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The INTERNATIONAL BROTHERHOOD of ELECTRICAL WORKERS

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The International Brotherhood of Electrical Workers, 100,000 members stronger since its past convention, assembled in the Public Hall in Cleveland, Ohio, September 30, for its 26th convention. Some 2,200 delegates put their stamp of approval on the record of the last four years of gains in membership, wages, and working conditions. Keyed to the theme of "Operation Brotherhood," which was developed from the title of a film produced on the history of the union, the convention heard President Gordon Freeman pledge that the IBEW will follow the electrical industry "to the length and breadth and height that electricity can reach."

**commentary**

The Labor Dept. has confirmed in its latest report on the job situation in 149 major areas that unemployment is continuing at a high rate despite a recovery trend in other so-called "indicators" of the economy.

In July, 89 of the 149 areas were classified as areas of substantial unemployment, running at least 6 percent of the area labor force. In mid-September this figure was unchanged despite some improvements in the job picture.

The recession appears to be over for everybody but the unemployed in 70 percent of the nation's major job areas. And under the Administration's temporary unemployment compensation program there is little further help in sight. The highly inadequate program is already running out for hundreds of thousands and there are still no jobs for nearly 5 million Americans.

The failure of the Administration and Congress to enact an adequate jobless pay program has driven American workers, eager and willing to take on any job, to public assistance to keep body and soul together while rosy reports are issued on America's "quick recovery" from the recession.

—AFL-CIO News.

**the index . . .**

For the benefit of local unions needing such information in negotiations and planning, here are the latest figures for the cost-of-living index, compared with 1957 figures: August, 1958—123.7; August, 1957—121.0.

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EX-PRESIDENT HARRY TRUMAN ADDRESSES THE 26TH BROTHERHOOD CONVENTION

# REPORT

## 26th Brotherhood Convention 7th Annual Progress Meeting

### *Amendments to the Constitution Redefine Jurisdiction of Broadcasting, Recording and Communications Workers*

**T**HE twenty-sixth convention of the IBEW was brought to order on Tuesday, September 30, and came to a close on Friday evening, October 3, 1958. A precise and detailed report of the proceedings will be printed in the very near future, and each delegate will receive a copy by mail.

Among the significant changes of the Constitution which were adopted by the convention were those which amend Articles I and XXVIII, in Sections 1 and 6, respectively. A comparison of the "old" and "new" language is in order here. The comparison, in each case, will point up the evolution and progress of the

state of the art which (particularly) involves our readers.

The former Article I, Section 1 read:

"This organization shall be known as the International Brotherhood of Electrical Workers, with jurisdiction over all electrical wage workers, including all workers in public utilities and electrical manufacturing plants, and shall consist of an unlimited number of local unions acknowledging its jurisdiction and subject to its laws and usages, and it shall not be dissolved while there are five dissenting local unions."

The new section reads:

"This organization shall be known as the International Brotherhood of Electrical Workers, with jurisdiction over all electrical workers as defined in Article XXVIII of this Constitution, including all workers in public utilities and electrical manufacturing plants, and shall consist of an unlimited number of local unions acknowledging its jurisdiction and subject to its law and usages, and it shall not be dissolved while there are five dissenting local unions."

The former Article XXVIII, Section 6, read:

"COMMUNICATIONS, VOICE, SOUND, VISION, TRANSMISSION AND TRANSFERENCE EMPLOYES

"Sec. 6. These shall include: (a) Radio engineers, operators, installers, inspectors, maintenance and repair men engaged in the application of electricity to the transmission and transference of voice, sound and vision with ethereal aid. They shall have jurisdiction over the following work:

"The installation, operation, inspection, maintenance and repair of radio, television, voice and sound production and reproduction apparatus and appliances by means of which electricity is applied in such transmission or transference production and reproduction of electrical effects.

"(b) Telephone workers employed by telephone companies engaged in the construction, installation, operation, maintenance and repair work associated with telegraph, telephones, dictaphones and all electrical apparatus used in the transmission, transference, production and reproduction of voice, sound and vision through metallic conductors.

"They shall also have jurisdiction over the following:

"Installing, operating, maintaining and repairing all telegraph, telephone, dictaphone and switchboard equipment beginning at the first point of distribution or the first terminal inside of buildings or property lines."

The new Section reads:

"COMMUNICATIONS WORKERS

"Sec. 6. These shall include the following divisions and classifications:

"(a) Radio and television and recording engineers, technicians, operators, installers, inspectors, maintenance and repairmen and servicemen engaged in the application of electricity to the transmission and transference of voice, sound and vision for commercial, educational and entertainment purposes, excepting employees of common carrier companies.

"They shall have jurisdiction over the following work:

"The installation, operation, inspection, maintenance, repair and service of radio, television, recording, voice, sound and vision production and reproduction apparatus, equipment and appliances used for domestic, commercial, educational and entertainment purposes.

(b) Telephone, telegraph and other workers, employed by common carrier communications companies, engaged in the erection, installation, operation, maintenance, repair and service work associated with telephone, telegraph and inter-communication electrical apparatus used in the transmission, transference, production and reproduction of voice, sound and vision in the public or private communications services supplied by common carriers.

"They shall have jurisdiction over the following work:

"The erection, installation, operation, maintenance, repair and service of such telephone, telegraph and intercommunication facilities, beginning at the first point of distribution or the first terminal inside of building or property lines."

There were many more changes involving the Constitution which were enacted at the Convention. Hence, the Constitution must be reprinted and distributed. The complexity of this task will take a little time and our members will have to bear with us until this work is completed.

BELOW: International Vice Presidents of the Brotherhood in a huddle near the speakers' platform at the Cleveland Convention.



ABOVE: Chairman of the Executive Council, E. J. "Rex" Fransway, talks to International Treasurer Jerry Sullivan.





President Gordon Freeman acknowledges the applause of convention delegates following his election to the top office.

## President Freeman Emphasizes "Operation Brotherhood"

### *Remarks to Progress Meeting Praise Delegates and Express Pride of Progress in Broadcasting-Recording*

**R**EPRESENTATIVE HARDY, Secretary Keenan, staff members and delegates to this 1958 Radio-TV Progress Meeting. Secretary Keenan and I were anxious to appear before you this morning, to greet you and to tell you that we are very proud of the progress being made by all our branches and particularly in radio-television. It is nearly needless for me to comment upon the difficulties that confront us in all our work and those which particularly confront you gentlemen in your work because of the restrictive laws and regulations placed upon our organization as well as other labor unions by the National Labor Relations Board, the Federal Government and many state legislatures. I am sure you are aware of the recently-proposed Labor Board administrative ruling changing the situation with respect to radio and television broadcast stations. They didn't help us by this proposal; in any aspect of the matter they made it worse. On the other hand, their proposal—if finalized—would give us some relief in other branches. We were at quite a loss to understand the thinking behind the action and your representative in the International office as well as our General Counsel has taken cognizance of the situation and we are doing everything we can to help our people in the broadcasting industry.

I know that you have other problems to take care of in this meeting. I will therefore comment only briefly. We have made considerable gains, I think, in the broadcast industry and in the recording industry. I think

that is due to the activities of men like yourselves, and I am pleased to say to you that I know you have received assistance from other members in other branches of the organization, which is as it should be. It is not my purpose this morning to give you a long report, because you probably know more about your progress and the problems than I do, but nevertheless I do want to assure you that at all times we in the International office are trying to do what we can to assist our members in all branches of the industry. Sometimes some people in some branches think they are being neglected—I assure you that is not the case. We are just as concerned about one member in a local union as we would be about a membership of a local union of 25 or 30 thousand. This philosophy is a part of the reason for the advancement of our Brotherhood in all the fields which involve electrical work and contributes, in large measure, to the theme of this convention — "Operation Brotherhood."

I want to say to you that while you are here in Cleveland, I know that you will take interest in the workings of our convention. Many of the members of your branch are on some very important committees, many of them are working today and will be working tomorrow so as to be prepared to give complete reports to the convention on Tuesday morning. In closing, I want to emphasize that we are proud to have you as part of our Brotherhood and proud to have you here as delegates to contribute to the work of our convention.



Secretary Keenan

## Secretary Keenan Addresses Seventh Annual Progress Meeting

*Emphasizes Necessity of Supporting  
Labor's Friends in November Election*

**I**NTernational President Brother Freeman, members of the staff and delegates to this annual Radio-Television Division of the IBEW. I assure you it is my pleasure to be here today and spend a few minutes with your group and to talk to you briefly. In the last six or eight months our membership has taken a loss because of conditions. The recession has hit us and it had very serious effects in quite a number of the branches. Also it has caused us to be especially concerned because we feel that during this next month, there may be some happenings in some states that will make it possible for the opposition to further grind out and reduce the membership of our International and probably all of the unions affiliated with the AFL-CIO as well.

Our finances are in very good shape and the officers' report will indicate that when you receive it, when you pick up your kits at the registration booths in the Carter. Also our different funds are in very good shape and at the present time we have over 10,000 people on pension and that is growing all the time.

Today, yesterday and the day before I have had occasion to talk to many of the delegates as they came in. This morning I had breakfast with a group from California and our whole time was spent in discussing the possibilities of the right-to-work law. Yesterday, I had lunch with the officers of the Ohio State Federation of Labor and their great concern was the right-to-work law that is on the ballot here in Ohio. They are also concerned about it in Idaho, in Kansas, Colorado, California and Washington. There are six states, this November, where the citizens will vote on right-to-work laws. The right-to-work laws are nothing more than a miniature Taft-Hartley Act and I have told you and many, many thousands of people in the United States

that the Taft-Hartley law in its present form is enough to destroy the trade unions of this country. President Freeman just mentioned the NLRB administrative ruling which is proposed, to change the regulations as far as broadcasting is concerned and make it possible for the employers to avoid the regulations of Taft-Hartley. I know that it is pretty hard to get people enthused when they're working every day, getting good wages and the sun is shining on both sides of the street.

You are witnessing, as we are at the International office, a change of heart, so to speak. People go on strikes which are not settled in a day or two, they are not settled in three or four, and some of them are lasting five, six and seven weeks. Enemies of organized labor seem ready to take us on all across the board. I know that it is pretty hard for officers to take time to talk to their stewards and their members as to what these laws mean and how they affect us. I say to you that here in America, we are in a dangerous, very dangerous situation. We have an explosive situation over in China, and right now we are sitting on a keg of dynamite and possibly war will be declared at any time. And if war is declared, under the administration we have at the present who can foresee what may happen? I am sure that if war is declared, and God forbid we happen to be attacked or we have some bombs placed on us, then we will have a form of martial law. I say to you that my only hope of trying to maintain this government and our standard of life is through the ballot box. Between now and next November we have an election. I am sure you subscribe to the principle that labor unions are not set up to dictate the politics of its members—I am in full accord with that. But I don't think it stops the officers of a local union or an international union from trying to inform their people

as to the possibilities of what may happen if the wrong people are elected to office! We have seen all over the United States men that are elected to Congress who make promises to us and just as soon as they are elected and the business interests of a city or a political subdivision start to put the heat on they then follow right down the line. I am concerned because I would hate to see the trade union movement of the United States destroyed because we weren't there and didn't put that little extra effort in, in order to elect those fellows that we know, if they are elected, will preserve our way of life and also help us to preserve our unions. I would like to say to you fellows, because you are men that are close to the news, you are men that are close to where the news is made, that you can have your little influence with the people you work with every day. You get quite concerned when you turn on your television and the radio and hear these fellows take out after the labor leaders of this country. And what have the labor leaders in this country done? What have they done that makes them the subject of almost everybody's conversation, everywhere?

Is there anything wrong when half the people of this country get an eight-hour day? Is there anything wrong when the working man or woman gets enough wages to send his children to school or to college and raise them in decent conditions? Is there anything wrong in a union trying to get sick leave? Is there anything wrong in a union trying to get health and welfare? Is there anything wrong in a union trying to get its members a decent pension when they are ready

to retire? That's the history of the American labor movement. Unions are an institution for good. Today as in no other day does a labor leader have the right to walk with his head as high as the present time. I am ready to walk anywhere with responsible labor leaders and tell the people what we have done. If we lose the influence of the trade unions and that power to do good, then I'm afraid the United States of America will go the same road of all those countries that were turned over by a Fascist government. I am asking you people here today to do a great job; to go out and help in your localities, to get behind the state or city COPE and your Central Body COPE. Find out who your state COPE has endorsed and go right straight down the line supporting the people they have endorsed. These candidates haven't been endorsed carelessly; they've gone into their records and they know where they will be when they are wanted. Then, finally, get out and do what you can to defeat right-to-work laws.

Some of our people are saying that maybe our members had better be a little hungry before they act. I say to you it will be too late then. I think we have to remember that old adage "A stitch in time saves nine" and if we all do our job between now and next November we may beat those right-to-work laws and we may elect to Congress those people that we need in order to repeal or at least change the Taft-Hartley, and by amendment make it workable and equitable. Get into your state organizations and see that you elect liberal legislators so they won't be able to pass a right-to-work law during the next session of the legislature. If we all do our jobs we'll continue on year after year having these conventions and looking back at the good we have done and planning for doing more good in the future.



LEFT: Chairman of the Executive Council Rex Fransway speaks to convention.



ABOVE: Robert Grevemberg, Local Union 1139, New Orleans; Joe Harmon, Local 253, Birmingham; and George Magdich, Local 1193, Atlanta.

BELOW: International Rep. Taylor Blair of the 12th District.



**M**R. CHAIRMAN, Counselor Sherman, brother members, I don't want to take up a lot of your time, I know it is pretty well filled up and you have a lot of work to do; I don't want to do anything to upset your program. I have been listening very attentively to Counselor Sherman. He is bringing out very, very important points which we will have to live with in the future and become well-acquainted with to be able to carry on in the business of our organization. So many things are constantly coming up in the legal end and the legislative field; one is the stepping stone to the next and if we become acquainted with the ones which are confronting us now we will surely be able to better understand new laws and be able to operate under them.

In looking forward to new laws and new regulations, we should look very seriously at the people who will pass those laws. It is therefore doubly important for



International Treasurer  
Jerry Sullivan

## **Sullivan States Case for Education of Members And Labor Peace for Benefit of Nation**

*International Treasurer Concerned About Trend Toward  
Belief of Sensational Headlines; Believes Whole Truth  
Should Be Examined*

us to get together in our thinking when we exercise our voting rights this year. This, of all years, we must get together, educate our members and exercise our strength. We have generally held ourselves aloof from politics in the past. But political maneuvers have been used against us, to the degree that they are baseball bats which will be heavier as we go along. Therefore, of necessity, we must become politically educated; we must know and we must teach our members how to vote and how to minimize restrictive legislation which may confront us. I hope you will all see that every one of your members registers and votes. If you can, teach them how to vote—don't tell them, but try to teach them. Give them the facts and point out how important it is to them to vote in the coming election. If we all do that, I am sure that we can upset a cynical administration which is trying to hobble and cripple labor and benefit the large business interests to the degree that it will put them on easy street and make the working man a virtual slave to them, as was the case in the dark past.

Look at the history of labor. When you read back over it you see the Haymarket strike, the Homestead strike, the coal strikes and the iron and steel and the nationwide industry strikes which have taken place in the past. You are now seeing an attitude of government which could lead to strife and bitterness and to a modern-day equivalent of those past and black days.

A disturbingly large segment of the new generation is being taught to ignore or to look down upon organized labor and the working man. A very small proportion of labor leaders have been found unworthy of the trust placed in them and the great tendency is for the public—and far too many members of organized labor—to assume that all labor leaders are dishonest and unworthy of trust.

I want to say here, as I've said before, that we have good labor organizations, we have good men leading them and I think that when the spotlight of publicity has faded, the American people will recognize that labor

*(Continued on page 9)*



# NLRB Accepts IBEW Proposal Regarding Jurisdictional Standards

## *Communications Standards Reduced to \$100,000 Gross Income*

ON October 3, 1958, the National Labor Relations Board issued notice of its relaxed standards which had previously been subjected to public notice. (See *Technician-Engineer*, August 1958). The original notice from the Board, announced on July 22, requested comments of interested parties, and the IBEW immediately substantiated its claim that the communications industries should be subject to Board jurisdiction based upon a criterion of \$100,000 gross income, and not the proposed figure of \$250,000. Following a review of the IBEW statement, the Board accepted the lower figure. The new minimum of \$100,000 became effective immediately.

The standards replace those applied since July of 1954. With three exceptions, they are the same as the proposed standards announced on July 22 of this year. The changes relate to office buildings, newspapers and communications systems, and franchised retail dealers.

For office buildings, the proposed test required receipt of rentals totaling \$100,000 a year or more from organizations meeting one of the other standards. This is changed to require a gross annual revenue of \$100,000, only \$25,000 of which need be derived from organizations meeting one of the new standards. The proposed standard of \$250,000 gross annual volume for newspapers and communications systems is reduced to \$200,000 for newspapers and \$100,000 for radio, television, telegraph, and telephone companies. For franchised retail dealers, however, the gross volume of business test is raised from \$250,000 to \$500,000, the standard for retail firms generally.

In its appropriation for the current fiscal year, the Board was granted an additional \$1,500,000 to cover the cost of extending its jurisdiction into some of the area now within the so-called "no-man's land." At the time, NLRB Chairman Leedom estimated that the revised standards, as proposed in July, would result in the Board's asserting jurisdiction over 20 percent of the cases it had been rejecting (42 LRR 185).

The text of the Board's statement announcing the revised standards follows:

The National Labor Relations Board today announced changes in its standards for determining in which cases the Board will exercise its jurisdiction. The current standards were adopted in July 1954.

The new standards take immediate effect, applying both to all cases now pending before the Agency and to all cases which may be filed.

The various elements of the new standards will be set forth in decisions rendered by the Board following October 2, 1958.

The Board's action was taken pursuant to its statement of July 22, 1958, wherein the Board: (1) announced certain proposed changes in its standards; and (2) invited briefs or comments by any interested groups, organizations and persons. At that time the Board said:

"We are taking this action as a consequence of the situation to which the Supreme Court referred in the case of *Guss vs. Utah Labor Relations Board*. Therein the Supreme Court adverted to 'a vast no-man's land, subject to regulation by no agency or court,' and declared: (1) 'Congress is free to change the situation;' and (2) 'The National Labor Relations Board can greatly reduce the area of no-man's land by reasserting its jurisdiction.'

"On Friday (July 18), the Congress voted approval of the Board's appropriation for the fiscal year 1958-1959. The total was \$13,100,000, of which \$1,500,000 took into allowance the extension of the Board's jurisdiction into some of the area covered by the so-called no-man's land.

"Today, we are announcing this action, so that more individuals, labor organizations and employers may invoke the rights and protections afforded by the statute."

## **Sullivan States**

*(Continued from page 8)*

unions and labor leaders are honest and trustworthy and a credit to our way of life. But unless union members, their families and their friends are told the whole story and given the truth about labor organizations, we cannot expect those whose only information comes from sensational headlines and anti-union sources to know the wholesome truths. This is part of your job—to educate, to inform. If every one of us will take just a little of our time to tell our story and to recount the benefits which have been developed by unions for their members and non-members alike, we won't have a repetition of strikes and strife, disruption and disunity, depressions and recessions which plagued us in the past.

# Labor Legislation Is Undergoing Change

*Address by Louis Sherman, General Counsel  
Seventh Annual Radio-TV Progress Meeting  
September 28-29, 1958, Cleveland, Ohio*



I HAVE come here today for the purpose of going over as I have in years past, some of the legal developments both of general character and also of specific importance to the radio and television group.

The first subject I want to discuss today is the Kennedy-Ives Bill. As you know, the Kennedy-Ives Bill was a subject of protracted discussion and debate in both the Senate of the United States and all other media of public discussion. The bill was passed by the Senate; the vote was 88 to 1. It then went over to the House, where, on the basis of various and sundry legislative procedures, the issue came up on the question of suspension of the rules, which has to be done by a two-thirds vote. The motion to suspend the rules failed, and it did not even acquire a majority vote.

Under those circumstances, it might well be said that this is an issue which is at an end, and we don't have to concern ourselves about it. I don't think so. You remember that when the Taft-Hartley Act was adopted in 1947 there had been a similar bill, known as the Case Bill, which had gone through both the Senate and the House in the preceding session of the Congress. That bill was vetoed by President Truman, but, gentlemen, that did not end the problem. The same issue arose in the next session, and the bill was then adopted known as the Taft-Hartley Law.

I think the lesson is instructive. When public opinion develops in a substantial way, you can be sure that in time, perhaps not in this particular session or that particular session, but somehow or other that opinion will work itself through in terms of the law. I don't believe the issues in the Kennedy-Ives Bill are dead. I think they are going to be with us, very much with us, during the campaign which will take place during the forthcoming Congressional elections. I think the

issue will be with us for some time to come. And because I think so, I think it might be well to relate a little bit of the history of the bill and to discuss some of the underlying issues, because in this great country of ours I think everyone does have a chance to express himself and have some participation in the legislative process. If that chance is taken advantage of, if the particular group adjusts itself with intelligence, courage and integrity to the problem, then it has a chance of prevailing. But if it sits idly by and lets the ball go past, it has only itself to blame for not doing the job. And crying about it later on just doesn't do much good. So I think the tedious job of trying to understand what is involved in a piece of legislation and putting ourselves in a position where we can discuss it intelligently and effectively is quite important.

The previous speaker has pointed out to you that the issue of "right-to-work" legislation is not just an abstraction. It is not just something to talk about in the press. It has its direct and immediate impact in terms of negotiating sessions, in terms of contracts, and in terms of the question of whether the union is going to live or die.

In the field of federal legislation, these laws are of great importance, not only because they're interesting things to talk about and not only because they are written up in the newspaper, for, once they are down in black and white on a little piece of paper, they have effects, special effects on those who run unions and those whose welfare is dependent upon them.

And so with that preliminary I would like to give you a little bit of the story of the Kennedy-Ives Bill. You will recall that early in the session, there was a move for the adoption of legislation relating to the disclosure of information with respect to health and

welfare plans. That bill was known as the Douglas Bill. When that bill came up for discussion, debate and passage in the Senate, Senator Knowland of California, who is also a very strong advocate of "right-to-work" legislation, introduced a bill which he had previously entered as a union democracy bill as an amendment to the Health and Welfare Bill.

I had the privilege of addressing a legislative conference of the National Building Trades in Washington about the Knowland Bill before this arose. In fact, it was the sole subject of my discussion. I tried to bring to the attention of that group the rather harsh provisions of the bill and what they might do to the movement. At the time one of my learned friends from Washington said, "Well, it was a very good speech, but what was the idea of beating a dead horse." I told him I thought it wasn't a dead horse and, unfortunately, that prediction came true, because in the debate for the Knowland amendments which seemed so very extreme, the power behind those amendments was such that the only way they could be stopped was by making a commitment that the Senate Labor Committee hold immediate hearings and report out a bill by June 10. Once that commitment was given, the amendments were withdrawn. The hearings were held, the bill was drafted and it came up for debate in the Senate on June 12.

I had some relationship with a portion of the bill which involved the Building Trades, because there were included in the bill various provisions which were designed to soften or ameliorate the harsher aspects of the Taft-Hartley Act, and one of the important portions thereof dealt with the special problems of the Building Trades. As a result, I happened to be there personally—that is in the galleries and lobby of the Senate during the entire debate. I am not going to try to give you the blow by blow description of what took place, but I think it is important that you realize that that was a very serious debate.

My way of pointing to its seriousness is to give you a little idea of the time consumed in the five days of debate. As you know, the Senate generally meets at 12 o'clock. The adjournment is usually around five or six. But in this debate the first day, Thursday, June 12, the Senate adjourned at 10 p. m.; Friday, June 13, it adjourned 10:24 p. m.; Saturday, June 14, it adjourned 10:58 p. m.; Monday, June 16, it adjourned 11:14 p. m.; Tuesday, June 17, it adjourned 8:35 p. m. The members of the Senate are not generally very young men, as a matter of fact some of them are quite old. But, nevertheless, they stayed there and voted. On some of the issues the vote was as high as 89 or 90 votes—there were that many Senators present. I say that and try to emphasize the degree of consideration by the Senate because it seems to me that that bill, which is very complex in its general approach and which has aspects of pain and pleasure for the labor movement, was on the whole a good bill under all these circumstances. Why do I say that?

On the other hand, considering the pressures that have developed for legislation, we have one central problem and that is to take a good realistic view of the situation. We must recognize, in my personal judgment, that it isn't good to make believe about these things, it isn't good to think that we are all angels and all those against us are devils. It isn't good in my judgment to make believe that the public is going to accept our view, that we are all angels and everybody else devils. I think we have to recognize the situation in terms of what we call the public mind. We have to recognize that to a lot of people the image of the labor movement is something different from what we would like it to be.

And under those circumstances the great danger as I see it is this: that under the pressure of hysteria, emotion and excitement, and it is there, that the gentleman whose concern is not with the improvement of the labor movement but with its destruction, with its weak-



Delegates to the Cleveland Progress Meeting listen attentively to General Counsel Sherman's address.



ening, will take advantage of the situation to put into effect provisions of law, sometimes not noticed too much, which will have the effect of putting the labor movement in the position where it cannot engage in collective bargaining effectively. For somehow or other, no matter which way the ball starts rolling, we always seem to find that it seems to take a particular direction. No matter how it starts, it always seems to wind up in the same direction. During the period preceding Taft-Hartley there was a great deal of public excitement and concern about extensive nationwide strikes which took place. There was extensive concern about so-called Communist infiltration of unions. Under the pressure of that concern a law was adopted.

It is very interesting that now 11 years after the law was adopted, its most important provisions are *not* those dealing with nationwide strikes, *not* those dealing with so-called Communist infiltration of unions, but rather provisions which cut down the scope of unit in terms of definition of supervisors, provisions which affect the power to engage in picketing, provisions which, in general, are directed to the labor relations issue which was not before the public. So here we find, and as I say let's not make believe about it, that where there is public demand and public pressure for legislation to do something about some of the stories you read about in the paper (and they are not very flattering to us) that there are those who want to take advantage of the situation, who would like to take the steam in the boiler and direct it back to the same alley—the alley down which the "right-to-work" law goes, the alley down which the Taft-Hartley Law goes, somehow or other to get the labor side of the equation in a weaker position. That, it seems to me, is the object of those who we oppose.

Now, of course, it is a lot easier when the issue comes up like this: Are you pro-labor or are you anti-labor? There is nothing to think about—you just pick your side. But where a question comes up on the issue of: Shall we have provision A or provision B, flying under the banner of "union democracy" or some other fine-sounding slogan, it then becomes a difficult matter, but a very necessary matter, that we understand the difference between a proposal which is intended to meet a problem which we must concede must be met and a proposal which under the designs of meeting that problem would roll that ball down the alley which is intended to knock over the labor movement.

Let me give you some illustrations of what I'm talking about. The Knowland Bill provided for penalties and a fellow had to be pretty well informed about the meaning of Title So-and-So, Section So-and-So of U. S. Code So-and-So to understand what those penalties were. Those penalties were not advertised by the draftsmen of the bill or the public discussion that supported it. The penalties had to be advertised by the

labor spokesmen who brought them to the floor. The Knowland Bill provided that if a union or a union officer made a misstep in connection with let us say so-called strike balloting procedures which were intended to create union democracy; that the effect of it would be that the union would lose its exemption under the Anti-Trust Laws, its protection under the Norris-LaGuardia Act, its rights under the National Labor Relations Act and the federal income tax exemption. There were procedures in this bill of Senator Knowland of California which provided for referendums by the membership on a great many detailed issues. I will leave out for the moment the question of the effect of the procedures in terms of the welfare of the union. I will address myself to the consequences of the failure to comply with those provisions of the Act. The consequence of failure to comply with those provisions of the Act was the loss of the Anti-Trust exemption, the loss of protection under the Norris-LaGuardia Act, the loss of the union's rights under the National Labor Relations Act and the removal of the federal income tax exemption.

The reason why I don't condemn the Kennedy-Ives Bill, the reason why I say it was on the whole a good bill is that, generally speaking, there was a very careful discrimination in that bill between the wrong-doers and the wronged. Penalties were formulated for the former category, but this business of taking away the federal income tax exemption of the union, of removing the rights of a man under the National Labor Relations Act and the Anti-Trust Laws and the Norris-LaGuardia Act were left out.

The bill did have provisions in it which represented some degree of relief from Taft-Hartley. For example, in terms of the issues which you are concerned with there was a provision that would have required the National Labor Relations Board to assert its jurisdiction to the full. This would have meant that the present \$200,000 rule would have been eliminated, and the definition of supervisors was changed so as to provide that a supervisor must in fact exercise supervisory authority, that he could not merely be empowered to act as a supervisor and thus be removed from the unit. There were other provisions in there, such as the provisions which would have eliminated this union-busting idea in the Taft-Hartley Act which doesn't permit the economic striker to vote. Now one wonders why, if this bill had some merit (and it did have the almost unanimous approval of the Senate, including people like Senator Knowland and Senator Mundt). If there was such a degree of approval, why did it fail in the House?

There are two reasons given, and I might say in the beginning that I don't think I know the answers but I think we ought to try to understand some of the explanations. One reason that is given is that this is a very undemocratic procedure, indeed, that the Speaker

of the House held the bill for 40 days and then they came in and tried to ram it through the House with a minimum of discussion. Of course, it is a fact that the suspension of the Rules procedures of the House have been in effect for many years and that a great deal of legislation is adopted under the suspension of the rules. It is also a fact that the gentlemen who complained about the procedure were the very people who employed a somewhat different procedure when Taft-Hartley came up. I can never forget Sam Rayburn's remark when he was minority leader of the House and the Conference report on the bill, which is about 60 pages long, came up 20 minutes before the vote and he said: "It would take us at least an hour, a day, or a lot longer to understand this Conference report and we are expected to vote on it in 20 minutes." Well, these same gentlemen who are now raising the issue of procedure rather overlook the fact that during that period from the time the Senate acted until the time the issue came before the House, they had a great many days to read the bill. In fact it was talked about in the newspapers, there were all sorts of learned analyses on it, and so on, so they could have made up their minds.

Here is another explanation, I assume there are a lot of explanations, but this is the one that I want to concentrate on. There is another explanation that is offered and this is based a little bit on the conduct and activity which took place between the vote in the Senate and the vote in the House. Interestingly enough, the representatives of the Chamber of Commerce, National Association of Manufacturers and others, came in and expressed themselves quite forcibly against the bill. They didn't issue too much public statement about it, but they issued a great deal of private statement to the people on the Hill. Their reason given was a provision of rather small impact it seems to me, and that is Section 103 which requires an employer to report the expenditures he makes to third parties for the pur-



Frank Green of Local Union 1215, Washington, D. C., and Lawrence Rimshaw, Local 1400, Baltimore, Md., consider the problem under discussion.



International Representative W. A. Smith of the 4th District addresses the meeting.

pose of influencing or effecting the rights of employees under Section 7 of the Act. This section, and I'm not too sure that I know what its origin or purpose was, was intended to meet some problems that had arisen in connection with a gentleman named Shefferman and it was intended to at least require disclosure of expenditure of funds which were intended to affect the position of employees under Section 7 or, a little more directly speaking, such activities which were intended to break the union. While those activities may be legal, this statute or bill did not intend to prohibit them. All it intended to do was to elicit information as to who was getting the money and how much was being spent by employers.

Now, I think it is an arguable question as to whether that was wise or unwise, but it does seem to me that it was very much in the category of a fly speck. It does seem to me that people who know anything about legislation, know very well that whenever you enact any kind of comprehensive law that there will be imperfections in it. While Taft-Hartley was being adopted, the proponents were saying, "Now, don't worry. We know you are worried about this, you're worried about that, but if anything shows up that isn't too good, we'll amend it." But they weren't talking that way this time.

Recently a friend of mine handed me a copy of the NAM newspaper and a little sheet which is the Chamber of Commerce newspaper; and they were speaking in terms of pleasure over the defeat of the Kennedy-Ives Bill in the House. The big point they make is that now we have a chance to get at the heart of all of this, this wouldn't have done too much. We really have a chance to get "good" labor legislation. And that would be in the area of doing something about the "monopoly



ABOVE: Four international representatives listen to the proceedings—Freeman Hurd, District 6; Kenneth Cox; Al Metcalfe, District 1; and Harold Becker, District 11.

power” of unions, organizational picketing and things of that sort.

You see, therefore, that whether we’re talking about Taft-Hartley, whether we’re talking about Kennedy-Ives whether we’re talking about the “right-to-work” law, always the things we have to watch for, the thing the labor movement must be able to explain is that legislation dressed up in attractive robes has to be dissected, has to be analyzed and must be considered in terms of what effect it’s going to have on the existence of the strength of the labor union movement.

I want to give you one illustration in terms of what I think may have some particular importance for you. There is such a thing as organizational picketing. There was a time when even the so-called “nine old men,” the old Supreme Court, had this issue before them, and they recognized that there was a Constitutional right to it. As a matter of fact, it goes back even further. Chief Justice Taft made a statement in a famous case, *Tri-Cities Council Case*, that a union must have the right to extend its organization so, therefore, a union had the right, he thought, to picket an establishment in which it represented no employees, because if it didn’t have that right, the conditions which it had managed to secure in the other establishments would be broken down.

Now that’s a simple thing. We all know it. It doesn’t require a Ph.D. in Economics to understand that if you have three radio stations in a town with agreements and certain stated conditions, that if the fourth station can operate free and clear with much lower labor standards and lower cost, then such fourth station will have a competitive advantage and ultimately the welfare of the union and the welfare of the members in the other three stations will be adversely affected. Under that simple economic relationship, the old Court recognized the right of a union to engage in so-called organizational picketing. That was the decision in *AFL v. Swing*, some years ago.

I think maybe we ought to mention names and see

what we are talking about because as we sit here amongst ourselves, we know what we like, we like each other and we like the things we like—that makes it all very nice and easy. But I think we ought to go outside where the cold wind is blowing and see where we really are.

During these Congressional hearings there was some evidence about the use of picketing for shakedown purposes. The public doesn’t think that is very nice, and I don’t think we do either. How do you meet a problem like that in a legislative way? Can you stand up and say, “No, you can’t attack the inalienable rights of labor”? That’s no answer to the public. On the other hand, do you run away from the whole thing? Let the other fellows have a field day, so they can put in anything they want? I don’t think that’s the answer. Somehow, whether we like it or not, we have to figure out a solution to the problem. Here is the solution that came up out of the Kennedy-Ives Bill, and I might say that I won’t leave any erroneous implications—I had nothing to do with drafting it—my discussion of this is only from the standpoint of analysis. The provision with respect to picketing was written in such a way that it did limit organizational picketing when the purpose of such picketing was for the accomplishment and enrichment. On the other hand it did not eliminate the right to engage in organizational picketing as such.

That is one of the very small points in the Kennedy-Ives Bill which did not satisfy the spokesmen for industry. What they would have liked to do is take advantage of what I think you probably saw on the press, picture of a gentleman named Johnnie Dio snarling at a photographer, and they developed most of the testimony on organizational picketing with respect to him. What they would have liked to do is take that picture and use that as the framework, as the springboard, to strike down all organizational picketing.

I don’t like to accuse people of bad motives, and I don’t think it is necessary to do so. It makes little difference what their motives are, it’s the effect we’re concerned with. I think they would like to do something about the organizational picketing that we all have to agree is wrong, but they would also like to get a little bonus. And that little bonus would be in the form of the ending of all organizational picketing.

There you see the contrast between a provision which is designed to meet what we call an evil, but which strictly confines itself to the subject matter thereof by addressing itself to picketing for personal enrichment purposes. On the other hand you find the other approach—which is to say some organizational picketing is bad and we’ll wipe the whole thing out.

My reason for going into that issue on a bill that hasn’t passed is that it illustrates the problem that we



are going to be faced with in the future. Gentlemen, I claim to be no prophet. But looking at it from an historical point of view we must recognize that the action of the House in its refusal to take up the Kennedy-Ives Bill is not going to lay this problem to rest. The problem exists in the public mind. There are powerful forces that are interested in developing it, and we're going to have to meet it. What I'm suggesting to you is this, that in meeting that problem in the future—we don't have the simple issues that used to exist years ago. In the old days if a court issued an injunction involving a labor union, everybody knew it was governed by injunction and off they went in that direction. You could recognize the difference between what was known as a prolabor proposal and an antilabor proposal.

When the exception for labor from the Anti-Trust laws came up in the Clayton Act, I think there was a clean cut issue. All the people who liked labor were in support of the exemption. All of those who disliked it were the other way. And the same was true of Norris-LaGuardia. The same, I believe, was true when the Wagner Act came up. But today things have become more difficult.

As I have indicated to you, it would be easy for labor spokesmen to say, we are for the final and complete protection of organizational picketing under all circumstances. I'm sure that we probably would agree that we could accept the small abuses that developed, but I think the public would not agree. And so we have to fashion an answer which is going to satisfy the legitimate need and most important of all, prevent the utilization of a difficult situation for the destruction of fundamental rights, which, if they are removed, will make right-to-work legislation look like a powder puff. Just imagine what would happen if unions were in a position in which their exemption from the anti-trust laws, their protection under Norris-LaGuardia, their rights under National Labor Relations Act, their exemption from federal income tax would become so shaky that every time they made a little misstep, their foundations would be pulled out from under them. Imagine what would happen if unions were put in a position where the only way they could secure recognition is by a representation election. Of course, when we say representation election we grant that in most cases that is a perfectly sound and legitimate and reasonable method of getting recognition. But there are circumstances, certainly in this industry and in others, where the ability to engage in organizational picketing on a legitimate basis is the very condition, not only for the maintenance of the organization in an area, but also for the maintenance of the labor conditions in that area. I don't think it needs a great elaboration from me to prove that to

you, because you have the problem in every city of the United States.

The approach of the other side to inform the public the way they want them to be informed is well under way. I was at the American Bar Association meeting in Los Angeles and participated in a debate on this Bill which had been styled under the title "Kennedy-Ives Bill, Reform or Fraud?" In that debate it became quite clear that the real feeling on the part of many of those who opposed the bill was based on a view that "We're just not getting enough." After all this beautiful pressure has developed, after all this excitement has been caused, to wind up with the limited type of legislation which Kennedy-Ives provided was just no good. And I say that because it seems to me that there will be a move—in fact it is under way now and it will probably figure in the Congressional debates—there will be a move to try to justify the defeat of the Kennedy-Ives Bill on the basis of the title I mentioned "Reform or Fraud?" and underlying it will be a desire, a rather powerful desire, to maintain the agitation over these unfortunate developments which have occurred for the purpose of getting sweeping legislation which will impair and weaken the trade unions.

I went into that not because it's of any use in answering any particular question you might have right now, but because I think that at these meetings we do have a good opportunity to go over some of these broader issues and bring together some of the little intricacies which occur in the federal legislative process and I gather there are some intricacies in the state legislative process from the previous speaker. To bring together those intricacies with your own experience and to alert you to the issues which will be coming up in connection with the election, in connection with debate, in connection with discussions you might have with your local union membership or Congressmen and the like, seems to me to be extremely important.

We have been forced in these years to become more knowing about the legislative process, because we must recognize that these big headlines in the papers and these statements, denunciations, etc., when they wind up in law have a lot more effect on us than the winning or losing of any particular certification election or the winning or losing of any particular strike. They set the ground work, they set the rules and, in fact whether we like it or not, they tend to set the big balance wheel between labor and management. So that, if I may say so, I was impressed by the injunction of the previous speaker to lose our complacency. I think it's a matter of losing it by realizing that these general issues are not far away, they are not remote. They are matters on which ultimately your own welfare and the welfare of the membership depend. So much for the general subjects.

# Station

# Breaks

## Directory Changes

In recent weeks there have been several changes in addresses, telephone numbers, etc., as they appear in the Local Union Directory. Corrections should be made in the following cases:

Local 253                      Joseph S. Harmon  
Birmingham, Alabama      1829 Woodland Ave., S. W.  
Birmingham, Alabama  
Phone: 5-2140

Local 1193                    George Magdich  
Atlanta, Georgia            3014 Hollywood Drive  
Decatur, Georgia  
Phone: Melrose 4-5977

Local 1218                    Richard L. McNutt  
Detroit, Michigan            29601 Ravenscroft Rd.  
Farmington, Michigan  
Phone: Mayfair 6-5307

Local 1264                    J. C. Burns  
Mobile, Alabama            2104 Highland Court  
Mobile, Alabama  
Phone: Gr. 8-1831

Local 1281                    James Drake  
Providence,                  56 Dean Street  
Rhode Island                Centerdale, Rhode Island

Local 1300                    F. J. Distelzweig  
Columbus, Ohio            1687 S. High Street  
Columbus 7, Ohio

## Water-borne Unit

When the Crown Stations of Oregon and Washington (KGW-TV, Portland; KING-TV, Seattle, and KREM-TV, Spokane) decided to cover the Diamond Cup Hydroplane Race on Lake Coeur d'Alene, Idaho, recently they discovered that the site for their mobile unit was a half mile from the nearest road and only accessible by water!

Technicians employed by the stations—members of IBEW Local 49, Portland, and Local 77, Spokane and Seattle—were undaunted. They loaded the 15 tons of equipment and a 10-ton truck onto a raft and kept their

multiple fingers crossed for a half hour while a tug towed the gear to the site.

It took 35 staffers three days to set up equipment—which included a TV camera and 16 lenses, 1½ miles of cable, three remote units, and a 60-foot tower.

The 5½-hour coverage of the race was originated by KGW-TV and relayed to KING-TV and KREM-TV. It took the technicians less than two hours to dismantle the equipment and get aboard the raft for the return trip.

## City Election Net

Three radio stations in San Jose, Calif., all manned by IBEW technicians, recently pooled their facilities and know-how to create a local network for the California primary election returns. The sponsored citywide broadcast was so successful that the stations plan to combine their resources again during the November general election.

The stations' combined staffs tabulated, posted, and broadcast the returns from the ballroom of a local hotel. Changing totals for the candidates were posted on a long blackboard. Precinct information arrived on six special trunk telephone lines from 24 runners—local high school students. Three newspapers supplied reports from distant points in Santa Clara county.

More than 300 persons paid visits to the three-station headquarters to watch the tallies mount.

## So We Goofed!

Pretty obvious, huh—those errors appearing in our September article "Faint Signals From the Keys?" (Serves us right for picking it up from a non-technical source.) Brother William D. Kelly of Local 1400 and Brother Ero Erickson of Local 134 have taken us severely to task. They found errors in the code, and they pointed out that "Land-line" Morse is slightly different. The spacing of the letter "R" was incorrect. Sorry, fellows, but there is a bright aspect to making such errors—we can now prove that we have TWO readers. And, thanks to you.