

Arbiter to Post: *End 'free lance' abuse*

Washington—"You know it when you see it," arbitrator Robert J. Ables said of free lances, and individuals who perform "routine work, by assignment, on a regular basis, over a long period of time, usually on company premises . . . getting pay 'raises,' are not," he held.

In doing so, Ables ordered the Washington Post to stop improperly calling such persons free lances and decide soon whether to offer regular employment to several, upholding the Washington-Baltimore Guild on most of the ob-

jections it had raised to the Post's free lance practices.

In its "systematic, extensive, regular, multi-department use" of free lances, the Post violated its contract with the Guild "in spirit, heart, marrow and soul, if not by letter of the agreement," Ables said.

The Guild did not assert that the contract prohibits the use of free lances, he noted, but rather that

the improper use of employees classified as free lances has impinged on bargaining unit work. "That is not allowed," Ables held.

While a free lance is not defined by the contract, the arbitrator suggested that the "observation of a Supreme Court justice about pornography applies: 'You know it when you see it'."

The Guild had argued that individuals the company called free

lances who were regularly performing the work of artists, reporters, designers and photographers, several of them for two years or more, were in fact employees who should be covered by the contract and receive the benefits it provides employees.

In his decision, Ables said that the dispute was not about free lances "of the kind described by [Deputy Managing Editor Rich-

ard] Harwood covering matters of foreign affairs throughout the world where the Post keeps no bureau."

Nor are they the "senators, politicians, economists, authors and well-known personalities referred to by [Industrial Relations Vice President Lawrence A.] Wallace, making special contributions to the 'wide open' Post."

"They are not," Ables continued, "interns, temporary or part-time, irregular or supplementary employees, phrases used vari-

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Seattle columnist Anderson wins '85 Broun prize

Washington—Rick Anderson, a columnist with the Seattle Times, has been selected as the winner of TNG's Heywood Broun Award for work done in 1985.

"Anderson's columns about his city and its people . . . could have come from Broun's own typewriter," judges of the contest said in announcing the winner.

The \$1,000 award was presented to Anderson at a luncheon at the National Press Club on Jan. 21, the opening day of the winter meeting of TNG's Int'l Executive Board.

The award is made annually for outstanding individual journalistic achievement in the spirit of Broun, the Guild's founding president. Broun's spirit, distinguished by an abiding concern for the underdog and the underprivileged, was reflected in his newspaper columns published in the 1920s and 1930s.

Judges named Marc Fisher of the Miami Herald the contest's runner-up for an article examining South Florida's juvenile court system.

An honorable mention went to John S. Long and James Neff of the Cleveland Plain Dealer for a series exposing abuses of residents at three state-financed facilities for the retarded.

The judges praised Anderson's columns for their "bite and irony" and a "point of view that can't be missed or mistaken for the kind of on-the-one-hand this, on-the-other-hand-that hedging that so often passes for commentary in our media."

"We could tell where Anderson stood in these columns and we liked it," they said.

Anderson, in accepting the award, said that the points of view

in his columns are "often mine" and are also "often those of the columns' subjects."

Noting that he sometimes is criticized for not reporting "the other side," as well, Anderson pointed to the late Edward R. Murrow's observation that "there often is only one side."

Through the variety of subjects treated in his column, Anderson expresses his "view of the real world—an imperfect place, not likely to get better unless each of us speaks up," the judges said.

He deals not only with the "down-and-out but the ordinary folk who get caught up in the complexities and absurdities of daily life," the three judges noted.

Among the subjects of Anderson's columns which won the Broun Award:

✓ A street woman whose street-man rapist got seven days in

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MARIANNE KEFFER ZWEIF/Washington-Baltimore Guild

'Discrediting' their Shell cards

Three of TNG's vice presidents demonstrate their support of the international boycott of Shell Oil Co. products launched by labor and human rights groups. Cutting their Shell credit cards are VPs Stan Souza of Hawaii, Larry D. Hatfield of North

ern California and Faye McCracken of Memphis. TNG will forward members' cards to the AFL-CIO. The AFL-CIO will replace them with "discredit cards" protesting the company's anti-union tactics and support of apartheid in South Africa.

IEB backs anti-apartheid move on Shell

Washington—A boycott of Shell Oil products and a campaign to encourage union members to destroy their Shell credit cards as the first steps in a new phase of the campaign against apartheid in South Africa were endorsed by TNG's Int'l Executive Board during its winter meeting Jan. 21-23.

The twin efforts were initiated by the AFL-CIO Executive Council in co-operation with the Washington-based Free South Africa Movement, which co-ordinated the demonstrations at the South African Embassy last year protesting that nation's apartheid policies.

"Shell has earned this boycott by its corporate misdeeds in South Africa," said AFL-CIO President Lane Kirkland and United Auto Workers President Owen Bieber in a joint statement at the effort's inauguration Jan. 9 at a Capitol Hill press conference cosponsored by the Free South Africa Movement and the United Mine Workers.

Bieber and Mine Workers Pres-

ident Richard Trumka are co-chairs of a new National Labor Committee on South Africa. Bieber also chairs the AFL-CIO's Ad Hoc Committee on South Africa.

The boycott is intended to bring pressure on Shell's parent company, Royal Dutch Shell, and its Shell South Africa subsidiary. The multinational is guilty of repressive treatment of black mine work-

ers at its Rietspruit mine operation in South Africa and has refused "to take positive action against apartheid," the AFL-CIO said.

Endorsing the boycott, TNG's board expressed the hope that "this simple expression speak loudly in convincing Shell and all other multinationals to withdraw their investments in South Africa."

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1986 Convention to Philadelphia

Washington—TNG's Int'l Executive Board voted Jan. 21 to accept an invitation from the Philadelphia Guild to hold the Guild's 1986 Convention in that city, with the local as host.

Acting at the opening of its winter meeting, the IEB also set the convention dates for June 23-27 and designated the Philadelphia Centre Hotel as convention headquarters.

The convention had been sched-

uled to meet in Buffalo on the same dates, but last fall the Buffalo Guild withdrew its offer to host the meeting because of the inability of the hotel employees' union there to resolve differences over recognition with management of the Hyatt hotel where the convention was to meet.

Guild locals in San Francisco, Albany and Providence also offered to host the 1986 Convention after Buffalo withdrew, TNG Pres-

ident Charles A. Perlik, Jr., told the board.

The Philadelphia Center Hotel is fully unionized, Perlik said.

Plans for the 1986 Convention to meet at the Hyatt Regency in Buffalo had been an issue of some debate at the 1985 Convention because of the lack of union representation for most employees of the facility. It was the one hotel in Buffalo considered of adequate size to serve as convention headquarters.

Carmichael writes '30' after 30 for Twin Cities

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Seattle columnist Anderson wins '85 Broun prize

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jail—for being "drunk out of your mind," as the judge put it.

✓ The irony of the Veterans' Administration naming a VA hospital wing for Vietnam's most decorated soldier who, his friends are convinced, died after being forced out of a job with the VA because it "couldn't deal with his drinking and running around."

✓ The state welfare department's decision to cut benefits for people who sell their blood at plasma centers for \$7 a pint.

✓ Lulu, the tough, young street woman—star of an acclaimed documentary—who was stabbed to death trying to defend a teen-age friend from toughs.

✓ The computer worker who was a transsexual and was fired the day she wore a pink pearl necklace to her job.

Anderson's was chosen from 145 entries, "most of them worthy" of consideration for the award, the judges said.

The award, in its 45th year, is open to employees of newspapers, magazines, news services and broadcast stations in the United States, Canada and Puerto Rico, whether or not they are Guild members or work under Guild contract.

Anderson is a member of the Pacific Northwest Guild's Seattle Times unit. Neff and Long are

Entries' covers 'impress' judges

Washington—The judges in the 1985 Broun Award contest found most of the entries worthy of consideration, but also found themselves taking note of the elaborate, promotion-department packaging in which many were submitted, perhaps to impress the judges, one of them observed.

The judges' reaction: "My God, this is heavy," said Joe Schlesinger of the CBC's Washington bureau.

Winning columnist Rick Anderson's entry was enclosed in a plain manila file-folder.

members of the Cleveland Guild's Plain Dealer unit.

Judging this year's entries were Arnold B. Sawislak, a senior editor for United Press Int'l, Joe Schlesinger, Washington correspondent for the Canada Broadcasting Corp's news division, and political columnist Jules Witcover.

Hugh Harrison, a longtime leader of the Pacific Northwest Guild and a former TNG vice president served as the chairperson of the contest, but did not participate in the judging.



RICK ANDERSON ACCEPTS BROUN AWARD, SAYS HE'S 'MORE AT HOME AT A TYPEWRITER' Seated: Seattle Times editor James B. King; TNG's Harry S. Culver; award chairperson Hugh H. Harrison.

MARIANNE KEFFER ZWEIG/Washington-Baltimore Guild

Anderson on 'blood money' and state aid

By Rick Anderson
Seattle Times

AMONG THE forms you must now fill out if you're on the food-stamp dole in Washington state is one regarding blood money.

Your blood may be yours, the form explains to welfare recipients. But any money you get for it belongs to your government.

In other words, Dracula discovers bureaucracy.

The new questionnaire asks state clients if they are now or if they ever will be selling their blood or blood plasma for fun and profit.

The form tells the poor who earn small cash amounts that such money is income and must be reported. That income then can be applied against a recipient's food-stamp allotment, resulting in a lesser amount.

The form also advises clients they could face a penalty of perjury if they give false information, and that such information is subject to verification.

Called the Plasma Declaration, it's a brainchild of the Dept. of

This column, part of the entry that won Rick Anderson TNG's 1985 Heywood Broun Award, was published in the Seattle Times last June 3. It is reprinted with permission.

Social and Health Services, although the state blames the federal government for having to adopt the form two months ago.

It is aimed at, among others, down-and-out, one-pint donors who earn \$7 for each blood-letting at a plasma center (where blood is immediately reinfused back to the donor, minus the extracted plasma protein, which is later processed into medications).

Some donors go twice a week. In a month, that could be more than \$60, with bonus dollars thrown in.

"Oh, that's quite rare," said Charolette Kelly, assistant director of the Seattle Plasma Center in Pioneer Square.

"Some people have come in here on a regular basis for several years. But mostly they're just the drop-

ins who need a few extra dollars now and then."

A FEW DOLLARS is a few dollars, even if it's blood money, says the state. Under federal law, any income must be declared by welfare recipients.

"Some people are giving blood quite a bit," says Dan Peyton, administrator of the Capitol Hill-Belltown welfare offices.

"That income can certainly make a difference in the amount of food stamps they're getting. In some cases, it could make them ineligible."

Except, faced by that prospect, those who lied about their blood money before are probably going to lie about it again, form or no.

And they'll probably still get away with it.

The form asks recipients if they're presently selling plasma, when they last sold it and if they plan to continue or begin selling it.

If a recipient answers no, never and no, what happens next?

Officials say there won't be welfare inspectors hanging around

plasma centers, watching for familiar faces. Nor will there be government snoops taking names.

They may use the signed forms to obtain names and medical records from the plasma centers.

But a blood-donor acquaintance told me of a simple way around that.

"Use a phony name. I do."

He also described some of the donors he knew.

"I never met anyone who got more than a few dollars now and then," he said. "I never met anyone who was proud about doing it. They wanted a few bucks to live on."

There's this other thing, too. It's called eligibility rule No. 388-28-460. An attorney pointed it out to me. It has to do with personal property.

When personal property is transferred—given away or sold—by someone applying for welfare, there must be adequate compensation.

If you don't get what you should have gotten for the item, the state may find you ineligible to receive welfare. They could rule that the money you should have gotten would have been enough to live on. And they won't pay for your mistake.

Like a lot of rules, it's a little goofy-sounding. But the attorney understands it. So he has these questions:

IF BLOOD IS personal property—and how much more personal can you get?—what happens to those who instead of selling their blood and making money off it, always donated it to the local blood bank?

Since they didn't get the compensation they could have if they sold it, will they now be ineligible for welfare—just because they tried to be good citizens?

I'm not sure. Maybe driving a wooden stake in the heart of Olympia would clear it all up.

Paul Freye, VP in 1950s

Sacramento—Paul A. Freye, a longtime Guild leader in Sacramento and a former international vice president, died here Dec. 5 at the age of 74.

A copy and wire editor for the Sacramento Bee, Freye had been retired since 1976 after 45 years in the newspaper industry, the last 28 of them at the Bee.

He served as president and treasurer of the old Sacramento Guild in the early 1950s. (Sacramento later merged with the Stockton Guild to form the Central California Guild and that local merged with the San Francisco-Oakland Guild last year to form the Northern California Guild.)

In 1953 he was one of six from a field of 10 elected to at-large vice presidencies on TNG's Int'l Executive Board. He declined to seek re-election to a second term in 1955. During his two years on the IEB he chaired its Guild Reporter Committee.

Freye led several organizing drives in his local that resulted in expanding the Guild's representation beyond the news rooms at the Sacramento dailies.

He was president of the old California-Nevada District Council of Guild locals, a forerunner of today's Western District Council.

The Sacramento local named him its "Guildsman of the Year" in 1967.

Freye also was active in the formation by the Guild local of the Sacramento Journalism Foundation and its scholarship fund.

TNG seeks local data in benefit study

Washington—Presidents and administrative officers of all Guild locals have been asked to assist the Int'l Executive Board in a study of the level of strike and lockout benefits currently provided from TNG's Defense Fund.

The study, directed by TNG's 1985 Convention, also is to cover the impact any increase in benefits would have on the Defense Fund.

The IEB must have locals' assistance if it is to be able to make the study and determine whether to recommend any increase in the benefits, wrote Richard J. Ramsey, executive secretary of the IEB Contracts Committee.

Strike-lockout benefits now are

35 percent of basic pre-strike or lockout weekly pay, to a maximum benefit of \$100 a week, with increases of \$5 a week beginning with the fifth and thirteenth benefit payments. Pre-strike/lockout pay of \$285.71 is required for the current maximum benefit, Ramsey explained.

If approved by the membership as part of a referendum scheduled for March 20-25, the maximum benefit would increase to \$125 a week on July 1 and in three annual steps go to \$150 as of July 1, 1989. Pay of \$357.14 a week would be required to receive the \$125 benefit; \$428.57 to receive the \$150 benefit, Ramsey pointed out.

Locals are asked to furnish TNG

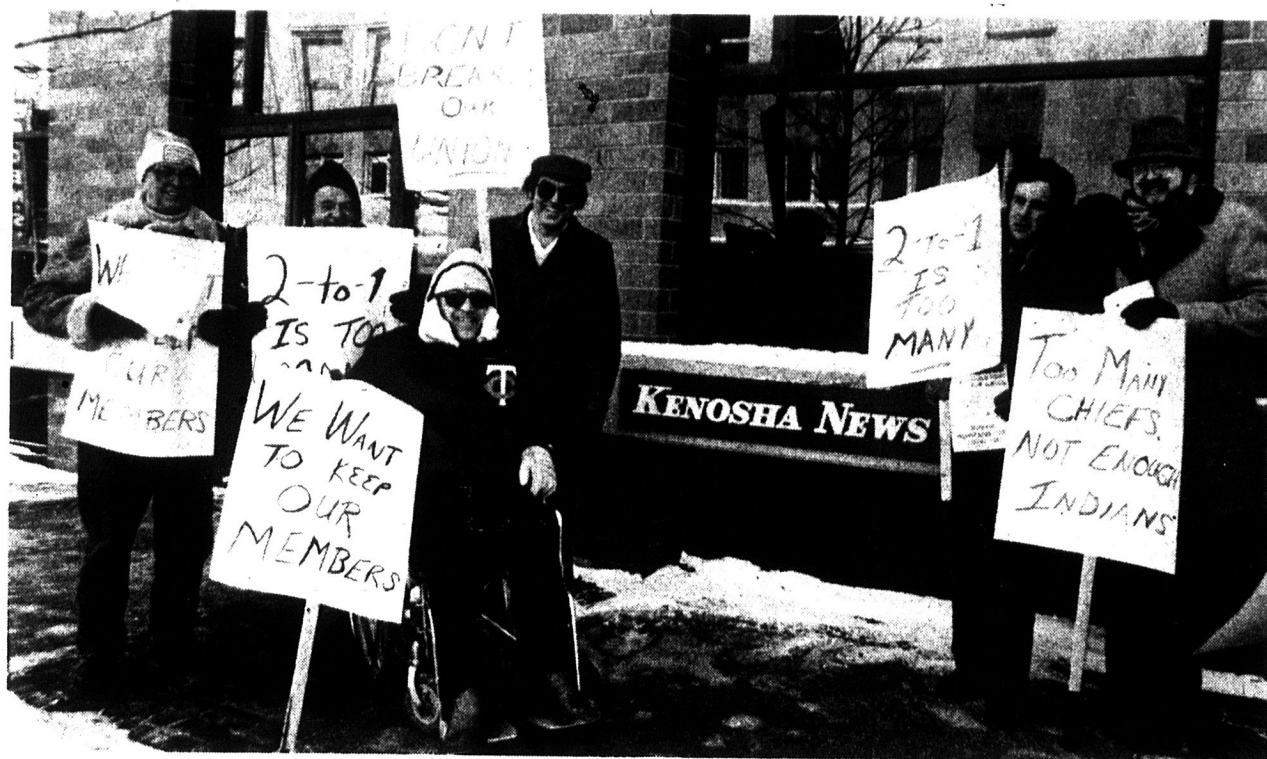
data on the number who would receive less than the current \$100 maximum and who would receive less than the maximums contemplated in the benefit-increase question going to referendum. They also are asked to indicate whether those affected are full-time or part-time workers and the number of hours the latter work. The information should be drawn from current payroll data, Ramsey said.

Local leaders also should inform the IEB of their locals' opinion on whether the current benefit formula ought to be changed, he said.

The IEB is to report on the study to TNG's 1986 Convention.

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Postmaster: Send address changes to The Guild Reporter, 1125 15th St. NW., #550, Washington, D.C. 20005.



Protesting a 'raid' in Kenosha

THE KENOSHA LABOR

Kenosha Guild members are joined by leaders of the area labor movement in informational picketing at the Kenosha News to protest the daily's seeking to pare three news room positions from coverage by the Guild's contract through a "unit clarification" petition to the National Labor Relations Board. The Guild has counter-filed to add four editor jobs. Consolidated hearings were held

Jan. 14 and 15. At right above are Kenosha Guild President John Krowicz and member Dan Fisher. At left: Arvo Mattson, retired Laborers business agent; Paul Whiteside, Sr., Food & Commercial Workers business agent; Frank Marrelli, a Kenosha AFL-CIO Council vice president, and Bill Buzza, Kenosha AFL-CIO Council president. Guild members picketed on their lunch breaks.

Settlement calls for Norfolk talks to resume

Norfolk, Va.—Representatives of the Hampton Roads Guild and of the Landmark chain's Virginian-Pilot and Ledger-Star are scheduled to hold their first contract talks in more than a year Feb. 4 as part of a negotiated settlement of federal findings that the publisher illegally frustrated and restricted earlier talks.

As part of that settlement, the publisher also agreed to bargain with the Guild for "not less than six months" and "recognizes" that the minimum period of federal certification of the Guild at the papers also is extended through the same six months.

While the Jan. 17 settlement stipulates that the publisher "does not admit it has violated any provisions" of federal labor law, it also provides that the company will post "in conspicuous places" notices listing a series of actions in compliance with labor law it pledges to take and others it promises not to take.

In those National Labor Relations Board notices, the company says it will not refuse to provide the Guild information it needs to bargain, nor refuse to bargain about a savings plan and company-provided parking.

It also pledges not to retaliate for employees having voted for the Guild by refusing to continue by contract current vacation, insurance and disability benefits and says it will not by-pass the Guild in drawing, formulating and promulgating changes in merit-pay criteria.

In addition, it says it "will not unlawfully poll employees" about their own and their co-workers' union sentiments and it pledges both to bargain in good faith and to "put in writing and sign any agreement reached."

The agreement flowed from talks between company and Guild representatives after NLRB Law Judge Donald R. Holly on Nov. 27 held management guilty of five

of a series of charges filed by the Guild over a 10-month period through March of 1985.

Holley's 39-page decision also dismissed three charges brought by the Guild during the same period. The decision was grounded on four days of hearings held last April.

The Hampton Roads Guild represents the Norfolk dailies' editorial and library employees. It has been seeking a new contract for the Virginian-Pilot group since mid-1978 and for the Ledger-Star and library employees since they first voted for Guild representation in mid-1979. In the interim, in December of 1983, the three groups together reaffirmed the Guild as their representative in an NLRB election after management withdrew recognition of the union.

Four of Holley's findings against the company in November were on charges by the Guild that management engaged in bad faith bargaining while the fifth was for illegal interrogation of Guild-represented employees about their support for the union.

One of the Guild charges Holly dismissed involved employees

being questioned about their evaluation of the company's performance, another alleged that the company had insisted to the point of impasse on retaining sole control of employees' wage levels, while the third accused it of surface bargaining.

In the NLRB notices to be posted under the settlement-agreement, the company also recognizes that several departmental and desk assistant editors and editors are appropriately within the Guild unit, as the Guild and company had agreed in drawing up the list of voters in the 1983 representation proceedings.

TNG Representative James H. Griffin, who has been assisting the Hampton Roads Guild, testified during the NLRB hearings last April that following that election company representatives had insisted that the positions be excluded from Guild contract coverage.

When he asked why they should be in to vote but out of a contract, Griffin said, the response by a management representative was that "we can volunteer them and unvolunteer them."

Toronto's Dobson, leader in the '60s

Toronto—Jack Dobson, president of the Toronto Guild for seven years into the mid-1960s and a former member of TNG's Int'l Executive Board, died Dec. 7. He was 65.

Dobson was elected to fill a vacancy in an at-large vice presidency in 1960 and was re-elected to the IEB seat in 1961 and 1963.

A 37-year veteran of the Toronto Globe and Mail's editorial department, Dobson had retired from the paper a year before his death.

Dobson was a member of the Steelworkers union before joining the Globe and Mail staff in 1948. He had edited a Steelworker's local publication.

In addition to serving as president and vice president of the Toronto Guild, since renamed Southern Ontario, Dobson chaired the local's finance committee, held unit offices and was a delegate to several Guild conventions.

Strike preparation includes readying paper, arbiter says

Wilkes-Barre, Pa.—Preparations for publishing a strike newspaper performed in advance of a strike did not violate a contractual ban on work for a competitor, an arbitrator has held.

The decision is the most recent of a series of rulings over the roles of Wilkes-Barre Guild members in publishing the Citizens' Voice, the strike daily put out by the city's newspaper unions since their members struck Capital Cities' Times Leader on Oct. 6, 1978.

Arbitrator Robert F. Koretz in a Jan. 3 decision said that work preparatory to publishing a newspaper was, like any other strike preparation, an element of employees' protected right to strike.

Although the work performed in readying the Citizens' Voice for publication "literally fits within" the contract's ban on service for a

direct competitor, if there had been an agreement on a new contract between the Guild and the Times Leader, there would have been no strike and no strike paper, Koretz pointed out.

Earlier, in a decision issued in June of 1984, Koretz had ruled that the contract's ban on outside activities had no bearing on the strikers since the agreement had terminated with the start of the strike. The contract ended when the strike began, Koretz had said, despite the inclusion of an "evergreen" clause providing that the contract would remain in force during negotiations for a new one.

While that decision subsequently was upheld in federal court, U.S. Judge William Nealon remanded the case to Koretz to clarify whether he considered the period before the strike in ruling against the company's contentions against the Guild members.

A National Labor Relations Board regional director in an Oct. 17, 1984, decision similarly dismissed charges by CapCities that Guild members had violated outside activities restrictions, deferring to Koretz's earlier finding.

NIOSH lauded for study plan

Washington—TNG has sent its plaudits to the director of the National Institute for Occupational Safety & Health for his reported decision to resubmit to the Office of Management & Budget NIOSH's planned study of possible reproductive risks for women VDT workers.

The OMB disapproved the study under the federal Paperwork Reduction Act in mid-December on grounds that it was poorly designed scientifically [Guild Reporter, Jan. 10].

Noting that TNG was among those who initiated the request for the study four years ago, TNG President Charles A. Perlik, Jr., also urged NIOSH Director J. Donald Millar to continue to "press strongly for its implementation."

DON'T BUY

National Boycotts Officially Sanctioned by the AFL-CIO Executive Council

ARMOUR PROCESSED MEATS CO.

Armour Hams, Armour Bacon, Armour Hot Dogs. This UFWW boycott does not include processed meat products made by Armour-Dial.

United Food & Commercial Workers

BASF A.G. CORP., Geismar, Louisiana

Video, Audio and Computer discs, Luratin brand vitamins, Alugard 340-2 protectant in anti-freeze Oil, Chemical & Atomic Workers International Unions

BROWN & SHARPE MFG. CO.

Measuring, cutting and machine tools and pumps

BRUCE CHURCH, INC.

Iceberg Lettuce

Red Coach, Friendly, Green Valley Farms, Lucky

United Farm Workers of America

CALIFORNIA TABLE GRAPES

Table grapes that do not bear the UFW union label on the carton or crate

United Farm Workers

ADOLPH COORS CO.

Beer: Coors, Coors Light, Herman Joseph's 1988, Golden Lager, Masters III, Colorado Cooler

George Killians Irish Red

AFL-CIO Brewery Workers Local 366

EL AL ISRAEL AIRLINES

Air passenger and freight transportation

Machinists & Aerospace Workers

FABERGE, INC.

Personal care products:

Aphrodite, Aqua Net Hair Spray, Babe, Cavale, Brut, Ceramic Nail Glaze, Flambeau, Great Skin, Grande

Finale, Just Wonderful, Macho, Kiku, Partage, Tip Top

Accessories, Tigress, Woodhew, Xanadu, Zizanie de

Fragonard, Caryl Richards, Farrah Fawcett and

Faberge Organics

Oil, Chemical & Atomic Workers International Union

FORT HOWARD PAPER CO.

Green Bay, Wisconsin and Muskogee, Oklahoma

Mardi-Gras, Page, Sol-Knit tissues and napkins, Antique

towels, Pom-ella, Econ and Dolly Madison tissues

United Paperworkers International Union

HOLIDAY PAPER CUPS, Div. of Imperial Cup Co.

Holiday Paper Cups brand name

United Paperworkers International Union

INDIANA DESK CO.

Medium and high priced desks

United Furniture Workers of America

LOUISIANA-PACIFIC CORP.

Brand name wood products:

L-P Wolmanized, Cedarstone, Waterwood, Fibreline,

Oro-Bond, Redex, Sldex, Ketchikan, Pabco, Xonolite

Carpenters & Joiners and Intl. Woodworkers

MARVAL POULTRY COMPANY, INC.

Turkeys and turkey parts: Marval, Tender Pride, Lancaster, Frosty Acres, Top Frost, Table Rite, Manor

House, Richfood, Food Club, Dogwood Hill Farms. All

products bear USDA stamp #P-18

United Food & Commercial Workers

NIXDORFF-LLOYD CHAIN COMPANY

Heavy duty chains sold in hardware stores. The

Nixdorff-Lloyd brand name appears on the chain spool.

Machinists & Aerospace Workers

R. J. REYNOLDS TOBACCO CO.

Cigarettes: Camel, Winston, Salem, Dorai, Y. Page,

Mora, Now, Real, Bright, Century

Smoking Tobaccos: Prince Albert, George Washington,

Carter Hall, Apple, Madeira Mixture, Royal Comfort,

Top, Our Advertiser

Little Cigars: Winchester

Chewing Tobaccos:

Brown's Mule, Days Work, Apple, R. J. Gold, Work

Horse, Tob, Reynolds Natural Leaf, Reynolds Sun

Cured

Bakery, Confectionery & Tobacco Workers

SCHWINN BICYCLE CO.

United Automobile, Aerospace & Agricultural Implement

Workers

SEATTLE-FIRST NATIONAL BANK

Withdraw funds

United Food & Commercial Workers

STERLING RADIATOR

Baseboard heaters for the home

United Automobile, Aerospace & Agricultural Implement

Workers

TROJAN LUGGAGE COMPANY

Luggage—Hampton, Vagabond, Newport, Nassau,

The U.S. price elevator

The table below records the ascent of the Consumer Price Index in the United States over a 24-month period following a 0.8-point increase in the index in December to 323.4, up 11.2 points from December 1984, and 21.9 points from December 1983. The first column lists the index for each of the last 12 months, the second the percentage increase over the same months of the preceding year and the third, the percentage increase over December 1983. The Urban Wage-Earners' and Clerical Workers' Index (CPI-W) is the source.

	Index*	Percentage over	
		Same month prior year	December 1983†
January, 1985	312.6	3.3	3.7
February	313.9	3.5	4.1
March	315.3	4.0	4.6
April	316.7	4.1	5.0
May	317.8	4.1	5.4
June	318.7	4.1	5.7
July	319.1	3.8	5.8
August	319.6	3.0	6.0
September	320.5	2.7	6.3
October	321.3	2.9	6.6
November	322.6	3.4	7.0
December	323.4	3.6	7.3

*1967 = 100

†Index = 301.5

Union Label and Service Trades Department, AFL-CIO
As of November 1985

Globe-Democrat aims at restart, calls some back

St. Louis—Some members of the St. Louis Guild's Globe-Democrat unit were being called back to work as new owners of the paper sought to resume its publication Jan. 27, but no Guild contract was covering employees as they returned.

While the new owners—John B. Prentis III and William E. Franke, who head Veritas, a corporation formed to acquire the paper—agreed to recognize the Guild as the employees' bargaining representative, initial efforts to reach agreement on a contract failed.

Talks over terms for a new contract broke off early in January after Franke insisted any agreement must include a management's rights clause that Guild Executive Secretary Robert A. Steinke said would make the rest of the contract meaningless [Guild Reporter, Jan. 10].

Veritas Corp. acquired the paper Jan. 16, paying \$500,000 to the bankruptcy court-appointed trustee overseeing its affairs. The new owners also advanced \$100,000 to the paper to cover the first week's pay for employees called back, the Guild representative reported.

While the Guild's contract with former owner Jeffrey M. Gluck will no longer be in effect, Veritas has said it will pay employees according to the minimum salaries established in that agreement and provide medical insurance coverage, he said.

The company also is insisting, however, that all employees recalled be on a 60-day trial period, regardless of seniority, Steinke added.

Most employees who were working for the Globe-Democrat when it suspended publication Dec. 6 will be asked to return, according to Prentis, the Post-Dispatch reported Jan. 17.

The new owners said they expect contract talks with the Guild to resume, but Prentis added that those negotiations would likely be

delayed until after the local has reached a new agreement with the Post-Dispatch. That contract expires Feb. 28.

Veritas plans to invest more than \$4 million in the paper, including money to refurbish its offices and acquire its own presses. Initially, however, the paper will be printed by local printing companies.

The Globe-Democrat was produced by the Post-Dispatch under a joint operating agreement until it was acquired by Gluck from the Newhouse chain two years ago.

Gluck consented to its being placed under the protection of the bankruptcy court in September after a group of employees and former employees initiated bankruptcy proceedings seeking back pay due them.

Three days after the paper suspended publication, putting its 260 mostly Guild-represented employees out of work, Bankruptcy Court Judge David P. McDonald ordered Gluck to terminate his role in the company's operation and turn all assets and records over to a court-appointed trustee.

McDonald will now direct the disbursement of Veritas' \$500,000 payment for the paper to its various creditors. Earlier in the bankruptcy proceedings Gluck listed debts of \$8 million and valued the paper's assets at \$4.3 million, including nearly \$3 million in accounts receivable.

Veritas also agreed to honor up to \$75,000 worth of lifetime subscriptions to the Globe-Democrat sold by Gluck.

Prentis will serve as chief operating officer of the newly formed Veritas Corp. and as publisher of the Globe-Democrat. He holds interests in several banks and heads the board of a Christian academy. Franke is active in Republican politics in Missouri. The pair own and manage apartments in St. Louis and Florida valued at \$120 million.



DUANE BRALEY/Twin Cities Guild

Interunion holiday spirit in Minneapolis

Clarissa Walker, foreground left, president of Emergency Food Shelves of Hennepin County, receives a \$2,200 check from the Interplant Council of Unions at the Minneapolis Star and Tribune. The money was contributed by employees in a three-day collection sponsored by the inter-union council and conducted outside the company cafeteria the three days before Christmas. Presenting the check above is Bob McKee,

president of the interunion council and of the Minneapolis-St. Paul Mailers Union. Others pictured, from left, are: Frank Jacobson of the Machinists; Larry Williams of the Typographical Union; Sylvia Rector of the Guild, who co-ordinated the collections; and Bill Shand of Teamsters Local 638. Members of the Electricians, Pressmen's, Platemakers, Operating Engineers and Service Employees unions at the paper also participated.

Anti-NOCNOC push rejected again

San Francisco—The U.S. 9th Circuit Court of Appeals has become the latest adjudicatory body to reject the Fairfield (Calif.) Daily Republic's 22-month-long effort to have overturned the union representation election in which its employees voted for the Northern California Newspaper Organizing Committee (NOCNOC).

NOCNOC was formed in 1981 by several San Francisco-area newspaper unions, including the Guild local headquartered in the city.

The federal court acted Jan. 7 when it denied a request that it review National Labor Relations Board rejections of the publisher's

objections to the election, in which the paper's employees voted for NOCNOC by 62 to 53.

A publisher's representative, however, said he would seek a rehearing of the case and that a renewed request by NOCNOC for a first bargaining, therefore, was premature.

In its Jan. 7 action, the court upheld earlier determinations by the NLRB that NOCNOC in fact is a union, pointing out that "substantial evidence supports the board's finding."

The court also upheld an earlier NLRB finding that, contrary to a charge by the publisher, a union representative's interruption of a speech by the general manager to mail room employees two days before the election did not involve physical violence or intimidation

and "had no coercive effect on Fairfield employees."

The NLRB regional director's conclusion that the representative's challenging the general manager to a debate "had a de minimus effect . . . is supported by the record," the court said.

It affirmed the NLRB's certification of the union as the Republic employees' bargaining representative.

Last April a three-member panel of the full NLRB, led by its chairman, Donald L. Dotson, ordered the Republic to bargain with NOCNOC and ordered the union's initial period of certification to begin only after the company begins good-faith talks so that the employees "are accorded the services" of the union they selected "for the period provided by law."

Last step paid in Guild-UPI savings pact

Washington—Salaries and minimums of Wire Service Guild-covered employees of United Press Int'l have been raised to 105 percent of their 1984 levels retroactive to Jan. 1 as the final step of the local's cost-cutting agreement

with the wire service was implemented.

Minimums and salaries had been cut by 25 percent in 1984 under an agreement aimed at keeping UPI in business. It called for gradual restoration of the pay cut

followed by a 3 percent increase on Dec. 15, 1985, and the final 2 percent increase, to 105 percent of 1984 levels, on Jan. 1, 1986.

Guild leaders have "agreements in principle" with Mario Vazquez Rana and Joe E. Russo, prospective new owners of UPI, that call for contractual minimum salaries to be set at 103 percent of 1984 levels from Jan. 1, along with job guarantees. The Guild had advised UPI's current management, however, that it expected the 105 percent rate to be put into effect from Jan. 1 since the sale had yet to be completed.

The raises and retroactivity were included in checks Jan. 17.

Talks between the Guild and Vazquez Rana-Russo were to begin Jan. 24 over the definitive terms of an agreement with the owners of New UPI, Inc., as the company would be known on completion of the sale.

Although the proposal to purchase UPI has been approved by the federal bankruptcy court judge overseeing UPI's operations, a formal, detailed plan of reorganization must be approved by the court and creditors' committee.

TNG's 'little red book' available

Copies of TNG's 1985 Constitution booklets—with red covers—have been distributed to presidents and administrative officers of all Guild locals. The booklets contain TNG's Constitution as amended by the 1985 Convention, as well as TNG's Collective Bargaining Program and Convention Recommendations on Bargaining. Copies are available from TNG's Research & Information Dept. Single copies to Guild members and locals are free; in quantity they are 75 cents each.

The Newspaper Guild
AFL-CIO, CLC

CONSTITUTION



Including
Collective Bargaining Program
and
Bargaining Recommendations

Adopted by the
52nd Annual Convention
June 24-28, 1985

Locals reminded of organizing aid

Washington—TNG has asked all Guild locals to inform it as soon as possible of any plans for organizing they might have, at the same time reminding them of the availability of assistance through TNG's Special Organizing Fund.

The memo to all local presidents and administrative officers Jan. 9, also reminded them of the direction by TNG's 1985 Convention that locals should establish organizing committees and survey their entire areas for potential organizing projects.

Those surveys should include "not only employees in the Guild's traditional jurisdiction, but those engaged in new methods of gathering, processing and distributing advertising, news and other information," as the convention put it, J. William Blatz, TNG's field operations director, pointed out in the memo to officers of Guild locals in the U.S. and Canada.

Blatz also asked that locals inform him of the identities of their organizing committee chairpersons.

Prosnitz leaves post following vote

Providence, R.I.—Frank Prosnitz, the Providence Guild's administrator the last two-and-a-half years, left the position Dec. 31 after the local's membership voted by 156 to 112 against his being continued in it.

A former five-term president of the local, Prosnitz was elected to be the first person to hold the administrator's position by the mem-

bership early in 1983 by a vote of 152 to 90. In the fall of 1982 by a vote of 153 to 93 the members had approved establishment of the post.

Prosnitz took a leave of absence from his job with the Providence Journal and Bulletin to serve in the local-administrator post. He was working as a suburban bureau manager for the dailies.

TWIN CITIES' CARMICHAEL RETIRES

More new directions, one step at a time

By Marilynn J. Taylor
Twin Cities Guild

JOHN CARMICHAEL retired Jan. 11 as executive secretary of the Twin Cities Guild after serving in that post for 30 years—longer than anyone else ever served any Guild local in that capacity. Ask him about it, though, and you can't tell whether he is bragging or complaining.

Carmichael, an east Texas native, came to the Twin Cities local in 1955 from New Orleans, where he had been an international Guild representative and before that a local Guild officer and labor reporter at the old New Orleans Item.

Since 1955, he has led the Twin Cities local, which includes units at the Minneapolis Star & Tribune and at the St. Paul Pioneer Press-Dispatch, in building some of the best contracts in the industry, weathering four strikes and two mergers and developing a pioneering worker participation program. He is, however, reluctant to take much credit for any of this. It is not his style. He leads from behind, through education and persuasion, not dicta.

While leading by not literally leading may be contradictory, Carmichael is a man of contradictions.

"He's thoroughly disorganized. He's made an art form out of absent-mindedness," said Bruce Nelson, the local's new executive secretary and a self-described student of Carmichael's for 15 years. "If he ever brought the right file to a meeting or wore socks that matched, it was pure coincidence.

"But he is the most effective labor leader I've ever met. Many think they can take a baton and go out front and wait for the troops to fall in step. That's not John's style. He leads from the rear of the parade, by teaching and giving a little nudge now and then."

Participation marks Carmichael's style. It was his idea to move the local from an executive council to a representative assembly system of governance, thereby involving more people in the decision making. It was his idea to form worker participation committees through which the union and management could tackle non-contractual problems. He had to educate and persuade and wait patiently until the members began to think of these ideas as their own.

ENDEAVORING TO teach collective bargaining to newspaper people is no easy task; so many are conditioned by deadlines and daily products to expect everything to happen quickly. The quality of the local's contracts and the relatively peaceful labor-management history at the Twin Cities dailies as well as the half dozen local members who went on to careers in the labor movement, attest to his effectiveness as an instructor.

Carmichael teaches that collective bargaining is power and intuition.

"I didn't have the rhetorical skill that some leaders have," he said, "so it forced an understanding of the process: an understanding of power and an ability to estimate how much power, and its limits; of communications with management, the membership, and other unions; of the importance of listening; and, finally, of patience."

Nelson recalled when lessons about the role of intuition in bargaining finally sank in. "We were just a few hours from a strike deadline, and John took me out in the hall and asked what we should do. I said I needed more time to think. In one of the few times in our friendship he was ever angry with me, he said, 'Dammit, Bruce, don't think, feel!'"

Carmichael's bargaining skill earned the respect of both sides at the table. Charles Bailey, former editor of the Minneapolis Tribune, said Carmichael had a style quite different from anyone else. "He was a very tenacious bargainer, very good at war-of-attrition bargaining. He didn't let things go away that he wanted."

Taylor, a veteran of 11 years with the Minneapolis Star and Tribune before their merger in the spring of 1982, currently is with the Minnesota Dept. of Labor & Industry where, as she puts it, she remains "a student of John's."

In negotiations, he "can be a real tiger, very tough," said Harold Chucker, a former local officer. "He maintained the adversarial position but was able to talk to management outside of negotiations."

One of Carmichael's strengths has been the ability to see the big picture and the importance of relationships. He never is willing to lose the war over a battle. If he lost a battle at the bargaining table, he was back at the next round fighting for it again.

With typical irony, he is at home in the adversarial system but has dedicated enormous effort to exploring nonadversarial ways of resolving problems, worker participation being foremost among these. In his view, however, there is nothing contradictory involved because he sees worker participation as another dimension of collective bargaining, a system that does not require a relationship separate or different from the traditional, adversarial one.

"The acid test of a union is its contracts. The first obligation of a union is to improve the conditions of its members, then the protection of the contract," Carmichael said. "These things come out of the adversarial system. We've just been searching for a better problem-solving method within that system."

He began developing his ideas about how workers could participate with management in decision making and problem solving on issues that fall outside of the contract—such diverse things as the work environment, editorial policy and job performance evaluation—when he first attended the Harvard Trade Union Program. The next year, 1972, the Guild negotiated language in its Minneapolis contract that provided for the formation of worker participation committees. As usual, Carmichael had to persuade both sides that this was something worth doing.

THIS NEW LANGUAGE, coming a year before the United Auto Workers' historic agreement with General Motors, made the Twin Cities Guild a pioneer in what was to become a nationwide activity.

The success of the committees, which since have spread from the Minneapolis editorial and circulation departments to several areas at the St. Paul papers, has brought national respect and attention.

The local's program has been studied by Massachusetts Institute of Technology researchers and written about in national publications, and Carmichael has been asked to speak at Harvard a half-dozen times and at several major conferences on quality of work life. He also has taken his expertise to the community through his role on the steering committee of a labor-management council formed by Minneapolis Mayor Don Fraser.

Bailey, now an editor for National Public Radio, thinking of this work when he said that as a management professional, "Carmichael has been innovative and ahead of his time . . . too far for some of the management people."

'Create own quality life,' local's assembly orders

Minneapolis—The Twin Cities Guild's representative assembly passed a resolution Jan. 9 commending John Carmichael for "his dedicated, persevering and successful struggle to build a better life for members of this local."

Pointing to the "many . . . contractual rights" obtained during the 30 years of his service to the local, the resolution also said that Carmichael's efforts in fact "made a substantial contribution toward improving the quality of life for thousands."

The resolution concluded with an "official mandate" that Carmichael in retirement "create for himself the same quality of life that he has diligently labored to create" for the local's members.

The amazing thing about the resolution, Carmichael observed, was that it was passed unanimously.



CARMICHAEL ON 'WORKER PARTICIPATION'
Audience was delegates to Knight-Ridder Council of Guild locals meeting in the fall of 1984.

Carmichael continued his search for imaginative approaches to problem solving by getting the St. Paul papers' management to agree a few years ago to try "expedited advisory arbitration." In this, grievances headed for time-consuming and expensive arbitrations go first through an arbitrator who issues a non-binding decision. The process has worked very well and is now part of the contracts in both cities.

With his retirement, Carmichael has no intention of putting out to pasture. He has been teaching labor relations and collective bargaining for six years to graduate business students at the College of St. Thomas in St. Paul and he hopes to expand that activity.

The essence of Carmichael's leadership may be encapsulated in a letter he wrote to the Minneapolis unit's bargaining committee at the end of the strike there in 1980. He began by quoting an anonymous western miner from the book, "Men of Power."

"When that boatload of Wobblies come to Everett, the sheriff says, 'Don't you come no further. Who the hell's yer leader anyhow? Who's yer leader?' And them Wobblies yelled right back—'We're all leaders.' And they kept right on coming."

"Those are the words which come to my mind when I think of this committee. You just kept coming."

"The decisions you had to make were tough, but you never faltered. I was enormously impressed with your ability to reach a consensus. In trying to help you make decisions, I always tried to give you as much information as possible."

"One of the joys of my job is finding new leadership and watching it grow. It was particularly pleasant to watch this group and the growth that took place. I hope that doesn't sound patronizing. . . ."

AS A POSTSCRIPT, he added some words of Michael Harrington's that could well describe himself:

"The true revolutionist is not he who talks most boldly but he who, with the limited options now before us, is patiently, radically trying to go forward to the next step."

For a person who has stayed in the same place almost half of his life, John Carmichael has led us all many steps forward.

Arbiter raps Post on 'free lance' use

(Continued from Page 1)
ously by managers or on brief. The first three references are defined terms. The others are adopted euphemisms.

"If the Post wanted to designate the freelancers as any of these quasi-employees, it should have done so clearly and openly. It did not. None of them were under 'contract.' The employees said to be on contract neither signed nor saw a document purporting to legitimize them as such; such a contract therefore was a sham."

Among nine of the free lances who testified in the arbitration hearings all but one had been "angling hard for a job," Ables noted, adding that unit managers were "stringing them along about getting a job" with the Post. "The net result was a dance but the company was calling the tune," he wrote.

He ordered art and metro editors to decide within several weeks on whether to hire five of the persons in question, while dismissing Guild objections to use of free

lances in the photography department. A training program through which the photographers' jobs were initiated has effectively shut down, Ables said.

Two others who testified about their free-lance work had been placed in regular jobs with the Post.

Ables noted that the dispute was the third in three years in which an arbitrator has held that the Guild contract applies to employee groups the Post had claimed to be exempt [Guild Reporter, Nov. 11, 1983, 'Arbiter: Post writers are covered'; Guild Reporter, April 13, 1985, 'Agency temps held same as others'].

While the Post may not have adopted a "conscious" policy, its actions suggest that an "attitude" prevailed at least indirectly, encouraging unit managers to take more libertine action than was justified," Ables observed.

Addressing himself to arguments of "past practices" by the company, Ables said they "are not clearcut" in that "they involve in-



ANPA 'presstime'

Touring ANPA research center

George Cashau, right, director of technical research for the American Newspaper Publishers Assn., describes work being done on developing "clean" ink and in other areas to TNG officers and staff members during a visit to the ANPA's Newspaper Center in Reston, Va., a Washington

suburb. From left are: TNG President Charles A. Perlik, Jr.; IEB Contracts Committee Secretary Richard J. Ramsey; Secretary-Treasurer Charles Dale; and David J. Eisen, director of research and information. Also taking part in the visit was J. William Blatz, TNG director of field operations.

81 days is more than 'tryout,' arbiter rules

Youngstown, Ohio—An 81-day "tryout" period was too long, an arbitrator has ruled in a case involving an individual performing the work of a copy editor under the Youngstown Guild's contract with the Youngstown Vindicator.

While holding that the contract's 45-day news-room probationary period does not preclude the company from engaging potential employees for a tryout period, arbitrator Marvin J. Feldman found that the company had hired the grievant when it failed to limit its tryout to "a reasonable and minimal time."

He ordered a further hearing on the merits of the grievance the Guild raised over the employee's discharge at the end of the 81-day period. In doing so, Feldman held that the grievant was a regular, full-time employee "entitled to the

full benefit of the contract" at the time of his dismissal.

The company had argued that it could establish a tryout period of an indeterminate period of time and that the grievant was not an employee of the paper at the time he was terminated.

The Guild, meanwhile, argued that a tryout period is synonymous with the contract's probationary period.

Feldman found, however, that the concept of a separate tryout period was not unreasonable and, in fact, had occurred at the paper over the years "for a period of a shift or perhaps even up to 15 shifts of work."

Although calling it "impossible to determine what is reasonable in all circumstances concerning 'tryout' periods," Feldman held the 81-day period in question to be "arbitrary and unreasonable."

IEB backs Shell boycott, new anti-apartheid move

(Continued from Page 1)

The IEB urged Guild members to respond to the AFL-CIO call that they cut in half their Shell credit cards and mail them to TNG headquarters as a sign of support for the boycott. TNG, in turn, will forward them to the AFL-CIO which will replace them with Shell "discredit cards."

South Africa's National Union of Mineworkers and the Miners Int'l Federation called for international action against Shell in response to the company's repressive activities at the Rietspruit mine. Shell owns the mine jointly with a South African conglomerate, Barlow Rand.

The suspension of four shop stewards after black mine workers walked off the job to attend a memorial service for a fellow miner killed on the job early in 1985 and a four day strike that ensued "has escalated to over 20,000 firings, the shooting of workers,

beating of children and the company's refusal to permit union meetings," the IEB said in its action endorsing the Shell Oil campaign.

The South African Mineworkers' call for international action was in turn endorsed by the Int'l Confederation of Free Trade Unions which then relayed its action to the AFL-CIO.

The boycott campaign was announced as South Africa's Bishop Desmond Tutu visited Washington as part of a three-week tour of U.S. cities to encourage stepped-up pressure on the Reagan administration and U.S. corporations to join in efforts to end apartheid in South Africa.

In December organizers of the daily demonstrations and arrests at South Africa's Washington embassy announced that the campaign against apartheid would begin focusing on new efforts to shut down U.S. business interests in South Africa.

dividuals, not offices or departments" and "whatever action the company thought was authorized was peppered with grievances."

Another company argument was "based on arithmetic" and sought to show that free lances worked less than 15 hours a week, Ables noted. It was "contrived and unpersuasive," he said.

If the Post does not stop using free lances "as they have been used in this dispute," Ables observed, "another arbitrator who may agree that the Post continues to use freelancers improperly should know that this arbitrator thinks the

company should be made to pay dearly for its intransigence."

He suggested that Guild and company representatives meet on a regular basis to discuss issues that arise over the use of free lances.

Perhaps it is time "to move the contests back to good faith bargaining, with less reliance on the National Labor Relations Board, courts, arbitrations, lawyers and arbitrators," Ables said in a "special note" in the introduction to his 44-page decision.

Questioning whether there isn't "a better way to solve . . . labor-management differences," Ables

pointed out that the case had consumed seven days of hearings, involved 22 witnesses and 32 exhibits, and generated 1,218 pages of transcript and post-hearings briefs of several hundred pages each. Meanwhile, more than a year and a half passed from the time Ables was selected as the arbitrator until the decision was rendered.

If such a major dispute over the use of free lances can develop in times when the Post is enjoying relative economic prosperity, "then only dog-ditch fighting can be predicted if prestige and economic fortunes for this publication decline," Ables said.

Committee To Protect Journalists

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Petition on behalf of local and foreign press
in South Africa to President Pieter W. Botha

As working journalists and journalism educators in the U.S., we strongly condemn the restrictions on the press imposed by the South African authorities: specifically, the naming of all areas of unrest as off-limits to photographers and television crews and the requirement that print journalists obtain permission before entering these same areas.

We also abhor the detention and other forms of harassment (including physical attacks and confiscation of materials) of South African and foreign journalists.

Thus, we urge you to lift these restrictions and cease all harassment against the press.

Signature	Name	Affiliation
1.....		
2.....		
3.....		
4.....		
5.....		
6.....		

Sign, clip and mail

The Committee to Protect Journalists' effort continues to gather petitions by working news people, journalism students and educators to the South African government calling for an end to its restrictions on coverage of the continuing unrest under the regime's apartheid policies. Launching

the drive in December in a joint effort with representatives of TNG and other industry-associated groups, the committee said it would make monthly deliveries of signed petitions to representatives of the South African government as they are received at its New York offices.

Chicago Guild joins 17,000 in Tribune strike rally

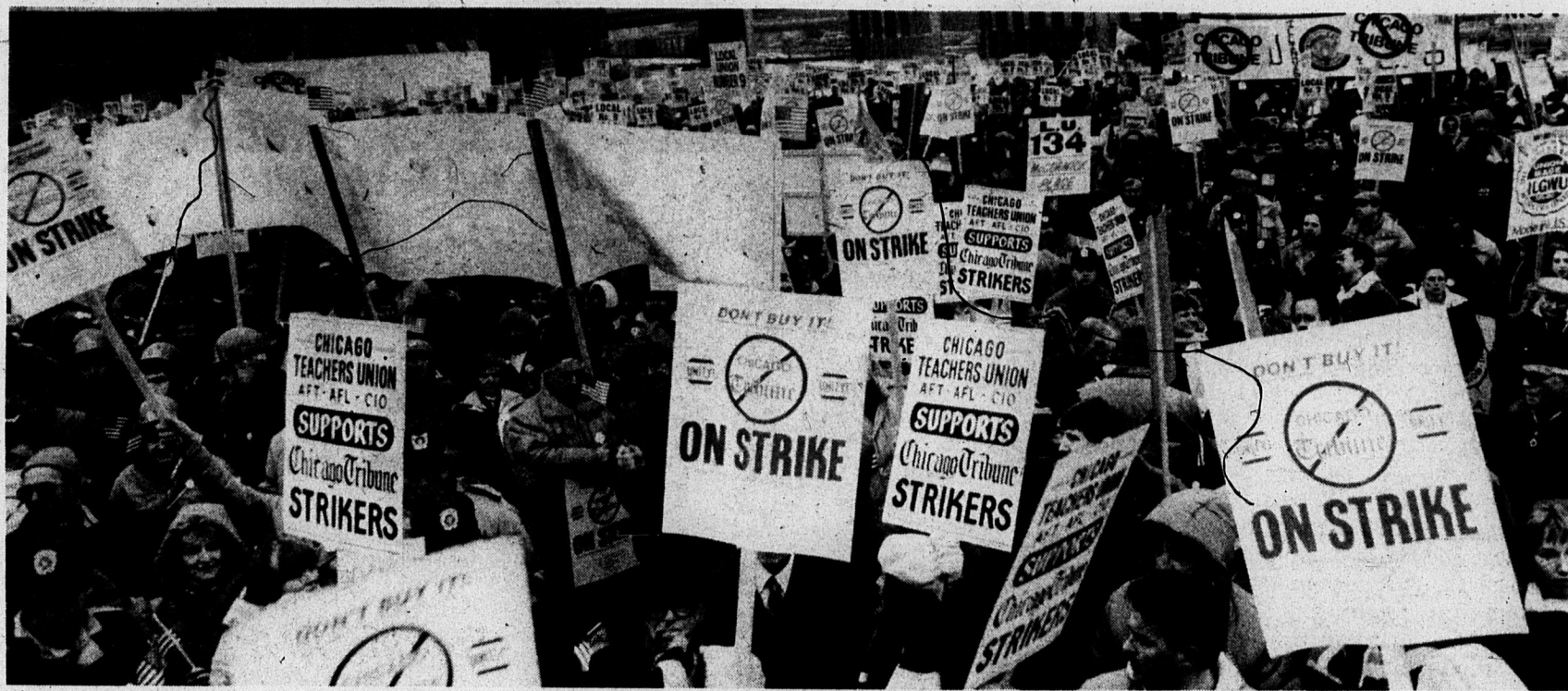
Chicago—A rally to demonstrate solidarity with strikers at the Chicago Tribune drew a crowd estimated to number as many as 17,000 persons from more than 100 local unions on the cold Saturday morning of Jan. 4, including a contingent of Chicago Guild members.

Wearing signs declaring Guild support for the members of three production-department unions who have been on strike against the Tribune since July 18, a group of about 30 Guild members joined in the demonstration around the Tribune's production plant.

The rally, which also drew more than a hundred Chicago police, many on horseback, was co-ordinated by the city's AFL-CIO central labor council. Tribune management was unsuccessful in efforts to obtain an injunction to bar its being held.

About 1,125 employees represented by Pressmen's, Mailers and Typographical union locals struck the paper last summer, two-and-a-half years after their most recent contracts had expired. Bargaining since has been sporadic and without progress.

Teamster-represented drivers have continued to work and the



Mass of Chicago-area union members rallying in support of Chicago Tribune strikers stretches beyond camera-lense range.

paper has published despite the strike.

No union represents employees in departments of the Tribune typically in the Guild's jurisdiction. The Chicago Guild represents editorial department employees at the competing Chicago Sun-Times

and several dailies outside Chicago, as well as at a pair of weekly chains.

Approximately three dozen arrests occurred early in the demonstration when trucks attempted to make deliveries to the Tribune plant.

Court counsels Tribune against more delay in arbitrating dispute

Chicago—A federal appeals court has warned the Chicago Tribune, where a strike by production department employees is entering its seventh month, against further delay in complying with a lower court's order to arbitrate a dispute with one of the striking unions.

Although the three-judge panel of the 7th Circuit Court of Appeals stopped short of imposing sanctions on the Tribune, the court warned that it "will not hesitate to mete out sanctions" in the future against companies that seek meritless delays in the arbitration procedure.

"We are concerned that some companies may be trying to reduce the credibility of unions by dragging out the grievance process... by means of pertinacious challenges to orders to arbitrate, a fac-

tic we do not wish to encourage," the court said.

The Tribune's request for a stay of a lower court's order that it arbitrate a dispute over hiring hall provisions in its contract with the Graphic Communications Union local has "no merit," the panel said and "the whole class of requests it illustrates has no merit," it continued.

"Arbitration is supposed to be swift," the court noted, adding that routine stays pending appeals will "make a mockery of arbitration as a swift and effective remedy in labor disputes."

The Tribune contends that its contract with the union was no longer in effect when it hired new workers, by-passing the union hiring hall. It argued that it would suffer irreparable harm if the order to arbitrate were not stayed pend-

ing further appeal because "substantial expense in time and money" is involved.

"The fact that an order to arbitrate imposes a cost... does not show irreparable harm," the appeals panel said, adding that the "only harm" lies in forcing a party to "litigate a dispute in a forum not of his choosing."

"Employers who seek stays merely on the ground that the arbitration may turn out to be a wasted expense of time and money are whistling in the dark," the decision said.

Graphic Communications, Typographical and Mailers' union locals struck the Tribune July 18. The Tribune has continued to publish and Teamster-represented drivers have continued to work. No union represents Tribune employees in the Guild's usual jurisdiction.

52% in 4-year pact ends FAST strike

Washington—The dozen members of the Washington-Baltimore Guild working for the AFL-CIO Food & Allied Service Trades Dept. on Jan. 10 ratified a new four-year contract to increase their pay by an average of 52.3 percent and end their strike against FAST after 10 days.

Increases for unit members holding professional positions total \$171.00 a week over the contract's term, with \$51.92 effective immediately, \$44.23 next Jan. 1, \$40.38 on Jan. 1, 1988, and \$38.46 on Jan. 1, 1989.

Increases for "support staff" members total \$171.15 a week over the term, with \$50.00 immediately, \$44.23 next Jan. 1, and \$38.46 on Jan. 1, 1988 and 1989.

Starting minimum for new hires in the professional positions is increased immediately by \$31.25 a week, to \$307.69, while that for support persons is increased by \$32.69 a week, to \$298.07, and a schedule of minimum annual in-

creases is established for both groups.

In addition, the first-ever provision for a retirement plan for FAST employees is established, calling for FAST to match employee contributions to individual retirement accounts (IRAs) to a maximum of \$250 each this year, \$500 in 1987, \$750 in 1988 and \$1,000 in 1989.

The pay increase provision of the settlement will increase the average weekly earnings of the group to \$505, up from \$333, re-

ported Sandra Polaski, the Guild local's administrative officer and chief bargainer in the contract talks with FAST.

Weekly pay of the unit members will range from \$440 to \$685 in the final year of the contract, up from the range of \$269 to \$507 under the contract which expired Dec. 31.

Members of the Guild's FAST unit are researchers, writers, safety and health specialists and clerical workers.

OSHA order on safety pay urged

The Occupational Safety and Health Administration should require employers to pay members of union health and safety committees for time spent planning hazard-prevention activities, the American Public Health Assn. has recommended.

In approving a resolution sponsored by the dean of Cornell University's Center for Labor Studies,

the APHA noted that "effective, prevention-oriented" activities are as important in maintaining a safe work environment as time spent accompanying OSHA personnel during on-site inspections.

OSHA work place inspections are generally conducted during working hours and employees participating in the inspection paid for the time involved.



Chicago's "mounties" wall off Tribune-strike supporters.

Bias study finds 12 lacking

Washington—All but a dozen Guild contracts include provisions banning employment discrimination, according to a new study of fair employment practice provisions compiled by TNG's Collective Bargaining Dept.

Sex, race, age and religious discrimination are each banned in more than 90 percent of the contracts that include non-discrimination language.

Protection against discrimination due to marital status is included in just under half of the contracts, while more than 30 percent prohibit discrimination because of parental status or irrelevant handicaps.

Least common among the specific types of bias addressed in the contracts is discrimination against Vietnam-era veterans. Such provisions are found in just six of the contracts.

Daily must restore work of columnist

Washington—The Passaic (N.J.) Herald-News, found earlier to have illegally withdrawn a reporter's weekly column in retaliation for his union activity, must restore the employee's column-writing duties but is not required to publish his work, the National Labor Relations Board has ruled.

The board fashioned the remedy, leaving decisions about publishing the work to the discretion of the paper, after a federal court overturned that portion of an earlier NLRB ruling that would have required the paper to resume publication as well.

The court held that the board's

Protection against bias due to sexual or affectional preference is included in 33, or 16 percent, of the contracts.

Guild contracts without any form of non-discrimination language include agreements with Scripps-Howard's Knoxville News-Sentinel, Pulliam's Indianapolis Star and News, Ingersoll's Massillon (Ohio) Independent and Delaware County Times in suburban Philadelphia and Gannett's Rochester Democrat & Chronicle and Times-Union.

Plus, the Macomb Daily, ANSA—the Italian news agency—Canadian Press, the Jewish Daily Forward, Staats Herold—a German-language daily—and an agreement with Southam's Hamilton Spectator covering part-time mail room staff.

Copies of the study are available from TNG's Bargaining Dept.

first order infringed on the paper's First Amendment right to exercise absolute discretion over what it will publish.

In the revised order a three-member panel of the board instructed the paper's management to consider any factors it chooses except the employee's union activity in deciding whether to publish the columns.

The paper cancelled the reporter's weekly column after its editorial department employees voted for representation by a local of the Graphic Communications Int'l Union.

Reagan NLRB lists hard to bosses, study shows

By Gene Zack
AFL-CIO News unit
Washington-Baltimore Guild

A NATIONAL Labor Relations Board handpicked by President Reagan continues to show a pro-employer, anti-worker bias in all of its activities, the AFL-CIO Lawyers Co-ordinating Committee has charged in a new report.

[TNG Counsel David S. Barr is a member of the committee's board and co-author of a portion of the report.]

In the two-year period since 1983, when Reagan's appointees attained majority control over the NLRB, there was an unmistakable shift in the direction of favoritism toward management, the committee said in the December issue of "The Labor Law Exchange," a committee journal published three times a year.

Statistics compiled by the committee showed what is called "a marked aversion" to finding employers guilty of unfair labor practices and "an equally notable willingness" to rule unions guilty of such practices.

The report updates an earlier analysis of the Reagan labor board and covers the first two years of incumbent Chairman Donald L. Dotson's tenure. Under Dotson, it found, the board sustained complaints against employers in 50 percent of the cases, while complaints against unions were sustained approximately 85 percent of the time.

The pattern "contrasts sharply" with the NLRB's record in two previous periods: from September 1975 to August 1976, when the members were all Republican appointees, and from September 1979 to August 1980, when three of the four members were Democrats.

Despite the markedly different political complexions of those previous boards, the committee said, they each "ruled against employers and against unions with almost equal frequency." Under the even-handed approach in those previous periods, complaints against employers were sustained 84 percent of the time, while those against unions were upheld in 74 percent of the cases.

All of that has changed, how-

REVERSAL IN LABOR LAW...



GARY HUCK/Madison Guild

ever, during the first two years of the Dotson board. Since 1983, the NLRB increased its dismissal rate by 300 percent in cases involving complaints against bosses, while the percentage of dismissals of complaints against unions decreased by almost 40 percent.

The same contrast is evident in representation cases, the lawyer's group asserted.

In the Republican-controlled 1975-76 period, representation cases were decided in accord with the employer's position 35 percent of the time. Management prevailed 46 percent of the time in the Democratic years of 1979 and 1980.

WITH CONTROL of the NLRB firmly in Reagan's grasp, the percentage of representation decisions favoring employers rose sharply to 72 percent in 1983-84—more than double the rate under the 1975-76 board dominated by Republican appointees. It declined only slightly, to 66 percent, during 1984-85.

In a series of articles analyzing the NLRB's metamorphosis under the Reagan administration, the lawyers pointed out that:

While Dotson insists the board has merely sought to restore a labor-management balance upset by the alleged "excesses" of President Carter's labor board under the chairmanship of John Fanning, figures disprove that argument.

There have been 30 cases thus far in which the board reversed ear-

lier precedents. Only 13 of those original cases were decided by the Fanning board. Almost an equal number—12 cases—overturned precedents predating the Carter era, and the remaining five overruled decisions that occurred when Republican appointees controlled.

Under Dotson's chairmanship, the NLRB has made it "more difficult for employees to obtain union representation" by siding with management in favor of larger, rather than smaller, units for bargaining purposes—even though the units sought by workers would have met previous tests for an appropriate unit.

The end result has been to "deny union representation to a group of employees who have a community of interest and who desire such representation" by forcing them into a much larger unit, often involving workers in remote locations.

In its day-to-day activities, the board has demonstrated its "hostility to unions and collective bargaining" through a pattern of "fact-twisting, rule-misapplication and procedural pettifoggery that disdains every aspect of employee rights" contained in the National Labor Relations Act.

This is evident, among other things, in the imposition on workers of "norms of polite behavior more appropriate to genteel social gatherings than to the give-and-take of shop-floor disputes," while countenancing management's "most outrageous" alibis for anti-

union activities and characterizing employers' "most threatening conduct as benign."

The committee noted that, prior to taking over the NLRB helm, Dotson wrote that collective bargaining frequently led to "the destruction of individual freedom." Since assuming the chairmanship, the lawyers charged, Dotson has made it clear that what he favors is "the worker's 'freedom' to be powerless."

In none of the decisions reversing previous board rulings did the board favor the interest of workers over the interests of employers, the publication pointed out. "Every single rule change announced by the Dotson board has 'founded' to the employers' benefit."

An analysis of the decisions made by a board dominated by Reagan appointees revealed this distinct trend:

"If a case presents a conflict between the employer's freedom to manage its business and the union's right to bargain about matters affecting the bargaining unit, management prevails."

"If the perceived conflict is between the employer's right to control the workplace and the rights of individual employees, the employer again prevails."

It is only when the issue comes down to one between union members who want to act collectively, and individual members who don't want to join them in their concerted actions, does the Dotson board come down on the side of "individual rights."

THE UPSHOT of the string of NLRB decisions upholding management—even when it engages in such illegal tactics as discharges, threats, coercion and the refusal to bargain—is that the board has demonstrated to employees "the futility of turning to the NLRB for protection of their rights," the publication insisted.

Although there have been wide political swings in the presidency since the NLRB was created in 1935, the lawyers said, this is the first time that one party had seized control in order to "club the other side into submission by attempting to demonstrate that the law cannot be counted on to provide the protection it promises."

With the board's decisions increasingly anti-union, the publication suggests that unions "consider arbitration as an alternative" to turning to the NLRB to enforce contractual rights guaranteed by the labor relations act.

Such issues as the protection of individuals engaged in primary and sympathy strikes, the problems of "double-breasting" under which employers shift work to a nonunion subsidiary, plant closings and the binding of a successor employer to an existing contract in the event of a merger or a takeover might all be handled more successfully through the arbitration procedure.

Private action is hardly an adequate substitute for the public rights enunciated by existing labor law, the publication said, but since the board has abdicated its responsibility, workers and their unions have "no other sensible option."

Reprinted from the AFL-CIO News

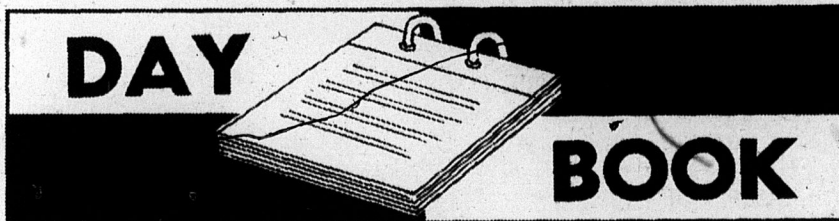
Waukegan drivers vote no Guild

Waukegan, Ill.—Drivers and dock workers at the Copley chain's Waukegan News-Sun have rejected a bid by the Chicago Guild to serve as their bargaining representative.

Full- and part-time employees

in the unit voted nine to four against Guild representation in a Jan. 9 election supervised by a representative of the National Labor Relations Board.

The local represents the paper's editorial department employees.



Midwest District Council, winter meeting, Feb. 1-2, Hotel Continental, Chicago.
Western District Council, winter meeting, Feb. 1-2, Ala Moana Hotel, Honolulu.
Great Lakes District Council, winter meeting, Feb. 8-9, Executive Inn, Buffalo.
Middle-Atlantic District Council, winter meeting, Feb. 8-9, Philadelphia Centre Hotel, Philadelphia.
New England District Council, winter meeting, Feb. 8-9, Manchester, N.H. (Sheraton Wayfarer, Bedford).
TNG residential seminar for new local officers, Feb. 14-17, George Meany Center for Labor Studies, Silver Spring, Md. (suburban Washington).
Southern District Council, winter meeting, Feb. 22-23, Sheraton Hotel, Memphis.
Int'l Election & Referendum Committee voter eligibility and referendum materials distribution meeting, Feb. 28, TNG headquarters, Washington.
Minimum Dues-per capita-strike/lockout benefit referendum, six-day voting period, March 20-25, all locals.
Local Election Committees count ballots cast in

March 20-25 referendum, March 26 or March 27, all locals.
Last date for postmark on locals' returns of all ballots and referendum materials to IERC, March 29.
Int'l Election & Referendum committee, tabulate and certify result of referendum, April 9, TNG headquarters, Washington.
Int'l Executive Board, spring meeting, April 21-25, TNG headquarters, Washington.
Western District Council, spring meeting, April 26-27, Eugene, Ore.
Canadian District Council, spring meeting, April 26-27, Toronto.
Int'l Executive Board, pre-convention meeting, June 20-21, Philadelphia Centre Hotel, Philadelphia.
53rd Annual Convention, June 23-27, Philadelphia Centre Hotel, Philadelphia.
Int'l Executive Board, post-convention meeting, June 27, Philadelphia Centre Hotel, Philadelphia.
54th Annual Convention, June 22-26, 1987, Hyatt Islandia Hotel, San Diego.
55th Annual Convention, summer 1988, Vancouver.

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