

Referendum ordered; voting Dec. 15-20

Washington — TNG's International Executive Board has ordered a membership referendum on the motion by the Philadelphia Guild to repeal the 50-cent-a-month dues increase enacted by TNG's 1981 Convention and in effect since Sept. 1.

And the International Election & Referendum Committee has set Dec. 15-20 as the voting period.

The IEB acted Oct. 20 after determining that Philadelphia's motion had received sufficient

seconds under TNG's constitutional machinery for submitting a matter to a Guild-wide membership vote.

Subsequently, on motion of TNG President Charles A. Perlik, Jr., the IEB voted to constitute itself as the "Committee to Save the 50¢," and authorized Perlik to appoint other influential Guild members to membership on the ad hoc committee, as well.

Vice President Barbara Yuncker of New York was recorded as

abstaining on the vote on Perlik's motion. She said she did so because she believed the increase "was not brought before the locals appropriately in advance" of this summer's convention.

Perlik said that he would respect any announced objection by an IEB member to serving on the committee.

The IERC, in a telephonic meeting Oct. 21, established the official voting period and other related dates.

It also set Nov. 30 as the date it will meet in Washington to mail ballots and voter eligibility lists to locals and set Dec. 21 and 22 as the days local election committees are to count the votes cast in the referendum.

Official returns reporting results of the voting to the IERC must be postmarked not later than Dec. 24 and the IERC will have to meet to certify the results not later than Jan. 9. It will choose the date at its Nov. 30 session.

Under constitutional formula, eligibility for voting in the referendum will be based on good standing as of Sept. 1, Oct. 1 or Nov. 1 this year, as determined by remittances from locals received by TNG by Nov. 15.

Acting on the recommendation of its Guild Reporter committee, the IEB directed that space for ads and statements by proponents and opponents of the motion be provided in the Guild Reporter (Continued on Page 2)

The

GUILD REPORTER



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Firing in Phoenix ruled 'concocted'

Phoenix—The Arizona Republic's justification for firing Phoenix Guild Secretary Bonnie Bartak was "concocted" and illegal, a National Labor Relations Board administrative law judge has ruled and has called for Pulliam's Phoenix Newspapers Inc. to reinstate her to her reporting job at the paper.

At the same time, labor-law judge Jerrold H. Shapiro, has called for the paper also to reinstate Guild-exempt economic editor John G. (Jack) Mayne, finding that he was illegally fired for "failure to participate or cooperate" in management's "illegal plan to discipline and discharge Bartak" for activity protected by federal labor law.

Almost as soon as the Oct. 6

decision was released, the Phoenix papers announced that they will appeal its findings on the discharges to the full NLRB in Washington and on to the courts, if necessary.

The Guild said it will file exceptions to another aspect of Shapiro's decision with the full NLRB.

Bartak, a seven-year veteran of the Republic's staff, was placed on probation, reassigned from the urban affairs beat to night police and ultimately fired because she acted as spokesperson for women employees in the Republic's news room who were trying to eradicate allegedly discriminatory employment practices, Shapiro found.

Acting as the group's spokesperson and thereafter filing discrimination charges with the EEOC was concerted activity protected under the National Labor Relations Act, Shapiro held.

The "ostensible reasons" Republic Managing Editor Robert Early relied on as justification in firing Bartak in April 1980 "were a sham in that they did not exist

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RAYMOND CROWELL/Washington-Baltimore Guild

Kirkland welcomes new VPs

AFL-CIO President Lane Kirkland greets two of TNG's six new vice presidents—Richard M. Peery and Dianne M. Martino — following his administering the oath of office to all 15 TNG officers Oct. 20. Performing the introductions is TNG President Charles A. Perlik, Jr. At left

is Vice President David M. Mulcahy; in background, center, Vice President William T. Davis. Kirkland said he sees Congress beginning to more closely examine the Reagan administration's legislative proposals since Solidarity Day. (Story, Page 3.)

Hatfield new Region 4 VP by 14 votes

Washington—Larry D. Hatfield of San Francisco-Oakland has been certified victor in the election contest for TNG vice president from Region 4, the U.S. West, by the International Election & Referendum Committee.

The committee acted after the other candidate for the post, Anna Padia of Pacific Northwest, wired it Oct. 9 that she was "withdrawing my request for any further recount" of the ballots cast in the race "to avoid additional cost."

The IERC, in a telephone conference (Continued on Page 2)

Perlik renews call for four-union compact

Detroit — TNG President Charles A. Perlik, Jr., has renewed his call for a no-raiding agreement among the four principal printing and publishing unions "as a first step" toward their "closing ranks" and "eventually" merging.

He did so in an address to the Graphic Arts International Union's 3rd Constitutional Convention here Oct. 13, six years after

he had first advanced it in the same forum. The GAIU is the product of merger of three publishing employees' unions. Now, as six years ago, GAIU delegates responded to the proposal with prolonged, standing applause.

Perlik and the presidents of the International Typographical and International Printing & Graphic Communications unions were all invited to address this

year's GAIU convention by GAIU President Kenneth J. Brown as manifestations of their unions' desires "to close ranks at this most critical time."

Representing ITU President Joe Bingel before the convention two days after Perlik spoke, ITU 2nd Vice President Robert L. Wartinger also called for new efforts at greater unity among the four unions.

Perlik also urged that the four presidents meet soon to discuss steps to increase their unions' solidarity.

He pointed to the industry's "ever growing" technology and "determination to wield its power against us" and said he is convinced that if the four unions—TNG, the GAIU, the ITU and the IP&GCU—"don't bury our (Continued on Page 6)

NLRB nominee's boast: Clients 125, unions 5

Washington — President Reagan's nominee for chairperson of the National Labor Relations Board virtually boasted as recently as eight years ago in a management-oriented magazine that unions had lost all but 5 of "the last 130 [representation] elections I've personally been involved in" as a management consultant.

And "I couldn't even begin to count those situations where we got the union to withdraw after they had enough sign-ups to have an election but they found

that they couldn't win," said John R. Van de Water in a series of articles under his by-line headed "How to deal with the union."

"The only cases where they've won the election was where there was no more than two weeks, or less, to plan management's campaign," Van de Water said in the August, September and October 1973 issues of Apparel Industry Magazine, published for top management of the apparel and textile industries. In those cases, Van de Water

said, "the employees just didn't know the issues because the company hadn't had a chance to clarify them."

Van de Water headed his own management consultant firm while also working as a professor of industrial relations and management in the University of Southern California's graduate school from 1949 until being nominated by Reagan to head the NLRB.

He was sworn in on Aug. 18 while the Senate was in recess, but still must be confirmed by the Senate.

Pointing to the article, plus other documents, the AFL-CIO again has told the Senate Labor Committee that it opposes Van de Water's confirmation to the NLRB because it sees him as "an active anti-union partisan" who does not accept the central thrust of basic national labor policy endorsing employees' right to union representation.

"We do not believe that union organizers or management opposers of organization should serve on the NLRB," (Continued on Page 5)

THE SHORT



OF IT

PRESIDENT REAGAN, who had had his problems with "tough" questions at his previous press conference (in mid-June), arranged to have what Washington Post reporter Martin Schram called "a convenient safety valve" at his Oct. 1 outing: "His advisors had taken the precaution of assigning the front block of seats on his right side to reporters they have taken to calling 'known friendlies'."

"He [Reagan] was told . . . that if he found himself in a sea of rough interrogation he could turn to the right and call on one of a number of reporters his aides believed would be likely to ask less-pointed questions," Schram added.

Reagan did, at least twice, Schram reported. And they did. When ABC's Sam Donaldson sought to follow up after asking if the President is seeking "military superiority" over the Soviet Union, Reagan turned to Godfrey Sperling, Jr., of the Christian Science Monitor, who asked, in effect, if the nation could afford both guns and butter. When questioning was persistent about high interest rates, Reagan turned again to his right, from whence RKO General's Clifford Evans asked Reagan what he thought about travelling to China.

Also seated to the President's right were reporters for the Copley chain, the Daily Oklahoman, the McClatchy newspapers, the Denver Post, the Omaha World Herald and the International Communication Agency, Schram reported.

The counting house: Responding to "the relaxing antitrust climate in Washington," as the New York Times put it, the Los Angeles Times has rejected a tentative settlement it reached last fall with the Federal Trade Commission on charges by the agency in 1977 that the paper's rate discounts to high-volume advertisers were unjustifiably low. Three days after the FTC announced the settlement, the Times Mirror Co.'s general counsel said the paper is going to "make a vigorous attempt to have the case dismissed." The FTC contends that discounted rates charged high-volume advertisers violate federal antitrust laws. Some rates were discounted as much as 40 percent. Under the rejected settlement the discount would have been limited to 27 percent. . . . The Toronto Sun, saying it has a "continuing interest" in starting a newspaper in Washington, has hired Sidney Epstein, former associate editor and associate publisher of the Washington Star, as a consultant.

Among ourselves: TNG's 1981 Convention paid special tribute to a nonmember who played a major role in the union's establishment in Canada: David Lewis, a founder of the nation's New Democratic Party and its leader from 1971-75. Lewis, who died May 23 at age 71, "spent his life fighting, and always on the side of the angels," the convention said. . . . Alois Eisele, a member of the Twin Cities Guild's Dispatch-Pioneer Press unit before coming to Washington in the mid-1960s and press secretary to Walter Mondale when he was Vice President, is communications director for the Center for Democratic Policy, a new nonprofit research organization. . . . TNG President Charles A. Perlík, Jr., has been elected a vice president of Americans for Democratic Action by its national board. . . . The Southern Ontario Guild's publication, S.O.N.G. Sheet, has won an award for excellence in editorial writing from the Canadian Assn. of Labour Media. . . . The San Jose Guild has established a James R. Choate, Jr., Labor Scholarship Fund to cover books and other materials for members taking classes in the San Jose City College Labor Studies Program. Choate, a three-time local president, died in March 1980 at age 47.



From out of our past: The late John L. Lewis, president of the United Mine Workers and founding president of the Congress of Industrial Organizations, seated fourth from right, posed with leaders of the Wilkes-Barre Guild and the American Newspaper Guild, other Mine Workers' leaders and the publishers of the three dailies then published in Wilkes-Barre on March 23, 1939, when a six-month strike against the Record, the Evening News and Times-Leader was settled in marathon bargaining in which Lewis and the other Mine Worker leaders took part. Seated at far left is Stanley Kupstas, local Guild president; in left foreground, Morris Watson, ANG vice president. Standing behind Lewis is Joseph Collis, a local Guild bargainer, who later became president of the ANG.

IEB orders dues referendum; IERC sets vote for Dec. 15-20

(Continued from Page 1)

on the same basis as in 1968 when the last referendum on Guild policy was conducted.

As then, and in earlier referenda, the board directed the Guild Reporter to make space available to the moving local and its supporters, collectively, and to the opponents of proposition, also collectively, the same amounts of unpaid advertising space as that provided for candidates for the office of TNG president—18 inches.

Likewise, the IEB directed that the proponents and opponents, also each collectively, be permitted equal space for a statement of their respective positions equivalent to that afforded candidates for president—300 words each. Statements will appear in the Nov. 27 issue of the Guild Reporter.

It also called attention to long-standing convention policy banning the raising of new charges in letters to the editor of the

Guild Reporter in the issue preceding the distribution of ballots and subsequent issues preceding voting.

Under the constitution a local motion proposing a change in TNG convention policy or a constitutional change must be seconded by at least 10 other locals in five states, territories or provinces and the moving and seconding locals must include at least 5 percent of TNG's membership in good standing.

By the end of the 60-day seconding period Sept. 20, a total of 11 locals reported that regular or special meetings of their membership had seconded.

The 11 locals are:

Akron, Chicago, Detroit, Great Falls, Pawtucket, Providence, San Francisco-Oakland, Twin Cities, Vancouver-New Westminster, Victoria and Washington-Baltimore.

In passing the 50-cents-a-month dues increase, upon recommendation of its Finance

WBNG endorses saving the 50¢

Washington — The executive council of the Washington-Baltimore Guild has voted its endorsement of retaining the 50-cent-a-month dues increase passed by this year's TNG convention.

The local was one of the first to second the Philadelphia motion calling for a Guild-wide vote to repeal the increase.

The council acted on the recommendation of local representatives.

Committee, the convention said it was reacting to a "groundswell of concern" over the need for more TNG organizing and servicing staff. It rejected on a roll call a move to defeat the increase and later, on another roll call, refused to consider a motion to submit it to referendum.

7 propositions in Nov. 18 ITU vote

Colorado Springs—Members of the International Typographical Union will vote Nov. 18 in a union-wide referendum on a series of constitutional amendments and other actions by delegates to the union's August convention that are subject to membership approval.

First of the seven "propositions," is one that would authorize earmarking up to \$850,000 from the union's general fund to reimburse participants in the ITU Retirement Trust for amounts contributed when the optional retirement plan was terminated in August.

The second—and one of the two most controversial of the propositions—would require resumption of merger talks with TNG and establish a timetable for completing talks, with a third party to settle disputes.

Its machinery is contingent, however, on TNG accepting "the identical formula."

It calls for a three-month resumption of talks, with a third party to work out unresolved issues at the end of that period. Three months later a founding convention would be held where delegates would have authority to amend the constitution and by-laws of the merged union.

ITU President Joe Bingel, Second Vice President Robert L. Wartinger and Third Vice President Allan J. Heritage have recommended that members vote in favor of the merger proposal, while First Vice President Robert S. McMichen and Secretary-Treasurer Thomas W. Kopeck

have recommended its defeat.

The third proposition would change the frequency of international conventions from annually to twice in each three-year period, beginning in 1984.

The next would change the procedure for nominating candidates for international office from a local endorsement system to a convention nominating process, with weighted voting by delegates based on the size of their locals to be used in any convention-floor nomination run-offs.

The ITU's five officers are split

3-to-2 on this question the same as on the merger-proposition.

The fifth proposition would assess each member \$1 a year to help pay the expenses of locals in hosting a convention.

The maximum strike benefit would be raised by \$100, to \$250 a week, and the ceiling on the defense fund would be boosted from \$5 million, to \$7 million, under the sixth proposition.

The final proposition would eliminate a requirement that the union's monthly Typographical Journal contain a minimum of 32 pages.

Region 5 elects Hatfield; victory margin is 14 votes

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ference call, thereupon certified the official result in the race as:

Hatfield 783
Padia 769

The official 14-vote margin was two less than in earlier unofficial tallies, reflecting the result of the IERC's having recounted the votes cast in eight of the region's locals, as requested by Padia.

At its Oct. 7 meeting, the committee had deferred completion of the recount pending arrival in Washington of ballots from three additional locals in the region. [Guild Reporter, Oct. 9.]

The official result (table below) showed that Padia was favored by a majority of the voters in six locals — Central California, Hawaii, Los Angeles, her own Pacific Northwest, San Diego and

San Jose—while Hatfield was favored by majorities in five locals — Bakersfield, Eugene, Great Falls, his own San Francisco-Oakland and Wire Service members in the region.

Hatfield's carrying one less local, however, was more than offset by his 371-vote margin in his own local plus his lesser margins in the other, smaller locals.

Hatfield took office Oct. 15, along with 14 others elected to the International Executive Board in the September balloting or earlier when they had no opposition. Hatfield and five of the other vice presidents were elected for the first time.



LARRY D. HATFIELD
New VP from Region 4

Official tally—VP from Region 4

Local	Voters eligible	Votes cast	Padia	Hatfield
Bakersfield	89	36	1	33
Central California	723	141	70	64
Eugene	78	21	6	13
Great Falls	14	11	0	11
Hawaii	425	136	101	29
Los Angeles	373	57	39	16
Pacific Northwest	1,107	304	254	44
San Diego	811	85	48	34
San Francisco-Oakland	1,390	506	63	434
San Jose	783	299	179	94
Wire Service	173	20	8	11
Yakima*	39	—	—	—
Totals	6,019	1,616	769	783

* No return received.

Change seen beginning, Kirkland tells IEB

Washington—Solidarity Day's outpouring of protest helped reinforce the realization that was beginning to occur in Congress and among the public that the programs and policies of the Reagan administration are not infallible, AFL-CIO President Lane Kirkland told TNG's new International Executive Board Oct. 20.

He spoke to the IEB before administering the oath of office to its members.

Labor's representatives on Capitol Hill are detecting a "definite change" in the reaction of the legislators to the Reagan administration's proposals for a second round of budget cuts and on issues like the extension of the Voting Rights Act, Kirkland said.

"When it becomes clear" that most of the products of Reagan's economic program "will be dismal, I think the tide will turn and we will go into the '82 campaign with every opportunity" to help elect candidates who are more supportive of the needs of working people, Kirkland predicted.

He called on all international unions to unite to help select and support a presidential candidate for 1984 "who can appeal to our membership." Too often in the labor movement "we have undermined . . . ourselves" by separating and nullifying labor's effectiveness," Kirkland said.

The new IEB is made up of six first-time vice presidents and nine returned officers and vice presidents.

The first termers are: Dianne M. Martino of Manchester and Richard J. Roth of Buffalo, both elected at large, plus Charlie Ramis of Puerto Rico, Region 2 (the South), Richard M. Peery of Cleveland, Region 3 (the Midwest), Larry D. Hatfield of San Francisco-Oakland, Region 4 (the U.S. West), and Barbara Yuncker of New York, Region 5 (New York City).

Returned incumbents are: TNG President Charles A. Perlik, Jr., Secretary-Treasurer Charles Dale and International Chairperson Harry S. Culver of Wire Service, plus two vice presidents elected from the Canadian Region—John M. Lowe of Southern Ontario and



AFL-CIO PRESIDENT LANE KIRKLAND SWEARS IN TNG'S NEW INTERNATIONAL EXECUTIVE BOARD

From left: Kirkland, TNG President Charles A. Perlik, Jr., International Chairperson Harry S. Culver, Secretary-Treasurer Charles Dale and Vice Presidents David M. Mulcahy, Barbara Yuncker, Joyce Walker-Tyson, William T. Davis, Dainne M. Martino, Richard M. Peery, Larry D. Hatfield, Richard J. Roth, Jr., John M. Lowe, Roger L. Stonebanks, Charlie Ramis, Robert C. Holt, Jr.

Roger L. Stonebanks of Victoria—and four elected from TNG's membership at large:

William T. Davis of San Jose, Robert C. Holt, Jr., of St. Louis, David M. Mulcahy of New York and Joyce M. Walker-Tyson of Detroit.

The new board adopted a resolution of appreciation of the services of seven outgoing vice presidents and directed that they be given gold Guild membership pins. They are:

Elwood B. Bigelow of Portland and Floyd Tucker of San Francisco-Oakland, who had served at large; plus Patrick J. Rushton of Wilkes-Barre (Region 1), Carlos J. Sutton of Washington-Baltimore (Region 2), John B. Mitchell of Gary (Region 3), Carla W. Beck of Great Falls (Region 4) and Betsy Wade of New York (Region 5), all of whom had served from their regions.

Rushton had been re-elected but resigned from the Guild and the IEB afterward upon taking a job out of Guild jurisdiction. Bigelow, Beck and Wade did not seek re-election; Sutton withdrew as a candidate for re-election late in August, Tucker and Mitchell lost bids for re-election in Sep-

tember's membership balloting.

The new IEB also apportioned assignments to its standing committees, as follows:

Contracts: Perlik, chairperson; Dale; Ellis T. Baker, TNG administrative operations director; J. William Blatz, TNG field operations director and Richard J. Ramsey, committee executive secretary.

Finance: Dale, chairperson; Mulcahy and Roth.

Bargaining: Davis, chairperson; Martino, Stonebanks, Walker-Tyson and Yuncker.

Human Rights: Walker-Tyson, chairperson; Davis, Martino, Stonebanks and Yuncker.

Organizing: Holt, chairperson; Davis, Lowe, Ramis and Stonebanks.

Constitution: Mulcahy, chairperson; Hatfield, Lowe, Peery and Roth.

Guild Reporter: Peery, chair-

person; Hatfield, Holt, Ramis, Roth and Yuncker.

Research & Information: Roth, chairperson; Hatfield, Holt, Peery, Ramis and Yuncker.

Appeals: Mulcahy, chairperson; Davis and Martino.

In addition Perlik was designated TNG's representative on the AFL-CIO General Board and on the executive board of the federation's Industrial Union Dept.

Law judge discounts opposition on eve of hearings on merger

Seattle—Public hearings on the application by the Seattle Times and Hearst's Post-Intelligencer for Justice Dept. approval of a joint operating agreement are set to begin here Nov. 2.

Scheduled over a four-week period, they will be conducted by Daniel H. Hanscom, a retired chief administrative law judge for the Federal Trade Commission.

At a prehearing conference, Hanscom warned that in his judgment neither the tax benefits Hearst may reap from its financial losses from the P-I nor the availability of a qualified buyer for the P-I necessarily are reason to deny approval of a joint operation, according to a UPI wire report slugged, "Attention: editors—publishers."

"There is nothing in the Newspaper [Preservation] Act to suggest . . . that a paper that is allegedly failing must put itself up for sale or show there are no prospective buyers," Hanscom said, and declared that "the question of tax benefits is not to be considered in adjusting the financial statement of the Post-Intelligencer."

A newspaper's stability should be judged on its own merits; "the fact that the parent has a deep pocket and can subsidize it is not relevant," UPI reported Hanscom stating.

The Hearst Corp. has filed a motion with Hanscom seeking to ban investigation into tax benefits derived from the P-I and the introduction of any related evidence.

It has reportedly refused recent requests for such information.

The Justice Dept.'s Antitrust Division, in response to Hearst's motion, on the other hand, has argued that the papers' application "cannot be properly evaluated" without considering if it is to the advantage of the corpora-

tion to continue operating the P-I.

Under the Newspaper Preservation Act the attorney general can exempt from price-fixing, profit-pooling and market splitting proscriptions newspapers that propose to join their production and business operations in the interest of maintaining separate editorial voices where one of the papers is in "probable danger of financial failure."

In calling for public hearings on the papers' application, the Justice Dept. said its review of the data submitted did "not compel the conclusion" that the P-I met the criteria for granting exemption.

Under the papers' proposal the Times would operate combined commercial and production departments while both papers would maintain separate editorial departments.

If approved, the jobs of some 225 P-I employees in the Guild's jurisdiction would be affected.

The Pacific Northwest Guild and the P-I have reached agreement on additional benefits for employees affected if the joint operation is approved.

Under that agreement health and dental insurance, including dependent coverage, would be maintained by the P-I for six months for any persons dismissed but not hired by the Times. Coverage for employees hired by the

Times would be continued until waiting periods under Times' plans had expired.

The company would also pay up to an additional seven weeks' termination pay to employees who lose their jobs when the joint operation is formed and are not hired by the Times.

The agreement also calls for the P-I to provide job-placement services and make "situation wanted" classified ad space available without charge.

The Times in talks with the Guild has refused to guarantee to hire any employees from the P-I although it has said that it will require nearly 100 more employees under the joint operation.

It has said, however, it will begin "conditional hiring" of additional employees and the parties have agreed that P-I employees who are hired by the Times will carry forward their years of service for computing vacation eligibility and that any merit pay would be maintained.

The Times also said it would waive waiting periods under its health and dental insurance plans and that pre-existing conditions would be covered.

The Pacific Northwest Guild was among more than 200 parties that filed submissions with the Justice Dept. and was included among those who requested the Justice Dept. to hold hearings on the papers' application.

Rights sought for 165 in Bangor

Bangor, Me.—The Guild has filed a petition with the National Labor Relations Board seeking representation rights for some 165 employees of the Bangor Daily News.

In petitioning the board Oct. 9, the Guild asked that it be recognized as the bargaining agent

for the advertising, business, computer services, editorial, inside circulation and maintenance employees of the 81,000 circulation daily.

Before petitioning the NLRB, the Guild requested voluntary recognition and bargaining by the company.



Award for Voice writer

Thomas C. Stires, left, is congratulated by Wilkes-Barre Guild member James Gittens on winning the Numismatic Literary Guild's Maurice M. Gould Literary Award for his weekly column, "Money Talks," in the Wilkes-Barre Citizens' Voice. The Voice, published by the Wilkes-Barre Council of Newspaper Unions, also received a plaque. Gittens is editorial page editor.

Rationale for Phoenix firing held 'a sham'

(Continued from Page 1)

but were concocted in order to justify the discharge," Shapiro said.

"I am persuaded . . . that Early, in effect, deliberately 'ambushed' Bartak," Shapiro wrote. "As a matter of fact, this is how Early characterized his conduct toward Bartak," he continued, recalling that Early testified in a hearing on unfair-labor-practices charges that "had Bartak shown a different attitude . . . I would not have tried to sandbag her."

Throughout the 90-page, single-spaced, decision Shapiro repeatedly discredits the testimony of most of the company's witnesses. For example:

✓ Republic City Editor Howard Armstrong and Assistant City Editor Paul Schatt in presenting testimony "seemed to be insincere witnesses who were attempting to support" the company's case "even though it meant disregarding the truth by exaggeration or outright fabrication."

✓ Night City Editor Susan Augsburger "when questioned closely . . . seemed to be visibly uncomfortable, as if she was concealing something."

✓ "Early's testimony concerning Bartak's low productivity was patently false."

✓ "Augsburger was not an honest witness . . . criticism of Bartak for failing to meet deadlines and for tardiness in submitting copy . . . was a fabrication."

✓ "Schatt's testimony that he criticized Bartak about her nar-

row coverage was a fabrication."

✓ "Early would have me believe that for two years" the paper "permitted a reporter, who was an unsatisfactory writer, to handle one of its most prestigious and important beats."

Shapiro concluded that "Early seized the first opportunity to discipline Bartak following his knowledge that she was the leader of and spokesperson for the women in connection with their sex discrimination grievances."

Bartak had acted as spokesperson for a group of about 20 women in the Republic's news room in a February 1979 meeting with Early and in a subsequent meeting with Phoenix Newspapers' Associate Publisher and General Manager Darrow "Duke" Tully. She filed sex discrimination charges against the company with the Equal Opportunity Commission in August 1979.

In October Early conducted a performance evaluation of Bartak—the first time he had personally evaluated an employee other than investigative reporters who worked under his direct supervision. He criticized Bartak's work and her "degree of co-operation" and placed her on a three-month probation, despite the differing views of her supervisor, Shapiro related in his decision.

Five months earlier, her supervisors had evaluated her work as better than average and authorized a \$35-a-week merit raise, he pointed out.

Shapiro found that Early



TIM KOORS/Phoenix

EXONERATED NEWSPERSONS, PHOENIX GUILD PRESIDENT MEET ELECTRONIC PRESS

John G. (Jack) Mayne, left, Phoenix Guild Secretary Bonnie Bartak and Guild President Jack Lavalle discuss law judge's decision calling for Arizona Republic to reinstate Bartak, Mayne.

"falsely downgraded Bartak's performance" in the October evaluation and called it "an inaccurate reflection" of her performance in "virtually every respect."

At the end of the probation, in January 1980, Early again evaluated Bartak and rated her performance substantially worse than in October. He reassigned her from the urban affairs beat—regarded as one of the "more prestigious" beats—to the night police beat and placed her on another three-month probation.

At the end of the second three-month period, in April, Early fired Bartak saying that after checking with supervisors it was his opinion that Bartak's work had not improved and in some respects had declined. He also told Bartak, as he had earlier, that she was unreliable, Shapiro noted.

The firing of Mayne, a statutory supervisor who would not normally be protected by the National Labor Relations Act, was illegal because it was motivated

by his refusal to participate in the illegal plan to build a case against Bartak, Shapiro held.

He cited an October 1979 discussion between Mayne, Early and employee Relations Director Eldon Case during which Early reprimanded Mayne for having written a memo complimenting work performed by Bartak while working under Mayne's supervision when reporting on a freeway referendum issue.

In that meeting Early "in effect threatened . . . discharge" if Mayne "continued to compliment Bartak's work," Shapiro said.

Mayne's subsequent firing in January 1980 followed a December incident in which he "defended Bartak against a charge of alleged misconduct," Shapiro noted.

"The timing of the discharge . . . when viewed in the context of Early's scheme to manufacture a case against Bartak . . . warrants an inference that Mayne's discharge was motivated by his failure to co-operate with Early in carrying out this illegal scheme," Shapiro wrote.

He called for the company to offer immediate reinstatement to Bartak to the urban affairs beat or an equivalent position if that no longer exists and to offer Mayne reinstatement to the economic news editor position or its equivalent. He also called for back pay with interest, less other interim earnings.

While upholding the complaint by the board's regional director, supported by its general counsel, that Bartak was fired because of her activity on behalf of the Republic's women employees, Shapiro, however, dismissed their contention that the discharge also was motivated by her union activity.

He cited a "lack of evidence" that the company was "antagonistic toward its employees for supporting the union . . . lack of any significant relationship time-wise between Bartak's union activities and the disciplinary action . . . and the fact that there were other employees who were just as active . . . in their support of the union who were not discriminated against."

Shapiro also called for dismissal of a complaint by the board's regional director and confirmed by the NLRB's general counsel over the company's filing a libel suit against the Guild and Guild leaders. The suit alleges that the company was injured by a Guild membership bulletin that reported in detail about unfair labor practice charges the local had filed with the NLRB.

The Guild will file exceptions with the full NLRB to Shapiro's findings on the libel charge. If unchallenged, that finding could have a chilling effect on unions exercising their rights under the First Amendment and labor law to communicate their actions to their members, particularly to inform their members about unfair labor practice charges, said TNG General Counsel David S. Barr.

Among the charges reported in the bulletin were allegations that the company had engaged in electronic surveillance of a Guild leader's telephone, a charge that was subsequently dismissed by the regional director.

Shapiro held that the evidence was insufficient to find that the company in filing the libel suit had intended to retaliate against the Guild or its leaders for filing unfair labor practice charges.

He also dismissed a complaint over a similar suit against a Phoenix weekly that carried a story about the local's charges against the papers.

Shapiro said that in filing the libel suits the company acted in good faith "because of its concern about the impact of the publicity . . . upon the credibility" of the company's newspapers.

Earlier the Guild and company had agreed to settlement of charges that the company had refused to bargain with the Guild and refused to provide it with payroll information needed for bargaining.

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Law judge upheld on order to reinstate Philadelphia 3

Washington—The National Labor Relations Board here has confirmed the findings of an administrative law judge that the Philadelphia Journal illegally fired three editorial-department employees because of their Guild activity and has ordered the Quebecor-chain paper to offer them reinstatement and reimburse them for lost pay and benefits.

The discharges occurred over several months while the Guild unit was being organized and seeking an initial contract for the paper's editorial department employees. [Guild Reporter March 27.]

A three-member panel of the board Sept. 30 confirmed the law judge's decision of last March. The company had appealed.

At the same time, the NLRB confirmed the law judge's findings that the company had acted illegally when it threatened to close the paper if the employees joined the Guild and forced the company to bargain, as well as when it "coercively" interrogated employees about statements made to the NLRB and threatened Guild supporters with discharge.

The Philadelphia Guild reached agreement with the company on an initial contract earlier this year.

Equal-pay liability held company's

Washington — The Supreme Court unanimously has rebuffed an airline's attempt to make unions share the cost of back pay to women flight attendants who won a class action sex discrimination lawsuit.

Northwest Airlines had been found by a federal district court to have violated the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964 by paying its stewardesses less than male

pursers for work requiring "equal skills, effort and responsibility . . . performed under similar working conditions."

The airline then sued the Air Line Pilots and the Transport Workers, the unions which at different periods had represented the flight attendants. It said that since the unions were parties to contracts that incorporated discriminatory pay scales, they should share liability for back

pay under a "right of contribution" legal doctrine.

The stewardesses had not sued the unions and expressly stated in court proceedings that they did not consider them responsible for the discrimination.

In its 8-0 decision, the Supreme Court said the airline would not have a valid claim even if the unions are assumed to have been at least partially responsible for the violations of the law.

In both laws, the Supreme Court noted, Congress carefully spelled out the remedies available to aggrieved workers and the means of enforcement. Therefore, the court concluded, "it would be improper for us to add a right to contribution to the statutory rights that Congress created in the Equal Pay Act and Title VII."

The unions were supported before the Court in a joint brief by the AFL-CIO and the UAW, and in a brief by the federal Equal Employment Opportunity Commission.

clerks is increased by \$68 (\$35 and \$33), to \$333 a week.

The mileage rate for employees using their vehicles on company business is raised by four cents, to 32 cents per mile, and a flat monthly rate for vehicle use is increased by \$20, to \$105.

Also added to the contract is provision that employees are not expected to work in a concentrated manner for lengthy periods to a point that could cause stress.

Key top to hit \$425 at B.C. weekly

Mission, B.C.—The top minimum for reporters, photographers and outside salespersons is raised by \$80, to \$425 a week, in a two year agreement between the Vancouver-New Westminster Guild and the weekly Fraser Valley Record here.

The \$80 increase comes in two steps, with \$38 retroactive to April 1 and \$42 next April 1.

The top minimum for receptionists, circulation and general

Part-timers in Joliet raised by up to 72%

Joliet, Ill.—Rulings by an arbitrator and a National Labor Relations Board regional director have brought part-time sports writers under the Chicago Guild's contract with Copley's Joliet Herald-News and increased the hourly pay of five current part-timers by as much as 72.6 percent.

Back pay for the part-time sports writers, ordered by arbitrator Nathan Lipson retroactive to March 25, 1980, totalled some \$3,300 to \$7,500 each.

New hourly rates, based on experience ratings and reporter minimums under the Guild contract, range from \$9.9029 to \$11.6506, up from \$6.25 to \$6.75 an hour.

Although part-time sports writers had historically been treated as free-lance employees not covered by the contract, their status changed over the years.

In 1978, acting on the recommendation of its auditors, the company began paying the employees from its "regular" payroll, making the standard payroll deductions and providing holiday and vacation pay.

Although these part-time employees "may have formerly possessed certain indicia of independent status . . . the record shows that this arrangement changed in November 1978," NLRB Regional Director Donald J. Crawford said.

He ruled that the part-time sports writers "perform substantially similar work" as their full-time counterparts, although the latter have additional editing duties, and ordered that the Guild's bargaining unit be clarified to specifically include regular part-time sports department employees.

ILO to watch print technology

Geneva—Two vice presidents of the Graphic Arts International Union were among the union, employer and government representatives participating in a 10-day conference on the impact of technological developments in the printing industry sponsored

by the International Labor Organization.

Participants called for the ILO to keep a close eye on the social impact of the technology, particularly its effect on workers' job and income security as well as on their working conditions



Prize-winner in Toronto

The Southern Ontario Guild's entry in Toronto's annual Labour Day parade moves through a residential neighborhood on its way to taking first prize in the union-label display category. About 25 members and friends of the Guild

marched with the float. Built to represent a video display terminal, the float asked: "Got the VDTs? We have!" and "25 years for asbestos/How long for VDTs?" Driving the truck is Doug LaRochelle of the Toronto Star unit.

and occupational safety and health.

They called for a study of reduced working hours as a means of preserving jobs and for an ex-

tensive study of the "full range of possible psychological, physical and other effects" on workers from the increased use of video display terminals.

GAIU Vice President William A. Schroeder was a member of the U.S. delegation; Vice President Leonard Paquette, of the Canadian delegation.

NLRB nominee's boast: Clients 125, unions 5

(Continued from Page 1)

said AFL-CIO Secretary-Treasurer Thomas R. Donahue in a letter to the Senate Labor Committee expanding on his earlier testimony on the nomination [Guild Reporter, Oct. 9].

"The committee should obtain full information from Mr. Van de Water on these campaigns and on all others in which he has been involved. . . . Obviously only a small part of the relevant record is before the committee," Donahue wrote.

The Apparel Industry articles were taken from a transcript of a lecture by Van de Water to the 1973 WAM (Western Apparel Management) Show, the magazine's editor said in a note published with them. Van de Water's title for the lecture was: "The union—what to do if you have them; what to do to keep from having them [sic]."

Van de Water, in a written response to a query about the series from Sen. Orrin G. Hatch (R-Utah), chairman of the Labor Committee, said they were published without his authorization, but did not deny their contents' authenticity.

Stating at the outset in the series/lecture that he did not mean this "as an anti-union bust, nor do I advise some illegal conduct," he moved quickly to outlining in some detail, illustrated by examples from his own activities, "what to do" in a union-organizing campaign and "with your nonunion people . . . so they do not feel that they need a union to represent them."

(Donahue wrote Hatch that the AFL-CIO's attorneys "believe that portions" of Van de Water's article "are not consistent with either the letter or spirit of the law.")

Employers, Van de Water said, should not feel guilty about wanting to avoid or quit having to deal with unions since "all kinds of problems confront" them: "the union . . . just might get in the

wrong hands, if it's not in the wrong hands now . . . an irresponsible calling of a strike . . . the many hours and days involved in collective bargaining . . . having to turn our attention inwards to look at these problems rather than outward building the business . . . interference in employee activities . . . the cost of attorneys in grievances and arbitration" and more.

He told of how he had advised the company building the Atlas missile—through a vice president who was taking a graduate course from him—first on how to reach an "impasse" in bargaining and then on a campaign that ended successfully in the union's decertification.

He also advised employers whose employees might vote for a union on how to bargain for a year without reaching an agreement and on how then to seek a decertification on grounds of a good-faith doubt of the union's majority status—all the while avoiding an NLRB conviction for the illegal practice of failing to bargain in good faith.

"And you wonder: Is that lawful. Of course it is," Van de Water said in the series/lecture, continuing:

"Your duty is simply to bargain in good faith giving your arguments in response to theirs—and show that you have an open mind to answer their arguments with yours."

("There is not a hint in these remarks that good-faith bargaining requires negotiation based on a sincere desire to reach a mutually acceptable agreement," Donahue pointed out to the Senate committee.)

Turning to situations where a union has been established as an employee-group's representative, Van de Water again outlined a case involving a former student of his to illustrate how a union might be decertified through management encouragement of employees who say they are dis-

satisfied with their union.

"You who are unionized can always find some who feel this way," he said.

"Don't call them into your office because that's a hearsay coercion by law, to talk about union matters in your office. Go out and talk to them on the floor. Have a couple of other members of management there so that you have witnesses as to how you talked to them," he said.

"Say something like this: 'Fellows, I want you to know how grateful I am to you that you feel the way you do about having a union here, that you trust us and feel we play fair. I'm deeply grateful for this.'

"Now I want to tell you this: It's none of our business whatsoever whether you have a union here or not. We have no right by law to have any part in this. If you don't want the union, here is what we suggest you do:

"Go down to the National Labor Relations Board. Here's their address on South Broadway in Los Angeles. Tell the NLRB that you want to find out what the process is to decertify a union."

"Do not tell the personnel at the board what company you work for. Don't tell them what union is involved—because even though it is a breach of good faith for them to disclose, somebody might talk. . . .

"When you go down to the board, the board will ask you:

Did the company suggest you come down here?

"You tell them: Yes.

"Then they will ask: Did the company suggest you get rid of the union?

"You tell them: Absolutely not. . . . We went to the company and told them we didn't want the union. The company told us . . . speak to the federal government."

These employees then decided they wanted "a new association, though they didn't have to," and it won the election, Van de Water said.

"I think these people now pay 75 cents a month dues. This goes into the recreation program. And the bargaining with the union now takes about 20 minutes a year.

"The union leader said to the president of the firm: 'If you are ever dishonest with us, all we have to do is reaffirm with one of the big unions and strike the hell out of you'.

"And the boss replied: 'Why sure, if I don't treat you fairly, that's what I deserve. What are unions for?' Van de Water noted.

In organizing campaigns, he told the employers that they "can almost always tell the employees what you want to . . . you just have to find the right way to say it."

Noting that "it is illegal to threaten to close down if you become unionized," he suggested that the same message can be

gotten through if put somewhat differently.

"You can explain that in the event we are unionized and we bargain in good faith and we can't reach an agreement with the union and if this was it: we couldn't operate . . . when they called a strike, then for economic reasons we may be forced to shut down and close this operation completely," he said, explaining:

"You see, one way you are threatening them: If they vote for a union, you'll close down the place. The other situation, you've just been explaining your legal rights for economic reasons . . . not because of 'union vs. no union'."

Van de Water also advised the employers that "even though you cannot engage in spying on the union, you can keep people under surveillance to see that they do not violate company rules."

He said that in that series/lecture he "could not possibly" cover the subject of how to "overcome what otherwise could be militant unionism and union power to shut down your plant." But he pointed out that he had available "cassette programming on all subjects covered."

So far as the AFL-CIO is aware, Donahue told the Senate committee, "employer-agents" who previously have served the NLRB as chair, member and counsel "had engaged in the relatively removed role of a legal counsel handling litigation," but Van de Water "has played a far more active and partisan role on the management side."

Donahue asked the committee whether it is fair and proper to ask employees seeking union representation to accept as their judge a person who has spent much of his professional life helping employers seek to thwart the judgment expressed by Congress in labor law that the exercise of the right to organize is "a social good, not a threat to the nation."

House unit: consultants anti-union

Washington—The "emergent" management consultant "industry" is bringing to labor-management relations a philosophy which is "first and foremost anti-union," according to a report on "pressures in today's workplace" earlier this year by the House Labor-Management Relations Subcommittee.

"The defeat of unions is an end in and of itself and in many instances consultants come dangerously close to justifying whatever means are necessary to accomplish that end," the committee majority said.

They presume that "workers will vote against a union if management exercises the correct combination of manipulation, persuasion and control" during an organizing effort.

Perlik renews proposal for four-union pact

(Continued from Page 1)

differences, they will bury us."

The four-way no-raiding pact he envisions would "defuse actual and potential jurisdictional conflicts" that sap the unions' ability to better represent industry employees, Perlik said.

The four-union "nonaggression pact" should be one "with teeth—the only guarantee that it will be kept," he said, noting that he was "talking about financial penalties, or sanctions, with an impartial umpire empowered to impose them."

Recalling his observation in 1975 that such an agreement "might seem too drastic," Perlik speculated that "maybe that's why we don't have one" six years later.

"But I say today what I said then: It's far less drastic than the fate that awaits us if we continue to dangle separately on the vine, waiting to be plucked by the publishers."

"Since that time, we should have had enough examples of this, starting with the Washington Post strike, to convince us of it beyond a doubt," he said.

While the no-raiding pact proposal was "left at the starting gate" in 1975—except for a "positive reaction" from the GAIU's Brown—Perlik noted that there have been other strides toward greater unity among industry unions in the interim.

He pointed to the GAIU two years ago adopting a policy of "not raiding anybody, any place, at any time" and the union's "living by that golden rule ever since."

The GAIU's no-raiding agreement with the Teamsters is "another demonstration" that it knows "where the enemy is, and that he isn't the guy wearing a different union button," he said.

One of the early results of seven years of efforts toward merger by TNG and the ITU was a no-raiding agreement that "eliminated one of the sources of interunion friction," he noted, adding that the agreement, "despite an occasional strain . . . is still in effect."

He also pointed to increases in joint bargaining, new and revitalized local inter-union councils, joint organizing efforts and other new, co-operative efforts between TNG and the ITU as positive and lasting fruits of their merger efforts, even though formal merger negotiations have been suspended.

The history of those merger efforts demonstrates, he asserted, that the Guild "stands ready to

Puerto Rico asks bargaining order

San Juan — The Puerto Rico Guild has filed objections with the National Labor Relations Board over allegedly illegal company tactics—including two discharges—during a campaign that preceded an Oct. 9 vote on whether the local should be the bargaining representative for 268 sales employees of the Holsum Bakery. The local is asking the NLRB to order the company to bargain, or alternatively, to set aside the election results and order a new vote.

The Guild was defeated by a vote of 85 to 150. There were 17 challenged ballots.

The local lost an election among a similar group of the company's employees in 1978, by a vote of 81 to 134.

Delegates term merger essential

Detroit—Delegates to the Graphics Arts International Union's convention here reaffirmed their union's commitment to merger with other unions in the industry and directed GAIU's officers to "promptly pursue implementation of our objectives."

Exploration of industry-union mergers is "essential" in the face of technology, "runaway shops and conglomerate ownership," the delegates declared in adopting a merger resolution.

explore any path that holds promise of cementing our strength, because we need unity—unity in action, not just words, now as never before."

The Guild, Perlik declared, is "dedicated to the proposition that there is nothing more important than joint action by and, eventually, merger among the unions that represent printing-trades employees."

He pointed out that TNG's 1981 Convention declared that the union's "commitment to merger remains undiminished" and that the ITU convention late in August "made clear it feels the same" when it called for a referendum on sentiment for merger and resumption of negotiations if the result is favorable.

"But whether or not merger

with the ITU materializes in the near future," Perlik said, "there can be no question that our two unions are immeasurably closer together than we were seven years ago" and are "prepared to act as one in many, many areas of common concern, from the bargaining chamber to the halls of Congress."

Perlik expressed the desire to "cement that kind of unity" with the IP&GCU and the GAIU, as well. He noted that though TNG and the GAIU have perhaps "fewer common bargaining situations than any other combination of two unions" in the industry, they have "seen many things eye to eye for a number of years" and found themselves "side by side on many occasions—most recently at this year's joint legislative conference," which also included the ITU, and at Solidarity Day, where all four unions worked together.

Perlik expressed the hope that "very shortly" the presidents of the four unions "can sit down and talk—talk about what we can do to forge the kind of solid unity we desperately need."

"Then, he concluded, 'I hope we can do something else. I hope we can act.'"

The ITU's Wartinger also pointed to this summer's joint TNG-ITU-GAIU legislative conference as "an excellent example of moves toward unity that can benefit us all."

He also told the delegates that "there is strong evidence that



GRAPHIC ARTS UNION CONVENTION GUEST
TNG President Perlik is greeted by GAIU's Kenneth J. Brown.

soon renewed efforts will be made to begin a closer dialogue" between the officers of the ITU and the GAIU, reporting that the ITU's Bingel plans to meet with the GAIU's Brown "in early November."

Wartinger pledged the ITU to "accelerate" its "co-operative efforts" with the GAIU, "promote a better understanding" between the two unions and do its best to

implement a resolution by this year's ITU convention instructing its executive council to "immediately and vigorously pursue merger with the GAIU, the IP&GCU or other unions."

The ITU, Wartinger said, "is pledged to find the formulas" for industry unions' "closing ranks" by working together "and hopefully the elusive merger formula that will again make us one."

IT SEEMS

TO US

Unity candidates express thanks, pledge service

Editor:

The six at-large candidates who ran under the Guild Unity Committee banner in the IEB election are gratified that Guild members have expressed their confidence in our ability to help chart the course for our union in the ensuing two years.

We are grateful to all of you who took the time to vote and give us that message.

We are particularly indebted to our committee chairperson, Linda Foley of Lexington, and our treasurer, Helen Palter of San Francisco-Oakland, for their selfless work and support. It's a big debt.

Unfortunately, space does not allow us to mention all the rest of you who worked in our behalf. We owe you a lot, too.

Finally, because it was one of the most active and aggressive campaigns in years, we wish to extend a hand of unity to all Guild members to join us in reaching for the goals that our members desire and deserve. Together, we can accomplish them.

RICHARD J. ROTH, JR.

Buffalo Guild

ROBERT C. HOLT, JR.

St. Louis Guild

DAVID M. MULCAHY

New York Guild

DIANNE M. MARTINO

Manchester Guild

WILLIAM T. DAVIS

San Jose Guild

JOYCE WALKER-TYSON

Detroit Guild

TNG Vice Presidents At Large

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 referenda to appear in the issue immediately preceding distribution of ballots and subsequent issues preceding the voting shall contain no new charges.

Tucker thanks members for two terms on the IEB

OAKLAND, CALIF.

Editor:

I want to thank Guild members for giving me two terms on the International Executive Board.

It was a privilege and an honor.

To those who offer condolence for my loss in the election, I have been saying:

If perpetrating my board tenure had been my goal, I would not have shaken the tree so frequently in the past four years.

If I had dreaded defeat, I would not have stood for re-election in opposition to the TNG administration.

I shall continue to urge Guild members to defend the rank-and-file character of the IEB, our legacy from the Guild founders and the thing that makes the Guild different from most other unions.

FLOYD TUCKER

San Francisco-Oakland Guild

Member in Victoria sends her best wishes to Sutton

VICTORIA, B.C.

Editor:

From Victoria to Washington I would like to say farewell to a great guy, Carlos Sutton. I know he will be missed on the IEB and in his local. Carlos seems to have

an endless supply of energy and never deviated from his main objective of making a better union for all of us. We are all richer for what he has done.

Thank you and best wishes in any future endeavors. Carlos, remember Canada has a keen interest in natural energy.

LILLIAN MUNCH
Victoria Guild

Chicagoan backs right of pro-Reagan member

CHICAGO, ILL.

Editor:

I am troubled by your treatment of Stephen E. Fife, whose letter praising Ronald Reagan appears in the Sept. 25 issue of the Guild Reporter.

I do not support Reagan's economic and defense policies, but I do support Fife's right to express his views without being the butt of such printed snickering as inserting "(sic)" after one spelling and two grammatical errors. Would you do likewise in quoting a TNG officer?

The problem of free riders will not vanish until we accept the premise that many persons join unions only because they must; and we take a compassionate approach to respecting their views, then attempt to enlist their enthusiasm and support. In my old days at UPI, I signed up free

riders by being a listener first and a persuader second.

Must it always be "my Guild right or wrong?" I am against abortions, and feel that the PATCO leadership blew it, no matter what position the Guild leadership takes.

LES HAUSNER
Sun-Times Unit
Chicago Guild

IUE News got top prize, too, its 'editor' reports

WASHINGTON, D.C.

Editor:

The September 25 article about the Guild Reporter's winning the top general-excellence award in its class in the 1980 International Labor Press Assn. contest mentions other winners from Guild ranks.

I would like to add to the list the IUE News, co-winner of the general-excellence award for international union newspapers with 100,000 or more circulation. The IUE News staff is represented by the Washington-Baltimore Guild.

JERRY BORSTEL

At-Large

Washington-Baltimore Guild

Editor's note: Borstel is director of publications and public relations for the IUE, the International Union of Electrical, Radio and Machine Workers, and de facto editor of the IUE News. He was the last president of the Baltimore Guild and the first chairperson of the Sunpapers unit of the Washington-Baltimore Guild.

Other ILPA first prizes to union publications produced by staffs working under Guild contract included best series to the St. Louis (Mo.) Labor Tribune.

Printers' 'no' on 'unfair' ads is upheld

Vancouver — The Vancouver Typographical Union did not act illegally when it refused to handle ads from furniture stores struck by the Teamsters union, the British Columbia Labour Relations Board has ruled.

Noting that no third party was injured by an "unfair" declaration arranged between the printers and the Teamsters, the board held that the unions acted "in the legitimate pursuit of the Teamsters' strike" against the firm operating the stores.

The stores had brought action against the Printers and the Teamsters.

A representative of the Vancouver Sun notified the stores that it would no longer handle their ads, despite a long-term contract to do so, after the printers invoked provision in their contract with the paper specifying the right of members to refuse to execute work coming from an employer the union had declared "unfair."

The board said "a striking union can exert economic pressure in forms other than picketing . . . provided these pressures do not unnecessarily spill over to injure third parties or go beyond the bounds of that pressure which the union could place upon the struck employer through picketing and strike activity."

Noting that one of the pur-

Copy spike à la OSHA inspires musing

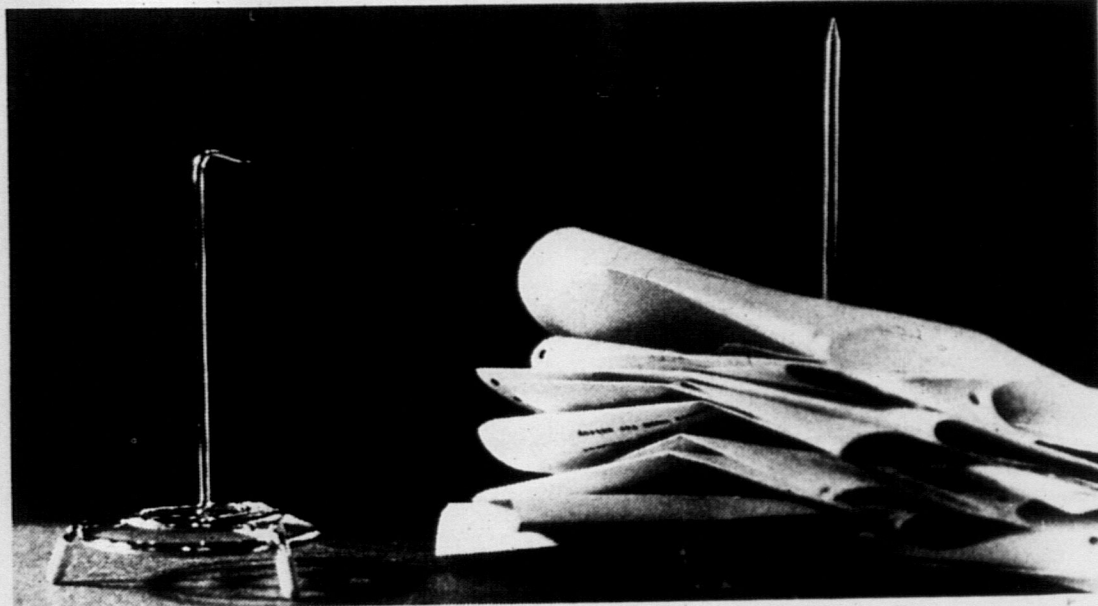
THE NEWSROOM SPIKE has gone the way of the convertible, the nonfilter cigarette and the wood-frame hotel.

A fixture of city rooms of yore, it was utilitarian, efficient, easy to use: one simply seized a fistful of copy and, with a good schwump, drove it onto the spike on the desk, where it would remain in spindled order of deposit for future reference. Since its design required no streamlining, it became a living antique.

Like the convertible, the cigarette and the clapboard seaside hotel, however, the spike was also dangerous, and with the advent of the new age of technology, somewhat superfluous. When the sheets of cheap ecru cypypaper and 10-part copy books were supplanted by glowing dots of green light on a TV screen, the spike's rightful place in the copy flow was taken over by PUR, an electronic zone where offending "takes" could be banished.

The old spikes were getting more and more difficult to find. Since their baud rate was incompatible with the Harris 1740, or whatever, they evaporated—some hidden in diehard editors' desks.

But spikes are still needed. Certain high editors, through the privileges of rank, continue to receive bits of paper with news inscribed upon them. Others



beget memos that might be needed later in the day. So spikes were summoned.

On the afternoon of March 24, 1981, a clerk on the Metropolitan Desk received the shipment of spikes she had ordered. She opened the carton and—lo!!—the safety spike, the OSHA-approved spike, a spike with a bowed head that requires two hands to use, that stands on little feet instead of a crude steady lead base that many newspapers used to cast for themselves out

of type metal. A spike that spiketh not the hand, nor yet the dealing elbow.

It is surely safer. Unger [safety] committees will endorse it. It is better than no spike at all. And yet. . .

Perhaps on the vanished corner of Barclay and Hudson, perhaps in the basement of Pace University, where once was the The World, someone has cached away some real spikes.

Farewell, old friend.

From 'Union Times,' Times unit, New York Guild

poses of a picket line is to stop persons from doing business with a struck firm, or handle the firm's products, the board said "an unfair declaration having the same effect is also legitimate."

It said the unfair declaration affected the struck furniture operation in the same way a picket line would have had the newspaper sent an employee to one of

the stores and the employee had refused to cross the picket line.

The board would "have a different view" if there were a complaint from an injured third party, it said, but declared that "a struck employer who continues to operate . . . cannot expect the board to assist in relieving it of the legitimate economic pressures which the union may bring."

CLUW meet delayed

New York—The national convention of the Coalition of Labor Union Women (CLUW), scheduled for Los Angeles Nov. 5-8, has been postponed due to the air traffic controllers' strike, CLUW President Joyce D. Miller announced Oct. 16.

Index hikes mile rates in 8 pacts

Escalating costs of operating a vehicle, as reflected by the Private Transportation component of the Consumer Price Index, have triggered recent increases in the mileage rates under at least eight Guild contracts.

The increases, 2 cents under seven of the contracts and 2.5 cents under another, produced adjusted mileage rates ranging from 25.5 cents, under the Detroit Guild's contract with the News, to 30.5 cents, under the San Francisco-Oakland Guild's contract with the San Francisco Chronicle and Examiner and the Newspaper Printing Co.

The other newly adjusted rates are: 26 cents at the Detroit Free Press and the Monterey Peninsula Herald, 29 cents at the San Mateo Times & News Leader, 28.5 cents at the San Jose Mercury and News and 30 cents at the Richmond-Berkeley Independent & Gazette and the Santa Rosa Press Democrat.

Editors' top upped \$53 at the Nation

New York—The top minimum for associate and literary editors under the New York Guild's contract with the Nation magazine is increased by \$53.70, to \$453.70 a week, in a two-year agreement.

Copy editors are upgraded to the \$453.70 minimum, resulting in a \$175 top minimum increase over the contract's term.

Employees as of April 1 will receive a 7 percent general increase retroactive to that date and a 6 percent general increase next April 1, or the minimum increase, whichever is higher.

The top minimum for secretaries is raised by \$30, to \$253.15 and that for stenographers and receptionists is increased by \$28.35, to \$240.25.

Sign of times: Do-it-yourself consumerism

By ESTHER MARGOLIUS

THE CONSUMER movement, at least on the federal level, will be facing some interesting shifts in direction and intensity over the next four years. The budget axe is cutting a wide swath and concern has been voiced over the fate of several regulatory and consumer-oriented bureaus, such as the Federal Trade Commission and the Consumer Product Safety Commission.

If Washington proves to be somewhat less than dynamic in its pro-consumer efforts, emphasis may well shift to the state and local levels. State attorneys general, county and city consumer affairs departments, local Better Business Bureaus and even private consumer legal actions may be the course of the future.

Consumers should be aware of laws already on the books that enable them to sue manufacturers, sellers, creditors and anyone else who may break the law.

Among the important federal pro-consumer laws:

✓ The Magnuson-Moss Warranty Act deals with manufacturers who fail to live up to the terms of their warranties.

✓ The Equal Credit Opportunity Act prohibits discrimination in any aspect of a credit transaction on the basis of sex, marital status, race, color, age, national origin or religion.

✓ The Truth in Lending Act requires creditors to give consumers a clear written statement of credit costs so they can compare credit terms.

✓ The Fair Credit Billing Act establishes a procedure for prompt handling of disputes over open end or revolving charge accounts.

The Guild Reporter publishes Margolius' column as space permits to help members get the most from their paychecks' dwindling purchasing power.

✓ The Fair Credit Reporting Act spells out your rights relating to consumer reporting agencies, including credit bureaus and firms that furnish insurance or employment reports.

✓ The Fair Debt Collection Practices Act prohibits debt collectors harassing you and using abusive, deceptive or unfair collection practices.

✓ The Consumer Leasing Act

requires companies that lease personal property (cars, furniture, appliances, etc.) to tell you the costs and the terms.

✓ The Hobby Protection Act requires sellers of imitation political items (buttons, posters, literature, stickers or advertisements) to mark the items with the calendar year of their manufacture; imitation numismatic items also must be marked "copy."

With the enforcement capability of regulatory agencies hampered, consumers may be forced to pursue violators on their own. If you feel you have been cheated and want to discuss the possibility of a lawsuit with a lawyer,

the Federal Trade Commission advises that you contact the local bar association for its referral service. They will be able to recommend a private lawyer qualified to handle consumer cases. As an alternative, you may want to contact legal aid or a neighborhood legal services office for advice.

The FTC also advises that you try to find a private attorney who is willing to accept whatever fee the judge awards as the entire fee for representing you.

WHEN YOU have a problem with a product or a service, there are a few simple rules to follow. Phone or visit the seller of the product. If not successful, write a letter to the president of the firm. If that fails, try the "action line" in your local paper. Then pursue it further through federal and local agencies, legal aid or small claims court.

Other aid is available. One recently published book is "Help: The Indispensable Almanac of Consumer" (Everest House, 1133 Avenue of the Americas, New York, N.Y. 10036, \$9.95).

"Help," a massive tome of facts and information, covers a wide range of topics: nutrition, insurance, health, employment opportunities, food labels, stain removal, and pollution. On page 526, it even lists a "Bus Passenger's Bill of Rights."

Another complaint directory, "Everybody's Money Complaint Directory" (Everybody's Money, Dept. CW, Box 431 B, Madison, Wis. 53701, \$2.50), lists various business associations to contact.

Write your Congressional representative if your efforts fail. It is important that Congress know, too.

The U.S. price elevator

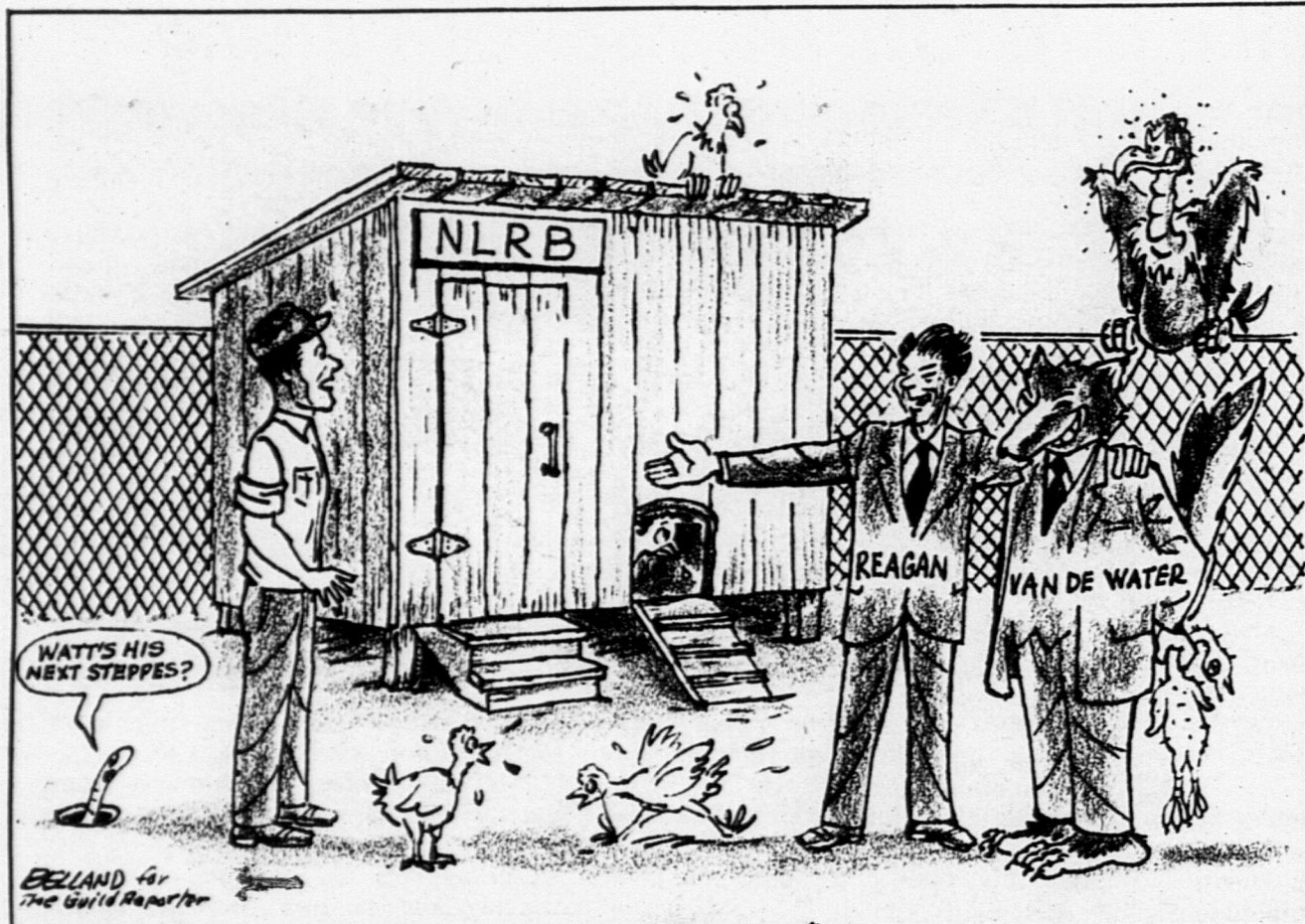
The table below records the ascent of the Consumer Price Index in the United States over a 24-month period following a 2.6-point rise in the index in September, to 279.1, up 27.2 points from September 1980, and 55.4 points from September 1979. The first column lists the index for each of the last 12 months, the second the percentage increase over the same month of the preceding year, and the third, the percentage increase over September 1979. The Urban Wage-Earners' and Clerical Workers' Index is the source.

	Index*	Percentage over	
		Same month prior year	Sept. 1979†
October 1980	254.1	12.6	13.6
November	256.4	12.7	14.6
December	258.7	12.5	15.7
January 1981	260.7	11.7	16.5
February	263.5	11.4	17.8
March	265.2	10.5	18.6
April	266.8	10.0	19.3
May	269.1	9.8	20.3
June	271.3	9.5	21.3
July	274.6	10.7	22.8
August	276.5	10.8	23.6
September	279.1	10.8	24.8

*1967 = 100

†Index = 223.7

'He's eminently qualified . . . Believe me!'



Globe shelves 'walkie-talkies' after antenna emissions tests

Toronto—Two hand-held two-way radios have been withdrawn from use in the photo department of the Globe and Mail here after testing by a private firm and by a branch of the Ontario Labour Ministry showed their antennas to be emitting microwave radiation in excess of standards, the Southern Ontario Guild reports.

The radios initially were tested by a private firm brought in last fall to test for emissions from the dish for transmission via satellite of page facsimiles of the Globe's national editions to printing plants across Canada.

One model of "walkie-talkie" then in use, produced by General Electric, was found to be emitting a higher amount of microwave radiation than another model and both units of the offending model were returned to G.E. to be brought up to specifications, said Linda Torney, Guild local representative.

Subsequent testing by the labor ministry's Radiation Protection Service showed that "both radios were emitting somewhat alarm-

ing" levels of microwaves and the Globe, at the Guild's request, withdrew both from use, despite a ministry official's concluding that he saw no "significant risk" in their use "under normal conditions," Torney reported.

Torney called the conclusion of the ministry official—A. M. Muc of its radiation service—"unbelievable" in light of the results of the service's own tests.

Muc, in an Aug. 6 letter to the Guild's treasurer, Dennis Robinson, a photographer at the Globe, reported that the ministry's tests showed a maximum emission at 5 centimeters from the antenna of 22.5 milliwatts per centimeter squared. Applied against the appropriate guideline, Muc wrote, this would "imply a maximum exposure duration of about 3 minutes in any one-hour period."

But, he said, since the power

to the antenna "is not likely to exceed" the amount specified in the standard and since normal use of the radios is of short duration at any one time, he felt they posed no significant risk.

"Furthermore," Muc wrote, "although the measurements were done with the batteries at full charge, it was found that after only a few minutes of operation the radiated power drops significantly which, of course, decreases the user exposure." In addition, it was found that at 10 centimeters from the antenna "continuous whole-body exposures would be considered acceptable," he said.

He seemed not to understand, Torney said, that the radios are used for a few minutes at a time and are held right alongside their users' heads, very near the eyes, which are highly susceptible to radiation.

'All savers' is bonanza for dailies

Who were the biggest immediate beneficiaries of the launch of "All Savers" certificates Oct. 1?

Not, reported the New York Times, the savers, who will have to wait a year to realize their benefits. Nor the banks, at least not yet.

It was the nation's newspapers who, the Times reported, garnered their "best financial advertising in a long time," page after page after page of it.

"The message of the certificate is so complicated that only the print media can handle it properly," the Miami Herald's financial advertising manager said, adding: "and our quick turnaround accommodates any change in [interest] rates."



New England District Council, fall meeting, Oct. 31-Nov. 1, Portland.

Western District Council, fall meeting, Oct. 31-Nov. 1, Holiday Inn, Carmel, Calif.

Middle-Atlantic District Council, fall meeting, Nov. 7-8 (tentative), New York.

Great Lakes District Council, fall meeting, Nov. 14-15, Sheraton West Gate Inn, Toledo.

International Election & Referendum Committee, voter eligibility and election materials distribution meeting, Nov. 30, TNG headquarters, Washington.

Voting period, Guild-wide referendum on repealing convention-enacted 50-cent dues increase, Dec. 15-20, all locals.

Referendum ballot counting by local election committees, Dec. 21 or 22, all locals.

Deadline for postmark on official returns to IERC reporting results of referendum voting, midnight Dec. 24, all locals.

International Election & Referendum Committee, meeting to tabulate and certify referendum results, January, day to be determined, TNG headquarters, Washington.

International Executive Board, winter meeting, Jan. 25-28, TNG headquarters, Washington.

International Executive Board, spring meeting, April 26-30, TNG headquarters, Washington.

49th Annual TNG Convention, June 21-25, 1982, Biltmore Hotel, Los Angeles.

50th Annual TNG Convention, 1983, Cleveland.

51st Annual TNG Convention, 1984, Puerto Rico.

52nd Annual TNG Convention, 1985, Pittsburgh.

Editorial

Standards and politics

There still are those in and around the news industry who persist in trying to perpetuate the myth that newspapers and their employees somehow lose their credibility/acceptability/integrity when reporters and the like have personal thoughts/philosophies/even positions on matters considered political. They become downright alarmed when an organization like the Guild enunciates a position on one of them.

Few of these people have any corresponding problem with publishers taking political positions and engaging in political action, however—whether individually, corporately or collectively.

As TNG President Charles A. Perlik, Jr., put it in a letter to Editor & Publisher magazine (Oct. 17 issue):

"Doubles, anyone? Standards, that is."

He pointed to two E&P editorials two weeks apart. The first, Sept. 12, took TNG to task for "political action" because its "officers jumped right into the air traffic controllers' strike joining PATCO picket lines and asking Guild officers and staff to boycott air travel as well as calling on locals and members to support the strike. . . ."

"That," E&P charged, "put every Guild member who works in a newsroom right into the middle of a news story with a preconceived editorial judgment as to which side was right or wrong. . . ."

"Wise" Guild leaders "stopped that sort of thing . . . years ago because it reflected on the editorial integrity of Guild members."

The second, published Sept. 26, noted that E&P sees "nothing wrong in newspaper associations—organized journalism—appearing before Congress and lobbying for what it believes is the best interest of journalism and the people it serves. . . ."

"Now," E&P continued, "because the law of the land requires it . . . the American Newspaper Publishers' Assn. and its vice president for legal affairs have officially registered as lobbyists with Congress. In so doing, they have declared the association's 'general legislative interest' in 'all legislation affecting the newspaper business ranging from First Amendment considerations to business'. . . ."

"What's wrong with standing up and being counted on these as well as purely business-related matters?" E&P asked.

"Well, let's see now," wrote Perlik. "Do we conclude, with the first editorial, that by so doing the ANPA has put every newspaper employee right into the middle of any number of news stories with preconceived editorial judgments as to which side is right or wrong?"

"Or do we conclude, with the second editorial: What's wrong with the Guild's standing up and being counted on these as well as other union-related issues?"

"Or can it be that it's all right for the publishers' organization to take a stand on sundry controversial questions but not the employees' organization?"

"Obviously," Perlik concluded, "we both have our rights. The publishers have the right to speak out. And we have the right to shut up." At least on the face of positions like E&P's.

It has always seemed to us that persons who maintain that news industry employees permit their work product to be colored by their own or their union's position are actually displaying contempt for those employees' intelligence and integrity. So do any that assume the same about publishers' positions.

The Guild Reporter



JAMES M. CESNIK, Editor

BARBARA E. NELSON, Assistant Editor

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