

WHITE COLLAR

Office and Professional Employees International Union, AFL-CIO and CLC

*Kennedy's
Living Words*

—page 4

No. 244

June, 1966

17

Union Wins at Universal Life Despite Firm's Obstructionism



Employees of Universal Life rejoice after winning representation by OPEIU Local 367.

The employees of the Universal Life Insurance Company in Memphis, Tennessee have taken out fair treatment insurance by joining OPEIU Local 367.

The some 100 workers voted to join the ranks of organized white collar employees in an election conducted by the National Labor Relations Board on May 2.

The climax of a highly successful organizing effort, the victory signifies the end of a long period of exploitation of the Universal Life employees.

For years the company, which does a substantial business throughout the southern states, has been able to get away with paying exceptionally low salaries. The range has been from \$2,300 to \$3,000 annually regardless of the length of service of the employee.

Some years ago the company responded to an increase in the federal minimum wage by lengthening its work week from 35 hours to 40.

The campaign to organize the company was initiated on behalf of the OPEIU several months ago by William Burchman, AFL-CIO Staff Representative, and George Halloway, International Representative of the United Auto Workers.

It was quickly evident that the employees understood their need for a collective bargaining representative, and OPEIU Vice-President J. O. Bloodworth was assigned to the campaign. Also helping out for a period was Business Representative Ernest

Cobb of Local 153, New York.

The response of the company to the organizing effort was in line with its past employment practices.

In an obvious attempt to intimidate the workers, it fired several and took on some 20 additional employees with the understanding that they would be given the jobs of the workers in favor of joining the OPEIU.

The company refused to comply with an NLRB directive that it provide Local 367 with a list of the names and addresses of the eligible employees. (See lead editorial, page 2.)

It did its best to obstruct the election at every turn, both before the NLRB and afterward. Employees participating in the election were forced to go to the

(Continued on page 4)

Local 277 Wins Ft. Worth Unit

A unit of 25 photographers and laboratory assistants employed by the General Dynamics Company of Fort Worth, Texas has voted to join Local 277 in an election conducted by the National Labor Relations Board.

In a statement on the successful organizing effort, J. B. Moss, the local union's President and Business Manager, observed that Local 277 now represents more than 1,400 office and technical employees of the General Dynamics Company.

Texas Insurance Firm Recognizes Local 277

Local 277 of the OPEIU has won recognition as bargaining representative of the employees of the American Income Life Insurance Company in Waco, Texas.

The agreement of the company to recognize the union made unnecessary a National Labor Relations Board election and paved the way for negotiation of a contract.

The accord was announced jointly May 16 by Bernard Rapoport, President of American Income Life, and J. B. Moss, President and Business Manager of Local 277. Their statement follows:

"We have today determined that a majority of the Office employees of American Income Life Insurance Company have authorized Local 277, OPEIU, to represent them in collective

bargaining negotiations with the company.

"The union has asked, and the company has granted recognition of the union—thus making it unnecessary for an election to be conducted by the National Labor Relations Board.

"The company and the union will shortly begin negotiations on a contract covering terms of employment for the office workers.

"We have signed an interim agreement in which the company agrees not to lock out employees and the union agrees not to strike the company pending agreement on a contract."

3.2—Not for Company Presidents

If pay raises for company presidents follow any guidelines, it's not the 3.2 percent ceiling advocated by the President's Council of Economic Advisers, a sampling of company reports indicates.

A preliminary survey by *Business Week* magazine showed that 40 percent of company presidents got raises last year—averaging 9 percent.

Among the more generous companies—for their executives—were Westinghouse Electric Corp. and Burlington Industries, Inc. Westinghouse President D. C. Burnham had his pay boosted last year from \$198,055 to \$223,390. His "additional compensation," such as bonuses, took an even bigger jump—from \$50,000 to \$90,000. Burlington Industries, the giant textile chain which has been engaged in a running battle against union organization, gave President Charles F. Myers, Jr., a raise from \$150,000 to \$173,750 a year and a \$3,500 boost in added compensation to \$12,613.

Banking of Vacations Advocated by OPEIU

Employees should be allowed to "bank" part of their vacations for future use, Howard Coughlin, President of the OPEIU, proposed in a public statement May 15.

"Such 'banking' can be a stabilizing factor in the current economic situation," Coughlin declared. "Many companies are operating in high gear today, and if their regular employees can work an extra week this summer, it will help them meet their defense and commercial commitments without putting pressure on prices. When the employees want to use this 'saved' time a year or two from now, the companies' work schedules may not be as crowded.

"The alternative of using temporaries," he said, "is undesirable because they usually are denied almost all fringe benefits, and thus tend to depress standards for regular employees."

Coughlin reported that a survey of vacation practices under OPEIU contracts showed the following scale was typical:

1 week after 6 months

2 weeks after 1 year
3 weeks after 3 years
4 weeks after 10 years

This contrasts, he said, with the following scale for unorganized office employees:

1 week after 1 year
2 weeks after 2 years
3 weeks after 15 years
4 weeks after 20 years (if ever)

A number of OPEIU affiliates in the U.S. and Canada are showing interest in "vacation bank" clauses in contracts.

Columnist Elected

Victor Riesel, well-known labor commentator, has been elected president of the Overseas Press Club of America. A nationally syndicated columnist specializing in labor affairs. Riesel is also a radio-television broadcaster and lecturer.



Staff members of Local 2, William Coakley, left, and Philip Dougherty, distributing material publicizing the OPEIU at the Union Industry Show held recently in Baltimore, Maryland. AFL-CIO Regional Director Oliver Singleton, and individual booth attendants, cooperated in the effort to bring the white collar organizing message to the public. Local 2 gained some organizing leads which may prove fruitful.

WHITE COLLAR

Official Organ of
OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION
affiliated with the AFL-CIO, CLC

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A Second Election Is Not Enough

A substantial number of companies are refusing to comply with National Labor Relations Board directives that lists of employees in appropriate collective bargaining units be submitted to the union within seven days after an election has been consented to or directed. These companies have been warned that if the union loses the election, a second election will be ordered.

While the Board appears to have no alternative except to order a second election, it is doubtful that a second balloting would produce a different result in the face of company adamance.

It has long been our contention that a "cease and desist" order issued by the National Labor Relations Board after it has found a company guilty of unfair labor practices is not punishment sufficient to deter a repetition of the abuses.

Similarly, we feel that the Board must find a better answer to the problem of assuring employer compliance with its directives pertaining to furnishing eligibility lists to unions.

Profits and Guide Lines

Gardner Ackley, Chairman of the President's Council of Economic Advisers, in an address to the annual meeting of the United States Chamber of Commerce, asked the following question: "Does anyone imagine that labor will continue to show moderation in wage demands when prices and profit margins are continually rising?"

Mr. Ackley noted that over the past five years, we have seen the most sustained profit growth in our history. Dividends in the first quarter of 1966, for example, were up 12% over a year earlier—substantially in excess of the rise in employee wages over the same period.

Obviously, the 3.2% guideline in wage increases is no longer realistic. While we oppose all controls, we particularly feel that it is impossible to control the wages of labor without imposing similar controls on profits, prices and the income of management.

Stock Purchase Plans for Labor

I. W. Abel, President of the United Steelworkers of America, recently stated that stock purchase plans might very well be a union proposal in future collective bargaining in the United States.

In this era of stock options whereby management representatives are allowed to purchase stock below the market price, sell it at a profit and pay taxes only on a long-term capital gains basis, thus keeping 75% of the profit, it would be desirable to open up this entire avenue of stock purchasing across the collective bargaining table.

While we think the federal government should close the tax loophole in the stock option gambit by which millions of dollars are lost to the Internal Revenue Service yearly, we feel that stock purchasing plans granted on an equal basis to management and labor may be a good thing for American workers and American industry.

Surely workers have an equal claim to the success of our nation's companies. And surely this claim should be recognized by management.

Action At Last on Minimum Wage

The House of Representatives has passed a minimum wage bill which, despite deficiencies, is an important step forward. It raises the minimum hourly rate in two stages to \$1.60 and extends coverage to millions hitherto denied the protection of modest Federal standards. For the first time it includes some of the long neglected farm workers.

Many of our fellow citizens work hard but are poor because so little is put into their pay envelopes. A higher minimum will help.

We hope the Senate will pass a comparable bill, preferably with strengthening amendments.

Educational Conference Photos



The North Central Educational Conference was held in Kankakee, Illinois May 14-15. This spring's meetings focused on contract drafting and enforcement and on public relations at the Local Union level.



The Southwest Educational Conference took place in Texarkana April 30 and May 1. Participants testified to the value of the two-day session.



The Western Educational Conference was held in Las Vegas, Nevada, April 16-17. OPEIU President Howard Coughlin, seated at the table second from left, participated in this meeting, as in the others.

Local 29 Wins 2 to 1 Against Teamster Raid

Local 29, Office and Technical Employees, of Oakland, California has handily repelled a Teamster raid in a National Labor Relations Board election conducted May 16-17.

Continuing its policy of raiding other unions in the Bay area, Local 856 of the International Brotherhood of Teamsters sought to obtain bargaining rights for the office and clerical employees of the milk industry in Alameda, Contra Costa and San Mateo counties despite the fact Local 29 has well represented these workers for many years.

The Teamsters made exaggerated promises and claims, and spent a considerable sum of money, in their vain effort to woo the workers away from Local 29.

In the two-day secret-ballot election, the nearly 200 employees voted to keep their ties with Local 29 by a majority of over two to one.

John Kinnick, President of Local 29 and OPEIU Vice-President, led the successful defensive campaign.

He reports that the union is now presenting contract proposals to the milk industry association. Local 29's contracts cover office and clerical employees in many milk companies, including Carnation, Foremost, Borden's and Arden's.

Back to Drawing Board

Charge account customers of a large U. S. store were recently surprised to receive punch cards marked: "Please fold, bend, mutilate and staple." The company's automated accounting system has been abandoned after a series of misdemeanors, including issuing a check for the janitor's two-week salary—for \$5,000.—From "The Twenty-Niner," Oakland.

Change of Address

If you are moving, send both your new address and your old one to Secretary-Treasurer J. Howard Hicks, Office and Professional Employees International Union, 1012 14th Street, N. W., Washington, D. C. 20005. Be sure to include your zip code.

Labor and the Law

By Joseph E. Fisley
OPEIU General Counsel

Bad Faith Bargaining— The Law is of Little Help

When you sit across the bargaining table from the employer, what conduct constitutes a refusal to bargain in good faith? What can be done about it if the company is actually bargaining in bad faith? How good is your legal remedy? We have been asked questions like these hundreds of times in the past few years by OPEIU local unions and their officials. Let's take a hard look at hard bargaining so that each one of you can get this tough subject in better legal perspective.

Let's take a typical case out of the recent reports. To win a refusal to bargain case, you must show some kind of bad faith by the employer. He may have a dirty mind, may hate unions, may be determined never to agree to a contract that allows you any degree of respectability, but when it gets down to putting it on the line at a trial, you must have some kind of proof that not only the NLRB can utilize, but proof that will stand up before the elderly, august federal judges who may sit in review on the case. The union in the recent case claimed that the employer had ducked and dodged in scheduling meetings, thus showing bad faith. The parties had met 23 times over a few months, and the company had canceled only one meeting. Changes in time and place on several others didn't make out bad faith, since the company could show a business excuse each time. When the company showed that on two occasions, it had made changes in time and place to meet a union request, this whole claim went up in smoke.

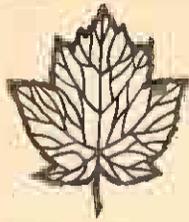
Then the union argued that bad faith was shown by changes in company policy on personal telephone calls. But here, the company claimed there was no set policy, and the union couldn't prove it, although it was clear that the company had cut off calls after the union came in. Some of the other alleged changes in company policy were met with the defense that the company was always willing to discuss them in negotiations. Then, the union next claimed the company changed its position on issues in negotiations time after time. The answer to this one was that the company was engaged in "flexible bargaining."

The roll call went on and on. Next, the union argued that the company showed bad faith in the bargaining sessions by firing questions at every member of the negotiating committee, rather than dealing with the principal spokesman. Here is what the NLRB said: "This contention lacks merit, since the parties considered all persons present during the meetings to be active participants who would explain and make clear disputed issues during negotiations." Here is some positive advice: if you want to stop this, get together with your committee, agree on one spokesman, and if a company negotiator starts questioning one member of the committee, that person should politely refer the questioner to the spokesman for one answer for all.

The company offered some new plant rules during negotiations. Then, it refused to supply certain bargaining information requested by the union on the grounds it would involve a "great amount of work." This claim went down the drain when the company showed after it refused, the union never thereafter pressed the demand. Don't let a company get away with this one. If you ask for information and get a refusal on any ground, even if it is a "great amount of work," keep insisting. If you have a legal right to the information, you ought to get it, but if you politely back away, you'll be giving up important legal rights.

Point after point was raised by the union, but the company had an excuse for every one of them. The company even wanted the international union to sign the contract, which might otherwise have been an illegal demand, but the company's lawyers showed that the local union itself had injected international union rules and laws into the bargaining, and on this basis, the Board declined to find a violation of the law by the company.

As we have told many of you time and again in individual sessions, a "hard bargaining" case is extremely difficult to win. And if you win the case, what do you have? The NLRB's remedy is to return to the table and bargain in good faith. In perhaps the most important hard bargaining case we have ever won, we went back to the table with the company, where the chief spokesman said, "We don't agree with the Board. We've always bargained in good faith, and we'll keep doing it. On wages, our policy is the same. On union shop, our policy is the same." The company would go through the motions, but would yield on nothing. Its clever lawyer would meet at any time, noon or midnight, but always with the same answer.



CANADIAN NEWS



Members of Local 404 gathered in Pembroke, Ontario for an Educational Day. The discussions, led by President Vaughan Mathias, Ex-President John O'Malley and OPEIU International Representative Romeo Corbeil, covered parliamentary procedure, grievance handling and negotiations.

Milk Firm and City Hall Yield, Sign with Local 57 on Strike Eve

On the eve of scheduled strikes, Local 57 in Montreal has reached outstanding agreements with J. J. Joubert Company Ltd., a milk company, and with the City Hall of Pointe-Claire.

The last-minute settlements were announced by Gilles Beauregard, representative of the Eastern Canada Council of the OPEIU.

Both agreements run for two years. That with the City Hall of Pointe-Claire is a first contract. Details follow:

J. J. JOUBERT: The 50 employees will receive a wage increase of \$6 weekly retroactive to last November 1, a second increase of \$3 as of November 1 of this year, and a third increase of \$3 as of April 1, 1967.

Other improvements won in what Brother Beauregard describes as the finest contract ever won for white collar employees of the milk industry in the Province of Montreal:

- Reduction of the work week from 36¼ hours to 34 hours with no cut in basic salary.

- Premium pay for midnight shift employees raised from \$2 weeks to \$3.

- Three weeks of vacation after 12 years of service; previously 15 years of service were required.

- Demoted employees to suffer no reduction in wages.

- Gains in the areas of seniority, overtime, holidays and leaves of absence.

POINTE-CLAIRE CITY HALL: The 40 office and clerical employees will receive a five per cent wage increase retroactive to last November 1, a further raise of five per cent on this September 1, and a third raise of five per cent on April 1, 1967.

The work week is reduced from 36¼ to 35 hours.

The new vacation schedule

provides for two weeks after one year, three weeks after eight years, and four weeks after 20 years. Twelve paid holidays were obtained, with those falling on Saturday or Sunday to be paid for also.

Sick leave was improved to the extent that employees may take five days of each year of service and bank 15 additional days to a maximum of 180 days.

Medical Plan Employees Join Vancouver Local

Local 15 in Vancouver, British Columbia has made application to the Labour Relations Board to become certified as the sole collective bargaining representative for 132 office and clerical employees of the "B. C. Medical Plan" located in Victoria.

At the time of making this application some 74 employees had signed membership application cards and made payment of the first month's dues as required by the labour laws of

the province. This organizational campaign was planned and has been under the guidance and direction of OPEIU Vice-President Bill Lowe, assisted by International Representative Bill Kyles. However the success thus far achieved is largely attributable to the untiring and dedicated work of an organizing committee consisting of employees Blane Hill, Mrs. Bonnie Little, Carol Coppin, Neil McKinnon and Dave Ranson.

In addition B. C. Hydro employee members of Local 378, Ralph Freethy, Neville Taylor, and Glen Denstedt, and Tom Lecson, a Yarrows Shipyard member of Local 15, attended meetings and assisted in making house calls.

The B.C. Medical Plan provides comprehensive medical care at reduced premiums for low income families and retired persons on small pensions. Persons or families with non-taxable incomes receive full coverage without paying any premium.

Thus, the law is often of little help in refusal to bargain cases. If you have a good case, the best you can get out of it is some protection for your people if you go on strike. For if you do strike because a company refuses to bargain in good faith, your members will be classified as unfair labor practice strikers and will have a right to their jobs, no matter how many replacements are hired, whenever they make a demand to go back. But even then, you had better be sure your case is sound, and if it is no more than another hard bargaining situation, you may have little left.

In using the law in collective bargaining, you need to know its weaknesses as well as its strengths. In the area of good faith bargaining, the weaknesses of legal remedies are so apparent that you ought to know your best chance to win is by good old hard hitting trade union tactics, not by reliance on the NLRB.



from the desk
of the
PRESIDENT

Kennedy's Living Words

Four years ago President John F. Kennedy forwarded a message to me to be read to the convention of the Office Employees International Union at Kansas City, Missouri. The message from the White House was as follows:

"To many Americans, union organization is identified with physical labor in the traditional sense—the assembly line, the building trades, the men in blue shirts and coveralls.

"But the rapid pace of technical progress has given rising numerical and substantive prominence to those workers who serve in 'White Collar' employment.

"The American people long ago decided that collective bargaining was a proper and desirable method of governing relation between workers and their employer.

"That principle remains valid regardless of the nature of the changing work-force.

"Your Union has for years been striving to extend the benefits and protection of collective bargaining to the office worker—to assure his full participation in the economic progress of our Nation.

"All those who subscribe to the principle—and I count myself among them—wish you success.

"With all best wishes

John F. Kennedy"

President Kennedy's words of four years ago are just as meaningful today.

Now more than ever, with technological change and automation seriously affecting the character of the work of office and professional workers in the United States and Canada, we find no adequate substitute for collective bargaining.

It is not surprising that John F. Kennedy endorsed collective bargaining for white collar workers. Numerous predecessor presidents enunciated the need for unionism and collective bargaining for all workers. One of the outstanding Republican presidents of this century, Theodore Roosevelt, stated that if he were a worker, he would join a union.

In the face of the fact that the leadership of the United States, both past and present, has testified to the need for unions and collective bargaining in order to achieve industrial democracy, it is difficult to understand why workers, either white collar or blue collar, would hesitate to join a union. The fact is, however, that only 25% of the nation's work force is organized and only 12% of white collar workers in the United States enjoy the benefits of collective bargaining.

Statistics compiled by the Labor Department continue to reveal the substantial advantages enjoyed by those organized as compared to the average salary and fringe benefits received by unorganized white collar workers. More important, however, is the status and dignity of white workers who are represented across the bargaining table from their employers by a union.

They are fully aware of all of the contractual guarantees in their collective bargaining agreements. They know promotional opportunities must be posted on the bulletin board for their information. They know of the requirements and description of each position covered by the collective bargaining agreement. They know that if they prepare themselves adequately, either scholastically or through experience for better jobs, they can sooner or later qualify for advancement.

They know too that they do not have to depend upon the beneficence of their employer for wage increases. Their salaries and increments, in accordance with length of service, are spelled out in the contract. They are aware of the protection they enjoy against the possibility of discharge without just cause or layoff out of seniority. They know that nepotism and favoritism can not prevail in an office covered by a collective bargaining agreement.

Presidents John F. Kennedy and Theodore Roosevelt were also cognizant of the better wages and working conditions enjoyed by the organized as compared to the unorganized. It was, therefore, consistent with his experience that President Kennedy espoused collective bargaining for white collar workers in his message to our Kansas City Convention.

In paying tribute to the Office and Professional Employees International Union, Presidents Truman, Eisenhower, Kennedy and Johnson recognized our union as the leading spokesman for white collar workers in the United States and Canada.

It is imperative, therefore, that each and every member of the OPEIU do everything possible to acquaint the unorganized of the existence of our organization and the benefits to be attained through collective bargaining for white collar workers.

★Universal Life Organized

(Continued from page 1)

NLRB district office to cast their ballots. Each therefore signed an identification affidavit.

Countering the company tactics, President Jennie Lee Murphy of Local 367 and Representatives Burchman and Halloway conducted organizational meetings each week during the two months preceding the election.

The election showed that few of the employees had been intimidated or disheartened by the firm's obdurate attitude.

Sister Murphy reports that Local 367 has filed a charge of unfair labor practices against the company and has also quickly submitted to it a list of contract proposals designed to advance working conditions in every respect.

OPEIU Vice-President Bloodworth will lead the impending negotiations.

The officers of Local 367 and the Universal Life employees are lavish in their praise of the effective help given them throughout by Brothers Burchman and Halloway.

Local 153 Signs ABC To First Contract

After eight difficult bargaining sessions Local 153, New York, has signed a first contract with the ABC Freight Forwarding Company providing for higher wages, reduced hours and an array of fringe benefits.

The freight concern's employees voted overwhelmingly to join Local 153 in a NLRB election last January. Retroactive to February, the agreement runs for three years.

The contract provides for two \$5 weekly increases and a third-year wage reopener. Hours will be cut to 37½ a week in 1968. Pension and medical plans will be started.

The negotiations were conducted by Business Representatives John Kelly and John Ciaramella and an active committee of the employees.

U.S. Report Forecasts White-Collar Job Growth

Over the next 10 years job prospects will be brightest for professional, technical, clerical and service workers, according to the 1966-67 edition of the U.S. Labor Department's "Occupational Outlook Handbook."

Among the predictions are these:

- White-collar occupations will continue to grow more rapidly than blue-collar occupations.

- Managerial and sales occupations will show average growth.

- Semi-skilled and unskilled jobs will show below-average or no growth.

- Largely because of Medicare job opportunities will be especially numerous in the health services field.

In a separate report, the Labor Department forecast that the growth in White Collar employment will outpace all other job categories during the second



Leading the successful campaign to organize the Universal Life employees were, from left, UAW International Representative George Halloway, OPEIU Vice-President J. O. Bloodworth, Local 153 Business Representative Ernest Cobb, and AFL-CIO Staff Representative William Burchman.

Profits Soar, Wages Steady

Profits of leading corporations continued to soar in March, according to figures released by the U.S. Department of Commerce.

Cash dividends issued by corporations which make public reports totaled \$300 million more than those for March, 1965.

The March total was \$2.9 billion—more than half of the \$5.2 billion total for the first quarter of the year. The quarterly figure represented a 12 per cent gain over the first quarter of last year.

Dividends, and total profits after taxes, have risen steadily since 1961.

Meanwhile, real factory wages held steady for the year ending in March, U. S. Labor Department statistics showed. Money raises were negated in terms of purchasing power by rises in the cost of living and Social Security taxes.

Beer Salesmen Choose Local 6

OPEIU Local 6 in Boston, Massachusetts was chosen by salesmen of Considine's Distributing Company to be their collective bargaining representative in an election conducted by the NLRB. The vote was 7 to 5.

Encouraged by its success at Considine's, a distributor of Naragansett Beer, Local 6 is planning a drive to organize other distributors in the area.

half of this year.

It predicted that professional, technical and kindred workers will number over 11 million by

1970—a gain of 25 per cent over 1965, and double the percentage increase anticipated for the economy as a whole.

Where the Jobs Will Be

The following table shows the projected employment changes in major industries by 1975:

Industry	Number of Wage and Salary Workers (In Thousands)		Percentage Change 1964-1975
	1964	1975	
Total	58,156	75,870	30%
Mining	633	620	-2%
Construction	3,056	4,190	37%
Manufacturing	17,259	19,740	14%
Trade: Wholesale and Retail	12,132	16,150	33%
Transportation and Public Utilities	3,947	4,425	12%
Finance, Insurance, and Real Estate	2,964	3,725	26%
Service and Miscellaneous	8,569	12,275	43%
Federal Government	2,348	2,525	8%
State and Local Government	7,248	12,225	69%