

THE GUILD Reporter

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No pause in death of a thousand cuts

Against a backdrop of continued revenue erosion—advertising fell by \$3 billion in the first six months of this year, to \$18.8 billion, according to the Newspaper Association of America—the pace of layoffs and buyouts has continued without faltering.

Over the past month, A.H. Belo Corp. announced layoffs at three of its newspapers, including at the Guild-represented Providence Journal, where 22 employees recently took buyouts. The company did not say how many layoffs it expects to make, but added that they will be completed by mid to late October. Other Belo cuts will be made at its flagship Dallas Morning News and at the Press-Enterprise in Riverside, Cal.

Meanwhile, the Telegram & Gazette in Worcester, Mass., whose employees also are represented by the Providence Guild, said it will cut 36 jobs and move from four zoned editions a day to one by early next year. The paper said it intends to eliminate 14 to 17 jobs

in the newsroom and a similar number in the advertising and pre-press department, following seven newsroom buyouts earlier this summer and its outsourcing of delivery and billing calls to the Philippines.

In Ohio, the Cleveland Plain Dealer offered buyouts Aug. 19 to most of its 370 non-union office employees, representing approximately a third of its workforce. That same day the Akron Beacon Journal offered buyouts and early retirement packages to its entire newsroom. Both offers came one week after the Canton Repository closed its one-person Columbus bureau and told the Guild it wants to cut eight of its 60 or so newsroom staffers.

In California, the Modesto Bee offered voluntary buyouts Aug. 18 to a majority of its full-time employees, followed a week later by similar offers at its sibling Bees in Sacramento and Fresno. The Sacramento Bee, flagship of the McClatchy chain, had eliminated 86 jobs in across-the-board layoffs just two months

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MICHAEL MOORE / MINNESOTA NEWSPAPER GUILD

Mike Bucsko, administrative officer for the Minnesota Newspaper Guild, speaks at a press conference Sept. 5 protesting the arrests of journalists at the Republican National Convention.

Guild 'appalled' at journalists' arrests at RNC

By Michael Moore
Minnesota Guild

The morning after Republicans wrapped up their party convention in St. Paul, the Minnesota Newspaper Guild joined other local and national media organizations in denouncing the arrest of journalists covering protests outside the four-day event. The group delivered to public authorities a petition with more than 50,000 signatures calling for all charges against journalists covering the convention to be dropped.

Mike Bucsko, administrative officer of the union representing more than 450 Twin Cities journalists, called police tactics heavy-handed and urged St. Paul Mayor Chris Coleman and others to conduct a thorough "post-mortem" investigation into how—and why—so many journalists were detained.

"We're appalled," Bucsko said in a press conference outside Coleman's office. "It's really had a chilling effect."

One Guild member, Pioneer Press photographer Ben Garvin,

was among the 818 arrested during RNC-related events.

Nancy Doyle Brown, of the Twin Cities Media Alliance, reported that several journalists were "arrested, subjected to raids, pepper-sprayed and more" while trying to cover the protests.

Police officials have said journalists were ordered to disperse, along with crowds of protesters, and those who did not follow orders were arrested like everyone else. But Bucsko and others emphasized that democracy relies on the press being able to do its job free from fear of government intervention. And that means full access to action "inside and outside" the convention.

"I'd hate to think that journalists were being targeted, but I think it behooves the public officials here in Ramsey County and the city of St. Paul to examine the circumstances under which journalists were caught up and arrested without any discrimination, or perhaps with discrimination, based on doing their jobs," Bucsko said.

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UPAGRA members demonstrate outside the offices of El Vocero, protesting management's unilateral

attempts to change their contractually protected health plan.

Rumbling in Puerto Rico

A lockout at one paper, money withheld at another

Working for some Puerto Rican newspapers increasingly feels like a crapshoot. At the San Juan Star, months of bouncing paychecks have been followed by a lockout and management claims that the paper has published its last edition. Management at El Vocero, on the other hand, has been paying its workers but has refused to make pension fund payments for the past 14 months—after illegally withholding hundreds of thousands of dollars in 401(k) contributions—and has stopped paying the premiums for various other contractually negotiated benefits.

Although employees at both papers are represented by UPAGRA, TNG-CWA's Puerto Rican local, each management has a notably cavalier attitude toward fiscal and contractual responsibilities. The National Labor Relations Board, for example, is considering

injunctive relief at the Star, whose employees have been working without a contract for the past year-and-a-half. Meanwhile, paychecks at the Star bounced so frequently that employees took to sitting at their posts without working until the checks cleared.

Finally fed up with the situation, Star employees voted overwhelmingly in July to authorize a strike and were awaiting final CWA approval when management locked them out Friday, Aug. 29. An editor's note that day said the Star would no longer publish on weekends, but publisher Gerry Angulo subsequently said the paper was being closed altogether because of an "undeclared strike by some employees," an apparent reference to employees refusing to work until their paychecks cleared.

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Jay Bonfatti, at the 2003 New Local Officers Training seminar.

Bonfatti, Buffalo's Falstaff, dead at 52

John F. "Jay" Bonfatti, a talented Buffalo News reporter, long-time Guild activist and enthusiastic guitarist, died in his sleep of an apparent heart attack Aug. 28. He was 52.

Bonfatti's unexpected death, which came while he was on vacation with family in Cape Cod, shocked friends and co-workers, who universally professed their deep affection for him. "Our union mourns the loss of a great leader and friend," said Pat Gormley, president of the Buffalo Guild. "Jay was a tireless activist; his enthusiasm was contagious."

Columnist Donn Esmonde wrote: "He was our Falstaff, our John Belushi, a guy whose plus-size body could barely contain his enormous heart and his bursting good humor. He was, as a colleague noted . . . the heart and soul of our newsroom."

Starting his journalistic career at the Patriot-Ledger in Quincy, Mass., Bonfatti went on to be a sports writer at the Post-Standard in Syracuse for six years before being hired by the Associated Press. He then went to work for the Buffalo News in 1998 in a variety of reporting positions,

most recently specializing in stories about the weather and environment, racking up several state journalism awards along the way.

An ardent sports fan, Bonfatti was at one time a skilled softball player and a founding member of the News's Media Chieftains team. He also was an avid guitarist who jammed with friends on rock and blues songs and made Christmas compact discs featuring offbeat holiday songs that he gave to friends.

Bonfatti first joined the Guild at AP, where he was a member of the Wire Service Guild, and was an officer of the Buffalo Guild for most of his tenure there, most recently as vice president for mobilization and communication. But despite his reputation as a spirited union booster, Bonfatti also had the rare knack of reaching across the aisle to management—indeed, to just about everyone he met—in a way that encouraged cooperation and mutual respect.

"Jay was not only the life of the party, but in many ways the life of our newsroom—generous, fun-loving and inclusive," news editor Margaret M. Sullivan told an obituary writer, speculating that he was "the most popular individual in the entire News building."

He also worked at widening the local's horizons, to make it part of the broader union movement. He and Phil Fairbanks, a former Guild officer, conducted several workshops for members of CWA District One to teach them how to prepare local newsletters, improve their writing skills and work constructively with journalists. And he was forceful in getting his local's members to sign cards of support for the Employee Free Choice Act.

Bonfatti is survived by his parents, Albert and Patricia; a sister, Mary Beth Orfao; and four brothers, Albert Jr., Christopher, Timothy and Andrew.

Correction

The "From the Morgue" feature in last month's Guild Reporter inadvertently dropped one of the 't's in the surname of past Guild president Joseph Collis.

Guild briefs . . .

What's good for the goose. . .

Ad sales people throughout the industry are seeing all stick and no carrot these days, as a punitive management style increasingly becomes the norm. Case in point: the Hearst-owned Albany Times Union, which decided it would "motivate" sales employees by publicly posting their performances and highlighting those who had not reached "their" goals. But management failed to see the irony when the Albany Guild created its own version of this performance enhancer—one that ranked managers on their ability to motivate staff—and demanded that the union immediately remove its assessment. The company then posted a second performance list, this time for the classified sales force. "It's not the sense of being on a team. It's more like you're rowing the boat and someone is standing over you with a whip," said local president Tim O'Brien, summing up the prevailing mood.

More ULPs at MediaNews

The Northern California Media Workers Guild has withdrawn one of its charges of unfair labor practices filed against MediaNews, following the company's payment of merit raises that had been withheld during the recent organizing campaign. But it filed two new charges, claiming the company violated federal law by using surveillance and interrogation to find out which employees were sympathetic to the union and that it refused to provide information relevant to the union's investigation of layoffs that targeted union activists.

Expedited talks in St. Louis

More than 80 members of the Post-Dispatch unit of the St. Louis Guild voted unanimously Aug. 24 to begin early and expedited contract bargaining. The move follows nearly a year of low-level talks on how best to proceed with negotiations, which in their expedited form could last just a few weeks. The company has signalled its top issue is cost savings, while the Guild's major concerns are job security, health care, wages and retirement benefits.

Hudson News contract OK'd

Hudson News employees represented by the New York Guild unanimously ratified a four-year contract that includes several new benefits—including longevity pay and company contributions to the retirement plan—as well as a pay increase retroactive to April 3. The new contract, which includes a \$100 signing bonus, also introduces longevity pay increases for employees who reach five, 10 or 15 years of service with the company and allows employees to work their 37.5 hours in five days, instead of the six-day weeks that many had been required to put in.

A leap — and then the look

Oops. When Reuters recently offered buyouts to its technicians on Long Island, explaining it had to eliminate the jobs because of a lack of work, all eight buyouts were promptly snapped up—only to learn that management had been a wee bit hasty. As a result, several of the Guild-represented techs ended up deferring their departure to work through the summer. In London, meanwhile, the threat of widespread editorial layoffs as a result of Thomson's acquisition of Reuters was blunted by Britain's National Union of Journalists, which instead rustled up 70 volunteers for buyouts.

Have a heart, BNA asked

Automated external defibrillators are becoming as common as fire extinguishers in corporate America—but not at the Bureau of National Affairs. Responding to the Washington-Baltimore Guild's efforts to have the lifesaving devices installed at work sites, BNA's labor relations department asserted that the defibrillators are "complicated machines, prone to malfunction"—which must come as a surprise to the thousands of other employers who have acquired the virtually idiot-proof equipment. The Guild has followed up with a petition drive that gathered 600 signatures from BNA employees calling on the company to provide the machines.

Dayton back at the table

Members of the Dayton Newspaper Guild were back at the bargaining table Sept. 3 at the Dayton Daily News, following a rally the previous day outside the newspaper building. Although the local has been working under a contract that was ratified in 1986, the Cox-owned publisher broke off negotiations last December and only recently signalled a willingness to resume talks. Issues in dispute include wages and health care.

'P' as in Hester Prynne?

Members of the New York Times Digital Guild have taken to wearing badges with the letter "P" on them—for "parity"—to protest stalled contract negotiations. Although company execs talk a good game about how the paper's future lies online, web-side employees are still getting paid less than their print-side counterparts and have thinner benefit packages and flimsier employment safeguards. And while the company claims it's willing to pay comparable wages, it also insists that the New York Guild's workplace rules are too stifling and inflexible for the electronic frontier it is homesteading. P-p-p-please!

If it plays in Peoria . . .

At the urging of the Peoria Newspaper Guild, a group of Peoria community leaders is exploring the possibility of buying the Journal Star from GateHouse Media, perhaps by blending elements of three different business models. The group—which includes business leaders and developers, politicians and the newspaper's former managing editor—also is exploring ways to reduce the drive for profits and protect the newspaper's basic community role. The business models under consideration include community investors, an employee stock ownership plan and non-profit status.

Online workers to join Guild?

The Washington-Baltimore Guild could acquire jurisdiction over dozens more employees of the Washington Post, which is merging its online operation into the main newsroom. The Post's online content currently is produced in northern Virginia by a separate corporate entity, Washington Post Newsweek Interactive. The full implications of the merger will become more discernible when contract bargaining begins later this month; the existing agreement expires in early November.

Two attend Minority Institute

Two Guild members, Carl Younger and Ka Ya Ng, have been selected to attend this year's CWA Minorities Leadership Institute, a program that identifies outstanding activists and provides them with additional, intensive training. Younger, a member of the Boston Guild's executive board, won the Guild Service award two years ago and is active on the union's equity committee. Ng is branch president of the Reuters Canada unit, serves on the Canadian Media Guild's National Executive and will be the first Canadian Guild member to attend the institute. The two-week course runs through Sept. 16 at the National Labor College in Silver Spring, Md.

Arnaud a 40-year employee

The San Jose Guild took note last month of the 40-year employment anniversary of Suzanne Arnaud, who went to work August 14, 1968 as the local's administrative secretary and currently serves as its administrative director. "But to scores of current and former Guild members that title doesn't begin to describe her value to the union and its members," wrote Guild Executive Officer Luther Jackson.

New York activist dies, 68

George Bates, a Guild activist who had retired recently from Consumers Union after a 38-year career, died this past month after a long illness. He was 68. A member of the New York Guild's executive committee from 2005 until his retirement early this year, Bates was treasurer of the Consumer Union unit, a member of the unit council since 1986 and had represented his co-workers on several negotiating committees.

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LARRY KESTERSON / PHILADELPHIA GUILD

Tee-ing up

Guild members throughout the U.S. and Canada observed Labor Day by publicly displaying their union colors. Above, officers and members of the Philadelphia Guild marched in their local Labor Day parade wearing T-shirts honoring President Henry Holcomb, third from right, easily identifiable as the only T-shirt-less member of the group. (Holcomb retired from the Philadelphia Inquirer Aug. 6, as reported in last month's Guild Reporter, but retains his leadership position through the end of the year.) Philadelphia Newspapers Unit Chair Diane Mastrull is fourth from the left, with recording secretary Dan Gross directly behind her.

In Toronto, meanwhile, where members of the Canadian Media Guild have marched in the last three Labour Day parades, the local decided to get more members involved by sponsoring a themed T-shirt design contest. The winning entry—by Ron Krant, a photo researcher at Canadian Broadcasting Corporation—was then incorporated into a poster, right, to promote the parade itself. "In Toronto, we are a very diverse membership with ethnic cultures from around the globe, and we wanted to promote this fact as something we are very proud of," explained local member Glen Guerin, who coordinated the event.

**Labour Day Parade
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Ron Krant
on the theme Diversity/Equity

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Lee, Zinser do their best to make a case for EFCA

Attempts by employees of the Pantagraph in Bloomington, Ill. to gain union representation underscore—again—why organized labor is working so hard to secure passage of the Employee Free Choice Act.

Working with the St. Louis Guild, production workers at the newspaper gathered enough support to petition the National Labor Relations Board on July 1 for a representation election. Instead of supporting such a democratic process, however, the Lee-owned newspaper retained union-busting attorney Michael Zinser to gum up the works.

The result? Six days of hearings last month in which Zinser tried to derail the election with a flurry of exhibits—38 in all—and a parade of 10 mostly repetitive witnesses. The only substantive argument he mounted, however, was to challenge the appropriateness of the bargaining unit, which Zinser claimed improperly excluded a dozen graphic designers who also are part of the production department.

Shannon Duffy, the St. Louis Guild's administrative officer, said the local had been working with a Pantagraph organizational chart that placed the graphic designers in the advertising department, not in production. But after taking a recess to evaluate the support the Guild already had received from the 34 other production employees, "We went back inside and said, 'We'll take 'em,' and Zinser freaked out."

What followed was a barrage of motions and requests by Zinser—all methodically shot down by the hearing officer, said Duffy, as irrelevant to the pro-

ceedings, overly broad and vague, violative of protected activity or as having "a chilling effect" on employee labor rights. "It was one hell of an ass kicking," Duffy said, culminating in the most incredible Zinser plea of all: "We are at a severe disadvantage here, your honor," the renowned labor lawyer protested. "We don't have a clue as to who signed cards."

The only reason for company officials to want that information is to retaliate against union supporters—and, indeed, Lee already has fired two of the union's most ardent supporters. The Guild, noting that "both of these individuals had performed house calls on our behalf and had become the face of the Guild with Pantagraph employees," has filed charges of unfair labor practices on behalf of both employees.

"It's like a siege mentality has taken over that building," said Duffy, commenting on the mood at the Pantagraph.

Ironically, scheduling of a representation election has been delayed by the company's own charge of unfair labor practices against the union—alleging that it is the Guild that has been coercing employees, to sign authorization cards. "Right," Duffy snorted. "No raises in three years and we have to twist arms to get cards signed."

Separately, the St. Louis local has gained enough authorization cards to file for a representation election at the Pekin Daily News, also in Illinois—but there, Duffy said, the publisher already has agreed to an Oct. 6 election. If successful, the wall-to-wall unit would bring 35 new members into TNG-CWA.

Guild reps report on industry trends

TNG-CWA locals defending collective bargaining agreements or preparing to negotiate new ones may want to take note of the following industry trends, as reported by the Guild's field reps:

Assaults on seniority: Publishers are making a major push to base layoffs on factors other than seniority. The Washington Post, for example, just signed a contract with the machinists in which the union gave up straight seniority.

New media flexibility: Employers want to combine reporters, copy editors, photographers and artists into a single "journalist" classification, requiring everyone within the classification to perform all the jobs. The Honolulu contract has such a provision.

Jurisdiction relief: Employers want the "flexibility" to get Guild-covered work done as cheaply as possible by anyone they can find. Media News, for example, is insisting on a right to layoffs and to subcontract during the life of the agreement in both York and Long Beach. Akron wants to ditch all restrictions on use of correspondent and freelance work.

Loss of leaders: Ongoing reductions in force, along with growing uncertainty about the industry's future, are striking a devastating blow to the leadership in many locals. For example, two women from the Baltimore Sun who attended this year's new local officers' seminar and were co-chairs of their unit both left the paper within recent weeks. This development places even more pressure on locals to identify and mentor new leaders.

Pension plan retrenchment: More employers who still have defined-benefit single-employer pension plans are seeking to dump them. More rigorous plan funding requirements, created by the Pension Protection Act of 2006, together with a rocky stock market, have employers seeking to freeze plans or to abandon them altogether,

in favor of 401(k) plans with matches or multi-employer pension plans, which have less onerous funding requirements than the single-employer variety. Several locals are currently in negotiations to join The Newspaper Guild International Pension Plan.

Layoffs: No surprise here, except to note that many of the chain-owned papers that are cutting payroll are relatively profitable—the cuts are being made to help pay down corporate debt or to make corporate bottom lines look better. The Lexington Herald-Leader, for example, could stand on its own quite nicely but is being trimmed to help McClatchy with its debt hangover; ditto for the Indianapolis Star, which is being squeezed to help Gannett compensate for its overseas ventures.

Unfortunately, while many publishers at financially weak papers argue that each paper must stand on its own—as Hearst did not long ago at the Seattle Post-Intelligencer—thereby justifying the cutbacks they're seeking, they drop that stance when the situation is reversed. Most Guild contracts allow the employer to reduce the workforce for economic reasons—some allow a reduction for no reason other than a managerial decision—which opens the door to almost any economic rationale the company wants to present. So, for example, if profit margins decline from 35% to 31%, a layoff would be for "reasons of economy."

Early bargaining: Some employers, like Lee in St. Louis, are open to early and expedited bargaining, if only to avoid a protracted labor dispute during strained economic times. Genuine employer willingness to reach an agreement can result in a relatively speedy agreement, to everyone's benefit, but that prospect should not stampede a local into neglecting key issues that might not be on the employer's initial list of proposed bargaining items.

News briefs

Privatization rumored for papers

As plunging stock prices hammer the industry, speculation is mounting that one or more family-controlled newspaper companies may attempt to go private. Prime candidate in the U.S. for such a move is the McClatchy Co., thanks to chairman and chief executive Gary Pruitt stepping down from four family trusts that control 80% of the company's voting stock. The move relieves a potential conflict of interest were the trusts to attempt to privatize the company, since Pruitt as chairman of the company has a fiduciary duty to all stockholders. In Canada, meanwhile, Leonard Asper, chief executive of CanWest Global Communications, reportedly is exploring a range of options in response to a 16-year low in the company's share price. A buyout is one of the options under consideration.

AP defections mount over costs

It's hardly a stampede yet, but a growing number of newspaper members of the Associated Press are pulling the plug, claiming the wire service costs too much and isn't meeting their needs. The Minneapolis Star Tribune joined the parade in recent weeks by giving a required two-years' notice of cancellation, but the Spokesman-Review of Spokane won't do even that much, asserting that a new AP rate structure represents a new contract—one it has no intention of signing. The new AP rates are scheduled to kick in Jan. 1; the Spokesman-Review says it will be out the door at midnight Dec. 31.

August was 8th month of job losses

It's not just newspaper workers who are pounding the pavement: the unemployment rate jumped to 6.1% in August, the highest it's been in five years and the eighth consecutive month of payroll declines. Job losses were spread across virtually all sectors, with the exception of health care and government. For the entire business cycle that started March 2001, total employment growth has been 0.5%, or less than one-fourth the growth rate of all previous expansions dating back to World War II.

Health care increasingly unaffordable

Two-thirds of the working-age population was uninsured, underinsured, reported a medical bill problem or did not get needed health care because of cost in 2007, according to a recent survey by the Commonwealth Fund. The survey found that 28% of working-age adults in 2007 were without insurance at some time during the previous year, up from 24% in 2001. Those without adequate insurance increased to 14% of the population in 2007 from 9% in 2003.

CBO rates Social Security as sound

Scare stories pushed by Wall Street notwithstanding, the Congressional Budget Office has released a new report that concludes the Social Security program is in good financial shape—and will be for decades to come. The CBO's analysis finds that even after the trust fund's surplus is exhausted, in 2049, ongoing revenues will be sufficient to fund about 81% of promised benefits through the year 2082. The biggest problem facing Social Security, it adds, isn't the boomer retirement—which was fully anticipated, and the reason why the trust fund was established—but growing income inequality. Because the earnings of most workers have stagnated while those at the top have skyrocketed, the share of untaxed earnings above the taxable earnings cap (currently set at \$102,000) has grown from 10% in 1983 to approximately 17% today.

Canadian income gap mirrors U.S.

Saddled with a Conservative Party government that looks to Washington, D.C. for economic inspiration, Canadians are beginning to experience the same widening income gaps as in the U.S. The country's most recent census figures show that between 1980 and 2005, median earnings for the top quintile of income earners rose more than 16%, fell by more than 20% for the bottom quintile and stagnated for the middle fifth. But it was the top 1% of Canadians who benefited the most, as earnings for that select group soared 60% over the same period.

Those foreign workers? Underpaid

It's not just the jobs going overseas that put the squeeze on American wages: it's the overseas workers imported into the U.S. under programs like the H-2B visa program for temporary immigrant workers. By law, H-2B wages are supposed to be comparable to the wages of similarly employed U.S. workers. But an analysis by the Economic Policy Institute of seven of the occupations most commonly filled by H-2B workers confirms what members of WashTech, a TNG-CWA local, and others have been saying for years: in almost every case, H-2B certified wages were lower than the prevailing wage reported by the Bureau of Labor Statistics. Indeed, in nearly two-thirds of the cases the wage fell below 75% of the mean hourly wage.

Aussie journalists in 4-day walkout

Journalists at several Australian dailies walked off the job for four days Aug. 28, protesting job cuts and stalled pay negotiations. The journalists said they were angry at a lack of consultation from management and refused to be "treated like animals."

Advertiser: 'We're in the red'

For the first time since negotiations started, more than a year ago, management at the Honolulu Advertiser has defended its demands for cutbacks by claiming the newspaper is losing money. In response to management's invitation, the Hawaii Guild has said it will retain an accountant to review the newspaper's finances.

The Advertiser is owned by Gannett, which remains profitable. The Advertiser's poor-mouthing at the bargaining table is consistent with an industry trend of having money-losing newspapers negotiate contracts as stand-alone units, even when the larger chain is making money—and sometimes siphoning away resources from individual properties. (See related story, page 3.)

The Advertiser's declaration followed on the heels of a second round of layoffs, this time eliminating 27 jobs in its Pacific Media Publications group of community newspapers. Added to a layoff just one month earlier of 54 employees at the daily, the company has reduced its workforce by about 10%.

The Guild represents approximately 325 Advertiser employees, whose last contract expired June 2007 and who have not received a wage increase in two years. The

Guild is part of a six-union council whose members approved a strike vote earlier this year, 358-17, but thus far the only work stoppage has been a "blog strike" by a dozen or so staff writers, who do not receive extra pay for their contributions. In addition, reporters, photographers and others stopped producing video for the newspaper's website in May.

Until late August, Advertiser management had maintained that the newspaper was making money and had irked Guild negotiators by giving senior managers large pay increases, even as it demanded union concessions in wages, health care and other benefits. When it announced that it was instead in the red and "experiencing serious revenue declines," it nevertheless added that it has not formulated a comprehensive plan to deal with the situation.

Wayne Cahill, the Hawaii Guild's administrative officer, criticized the company for not being more forthcoming. "Too often in the past, the company has just gone ahead with layoffs and other actions without discussing it with the unions," he said. "That's not a model of cooperation that will help us solve these issues. We have to move forward together as partners."

Ottawa, Montreal in open period

Donning black t-shirts and sporting white buttons with the message, "More For Less? NO!", several dozen newsroom employees of the Ottawa Citizen poured into the street at lunch time Aug. 25 to show their support for the Ottawa Guild bargaining team. Simultaneously, about 70 employees of the Montreal Gazette packed the offices of the Montreal Guild, which also is mired in contract talks with the same publisher, CanWest.



Ottawa Guild President Lois Kirkup, foreground, addresses colleagues at rally.

Although the union and management in Ottawa have resolved most bargaining issues, the company has refused to move off a wage proposal that would increase salaries by just 1% to 2% a year. "We knew our membership would be grossly insulted by that," said Ottawa Guild President Kirkup, complaining that CanWest's proposal "is a serious pay cut against inflation," currently running at 3.4% year.

With conciliation failing to produce an agreement in

August, the two sides had scheduled two days of mediation for Sept. 8 and 9, as the Guild Reporter was going to press. The parties were to be in open position—meaning either side could legally strike or lock out—as of Sept. 10.

In Montreal, meanwhile, Irwin Block, the local's vice president, said there was standing-room only for a meeting at which local members decided to start wearing black t-shirts on Wednesdays in a show of support for the bargaining team. The local has three contracts that were in the open period as of July 23, covering employees in the editorial, circulation and advertising departments.

Among the Montreal Guild's major objectives is to retain its jurisdiction clause in all three collective bargaining agreements, spurred in part by a June decision by CanWest to lay off 45 circulation department employees and export their work to a call center in Winnipeg.

Among the Montreal Guild's major objectives is to retain its jurisdiction clause in all three collective bargaining agreements, spurred in part by a June decision by CanWest to lay off 45 circulation department employees and export their work to a call center in Winnipeg.

Lexington, CWA locals merge

The Lexington Newspaper Guild is history—at least in the traditional sense. Carrying through on a promise made earlier this year, local President Brandon Ortiz signed an agreement Aug. 26 officially merging the Guild local into CWA Local 3372. The new CWA unit is to retain its affiliation with TNG-CWA.

The Guild local represents 86 journalists at the Lexington Herald-Leader, but until Ortiz was elected two years ago had been plagued by weak leadership and poor membership support. As the local's vice president noted, in nominating Ortiz for the Guild Service Award earlier this year, many Herald-Leader employees represented by the local, "some of whom had worked at the paper for more than a decade, were not even aware we had a union."

Merging with the CWA local, Ortiz contended at that time, would place the Guild unit on a stronger financial footing. "In these uncertain times, when Big Media is lining the pockets of corporate executives while pushing veteran journalists out the door, it's more important than ever to form alliances with workers who are facing the same struggle in their industries," Ortiz said in a press release announcing the merger. "Their struggle is our struggle."

Joey McCarty, president of the CWA local, likewise praised the merger as a win-win for all parties. "We always have more strength in numbers, and this helps both units become stronger and have a louder voice as one," he said in the same release. Local 3372 represents 900 workers at Verizon, Windstream, the Fayette County Detention Center, AT&T and Printworks.

UPAGRA wrestles with 2 papers

Continued from page 1

Guild members of the wall-to-wall unit—approximately 90 of the newspaper's 120 employees are unionized—have been authorized for lockout payments by CWA and maintain that the closing is a tactical ploy, not a final shuttering of the Star. Angulo, however, was quoted in an Associated Press story as saying it is unlikely the family-owned newspaper will reopen, blaming the union for not agreeing to benefit cuts and layoffs needed to offset declining revenues.

Matters are only marginally better at the Spanish-language El Vocero, which has a long history of management misappropriation of funds. The newspaper has agreed with the Department of Labor to pay back \$725,000 in 401(k) contributions that it redirected to

other accounts in previous years, but stopped making obligatory monthly payments to the Guild's international pension fund in July 2007. Guild officials say El Vocero is approximately \$300,000 in arrears.

The family-owned newspaper also has stopped making payments to other funds, including cancer insurance and burial insurance plans it negotiated with UPAGRA. A civil lawsuit was filed in federal court in the spring in an effort to recoup the various missing payments, but Guild officials say the Dept. of Justice and the Puerto Rican secretary of labor have shown little interest in investigating the various shortfalls.

The CWA Defense Fund allocated money the last week of August for a campaign to publicize El Vocero's actions.

Blethen two-step a contemporary dance marathon

The elaborate but thus far inconclusive dance in Maine, where the Blethen family is seeking to sell its daily newspapers in Portland, Augusta and Waterville, lurched back two steps in recent weeks, suggesting the marathon may be months from resolution.

In late August, the investment group that is pondering a possible offer ended an agreement that had granted it exclusive negotiating rights for the group. Although the Blethen family agreed to the termination, freeing it to seek other suitors, there have been no subsequent public expressions of interest.

Instead, the company returned to federal court within a week, seeking once again to force a ruling that a buyer of its properties should not be obligated to honor the Guild's contracts. Its latest brief, filed in support of a lawsuit it brought in June, asks for the judge either to rule summarily in the company's favor or—curiously—to force the union into immediate arbitration.

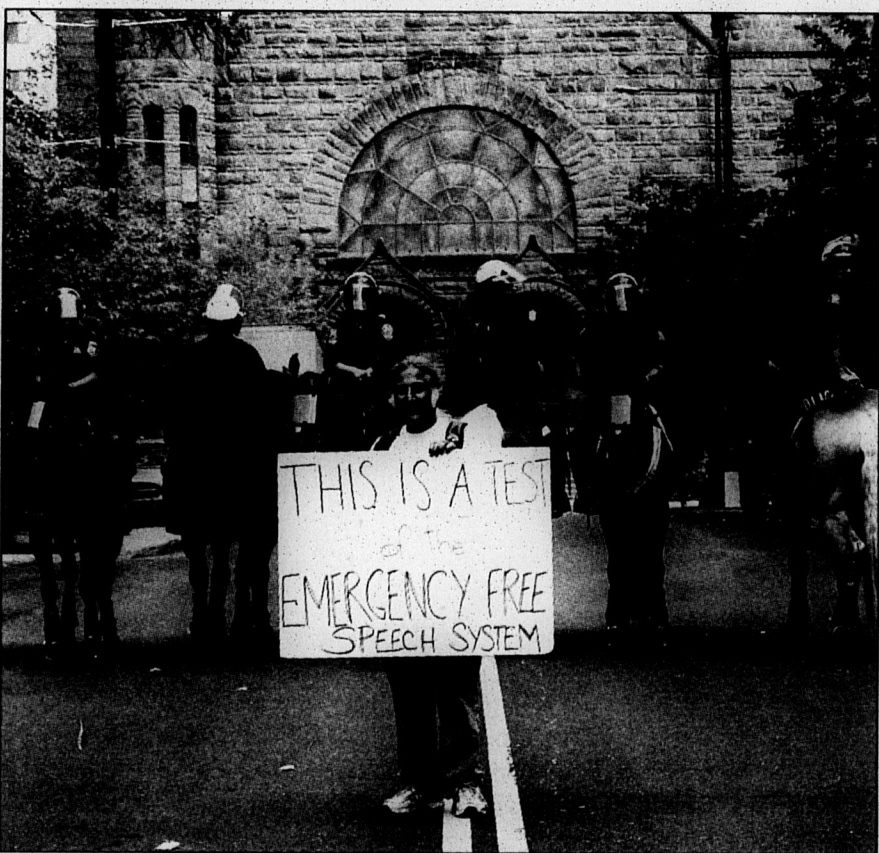
The Portland Newspaper Guild has consistently maintained that the successor clause in its contracts is unambiguously clear, but that in any case the proper way to resolve the dispute is not in court but . . . through arbitration. However the judge rules, both parties will then have the right to appeal,

potentially further protracting the process.

The company—better known for its ownership of the Seattle Times, which is showing serious financial strain—has claimed the Guild is insisting its contracts be honored as a ploy to stall a sale, even though Guild officials have publicly acknowledged that a sale is desirable. And Maine Media Investment, the group showing the most interest in a purchase, has met with Guild leaders several times and has not given any indication that it sees the union as an obstacle to a successful bid.

"We like the people we've met, we like the union leadership," Richard Connor, one of the group's four principals, told a reporter for Blethen Maine Newspapers. Instead, said Connor, the group relinquished its exclusivity agreement because it had been unable to meet some of its required benchmarks, mostly involving due diligence.

"It's not from a lack of hard work and cooperation on all fronts—management, union, owners," Connor was quoted as saying. "It's just that we set some unrealistic time frames that I would take the blame for—unrealistic in terms of us being able to process lots of information and make the best decision for my investors."



Police, free speech clashed in St. Paul, with hundreds arrested.

Journalists targeted

Continued from page 1

"Democracy Now!" host Amy Goodman, arrested during a Labor Day protest and charged with misdemeanor obstruction of justice, joined in delivering the petitions to Coleman's office.

Goodman said police "grabbed me through the police line, they twisted my hands behind my back, they forcibly put on the rigid plastic handcuffs that dug into my wrist, they put me up against the wall and pushed me down."

"I repeatedly said, 'We are

accredited journalists. Look, you can see our credentials.' Whereupon, secret service came over and ripped my credentials off my neck."

Goodman demanded that the charges against "Democracy Now!" producers and all other journalists be dropped. "Put simply, we should be able to put things on the record without getting a record," she said.

Moore is editor of *The Union Advocate*, official publication of the St. Paul Regional Labor Federation



Stress-Telegram?

KPFK/Pacifica Radio's Leilani Albano, at left, interviews Press Telegram city hall reporter Paul Eakins (center) and community activist and Long Beach resident Ken Scherer (right) at a Solidarity Rally Aug. 28 in support of P-T workers. Carrying a rally sign behind Paul is Bianca Roman, field deputy for Long Beach Vice Mayor Bonnie Lowenthal. Contract negoti-

ations between the Southern California Media Guild and the MediaNews-owned daily have foundered over several issues, notably including management efforts to include outsourcing language in any new agreement. The union's community outreach has brought an outpouring of support, including letters to management from local political leaders expressing concern about the declining coverage of local events because of layoffs and other cutbacks.

Death of a thousand cuts

Continued from page 1

earlier, and hinted that more layoffs may be in store if the buyout offer doesn't attract enough takers. McClatchy also froze pay nationwide for all of its non-unionized employees as of—poetically—Labor Day.

Other Guild-represented newspapers undergoing more blood-letting include the St. Louis Post-Dispatch, which said it will cut another 18 jobs. The Chicago Sun-Times has been in discussions with the Guild about more cuts on top of the 29 announced early this year. The Buffalo News has offered buyouts to approximately 10% of its workforce, although not to the newsroom or outside advertising reps. And the Indianapolis Star laid off 23 employees as part of parent Gannett's decision to cut 1,000 jobs nationwide, or approximately 3% of its workforce.

Individual newsroom employees at the Philadelphia Inquirer and News have been approached by managers asking them to consider accepting voluntary layoffs, even though Guild members voted 197-79 to postpone by one year a \$25 weekly raise that had been scheduled to kick in. Guild officials said they did not know how many more employees will be cut, or when, but were heartened by rumors that the next round of blood-letting may target more newsroom managers and fewer reporters.

At the Milwaukee Journal Sentinel, newsroom staff accounted for 24 of 46 voluntary buyouts in August, followed by layoffs of an additional 22 non-unionized employees. Among the casualties were Amy Rinard, who took a buyout and thereby became the shortest tenured of any Milwaukee Guild president, relinquishing her position after just 10 months—and three major downsizings at the paper. She has been succeeded by Greg Pearson, former first vice president.

The Milwaukee job cuts were typical in that they came in tandem with yet another report of weak financial results, in this case led by a 25.5% plunge in classified ad revenues. Parent company Journal Communications reported that its publishing revenue fell 9.5% in July compared with the same month a year

SIGNPOSTS

Alimentary, dear reader

There can be no clearer description of where the craft is going than the following excerpt from a letter to the editor at *Business Week*, written by Gary Weitman, senior vice president for corporate relations at Tribune Co.:

"We're building a streamlined, single-technology platform. It will ingest and process audio, video, photos, text, graphics, and other content and process it for dissemination to TV stations, printing plants, Web sites, PDAs, cell phones, and other devices."

Oh, crap.

earlier, a trend echoed by virtually every publisher.

Two developments in particular have been causing consternation, starting with an apparent acceleration in revenue drop-offs this summer. Gannett, for example, which reported a monthly 11% year-over-year decline in non-broadcast ad revenue through the first five months of the year, said the declines widened to 16.3% in June and 16.7% in July. McClatchy, reporting an average 15.4% decline each month earlier this year, said the drop increased to more than 19% in both June and July. A comparable swoon at the New York Times saw 18% declines in June and July after 10% drops earlier in the year.

The Newspaper Association of America figures for the first

six months of the year indicate that ad spending in newspapers is now at its lowest level in a dozen years and heading downward at an increasing clip. But those figures also include a second red flag: the sales plunge this year includes the newspaper industry's first-ever decline in internet ad sales.

Long viewed as the industry's ultimate saving grace, offline sales revenue actually slipped 2.3% in the second quarter, to \$776.6 million, and diluted first-half gains to such an extent that the overall increase was a modest \$35 million over the previous year. As a lifeline, in other words, internet ad sales suddenly look remarkably fragile.

The ongoing drumbeat of negative news took a predictable toll on credit ratings and stock prices. Fitch pushed its rating on Tribune Co. debt further into junk status Aug. 22, dropping it two notches to "CCC" from "B-." on concern about the revenue declines. The "CCC" rating, it explained, means "default is a real possibility." Morningstar, meanwhile, issued a report headlined "The Market's Most Overvalued Stocks," listing Gannett, the New York Times, Lee Enterprises, McClatchy and Gatehouse Media as trading at "significant premiums to our fair value estimates." Translation: these stocks "have further room to fall."

The devil's in Dover, and newsrooms, too

By Lauri Lebo

During the Democratic Convention last month, a group of newspaper journalists gathered one morning at an informal breakfast to find out what Jon Stewart had to say about the state of media today.

By all accounts, they listened intently as Stewart discussed the problems with what passes for political coverage. At one point, when one journalist tried to make a joke about the insular nature of the press, Stewart chided, "Why do I take this more seriously than you do?"

In other words, a group of nationally prominent journalists asked Stewart, a comedian, what he thinks should be done to save print journalism—and scribbled notes when he told them. That's quite astounding, when you think about it. As Dennis DiClaudio, a blogger for Comedy Central, reported:

"The antidote," Stewart responded, "is to push back. The antidote is to create filters to remove the muck from the information fish tank, so we can clearly see what's truth and what's political spin. Take the ball away from the cable news networks and do what they're being paid to do. 'You're not on anyone's team. You're on our team, clearing our tanks.'"

Then again, maybe it's not that astounding.

As everyone reading this knows all too well, the past couple of years we have witnessed something of a bloodbath in journalism. Layoffs and buyouts and cutbacks have decimated newsrooms, even as editors have been instructed to wring more out of their reporters. Ad revenues are plummeting and readership is dropping and every insider I know is talking about the death of print media.

We are desperate. So desperate that prominent journalists will gather in the morning to hang onto the words of a comedian as he tells them what they have to do to save journalism.

We will now consider anything.

Well, almost anything. There is one idea that has gone woefully ignored.

As the late-great Molly Ivins said in 2006, "I don't so much mind that newspapers are dying—it's watching them commit suicide that pisses me off."

In the face of cutbacks and talk of citizen journalism (translation: free writers) we have become fearful. The industry, guided by short-term profits, has become reactionary.

The sad reality is that a culture of fear has replaced relevant journalism in newsrooms across the country. Nowhere is this sentiment

more pervasive than at hometown newspapers, where a few canceled subscriptions add up quickly because of their smaller circulation base. In York, we reporters had a phrase for it: Edit by panic.

Fearing accusations of liberal bias, we have become timid about reporting hard news, all too often merely parroting the remarks of both sides even when it's apparent that one side is lying.

Editors are even willing to trample on our civic obligations in a mad quest to head off accusations of perceived bias. At several newsrooms

across the country this spring, journalists were instructed not to vote, to not take part in the democratic process. It's important to note that those newsrooms with strong union shops were able to fight off such attacks on our civil liberties.

Meanwhile, Media News' Dean Singleton, the owner of my former newspaper, the York Daily Record, says we're whining. He says this even as my colleagues at my old newspaper are still working without a contract and have not received a pay raise in more than four years.

This culture of fear is what may be at the heart of newspaper journalism's struggle. I believe it was certainly the case at the York Daily Record, where I was a reporter covering the first constitutional test of intelligent design—the concept that life's complexity demands a guiding hand.

Molly Ivins's point, however, was that this is precisely the time *not* to be fearful. This is the time for our greatest journalism. Now, when so much is at stake, is our time for relevance.

As the Daily Record's education reporter, I reported extensively on Dover, Pa.'s landmark battle over the question of whether intelligent design belonged in science class, to be

taught alongside evolution. For six weeks, in the fall of 2005, a national spotlight shone on Dover as the media descended on our trial.

It had become woefully apparent by then that while the theory of evolution is all but universally accepted by the scientific community, intelligent design was a sham propped up by the lies of local officials and its national proponents.

Nonetheless, editors fearing reprisal from fundamentalist readers urged me to be less assertive in my coverage. I was reminded, frequently, of the importance of being "fair and

balanced," even after it was clear that there was nothing balanced about this debate. During the trial, intelligent design was revealed as nothing but revamped creationism, which the U.S. Supreme Court in 1987 had struck down as constitutionally impermissible as a curriculum for public school science class. As Judge John E. Jones III concluded in his ruling, "It is our view that a reasonable, objective observer would, after reviewing both the voluminous record in this case, and our narrative, reach the inescapable conclusion that ID is an interesting theological argument, but that it is not science."

But a federal court's conclusions weren't enough to stop an editor from trying to force me, on deadline one night, to change a story to make it more favorable to the pro-intelligent design side.

After the trial, I was invited to speak at "Evolution 2006," a conference hosted by Stony Brook University's Department of Ecology and Evolution. Organizers asked me to speak of my coverage of the Dover trial at a symposium that included one of Dover's plaintiffs, the plaintiffs' attorneys and the trial's science experts.

It was not an unusual invitation. Journalists frequently give speeches about their coverage to different organizations. But when editors learned of the invitation, they told me that

I was not permitted to participate. Despite months of coverage in which I wrote of the vacuity of intelligent design, my editors feared I might come across—as one editor put it—as "pro-evolution."

I stood up to them, writing a letter (subsequently published in the Guild Reporter) about why they had no right to dictate my freedom of speech. Eventually, the editors backed down and I gave my talk.

Later, when I approached my editor, Jim McClure, to tell him I had landed a book deal with The New Press to write about the trial, I thought he would be happy for me. But McClure said he was decidedly unhappy. Writing books about stories we have covered may be okay for big-city newspapers, he told me, but in small towns, where we have to live, it's a bad idea. He feared my book would have "a point of view."

And just what might happen if journalism developed a point of view? One reached through painstaking research and countless hours of sifting through the evidence, trying to get beyond superficially "balanced" coverage to something approaching actual truth? The horror! What might follow? Relevance?

As I watch the carnage taking place in the nation's newsrooms and among my former colleagues, I am reminded of what Walter Williams, the founder of the Missouri School of Journalism, wrote a century ago in the Journalist's Creed. His words remain one of the strongest summations of the guiding principles of our craft, beginning with the simple declarative sentence: "I believe in the profession of journalism."

"I believe that the public journal is a public trust; that all connected with it are, to the full measure of their responsibility, trustees for the public; that acceptance of a lesser service than the public service is betrayal of this trust."

Williams also wrote, "I believe that a journalist should write only what he holds in his heart to be true."

This is what we haven't tried.

I can't help thinking that if newspapers really are dying, let's go down fighting. Let's print what we know to be true.

For what it's worth, I think Jon Stewart might agree with me.

Lauri Lebo had to leave her job as a newspaper reporter in order to write "Devil in Dover: An Insider's Story of Dogma v. Darwin in Small-Town America," (The New Press, 2008) in which she analyzes the myth of fair-and-balanced journalism.



Who will demand Zell be held accountable?

By Gary Dretzka

When, late last year, the FCC approved generous cross-ownership "reforms," it couldn't possibly have known how Sam Zell would use them to eliminate thousands of American jobs—from printer to publisher—and eviscerate major newspapers in Illinois, California, Florida, Connecticut, Pennsylvania and Maryland. Years ago, the previous Tribune regime flaunted existing guidelines by slurping up Times-Mirror, assuming the Republican majority would rubber-stamp the deal and grandfather-in the ownership of new properties. It also assumed correctly that the Bush administration would go along with any relaxation of guidelines.

The fly in the ointment was revealed when the FCC reforms were dealt a setback in federal courts, and the proposals were sent back to the commission for a rewrite. Hearings were held, but the fix was in. It would cost the company several million more dollars in lobbying efforts and bribes,

but as long as the Republicans controlled the FCC, the money was well spent.

The new provisions were approved in time for the closing of the Tribune/Zell deal. Some politicians and watchdog groups have promised to push for another run through the courts, but the slaughter already has begun. If Barack Obama were to win the election, it would take months before he could focus his attention on the FCC.

Yes, Tribune was given a grace period to test the bizarre formula that would require it to eliminate cross-ownership in mid-market cities. By the time a Democrat-controlled FCC might be able to staunch the bleeding, however, Zell may already have leveled Tribune Tower and the Times Building and replaced them with trailer parks—a business he actually knows how to run.

Still, hasn't Zell already done enough damage to pique the curiosity, at least, of liberals in Congress? We're talking about hundreds of jobs being eliminated, with the promise that even less news will be conveyed to citizens. Because the majority of

those laid-off will be over the age of 45, and thus practically unemployable, taxpayers will be forced to foot the bill for lost jobs and benefit packages.

If he is further allowed to suck the pension fund dry, taxpayers also will be required to provide the money for the journalists' federally-insured nest eggs. Having avoided paying taxes on his transactions, it isn't likely Zell would be required to invest any more money than the average panhandler to resolve the mess.

The trickle-down effect on vendors in related businesses has yet to be felt, but that, too, will hurt. Even if Tribune's non-existent internet strategy proved to be successful, it would take years before the revenue flow satisfied the owners. By that time, as well, the carnage will have moved in the direction of Tribune's broadcast interests, which aren't exactly going gangbusters, either.

Call me Pollyanna, but it seems logical that elected representatives in the most deeply impacted states and counties would want to know how one man's greed could be allowed

to cause such economic havoc. Never mind the harm done to journalistic tradition and the necessity to maintain an informed citizenry.

At what point should tax-sheltered tycoons—even those who aspire to leadership in the Malibu branch of the Hell's Angels—be held accountable for their decisions? Has any reporter bothered to ask our presidential candidates what their feelings are on the current FCC and its role in promoting mass unemployment of journalists? I thought not.

It's way past time we gave a wake-up call to our elected officials. Debating joblessness and the dismantling of the Fourth Estate may not be as sexy as grilling Sammy Sosa and Jose Canseco on steroid use, or loudly condemning video-game violence after a deranged gamer shoots up a high school, but the panelists could count on plenty of coverage from what remains of the press corps.

Dretzka is a former editor and writer for the Tribune in Chicago and Los Angeles and currently freelances from the West Coast.



LOOKING AHEAD

Bad times bring out Guild's best

By Carol Rothman, Secretary-Treasurer

This is a tough time to work in the news industry. It's a tough time to bargain with overextended owners feeling the effects of increased costs and diminished revenues. It's a tough time to be the union's new secretary-treasurer, trying to match resources to revenue.

But nothing says tough times more than this: in 1984, the Guild employed 11 sector representatives (plus three in Canada who covered some U.S. assignments) and seven headquarters staffers to organize, negotiate and deliver our programs and member services. Today we respond to almost as many members with seven U.S. sector reps in the field and four staffers in Washington. And our support staff numbers have seen a similar decline.

We're trying to present our financial situation in the plainest of terms. Over the next few months in different venues, the Sector Executive Council, the staff, and the district councils will each have a chance to meet face to face. Wherever we gather, the discussion must focus on making the best of these tough times. And part of that discussion must be what we are willing to do, what we can afford to do, and how we can accomplish what must be done.

During the fall round of district council meetings, we expect to get our healthy locals initiative back on track. More than a headquarters review of how locals measure

up, this has to be a bottom-up report from locals. It needs to showcase each local's best practices and successes in governance, mobilization, bargaining and service, but it also should reflect how it's dealing with these tough times. We need a complete picture and the frankest exchange of information. We're hoping to elicit maximum response, so we're tailoring approaches to stay within any local's comfort level.

This will provide a substantial background. But dealing with tough times also requires an ongoing plan, and any plan will involve real change from what we're used to. Our Guild-wide plan will be determined at the proposed "future of the industry" summit early next year. Every session this fall should contribute in some way toward building that agenda. We need to offer our experienced leaders who attend the summit the very best approach to bargaining a future, and organizing one as well. Our media industry deserves a future, and our workers do as well.

These definitely are not the best of times. They're probably not the worst of times. But tough times can bring out the best in the Guild. How we respond to the challenge now may very well determine our chance for a future. Will it be one where quality journalism is rewarded? Or will it be the lowest common denominator, masquerading as news and information? That's our choice.

Surprise! Breaking up is all too easy

By Jennie Tunkieicz

Dear Newspaper Industry:

We've had a long relationship that at one time was good for both of us, but I'm leaving you. And you need to know: It's not me, it's you. You've changed.

When we were first together, you cared about what I did and that allowed me to flourish. I didn't mind the long nights at the computer screen or at meetings, rallies or events because I knew you cared enough to give the story the space it deserved. You believed in me and what we were together. I willingly worked the overtime and you paid me for it because you wanted the news in the paper. You needed me then—we needed each other—and I felt loved.

But, well... you got greedy. You wanted more. More stories, different stories, stories online, photos, video, more of my time. I gave and gave. And you took back. You took back my overtime pay. You took back health care benefits. You cut back page space. You took back and took back until there was so little left. You even wanted my job security so that you could cast me aside like an old used rag whenever it was convenient for you.

Let's be honest—you left me first. You thought you didn't need me anymore because you have the internet, a sultry mistress. But, without people like me, she will

have little to give. She'll be empty.

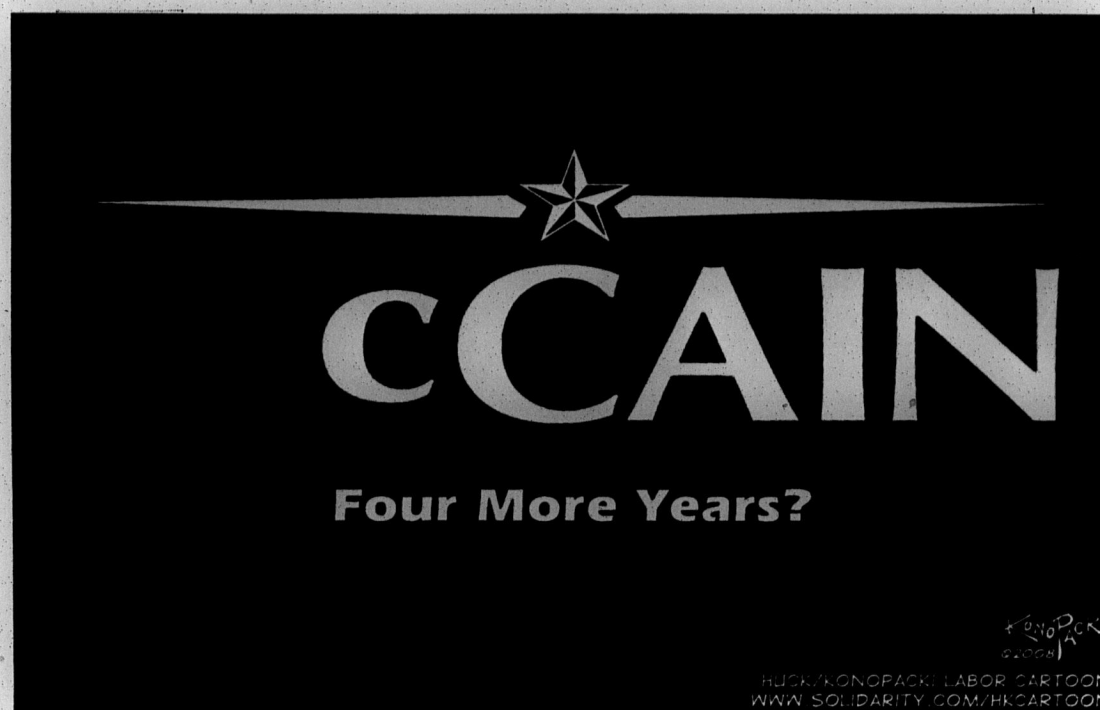
Please realize what you have with all the others who are still with you. They continue to give, but you have to start to love them back. This can't be all about you. You need them, too. Pay them what they deserve, reward them for their new training and the extra time it takes to do these new tasks. Treat them with dignity and respect.

I really do hope you can change. Democracy needs the press. The world needs its watchdogs: You need good, happy and healthy reporters, copy editors, online staff, editorial assistants, photographers, designers and the rest. Don't let them slip away as a result of your Wall Street-driven self-indulgence.

The reality is that you just don't know who you are anymore. You're more concerned about your profit margin than providing news to readers. And I just can't live that way, so I had to break up with you. I've found a new love. That doesn't mean that there won't be a place in my heart for you anymore—I will always love you for what you used to be.

Goodbye,
Jennie

Tunkieicz, past president of the Milwaukee and Kenosha locals, resigned in May to work for the new Kenosha County Executive.



Labor Day compliment

By Tony Winton
News Media Guild

Things to remember on Labor Day:

In the non-union world, there is no contract. Every aspect of your employment—pay, vacation, schedules, hours, medical—can be changed at whim unilaterally by the employer. You are an "employee at will."

Our Guild contract is a written, binding agreement. It changes over the years—mostly for the better, sometimes not—but it always is a binding legal document that members vote on.

In the non-union world, a worker can be fired at any time for any reason—or no reason. Our Guild contract requires that the employer show "just cause" for a dismissal.

In the non-union world, there is no access to employer information to intelligently bargain terms. Our Guild contract and federal law give us the right to information. Knowledge is power.

In the non-union world, there is no right to call in a representative if you find yourself in an investigatory interview about your job performance. Our Guild makes sure—through co-worker representatives—that staffers have this critical protection.

In the non-union world, enforcing safety, overtime, and discrimination laws often

would require you to hire a lawyer. Our Guild provides representation, and legal services where needed, to help enforce these laws.

This is just to gently say that our contract is a document that we sometimes take for granted. It's the result of 50 years of shared work by all the members of this union. It is a collective document and a collective achievement. Where it is strong, it is your strength that helped make it that way. Where it is not, it is your membership and involvement that will improve it.

There's a saying in the labor movement that "you should never thank workers for helping themselves." It may seem counterintuitive at first. But it's another way of saying the union is not a utility like the phone or power company that you pay a fee for. It is an organization, a movement, where people unite for the common purpose of improving wages and working conditions, and where each assumes personal responsibility to help it happen through collective action. The Guild's contract is earned by you, not the Guild office, its leaders, or its officers.

So this Labor Day, I won't thank you for being a member of the Guild. You should thank yourself! I instead compliment you on achieving, with your co-workers, the contract terms you enjoy—and encourage you to keep rockin'!

LETTERS TO THE EDITOR

To the Editor:

That was a highly interesting page 1 story in the July 18 issue reporting on the TNG-CWA Equity conference, held June 22 in conjunction with this year's CWA convention and attended by "more than 50 Guild activists." It reminded me of the first such meetings held by the Guild some 38 years ago, at the direction of the 1970 Guild Convention.

First, there was a TNG Women's Conference, held Nov. 20-22 in Chicago. Participants numbered 117 Guild members and leaders from 34 locals throughout the United States and Canada. That was followed by a TNG Minorities Conference, held April 2-4, 1971, in New York City. There were 74 members and leaders from 26 U.S. and Canadian local unions in attendance.

If my memory serves me correctly, no other national or international union to that point had held conferences devoted to job equity for women and minorities.

—Jim Cesnik, retired,
Twin Cities Newspaper Guild

[Editor's note: Cesnik was editor of The Guild Reporter for 20 years, starting in 1973.]

To the Editor:

It's harder than ever to get something for nothing these days—unless you are an education journalist. As the public editor for the National Education Writers Association, I'm available to help anyone working on stories about schools and children, for free, whether or not they are members.

This is a new experiment in journalism: a sort of editor-at-large, with none of the baggage of dealing with your actual editor. I can point you to sources on deadline, help you evaluate academic research, talk through a project idea, and more. Since February, I've helped almost 100 journalists, who have sought sources, story ideas, data, pep talks, and even portfolio critiques.

I have been involved in covering schools since 1997, first as a staff writer for The Washington Post, then as a book author, and now as the EWA public editor. I have lots of resources and am happy to share them. If you are an education reporter, or just find yourself assigned to write about schools here or there, feel free to call (410-539-2464) or e-mail (lperlstein@ewa.org).

—Linda Perlstein

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 all copy: Wednesday before publication.
(Next deadline: October 15.)

HUMAN RIGHTS WATCH

At UNITY 2008, a sense of foreboding

By Vernon Clark
Philadelphia Newspaper Guild

It was a much awaited gathering when approximately 6,000 minority journalists assembled in Chicago in late July for UNITY 2008.

There were the traditional career workshops, luncheons, dinners, and of course parties. It was an opportunity to reconnect with old friends and colleagues, meet new people and examine new and innovative approaches to the great craft of journalism. Topping it all off was a visit by Sen. Barack Obama.

Yet underneath all the activities of this quadrennial convention, at the massive and

sparkling McCormick Place West, the Field Museum and other Windy City venues, there was an obvious sense of foreboding, particularly among newspaper journalists.

The theme for the fourth national conference of UNITY—an alliance of the Asian American Journalists Association, National Association of Black Journalists, National Association of Hispanic Journalists and the Native American Journalists Association—was “A New Journalism for a Changing World.”

Among the many newspaper reporters and editors in attendance, it was obvious that the world was changing career-wise. One telling change was in the number of people who have given up on careers in newspa-

pers. I encountered many old friends with whom I had worked over the years, now employed as college instructors, internet specialists, spokesmen for politicians and nonprofit institutions. In some cases they were moving on to better things, but in a lot of instances they were just moving on, the jetsam of industry retrenchment, the victims of layoffs and the recipients of buyouts.

An old college classmate, who has had a long career as a copy editor at the Chicago Tribune, lamented that because of looming layoffs his future at this great paper was in jeopardy. Others talked of the anticipated cutbacks at their newspapers, from the Los Angeles Times to the Boston Globe. Amid all of this, at my paper, the

Philadelphia Inquirer, there were worries about pending layoffs that, as of this writing, have yet to be made. Several of my Inquirer colleagues asked me about rumors of newsroom cutbacks.

The leaders of the various associations all spoke of cutbacks as a threat to newsroom diversity, which has taken decades to achieve. At a luncheon of the National Association of Black Journalists, Barbara Ciara, president of the organization, noted the widespread cuts and cautioned the print media not to drop their commitment to diversity, noting that her organization and others would be keeping a close watch.

Her comments drew resounding applause.

New(s) reality: a bankruptcy primer

Acknowledging the harsh realities confronting the newspaper industry, a 15-page legal memo has been sent to all Guild locals with advice on how to deal with bankrupt employers.

“Faced with staggering debt loads and plummeting stock values, several Guild employers may soon file for Chapter 11 bankruptcy protection,” advises the memo, prepared by TNG-CWA attorney Barbara Camens. Such filings “may cause fear and confusion at the workplace,” it adds, placing a premium on reliable and timely information that can demystify the process.

Although the memo is too lengthy to summarize here, some key points covering the early stages of bankruptcy filings follow.

An overview

Chapter 11 bankruptcy is a process that favors debtors over creditors so a business may continue functioning while it restructures its contractual and financial obligations. An employer filing for Chapter 11 is the debtor; a union whose members have a contract with that employer becomes one of several creditors.

Once a Chapter 11 petition is filed, creditors must stop pursuing claims directly against the debtor

and instead file them with the bankruptcy court. In court, the debtor will file a reorganization plan that must be approved by various classes of creditors, as well as by the court; this plan may include partial or non-payment of some debt.

Of most importance to Guild locals is a debtor’s right, during these proceedings, to reject any “executory” contract—that is, a contract under which future services are owed. Put another way, Section 1113 of the Bankruptcy Code lays out circumstances under which a newspaper may abandon its collective bargaining agreement with the Guild, providing the bankruptcy court agrees.

If the court approves such a rejection, the employer may unilaterally impose economic concessions, consistent with bargaining proposals it has made to the Guild during the bankruptcy proceeding. But the employer must bargain in good faith with the Guild for a successor contract, and the Guild may use traditional economic weapons, including its right to strike.

Before the bomb

In most cases, the employer and the union will attempt to negotiate a new contract before the formal Section 1113 process is invoked. Locals should keep in

mind that an employer’s pleas of financial distress open the door to Guild demands for information about the company’s business affairs, which it must provide as part of its duty to bargain in good faith.

If, on reviewing such financial information, a Guild local agrees to concessions in an effort to avert a Chapter 11 filing, it should demand protection for its collective bargaining agreement in case a bankruptcy petition is filed anyway. The best strategy to accomplish this is a demand that the employer sign a Section 1113 “waiver agreement,” sometimes also known as a forbearance letter. Although there is no guarantee a bankruptcy court will fully honor the waiver, most courts will give it significant weight.

Examples of Section 1113 waivers may be obtained from TNG-CWA headquarters.

Locals may find it difficult to undertake preemptive concessionary bargaining, but can gain unique benefits in exchange for giving up some contractual benefits. Among the potential gains: no-layoff guarantees, employee receipt of company stock, company board representation or neutrality clauses for future organizing.

Securing monies owed

If concessionary bargaining fails to prevent a Chapter 11 filing, the company’s first order of business will be to secure sufficient financing to pay for the goods and services it needs to continue operating. These essential services include the work performed by

Guild members. Therefore, employees are generally assured of being paid for the work they do after the Chapter 11 filing.

A Chapter 11 debtor is prohibited from paying debts owed prior to the filing—except when the debt is for goods or services critical to the employer’s continued operation. Because employee services are critical, Guild locals might succeed in demanding—as a condition of continued work—that the employer pay any pre-petition monies owed to employees or the Guild, such as delinquent dues check-offs or delinquent contributions to benefit funds like a 401(k) plan.

Locals with an employer filing for Chapter 11 therefore should quickly determine whether the company is in arrears on its obligations, and if so, consult with TNG-CWA headquarters on strategies to recover the amounts owed.

Other early steps

Within 15 days of filing for bankruptcy, an employer must provide the court with a list of creditors, a schedule of assets and liabilities, a schedule of current income and a statement of financial affairs. The affected local should immediately obtain copies of these documents from the court,

which in some jurisdictions are available online and in others will require payment of a minimal copying charge. The local should also request that it be added to the “service list” to ensure receipt of other pleadings in the case.

The local also should consider seeking appointment to the creditors committee, which is appointed immediately after Chapter 11 has been filed. The committee’s role is to ensure that creditors’ interests are fully and fairly represented. Serving on the committee provides an insider’s perspective on the proceedings, maximizes the union’s opportunity to influence the proceedings and provides access—safeguarded by rules of confidentiality—to a great deal of financial and organizational information.

Although the committee usually consists of the seven largest unsecured creditors, a local that does not rank as one of the largest creditors nevertheless may gain a committee appointment. It should attempt to do so by submitting a written request to the U.S. trustee assigned to the case, asserting all claims owed on behalf of represented employees.

TNG-CWA headquarters can assist in drafting such letters.

FROM THE MORGUE

Seventy years ago this month:

Arguing that editorial workers are “professionals” because “reporters sometimes go to college,” U.S. publishers push to exempt reporters from the new wage-hour law and its overtime provisions. . . . A six-day strike at newspaper-owned radio station WTCN wins the first Guild contract in the Twin Cities of St. Paul and Minneapolis. . . . More than 100 Guild members join nearly 90,000 unionists in a record-breaking Labor Day parade in San Francisco, while a 10-foot-high replica of The Guild Reporter adorns a float in the Sioux City Labor Day parade.

Fifty years ago this month:

A placement committee created by the New Orleans Guild finds new jobs for 260 of the 425 employees thrown out of work when the New Orleans Item is merged with the Times-Picayune and New Orleans States. . . . Delegates to the 100th convention of the International Typographers Union set a goal of negotiating 30-hour work weeks into their contracts. . . . A strike at the Brantford Expositor is the first Guild walkout at a Canadian general circulation newspaper.

Twenty-five years ago this month:

A U.S. District Court judge orders the Seattle Times to arbitrate a Guild grievance that its code of ethics conflicts with a contract provision regarding outside activities. . . . The AFL-CIO names Capital Cities Communications as one of the five most anti-union companies in the U.S., along with Fabergé, Indiana Desk Co., Litton Industries and Procter & Gamble.

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DAYBOOK

Fall Executive Council Meeting,
Sept. 24-26, Cleveland

Western District Council,
Oct. 17-19, Bakersfield, Cal.

Canadian Rep. Council,
Oct. 24-25, Kingston, Ont.

New England District Council,
Nov. 1, Quincy, Mass.

Mid-Atlantic, Southern councils,
Nov. 8-9, Albany, NY

Great Lakes, Midwest councils,
Nov. 15-16, Detroit