NLRB Rules

Employers Must Give Unions List of Eligible Workers

In a decision which will be of major assistance to organizing drives conducted by the OPEIU and other unions, the National Labor Relations Board has adopted a new rule requiring employers to make available to unions the names and addresses of employees eligible to vote in any representation election it schedules.

The unanimous decision of the five-member NLRB was reached Feb. 6 to become effective 30 days later.

The board, however, to set aside the results of elections lost by unions which had earlier been denied a list of names and addresses by employers.

The ruling went part way in meeting the request of the AFL-CIO and affiliated unions for improvement in NLRB election rules. The board, ruling in two related "captive audience" cases, rejected union requests for a rule requiring equal time for unions to address employees on premises used by an employer to defeat union organizing attempts.

The board said its new rule giving unions access to the roster of employees should "provide employees with increased opportunity for communication from all sides in pre-election campaign,"

It cited its mandate from Congress to see that elections are conducted fairly. Such elections, it reasoned, should give employees an opportunity to vote "under circumstances that are free not only from interference, restraint or coercion" but also from "other elements that prevent or impede a free and reasoned choice."

The board noted the common requirement that names and addresses of voters shall be posted in public places and in corporate management or proxy contests among stockholders, and specifically cited the Lanham-Griffin provision that any candidate for union office is entitled to have the union distribute his campaign statements to all members.

The AFL-CIO had filed a "friend of the court" brief supporting the unions claims for new elections.

It noted that union organizing committees now normally spend a third or more of their time trying to round up names and addresses, but even so have often finished campaigns lacking almost half the total number.

Below OPEIU General Counsel Joseph E. Finley explains the new "roster" ruling.

Spring Educational Conferences Scheduled

The schedule of regional Educational Conferences to be held this spring has been completed and the agendas prepared.

The focus will be on contract drafting and enforcement on public relations at the Local Union level.

As always, the motivation that brings office and professional employees into the union will be discussed (See President Howard Coughlin's column, page 3).

Delegates are asked to come prepared with public relations ideas and to bring copies of their own contracts.

This is the schedule:

Northeast—Philadelphia, March 26-27
Erie—Cincinnati, April 2-3
Western—Las Vegas, April 16-17
Southwest—Tampa, April 30-May 1
North Central—Kansas City, Ill., May 14-15
Southeast—Mobile, May 21-22
Northwest—Vancouver, June 11-12

LAST CALL FOR MEDICARE: The OPEIU urges all members, retired or still on the job, to sign up by the end-of-the-month deadline. The $3 monthly cost of the voluntary medical part will be a burden on those living on retirement income, but the benefits make it worthwhile. To enroll, or obtain further information, those 65 or older should go to the nearest Social Security District Office. Enroll at your local post office for the address.

Local 29 Holds Technologists In San Francisco Election

The majority of medical technologists in the East Bay area of San Francisco have been firm in their support of Local 29, enabling the union to withstand a strong challenge from the California Association of Medical Laboratory Technologists.

As Local 29 prepared to enter into negotiations with the Associated Hospitals of the East Bay on behalf of the technologists, CAMLT entered the picture and claimed a majority representation of the group. The hospitals then refused to bargain until an election could be held.

On January 31 the State Conciliation Service conducted a secret ballot election at Alameda, Alta Bates, Children's, Herrick, Merritt, Peralta and Providence Hospitals with 142 laboratory technologists eligible. Local 29 emerged from the hard-fought contest with a majority of 68 votes to 61 for CAMLT.

The Associated Hospitals have now agreed to negotiate. Assisting the union leadership in the bargaining will be a negotiating committee including one member from each hospital.

Reflecting the need of the employees for union representation, wages presently are far below the average in the state. A substantial increase tops the Local 29 demands.

Other issues include sick leave, vacations, holidays, hospital and dental coverage, pensions and leaves of absence.

Labor and the Law

By Joseph E. Finley

OPEIU General Counsel

One of the big legal breaks in organizing the unorganized has finally come. The National Labor Relations Board has just handed down a new rule which will enable any organizer to have a complete roster of all employees in the bargaining unit, along with their addresses. This new ruling, rendered in February, applies to all future cases starting this month.

The new developments have created a series of battles by unions to obtain a better break in organizational campaigns. The NLRB heard oral argument in May, 1965 on the issue involved, with several international unions and the leading employer groups participating. The cases came up on objections to elections filed by two losing unions after they had made an unsuccessful request for a mailing list.

Here is the new rule: After an NLRB election has been directed, or after parties have signed a consent agreement for an election, the employer must file with the Regional Director within 7 days a complete eligibility list, with the names and addresses of all eligible voters. That file will be maintained by the Regional Director, and you will have complete freedom to look at it and copy it, if you wish.

This presents a monumental new advantage in organizing large units. In the period of time between the seven days after you sign a consent agreement or have a direction of election by the Regional Director, you will have a complete, accurate mailing list and an opportunity to make phone calls without wasting efforts on people who may not be in the unit. You will then be able to put your campaign into high gear and seek to reach (Continued on page 4)
Wage Guide Lines

President Johnson has set a 3.2% guide post on wage increases in 1966. The wage guide posts are in terms of current dollars rather than a shift in purchasing power.

In setting guide lines of 3.2%, the President is shortchanging American workers. American business has been achieving record profits, for which there are no guide posts. The gross national product is at record breaking levels.

Therefore in setting a guide post of 3.2%, the President hasn't given sufficient consideration to assuring the worker a fair share of the gains of increased productivity.

Prices are increasing. The gap between what the workers produce and what he can buy for the money he earns is steadily widening.
Labour Unions Seek Urgent Need
For Economic Growth Policies

Canadian workers, like those in the United States, want a bigger share of the profits they are helping their employers pile up and class the danger of inflation as secondary to the peril of curbs on purchasing power.

The Canadian Labour Congress, at a face-to-face meeting with Prime Minister Lester Pearson and his cabinet, declared that maintenance of the economic improvement record of last year depends on preventing demand, and especially consumer demand, from dropping too far behind productive capacity.

The government recently asked organized labour to join a drive against alleged inflation by exercising restraint in collective bargaining. The CLC leadership told Pearson it feared his administration might act in the absence of a "real inflationary threat" and thus "cut our economic advance in mid-stroke and cause a reversal in the downward trend in unemployment."

"We cannot find evidence to support the view that Canada has costed itself on the point of entering, an inflationary period requiring broad restraints in monetary, fiscal, wage and other policies," the CLC said.

The union delegation in a 15,650-word statement pointed out that the times are so good there is a "distinct ability on the part of the employers to pay wages higher than has been the case in recent years.

"Inevitably, wage and salary earners will seek to share in the good times," it declared.

"Where they are organized into trade unions they will just as inevitably do so through the process of collective bargaining and, if necessary, engage in the entire legal process of strike action after other methods have failed to achieve a satisfactory settlement."

It noted that the bargaining process, which includes the right to strike or lock out, is one of the methods used to attain a "re-distribution of the wealth which is produced" in a market economy such as Canada's.

"If corporations are to have virtually unlimited freedom in the pursuit of profit," the statement added, "workers must be free in turn through their trade unions and otherwise to obtain for themselves a fair share of the product of their labour."

The CLC expressed concern at threats to national unity posed by the demands of different provinces for regional and local autonomy in areas such as offshore mineral rights, the right of opting out of federal social security programs and the right to curtail manpower services.

The task of the CLC, the CLC said, lies in weakening of the federal government to the point where it would be unable to plan for the nation as a whole.

The CLC also called for increased federal efforts to stimulate the economy so the growing number of new workers entering the job market can find jobs.

Bakery Wins in 11th-Hour Pact

With just an hour to go before a strike deadline, MacDonald's Consolidated Bakery Company in Vancouver came to terms with Local 15 and agreed to a new contract providing for wage increases and including a clause barring sub-contracting.

Secretary-Treasurer Opal Skilling of Local 15 reports that wage rates for general clerks were raised from 575 weekly to $92.50 as of February 21. A further increase of $2.50 a week will take effect on January 1, 1967.

Senior clerks were raised from $80 weekly to $97.20 February 21. Next January the six salaries will go up to $100.

The contract expires July 1, 1967.

British Pioneers Automation Protection

Workers in Great Britain are benefiting from a new program of national "automation insurance."

Under the plan, which began in December of last year, a wage earner will receive a lump sum payment of £1,200 lost if his employer dies or if he has been doing has diminished or ceased.

It will not matter whether he gets another job on the following day. He will have become redundant—the phrase Britain uses to describe the worker who has suffered this form of unemployment.

The redundant worker will still draw weekly benefits for himself and his dependents from the state insurance system while he remains unemployed.

The lump sum is not to help him meet his week-by-week commitments. It is, in effect, a payment to the former employer for the loss of his services, and it is a relief of hardship—and a recognition of the possibility that he may need to uproot himself and his family and move to another part of the country to find the sort of work he is capable of doing or accept work that does not pay him as well as his old job.

The program is financed by a national redundancy fund to which all employers contribute, so that the individual employee, like the displaced worker, will not have to bear all the costs of technological advances.

The employer will be able to claim a rebate of at least two-thirds, and in some cases seven-ninths, of the severance pay from the national redundancy fund.

Two-year's service as an employer is the qualifying period for the severance pay, and workers are eligible at the age of 18. Employees aged 22 to 30 will be entitled to half their week's pay for each year of service. Those aged 23 to 30 will receive one-third, while workers 31 and over, and one-and-a-half week's pay will go to the 41 to 64 age group.

Payments taper off month by month for those who are nearing the normal retiring age—45 for men, 60 for women.

Tribunals will hear appeals by workers whose employers have asserted that the dismissal was not due to redundancy, the burden of proof being on the employer.

In addition to the redundancy pay, the Labor Government has taken other measures to increase the protection of workers. The scale of weekly payments under the established standard income scheme for the unemployed and the sick was increased in January 1965. Allowances paid to workers who moved from one part of the country to another under a government transfer scheme were raised in February of last year. Then pensions of some workers, widows, and the disabled were increased in March. And work is well advanced on a comprehensive review which is designed to lead to a major reorganization of social security, with benefits to the sick and the unemployed.

Money Talks—for Unions

As this column is prepared, the International Union is concerned with the subject matter for the Spring Educational Conferences.

There is no questioning the fact that our Educational Conference program has been one of the most successful activities of the Office and Professional Employees International Union. We have been interested in creating an ever-increasing number of OPEIU members in the need for organizing, serving membership, collective bargaining and other related activities of Local Unions.

Naturally, organizing the unorganized is an extremely subject for discussion at all Educational Conferences. Too often, we find that even experienced representatives of the OPEIU look for reasons other than the usual "bread and butter" reasons as to why office and professional employees would want collective bargaining.

While it is true that we have been contacted by unorganized office and professional employees who seek unionization because of specific grievances, it is also true that the motivating reason for organization and subsequent collective bargaining is money.

Randall McIntyre, President of O. E. McIntyre, Inc., a direct mail firm, has been quoted in a recent edition of Employees Relations Bulletin as stating: "Job satisfaction is 90% money and 10% status." In effect, therefore, status is important only when wages, hours and working conditions are commensurate with status.

While we feel that unionism and collective bargaining are ideals in themselves and present an opportunity for intellectual white collar workers of our communities to help others while helping themselves, we must, under no circumstances, underplay self-interest as the initial reason for the unionism of white collar workers.

Once unionization has been accomplished and the collective bargaining process put into effect, it is vitally important that the union do everything possible to interest the membership in the affairs of the communiv and the expansion of organization. Actually, a large number of intellectuals are found among office and professional employees. Many of these intellectuals look for an outlet for their energies in numerous fields, including community affairs, civil rights programs and politics. The union can and always has presented a challenge to the intellectual capacities of white collar workers.

Through our Educational Conference programs, we must continue to emphasize money and working conditions as the initial incentive for unionization and collective bargaining. It would be a mistake in instituting an organization to emphasize things other than "bread and butter" issues as reasons for organization.

Samuel Coppers, founder and first President of the American Federation of Labor, was asked his opinion of Labor's goals. His answer was "more."

In presenting our program to unorganized office and professional employees, we must remember that "money is food for thought."

CLC Proposes Election Changes

The Canadian Labour Congress, in a submission to the Committee on Election Expenses, has proposed sweeping changes in Canadian election practices.

The 1.200,000 member labour body offered five major propositions:

1. Public disclosure of contributions made to political parties
2. A degree of tax relief for such contributions
3. Limitation of the amount spent by a candidate or party in an election
4. Provision for free broadcast time and free postal distribution for each candidate, and
5. Official recognition of part

The CLC took the position that the practice of political contributions should be brought out into the open.
Labor and the Law

14(b) Post-Mortem

Kid Glove Opposition Allowed Senate Filibuster To Prevail

A minority of the nation's Senators were determined to go to the limit of an undemocratic filibuster to prevent repeal of Section 14(b), and a half-hearted response on the new rule's proponents supported it let them get away with it.

That appears to sum up labors twelve round defeats in a matter of months in its effort to remove from the federal statute books the Taft-Hartley Act provision which was the so-called "right-to-work" laws.

A coalition of Republicans and (now Southern) Democrats led by Republican Minor- ity Leader Everett Dirksen of Illinois, carried out the filibuster, making a travesty of the democratic process by imposing a crude veto on the will of the majority.

But Senator Mansfield's leadership of the pro-repeal majority was questionable, to say the least.

In the end he did very little to break the filibuster. He called for business as usual, in effect to pass on hours of work daily by the Senators. He would not, under any circumstances, agree to a round-the-clock ses- sions—only the effective means of bringing obstructionists to submission, it was well known.

It can only be assumed that the filibuster was lukewarm on the issue despite the fact that the platform of the Democratic Party which he led in the Senate called for repeal of 14(b). And numerous Senators were anywhere but on the bit during the filibustering. Both the Republican and Democratic Senators from New York, for example, were busy campaigning for the respective candidates in the special elections in the 17th Congressional District election in New York City.

N. J. Sales Unit Joins Local 153

The salesmen of the Peerless Beverage Company of Union, New Jersey, voted to join Local 153 in a recent National Labor Relations Board election.

A first contract is now being negotiated with the concern, which sells various brands of beer in three northern New Jersey counties. Business Repre- sentative William Griffin is conducting the talks.

Other recent Local 153 de- velopments include new con- tracts with the Manhattan News Company and the American Bakers Company providing for wage increases and other ad- vances.

U. S. Strengthened Equal Pay Law of 1963

The Labor Department has informed employers that, under a new interpretation of the Equal Pay Law of 1963, they may not pay women less than men simply because they claim it costs more to employ women.

The department's Wage-Hour Administration overturns the purpose of the act to permit wage differentials based on claimed differences between the average cost of employing women as a group and the average cost of employing a male group. Such a comparison would make sex itself the sole basis for the differential, the said.

Win Increases at Durham

The union negotiators of a new two-year contract between Local 84 and the Wright Machinery Company (Division of Sperry-Rand) in Durham, North Carolina. From left are Committee men Leo Sparks and Ralph Whetler; Vice-President J. O. Bloodworth; and Commit- tee men Ronald Adams and Margaret Carnwell. The contract provides for a six cent wage increase the first year, and a three cent raise the second year.

These are the 26 Republican and 20 Democratic Senators who backed the filibuster against repeal of 14(b)—who voted against allowing the issue to be brought to a vote:

Republicans—Aiken (Vt.), Albo (Colo.), Bennett (Utah), Boggs (Del.), Carlson (Minn.), Cotton (N.H.), Curtis (Neb.), Dirkerson (Ill.), Dominitz (Colo.), Fannin (Ariz.), Fong (Hawaii), Hickenlooper (Iowa), Hruska (Neb.), Jordan (Idaho), Miller (Iowa), Morton (Ky.), Mundie (S.D.), Murphy (Calif.), Pearson (Kan.), Prousty (Va.), Salomonstall (Mass.), Simpson (Kan.), Thurmond (S.C.), Tower (Tex.), Williams (Del.), and Young (N.D.)

Democratic—Bible (Nev.), Byrd (Va.), Cannon (Nev.), Eastland (Minn.), Ellender (La.), Ervin (N.C.), Fallbright (Ark.), Hayden (Ariz.), Hill (Ala.), Holland (Fla.), Jordan (N.C.), Lausche (Ohio), McClellan (Ark.), Monnroy (Okla.), Robertson (Va.), Russell (S.C.), Smathers (Fla.), Sparkman (Ala.), Stearns (Minn.), and Talmadge (Ga.)

A similar backwardness prevails in the areas of workers' com- pensation, overtime pay, child labor, and the like.

Unsurprisingly, 10 of the 19 states do not even make a legisla- tive pretense of requiring fair employment practices and pros- hibiting discrimination.

Paying the lowest wages in the nation, the "right-to-work" states threaten the higher stand- ards prevailing elsewhere by their constant efforts, sometimes successful, to induce employers to move their plants there.

The Senate filibuster struck a cruel blow at the ill-paid work- ers in the "right-to-work" states.