

THE OFFICE WORKER

Official Organ of the Office Employees International Union of the A. F. of L.

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17

BARGAIN IN GOOD FAITH, A-C. TOLD

Washington.—Insistence upon bargaining about conditions other than employment conditions may not be persisted in as a condition of bargaining about terms of employment. NLRB Trial Examiner Charles W. Schneider so rules in his Intermediate Report just issued in the unfair labor practice case brought by OEIU Local 19 at Toledo against the Allis-Chalmers Manufacturing Company. This large company is engaged in manufacturing and selling general machinery and farm equipment and operates 10 manufacturing plants as well as 100 district and branch offices for the sale and service of its products.

OEIU Local 19 organized the clerical employees at the company's Toledo branch office and obtained certified bargaining rights through an NLRB consent election in November, 1950. The union persistently endeavored to negotiate a satisfactory collective bargaining agreement but reached a hopeless deadlock this spring when the company refused to withdraw several proposals which it insisted be a part of any agreement reached. These proposed clauses dealt with matters not properly within the purview of collective bargaining on wages, hours and employment conditions. The company insisted, for example, upon a clause providing that a strike vote of the employees must be taken by a majority of all the employees in the bargaining unit, including any who were not

(Continued on page 4)

CURTISS-WRIGHT

Paterson, N. J.—The approximately 600 office and clerical employees of the Curtiss-Wright Corporation's Propeller Division in Caldwell, N. J., and its Electronics Division in Carlstadt, N. J., are voting this month in NLRB representation elections which should bring them the benefits of OEIU collective bargaining.

The International Association of Machinists, AFL, has represented the production workers at these plants for several years, and only recently won an NLRB representation election among a unit of technical employees of the company's Propeller Division.

Signing New OEIU Pact



Bridgeport, Conn.—Representatives of the management of Jenkins Bros. and OEIU Local 123 of this city are shown signing a new two-year contract at the close of negotiations. Left to right, seated, are: Alfred J. Hardley, company president; Charles J. McNamara, local president; and Raymond Grant, local trustee. Standing, same order: T. Henry Morgan, general superintendent; William K. Mulvihill, personnel director; Helen Gavlik and William Domonkos, union committee members; Thomas Kelleher, employment manager; and William J. Ruane, union chief steward. Features of new contract include modified union shop, fourteen paid holidays during the two-year period, vacations annually of one week after six months, two weeks after one year, and three weeks after fifteen years, a 3.9 per cent general increase plus 1.1 per cent for reclassifications, and increased insurance benefits paid for by the company.

Large-Scale Office Unionization Is Coming, Management Told

New York City.—At the American Management Association conference held last month in this city, C. Wright Mills, Associate Professor of Sociology, Columbia University, said that office unionization on a significant scale is only a question of time—and of greater and more intelligent effort by unions.

The white collar class, Mills reported, has undergone drastic changes since 1900. He cited the following major trends as having made for a decline in the prestige and security of white-collar people:

1. White-collar types of work are now less similar to those of the old entrepreneurial middle class than they were before. Work places have grown so large that white-collar workers cannot borrow prestige from the boss so easily as they once could. Nor, because of the increased impersonality of much of their work routine, can they borrow it so easily from "the management," "the firm," or the "esteemed customer."

2. The skills white-collar workers practice are not so various as

they were nor do they permit the degree of autonomy they once did. Moreover, white-collar employees no longer have a virtual monopoly of high school education; in many cases their jobs do not require much formal education.

3. White-collar employees have lost the prestige they once enjoyed by virtue of their representing a higher proportion of "native whites of native parents." With the decline of immigration, wage workers are rapidly rising into this category.

4. In the meantime, especially in the last decade, the average income of white-collar workers has become only slightly above—and in several important cases lower than—the average income of various wage-working groups. In 1890, in contrast, white-collar people on the average made about twice as much as wage-earners.

5. White-collar people are no longer so immune to the threat of unemployment, relative to wage workers. As mechanization of the

(Continued on page 4)

BARGAINING UNIT FIGHT WON BY OEIU

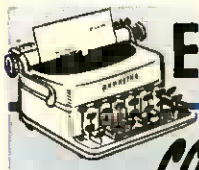
Pocatello, Idaho—Despite the contention of Montgomery Ward & Company and a local union of the Retail Clerks International Association, AFL, that the office clerical bargaining unit sought by OEIU Local 228 at the company's branch in this city was inappropriate and that the appropriate unit should include all selling and non-selling employees of the store, the National Labor Relations Board found that the office clerical employees constituted an appropriate unit and ordered a representation election among these employees.

The NLRB finding was made despite the showing in the record that there was some contact between these employees and the sales employees and customers, that there had been some permanent transfers between office clerical and sales employees, that during rush periods office clericals and sales employees assisted each other, that all employees in the store report for work at the same time each morning, punch the same time clock, work the same number of hours each week, enjoy the same privileges, are subject to substantially the same conditions of employment and are under the general supervision of the store manager and assistant manager who do all the hiring, promoting and discharging in the store.

However, the record also showed that the office clerical employees are classified and perform functions generally typical of office clerical employees in the operations of a retail department store. They work in sections of the store physically separated from the sales department. Like other non-selling employees, the office clerical employees are paid on a different basis from the sales employees and receive merit increases computed on a different basis. The Board found no controlling history of collective bargaining in this store.

On the basis of these facts and in view of the Board's recognition that office clerical employees in department stores have interests which are distinct from those of other employees and the fact that they may be established in separate bargaining units, absent a bargaining history on a broader basis, the Board found that office clerical employees of this store constituted a separate appropriate bargaining unit and ordered the representation election requested by OEIU Local 228.

The OEIU won this election by a substantial margin.



Editorial COMMENTS

Bank Clerical Testing

According to a recent article of the National Industrial Conference Board (an employers' research organization) there is an approximate 25 per cent annual turnover among the messengers, clerks, machine operators and stenographers in the 15,000 banks in the United States. These classifications constitute a large majority of the estimated 440,000 employees.

Apparently the banking industry, through the American Bankers' Association, has become concerned over the high labor turnover among bank employees, and a special committee of that Association has now come up with a series of new tests and a test administration plan, which it claims should lead to a reduction in the large turnover through an improved selection and placement of bank clerks.

If the banking industry is truly interested in reducing its employee turnover, the first thing for it to do something about is its inadequate salary structures. In the past, banks have been able to hold their personnel largely through the "prestige" of working for a large, responsible banking institution. The so called "prestige" attached to bank employment does not help the bank worker to meet the higher costs of his rent, his groceries, and all of the other basic day-to-day living expenses. Competent and skilled office machine operators, stenographers or clerks can no longer afford the luxury of bank employment when they can receive substantially more for the use of their skills in the offices of other industries.

Then, too, there is the question of the attitude of this industry toward employee organization. The banking industry is one of the last wholly unorganized industries in the United States. This does not mean that bank clerks have not shown interest in the possibility of improving their conditions of employment through organization. It does mean that the banks have vigorously and consistently fought any and all efforts of their employees to improve their conditions through collective bargaining.

When the banking industry awakes to the fact that it must develop and maintain attractive and equitable salary schedules, giving adequate reward in salary for the skills required of its employees, and when the banking industry ceases its vigorous efforts to suppress the legitimate desires of its employees to organize and bargain collectively on their terms and conditions of employment, then the troublesome problem of bank employee turnover will be well on the road toward solution.

**SIGN UP THAT
NON
MEMBER!**

Something Unreasonable Here



Reprinted from *Machinists Monthly Journal*

OEIU and Workers' Education

By IRVINE L. H. KERRISON

New Brunswick, N. J.—Toward the end of World War II, beginning in 1944, colleges and universities in this country showed a renewed interest in workers' education.

State legislatures began to give substantial grants to a number of industrial relations and labor-management institutes established at state colleges and state universities, which, as part of their function, were to carry on programs of workers' education. Private institutions, both religious and non-sectarian, to a lesser degree began to finance workers' education activities.

This increased college and university participation is the most striking development in workers' education in this country in recent years. In a few cases, at the University of Michigan for example, institutions of higher learning entered the field to operate programs geared solely to trade union needs. In other cases, workers' education activity exists within the broader framework of an industrial relations center or institute. The result has been that college and university programs for workers today are addressed to all levels of the union hierarchy and include on-campus undergraduate work, extension classes, seminars and conferences, research and the preparation of materials.

In New Jersey, the Office Employees International Union has taken full advantage of the work-education programs offered through the State University. Un-

der the capable direction of Vice President Edward P. Springman and with the assistance of President Paul R. Hutchings and Secretary-Treasurer J. Howard Hicks, New Jersey OEIU locals have helped develop an increasingly fruitful union-university partnership in education with the Rutgers Institute of Management and Labor Relations.

Over the past three years, the union-university efforts have resulted in annual one-day conferences for New Jersey OEIU local unions at which were discussed "Developing Union Leadership," "White Collar Wages," and "Developing and Maintaining an Active Union." one-day conferences for the OEIU's System Council of Office Employees Unions relating to "Contract Analysis" and "Negotiation Techniques," six-session classes as requested by certain New Jersey OEIU local unions on "Steward Training," "Public Speaking and Parliamentary Procedure," "Handling Grievances" and "Collective Bargaining," as well as filmstrip discussions on "How to Handle a Grievance" and "Collective Bargaining."

Rutgers-OEIU cooperation in education illustrates the fact that New Jersey's State University and other colleges and universities with similar philosophies have been able to achieve close working relationships with unions because they look upon workers' education as a specialized type of adult education conducted for a relatively homogeneous segment of society. They

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believe that effective workers' education helps the worker become a better individual, a contributing member of his union group and a participating citizen in his community. They base all their work with unions on three operating principles:

1. Every activity planned jointly by the union and the university.
2. Every activity designed to deal with individual problems of union groups requesting service.
3. Close cooperation with the labor movement maintained through union advisory committee members and regular consultation with national, regional, and state union education directors and department.

Colleges and universities now successfully working with the labor movement in the United States have come to the realization that what organized labor does or fails to do today may well decide the nature of tomorrow, for organized labor is one of the few bulwarks, and perhaps strongest of the few, against a violent dropping of the iron curtain on modern civilization. Because a broadly educated labor movement is an essential social institution in a time when democracy and totalitarianism are struggling for control of the world, these institutions of higher learning consider expanded workers' education programs necessary if they are to fill properly their community role.

Dr. Kerrison is Chairman, Labor Program, Rutgers University's Institute of Management and Labor Relations and a member of the Board of Directors and Chairman, Operating Committee, Inter-University Labor Education Committee.

Read Your Union Paper

"Were it not for the labor press, the labor movement would not be what it is today, and any man who tries to injure a labor paper is a traitor to the cause."

SAMUEL GOMPERS,
Founder and First President,
American Federation of Labor.



Food Hints

To minimize the shrinkage of beef, cook at low to moderate temperature all or most of the cooking time. Be sure that you don't over-cook.

Bologna can usually be kept safely in a home refrigerator for about a week but it will keep better if it is unsliced. Slime and off-odors are signs of spoilage.

It is frequently economical to buy produce of less than top quality, but you won't save money if the amount of waste offsets the reduction.

When buying sweet potatoes, avoid a mixture of varieties. This is undesirable because of the difference in flavor and color of the flesh, and because of the lack of uniformity in cooking.

Housekeeping Tips

If you can't remove white water rings from waxed furniture with polish, try placing a clean, thick blotter over the rings and pressing with a warm (not hot) iron. Repeat this two or three times until the rings are removed.

Apply a coating of paste wax to your door locks to prevent them from sticking in the winter. Waxing them will also protect them against corrosion.

Dishwashing

Dishwashing is a hated drudgery, but important. A recent study of home practices showed that it was not unusual to detect on plates that had been washed and rinsed that the original bacteria had multiplied four, five, and even six times.

Authorities recommend the rinsing of soiled plates and utensils thoroughly before washing, then washing them in hot, soapy water—as hot as the hands can stand, and after washing, rinsing with boiling water in generous quantities. A quick swish-off under the tap or in water in a pan is not sufficient.

Butter-Oleo Battle

The butter-oleomargarine fight may enter a new field. It once was between the dairy industry and vegetable oil processors on the products themselves. Now it's in the frozen-dessert field.

The undisputed champion of the field has been ice cream made from butterfat. Now comes cheap vegetable oils to replace expensive butterfat.

Legally the new frozen dessert has no official acceptance. The Food and Drug Administration will not allow its makers to use the name "ice cream" and its movement in interstate commerce is forbidden. Also, many states have stringent laws against the use of "foreign" oils in ice cream.

Even so, the new frozen dessert has the advantage of price. With butterfat selling at from four to five times the price of fully processed cottonseed and soybean oils, the price differential is too enticing to pass up.

OEIU Leaders at AFL Conclave



New York City.—OEIU officers at the 71st convention of the American Federation of Labor held in this city listen attentively to the proceedings. From left to right: Howard Coughlin, vice president; Paul R. Hutchings, president, and J. Howard Hicks, secretary-treasurer.

'Over 40, and Looking for a Job'

Washington.—"Over 40, and Looking for a Job," is the title of a leaflet issued by the U. S. Department of Labor Women's Bureau. It advises them not to be apologetic about their age, but to concentrate on such advantages as dependability, accuracy, good judgment, and willingness to take responsibility.

The leaflet advises women to prepare for the job, if they seek one after 40, due to family or other reasons.

Adequate training is first, it says. "This means up-to-date training, not what you learned in World War II or earlier." In most communities, the leaflet points out, trade or high schools offer training in such courses as quantity food preparation and serving, practical nursing, dressmaking and alterations, interior decorating, cleaning and dyeing.

It also suggests that women select a field open to women of their age. For instance, department stores have traditionally hired women over 40 as sales clerks, adjustment clerks, comparative shoppers or wrapping desk clerks. Hospitals employ them as nurses' aides and hotels use their services in housekeeping departments. Real estate offices, restaurants, and factories also hire such women. Still other women in the 40-plus group find jobs as house mothers in girls' schools or children's institutions or as resident managers in apartment houses.

Less favorable to women over 40 is the clerical field.

On seeking jobs, women over 40 are advised to use the public em-

ployment office and its counseling facilities; the placement bureau of their trade union; professional associations or colleges; the local newspaper, including not only the "Help Wanted" ads but announcements of opening of new factories, branch banks, and other enterprises.

If you want a copy of this study, write to the Women's Bureau of the U. S. Department of Labor, Washington 25, D. C., and ask for Women's Bureau Leaflet 13 entitled "Over Forty and Looking for a Job."

Terrific Boosts In Rent Reported

Washington.—Rent increases as high as 200 per cent have been reported to the Office of Rent Stabilization since rent controls died in 900 towns and cities September 30. Stabilization officials said the lower income families were hit hardest by the boosts, "as always." The percentage increase for them was largest, officials said, because they were "the least able to pay" and there is a severe shortage of low-rent housing.

The rent control office told of a Detroit woman who wrote that her rent rose from \$48.75 a month to \$80.

Rents in New Orleans were jacked up as much as 100 and 200 per cent. Some Philadelphia suburban rents rose 50 per cent.

The 900 communities that decontrolled rents contain 2 million rental units housing 6.6 million persons. Fifteen hundred communities voted to continue rent ceilings until May. Rent stabilizers said 36 of the country's 51 cities of more than 100,000 population continued controls, as did 78 of the 116 cities with a 50,000-100,000 population.

Among major cities in which rent controls died were Detroit, Atlanta, New Orleans, Toledo, Des Moines, Denver, Seattle, Akron, and Kansas City.

Thanksgiving is the holiday of peace, the celebration of work and the simple life . . . a true folk-festival that speaks the poetry of the turn of the seasons, the beauty of seedtime and harvest, the ripe product of the year—and the deep, deep connection of all these things with God.—David Grayson.



Handbilling—A union organizer was ordered to cease using plant property for distributing handbills at the exit to employes' parking lot and to leave the parking lot. The next day the company distributed handbills and an unmarked sample ballot at the same place. The NLRB declares the "company's conduct amounted to discriminatory use of the employer's time and property."—*J. J. Newberry Co. (100 NLRB No. 189).*

Electioneering—In *Moyer & Pratt, Inc. (100 NLRB No. 190)*, the Board decides that a union official in speaking to employes who were on their way to vote during an NLRB election did not interfere with the election. Its conclusion rests on the facts that (1) no claim was made that he made any coercive statements or willfully violated instructions of the Board agent, (2) he was stationed in his car on a highway 125 feet from the polling place, and (3) his proximity to the private path used by employes did not involve inescapable personal contact with them.

Picketing—The Virginia Supreme Court of Appeals reverses a lower court's contrary ruling and allows peaceful picketing of a furniture store on which non-union painters were working. The picket sign stated that the painting was unfair to union painters. Although the picketing delayed painting of the store and caused it to change its reopening date, the court supports the union's efforts to organize the non-union painters as an "exercise of constitutional right of freedom of speech."—*Painters Union v. Rountree Corp.*

Contract Signing—A union contended that a contract was not effective because it was not signed by a duly authorized officer or agent of the Union, nor was it ratified by the union or by its Executive Committee, as required by the Constitution and By-Laws; however, a representative of the local, who was also a member of the Executive Committee, had signed the contract, even though he had been dropped from the negotiating committee. The company asserted that it had no reason to distrust the representative inasmuch as he had signed the original letter requesting negotiations, had been a member of the negotiating committee, and had signed at least one contract in the past on behalf of the union. The NLRB Regional Director refused to issue a complaint and its General Counsel sustains him, concluding that the representative had apparent authority to execute the contract on behalf of the union, and the company's reliance on such authority is not an unfair labor practice. He further found that, although the representative was removed from the negotiating committee, the company was not informed of this fact by the union and any limitation, therefore, on his authority was unknown to the company.—*NLRB General Counsel Case No. 407.*

WANT OEIU

Buffalo, N. Y.—A formal NLRB hearing is being held this month on a representation petition filed by OEIU Local 212 on behalf of the approximately 125 employes of the Curtiss-Wright Corporation (Metal Processing Division) of this city.

A substantial majority of these employes have signified their desire for the benefits obtainable through collective bargaining by designating the local union as their bargaining representative.



Hotels—Hotel Touraine, Local 212, Buffalo, N. Y., \$2.50 to \$5.50 per week.

Printing—H. Wm. Pollack Poster Print, Inc., Local 212, Buffalo, N. Y., 10 cents per hour.

Wilson H. Lee Co., Local 287, New Haven, Conn., \$3.50 and \$4 per week.

Periodicals—American News Co. (Home Branch), Local 153, New York City, \$4 per week.

Asbestos and Magnesia Products—Keasbey and Mattison Co., Local 13, St. Louis, Mo., 9 cents per hour.

Plant Construction—Herlihy Mid-Continent Construction Co. at Erie, Mich., Local 19, Toledo, Ohio, 12 cents per hour retroactive to June, plus back pay for overtime of \$350 to \$550 for each employe.

Stone and Webster Engineering Corp. at the Monsanto Chemical Co. in Texas City, Tex., Local 27, Galveston, Tex., 7½ cents per hour.

Beverages—Canada Dry Beverage Co., Local 153, New York City, 10 per cent minimum (some employes receiving in excess of \$11.04 per week as result of new classification system and rate ranges), plus 10 per cent on anniversary date of agreement.

Variety Stores—J. J. Newberry Co., Local 153, New York City, \$2.50 per week.

Taxicabs—Yellow Cab, Inc., Local 5, Denver, Colo., 20 cents per hour.

Breweries—Galveston-Houston Breweries, Inc., Local 27, Galveston, Tex., 11 cents per hour.

Bus Transportation—Tami Miami Trail Tours, Inc., Local 73, Jacksonville, Fla., 10 cents per hour.

Heating Equipment—Kalamazoo Stove & Furnace Co., Local 206, Kalamazoo, Mich., 5.29 per cent plus 1 cent per hour (average of 8 cents per hour).

Boilers & Tank Hulls—Fitzgibbons Boiler Co., Inc., Local 125, Oswego, N. Y., 9 cents per hour, plus average of 2½ cents per hour for job revaluation.

Insurance—Workmen's Mutual Fire Insurance Society, Local 153, New York City, \$2.80 per week.

Mailing Service—R. L. Polk & Co., Local 70, Trenton, N. J., 5 cents per hour plus additional 5 to 15 cents per hour reclassification increases for some employes.

Wholesale Hardware—Standard Equipment & Supply Corp., Local 138, Gary, Ind., 10 cents per hour.

Paper Mills—Abitibi Power & Paper Co., Ltd.; (Local 151, Iroquois Falls, Ont.; Local 161, Smooth Rock Falls, Ont.; Local 214, Sault Ste. Marie, Ont.; Local 236, Port Arthur, Ont.; and Local 282, Sturgeon Falls, Ont.); Manitoba Paper Co., Ltd., Local 216, Pine Falls, Manitoba; Ste. Anne Paper Co., Ltd., Local 191, Beaufort, Quebec; Marathon Paper Mills of Canada, Ltd., Local 219, Marathon, Ont.; \$7 per month retroactive to May and \$7 per month effective in November.

Kimberly-Clark Corp. of Canada, Ltd., and Spruce Falls Power &

NOTES

from the field

Alabama—Definite interest in the benefits to be gained by collective bargaining is evidenced by the substantial number of authorization cards turned in to Birmingham Local 18 from among the approximately 60 office and clerical employes at a second branch of the U. S. Pipe and Foundry Company in the Birmingham area, the local union already has an agreement covering the clerical employes of this company at its Bessemer operations.

British Columbia—Vancouver Local 15 has been certified as the bargaining representative of the office and clerical employes of the Finning Tractor & Equipment Company and of the H. J. Heinz Company, the total number of employes represented will be about 100.

California—San Francisco Local 36 has organized the office and clerical employes of the Hampton Carpet Company, Kahn and Keville (a Goodyear Tire distributor), and the Berkshire Knitting Mills.

The Tanner Motor Livery has agreed to extend the collective bargaining agreement in effect between Los Angeles Local 30 and the firm's Pasadena Branch so as to include the recently organized office and clerical employes at its Glendale Branch.

Colorado—Recent organization by Denver Local 5 and successful completion of negotiations for an initial contract for the nearly 20 office and clerical employes of Fred Mueller, Inc. (manufacturers of saddles, riding equipment and other leather goods) has resulted in increase of from 10 to 30 cents per hour, other gains including paid vacations, time and one-half over

Large-Scale Unionization

(Continued from page 1)

office proceeds—and it has only begun, Mills pointed out—and as white-collar jobs become more routine, office workers will be subject to the same threats as wage workers. And, he said, they know it.

6. Wage workers now have won many of the side benefits that formerly gave white-collar employment an advantage, for example, sick leave, income security, paid vacations, pleasanter working conditions. In some cases wage-earners have received even more of that sort of benefit than have many white-collar groups.

The great question which we are going to be facing in the next 10 or 15 years, Mills concluded, is whether unionization as we know it will solve the problem of work incentive for white-collar people as well as for wage-earners.

Paper Co., Ltd., Local 166, Kapuskasing, Ont., \$14 per month retroactive to August.

8 hours per day and 40 hours per week, sick leave, additional holiday, increase in rest periods, etc.

Louisiana—The office and clerical employes of Newberry's will be voting in another NLRB representation election to determine whether or not Lake Charles, Local 87 shall be their bargaining representative, a previous election was set aside by the Board. This local also expects to conclude its negotiations for an initial agreement with The Fair, Inc. in the very near future.

Massachusetts—The office and clerical employes of All States Freight, Inc. in Medford are voting this month in an NLRB representation election as a result of a petition filed by Boston Local 6.

New York—The McCall Telephone Secretarial Service has recognized Buffalo Local 212 as the bargaining representative of its office and clerical employes and negotiations for a contract were started late last month.

An overwhelming favorable vote in an NLRB election by the office and clerical employes of the American Bridge Company has resulted in the certification of Elmira Local 137 as their bargaining representative.

New York City Local 153 has organized the cashiers of Hans Jaeger Restaurant, Avenue Restaurant, Phil Gluckstern's Restaurant, Terminal Cafeteria, Briggs Bar and Gertner's restaurant, the last three are already receiving the benefits of a collective bargaining agreement negotiated for them by the local. In addition, the union has organized the Barbour, Russell, Martinique and Sherry-Netherlands hotels.

Ohio—Toledo Local 19 has been designated as their bargaining representative by a unit of employes of the Lownsbury Chevrolet Company. Recognition has been requested of the company and an NLRB representation petition filed on their behalf by the local union.

Ontario—Nearly all of the office and clerical employes in the general offices of the McKellar General Hospital in Fort William have designated our Local 81 as their bargaining representative and the local is moving to secure bargaining rights with this employer.

Oregon—A 100 per cent favorable vote in an NLRB representation election has resulted in the certification of Portland Local 11 as the bargaining representative of the office and clerical employes of Western Cooperage, Inc.

Texas—A strong desire for the benefits of collective bargaining which can be secured through the OEIU by the office and clerical employes of the Lone Star Ordnance Company in Texarkana is evidenced by the definite interest and delegations of bargaining authority being signed by these employes.

Bargain in Good Faith

(Continued from page 1)

members of the union, and that such strike vote must be under the supervision of some outside tribunal. The company also insisted on the inclusion of a clause that any agreement reached must be ratified by a majority vote of all employes in the bargaining unit, including non-members of the local union.

Local 19 vigorously objected to such clauses as being contrary to its constitution and by-laws and the constitution of our International Union and as an attempt on the part of the company to guarantee participation of non-members in the internal affairs of the union. The local union filed charges with the NLRB claiming that the company was refusing to bargain in good faith. The company attempted to justify its position by pointing out that it had clauses of a similar type in its existing agreements with the United Automobile Workers, CIO and with a number of other unions.

The Trial Examiner points out that such clauses would constitute a limitation of normal union rights, including its right to strike and its right to prescribe its own lawful rules. He points out that if an employer can compel bargaining on issues dealing with the representative authority and on the internal affairs of the union, the union would necessarily be equally free to do the same with the company and that it was not proper to initiate such intrusion by employers and unions into each others internal operations and authority.

He found that the clauses proposed by the company for inclusion in any agreement reached did not involve conditions of employment and were not matters upon which the company could insist as a condition of agreement. He found that such activities of the company constituted a refusal to bargain in good faith with the union and recommended that the company cease and desist insisting on the inclusion of such clauses or any other provisions not involving conditions of employment and that it bargain collectively with the union with respect to rates of pay, wages, hours of employment, and other conditions of employment and if agreement is reached, that it embody such understanding in a signed agreement.

The Trial Examiner's report is in the form of recommendations to the Board. He has recommended that unless the company complies with his recommendations within 20 days, the Board order it to take such action. There is no question but that the company will take exceptions to the Trial Examiner's report and that it also will be prepared to litigate any adverse Board decision which it may receive.

