LBJ Against "Right-to-Work"

President Johnson told labor's leaders today that he stands by the 1964 Democratic Party platform pledge to abolish the Taft-Hartley Act section permitting state right-to-work laws.

AFL-CIO President George Meany disclosed the stand to newsroom after a two-hour and 15-minute session with the President. Press Secretary George Reedy also confirmed it.

Left open was the question whether Johnson will press for repeal of the controversial 149 Taft-Hartley section, which permits states to ban union shop labor contracts, or merely give it token support in the coming session of Congress. Meany and Reedy agreed that no "commitments" were asked during the huddle and no legislative strategy was discussed.

Feelings Made Known
But, Meany emphasized to newsmen, "We certainly let him know how we felt about that very unfair law."

Other topics brought up at today's meeting included unemployment, poverty, excise taxes and automation.

Doctors Reconsidering 5-S Hospital Care

A change in taking place in the way many of the nation's physicians are looking at hospital care for the elderly under social security, according to Dr. Nelson Crulkshank of the AFL-CIO Dept. of Social Security.

The shift is not reflected in the stand of the American Medical Ass'n. (Continued on page 2)

Shorter Workweek Gaining Steadily

"Gradually and steadily" American workers are moving toward a shorter workweek.

The AFL-CIO Dept. of Research reports that 8 million persons presently are on a basic workweek of under 40 hours, while many others have had their working time reduced through longer vacations, more holidays or paid lunch periods.

The department's findings make up the Collective Bargaining Report Feature of the December issue of the American Federationist, the AFL-CIO magazine.

Geographically the Northeast has led the way, with 62 percent of office employees in the region and 11 percent of plant workers on a workweek of less than 40 hours.

Some short workweeks date back to "work-sharing" experiments.

Cleveland Health Foundation Signed

In May, Rep. J. M. Voiris has received recognition for the office clerical and service workers at the Community Health Foundation in Cleveland, Ohio.

The Foundation is a nonprofit organization providing comprehensive medical care on the group plan.

The Foundation is new in the Cleveland area and it is expected that this expanding unit will add in excess of 100 members to the ranks of the OEIU as the plan grows.

This newly organized group will be in Local 17 and negotiations will commence shortly in order to consummate an OEIU collective bargaining agreement.

One-Day Strike Wins At Abercrombie-Fitch

A "goldfish bowl mediation" proved to be the arena of victory for some 260 sales, clerical and service personnel of Abercrombie and Fitch who conducted a one-day strike in protest of reduced commissions resulting from the establishment of an ouroput gift shop.

The new department called the Log Cabin Shop cuts exclusively to women and shows gift items sold elsewhere in the establishment. Salespeople in the shop, which opened Thursday, November 19, were to be paid $700 per week plus a commission of 2 percent.

Local 133 members receive (Continued on page 2)

Clerical Jobs For Women Are Changing

The girl looking for her first job or the housewife returning to the labor force can get a steer in the right direction from a new study, "Clerical Occupations for Women." Today, Tomorrow," just made public by the Women's Bureau of the Labor Department.

The clerical field, it declares, is undergoing "the most significant change since the invention of the office machines" due in part to "automation and other technological trends." The nation gives employment to 10 million clerks, it says, of whom 7 million are women. By 1975 the total is expected to reach 14 million.

The study discusses job opportunities, duties, educational and skill requirements and earnings in 21 occupations, including seven in which two-thirds of the jobs are held by women secretaries, stenographer, bookkeeper, typist, cashier, telephone operator.

In the decade between 1950 and 1960, the median age of the woman clerical worker rose from 30 to 36 years, the study shows. However, it continues, women over 45, and "even some over 50" still find it more difficult to get jobs than younger women although employers "have rated older workers highly in reliability, emotional stability and loyalty to the job."

Any of our readers wishing to obtain a copy of the study should write to Women's Bureau, U. S. Dept. of Labor, Washington 25, D. C.

Meeting in Denver

A Western Educational Conference was held recently in Denver, Colorado.

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Official Publication of the
Office Employees International Union
Senate Ethics

United States Senator Sam J. Ervin, Democrat of North Carolina, argued before the Supreme Court of the United States on behalf of a company which closed one of its plants in order to avoid unionization.

Previously, the National Labor Relations Board had found that the Burlington Manufacturing Company had closed down its mill in Darlington, S.C., after the Textile Workers Union won a representation election. The NLRB found that the motive in the closing had been to discourage union organization, in violation of the Taft-Hartley law's guarantee of the right to organize. The Board ordered the company to give all the Darlington workers back pay until they got other jobs or were put on preferential hiring lists at other plants in the same area.

Senator Ervin began his argument with a statement that he was retained on a regular fee. He declined to state the amount of the fee. He said his retention was out of a business necessity that he saw no conflict of interest in his appearance before the Court.

The Senator's appearance before the U.S. Supreme Court, when he is already on the payroll of the government at $30,000 per year, should result in the scrutiny of those interested in Congressional ethics. The fact that the Senator espouses the closing of a plant, which resulted in the loss of hundreds of jobs, in order to avoid unionization, which is a direct violation of a law passed by the Senate of which he is a member, should cause his colleagues to seriously question the Senator's ethics and motives.

Suggested Aid in White Collar Organizing

Theodore W. Kheel, Executive Director of the American Foundation on Automation and Employment, suggested during a recent conference sponsored by the Organization for Economic Cooperation and Development that special legislation might be desirable to remove impediments to the growth of collective bargaining in the white collar field.

While Mr. Kheel didn't outline any specifically needed legislation, he did point to the shrinking number of people covered by collective bargaining as the unionized blue collar component of the work force shrinks and the white collar component, mostly unorganized, increases.

We could add to Mr. Kheel's statements by stating that white collar workers are more vulnerable to management intimidation and coercion than their blue collar counterparts. Company threats that it will move to another city, captive audiences, and intimidation of key organizers within the bargaining unit are often a few of many management practices designed to block unionization of white collar workers.

We think Congress should investigate the entire area of the rights of white collar workers to organize. We think that this is the workers' business only and should not be cause for interference by management.

If the legal prerogative of management to interfere directly or indirectly in workers' desires for unionization could be eliminated, white collar workers would organize by tens of thousands.

The Shorter Workweek

The AFL-CIO Department of Research reported that eight million workers are on a basic work week of under 40 hours while many others have had their working time reduced through longer vacations, holidays, or paid lunch periods. 62% of office employees in the northeastern part of the country work less than 40 hours per week.

The reduction in working hours is gradually taking place as a result of collective bargaining. It is only a matter of time before the 40-hour work week is outlawed.
Improved National Labour Code Will Spur Provinces

The introduction by the federal government of a National Labour Code should provide significant incentives for raising minimum labour standards across Canada. The federal legislation directly concerns only some 500,000 workers—those engaged in communications, shipping and inter-provincial transportation and other enterprises—but it can have a much wider impact.

Labour legislation is basically a national responsibility under Canada's constitution, yet federal action in this field can help establish regional patterns and guidelines. This is evident from the fact that most basic provincial labour law is modelled upon two federal legislative measures—the Industrial Relations and Disputes Investigation Act and the wartime labour regulations promulgated under P.C. 1953. It is not only in the provinces of regions in recent years have not only done little to raise standards, but have placed restrictive measures on the statute books to the detriment of good labour relations and the welfare of workers.

The establishment of minimum standards of pay, hours of work, and conditions of employment under the new code, should help to secure the rights of the provincial and federal government.

Disatisfaction with the federal provisions left many workers the right collectively to withdraw their labour and to demand reconsideration of the right to withhold employment. But it does too through prescribed rules which make strike or lockout action possible only under certain circumstances. It is by no means correct to assume, as many evidently do, that such economic action may be taken arbitrarily or without regard to law. It is absurd to assume that unions are strike-happy. Only those who have been closely associated with trade union know with what hesitation, reluctance and even trepidation workers usually go about such a course of action.

The strike is an act of last resort and it is well to recognize that fact. Its relative infrequency in light of the thousands of collective agreements which are regularly negotiated and ratified is further evidence of the sense of prudence and responsibility which has guided unions in this respect.

We submit further that most strikes may work a hardship on one or other of the parties involved (which is what is intended) but at most an inconvenience to others. They are as a rule local in effect and limited in their effect. But even where strikes of major significance are concerned, it is debatable whether the public interest is so impelled that a base civil right should be curtailed or eliminated. We say that the strike is not an easy prize to win and to hold and that it may be better to make public hardship on some infrequent occasion than to place so great a restriction on the right of workers to control their own labour.

What are the alternatives to strike action? There are alternatives which, however defective in some respects, has made and continues to make a contribution to industrial peace, but without elimination of strikes. They are compulsory arbitration against the existing practice for the settlement of economic disputes, and the more limited in its intent, the restoration of the place of prudence and responsibility of the whole.

From still another point of view, those experienced in labour-management relations know that most managers do not make an occasion strike in their strike and accept it as an act of industrial life. Good labour-management relations do not necessarily mean an unbroken record of tranquility. The strike serves a purpose in pointing out grievances or in bringing to a head issues which might otherwise be amenable to solution. There are times when friction is better than stagnation.

Totalitarian countries of whatever description all ban strikes. Yet even their despotic rule has failed to keep workers from going on strike when their sense of grievance could no longer be repressed. This has recently been seen in East Germany and apparently even in the Soviet Union. To outlaw strikes is therefore not only unfeasible but impractical. We suggest that from whatever viewpoint it would be counter-productive to try proposals that have been made in this connection.

There is a growing effort to persuade the public that strikes are either illegal or unjustified. We agree on neither score. It might be assumed from the wide discussion of strikes in the press and otherwise that there was a prevalence of strike action simply not the case. The number of strikes and the loss of working days due to strikes in recent years have been modest. It is worth mentioning also that, in the period from 1957 to 1965, the duration in man-days of strikes and lockouts was never higher than just under one-quarter of one per cent of estimated working time. We would argue that occupational accidents and diseases or illness which cause absence from work should provide a much greater cause for public concern than strikes and lockouts, and the same would hold true of unemployment.

Dues in a free society. It is not subject to totalitarian controls. Accordingly, and quite properly, it makes room for the settlement of economic differences between labour and management in ways which provide for freedom of action. It is the right of workers the right collectively to withdraw their labour and to demand reconsideration of the right to withhold employment. The strike is an act of last resort and it is well to recognize that fact. Its relative infrequency in light of the thousands of collective agreements which are regularly negotiated and ratified is further evidence of the sense of prudence and responsibility which has guided unions in this respect.

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The hands of work provision may be referred until July 1966. Double time and a half for work on a statutory holiday.

Memorandum Day and Christmas. The hours of work provision may be referred until July 1966. But the other provisions are scheduled to go into effect on Jan. 1, 1965.

Progress Reported on Certification in British Columbia

Bill Swanson, representing the Office Employees International Union in the Vancouver area, has reported that he is in the process of applying for certification for the office employees employed by CBA Engineering Ltd. The majority of these workers are presently employed as the Columbia River project. While the initial group approximates 50 workers, it is anticipated that this number will increase to 150 by the Spring of 1967.

Brother Swanson also petitioned for certification for the office, clerical and technical employees of the Island Natural Gas Company, Ltd. We are at the present time awaiting a decision re-certification for this unit.

Organizational work is proceeding at Montreal Engineering and Construction in the same area.

B. C. Automation Conference Called

The British Columbia provincial government has called a labor-management conference for next May to discuss the problems of automation.

The theme of the conference will be: "Economic and technological change in the Sixties, its implications for the policies and programs of labor and management."

Labor Minister Peterson said because of rapid technological changes being made today, labor, management and government face serious and perplexing problems in connection with manpower requirements and training and collective bargaining which will have an increasingly sharp impact upon them. (Labor's stand for years has been that plans must be made to meet the challenges of technological changes.)

The planning committee named for the conference is the same one which arranged the 1962 and 1963 conferences on apprenticeship and industrial relations.

Which Loss Is More Serious

"In 1960, close to 30,000,000 man-days of labour were lost through illness in the labour force in Canada. "To compare it to something we hear a lot about, let me tell you that, in the same year, 747,120 man-days of labour were lost through strikes. We were not out of this latter economic basket, but little about the former."—Mr. Justice Emmett Hall to the Thomas More Guild of Toronto. November 11 Becomes Eighth Statutory Holiday

An eighth statutory holiday was added to the national labour code during second reading of the bill in the House of Commons. The addition of Remembrance Day—November 11—was proposed by Stanley Knowles, New Democratic M.P. for Winnipeg North Centre and former CLC officer, during the second reading of the bill. The amendment was supported by all opposition parties, who outvoted the government 49 to 44, in "committee of the whole."

The government bill listed the following statutory holidays: New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving and Christmas, or any day substituted for these seven "general holidays." In introducing the amendment, the M.P. for Winnipeg North Centre stated that the government bill would simply confirm the existing practice for workers under federal jurisdiction.

"We feel that the number of holidays should be increased to nine, but we realize that we may run into difficulty in proposing an amendment increasing the number from seven to nine," Knowles said. "Therefore, in the interest of making a bill by making a reasonable one it will be accepted, we propose that, to the list of holidays, the following be added: Remembrance Day.

Prior to the vote on the amendment, Labour Minister Allen Mather opposed the addition of another holiday, as trespassing on the field reserved to collective bargaining. "If we established eighth statutory holidays, we would be legislating in this respect for 46% of the work force under federal jurisdiction," he said. "By establishing seven statutory holidays, we will affect directly at least 10% of the work force under our jurisdiction."

"When you combine the action we are taking on holidays with minimum wages, with vacations with pay and hours of work, as a total package, we are asking the federal government under our jurisdiction to take, it would be unreasonable to expect at this time," the Labour Minister said.
from the desk of the

PRESIDENT

Important Subcontracting Decision

The Supreme Court of the United States recently ruled that a company must bargain with the Union representing its employees before contracting out work they have been performing. The case presented to the Supreme Court was one involving the United Steelworkers of America and the Fibreboard Paper Products Corporation.

The company had subcontracted work on one of the most important labor cases presented to it this year, the high Court issued a unanimous opinion. The case involved the maintenance at the company's Emeryville, California, plant. The work had been performed by Union members. At the expiration of a contract in 1959, the company, cutting costs, contracted out the work to an independent maintenance company.

Originally, in 1961, the National Labor Relations Board ruled Fibreboard was not obligated to bargain about its decision to contract out. In 1962, however, a new Board appointed by President Kennedy reconsidered and stated the company did have a duty to bargain. The company lost an appeal presented to the U.S. Court of Appeals and, subsequently, appealed to the Supreme Court. The company contended that the NLRB ruling was an unwarranted intrusion on management's rights.

Chief Justice Earl Warren, in writing the opinion for the eight Justices, said: "The company's decision to contract out the maintenance work did not alter the company's basic operation. The company merely replaced existing employees with those of an independent contractor to do the work under similar conditions of employment. Therefore, to require the employee to bargain about the matter would not significantly abridge his freedom to manage his business." Chief Justice Warren added: "Because the contracting out was prompted by cost cutting desires, the Union should have at least been given an opportunity to discuss achieving similar economies using regular employees."

The Fibreboard Paper Products Corporation must reinstate the Union maintenance workers with back pay.

This is a historic decision which will influence collective bargaining in the United States. Until the Supreme Court issued this decision, there were a series of conflicting opinions rendered by numerous Federal Courts throughout the Nation. The Office Employes International Union has been discussing this problem at Educational Conferences for the past several years. We have been advising our Local Unions to protect our bargaining rights but insist that a company must bargain before subcontracting our work. This decision will be of great importance to OEU Local Unions facing this problem both now and in the future.

Recently, IBM offered a new service which will enable 40 different companies to use the same IBM model computer simultaneously through equipment situated on their own premises. The computer will be in IBM's data processing center.

Each user will communicate with it through an IBM Model 1050 installation in his office or laboratory. Each Model 1050 will be linked to the central computer by telephone wire. The central computer working on a time sharing principal can switch back and forth among the problems submitted by the various users. Thus, each user will get the same effect as if he alone were using the computer.

The prices announced by IBM called for $325 per month for 25 hours of monthly usage or 75 hours of monthly usage at a monthly rate of $760.00. In both cases, reduced rates for additional usage are available. The 1050 data communications system rents for $128 a month.

It is apparent, therefore, that the means of subcontracting work performed by OEU members is now at the disposal of firms under contract to the OEU. It is also apparent that OEU Local Unions must assert their legal rights granted to them in the U.S. Supreme Court decision involving subcontracting and insist that companies must bargain before subcontracting work performed by workers in the bargaining unit.

As recently stated by a Union attorney: "Unilateral power to subcontract is the power to destroy. Our consent to subcontract is essential to the Union's survival."

Southwest Educational Conference

A successful Conference was held last month at the Rice Hotel in Houston, Texas.

NASA Security Contractor Signs Agreement With OEU Local 129

M & T Company affixed its signature to a collective bargaining pact. Standing: Mike Rucker, Internat. Rep. Seated (left to right): Alice Herring, Business Agent, Local 129; Paul Hills, Company Project Manager; Pat Higgins, Company employee. Not pictured: Frank E. Morton, Internat. V. P.

OEIU Local 129 recently ratified its first agreement with the M & T Company (NASA Security Contractor), Clear Lake City, Texas, by a unanimous vote. The benefits contained in the contract are as follows:

1. An average of forty-five cents (45c) per hour wage increase during the first year of the agreement. Employees presently employed at the starting rate will reach the maximum within a year and a half. The agreement will run for two years and four months, expiration date April 1, 1967.

2. Thirteen (13) days per year sick leave, cumulative up to thirty (30) days, with female employees having the right to take accrued sick leave pay for maternity leave up to fifteen days.

3. Maternity leave, jury leave with pay, and personal leave.

4. Three-day maximum funeral leave with pay.

5. Unit-wide seniority with job posting and job bidding.

6. Irrevocable check-off.

7. Proviso for shift differentials of eight (8c) and twelve (12c) cents if company requires shifts.

NEWS from the FIELD . . .

Local 29 seems to be gathering all the Bakery unit that is needed to the field. They have won a card check conducted by the State-Conciliation Service at the Langendorf United Bakeries, Inc. for a group of 19.

J. O. Bloodworth and Bus. Agent H. H. Robins of Local 204 in Pascagoula, Miss., have filed a representation application at the Ingalls Shipbuilding Corporation for 45 warehouse clerks.

Local 42 in Detroit has an almost 100% sign-up at the Tek-ni-kal Employees Credit Union involving 13 people.

Meanwhile in snowy Kenosha, Wisconsin, Art Lewandowski has filed a group of about 65 at the Tri-Clover Division of the Ladish Corporation. Art has just won an election involving a small group at Big Joe Mfg. Co. I guess they manufacture Little Joes.

Truth Publishing Contract Signed

The first agreement between the Truth Publishing Company and Local 325, Fort Wayne was signed by the parties last month. Pictured at the table are Allen H. Swartzell, Assistant Publisher for the Company and John W. Richards, International Representative for the Union. Standing are (left to right): Thomas F. Willey, chairman of the unit committee, and Committee Members Joe Barnes and Lloyd D. Korves. The company publishes two daily newspapers, the Elkhart (Indiana) Truth and The Mishawaka (Indiana) Times.