Lawyers Conduct Intensive Briefing at Open Meetings

An intensive 2-day session, designed to help the International and its local affiliates live in conformance with the new labor law that admittedly makes life more complicated for labor unions, was held in Miami in December.

Conducting the important briefing sessions were Joseph E. Finley and Walter Colleran, the OEU's general counsel and associate general counsel, respectively. President Howard Coughlin, who had only recently returned from Cologne, Germany, where he served as a U. S. delegate to the ILO's Advisory Committee on Salaried Employees and Professional Workers, chaired the Miami meeting.

Because many provisions of the new Reporting and Disclosure Act are in some cases ambiguous and in others await court interpretations, the attorneys could not always give explicit answers to questions raised by delegates. However, at the end of the 2-day meeting those in attendance were able to comprehend the bill in its main outlines, and did receive advice and counsel on many specific and intricate points. (The full text of the act was printed in the October issue of "The White Collar.")

Pattern for the sessions was for Finley and Colleran to discuss individual sections of the law alternately, and then to open a question and answer period. The searching questions asked by the delegates indicated their intense preoccupation with the bill's many ramifications.

The attorneys, while stressing the severe penalties that apply in some instances for failure to comply with provisions of the bill, noted that the violations had to be "willful" before the penalties were applied.

General Counsel Finley opened the meeting with a talk on Title VII of the Act, dealing with amendments to the Taft-Hartley law. He observed that some past uncertainty in the law had been cleared up; and that Congress had spanked the NLRB by upsetting one of its impor-
Support March of Dimes!

TO ALL LOCAL UNIONS OF THE OFFICE EMPLOYEES INTERNATIONAL UNION

Greetings:
The 1960 March of Dimes leads the National Foundation into the most ambitious program ever undertaken by a voluntary health organization.

This program to prevent crippling diseases is a cause to which organized labor can lend its full support. With the knowledge that it has much to give and much to gain.

The problem of birth defects alone presents a problem of interest to everyone: Medical surveys show that one out of every 16 American babies is born defective.

You can help us. You can do something to stop it by supporting the Labor Service Division of the March of Dimes.

Fraternally,
Howard Coughlin,
President
Office Employees International Union

(Note: All Local Unions are requested to select a Chairman for March of Dimes collections and send all contributions to Mr. James Herkenham, National Labor Division of the March of Dimes, 800 Second Avenue, New York 17, N.Y., in order that the members of organized labor are given credit for their contributions.)

Renegotiate With Scott Paper Company

WATERVILLE, ME: Local 260 reports the renegotiation of their agreement with the Scott Paper Company pointing out that the new agreement provides a general wage increase of 7c per hour, 3% weeks' vacation after 10 years of service; improved procedure for representing seniority in layoffs; 4 hours pay for change of shift; and, provision for higher pay when employees fill in on higher rated jobs during vacation periods.

A former requirement of 1200 hours of work to qualify for vacation privileges before an employee had reached 11 years seniority has been amended so that only employees with less than 4 years seniority will be required to meet the qualification of 1200 hours worked.

The white collar

NLRB Reverses Recommendation of Regional Director in Polk Case

As a result of a decision and direction of election by the National Labor Relations Board on May 14, 1959, an election was held on June 12, 1959 among the employees of R. L. Polk Company in Cincinnati, Ohio. Out of 800 eligible voters, 639 voted and cast a majority of ballots for the Office Employees International Union.

Following this election, the employer filed objections to the conduct of the election. The objections were based on the claim that the literature distributed by the OEU during the election period containing material misrepresentations as to wages and fringe benefits received by other employees and statements or offers covered by an agreement.

The employer further objected on the basis that the timing of the distribution of this literature made it impossible for the company to reply.

Upon investigation of the objections, the Regional Director found that the company circulated literature claiming that all employees were entitled to a paid holiday. The OEU claimed 8 paid holidays.

The 8 paid holidays referred to by the company were the first, second, third and fourth of the previous month, New Year's Eve and Christmas Eve.

The Regional Director concluded that there was a substantial and material issue of fact relating to the conduct of the election based on his findings that the objections were sustained and an election be ordered.

When the OEU received this information, General Counsel Finley filed a brief with the National Board in Washington pointing out the appropriate precedent cases that the Board had decided under similar circumstances.

The Board, after considering the findings of the Regional Director and examining the briefs of the company and the OEU, handed down a decision which stated that the Board did not agree with the Regional Director's findings and overruled the objections, the employer objecting to the election, stating: "As a tally of ballots shows that the petitioner received a majority of the valid ballots, we shall certify the petitioners as the collective bargaining representatives of the employer.

Therefore, on November 17th, the OEU was certified as the exclusive representative of the employees of the R. L. Polk Company in Cincinnati.

Immediately upon receiving the certification, the OEU representatives notified the company that we wished to negotiate a contract and that we would make contract proposals to the company.

It is anticipated that a contract will be negotiated in the near future.

Urging S. F. Registration

Whitehead participation by members of Local No. 5, San Francisco, has contributed to success secured by the Western Labor Council Committee on Political Education (COPE). Shown above are Mary Lee Wards, President of San Francisco Labor Council, Delegate to State Convention; Labor Council Secretary, Delegate to the 22nd Assembly Committee on Political Education.

Front left, Mr. and Mrs. Al Wunderlich, Delegate to the 22nd Assembly Committee on Political Education.

As a result of this election, the Board has agreed to make effective, as of November 1, 1959 a 6c per hour increase across-the-board, and an improvement in the contract where it provides for a leave of absence in the case of death of a member of the immediate family.

Sign in Chattanooga

Chattanooga, Tenn.: Local 179 has announced the renewal of their contract with the McKesson Robins Company.

The new two-year agreement provided for improvements in hospitalization, surgical and life insurance and an improved vacation program.

Contract Extended

The present contract between the Wurtzler Company and OEU's Local 212, Buffalo, N.Y., has been extended to November 30, 1960. As a result of this extension, the company has agreed to make effective November 1, 1959 a 6c per hour increase across-the-board, and an improvement in the contract where it provides for a leave of absence in the case of death of a member of the immediate family.

November Jobless "Up by 398,000"

The nation's unemployed rolls swelled by 398,000 over the month to a total 3,670,000 of mid-November, according to the Labor Dept.'s monthly report on the job situation.

The nonfarm unemployed last month was the second highest for November since World War II. It was exceeded only by the 3.8 million of last year. It contrasts with only 2.6 million jobless in the pre-recession November of 1956.

The total jobless will rise to about 4.25 million early in 1960, estimated Seymour Wolflein, deputy assistant secretary of commerce and manpower.

This is the unemployment, adjusted for seasonal variations, to 5.6 percent from the 6 percent of October, the report said. This also in the jobless rate was attributed in part to the "smaller-than-usual" number of women and teenagers entering the work force in search of pre-Christmas work. Total employment dropped by 1.2 million between October and November, to 63,640,000, the report noted also.

Wolflein said the two major influences behind the November figures were the "cross-current effects of the street strike" and the twin seasonal movements of a downturn in construction and an increase in holiday trade.

Southeastern Conference Holds Atlanta Meeting

The Southeastern Organizational Conference recently held its semi-annual meeting at the Dilater Place Hotel in Atlanta, Ga. During the meeting there was an extended session devoted to discussion of the recently enacted Labor-Management Reporting and Disclosure Act of 1959. The Conference voted that future meetings of the Southeastern Organizational Conference be of two day duration.
More Labor Bill Discussions

Season's Greetings
to all our members and friends

Once again we thank you for your loyalty and friendship and extend our best wishes for a happy Holiday Season. May everything you hope for be yours in the year ahead.

Howard Coughlin, President
J. Howard Hicks, Secretary-Treasurer
Henderson Douglas, Director of Organization

Edward Beaurpere
Nicholas Juliano
J. O. Bloodworth
John B. Kinutck
J. E. Corum
Max J. Xug
John T. Sunerty
Edward Y. Springman
George P. Firth
Leo J. Wallace
A. J. Fritz
Frank E. Morton

William A. Lowe

Provisions of the new labor law were the subject of discussion at a recent meeting in Washington at which Stuart Rothman, left, general counsel of the National Labor Relations Board, was the speaker. Talking over a point with him are Joseph Finley, OEIU general counsel, and Henderson B. Douglas, OEIU Director of Organization.

In front row, seated table, are Vice President Edward P. Springman, Vice President Nicholas Juliano, and Emil Steck, Local 312, Buffalo. Profile of lower right is that of J. Howard Hicks, Intl. Secretary-Treasurer.

Miami Meeting

From left are Emil Steck, Local 312; Tazina T. Dell, Local 18, Detroit; Ethel Sees, Local 128, Miami; and Louise Williams, Local 128, Miami.

ant anti-labor rulings regarding boycotts. The Act seeks to regulate recognition and organizational picketing in three areas.

1. Outlaws picketing by a union for recognition or organization within 12 months after an election has been held.

2. If an employer has a contract or has lawfully recognized another union, there may be no picketing as long as a contract is a bar to an NLRB election.

3. Picketing for recognition or organizational purposes is regulated where there has not been election in the past year and where there is no incumbent union. Picketing may be conducted for 30 days where no election petition has been filed with the NLRB before it becomes an unfair labor practice. But after a month has passed and there has been no election, the union may enjoy your picket line.

Finley noted that primary picketing had been preserved and that "new challenges and new opportunities" were offered the imaginative trade union.

In discussing economic strikes, Attorney Walter Colman noted that primary strikers and primary picketing were lawful.

As to the reporting provisions of the Act, both attorneys placed particular importance to Section 501 which, in addition to declaring that union officers occupy positions of trust, requires that union money must be handled and expended solely for the benefit of the union and its members. Officers may not deal with the union in any adverse capacity, or may not have any "conflict of interest." If it is alleged that any officer or agent of a union has violated any of his fiduciary duties, and the union fails to act to recover damages or sue for an accounting, any member may bring a lawsuit to accomplish these goals.

Asking the question, "As a practical matter, how may you spend union money under this law?" Finley answered, "Any broad trade union purpose, for the general benefit of the membership, is permissible."

Going on to a discussion of Title I, the bill of rights of members of labor organizations, Finley declared, "I am very proud to state, as a lawyer, that the OEIU has never had any trouble, and that Title I is not going to change the international's way of doing business." He cited the International's many "built-in" safeguards for democracy in the local unions.

While criminal penalties in the law do not apply to the Title I sections, unions are subject to civil suit for violations, and members may seek injunctions in federal court.

Title I gives all members equal rights to nominate candidates, vote, attend meetings, and discuss and vote on matters in union meetings, subject to "reasonable rules and regulations." Freedom of speech and assembly is guaranteed, also under reasonable rules. Dues and initiation fees are frozen at present levels, with all increases to be handled under the new law. Members must vote in secret ballot after advertisement by reasonable notice. Union trials are put under stiffer procedural requirements. Written charges, reasonable time to prepare a defense, and a full and fair hearing are required. Copies of collective bargaining contracts must be provided members upon request.

Summarizing discussion of the bill of rights, the attorneys observed that everyone observed, even the most democratic, must be very careful in running its internal affairs. They declared that many portions of the bill of rights are vague, such as "reasonable regulations," "reasonable rules," "full and fair hearing," and predicted there would be some lawsuits against unions as a result. Some observers have predicted that in the first few years, more litigation may come out of the bill of rights provisions than any other portion of the new law.

Members of the International Executive Board, as well as the officers of more than a score of local unions who were present, expressed the view that the intensive briefing sessions would better enable them to fulfill their duties as union officials.

Sign with Utility in East St. Louis

LOCAL, 138 of East St. Louis is continuing the fine program in raising the standard of living for their members by bringing old contracts for organizing new firms and upgrading the working conditions. Shown after they had concluded a one-year renewal agreement with the East St. Louis & Interstate Terminal Car Co. are SEATED (from left) Assistant office manager Stanley Wyler, Local 138 secretary Edward Rez, Gus Rez, Louise Stevens, Ruth Sharp, Mary Allen, and International Union Representative Robert R. "Bob" Babcock, under whose direction the negotiations were conducted. Obtained for the same 36 members employed by this firm was a 10 cent an hour increase, an additional paid holiday on the birthday of a member, improvements in the privilege and arbitration procedure and improved sick leave. In a memorandum, the firm also agreed that when it moves into its new headquarters now under construction, a complete reclassification and job descriptions survey will be made.
from the desk of the

PRESIDENT

HOWARD COUGHLIN

Automation and Office Workers

NOVEMBER 20, 1959—Your President has again been designated as a delegate to the Fifth Session of the Advisory Committee on Salaried Employees and Professional Workers of the International Labor Organization, which will open at Cologne, Germany on Monday, November 23rd. It is expected that this meeting will terminate on December 4, 1959.

For purposes of explanation, it is desirable to note that the International Labor Organization was founded after World War I by the governments of the world for the prime purpose of taking human labor out of competition in world markets. It is intended that wages and working conditions throughout the world should be brought into balance so that competition between nations for world trade would depend on factors other than human labor.

The ILO delegates much of this work to sub-committees known as Advisory Committees. These Committees represent building trades, transportation, maritime and navigation, and numerous others.

Some years ago, recognizing the tremendous growth of the white collar class, the United States set up the Advisory Committee on Salaried Employees and Professional Workers. This Committee met in 1957 and 1954 and at two previous sessions after it was formed. It has performed many useful functions in recommending, through the ILO, to the nations of the world, many changes with respect to minimum wages, hours of work, working conditions, sanitary conditions, etc.

These meetings are tripartite in nature. The countries designated to be represented on the White Collar Committee are entitled to two delegates from the government, two from industry and two from labor. These groups, during the sessions, meet both separately and together. In the plenary sessions, recommendations to the ILO must be adopted by a majority vote of all three groups.

At the meeting to be held at Cologne, the agenda is as follows:

1. General report dealing particularly with (a) action taken in the various countries in the light of the conclusions adopted at previous sessions of the Committee; (b) steps taken by the office to follow up the studies and increases proposed by the Committee; (c) recent events and developments affecting salaried employees and professional workers.

2. Problems of women non-manual workers (white collar).

3. Effects of mechanization and automation in offices.

In previous session, the right of white collar workers to organize was recognized as a doctrine. While this right had already been attained in our country, it was questionable in numerous other countries particularly the under-developed nations. This right to organize as a doctrine not only involved employees in private industry but also extended to civil service employees.

Previous sessions of the Committee had also agreed that collective bargaining is the normal method of fixing the conditions of employment of salaried employees and professional workers. It had also been agreed that collective bargaining should deal not only with matters of remuneration but also conditions of employment and any other matter of procedure which affected the relationship between employers and employees.

The agenda for the coming session is particularly interesting in view of the fact that we in the United States are beginning to feel the effects of automation.

Remington Rand's Univac and the IBM's giant computers are becoming more and more popular in the larger offices of our country. More and more banks are going in for electronic data processing machinery and each week we hear of a new and better computer especially adapted for smaller offices. The impact of this newer equipment will be felt by our white collar staffs in the next few years. The growing number of white collar workers will at least be stemmed if not reversed in the next five years.

Automation, as a subject, for the White Collar Advisory Committee, is timely to say the least.