laws in a Syracuse speech Nov. 29. Declaring that "if reporters should ever lose the right to protect the confidentiality of their sources . . . serious investigative reporting will simply dry up," he said all 50 states should have protective laws similar to New York's.

His position was in sharp contrast with that of Connecticut's Gov. Thomas J. Meskill. Terming the granting of privilege to newsmen "absurd," Meskill told an audience at Yale that it would "instantly combine the functions of doctor, lawyer, clergyman, judge and jury in any man who held a press card or who had a dollar and a half to go out and get some printed."

New York Times Guildsman Earl Caldwell, addressing an Associated Press Managing Editors' conference in Kansas City, disclosed that, with the discharge of a federal grand jury investigating the Black Panthers, he no longer faces the possibility of jail for refusing to appear before it. But he noted that, as a result of his case, the people he interviews "are now afraid of tape recorders" and his sources are shying away from him.

And Bridge, addressing the New Jersey Press Association on his contempt conviction for failing to answer five of a multitude of questions put to him by a Newark grand jury, had this advice for reporters subpoenaed to testify before such juries: Don't go.

Board accused of discrimination in slashing N.Y. pay increases

(Continued from Page 1)

fusal to permit diversion of the lost wages to "qualified" fringes "is in direct conflict with the board's own rules." At the Washington Post, it pointed out, the board's directive allows such a diversion.

Pay Board regulations allow employees to receive up to 10 percent of payroll in "qualified" fringes, such as pensions and welfare, where increases "apparently are considered noninflationary," the Guild noted.

The Guild also charged the

Pay Board with violating its own rules in challenging the third-year increases. The board was four days late in challenging the raises under a rule requiring such action within 21 days of the receipt of final information from management and the union, the Guild said.

The Guild also contended that the board's order discriminates against employees at the Long Island Press, who will have their third-year increases reduced for 12 months instead of the four-month loss suffered by employees

at the Times, Post and Daily News.

The Press increases are not scheduled to take effect until Jan. 1, while the Times, Post and News increases have been in effect since last March. The board's order allows the latter employees to retain the full increases received up to the time of the ruling last month.

Neither the Mailers, the Stereotypers nor the News Deliverers have indicated they are contemplating immediate strike action. All have asked for negotiations.

TNG President Charles A. Perlik, Jr., in a letter to Guild locals last month, urged them to make use of TNG's Pay Board consultants "in order that your members may receive the fullest advantage possible of the settlements you negotiate."

The consultants' work has been "extremely valuable" in several cases, Perlik noted, citing, as "an outstanding example," the board's reconsideration of a decision allowing members at the Tacoma News-Tribune increases of only 12.5 percent over two years. The reconsideration saved employees an estimated \$100,000, he said.

Correction

A story in the Nov. 24 Guild Reporter inadvertently said that a new automation clause at Consumers Union protects all employees hired after Jan. 1, 1972, from dismissal because of automation. The clause actually covers employees hired before that date.

Poll reveals majority backs press privilege

A new Gallup poll shows that a majority of the nation's citizens support a reporter's right to protect his sources, but the privilege is conspicuously absent from the U.S. Supreme Court's new rules of evidence.

The rules provide all sorts of privilege against being compelled to testify, but none of them will lend a wisp of cover to a reporter seeking to protect the confidentiality of his informants.

The Gallup poll shows that 57 percent of the population feels the privilege is one that should be recognized. Asked whether reporters should have to disclose the names of their sources in court, they said no. Thirty-four percent said yes, and nine percent had no opinion.

The sounding was taken Nov. 10 to 13 among a sampling of 1,462 persons across the country.

It disclosed that the higher a person's educational level, the more likely he or she was to favor the privilege. Sixty-eight percent of those with a college education, 55 percent of high-school graduates and 48 percent of those with

elementary schooling supported it.

The rules of evidence, which will go into effect for the entire federal court system unless Congress objects, enshrine a new privilege—for the federal government. The government will have the right not to give evidence—and to prevent anyone else from giving it—if it is likely the evidence will reveal a "secret of state" or "official information" whose disclosure is found to be "contrary to the public interest."

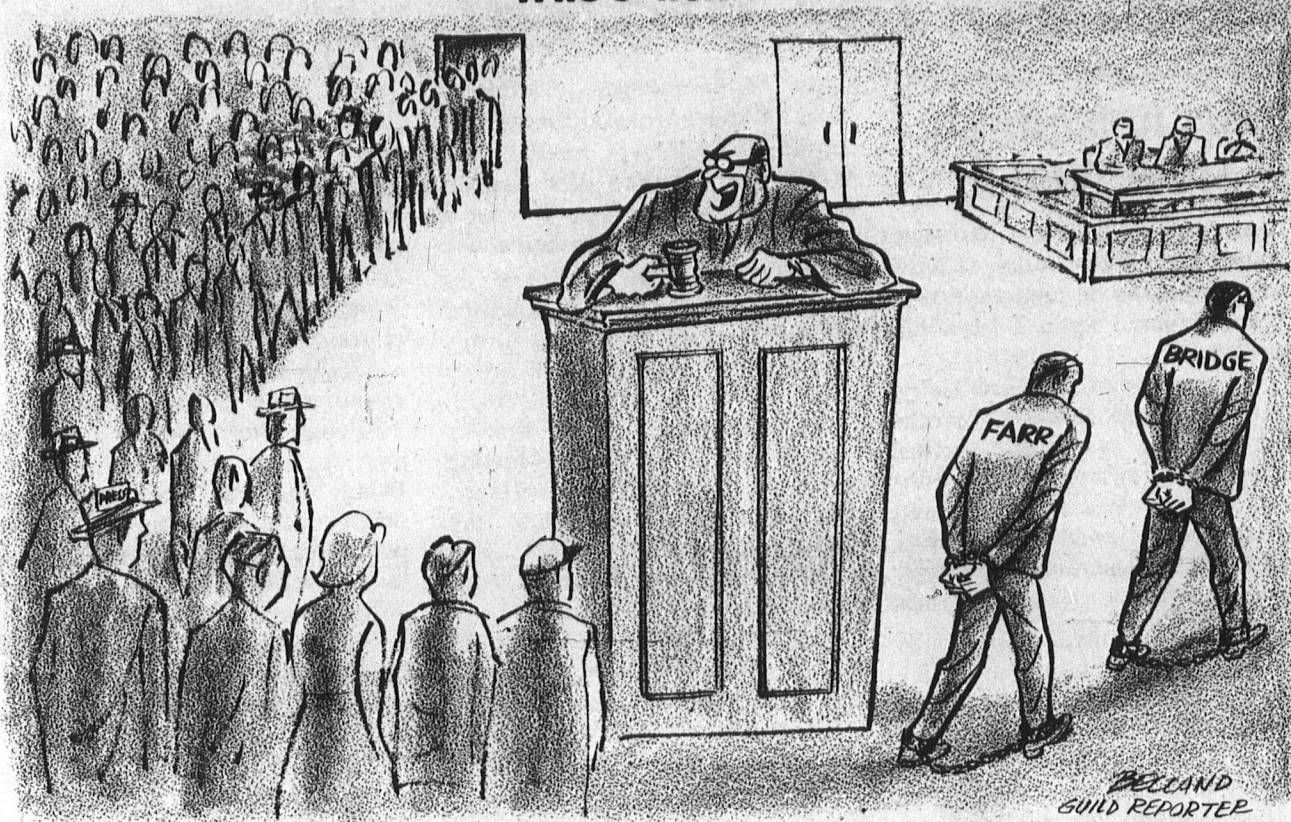
"Confidential communications" between a lawyer and client will be privileged. So will revelations made to a clergyman by anyone consulting him confidentially.

Confidentiality between patients and psychiatrists, although not other doctors, will be privileged. So will relations between husband and wife, in criminal if not in civil proceedings.

But reporters' privilege? "No one wanted it," said an official close to the 15-member committee of attorneys, judges and legal scholars that drew up the new rules for the Supreme Court.



'Who's next?'



DATELINE: WASHINGTON

Nixon fails to right-face in 1st appointments

By WILLIAM J. EATON, Chicago Guild



THE FIRST CABINET changes by President Nixon are rather impressive and give no sign of a sharp turn to the right that many persons feared would follow his reelection landslide.

A stronger role for Treasury Secretary George P. Shultz in domestic policy is especially encouraging. Shultz is a thoughtful, decent man with enlightened views on the nation's racial problems and labor-management relations. He also has an underlying antipathy to wage-price controls that should hasten their removal once the rate of inflation is lowered to pre-Vietnam levels.

Elliot L. Richardson added a distinguished touch to the generally drab first-term Cabinet and will bring a sharp mind to the incredibly complex task of running the Pentagon. He also has excellent credentials for dealing with the racial strife within the armed forces.

Casper Weinberger, the former budget director who became known as "Cap the Knife" for his one-man war against federal

spending, is causing concern among officials at the Department of Health, Education and Welfare, where he soon will preside. He is no primitive economizer, however, and may be a pleasant surprise. Weinberger wanted to slash total federal outlays when he first came to Washington from service with the Ronald Reagan regime in California but learned that slowing the rate of increase was the only practical course.

THE SELECTION of Peter J. Brennan as Secretary of Labor has a distinctively political tone. It should be regarded as an effort to preserve the split in the labor movement that separated the more conservative building trades, in the Nixon camp, from the unions that supported the ill-fated Sen. George S. McGovern and the Democratic cause.

Even some of Brennan's admirers wonder if his background in New York, where he molded a political alliance with Gov. Nelson A. Rockefeller, is the best preparation for dealing with the

important issues of manpower training, pension reforms and job safety assigned to the Labor Department.

The change and continuity within the White House is not likely to produce the excitement that the President contemplates, however. His choice of Roy L. Ash as budget director brings a wheeler-dealer businessman with typical conservative views into one of the most important government posts.

Retention of H.R. Haldeman and John Ehrlichman as top assistants shows that the "Berlin Wall" around Nixon will be preserved despite the complaints from Congressional Republicans about lack of liaison.

More regrettably, the highly publicized ouster of the Rev. Theodore Hesburgh as chairman of the Civil Rights Commission indicates that a studied policy of not-so-benign neglect is in store for the nation's 22 million black citizens. I hope that is one New Year's prediction that turns out to be very wrong.

Detroit daily tries to duck edict

Detroit, Mich.—The Detroit Free Press is trying to have the Michigan Employment Security Commission take back the money an arbitrator and a Detroit judge required it to pay a wrongfully

discharged circulation employee.

Judge Damon J. Keith, upholding the Detroit Guild, ordered the Free Press to pay circulation clerk Stacy Swanigan the full dollar amount awarded

her by arbitrator Harry Platt when he reversed her incompetency discharge last March.

The Free Press had withheld \$1,680 from back pay due under the award, claiming the money should be repaid to the state commission as a refund of unemployment compensation given Swanigan following her discharge in March 1971.

Following the Guild's motion for summary judgment by Keith, the company initiated action by the commission seeking repayment of \$2,436—an amount the Free Press's attorney conceded in court was "a little high."

Guild attorney Bruce Miller characterized as "unconscionable" the Free Press's action in withholding funds due Swanigan while initiating proceedings with the commission to recover the same funds. He said the Free Press was trying to use taxpayers' money to subsidize its own wrongful discharge.

Commission proceedings in the case are pending.

Board recommends permitting lawyers to aid in Guild trials

The International Executive Board is recommending a Guild constitutional amendment that would permit attorneys to participate in local trial-board proceedings under exceptional circumstances.

The board, in adopting a proposal by its Constitution Committee, noted that it has been TNG policy to discourage the participation of attorneys who are not Guild members in local trial proceedings.

The board added, however, that it is "desirable for trial board's participation of nonmember lawyers in the

rare cases where such participation would seem appropriate."

Accordingly, the board voted to replace the present clause, which provides for trial representation by Guild members only, with one stating that while, "as a general rule, nonmember lawyers will not be permitted to participate . . . the trial board may in its discretion permit both parties to be represented by lawyers."

The change was referred to the IEB for study by this year's convention. It will go to next year's convention in June for approval.

Editorial

A federal case

President Nixon and his retinue are tub-tapping, you might say, for state rather than federal privilege legislation.

Even aside from the difficulty of shepherding legislation through 50 state legislatures, there is more than enough reason to give pause before embracing his proposal to let the states do it.

California has a privilege law. Its existence must be great comfort to William Farr, who is being held in virtual solitary confinement for refusing to finger his informant for a judge.

New Jersey has a privilege law. Peter Bridge had a chance to contemplate its efficacy while spending three weeks in a cell for refusing to tell all to a grand jury.

New York has a privilege law. It was in effect, to use the phrase loosely, when Edwin A. Goodman went to jail earlier this year for refusing to make his tapes of interviews recorded during a prison uprising the property of the district attorney's office.

The state laws have proved either so limited as to be almost worthless or subject to a judicial construction that undermines their entire purpose.

Attempts are being—and should be—made to strengthen them. But the solution to what is a nationwide problem, it is clear, should come on the federal level, in Congress.

The need for uniformity as well as effectiveness dictates a national approach. Reporters—and informants—should be able to know just what protection they are entitled to without having to consult the legal code of every state in which they may operate. And the impact of national legislation may very well be required to overcome the effect of the Supreme Court's June decision on the willingness of news sources to communicate with reporters.

Reporters' privilege, if it is to be meaningful, should be general, unclouded and unqualified. That would seem to make it, of necessity, a federal case.

Tools of the trade

Publishers weighing a new appeal for media exemption from price controls on First Amendment grounds are caught on the horns of a dilemma. Greed is pulling them in opposite directions.

Dirks Brothers investment analysts report (GR, Nov. 24) that the American Newspaper Publishers Association is hung up on the question because while many publishers would like to be freed from profit-margin regulations, they are concerned that "labor contracts they had just negotiated, using wage and price controls as bargaining tools (our emphasis), would be jeopardized if controls were removed."

The italicized phrase is one worth savoring. It reduces the question of wage controls to its elements.

Publishers haven't been content to use their tools honestly, of course. They've tried to convince Guild bargainers, for example, that pay controls allow for wage increases of no more than 5.5 percent, when there are, in reality, all sorts of circumstances under which that standard can be exceeded.

How to let profits soar unrestrained by price controls while retaining so useful a tool as wage controls: Dirks reports that the ANPA will be considering the problem again this month, an appropriate occupation for the Christmas-gift season.

The Guild Reporter

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