

THE GUILD Reporter

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EFE workers vote for Guild

Aided by fellow unionists in Spain, U.S. journalists at the Spanish news agency EFE voted 23-14 for TNG-CWA representation in an election Sept. 29. The unit of about 40 works out of EFE's U.S. base in Miami, as well as in news bureaus in Washington, D.C. and New York. The new Guild members will be represented by the News Media Guild, TNG-CWA Local 31222.

"We chose the News Media Guild because of its commitment to workplace democracy and high professional standards," explained Benito Garcia, a news editor in Miami and a member of the organizing committee.

Aware that their working conditions were inferior to those of their union-represented colleagues at EFE News in Spain, Garcia and another former United Press International member of Local 31222 approached the Guild for help in organizing their workplace. Tony Winton, president of the News Media Guild, and sector rep Jim Schaufenbil responded by helping develop organizing com-

mittees in EFE's three major U.S. bureaus.

As the organizing drive proceeded, representatives of two Spanish unions already representing EFE employees, the Comisiones Obreras and Comité Intercentros, reached out to company management in Spain. The Comisiones Obreras is a member of the International Federation of Journalists, as is the Guild. Winton said the Spanish unions were invaluable in convincing management to maintain neutrality in the election, which was overseen by the National Labor Relations Board.

"Truthfully, the IFJ really stepped up to the plate," Winton added. "We didn't have a direct relationship with the Spanish unions, but the IFJ does. They represent media workers around the world. They built that bridge for us."

Added Guild President Linda Foley, "The outreach to EFE management by the IFJ and the solidarity of our colleagues in Spain is what made this victory possible."

Layoffs batter news workers

The September-October period was an exceptionally dismal one for newspapers generally and TNG-CWA members specifically, as several newspapers announced layoffs and buyouts that cumulatively ran into the hundreds.

The biggest cutbacks were announced by Knight Ridder and the New York Times Co.:

- The San Jose Mercury News said it would eliminate 57 Guild-covered jobs—including 52 in the newsroom, representing 17% of the newsroom staff.

- The Philadelphia Inquirer—where contract negotiations began in early October on a sour note—is cutting approximately 75 of 500 newsroom jobs, a 15% cut.

- The Philadelphia Daily News, which with the Inquirer is published by Philadelphia Newspapers Inc., is reducing its newsroom by 25—leaving it with an editorial staff of just 105, or less than half

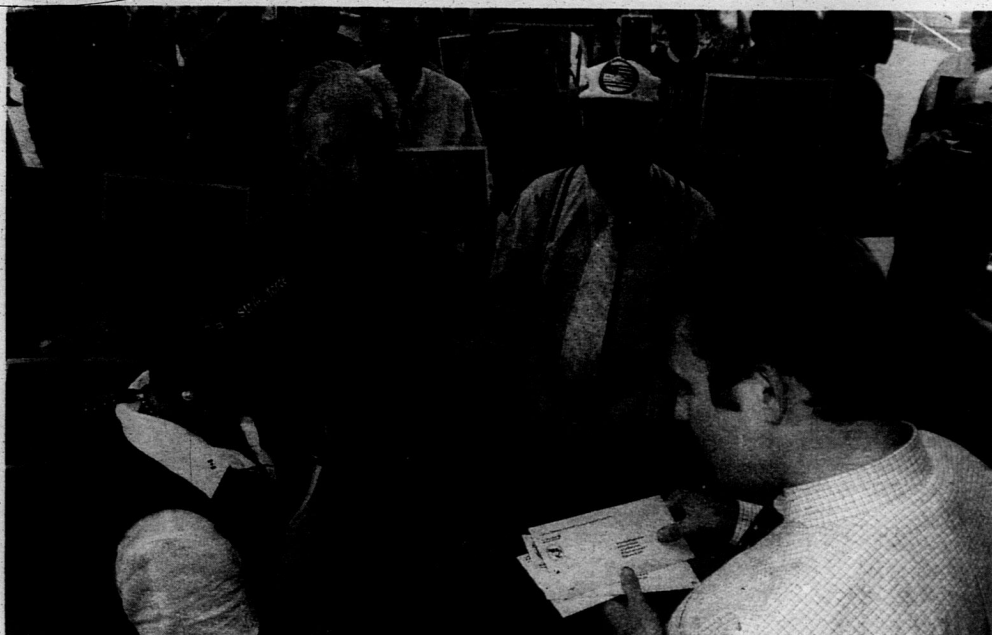
its peak in the early 1980s.

- The New York Times, which eliminated approximately 130 positions this past summer, is slashing another 250 or so, including 45 in the newsroom; a total of 115 Guild-represented positions will be eliminated.

- The Boston Globe, owned by the New York Times—and which also tightened its belt earlier this year—will shed 35 newsroom jobs and 160 overall.

Nor was that all. The Hartford Courant, which is not a Guild paper, eliminated 14 jobs Oct. 6. The San Francisco Chronicle received more than 200 buyout requests by the Aug. 31 deadline, far more than the 120 it was seeking. The Baltimore Sun—which once boasted "The Sun Never sets on the World" because of its network of overseas bureaus, said it is closing two of the five surviving outposts. The Washington Post,

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Union demonstrators descend on the Canadian embassy in Washington, D.C. to protest the CBC lockout and to deliver letters urging Canadian authorities to intervene in the dispute. Pictured

above, surrounding embassy spokesman Bernard Etzinger, are (l to r) Linda Foley, president of TNG-CWA; Larry Cohen, newly elected president of CWA; and AFL-CIO President John Sweeney.

CBC agrees to limit contingent workforce

Ends 7-week lockout with long-term repercussions

Following an overwhelmingly decisive vote of 3,106 to 394 ratifying a new contract with the Canadian Broadcasting Corporation, members of the Canadian Media Guild started streaming back to work Oct. 11, ending a nearly two-month lockout. Yet as jubilant as they were at returning to work, they did so with a newfound sense of their own value—and with distinctly less fuzzy feelings about their employer.

"The great actions of this lockout may well become part of labor history in this country," CMG President Lise Lareau wrote to her members in the days immediately preceding the return. Recollecting various initiatives undertaken by the locked-out workers to keep a high profile, Lareau added: "It was about connecting to our community, the Canadian public, who long to be informed, entertained and connected to one another. During the lock-

out, we took over the CBC's mandate to do all that."

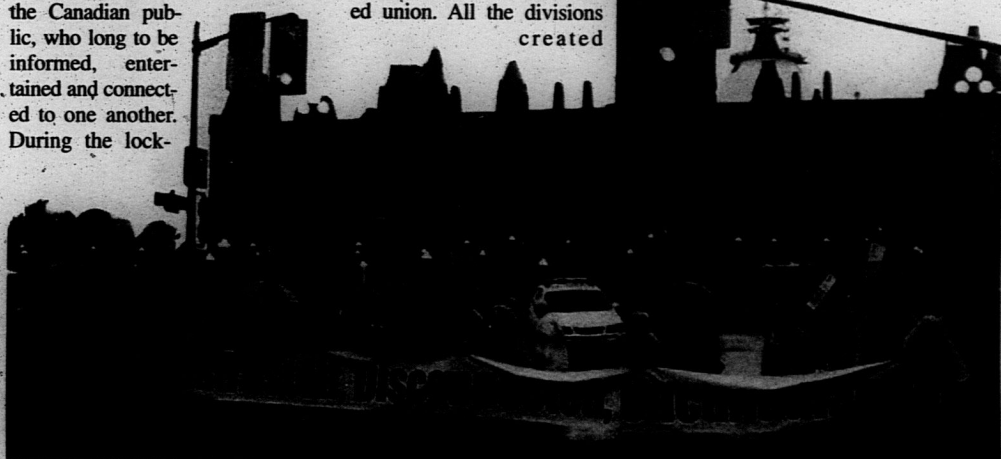
Judy Rebick, who among her credentials claims the Sam Gindin Chair in Social Justice and Democracy at Ryerson University in Toronto, had a more pointed assessment. "The CBC is going back to work in a decisive victory that could change the nature of the public broadcaster and the character of labour struggles for a long time," she wrote on her web site, rabble.ca.

"It is not only the terms of the agreement that are a victory for the members of the Canadian Media Guild; it is also the fact that in these seven weeks they have turned from a motley crew of individual journalists and techies into a strong and united union. All the divisions created

by the workplace and management—radio versus television, journalist versus technician, host versus producers—were erased in a few weeks by the real divide of worker and management."

Whatever its long-term implications for union solidarity, the lockout failed to deter a strong contract that achieved the union's primary goal of arresting a trend toward an ever larger contingent workforce. This one issue, more than any other, resulted in the 17-month stalemate at the bargaining table, eventually prompting the CBC to lock its doors on Aug. 15 in a misguided effort to impose its will. In the end, however, the broadcaster was forced to relent, agreeing to limit its hir-

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The sign says it all, as hundreds of Canadian Media Guild members picket Parliament Hill in Ottawa.

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FERNANDE SAVARD/CANADIAN MEDIA GUILD

AT THE BARGAINING TABLE

Thumbs down at Reuters;
Indianapolis, Regina settle

Despite nearly three years of contract bargaining and a last-minute management propaganda blitz, Guild-represented workers at Reuters turned out in record numbers to overwhelmingly reject the company's proposed contract. Following the lead of the union bargaining committee, which unanimously recommended rejection, the 68% turnout shot down the package 278-4.

Company proposals regarding outsourcing and retiree medical care were among the issues prompting the repudiation. The vote followed weeks of so-called "final" company offers that repeatedly had to be retracted after New York Guild officials highlighted outright errors as well as apparent efforts at deception.

The vote also followed a five-day byline strike in early September, coupled with picketing outside the company's New York headquarters, that the company failed to recognize as signaling rank-and-file solidarity. Instead, a Reuters spokesman dismissed the action as having questionable importance, given common newspaper practice of dropping wire service bylines.

"These actions should send management the message that this is not a time of business as usual. Our members are demanding a fair contract," said Barry Lipton, president of the New York Guild, in comments that apparently fell on deaf ears.

Elsewhere, however, TNG-CWA members have accepted several new contracts and are negotiating several more. Among them:

Indianapolis

More than 80% of Guild members at the Indianapolis Star turned out to approve a new contract, 81-18, that establishes a tiered pay system beyond which all raises are at management's discretion.

Under the new system, most employees who are at or above the top of the wage scales will be

assigned to the first of three levels. Employees also may be assigned to levels two and three, which have higher pay ranges but which also include higher job expectations. At each level any raises will be based solely on performance evaluations.

Among Guild gains are a one-time, 1% increase in the wage scales; a \$150-per-person signing bonus; payment of another \$150 or so to most employees to settle a merit pool grievance dating back to 2003 and 2004; an expanded definition of holiday pay; and an expanded grievance filing period, to 21 days from 14.

Regina

Editorial department workers at the Regina Leader-Post have given a 96% thumbs-up to a new four-year contract. The four-year deal for the Saskatchewan Media Guild delivers annual wage increases of 2.5% in the first and second years and 2% in the third and fourth.

Settlement was achieved in two days of negotiations and came on the eve of owner CanWest Global Communications' announcement that it will spin off most of its newspapers as an income trust. Gains include a \$500 signing bonus for full-time workers and \$250 for part-timers; a 17% increase in the salary grid for part-time/casual support staff over the life of the contract; and higher mileage rates for staffers using their vehicles at work.

Albany

Borrowing a leaf from their peers at Reuters, members of the Albany Newspaper Guild accepted the unanimous recommendation of their bargaining committee by rejecting a Times-Union contract proposal, 170-3.

"This sends a clear and unequivocal message to the company that they need to put a better offer on the table," said Guild President Tim O'Brien, who was unanimously re-elected for the next two years at the same meeting. "You don't show up 15 months into bargaining with three corporate lawyers and an overpaid consultant, place a brand new set of demands on the table and then insist it all be taken to a vote of the membership."

Sioux City

We hardly ever hear of the Sioux City Newspaper Guild, but it ratified a new two-year contract Oct. 8. The agreement with the Sioux City Journal, owned by Lee Enterprises, includes 2.5% raises for employees at the top of their scale this January and again on Jan. 1, 2007.

Other features include an increase in the employee share of health care premiums, to 30%—and to 100% for dental and vision coverage; and the substitution of short- and long-term disability

plans for the former system of banked sick leave. Under the new contract, employees will have five days of sick leave per year, but short-term disability won't kick in until after seven consecutive days of illness or injury.

Also part of the package, negotiated by Michael Zinser on behalf of the company, is a Zinser favorite: a management rights clause described by one Guild official as "onerous."

Associated Press

The News Media Guild was scheduled to start bargaining Oct. 20 for a new contract covering approximately 1,500 editorial workers at The Associated Press. Veteran union administrator Kevin Keane will lead the talks, which start even as the Guild's technology unit continues pushing for a new agreement three years after the expiration of its last contract. The agreement covering editorial employees expires Nov. 30.

Washington

Contract talks at the Washington Post began Sept. 14 but already have provided a new twist on the ancient parable about the camel's nose under the tent.

In past negotiations, management successfully demanded that union members take comp time in lieu of overtime pay—although any unused comp would be paid at the end of each quarter, albeit at a straight-time rate rather than time-and-a-half. But apparently that wasn't enough of a savings: now the company insists it won't pay for more than 10 unused comp days a year—so if employees work extra days but can't free up their schedules to take the time they're owed, they won't get paid for that time, either.

The Washington-Baltimore Guild, meanwhile, has launched its bargaining campaign under the title "No Worker Left Behind."

Buffalo

Members of the Buffalo Newspaper Guild, who have been slugging it out at the Buffalo News for quite some time, are fending off a company proposal to pay for health care coverage with "flex credits."

As is so often the case when management embraces "flex" anything, the proposal essentially shifts all market risk to employees. As proposed by the News, the company would increase the flex credits no more than 5% a year; any higher increase in premiums—which have been rising by double digits—would come out of each employee's paycheck. Guild officials have calculated that employees would start paying \$820 for family coverage in 2007, then see that escalate to \$4,200 by 2010 and to nearly \$10,000 by 2013.

The increased payments would exceed estimated annual raises for all workers within two years.

Guild briefs . . .

Duluth local gives mobilization legs

"Mobilization" gets a lot of lip service from union activists, but relatively few turn words into action. Not so the Duluth Newspaper Guild, which has taken the simple yet revolutionary step of hand-delivering its newsletter to each member. Mobilizer Diana Clauson says the method helps foster two-way communications, giving members an opportunity to share their concerns with the local's leaders.

Detroit rebound gathers strength

Union membership at the Detroit News, devastated by the five-year strike/lockout of the late 'Nineties, has hit the 50% mark and has been boosted by recent ownership changes. Meanwhile, reports Lou Mleczo, president of the Detroit Newspaper Guild, membership at the Free Press has climbed to 65.8% and the separate maintenance unit is up to 80.9%, attesting to the effectiveness of the local's steady rebuilding efforts.

Save confessions for the church

Confession is supposed to be good for the soul, but it could put a real crimp in one's job prospects. The latest case in point is provided by Scholastic management, which is requiring employees to fill out a form that instructs them to find fault with their work and to set goals for improving it. Noting that the law requires employees to comply with the company's instructions but does not require self-incrimination, the New York Guild has advised its members to reply along the lines of, "I believe that I am an outstanding employee and, at this time, an unable to identify any area of my job performance in need of significant improvement."

Portland notches 90% success rate

The number of non-union employees in an open shop can creep up virtually unnoticed, thanks to promotions, resignations and other turnover. So it was with some surprise that the leaders of the Portland Newspaper Guild realized that more than 60 of their co-workers had "slipped through the cracks" and were not union members, mostly because no one had reached out to them. A vigorous internal mobilization campaign turned that around, reducing the non-member roster to just six. Moreover, the local has instituted a new system in which every new hire is sent a welcome package that includes a copy of the contract and the appropriate shop steward is alerted by e-mail to greet the newcomer.

Outsourced jobs grieved in Ontario

A wave of pink slips has washed over The St. Catharines Standard in Ontario, where two-thirds of the classified department received layoff notices effective Nov. 1. Management said it is centralizing all Osprey Media call centers in one location, in Sarnia, but CWA Local 416 contends the move is a blatant violation of the "No Contracting Out" clause of the contract and has filed a grievance. Meanwhile, management insists the laid-off workers will not be given an opportunity to transfer to Sarnia, but that they will lose their severance packages if they fail to continue working through the end of October.

La-Z-Boy throws 330 out of work

The 330 or so members of CWA Local 80400 employed by La-Z-Boy Inc. are scrambling in search of new jobs, following a company announcement that it will close its Waterloo, Ont. plant Dec. 16 and shift production to its plants in Tennessee and Missouri. The local also represents newspaper employees of the Beacon Herald in Stratford.

Leuchter Award deadline is Nov. 1

Applications for the annual Irving Leuchter Memorial Scholarship, a six-week residential seminar at Harvard University, are being accepted through Nov. 1. For more information and a copy of the application form, go online at www.law.harvard.edu/programs/lwp.

Mulford steps up at NY Times unit

Taking early retirement, Lena Williams has resigned as chair of the New York Times unit of the New York Guild and has been succeeded by Art Mulford. An editorial indexer who has worked at The Times since 1972 and has been a shop steward for almost 30 years, Mulford was fourth vice chairperson of the unit and a member of the New York Guild's executive committee.

Also of note . . .

Rick Weiss, Guild activist and a science and medical reporter for true Washington Post, has been awarded the 2005 Victor Cohn Prize for Excellence in Medical Science Reporting. . . . New York Times reporter **Judith Miller** ended her 85-day incarceration by agreeing to provide limited testimony to a federal grand jury. . . . **Jack White**, a Providence Journal reporter who in 1973 kept a prize-winning story about Richard Nixon in his back pocket while walking a Guild picket line for 12 days, died Oct. 11.

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Hundreds of locked-out CBC employees lower their picket signs at Parliament Hill in a show of respect for Canada's new governor-general, Michaëlle Jean, who was sworn in Sept. 27. Like her predecessor, Jean is a former Guild member and had hinted she would not cross any picket lines.



TOM SHARIN/CANADIAN MEDIA GUILD

Union mobilizing forces end to lockout

Continued from page 1

ing of contingent workers to 9.5% of the permanent work force. Moreover, contingent workers who have been on CBC's payroll for four or more years now can convert to permanent status.

Other improvements in the new contract, which runs through March 31, 2009, include:

- Across-the-board wage increases of 2.5% for 2004 (with full retroactivity to April 1, 2004); 2.5% for 2005; 2.1% for 2006; 2.5% for 2007 and 3% for 2008.
- A \$1,000 signing bonus.
- A premium of \$800 a year for employees required to work in aboriginal languages.
- Five weeks of vacation after 18 years of service, down from 20.
- An employee right to refuse overtime after 48 hours of work in a week.
- No split or partial shifts, except for radio traffic reporters.

CBC management, led by company president Robert Rabinovitch, apparently believed the shock of being locked-out would be enough to force union capitulation. It was

encouraged in that position by a lack of public accountability, following the abrupt resignation last March of Carole Taylor as chair of the CBC's Board of Directors. With no permanent replacement for Taylor named, Rabinovitch also served as interim chair, effectively neutralizing the board's oversight role over management.

But as week after week passed with the CBC showing no interest in reopening discussions, government officials began feeling the heat from their constituents. Federal labor minister Joe Fontana finally intervened in late September, calling the lockout "unacceptable" and demanding an immediate return to bargaining—and tipped his hat toward the union by observing, "We want long-term, permanent jobs for all our citizens." A federal mediator joined the hastily resumed talks. The log-jam began breaking.

Meanwhile, additional pressure within Canada and from other countries began making itself felt. Canadian Media Guild members launched a barrage of rallies, alternative broadcasts, blogs and a high-

energy caravan that drove from city to city, keeping their story in front of the public. Among their more notable efforts: the "Silenced" ad campaign, featuring pictures of prominent CBC personalities along with text that read: "They shut me up but they can't shut you up. Support the people who make your CBC work."

A world-wide day of sympathy demonstrations was organized by the International Federation of Journalists, with protesters appearing at Canadian embassies in London, Paris, Jerusalem, Moscow, Berlin, Sydney, Seoul and Brussels. In Washington, D.C., a hundred or

so demonstrators delivered letters to Canada's U.S. ambassador seeking a meeting on the lockout.

"That's a nice liberal Canada you want to present, but this is the face you present—shame! Shame! Shame!" hectoring CWA President Larry Cohen. "We'll be here one day more than your greed, your meanness, your career-wrecking and your union-busting."

Added TNG-CWA President Linda Foley: "CBC believes the lockout is good industrial relations strategy. It's not. It's union-busting, which we're all familiar with from private corporations."

In the end, the final straw for

Rabinovitch may have been Canada's national passion for hockey. With last year's season a bust because of a players' lockout, the CBC lost at least \$20 million in ad sales (unlike PBS in the U.S., the CBC gets some of its revenue from advertising). But the lockout is over, and despite CBC bluster about airing the games without the rink-side talent that enlivens the games, the outlook was deflated.

Canada's season opener, featuring the Montreal Canadiens visiting the Toronto Maple Leafs, was scheduled for Oct. 8. The two sides reached their preliminary agreement Oct. 3.

Guild, CWA take a long look at selves

As organized labor is pummeled by an increasingly hostile political economy, CWA is among a handful of unions—AFSCME, representing government workers, is another—that has concluded it needs to take a long, hard look at how it's going about its business.

At a time when the labor movement faces great challenges, CWA must set new goals for itself and figure out how best to train new leaders for a new era, incoming CWA President Larry Cohen told convention delegates in late August. "Time and again we have joined together to overcome overwhelming odds," he counseled. "Working together, there is nothing we can't do."

The declaration foreshadowed adoption of a sweeping resolution that has kicked off a year of self-evaluation and brainstorming. Essentially all aspects of the Guild and CWA are fair game for comment, from how the union is structured to how it spends its money and sets its priorities. As newly-elected Executive Vice President Jeff Rechenbach told Guild staff

members in a September teleconference call, "Think as though you were starting a union from scratch, with hundreds of millions of dollars in resources: how would you structure it?"

The analytical exercise has already started at district council meetings and at the Canadian Representative Council, and over the next few months is expected to filter down to each local. A discussion guide has been prepared by CWA to help focus the talks, and an online chat room is being constructed to enable TNG-CWA members to comment directly to Guild leaders.

The goal, said TNG-CWA President Linda Foley, is to provide a thorough critique and proposals for improving the union to the CWA executive board by May 1. The board has been charged with evaluating all responses and using them as a foundation for a comprehensive proposal, "The CWA Strategic Plan for the Future," that will be presented to CWA delegates for debate and adoption at the 2006 convention, now scheduled for July 10-12 in Las Vegas.

IAPE wins card-check rights

In what appears to be a first among TNG-CWA locals, IAPE Local 1096 has won an agreement from Dow Jones for card-check rights at MarketWatch. The agreement settles an IAPE grievance and opens a 12-month window for IAPE representatives to ask MarketWatch employees to sign union authorization cards without company interference.

Under the settlement, Dow Jones agrees to recognize IAPE as the bargaining representative at any location at which at least 50% of eligible MarketWatch employees sign the cards. MarketWatch has approximately 320 employees at three major sites—San Francisco, New York City and Minneapolis—and in bureaus in Washington, Boston, Atlanta, Dallas and Chicago.

One of the few surviving internet-based companies founded in San Francisco during the high tech bubble, MarketWatch is an online financial news company that provides free access to users. When Dow Jones bought it for \$520 million early this year to broaden its on-line presence, IAPE contended that MarketWatch employees were additions to the company workforce and therefore automatically covered by the Guild contract. Dow Jones, on the other hand, asserted that MarketWatch was a separate—and therefore union-free—subsidiary, sparking the grievance that resulted in the card-check compromise.

IAPE representatives quickly ramped up an organizing campaign, aided by Dow Jones'

announcement that the new employees have to wait a year before they can be included in all aspects of the company's health plan because key enrollment deadlines had already passed when the acquisition was completed. There also are disagreements about how much of the new employees' past years of MarketWatch service will be credited for seniority and pension rights.

Card-check is an organizing approach increasingly favored by the CWA and other unions because it side-steps the necessity of voting supervised by the National Labor Relations Board. Such elections are fraught with abuse, as experienced most vividly by employees of the Chinese Daily News (see story below and column on page 7).

Loss at Chinese Daily News

More than four years of delays and harassment of workers, backed by an estimated \$1.6 million union-busting bankroll, finally took their toll on the employees of the Chinese Daily News. After voting 78-63 in March, 2001 for TNG-CWA representation, the much battered workforce reversed itself Sept. 23, voting 52-92 in a second election ordered by the National Labor Relations Board.

Following the 2001 election, management at the Chinese Daily News filed a series of legal appeals, refused to meet with union representatives to negotiate a contract and began terrorizing union supporters. Along the way it racked up dozens of complaints of

unfair labor practices for which it was found guilty, but nevertheless spent more than \$600,000 on a union-busting consultant. An additional estimated \$1 million was spent on legal fees.

The turning point for the company came this past summer, when the NLRB retroactively applied rules it had adopted this past December to the 2001 vote, invalidating the outcome. In subsequent weeks, a new president and general manager at the Chinese Daily News wooed the workers by buying them meals, promising working conditions would be improved and pleading to "give us a chance and trust us," reported one employee, who didn't want his name used for fear he'd be fired.

The carrot was balanced by a stick, with posters in the newspaper office declaring that the union wanted to tear down the company. Lynne Wang, one of the earliest union activists at the newspaper, was fired just weeks before the vote. "All of your benefits and insurance are controlled by the company," the anonymous employee said everyone was told. "If you have a union, I promise you that you will start from nothing. We won't give you any benefits."

Long held up as an example of the failure of U.S. labor laws, the Chinese Daily News is now being characterized as the poster child for NLRB ineffectiveness in fulfilling its original purpose of safeguarding workers' rights.

News round-up

What you don't know can't hurt them

Using budget-cutting as an excuse, the GOP-run Indiana legislature has eliminated \$358,000 from labor studies at five University of Indiana campuses; no other schools or departments at the university were similarly affected. The cut means the program will have to lay off eight staffers and threatens continuation of non-credit courses in steward training, organizing, negotiations and the annual labor law conference.

Union members join anti-war protest

Thousands of unionists, some wearing t-shirts imprinted with their union names, joined the Sept. 24 weekend of anti-war protests in Washington, D.C. A group of union members, bolstered by an AFL-CIO resolution supporting "rapid withdrawal" from Iraq, assembled at federation headquarters for a march down Pennsylvania Avenue even though the AFL-CIO took no official position on the march. Demonstration organizers said 300,000 marched, while the city's police chief did not reject an estimate of more than 150,000.

Minimum wage at relative all-time low

The U.S. minimum wage has hit its lowest point in relation to the average wage in the country since 1949, according to a new analysis by the Economic Policy Institute and the Center on Budget and Policy Priorities. The minimum wage now equals just 32% of the average private-sector, non-supervisory wage, down from the approximately 50% it averaged during the 1950s and 1960s. While the purchasing power of the \$5.15-an-hour minimum wage has decreased 17% since it was last raised, in 1997, Congress has voted itself seven pay raises during the same period.

After losses, AFL-CIO sees some gains

Although this summer's schism within organized labor resulted in an initial defection of roughly a third of the AFL-CIO's members, formerly independent unions are now courting the federation. In late September, the independent, 65,000-member California Nurses Association voted to petition for an AFL-CIO charter. Two weeks later the federation approved the return of the 60,000-member United Transportation Union, which quit the AFL-CIO four years ago. And at press time the 9,700 members of the independent Professional Flight Attendants Association, which represents Northwest Airline employees, were being wooed by the Association of Flight Attendants-CWA in an aggressive affiliation campaign.

Among JOAs, one grows lop-sided . . .

When Knight Ridder pulled out of its joint operating agreement in Detroit in August and MediaNews stepped in, the principals were surprisingly coy about how the ownership pie was being redistributed. Now we know why: MediaNews got just a 5% stake in the Detroit Newspaper Partnership, publisher of the Detroit Free Press for Gannett and of the Detroit News for MediaNews. To compensate for its small ownership stake, however, MediaNews will get a guaranteed payout in addition to its operating costs, starting at \$5 million the first year and declining annually to \$1.9 million in 2012.

. . . one threatened a second time . . .

Still determined to end its 22-year-old joint operating agreement with the Seattle Post-Intelligencer, the Seattle Times has made a second claim of three years of consecutive losses, thereby crossing the threshold that permits either newspaper to dissolve the partnership. The new claim is for the years 2002-2004; two years ago the Times asserted losses for the years 2000-2002 but was sued by P-I owner Hearst, which countered that the Times should not be allowed to include losses caused by extraordinary events, namely a 49-day Guild strike in late 2000.

. . . and one reaches a premature end

The dwindling universe of joint operating agreements contracted another notch Sept. 23, when E.W. Scripps published the final edition of The Birmingham Post-Herald, a non-Guild paper. The closing of the five-day afternoon newspaper ended a JOA with Advance Publications, owner of the seven-day morning Birmingham News, which had been scheduled to run until 2015.

Billion-dollar karmic pay-back for Trib

When Tribune Co. became the third largest U.S. newspaper publisher in 2000 by purchasing Times Mirror, its antipathy toward unions cast a pall over TNG-CWA members at the Baltimore Sun—and, sure enough, Tribune lived up to its reputation in subsequent contract negotiations by hiring scabs while still at the bargaining table. Now, in a bit of karmic payback, Tribune has been hit with a \$1 billion tax bill over a seven-year-old asset sale by Times Mirror. While Tribune officials said they "fully considered" the transaction and its tax implications before they bought Times Mirror, Newsweek's Allan Sloan observed that Times Mirror "was famous for its ever-more-aggressive tax-avoidance schemes, and the tax court loss should have come as no surprise."

'War on labor' isn't just an extended metaphor

By Andy Zipser
Editor, The Guild Reporter

The bitter loss at the Chinese Daily News, purchased through years of foot-dragging by the National Labor Relations Board, the retroactive application of new rules and a massive anti-union campaign, was hardly idiosyncratic. In recent weeks, organized labor has been buffeted by a series of increasingly one-sided decisions and regulations that don't make even a pretense of even-handedness.

Consider, for example, that the NLRB voided the original Chinese Daily News union election on the spurious grounds of "supervisory taint." Because one of the newspaper's union supporters subsequently was classified as a supervisor, management argued that he might have had an unfair influence on his co-workers—even though management itself was vociferously against unionization, to the point of harassing and firing union supporters.

Yet influence apparently runs only in one direction. On Aug. 26, in a PACE decertification case in Nashville, the NLRB ruled that supervisors' questioning of as many as 25 workers about their union views—clipboard in hand—and a threat against another that she would lose her job if she didn't vote against the union, were insufficient grounds for invalidating the results. As a result, workers who had won union representation only after their first two elections were voided because of gross company misconduct were denied yet again.

Contrasting those two decisions might lead to the conclusion that pro-union sympathies are enormously more powerful than anti-union ones. But the more likely explanation is that the NLRB has been captured by the corporate interests it was intended to balance.

The same day the NLRB twisted reality in Nashville, it showed similar contortionist tendencies toward a dispute arising in Richmond, Virginia, where the publisher of the Times-Dispatch had unilaterally cancelled an annual bonus for pressroom workers represented by the GCIU. Although a letter from the publisher claimed he was "unable" to pay the bonus, the NLRB ruled the publisher was not acting illegally when he refused to provide financial data supporting his claim.

A U.S. Supreme Court decision requires employers to provide financial records substantiating "an asserted inability to pay," but the NLRB discerned that the Times-Dispatch letter simply didn't mean what it said. While it "includes the words 'unable to pay,'" the decision acknowledged, "that phrase, when taken in context, describes the bonus cancellation as an effort designed 'to maintain a strong cash flow' and 'to offset the projected decline in advertising revenues,' not as a measure upon which the [company's] survival was based."

A day later, on Aug. 27, the NLRB struck again, ruling that despite the imbalance of bargaining power between newspaper carriers and management at the News Press in Missouri, the carriers could not be

viewed as employees for purposes of the National Labor Relations Act—and therefore could no longer be represented by the Teamsters. The decision reversed a 2001 ruling by an administrative law judge and is generally viewed as applicable to carriers at all U.S. newspapers.

Other worker-adverse decisions have been raining down from the NLRB for months, including a decision that two California shopping malls legally could prohibit picketing workers from carrying or wearing signs, could restrict them to a "designated area" and could ban picketing during peak business hours. Now the board is hearing a union appeal from an administrative judge's decision in two New York cases that giant inflatable rats, used by unions protesting employment of non-union workers, amount to illegal picketing and should be banned. The unions claim the rats are a form of protected free speech, but the board's general counsel signaled even before the NLRB issued a decision that it views the rats as "signal picketing." Bye-bye rats.

And more attacks on labor from the NLRB may be expected, following chairman Robert Battista's statement earlier this month that the board will "review" the legitimacy of card-check as an organizing method. Card-check has been a mainstay of CWA's organizing efforts because it avoids NLRB-overseen elections, such as the one manipulated by the Chinese Daily News.

Yet the NLRB is not acting in isolation. Rather, it operates within a broader, government-wide climate that gives first priority to corporate interests. The Bush administration's nomination last month of Edwin Foulke as Assistant Secretary of Labor for OSHA is typical of a strategy that places people hostile to a regulatory agency at its helm: Foulke is a partner at Jackson-Lewis, a notorious union-busting law firm that advertises itself as being "management's #1 choice for union avoidance training for the past 10 years."

The same aura burnishes an even higher-profile Bush nomination, that of Harriet Miers to the U.S. Supreme Court. Locke Liddell & Sapp, where Miers was co-managing partner before she devoted herself full-time to the president, had an active union avoidance practice and boasted of having "extensive experience in union avoidance counseling." These days it's busy fighting SEIU-represented janitors in Houston who are struggling for union recognition.

Such animus has filtered down to lower levels, afflicting workers even in ostensibly progressive states like California, home to the Chinese Daily News. There, legislation signed into law in 2000 barred California employers from using state money—in grants or contracts—to fight union organizing efforts. But on Sept. 6 the Ninth U.S. Circuit Court of Appeals struck down the law, saying it threatened the free-speech rights of employers, created "heavy" record-keeping burdens and overstepped the National Labor Relations Act.

Report highlights dire times

Attacks on union members increased worldwide last year, according to the International Confederation of Free Trade Unions in a report released Oct. 18. More than 700 violent attacks were reported and 145 union activists were killed (99 in Colombia) in 2004, 16 more than the previous year.

The ICFTU represents 234 labor organizations globally and annually surveys working conditions in 136 countries.

Although most deadly attacks occur in Asia and Latin America, the ICFTU report noted that the United States stands out among industrialized nations as particularly hostile to unions. Among its statistics: that 92% of employers force workers who want to form a union to attend anti-union meetings; that 75% of employers hire union-busting consultants to fight organizing campaigns; and that it takes the National Labor Relations Board an average of 557 days to resolve complaints.

Especially noteworthy for its anti-union animus is Wal-Mart, according to the report, which observes

that the retailer has "turned union busting into an art form." The full report may be read at www.icftu.org.

Labor's worsening situation has given renewed impetus to union plans for mounting a full-court press Dec. 10, International Human Rights Day, on behalf of the Employee Free Choice Act. Reintroduced in Congress this past April, the act would require employers to recognize card-check organizing and would provide for binding arbitration if the parties are unable to negotiate a first contract within a certain amount of time. The act also strengthens penalties against employers who violate labor law during organizing campaigns and initial bargaining.

More than 37 senators and 200 representatives have already signed onto the bill as co-sponsors, and the Dec. 10 activities are designed to increase that number by spotlighting the delays, smear campaigns and other abuses that make it necessary. To date, events have been planned for 17 major U.S. cities, with CWA taking the lead in New Jersey, Cleveland, San Francisco and Phoenix.

Government increasingly muzzles the press

Getting dumped on as workers and union members (see stories pages 1 and 4) is the least of it for newspaper reporters, who have to wonder if they can do their work even when they have jobs.

Project Censored, which annually publicizes 10 big stories ignored by the mainstream media, this year gave its No. 7 position to "Journalists face unprecedented dangers to life and livelihood." As the citation observes, "Last year was the deadliest year for reporters since the International Federation of Journalists began keeping tabs in 1984. A total of 129 media workers lost their lives, and 49 of them—more than a third—were killed in Iraq. In short, nonembedded journalists have now become familiar victims of U.S. military actions abroad."

Indeed, the killing of several of its reporters by U.S. troops has been a source of mounting concern for Reuters. In a letter in late September to Virginia Republican Sen. John Warner, head of the Senate Armed

Services Committee, the wire service complained that U.S. forces are limiting the ability of non-embedded journalists to operate in the region. The letter cited "a long parade of disturbing incidents whereby professional journalists have been killed, wrongfully detained and/or illegally abused by U.S. forces in Iraq," thereby creating "a serious chilling effect on the media overall."

(As if to underscore the point, a Spanish judge issued an international arrest warrant Oct. 19 for three U.S. soldiers whose tank fired on a Baghdad hotel in 2003, killing two journalists. The judge said he issued the warrant because of a lack of judicial cooperation by the U.S. regarding the case.)

The Reuters letter was sent only two weeks after the Committee to Protect Journalists issued its latest report on the U.S. killing of journalists in Iraq, observing that in most such cases the military either fails to investigate at all or refuses to make its investigation and findings public. Moreover, it adds,

Defense Secretary Donald Rumsfeld has stonewalled all media inquiries about the deaths, ignoring letters seeking explanations.

"The findings from the few investigations that have been released have not credibly addressed questions of accountability for shooting deaths, and whether U.S. forces are taking necessary measures to differentiate between combatants and civilians in conflict areas," the CPJ report observes. Moreover, the facts in some of the cases "suggest indifference by U.S. soldiers to the presence of civilians, including members of the press."

While Iraq may be seen as an extreme case, journalists covering the aftermath of Hurricane Katrina encountered a similar official resistance that sometimes included threats to their physical safety. Two widely reported instances included police detaining a Times-Picayune photographer and smashing his equipment after they saw him filming a shoot-out with police; and police detaining a Toronto Star photographer and confiscating his film

under somewhat similar circumstances.

More famously, NBC anchor Brian Williams and his crew were blocked by police from filming National Guard troops securing a shop, and in a separate incident he wrote in a web posting that a police officer "raised the muzzle of her weapon and aimed it at members of the media... obvious members of the media... armed only with notepads."

Dramatic as such incidents are, they're simply the most egregious examples of a relentless government encroachment on news gatherers. The Society of Environmental Journalists, for example, issued a report Sept. 12 describing the growing number of obstacles the government is throwing in the path of reporters using the Freedom of Information Act to get basic information. And on Sept. 21, the U.S. banned renowned British journalist Robert Fisk—best known for his incisive coverage of the Middle East—from flying into the country to deliver a speech in Santa Fe.

Need work? Unions want news people

TNG-CWA members forced into the job market (it's not just newspapers that are laying them off; even the AFL-CIO has pruned more than 100 employees off its payroll) undoubtedly are familiar with such standbys as *journalismjobs.com*. But how about web-based job-wanted listings aimed specifically at people seeking union employment rather than newspaper work?

The most comprehensive site of this kind is at *unionjobs.com*, which lists union staff openings state by state. One possibly unexpected aspect of these listings is that a fair number seek applicants with journalistic backgrounds, in addition to any union experience. Some current examples:

- AFSCME, representing government workers at federal, state and local levels, is seeking a public affairs specialist (salary range \$58,008-\$87,016) and a publications associate (\$49,467-\$74,469).

- The SEIU, which represents a wide variety of service workers, is seeking campaign communications staffers, to be based in its Washington, D.C. or Los Angeles

offices (no salary range shown).

- AFTRA, the American Federation of Television and Radio Artists, is looking for a national director of communications (\$120,000-\$130,000).

- UE, the United Electrical, Radio & Machine Workers of America, is filling the position of managing editor of its magazine, UE News (salary "commensurate with experience").

- NEA, the National Education Association, is taking applications for chief information officer (no salary range shown), print editor (\$92,712-\$131,517) web editor (also \$92,712-\$131,517) senior press officer (\$59,317-\$109,425) and a temporary, two-year position as press officer (\$48,232-\$88,975).

Job hunters also might be well-advised to search each union's web site for other job postings, which include clerical and other staff positions. Most unions can be found online just by using their initials, as with *www.afge.org* or *www.aft.org*, or use their full names in a search engine like Google if, like CWA (*www.cwa-union.org*), they're trickier to find.



Lending—and getting the back of—a hand

TNG-CWA member Bill Hauenstein, Northeast Regional Director of AFL-CIO Community Services, sorts donated clothing in the IBEW hall in Baton Rouge. While union members poured into the Gulf Coast region to help those devastated by hurricanes Katrina and Rita, the Bush administration took advantage of the emergency to suspend a law requiring that construction workers be paid the locally prevailing wage on federally financed projects. Bush said

suspending the requirement would "result in greater assistance to these devastated communities and will permit employment of thousands of additional individuals." Union officials pointed out that "locally prevailing wages" in the Gulf area already are rock-bottom—\$13.42 in hourly wages and \$3.02 in benefits for carpenters, \$9.62 in wages and \$1.14 in benefits for laborers—so removing even that minimum requirement is exploitative.

Newspaper layoffs: 'eating their seed corn'

Continued from page 1

while proudly announcing it will not have to resort to payroll cuts, has instituted a death of a thousand cuts: no more food or beverages at staff meetings, travel only when properly proposed and approved by a section head, overnight mail only when "critical."

What's going on? Conventional Wall Street wisdom has it that advertising has weakened while pressure on operating margins has grown. Toss in an 11% increase in newsprint prices—the second highest expense on a newspaper balance sheet—in August and September, and something had to give.

But longer-term trends also are chipping away at the industry, including newspaper circulation that continues to slide as readers increasingly migrate to online news sources. That doesn't mean newspapers are losing money, or even that they're taking in less than they used to: despite lethargic advertising growth, Knight Ridder's revenues for

the quarter ending Sept. 30 edged up 2.2%, to \$723.8 million. But revenue growth of 2.2% won't grow profits at double-digit rates unless operating costs get whacked—so out come the pink slips.

Failing to meet Wall Street expectations does have a price tag. Standard & Poor's, for example, put the New York Times' long-term debt on "credit watch with negative implications" the day after the company announced its job cuts, citing the Times' lowered earnings estimates. But treating employees as earnings ballast, to be tossed overboard when the ship isn't floating high enough on financial seas, is not without its own cost: declining staff morale, an exodus of the best and brightest, and increasingly shallow, superficial news content that reinforces the whole downward spiral.

Walker Lundy, former executive editor at the Philadelphia Inquirer, was widely quoted in recent weeks for capturing the essence of this dynamic with his observation that news-

paper companies like his former employer "are eating their seed corn." As he explained, "I fear for their future, because you can't save your way into profit increases every year. If you're running a steak house, you still have to serve them steak."

Indeed, with staffs now cut to anorexic levels, Guild members are fretting openly about the inevitable decline in quality at their papers. "It's just sad to see the Mercury News shrink," said copy editor Lynne Dennis, who recently resigned as president of the San Jose Guild. "It was a really impressive place when I came to work here 14 years ago." Philadelphia reporter Kitty Caparella said it was abundantly clear that the cuts "make it difficult to do the job our readers expect."

Apparently all of the cuts are being softened with voluntary buyout packages, although whether enough employees will opt—and be accepted—for the buyouts to avoid involuntary layoffs remains to be

seen. Details about the buyout offers are sketchy and vary from one location to another, but reportedly include two weeks' pay per year of service up to a maximum of 44 weeks at the Mercury News; a similar formula at the two Philadelphia Newspapers, but limited to newsroom personnel and capped at 52 weeks' pay; and three weeks' pay for each year of service at the Boston Globe, capped at 104 weeks' pay.

Yet for all the bloodletting and unavoidable implications for the health of their publications, editors and publishers at the affected newspapers persist in putting on a brave front. "If we do our job well, we'll still publish two very good newspapers" Joe Natoli, head of Philadelphia Newspapers, assured one reporter.

Added Michael Days, editor of the Daily News, in a memo to his staff: "I've been here long enough to know that our collective DNA forbids us from doing anything other than quality work."

Real ethics issues are corporate-driven

By Michael Bugeja

Director, Greenlee School of Journalism and Communication, Iowa State University

Academics who have worked in news media often restrain themselves when corporate representatives, including ones on accrediting panels, speak about increases in plagiarism or decreases in diversity as the primary ethical concerns in journalism and mass communication.

These are concerns, to be sure, and I take them seriously in my role as director of the Greenlee School of Journalism and Communication at Iowa State University. But bottom-line corporate practices that eliminate fact-checking, paid internships and adequate newsroom personnel—while promoting technological shortcuts that improve “productivity”—also are factors in many ills, including plagiarism and diversity, which the industry can address by reinvesting in newsrooms.

By their silence, journalism administrators may be accomplices in questionable practices. Criticism of industry was once our collective responsibility. In the '70s and '80s, heads of journalism programs routinely challenged professional counterparts on such issues as bias during the civil rights movement, prejudice against women in the newsroom and coverage of AIDS. This is one of the often-unsung functions of the academy with respect to professional schools. They are not merely vocational institutions teaching complex technical practice. Increasingly, however, that seems to be our role because too many journalism administrators are relying on media conglomerates to help fund operations, especially since legislatures have cut our budgets. Some of us seem to be oblivious about the tradition of educators holding media accountable, when their policies and practices serve to undermine the Fourth Estate, or its function as a watchdog over government.

This year I have written a series of reports about corporate practices, published or forthcoming in such publications as Quill and the Chronicle of Higher Education. In a recent book, “Interpersonal Divide: The Search for Community in a Technological Age”

(Oxford, 2005), I have documented how each new technological invention and innovation since the 19th century has removed reporters farther from the communities that they are supposed to cover. That phenomenon alone has created a host of ethical issues.

In this piece, however, my objective is to challenge readers to address what I consider to be some of the most ignored ethical issues in corporate journalism. You can find plenty of data, pro or con, by accessing “State of the News Media 2004” report, available at www.stateofthenewsmedia.org.

Corporate Greed

Between 1991 and 2000, the “State of the News Media 2004” reports, newspaper profits rose 207% while increases in newsroom personnel were only about 3% (largely eliminated during the 2001 downturn). *Ethical issue: How do journalism schools uphold our centuries-old tradition of afflicting the comfortable and comforting the afflicted when the comfortable own the media?*

Downsized Newsrooms

U.S. newspapers have about 2,200 fewer newsroom employees today than in 1990, according to the “State of the News Media” report, which also notes that the number of network correspondents has been reduced by a third with a 30% increase in work-load since the 1980s. Worse, reporters are being asked to do work that used to be done in the composing room or the control booth. *Ethical issue: What is the consequence of downsizing the number of reporters in a republic based on the premise that truth, not profit, should rise to the top?*

Niche Fragmentation

The focus on profit-taking and the downsizing of newsrooms has resulted in a flood of opinion more easily produced than fact-based journalism. Editorializing now seems customary at major outlets, especially network and cable television, with “balanced stories” containing polar but generally unauthenticated viewpoints. *Ethical issue: Is expression of opinion condoned because it is cheaper than gathering of fact and, if so, is*

it also profitable because it can be aligned with a target market according to lifestyle or demographic statistics?

Unpaid Internships

Mega-corporations like Viacom, whose annual \$26 billion in revenues is greater than the gross domestic income of many countries, continue to offer our most talented students internships without pay, especially in broadcasting. As a result, students often take out additional loans to take advantage of earned opportunities. *Ethical issue: Why are journalism programs condoning this practice, which seems to instill in future employees a fiscal rather than journalistic lesson?*

Crutch Technology

Reporters do much of their work sitting down perched in front of computers instead of sources. Granted, some stories researched online produce startling results, depending on the savvy of the journalist. However, “crutch technology” occurs when reporters remain leashed to the computer cord. Often they are discouraged (or even prohibited) from attending seminars or leaving the newsroom to dig for information or travel to interview sources face-to-face. Instead, they are expected to take shortcuts e-mailing interviews and googling facts to produce several stories per day. *Ethical issue: What is the impact on investigative reporting when journalists are confined to cubicles rather than the public street, discovering cover-ups merely by monitoring beats?*

Convergence Curricula

The new editor of Insights, published by the Association of Schools of Journalism and Mass Communication, is seeking manuscripts and ideas are being sought about convergence issues. “How do you successfully teach students about it and assure they have practical experiences with it,” he asks, “especially if the department or school does not have the facilities? What does an effective convergence curriculum look like? Where are the successful models, in relatively affluent schools and in those with more modest resources? What sets them apart? How, if at

all, can this be done within accreditation guidelines?” *Ethical issue: Why are our concerns associated with implementation when our focus should be on moral rather than technological convergence?*

Blog-like Op-eds

When the audience is drowning in opinion, then what do opinion pages become? Web journals compete with opinion pages by emphasizing instant feedback, often without much research or insight, undermining the op-ed standard of “think before you speak.” Opinion pages, once the conscience of the metro newspapers, contend with blogs by offering ersatz analysis of front page stories. *Ethical issue: What happens to an informed electorate when the op-ed pages no longer advocate for a cause, but provoke for a response?*

Related Issues

There are other ethical issues, to be sure, which journalism administrators and educators ought to be monitoring. The penultimate one may be: Should we be training our students for the media that once existed, concerned about constitutional rights, or for the media that now exist, concerned about profit?

A paramount issue may concern the synergy of journalism education and professional media. Free speech is meaningless without education. Education is meaningless without free speech. Together, journalism educators and professional practitioners are responsible for an informed, enlightened electorate. Universities have upgraded technology and downsized the full-time professoriate too, dedicating billions of dollars to information technology (used in part to download music and file-share in residence halls) and further eroding what the citizen needs: more objective analysis, from which wisdom may result.

Without an informed and educated electorate, do we get the governments that we deserve?

Bugeja is a former member of the Wire Service Guild.

LETTERS TO THE EDITOR

To the Editor,

I really have to wonder whether we need a print edition of the Guild Reporter. I received my August 12 edition today, September 14. I've been walking a picket line around CBC for 30 days, and the news from the Canadian front is so stale that it's worthless.

Surely it's a waste of money to publish a newspaper that is so outdated. I think the union needs an organ to keep members abreast of news and developments. The website better serves the goal of disseminating news. So would an email subscription list.

The Guild Reporter print edition no longer serves a useful purpose. Spend the money more wisely, please.

—Neil Sandell, Canadian Media Guild, Toronto

[Editor's reply: Good question, great frustration. The publication date of each Guild Reporter is the Friday it goes to press; the paper then goes into the mail the following Monday or Tuesday—after which it's anyone's guess how long the postal systems of our two countries will take to deliver it to our members. For the August edition, alas, the answer in your case was four weeks.

This has been an ongoing problem to which we've been unable to find an answer. Repeated complaints to the postal authorities have proven fruitless, but if any of our members can suggest a more productive approach I'll be happy to pursue it. Meanwhile, many of our members don't have

internet access outside of their work sites, so an all-electronic format would disenfranchise them.

On the other hand, please note that the Guild Reporter is posted on the TNG-CWA website no later than the day it goes into the mail.]

To the Editor,

After listening again to the stories flowing from the Katrina disaster, I picked up my mail and read with interest my August Guild Reporter. I read articles about the recent AFL-CIO convention (another disaster), the lack of “vision” in Labor, the anti-war resolution calling for a pull-out from Viet Nam (oops I mean Iraq), and especially Sister Foley's “Looking Ahead” editorial.

“Interesting times” indeed! I, too, look back over the last 25 years with a sense of loss, and yet a drive for optimism. I went onto the field staff of the National AFL-CIO in January of 1978, and stayed until I retired on Labor Day of 2002. I worked under every President of the AFL-CIO, and witnessed first hand those events and issues our Sister reviewed.

Like many staff, once young, I remember consistent impatience with the national leadership of both the AFL-CIO and many if not most of its affiliates. Never enough focus on organizing. Too much willingness to acquiesce within a steadily waning Democratic Party. Preoccupation with the rhetoric of change, yet seemingly powerless to make it happen. Top-down prescriptions, bottom-up frustrations. Simultaneous calls for

“solidarity” on the outside, self-interested campaigns to raid other unions eating up staff and resources on the inside.

And the edifice of Labor still reposes on 16th Street NW. A grand building, filled with grand, committed trade unionists. Juxtapose this with the now sadly familiar scenes of devastation in New Orleans, Biloxi, Gulfport. Somehow, the distance seems too great.

Maybe its time for a grand gesture. Let's keep the necessary political and legislative presence in D.C., but maybe Big Labor ought to move its national headquarters to somewhere more compelling—more “relevant.” Maybe a new national office ought to be established in New Orleans or Biloxi or Gulfport. Maybe we can begin to let the great mass of American workers and families see that the challenge of rebuilding America's Labor Movement is no less than that of rebuilding one of her greatest and proudest metropolitan areas. These struggles can be one and the same. I for one have no doubt that we can succeed in both with time, talent, and participation.

—Doug Richardson,
Washington-Baltimore Guild (retired)

To the Editor,

My apologies. Although you haven't had me email you before, I feel I must after reading—belatedly—the Guild Reporter from June. (What the heck—one of these days I'll actually get around to reading Gone With the Wind.)

It angered me to see that the right wing media in the U.S. was attacking Linda Foley

for her comments in St. Louis on May 13, especially since those comments were based on nothing more than the truth.

Her commentary in that issue attempted to put her comments “in context.” As far as I'm concerned, no such attempt was necessary. And speaking for 2,500 Toronto members of the CBC Branch of the Canadian Media Guild (almost half of the CBC employees across Canada), I can say her comments made me proud to be a Guildster!

I've always known Linda Foley to be an advocate for our members in all areas, whether it be issues at the local or national and international levels.

In solidarity,

—Terry Walker, Canadian Media Guild,
President of the Toronto CBC Location

To the Editor,

I'm awed by the way the average American has swallowed the story put out by the Bush administration for why we're in Iraq and the Middle East.

The administration keeps throwing out the words “terrorism,” “freedom,” etc. The media seem willing to sit back and not ask the questions to find out the real reasons behind our being there.

How about my idea as to why we're there? Oil—big supplies of crude oil. The big oil boys are foaming at the mouth at the idea of taking control of the big storehouses of crude below the surface of that place called Iraq.

—Larry Johnson,
Northern California Media Guild (ret.)

An open letter to the NLRB chairman



By Linda Foley, President

Dear Robert J. Battista,

I'll bet that you, like many Americans, occasionally find yourself at a gathering or function that

begins with everyone standing up, turning to the U.S. flag in the corner and saying the Pledge of Allegiance.

And like the rest of us, you probably automatically put your hand over your heart, stand up straight and recite the pledge like you've done since you were in grade school.

The next time you find yourself going through this ritual, I respectfully request you pause to think about the workers at the Chinese Daily News in Los Angeles.

To refresh your memory, they are 150 immigrant workers and first-generation Taiwanese Americans whom you and your two-person majority on the National Labor Relations Board deprived of the basic freedoms symbolized by "Old Glory."

With all due respect, as a government official employed by the republic for which that flag stands, you should be ashamed of the role you played in denying these workers a democratic voice at their workplace. You are, after all, charged with ensuring the rights of U.S. workers, in the words of the National Labor Relations Act, "to form, join or assist labor

organizations, to bargain collectively through representatives of their own choosing."

It's too late to restore the liberty and justice you took from CDN workers after they endured more than four years of struggle. But maybe you could contemplate for a few moments the injustice you've wrought. I'm hoping you at least blush just a little when you get to the "under God" part of the pledge.

I doubt whether God or the founders of our country would look too kindly on your July 2005 ruling that threw out the workers' 78-63 vote in favor of union representation. Their democratic vote to join The Newspaper Guild-CWA on March 19, 2001, came after five months of intensive anti-union campaigning led by a notorious gang of union-busters from the Burke Group.

The NLRB's own hearing officer and regional director in California were inclined to recognize the democratic will of the CDN workers and certify the election results. But you and your NLRB in Washington decided you wanted a different outcome.

So you not only entertained what seemed at the time to be a baseless appeal by CDN's Taiwan-based employer, you eventually

made sure the expressed democratic will of the workers was never implemented.

That would be bad enough. The fact that it took your board more than four years to make a decision which shattered the lives, not to mention the American dreams, of dozens of CDN workers is unconscionable.

The rerun election at CDN on Sept. 22, 2005, was preceded by another vicious campaign against the union and workers who supported it. The employer's campaign

included demotions, on-the-job humiliations, threats, harassment, transfers, work rules that restricted free speech and even dismissals, including the firing of a workplace leader just two weeks before the rescheduled election.

What's more, you based your July 2005 decision to throw out the first election on a precedent

established in a case you and your board had decided just a few months earlier—long after the CDN workers voted for union representation in 2001. (In your mind, is it fair to apply a legal precedent retroactively?)

I'm sure you remember these decisions. They came down right around the time you participated in a continuing education seminar sponsored by the law firm representing CDN in this case. As you probably were already

aware of what was coming, I wonder if you gave your participation a second thought.

Meanwhile, a slew of charges of unfair labor practices by the employer went unanswered for more than two years. And even though CDN was found guilty of several dozen labor law violations during the course of this ordeal, the NLRB's adjudication delays allowed them to appeal those verdicts so they never had to publicly account for their misconduct.

Not surprising, it was too much for the workers to overcome. They just wanted it to end. On Sept. 22, 2005, they voted again, and this time rejected union representation 92 to 52. What was surprising was that 52 workers continued to believe—after more than four years of industrial hell—that they still had a shot at achieving the American Dream.

So the next time you say the Pledge of Alliance or sing the "Star-Spangled Banner," please think of those 52 Taiwanese immigrants who clung to the hope for workplace democracy despite everything they had endured.

And when you get to the part about "liberty and justice for all," you might want to keep your mouth shut or at least cross your fingers behind your back. Your actions demonstrate that you don't mean it.

Thank you for your time and consideration.

Sincerely,
Linda K. Foley, American citizen

I'm hoping you at least blush just a little when you get to the "under God" part of the pledge.

Nine cardinal bargaining rules: a primer



By Bernie Lunzer, Secretary-Treasurer

One. Weigh every action against your goal of achieving a contract. If your action puts you further from your goal, modify it, or don't do it. Never act out of anger or

revenge.

Two. The Rule of Nine: A bargaining committee should never have more than nine members, or less than nine members. (Facetious, but here's the point: committees that are too large are cumbersome and fractious. Committees that are too small are not representative and consolidate decision-making too tightly. Ideally, the committee is a diagonal slice of the organization, with each sub-group represented. Often that's not possible, but members must be connected, and know how they're connected to the committee. When bargaining concludes, the bargaining committee itself must "sell" the contract and explain to the bargaining unit why the contract works under existing circumstances.)

Three. Keep the members connected to the bargaining so they own the process. Although some locals allow members to attend bargaining sessions, I have mixed feelings about the practice because I've seen it result in a circus atmosphere—but I've also seen locals effectively use it to show the mean-spirited nature of a publisher's committee.

Four. Members of the bargaining committee must commit to the process and

attend each session. An esprit de corps develops within such groups, not unlike the camaraderie that develops on a jury, that's crucial for building trust and educating various representatives on issues they don't understand. A laissez-faire attitude toward committee participation will not allow this chemistry to develop. Tough decisions are made in every negotiating session, and the full committee should make those decisions.

Five. Work from consensus whenever possible. Votes can't always be avoided on a committee, but they create winners and losers—and hard feelings.

Six. Have mobilizers meet with negotiators regularly so they can take information

back to the membership and from the members back to the committee. Flyers are great for quick bursts of information, but they should not be relied on for effective communication.

Seven. Maintain solidarity at the table. The union should speak as one voice, even though it may be divided behind closed doors. Save the fights for committee caucuses, and request one whenever necessary. Decide beforehand how you will handle discussion at the table: some locals, for example, allow only the chief negotiator to speak. That's not always desirable, but nobody on the committee should ever be surprised or in disagreement with what is said by a fellow committee person at the table.

Eight. Almost every set of negotiations

requires a back-channel discussion at some point. Because of the serious nature of the issues, and the public positions that are taken by both sides, it is often difficult to make real movement in a full-committee setting or to explore problem-solving initiatives. Neither committee feels comfortable "showing its hand" in the full setting, so have the full committee determine ahead of time who will serve on an off-the-record subcommittee. Never promise secrecy. Work within the context of the talks in any sub-discussions, and make clear to the other side that you always have to go back to the full committee before any binding decisions can be made.

Nine. Know that there are always exceptions to rules, but know the rules before you break them—and know the consequences.

Zen, Einstein and contract bargaining

By Tom Schick
Administrator, Providence Newspaper Guild

Over the course of 25 years of contract bargaining, it has become apparent to me that it is often difficult for members to internalize the link between bargaining and mobilizing. Mobilizing is too often foreign to Guild members. In an attempt to assist members in wrapping their minds around the topic I have developed some analogies that place mobilizing in a familiar context.

The Zen of Mobilizing

The answer must come from within (the membership). There is no substitute for member involvement. Pressure tactics without active membership participation are

wasted efforts. Too often, Guild members will look for an easy solution that involves spending money, turning to outsiders or otherwise disengaging the membership from the mobilizing process.

Mobilizing is an essential part of the bargaining preparation. It is the process of informing, engaging and participating in the effort for a contract. It is not a pressure tactic, it is a process. Mobilizing provides the ability to apply pressure.

The Physics of Mobilizing

Newton's three laws of motion apply to mobilizing and pressuring the employer.

The 1st Law: Every object in a state of uniform motion tends to remain in that state of motion unless an external force is applied to it. You must overcome inertia. You cannot

expect the company or the membership to move without a push. Mobilizing is the process of creating the ability to overcome inertia.

The 2nd Law: $F=ma$ (force equals mass times acceleration). Objects accelerate in the direction you push them. If you push twice as hard, the object accelerates twice as much, and the bigger the mass the more force required to move it.

Newton didn't say it, but it applies to bargaining and mobilizing: If you push something hard enough it will fall over.

The 3rd Law: For every action there is an equal and opposite reaction. Don't expect the company to sit back and take it. If you push, management will push back. You must prepare for this in your mobilizing.

The mission of The Guild Reporter, approved May, 2004 by the TNG-CWA Executive Council, is as follows:

"As stated in the TNG-CWA Constitution, 'It shall be the duty of The Guild Reporter to promote in every legitimate way the policies of TNG-CWA.' The Guild Reporter belongs to the rank-and-file membership of TNG-CWA.

"Guild Reporter content will be of interest to the members,

and its first priority will be current news affecting the locals. The members of this union expect The Guild Reporter to inform, motivate and challenge its readers.

"To maintain its journalistic integrity and traditions, The Guild Reporter must never become a personal political platform or be misused for internal political purposes by the elected leadership of TNG-CWA."

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 for letters and articles: Friday before publication. (Next deadline: November 11.)

HUMAN RIGHTS WATCH

Hurricanes tore away more than landscape

By Debbie Thomas
Human Rights Director

According to Merriam-Webster's Dictionary, a refugee is a person seeking asylum in a foreign country in order to escape persecution. Perhaps that's what the people of New Orleans and the Gulf Coast states looked like fleeing Hurricane Katrina, but many of them found the label to be highly offensive—yet journalists continued to use it even after this was pointed out.

Talk about adding insult to injury! The first great injury—after the hurricane itself—was our federal government's slow-motion response, eliciting cries of racism from coast to coast. Rappers accused President Bush of not liking black people, as some of those stranded on rooftops explained they had been unable to evacuate because they had no transportation and none had been provided. Although we had been pretending that it did not exist, we saw that poverty was alive and thriving.

Then there were the injuries caused by semantics and perception, capsulized in two different photos from two different news agencies. One, from Agence France Presse, showed a white couple trudging through the floodwaters with soda and bread that they had "found." The other, from the Associated Press, was of a young black boy holding food that the caption said he had just finished "looting." In today's world of instantaneous blogging, just these two photos produced a storm all their own.

According to the AFP photographer, Chris Grayther, "these people were not ducking into a store and busting down windows to get electronics. They picked up the soda and bread floating in the water. They would have floated away anyhow." A spokesman for AP, meanwhile, said "AP makes no assumptions, either. In any case where we write a caption describing someone as having 'looted' goods, an AP journalist has witnessed the goods being taken."

The case of Sharlie Vicks, a member of the National Center for Transgender

Equity, underscored a different kind of injury: she was arrested and jailed for showering in the women's facilities at a shelter at Texas A&M University. Vicks was held for more than a week, separated from her family during a difficult time, and was released only after news reports alerted activists who brought pressure on local officials.

Not everything exposed by the hurricanes was negative. Journalists, for example, can take heart from a Pew Research Center survey of a thousand Americans, polled Sept. 6-7, which found 65% rating news coverage of Hurricane Katrina as good or excellent. And some journalists more than rose to the occasion, as when Bryan Monroe, president of the National Association of Black Journalists, joined a contingent that helped get Mississippi's Biloxi Sun Herald back up and running.

Labor likewise can be credited with a strong, compassionate response. The CWA instituted a relief program to assist members displaced by the storms, and the Mississippi Alliance of State Employees/CWA Local 3570 has started an adopt-a-family program. The AFL-CIO's hurricane relief fund has exceeded its \$500,000 goal. The Painters and Allied Trades received a \$400,000 grant from OSHA for training initiatives in the region, and numerous other unions have contributed money, supplies and labor toward rebuilding the ravaged areas.

In short, Americans have mobilized and shown their best instincts—as well as some regrettable flaws. We should applaud the former and work hard to remedy the latter.

STICKS AND STONES

Codger: Offensive term referring to a senior citizen.

Gyp: Offensive term meaning "to cheat," derived from "gypsy."

Illegal alien: Used to refer to Mexicans and Latin Americans believed to be in the United States without a visa; "undocumented worker" or "undocumented resident" is preferable.

Want a strong union? Organize more women

By Mark Gruenberg
Staff Writer, Press Associates Inc.

Female workers respond to different issues and in different ways from men and are far more committed to the union cause once they sign on, according to a report published last month—but they take longer to sign on.

The report, from a forum of 19 top female organizers hosted by TNG-CWA's Berger-Marks Foundation, says organizers view their biggest obstacles as the low status and little support unions give to organizing, a lack of time for families and unions' failure to recognize that organizing women differs from organizing men.

"Our people really want to have a life," said Sue Schurman, president of the National Labor College and facilitator of the forum last year that produced the report, "Women Organizing Women: How Do We Rock the Boat Without Getting Thrown Overboard?" "But the report speaks for itself, and I don't think the wisdom here is only for women," Schurman added. "The way we structure organizing may have been good in the 1930s, but it became increasingly less good in the 60s" and beyond.

The obstacles the organizers identified are important for several reasons. One is that unions, faced with declining membership, need organizing. Another is that women now comprise almost half of the U.S. workforce.

A third reason is summarized by statistics presented previously by Kate Bronfenbrenner, a labor studies professor at Cornell University professor, showing female-dominated units of workers are much more likely to vote union than male-dominated units. Moreover, those successes come when female organizers talk to female workers about different issues and in different ways than male organizers do.

Yet the culture of organizing is still predominantly male, as are the issues, the women organizers said. And that lessens organizing's effectiveness—and women's effectiveness and willingness to organize.

In one example, CWA organizer Susan Baxter-Fleming, the daughter of a union activist, knew what she was getting into when she became an organizer but did not realize the lack of support organizers often receive.

"I saw injustice at work, so I helped on the organizing campaign," she explained. "I waited for the international union to send in

the organizing army to get the job done. Then I realized that I was the army."

That lack of support was a frequent complaint among the female organizers, who often described union use of organizers—male and female alike—as "churn and burn." They cited long hours away from families, erratic schedules, no backup to give them a chance to rest and revive and 50 weeks a year on the road.

They also said women workers would note what the organizers go through and ask themselves why an organization that promises them better benefits and working conditions can't provide the same for its own staffers.

The female organizers said different approaches are needed to win over female workers—approaches the male-dominated union organizing culture has not used.

"There was a strong consensus that interpersonal qualities typically associated with women—listening skills, cooperation, concern for others—can be a powerful tool in organizing," the report says. "But many women will be deterred from becoming organizers unless fundamental changes in the nature of the work are made."

Those same qualities, however, also make organizing female workers more likely to succeed. "Women are more into group dynamics, more process-oriented than men," one participant said. Another added that women "collect and store information, consult people they trust and pull from more resources, while men are action-oriented."

As a result, women are also more concerned with overall quality-of-life issues—"fairness, family responsibilities and respect"—when organizers approach them, the report notes. Men are more concerned with wages. And the women are slower to commit to an organizing drive, but stronger when they do so.

The report recommends putting more women in union leadership positions, especially in mentoring roles; creating more schedule flexibility for organizers to prevent burn-out; and giving organizers more time off between assignments so they can have a life outside of work.

The Berger-Marks Foundation honors Edna Berger, the Guild's first female organizer, and is funded by royalties from the music written by her husband, Gerald Marks, including the hit song "All of Me." The full "Women Organizing Women" report may be read online at www.bergermarks.org.

THE GUILD Reporter

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DAYBOOK

Western District Council,
Oct. 29-30, Seattle

Canadian Rep. Council,
Oct. 29-30, Kitchener, Ont.

Great Lakes District Council,
Nov. 5-6, Erie, PA

Southern, Mid-Atlantic Councils,
Nov. 5-6, San Juan, PR

Midwest District Council,
Nov. 5-6, Sheboygan, WI

TNG-CWA Executive Board,
Jan. 11-13, Washington, DC

Deadline for Broun, Barr
nominations: Jan. 27

CWA Leg.-Political Conference,
March 12-15, Washington, DC

CWA 68th Annual Convention,
July 10-11, Las Vegas

FROM THE MORGUE

Seventy years ago this month:

The Guild votes to go it alone, as a referendum on affiliating with the American Federation of Labor fails, 1,806-945—less than 1% short of the required two-thirds majority. . . . A front-page editorial in the Guild Reporter observes that nearly \$11,000 is owed the Guild in unpaid dues and assessments, "the worst bane of our existence." . . . Two unidentified thugs attack a Guild member locked out by the Lorain (Ohio) Journal, knocking him out with a blackjack.

Fifty years ago this month:

The U.S. Supreme Court, by refusing to review a lower court decision, upholds the Guild's right to obtain complete payroll information from management, including data on merit increases. . . . Newsprint makers boost their prices again, to more than double the post World War II level, eliciting dismay from Guild leaders "because if the monopolistic newsprint cartel exacts all the profits, there will be nothing left for Guild members." . . . Charles Dale becomes the first Canadian to join the Guild staff on a full-time basis.

Twenty-five years ago this month:

The AFL-CIO calls on Congress to enact legislation limiting the size of newspaper chains. . . . E.W. Scripps unexpectedly announces it is looking for a buyer for the United Press International wire service. . . . President Carter signs into law an act of Congress barring most surprise warrant-backed newsroom searches by federal, state or local law enforcement agencies.

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