

THE GUILD Reporter

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Murdoch closes in on Dow Jones

Guild local recruits other bidders; company creates golden parachutes

Initially dismissed by most observers as a quixotic quest, Rupert Murdoch's attempt to buy Dow Jones for \$5 billion has proven surprisingly resilient—so much so that IAPE, the TNG-CWA local representing most Dow Jones employees, has been scrambling in recent weeks to find alternative suitors.

IAPE President Steven Yount, dismissing Murdoch's promises of non-interference with the Wall Street Journal's editorial independence as untrustworthy, said the union has retained Ownership Associates to help identify other potential bidders for the company. Ownership Associates was retained by TNG-CWA nearly two years ago to help craft a

competitive bid for the Knight Ridder chain of newspapers, in an ultimately unsuccessful bid that nevertheless introduced the Guild to California billionaire Ronald W. Burkle. Now Burkle reportedly has been enlisted in the search for an alternative Dow Jones bidder, although it's unclear whether he's interested in buying the company himself.

Murdoch's bid of \$60 a share for Dow Jones stock, a substantial premium over the trading price when it was disclosed in April, has remained unchanged. But the initial rebuff from the Bancroft family, which owns the company's controlling shares, has softened markedly, apparently due in part to a change of heart by Michael Elefante, a Dow

Jones director who also oversees the Bancroft family trusts—a dual role that can result in conflicting priorities.

Contributing to Elefante's reversal, and possibly weakening the resistance of other directors, was a pointed presentation May 2 by Dow Jones' chief executive, Richard Zannino. According to published accounts, Zannino—a numbers-cruncher who worked for Liz Claiborne before coming to Dow Jones in 2001 as its chief financial officer—told the Bancrofts that Dow Jones was too small to survive on its own in a media world increasingly dominated by much larger rivals. Moreover, he added, being acquired by Murdoch's News Corp. would mean bet-

ter marketing and distribution of the Journal.

As if to underscore the point, Thomson Corp. announced just days later that it was seeking to acquire Reuters Group PLC, a major Dow Jones competitor. Reuters' trustees accepted Thomson's bid May 15.

Meanwhile, the Bancroft family's younger members have complained for more than a decade that their elders were bleeding Dow Jones dry through excessive dividend payouts instead of reinvesting in the company. Under their additional pressure to reconsider, the Bancrofts finally agreed to meet with Murdoch to hear his pitch first-hand.

Just how effectively Murdoch made his

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Bill Salganik, president of the Washington-Baltimore Guild, addresses rally first day of bargaining; standing next to him is Cet Parks, the local's administrative officer.



Guild member Carl Schoettler, a reporter at The Sun for 49 years, joins in the rally.

Tentative 4-year deal struck by Sun, Guild

Guild members at The Sun in Baltimore, who kicked off negotiations with Tribune Corp. in high-spirited fashion May 16, were voting at press time on a tentative contract agreement reached in the early morning hours of June 14. The vote marks the first time in at least 20 years that Sun employees were presented with an agreement endorsed by their bargaining committee, instead of a final company "take it or leave it" offer.

The proposed contract in most respects preserves the status quo, retaining all union protection clauses, health care coverage and the sick leave policy. It also side-steps Tribune's efforts to replace its pension funds with an employee stock ownership plan, which the company can impose on non-unionized employees at its other properties but would have had to negotiate with the Guild.

That left only two substantial issues on the table: a "pay for per-



formance" system intended to supplant annual raises, and a contract change that would open the door for reporters to be assigned to take photographs and video clips. Each seemed like a deal-breaker.

prompting a three-day by-line strike by the paper's photographers and a second rally outside the Sun's offices June 13.

Instead, the two sides essentially split the difference.

"Basically, we recognized we weren't going to get that out," said unit chair Michael Hill, referring to the Sun's efforts to assign photo work to reporters. "This is what's happening across the industry and we had to come to grips with that—it's what they're teaching j-school students these days." Instead, in exchange for lifting the multi-tasking ban the local won a guarantee of photo training for

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Guild members Danielle Bradley and Jerry Jackson, on the photo desk, brought red balloons from the rally to decorate the newsroom.

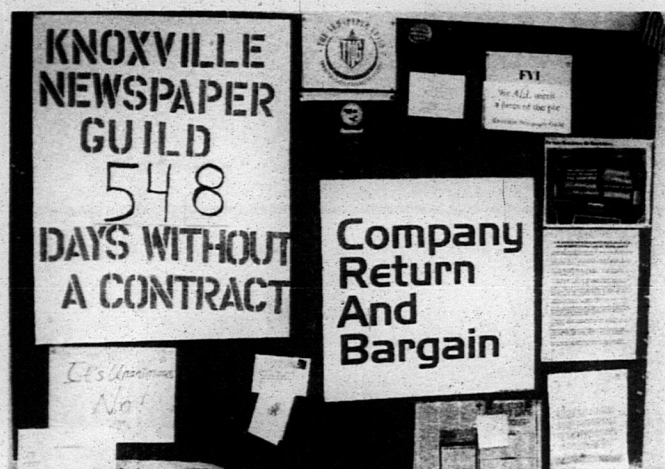
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Getting CRABby

Guild members in Knoxville, irate at management's refusal to return to the bargaining table since last September, have launched Operation CRAB: Company Return and Bargain. The Scripps-owned paper says it presented its final contract offer last May.

Calling all wire service retirees!

Adolphe Bernotas may have retired from the Associated Press last year, but that doesn't mean he left Guild activism behind. He and Roy Bolch, a retired AP technician at Cranbury, N.J. have been tapped by the News Media Guild to lead a newly formed retiree group.

The News Media Guild recently was granted a CWA charter for a Retired Members Council, thus becoming part of a national voice on issues such as protecting pensions and health care benefits. Bernotas, who lives in New Hampshire, is the group's chair, Bolch its vice-chair.

AP retirees and alumni, Bernotas said, no longer work in the bureaus "but they know that their benefits and the benefits of those still in the workplace must be safeguarded. Whether at bargaining or corporate board tables, Congress or state legislatures, we must fight attempts to weaken our pensions, health benefits, Medicare and Social Security."

He added: "We plan to be an active resource for the union—

mobilizing on picket lines, writing letters to lawmakers, signing petitions or stuffing envelopes; we need to help the retirees and those still in the bureaus to protect the benefits for which we fought so hard." Plus, he continued, "those who retired as journalists have regained their First Amendment rights and can get involved in political campaigns and back candidates who support working and retired people."

Membership in the unit comes with various Union Privilege benefits, from car rental and computer purchase discounts and lower insurance to lower legal and credit card rates; membership in the AFL-CIO-sponsored Alliance for Retired Americans; and subscriptions to NMG, TNG and CWA publications.

The alumni also have a designated space on NMG's revamped Web site.

Retirees and alumni of AP, UPI and EFE wishing to join the retirees' council should contact Bernotas at kaunas@aol.com or Bolch at wroybolch@yahoo.com.

Clarification

A page 4 news item in the May issue, "GateHouse rolling up properties," stated that none of the recent acquisitions—aside from the Herald News—have Guild representation. The use of "recent" was meant to refer to newspapers sold by Gannett and Journal Register.

But because the item also mentioned that GateHouse had acquired nine newspapers from Copley, the impression was created that none of the Copley properties are unionized. In fact, three have strong Guild representation, including the Canton Repository, the Masillon Independent and the Peoria Journal Star. Employees at a fourth, the weekly Suburbanite in Green, Ohio, have voted for Guild representation but have yet to secure a first contract.

The chagrined editor apologizes for a confusing and incomplete accounting.

Guild briefs . . .

Detroit marathon produces TA

After more than six months of difficult bargaining and a final, 14-hour marathon session, the Newspaper Guild of Detroit reached tentative agreement May 25 on new contracts with the Detroit Free Press, the Detroit News and Detroit Media Partnership. Full details won't be released until after a June 24 ratification meeting, but the local's president, Lou Mleczko, acknowledged that the contracts are concessionary, including a phase-in of merit raises and a reduction in severance pay at the Free Press. Health insurance coverage reportedly stays the same, but with higher co-payments and deductibles.

NY Guild, Newsweek settle

Tentative agreement on a three-year contract has been reached between the Newspaper Guild of New York and Newsweek, including defeat of management demands regarding "forced vacations" and a wage package that includes a 3% bonus the first year and 3% wage increases in the second and third years. The agreement also clarifies seniority rights and expands rehiring provisions in case of layoffs, and improves interns' salaries.

Canadian Press ratifies pact

Members of the Canadian Media Guild who work at The Canadian Press/Broadcast News voted mid-May 83% in favor of a new three-year contract. The agreement includes annual wage increases of 3%, 2% and 3.25%, plus improvements to vision care and paramedical benefits, but the first increase was not retroactive. The previous pact expired Dec. 31, 2006.

The ax falls in San Francisco

Guild members at the San Francisco Chronicle started trooping one by one into the human resources department June 8, as the company looked for 80 newsroom staffers willing to take buyouts of two weeks' pay for every year of service plus up to a year of health coverage. Fourteen non-Guild managers had already departed earlier, and the Hearst-owned paper said it would start layoffs in early July if it did not reach its goal of 80 by then.

More layoffs at Merc-News?

Guild members at the San Jose Mercury News have been meeting with newspaper management to probe recent revelations that as many as 60 more newsroom positions—nearly one in four—are to be eliminated this summer. Disclosure of the planned layoffs came from John Bowman, who said he resigned as executive editor at the San Mateo County Times because he was fed up with the way MediaNews has been slashing payroll at all its properties. The San Jose Guild last December negotiated a moratorium on any additional cuts until July when it accepted the elimination of 35 Guild-represented jobs. At its 2001 peak, the Mercury News had 380 newsroom employees.

Sun layoffs follow buyouts

Although 41 employees of the Baltimore Sun—24 of them in the Guild unit—took buyouts recently, that wasn't quite enough. Three additional Guild members, all advertising designers, were laid off—and, in keeping with Tribune tradition, were told they'd have to leave the building immediately. The discarded employees will still get paid for four weeks, in lieu of notice, and receive the severance benefits specified in the Guild contract.

CWA Canada raises alarm

CWA Canada is raising an alarm over the May 31 announcement by Quebecor Inc. that it is buying Osprey Media newspapers in a deal valued at \$517 million, leaving Canada with just two major newspaper chains. The sale will give Quebecor, which already owns the Sun tabloid and 24 Hours chains, an additional 54 Ontario publications, including 10 dailies with Guild representation. "Local news is in jeopardy across Canada, and the strength of these

[Osprey] newspapers has been delivering local information to small and mid-size communities in Ontario," said Arnold Amber, director of CWA Canada. "We will be watching to ensure Quebecor doesn't pay for this deal by laying off the very people who do that important work."

Manchester faces givebacks

Members of the Manchester Newspaper Guild were scheduled at press time to vote on a tentative agreement for a four-year contract that includes wage freezes the first two years and other givebacks. The deal nevertheless had the unanimous support of the bargaining committee, which has been at the table the past 18 months. Among the concessions: a near doubling of allowable part-time hours, to 15%; loss of jurisdiction over new hires in janitorial and senior accountant classifications and in the business editor position; elimination of seniority rights for copy editors in specialized jobs; elimination of language ensuring retroactivity in subsequent contracts; a second tier for new-hire inside classified sales people, paying about half the current salary plus commission.

AP plays it by the numbers

The News Media Guild has requested the Associated Press to cancel a unilateral imposition of quotas for Guild-covered staffers that has resulted in several disciplinary actions. The new system, reminiscent of one imposed in Ohio in 2004 that was quickly rescinded, sets quotas for sales and account development teams and for the photo library staff. Reporters nationwide, meanwhile, say they have been given quarterly "goals" for the number of national stories, "AP Newsbreaks" and stories on national or state digests that they're expected to produce.

Justice sues in JOA changes

In a move with implications for two Guild-represented newspapers in York, Pa., the U.S. Department of Justice has filed a federal lawsuit in Charleston, W.V., alleging that 2004 changes in the joint operating agreement between the Charleston Gazette and Charleston Daily Mail violate antitrust laws. The York Record and York Dispatch made similar modifications in their JOA that TNG-CWA has claimed were designed to conceal the anticompetitive ownership of both papers by MediaNews.

Guild son wins scholarship

Joseph Satran of Montclair, N.J., son of Richard Satran, a member of the Newspaper Guild of New York, has been awarded a \$4,000 scholarship by Union Plus. Satran is one of four CWA family members among the 103 students from 45 unions who received the awards, for which more than 5,500 applications were received. He says he plans to study economics "so that I can effect real change and help workers achieve prosperity and equality in the coming decades."

NEDC elects Marks secretary

The New England District Council, meeting June 2, elected Donna Marks of Quincy as secretary, replacing Steve Richards of Boston, who resigned after taking a buy-out from the Boston Globe. Although the NEDC voted to participate in a Nov. 10-11 joint council meeting in Chicago, concerns that travel costs might dissuade some locals from sending delegates prompted scheduling of an additional one-day session Dec. 1 in Manchester, NH.

CBC Guild activist dies

Danny Malanchuk, an active Guild member who served on local executive committees and as a delegate to national meetings and conventions, died May 29 from complications following heart surgery. During his 27 years at the Canadian Broadcasting Corporation, Malanchuk was a writer/broadcaster on regional TV programs produced in Ottawa, moved to CBOT and then became one of the founding producers at Newsworld in 1989. In 2000, Malanchuk moved to the Parliamentary Bureau as a field producer.

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Looking for a white knight at Dow Jones

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case may be measured by a recent filing with the Securities and Exchange Commission, in which Dow Jones disclosed it had implemented change-of-control provisions for an additional 135 managers—for a total of 160—"to enhance the company's ability to retain and attract management-level employees." The expanded program, which signals outsiders that management is contemplating the previously unimaginable, enables the executives to leave Dow Jones with 12 months of salary plus bonus and benefits if the company is sold.

Golden parachutes for the company's top executives also have been enhanced, including a pledge to pay a portion of the taxes owed by its top nine executives—eight of whom are new to their positions—as a result of the largesse. For example, the tax gross-up would increase the value of Zannino's severance, previously valued at up to \$19.5 million, by 20% to 30%. The 25 or so executives previously covered by change-of-control provisions generally are eligible for 18 to 24 months of salary, bonus and benefits.

The SEC filing followed a May 23 meeting of the Bancroft family at which it told Dow Jones board members it was open to any situation that would benefit the company and its shareholders—a remark that some directors interpreted as meaning the company was in play. And, indeed, a statement from the Bancrofts a week later announced that the family "has reached consensus that the mission of Dow Jones may be better accomplished in combination or collaboration with another organization which may include News Corporation."

That was enough to trigger IAPE's search for a white knight, including feelers to multi-billionaire investor Warren Buffett. But Buffett apparently is uninterested, and the New York Times reported June 11 that General Electric's NBC unit and Microsoft had explored making a joint bid but had decided against it a week earlier. "Mainly, the economics just didn't make sense," an unnamed source told the Times.

Although the Bancrofts finally

met with Murdoch June 4, the family reportedly didn't follow its announced intention of asking Murdoch to sweeten his offer, perhaps because of a dearth of competitive bids. (Brian Tierney, who last year headed up a consortium that bought the Philadelphia Inquirer and Daily News and promptly laid off scores, was greeted with hometown derision on being quoted as saying he'd be interested in bidding for Dow Jones. Nothing more on the subject was heard from him thereafter.)

The very lack of competitive bidding, when measured against the Bancrofts' greater receptivity to a sale, has raised alarms for many journalists and others in the newspaper industry, nowhere more than at the Wall Street Journal itself. An extraordinary story in the Journal—both for its length and tone—was acutely summarized by the headline decks above it: "Calling the Shots," "In Murdoch's Career, A Hand on the News," "His Aggressive Style Can Blur Boundaries; 'Buck Stops With Me.'" And in an equally extraordinary departure from normal journalistic practice, the New York Times ran an editorial June 11 all but imploring the Bancrofts not to sell to Murdoch, describing such a move as "endangering one of the best newspapers in the world."

IAPE's June newsletter, meanwhile, carries a front-page story by Bobby Block, a Journal reporter in the Washington bureau, who provides a cautionary note by summarizing what happened to the Sunday Times of London after Murdoch acquired it and installed Andrew Neil as its new editor. Told to "widen the appeal" of a paper long known for its reportorial rigor, Neil oversaw a change in which "facts became interchangeable with half-truths and innuendo" and "great journalistic traditions were replaced by sensationalism."

"During my time at the paper, I was never explicitly asked to lie, but it was made clear to me that if I had stretched the truth for the sake of a good yarn, or discovered a fact that was 'too good to check,' no one would have complained," Block wrote.



Balloons, desk tents and a pointed question for Dean Singleton as he visits the Oakland Tribune.

MediaNews employees protest Tribune's move

By Josh Richman
Northern California Media Guild

The Oakland Tribune bade farewell recently to its long-time downtown home, the landmark Tribune Tower. Now part of MediaNews' Bay Area News Group—created last summer with the acquisition of the San Jose Mercury News and Contra Costa Times—the Tribune's business functions were moved out of town, to a "shared services center" serving all of the company's northern California properties. The newsroom and some advertising staff now work from the 9th floor of a nondescript office building.

Never before in its 133-year history has the Tribune been more than six blocks from downtown Oakland; now it's six miles distant. Newsroom

staffers opposed the move from its first announcement, telling management we'd be further from almost all the institutions we cover; have less access to mass transit; and be sending the wrong message to our community. Our pleas fell on deaf ears.

So when our last day in the tower arrived May 18, we wore black armbands to signal our deep disappointment at this short-sighted move. And so did our brethren at our sister papers: The Daily Review in Hayward, the Argus in Fremont, the Tri-Valley Herald in Pleasanton and the San Mateo County Times. And so did our Guild brothers and sisters at the Monterey County Herald and the San Jose Mercury News. Knowing that our fellow Guild members throughout the region were standing in solidarity with us definitely lifted our spirits on that sorrowful day.

The following week, we learned that Dean

Singleton himself would be visiting our new office. A flurry of activity ensued that he was greeted the next day by a newsroom bedecked with red Guild desk tents, balloons, streamers and t-shirts—about which he most certainly didn't comment. Some of our local management, however—notably, John Armstrong, vice president of the California Newspaper Partnership, and Tribune managing editor Martin Reynolds—looked distinctly sour upon seeing our festive decorations.

No matter the site, Singleton and his cronies can expect this kind of welcome from this day until the day on which they grant us a fair contract, with wages, benefits and job protections befitting the dedication we bring to our jobs each and every day.



Dean Singleton, left, with Tribune managing editor Martin Reynolds.

Sun workers in contract vote at press time

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existing staff members and a prohibition on discipline or negative performance reviews for the quality of their photos. The two sides also agreed to create a joint six-person committee that Hills says will meet regularly to address issues arising from the change.

Compromise also was achieved on Tribune's attempt to phase out all automatic wage increases by the fourth year of the contract, replacing them with a merit "pool" equal to \$25 a week per employee. Such "pay for performance" pools are becoming increasingly ubiquitous, with management arguing it should have the flexibility to reward strong performance and union officials asserting that

the evaluations on which they're based frequently are inconsistent and arbitrary. At the Sun, the Guild bargaining team and management ultimately agreed on a blended approach that increases scales by \$10 a week each year, supplemented by a performance pool equivalent to \$10 a week per employee in the first year, \$12 a week in the second and \$15 a week in each of the third and fourth years.

In addition to agreeing to a first-year raise, which it previously had resisted, the company also agreed to a \$750 signing bonus if the tentative contract were approved June 14. The existing contract expires June 24.

That this year's negotiations resulted in a tentative agreement—much less an agree-

ment 10 days before expiration—may be attributed in part to the lessons learned four years ago, when Tribune imported strike breakers while talks were still on-going and Guild members reluctantly accepted a final, best offer just hours ahead of a strike deadline. "Our goal from the beginning was to lower the tension level," said Hill. Although that didn't preclude a little muscle flexing, "what we wanted to make clear to management was that a peaceful resolution was in their best interest."

The unit's muscle-flexing, such as the photographers' byline strike and two highly visible rallies, was the result of a sophisticated mobilization campaign built around

the theme, "Save Y(Our) Sun," which was printed on buttons and car window clings. The kick-off rally May 16 featured more than 300 red balloons, one for each Guild member who has left The Sun since the last contract was negotiated, and the point that the Sun was bleeding talent—a 61% turnover in Guild-represented positions in the last four years, with turnover especially high in copy editing, reporting and advertising sales—was pressed home from the start.

"It is staggering to see the number of talented employees who are no longer with The Sun," Cet Parks, administrative officer and chief negotiator, told the company at the first bargaining session.

News round-up

Tribune sale hits cross-ownership snag

A challenge to the sale of Tribune Co. was filed June 11 by Media Access Project, a public interest law firm, which petitioned the Federal Communications Commission to deny the company's request for waivers from rules banning cross-ownership of television stations and newspapers—a move that would effectively torpedo the \$8.2 billion deal. Tribune has grandfathered exceptions to the cross-ownership restrictions in five U.S. markets, including the three biggest: New York, Chicago and Los Angeles, as well as Hartford, Conn. and Fort Lauderdale-Miami.

Lee sics King & Ballow on machinists

Add Machinists District 9 to the list of unions frustrated in bargaining with Lee Newspapers, the new owners of the St. Louis Post-Dispatch. The latest company offer, submitted by the same law firm—King & Ballow—that locked out several unions at the Toledo Blade, offers a 2% raise and a health care co-pay increase that would more than eat up the hike. Lee also wants to limit or eliminate seniority rights and get unlimited use of part-timers and temps.—*Press Associates, Inc.*

No reporters? Just use wire copy

As reporters, copy editors and other newsroom employees get jettisoned like so much excess baggage on a sinking ship, the question arises: who's going to provide the stuff to fill the white space between the ads? Wonder no more: according to a 2004 study by the Readership Institute, 59% of weekday stories in papers with a circulation between 10,000 and 50,000 came from syndicates and wire services; even papers with circulation of more than 300,000 got a third of their copy from such sources—and that was three years ago.

NLRB to prosecute in Santa Barbara

The National Labor Relations Board has filed multiple counts of labor law violations against the Santa Barbara News-Press, including the controversial firing of nine employees, and scheduled an Aug. 14 hearing before an administrative law judge. The NLRB reportedly is still mulling whether to petition a federal district court for an injunction to reinstate the fired workers while it prosecutes the case.

Court strengthens photogs' rights

Photographers got strengthened copyright protection under a recent federal appeals court decision, which holds that an advertiser who licenses photos and uses them to create a collage must continue to honor all license restrictions that came with the original photos. In particular, if the license specified a limited time to use the images, the collage also cannot be used beyond that time. The decision came in a lawsuit filed by photographer Chase Jarvis against K2 Inc., which had licensed photos from Jarvis and used them in various print and internet advertising campaigns for its sports equipment and clothing—and continued using 24 of the images in a collage after the license expired.

Vacation increasingly a quaint notion

If you're one of those indispensable employees (and never mind that you're not getting paid what you're worth) who won't be taking all your credited vacation time this year—join the club. An Expedia.com survey concludes that 51 million Americans—more than a third of the workforce—will not use all their vacation days, with each worker passing up an average of three days off. But at least they have vacation time to spurn: the Center for Economic and Policy Research in Washington, D.C. reports that almost one in four Americans has no paid vacation and no paid holidays.

Fewer elections, but higher win rate

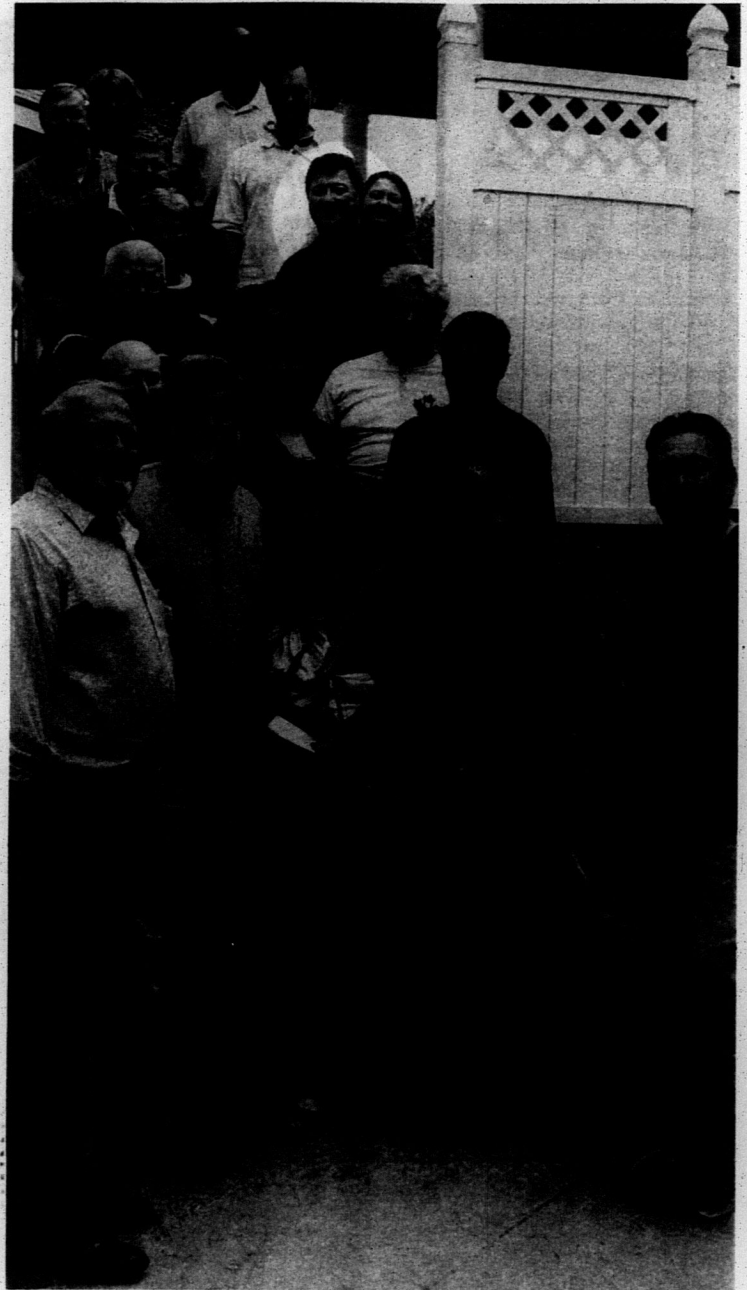
The number of resolved union representation elections supervised by the National Labor Relations Board in 2006 decreased from the previous year, while the win rate increased for the 10th consecutive year, according to a preliminary analysis by the Bureau of National Affairs. The number of representation elections held in 2006 decreased to 1,648 from 2,142 in 2005, continuing an annual decline in NLRB elections since 1996, when about 3,300 elections were conducted by the agency. The number of elections won by unions also decreased, to 1,014 in 2006, from 1,315 in 2005, but the win rate increased slightly, to 61.5%. Meanwhile, the number of eligible voters decreased, from 126,008 in 2005 to 113,083 in 2006. In 2006, unions organized 61,673 workers through NLRB elections, down from 65,189 the previous year.

Look for 11% rise in health care costs

Health care costs for employers are likely to rise an average of 11% during the next year, according to a survey of more than 70 health insurance companies by Aon Consulting. But the biannual Aon survey also reveals that the increase in health care costs has decelerated since 2001, when they rose more than 15%. The consulting firm attributed the increases to higher demand from an aging population, rising medical technology and health costs, the increasing price and use of prescription drugs and poor lifestyle choices.

Hadden had 'em—until he hadn't

Doug Hadden—the one with the halo, upper right—was saluted at the June 2 meeting of the New England District Council, where local officers gathered for a proper send-off. Hadden served nine terms as president of the Pawtucket Newspaper Guild, which merged this past spring into the Providence Newspaper Guild, and subsequently was elected unit chair—but then took a buyout after that paper was sold to Rhode Island Suburban Newspapers, ending an 18-year run at the paper June 15. Also pictured, right side starting from top: Carl Younger, Boston; Bill McMurray, Greater Boston; Nancy Welsh, Manchester; Hadden; Bernie Lunzer, TNG-CWA; Norman Welsh and Laura Gagnon, Manchester; Michelle Bailey, Portland; and John Tucker, Manchester. Left side from the top: Donna Marks and Bob Neil, Quincy; Brian Whelan, Greater Boston; Wendy Caswell, Manchester; Tom Hiltz, Greater Boston; Kathleen Munroe, Portland; Tim Schick and Kerry Kohring, Providence; and Jim Schaufenbil, TNG staff.



'Censored' stories honored

You'd think that with immigration law reform dominating today's headlines, the subject would be pretty much exhausted. Yet the limits of that coverage have been underscored by the inclusion of two articles by David Bacon, a member of the Northern California Media Guild, among Project Censored's "most censored" stories of 2006-2007.

Project Censored is managed by the Sonoma State University Foundation in California and describes itself as a media research group that tracks the news published in independent journals and newsletters. From these, it compiles an annual list of 25 news stories of social significance that have been overlooked, under-reported or self-censored by the country's major national news media.

The project's awards will be presented in late October at a media conference, following the August release of a book with the winning entries. Among them will be Bacon's "Which Side are You On?" published Jan. 29 by Truthout, and "Workers, Not Guests," published in the Feb. 6 issue of *The Nation*.

"Workers, Not Guests" describes the Bush administration's selective use of immigration raids to attack union organizing campaigns and efforts by immigrant workers to enforce basic workplace rights and protections. Moreover, the administration has used the raids to pressure Congress into adopting new, vastly expanded guest worker programs.

"Which Side are You On?" describes how Washington-based lobbying groups have abandoned opposition to contract labor programs, instead developing political alliances with some of the country's largest corporations to promote new guest worker legislation. The legislation includes provisions that would make future immigration raids much harsher and more widespread.

Since publication, the Bush administration and a bipartisan mix of Democratic and Republican senators have announced new proposals that are even more repressive, including construction of huge new detention centers on the border. The proposed "reforms" would end a system of visa preferences that enabled immigrant families to reunite in the U.S., substituting a corporate-driven point approach that emphasizes skilled labor. The proposals would allow corporations to recruit as many as 800,000 non-farm contract guest workers a year.

The use of immigration policy to funnel labor to corporate employers is growing at the same time that Congress is debating new trade legislation, including the renewal of fast-track negotiating authority for the administration and four new trade agreements, with South Korea, Peru, Panama and Colombia. These treaties would all increase the displacement of workers and farmers in other countries, sending many of them into the migrant stream to the U.S.

The mainstream press has carried many articles about the proposals and raids, but very little coverage of the corporate backing for immigration bills. Many reporters refer to the guest worker bills as "pro-immigrant" and "left," which not only is inaccurate but which obfuscates corporate domination of the immigration agenda in Congress. There has been virtually no coverage of the connection between U.S. trade policy and immigration policy.

For more information, see the National Network for Immigrant and Refugee Rights, www.nnirr.org. In addition, a national speaking tour on trade and immigration policy by David Bacon and Juan Manuel Sandoval, a leading Mexican critic of NAFTA and U.S. immigration policy, may be reviewed on the Global Exchange website, www.globalexchange.org.

Toledo lockout settled

A nine-month lock-out of 40% of its workforce by the Toledo Blade ended with a crucial May 29 vote by members of the Toledo Newspaper Guild—who, ironically, were not among those forced into the street.

Approximately 85% of the Guild's 300-plus members turned out for a membership meeting at which they were asked to approve a broadly concessionary contract that already had been ratified by the newspaper's seven other unions. Three of the unions, representing 215 craft workers, had been locked out since last August in a move Guild leaders said was intended to provoke a strike. No strike was ever called, but expiration of health care benefits and unemployment compensation squeezed the locked-out workers into accepting the concessionary package. With a lifting of the lock-out conditioned on all the unions accepting the same deal, many Guild members felt pressured into accepting what was on the table.

Among the more onerous elements: acceptance of a two-tier wage system, in which new hires will be paid approximately 75% of the existing scale, and a commission-only system for 35 or so advertising reps that eliminates salaries. The new contract also

includes an approximately 8% cut in pay on all weekly wages over \$490. Moreover, at least 40 Guild-represented employees were to be laid off by July 1, of whom only 11 would be eligible for enhanced buyout or layoff packages.

Guild ratification of the contract, which runs through the end of May, 2010, was so uncertain that the vote was postponed a few days. TNG-CWA President Linda Foley urged adoption in a letter in which she acknowledged "things will be rough for you financially if this contract is approved," but added, "they will be worse if your ratification vote fails." In the end, the contract was approved 159-65, with Toledo Guild President Lillian Covarrubias hoping the company would "take notice" of the substantial "no" vote.

Other givebacks included:

- An increase in the employee share of health care premiums, to 22.5%.
- Loss of two (of four) paid personal days a year.
- An extension of the work-week by 30 minutes a day.

The Guild also agreed to relinquish jurisdiction over some circulation work to the Teamsters, to help ensure they would have enough work to retain as many full-time positions as possible. A new management rights section,

said TNG-CWA rep Jay Schmitz, is "relatively mild," while a subcontracting provision "does not allow the company to do subcontracting of any work performed by the unions."

The dynamics of contract bargaining at the Toledo Blade stood in sharp contrast to simultaneous talks at the Pittsburgh Post-Gazette. Both papers are owned by the Block family, and both Guild locals recognized from the outset that they would have to make concessions because of the company's deteriorating financial condition. But Toledo management was represented by the Tennessee law firm of King & Ballow, which has an unabashed union-breaking profile, and its use of a lockout was symptomatic of a negotiating style that emphasizes in-your-face confrontation.

In the end, the Post-Gazette and its Guild local settled their contract in far less time, at much less economic cost to the company and less drastic givebacks by the union. No telling how King & Ballow made out.

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AFL-CIO

Bargaining drama begins in St. Paul

Guild bargaining at the St. Paul Pioneer Press was expected to start June 20, about six weeks before the current contract expires, July 31. But talks this time are complicated by the March defection of publisher Par Ridder, who crossed the river to take over the Star-Tribune—allegedly taking sensitive company and employee information with him.

The Pioneer Press, now owned by MediaNews, soon filed a lawsuit essentially charging Ridder with corporate espionage. A hearing June 25 will be a first step in determining if Ridder will be allowed to continue in his new position.

Ridder's defection was described by one Guild leader as "obviously a distraction to the company," while simultaneously lifting employees' spirits. "I think it's picked up morale because he's no longer in the building," columnist Reuben Rosario told Shoptalk the Minnesota Newspaper Guild's

newsletter. "If the allegations are true, it certainly doesn't espouse the ideal we as journalists have."

Yet as even as Ridder's apparent unmasking has energized Guild members, response to the new owners is reserved, if only because of the reputation MediaNews has racked up at other Guild-represented papers. The upcoming talks were described in Shoptalk as possibly "the toughest round of contract bargaining ever." Still, Guild officers also say they're as ready as they've ever been.

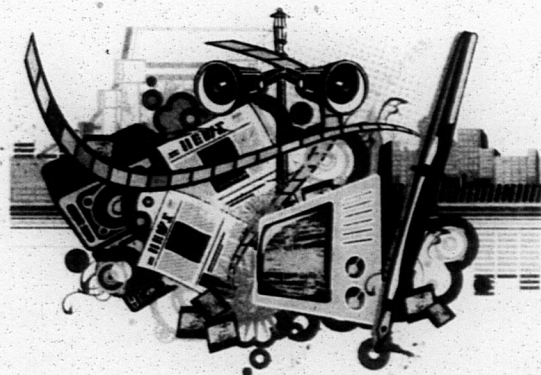
"I can't imagine being better prepared," reported unit chair Jack Sullivan, alluding more than 30 small-group meetings to plan bargaining strategy and a bargaining survey filled out by more than 200 employees. "We have a bargaining committee made up of intelligent, well-respected employees," he added. "We have dozens of volunteers who are already working. We have an excellent executive officer," referring to Darren Carroll.

Time hit with ULP

Fled up with working without a contract since March 22 while company representatives engage in sham bargaining, the New York Guild has lodged an unfair labor practice charge against Time Inc. The complaint alleges that management "has been bargaining in bad faith" by presenting proposals that "demonstrate a lack of intent to ever reach

an agreement."

Topping the list is a company demand "that it will have total discretion in determining annual increases, if any," in wages over the life of the contract. A Time spokeswoman, while not denying the negotiating demand, insisted that the company has offered "very fair and reasonable" proposals and remains open to more talks.



THE Future OF OUR JOBS

A JOINT STUDY OF
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AND THE
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AT THE UNIVERSITY OF MARYLAND

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Great newspapers need great editors

By Louis M. Lyons

William Allen White, when I encountered him once in Boston with my friend Charles Morton of the old Transcript, both seeking an interview with the sage of Emporia, put his arms around us both and said, "We all have the same face. It is not an acquisitive face."

It is important that newspapermen should share that face. To any students going into newspaper work, I suggest one standard to set for their own future satisfaction:

Work for a newspaper that is run by a newspaperman, not a banker or industrialist.

I don't know that we can prove that journalism is a profession. But the important thing is that the men in it act as if it were. The professional attitude is simply the feeling of responsibility toward the news, of an obligation to the reader; that the reader is their only client.

Feeling so, they need to give themselves a chance by selecting an employer who understands that feeling and shares it—who has "the same face" as William Allen White—the newspaperman's face. There are never enough such men running newspapers. But there will be more. There must be. The times demand it.

If the reader has any rights—and I hope he will assert them—one is that his newspaper be in the hands of a professional newspaperman, who is not using it for any other reason but to serve his readers.

It is a healthy thing for newspapers that the public is as critical as it is. It means that the institution of the press is important to them.

The press is by its nature a critic of other institutions, but it does not receive its own due of criticism. That is one of its difficulties. Who is to police the policeman?

It is notable—and depressing—that after a half century of unparalleled spread of education to ever higher levels, the tendency of the press appears to have been to tap new lows in taste and intelligence.

Always with distinguished exceptions, the headlines are more garish; the selection of stories more sensational; and the comics more vapid and intrusive, in the bulk of the press.

A publisher of a very good newspaper confessed recently that he found he could gain more circulation by adding four pages of comics than by putting the same money into more staff reporters.

The decline of the reporter—and so of the individual quality in newspapers—is a notable trend. Not only comics replace reporters but a multiple production of canned goods—columns, features, syndicated news and commentary. It is cheaper by the dozen. So papers buy canned content by the dozen and the gross.

So right across the country there is a stereotyped sameness to most newspapers—the same columns, features, comics, fixtures. And a reduction in the individuality that comes from extensive reports of regional news by an adequate staff.

I suppose we will all agree with the New Yorker magazine that the first duty of a newspaper is to survive. But the biggest news about newspapers recently has been of their deaths.

Invariably the stated cause of death was the economics of publishing.

It is a depressing thing that in this great age of communication the number of places for professional journalists is declining with the diminishing number of newspapers, and young men, earnest and able to report and interpret, students of American with independent minds and alert intelligence, are having to turn for careers to those fringes of journalism that come under the head of public relations.

We know the coal mines controlled by steel operators as "captive mines." Public relations is captive journalism. Much of it serves a useful pur-

pose. But it is all controlled by the special interests it serves and the immense expansion of it has so tipped the balance of information available to readers that a great source of all our information is this "captive journalism."

It all has an axe to grind. It may be a fine axe and worth grinding. But it is not independent reporting and if the field for independent reporting diminishes while captive journalism grows apace, it throws our total communications out of balance.

It is the great good fortune of New Yorkers that an Ochs came there from Tennessee to run a newspaper, and of St. Louisans that a Pulitzer came there to run a newspaper, and of Louisvillians that both a Bingham and an Ethridge serve their journalistic needs, and of Clevelanders that Louis Seltzer works there on the Press.

Few Americans are more deserving of monuments—or need them less—than

the rare newspaperman who has built a newspaper into a great institution of public service. It must be much easier to be a great banker or a great industrialist, for great newspapermen are rarer. Lucky is the community served by one. And luck is the only word for it.

It is the sheer chance of the location of such a creative newspaperman that gives New York, St. Louis and Louisville great newspapers and omits giving them to Boston, Philadelphia and Cincinnati. There is no greater virtue in St. Louisans than Bostonians, or in Louisvillians than Cincinnatians.

There is nothing rational about it. It is just the good fortune of domiciling a great personality who chose a newspaper career. Every great newspaper we have had has been the projection of a distinguished personality. And we have had very few instances yet of the institution's continuing its distinction much beyond the life of its builder.

The dismal demands of economics have probably fated us to fewer papers, all seeking a common denominator of mass sales.

But there remains a wide variation in the content and character possible to such a paper, even after the priority is given to successful purveying of advertising.

Is it to have responsible direction of its news production by a professional journalist, or by a hack who follows the whim or policy of a business manager? Is it to have a vigorous presentation of views on public affairs, or be a colorless reflection of the prevailing prejudices of the most cautious downtown merchants? In short, is it to have any character of its own?

Excerpted from the 1950 Don Mellett lecture, presented at Pennsylvania State college and published in the Sept. 8, 1950 issue of the Guild Reporter. Lyons, at that time curator of the Nieman Foundation at Harvard, previously had been a staff writer and foreign correspondent for the Boston Globe.

Labor, to be free, must stand alone

By Eric Hoffer

There are many of us who have been workingmen all our lives and, whether we know it or not, remain workingmen until we die. Whether there be a God in heaven or not; whether we be free or regimented; whether our standard of living be high or low—I and my like will go on doing more or less what we are doing now.

This sober realization need not be unduly depressing to people who have acquired the habit of work and who, like the American workingman, have the ingredients of a fairly enjoyable life within their reach. Still, the awareness of being an eternal workingman colors one's attitudes; and it might be of some interest to indicate briefly what the relations between management and labor look like when seen from his point of view.

Let's stipulate up front that the George Santayana quotation about forgetting the past—and thereby being doomed to repeat it—has become a cliché. Yet the overwhelming evidence, as Rupert Murdoch presses his bid for the Wall Street Journal and union leaders like Andy Stern are accused of bring too cozy with management, is that we're into reruns. Herewith, a couple of reminders from our own illustrious past. . . .

To the eternal workingman management is substantially the same whether it is made up of profit-seekers, idealists, technicians, or bureaucrats. The allegiance of the manager is to the task and the results. However noble his motives he cannot help but view the workers as a means to an end. He will always try to get the utmost out of them; and it matters not whether he does it for the sake of profit, for a holy cause, or for the sheer principle of efficiency.

One need not view management as an enemy or feel self-righteous about doing an honest day's work to realize that things are likely to get tough when management can take the worker for granted; when it can plan and operate without having to worry about what the worker will say or do.

The important point is that this taking of the worker for granted occurs not only when management has unlimited power to coerce but also when the division between management and labor ceases to be self-evident. Any doctrine which preaches the oneness of management and labor—whether it stresses their unity in a party, class, race, nation, or even religion—can be used to turn the worker into a compliant instrument in the hands of management.

Both communism and fascism postulate the oneness of management and labor, and both are devices for the extraction of maximum performance from an underpaid labor force. The

preachment of labor unity facilitated the exploitation of labor in our South, in French Canada, and in South Africa. Pressure for nationalist and religious unity served, and still serves, a similar purpose elsewhere. . . .

Our sole protection lies in keeping the division between management and labor obvious and matter-of-fact. We want management to manage the best it can, and the workers to protect their interests the best they can. No social order will seem to us free if it makes it difficult for the worker to maintain a considerable degree of independence from management.

The things which bolster this independence are not utopian. Effective labor unions, free movement over a relatively large area, a savings account, a tradition of self-respect—these are some of them. They are within the worker's reach in this country and most of the free world, but are either absent or greatly weakened in totalitarian states.

In the present Communist regimes unions are tools of management, worker mobility is discouraged by every means, savings are periodically wiped out by changes in currency, and individual self-respect is extirpated by the fearful technique of terror. Thus it seems that the worker's independence is as good an index as any for measuring the freedom of a society.

The next question is whether an independent labor force is compatible with efficient production. For if the attitude of the workers tends to interfere with the full unfolding of the productive process, then the workingman's independence becomes meaningless.

It has been my observation for years on the docks of San Francisco that, while a wholly independent labor force does not contribute to management's peace of mind, it can get good management to perfect its organization and to keep ever on the lookout for more efficient ways of doing things. Management on the San Francisco waterfront is busy twenty-four hours a day figuring out ways of loading and discharging ships with as few men as possible. . . .

It is true, of course, that the cleavage between management and labor is a source of strain and strife. But it is questionable whether tranquillity is the boon it is made out to be. The late William Randolph Hearst shrewdly observed that "whatever begins to be tranquil is gobbled up by something that is not tranquil." The constant effort to improve and advance is neither automatic nor the result of a leisurely choice between alternatives. In human affairs, the best stimulus for running ahead is to have something we must run from. The chances are that the millennial society, where the wolf and the lamb shall dwell together, will be a stagnant society.

Excerpted from the March 12, 1954 issue of the Guild Reporter. Hoffer, author of "The True Believer," explained his decision to work as a longshoreman by observing, "If you work with your hands, you sell your hands; if you work with your brain, you sell your brain."

LOOKING ASKANCE

Can conservatives find a home in labor unions?

By Andy Zipser
Editor, The Guild Reporter

Let's face it: most unions, by their very nature, have a "left" or "liberal" outlook. Yet it's equally obvious that the workers they represent come from all parts of the political spectrum—and some inevitably chafe at subsidizing views they find objectionable, if not downright repugnant. Herewith a recent, edited e-mail exchange with a TNG-CWA member at Dow Jones illustrating the conundrum:

I am hoping to present this as gently as possible, but I take issue with the material printed in the Guild Reporter.

From the top, I am a conservative. There have been articles in the past that I believe are too biased against the U.S. military and the president. Also, portraying Jane Fonda and company in a positive light is against everything I stand for. I do not believe that human-caused global warming is "obvious," as printed in a past issue, but nothing more than hysteria (the scientific community is far from settled on this matter).

The reason for my email now is the article written by you pushing the "No Questions Asked" book [reviewed in the April issue]. I totally disagree with you, and know that history will show that the president did what was right, and that evil needed and still needs to be confronted. I cannot financially support any political articles that I disagree with so sharply. Nothing personal to you or anyone who thinks differently than me. I just cannot support it. What should I do?

Thanks for your note, and for taking the time to express your concerns. No need to be gentle—I've come to expect rough treatment in my position—but I appreciate the courtesy.

I believe the dilemma you're feeling is actually two-fold. First, there's the whole question of what it means to pay dues to an organization, and whether paying dues is the same as endorsing all of the activities those dues help support. In that respect, your concern is similar to that of a pacifist who is troubled by having his taxes support wars he finds morally reprehensible. Second, there's the question of the role of a news publication and the relationship it bears to its readers, and vice versa.

On the first question, as my example above suggests, I think of dues as being like taxes: both involve payment of money into a huge pot from which are funded numerous activities that ostensibly benefit the larger organization and its members. Some of those activities I may agree with, and some I may not, but no organization would survive very long if every financial contributor could cherry-pick which activities her dues or taxes supported—that would be a logistical nightmare. The pragmatic solution is to participate in the electoral process that chooses the people who make the decisions about how that money is spent, trusting that the people we elect to represent us will make many more "right" choices than "wrong" ones.

That said, no matter how much an organization's leadership is in tune with our thinking, there inevitably will be money spent on things we find objectionable—and that's especially true the more democratically an organization is operated, because democracy requires compromises and trade-offs. I would therefore suggest that your dues are not supporting any particular article or point of view as much as they're supporting a medium for communicating news and opinions that may not agree with yours but that are viewed—by me, or by the Guild's leadership—as important for the membership to hear.

Which brings me to the second question,



regarding the role of a newspaper. I believe that newspapers should be an arena for competing ideas, through columns, letters to the editor and other forums. I think this is an especially necessary function for membership publications like the Guild Reporter, because often the union leadership has no other way or knowing what the membership thinks or regards as important. But I also believe that a membership publication like the Guild Reporter has a responsibility to promote its members' interests.

We are a union. That means we frequently support issues and legislation that political conservatives might find objectionable, such as minimum wage increases, the Employee Free Choice Act, labor protection standards in trade treaties, immigration reform, etc. Taken as a whole, these concerns form a world view that is either a little or quite a bit "left" of center, as mainstream politics are usually defined, although I think the left-right frame is too simplistic to be useful for much more than stereotyping. Nevertheless, it's true that ardent union supporters are unlikely, for example, to vote for George Bush.

Yet it's also obviously true that not all union members share these views, and indeed, that some might find them objectionable, as you've said of yourself. And because a union, like a democratic nation, is a collective that isn't in the business of requiring members to adhere to a particular set of beliefs, it must find some way to embrace a wide variety of philosophies, opinions, biases and passions.

The only suggestion I can make, therefore, is the same that I would offer to someone unhappy about the decisions made by the government: take ownership. Make your views heard, buttonhole your leaders, find allies and combine your efforts to effect change in the direction you think is more appropriate. You can start by writing a letter to the editor, which I'll be more than happy to publish. That may not be the silver bullet you might want, but it's the only alternative to resigning from the human race in disgust.

I meant it when I opened with thanks for your note: it's important to me that I hear from people who disagree with me, as well as from those who think I've hit the nail on the head. I'm just asking that you not stop there.

Denying the facts won't shape economic reality

By Thomas I. Palley

In anticipation of 2008, a potentially historic debate is shaping up within the Democratic Party. On one side are progressive Democrats whose lineage reaches back to FDR and the New Deal. On the other side are new Democrats, who emerged in the 1980s and embraced Ronald Reagan's critique of big government.

The economy is the central point of contention between the two groups. Thus, New Democrats maintain the economy is headed in the right direction, and they deny progressive Democrat claims about income stagnation and corporate excess. This denial was recently on display in a report (The New Rules Economy) issued by Third Way, an influential new Democrat think-tank in Washington DC. The report denies America's working families have been short-changed. In doing so, it misrepresents economic reality, under-cuts working families and gives comfort to supporters of corporate excess. That makes the Third Way the wrong way. Here are the facts.

Denial #1: family income has not stagnated. The report begins by claiming

America's middle class has been doing well. According to Third Way, incomes for married couple households half way up the income ladder (the 50th percentile) rose 22% between 1979 and 2004. That seems pretty good—except that tucked away in a footnote is the fact that adjusting for increased hours worked by wives, income only rose 9%. Over a 25-year period, that translates into an average increase of about one-third of one percent per year—which is not the economy American families once knew.

The situation is far worse for those lower down the income ladder. Families near the bottom (the 10th percentile) saw their incomes rise just 1% over 25 years. Yet sizeable family income gains kick in higher up the ladder: a 31% increase at the 70th percentile and 42% at the 90th percentile.

Denial #2: executive pay not a problem. A second denial concerns the CEO pay explosion, which Third Way describes as "maddening" but just a "drop in the bucket" and of no major economic consequence. Reality says otherwise, with corporate executive excess now reaching such proportions that it is like a tax on all of us.

Harvard Law School Professor Lucian

Bebchuk and Yaniv Grinstein of Cornell report that between 2001 and 2003 the aggregate compensation paid by public companies (about 2000 of them) to their top five executive officers equaled 10% of company profits. In a sense, these executives are implicitly claiming their productive contribution equals the contribution of 10% of their companies' net equity capital.

Denial #3: trade deficits not a problem. Next, Third Way casually dismisses the trade deficit as not a cause for concern. The trade deficit has caused job loss, and while it is true that the economy eventually creates new jobs, those replacement jobs tend to pay significantly less. Displaced workers therefore first suffer the injury of unemployment, and then find inferior jobs.

Moreover, companies use the threat of job off-shoring to suppress pay and benefits. This helps explain why family incomes have stagnated. Jobs don't need to be lost for current trading arrangements to do harm.

The trade deficit also has contributed to the erosion of the U.S. manufacturing base. Unable to compete because of unfair foreign trade practices and our own flawed policies, many manufacturing firms have either shut

shop or moved offshore. That has shrunk manufacturing, which threatens future living standards because manufacturing is key to productivity growth.

Denial #4: no household debt or saving problem. Lastly, the report claims families have no debt problem because most debt is mortgage debt. However, data shows that households are paying a record share of income as interest, and debt is at record levels relative to income.

As for retirement saving, here too Third Way tries to hide behind house price inflation. The claim is that increased house prices have solved the saving problem. That is like saying we can take care of saving through inflation.

House price inflation is a one-time wealth transfer that at best solves the saving problem of one generation of owners. Put bluntly, price inflation that robs Peter to pay Paul does not solve families' long-term problem, which is one of wages and income.

Palley, former chief economist with the US-China Economic and Security Review Commission, also served as Assistant Director of Public Policy at the AFL-CIO.

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: July 13.)

HUMAN RIGHTS WATCH

Leadership needs to mirror all of us

By Debbie Thomas
TNG-CWA Human Rights Director

Last month I briefly mentioned the CWA's diversity proposal, which would expand the executive board by four seats but without making them CWA vice presidents. This month I thought I'd explore the idea, which comes up for a vote at the July convention, a little more extensively.

I must admit that my first thought on hearing the details was to question the point in having these "part-time" board members. Is this just some window dressing to make people feel good, like they've done the "right thing" but without disturbing the status quo in a meaningful way?

Well, after much reading and discussion with some of the board members who helped craft this proposal, I feel somewhat reassured. I still don't see this as a be-all to end-all. Nor is it a perfect solution—but then, it wasn't supposed to be. What this proposal does do is lay out a process to increase the board's diversity so it reflects the diversity of the union.

Currently, there are 19 persons on the board: four are women and one is a person of color, or 21% women and 5% persons of color. Meanwhile, CWA's demographic profile in 2004 was 43% female, 57% male, 76% white, 11% black, 8% Hispanic and 1% Asian. So as you can see, there's work that needs to be done if our board is to be more representative of its members.

So here we are in the 21st century, still trying to level the playing field. And how will we do that? Well, for starters, the proposal divides the country into four somewhat equally populated geographic regions that will each

fill one of the new seats. The first election of board members to the new positions will be held at the 2008 convention and every three years thereafter.

This year, assuming convention approval, the executive board will appoint one at-large board member from each geographic region to serve until 2008. Nominations for the positions are to be solicited from the National Committee on Equity, the National Women's Committee and the Minority Caucus. At least three of the seats are to be filled by persons of color and at least two by women—a goal that assures at least one board member will be a woman of color.

Next year is when the situation could get sticky. In 2008, what is going to stop a white male from running for one of the new positions? Nothing. But the role of the position should drive the candidacies, and my understanding is that the interim board members will work closely with both the Civil Rights Department and the Women's Committee to ensure we nurture women and people of color to move up through the ranks. That way, we'll get to a point when non-white, non-male leadership is abundantly available.

Maybe you'd like to be in the running for one of the new positions? All nominations have to be in by Sept. 1, 2007, so if you're interested, contact one of the groups mentioned above, all of which can be found on the CWA website. Meanwhile, let's give our support to this proposal.

On a separate note, regarding the AFL-CIO diversity dialogue I mentioned last month: the last of the four sessions will be held July 14 at the Holiday Inn Golden Gateway in San Francisco, starting at 10 a.m. Go if you can.

Canadian unions win bill-of-rights protection

The Supreme Court of Canada, in a ruling that some legal experts say is a "landmark judgment," has declared that the right of collective bargaining in the workplace is protected by the Charter of Rights and Freedoms. The 6-1 decision, issued June 8, struck down a controversial British Columbia law that outsourced provincial health and social service jobs, throwing thousands out of work.

"This is huge; this is unbelievable," B.C. lawyer Joseph Arvey, who represented a coalition of unions affected by the decision, told Canadian Press. "This is going to change the landscape for collective bargaining for every union across the country."

The Charter, embedded in Canada's constitution, is a bill of rights that was adopted only 25 years ago. Because of that comparatively short history, its full implications are still being developed by the courts—with the June 9 decision marking an about-face for a court that had been reluctant to use the Charter as a means of upsetting the status quo.

But as unions in Canada have been crippled by increasingly repressive legislation, the Supreme Court lost confidence in earlier rulings that expressly excluded collective bargaining from Charter protection. In 1987, for example, it had ruled that the Charter's guarantee of freedom of association "does not include a guarantee of the right to bargain collec-

tively and the right to strike."

Fast-forward 20 years, and the court appears to have concluded that without constitutional protection, governments will be inclined to ignore collective bargaining agreements when it suits them. "The right to bargain collectively with an employer enhances the human dignity, liberty and autonomy of workers by giving them the opportunity to influence the establishment of workplace rules and thereby gain some control over a major aspect of their lives, namely their work," the majority opinion declared.

"The history of collective bargaining in Canada reveals that long before the present statutory labour regimes were put in place, collective bargaining was recognized as a fundamental aspect of Canadian society," the opinion added. Acknowledging Charter protection for labor rights "may properly be seen as the culmination of a historical movement towards the recognition of a procedural right to collective bargaining."

At issue was British Columbia's so-called Health and Social Services Delivery Improvement Act, which the provincial legislature had adopted over union protests that it violated numerous contract provisions regarding work transfers, contracting out, job security, layoffs and seniority. But the primary driver of the bill apparently was cost-savings, not improvement of services.

NLRB pushes for contracts

It's not just unions who argue, in promoting the Employee Free Choice Act, that the system of elections supervised by the National Labor Relations Board is broken. Apparently the NLRB's general counsel, Ronald Meisberg, also thinks all is not well.

In a May 29 memo to the board's regional directors and other top officials, Meisberg urged a more vigorous response to first-contract negotiations marred by unfair labor practices, including compressed bargaining schedules and reimbursement of bargaining costs. These and other remedies

should be used in cases involving "high impact violations" that can fatally damage good faith bargaining, he wrote, such as outright refusals to bargain, refusal to meet at reasonable times, unilateral changes in bargaining demands and unlawful discharge of union supporters.

Meisberg's recommendations come 13 months after a similar memo last year that suggested regional offices get more aggressive in responding to first contract violations, such as seeking injunctive relief under the rarely used Section 10(j) of the National Labor Relations Act. The board's experience since the April 2006 memo, he explained, convinced him additional measures are needed to "adequately protect employee free choice in initial bargaining cases." Simply ordering a resumption of bargaining when one of the parties

is bargaining in bad faith simply isn't sufficient, he acknowledged.

A prescribed bargaining schedule is one potential remedy, providing an "effective and unburdensome means of improving employees' chances of achieving a first contract." A second remedy Meisberg urged is reimbursement of union bargaining costs, because bad faith bargaining by employers causes "the other party to waste resources . . . at a time when the new bargaining relationship is most vulnerable."

Meisberg also recommended that in cases where bad-faith bargaining has been determined, regional officials should routinely seek a minimum six-month extension of the union's initial one-year certification. He also wrote that it may be appropriate in such cases to require periodic progress reports from both parties.

Stiffed again

The National Labor Relations Board declared several years ago that newspaper carriers are "independent contractors," exempt from labor law, unless they're totally economically dependent on the paper for their income. So when the board's regional director in Phoenix concluded that carriers for the Arizona Republic met the dependency test, the Graphic Communications Conference of the Teamsters filed for a representation election—only to get over-ruled May 8 on a 2-1 board vote.

While the slim Republican majority concluded "on balance that the carriers are independent contractors," the dissenting Democrat retorted that "the majority wrongly ignores economic realities and present legal trends."—PAI

DAYBOOK

CWA Minority Caucus Meeting
July 12-15, Toronto

TNG-CWA Sector Conference
July 13-14, Toronto

CWA Annual Convention,
July 16-17, Toronto

FROM THE MORGUE

Seventy years ago this month:

Rejecting the AFL's craft-centered approach to unionism, Guild convention delegates vote overwhelmingly to broaden the union's jurisdiction by including commercial departments and to affiliate with the CIO. . . . Delegates also adopt a resolution "reaffirming the Guild's conviction that independent political action must be used along with economic action" to advance labor's interests. . . . Attempts by the Teamsters to claim jurisdiction of circulation departments in Seattle are rebuffed by the employees, who rapidly organize themselves into affiliates of the Seattle Guild.

Fifty years ago this month:

Vancouver's morning daily shuts down while its two afternoon dailies merge, affecting some 800 Guild-represented employees who just months earlier had voted to merge into a single local. . . . The Hawaii Newspaper Guild wins its NLRB election at the Honolulu Advertiser, 82-26. . . . Guild members on strike for two months against the Lima News unanimously sign up to work for the Lima Citizen, a new locally-owned newspaper willing to guarantee a union shop.

Twenty-five years ago this month:

A now defunct consortium called Media News Corp. acquires United Press International from E.W. Scripps Co. and says it will honor the Guild contract, covering more than 880 employees. . . . Canada's government says it will introduce legislation limiting chain newspaper ownership. . . . The Justice Dept. approves a joint operating agreement for Seattle's two dailies, resulting in a loss of 215 Guild-represented jobs.

THE GUILD Reporter

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

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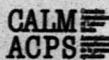
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