

Convention Credentials Sent State COPE Affiliates

Registration forms for the pre-primary convention of the California Labor Council on Political Education, slated for April 11, have been sent to all state COPE affiliates by Secretary-Treasurer Thos. L. Pitts.

As announced officially in the official pre-primary convention call issued last month, the one-day session will convene at the Del Webb TowneHouse in San Francisco to endorse candidates for Governor and other state constitutional offices, the United States Senate, the House of Representatives, and the State Legislature in the June 5 statewide primary election.

Each affiliated organization entitled to representation at the convention was sent the following:

1. List of authorized delegates
2. Delegates' credentials
3. San Francisco hotel list, rates and reservation forms.

In a covering letter, Pitts gave detailed instructions for the handling of the forms to assure proper seating of delegates. Affiliated organizations are urged to designate their delegates and return completed forms to the office of the California Labor Council on Political Education, 995 Market Street, Room 810, San Francisco, California.

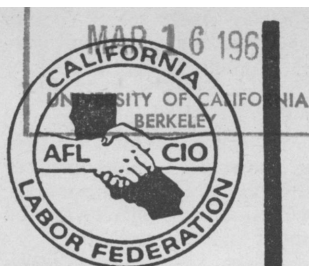
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State Legis. Reconvenes: Special Session Call Includes Automation Commission

The State Legislature reconvened in Sacramento this Wednesday to take up Governor Brown's \$2.9 billion budget for fiscal year 1962-1963 which has been under study for a month by legislative committees while the legislature was in recess.

As anticipated, Governor Brown greeted the legislators with a call for a special session to run concurrently with the budget session to consider a selected number of pressing legislative matters, including the establishment of a State Manpower Commission to study automation problems and project skill needs as necessary to develop sound job training and retraining programs.

The proposal for the automation commission was originally advanced by the Federation out of educational conferences held last November on the problems of job displacement, retraining and skill development. A similar proposal was recommended by the Governor's automation conference held



THOS. L. PITTS
Executive
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State AFL-CIO Leader Says Free Labor Movement Bulwark Of Freedom Against Communist Subversion

The AFL-CIO and free trade union movement of the world were described by state AFL-CIO Secretary-Treasurer Thos. L. Pitts in a major San Diego address last Friday as bulwarks of freedom in the world struggle against the Communist conspiracy and other totalitarian philosophies.

Speaking on the subject, "Free Labor and its Fate under Communism," at a community-wide Forum on American Freedoms presented by the San Diego Department of Adult Education, Pitts drew a sharp contrast between free trade unions dedicated to positive programs "which will give freedom its fullest meaning and enhance the dignity of the individual in a highly complex industrial society," and the captive totalitarian "labor fronts" which function to enslave workers to the "all-powerful state."

Pitts cited detailed findings of the International Labor Office's report on "The Trade Union Situation in the U.S.S.R.," and quoted

liberally from Communist party documents to demonstrate the complete domination and control exercised over Soviet trade unions by Communist party members "to make certain that they function to achieve the production goals sought under the Soviet system of comprehensive and centralized planning."

The U.N. agency's findings were quoted to point out that collective bargaining agreements under the Communist party-controlled unions have "practically ceased to serve any purpose," except the purpose of the dictatorship.

The state AFL-CIO leader told participants in the San Diego educational forum, currently in its third week, that, from labor's viewpoint: "Communism is *per se* bad, without any principles or values of any kind, and it is essential that everyone be alerted and educated to this fact."

Pitts cautioned, however, that it is "not enough to establish the evils of Communism alone."

"It is essential," he said, "that there be a complete and exhaustive exposition of the basic values of a free society which distinguish it from Communist and other totalitarian states, coupled with the determination on the part of the American people that the principles of our free society shall be applied for the betterment of mankind."

He added:

"The American labor movement, which has its base in constitutional rights and freedoms, shares the confidence of other free institutions in the United States that the superior-

in Los Angeles shortly after the Federation conferences.

The urgency of action on creation of the commission has been underscored by the imminent passage of President Kennedy's manpower development and retraining bill, which has cleared both houses of Congress and is presently in conference committee. It will depend upon the development of state programs for implementation.

The idea behind the automation commission is to develop planned community approaches to job training and retraining problems based

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Labor Anti-Red Bulwark

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ity of our own system will find its real defense through positive action which demonstrates what a free society can accomplish."

Free Labor's Positive Programs

In his hour-long speech, Pitts carefully developed the hard-won rights of the American labor movement, and explained how the American system of free collective bargaining, as part of the American economic system, has strengthened freedom's institutions in this country and contributed to our national well-being.

He carefully related the achievements of collective bargaining to labor's total involvement in the institutions of freedom to achieve a better life for all based on the dignity of the individual.

"As long as workers remain free, as long as they are protected in their right to organize to improve their conditions of life and labor, they will insist upon the involvement of their movement in the mainstream of community life," Pitts declared.

He emphasized that this point must be clearly understood "if the vital importance of a free labor movement to the survival of democratic institutions is to be grasped."

Historically, the union official added, "labor in this country and other free societies has assumed a leadership role in pressing for socio-economic reforms for the welfare of the general public."

In this connection, the AFL-CIO leader enumerated programs and policies being pushed by organized labor to give freedom its fullest meaning, including: federal aid to education; comprehensive programs for natural resources development with protection for the people against monopoly; broad programs to come to grips with the problems of urban growth; health care under social security as a matter of right; civil rights legislation to secure equal rights of all citizens and assure complete integration of minority groups in all aspects of community life—"freedom's most severe test"; and other labor programs to provide full employment in an expanding economy with emphasis on the conservation and development of our precious human resources.

Defense of Social Progress

While pointing out that American labor bows to no one in its defense of private enterprise, Pitts added, however:

"When private needs extend beyond the capacity of individuals so as to affect the community at large, or when the satisfaction of community needs exceeds the capacity of private enterprise to meet those needs, it is not an act of disloyalty to private enterprise to suggest that social needs exist and that government should be called upon to help satisfy them.

"On the contrary, where government is a servant of the people it is the es-

sence of democracy itself when society acts as a body through representative government to finance its community or social needs.

"The taxes we are willing to pay to meet our community responsibilities should not be viewed as some kind of hostile act whereby government confiscates funds which would otherwise be available to meet private needs.

"In a free society, taxes are a measure of the priority free people may choose jointly to give the financing of social and community needs.

"We may quarrel among us over the assignment of priorities, but it would be the height of folly to challenge these democratic decisions as a threat to freedom."

Underdeveloped Countries— Trade Union Role

This drive of workers in free labor movements for social progress, Pitts declared, is of particular significance to us today in the struggle that is taking place in the underdeveloped areas of the world, pointing out:

"It is not enough to recognize, in these and other areas, that poverty and frustrated hopes and aspirations are the breeding ground for totalitarian movements of both the left and right. The economic and technical aid we may extend as a nation, regardless of how noble in purpose, accomplishes nothing if it is permitted to be dissipated by the privileged few who have exploited the masses in the past and resisted every effort to accomplish social and economic reform."

As an immediate and pressing example, Pitts pinpointed the Kennedy Administration's "Alliance for Progress," which faces major obstacles in deep-seated opposition of privileged groups in Latin America to essential socio-economic reforms in land ownership, distribution of income and taxation.

"The resistance to reforms cannot be overcome by external pressures from the United States," Pitts declared. "It must come essentially from within."

The "balancing factor may well be the free trade union movement in Latin America which must be nourished and permitted to develop as a primary force dedicated to the achievement of the necessary reforms so that economic and political democracy may prosper for the improvement of the conditions of life and labor of Latin American people," Pitts said.

Similarly, Pitts referred to the "vital responsibility of free labor movements in Africa" to develop and become the bulwarks for progress against the new Soviet colonialism that threatens to dominate the newly emerged nations.

The state AFL-CIO spokesman declared that American labor and free labor movements in the world are backing their principles with positive action in the development of a \$10 million "solidarity fund" within the International Confederation of Free Trade Un-

ions (ICFTU) to help achieve human freedom, well-being and peace among the peoples of the world.

Caution Against Oversimplification

In his concluding remarks, Pitts advanced the unblemished record of the AFL-CIO in fighting Communist subversion to caution "against oversimplification of the free world's struggle with Communism."

Speaking of labor as an action group to preserve freedom, Pitts said, "We are not unaware that some groups who are dedicated anti-Communists also challenge our programs and efforts to give freedom its fullest meaning as something akin to Communism."

These "outrageous" charges were exposed as challenging the free world's alliance in the life-and-death struggle against the Communist conspiracy.

Pitts quoted from AFL-CIO President Meany's recent statement on "Trade Unions, Socialists and Communists" to point out that the alliance against Communist world domination is based on human freedoms and the dignity of the individual, not "economic forms."

Quoting Meany, Pitts said in part:

"Experience has taught us . . . to avoid certain dangerous mistakes in the fight against Communism. One mistake often made by sincere anti-Communists is to lump together all critics of our economic system with the Communists who seek nothing less than the total destruction of that system. Opponents of Communism who take this position render great service to the Communist conspiracy when they equate democratic Socialists and other serious critics of our social system with Communists as enemies of liberty. In the present world situation, fraught with danger of Soviet aggression, this mistake can be very harmful to the forces of freedom and peace. . . .

"We cannot emphasize too strongly that the decisive reason why democratic-minded people oppose Communism . . . is because all such despotic systems are destructive of individual dignity, human freedom and well-being. Economic forms are not the decisive factor . . ."

Labor's Course

Pitts added to Meany's remarks with these words:

"American labor has charted its course. It is a course that is determined by the dedication of those who are doing something to combat Communism — not those who are content with combating quixotic windmills on the horizon.

"The American labor movement will always welcome dedicated fighters against Communism so long as their motivation stems from the cause of freedom.

"History, unfortunately, has recorded a number of dictators who have risen to power in the name of fighting Communism. The fate of free labor movements under dictatorships has been no less devastating than under the Communist conspiracy."

Senate-Approved Farm Labor Bills Pending in House

Five Senate-passed bills, proposing modest steps to eliminate some of the exclusion of farm workers from the nation's social legislation, are currently awaiting action in the House of Representatives. Authored by Senator Harrison A. Williams (Dem. N.J.), the bills represent a minimal program for action by Congress in election year 1962.

The five bills are:

Child labor—H.R. 5291: This bill would extend the child labor provisions of the Fair Labor Standards Act, with certain exceptions, to children under 14 years of age employed in agriculture outside of school hours.

Under existing federal law, children

Key Decision On Wage Deductions

The State Supreme Court has ruled that the California Industrial Welfare Commission has the power to prohibit employers from taking deductions for cash shortages from the wages and salaries of women and minors, even though employees are earning more than the minimum wage.

The decision upholds a long-standing position of the Commission, which was challenged in an important case initiated by the Kerr Catering Company, an East Bay canteen service which employs women as driver-salesgirls on its coffee and doughnut trucks.

The company paid the women more than the minimum wage, but took deductions from their wages for cash shortages caused by mistakes in making change. The Commission's wage order under challenge prohibits deductions of this nature.

The Supreme Court sustained the order, stating that "some cash shortages, breakages and loss of equipment are inevitable in almost any business operation. It does not seem unjust to require the employer to bear such losses as expenses of management."

The court's opinion, by Justice White, noted, however, that "the employer is free to discharge any employee whose carelessness causes the losses, and he is not prohibited from deducting for cash shortages caused by the 'dishonest or wilful act or by the culpable negligence of the employee.'"

The California Labor Federation had filed an amicus curiae brief in support of the Commission's order.

In San Francisco, spokesmen for the Industrial Welfare Commission indicated that the Supreme Court's decision was likely to lead to settlement of a number of related cases where similar arguments were made as to the validity of provisions of the Commission's orders relating to uniforms, equipment, and time-and-a-half for overtime.

of any age may be hired on farms except during school hours. The provision of H.R. 5291 would not apply to children working on their parents' farms, or employed on farms within a 25-mile radius of their permanent residence with the written consent of their parents.

Migrant Education—H.R. 5287: This bill would establish a four-part, five-year program of federal assistance to states and local communities seriously affected by the seasonal influx of migratory families.

Funds would help pay cost of (1) enrolling migrant children in regular school sessions; (2) providing special summer schools for migrant children; (3) state and interstate planning and coordination in this field; and (4) operating pilot projects of fundamental and practical education for adult migrants.

Migrant Health—H. R. 5285: This would authorize federal grants up to \$3 million annually to stimulate and support local health programs in areas employing large numbers of migrant farm workers. Grants would be for public non-profit agencies to help pay the cost of (1) setting up and operating family clinics, and (2) special projects to improve health services for, and health conditions of, migratory farm families.

The migrant health bill is of special importance to California as it would enable the expansion of pilot programs established under the state Administration of Governor Edmund G. Brown with the passage of state legislation in 1961.

Registration of Farm Labor Contractors—H.R. 7312: This bill would require the registration with the Secretary of Labor of any person who, for a fee, recruits ten or more migrant workers at any one time during the calendar year for interstate employment.

The license of such a person may be revoked for, among other things, (1) knowingly misrepresenting to workers, wage and conditions of employment; (2) failing without justification to perform agreements entered into with farm employers; (3) failing to comply with the safe transportation requirements of the Interstate Commerce Commission.

The bill requires contractors to give workers, at the time of recruiting, information as to the area of employment, crops and work operations, transportation, housing and insurance, and wage rates. If the contractor himself pays the workers, he must keep detailed payroll records for each worker.

Public Advisory Council—H.R. 5288: This bill would establish a national advisory council on migratory labor, composed of fifteen members appointed by the President for a period of five

Convention

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nia, as soon as possible in accordance with the instructions.

Pitts advised affiliates of the number of delegates they are entitled to send to the convention, together with their voting strength, based on constitutional provisions for determining representation and voting strength as outlined in the convention call. These calculations, Pitts said, are determined from an audit of per capita affiliations with the state COPE.

Registration will commence the day before the convention on Tuesday, April 10, 1962, at the Del Webb TowneHouse where the Credentials Committee will be in session from 10:00 a.m. to 10:00 p.m. In order that the convention may progress on schedule, Pitts urged delegates to check in at the Del Webb on April 10. The registration desk will also be open prior to the commencement of the convention on the 11th.

Deadline for receipt of resolutions by the Secretary-Treasurer is Tuesday, March 27, except for those approved by regular constituted and affiliated statewide organizations at conventions or conferences held during the 15-day period preceding the convention. In the latter case, such resolutions must be received by the Secretary-Treasurer not later than 9:00 p.m. on April 10, 1962.

years. Four of the members would represent the workers, four the farmers. The remainder would be public officials and private citizens with experience and knowledge of the problems of migrants.

The above five bills have been given top priority for this session by the President's Commission on Migratory Labor. Also being pushed is S. 1129, the National Farm Labor Stabilization Act, which is now being heard in the Senate Subcommittee on Migratory Labor.

This additional legislation would authorize the Secretary of Labor to transport workers to recruitment centers and provide them with substance and needed medical care. At these centers, employers could meet, interview and select potential employees meeting their specifications.

The bill provides minimum contractual safeguards for both employers and workers. Expenses of this specialized recruitment program would be paid out of a revolving fund established from payments by employers on the basis of jobs filled.

Two other pieces of legislation, which are unlikely to get much consideration by Congress this year, include S. 1122, establishing a minimum wage for large scale farms relying heavily on hired labor; and S. 1128, extending protections to farm workers to secure their rights to organize.

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State Legislature

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on labor market projections of skill needs in sufficient detail so that effective action may be taken.

Governor Brown's special session call also includes four bond issues related to the budget, a plan to reapportion the Senate by giving Los Angeles County three additional senators, salary increases for state employees, and consideration of legislation allowing women to work beyond eight hours a day in defense production emergencies on a permit basis.

These are among the major items on the special session call. Brown said that more than 200 requests for special session consideration were reduced to some 50, most of them being of a technical and corrective nature. The four bond issues to be placed before the voters in June and November, if approved by the legislature, include:

- \$100 million to acquire land for recreation purposes on the November ballot.

- \$270 million for state construction on the June ballot.

- \$200 million for school construction on the June ballot.

- \$250 million for housing loans to veterans on the November ballot.

The Senate reapportionment proposal, backed by Brown, embraces the recommendations of a "Blue Ribbon" study commission created by the 1961 legislature.

It provides that counties exceeding 1.5 million population shall receive one additional senator for each additional increment of 1.5 million people or any part thereof, except that no county may have a total number of senators which exceeds ten percent of the entire membership of the Senate.

The immediate effect of the reapportionment proposal would be to give Los Angeles four senators, an increase of three. This county, like all other senatorial districts, now has one senator in the 40-member upper house. The proposed change would make the Senate a 43-member body.

While Los Angeles is the only county now about to qualify for an increase in senators under the proposal, population projections indicate that by 1980 Alameda County and San Diego County

might each qualify for an additional senator.

The defense production item may turn out to be one of the hottest issues before the special session.

In 1961 the legislature defeated extension of the old state defense production act, enacted during the Korean War, under which a permit system for emergency work beyond eight hours a day was greatly abused.

The California Labor Federation, AFL-CIO is resisting efforts of defense production employers to reenact the old law. Organized labor is demanding that if any emergency exemption from the eight hour law is to be permitted for defense production, it must be rigidly controlled, must relate to actual emergency situations in defense production, and must not be issued on a stand-by basis as in the past.

Other special session items of interest to labor include:

- Legislation relating to the composition and powers of the State Building Standards Commission.

- Ratification of agreement between the federal government and the state, transferring authority to the state to license and regulate industries using nuclear materials.

- Amendment of AB 503-1961 to permit employment of county prisoners in fire fighting.

- Legislation to allow county immediate withdrawal from San Francisco Bay Area Rapid Transit District.

New Pension Plan Law Amendments

It appears that Congress will approve amendments to the Welfare and Pension Plans Disclosure Act empowering the Department of Labor to investigate charges of fund mismanagement, require more extensive reports on the fund's assets, and seek court enforcement of compliance.

The legislation has been approved by a Senate-House conference and appears to be certain of passage by Congress.

A summary of assets and liabilities would no longer satisfy the law. The funds would be required to furnish a complete list of their holdings. Embezzling and false reporting would be pun-

Wage Board Meeting Dates Announced

The Industrial Welfare Commission of the State of California this week announced its schedule of meeting dates for wage boards appointed recently for the purpose of making recommendations to update the Commission's wage orders in various industries and occupations employing women and minors. (See News Letters of December 29, 1961 and January 19, 1962 for composition of the boards.)

The Boards will meet during the spring and early summer, as follows:

- Manufacturing Industry, May 3 and 4, Los Angeles.

- Personal Service Industry, April 30 and May 1, Los Angeles.

- Canning, Freezing and Preserving Industry, July 10 and 11, San Francisco.

- Professional, Technical, Clerical and Similar Occupations, May 15, and 16, San Francisco.

- Public Housekeeping Industry, June 14 and 15, Los Angeles.

- Laundry, Linen Supply, Dry Cleaning and Dyeing, June 11 and 12, Los Angeles.

- Mercantile Industry, June 26 and 27, San Francisco.

- Industries Handling Farm Products after Harvest, April 9 and 10, San Francisco.

- Transportation Industry, May 31 and June 1, San Francisco.

- Amusement and Recreation Industry, July 17 and 18, San Francisco.

- Broadcasting Industry, July 30 and 31, Los Angeles.

- Motion Picture Industry, August 2 and 3, Los Angeles.

ishable by a maximum of five years imprisonment and a \$10,000 fine. Kickbacks, and other corrupt practices, would also be punishable. A 10% bond would be required for persons handling funds. A ceiling of a \$500,000 bond would generally prevail.

Reports would be required on all plans covering 100 or more persons. Smaller plans would generally be exempted, unless the Secretary of Labor, after an investigation, requires a report.