

Tapes tell tale of bugs, burglary, revenge

"Well, one hell of a lot of people don't give one damn about this issue of the suppression of the press."
—President Nixon to John Dean, Feb. 28, 1973

By DAVID J. EISEN

PRESIDENT NIXON'S tell-tale tapes confirm Presidential knowledge of White House wiretapping and burglary directed against members of the news media and disclose an avowed determination to retaliate economically against the Washington Post for its Watergate disclosures.

The edited transcripts of Nixon's conversations with his aides reveal for the first time that journalists' telephones were tapped by "private sources" as early

as the Administration's first year.

And a portion of the transcript deleted from the published record reveals that the President explicitly threatened in September 1972 that the Post was going to have "damnable problems" in renewing the licenses of its two Florida television stations. Less than two months after his re-election, renewals for both were challenged by groups with principals friendly to Nixon.

Previously, FBI wiretaps of four newsmen and 13 government officials in 1969 had been the first known instance of wiretapping against the press. But the transcript of an April 16, 1973, conversation quotes the President as saying unidentified "private sources,"

as well as the FBI, were responsible for earlier taps. Thereafter, he said, "most of it" was done through the FBI. But, he added, "Hoover didn't want to do Kraft."

Former Presidential Counsel John W. Dean, 3rd, had disclosed to the Senate Watergate Committee that columnist Joseph Kraft's Washington apartment was broken into by White House operatives to install a wire tap designed to pinpoint the source of a news leak.

The transcript quotes John D. Ehrlichman, the President's former chief domestic adviser, as reminding him that "bugs on the journalists in the first year

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The

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New York Guild strikes Reuters



Guild Reporter photo by Jules Geller

Striking Guild members at Reuters picket the news agency's New York headquarters.

150 walk out in dispute on pay elevator

New York City—Members of the New York Guild struck Reuters News Service May 16 over management's refusal to include a cost-of-living escalator clause in a new three-year contract.

With some 150 Guild-represented employees on strike, Reuters continued to operate with the aid of about 50 non-Guild and supervisory personnel. But a company spokesman advised clients that coverage was "severely limited" as the result of a boycott by Reuters journalists overseas.

The Guild represents Reuters editors, reporters, Teletype operators, accountants, bookkeepers and receptionists, most of them located in the service's New York, Washington and Chicago bureaus. Picket lines went up in all three cities.

The two sides met under the auspices of a federal mediator May 22 for the first time since the start of the strike. A Guild representative reported "considerable progress," and another session was scheduled for May 24.

Talks that were being held under the auspices of the Federal Mediation and Conciliation Service broke down May 15 when the company refused to consider a cost-of-living clause as part of its final wage offer. The final offer represented a 4.6-percent increase in the first year, 6.7 percent in the second year and 7.6 percent in the third.

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N.Y. printers, publishers agree on pact

BULLETIN

New York City—A tentative settlement between the Typographical Union and New York City publishers was reached late May 23, and the union said its members would return to work next day at the Daily News.

Details of the agreement were not immediately announced, but it reportedly calls for an 11-year contract that will allow the publishers to automate in return for

job guarantees for both regular and substitute printers.

New York City—Talks in the printers' dispute with New York City publishers moved back here from International Typographical Union headquarters in Colorado Springs May 23 with the two sides reportedly on the verge of a precedent-setting agreement providing for automation.

Mediator Theodore W. Kheel

said before going to Colorado that the printers and New York publishers were "on the threshold of a major breakthrough" on automation. He said the accord shaping up would be "a model for productivity and job security throughout the United States."

New York Typographical Union President Bertram A. Powers echoed Kheel's assessment.

"The ingredients are all there for an outstanding contract between labor and management," he said. "When achieved, it will be a landmark that can be copied everywhere. It will contain things that were never done before."

Amid predictions that a settlement might be wrapped up at the May 23 session, the Washington Post reported that a precedent-shattering 11-year contract was being shaped.

The agreement, said Post reporter Philip Greer, would set a rapid timetable for phasing in automated equipment and would guarantee presently employed printers against loss of their jobs. There will be incentives for early retirement, he said.

The printers would get a wage increase larger than that bar-

gained by the Guild and other unions Greer reported, but the additional amount would not come until the third year. The other unions have two-year agreements.

Printers continued to picket the Daily News, which ejected them from the plant May 7 for refusing to handle type produced by new automated equipment. In the absence of ITU

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Pittsburgh shutdown ends; 65 in Guild resume work

Pittsburgh, Pa.—A shutdown that had left 65 Guild members idle for 6½ weeks ended May 15 after the last of four craft unions ratified a contract settlement with the Pittsburgh Press.

The ratification signaled the end of a publishing blackout that began March 30 when the Press's drivers went on strike. The drivers, who are represented by the Teamsters' union, ratified a settlement May 9, but the Press made no move to resume publi-

cation until it had settled with its printers, ITU mailers and paper handlers.

Guild members who were idled by the shutdown are employed by the Pittsburgh Post-Gazette, which prints in the Press plant. They were laid off after the first week of the strike and did not return until May 15, a day after ratification by the paper handlers.

Both the Press and Post-Gazette resumed publication May 16.

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Judge rules pay rollbacks lack force after April 30

Wage rollbacks ordered by federal agencies cannot be enforced for work performed after the expiration of economic controls April 30, a federal district judge has ruled.

The decision, handed down by Judge Cale J. Holder in Federal Court, Indianapolis, May 13, reinforced an interpretation issued three days earlier by Elliot Bredhoff, general counsel to the AFL-CIO's Industrial Union Department and a counsel to TNG.

An IUD memo said it was Bredhoff's opinion that "in the absence of any statutory authorization," the Cost of Living Council has no authority "to control any payments for work performed after May 1."

In the case of newspaper-industry wages, decontrolled April 2 by the council, all work performed after that date is payable at the original contract rate regardless of any previous roll-

(Continued on Page 6)

Pay up \$60, to \$302, in Lansing pact

Lansing, Mich.—The reporter top minimum is increased \$60 over three years, to \$302, in a new Guild contract at Gannett's Lansing State Journal.

The agreement, retroactive to Nov. 1, provides increases ranging from \$26 to \$68. The top minimum for the highest editors' group is raised \$68, to \$343, and the flat minimum for copy persons is up \$26, to \$131.

The mileage allowance is increased two cents, to 15, and an escalator clause will add further increases of one cent for each 10-cent increase in the average price of regular gasoline at six local service stations.

A provision denying sick-leave benefits in absences due to pregnancy is eliminated, and other maternity-leave provisions are improved. Sick leave is spelled out for the first time; it is granted at a rate of up to 26 weeks for employees with 10 years' service, with full pay the first week and 80 percent of regular pay thereafter.

Health-insurance benefits are also improved, and military-service benefits are broadened to cover employees ordered into other service.

\$14 Gannett hike denies Rochester any 'catch-up'

Rochester, N.Y.—Reporter top minimums at Gannett's Rochester Times-Union and Democrat & Chronicle have been increased \$14.55, to \$251.55, under an agreement with the Rochester Guild.

The wage settlement, amounting to 6.1 percent, is retroactive to Nov. 17. It was signed without being reported to TNG's Contracts Committee for approval.

The agreement also increases major-medical insurance to a maximum benefit of \$25,000 instead of \$10,000 and to coverage of 80 percent instead of 75 percent.

Noting that the 6.1-percent wage increase falls short of last year's increase in the cost of living, the Guild's official publication, FYI, quoted the papers' personnel director, Donald C. Anderson as saying in negotiations that "this is not the year, in this controlled economy, to play 'catch-up'—not conceding that any catch-up is necessary."

The Guild contrasted this quote with a later one by Gannett President Allen H. Neuhauser to a group of stock-market analysts. Neuhauser said "we have told our employees that we believe they, too, are entitled to some 'catch-up' . . . Our projections call for over-all wage and salary increases in the 7 1/4-to-8-percent range."

4.5% increases bargained at Jewish Telegraph Unit

New York City—Wage increases of 4.5 percent are provided in a one-year New York Guild contract with the Jewish Telegraphic Agency.

The top minimum for newsmen is increased \$12.48, to \$289.75, that for telephone operators and stenographers \$6.62, to \$153.83, that for clerks \$6.20, to \$144.08, and that for office boys \$4.67, to \$108.36.



Photo by Edward J. Freeman, Philadelphia Guild

Citations all around

Citations accompanying TNG's 1973 Heywood Brown Award are presented to the winners and the Philadelphia Inquirer, their newspaper. From left, Inquirer Executive Editor Eugene L. Roberts, award winners Donald L. Bartlett and James B.

Steele, and Philadelphia Guild President Oscar B. Teller, who presented the citations. Steele and Bartlett won the award for a series on inequities in the Philadelphia court system, a series that also helped win them a Sidney Hillman Award.

Top court refuses to review ruling excluding Wichita editorial writers

The U.S. Supreme Court refused May 13 to review an appellate-court decision excluding editorial writers from the Guild's bargaining unit at the Wichita Eagle and Beacon.

The court did not comment in rejecting petitions for review by both the Guild and the National Labor Relations Board.

The 10th Circuit Court of Appeals, in overturning an NLRB order, held that the Wichita editorial writers should be excluded on the ground they were involved in "the formulation of editorial content."

The court said its decision was based on "the particular facts in this case"—that is, the specific role played by the Wichita papers' editorial writers in the

formulation and execution of their papers' editorial policies.

TNG Counsel David Barr said the high court's refusal to review the case does not mean that all editorial writers can be excluded from Guild representation. And it sets no precedent valid outside the 10th Circuit, he pointed out.

The denial of review, he said, "leaves in effect a decision by one Circuit Court of Appeals that on the specific facts before it, the editorial writers in question in that particular case should be excluded as managerial employees."

The decision, he added, "is limited strictly to its facts and does not purport to establish a rule of general application to all editorial writers."

At ethics panel

Crocker defends political stands

Minneapolis, Minn.—The Guild's political stands, including its endorsement of Presidential candidate George S. McGovern in 1972, were defended by TNG Secretary-Treasurer Robert M. Crocker here May 10.

Such stands are not only proper, said Crocker at a panel discussion on journalistic ethics, they are the responsibility of a trade union that has the economic and professional welfare of its members to consider.

Moreover, he declared, a position taken by a journalists' union compromises its members' integrity no more than do stands taken by other organizations with which they may be affiliated—or than the editorial positions of their employers.

Crocker spoke during a panel held as part of a regional conference on ethics sponsored by Sigma Delta Chi and the University of Minnesota School of Journalism and Mass Communication.

"In all common sense," he said, "the official opinion of the publisher whom news men and women represent and who pays their wages might be thought to bias their reporting more than the position of their union."

Crocker also pointed out that Guild conventions have been "taking political stands on issues" for years without evoking any protests.

He said that "the political events of almost two years" appear to have "moderated the passions of the late summer of 1972," judging from the absence of widespread reaction to the International Executive Board's call for the impeachment of President Nixon, issued last November.

What opposition there was, he said, "seemed to be almost pro forma in comparison to the outcries that followed the McGovern endorsement."

Opposition to Crocker's viewpoint came from another panel

ist, Bernie Shellum, a political reporter for the Minneapolis Tribune. TNG's involvement in politics "undermines" reporters' credibility, said Shellum, a vice president of the Twin Cities Guild.

But another panelist and Twin Cities executive-board member, Robert Sylvester, argued that journalists' political rights are guaranteed by the First Amendment. Sylvester, news editor of the Catholic Bulletin, was recently elected to the St. Paul City Council.

Guild moves to add 5 in Monterey

San Jose, Calif.—The San Jose Guild has filed a petition to represent five photoengravers at the Monterey Peninsula Herald, where the Guild won an election in all nonmechanical departments last October.

The petition was filed after the company refused voluntary recognition, demanded during bar-

Top to reach \$351.80 at Buffalo daily

Buffalo, N.Y.—The reporter top minimum is increased \$37.80, to \$351.80, in a new two-year contract at the Buffalo Evening News.

The top for the highest editors' group is raised \$41.90, to \$389.90, and that for district managers is increased \$37.80, to \$305.

General increases range from \$37.80 for employees earning \$295 and over to \$16.95 for those below \$140.50. They amount to 5.5 percent the first year and 6.2 percent the second.

The top minimum for telephone operators is increased \$19.65, to \$182.65, and that for stenographers the same amount, to \$180.15. The top for copy boys and girls is increased \$16.95, to \$143.45.

In addition, the settlement provides a cost-of-living adjustment that cuts in next March 1 for any increases over 7.2 percent in the Consumer Price Index during 1974.

The mileage allowance is increased 1.35 cents, to 17.35 cents, for the first 100 miles of weekly travel.

The Guild also won medical-insurance improvements, including a prescription-drug plan under which members will pay no more than \$1 per prescription.

The contract also provides an increase of \$1,000, to \$4,000, in group life-insurance coverage for employees under 30, and two more floating holidays, for a total of five in that category.

Circulation pay disparity narrowed in Hawaii pact

Hilo, Hawaii—Circulation district managers move \$4.50 closer to parity with reporters and ad salesmen in a new Guild contract with the Hawaii Tribune Herald.

Their top minimum is increased \$64.50, to \$241.63, over three years. The top for reporters and ad sales is raised \$60, to \$257.63.

Other upgradings will bring \$71 increases in the top minimums for printing-sales clerks and advertising clerks. The former will go to \$208.33 and the latter to \$198.78.

All other minimums are increased \$60 across the board, with the top for telephone operators going to \$198.78, that for drivers to \$186.98 and that for janitors to \$183.13.

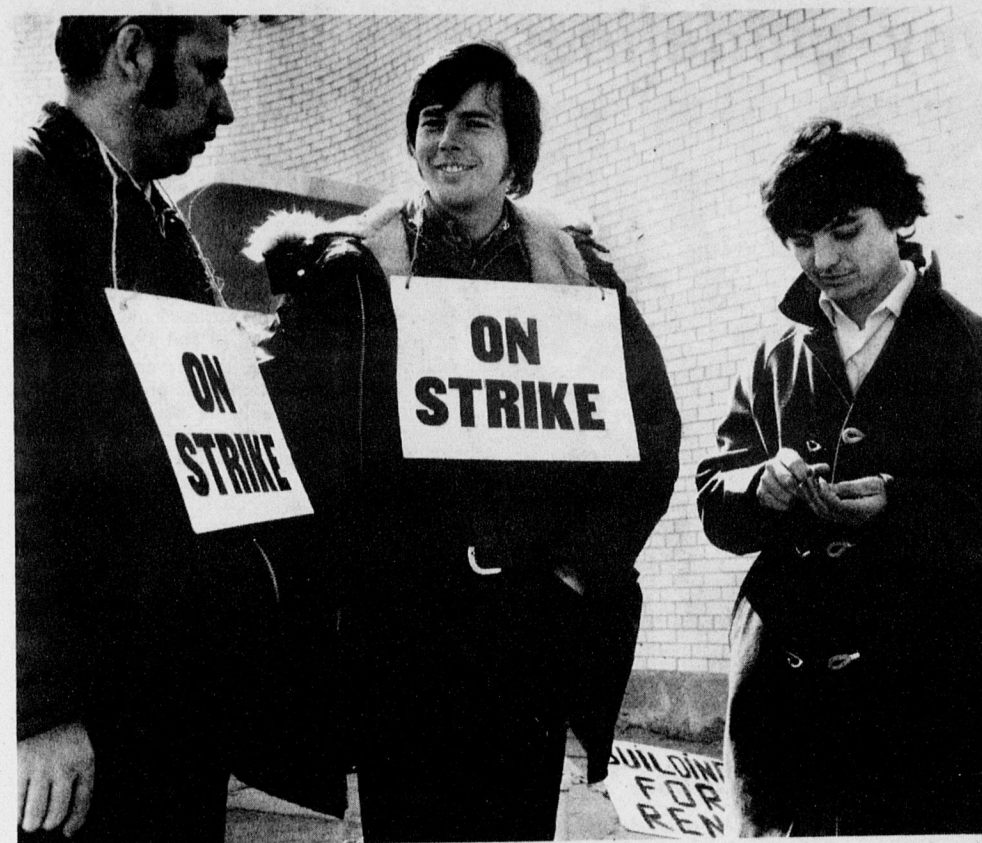
The company's contribution to medical insurance is increased from 80 percent to 90, its contribution to \$20,000 group life insurance is raised from 70 percent to 80 and its contribution to pensions is up from 62 cents a shift to \$1.02.

The employee's birthday is added as a ninth paid holiday, and minimum severance pay is increased from four weeks to five.

gaining for an initial contract.

The photoengravers had signed Guild cards during the 1973 organizing campaign, but the Guild later withdrew in favor of the Graphics Arts International Union. The GAIU failed to file a petition, however, and the engravers again sought Guild representation.

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Newspaper inoperative

On the Sudbury Star picket line: Northern Ontario Guild President Larry LeClair, right; Treasurer Bob Vaillancourt, center, and John Young. The

sign on the ground may be stretching the point, but the Thomson paper has been shut down since the start of the Guild's strike April 17.

New election set in Des Moines; NLRB orders 2nd Olivetti vote

Des Moines, Iowa—A new election will be held June 19 on the Guild's bid to represent 200 editorial employees of Cowles's Des Moines Register and Tribune.

The election was triggered May 17 when the opening of eight ballots challenged in the first election last October resulted in a 101-to-89 Guild defeat. The National Labor Relations Board, finding that the company had improperly interfered with the election, had ordered a new vote should the opened ballots fail to give the Guild a victory.

Nine ballots were challenged in the Oct. 25 election, leaving the Guild trailing, 93 to 89. The NLRB, following a hearing officer's recommendation, upheld one challenge and rejected the other eight.

But it found that the Register and Tribune had acted improperly in announcing the creation of a new management position to adjust grievances and review salaries eight days before the balloting. Accordingly, it ordered a new election should the Guild be found to have lost the first.

Modesto Bee asks NLRB to nullify Guild victory

Modesto, Calif.—The Modesto Bee has asked the National Labor Relations Board to set aside an April 19 representation election in which its editorial employees chose the Sacramento Guild by a 25-to-11 vote.

The McClatchy paper complained that the NLRB had "erroneously failed to exclude" certain employees from the bargaining unit, including the associate editor, farm editor, two art-department employees and two out-of-town correspondents.

The board had taken account of the Bee's objections by specifying that votes of the seven employees be left unopened until their eligibility was determined. The Guild's 14-vote margin made the challenges moot.

The National Labor Relations Board has ordered a new election June 6 at Olivetti de Puerto Rico, where the Guild lost a representation vote held more than a year ago.

The NLRB endorsed a hearing officer's recommendation that the election be set aside because of improper company conduct. The Guild lost, 37 to 33, in a vote held April 26, 1973.

The board upheld a Guild objection that threats and promises made at cocktail parties on the eve of the election improperly affected the election's outcome.

The hearing officer, Sidney Smith, had also upheld objections to Olivetti's announcement of pension and hospitalization improvements before the election. But an NLRB panel voted 2 to 1 to set aside those objections.

The Guild is seeking to represent Olivetti customer-service employees in Puerto Rico and the Virgin Islands. An earlier election, in 1972, was lost when the company handed out large pay raises just before the balloting.

Puerto Rico files for units at 2 print-supply plants

San Juan, P.R.—The Puerto Rico Guild has filed petitions to represent 52 production and maintenance employees of two manufacturers of blankets used on newspaper presses.

The Guild filed for 30 employees of Coatings Inc. in nearby Bayaman, who are currently represented by the Teamsters. And in San Juan it filed for 22 employees of Printing Development Inc., now represented by the Boilermakers.

The Guild did not file for the latter group until an independent union submitted a petition. The Boilermakers lodged a charge accusing the Guild of violating AFL-CIO no-raiding provisions but subsequently withdrew it.

A National Labor Relations Board election at Printing Development is scheduled for May 30.

Guild sues to enforce arbitration at Sun

Baltimore, Md.—The Washington-Baltimore Guild has gone to Federal Court to force the Baltimore Sunpapers to comply with an arbitrator's order restoring the assistant editor of its Sunday "Perspective" section to his job.

Kenneth P. Gleason, who had been an editor of Baltimore's defunct journalism review, Buncombe, was fired last July on a charge of failing to report for work on an overtime day. He accused the company of retaliating for his activities on Buncombe and in the Guild.

Arbitrator Howard Ganser, a law professor at Georgetown University, found in March that Gleason had been fired without just cause, ordered him reinstated to "his former position" and awarded him \$9,500 in back pay. But on Gleason's return April 9, Managing Editor Paul A. Banker ordered him to work as a copyreader and rejected all demands that he be restored to his post on "Perspective," the Sun's news-analysis section.

The Guild, in a suit filed May 2, is seeking \$10,000 punitive damages in addition to a court order requiring the Sunpapers to give Gleason back his former position.

Gleason, in a statement issued in connection with the suit, charged that his dismissal was "a political case involving my public criticism of the Sunpapers publisher, my newsroom activism and my union militancy."

Gleason said that, after three years on the Sunpapers without a written reprimand, he received one from his supervisor within a month after Buncombe published his by-lined article charging Publisher William F. Schick with improper interference in the papers' operations.

Gleason said he was subsequently suspended for a week without pay the morning after a petition he and four others had initiated went up on Guild bulletin boards. The petition dissociated Sunpapers editorial employees from Schick's 1972 endorsement of President Nixon.

Finally, Gleason, said, Banker sent him a written reprimand for lateness that occurred within two weeks of his urging rejection of a contract settlement at a Guild ratification meeting. A month later he was fired.

Mirror bargaining

Toronto unit faces itself

Toronto, Ont.—The Toronto Guild, newly certified by the Ontario Labour Relations Board as bargaining agent for 25 employees of the Toronto Citizen, had expected to negotiate its initial contract with a Canadian Wire Service Guild member.

Instead, it will sit down opposite a management that includes two of its own members.

Arnold Amber, a Canadian Broadcasting Corp. newsmen and Wire Service Guild member, bowed out as publisher of the twice-a-month Citizen because of ill health shortly after the Guild's certification in March.

Members of the Guild unit's executive committee purchased an option to buy the paper but were unable to raise the money—\$4,000, representing the cost of the Citizen's new 100 street honor boxes.

The staff continued to publish the paper and helped arrange its sale to a publishing board that includes two Toronto aldermen, a book publisher, a professor and two staffers—Unit Vice Chairman John Caulfield and Bruce Kidd.

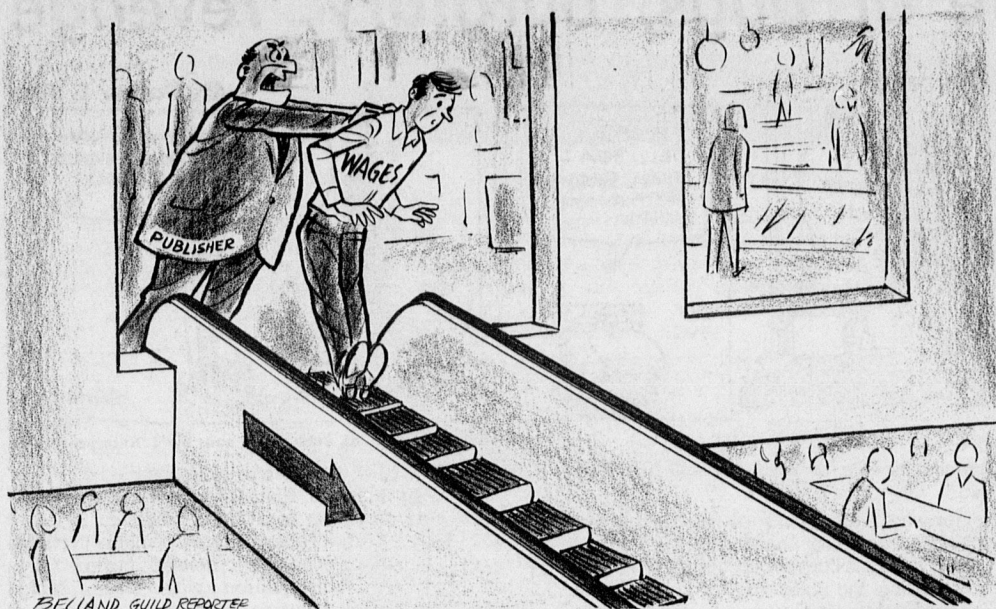
The board has agreed to increase wages and grant a strong "voice in the product" to staffers. New capital is being invested to expand the paper and make weekly publication possible by fall.

The unit, which ratified the purchase arrangement as the best guarantee of financial stability and realization of the Citizen's long-term goals, has set up committees to improve the paper's coverage.

Hawaiian bill ruling press a utility fails

Owen was president of the Los Angeles Press Club. He won several awards during his newspaper career and received recognition from the Los Angeles City Council and the Los Angeles County Board of Supervisors.

'Down, shmown! It's an escalator, isn't it?'



DATELINE: WASHINGTON

Bias accord, no-strike contract in steel industry set pace

By WILLIAM J. EATON, Chicago Guild



DOMINATION OF THE NEWS by Watergate-scandal stories has obscured two major developments in labor-management relations, both involving the basic steel industry.

Agreement on a new steel contract came three days before a deadline for sending unresolved issues to arbitration as part of an experimental no-strike arrangement in that industry.

The no-strike deal evolved out of the peculiar problems of steel bargaining, such as the enormous buildup of inventories for strike-hedging that accompanied the opening of negotiations every third year.

This costs nearly everyone money. Customers had to tie up funds and store the steel. Companies ran up overtime bills and used wasteful, old plants to meet the rush of orders. Although members of the Steelworkers' union liked the overtime pay, they often suffered long layoffs while inventories were used after a peaceful settlement.

When a strike did occur—such as the 116-day horror in 1959—foreign steelmakers rushed to capture a share of the American market and sometimes retained it permanently.

With those factors in mind, the Steelworkers decided to forego the strike weapon in 1974 and see how well they could do with only the threat of impartial arbitration facing union and management negotiators.

Since neither side at the bar-

gaining table wanted "outsiders" to write their contract, a settlement was reached without summoning the panel of arbiters or even awarding them stand-by pay.

What was more significant, however, was the agreement to try the no-strike plan again when the new contract expires in 1977, thus assuring six years of uninterrupted steel production. Since no one contends that this contract was a sellout by the union or a lavish give-away by management, the experiment should get more attention from other labor leaders.

THE SECOND MAJOR development in steel was the negotiation by three federal agencies of a remedy for job discrimination on the basis of sex, race and national origin. The headlines focused on the agreement by nine big companies to provide 30.9 million dollars in back pay to previous victims of bias—blacks, Spanish-speaking employees and women. Critics centered their fire on whether the sum was adequate.

But the real significance of the action is in the labor-management consent to use plantwide seniority instead of length of service in departments or smaller units, as the basis for promotions, layoffs, vacation assignments and other matters.

This change will be coupled with a two-year guarantee of present earnings—or "red-circling," as it's called—to smooth

the way for transfers to other jobs with potentially bigger paychecks.

Example: A veteran worker in a hot, dirty blast-furnace job makes good money but has reached his earnings peak. He gets to keep his blast-furnace pay for up to two years while he transfers to the rolling mill and uses his plantwide seniority to bid for better-paid tasks.

Many blacks and Spanish-speaking workers were "dead-ended" by the old seniority practices. But so were many white workers—and they, too, will get the agreement to switch to plantwide seniority for the vital changes in industrial life. Instead of special privileges for minorities, the new arrangement lowers barriers for all workers.

There is much more in the remedy, including a provision for elevating women, blacks and Spanish-speaking workers in substantial numbers to craft, technical and supervisory jobs. Federal officials pointedly warned other industries they would face similar legal action unless the steel industry plan became a model.

With this new stride forward in equal opportunity, it was distressing to hear that the American Society of Newspaper Editors has decided to drop its committee for encouraging minority employment. The number of blacks in editorial jobs has risen to a barely perceptible one percent, but apparently the ASNE does not want to be bothered any more. A bad-news cop-out.

6 Guild members win Pulitzer Prizes

New York City—Six Guild members, including a former Associated Press branch chairman in San Francisco, are among 12 journalists awarded 1974 Pulitzer Prizes.

Both awards for national reporting went to Guild members. One was won by James R. Polk of the Washington Star-News for stories disclosing the secret \$200,000 contribution by financier Robert L. Vesco to President Nixon's campaign. The other was won by Jack White of the Providence Journal and Bulletin for stories disclosing the President's

1970 and 1971 income-tax returns.

Polk previously received the Sigma Delta Chi and Raymond Clapper awards for his Vesco stories.

White belongs to two unions—the Guild and the Operating Engineers. He helped build the Newport Bridge over Narragansett Bay.

The award for feature photography went to Slava Veder of San Francisco AP for his picture of a former prisoner-of-war's homecoming reunion with his family. Veder formerly headed

the Guild's San Francisco AP branch.

William Sherman, a Guild member at the New York Daily News, won the award for investigative local reporting for a series on Medicaid abuses. Two Guild members at the Chicago Sun-Times—Arthur M. Petacque and Hugh F. Hough—won the general local-reporting award for a story charging that the 1966 murder of Sen. Charles H. Percy's daughter was committed by a man serving a penitentiary term, leading to a reopening of the case.

Editorial

Down the up staircase

If escalator clauses have any purpose, it is to keep wage increases from being eroded by price rises. But recent contract settlements show some Guild locals are going down the up staircase.

They have been bargaining cost-of-living clauses that contain a built-in assurance that wage increases won't match price rises under the generally anticipated rate of inflation—at least 10 percent—this year.

For example, there are two recent contracts providing a 5.67-percent increase in the second year, together with a cost-of-living adjustment that cuts in only for any increase over eight percent.

That means employees will be 2.43 percent behind when the cost-of-living adjustment finally cushions the fall.

Or take the case of another contract, which provides a six-percent increase in the second year and an escalator clause cutting in when the Consumer Price Index rises by seven percent, then cutting out again at nine percent.

That means employees will not only be one percent behind before the adjustment props up their real wages but they will be at the mercy of inflation again two percent later. If the inflation rate is the estimated 10 percent, they will be two percent down.

There are exceptions. A recent New York Guild contract at Antiques magazine provides a 10-percent increase the second year plus a cost-of-living clause cutting in at six percent. That means a real increase of at least four percent is guaranteed.

Any cost-of-living provision that doesn't assure employees of a real wage increase isn't an escalator clause, it's a toboggan clause. Negotiators may not realize it, but they're bargaining built-in pay cuts.

A lead shackle

A Toronto reporter has been fined \$350 for writing a story.

The story didn't violate any law. It merely recounted certain allegations about the activities of two Canadian companies charged with contributing to lead poisoning.

The lead companies had obtained an injunction to prevent the Canadian Broadcasting Corp. from airing the allegations. The injunction didn't name either the reporter—Graham Fraser—or his paper—the Globe & Mail. But Fraser and the Globe were both cited for violating it.

"A classic conflict between freedom of speech and the right to one's reputation" was the way an attorney for the lead companies described the case.

The conflict was no contest. Not only Fraser but two CBC producers charged with violating the injunction were fined. The Globe & Mail had to apologize publicly for Fraser's story. Fraser and the CBC producers narrowly escaped jail.

What is left of free speech, or a free press, if a company can not only obtain an ex-parte injunction preventing a specific newspaper or broadcaster from reporting something derogatory about it but make that injunction stick to anyone else having reason to know about it? Is the reputation of two lead companies more important than the right of all Canadians to free expression?

Arrogance feeds on itself. Having gagged the media, the companies now are trying to enjoin the Toronto Board of Health from so much as discussing their part in lead pollution.

It is a strange set of judicial values that exalts private interests above the public right of free speech. In the long run, that may be more damaging than even the pollution that gave rise to the controversy.

The Guild Reporter

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and

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