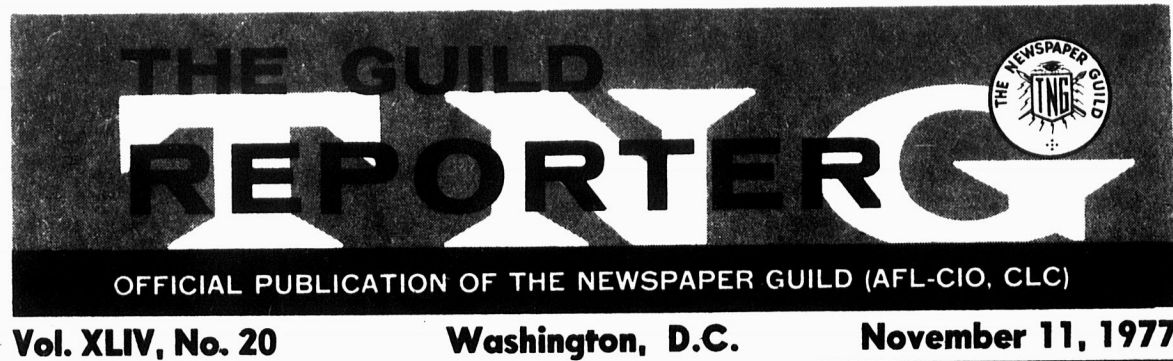


Labor law—our case for reform

Washington—TNG President Charles A. Perlik, Jr., appeared before the Senate Labor Subcommittee Oct. 31 and told it in detail why the Guild strongly favors passage of the proposed Labor Law Reform Act (S. 1883).

International Typographical Union First Vice President Joe Bingel testified with Perlik. Perlik also had entered into the record a statement by Matz Malone, a reporter at the Thomson chain's Steubenville (Ohio) Herald-

Star and a leader of the Guild organizing effort there that has been tied up in National Labor Relations Board proceedings 2½ years. Full accounts of their case for S. 1883 are on Pages 3-6. Among their points:



Madison's struck papers undelivered

Three weeks' bundles of Wisconsin State Journals pile up at drop point on city's East Side. Carrier quit three weeks before, but every morning two to three bundles are added to the heap. It's not an uncommon situation for both the State Journal and Capital Times, Madison newspaper unions report. More on the strike, Page 2.

TNG rolls set record at 33,173

Washington — Guild membership hit an all-time high Sept. 1, the secretary-treasurer's office reports.

Active, dues-paying membership stood at 33,173 on that date, up 146 from the previous record, according to a compilation of locals' per-capita returns to TNG by Sept. 30.

The previous high, 33,027 on Aug. 1, 1972, included more than 1,000 members who lost their jobs through closure of four newspapers. The new record includes about 100 who lost their jobs when the Long Island Press was closed in March. Unemployed members are kept on the rolls a year.

The tabulation does not include retired members or members in units which have voted for Guild representation but which have not yet won their initial contracts.

Since April 1 eight groups containing a total of just under 340 persons have voted for Guild representation. Largest of the groups are in Newport News, Va., and Greensboro, N.C.

Groups of more than 50 each are scheduled to vote on Guild representation later this month at two suburban weekly chains in suburban Detroit. The NLRB will supervise the elections.



Oct. 31 at the Pontiac Press

Members of the Guild, Graphic & Communications Union pressmen, Utility Workers, Auto Workers, Communications Workers and Farm Workers dressed for the day during boycott picketing at Pontiac Press on Halloween in support of Guild and pressmen's efforts for new contracts through circulation and ad boycotts, rather than strike. At left is Jeanne Towar of the Detroit Guild; in skull-mask, Don Kummer, pressmen's president.

Reuters strike averted; top goes up \$86

New York—Top minima rise as much as \$86.56 a week in a new, three-year New York Guild contract with Reuters Ltd., the British-owned wire service. In addition, there is a cost-of-living increase provision.

Settlement came Oct. 19 after an Oct. 12 strike deadline had been postponed on a day-to-day basis.

Increases of 7 percent, 5.5 percent and 5 percent compounded in each of the three years take correspondents and news supervisors to a flat minimum of \$499.81 retroactive to Jan. 1, an

1 Use of the provisions of the present U.S. labor law to delay, and thus deny, employees' rights to union representation is practiced by newspaper publishers as well as by the more notorious owners of textile mills and other factories.

2 Fear of reprisal for union activity among unorganized newspaper workers, based in large part on knowledge of the slowness and general ineffectiveness of enforcement of the present law, results in many writing to the Guild for help being afraid even to identify themselves.

3 Unorganized newspaper workers who do make the effort to exercise their legal right to form a union in the face of an actively opposed publisher often become disillusioned with the law, those who are charged with administering it and those who are our lawmakers. "They don't have to fire you to make their point," Malone said in his statement, recounting "other subtle (and not so subtle)" efforts to "discourage and intimidate... union activists" in Steubenville.

4 By the time the NLRB orders an employer to bargain in good faith, that order often "will be nothing but administrative waste paper," Bingel said. "What good is an order to bargain with the union to the employees who chose it when they are no longer at work? What deterrent is such an order to future violations? The whole charade costs the employer far less than a decent wage increase."

Delays stalk vote at Phoenix dailies

Phoenix—Management of Pulliam's Arizona Republic and Phoenix Gazette has notified the fledgling Phoenix Guild that company attorneys will challenge the longstanding NLRB determination that editorial department employees by themselves are an appropriate bargaining unit.

The Guild petitioned the NLRB on Oct. 6 for recognition as bargaining representative for 295 employees of the papers' news rooms, photo department, special sections, library, the Weekly Gazette (a legal paper), the proofroom and Arizona Magazine, a Sunday supplement.

The NLRB regional office notified the Guild of management's intentions just before TNG President Charles A. Perlik, Jr., recounted to the Senate Labor Subcommittee the delaying tactics used by publishers to frustrate employees' organizing efforts.

At the same time, the NLRB notified the Guild that it was for the second time postponing a hearing on the Guild's representation petition, this time to Nov. 22 and 23.

Previously, management had told the NLRB it considered an informal conference on the petition the regional director had scheduled for Oct. 14 to be a waste of time, requested that the informal step be skipped and said it could not meet formally on Oct. 21 because its Indianapolis attorney would not be available before Nov. 3.

Meanwhile, in Newport News, Va., the Daily Press and Times-Herald notified the new Guild local there that the company does not recognize it as the representative of the papers' editorial department employees.

The notification was in response to the new Guild local's informing the papers that members of the Peninsula Independent Editorial Assn. had voted 64 to 11 on Sept. 28 to affiliate their 20-year-old union with TNG [Guild Reporter, Oct. 14].

The papers' action means the local probably will be forced to seek recognition through NLRB proceedings.

increase of \$32.70 in the weekly rate.

In the second year, they go up another \$27.49, to \$527.30, and in the third year \$26.37, to \$553.67. The total increase is \$86.56.

Among other classifications, increases and resulting top minima include:

One group of reporter-deskmen, up \$26.72, to \$408.37 this year, \$22.46, to \$430.83, next year, and \$21.54, to \$452.37, (Continued on Page 7)

Struck paper 'invades' Madison stations

Madison, Wis.—A Lee Enterprises broadcasting executive from out of state has demanded—and in most cases received—news scripts and other material on the strike against Madison Newspapers, Inc., from local broadcasting stations.

Of the 10 stations the executive "invaded," only two refused his demands, the Madison Press Connection, the strikers' Sunday paper, reported.

Lee Enterprises owns the Wisconsin State Journal and part of MNI, which also publishes the Madison Capital Times.

The Madison Guild and craft unions have been supporting the strike by the Typographical Union and the State Journal Editorial Assn. since it started Oct. 1.

Max Lee Smith, the Madison City, Iowa, broadcasting executive, said Lee is considering legal action against strikers or union spokespersons for "defamatory statements" reported on the air, the Press Connection reported.

Company pressure also has been put on United Press International, which moved its bureau from the MNI plant to the State Capitol press room when the strike started.

Reid Beveridge, a State Journal reporter who is working as a strikebreaker, asked Richard

Wheeler, president of the Capital Correspondents Assn., whether UPI had received permission to set up an extra desk and wire machine in the press room, the Press Connection said.

"The inquiry was viewed as an attempt to force UPI back into the MNI building, capitol sources said," the paper said in its Oct. 30 edition.

Meanwhile, Miles McMillin, editor and publisher of the Capital Times, balked at UPI's use of Press Connection stories with credit to the strike paper.

He told UPI regional representative Ray Doherty that the Capital Times would take this into consideration when the wire service's contract with the paper expires, Press Connection reporters Bill Christofferson and Bob Mong wrote.

Negotiations have continued during the strike, but no progress has been reported by the two striking unions nor by the Guild, International Mailers Union or the Printing & Graphic Communications Union, which represents the papers' district managers and pressroom employees.

The association was scheduled to bargain with the State Journal Nov. 9 and 10, and the Typographical Union with MNI on Nov. 11. The Guild had talks scheduled with the Capital Times

on Nov. 14, and the other unions had dates later in the month.

On Nov. 5, Editor & Publisher, the trade magazine, carried a story saying that the National Labor Relations Board had dismissed "key parts" of an unfair labor practice charge brought by the Typographical Union against MNI.

"These charges were cited in a story in the Oct. 15, 1977, edition of Editor & Publisher but E&P was not aware of the

dismissals at that time," the magazine said.

Gilbert A. Cornfield of Chicago, attorney for the printers, said the facts were the opposite of the E&P report.

A minor part of the charge—concerning declaration of an impasse and unilateral imposition of working conditions—was dismissed, he said.

But the main part of the charge hasn't been dismissed and the NLRB's regional director in Milwaukee is taking additional statements on what the remedy might be for the alleged unfair practices, he said.

This portion charges that MNI committed unfair labor practices when it fired half its composing room staff, 14 of them out of seniority, and negotiated on severance benefits with individual employees, bypassing the union.

The regional director hasn't issued a complaint on the charge yet, Cornfield said.

Diane M. Woodstock, president of the Madison Guild and a TNG regional vice president, reported that the Press Connection's Sunday circulation had risen from 50,000 to 64,500 and may be ahead of the Sunday

State Journal in the city.

The Press Connection is distributed free and on her West Side route people wait on their doorstep or wave from windows as she carries the paper, Woodstock said.

A rally drew 500 supporters, she added, and 400 Press Connection T shirts were sold. Those at the rally also returned to MNI's fenced plant site papers that had been cancelled by subscribers but still delivered.

Meanwhile, the Madison Guild on Nov. 3 reported \$2,925 in strike donations from Guild locals and individuals. They were:

Philadelphia	\$ 50
Kingston	50
St. Louis	500
Rockford	200
Boston	100
Akron	50
Pittsburgh	75
Cleveland	200
Toledo	50
Wilkes-Barre	50
Kenosha	50
Sheboygan	25
Buffalo	150
Terre Haute	50
Memphis	100
Erie	25
Los Angeles	50
Chicago	200
Peoria	50
Denver	50
Central California	100
New York	100
Bakersfield	25
Twin Cities	200
San Francisco-Oakland	250
Individuals	175

Council votes confidence in TNG's panel on merger

East Peoria, Ill.—The Guild's Midwest District Council gave TNG's Special Merger Committee a vote of confidence at the council's fall meeting here Oct. 29-30.

The merger committee is charged with negotiating with the International Typographical Union's merger committee on terms of a possible TNG-ITU amalgamation.

Nancy Burkhardt of Denver, the council's secretary, said the vote of confidence was for the merger committee's dissemination of information and was not necessarily an endorsement of merger itself.

In other action, the council contributed \$200 to the Madison strikers.

Norma Roth of Rockford became interim president when Matt Pommer of Madison resigned for what he said were personal reasons. A week later he crossed picket lines to return to work at the Capital Times.

James K. Meyers of Kenosha also resigned as treasurer after his paper promoted him to an exempt position.

But he will remain in office until the council's regular elections at its winter meeting Feb. 24-25 at the Radisson Hotel in Minneapolis.

The winter meeting will feature a Guild-management panel discussion of voice in the product at the Minneapolis and St. Paul dailies.

Monessen clerks get \$30 boost

Monessen, Pa.—Senior clerks' top minimum goes up \$30 in a three-year Pittsburgh Guild contract with the Thomson chain's Valley Independent here.

The increase, which takes the clerks to \$150, is retroactive to April, 1976.

Actual wages are increased by \$39 for copy editors, sports editor, reporters, photographers, family news editor, and display salespersons and by \$18 to \$30 for others over the term of the contract under its general increase provision.

Top minima in those classifications go up \$5, to \$190.

Circulators vote for Guild

Toronto — Outside circulation department employees of the Toronto Globe & Mail voted 26 to 23 for bargaining representation by the Southern Ontario (Toronto) Guild on Nov. 1.

The election, conducted by the

Boston—Many newspapers are "positively lusting" after corporate influence over the press, Robert M. Crocker, TNG's secretary-treasurer, told a university panel discussion here.

"The corporation doesn't even have to whistle," he said. "The hazard . . . continues to be not so much that [the press] will be the handmaiden of [an] industrial colossus, but more that its individual components will eagerly do the bidding of any advertiser ready to lay down the price of a quarter-page ad."

Crocker spoke Nov. 4 at a panel discussion on corporate influences on the mass media during the second annual media ethics conference at Boston University's Institute for Democratic Communication.

He said it was common for North American newspapers to kill stories unfavorable to advertisers, run advertising in the guise of news, assign stories at the dictate of the ad department, and avoid controversial stories.

Crocker emphasized that the writing of advertising copy is "an honorable occupation in its place, but not when it is performed as if it weren't, in the guise of news writing."

Some things that don't appear "in the ethics codes that management has taken to tacking up on walls—or forcing down its employees' throats"—have prominent places in early drafts of a revised TNG ethics code, Crocker said.

The Guild code goes back 44 years and is being updated.

One draft provision says the press "should disseminate, without any hesitation governed by advertising considerations, any reports by government or other respon-

sible agencies reflecting adversely on advertised products or services."

Another provides that the "full, free and fair presentation of the news" should not be prevented by the interests of advertisers, proprietors, company executives—or employees.

"In doctoring of news stories . . . it is as often the illegitimate influence of the newspaper itself as a corporation that is at work as it is that of the advertiser," Crocker said.

Another provision of TNG's draft code revision provides that "both the suppression and slanting of news concerning privileged persons, institutions or groups—including advertisers, public officials, economic institutions and friends or associates of media proprietors, news executives or news workers—are repugnant to honest journalism."

Crocker called attention to a "certain unusual even-handedness in the code's approach."

"The average newspaper code of ethics appears to be directed almost exclusively at the hired hand, who is often least able to

afford the virtues it mandates."

"It doesn't apply to the publisher, who thereby implies either that (a) he is inherently such a virtuous fellow that he doesn't need to be guided by a code, or (b) his ethics are his own damn business," Crocker said.

Another provision in TNG's draft code "would indeed work a small revolution in the way journalism is practiced on all too many newspapers," Crocker said.

This declares that a "clear separation" shall be maintained in the solicitation, preparation and presentation of news and ads.

"The advertising department should in no way influence the handling of news. . . . No advertising salesperson should serve at the same time as a reporter covering the activities of his or her clients," the provision says.

Another difficulty, Crocker said, is that "the employer-employee relationship, particularly in the absence of a union contract, is an unequal one in which the employee usually finds it difficult to resist an order, no matter how professionally degrading, from the boss."

The U.S. price elevator

The table below records the ascent of the Consumer Price Index in the United States over a 24-month period following a 0.7-point rise in the index in September, 1976, to 184.0, up 11.4 points from September, 1976. The first column lists the index for each of the last 12 months, the second the percentage increase over the same month of the preceding year, and the third, the percentage increase over September, 1975.

	Index*	Percentage over	
		Same month prior year	August 1975†
October, 1976	173.3	5.3	5.9
November	173.8	5.0	6.2
December	174.3	4.8	6.5
January, 1977	175.3	5.2	7.2
February	177.1	6.0	8.3
March	178.2	6.4	8.9
April	179.6	6.8	9.8
May	180.6	6.7	10.4
June	181.8	6.9	11.1
July	182.6	6.7	11.6
August	183.3	6.6	12.0
September	184.0	6.6	12.5

* 1967 = 100

† Index = 163.6

Boycott J.P. STEVENS PRODUCTS

TNG's International Executive Board and the U.S. labor movement are calling on all consumers to stop buying J. P. Stevens Company products.

In addition to Stevens' own name, you'll find them hiding under these brand names, among others:



SHEETS & PILLOWCASES

Beauti-Blend
Beauticale
Fine Arts
Peanuts (comic-strip figures)
Tastemaker
Utica
Utica & Mohawk
Designer labels:
Yves St. Laurent
Angelo Donghia

CARPETS

Contender
Gullstan
Merryweather
Tastemaker

TABLE LINEN

Sintex

BLANKETS

Forstmann
Utica

TOWELS

Finesse
Hip-Lets
Splirt

Fine Arts
Tastemaker
Utica

GUILD'S CASE FOR S. 1883

Perlik: 'Restore faith,' reform law

Washington—Employer exploitation of inequities in federal labor law to deny employees' right to union representation is not confined to the South or to factory workers, TNG President Charles A. Perlik, Jr., has told the Senate's labor subcommittee.

"It is, all too often, as close at hand as your family newspaper," Perlik said, then catalogued delays employees seeking Guild representation and bargaining have been subjected to under present law in recent years.

Perlik appeared before the Labor Subcommittee of the Senate's Human Resources Committee with Joe Bingel, the International Typographical Union's first vice president on Oct. 31. Both urged Senate enactment of the proposed Labor Law Reform Act (S. 1883) without delay and without damaging amendments. A companion bill was approved, with some amendments, by the House of Representatives on Oct. 6. (Text of Perlik's testimony begins on Page 4.)

Perlik emphasized the necessity of the proposed reforms' enactment to restore unorganized employees' faith that federal labor law in fact protects their right to organize and bargain.

In the Guild's largely white-collar jurisdiction at least, fear of reprisal for union activity remains so strong that the unorganized who write to the Guild for help are often afraid to sign their names, Perlik said.

One, he recounted, requested the Guild to contact him by placing a coded message—"The wine's riper"—in the personals column of the paper he worked for.

Under present law publishers and other media employers are able to exploit this kind of fear and the opportunities for "interminable and often frivolous" procedural delays to thwart their employees' efforts to exercise their legal right to organize and bargain, Perlik said.

It doesn't "take 15 years to defeat an organizing campaign. Under present law and procedures this can be done equally effectively in 15 months or in 11 or seven," as the Guild's experience shows, he said, urging approval of proposals that would mandate representation elections no more than 75 days after a petition is filed with the National Labor Relations Board.

Employees seeking Guild representation in recent years have experienced NLRB

election delays of as long as 22 months, he reported.

And, he said, employees of WREG-TV, a Memphis television station owned by the New York Times Co., are still trying to bargain a first contract more than two years after winning Guild bargaining rights in an NLRB election. The Times itself editorially endorsed the labor law reform bill in July, Perlik noted.

In the last two years, the time between the filing of Guild representation petitions and the holding of representation elections has averaged 238 days, or about eight months, Perlik told the subcommittee.

"In contrast," he noted that "in the case of decertification petitions, when time may work to the employees' advantage," elections are "somehow . . . held quickly enough." Four or five Guild decertification elections in the last two fiscal years were held within two months, he said.

Meanwhile, unorganized employees waited 199 days in Little Rock, 328 days in Van Nuys, 456 days in Philadelphia, 641 days in Wilmington and 674 days in Steubenville "for the opportunity to vote for or against union representation," Perlik pointed out.

"Delay is the name of the game," he said, quoting a management attorney. "As the cases cited show, the game is being played by some of the leading publishers in the United States: Hearst in San Antonio, Cowles in Minneapolis, Copley in Aurora, Thomson in Steubenville and, in bargaining at WREG-TV, the New York Times Co."

An analysis of representation elections over the last five years shows that in elections held in less than 60 days the Guild wins twice as many as it loses, Perlik said, whereas in elections held after more than 210 days, it wins only one in five.

In the last two years, only one election held within two months or less was lost; only one election held after six months was won.

"Like justice, the record shows, representation delayed all too often is representation denied," Perlik said.

Noting that the Guild receives more than 100 inquiries a year from newspaper employees seeking union organization, Perlik said that a "twin theme" runs through them: "Need for benefits and protections of a union contract—and

fear of organizing to get them."

"We want to make sure that the law works as effectively for workers who seek to organize into unions as it now works for those employers who seek to deny them that right," Perlik concluded.

The ITU's Bingel sounded a similar note, pointing out that "anti-union employers repeatedly and deliberately violate" present labor law, "knowing that its sanctions lack force and that built-in delays drain those sanctions of whatever deterrent impact they might otherwise have."

He pointed to two commercial printing houses in Chicago where that city's ITU local won representation elections in May and August of 1976. He said the employers engaged in "sham" bargaining thereafter while unilaterally and illegally changing working conditions and wages. Employee support for the union was destroyed through layoffs and replacements, he said.

In September, the NLRB "finally issued a complaint" on the local's unfair-practice charges, but a board decision is not expected before late 1978 or early 1979—"almost three years after the union won the first election."

If the board directs the employers to bargain in good faith, Bingel said, "that order will be nothing but administrative waste paper."

"What good is an order to bargain with the union to the employees who chose it when they are no longer at work? What deterrent is such an order to future violations? The whole charade costs the employer far less than a decent wage increase," Bingel charged.

He also cautioned the Senate unit against an amendment directed against so-called "stranger picketing" in the bill adopted by the House.

He called the amendment "hopelessly imprecise" in its reference to "implied" agreements against strikes and warned that it "could easily turn back the clock" to "the evil of government by injunction" in labor disputes.

The amendment would permit injunctions and/or restraining orders against picketing not authorized by a union representing an employers employees which causes a strike despite an agreement, "whether express or implied, not to strike, picket or lockout."

Victim tells how rights thwarted

Washington—"The very law we were told would protect our rights has in fact been used to thwart our rights," the Senate has been told by a leader of a nearly

2½-year-old struggle for Guild recognition and bargaining at the Thomson chain's Steubenville (Ohio) Herald-Star.

In a statement submitted to the Senate labor subcommittee, Matz Malone, a reporter with the paper 12 years, said U.S. labor law "must be reformed so that what has happened to us cannot happen to other unorganized newspaper (and other) workers in the future."

Malone said he "read those sections of the law that supposedly protect my rights to form, join or assist a labor organization of my choice" and that he and others "worked hard to persuade our coworkers of their right to organize and to allay their fears of being fired or discriminated against if they did."

"But as the months went by and the union protection we sought was denied us by one delay after another they became disillusioned. . . . Be patient, we kept saying. But after months of dashed hopes and disappointed dreams, patience wears thin," he said.

"It became harder and harder to deny that, in Steubenville at least, the law was working for the employer, not the employees."

"What's the use, people began asking, and who could blame them?" Malone said.

"I know I have lost credibility in the eyes of my coworkers who believed me when I told them about our rights under

the law, and I can't help but believe that our lawmakers, the National Labor Relations Board and the law itself have lost credibility, too," he said.

Malone's account of the organizing effort at the Herald-Star began with the firing in March, 1975, of a woman who had been recruiting Guild members the previous two months "because, she was told, she had become a 'detriment to the company'." The NLRB refused to issue a complaint, he said.

On July 22, 1975, the Herald-Star refused a demand that it recognize the Guild, "even though 80 percent of the 110 people" had signed cards designating it their bargaining agent and "we offered to have their cards validated by a neutral third party."

NLRB hearings took a month while the company sought to sever "one boss for every nine workers," the drivers, mail-room employees and proofreaders from the unit.

Reopened hearings on a company "afterthought," that editorial employees might be "professionals under the law," took another three months.

Transfer of the case to the full NLRB in Washington added 13 more months.

The NLRB "ultimately and predictably denied all exclusions . . . except for a handful of supervisors, as the Herald-

(Continued on Page 6)



TNG PRESIDENT CHARLES A. PERLIK, JR., MAKES A POINT
Looking on at Senate hearing is Robert E. Petersen of the ITU

THE CASE FOR S. 1883—LABOR LAW REFORM

Labor scofflaws? Check a publisher

ON JUNE 30, 1977, delegates to the Guild's annual convention called for the enactment of labor law reform legislation such as that subsequently introduced in the Congress, and on their behalf I urge the members of the subcommittee, and of its parent committee, to approve S. 1883—the Labor Law Reform Act of 1977—without damaging amendments and without delay.

I asked to testify before the subcommittee because I believe our experience illuminates important consequences of those inequities in federal labor law and labor board procedures that have not to this point been sufficiently emphasized.

Employers' exploitation of these inequities to delay and, by delaying, to deny their employees' legal right to the benefits and protection of union representation and collective bargaining is not confined to the South.

It is not confined to factory operatives or mill hands.

It is, all too often, as close at hand as your family newspaper.

Nor does it take 15 years to defeat an organizing campaign. Under present law and procedures, this can be done equally effectively in 15 months or in 11 or seven.

Nor are mass discharges required. Given time, in our largely white-collar jurisdiction at least, employers need not resort to such heavy-handed tactics (although they sometimes do). Instead, they play upon the fear of such reprisals for union activity that remains widespread among the unorganized 42 years after federal labor law first undertook to guarantee and protect their "full freedom of association and self-organization."

Unorganized workers write us for help in organizing—and fear to sign their names. Or use an assumed name, with a post office box address. Or, as one anonymous reporter did, ask that we reply by placing a coded message in the personals column of his local newspaper.

IN NLRB ELECTIONS in the United States in recent years, unorganized newspaper employees seeking Guild representation have faced delays of up to 22 months—nearly two years—from the filing of a representation petition to the election.

And news and other employees of WREG-TV, a television station in Memphis owned by the New York Times Company (the Times itself editorially endorsed the labor law reform bill this past July), are still trying to negotiate an initial contract more than 24 months—over two years—after they won bargaining rights in a Guild representation election on Oct. 10, 1975. So far, among other things, they have been unable to get agreement even on the preamble.

✓ Employees of the Steubenville (Ohio) Herald-Star had to wait 22 months and four days for their election, from July 23, 1975, to May 27, 1977. The result still awaits the disposition of ballots challenged by the company, hearings on which

This is taken from the Oct. 31 statement by TNG President Charles A. Perlik, Jr., to the Labor Subcommittee of the Senate Committee on Human Resources. The full text has been distributed to all presidents and labor law reform chairpersons of U.S. locals, with copies to Canadian locals as well.

finally were concluded Sept. 7, 2½ months—more than two years—after the representation petition was filed.

✓ Employees of the Wilmington (Del.) News and Journal had to wait 21 months for their election, from April 21, 1975, to Jan. 21, 1977. The election was lost, 50 to 69.

✓ Employees of the Philadelphia (Pa.) Bulletin had to wait 15 months for their election, from Aug. 14, 1975, to Nov. 12, 1976. The vote: a tie, 119-119, with five challenged ballots. As in Steubenville, the result still awaits disposition of the challenged ballots, a hearing on which was concluded on Sept. 20, 25 months after the petition was filed.

✓ Employees of the Van Nuys (Calif.) Valley News & Green Sheet had to wait nearly 11 months for their election, from June 5, 1975, to April 28, 1976. By that time, however, their majority had been so eroded by the delay that the representation petition had to be withdrawn.

✓ Employees of the Minneapolis (Minn.) Star and Tribune had to wait eight months, from Oct. 7, 1974, to June 11, 1975, for their election and another seven months, to Jan. 23, 1976, for challenged ballots to be disposed of. The election was lost, 72 to 96.

✓ Employees of the Bremerton (Wash.) Sun had to wait eight months for their election, from Nov. 30, 1973, to July 25, 1974. The election was lost, 21-35.

✓ Employees of the Little Rock Arkansas Gazette had to wait nearly seven months, from Feb. 26, 1974, to Sept. 13, 1974, for their election and another 10 months, to July 15, 1975, for challenged ballots to be disposed of. The election was lost on a tie vote, 30-30.

✓ Employees of the Aurora (Ill.) Beacon-News had to wait seven months for their election, from Nov. 14, 1974, to June 11, 1975. By that time, however, their majority had been eroded by the delay and again the representation petition had to be withdrawn.

✓ And employees of the San Antonio (Tex.) Light had to wait seven months for their election, from May 2, 1975, to Dec. 2, 1975, after the [NLRB] regional director's direction of a relatively quick election, scheduled for July 11, was stayed by the NLRB upon the employer's appeal of the regional director's unit determination. Ultimately the board upheld the regional director, but the nearly five months' delay in the election served its purpose. The election was lost, 8-24.

(In the last two fiscal years, in Guild representation proceedings at daily newspapers, the elapsed time between petition date and election date averaged 238 days, or approximately eight months.)

(In contrast, in the case of decertifica-

tion petitions, when time may work to the employees' advantage, employers somehow permit elections to be held quickly enough. Of five Guild decertification elections in the last two fiscal years, four were held in two months or less.)

UNDER THE LABOR LAW reform bill only those elections presenting issues of "exceptional novelty or complexity" could be delayed for as long as 75 days, and not one of the nine cases cited above presented such an issue.

At the Van Nuys hearing, it is true, the employer took an hour to challenge (unsuccessfully) the Guild's status as a labor union under the [National Labor Relations] Act, 42 years after the union was founded in 1933. That might appear to be a novel, if not a complex, issue, but it was not exceptionally novel. Other publishers, believe it or not, have done the same outrageous thing.

"Delay is the name of the game," the AFL-CIO's Lane Kirkland has quoted a management attorney as boasting, and, as the cases cited show, the game is being played by some of the leading publishers in the United States: Hearst in San Antonio, Cowles in Minneapolis, Copley in Aurora, Thomson in Steubenville and, in its bargaining with WREG-TV, the New York Times Company.

"Unions are rightly concerned about management stalling until organizers run out of money or steam," the New York Times said in its editorial (if not in Memphis). For time, as the Guild Convention said in calling for labor law reform legislation, "is the anti-union employer's single biggest weapon: time to get rid of union activists; time to bring pressure on union sympathizers; time to infuse the staff with new, nonunion employees; time to wear the union down."

An analysis of Guild elections in the last five fiscal years shows that, among elections held less than 60 days (two months) after petition or request for recognition, twice as many elections are won as are lost; among elections held in more than 210 days (seven months) only one in five elections is won.

In the last two fiscal years, only one election held within two months or less was lost; only one election held after six months was won.

Like justice, the record shows, representation delayed all too often is representation denied.

In our experience, employers, with rare exceptions, have both [time and money], their unorganized employees and unions like the Guild have little enough of either.

"More often than not it is the companies that deal from the position of economic strength in resisting organizing efforts," said the Chattanooga Times in endorsing the Labor Law Reform bill. In our industry, that is an understatement.

The Washington Post, in its recent 12-part series on "the newspaper business," noted that the U.S. newspaper industry is a big and profitable business, a fact, the Post added, that is "not fully understood by many citizens." In 1976, the Post reported, the average pre-tax profit margin as a percentage of sales for 13 leading publicly held newspaper companies and chains was 19.4 percent, with two of the 13 reporting margins of more than 30 percent. (The five-year average was 18.4 percent.) And, if anything, smaller papers are more profitable, relatively, than larger ones.

"Small-town papers are like cash-boxes," the late Lord Thomson, the British press lord, once said. (The Steubenville Herald-Star is one of fifty-some such Thomson "cash boxes" in the United

States.) "I buy newspapers to make money to buy more newspapers to make more money," Thomson explained before his death last year. And James Reston, New York Times columnist and director of the New York Times Company, told the Post that other publications of the Times Company (including a string of small dailies and weeklies) and its Memphis TV station, WREG-TV, make more money than the Times itself.

The newspaper business, the Post reported, employed 382,700 persons in 1976 (up 4,000 from 1975), making it the nation's third largest manufacturing industry, behind only automobiles and steel. Of the 1,500 U.S. cities with daily newspapers, 97.5 percent are monopoly cities, with no newspaper competition, and six of every 10 daily newspapers are chain-owned.

The Guild has annual operating income of 1.6 million dollars and a permanent field staff of 10 representatives who are able to devote little more than a third of their time to organizing. The rest of their time is required to service present members and locals and, increasingly, to protect existing bargaining rights against employer attack.

If the time required to get a representation election under present law and procedures is prohibitive, so, as Secretary Marshall suggests, is the cost. "It all adds up to the same equation," the Guild's International Executive Board concluded in its organizing report to this year's convention. "Short dollars spent on long litigation to the advantage of the employer and the detriment of the employee."

It costs the Guild, on the average, \$1,200 in staff salaries, legal fees, and expenses for every unorganized worker for whom it wins bargaining rights.

THREE YEARS AGO, in response to increasing requests from unorganized newspaper workers for Guild organization, Guild members voted to assess themselves to create a special organizing fund. In its first full year of operation, fiscal '76, one fifth of the fund—over 20 percent—went for legal fees.

At WREG-TV, the New York Times station in Memphis, we already have incurred attorney's fees and expenses of more than \$21,000 in an effort to win an initial contract for 41 people. That's more than \$500 a person and nearly \$1,000 a month. (The representation proceedings alone cost \$8,280 or \$202 per person.) In addition, there is the cost of house counsel and the staff representative who has been trying to negotiate a contract. And the end is not yet in sight.

Unorganized workers in our jurisdiction want and need union representation. We know that because we receive more than 100 inquiries each year from employees of newspapers without Guild contracts asking us to help them organize and obtain the benefits and protections of a union contract.

Twice in the past three years (in 1974 and again in 1976) Guild members have voted to assess themselves to create



GUILD AND ITU PANEL OF WITNESSES AT SENATE HEARINGS ON LABOR LAW REFORM

From left, Columbia Typographical Union President William J. Boorman, ITU counsel Ron Rosenberg, ITU Vice President Joe Bingel, ITU counsel George Driesen, TNG President Charles A. Perlik, Jr., and Columbia 101 Secretary-Treasurer Robert E. Petersen.

and maintain a special organizing fund of nearly a quarter of a million dollars a year over and above our general operating fund to enable us to provide more money and staff to respond to these calls for help, as more than one inquirer has described them.

But, given the cost of organizing in both time and money under present law and procedures, we still find it impossible to respond to many of the inquiries we receive. Some we are able to refer to other unions; others we simply have to reluctantly decline, no matter how urgent the request or how demanding the need.

A twin theme runs through these inquiries: need for the benefits and protections of a union contract—and fear of organizing to get them.

✓ Some write us anonymously, like the employee of an Indiana paper who, after reporting a strong interest in the Guild among many newsroom employees, and enclosing the paper's employee directory, concluded:

"This must be kept absolutely quiet with exception of possibly your contacting someone from composing or pressrooms already in a union for additional information. I do not desire any further contact with you if it can be avoided."

✓ Others—from papers in Iowa and New Jersey, to cite just two—ask that their inquiries be kept confidential, and that replies be made to their homes instead of the office, for what they describe as "obvious reasons."

Others are more explicit:

✓ From a reporter in Alabama: "I would appreciate any further correspondence being sent to my home address since, quite frankly, I do not think my future would be too bright should management learn of this."

✓ From a reporter in California: "What protection do we have against being fired because we're inquiring about the Guild? The chain (of which his paper is a member) is historically and rapidly anti-Guild, from all we hear."

✓ From a reporter on another Alabama paper:

"Please keep my name in strict confidence and contact me at my home address and phone only. Management at this time is unaware of this talk and any slip probably spells instant firing."

✓ From a reporter in Nebraska: "Also I have been told that if a campaign is unsuccessful the organizers are likely to face problems on their jobs, whether they stay or go to another paper."

✓ From a carrier-sales representative in Florida:

"I understand that in some places they do have a union. Could you help me in this way? Of course, if the company finds out about this letter I am fired. But I might just as well be fired and no job at all as the way we are."

✓ From a reporter in Vermont, after having been discharged after 29 years of service, six months before she reached retirement age:

"I could be a great help (in organizing the paper) because I am no longer intimidated by being in its employ and no longer need the salary, little as it was in comparison to today's standards."

✓ From an advertising salesperson in Florida, who said he had been anti-union but now recognized "that there are times when a strong union is needed":

"I am writing this under an assumed name to protect myself. (He gave a post office box as his address.) I have told you we live in fear. If the management found out that I have written you for help, I would be fired immediately. I'm not ready to leave yet. I happen to believe that things can be better for all of us when we organize. Help . . . please."

✓ From a reporter in Iowa:

"If Guild representation were to come to a vote in our newsroom today, we would probably win. The problem is that many of our staff members are unsure that the question should come to a vote in the first place—they are willing to organize but fearful of retribution. How do we protect ourselves from reprisals?"

Some go to extraordinary lengths to protect their identity.

✓ From a reporter in Florida, who said that workers on papers in his area were afraid to complain about their "intolerable" working conditions and were "ripe for organizing":

"Sorry I can't sign this letter, but if you decide to make an effort here and want to contact me, I suggest you place an ad in the personal column of the along with your telephone number. Use the coded message 'the wine's riper' and I'll contact you."

In our experience, fear of the consequences of exercising their legal rights is the greatest deterrent to organizing among the unorganized, just as time is management's greatest weapon in combatting organization once it is successfully begun.

In addition to the conventional objections and appeals, clarifications and post-nominees, employers in our industry buy time—and I'm tempted to say I use the word "buy" advisedly because of the costs of such litigation—by interminable, and

often frivolous, challenges to the composition and appropriateness of the union's proposed bargaining unit, no matter how well it may be grounded on established Board precedent.

IN THE ABSENCE of such rule-making procedure as the Labor Law Reform bill would establish, employers can and do repeatedly reopen and relitigate unit questions definitively settled by the [National Labor Relations] Board when it first faced them years ago. Ultimately, months later, the board reaffirms its original decision, but by then all too often it is too late: delay of representation has become denial of representation, and the election is lost.

Example: On April 30, 1975, during a hearing on a petition by the International Typographical Union to represent news and editorial department employees of Rupert Murdoch's San Antonio Express and News, the employer challenged the inclusion of reporters and subeditors in the overall bargaining unit, without a separate, self-determination election, on the ground that they are "professionals" within the meaning of the [National Labor Relations] Act, despite the fact that the board long had held that they are not. The Guild, as the union holding the majority of certifications in this jurisdiction, was neither informed of nor consulted about this challenge to established board doctrine on which it had relied for years.

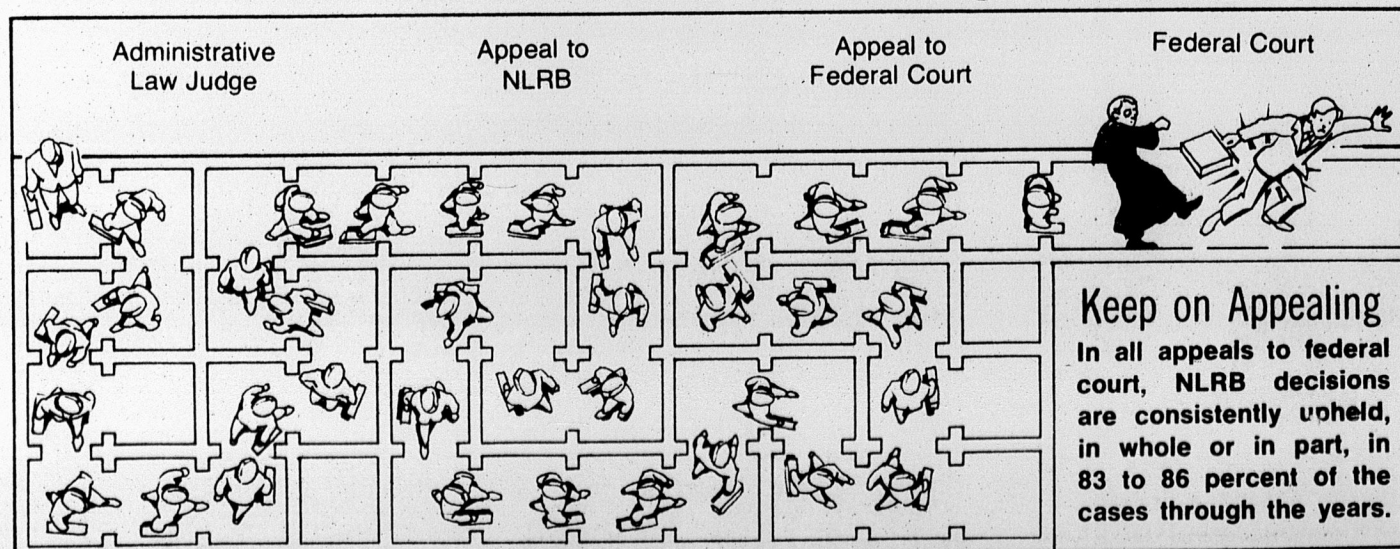
The regional director, relying on this established board doctrine, promptly held that the employees in question were not professionals under the act and, on June 13, ordered an election. The employer then requested that the board review the regional director's decision. The board agreed to do so and stayed the election.

The Guild joined the ITU in arguing the issue before the board and nine months later, on April 6, 1976—or almost a full year after the ITU filed its representation petition on April 9, 1975—the board upheld the regional director and reaffirmed its established doctrine, adopted in 1948, that journalists are not professionals as defined by the act. The election was held three weeks later; the union lost. Time had done its work: the employer lost the battle, but won the war.

Meanwhile, no sooner had the board agreed to review the regional director's decision in the ITU case in San Antonio than other employers—some of them belatedly—promptly introduced the professional issue in Guild news and editorial department representation proceedings.

(Continued on Page 6)

Current Law Allows Delay All Along the Way



Poll: Public favors stronger workers' rights

Washington—An overwhelming majority of the U.S. public favors reform of the nation's labor law to strengthen employees' right to organize, according to a national poll for the AFL-CIO this fall.

In the first nationwide sampling of public attitudes on legislation proposed to strengthen protections under basic federal labor law, Public Opinion Research of Alexandria, Va., found that of the 800 adults it surveyed:

✓ 97 percent believe that before workers vote on union representation they "should have an equal opportunity to

hear both the company and union arguments." (At present, only the employer is guaranteed a chance to present arguments to employees.)

✓ 90 percent believe an employer should be forbidden "to threaten workers with a loss of their jobs if they vote to join a union."

✓ 69 percent believe the government should not "buy products or services from a corporation that has illegally harassed or fired workers who had been trying to organize a union at a company plant."

✓ 72 percent believe employees "would

be afraid to actively support a union if they knew their employer might fire them and it might take up to two years to get their jobs back."

✓ 63 percent overall—59 percent of those with incomes over \$25,000 and 58 percent of executives and professionals—agreed that corporations oppose unions for their employees because unions "would make employers pay higher wages and improve working conditions."

The poll was conducted by telephone between Aug. 29 and Sept. 8. A national random sampling of 800 persons 18

years old and older, it contains a potential sampling tolerance of four percent for 95 cases out of 100.

The results paralleled findings from a survey in May by the same firm and one in January by Louis Harris.

The May poll showed a 59 to 34 percent majority agreeing that "most working people need labor unions to protect their rights."

The Harris survey reported a 59 to 25 percent majority believe that "if there were no unions, most employers would quickly move to exploit their employees."

THE GUILD'S CASE FOR S. 1883

Labor scofflaws? Try a publisher

(Continued from Page 5)

All three cases were transferred to the full board in Washington for decision. In each case, the board reaffirmed its established doctrine that journalists are not professionals within the meaning of the act—but not until October 13, 1976, in the Bulletin case and December 22 and 23, 1976, in the Steubenville and Wilmington cases, six to eight months after it had arrived at that conclusion in the San Antonio case.

The professional issue also was raised in Guild representation proceedings at the Dover (N.J.) Advance. There the regional director, armed with the board's San Antonio decision, was able to rule against the employer and make it stick.

The Guild won that election, held on June 3, 1976, less than four months after our petition was filed. But the employer then refused to recognize and bargain with the New York local as the successor to our North Jersey local, which merged with New York after having been certified to represent the Dover employees over 15 months ago. The result: our majority eroded by the delay, last month we had no choice but to relinquish our bargaining rights—without a contract.

AS RECENTLY AS this past summer, the professional issue was raised again, this time by the New York Times Company in a unit clarification proceeding at its Memphis broadcast station, WREG-TV, where the Guild, as I have noted, still is seeking an initial contract more than two years after winning bargaining rights. The Times sought to have WREG-TV's weatherman excluded from the unit as a professional. The regional director ruled he was not a professional under the act. The Times asked the board to review the regional director's decision. This time the board refused.

Example: At the Van Nuys Valley News & Green Sheet, the regional director, departing from long-settled board doctrine, split the circulation department from the other major departments in Guild jurisdiction—advertising, business and editorial—and ordered two separate elections. The board overruled the re-

gional director, but by then it was too late. The Guild, its majority eroded by the delay of nearly 11 months between filing and election date, withdrew its petition.

Example: At the San Antonio Light, the regional director, adhering to long-settled board doctrine, included regular part-time employees in a circulation department unit. At the employer's request, the board agreed to review the regional director's decision and stayed the election, scheduled for two months after filing. The board upheld the regional director, but the election was delayed another five months. It was lost. The Light, not surprisingly, opposes the Labor Law Reform bill.

Example: At the Minneapolis Star and Tribune, the regional director, again departing from long-settled board doctrine, excluded "office clericals" from an advertising department unit. The board authorized the contested clerical employees to vote challenged ballots in the election, which was delayed eight months from filing. Seven months later the board overruled the regional director's decision [and], opened the challenged ballots. The election was lost. (Here the employer sought—unsuccessfully—to have advertising art and layout employees held to be "professionals.")

You can't win. If the regional director's decision is correct, it takes the board months to confirm it; if it is wrong, it takes months to correct it.

In a letter earlier this year to the then chairman of the board commenting on the Interim Report and Recommendations of the Chairman's Task Force for 1976, the Guild's general counsel, David S. Barr, wrote:

It has been our experience that election delays occasioned by hearings, subsequent briefs, and the decision-making process have been largely responsible for a considerable number of election losses and, more importantly, disillusionment by the employees with the board's election process and with the organizing process in general. The Task Force stated on page 7: "It is probably true that a few 'horror' cases in excess of the median are responsible

for most of the criticism of the delay in obtaining an election." That statement is inaccurate in that, in our own experience, there have been many such "horror" cases; and invariably their object less has been lost in the quagmire of "median" statistics.

I believe that the record as I have outlined it here fully supports that conclusion, and so do the judgments of the employees involved.

I have reported that at the Philadelphia Bulletin, after a delay of 15 months between petition and election, the vote was a tie: 119-119, with the ultimate result still awaiting the disposition of five challenged ballots. After the election, we asked members of the in-plant (employee) organizing committee why.

✓ "You ask what eroded our support," one wrote. "As someone who was involved in building that support from March, 1975 (when organizing began) to November, 1976 (when the election was held), I think the only overwhelming and decisive factor was time.

"The flame initially was quite high, and the longer the NLRB delayed its decision, not to mention the unconscionably long hearings (25 days), the lower it burned. The way I see it, we did almost everything we could to ensure a victory, and all our tactics proved ineffective against the Bulletin's overall strategy of delay . . ."

"If the election had been held 45 days after the petition had been filed, Bulletin newsroom employees would certainly be enjoying the benefits and rights of union representation today. Fifteen months allowed the employer, on whose side the balance of power always rests, an unfair advantage. . . ."

✓ The delayed NLRB decision "hurt the Guild terribly," another committee member wrote.

✓ And a third concluded:

"Our major problem was with the National Labor Relations Board. That agency's extremely long delay in reaching a decision destroyed our momentum.

"From the beginning of our efforts to organize, until the time of the election, the Bulletin had a large turnover of employees. Also, an almost entirely new Jersey staff was hired during this time. It's hard to convince someone, recently saved from the horrible fate of the weeklies, that he or she needs protection from the savior. The new folks are learning now but the election's over.

"I place 90 percent of the blame on the NLRB. Even for us organizers, election day became a dream, a hallucination, a black humor joke. I know all of us would like to know what we can do to prevent the NLRB from dashing the dreams of others needing union protection against the rocks."

What we can do, of course, is enact the Labor Law Reform Act of 1977.

We want to make sure, with Americans for Justice on the Job, that the law works as effectively for workers who seek to organize into unions as it now works for those employers who seek to deny them that right.

During the discussion of the need for labor law reform legislation at the Guild's convention this past summer, Lucille DeVew, a freshman delegate from Detroit where she is a staff writer on the Detroit News, said:

"As a member of a brand new unit, I am very aware of how very close I have come to not being here if our employer had used the delaying tactics that I have learned of from other places where they have not successfully organized. I am very glad for everything the Guild did to organize us in Detroit. I feel an obligation to do everything I can for those unorganized people in these other places."

So do we all.

'They don't have to fire you . . .'

(Continued from Page 3)

Star must have known it would," Malone said. "But by then the delays the Herald-Star had contrived to create had given it the time it wanted to try to undermine support for the union."

Another three months went by before the company agreed to settle unfair practices charges against it for firing 20 people who honored a printers' picket line by restoring 19 to their jobs.

But, he said, "they don't have to fire you to make their point," telling of "other more subtle (and not so subtle)" efforts to "discourage and intimidate others of us, especially union activists."

Among them: arbitrary changes in assignments, hours, lunch hours and days off, "holding back our pay checks," eliminating overtime pay, "forbidding us to talk about anything except company business on company time, and, as the organizing campaign wore on—and on—[trying] to buy some of us off with selective wage increase."

After the demand for Guild recognition was made, Malone said, he was ordered in addition to his West Virginia beat to cover two police beats on Saturdays, to work in the photo lab and to "be on call to write obituaries."

"When a regular Saturday day-off opened up . . . they gave it to another reporter with less seniority who had publicly declared herself against the union."

By the time the representation election was held on May 27 this year "more than half of the 110 employees we started out with, including most of the original union leaders, no longer worked at the Herald-Star; most were harassed until they quit, others were fired outright," Malone said.

"We found ourselves having to run faster and faster just to stand still," he added.

The election tally was 29 votes for the Guild, with 38 for no union.

"But the Herald-Star, true to form to the last, challenged 16 persons, or more than enough to affect the outcome," Malone related, while the Guild challenged one ballot.

While waiting for rulings after hearings on the challenges held in August and September, "the Herald-Star publisher already is talking about further appeals if the decision goes against him," Malone wrote.

"What's at stake in Steubenville may be only money to the Herald-Star and, Lord knows, Thomson has plenty of that," Malone said.

"But what's at stake for me, and for others like me, is my livelihood, my future and my peace of mind. My family roots are deeply imbedded in the Steubenville area. I don't want to be the next one to have to leave in order to work with security and self-respect at my craft," he concluded.

1,000 rally on Ottawa lock-out anniversary

Ottawa—More than 1,000 union members joined locked-out Ottawa Journal employees for a mass demonstration to mark the first anniversary of that dispute.

ITU members from locals in Montreal and Quebec City, also on strike, came in six busloads

to Ottawa for the two-hour demonstration on Oct. 25.

The Ottawa Guild and Typographical Union were joined by several other unions at the rally.

Throughout the demonstration, the throng occupied the sidewalks outside the downtown office tower

that houses the FP Publications, Ltd., newspaper, at one time marching through the lobby.

The demonstration and publicity it received served to remind Ottawa and the full labor community that the dispute is unsettled.

The lockout began Oct. 25, 1976. This September, members of three of the five locked-out unions returned to work, leaving the Guild and the Ottawa Typographical Union still on the street.

Meanwhile, the Ontario Labour Relations Board is to reconsider its remedy to its finding the Journal guilty on five counts of bad faith bargaining. A Nov. 1 hearing on the matter was adjourned to Nov. 14, however, when the company's counsel became ill.

The Guild, Typographical Union and company met with Ray Illing, a provincial mediator, Nov. 4 on the company's proposals to the printers, but no progress was

made, the Guild reported.

On Nov. 7, the Ontario Labour Relations Board decided to hold hearings here on a decertification petition signed by 48 of 49 strikebreakers in the Journal's circulation department (the only Guild-represented area).

The OLRB rejected the Guild's argument that the petition was untimely because the law allows a full year following appointment of a mediator before a decertification petition can be entertained.

Region 2 candidates describe platforms

Guild members in TNG Region 2 (the U.S. South) will vote Jan. 2-7 in a new election for the TNG vice president from that area, as ordered by the International Election & Referendum Committee on Oct. 5. The candidates' statements below are printed in accordance with the IERC's determination that they be provided equal space for a statement in this issue of the GR.

WARREN E. HOWARD
Washington-Baltimore

I WISH TO OFFER my sincere thanks to those Guild members in Region 2 (not II) who supported my candidacy in the election which was thrown out last month, and hope and urge that all of you will repeat your gesture of trust in January.

We ran a clean campaign in July-August, and the reasons that were put forward for re-electing me as Region 2 vice president then will be just as compelling in January. Perhaps even more so.

To very briefly restate, they are that I have always sought to promote the solidarity of Region 2 as an entity within TNG to overcome federal laws that are unique to us in that we are essentially "right-to-rat" territory and require special emphasis if we are to grow and thrive.

And while I won't restate my record of service here, I would like to note that while the afore-stated reasons are again compelling, so is the need to assure no letup in your support of those things that we believe in.

In other words, we have to do it all over again. This time, let's make sure that there is no question of the outcome.

FAYE McCRACKEN
Memphis

MY THANKS GO to all who supported me and voted for me during the recent election for the IEB. Now we are asked to go through the election process again and once more I ask you to vote for me for the IEB position from Region 2.

Having held the presidency of the Southern District Council and various offices in the Memphis local, I feel that I know the needs of our region. Our needs are similar to the needs of all Guild locals and the vote in the last election indicates a change on the board from our region is needed and, indeed, desired.

The question of merger, expanded organizing, increasing automation, changing our present labor laws and discrimination that still exists in contracts are things that demand attention. I will work hard to keep before our members issues rather than dealing in personalities.

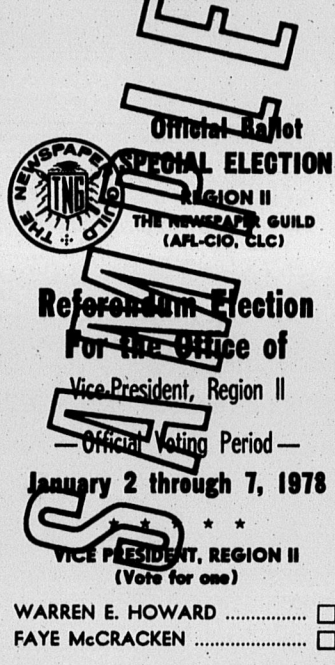
I am obligated to no particular faction. I will fairly and honestly represent all members and base decisions on what is best for the Guild.

I pledge to do my best to unite our Region 2 locals into a cohesive working relationship where communications are constant.

Again I ask for your support. Remember, every vote counts.

Official Ballot SPECIAL ELECTION

REGION II
THE NEWSPAPER GUILD
(AFL-CIO, CLC)



Above is the Region 2 ballot, printed in keeping with provision of TNG's Constitution that a list of candidates in ballot order be printed "no later than the third issue" after nominations.

IEB denies second appeal by wire service member

Washington — TNG's International Executive Board has denied an appeal by a Wire Service Guild member found guilty by a second local trial board of violating TNG's Constitution by working during the local's strike against UPI in spring, 1974.

Acting on recommendation of its Appeals Committee, the IEB at its Oct. 17-20 meeting also upheld a \$2,920 fine levied against Dennis A. Cook by the second local trial board.

The IEB in July, 1976, in response to an appeal by Cook from a conviction and fine by an earlier local trial board, had remanded the case to the local and ordered a new trial by a new trial board on the sole ground that two members who filed the charges against Cook were on the five-member trial board that first tried him.

In upholding the second trial board's conviction and fine, the IEB noted that all but two grounds in Cook's second appeal were identical to those advanced to and rejected by the IEB in Cook's first appeal.

The two contentions advanced for the first time in the second appeal—that Cook was the victim of "selective discipline" because the second fine was \$171.60 higher than the first and that the second trial was not held quickly enough—also were rejected.

On the fines, the IEB said that the formula used by the second trial board was consistent with requirements of TNG's Constitution. The constitution's direction that trials be set or charges dismissed within 60 "applies solely to newly filed charges," not to retrials, the IEB said.

Guild upheld on free lances

Vancouver — Arbitrator John Kagel of San Francisco has awarded employee status to five Sun and Province reviewers and critics who previously had been free lances.

The five now are classified as reporters, whose top Vancouver-New Westminster Guild contract minimum is \$373.60 a week.

They also will receive all other contract benefits—which they didn't get when they were free lances.

The provincial labor board ruled in the spring that the five were "dependent contractors" under British Columbia's labor law.

The Sun and Province had asked the board to declare that the critics were independent contractors and the Guild wanted them defined as employees.

The five voted for Guild representation shortly after the board decided they were dependent contractors.

\$13.38, to \$281.03, a total increase of \$43.93.

In addition, the cost of living adjustment provides for payment equalling the percentage increase over 7.25 percent in the New York Consumer Price Index. This "trigger" had been 8 percent in the old contract.

Night differential goes up 71 cents, to \$3.50 a shift, and lobster differential goes up 76 cents, to \$4.25.

A four-day work week is provided for the 25 percent of the bargaining unit that works in the 24-hour operations department. This affects about 35 employees.

To achieve it, the day-shift work week is increased 15 minutes, to 34 hours. The new night-shift work week is 32.5 hours, up a half-hour. The lobster work week remains the same at 30 hours.

Out-of-town per diem rises \$5, to \$25, and is tied to the cost of living adjustment. The mileage rate goes up a nickel, to 20 cents. Travel time on out-of-town assignments will be paid at the overtime rate.

Reasonable and customary surgical fees will be paid instead of the old flat-rate schedule. All doctors' fees will be paid in maternity cases. Seventy-five percent of dental costs will be paid, up from 50 percent. The annual dental-plan maximum doubles, to \$2,000.

Additionally, the lifetime major medical maximum is raised from \$250,000 to \$1 million.

Six weeks paid maternity leave continues, and, under the new contract, up to 15 months of unpaid leave may be taken without loss of any service-computed benefits.

Three days of paid paternity leave also is provided.

An additional personal holiday makes a total of three, in addition to 11 fixed holidays.

Employees are eligible for five weeks of vacation after 10 years of service, rather than 15.

The Guild also won agreement that the agency will pay the cost of training and educational programs for those who are promoted.

If an employee is to be relocated, the Guild will be notified three months before, and Reuters will pay all moving expenses. In addition, the agency will pay another \$15 a week for six months after the move if the employee lives 25 or more miles from the new bureau.

There will be no economic dismissals without prior consultation with the Guild. If the Guild doesn't agree that the dismissals are necessary, it can arbitrate.

The unit voted strike authorization on Sept. 29 when three dozen retrogressive management proposals were still on the table.

IT

SEEMS
TO US

Candidates' interrogator sets the record straight

WASHINGTON, D.C.

Editor:

Faye McCracken's response to a question I asked during the Region 2 VP campaign is being used to claim she is unqualified to serve. As the one who asked the question, I will set the record straight.

Hoping to learn why the job is contested with such venom, I asked both candidates what the IEB does that is so important I should care who sits on it. Perhaps my question was misinterpreted, for McCracken merely said she was not fully familiar with the particulars of IEB's role in governance. She deferred to Howard, who also missed the point and talked about matters currently before the board.

My point here is that the question was not intended to embarrass either candidate and that neither answered more satisfactorily than the other. But because she humbly and honestly deferred

By TNG convention action, letters shall be limited to 200 words and shall avoid libel and subjects detrimental to the Guild. Members subjected to personal attack shall be given opportunity to reply in the same issue, but publication of either attack or reply shall not be delayed longer than one issue. Deadline, Friday before publication.

Letters relating to elections or referendums to appear in the issue immediately preceding distribution of ballots and subsequent issues preceding the voting shall contain no new charges.

to Howard's more immediate experience, McCracken is now portrayed as an ignoramus. I remain unconvinced there is anything in IEB matters so mysterious, technical or arcane that any reasonably intelligent person couldn't learn pretty quickly. If Howard's supporters' argument were to stand, we would never elect a first-term and never turn out an incumbent.

BRUCE HARMON
Chief Steward, BNA Unit
Washington-Baltimore Guild

Lowe limits role on panel; 3 withdraw call

Colorado Springs—John M. Lowe, designated the 14th member of TNG's Special Merger Committee by TNG President Charles A. Perlik, Jr., 12 days previously, announced at the out-

set of the committee's meeting here Nov. 8 that he would attend its meetings "only as an observer" pending IEB consideration of his appointment.

Following Lowe's action, three

TNG vice presidents said they were withdrawing their Nov. 6 request for a special International Executive Board meeting to take up Perlik's enlargement of the committee. They said they would

instead bring it up at the IEB's regular winter meeting, Jan. 23-26 in Washington.

TNG's Constitution provides that a special IEB meeting be called "upon the written request of three members."

The three, David M. Mulcahy and Betsy Wade of New York plus Richard V. Sabatini of Philadelphia, sent their request to TNG after delegates to a Middle-Atlantic District Council meeting Nov. 5 voted unanimously to ask them to do so.

The council acted after hearing Mulcahy severely criticize Perlik's appointment of Lowe a week after the IEB had voted down reconsidering its July concurrence in Perlik's choices for a 13-member committee so that a second Canadian could be proposed for membership. Mulcahy, stating that the IEB is "not a rubber stamp," protested that no member was consulted before Lowe's appointment was announced.

In announcing Lowe's appointment, Perlik wrote to the IEB that he would ask its concurrence at its January meeting unless there was insistence before for a mail poll of the board.

He said he was not initiating a poll because he would be out of the office until just before the Nov. 8 committee meeting and a poll couldn't be finished in time to enable Lowe to attend the meeting.

Perlik, in announcing Lowe's appointment in an Oct. 27 memorandum to the IEB [Guild Reporter, Oct. 28], said he was doing so in the knowledge both of the IEB's action the previous week and of "the issue" of Canadian local leaders' call for a second Canadian on the committee having been "joined in word and deed" since the day after the 13-member committee was named.

Calling TNG's merger talks with the International Typographical Union an extraordinary, once-in-a-lifetime undertaking,

Perlik said he had decided on the appointment upon the realization that the situation requires "extraordinary understanding."

Lowe, TNG vice president from Eastern Canada and president of the Southern Ontario (Toronto) Guild, said he was attending the committee's Nov. 8 meeting here as an observer "to lessen the impact" of his appointment "in the best interest of the Guild."

Expressing his belief that he "could make a contribution" to the committee's deliberations, Lowe said he realized "not all Guild leaders... agree with the addition of another member" to the committee.

In announcing that they were withdrawing their request for a special IEB meeting, Mulcahy, Sabatini and Wade said they felt the intent of their action had been accomplished through Lowe's announcement.

The three had written that they were requesting the meeting "to vote upon the following motion: 'Membership on the Special Merger Committee shall be restored to its composition as reaffirmed by the IEB at its October meeting.'"

Perlik was authorized to appoint the merger committee, with the IEB's concurrence, by TNG's 1977 Convention. The IEB unanimously concurred in his appointment of a 13-member committee at its post-convention meeting.

The Special Merger Committee met with its 14-member ITU counterpart for the first time at that union's headquarters here on Nov. 9.

Vancouver members vote increase in dues

Vancouver, B.C.—Members of the Vancouver-New Westminster Guild have voted to increase the local's dues from five percent to six percent of one week's salary collected once a month. The action was taken at membership meetings in September.



Don Chorpennig, Los Angeles Guild

Western delegates on Bakersfield 'line'

Delegates to the Western District Council's Oct. 22-23 meeting took time out to join host local Bakersfield Guild on "practice" picket line at the Californian where the Guild has been seeking a new contract for nearly two years. At left, with "lowest paid" sign, is Janet Newton of Bakersfield, center is Roy Kruse of Hawaii and at right, George Laine of Los Angeles.

Review merger unit, council asks

Chattanooga, Tenn. — The Southern District Council has called upon TNG's International Executive Board to "review" the makeup of the Guild's Special Merger Committee at the board's next meeting with a view toward adding a member from TNG's Region 2—the South.

The action, taken at the council's fall meeting here Nov. 5-6, came on a motion from Joyce Hotchkiss of the San Antonio Guild.

TNG Secretary-Treasurer Robert M. Crocker counselled the council against taking the action on grounds that the committee was not intended to be representative of the Guild on a regional basis. He also noted that International Chairperson Harry S. Culver, a committee member, is from Oklahoma City, part of the Southwest.

The council also voted to ask the IEB to set in motion a constitutional amendment to remove West Virginia from Region 3, generally the Midwest, and place it in Region 2.

Crocker, along with TNG Research & Information Director David J. Eisen, attended the council sessions to outline the direction taken by the merger committee at its initial meeting Oct. 5-6 and to discuss the International Typographical Union's structure, operations and history.

Crocker is a merger committee member.

The council also heard a presentation on employee publications by Fred Gault, a public relations director for two area hospitals. It included a critique of the Guild Reporter and publications of council locals.

U.S. Senator James Sasser (D-Tenn.) also spoke to the council on press freedom and the proposed Labor Law Reform Act, stating that the rights of employees to organize "must be up-

held." He said he will examine testimony on the bill "to see if indeed our federal labor laws have been tilted unfairly in one direction."

In the council's annual elections, delegates by acclamation chose Porter Binks of Chattanooga, president, Hotchkiss, vice president, Emily MacDonald of Chattanooga, secretary, and Harold Julian of Knoxville, treasurer.

The council's winter meeting will be in Washington, dates and site to be determined.

New England Guild, Typos discuss merger possibility

Wakefield, Mass.—Delegates to the Guild's New England District Council sat in on a session of the International Typographical Union's New England Typographical-Mailers Conference here Oct. 30.

The conference waived its rules and threw the meeting open to discussion of the possibility that the two international unions would merge.

Sixteen Guild members attended the ITU meeting.

Among speakers were Robert M. Crocker, TNG's secretary-treasurer, Robert E. Bruner, director of the Guild's New England Servicing-Organizing Program, and Allan J. Heritage, the ITU's third vice president.

All are members of their union's merger negotiating committees.

Crocker and Bruner reported on the first meeting of TNG's merger committee to the district council.

The council will hold its winter meeting Feb. 25-26 at the Colonial Hilton Inn here.

Lakes Council fills vacancies

Youngstown, Ohio—Gloria LaRue of Pittsburgh has been elected first vice president and Donald L. Bean of Cleveland second vice president of the Guild's Great Lakes District Council.

They succeeded Henry Teutsch of Detroit and Eldon Phillips of Cincinnati, who resigned.

The council met here Nov. 5-6 and heard J. William Blatz, TNG's field operations director, describe the Guild's work on possible merger with the International Typographical Union.

Contributions of \$50 each went to strike or boycott funds in Madison, Wis., Pontiac, Mich., and Ottawa.

The Battle Creek Guild reaffiliated with the council.

The council's winter meeting tentatively was set for Feb. 18-19 in Akron.

The Guild Reporter

JAMES M. CESNIK
Editor

ROBERT DUDNICK, Associate Editor

Published by The Newspaper Guild (AFL-CIO, CLC) twice monthly (generally second and fourth Fridays, occasionally two other Fridays after published, advance notice), except monthly in July and December. \$7.50 per year. Single copies, 35 cents.

Guild Reporter deadlines at 1125 15th St. N.W., Washington, D.C. 20005: News, Monday before publication; features and letters, Friday before publication. Letters limited to 200 words by TNG convention action.

POSTMASTER: "Notice to Publisher Form 3579" should be sent to The Guild Reporter, 1125 15th St. N.W., Washington, D.C. 20005. Publication #23158

Vol. XLIV, No. 20

November 1

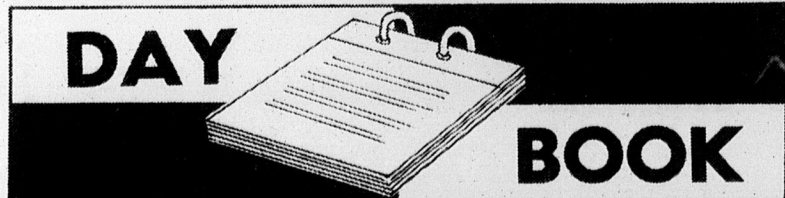
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International Election & Referendum Committee, voter eligibility and election rules for new Region 2 Vice President election, Dec. 9, TNG headquarters, Washington.
Region 2 Vice President election, six-day voting period, Jan. 2-7.
Locals count ballots cast by members in Region 2 Vice President election, Jan. 8 or 9.
Guild Service and Heywood Brown Awards, entries' deadlines, Jan. 14.
International Election & Referendum Committee meets to tabulate returns, certify result, etc., of Region 2 Vice President election, Jan. 17, TNG headquarters, Washington.

International Executive Board, winter meeting, Jan. 23-26, TNG headquarters, Washington.
Western District Council, winter meeting, Jan. 28-29, Woodlake Quality Inn, Sacramento.
Middle-Atlantic District Council, winter meeting, Feb. 18-19, Hilton Inn, Philadelphia.
Midwest District Council, winter meeting, Feb. 25-26, Radisson Hotel, Minneapolis.
New England District Council, winter meeting, Feb. 25-26, Colonial Hilton Inn, Wakefield, Mass.

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