

THE GUILD Reporter

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Sixty years after
Broun's death, same
battles being fought

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Hell, no, to WTO

WashTech, others join Seattle siege

The 50,000 or so demonstrators who jammed the streets of downtown Seattle the week of Nov. 29 did more than bring the WTO's ministerial meeting to a screeching halt. They also began the long process of healing a decades-old rift between organized labor on one hand and environmentalists and students on the other.

Or as one particularly poignant banner put it, "Turtles and Teamsters together, at last!"

Marching under their own banner, WashTech members joined the Nov. 30 organized labor rally in part because their own already precarious jobs are among those jeopardized by a free-wheeling global economy. And contrary to the geeky loner image many computer professionals evoke, those who participated found a welcome sense of community.

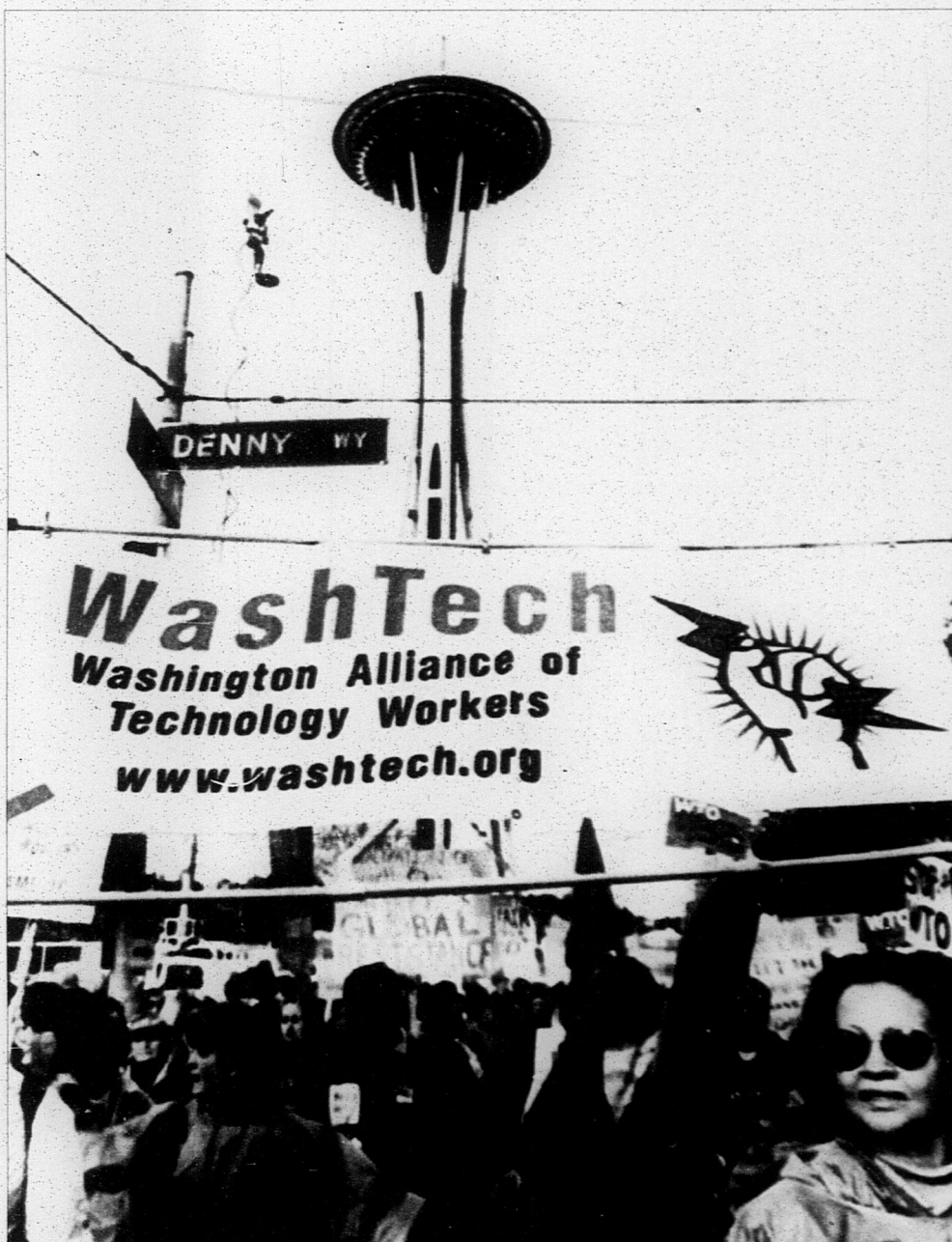
"I marched next to environmentalists dressed up as turtles, steel workers wearing their blue union windbreakers and airline pilots in uniform," says Jeff Nachtigal. "I felt like I had

friends, like I was a part of a movement that was right. Let me tell you, it was a great feeling to have friends who care about your well-being!"

That's quite a contrast to the anti-war protests of the 'Sixties, when hard-hatted union workers mixed it up with long-haired protesters in the name of patriotism. Thirty years later, however, globalization has eroded national boundaries and elevated economic interests above political ones. With jobs and the environment under attack by a system that views protections for both as impediments to trade, the Seattle protesters agreed that the enemy is not each other—indeed, agreed that they are allies.

Still, the mistrust—even paranoia—engendered by corporate culture can take many forms. WashTech's Jim Galasyn, who wrote a detailed account of the events of Nov. 30, describes the labor-led rally at Memorial Stadium as "inspirational" and the mood of the subsequent march downtown as

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MIKE BLAIN/WASHTECH STAFF

'Unwavering solidarity' wins in Sudbury

Standing firm against their employer's divide-and-conquer tactics, three bargaining units at the Sudbury Star walked right up to a strike deadline to win a three-year contract that includes their first negotiated, employer-contributed pension plan. But the most notable aspect of their eleventh-hour brinkmanship may have been the unions' willingness to strike over the salary of a single employee.

Settlement of the contract came in the wee hours of Dec. 4, following a strike vote that won the sup-

port of 93% of the members of a joint council comprising the Northern Ontario Newspaper Guild-CWA, the Sudbury Typographical Union-CWA and GCIU Local 100-M. Although the vote set a strike deadline of midnight, Dec. 3, union negotiators agreed to an extension as long as talks continued.

The new agreement, struck at 6 a.m. and ratified four days later, is retroactive to May 1. Although it provides only modest wage increases—4.5% across the board over three years—it achieved the units' primary goal of an employ-

er-provided pension plan, won premium pay for employees forced to work statutory holidays and blocked numerous concessions demanded by the publisher. The Star, with a circulation of approximately 23,000, is owned by Conrad Black's Hollinger chain.

Getting to the finish line, however, required enormous discipline and cooperation among the three units. "Joint council solidarity has been a hallmark of the collective bargaining process at the Star for 26 years," explained Denis St.

Pierre, president of the NONG local. "Despite its best efforts, the company has never succeeded in driving a wedge between any of the three units in the joint council—and that includes five strikes or lockouts and negotiations for a dozen contracts."

This time the company tried to isolate NONG, leaving several unresolved issues on the table while essentially settling with the typographical workers and pressmen. But as the joint council continued to hang tough, the outstanding items were resolved one by one

and the night hours ticked by, eventually only one demand remained: that the company settle a long-simmering dispute over the salary of a newsroom photo technician.

"We made it clear that even though this was just one person standing between us and a contract, all three locals would go on strike to get a just settlement. It was a matter of principle," St. Pierre said. Added George Young, president of the typographers' unit, "We had our picket signs all ready to go. They tried to drive a wedge between us, but we'd seen that before and we stuck together."

And so, as the first faint glimmer of dawn could be seen on the horizon, the Star's management blinked. The technician got a \$5,000 raise. And all union members got another lesson in the strength that comes from unwavering solidarity.

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A final tip of the hat to a most formidable presence

I have no desire to overturn or remake the system," J. William Blatz once said. "But I would like to take some of the harshness out of it and help its workers earn a better dollar."

And toward that end, Blatz turned his considerable talents and efforts for 53 of the 81 years he graced this earth.

Blatz died in his sleep Nov. 14, 1999. The official cause was listed as heart failure, but, in truth, his failed heart simply quieted a deteriorating body that had made life joyless for months. Although he still found some pleasure in his extensive stamp collection, it had been years since he had been able to find enough energy for his other passion, fishing and boating in Chesapeake Bay and the Atlantic Ocean.

Blatz was born in McKees Rocks, Pa., a working-class suburb of Pittsburgh, where his dad worked for a small suburban newspaper. Family circumstances eventually took him to Columbus, Ohio, and it was in Columbus that he got his first whiff of newspapering, as a copy "boy" at Scripps Howard's Columbus Citizen. That was 1935, however, when the Citizen paid copy boys \$15 a week, so Blatz was forced to supplement his wages by selling pencils to copy readers and reporters for a nickel apiece.

At the Citizen, Blatz advanced to sports writer, sports editor and telegraph editor. But at the same time he was advancing as rapidly through the Columbus Newspaper Guild, as treasurer, president and (unpaid) executive secretary, until finally, in 1946, the American Newspaper Guild decided to hire him away as an international representative.

Thus began a five-year stint of motoring about the Midwest—Blatz abhorred flying, contending that "airplanes are not here to stay"—in support of ANG's rapidly expanding base. The long drive



Bill Blatz at full throttle

ves and quiet hours behind the wheel served him in good stead, however; in later years, Blatz said those interludes provided an opportunity for shaping the approaches, strategies and philosophies that earned him a reputation as the Guild's most formidable bargainer.

In 1951, recognizing the gem in its midst, the Guild brought Blatz into the national headquarters as director of organizing—just as it also brought in Ellis T. Baker III, a southern-based international rep, as its new Director of Research and Information. The duo was destined to make waves for more than three decades.

Within months, Baker and Blatz developed a series of week-end seminars to teach Guild leaders how to mobilize their members and how to thread the mine-

fields sown by their employers. Both popular and productive, the program went on for years, with Blatz focused on organizing and collective bargaining while Baker expanded the curriculum to deal with such innovations as workplace automation. (Baker retired in 1985 and died, at 77, in 1995.)

In directing and supervising the Guild's staff of international representatives, Blatz arguably was the Guild's most formative influence, molding numerous of its local and national officers. International rep Robert J. Steinke, for example, went on to become executive secretary of the St. Louis Newspaper Guild and said, quite simply, "Blatz was the best union teacher I ever had."

Charles Perlik, who eventually rose to become TNG president, was hired by Blatz in 1952 as an international rep. In 1983, addressing the TNG convention, he lauded both Blatz and Baker for their leadership. "They made a team that any executive would envy having," he remarked. "Ellis in a slow, deliberative way that most of you have noticed, I am sure, and Bill in a more staccato, rapid fashion usually came to the same conclusion from many different directions. . . . They have been two great men who worked for this union."

At Blatz's retirement in 1988, then-president Charles Dale praised him as a "mentor to untold numbers, a friend to the fortunate many, an asset the Guild can't duplicate, let alone replace." To which Perlik added, "I can think of no one who contributed more substantially to our philosophy, our style and our achievements."

Blatz is survived, in the traditional sense, by his wife of almost 60 years, Betty; by sons J. William Jr. and Bruce; by daughter Barbara; and by 12 grandchildren and 16 great-grandchildren. In another sense, however, his survivors are far more numerous, spread throughout the Guild and its numerous locals, from one coast to the other.

In brief . . .

Calgary strikers get Guild support

The Canadian Media Guild and the Ottawa Newspaper Guild have thrown their support to members of two other unions, the CEP and GCIU, who have been on strike at the Calgary Herald since Nov. 8. Guild members have been urged to ask that their bylines be withheld from any stories sent to the Herald, have sent food and other picket line support and are raising contributions. Workers at the Southam newspaper have been fighting for a first contract for more than a year.

CMG petitions to merge CBC units

The Canadian Media Guild has filed an application with the Canadian Industrial Relations Board to merge its two units at the Canadian Broadcasting Corp. Unit 1 represents program production and presentation employees; unit 3 is general administration.

UPAGRA wins TV station election

UPAGRA, the Guild local in Puerto Rico, won an NLRB election for TV Channel 40 on a vote of 17 to 3, with 5 challenged ballots. Previous union drives at the broadcaster had failed.

No strike in Puerto Rico, after all

Guild members at WAPA TV in Puerto Rico decided not to go on strike, after all, ratifying a new contract Nov. 5 that includes a raise of \$20 per week, long-term disability coverage and a \$600 signing bonus. The settlement includes separate stipulations to resolve subcontracting issues. Agreement was reached only days after local members voted 61-0 to support a strike.

Phillie AO wins Leuchter award

Frank Santafede, administrative officer of the Philadelphia Newspaper Guild, has won the annual Irving Leuchter Memorial Scholarship. The \$10,000 award will enable Santafede to spend 10 weeks at the Harvard Trade Union Program, which runs Jan. 3 through March 10.

York local elects new president

With incumbent president Caryl Clarke deciding not to

seek another term, the York Newspaper Guild elected Kate Rauhauser-Smith to the top slot. Other officers are Dan Fink, first vice president; Mark Scoforo, second vice president; Trish Onley, treasurer and Tracy Vogel, secretary.

Southern District Council re-elects

Marilyn Kennedy of Memphis was re-elected president of the Southern District Council at its Nov. 20 meeting in New York. Also re-elected were Martin Sustache of Puerto Rico as vice president and Mark Pattison of Washington-Baltimore as treasurer; Denise Pool of Memphis is the group's new secretary.

Toledo officers begin 1-year term

The Toledo Newspaper Guild elected its officers for one-year terms Dec. 8, giving the nod to Beverlyann Morris as president, Lillian Covarrubias as vice president, Vince Piscopo as secretary and Jeffry Hojnacki as treasurer.

NLRB to hear 6 Thomson charges

Six NLRB complaints against Thomson Newspapers, based on charges filed by the Sheboygan Newspaper Guild, are to be heard by an administrative law judge starting Jan. 18 in Milwaukee. Complaints include charges that Thomson failed to provide the Guild with information about its health insurance plan and that it is dismantling the local by transferring work out of the unit.

Bernice Strange swamps opponent

Bernice Strange, president of the Retiree Members Club of TNG-CWA Local 38010, handily won election as an at-large alternate of the CWA RMC Executive Board. The final vote tally was 405 for Strange vs. 121 for her opponent.

How about these numbers?

The Housing and Development Reporter has only a handful of reporters, so perhaps it's not surprising that the Washington-Baltimore Newspaper Guild unit was able to negotiate a new contract in just a couple of hours. But get this: the two-year pact includes pay increases of 11% to 17%.

The Newspaper Guild International



For information about your benefits, contact Helen L. Coleman, assistant to the trustees:

1-888-893-3650

hcoleman@cwa-union.org

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UNION REPRESENTATIVE

Buffalo local seeking labor administrator. Newspaper background and computer knowledge a plus. Must have demonstrated and significant experience in contract administration and enforcement. Responsible, along with part-time clerk, for running day-to-day office operations. Represent a multi-departmental membership of 350 people. Competitive salary and benefits. EOE.

Send resume to:

Search Committee
Buffalo Newspaper Guild-CWA
120 Delaware Avenue
Suite 420
Buffalo, NY 14202

It's unanimous: IAPE joins TNG

The ranks of TNG-CWA were swollen by an additional 2,400 members the weekend of Dec. 11, when the executive board of the Independent Association of Publishers' Employees-CWA voted unanimously to become a Guild local. IAPE represents Dow Jones employees, including those who work for The Wall Street Journal, Barron's, Federal Filings and various electronic news services.

The decisive vote came as the board held its first meeting since Nov. 12, when 11 new directors and officers were elected to the 25-member governing body and president Ron Chen beat back a spirited challenge by a former vice president, Ken Martin, to start a seventh two-year term. The vote also came on the heels of two other ballots, with IAPE members ratifying a new three-year contract with Dow Jones but rejecting a proposed dues increase.

Founded in 1937 as an in-house union to block Guild organizers, IAPE provides wall-to-wall representation for virtually all non-management job classifications—including a couple of printing plants that were organized in

1997—in the U.S. and Canada. For much of its existence it maintained a tradition of genteel cooperation with management, to such an extent that service as an IAPE director was seen as a stepping stone into Dow Jones management. Among former IAPE directors: Time Warner's Norm Pearlstine.

More recently, however, the former blue-chip company lost its way, frittering away both its media franchise and its benevolent paternalism toward employees. The change paralleled Chen's ascension: under his leadership, IAPE hired its first staff members, bought its first computers, adopted a percentage-based dues formula and, in 1996—ahead of the Guild—affiliated with CWA after several failed attempts. It is otherwise known as CWA Local 1096.

"In many ways," said Chen, "our vote to join the Guild is the logical conclusion of everything we've been doing for the past decade. In fact, we've worked together so closely for so many years that I suspect some people might be surprised to hear that we haven't been part of the Guild all along."

Added TNG-CWA President Linda Foley: "It's taken more than 60 years, but we finally have all of the major unionized newspapers under one roof, the way Heywood Bruen and the Guild's other founders envisioned it. We have a lot to offer IAPE, but because IAPE also has much to offer us, all of us will be strengthened by this union."

Correction

Last month's Guild Reporter provided an incorrect Web address for anyone trying to obtain the 1998 Annual Survey of Journalism & Mass Communication Graduates. The correct address is:

www.grady.uga.edu/annual_surveys/

SEEKING LOCAL UNION REPRESENTATIVE

The Newspaper Guild of Greater Philadelphia, TNG/CWA 38010, a dynamic, fast-paced local of 1,600 members, is seeking a second local representative who is experienced in negotiations, grievance-handling, organizing and union mobilization. The successful candidate will possess excellent communications skills, a working knowledge of labor law and a demonstrated ability to work with diverse groups, including community organizations and other labor unions. The candidate should have computer skills and the creativity to handle challenges in a changing workplace.

The local representative (other unions call this position a business agent) must be willing to drive to and assist our units in Delaware, New Jersey and Pennsylvania. The rep will report to the administrative officer and be a part of a seven-member staff at the local headquarters in Philadelphia.

Salary commensurate with experience. Generous benefits. Applicants should send resume and cover letter by January 7, 2000 to:

Search Committee
The Newspaper Guild, TNG/CWA 38010
1329 Buttonwood St.
Philadelphia, Pa. 19123
FAX: 215-928-9177



MARJOLINE BOTSFORD/TNG CANADA STAFF

Learning the ropes

Participants in TNG-Canada's first bargaining school, hosted Nov. 4-6 by TNG-Canada director Arnold Amber (in white shirt in foreground) in Hull, Quebec, are all smiles after finishing the intensive program. With staff reps Dave Esposti, Dan Zeidler and Dave Wilson leading

the way—and with backup support from TNG-CWA contracts guru Marian Needham and Canadian attorney Nelson Roland—the two-dozen reporters, social workers, salespeople and composing and pressroom operators got a thorough immersion in the intricacies of labor law and a chance to engage in mock negotiations.

Gleaner gets even leaner, thumbs nose at arb board

A year after The Daily Gleaner in Fredericton, New Brunswick, discharged CWA-TNG local president Tim Martell and two other employees, an arbitration board has ruled that the newspaper violated its contract and ordered it to reinstate all three employees. The Gleaner's response? That the decision is "patently unreasonable" and therefore will not be obeyed, pending appeal.

As if that weren't enough bad news, the Daily Gleaner then laid off two more unit-represented employees, 22-year year veteran Joyce Walker and the newspaper's only librarian, Eliza Aitken. "The Irvings lost their heart when K.C. died," Aitken later told the Canadian Broadcasting Corp., referring to the late founder of the

New Brunswick economic empire and the carnage that has followed his demise.

Martell was more blunt, calling the layoffs yet another attempt by the Gleaner to erode the local's membership. "We view this latest action by management as retaliation, pure and simple," he snapped.

Martell's successful challenge of his September, 1998 "layoff" relied on the claim that the Gleaner had violated a "status-quo" provision of the collective bargaining agreement. The clause requires both parties to maintain conditions as they existed prior to a dispute until the dispute is resolved; the arbitration board concluded that this provision implicitly included layoffs.

The Gleaner, however, now claims that it unilaterally changed the terms of the contract last

April—after it had expired, and seven months after Martell's lay-off—and removed the status quo clause. "Consequently, the individuals in question will not be returned to employment," concludes a letter from company attorney William Goss.

The matter now is expected to move to the New Brunswick Provincial Courts, with Guild attorney Nelson Roland authorized to retain the noted law firm of Pink Breen Larkin for assistance. The local also has stepped up its efforts before the provincial labor board, filing fresh charges against the Gleaner for violating an exclusion of witnesses order and for intimidating witnesses for the union. It also is grieving the reassignment of production work to editorial employees.

Sometimes losing members means winning as a union

Losing Guild jurisdiction over 80 employees may not sound like cheery news—unless the loss means the 80 get to keep their jobs.

Which is what will happen next spring, when the Pioneer Press community newspaper chain closes its printing plant in Northbrook, Ill., and transfers the work to a new printing plant operated by the Chicago Sun-Times. Because both plants are owned by Hollinger, the Chicago Newspaper Guild argued that the 80 production workers it represents in Northbrook should get equivalent positions at the new plant, but Pioneer Press, Hollinger and the Sun-Times all refused to arbitrate the Guild's grievance.

Stymied at the bargaining table—where it also was trying to negotiate a successor to the contract that had expired May 31, 1998—the Guild filed suit in U.S. District Court to compel arbitration. That apparently got Hollinger's attention: on Nov. 30, all parties to the dispute agreed to a settlement that allows the Pioneer Press workers to transfer with full seniority.

Employees who decide not to transfer will get a severance package of one week's pay for each six months of service, up to a maximum of 15 weeks paid. Moreover, transferring employees who pass the probationary period will receive half of the severance package to which they would otherwise have been entitled.

The settlement also resolves the contract negotiations, providing a retroactive wage increase of 2.5% and an additional 3% increase effective Jan. 1.

The only wrinkle in the settlement, from the Guild's point of view, is that TNG-CWA doesn't represent Sun-Times production employees. Instead, the transferring Pioneer Press workers will fall under the jurisdiction of other unions and work under their contracts. "But since the stated goal of our negotiations was to get these workers employed in the new plant, that goal seems to have been achieved and I'll put this one in the victory column," said Marian Needham, TNG-CWA's director of contract administration.

Vanishing employees,

Wherein we further explore employers' deconstruction of the word 'employee' to create the ultimately flexible—and disposable—work force.

By Andy Zipser
Editor, The Guild Reporter

Converting full-time jobs into temporary, "contract" or leased work is by now a well-worn tactic of cost-cutting companies: "employees" have certain legal rights that mere "workers" don't. But the employer-employee tie works in two directions. Cut it, and the employees you want to keep—indeed, may have to keep—could decide to peddle their skills elsewhere.

How, then, to create a tie that tethers employees to their employers—but gives employers maximum flexibility in dissolving the relationship? Why, promote 'em, of course.

Human nature being what it is, few employees will protest a "promotion" that comes with a title, even with no extra pay, because it implies recognition of one's talents and represents a step up the professional ladder. But that ladder's rungs are extraordinarily slippery, as neither supervisors nor managers are covered by the National Labor Relations Act. And because the determination of who is properly classified as a supervisor or manager is mired in ambiguity and conflicting court decisions, employees once flattered by their promotions may discover they've gained nothing—even as they lose their only protection against arbitrary treatment.

The NLRA's 12-step definition of supervisors is so broad it can cover a majority of employees on a payroll, which may explain why so many corporate organizational charts are top-heavy. The definition includes "any individual having authority, in the interest of the employer, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them, or to adjust their grievances, or effectively to recommend such action," providing only that the person exercising such authority uses "independent judgment."

Over-arching as that is, the Supreme Court widened the definition even more in 1994 by reversing a National Labor Relations Board decision regarding licensed practical nurses. The board had ruled that LPNs who instruct aides in patient care do so not in the employer's interest, but in the interest of the patient, which meant they were not supervisors. Not so, responded a narrowly divided Supreme Court: anything that nurses do regarding patients' needs is in the employer's interest, which meant they were indeed supervisors—an interpretation so broad it makes the "interest of the employer" test meaningless for virtually all employees.

But that's not all the court has done. A

quarter of a century ago, the Supreme Court also "inferred" that Congress had intended to include "managers" with "supervisors" when it adopted the NLRA. Although the NLRA doesn't mention managers, the court reasoned that there are "other employees, much higher in the managerial structure, who were likewise regarded [by Congress] as so clearly outside the Act that no specific exclusionary provision was thought necessary." Such employees "formulate and effectuate management policies by expressing and making operative the decisions of their employer."

The mischief potential of this inference was developed in a case concerning Yeshiva University, in which the Supreme Court con-

employees. Hospital interns, residents and fellows have been treated similarly.

Efforts to disenfranchise white-collar workers have become more widespread as their numbers have grown—and as they've become increasingly open to unionization. Indeed, despite the common perception that organized labor represents primarily blue-collar workers, the "professional specialty" sector of the workforce—which includes most newspaper jobs—now is the second most unionized, with 23% of its workers represented by unions. Even medical doctors, traditionally among the most independent of profession-

judgment" to assign and "responsibly . . . direct" the work of other employees," she wrote, "then most professionals would be supervisors, for most have some authority to assign and direct others' work."

Others have echoed the same concern, with as little effect. The Dunlop Commission, for example, which was chartered by the White House to review the effectiveness of the NLRA, noted that most professionals "have some supervisory responsibilities in the sense of directing another's work," including lawyers, teachers and doctors—not to mention various editors. All, therefore, presumably could be excluded from the NLRA's protection as supervisors, despite the act's specific inclusion of professionals as a protected group.

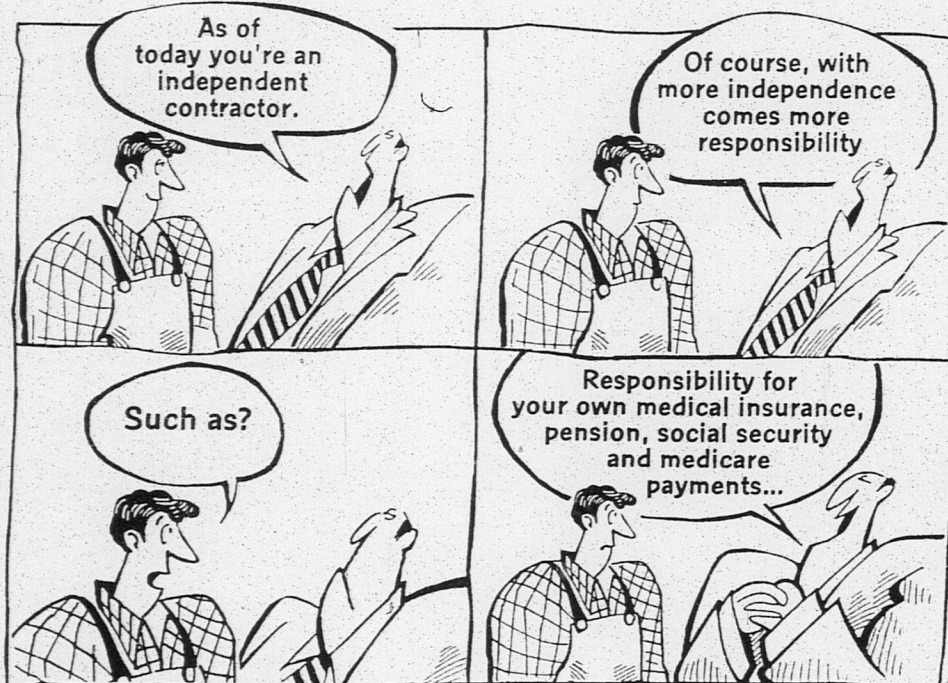
Similarly, the court's decision in the Yeshiva University case has since been expanded to other professionals, with some editorial page writers and dentists among those tagged as "managers" and therefore beyond the NLRA's reach. The Dunlop Commission worried over this development, too, blasting the court's opinion as embodying an outdated, hard-line distinction between worker and "manager" that doesn't reflect the modern workplace.

The absurd consequences of the court's logic were adroitly underscored by Jonathan Hiatt and Lee Jackson in a 1996 article in Labor Law, titled "Union Survival Tactics for the Twenty-First Century." Such decisions, they observed, raise the possibility that workplace "mentors" or employees who accept even limited delegation of "managerial" authority can find themselves abruptly pushed out from beneath the NLRA umbrella. These aren't theoretical concerns. In 1982, for example, the NLRB excluded all the employees of a medical school from bargaining representation because they had negotiated *too good* a contract—a contract that gave them so much authority over their work that they were, in effect, managers.

Or as Hiatt and Jackson noted, "In other words, the Board held that employees can utilize their statutory rights so effectively that they deprive themselves of such rights."

Thus far, however, efforts to stop the disenfranchisement trend have borne little fruit. The Dunlop Commission's recommendations, for example, although widely regarded as only a first step toward labor law reform, disappeared into a black hole of neglect. Moreover, Congressional legislative initiatives on related issues have tended to exacerbate rather than alleviate the problem. For example, a group of proposals to amend the tax code would liberalize the definition of independent contractors—permitting even more employers to reclassify their employees in this manner. Some proposals single out particular groups, such as high-tech workers, for even more "generous" treatment as independent contractors.

There is no lack of recommendations for reversing the tide, of course, with most hinging on Congressional action. Some legislation, like the AFL-CIO-supported Indepen-



Carole Simpson © 1999

cluded that the school's entire faculty should be defined as managers because they participated in peer review. Moreover, the court noted, the faculty participated in decisions concerning curriculum, admission and matriculation standards, grading, academic calendars, course schedules—ostensibly the very stuff of a faculty member's "independent professional judgment" but which the court recast as managerial decision-making.

Of course, promoting employees into the ranks of supervisors and managers isn't always feasible—especially if they're young or inexperienced. Fortunately, there is yet one more way of turning employees into mere workers: call them "students" or "interns," two more categories that fall outside the protections of the NLRA. And, as with the definition of "supervisor" and "manager," the meaning of "student" is easily fuzzed over. In 1974, for example, the NLRB ruled that private university graduate students who receive financial assistance in exchange for teaching are primarily students, not employees. A quarter-of-a-century later, grad students at some schools teach a majority of the undergraduate course load in what amount to full-time jobs, for which they get stipends of less than the minimum wage—but remain categorized as non-

als, are turning to unions as their work is commoditized by health maintenance organizations and other managed care plans, and surveys show that white-collar workers overall are more likely than other workers to vote for unions.

But as even the starchiest white-collar workers begin to look for union representation, the drive to disenfranchise them gains in momentum and sophistication. Doctors, for example, are in most cases still regarded by federal law as independent contractors and therefore run the risk of violating antitrust laws if they attempt to unionize—a particularly Orwellian twist, given that their organizing efforts are a direct outgrowth of rapid consolidation in the health care industry. The irony is that a shrinking number of ever-larger managed-care Goliaths is dominating the marketplace, but it's the Davids who get accused of stifling competition.

Other, more subtle trends are illustrated by the Supreme Court decisions regarding licensed practical nurses and college faculties. As Justice Ruth Ginsberg noted in one of her dissents, there's a big difference between "supervisor" and "professional"—a difference that the majority has blurred. "If the term 'supervisor' is construed broadly, to reach anyone with any authority to use 'independent

part II

dent Contractor Act of 1999, even made it to the floor, although it foundered there. This back-door measure would have tackled one aspect of the larger problem by amending the Internal Revenue Code, instituting a three-part test to determine if a particular employee is an independent contractor.

A more fundamental AFL-CIO suggestion is to have the NLRA incorporate an economic dependency test to define "employee," to repeal its express exclusion of independent contractors and to include "dependent contractors" as employees. The AFL-CIO also has been seeking a more specific definition of "joint employer"—to address the use of staffing agencies who act as employers' alter egos—and has recommended a more narrowly defined exclusion for "managers." Thus far, however, the AFL-CIO's proposals have received as little attention as those made by the Dunlop Commission.

There are a few bright spots amid all the gloom. Most notable is an Oct. 14 decision by a regional NLRB director that rejected an attempt by the Detroit Free Press to remove 26 positions from Guild jurisdiction. The jobs all carried superficially supervisory titles—assistant editors, deputy editors, deputy copy chiefs—and the Free Press argued that they included such duties as assigning work, evaluating employees and interviewing job candidates. The regional director, however, noted that in fact such activities were more collaborative than authoritative and required little independent judgment.

Tellingly, the regional director also emphasized that the NLRA's legislative history "indicates that Congress intended to distinguish between employees commonly referred to as 'straw bosses' or leaders, who may give minor orders and oversee the work of others, but who are not necessarily perceived as management, from those supervisors truly vested with genuine management prerogatives."

Employers suffered another setback Nov. 26, when the full board decided—albeit by a slender 3-2 margin—that interns and resident doctors are indeed employees. The ruling overturned a 23-year-old decision that had classified such professionals—many of whom work 80-hour weeks—as students and opens the door to union organizing. It also creates the paradoxical possibility that a lowly-paid LPN will still be viewed by her employer as a "supervisor"—even as the doctors under whose orders she performs will be unionized.

Such absurd outcomes only emphasize the disarray of U.S. labor law, with employers typically exploiting the confusion at their workers' expense. But while the most effective response may be a political one, as the AFL-CIO has argued, that won't happen without a groundswell of popular support from the white-collar workers who are being marginalized, isolated and made vulnerable to the next wave of corporate restructuring. They may be virtual employees—but the work that lies ahead of them is all too real.

Research assistance for this report was provided by the AFL-CIO's Dept. for Professional Employees.



Ol' what's-his-name would have jumped right into the fray

When Editor & Publisher published his centennial issue and selected the 25 "most influential newspaper people of the 20th century," the man who led the charge against the press baronies of his time received nary a mention. Didn't even make the list of 25 also-rans who "made a difference."

When Bill Serrin, former New York Times labor reporter and current journalism prof at New York University, recently challenged his students to identify the man whose picture hung in his office, it was months before anyone came up with the right name.

And when the nation's ink-stained wretches seeking five thousand bucks and a good resume item call the TNG-CWA office in search of answers, the question almost always begins the same: "I'm calling about the Heywood Brown award..."

He'd have been pissed about that one.

Big, bluff and passionate, Heywood Brown reserved his bile for targets even larger than himself and rarely took offense at personal slights. Except for his name. He took a proprietary interest in that, waxing indignant when readers wrote to "Hayward Brown," threatening to change the spelling to Broon or some more creative variation. And letters there were aplenty, thanks to Brown's evocative pen. Now largely forgotten by ad-driven publications like E&P, Brown was the most phenomenally successful—and highest paid—columnist of his time, earning \$25,000 a year in the 1920s and nearly twice that during the Great Depression.

Although his first and perhaps greatest love was sports, Brown is best remembered for his reporting on social issues and his championing of the disadvantaged. "When a man has a conviction, great or small, about eggs or eternity, he must wear it

always in plain sight, pulled down tight upon his forehead," he once wrote. "I see no wisdom in saving up punches for a rainy day." He lived up to his own prescription, too, warring against hypocrisy, small-mindedness and the abuse of power throughout a career that included some 3,000 newspaper columns, dozens of shorts stories, articles and essays, three novels, two books about World War I and a play.

Perhaps the greatest of his crusades was on behalf of a fish peddler and a cobbler, Nicola Sacco and Bartolomeo Vanzetti, charged with being part of a gang of five who had shot two men to death while stealing a shoe factory's \$15,000 payroll. Helpful witnesses claimed that two of the gangsters looked very Italian, and while both Sacco and Vanzetti had alibis, both were swarthy and were known to have anarchistic leanings.

The Sacco and Vanzetti case polarized the nation, not least because the judge referred to the defendants as "dagos" and "sons of bitches," and Brown waded into the fray on their behalf with grim—if ultimately futile—determination. Battling his own publisher, who supported the pair's execution and who eventually fired Brown, he also flailed out at the judge, the governor and other public figures who failed to intervene in a case he saw as a lynching. That fight may be the only time Brown hated, and it marked a turning point in his outlook and his career. From 1927 onward he was more serious, more urgent in his writing.

"All I did was snipe at sitting birds," he wrote of his earlier prose. "It took a major national tragedy to animate me to any major purpose. But I trust I am not being conceited in saying that by now a considerable number of people regard me as one of the most offensive persons engaged in newspaper work. I have almost a complete set of

enemies who detest me with a very convincing sincerity. I mean to fill the shelf."

He did that, too, and nowhere more significantly than in the catalyzing role he played in founding the American Newspaper Guild. While much of his writing is now dated, encumbered by sports analogies that contemporary readers might not understand, Brown's concerns for liberalism, labor and the role of journalism in a free society were fused into his far more enduring role as the Guild's founder and first president.

The seed of that conception was planted August 7, 1933, in Brown's column in the New York World-Telegram. In a paragraph that reads as though it could apply to today's newsrooms, Brown observed that "newspaper publishers are toying with the idea of classifying their editorial staff as 'professional men.' Since NRA [National Reconstruction Administration, precursor of the National Labor Relations Act] regulations do not cover professionals, newspapermen, therefore, would continue in many instances to work all hours of the day and any number of hours of the week." As he further wrote:

"The average newspaperman probably works on an eight-hour day and six-day-week basis. Obviously the publishers, by patting their fat-head employees on the head and calling them 'professionals,' hope to maintain this working week scale. And they'll succeed, for the men who make up the editorial staffs of the country are peculiarly susceptible to such soothing classifications..."

"The men who make up the papers of this country would never look upon themselves as they really are—hacks and white collar slaves. Any attempt to unionize leg, rewrite, desk or makeup men would be laughed to death by these editorial hacks themselves. Union? Why, that's all right for dopes like printers, not for smart guys like newspapermen!"

Brown finished off his piece by grandly announcing—despite his aspersions about his fellow journalists—that starting at 9 a.m. October 1 he would "do the best I can" to start a newspaper writers' union. And he did that, too.

Yet as militant and outraged as he got, Brown's writing retained a remarkably wry and affectionate touch that endeared him to readers to the very end of his life. Nowhere was this more evident than when Brown wrote about himself, as in a third-person piece for Scripps Howard that underscored his unwillingness to take himself too seriously:

"Assigned to a death watch on E.H. Harriman, Mr. Brown made it his practice to crawl through the woods on his stomach each evening in an effort to reach the house where the great financier lay ill. Guards patrolled the estate and crawling on your stomach had to be done with quite a lot of finesse. Once Brown succeeded in slipping through the lines and reaching the front door. He was promptly escorted down the hill and learned nothing. And yet even today the episode seems to linger in his mind as a brilliant exploit. Perhaps it is nostalgia. I doubt very much whether Brown could so much as crawl on his stomach across the city room today. I mean with finesse or without it."

Brown's own death watch began 60 years ago this month, when a case of the grippe developed into pneumonia. He died Dec. 18 after lapsing into a six-hour coma. His last words were about Ring Lardner and a promise that if he pulled through, "I will write only about horse racing, night clubs, baseball, gambling and life."

Labor round-up

Turning the Page at NLRB

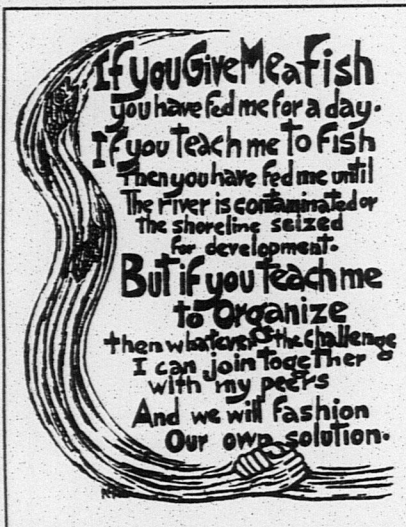
Former United Auto Workers attorney Leonard R. Page received a recess appointment as general counsel for the National Labor Relations Board, following the Senate's failure to act on his nomination since last February. The NLRB also received a \$21 million increase in its budget for the current fiscal year, enabling it to hire additional staff—and begin to clear out some of its backlogged cases.

A no-sweat approach to gift giving

Stuck for gift ideas? Think labor. The Northland Poster Collective (www.northlandposter.com or 800/627-3082) has a wide selection of posters (natch—see the sample below), buttons, bumper stickers, caps and other apparel emblazoned with various messages of labor inspiration, history or solidarity. Or check out the Labor Heritage Foundation (202/842-7810),

which offers a variety of labor-oriented art, music, videos and books. The music selections are especially noteworthy, spanning the decades from 1940 to the present and including the voices of Woody Guthrie, Paul Robeson, Sweet Honey in the Rock, Leadbelly and Charlie King. The videos run the gamut from the classic

"Salt of the Earth" and "Grapes of Wrath" to "Matewan," "Roger and Me" and "Harlan County USA."



Finally! Avondale shipyard gets union

Six years after first voting for union representation, 4,100 workers at the Avondale shipyard in Louisiana finally got what they wanted. Certification of their signatures on new authorization petitions ended one of the country's highest-profile management-labor disputes, including a massive anti-union campaign of firings, harassment and legal maneuvering by the shipyard's former management.

US Airways contract ratified

CWA-represented passenger service employees at US Airways overwhelmingly ratified their first contract with the airline, voting 2,958-910 to accept the five-year agreement.

Oh, those sly folks at Wal-Mart

Despite a heavy-handed "Buy American" and "Bring It Home to the U.S.A." advertising campaign, more than 80% of Wal-Mart's apparel items are manufactured overseas, frequently in countries that employ sweatshops and child labor, according to the AFL-CIO's Food and Allied Service Trades Dept. The department charges the discount retailer with other deceptive practices, including sales of fake designer-label clothing and sales of Native American jewelry that instead was mass-produced in China.

Paying for peace of mind

How much more would shoppers be willing to pay for merchandise if it came with a guarantee that it wasn't made in a sweatshop? At least 5%, according to a survey by the Marymount University Center for Ethical Studies, which found that 86% of respondents would pay an extra dollar on a \$20 item under such circumstances. The full survey can be seen at www.marymount.edu/ethical.html

Who you gonna call? Buster busters!

Returning to a practice it had inexplicably stopped, the AFL-CIO is assembling a data base on union-busting consultants, to be made available on a password-protected web site. Union organizers encountering anti-union consultants in recent drives are asked to contact the federation at infoctr@afl-cio.org or to fax Gordon Pavy at 202/508-6986.

WashTech joins WTO protest

Continued from page 1

"great, with everybody smiling and chanting." But on reaching Pine Street, he adds, the mood turned to shock and surprise.

"The Nordstrom windows were cracked," he recalls. "Anti-WTO slogans were spray-painted across the glass. The Starbucks' Coffee windows had been shattered. Surfaces all over had been tagged [sprayed with graffiti]. No police were visible anywhere. I suspected—and still suspect—that agent provocateurs were responsible for most of this damage."

Regardless of who was to blame for the trashing of downtown businesses, the outsized media coverage it received overshadowed more thoughtful explorations of why so many disparate people had come together. Instead, caricatures abounded, from comparisons of the demonstrators to Luddites to stern warnings that were they to succeed, the world would collapse into global recession.

Yet as AFL-CIO President John Sweeney and a long procession of other speakers emphasized, the issue is not free trade but fair trade. Indeed, in ironic counterpoint to the 'Sixties, when demonstrators frequently railed against society's oppressive rules, Seattle's demonstrators were urging rule *creation*: rules to protect the environment, to set labor standards, to open up the WTO's closed-door proceedings. From the perspective of those on the street, the true anarchists were not the vandals smashing plate glass windows but the international oligopolies that smash cultural values and legal safeguards for their own enrichment.

Meanwhile, even as television cameras zoomed in on billowing tear gas and baton-wielding policemen, the marchers themselves saw a different dynamic. "Whenever any vandalism occurred close to the protests, the protesters denounced it when and where they saw it," avers WashTech member Bryce Felt. Adds Jeff Silverman, who for about 45 minutes stood in front of Niketown to dissuade vandals, "I broke up three fights, gave multiple lectures on issues associated with peaceful protest and, in my little corner, was successful . . . until the police launched tear gas



MIKE BLAIN/WASHTECH

and concussion grenades."

What all the street drama did accomplish, on the other hand, was a sudden political understanding that world trade issues can no longer be resolved solely by an elite few with profit-driven agendas. President Clinton, as sensitive as a weather vane to political cross-currents, indicated as much by surprising WTO delegates with a statement that he favors eventual sanctions for countries that don't meet minimal labor standards. That caused a predictable outcry from the trade representatives of Third World countries,

but not from the labor leaders of those same nations, who have said all along that their workers also need protection from sweat shops, slave wages and child labor.

Organized labor in the U.S., meanwhile, was so energized by the Seattle siege that it has set its sights on convincing Congress to deny permanent most-favored nation status to China—a Clinton initiative. It also is renewing its objections to admitting China, described by Sweeney as "the world's most populous human rights abuser," into the WTO.

This just in . . .

Election results for the Canadian Media Guild's national executive committee were made available shortly before The Guild Reporter went to press. While most candidates were unopposed, five positions were contested: vice president CBC Unit 1, Atlantic region, which had two contenders; vice president CBC Unit 1, mountain region, for which there were three nominees; and three vice president slots for CBC Unit 3, Toronto, which were sought by four candidates.

The new committee, which serves a two-year term, is as follows:

At-Large

President: Lise Lareau—CBC Toronto
Vice President: Jon Soper—CBC St. John's
Secretary-Treasurer: Terry Walker—CBC Toronto
Women/Equity Issues: Barbara Saxberg—CBC Toronto

Unit 1

Atlantic VP: David Pate—CBC Halifax
Central VP: Margaret O'Sullivan—CBC Windsor
Mountain VP: Judy Piercey—CBC Edmonton
Northern VP: David Miller—CBC Yellowknife
Prairie VP: Terry MacLeod—CBC Winnipeg
SRC VP: Alain Louis-Seize—SRC Ottawa
Toronto VP: Arnold Amber—CBC Toronto

Unit 3

East VP: Jeff Mitrow—CBC Ottawa
Toronto VPs: Rick Basarke, June Shafi, Kathryn Tessier—CBC Toronto
West VP: Michael BarronWright—CBC Regina
Freelance VP: Mark O'Neill—CBC Toronto
CP/BN VPs: Sylvia Strojek—Edmonton
Scott Edmonds—Winnipeg
Reuters VP: Rick Franolla

Scholarship deadline

Union Privilege and Household Credit Services are offering one-time cash grants of \$500 to \$4,000 to help defray undergraduate college costs. The scholarship program is open to the family of any union member with at least one year of good standing.

Applications must be submitted by Jan. 31 and may be obtained from: Union Plus Scholarship Program, P.O. Box 34800, Washington D.C. 20043-4800.



LOOKING AHEAD

Next millennium looks good, too

By Linda Foley, President

This is my last column in the last Guild Reporter of the 20th Century. And, yes, I'll say it: We're about to enter a new millennium.

No doubt most of us will pause for at least a minute or two before Jan. 1, 2000, to reflect on past years—and to wonder if we've made a difference in how the next thousand, hundred or 10 years will unfold.

Then on Jan. 3, provided the Y2K bug doesn't bite us, we'll all return to work and our daily routines and life will go on. So before I get back to the phone messages, e-mails, meetings and conferences that fill up most of my typical day, I thought I would share some of my personal thoughts and feelings about our union as we finish 1999. (If this gets too sentimental, you can stop reading at any time.)

I am enormously proud to be a part of The Newspaper Guild, the Communications Workers of America and North America's organized labor movement. When I think of what we stand for and what we fight for—not just when the stakes are high, but every day—I feel a great sense of accomplishment.

We defend workers on the job; we empower them through collective action; we push legislation to protect their rights. We hold each other up, and we hold each other's hand. We not only stand for what's right, we stand up for it.

In 1999, The Newspaper Guild, CWA

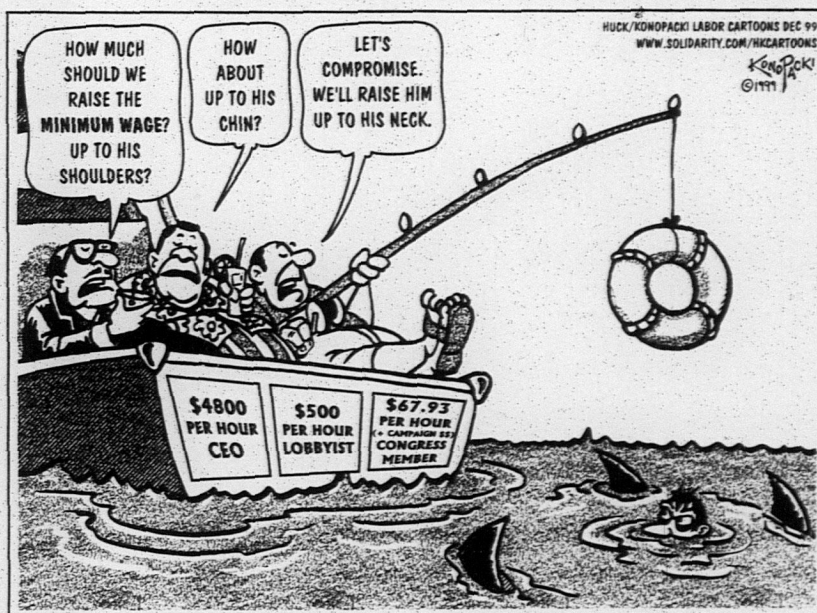
and the Longshoremen's Union saved a newspaper in Hawaii using our collective financial resources and organizing skills. We made it possible for a coalition of Honolulu citizens to keep something they care about deeply, their Star-Bulletin newspaper. That made my year.

We have helped the members of WashTech gain respect and dignity as they work to ensure that the one of the world's largest corporations, Microsoft, treats its workers fairly regardless of whether Bill Gates considers them "employees." No wonder WashTech gets such good press.

Sometimes our struggles seem to last forever. After more than two years since Knight-Ridder took over the Monterey, Cal., Herald and dumped the Guild's contract, we still are fighting to achieve a new collective bargaining agreement. In Detroit, many of our members are still locked out and the newspaper companies still refuse to admit they broke the law and end the dispute.

We don't always win, but we almost always take the fight.

And we must be effective, too—look, after all, at how much time, money and energy our adversaries spend trying to defeat us. Sure the giant media corporations have lots of dough, but we also know how much they hate to spend it. Paying lawyers three hundred and four hundred dollars an hour to thwart the organizing efforts of



workers in the Chicago Sun-Times advertising department must have some financial justification.

I guess the corporations realize something about our union that maybe we don't. Or at least we haven't up until now. When unions work, when they do what they are supposed to do, we are a very powerful force. Often, we are the only force standing between corporations and greed.

For proof, look at the recent "Battle in Seattle" over the World Trade Organization meeting. Despite the best efforts of the most powerful countries and corporations on Earth, demonstrators in Seattle did the unthinkable. They organized, globally and locally, forced the WTO to back off its *laissez-faire* approach to open markets and prevented a new trade agreement that would

have ravaged workers and environments around the world. All this after U.S. Trade Representative Charlene Barshefsky proclaimed, "Failure is not an option." Turns out it wasn't an option; it was an inevitability.

Our labor movement, our solidarity, our union helped bring about that result. How does the song go? "There is no power greater anywhere beneath the sun"? Maybe so.

I do know this much: When unions organize to bring about change, we collect what's strong and good in each of us and focus all those positive attributes toward one goal, whether it be saving a newspaper or preventing a global labor crisis. Maybe that's why it feels so good.

Maybe that's why I'm so positive about the next thousand years.

Dot.commies are jumping ship

By Carl T. Hall
President, Northern California Guild

Big stacks of documents are piling up all over the place in San Francisco, as odd squads of trust busters, 30 years too late, pretend to check out whether Hearst Corp. is legally entitled to buy the Chronicle.

These guys want documents and, by George, that's what they're getting.

Newsroom executives have been observed cleaning out desk drawers last opened sometime during the Carter administration. Memos nobody read the first time are being scrutinized now as if they held the clues to eternal life. At the Newspaper Agency, folks are racking up oodles of authorized overtime to upchuck all kinds of charts and diagrams and row upon row of numbers. Most of us thought the Dept. of Justice

would take about 14 seconds to complete its standard "investigation" of newspaper monopoly deals. Now it looks like the feds, trailed by two or three other crews of state and local investigators, will be taking their sweet old time about doing not much of anything.

Ah, lawyers.

None of the alleged investigations you may have heard about is expected to make much difference, but then again, nobody really knows what to expect anymore. Maybe there's a smoking gun in one of these boxes of files, or maybe Terrence Hallinan will discover the Crime of the Century right here under our very noses.

Everyone keeps demanding to know what's new on the merger front, a fair question three months after Hearst and Chronicle Publishing made their big announcement.

I don't know.

Survey comments are being read before forwarding, although it's too early to come to any general conclusions. It is worth noting, however, that many respondents—though of course not all—seem to like their jobs regardless of whether they have serious complaints about supervision, computers, the physical environment or other factors.

I am encouraged by the widespread support this project is getting from Guild locals and am hopeful that it will give us—and each local—the information we all need at the bargaining table to improve our members' working conditions. So don't wait: fill out your survey and return it now. Thanks.

When Hearst execs met recently in San Francisco, they also demanded answers—or at least a timetable—but apparently left town empty-handed.

At the Chronicle, we all think we've been sold, but the deal has not closed and so we really have not been sold. At the Examiner, we're all supposedly being sold, but nobody seems to be buying, which makes for an even weirder disconnect. And at the S.F. Newspaper Agency, everyone's caught somewhere in the middle—possibly a familiar position.

We have been reassured, time and again, that layoffs are not going to happen as a result of the merger. That if the Examiner is sold, anyone not hired by the new owner will have a job waiting back at the Chronicle once Hearst takes over. That all union contracts and the long-term contract extensions that run through 2005 will be honored.

Steve Falk, writing his quarterly "Dear Colleague" letter to SFNA employees Oct. 18, repeated these assurances yet again, promising to keep us posted as to the outcome of the Justice Dept.'s review. "In other words, there are no hidden agendas and the Hearst Corporation considers employees the most important asset of the purchase," Falk wrote.

It's not hard to find people willing to accuse Falk and others of prevaricating, but I have chosen to take him at his word. In any case, we have a right to behave as if these job guarantees are genuine, even though we also have a right—in fact, a duty—to demand that the assurances be put in clear and binding language.

The big problem now is not layoffs, but resignations. Some of our most talented

members are taking off to become dot.commies. This happens to be a booming economy, driven in part by an Internet exploding with opportunities for people who can produce content and revenues. So the big daily newspaper publisher—assuming it comes down to just one, sooner or later—may well be desperate to hang onto key talent.

The long-feared mass layoffs may still happen if the current deal unravels and some other corporate agenda kicks in. But there's big money saying that won't happen and that Hearst will end up with all the marbles in San Francisco. I just hope the stalling game ends soon so that we can all get down to the real job at hand: of turning the Chronicle-Examiner, or whatever they call it, into a 24-hour online-publishing juggernaut, unionized top to bottom, that wins Pulitzers and makes money.

But maybe you've heard that somewhere before.

A slightly longer version of this column was first published in the November issue of *Ralph*, official publication of the Northern California Media Workers Guild.

By TNG Convention action, letters to the editor 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. (Next deadline: January 7.)

Save stress, send surveys

By Larkie Gildersleeve
Director of Research, Information and Tech.

About one-fourth of TNG-CWA's locals have returned stress questionnaires to the Washington, D.C. office, raising my stress level as I wait for the others to come in. Please don't wait!

All Guild members are encouraged to return their questionnaires to their locals as soon as possible, with the locals urged to forward them to us promptly—even ones that are returned late. Statistical analysis at the University of Wisconsin will take a while, so there is still time for late returns.

Oh, what a web we weave . . .

It's not exactly a landslide, but the number of TNG-CWA locals throwing up Web sites definitely is on the rise: even tiny Sheboygan just jumped onto the bandwagon. And while some resemble certain cable channels—the same old thing week after week and month after month—and others clearly are shoestring operations with an uncertain future (often signaled by their cumbersome address), several are sprightly sources of news and background information. Herewith, as comprehensive a directory as The Guild Reporter was able to compile—and if your site has been overlooked, e-mail us at azipser@cwa-union.org.

The Boston Globe Employees Association: www.bgea-tng.org
 Buffalo: www.wnywebshop.com
 Canada: www.tngcanada.org
 Canadian Media Guild: www.cmg.ca
 Detroit: www.detroitguild22.com
 Harrisburg: ourworld.compuserve.com/homepages/tng16/
 IAPE (representing Dow Jones employees): www.1096.org
 Los Angeles: members.aol.com/langtng/index.html
 Milwaukee: www.execpc.com/~guild51/
 Modesto: webdemon.com/guild/
 Northeast Ohio: www.geocities.com/wallstreet/3088
 New York: www.nyguild.org
 Philadelphia: www.local-10.com
 Pittsburgh: members.aol.com/pghguild
 Providence: www.riguild.org
 San Jose: www.sjguild.org
 Sheboygan: www.bytehead.com/~cwa179
 Translators and Interpreters: www.ttig.org
 Washington-Baltimore: www.wbng.org
 WashTech: www.washtech.org
 Wire Service Guild: www.wsg.org

Also of interest are several special purpose sites that may not outlive the events that prompted their creation. These include www.savestarbuletin.org, which has chronicled the battle to keep the Hawaiian paper from being closed; and www.savepacific.net, which has documented the Pacifica air wars.

Cash registers ringing as readers dribble away

They're getting giddy in the boardrooms. Knight Ridder CEO P. Anthony Ridder is forecasting profit margins of 18.5% this year and more than 20% next year. Gannett expects to finish 1999 with a 14% increase in earnings over 1998. Dow Jones has doubled the goal it set for itself a year ago to increase earnings per share by 10%.

The newspaper business is so flush, in other words, that people with short memories and without historical perspective are being tempted into rhetorical overkill. For example, Leland Westerfield, a PaineWebber "senior" analyst, distributed a report at his firm's recent media conference claiming "an end to historic advertising cycles" and therefore no end to the good times now engulfing the industry.

That 1999 is ending as a banner year, with more of the same expected for 2000, is beyond doubt. National advertising is on a tear, jumping nearly 18% in the third quarter and 16% for the first nine months. Retail and classified advertising growth has not been as robust, but all forms of newspaper advertising pulled in \$32.9 billion through the end of September, a 5.2% increase over 1998. It's a rare paycheck that received a similar boost.

More revenue has meant higher stock market valuations, too.

Shares of New York Times Co. soared 12% on its announcement of increased ad revenues. Tribune Co. jumped nearly 10% on its forecast of a "strong" fourth quarter, and other newspaper companies have seen similarly sharp run-ups in their stock prices.

But while publishers and shareholders are exulting over their good fortune, a different set of less celebrated numbers should cause concern. Circulation at daily newspapers is not only continuing to decline but may be accelerating: the 1998 drop was 0.8%, compared with the 0.5% drop in 1997. And while some analysts attribute the decline to the closing of 20 dailies in 1998—the most since 1991—on average, only the very largest metros are showing circulation gains.

According to the Newspaper Association of America, the 10 U.S. metros with daily circulation of more than 500,000 posted a 0.2% increase when comparing Sept. 1999 to Sept. 1998. All other circulation categories declined—and the smaller the circulation, the bigger the loss and the more newspapers adversely affected. Metros with less than 50,000 circulation lost 1.5% circulation overall; of the 626 newspapers in that category, 69% lost readers.

Industry leaders have been downplaying such reverses, how-

ever, choosing instead to focus on ad revenues. Industry publications have been replete with headlines such as "Newspaper money train to roll on," and NNA President John Sturm was quick to assure Presstime that circulation losses are "no harbinger of doom and gloom" for the industry. "Although the overall circulation numbers are down, the industry is financially strong and able to address and ultimately reverse this trend," he added.

But despite such upbeat assessments, there is little sign that the industry's increased profitability is being translated into better pay for employees or in other improvements that might reverse readership erosion. Indeed, as reported in last month's Guild Reporter, entry-level newsroom salaries were still lower last year—after adjusting for inflation—than in 1995 or 1990. And as John Suhler, president of the media investment bank and brokerage firm of Veronis, Suhler & Associates, told Editor & Publisher, "Good editors are still fighting for news hole, staff and news resources."

And that's during the good times. Meanwhile, the economic cycle has not been repealed, and sooner or later its dark side will reassert itself, just as it did with a recession at the beginning of this decade.

Former education director to chair Broun panel

Phillip Kadis, former director of education for The Newspaper Guild and a past president of the Washington-Baltimore Newspaper Guild, has been named chairman of the 1999 Heywood Broun Award panel of judges. The panel's chairman traditionally does not cast a vote but is responsible for guiding the panel's deliberations.

Entries in the annual competition, which awards a plaque and a check for \$5,000 to a single winner, must be received at the TNG-

CWA office by Jan. 28. The award is named after columnist Heywood Broun (for related story, see page 5) and honors journalism that champions the underdog or that helps right a wrong or correct an injustice. The winner will be announced in March.

A former reporter for the Cleveland Press and UPI, Kadis took a professional detour in 1964 by coordinating TNG's Mellett Project, a foundation established to meet the terms of a bequest meant to encour-

age responsible press performance. In that position he laid the groundwork for a series of pilot press councils under Guild sponsorship.

Following a second stint at UPI, Kadis moved to the Washington Star in 1970, where he won election as his local's president



but lost his bid to win national office as International Chairperson. In 1985 he was named the Guild's education director and conducted the New Local Officers' Seminar until his retirement seven years later.

TNG's 1992 annual convention unanimously adopted a resolution lamenting the loss of "a valued staff member and . . . a teacher and a friend"—but by agreeing to his new assignment, Kadis proves those sentiments were premature.

THE GUILD Reporter

Volume 66, Number 12

December 17, 1999

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 Dan Zeidler

Administrative Staff:

Marjoline Botsford,
 Joanne Scheel

DAYBOOK

Broun Awards entry
 deadline, Jan. 28

TNG-CWA new officers'
 training, Feb. 18-21,
 George Meany Center

New England District Council,
 Feb. 26-27, Fall River, MA

Working Women Conference
 2000, March 11-12, Chicago

CWA National Civil Rights &
 Equity Conference,
 March 23-26, Las Vegas

TNG-CWA Executive Council,
 April 30-May 2, Washington

CWA National-Legislative
 Political Conference,
 June 18-21, Washington

Jobs With Justice national
 convention, July 20-23
 U. of Mass at Dartmouth

CWA Annual Convention,
 Aug. 28-29, Anaheim, CA

FROM THE MORGUE

Fifty years ago this month:

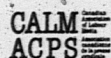
Editorial employees of the Montgomery (Alabama) Advertiser and Journal vote for Guild representation, 20 to 14, after seven employees are fired—and subsequently reinstated—for their union organizing. . . . A major Guild Reporter headline, to be filed under "the more things change, the more they remain the same": "The Growing Tide of Monopoly: Combines Roll On Under Inadequate Federal Laws" . . . Members of the new Arkansas Newspaper Guild celebrate Christmas on a picket line, following an assertion by the Arkansas Gazette's publisher that he has the right to fire at will.

Twenty-five years ago this month:

The New York Times is found guilty of race and sex discrimination by an arbitrator, in violation of its contract with the Guild. . . . Following several years of Guild-supported picketing, Washington's Gridiron Club drops its ban on female members. . . . Guild members at the Washington Star-News accept a four-day workweek in an ultimately failed effort to save the daily from extinction.

Ten years ago this month:

Solidarity activist Stefan Bratkowski visits TNG headquarters to raise funds for the newly legalized Polish Journalists Association. . . . Benjamin Hooks, executive director of the NAACP, is named the Guild's first honorary member—and receives his first union card. . . . At year's end, TNG has added nearly 1,300 employees to the union roster; 72 of the Forbes 400 richest people have their fortunes in media and communications.



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