

THE GUILD Reporter

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Waging a war of nerves in Toledo

Blade terminates mediation, reneges on offer to open its books

Employees of the Toledo Blade were bracing themselves at press time for the possibility of a selective lockout of one or more of the newspaper's eight unions, in an apparent bid by management to provoke a strike by the others. Food and cots have been visibly stockpiled, a new security surveillance system has been installed and a washer-dryer has been placed "in the second-floor mailroom, where everyone can see it," said Toledo Guild President Lillian Covarrubias.

Tensions escalated following four days of mediation by the city's Labor-Management-Citizens Committee, a unique corps of volunteers established by the Toledo City Council in 1946 to defuse apparently intractable labor disputes. But more than 30 hours of off-the-record meetings and an attendant news blackout by both sides abruptly ended the week of Aug. 14, when the Blade resumed a cable TV ad campaign. On Aug. 15 it published a news story

under the headline, "Mediation effort in Blade talks ends without resolution."

"That's the first we heard of it," snorted Larry Vellequette, the Guild's mobilization director.

The Blade's commitment to mediation, which relies on the voluntary participation of all parties, was impeached by disclosure of a letter it simultaneously sent to its carriers. The letters offered a \$400 bonus to those who agreed to continue delivering the paper during an unspecified "labor action."

Meanwhile, the Blade also rescinded on Aug. 14 an offer it had made the previous week to allow union inspection of its books. The offer followed a fresh company claim that it was "hemorrhaging money," said Vellequette, who noted that the statement marked a major departure from previous claims that "it's not that we're unable to pay [higher wages], it's that we're unwilling."

A CWA analyst had flown to Toledo the

afternoon of Aug. 14 for a financial review the next morning.

The Toledo Guild and two other unions responded by filing an unfair labor practice charge, accusing the Blade of violating its commitment to provide "information necessary and relevant for collective bargaining" and for evaluating its "claims of inability to pay and imminent financial crisis."

Although a Blade spokeswoman was quoted by the newspaper as saying it would honor a 72-hour cooling-off period that had been requested by the mayor, the period was to expire at 6 a.m. Aug. 17. At that time, said Guild officials, they wouldn't be surprised if the newspaper locked out one of the smaller unions in the hope that the other unions would stay out, opening the way for hiring replacement workers. But the Toledo Council of Newspaper Unions had already agreed not to succumb to such provocations, said Vellequette, and the Guild has never

taken a strike vote.

On the other hand, Covarrubias said, all the elaborately obvious lock-out preparations may amount to little more than "saber-rattling," a tactic "really and truly out of the King and Ballou playbook," the union-busting law firm that has represented Blade management in negotiations. The tactic is so heavy-handed, she added, "they're doing a lot to mobilize us."

The last Guild contract expired in March, but negotiations have made little to no progress despite major union concessions, including an offer to accept a 5% pay cut. Instead, the Blade is demanding a pay cut twice as deep as well as a 50-50 split of health insurance premiums—at an individual cost of up to \$700 a month to employees. The company is also seeking to gut union security provisions within the contract and wants a virtually limitless "management rights" provision.

Justice gives MediaNews a green light

But Hearst status unclear

The unraveling of the former Knight Ridder empire cleared another hurdle July 31, when the U.S. Justice Dept. said it saw no reason to intervene in the MediaNews purchase of the Contra Costa Times, the San Jose Mercury News and their affiliated publications. The announcement came just days after a federal judge rejected a request in a private lawsuit for a temporary restraining order to block the sale.

But the sale of the two newspapers cleared by the Justice Dept. is part of a more complex transaction that includes the St. Paul Pioneer Press and the Monterey Herald, both of which have been bought by Hearst. Hearst has agreed to give the two newspapers to MediaNews in exchange for an investment in an entity called the California Newspapers Partnership, which MediaNews controls but in which Gannett and the Stephens Media Group have minority positions.

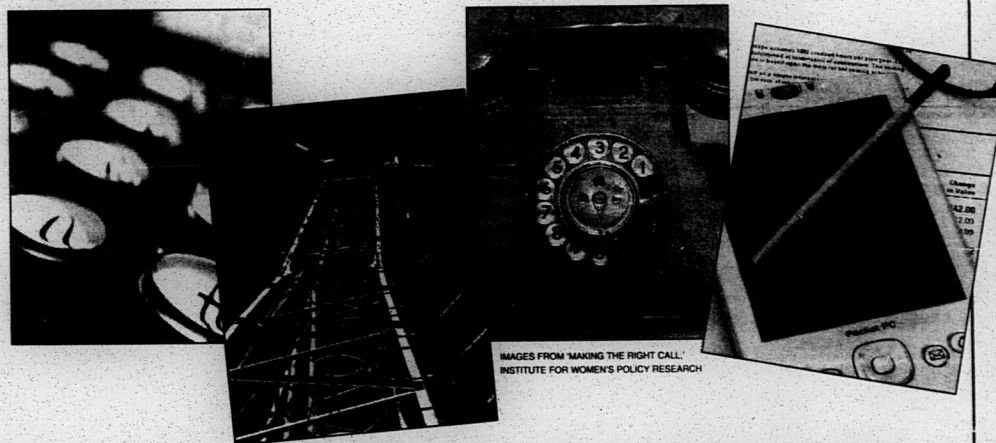
Because Hearst also owns the San Francisco Chronicle, the

Justice Dept. said it would investigate any "future transactions involving MediaNews and Hearst" to determine if they "would adversely affect competition" in the Bay Area. A finding of adverse effects could still torpedo the larger package, because the MediaNews-Hearst agreement is "cross-conditioned": if either putative partner is blocked, the other isn't obliged to buy its two newspapers. In the interim, Hearst and MediaNews have a separate agreement under which MediaNews already is running the Herald and Pioneer Press.

At last word, California's state attorney general is still conducting his own antitrust review.

Meanwhile, San Francisco businessman Clint Reilly has said he will continue to press his lawsuit despite failing to obtain a restraining order. Although agreeing that Reilly had raised "serious questions" and that the proposed sales should be examined "to ensure that no long-term harm" will result to

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If you work in mass media, the news could be better

By Andy Zipser
Editor, The Guild Reporter

A trio of unrelated studies of the mass media, all released within recent weeks, reinforce several of each others' most disturbing findings. Among them:

- Having a union in the media workplace correlates with significantly higher wages—but unions represent an increasingly small share of the media workforce.
- Job growth in the communications and media sector of the economy significantly lags growth in overall employment. And the newspaper segment is actually contracting, with a 19% decline in employment over the past 15 years.
- Wage disparities for women and minorities persist across all media, and are lowest for newspaper workers.
- The media in general, and newspapers in particular, are overwhelmingly white.

An international context for many of these conclusions was provided in April by the International Federation of Journalists in a study titled "The

Changing Nature of Work: A global survey and case study of atypical work in the media industry." Based on a survey distributed to its worldwide affiliates last September, the IFJ concludes that media employment "has become more precarious, less secure and more intense" in recent years.

"In the last five years, there has been a trend away from collective bargaining, and toward individual negotiations," the IFJ observes, seeing also a trend toward replacing experienced senior journalists with younger freelancers or other "atypical" workers, including subcontractors and employees on short-term contracts. "While these new fresh faces are taking up jobs in media, journalists' average rate of pay appears to be declining in real terms, or at best, standing still, over the past five years," the federation reports.

While the journalists represented by the IFJ affiliates—including TNG-CWA—work in all media, slightly more than half are in newspapers.

Roughly a third of the responding affiliates' members are now classified as "atypical," paid by time, word or story at rates typically set by the

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Contracts in Seattle, Alberta

Breaking from past practice, the Pacific Northwest Guild this year conducted separate contract negotiations for the Seattle Times and the Post-Intelligencer. The upshot: quick agreement at the P-I but a slow slog at the Times, which is trying to sever its joint operating agreement with the P-I on the basis of financial extremis.

With no end in sight for talks at the Times, the Guild nevertheless ratified a two-year contract with the Hearst-owned Post-Intelligencer that enhances severance pay and commits the newspaper to pay health insurance premiums for six months if it stops publishing. Hearst has said it cannot afford to keep publishing the P-I if the JOA is dissolved.

The agreement also includes a minimum raise of \$20 a week this year and a \$25 raise that kicks in next July. The all-but-unanimous ratification affects 140 employees.

Meanwhile, in keeping with its claims of penury, the Times has been holding out for a two-year wage freeze; the Guild is seeking \$18-a-week increases each year. The Times contract, covering 630 employees, expired at the end of July.

The Seattle Times Co. has been equally hard-nosed at another of its properties, the Morning Sentinel in Waterville, Maine. There, employees represented by the Portland Newspaper Guild have been working without a contract since Jan. 31, stymied by company

insistence on an outsourcing provision that would eviscerate the contract's job security provisions. The two sides were scheduled to meet next Aug. 22.

Separately, the Media & Communications Workers of Alberta has announced agreement on a six-year contract at the Red Deer Advocate, where it represents more than 175 employees. The agreement includes raises of 2.5% in each of the first two years, 2.75% in the third and fourth years and 3% in each of the last two years. In addition, said a local spokesman, the agreement eliminates lower job classifications in the mailroom and boosts starting pay for new employees.

Also featured in the new contract: improved shift differential pay and vehicle allowances, bonuses for inside advertising sales reps, and percentage-based—rather than a fixed dollar amount—employer contributions to production worker pensions.

Elsewhere in Alberta, the local won:

- A five-year contract at the Lethbridge Herald, covering three compositors, that includes 2% pay increases each year, shift differentials, employer contributions to the pension plan and improved vacation entitlements.

- A five-year agreement at the Medicine Hat News and its sister publication, the weekly Prairie Post, covering 75 employees in all departments except the pressroom. The new contract includes pay raises of 1.5% this year, 2.5% next year and 2% each year thereafter, as well as the improvements negotiated in Red Deer.

Guild briefs . . .

Buyouts offered in Cleveland, Dallas

The drumbeat of layoff announcements is resuming. The Guild-represented Plain Dealer is offering a two-tiered voluntary buyout to editorial and business office workers, with those 50 and older and with at least 20 years' service eligible for 30 months' pay; those who are younger or have less service can receive two weeks' pay for each year of service. Employees have until early October to decide. Meanwhile, the non-union Dallas Morning News said it will eliminate at least 85 newsroom jobs.

Voting for the rack—or water torture

When Time Inc. last month gave employees its "Total Rewards Survey," a company spokesman quickly insisted there was "no correlation" with impending contract talks. But since the survey asks employees to choose among various packages of wages and benefits, New York Guild officials said it smacked awfully much of direct dealing and seconded a company suggestion that anyone concerned about the survey not take it. As the survey is now constructed, one observed, there's no way to answer "I don't want the water torture and I don't want the rack."

Toledo demurs on filing arbitration

Concluding it had scant chance of success, the Toledo Guild has decided not to seek arbitration over the firing of Blade staff writer George Tamber. Tamber was fired in May for writing an anonymous letter to the Pulitzer Prize Board claiming the newspaper's "Coingate" series was tainted. The local's grievance, claiming unlawful termination, was rejected by management.

Retired, he opts for political arena

Former TNG-CWA Vice President Percy Hatfield, who in July retired from the Canadian Broadcasting Corp. after more than 30 years on the job, immediately started writing the next chapter of his life: on August 1 he filed to run in November's municipal elections for Windsor city councillor. "I've covered City Hall since the mid 70's, so it seems a natural fit," he wrote, "more of a possible career change than a retirement."

Does your health plan pay rebates?

As TNG-CWA members increasingly find themselves hit with higher health insurance premiums—now often amounting to 25% of the total—the St. Louis Guild is calling attention to a rarely understood cost-savings that employers don't go out of

their way to share. Health insurance plans may offer rebates, "service credits" or other refunds to employers who achieve certain goals, such as a decline in claims. The appropriate Guild position, the St. Louis local says, "is that if the paper is receiving any rebates, our members should share in that" proportionately. First step: file a request for information to find out how your employer's premiums are determined and what kinds of rebates may be involved.

Gay in Boston? Better get hitched

Here's an unexpected wrinkle in the marriage wars: Boston Globe employees with same-sex partners have been told their partners' health benefits will be discontinued as of Dec. 31—unless they get married. Now that Massachusetts has legalized gay marriages, the paper said it wants to be consistent with its policy toward straight couples, who must be married if an employee's partner is to receive health coverage.

Unpaid overtime settled: \$12,500

Eleven Guild members who work in classified advertising at the Buffalo News are receiving \$12,500 for working a combined 103 hours of unpaid overtime in 2004. The unpaid overtime was discovered by Buffalo Guild leaders as they researched a dispute over vacation scheduling, resulting in a broader settlement that also includes more prime vacation days being made available to classified department employees.

Camera work has high injury rate

At the insistence of the News Media Guild's health and safety committee, the Associated Press has agreed to fund a \$20,000 study of photographer and videographer injuries that will serve as the basis for an injuries prevention program. The study is an outgrowth of Guild surveys that photographers and videographers, who make up 10% of AP's workforce, accounted for approximately 40% of the company's reported injuries over a six-year period. Moreover, 61.5% of Guild respondents said they had sustained injuries that were never reported.

Guild officer's widow dies, at 84

Dorothy E. Mawdsley Crocker, widow of former Guild Secretary-Treasurer Bob Crocker, died July 30 at the age of 84. A lifelong resident of Maine, where she raised a family and then worked for a power company and state government, Crocker moved to Washington D.C. for the decade her husband served the Guild, until his death from cancer in 1979.

Storm clouds loom at Osprey

TNG Canada is warning that the "desultory summertime pace" of negotiations at several Osprey Media newspapers in Ontario "is threatening to blow up into an early fall thunderstorm." The company has laid off dozens of long-time employees while outsourcing their jobs to non-union shops, and its contract negotiators at dailies in Kingston, St. Catharines and Sudbury have refused meaningful job security proposals.

Seeking to defuse the situation, TNG Canada Director Arnold Amber, staff representative David Esposti and attorney Nelson Roland recently met with Osprey's chief executive, Michael Sifton, and two other senior executives. But the meeting—the second in three years—was inconclusive, with Sifton maintaining that each newspaper in the chain sets its own policies.

"If anything," said Amber, "he was even more vague than he was in the meeting three years ago about building a relationship which would prevent further labor strife."

Tension is running especially high at the Whig-Standard in Kingston, where contract negotiations have sputtered along since January and two days of

conciliation in June achieved little. Mediation has been scheduled for the last week in September, and if that fails the two sides will be in a legal strike/lockout position shortly thereafter. Management has "flatly rejected" job security language, said TNG Canada rep David Wilson, has been stingy with pay proposals and is resisting union attempts to consolidate six bargaining units into three.

Five of the six Kingston units have voted unanimously to take strike action if necessary.

Strike action also received overwhelming support June 28 in St. Catharines, where 22 workers have had their jobs outsourced despite a no-contracting-out clause in their agreement. Although conciliation has been scheduled for mid-September, Esposti said he is not optimistic it will resolve job security and money issues that have been on the table since spring.

And a first round of talks at the Sudbury Star wasn't held until July 24, even though the contract expired May 1, prompting the Northern Ontario Newspaper Guild to apply for conciliation even though a second round is set for the end of this month. Meanwhile, the contract at the Sault Ste Marie Star expires at the end of August.

Court punts on Point Park

Two years after voting, 49-14, to join the Pittsburgh Newspaper Guild, faculty members at Point Park University will have to wait at least another

year before they can start negotiating a first contract. That's because the U.S. Court of Appeals for the District of Columbia has tossed the university's appeal back into the laps of the National Labor Relations Board, saying it must better explain why the faculty is entitled to collective bargaining rights.

The National Labor Relations Act exempts "managers," a category the NLRB may be on the verge of expanding when it rules on three closely watched cases known collectively as "Kentucky River." But while the Kentucky River decision would affect nurses most notably, as well as other workers, the question of whether college professors are supervisors has a longer and more convoluted history.

In reviewing the NLRB's decision that the Point Park faculty is entitled to union representation, the appeals court said that "some findings suggest the faculty are managerial employees, while others suggest they are not." The

NLRB and its Pittsburgh director, the court added, had failed to explain "which factors are significant and which less so, and why."

Among the factors that must be weighed are the degree of faculty control over curriculum, course schedules, teaching methods, grading policies and matriculation standards—decisions that union supporters argue are professional rather than managerial in nature, and therefore included within the NLRA's reach.

Point Park has resisted the unionization of its employees at every turn, opposing the initial Guild petition for an NLRB-supervised election and appealing each subsequent adverse decision. The result is a war of attrition in which the outcome of any one battle is less significant than the overall duration of the conflict and the toll it exacts on its participants. "Justice delayed is justice denied," summarized union attorney Joe Pass Sr. in an interview with the Pittsburgh Post-Gazette.

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Reporters face jail for doing their jobs

A pair of unrelated legal assaults on reporters in the San Francisco area has revived concerns that journalists are being targeted by prosecutors and has renewed the push for a federal shield law.

Two Guild members, San Francisco Chronicle reporters Lance Williams and Mark Fainaru-Wada, have said they will go to prison rather than comply with a federal judge's order Aug. 15 that they identify the source of grand jury testimony they used in reporting about steroid use in sports. (See related column, page 7.) The testimony was used to substantiate articles about the Bay Area Laboratory Cooperative and its supply of illegal performance-enhancing drugs to various athletes.

Separately, freelance journalist Joshua Wolf has been jailed since Aug. 1 for refusing to surrender unaired video shot during a July 2005 protest in which an attempt was made to torch a San Francisco police car. Although Wolf's case—unlike that of Williams and Fainaru-Wada—would seem

to be covered by California's shield law, which protects reporters' confidential sources and unpublished material, federal prosecutors have claimed jurisdiction on the grounds that the city police department gets federal grants.

Although U.S. District Judge Jeffrey White expressed sympathy for the two Chronicle reporters at a hearing Aug. 4, he concluded in his decision that the court "finds itself bound by the law to subordinate [the reporters'] interests to the interests of the grand jury" in discovering the source of the leaked testimony. Jonathan Donnellan, a Hearst attorney representing the duo, had argued that federal judges have the discretion to follow a trend in state confidentiality laws to expand reporters' rights to protect their sources.

As reported in the Chronicle by Bob Egelko, White was faced with a conflict between two important public policies: on one hand, a public interest in having grand jury proceedings remain secret so witnesses

can be confident their testimony will remain confidential, vs. the press's ability to bring important issues to the forefront of public attention. The Chronicle said it is appealing his decision.

While TNG-CWA and the Northern California Guild have thrown their support to Williams and Fainaru-Wada, they also have rallied to Wolf because of the broad implications of his case. Wolf's situation "is but one in a series of government attacks on all of our civil liberties, this time blatantly challenging freedom of the press," explained Doug Cuthbertson, the local's executive officer.

Wolf was jailed after refusing a grand jury demand for his unaired videotapes, which prosecutors said might help them identify who had tried to set the cruiser on fire. No local charges were ever filed in the incident, raising questions about the federal government's true motives. News organizations traditionally resist such demands on the grounds that their ability to do their jobs would be jeopardized if they are perceived

as information-gathering arms of law enforcement.

"When news sources believe that statements or actions observed or reported by journalists find their way into the hands of police or prosecutors, those sources will be less willing—or flat-out afraid—to cooperate with the media," explained Tony Overman, president of the National Press Photographers Association, at a press conference covered by the Associated Press. Indeed, Wolf and his attorneys have contended that the real purpose of the subpoena is to discourage the media from reporting other protests and demonstrations.

Wolf's defense lawyer also told the press that jail officials blocked him from seeing his client for five days and accused them of punitive behavior. Unless he surrenders the videotapes, Wolf could remain incarcerated until the grand jury's term expires next July. At press time, he was challenging the contempt order in the Ninth Circuit Court of Appeals.

Yellow flags still up in California

Continued from page 1

area residents, federal judge Susan Illston found no "pressing and imminent danger" to justify granting an injunction.

Adding the three northern California newspapers to its other properties in the region would give MediaNews more than 700,000 daily subscribers surrounding San Francisco, where its only notable competitor is the Chronicle. In essence, Reilly contended, MediaNews and its partners will control "every major newspaper in the Great Bay Area" and will have "market power, if not monopoly power" over ad and subscription rates as well as news coverage.

The various publishers countered that any harm Reilly might suffer from the transaction would be "trivial" compared with the damage they would suffer from delaying the sale. Moreover, McClatchy—which bought all of Knight Ridder and then sold 12 of its newspapers—reportedly expressed "concern" that it might have to negotiate new labor contracts at the Mercury News on behalf of MediaNews.

The San Jose Guild's contract at the Mercury News expired June 30, amid expectations that MediaNews will demand major concessions at negotiations that were starting at press time. A memo to local members from their executive officer, Luther Jackson, set the scene by citing court filings in which MediaNews had stated it expects to reach "substantial cost-savings and efficiency-enhancing changes in its collective bargaining agreement with the Guild."

Among the savings Media News expects, according to the court documents, is to "fully integrate" certain functions between the Mercury News and its Alameda News Group papers. One early sign of such integration: the early August appointment of Mercury News publisher George Riggs as president and CEO of the California Newspapers Partnership.

Storm clouds are forming over other former Knight Ridder properties, too. Most notably, Guild contract negotiations at the Philadelphia Inquirer and Daily News, which kicked off in late July on a hopeful note, turned sour within days. The new owners reportedly are demanding a laundry list of givebacks: cuts in pension funding, lower starting salaries in the newsroom, ending most overtime, eliminating sick pay for the first seven days of illness, elimination of seniority for layoff purposes.

A July 25 memo from publisher Joe Natoli—who has since resigned—warned employees that the company has to find money "to invest in growing our business." The memo also mentioned "work rules that make it hard for us to compete and restrict our ability to grow."

The existing contracts expire Aug. 31.

Now that Knight Ridder is officially *corpus delicti*, attention is again turning to Tribune Co. as the next possible takeover target. The latest portent of things to come: the purchase as of June 30 of a 1.2% stake in the company by Nelson Peltz, commonly described as a "billionaire activist investor." Peltz already was embroiled in a proxy battle at H.J. Heinz, but according to the Wall Street Journal that did not stop him from chatting with the Chandler family in May about its efforts to force a breakup of Tribune. Although the Chandlers in recent weeks have taken a low profile, private attempts to settle their differences with Tribune management reportedly have made little progress.

Peltz's involvement is almost certain to shake things up. "It's nice to see him in our camp where he sees that the stock is significantly undervalued," an analyst siding with the Chandlers told the Journal.

More York ULPs filed

Yet another barrage of legal charges has been lobbed at the York Daily Record and York Sunday News, including a relatively unusual request by TNG-CWA for immediate issuance by the National Labor Relations Board of a 10(j) injunction.

The latest salvo follows a July charge by the NLRB's general counsel, buttressed by a series of unfair labor practices complaints, that the MediaNews-owned York Newspaper Company is bargaining in bad faith. Among the charges leveled at that time was the company's refusal to grant unpaid leave to members of the York Guild bargaining team while simultaneously insisting that contract negotiations occur during work hours.

"Since the issuance of the complaint," states an Aug. 8 letter from TNG-CWA requesting the injunction, "the Guild has squarely demanded that the employer change its policy and begin granting the requested leave. The employer has flatly refused." As a result, at least one bargaining committee member has been forced to resign because she has exhausted all available leave—including her vacation days—and "other committee members remain at risk of falling into the same unfortunate situation."

The company's stance, the letter observes, "not only violates the duty to bargain in good faith, but effectively precludes the union membership from freely selecting representatives to serve in the collective bargaining process."

At press time, TNG-CWA had not received a response to its request for an injunction.

The 10(j) request was made less than a week after TNG-CWA attorney Barbara Camens wrote to Jim Thompson of King & Ballou, management's lead attorney, refuting company statements to employees that the York local had withdrawn its ULP complaints. Even as the complaints have been scheduled for trial Oct. 24, Camens complained, "Daily Record management has blatantly misrepresented the union's intentions and actions."

Separately, TNG-CWA filed several additional ULP complaints Aug. 10. Among them:

- Illegally retaliating against employees exercising their right to concerted union activity by prohibiting the wearing of printed t-shirts. The red shirts, bearing the slogan "We're York County,



Tom Joyce, York's mobilization director, in the latest in a series of costumes calling attention to the bargaining stand-off—this time at the dedication of a new stadium for the local baseball team, "The Revolution"—as he gathers signatures for a boycott.

they're not," are now draped across the backs of employees' chairs.

- Illegally retaliating against employees for their week-long byline strike by continuing to withhold the bylines and credit lines of strike participants after the strike ended, July 27

- Illegally not meeting union information requests during contract bargaining.

The company's response to the earlier set of ULPs was to cancel half of the bargaining sessions that had been scheduled. The next session is set for Sept. 6. Meanwhile, the local is ramping up its mobilization by setting a goal of collecting 10 signatures per week per member from Record subscribers who are willing to honor a boycott if one is called. The local also is planning an entry in York's annual Labor Day parade based on the Wizard of Oz, and is promising a topical rewrite of the lyrics to "Somewhere, Over the Rainbow."

While the York Guild and

Record management remain at loggerheads, contract negotiations at the York Dispatch were wrapped up in record time and months before the existing contract was to expire. The unanimously ratified three-year pact includes raises of 3% the first year and 2.5% in the second and third, or more than was won in at least the two previous contracts, plus a \$100 signing bonus.

Other contract features include an improved dental plan, the addition of a fifth week of vacation to employees with more than 20 years of service and no changes in health care coverage or premiums. The contract also bumps mileage reimbursement to 40.5 cents a mile.

Contract talks at the Daily Record started more than a year ago; the last contract expired in October. While the union has been seeking 5% annual raises, the company has held the line at 2% increases each year—with no retroactivity—plus higher insurance premiums, a reduction in mileage reimbursement and greater "flexibility" in scheduling to avoid having to pay overtime.

The negotiations are the first since MediaNews took ownership of the Daily Record in 2004 while apparently retaining ownership of the Dispatch, prompting TNG-CWA complaints that it has violated federal antitrust laws.

News round-up

Wal-Mart routed in Germany . . .

Wal-Mart is learning the hard way that American retailing practices don't always translate well: two months after throwing in the towel in South Korea, it beat a similar retreat in Germany, where it sold its 85 stores to the country's largest retailer at a \$1-billion loss. In addition to failing to turn a profit, Wal-Mart was constantly battling German unions over its labor practices. Ironically, even as Wal-Mart was pulling out of Germany it agreed to recognize the first trade union at one of its 60 stores in China, following a two-year campaign by the All-China Federation of Trade Unions.

. . . while McUnion forms in Japan

The trend of militantly anti-union U.S. companies playing by different rules overseas was further exemplified by McDonald's, which last month recognized a union of approximately 200 branch managers and part-time workers at its stores in Japan. The employees are demanding that McDonald's look into the long hours branch managers have to work; pay the managers for working overtime; reveal the assessment criteria for promotion and pay rises; discuss retirement allowances with the union; and make it easier for branch employees and part-time workers to take paid vacations. A company spokesman said it would negotiate "sincerely" with the new labor organization—which, sure enough, calls itself McUnion.

Congressional thanks for blogosphere

One more reason for newspapers to fret about the growing influence of bloggers has been provided by the Democrats on the House Judiciary Committee, who earlier this month released a 354-page report, "The Constitution in Crisis," asserting that the Bush administration has broken more than two dozen federal laws and regulations—some of them multiple times. Preparation of the report was greatly aided by the "myriad and invaluable contributions" of bloggers, Congressman John Conyers notes, adding: "Whereas the so-called 'mainstream media' has frequently been willing to look past the abuses of the Bush Administration, the blogosphere has proven to be a new and important bulwark of our Nation's first amendment freedoms." The full report or portions of it may be downloaded at www.house.gov/judiciary_democrats/iraqrept2.html.

NLRB members get two thumbs up

Following a unanimous committee recommendation, the Senate is expected to approve the nomination of two members and general counsel to the National Labor Relations Board, as well as that of a new director of the Federal Mediation and Conciliation Service. Up for the vote are Wilma B. Liebman (D) and Peter C. Schaumber (R) as NLRB members, Ronald E. Meisburg as the NLRB's general counsel and Arthur F. Rosenfeld as FMCS director. Not among the approved nominations are two other members who have recess appointments: Peter N. Kirsanow (R), who received a recess appointment on Jan. 4, and Dennis P. Walsh (D), who was given a recess appointment Jan. 17. Chairman Robert J. Battista's (R) term expires Dec. 16, 2007.

UN protection sought for media workers

The International Federation of Journalists has called for intervention by the United Nations and other members of the international community to ensure protection for journalists in Iraq after Mohammad Abbas Al Hamad became the latest victim on a growing list of media staff killed during the three-year conflict. Al Hamad, 28, was shot in his Baghdad house by gunmen earlier this month, bringing to 135 the number of journalists and media staff killed in Iraq since the US invasion in March 2003.

Ethics primer readied for news photogs

Amid several recent allegations of news photo doctoring, the National Press Photographers Association has released a new, 60-minute DVD titled "Ethics in the Age of Digital Photography." Prepared by John Long, chairman of the NPPA's Ethics and Standards Committee, the seminar contains classic examples of digital manipulation as well as recent examples of ethical quandaries. Copies are available online at the NPPA web site's Photo Club or by calling Thomas Kenniff at the NPPA at +1.919.383.7246, ext. 16.

Making cervical cancer personal

Campaigning to increase public awareness of the newly available vaccine for human papillomavirus, the Coalition of Labor Union Women is sponsoring two female unionists and cervical cancer survivors—Christine Baze of Musicians Local 9-535 in Boston and Tamika Felder of AFSCME District Council 20—in their efforts to put a human face on the disease. Both women are online (Baze at www.popsmeat.org, Felder at www.tamikaandfriends.org) promoting pap smears and inoculation with Gardasil, a series of three shots; Baze also is on a concert tour. More information also is available at CLUW's web site, at www.cluw.org/cervcancer.html.

Couldn't they set the bar any lower?

The Occupational Safety and Health Administration has a great new idea: starting Oct. 1 construction contractors can avoid regular OSHA inspections if their employee injury and illness rates were lower than the national average for at least one of the past three years.

Five key indicators of an economy gone awry

By Lawrence Mishel and Ross Eisenbrey
Economic Policy Institute

What's wrong with the economy? Let us count the ways. . . .

1. *Profits are up, but the wages and incomes of average Americans are down.*

• Inflation-adjusted hourly and weekly wages are below where they were at the start of the recovery in November 2001. Yet productivity—the growth of the economic pie—is up by 14.7%.

• Wage growth has been shortchanged because 46% of the growth of total income in the corporate sector has been distributed as corporate profits, far more than the 20% in previous periods.

• Consequently, median household income (inflation-adjusted) has fallen five years in a row and was 4% lower in 2004 than in 1999, falling from \$46,129 to \$44,389.

2. *More and more people are deeper and deeper in debt.*

• The indebtedness of U.S. households, after adjusting for inflation, has risen 42% over the last five years.

• The level of debt as a percent of after-tax income is the highest ever measured in our history. Mortgage and consumer debt is now 120% of after-tax income, more than twice the level of 30 years ago.

• The debt-to-service ratio (the percent of after-tax income that goes to pay off debts) is at an all-time high of 13.9%.

• The personal savings rate is negative for the first time since the Depression.

3. *Job creation has not kept up with population growth, and the employment rate has fallen sharply.*

• The United States has only 1.9% more jobs today than in March 2001 (the start of the last recession). Private sector jobs are up only 1.5%. At this stage of previous business cycles, jobs had grown by an aver-

age of 8.8% and never less than 6.0%.

• The unemployment rate is relatively low at 4.6%. But the percent of the population that has a job has never recovered since the recession and is still 1.3% lower than in March 2001. If the employment rate had returned to pre-recession levels, almost 4 million more people would be employed.

• More than 3 million manufacturing jobs have been lost since 2000.

4. *Poverty is on the rise.*

• The poverty rate rose from 11.3% in 2000 to 12.7% in 2004.

• The number of people living in poverty has increased by 5.4 million since 2000.

• More children are living in poverty: the child poverty rate increased from 16.2% in 2000 to 17.8% in 2004.

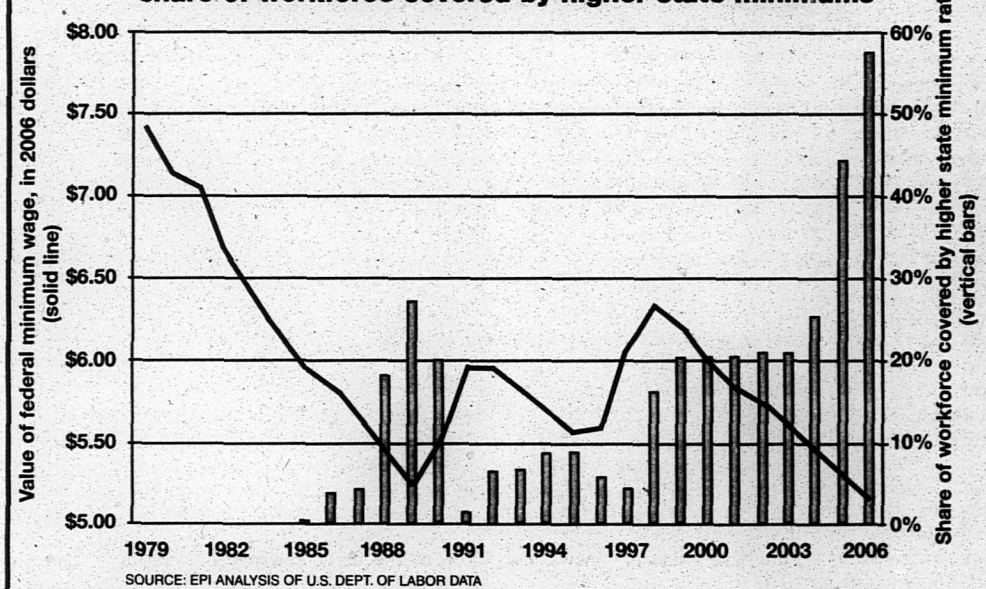
5. *Rising health care costs are eroding families' already declining incomes.*

• Households are spending more on health care. Family health costs rose 43%-45% between 2000 and 2003 for married couples with children, single mothers and young singles.

• Employers are cutting back on health insurance. Last year, the percentage of people with employer-provided health insurance fell for the fourth year in a row. Nearly 3.7 million fewer people had employer-provided insurance in 2004 than in 2000. Taking population growth into account, 11 million more people would have had employer-provided health insurance in 2004 if the coverage rate had remained at the 2000 level.

Mishel is president and Eisenbrey is policy director of EPI, a non-profit, non-partisan think tank in Washington, DC, that conducts "research for broadly shared prosperity." Its various studies and analyses, including the comprehensive "The State of Working America, 2006-2007," may be seen at www.epinet.org.

Value of federal minimum wage compared to share of workforce covered by higher state minimums



Wage slavery at new low

The minimum wage of \$5.15 an hour will mark its nine-year anniversary Sept. 1, a virtually unprecedented run that has eroded its purchasing power to its lowest level since 1955.

Although Congress periodically has revisited the issue, the GOP majority as periodically has derailed any increase. Most recently, in a stark juxtaposition of millionaires' interests and those of hamburger flippers, the House tied a raise in the minimum wage to a permanent cut in estate taxes. "Minimum-wage workers should not have to wait for Paris Hilton to get another tax cut before they can get a wage increase," fumed AFL-CIO President John Sweeney.

Killed by a Senate filibuster, the cynical pairing may be resurrected after Labor Day by Senate

Majority Leader (and millionaire) Bill Frist, who switched his vote in a parliamentary move that permits him to reopen debate. But as the graph above indicates, a growing number of states—now at 22, plus the District of Columbia—have concluded they can't wait for Congress to act: nearly 60% of the workforce is covered by state minimum wages that are higher than \$5.15.

Amazingly, even if the raise that didn't pass had been adopted, the \$7.15 an hour minimum wage workers would be paid in 2007 would equal \$5.32 in 1997 dollars, when the last increase went into effect—equal to a mere 3% raise over an entire decade. To equal its highest purchasing power, reached in 1968, the minimum wage would have to be \$9.09 an hour.

If you work in the media, it pays to unionize

Continued from page 1

employer; only a quarter of the unions said pay rates for such workers are established through negotiations. The study also found that atypical workers get shorted on benefits, with sick leave, pensions and vacations all but nonexistent for freelancers and only a bit less rare for others.

These aren't just signs of deteriorating job quality, the IFJ points out: they also suggest a deterioration in news coverage, with three-fourths of the IFJ respondents agreeing that low wages and employment insecurity result in timid reporting and, at the extremes, in a corruption of journalists "that may be jeopardizing the media's role as a watchdog for society."

The IFJ study has its weaknesses, not least its reliance on self-reporting by its affiliates rather than a survey of randomly selected individual journalists. So it may come as a surprise to learn that a far more rigorous statistical analysis of the U.S. media sector, released last month by the Institute for Women's Policy Research, not only confirms the IFJ's findings but goes beyond them to raise numerous additional concerns. Specifically, "Making the Right Call: Jobs and diversity in the communications and media sector" concludes that an economic sector that once provided a middle class lifestyle is in serious decline.

That may seem counterintuitive, given the explosion in new information technologies and their associated hype. But the IWPR study, which analyzes employment in the seven largest communications and media industries—wired and wireless telecom, radio/TV/cable, newspapers, movies and video production, internet service providers and "other"—finds that sector job growth over the past 15 years was 14%, compared with a 22% growth rate in the U.S. economy overall. Moreover, the lower-paying industries within the sector have grown more quickly than the traditionally higher-paying ones.

Newspaper payrolls, as already noted, have contracted over that period, shedding 87,000 jobs. But the picture is even darker than that number suggests, as one-third of newspaper employees work fewer than 35 hours a week—the highest percentage of any of the seven industries analyzed, and roughly twice the overall average. One result is a downward pressure on wages: the median newspaper wage for nonsupervisory full-time employees is lower than in any other media industry, at \$505 a week—less than the \$520 median for all other U.S. industries.

Given the low pay, it's hard to determine whether the low level of minority employees at newspapers is a sign of institutional racism—or minority workers' good common sense. But what the IWPR study also found is that while a third of non-supervisory workers throughout the communications sector are minorities, a level roughly comparable to the rest of the U.S. economy, "they have not been successfully integrated" into the newspaper industry, where they make up 23.6% of the work-

force—and have a median weekly wage of just \$450. The story is even more dismal higher up the food chain, with publishers "doing an especially poor job of integrating managerial positions": 15.7% are minority members.

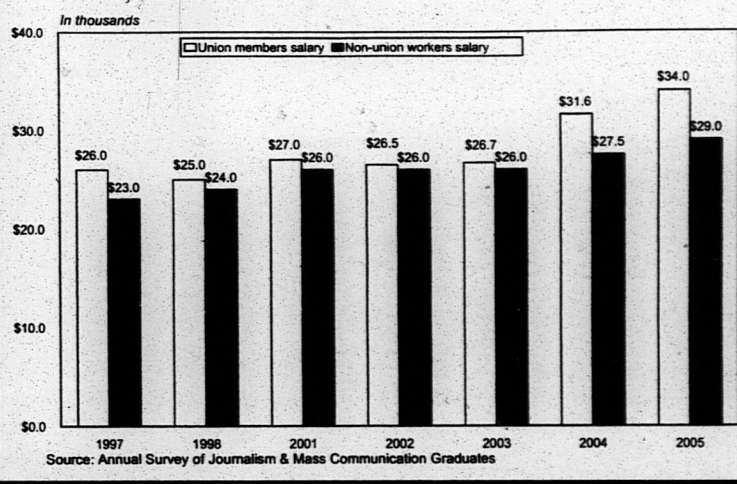
The study may be seen at www.iwpr.org. Yet another piece of the puzzle was provided Aug. 4 by the "Annual Survey of Journalism & Mass Communication Graduates," a product of the Grady College of Journalism & Mass Communication at the University of Georgia. Despite its decidedly upbeat spin—the survey stresses that beginning wages were higher in 2005 than in 2004 and that a higher percentage of grads had landed jobs—the numbers themselves reveal two basic truths: media school graduates still get paid significantly less than the average liberal arts major, and despite wage growth the industry is still paying less—after adjusting for inflation—than it did just five years ago.

Moreover, in keeping with the IWPR study's findings, the Grady College survey confirms not only that journalism isn't hospitable to minorities, but is becoming ever less so. "Since 2001, members of racial and ethnic minorities have had less success in finding a job in the field of communication, and that was true in 2005 as well," the survey observes. "In both of the last two years, the gap was 10 percentage points—larger than it has been at any point since 1988."

For those wondering what the return on

Yearly salary for union members and non-union workers

Median salary per year for Bachelor's degree recipients with full-time jobs: union and non-union



all those college loans might be, the survey discloses that the median salary of \$29,000 for last year's college grads majoring in journalism or mass communications was nearly \$2,000 less than was paid to liberal arts students as a group. That's virtually unchanged since 1985, once inflation is factored in: that year the median wage was \$15,386, compared with last year's \$15,404 in 1985 dollars. Freshly-hired workers at daily newspapers actually did a little less well: they were paid \$28,000 last year, or \$14,900 in 1985 dollars.

This and earlier surveys may be found at www.grady.uga.edu/annualsurveys.

The most notable factor in opposing these downward trends, captured by both the IWPR study and the Grady College survey, is unionization. Recent graduates who were union members, the college survey reported, had a "median salary that was \$5,000 more than graduates who were not in unions"—a gap that "was greater in 2005 than it has ever been in the survey." The union effect was even more notable in the IWPR analysis: "Union workers earn \$17,600 a year more than non-union workers in wireless telecommunications, \$15,600 more in wired telecommunications, \$16,000 more in motion pictures and video, \$15,100 more in newspaper publishing and \$5,700 more in radio/TV/cable."

Among the most advantaged are newspa-

per journalists, where "unions boost earnings 56 percent, or \$20,700 annually."

The cloud behind that silver lining, alas, is the small and still shrinking proportion of media workers who still have union representation. In the Grady College survey, whose subjects may be expected to have a disproportionately large number of jobs in small media operations, only 3.5% were in unions. The IWPR study, meanwhile, found that the unionization rate across the entire communications and media sector is higher than in the U.S. overall, 24% vs. 15.2% in 2004, but with the former percentage skewed by the exceptionally high rate of unionization in the telecom segment. The unionization rate for newspaper publishers is 16.2%, compared with 17.5% in motion pictures and video and 9.9% in radio/TV/cable.

Although none of the three studies attempts to pinpoint underlying causes for the trends it describes, others are making the connection between consolidation of media ownership on one hand and loss of jobs and workplace diversity on the other. A study released August 10 by the Future of Music Coalition, for example, concludes that the vast majority of major U.S. cities has experienced layoffs and lower wage growth within the radio profession as a result of ownership consolidation over the past decade. Moreover, the study adds, radio job losses impede federal policy mandates to promote media localism and diversity.

A similar concern has been voiced by the Leadership Conference on Civil Rights Education Fund, which responded to the IWPR study by averring that the increased concentration of media ownership "has had an impact on the diversity of employment and quality of jobs in these industries." The fund worries that "membership in the middle class for minority and female workers in these sectors may soon be a much more elusive dream," and proposes several remedies—starting with support for greater diversity of media ownership and for the right of workers to organize and bargain collectively, including passage of the Employee Free Choice Act.

Tepid response to media consolidation

As the U.S. takes another run at loosening media ownership restrictions, a recently released Canadian Senate report addresses many of the same issues of news oligopolies—but with a decidedly mixed smorgasbord of proposed remedies.

Three years in the making and with significant input from TNG Canada, the two-volume report makes numerous suggestions that were warmly greeted by the union. Yet the report also "fails to clearly set out some of the tough measures" needed to curb media concentration and other ills, according to a TNG-Canada statement. "If anything, this report makes it clear that Canada fails miserably, in comparison to other countries, in regulating the ownership of its news media," charged Arnold Amber, director of TNG-Canada.

Indeed, the report was released just days after Leonard Asper, chief executive officer of CanWest Global Communications, the country's largest media company, called upon the government to clear the way for

further industry consolidation. Yet in the Vancouver area, for example, CanWest already controls more than 70% of television news and 100% of the daily newspapers. Similarly, the Irving family owns all three daily newspapers in New Brunswick as well as numerous community weeklies and broadcast outlets.

Such statistics explain the report's observation that the concentration of media ownership in Canada "has reached levels that few other countries would consider acceptable," as well as its recommendation that the Competition Act require automatic review of some media mergers. Where the report fails, TNG Canada said, is in failing to specify what level of ownership concentration would trigger such review.

While the Canadian media mostly gave only passing notice to the report's focus on media concentration, more attention was paid to its analysis of the Canadian Broadcasting Corporation—whose employees, as it happens, make up the majority of

TNG Canada membership. Making the biggest splash was a recommendation that the CBC stop running commercials, the result of declining federal subsidies but also symptomatic of an overall turn toward consumerism.

Receiving only one-fourth as much per capita in public subsidies as Great Britain's BBC, the CBC has had few options other than to sell some of its air time. But the Senate report argues—in addition to pushing for higher subsidies—that the CBC should stop trying "to be all things to all people" and concentrate on the kind of programming that is slighted or ignored by the private sector. Specifically, the report recommends that the CBC stop covering professional sports and the Olympics.

Strengthening federal support for the CBC is made more crucial by the consolidation of the private sector, which is driving out independent and regional voices, the report contends. "The challenges facing Canada's news media would be less worri-

some if Canada had a stronger national broadcaster that focused on delivering news and information to all citizens," it states.

The report concludes with 50 wide-ranging recommendations, including:

- Require all news media outlets to regularly identify their controlling shareholders.
- Authorize the Canadian Radio-Television Commission to levy fines against broadcasters who breach their licenses.
- Require the government to meet a higher standard of accountability when seeking search warrants for journalists' notes.
- Make government employees more explicitly aware of all whistleblower legislation and its provisions.
- Have the Competition Bureau examine universal contracts with freelance journalists to determine if they are fair and equitable.
- Establish a network of centers of excellence for research on journalism and the state of the Canadian news media.

The full report may be viewed online at www.senate-senat.ca/transcom.asp.

Guild makes an amoral business better

By Gil Bailey

Sometime in September of 1956, in another century and another world, I joined what was then the American Newspaper Guild as a condition of employment at the now late Richmond Independent. Joining the Guild was one of the best things that happened to me. It made my newspaper life better—not always good, but better than it might have been. It provided a salary structure, a bit of job security, a pension of sorts and health insurance. And on the non-Guild newspapers, where I also worked, the Guild forced them to do a little more for their employees.

As a partial result, the news business improved over the past 50 years. Don't weep for "the good old days"—there was no Lou Grant. There were instead Hearsts, Gannetts, Ridders, Singletons and others much worse. The Guild offered some protection from them.

The news business has no morals, only morés. Its managements are a century or so

behind in treatment of employees, disguised by the adoption of more recent control techniques, such as management by objective or pay for performance—techniques smarter folks have already abandoned as failures.

Yet the morés of the business, its practices, have improved. At one paper, no longer in existence, my very first task every day was to rewrite 20 or so of the competition's clips in an hour. That was our state coverage, and if I had time I tried to update the story a little—but only if I had time. Don't call it plagiarism, call it research.

The Newspaper Guild gave reporters permission to have ethics. I remember the reporter who was fired because he refused to make up stories about the Black Panthers, and then was refused employment at another paper because he wouldn't take orders from the first editor. That sort of thing is far less likely to happen today.

Meanwhile, many reporters these days—and particularly at Guild papers—are middle class, although those at weeklies and small

dailies still scrape by on pitiful wage rates while their employers post 20% profit margins. Almost all reporters have college degrees. Many own their own homes and live in suburbia, and far fewer drink to excess.

The Guild is not perfect—the two times I got fired I was working under Guild contracts. And as a Guild grievance committee chair, I defended a couple of people who should have been fired but weren't because of the Guild.

So, have unions contributed to the ongoing decline of the newspaper industry?

I don't think so. Stupid management decisions have made the difference. The Oakland Tribune, once king of Alameda and Contra Costa counties in California, went metro and saw its circulation dwindle from more than 200,000 to 60,000 or so before it was taken over by the Alameda Newspaper Group. Afternoon newspapers died from market forces, except in Seattle, where Hearst—which then owned the morning market—

refused to put in new presses to print enough newspapers; now it claims it can't survive unless it's propped up by its competitor. Knight Ridder was making money—just not enough for greedy stockholders.

The unions have damn little to do with any of this. They didn't invent the internet, or television, or management ineptitude.

But they do make life a little better for the working stiff. Face it—we're in a business, and we need a union to speak for us because we're powerless when alone. Over the years, no matter what happened, no matter who my bosses were, I went to work each day knowing I wouldn't face, say, a shoe salesman's fate. That's something.

The Guild made my life better for 50 years. I pray that it will do so for others over the next 50, and more.

Bailey is a former president of the Pacific Northwest, Los Angeles and San Jose Guild locals; he retired from the Seattle Post-Intelligencer in 1998.

Newspapers used to be a people industry

By Jim Chisholm

People. I don't know what they've done wrong, but no one seems to like people any more.

Throughout the world, we seem to be giving them up. It's not just the newspaper industry that seems to be shedding staff. How often are you, like me, infuriated when confronted by some automated answering service that has every option except the one you want?

And it's the same with the internet. When you can't find exactly what you want when you search frantically for a phone number, only to discover that the company you are passionately wanting to do business with has one primary objective: avoid human contact at all costs.

And that is what it is all about. Costs. People cost.

Profits up, circulation down

A couple of months ago, one financial analyst in London declared that the benchmark for newspaper profitability in the United Kingdom was now 30%. The same week, 2,000 people in our industry lost their jobs. It was the same week that I noticed that UK newspapers are losing circulation faster than any other country in Europe.

There is something strangely allegorical about the race toward extinction between newspaper staff and newspaper sales. Cause or effect, I ask?

Which takes me to a point where I feel I must make a confession.

I like people.

Some of them are even friends of mine.

One of them was made redundant a few years back. I can't recall whether he was deemed irrelevant, incompetent or unpopular, but one day he was called in, given his check and told to clear off. He invested wisely and now he's one of the richest people I know. I keep banging into people who, after losing their newspaper jobs, find fantastic success either elsewhere in our industry or in some other business.

I can't help wondering how much better shape we'd be in if, rather than clearing the floors every time there's a hiccup in the share price or classified-ad revenues take a turn for the worse, we encouraged a few more of our people to come up with a few more new ideas for improving the newspaper or generating new revenues.

Same old excuses—and some ideas

The well-rehearsed mantras are, of course, a "reluctance to change" or "risk averse."

I hear them everywhere I go.

Risk averse? I think I'd be risk averse if all my colleagues kept disappearing to "spend more time with their families" they can no longer afford to feed and I'm all that's left in an office reminiscent of the Marie Celeste.

So imagine, for a minute, that a law was

introduced banning newspapers from parting with employees. What would we do? Here are a few suggestions:

- Exploit the newly improved morale to encourage open discussion about the need for change and modernization.

- Take those who would have been laid off and encourage them to identify new revenue streams.

- Reward staff for introducing efficiencies, since they no longer have to worry about losing their own or their colleagues' jobs by doing things faster.

- Introduce meaningful reward programs for ideas that increase top-line or bottom-line performance.

- Make everyone in the company responsible for audience and advertising development. Pay them all a bonus, funded by efficiencies that the employees have identified.

- Introduce job rotation and swaps, so a proportion of the employees have a full appreciation of what happens in other departments. This leads to synergies that drive further performance improvements.

Responding to positive challenges

Of course, I hear you say, it's easy for a consultant, who flits from company to company with no real responsibilities. It's different if you've got shareholders screaming in one ear about profitability and an editor screaming in the other ear about lack of resources.

I know all about that. I've been those ears.

But as the quest for greater profits from fewer customers accelerates beyond reality, we need to keep a focus on our greatest asset, which is our people. Time and again, I've discovered that people respond to positive challenges. And as we require greater levels of commitment and energy from the fewer staff members who remain, we need to invest in their skills and flexibility.

Commoditizing people a loser

One thing is for sure. When business is tight, the first long-term investment that falls on the altar of short-term expediency is the training budget.

More than virtually any other, we are a people business. Our content reflects an interaction between our writers and readers. Our advertising is a manifestation of the need for buyers and sellers to interact.

As we move forward, we commoditize our greatest asset at our peril.

Chisholm is a principal with the newly formed consulting arm of Ifra, an international newspaper and publishing association. This column is reprinted from the July issue of Newspapers & Technology, where Chisholm says it received "more feedback... than any other since I started writing for N&T two years ago. It's very sad that an industry that is all about creativity and people, spends so little time caring about its greatest asset."

Let's start pushing back on 'free' trade

By Roberta L. Wilson

Communications Chair, WashTech

Feeling displaced and disposable? The IT sector, once the canary in the mine-shaft in terms of outsourcing, offshoring and inshoring, has been joined by other service sector jobs, including financial analysis positions at Barclays Global Investors that have a salary range of up to \$200,000—in the U.S. Meanwhile, the economic globalization of jobs, from entry-level manufacturing to high-end research, continues unabated with the support of Democrats as well as Republicans.

Congress currently is rewriting the Senate's immigration bill to raise and, effectively, eliminate the caps on H1-B visas, now set at 65,000. H1-B visas and L1 visas were purportedly created to allow corporations to bring in foreign workers for technical and professional jobs for which there is a

shortage of domestic workers.

A few of the representatives signing on to raise the H-1B visa limits also are trying to repair the damage these visas cause by asking for increased funding of the Trade Adjustment Act. This amounts to playing both sides of the game, giving away jobs on one hand while calling for training funds for those whose jobs end up disappearing.

The so-called New Democrats promoting this "remedy" justify their approach by claiming that workers of all political stripes like "free" trade—an essential rationalization, perhaps, if you belong to the party that pushed through the North American Free Trade Agreement over organized labor's objections. The only problem with "free" trade, the New Democrats concede, is that some American workers get left behind.

But that's not only inevitable, it's the whole point of these free-trade agreements: to find the cheapest labor. If U.S. workers

like "free" trade, that simply may reflect the success its proponents have had in obfuscating the relationship between cheap goods made by foreign workers in slave-like labor conditions and U.S. consumers who have not yet lost their jobs.

That's why WashTech/CWA Local 37083 has been calling for the following national policy initiatives:

1. Pass the "Defend American Dream Act," H.R. 4378, which would reform the H-1B visa program so it no longer allows the tech industry to directly replace U.S. workers and unfairly treat guest workers. This bill would reduce the cap to its former levels of 65,000 and build real worker protections and labor standards into the program. Sponsored by Rep. Pascarella (D-NJ).

2. Reform the Trade Adjustment Act so that service sector workers who lose their job due to foreign trade would receive TAA benefits, as do manufacturing workers. The

bill is H.R. 4156 in the House and S.1309 in the Senate. Sponsored by Rep. Smith (D-WA) and Sen. Cantwell (D-WA).

3. Enable the public to know with whom it is doing business. The Call Center Consumer Right to Know Act would give consumers the option of choosing to be connected to a call center employee based in the U.S. It also would require call center employees to disclose the city, state and country where they are operating. The bill numbers are H.R. 4932 and S. 2553, sponsored by Rep. Strickland (D-OH) and Sen. Kerry (D-MA).

4. Create international trade agreements that support job creation in the U.S. instead of the current agreements that favor multinational corporations' bottom lines, regardless of the effect on workers or their families.

Adapted from the July 26 WashTech News

LOOKING AHEAD

Journalists in the crosshairs

By Linda Foley, President

They're gunning for journalists again. In the Middle East, journalists covering the Israel-Lebanon conflict all too often have found themselves in the crosshairs of both the Israeli army and Hezbollah guerrillas. The Iraq war now is the deadliest in history for journalists, with 135 media staff killed since the war began more than three years ago. Meanwhile, journalists continue to face unspeakable dangers in other far-flung parts of the world, such as the Philippines, Somalia, Sri Lanka and Colombia.

At the same time, here in the United States the federal government is again aiming to throw some of America's best and brightest journalists into jail for doing their jobs. Lance Williams and Mark Fainaru-Wada, two prize-winning journalists who are Guild members at the San Francisco Chronicle, have been ordered by a federal judge to reveal confidential sources of grand jury testimony about a scandal involving steroid use by Barry Bonds and others connected to major league baseball. Continued refusal by the reporters to disclose their sources could result in contempt charges.

The grand jury they reported on was dismissed some time ago, and several arrests and trials in the so-called BALCO case (for Bay Area Laboratory Co-Operative) have already been conducted. The pair has published a book on the subject. Williams and Fainaru-Wada told me that President Bush earlier this year congratulated them on the great public service they performed by writing and publishing their articles.

The reporters are represented by lawyers from the Hearst Corp., parent company of the Chronicle. The government is represented by attorneys employed by Bush's Department of Justice. (Attorney General Alfredo Gonzales Jr. himself signed off on the subpoenas, the reporters said.) Hearst's Chronicle plans to appeal the judge's ruling.

This First Amendment drama—reminiscent of too many others in recent months—still has several weeks, and maybe even

months, to play out. But just like Judith Miller of the New York Times and Matt Cooper of Time magazine, these two reporters face the very real prospect of going to jail.

Theirs, unfortunately, isn't the only prosecution of journalists underway in this country. There are at least three more, including another two involving the New York Times. Meanwhile, freelance journalist Joshua Wolf already is sitting in a San Francisco jail because he refused to provide police with unaired video he shot during a July 2005 protest that resulted in the injury of a police officer.

Ironically, California has one of the strongest shield laws in the country, but even that apparently can't protect journalists from zealous federal prosecutors who want their pound of media flesh. There is no federal shield law. Senate Judiciary Committee Chair Arlen Specter (R-Pa.), along with Democratic Senator Charles Schumer (NY), has introduced one that is awaiting committee hearings. The odds of its passage in this Congress are pretty long. Nevertheless, it won't be enacted in time to quash the subpoenas that have already been issued.

All the subpoenas and prosecutions against journalists currently underway are outrageous in a country that calls itself the "world's greatest democracy." But the pursuit of the two Chronicle reporters is particularly infuriating. This grand jury was *not* dealing with national security; it was *not* about terrorism or suspected terrorists; it was *not* about violent protest or dangerous crimes.

It was about sports. If the federal government will threaten to jail two reporters over their stories about cheating at sports, then no journalist is safe from this kind of prosecution.

While it's a stretch to compare Williams' and Fainaru-Wada's ordeal to the deadly peril that faces journalists covering the Middle East, the results are the same. The more journalists are threatened, the less news gets covered.

Kudos for Guild intern

A column by TNG-CWA intern Brian Klesh, published in The Guild Reporter last August, has won first place as "best editorial or column" in the annual journalism competition for union publications sponsored by the International Labor Communications Association. Klesh, then entering his junior year at Northwestern University as a political science major, wrote about his experiences at the AFL-CIO's 50th anniversary convention.

"Going behind all the hand wringing and nail-biting about labor's current disunity, this very honest and probing editorial asked a fundamental question, 'what is the labor movement offering younger workers?' " the judges wrote. "Using the 2005 AFL-CIO Chicago convention as a launching point, this young graduate student wondered why union conventions avoid real debate for a pep rally atmosphere, while leaving impor-

tant questions unasked and unanswered. The editorial was well written, very personal in perspective and built on that perspective to ask some important questions."

The competition also awarded two second-place awards to The Guild Reporter, for best feature story and for general excellence among newspapers with circulation less than 100,000.

The feature-writing award, cited for its "superior writing," went to editor Andy Zipser for a story last October headlined, "War on labor isn't just an extended metaphor" that the judges lauded for "adding to the discussion" about labor's future. The general excellence award, based on the issues produced last October and November, described them as "jam-packed with news, featuring well-written stories and topical analysis on the challenges both of the media union and the journalism profession."

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."



'You don't stoop at standing time'

[Much has been made in recent weeks of the PATCO walkout of 1981, when Ronald Reagan's firing of air traffic controllers legitimized a new union-busting ethos. Employers nationwide learned that it was now acceptable (it had always been legal) to fire their striking employees and hire permanent replacements. But at least some of those who walked the PATCO picket lines came away with a different lesson.]

By Bruce Meachum
TNG-CWA Staff Representative

There are two 25-year anniversaries for me this August. Both changed my life forever. Both, I believe, are cause for me to celebrate.

On August 3, 1981, I joined 240 members of the Professional Air Traffic Controllers Organization at the Denver air traffic control center, located in Longmont, Colorado, on the picket line. Nationally, more than 12,000 of us joined the strike. Only a few of us ever returned to our profession.

On August 18 of that same year, I was married. My fiancé was also a controller and was secretary of the local. This was the second trip to the altar for both of us and our wedding was to be a small affair, but the strikers had other ideas. The wedding became a solidarity activity, organized entirely by strikers and their families. It was a memory we will both savor forever. We were married in the union hall, surrounded by the people who had truly become our brothers and sisters and who we had come to love. I was local strike chairman and there was a lot going on, so after the party we had a one-night honeymoon at a mountain cabin owned by another striker, and then it was back to "work."

It's obvious why I am celebrating my silver wedding anniversary. But why celebrate an event that cost me, my wife, hundreds of friends and thousands of coworkers their jobs? Why celebrate a strike that is viewed by many as the nemesis of the modern labor movement?

I met a brave woman in the 2000 Seattle

newspaper strike who said she was on the picket line because her father taught her "You don't stoop at standing time." I love that line. It says it all, and it precisely explains why I and other PATCO strikers celebrate the event: We didn't stoop.

Those who write about the PATCO strike today nearly always state authoritatively that it was over reduced hours and more money. It's true that those were the big issues on the bargaining table, but ask any PATCO member what the strike was about and they probably won't even mention those two demands. They'll tell you they walked because they were angry.

They were angry at a management that the Office of Personnel Management characterized at the time as the worst in the federal government. They were angry because serious safety issues were often ignored or hidden until disaster struck. And they were angry because the demands of the job were robbing their health. I worked in Jacksonville Center before transferring to Longmont in early 1979. At the time I left Jacksonville, not a single journeyman controller in that facility had ever made it to normal retirement. There were plenty of medical retirees, though.

So for us, it was standing time. We walked off the job certain that our cause was right.

My wife and I made the 125-mile trip to Longmont to celebrate the 25-year anniversary of the PATCO strike with some of our fellow strikers. They were as certain and as unapologetic as ever. I didn't talk to a single one who was not proud of his or her participation in the strike or who would have done it differently—although many wished our leaders would have.

PATCO was only 13 years old in 1981. It was a green union that took some critical missteps before the strike. Perhaps our national leaders were convinced we wouldn't need any help, but we didn't reach out to other labor organizations, as we should have. In opposition to most of the nation's unions, PATCO endorsed Ronald Reagan for president because he had written to our lead-

Continued on page 8

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: Sept. 8.)

HUMAN RIGHTS WATCH

Two timely looks at media diversity

By Debbie Thomas
TNG-CWA Human Rights Director

I recently encountered two explorations of media diversity that I want to discuss, one because of its implications as the Federal Communications Commission reopens its rules regarding ownership concentration, the other because of the fresh wrinkle it introduces to the subject.

Earlier this month, the Leadership Conference on Civil Rights Education Fund sponsored a panel to discuss a recent study by the Institute for Women's Policy Research, "Making the Right Call: Jobs and Diversity in the Communications and Media Sector." [See related story, page 1.] Among its findings: that women and minorities are still paid significantly less than white males, and that minorities are significantly under-represented in the media—not just as journalists, but throughout the industry.

The findings prompted TNG-CWA President Linda Foley, who was among the panelists, to observe that "women and minorities bring different viewpoints to news and entertainment that is absolutely essential to our diverse democracy." Picking up a theme that was sounded by several other panelists, she added: "Concentration of media ownership by corporate giants exacerbates the historic under-representation of women and minorities in our media industries. Preserving and expanding diversity of media ownership is absolutely critical to growing employment for women and minorities in the media industry."

Gloria Tristani, a former FCC commissioner and current president of the Benton Foundation, served as panel moderator. Also on the panel were Wade Henderson, executive director of the Leadership Conference on Civil Rights; David Honig, executive director of the LCCR's minority media and telecommunications coun-

cil; and Heidi Hartmann, president of IWPR and co-author of the report. The audience included people like Joseph Torres; deputy director for communications and media policy at the National Association of Hispanic Journalists.

Based on the report's findings, the Civil Rights Education Fund is pushing for greater diversity in media ownership; more support for the right of workers to organize and bargain collectively; more equal employment opportunities and enforcement of equal opportunity laws; more training of women and minorities in non-traditional employment and creation of career advancement opportunities; and more detailed collection of industry employment statistics.

Meanwhile, a fresh take on what diversity means can be read in the fall/winter edition of Women's Words, published by the Commission on the Status of Women of the Association for Education in Journalism and Mass Communication. Titled "Media Should Expand the Concept of Diversity to Include Internationals," the first-person piece by Gitte Laasby describes her experiences—and frustrations—as a Danish exchange student in the U.S.

Despite graduating with a masters in journalism and having several successful interviews with editors willing to hire her, it took Laasby several months and 44 applications in six states before she could find an employer willing to pay for her work visa. "We aren't counted in traditional 'diversity' employment statistics in the way that other groups are, although we contribute as much, if not more to diversity," Laasby laments.

"True diversity in the newsroom is not just a matter of skin color or gender, but it is about having a wide spectrum of thought and opinion from people of diverse backgrounds."

What do you think? Let me know, at dtomas@cwa-union.org. Thanks.

PATCO showed injury to one is injury to all

Continued from page 7

ers pledging his support. These were serious mistakes that didn't endear the organization to others in the labor movement.

Maybe as a result of those faux pas, or maybe because they didn't understand the importance of the moment until it was too late, the rest of labor did too little as the strikers were fired and permanently replaced and our union bankrupted and busted. Ironically, considering the labor problems that would ultimately face them, the pilots actually seemed to work hard to cooperate and participate in PATCO's demise. It could have, and should have, been different.

Today, after 25 years of using the PATCO strike as a model, business has nearly robbed labor of its ultimate weapon. We all know the stories of companies goading unions into strikes so they can permanently replace the workers and bust the union. Even when they're not incited by management, too many strikes have ended the same way. Now, in far too many cases, the strike is no longer viewed as a legitimate bargaining strategy.

The resultant loss of power at the bargaining table has been profound. No matter how many innovative "alternative strategies" unions come up with—and there have been many—without the ability or the willingness to withhold our labor as a last resort a hostile management will

always have the upper hand.

I do not believe organized labor is in a death spiral. We've just landed ourselves in another dilemma to be overcome. This isn't a new dynamic. "Ten thousand times has the labor movement stumbled and bruised itself," noted Eugene Debs some 100 years ago, while predicting a healthy future for the labor movement. Just so long as we remember where our true strength lies, we will get past these latest bruises as well.

I'm not arguing that strikes are desirable. They are not. They are very costly for all involved. But I do believe labor must keep the strike securely in its arsenal. To do otherwise leaves unions too impotent and American workers too vulnerable.

To me, the lesson of the PATCO strike is obvious and as old as organized labor itself. As trite as it may sound, an attack on one truly is an attack on all, and we all must respond. To do otherwise saps us of the only real power we have. We should never stand idly by and watch while workers are permanently replaced and unions busted. Labor must make that strategy so costly that employers will forever shrink from using it.

When CWA workers—or any workers—go on strike, it's standing time for us all. If we don't stoop, we will find plenty of cause to celebrate.

NEWSDOKU

Newsdoku rules are the same as in Sudoku. Fill in the grid at right so that every horizontal row, every vertical column and every 3x3 box contains the letters L-A-B-O-R-N-E-W-S without repeating any. There is only one solution to the puzzle, based on reasoning and logic.

Entries postmarked no later than Sept. 18 may be mailed to: The Guild Reporter, 501 Third Street, NW, Washington, DC 20001; one winner will be chosen at random from correct entries and will receive some kind of prize. The answer to this puzzle will be published in the September issue and the winner will be named in the October issue.

The winner of July's Newsdoku will be named in September.

O		R	B			S	N
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	B			O			L
			L		O		W
		O			E		
W		A		E			
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E	W				S	N	R

MIDDLING DIFFICULTY

THE GUILD Reporter

(See box on page 2 for address or other subscription changes or cancellations.)

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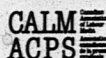
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DAYBOOK

CWA Minority Leaders Institute,
Sept. 17-29, Silver Spring, MD

TNG Canada School,
Sept. 28-29, Ottawa

TNG Canada Rep. Council,
Sept. 30-Oct. 1, Ottawa

Western District Council,
Oct. 20-22, Long Beach, CA

Great Lakes District Council,
Nov. 4-5, Location TBA

Midwest District Council,
Nov. 11-12, Denver, CO

N	E	O	R	I	D	A	Z	G
A	G	D	Z	E	O	R	N	I
R	I	Z	G	A	N	D	E	O
Z	D	N	E	G	A	O	I	R
E	A	G	I	O	R	N	D	Z
I	O	R	N	D	Z	G	A	E
O	N	I	A	R	E	Z	G	D
G	R	A	D	Z	I	E	O	N
D	Z	E	O	N	G	I	R	A

JULY NEWSDOKU SOLVED

FROM THE MORGUE

Seventy years ago this month:

Heywood Broun causes "a sensation" by unexpectedly announcing he will resign as Guild president and stand for reelection on a platform of affiliating the union with the C.I.O. but is quickly talked out of quitting. . . . A survey of the coverage given by 400 U.S. newspapers to the National Labor Relations Board finds they devoted 1,428 column inches to reporting about an anti-labor board court ruling vs. 167 inches for a favorable one. . . . The Hearst-owned Post-Intelligencer in Seattle is shut down by a Guild strike over the firing of two employees for organizing activities.

Fifty years ago this month:

A referendum to determine if wire service employees should have their own, separate Guild local is scheduled for Nov. 10-30. . . . Editor & Publisher discloses that nearly 400 daily newspaper publishers in the U.S. carry strike insurance, despite a ruling by the New York State Dept. of Insurance that such coverage is "contrary to public policy."

Twenty-five years ago this month:

Guild President Charles Perlik directs TNG officers and staff to boycott air travel in support of the striking air traffic controllers; various locals follow suit. . . . As the Washington Star publishes its final edition; the Washington-Baltimore Guild files a lawsuit charging Star owner Time Inc. with "seeking to siphon off" assets from an employee benefit trust fund. . . . A Canadian commission calls for government intervention to ease a "monstrous" concentration of media ownership.

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