

Peddling 'union-free'—a growth industry

By CHARLES McDONALD & DICK WILSON
AFL-CIO Unit, Washington-Baltimore Guild

LABOR-MANAGEMENT relations took an alarming tack in the United States in the last half of the 1970s by singularly calloused actions against workers' rights by three employers—the California lettuce growers, the Washington Post and the Newport News (Va.) Shipbuilding and Dry Dock Co.

Geographically, those three episodes span a continent. And they span an equally wide variety of labor laws and conditions their employees work under. Yet the three have a clear link: each employer was advised by the same law firm, Seyfarth, Shaw, Fairweather and Geraldson.

There's nothing new about lawyers' willingness

to coach employers on how to bend the letter and break the spirit of the nation's labor laws. What is new is the growth in the number of lawyers and firms willing to do so. Also growing are the groups trying to elbow on to the center stage of union-busting. Finally, there has been tremendous growth in the number of employers—even some with long-standing records of good labor relations—willing to pay dearly for the consultants' advice.

The lawyers are pervasive. But legal firms occupy only one spot on a list that includes:

✓ CONSULTANT ASSOCIATIONS that conduct seminars for representatives of numerous employers at fees of up to \$500 a head. They teach management representatives how to create a climate of hostility

toward unions both within the law and outside it.

✓ CONSULTANT FIRMS that directly advise and campaign during a union drive. They are proliferating and gaining a greater foothold into all levels of the American workforce. Modern Management Methods, with its broad range of sophisticated services provided to employers more than a thousand miles from MMM's home base in a Chicago suburb, is perhaps the best single example of these firms.

✓ COLLEGES AND UNIVERSITIES that conduct thinly disguised "labor management" sessions or give their blessing to such sessions conducted on campus by outsiders. One consultant boasts of having taught at 30 colleges and universities. This (Continued on Page 4)

C. Dale announces he is candidate for secretary-treasurer

Washington—Charles Dale, veteran TNG international representative, member of TNG's merger committee, the ITU-TNG Task Force, former Canadian Wire Service Guild president, has announced as a candidate for TNG secretary-treasurer.

His candidacy was immediately "warmly" endorsed and "enthusiastically" recommended "to Guild members everywhere" by TNG President Charles A. Perlik, Jr.



CHARLES DALE

"It would be a fulfilling honor to serve in a TNG administration with Chuck Dale, and I am confident the membership will give us the opportunity to do just that," Perlik said.

Dale said he looks forward "to working even more closely on our union's pressing problems" with Perlik and that "together, I think, we will be an effective team for TNG."

The position of secretary-treasurer has been vacant since the death April 7 of Robert M. Crocker, who had held the office since 1969.

Nominations for all TNG offices will be made at the convention in Boston July 2-6. Contests will be decided in referendum in September.

A second contest for a regional vice presidency was set up, meanwhile, when Carlos Sutton, president of the Washington-Baltimore Guild, announced he will seek the seat from the South, Region 2. Incumbent Faye McCracken, Memphis Guild president, earlier had announced she will seek re-election.

A few days later, Richard V. Sabatini of Philadelphia announced that he will seek re-election as TNG vice president from the Northeast, Region 1. (See story at left.)

Dale, 49, in announcing his candidacy, noted that many Guild members he has worked with during nearly 24 years on TNG's field staff "are going to have a hard time believing I would ever leave the field staff to run for TNG office."

"Believe it," he said. "I am a candidate for the office of secretary-treasurer."

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Sabatini and Sutton seek seats on IEB

Richard V. Sabatini of Philadelphia and Carlos Sutton of Washington-Baltimore have announced their candidacies for TNG regional vice presidencies in this summer's elections.

Sabatini's announcement that he will seek a second term from Region 1, the U.S. Northeast, came after his candidacy was endorsed by the New England District Council and the membership of the Philadelphia Guild, where he is chairperson of the Inquirer-Daily News Unit.

The announcement by Sutton, (Continued on Page 2)

Title does not an 'executive' make

New York—Calling employees executives doesn't necessarily make them part of management, an arbitrator has ruled in a New York Guild case against Reuters.

Philip J. Ruffo, the arbitrator, upheld the Guild's argument that the wire service erred when it created a new "sales executive" position, transferred eight of 14 Guild-covered sales representatives into the new classification and declared them exempt from further coverage under the Guild's contract.

"Though the 'sales executive' is a different

employee from the sales representative, the difference is one only of degree and emphasis which is not sufficient" to remove it from contract coverage, Ruffo held.

He also awarded \$760 in lost commissions to each of three sales representatives who were denied bargaining unit work by the company's actions.

Management claimed that expansion of its business required middle management sales personnel. The Guild said Reuters was invading

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Latest Guild strike daily

Jack D. (Jake) Schmidt and Roy E. Stevens of the New York Guild's Elizabeth Unit load copies of the Guild's interim Community Paper. Unit began publishing it five days a week May 16 after starting it as a weekly early in strike against Hagadone's Elizabeth Journal. (See: 'Strikebreaker probe...' Page 3.)

N.Y. News misses day due to strike

New York — The New York Daily News resumed publication with its editions for June 7 after missing those of the day before in the face of a strike by its 122 photoengravers.

The strike, which lasted about 35 hours, was supported by the city's Allied Printing Trades Council "in every legal way possible" and the settlement worked out with the participation of a special council subcommittee that included New York Guild Executive Vice President Harry Fisdell.

Members of the Guild and the Pressmen's Union were the first to refuse to cross the picket lines after the strike started at 7 a.m. June 5. The Guild's representative assembly six days before had instructed members at both the News and the New York Times "not to cross any picket line set up by the Photoengravers' Union."

The engravers had set a midnight-June 4 strike deadline a week before in bargaining to renew a contract that had expired March 30, 1978.

Pledging all legal support, the allied council named a special observer committee of Fisdell, mediator Theodore Kheel, the council's adviser in bargaining with the News, the Times and the New York Post, George E. McDonald, president of the council and the Mailers' Union, and Stereotypers' President Jack Kennedy.

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Ledger-Star staff votes for Guild

Norfolk, Va.—Editorial-department employees of the Landmark chain's Ledger-Star voted for bargaining representation by the Hampton Roads Guild June 6.

There were 41 votes for the Guild, four for no union and 17 for the Ledger-Dispatch News Dept. Assn., an unaffiliated organization that had represented the Ledger-Star group. There were 71 eligible to vote. The National Labor Relations Board supervised the election. (See also, 'Norfolk gets a replat,' Page 6.)

The Guild local has represented editorial employees of the Landmark's Norfolk Virginian-Pilot, the city's morning paper, since 1953. The Ledger Star is an afternoon paper.

Dale is candidate for secretary-treasurer

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tary-treasurer and I hope Guild members will agree with me that I can do the job and do it well.

"I look forward to serving Guild members in a new role with at least as much energy, dedication and enthusiasm as I have as an international representative."

Perlik noted that Dale's staff assignments "have taken him from the largest to the smallest local, coast to coast across two nations and into Puerto Rico," where he has "faced and solved an infinite number of Guild problems from the front door of editorial departments to the shipping docks of the delivery department."

"The richness and variety of this experience will stand him in good stead as he answers the demands and new responsibilities imposed by the secretary-treasurer'ship," Perlik said.

Dale came to TNG's staff in October, 1955, from the presidency of the Canadian Wire Service Guild and the position of national political editor with the Canadian Broadcasting Corp. He had joined CBC's staff four years before and helped organize the Guild there.

When elected president of the CWSG he was on a four-month loan from CBC to the United Nations as a news writer.

Stolen specs a headache

Baltimore — The Sunpapers must pay sick leave to an inside classified advertising employee who couldn't work because of headaches she suffered after her glasses were stolen.

Bernard Cushman, an arbitrator, made the award in a case presented by the Washington-Baltimore Guild.

The employee had called her supervisor to tell of the theft and inform him that she couldn't work because of headaches and dizziness.

She returned to work when her new glasses were ready.

The company, in refusing sick pay, said loss of glasses isn't an illness.

Cushman, however, said the core of the case was the illness which resulted from the loss of the glasses, not the loss itself.

A title alone does not make an 'executive,' arbiter rules

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its jurisdiction by the action.

Ruffo found that management had attempted in 1977 negotiations to exclude all sales representatives from Guild contract coverage.

When it failed to do so, it sought to liquidate the bargaining unit piecemeal, he said.

The company in part sought to rely on Guild agreement during 1977 negotiations that management personnel could continue to sell as they had in the past.

Ruffo agreed with the Guild that this concession didn't mean the union had bargained the elimination of the unit.

All the new language did was give the company what it already had, Ruffo said.

The company's attempt to gain a new right through arbitration that it couldn't get in negotiations

A native of Springhill, Nova Scotia, Dale first joined the Guild while working at Canadian Press after four years in New Zealand and Australia as a college student, assembly-line worker in a bottle factory and a "cadet journalist" on the Sydney Daily Mirror, where he was a member of the Australian journalists' union.

Now a U.S. citizen, he was the first Canadian named to a full-time position on TNG's staff.

His first assignments were bargaining the first Guild contract

in New Westminster, B.C., and the campaigns that brought into the international three federally chartered unions at the Vancouver Sun, Province and Morning Herald, plus a federally chartered local in Victoria.

In the 1960s he played a major role in helping establish joint bargaining by the Guild and other newspaper unions on the West Coast and in Hawaii. In Hawaii in 1963 he helped direct the first joint strike by the Guild and the other unions against the Advertiser and Star-Bulletin.

Sabatini and Sutton announce for regional VPs

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president of his local, sets up a contest for the seat from Region 2, the U.S. South, since incumbent Faye McCracken, Memphis Guild president, said earlier she will seek a second term.

The McCracken-Sutton race is the second for a regional vice presidency to have emerged a month before the opening of TNG's 1978 Convention, where nominations will be made.

The other contest to date is between John B. Mitchell of Gary and Richard M. Peery of Cleveland, both seeking election from Region 3, the Midwest.

Contests will be decided by referendum.

Sabatini is the ninth of the 12 incumbent vice presidents to have declared for re-election. Two—Louis M. Calvert of San Jose and Diane M. Woodstock of Madison—have said they will not seek new terms. Betsy Wade, elected from the region that is New York City and environs, has not announced her intentions.

NLRB aide upholds TNG on bargaining

Greensboro, N.C.—The Landmark chain's News and Record have been ordered to bargain for a contract with the Greensboro Guild despite their stated dislike of Guild contract ratification procedures.

Irwin H. Socloff, a National Labor Relations Board judge, said the papers violated the National Labor Relations Act by refusing to bargain with the Guild and by refusing to give the Guild necessary payroll information.

The papers told the local that they would refuse to bargain unless they received a written assurance that the bargaining committee alone could make a binding settlement.

TNG's Constitution requires ratification by the affected unit and the local executive committee and approval by the International Executive Board's Contracts Committee.

"It is well settled that a union's ratification procedures are an internal union matter and not a mandatory subject of bargaining" under the law, Socloff ruled.

"The mere existence of the union's constitutionally mandated three-part ratification procedure... including a test of 'conformity' to the international's bargaining goals," he added, "does not demonstrate either a lack of bargaining authority vested in the union negotiators or a refusal to bargain in good faith on the part of the union."

"The union," he continued, "did not evidence a 'take-it-or-leave-it' attitude with respect to its own contract proposals. Rather, must be rejected, he said.

If the new sales executive position was, indeed, managerial, the company could have created it regardless of its motivation, Ruffo said.

But labor board precedent holds that title or description are not of themselves controlling in determining if a position is managerial.

"Actual job responsibilities, authority and relationship to management" must also be considered, Ruffo said.

By this standard, the new position was not managerial, he ruled. Ruffo said his award does not prohibit the company from creating truly managerial positions and assigning or promoting employees to them.

The Guild had made it clear that it hasn't any objection to promotions.



CARLOS SUTTON

Sutton, 40, an electronic data processing programmer at the Washington Star, has been local president since January and has also served as unit chairperson and commercial vice chairperson.

He went to the Star and joined the Guild in 1972 after the Washington Daily News was closed by Scripps-Howard. He had worked

in data processing at the News as well, where the department was represented by the Pressmen's Union. He also worked as a pressman at the Star, the Washington Post and Daily News and still carries membership in the Pressmen's Union, which he joined at age 19 at the Post-Herald and Raleigh Register in Beckley, W. Va.

He has been a delegate to three Guild conventions since 1974.

Sabatini, 36, has served on the International Executive Board's Constitution, Research & Information and Guild Reporter committees, plus, since October, on its Finance Committee.

His first Guild involvement was in 1967 when he led an organizing effort at the Bucks County (Pa.) Courier-Times. After joining the Inquirer as a reporter, he became a shop steward, a representative assembly delegate, unit first-vice chairperson and chairperson.

He has been the local's political action and labor-law-reform chairperson and helped reactivate the Philadelphia Council of Newspaper Unions.

He has had several temporary TNG assignments to Wilkes-Barre before and since the Guild and other newspaper unions struck the Times Leader there in October.



RICHARD V. SABATINI

ways to bring the unions closer together. He also was part of a special task force subcommittee assigned to encourage and promote joint and co-ordinated bargaining.

When the two unions formed merger committees in 1977, Dale was appointed to TNG's. Since late last year his other assignments have included serving as the Guild's chief bargaining spokesperson at the Washington Post and special assistance in the St. Louis and the Vancouver strikes.

it assured [the company] that it was prepared for 'give-and-take' bargaining and, further, that the international's Collective Bargaining Program operated as a guideline for the union negotiators, rather than [as] a requirement of literal conformity."

The company also had refused to give the Guild payroll data on three secretaries it considered to be nonbargaining-unit, confidential employees despite the fact that they voted in the election that made the Guild the collective bargaining agent in the editorial department.

The company said it would appeal Socloff's decision to the full NLRB in Washington.

N.Y. Guild supports strike, engravers and News settle

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The engravers extended their deadline when it arrived and talks continued. The strike was called after the engravers rejected a recommendation for settlement by the council group.

Late June 6 the engravers accepted, but the News rejected, another council settlement recommendation. Talks broke off about 1 a.m. June 7 and were resumed about noon, leading to the tentative settlement.

The News did not try to publish its June 6 editions. The Times, which bargains jointly with the News, did not indicate whether it was considering shutting down in support of the News during the strike.

Major issues in the strike were related to the News' demands

for concessions from the engravers at the paper's rotogravure plant in Long Island City, Queens. Engravers' leaders said the News' demands could wipe out the union's members' jobs in the mid-1980s.

Before the strike, Stanley Aslanian, the engravers' president, said the union already had agreed to do commercial work, eliminate lunch breaks, reduce manning and job guarantees.

After the strike, Aslanian said that though the settlement is not all his union wanted, it does provide limited job security.

The News was struck for four days last June by the Guild, the News and the Times for 88 days by the Pressmen and the Post for 57 days by the Pressmen and Guild last summer and fall.

TNG 'UC' session draws 15 big locals' leaders



WASHINGTON-BALTIMORE COUNSEL ALAN D. EISENBERG
A case study of the 'clarification' case at the Washington Post

Strikebreaker probe to begin in Elizabeth

Elizabeth, N.J.—A municipal court judge here has sent to the grand jury charges against Elizabeth Journal publisher John F. McLaughlin that he has violated city and state laws by employing strikebreakers during the Guild's strike at the Journal.

The referral was made May 29, after McLaughlin pleaded innocent to the charges.

Earlier the judge had issued a warrant for McLaughlin's arrest when he failed to appear in court as scheduled.

Meanwhile, six members of the Pressmen's Union crossed the Guild picket lines at the Journal June 4.

Jim Kelly, Guild unit chairperson, quoted the leadership of the pressmen's union as saying that the paper was publishing anyway.

The Newark Printing & Graphic Communications Union's leadership also feared that the local's nine members would be replaced permanently if they did not return to work, Kelly said.

Three pressmen's union members, including the chapel chairman, refused to cross.

The Guild struck the paper April 14 in a dispute over contract-exempt supervisors performing contract-covered work.

Members of the Newark Typographical Union crossed Guild picket lines after six days.

The paper has issued notices of permanent replacements to the Guild's 98 members.

No progress was reported in Guild-management talks on May 31 and June 2 and 6.

The parties could not agree on how many employees would return to work in the event of settlement. The company wants at least 65 strikers severed and offered to pay \$2,000 each to buy them out. The Guild says all who want to must be allowed to return.

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Washington — Administrative and other officers of 15 Guild locals attended a conference here June 4-5 designed to prepare local and TNG staff to represent the union in the increasing number of unit-clarification (UC) proceedings being brought against Guild bargaining units by employers.

TNG President Charles A. Perlik, Jr., told the conference that mounting costs of legal counsel in protracted UC proceedings before the National Labor Relations Board make it imperative that "Guild professionals" equip themselves to handle UC cases themselves.

The purpose of the conference, he said, was to provide them with the "rules and tools" to enable them to do so.

Declaring that the unit-clarification issue is "by no means behind us," Perlik pointed out that the six UC proceedings initiated in the Guild fiscal year ended March 31 represent one-fourth of all such employer proceedings against Guild bargaining units since 1969.

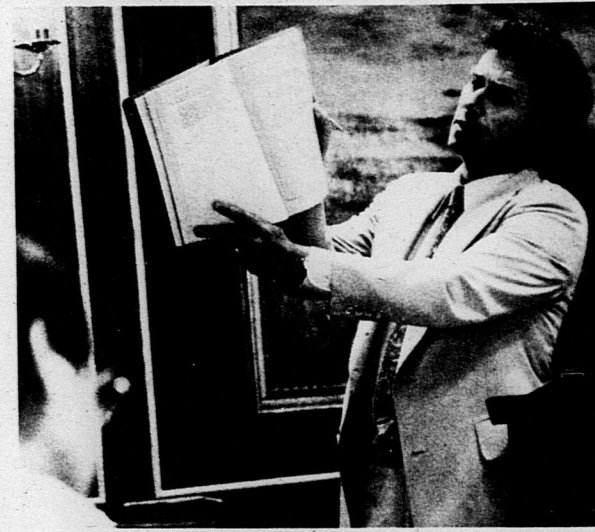
Describing exclusions from bargaining units as the "single most vexing area of contract retrogressions," the Officers' Report to next month's Guild convention says the problem is exacerbated in the United States by the increasing tendency of employers to seek to have exclusions they cannot win at the bargaining table "clarified" out by the NLRB through UC petitions.

Such petitions at the Washington Post, the three major New York papers and the Associated Press, for example, seek to exclude from 10 to 25 percent of the employees in those bargaining units.

Thirty-five local and TNG representatives attended the conference, which was conducted principally by TNG Counsel David S. Barr. He outlined the law governing UC petitions, and how they may be averted or aborted, and took participants step by step through hearing preparation, the conduct of a hearing and post-hearing preparation and filing of briefs.

In a case study, Alan D. Eisenberg, counsel for the Washington-Baltimore Guild, described preparation and presentation of the Guild's case in the Washington Post UC proceedings, illustrating his remarks with exhibits and extensive excerpts from the record, which were distributed to the conferees.

In a session entitled "One IR's Experience," TNG International Representative G. Richard Patterson—who took over in the AP case when the Wire Service



Raymond Crowell/Merkle Unit/Washington-Baltimore Guild
TNG COUNSEL DAVID S. BARR

Outlines law, preparation, conduct, follow-up in 'clarification' cases

Guidelines could no longer afford legal counsel—described how he, as a nonlawyer, is handling those proceedings.

And TNG Director of Field Operations J. William Blatz led a discussion of how locals can keep the question of exclusions at the bargaining table and resolve it there—where, Barr emphasized, it belongs.

Each participant received a 175-page handbook containing extensive excerpts from NLRB instructional manuals covering criteria and hearing procedures as well as a number of memoranda and other materials prepared by TNG's Barr.

The program was co-ordinated by TNG Administrative Operations Director Ellis T. Baker, who acted as conference chairperson.

Vancouver press staffing resolved

Vancouver — Talks involving the British Columbia labor minister, top officials of the provincial labor board, the F.P. and Southern chains, the B.C. Federation of Labor and the council of newspaper unions produced a tentative settlement of the issue of future pressroom staffing at the papers on the last day of May.

But, expectations that the event would expedite settlement of the seven-month-old strike against the Sun and Province proved premature when the union's council subsequently voted to make wage-increase demands of more than 45 percent over 40 months rather than about 30 percent over 36 months. The council bargains for all the unions at the Sun and Province.

Under the tentative pressroom-staffing agreement, the question will be submitted to a provincial "inquiry panel" which will recommend a solution. The papers' joint production agency, Pacific Press, and the Pressmen's Union will then have ten days to bargain on the panel's recommendations. If they reach agreement, it will be put into effect immediately. If they do not, the panel's recommendations will become binding in the next contract between the Pressmen and the Pacific Press.

After the unions' council took its wage-increase demands vote, Vancouver-New Westminster Guild President Philip Needham and Vancouver Mailers' President Stanley G. Lepper resigned as co-chairpersons of the council.

The council then elected Bob Jennings, president of the Vancouver Graphic Arts Union, and Harold Dieno, president of the Vancouver Typographical Union, as its new co-chairpersons.

The council several weeks ago had proposed wage increases which would take key top Guild minimums to parity with those agreed to at the end of an eight-month strike against the Montreal Star in February: \$512.50 a week for experienced reporters.

The council's previous proposal also would have raised craft-union scales to just over \$500 a week.

Capital Cities sued over pensions

New York—Two editorial employees of Capital Cities' Fairchild Publications have charged the chain, two banks and an insurance company with illegally diverting funds from an employees' pension plan in a \$6.4 million suit in U.S. District Court.

The suit is a class action under the federal Employee Retirement Income Security Act (ERISA) on

behalf of all pre-1971 beneficiaries of the pension plan.

It alleges that dividends on insurance policies owned by the plan were illegally diverted to the defendants' own use or were uncollected and that Capital Cities management failed to inform employees of the financial operations, management and condition of the plan's assets when requested.

The company will provide \$100,000 in accidental death insurance for employees travelling on company business.

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alarming development poses a serious threat to academic credibility.

✓ ASSOCIATIONS OF EMPLOYERS that offer extensive union-busting services to their member companies. They are typified by the National Association of Manufacturers (NAM), which created the Council on a Union-Free Environment. The fact that this group was formed during the 1977-78 congressional fight over labor law reform gives a clear signal that such groups will carry the battle beyond the workplace into the legislative and political arenas.

For all of the above, campaigning by professionals in the plants is becoming standard operating procedure. They are driving home their anti-union strategy with a full range of communication techniques at the work site—supervisor conferences, sessions with individual supervisors and employees, captive audience speeches (which they occasionally deliver but usually only prepare), closed circuit TV shows and the old standby of leaflets and letters to the home.

These brazen actions put them directly in charge of company propaganda during an organizing campaign. Usually they will not directly confront a bargaining unit employee in order to protect their contrived interpretation of governmental reporting requirements. But their presence and influence affects every employee who will vote in an ensuing representation election.

A similar extra dimension is the consultants' willingness to focus not only on employees first attempting to exercise their right to organize, but also on units with long-standing collective bargaining agreements. Indeed, the new rhetoric hammers away at the idea that an employer does not have to maintain union status. He can, in NAM's term, create a "union-free environment."

The staggering rise in decertification and union shop deauthorization elections—up 400 percent in the last 11 years—gives graphic testimony to the labor consultants' success.

The presence of professional union-busters has been recorded in surveys done for many years by those who believe in collective bargaining. More formal measurements in recent months by the AFL-CIO National Organizing Co-ordinating Committee trace their more extensive presence and also their willingness to advance the notion that business can operate totally "union-free."

In the past 11 years, the number of National Labor Relations Board (NLRB) unfair labor practice citations against companies has grown an incredible 300 percent. Since the number of union representation elections grew only 10 percent in that period, the conclusion is inescapable that the more lawyers and consultants get involved, the more workers' rights are trampled.

THE MAJOR U.S. labor-management law firms used to be easy to characterize.

They would be 1) tough, but willing to accept the situation once workers achieved bargaining rights; 2) similarly willing to accept the collective bargaining process, but not above clipping a corner

This article is excerpted, with permission, from the AFL-CIO's monthly Federationist magazine. McDonald and Wilson are on the staff of the AFL-CIO's Organization and Field Services Dept. The department in January 1977 formed the National Organizing Co-ordinating Committee on which TNG is represented by J. William Blatz, director of field operations. One of the committee's functions is monitoring the increasing number and kinds of anti-union services available to U.S. employers.

here or there, especially when they could assure a client a law wouldn't be enforced anyway; and 3) viciously anti-union.

But even law firms with many years of tradition as one of the first two types are today keeping up with the competition, usually by retaining at least a few lawyers who are hard-core, union-fighters, not just in organizing campaigns, but ever afterwards, including after a contract is signed, if necessary. Other firms have converted almost entirely, now assuring their clients they can virtually guarantee nonunion status.

The law firms that have adopted the anti-union fervor recognize that the success and profitability of the new harsh attitude is paving the way for the most respectable firms. Total intransigence to the right to organize and bargain collectively has spread from small, isolated regions in the Southeast to encompass all geographical regions. It has permeated all aspects of American industry and has spawned an entirely new legal industry.

The potential range the law firm can offer is displayed by just Seyfarth's clients.

The Washington Post's pressroom has a long-established union destroyed by a careful combination of provocation and timing after replacements were secretly trained at an Oklahoma City school.

The Newport News shipbuilding workers had voted to replace a company union with the Steelworkers when the parent firm, the giant conglomerate Tenneco, adopted the method of stonewalling, ignoring election results. In this kind of strategy Seyfarth can clearly show the law will work to the employers' advantage because ultimately there's no enforcement.

On behalf of the third client in California, where Tenneco is also among the major lettuce growers, Seyfarth was again dealing with an established union, the Farm Workers, but under totally different conditions since farm workers are not covered by the National Labor Relations Act.

Still another example is how Seyfarth made the St. Louis School Board another willing handmaiden—leading to a 60-day strike before the goal of purging the Teachers Union was dropped.

Seyfarth's ability to adjust to all of these varying situations tells much about the advanced state of the modern labor-management "consultants' art."

It's also a new move for the law firms to enter in such sharply increasing numbers into direct involvement in an organizing campaign. Thousands of lawyers and other individuals are involved on a daily basis in advising and participating in the process of union-busting.

One feature common to every manual, every seminar and every speech by the union-busters is first "call your lawyer, get legal advice from a pro." The lawyers conducting a seminar or giving legal advice, even if they give a total blueprint for conducting an anti-union campaign, will still further perpetuate and reinforce their own business by advising that no move should ever be made without a lawyer. And judging from the organizing experience of various unions, the number of organizing campaigns in which a lawyer or consulting firm is not involved has become infinitesimal.

THE SEMINAR is the most efficient way the consultants have found so far to disseminate their philosophy and strategies. Two pioneers stand out. Charles Hughes, working through Executive Enterprises and the Center for Values Research and in association with the law firm of Clifford Budd Burke & DeMaria, is perhaps the most publicized instructor. The other is the seminar arm of the Jackson, Lewis, Schnitzler and Krupman law firm of New York City, called Advanced Management Research, Inc.

One Hughes seminar was attended by 60 employers and employer representatives from such companies as Texas International Airlines, General Cable, Rockwell International, FMC Corp., Amoco, Honeywell, Colonial Penn, Goodrich, the Providence Journal, DuPont, McGraw-Edison, Celanese and so on.

This list of companies is not exclusively one of traditional union-busters. It shows that the interest

in "Making Unions Unnecessary," as Hughes' book title phrases it, has pervaded every part of the business community. Those 60 who attended paid \$450 apiece. Hughes pickup up \$27,000 for his three days' work and he stages about 20 of these sessions a year where 1,000 employer representatives are fed the gospel of cynical disregard for the rights of workers and Hughes' credo that workers are nothing but "lovable" bears to be controlled by the "jelly bean" method of reward and punishment.

Advanced Management Research (AMR) conducts seminars almost as often as Hughes, but is no longer a competitor. Hughes now acts as a guest for AMR and AMR returns the favor.

But those two pioneers have plenty of company in the seminar field. One new group, Professional Seminar Associates, launched its initial series of six different seminars in the first three months of 1979 in six cities. Apparently the sessions proved successful, because the group had soon distributed a brochure announcing another series of seminars in May, June and July. Thirteen seminars in seven months are conducted by an organization that started just this year. A quick count shows nearly 30 outfits which conduct seminars on union avoidance or decertification.

Most groups which conduct seminars also have literature to help train personnel who can't attend. And there are many groups who aren't yet in the seminar business but provide literature. The periodicals run from the sublime, "Preserving Non-Union Status" to the outrageous, "Why Sonsofbitches Succeed and Nice Guys Fail."

THE DISTURBING TREND of union-busters working to involve colleges and universities has grown dramatically. In the past two years alone, union-busting seminars have been held or attempted at colleges such as Delaware, University of San Francisco, Denver University, University of Alabama, Clemson, Wake Forest, Suffolk University and Oral Roberts, just to name a few.

A check with some universities revealed that the administrators sometimes did not appreciate what was being taught. The titles of the seminars are not always descriptive. One might be entitled Public Employee Unionism, while others don't equivocate—"How to Maintain Nonunion Status." Some of the university programs allow for two or three credit hours toward continuing legal education programs.

TRADE ASSOCIATIONS are another major category contributing to the institutionalization of the union-free movement.

Some draw from a single industry—like the notorious Associated Builders and Contractors, the Associated General Contractors, the Master Printers of America, American Hospital Assn. or National Retail Merchants Assn. These associations prepare manuals that incorporate some of the best general principles of union-busting and tailor them for their industry. The manuals are frequently prepared by the major law firms, but the associations also have well-paid and capable staffs.

These large staffs will occasionally be lent to a company to take over directly in individual campaigns.

The cross-industry groups, such as the National Assn. of Manufacturers, local Chambers of Commerce and country and municipal associations, will

Labor law firms active for newspaper industry

Law firms specializing in representing and advising managements in organizing, bargaining and strikes—as well as decertification campaigns—are no strangers to newspaper publishers individually or collectively, nor consequently to the Guild and other industry unions.

The firm of Seyfarth, Shaw, Fairweather & Geraldson, headquartered in Chicago, has been involved in at least 30 Guild representation and bargaining situations across the United States and in Puerto Rico since 1975.

Representatives of the firm also have addressed meetings of publisher groups, including the Labor and Personnel Relations Conference at this year's American Newspaper Publishers' Assn. convention, on labor relations, legal and legislative developments.

Another such firm, King & Ballow, of Nashville, has been representing Capital Cities-chain papers in the Guild's strikes in Wilkes-Barre and Pontiac, Mich., Typographical Union bargaining in Kansas City and North Worth and Pressmen's Union bargaining in North Worth.

Robert L. Ballow, partner in the firm, told the spring conference of Newspaper Controllers and Fi-

ANPA sets seminars

Reston, Va.—The American Newspaper Publishers Assn. has three "labor negotiators" seminars during the next five months—in St. Louis June 18-20, Boston Sept. 10-12 and San Diego Nov. 5-7.

"Designed for both the relative newcomer and the 'old hand,'" according to the ANPA's General Bulletin, the seminars will deal with both the techniques and legal requirements of bargaining.

Among specific topics to be covered are the impact of technology, legislation, judicial decisions, "management response to union organizing activity," affirmative action programs and wage guidelines.

Also, "pressroom manning developments . . . inter-union relationships and changes in union conventions."

act as catalysts for opposition within the community to any union in specific organizing campaigns. They will also arrange for seminars, establish meeting places, arrange for publication of material on union-busting or provide the kinds of "special services" made famous by Wackenhut.

The Wackenhut Corp. can provide the spies, guards or dogs almost guaranteed to incite the desired "picket line violence" for which arrangements are made in advance for maximum publicity. In the Wilkes-Barre newspaper strike, Wackenhut used chains, fire extinguishers, and other devices. They were also involved in the newspaper strikes in Madison, Wis., and remain on the Washington Post payroll.

Wackenhut is often involved in tandem with the Seyfarth firm.

A similar relationship is the easy link between the union-busters and various political and legislative groups. For instance, the NAM's Council on a Union-Free Environment, while the stepchild of business efforts against labor law reform, has stayed in business to become a permanent vehicle.

The National Right-to-Work Committee is the granddaddy of them all, even though it occasionally still pays lip service to its old contention that it confines itself to legislation and activities related to imposing the compulsory open shop. But its firm, the Springfield Gun, has long been a staple in the employer arsenal during organizing campaigns.

Numerous regional organizations operate on every level of the community and intrude into organizing campaigns as well. They are all linked to the NAM through the National Industrial Council.

One firm, the Center on National Labor Policy, was created recently with an avowed purpose of undoing most of labor's legislative goals. Another newly formed group, the National Labor-Management Foundation, says it exists to help "achieve, protect and perfect the essential partnership in production between labor and management through public education and legislative action."

Its brochure states:

"Increasing arrogance of union officials in the use of their power in the economic arena and in the political arena to exert controls over Congress calls for strong corrective action. The foundation is launching a co-ordinated attack on union abuses, providing leadership for united action by businessmen and concerned citizens."

Its specific programs include opposing labor law

nance Officers in May that the "balance of negotiating power" has shifted "in favor of newspaper management."

"This new realization" is responsible for "many of the individual success stories which we have read and heard about in the newspaper field," Ballow told the Palm Springs meeting of more than 350 management representatives.

To maintain the upper hand, publishers must "be the aggressor . . . say 'no' . . . make creative demands on their own behalf," Ballow said. Federal labor law gives management an "equal opportunity" to be "aggressive and creative," he said.

Two years ago he told the National Newspaper Assn. that union organizers "ought to know that if they walk in your door, they're going to have blood in their shoes."

Four Ballow attorneys have been representing Capital Cities in Wilkes-Barre simultaneously—one just to take notes, according to TNG International Representative James H. Orcutt.

As many as three have worked simultaneously for the Oakland Press in Pontiac, including the note taker, according to former Detroit Guild Adminis-

EXECUTIVE ENTERPRISES, INC. presents the original

HOW TO MAINTAIN NON-UNION STATUS

with Dr. Charles Hughes Alfred De Maria, Esq.

Atlanta June 6-7, 1979 Hilton Atlanta

Kansas City June 14-15, 1979 Marriot Hotel

August 23, 1979 ATLANTA

Many firms feel that once they have a union, they must always have a union no matter how badly it may serve its members. This is not true. The fact is that the N.L.R.B. has been conducting more and more decertification elections each year. In fact, last year . . .

FLYERS FOR TWO OF THE SEMINARS OFFERED BY EXECUTIVE ENTERPRISES, INC.

Price for two-day 'non-union' course is \$275 to \$500 per person; for one-day decertification session, \$275 each

reform, making unions subject to antitrust laws, prohibiting strikes and "discouraging" unionization among public employees, prohibiting workers from pooling their resources in union political education activities, prohibiting product boycotts and repealing the Occupational Safety and Health Act. Its advisory board includes many major companies and management consultants.

The Research Institute of America, the United States Industrial Council of Nashville, and the Tactical Advisory Group are similar organizations.

The list is growing rapidly. Their membership, direction and purpose all point to a substantial link between the labor-management "advisers" and the politically involved anti-union groups which operate nationally as well as locally.

AMONG CONSULTANTS in the business of creating a union-free atmosphere, one of the most effective—Modern Management Methods—is almost

never seen by the employee, much less the union organizer.

MMM's business, according to Herbert G. Melnick, chairman of its board, is to "help employers communicate with the workers during an organizing drive." In practice, MMM creates an environment of fear that affects both employees and supervisors. It is "communication" of a very special kind.

In late 1978, Modern Methods was the consultant during an organizing drive at St. Elizabeth's Hospital in Boston. Following the election, the National Labor Relations Board issued 38 unfair labor practice complaints against the employer—including threats, intimidation, interrogation, surveillance, suspension and discharges for union activity.

The message in these kinds of communications helped win the election for management by a narrow vote. There will be a new election, not, it is hoped, in such a coercive atmosphere. But usually fear cannot be dispelled as easily as a new election is ordered.

Raymond F. Mickus, MMM executive vice president, told a recent management seminar: "You have to put penalties for unfair labor practices in perspective."

He said only one of three levels of penalties is serious. If you get caught, for example, making a captive audience speech to all your employees to tell them you will close the plant if they vote union, then you may have a problem—the NLRB could issue direct orders for you to bargain with the union.

For lesser offenses on Mickus' list, the employer might have to post a notice and re-run the election. But Mickus claims, "You are probably going to win the second election." Not many unions come back for a third election.

And for Mickus' final category, the company will only have to put up a notice saying it never committed this offense before and won't do it again. Meanwhile the election results are certified and the union has lost.

Home base for Modern Management Methods is Deerfield, Ill., a Chicago suburb. The scope of operations, however, is nationwide. MMM has thus far shown up in campaigns in Arizona, Illinois, Iowa, Maine, Massachusetts, Michigan, Minnesota, New Hampshire, New York, North Carolina, Ohio and

(Continued on Page 6)



Seaman in the AFL-CIO News

Peddling 'union-free'—a growth industry

(Continued from Page 5)

Wisconsin—a tracking nowhere near complete. MMM was founded in 1971 and today employs at least 50 professional union-busters and bills itself as the country's largest and fastest growing labor relations consulting concern. According to one of its clients, Equitable Life Assurance, MMM was involved in more than 100 representation elections in a single year. Mickus claims to have been involved personally in 1,000 elections in his career.

MMM TRAINING for supervisors and management uses the analogy of the plum and cactus to characterize corporate response to unions. The plum is the easy target—not concerned with unionization. The cactus-like company, on the other hand, is tough and prickly on the outside—creating an environment clearly opposed to unions.

If possible, MMM likes to plant the cactus early—getting it well started before the union comes around. MMM offers its services, for instance, to firms which can now project future employee discontent because the company is about to cut back in employment or reduce established benefit plans. Since this is going to breed discontent and may spawn union talk, MMM advises to start early to be prepared. Consequently, some companies put MMM on regular retainer to provide training for supervisors and other management personnel—an "Employee Relations Program" on how to stop workers from organizing.

Similar programs are provided for top company officials to make sure they know what it takes to be a cactus.

Sometimes MMM does this directly, but more recently, Mickus has been bringing the message to employers in the session presented by Professional Seminar Associates called "Avoiding Unions." These have been playing coast-to-coast and teach a company that wants to be a "cactus" to start from the beginning—with how and who it hires. It is important to get the message to new applicants that the company is nonunion and intends to stay that way.

So, as part of the interview process, it is necessary to dig hard to uncover attitudes. Mickus suggests items indicating "union attitudes among applicants." They include: sympathy for the underdog, involvement in "liberal" rights, activity in tenants' organizations, participation in consumers' rights organizations, and other indications of attitudes that would mark the person as potentially pro-union.

But in all MMM training, both before and during the campaign, the major emphasis is on the supervisor. Supervisors are expected to be the "front line troops"—the "precinct captains" of a management campaign. And should they hesitate, two points are made crystal clear.

One, "what is the legal position of the supervisor?" The answer is spelled out in responses to further questions:

"Can supervisors belong to a union? Yes.
"Is the employer obligated to recognize a union of supervisors? No.

"Can we terminate supervisors engaging in union activity? Yes.

"Would he have protection under the NLRB? No."

Thus are supervisors made to realize that they are, in the words of Mickus, "not neutrals, not spectators, they are involved."

SECONDLY, the supervisors are told all the problems unions will supposedly cause them, making their lives difficult. It is, according to the MMM program, in the supervisor's own self interest to avoid unions. Both the stick and the carrot are used.

As soon as a union campaign is spotted, supervisors will be expected to take part in at least weekly meetings. Further, individual supervisors will be called in for interviews and often report daily—sometimes more.

Supervisors are coached in what they can say and how to get a message over just this side of the law. MMM is of course aware that the line will be crossed as the campaign heats up, but points out: "If you don't want to commit unfair labor practices, don't do anything." If you do nothing, of course, management will lose the election to the union.

From the start, MMM goes on the offensive, starting with a letter put out over the signature of the company's chief executive officer. It explains the company's view and its opposition to "third party interference." This and other early communications will attempt to slow down or stop employees from signing union authorization cards.

The initial message, and those that follow, are "not sent by the U.S. Post Office, not laid on the desk . . . not laid in a literature bin . . . they are personally hand carried by the supervisor to employees on work time, at their work station."

Norfolk gets a replate

Norfolk, Va.—There was something familiar about the 36-page booklet passed out by the Ledger-Star mailed to its editorial employees less than a week before they voted June 6 on being represented by the Hampton Roads Guild.

TNG Representative Luis Montanez compared it to a somewhat larger booklet passed out by the Philadelphia Bulletin to its editorial employees before they voted on Guild representation in 1976.

Entire pages and paragraphs—text, punctuation and headlines—were the same, some not even updated to reflect changes in the intervening three years. Other pages and paragraphs differed only to reflect changes in statistics cited.

"The introductions were almost the only things original—different—in the two booklets," said Montanez.

There was no indication of the source of the identical and nearly identical content.

The Guild was voted in (see Page 1).

Before that hand-delivered message goes out, the supervisors are told what the letter says and what response to look for. The supervisor's job is to ask the employee to read the letter—and put him or her on notice the supervisor wants to talk about it after it's been read.

The responses of each individual are fed back to the consultant and provide an early count of who is pro-union, who isn't and who is undecided.

THE EMPHASIS in the first part of the campaign will be on the anti-union group. They will be encouraged to "tell their side of the story"—to get the company's message to their fellow employees—"to express themselves." Next will be the undecided voters, and finally the pro-union people, whose numbers are by now presumably whittled down. Union activists are largely ignored.

Almost every MMM campaign has a group of employees who will form a "spontaneous" committee urging a "no union" vote. This "employee" group has much greater latitude than the employer. For instance, the "employee" organization can make phone calls to workers' homes, a contact specifically forbidden the supervisor by federal law because of the potential intimidation. And members of the anti-union committee are free to attend union meetings, preach a "vote no" position and keep a record of who is there and who is pro-union. In any MMM campaign, these small groups of anti-union workers show an amazing ability to adopt and execute a full-scale and knowledgeable campaign for an organization that was "spontaneously" formed a few days before.

Meanwhile, the supervisors now bring around copies of the union's constitution and financial report. Sections are circled and underlined. Each supervisor is expected to have 10 to 25 conversations with each employee before the election, so MMM's running vote count is kept up to date and the individual worker is kept intimidated.

The pressure brought on supervisors to deliver the message, push the employees into conversation and report back to the consultants while supposedly doing their regular work can cause extreme tension for supervisors.

Supervisors who buck the pressure—or feel they should spend more time doing their regular work instead of fighting the union—are told that if they cannot do the job "we can get someone who can."

One-to-one conversation between supervisor and employee will often be supplemented by small group meetings by department or occupational group, usually run by someone higher up in management.

MPA ordered to report finances

Washington—Master Printers of America has been ordered by a federal court here to comply with the Landrum-Griffin law's financial reporting requirements for persons hired by employers to "seek to persuade" employees to organize or not organize.

MPA is the nonunion division of the Printing Industries of America. The court's action came in a suit by the Graphic Arts International Union over MPA's magazine, Insight. It is sent to employees' homes upon request of member employees.

U.S. District Court Judge A. V. Bryan noted that Insight articles run under such titles as "Unions: Who needs 'em" and "The advantages of working in an open shop."

"It is not the function of a true trade association

In addition, supervisors are taught about applying progressive discipline to activists who talk for the union on the job. Never, of course, are such workers reprimanded for their union activity, but rather for a work-related offense. Careful records are kept in personnel files with the dates of all verbal and written warnings.

Modern Management quickly puts together information on the union. It will obtain a list of all the strikes that this particular union has been involved in over the last several years. It will be reproduced for all supervisors—again to be discussed with employees on a one-to-one basis.

Specific news stories where the union has been involved in strikes or alleged violence are reproduced for circulation and discussion. From the U.S. Department of Labor, MMM will obtain the LM-2 form showing the union's financial position and officers' salaries—all grist for the mill.

And while confrontations with union activists will be avoided, people speaking out for the union find they start running into problems. New work assignments keep them away from other employees, especially undecided ones. Some companies have changed washroom locations or shift schedules to break up carpools—anything that will isolate a pro-union group from other workers. Extra work is added. Bad evaluations suddenly pop up—even for workers with years of nothing but the best ratings. Some people find themselves being disciplined, some fired—although not, of course, for union activity. They will usually get their jobs back, but only after the election.

On the legal front, management is advised to try to have the union election conducted in as large a unit as possible. They are warned to keep plenty of supervisors out of the unit for waging the company's campaign.

And at the NLRB, Mickus advises employers, "as a rule of thumb go to a hearing—don't consent to an election, time works on your behalf." To get that extra time, "let them (the union) know you are prepared to go to a hearing." However, "if you can get the time you want and the unit you want, then go for a stipulated election."

The union organizer meanwhile is met with carefully worded no trespass, no distribution, no solicitation rules. Emphasis is placed on security to make sure union organizers cannot get the names and addresses of employees until almost the last minute before the election. And the list the organizer finally gets, when it is almost too late, will contain such names as J. Jones, leaving the organizer the job of figuring out whether that's John or Jill.

EVEN IN THIS atmosphere, some determined workers have formed unions with MMM was working the election for management. If the union does win the election, the corporation can buy a whole new bag of tricks to take advantage of current law and the NLRB caseload to simply stonewall it.

Many workers who thought they had formed a union have learned there's many a slip between an election "victory" and a contract.

With variations, the MMM story is repeated over and over again with consultant after consultant. Every new twist spreads rapidly. The formation of the "spontaneous" anti-union committee is one example of how fast consultants learn what works, polish its application, and sell the sophistication to the next corporation which has become convinced it can live in a "union-free environment."

Some other consultants are not as careful as MMM. They are a little more free in crossing the line into illegal intimidation of the workforce.

And it works. NLRB figures on union representation election results show that clearly. Results are what the consultant promised the corporation in the first place.

to disseminate literature in an attempt to persuade its members in exercising collective bargaining rights," the judge held.

Trade association material is expected to be "less partisan in tone and more industry-oriented in interest" so that "publication of biased material from an independent source is more dangerous [than from an individual employer] insofar as the employee is less suspect of an attempt to persuade," the judge said.

The MPA also provides a "Freedom Figher Award" to employees nominated by employers. Among the criteria: combatting a union organizing drive, leading others through a picket line, leading a decertification campaign.

Monessen strikers launch own weekly

Monessen, Pa. — Pittsburgh Guild members on strike at Thomson's Valley Independent have launched an interim weekly newspaper.

Their Valley Views began publication May 30 with 20 tabloid pages that contained about 40 percent advertising, Guild unit spokesperson Ruth Ann Yatsko said.

The first issue's 10,000 copies were sold at steel mill gates and stores. Home delivery is planned.

Thomson is printing the Valley Independent at his paper in Weirton, W. Va., and at least once an entire Weirton Times page, with folio, was picked up in the Independent.

No negotiations have been held

since May 17, when there was no progress.

The Guild struck April 14 in search of a new contract. It has been supported by the Typographical Union.

More support came from the big United Steelworkers district, Yatsko said.

Meanwhile, the Times ran advertisements June 1 seeking replacements for strikers.

The local reported contributions of \$1,175 to its strike fund through May 31, including these from Guild locals:

Central California	\$ 25
Chicago	200
Los Angeles	15
Ottawa	50
Pacific Northwest	50
Philadelphia	100
Pittsburgh (Post-Gazette Unit)	185
San Francisco-Oakland	50
Terre Haute	50

News, ad top up \$57, to hit \$374 in Pueblo

Pueblo, Colo.—The reporter-photographer-ad sales top minimum rises \$57.12, to \$374.41, in a three-year Pueblo Guild contract with the Chieftain and Star-Journal.

Three raises of \$19.04 each are effective May 6, next April 27, and May 3, 1981.

Among other classifications, new top minimums and raises include:

District manager — \$322.36 (\$19.03 in each raise; total increase, \$57.09); **classified inside sales, stenographer, bookkeeper, keypunch operator** — \$221.70 (\$14.30 in each raise; total increase, \$42.90).

Unemployed women

Washington — The unemployment rate for women fell from 8.2 percent to 7.2 percent from 1977 to 1978, according to the U.S. Bureau of Labor Statistics.

Top for Chieftain mailroom leader goes to \$349.24, up \$53.28; top for Star-Journal mailroom leader goes to \$321.04, up \$48.96.

Top minimum for **PBX operator, clerk and counter clerk** goes to \$215.16, up \$45.75. Top for **janitor** goes to \$180.47, up \$38.37. A new classification, **maintenance janitor**, carrying a flat minimum, goes to \$205.87 over the term of the contract.

Employees will get four weeks of vacation after 12 years, instead of 13.

The company will pay full cost of individual health coverage and 65 percent of the difference between single and family coverage for the latter. Under the old contract, the company paid a maximum of \$68.54 per employee per month for family coverage and half that—\$34.27—for single coverage.

First pact nets DMs parity at \$360

Brantford, Ont.—The reporter-photographer top minimum rises \$29.77, to \$360.60, in a new, one-year Southern Ontario Guild contract with Southam's Brantford Expositor.

A simultaneously bargained initial contract covering circulation employees sets the same top minimum for **circulation managers**.

In the renewal contract covering the editorial and mailing departments, **mail room clerks** are upgraded, getting a 27.5 percent, \$49.38 increase in their top minimum to \$229.12. They will reach

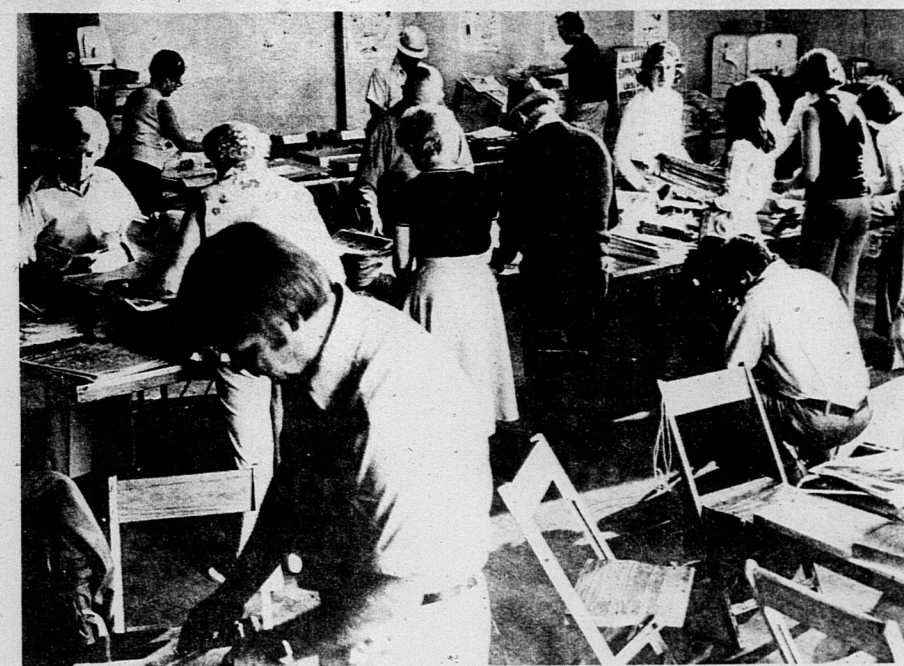
the top after 18 months of experience, instead of two years.

The **reporter-photographer** key top also is reached with four, instead of five, years of experience.

Top for **wire editor** rises \$32.06 to \$388.25. Top for **deskperson, editorial writer-reporter, sports editor and family editor** goes up \$30.53 to \$369.79.

The top for **librarian and rural copy handler** rises \$18.99 to \$230.01.

In the one-year circulation contract, **clerical employees'** top minimum is set at \$192.60 after



MONESSEN GUILD MEMBERS INSERT ADS IN FIRST EDITION OF THEIR WEEKLY "Valley Views" is sold in stores and hawked on corners and at factory gates

3 more in ITU urge unity plan

At least three more Typographical Union locals have passed resolutions calling on TNG's and the ITU's merger committees to renew efforts to reach agreement on a merger proposal in time for action this summer.

The latest actions were by the Toronto, Buffalo and New York printers' locals. Similar resolutions by two other printers' locals, two regional conferences of printers' and mailers' unions, one Guild local and three district councils were reported earlier [Guild Reporter, May 11 and 25].

The merger committees are scheduled to meet June 12-15 for the first time since April 1.

The Toronto Typographical

Union at its May 27 meeting called upon the committees to seek a proposal in time for action by the ITU convention in August.

Members of New York Typographical Union No. 6 did likewise at their May 20 meeting. The Buffalo printers' membership acted earlier in the month.

Top in New Brunswick up \$60, to reach \$366

New Brunswick, N.J.—The reporter-photographer top minimum rises \$60.25, to \$366.75 a week, in a three-year New York Guild contract with the Home News.

Increases are \$20 retroactive to July 1, 1978, another \$20 this July 1 and \$20.25 on July 1, 1980.

Top for **library clerk** rises \$11.20, \$11.20 and \$11 (total \$33.40) to \$211.80, and for **clerk-messenger** \$9.35, \$9.35 and \$9.05 (total, \$27.75) to \$179.30.

Top for **editor and copyreader** goes up \$60.25, to \$374.25. Maximum monthly pension

risers \$75, to \$200, through increased publisher contributions of \$1 per employee per week in each of the pact's first two years and up to \$1.75 the third year.

Effective this year, employees will get four weeks of vacation after seven years of service, instead of eight, and in 1980 four weeks after six years. Five weeks of vacation will be earned after 25 years of service.

A third personal holiday is added, making a total of nine holidays.

The settlement came an hour after a strike deadline and after a 13-hour bargaining session.

Hatch resigns Detroit post, rejoins TNG field staff

Detroit — Willard Hatch resigned as administrative officer of the Detroit Guild May 29 and returned to TNG's staff as an international representative June 4.

Hatch said he left the effective date of his resignation "flexible" to "effect an orderly transition." He said he would remain in the area and be available to the local.

Hatch took a leave of absence from TNG's staff to become administrative officer of the Philadelphia Guild in 1975. After eight and a half months there, he went to the Detroit Guild and served as its administrative officer for three years.

He said it was "a really enjoyable experience working for the local, one which broadened my experience."

But, he added, he had always intended to return to the international staff and was doing so now because "there are a lot of issues affecting the Guild that excite me," including possible merger with the International Typographical Union.

Hatch joined TNG's staff in 1972 while beginning what would have been his first full term as president of the San Jose Guild. Before that, he was elected local president to fill a vacancy and earlier had been vice president. Still earlier he had been a member of the Erie Guild.



WILLARD HATCH



Dorothy Crocker thanks Guild people for letters

SILVER SPRING, MD.

Editor:

The outpouring of letters and cards after the passing of my husband, Bob, has been so overwhelming that I am just unable to acknowledge them individually, at least for now. So let me take this opportunity to thank all of our friends in the Guild for their expressions of support and their generous contributions to the

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.

Leuchter Fund, Bates College and other organizations in memory of Bob.

Thank you all.
DOROTHY CROCKER



Sharing space in Los Angeles

Paul Kelly, secretary-treasurer of the Los Angeles Typographical Union, left, hands a set of keys to the building owned by that union to Linda Zink, Los Angeles Guild administrative officer. The Guild and the Los Angeles

Mailers' Union have moved their offices to the printers' building after sharing space and equipment elsewhere since 1976. In background, center, is Sam Franckowiak, Mailers' secretary-treasurer.

DATELINE: OTTAWA

Clark government's first day brings promise on a promise

By HUGH WINSOR, Toronto Guild

THE NEW CONSERVATIVE government of Prime Minister Joe Clark was sworn in June 4 and at least one minister in his first interview after being named raised his party's commitment during the long election campaign to a freedom of information act and more open government.

The minister, Ron Atkey, who takes over the responsibility for immigration, promised he would begin immediately to lift the screen of secrecy surrounding immigration regulations and how they are administered.

It was an auspicious start. Whether his colleagues will be so steadfast when the realities of power dawn on them is another question. But the new minister responsible for controlling the Royal Canadian Mounted Police, Allan Lawrence, also announced an investigation into widespread reports that the outgoing government spent the two weeks be-

tween election night and the government takeover working overtime at the paper shredders.

The outgoing government of Pierre Trudeau had been reluctantly edging towards some form of freedom of information legislation in response to sustained public pressure. But a Liberal government that had been in power for 16 years just couldn't bring itself to open its linen closet to public scrutiny.

The massive change of attitude implicit in a genuine freedom of information bill can probably be accomplished only at the time of political switch-over.

The resistance is not so much from the elected politicians as from the highly paid and very secretive senior civil servants who have maintained their immense influence over the public process because of their superior command of information.

Many of them are psychologically committed to the outgoing Liberals, having matured and prospered under their protection.

The point of this is that the new Conservatives, with nothing to hide since they have not been in power for so long, have nothing to lose by forcing the bureaucrats to release their grip.

THE LIBERALS had promised legislation nominally guaranteeing the right of access to public documents subject to large exceptions. But the Liberal proposal would leave in the hands of elected cabinet ministers the final say on whether a particular piece of information should be released or not.

They argued this was necessary in the parliamentary system of government since the ministers' final responsibility was to Parliament. But since several Liberal ministers had already ducked their responsibility to Parliament in such scandals as the RCMP illegal activities towards Quebec separatists, that argument carried little credibility.

The Conservatives committed themselves to an information act which would hand the final

responsibility to order a document released to the impartial judiciary, as it is in the American system.

The arguments against this are also substantial. In Canadian jurisprudence, derived from the British model, judges have always been removed from political decision making. Our Supreme Court has never had the interpretive leeway of the U.S. Supreme Court and there is a concern that judges would become politicized if forced to make sensitive decisions about the release of information.

SECONDLY, the time and costs involved in court proceedings that could go through two or three levels of appeal could act as a barrier to the public. If the arbitrating process is kept within the parliamentary system, the cost will be lower and borne by the central government.

THE CHOICE amounts to a question of credibility. Does a new government with a clean slate have enough credibility that we can trust Parliament to keep it honest? Or when it comes to a crunch, are all politicians the same and the independent judiciary necessary?



International Executive Board, pre-convention meeting, June 29-30, Park Plaza Hotel, Boston.

46th Annual TNG Convention July 2-6, 1979, Park Plaza Hotel, Boston.

International Executive Board, fall meeting, Oct. 15-18, Ottawa.

Middle-Atlantic District Council, fall meeting, Oct. 20-21, New York.

Midwest District Council, fall meeting, Oct. 27-28, Gary.

Western District Council, fall meeting, Oct. 27-28, Honolulu.

Southern District Council, fall meeting, Nov. 3-4, Puerto Rico.

International Executive Board, winter meeting, Jan. 28-31, TNG headquarters, Washington.

International Executive Board, spring meeting, April 28-May 2, TNG headquarters, Washington.

47th Annual Convention, July 7-11, 1980, Chattanooga.

'System' overseer upgraded in Detroit

Detroit—The Detroit Guild has won a new, higher-minimum classification for persons who oversee operation of the Detroit News' electronic editing system and a raise for a former copy editor who spends all his time in the job.

Marlin M. Volz, an arbitrator, agreed with the Guild that the duties require "materially greater skills" and that under the contract, the News must bargain with the Guild on a new classification and minimum salary.

The parties subsequently agreed that the new classification's minimum should be \$25 more than copy editors. The company also gave the grievant an additional \$20 a week in merit pay.

During the arbitration, the News agreed that the duties of what it called a "CRT [cathode ray tube] supervisor" were different than those of a copy reader, but denied that they were "materially greater."

Volz, however, found that

while "other copy editors have skilled and responsible jobs . . . they are confined to a particular area of work. [Grievant's] responsibilities are much broader and pertain to keeping the entire CRT system operational."

For example, the CRT supervisor is the only one who can authorize a system shutdown.

Copy editors learn their duties on the job, but the grievant completed a training course, spent time at the manufacturer's plant, studied bureau operations, attended conventions and so on, Volz noted.

The company also had disputed the case's timeliness because of a 35-day limit on raising grievances. The argument was raised only when the case got to arbitration, not during the preceding grievance procedure.

Volz, however, said the case "fell within the concept of a continuing grievance wherein each day the condition continues is a new occurrence."

'Employee voice' workshop set convention's first day

A representative of the American Center for the Quality of Work Life will conduct a clinic on promoting the Guild's "employee voice" goals during TNG's 1979 Convention in Boston July 2 through 6.

The clinic, for interested delegates, will be held the evening of the convention's opening day. It will be conducted by Edward Cohen-Rosenthal, associate director of the Quality of Work Life Center.

The center, founded in 1974, has been working with unions and management to promote worker-participation programs similar to those involved in the

Guild's "voice" program. The Twin Cities Guild, which has had a successful worker-participation program at the Minneapolis Star and Tribune for seven years, works with the center.

Cohen-Rosenthal will discuss how the center can help persuade publishers to participate in such programs and get the programs off on the right foot.

Before joining the center, Cohen-Rosenthal was project advisor in Europe for the U.S. Trade Union Seminar on Alternative Work Patterns and consultant to the Organization for Economic Cooperation and Development in Paris.

The Guild Reporter

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