

Strikebreaker Order Continued in Federal Court

The federal district court in Sacramento this Tuesday picked up an expiring Yuba County Superior Court order requiring the State Department of Employment to send strikebreakers through agricultural worker picket lines at pear orchards in Yuba County owned by DiGiorgio Fruit Corporation. The Agricultural Workers Organizing Committee is striking the orchards for a \$1.25 per hour minimum picking scale.

The original superior court order, issued without the usual "show cause" provision, was scheduled for final ruling last Friday. At that time, however, counsel for the Department of Employment petitioned the federal court to take jurisdiction on grounds that federal laws and policies were involved in the referral of strikebreakers under the Wagner-Peyser Act.

With the state court order directing the Department to refer strikebreakers due to expire at midnight, Monday, the new federal court order was issued.

The federal district court is scheduled to decide Monday, August 1, whether the federal court will accept jurisdiction in the case, and whether the strikebreaking order should be made permanent.

(Continued from Page 3)

New 'Short-Weight' Threat to Consumers

California consumers this week were threatened with a new scheme which would allow "short-weights" at the grocery and self-service meat counters under a so-called uniform state system for checking the weights and measures of packaged and processed foods.

The threat was contained in a set of proposals submitted to the Department of Agriculture at Sacramento hearings, Tuesday, July 26, for establishing procedures to be followed by county sealers in the sampling and weighing of the contents of containers comprising a lot.

The Tuesday hearings were a continuation of earlier hearings held by the Department on proposals to allow specific short-weights or "deficiency tolerances" in the declared net weight on frozen foods and packaged meats under authority of a 1957 law secured through the legislature by the Department over the opposition of organized labor.

At the hearings this Tuesday,

(Continued on Page 2)

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THOS. L. PITTS
Executive
Secretary-Treasurer

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151

Kuchel-Engle Assistance Urged on Wage Bill and Health Care for the Aged

California's two U.S. Senators, Republican Thos. H. Kuchel and Democrat Clair Engle have been urged to assume a major role on two major issues before the Senate when it reconvenes on August 8.

In separate communications directed to Kuchel and Engle during the past week, state AFL-CIO Secretary-Treasurer Thos. L. Pitts called upon the California Senators to:

1. Help kill the House-adopted Kitchin-Ayres Minimum Wage Bill, so that Senate action may be focused on the passage of the Kennedy measure, S 3758, which has been reported by the upper house labor committee.

2. Give active support to liberal forces in both parties to secure enactment of a health care program for the aged based upon the social insurance principle "which would provide benefits as a matter of right with dignity and respect for the individual."

AGED HEALTH CARE ACTION

On the health care issue, Pitts forwarded the Senators a recent resolution adopted by the Executive Council of the California Labor Federation, outlining in considerable detail why organized labor is "so insistent upon the enactment of a health care program based upon the social insurance principle . . ."

"No issue," Pitts said, "has stirred the rank and file of the labor movement more than this issue of health care for the aged under social security."

Pitts highlighted the total failure of voluntary plans in meeting the needs of the aged, the inadequacies of the Eisenhower Administration-sponsored approach compounded by the deficiencies of the "pauper's oath" provisions incorporated in the House-passed social security bill now before the Senate, and the responsibility for action that is now focused on the United States Senate.

Specific reference was made to the so-called Anderson amendments being proposed in the Senate as having a better chance of enactment than any of the other Forand-type proposals. Pitts pointed out that although the Anderson amendments fall short of meeting the far-reaching health needs of the aged, "they will establish a sound base for a program within our social security system."

The Anderson amendments — backed by the AFL-CIO, would make payments for health care

(Continued on Page 4)

Social Security Fact Sheet

The California Labor Federation, AFL-CIO has a limited supply of fact sheets on the status of social security legislation in Congress.

Designed for distribution to union members, the up-to-date fact sheet reviews the Forand bill situation in the U.S. Senate, which holds the key to action when it reconvenes August 8. Its design is to encourage rank and file letters to California Senators Kuchel and Engle in support of Forand-type amendments to be offered by Senator Anderson (see lead story).

Write the Federation office immediately if copies are desired for distribution.

New 'Short-Weight' Threat to Consumers

(Continued from Page 1)

however, the proposals for specific deficiency tolerances advanced earlier were in effect dropped. Major testimony focused instead on proposals submitted jointly by the association of county weights and measures officials and the food processing industry to establish a sampling procedure whereby average weights would be determined and acceptable deficiency "errors" would be permitted. The statistical method proposed to accomplish this is so devised that it would permit a flexible short-weight tolerance for each lot sampled.

The new scheme was strongly denounced and opposed by California's Consumer Counsel, Helen Ewing Nelson, and a representative of the California Labor Federation, AFL-CIO.

A number of the weights and measures officials present also strongly opposed the procedures which were agreed to by their own association.

In her appearance before the hearing officer and panel, Mrs. Nelson said the proposal can best be described "as a very complex procedure for attempting to determine those short-weight packages which become legal and those which shall remain illegal."

"I oppose both the substance of the proposal and the method of its proposing," Mrs. Nelson said.

Appearing on behalf of the California Labor Federation, Don Vial of the Federation staff charged that "subterfuge" was being used to "mask" the tolerances which were openly proposed at previous hearings.

"Whether the tolerances are specific or built in to the sampling procedures with flexibility," the Federation representative said, "they are still tolerances, the same as peaches and pears are fruit."

Speaking of the joint proposal, he added:

"As I listened to the unfolding of the proposals, I thought I was witnessing the unhappy marriage of the sealers and the industry, but after seeing the procedures diagrammed on the blackboard I am certain that it was the wake of the consumer."

Mrs. Nelson asked:

"For what purpose are we sampling? What is our policy? What is the guiding principle? Are we adopting procedures without policy, or is the policy imbedded in the procedure?"

In answer to the argument advanced by proponents that some uniform procedure was necessary so that county sealers "can get on with their work enforcing equity in the quantity between buyer and seller," she responded:

"I doubt it. Buyers and sellers have been doing business with each other by systems of weights and measures since biblical times and before.

"Why, at this peak of our technology, with our civilization on the threshold of outer space, has it become so difficult to weigh and measure ordinary everyday items which pass in everyday commerce?"

"Is it the fault of the springs of our scales or the starch of our spines which makes us unsure when we have a pound and when we haven't?"

In his testimony, Vial challenged the motives of the Department of Agriculture, using the example of packaged meats at self-service counters, which would fall within the sampling procedures proposed.

It was pointed out that when the Department of Agriculture sponsored the deficiency tolerance bill at the 1957 session of the legislature, over the opposition of labor, the Department specifically amended the bill to exempt application to fresh meats. The legislature approved the tolerance bill with that understanding, however bad the measure was in other respects.

When the specific short-weights were originally proposed at the earlier hearings, it was pointed out that application to meats would cost the consumer \$17 million annually in short-weights.

The proposal then was for the Department to study the possibility of allowing short-weights on fresh meats, even though the Agriculture Department had no authority to do so under the bill passed by the legislature.

"Yet," Vial said, "it is now proposed that a built-in, flexible toler-

ance for short-weights be allowed for meats in the statistical procedures for sampling."

The Department, it was noted, should at least extend the courtesy to the consumer of being open and aboveboard if it is inclined to establish tolerances for short-weights.

In her testimony, Mrs. Nelson followed with a blast at the complexity of the procedures being proposed:

"Here we have before us 14 pages of complex, technical procedures, replete with seven statistical tables for use in order that the everyday buyer and seller can know whether they have dealt in honest weight and measure, and when either fails, to enable a judge to hold him guilty. An everyday measure for everyday use needs to be simple—readily understandable by buyer, seller and judge. These 14 pages of technicalities defy common understanding."

"The definition of a pound has never been this difficult before," Mrs. Nelson said. "I don't believe it need be now," she added.

The Consumer Counsel reviewed the basic provisions of the state's weights and measures law, designed to protect consumers against sellers. In a direct challenge she said:

"I respectfully submit that the Department of Agriculture will not have fully discharged its delegated responsibility by sitting to approve an agreement reached at unofficial meetings between county sealers and undesignated industry representatives."

"The enforcement of honest weights and measures," she said, "is too important to every farmer, every manufacturer, every wholesaler, every retailer, every consumer to be dealt with so passively."

Pointing out that the proposals represented a departure from 41 years of basic policy to protect the consumer, Mrs. Nelson concluded:

"I suggest that you should try no longer to thrust this responsibility on to others. It has been given to you. Accept it and let this hearing, which has been put off three times, be called once more to let us hear that you have met it."

The contested procedures are now before the Director of Agriculture for acceptance or rejection.

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(Continued from Page 1)

The principal issue remains the validity of regulations promulgated by the federal Labor Department under the Wagner-Peyser Act. These regulations prohibit State Department of Employment referrals to struck farms.

If the big growers can force referrals of domestics through the Department of Employment, they will be in a position to seek recruitment of Mexican Nationals as strikebreakers.

In fact, earlier this week, the DiGiorgio Corporation asked for the assignment of Mexican National farm workers on the contention that the domestic labor supply is inadequate. This request was referred by State Director of Employment Irving Perluss to the San Francisco Regional Office of the U.S. Department of Labor, and has now been sent to Washington for top decision.

Meanwhile, under federal court order, the Marysville office of the State Department of Employment is having a difficult time finding workers who will accept employment at the struck DiGiorgio orchards.

The Agricultural Workers Organizing Committee this Wednesday threw an informational picket line around the Marysville office of the Department. It was reported that no more than a dozen workers walked through the picket lines to board busses to the DiGiorgio orchards.

A DiGiorgio employee also tried to recruit farm workers in Stockton, but without success. Hundreds of union members and sympathizers were on hand, and the ranch bus returned empty.

AWOC in Stockton reports that domestics who accept job referrals from the state agency usually refuse employment when they realize a strike is involved.

\$288,400 DAMAGE SUIT

On another front, cherry-king Fred Podesta this week filed a \$288,400 damage suit in the San Joaquin County Superior Court against AWOC.

The suit is being advanced to cover damages for crop losses when Podesta farms were struck by AWOC during the cherry harvest.

Podesta was a holdout against the

White Collar Automation Causing Big Displacement

For every job that office automation adds, it eliminates five others, a new survey of the impact of office automation revealed.

The survey, made by Ida Russakoff Hoos, in preparation for her Ph.D., is reported in the current issue of the **Harvard Business Review**.

Dr. Hoos found that although there has been much speculation regarding the impact of office automation, there has been little real data collected. She spent two years surveying the impact of office automation in the San Francisco area. Included in the survey are large and small firms, banks, insurance companies, manufacturers, processors, and distributors.

In one firm employing a total clerical force of 3,196, centralization of operations on a computer in San Francisco has been progress for two years.

"With only two accounting operations on EDP (electronic data processing), 286 jobs have already been dropped from the payroll, and it is estimated that 982, or about one-third of the workers, are being affected," Dr. Hoos found.

The researcher also found that automation has created a new job elite. These are the programmers and analysts. The problem, however, was that there were only a handful of these jobs.

"I found," she reported, "that although programmers are the elite corps of the present office force, attaining this status is rather like marrying the boss' daughter; the opportunities are few and the qualifications are highly variable."

Accounting, bookkeeping, filing and ledger clerks — the "backbone of the clerical force" and their supervisors — are hardest hit by automation.

minimum wage and working conditions negotiated with other growers by AWOC. He chose to see his crop destroyed while he unsuccessfully pressed the state and federal government for recruitment of strikebreakers. Commenting on the suit, Norman Smith, director of the farm worker organizing drive, said that the strike was the "result of Podesta's own stubbornness and refusal to do what other growers did."

Contrary to the stories about automation's skill requirements in the front office, the new method has simply brought about a different kind of drudgery. Dr. Hoos found that the fastest growing category of office worker in the automated office set-up is the key-punch operator.

"While it would be inaccurate to assume that the office jobs prior to automation were interesting and that all of them after conversion to EDP are dull, workers I have interviewed consider their previous jobs more interesting," she observed.

With only fragments of reports available, George W. Johns, Secretary of the San Francisco Labor Council, said that leaflet distributions had taken place at Sears stores in San Mateo, Santa Clara, Marin and Sonoma counties, at half a dozen Sears branches in Long Beach, 52 stores in Chicago.

At the same time, Johns said that scores more labor groups, local unions and central councils were well along in plans for extending active boycotting of Sears stores into many more cities.

"The boycott is beginning to pinch," Johns said. "A top Sears attorney told the Federal District Court here last week that Sears' business has been 'substantially hurt' by the boycott."

Along with the leaflet distribution, local unions in many parts of the states were making mailings to their members; central labor bodies were making mailings, forming committees and developing plans for taking an active part in the boycott, Johns said.

SEARS BOYCOTT SPREADING

Advertising picket lines are springing up around Sears Roebuck stores like the proverbial flowers that bloom in the Spring, the San Francisco Labor Council said this week.

In cities up and down the state and across the country, leaflet distributors were telling thousands of shoppers the story of the 262 Sears employees whom Sears fired for respecting another union's picket lines.

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Kuchel-Engle Assistance Urged on Wage Bill and Health Care for the Aged

(Continued from Page 1)

available as a matter of right to be paid from a special account in the social security fund.

This account would be made up from an increase of one-fourth per cent in both the employer's and employee's social security tax.

The benefits are in some respects broader than the Forand bill, and with this wider scope, other limitations were added in order to hold down the cost.

Eligibility, therefore, is restricted to OASDI beneficiaries at age 68, who number approximately nine million. Benefits would include hospital care up to 365 days, with an initial deductible of \$75, repeated after 24 days; special services in hospitals to include laboratory, X-ray, private duty nurses, and physical restoration; skilled nursing home care during recovery up to 180 days; and visiting nurse service for 365 days.

In expressing hope for the Senate Finance Committee to at least adopt the Anderson amendments, and failing this, that the amendments would be inserted on the floor of the Senate, Pitts wrote Kuchel and Engle:

"Your active assistance in making this possible, both in the Committee or on the floor of the Senate would be greatly appreciated by the more than 1,300,000 AFL-CIO members in the state, and the many senior citizens who are watching the Senate closely for what action it will take when it reconvenes on August 8."

MINIMUM WAGE LEGISLATION

Regarding minimum wage action, in another letter to Kuchel and Engle, Pitts said that the substitute Kitchin-Ayres bill adopted by the House, "is worse than no minimum wage bill at all."

"The 10 million workers which it would disqualify as the result of a technical error in a hastily adopted amendment," Pitts said, "only com-

pounds the fraud that the measure would perpetrate on the millions of workers who are presently and hopefully looking to Congress to extend to them the protection of the nation's Fair Labor Standards Act, passed better than two decades ago."

Pitts' reference was to a so-called drafting "slip" which would strip an estimated 14 million persons of wage-hour protection.

Apart from the technical error, Pitts pointed out that the provisions of the House bill are substantially weaker "than even the inadequate Administration proposals."

The bill would raise the present \$1.00 minimum wage to \$1.15, and add a potential 1.4 million workers in retail trade to the law's coverage, but as Pitts noted, "only to the extent of a \$1.00 minimum wage, with no overtime ceiling on hours worked."

The measure was labeled not only "inadequate," but also "unjust and flagrantly discriminatory both to the workers it purports to cover and to those who remain excluded."

Kuchel and Engle were reminded that minimum wage legislation "relates not to concepts of economic and social justice in the consideration of wage levels, but to the minimum standards of decency."

"There can be only one standard of human decency for all human beings," Pitts said, adding:

"Legislation which would establish one standard for one group of human beings and another standard for another group is completely out of keeping with the purpose of the Fair Labor Standards Act, and represents political fakery at its worst."

Reflecting labor's demand for action when the Senate reconvenes on August 8, Pitts told the Senators that the upper house will have the opportunity to correct the wrongs done by the House of Representa-

Union Activity Pamphlet

The AFL-CIO recently announced the availability of a new pamphlet: "Union Political Activity Spans 230 years of U.S. History."

This pamphlet is based on an article which appeared in the May 1960 issue of the AFL-CIO American Federationist. It is a simply written, thoroughly documented discussion of labor's historic role in political and legislative activities.

The twelve-page pamphlet, Publication No. 106, is available from the Pamphlet Division of the AFL-CIO, Department of Publications, 815 - 16th Street N.W., Washington 6, D.C. Price, single copies free; up to 100, 5 cents per copy; \$3 for 100; \$25 for one thousand.

tives, and to enact a meaningful minimum wage bill this year.

S 3758, he added, "represents the 'rock bottom' in the way of minimum wage legislation."

The coverage provisions of the latter bill have already been watered down from the 7.8 million in the original version to 4.9 million. On the other hand, in a series of steps, it would raise the minimum wage to \$1.25.

As "minimum" legislation, passage of the Kennedy measure was termed essential to "give hope to the millions who would still be without the protection of the nation's Fair Labor Standards Act, that Congress is really intent upon doing something about the dual standards of coverage and non-coverage which have been permitted to continue over the years."

Among these, Pitts called Kuchel's and Engel's attention to the farm workers, "who must also be assured that, as human beings, there are men in Congress with a conscience who have respect for the minimum needs of all workers."

The state AFL-CIO leader asked the two senators, "What hope can be given to those who would be still uncovered if Congress is not even willing to pass S 3758?"