

## 11 High School Seniors Win Fed Scholarships

Winners of eleven \$500 college scholarship awards offered in the 14th Annual High School Scholarship competition sponsored by the California Labor Federation, AFL-CIO, have been announced by Thos. L. Pitts, the Federation's executive officer.

The eleven winners, chosen from a field of 657 high school seniors competing in the examinations, are:

Sandra Schmunk, Lompoc Sr. High School, Lompoc; Brian R. Law, Vacaville High School, Vacaville; Denise Mallette, Junipero Memorial High School, Monterey; Jack Radey, Merced High School, Merced; Harriet Sternsher, Lincoln High School, San Francisco; Sheba Sipora Solomon, Homestead High School, Sunnyvale; Lynnette Price, Castlemont High School, Oakland; Suzanne Crane, San Pedro High School, San Pedro; Thomas William High, Oakland High School, Oakland; Elinor Frances Davis, Fullerton High School, Fullerton; and Ron N. Sutter, Junipero Memorial High School, Monterey.

The winners may apply the \$500 awards at any accredited college or university of their choice. No restrictions whatever are placed on the future course of study undertaken by the winners, Pitts explained.

In addition to the \$500 cash awards, the winners will receive an expense-free trip to the 1964 statewide convention of the California Labor Federation, AFL-CIO, to be held in San Francisco the week of August 17, 1964. They will be

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## High Court Ruling Spurs Restoration Of Political Rights To Public Employees

A long stride toward restoring first class political citizenship to public employees was taken late last month when the California Supreme Court ruled that an Alameda County Charter provision barring civil servants from political activity was unconstitutional.

In a unanimous decision, the state's highest court upheld a lower court

## Exec. Council Maps Convention Plans

The Executive Council of the California Labor Federation, AFL-CIO, met in regular session on Monday and Tuesday of this week in Palm Springs to map preliminary plans for the Federation's Fifth Convention to be held in San Francisco August 17-21, 1964. The official convention call was dispatched to all affiliates on June 2.

The Council also received Secretary-Treasurer Thos. L. Pitts' 1964 legislative report and reviewed the accomplishments and shortcomings of the

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THOS. L. PITTS  
Executive  
Secretary-Treasurer

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## Senate Votes 71 to 29 To Invoke Cloture To Halt Filibuster On Civil Rights

By an historic 71-29 vote, the U. S. Senate this week voted cloture on the AFL-CIO backed Civil Rights Bill thereby limiting further debate on the measure to one hour per Senator and virtually assuring passage of a significant measure to reduce racial discrimination before Congress recesses July 2 for the Republican Convention in San Francisco.

Senator Barry Goldwater, front-running candidate for the GOP presidential nomination joined five other Republicans and 23 southern and western Democrats in opposing the anti-filibuster move.

Both of California's Senators, Clair Engle and Thomas Kuchel, voted for cloture. The total vote for cloture included 44 Democrats and 27 Republicans.

Since its adoption 47 years ago the cloture rule has only been invoked six times including the vote Wednesday which was the first time it has ever been used on a civil rights bill.

Immediately after the cloture vote

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## Pitts Asks Congress To Hold Hearing On Valley Water Pact

State AFL-CIO leader Thos. L. Pitts has appealed to a Senate subcommittee to hold public hearings on a questionable \$157 million contract to construct a water distribution system on the west side of the San Joaquin Valley.

The contracts, between the U. S. Bureau of Reclamation and the Westlands Water District, would authorize construction of a water distribution system before obtaining recordable contracts from large landholders to commit the land owners to abide by the unjust enrichment sections of U. S. Reclamation law.

Pitts' action, a follow-up on an appeal he sent to California's entire Congressional delegation last month urging them to examine the contract, is prompted by the belief that the Westlands contract may "hoodwink Congress into accepting 'paper' enforcement of the anti-monopoly protections (of reclamation law) while laying the groundwork for effective and inevitable evasion of the law," he explained.

The contract, already approved by Secretary of the Interior Stewart L. Udall, is currently before Congress for a legislative "oversight" or review period not to exceed 90 days. This period will expire July 23.

In his earlier appeal, Pitts pointed out that "once the distribution system is constructed, the water would percolate freely into the deep wells of the excess landholders, so that enforcement would be virtually impossible." (see News Letter May 15, 1964).

In the letter sent last week to Representative Frank R. Moss, Chairman

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INSTITUTE OF INDUSTRIAL RELATIONS LIBRARY

UNIVERSITY OF CALIFORNIA

"It will free hundreds of thousands

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## Top Jurists Doubt Validity of CREA Housing Initiative

An effort to prevent the California Real Estate Association's initiative constitutional amendment to legalize discrimination in housing in the state from being placed on the November ballot has been turned down by the State Supreme Court but the jurists made it clear that they have grave doubts about the constitutionality of the measure.

In a 7-2 decision, the high court declared:

"We are of the view it would be more appropriate to pass on these questions after the election, should the proposed amendment be adopted than to interfere with the power of the people to propose laws and amendments to the constitution and to adopt or reject the same at the polls."

The decision noted that "there are grave questions whether the proposed amendment . . . is valid under the 14th amendment to the U. S. Constitution" which guarantees equal protection under the law.

Howard G. Lewis, a Sacramento attorney, had asked the court for a writ of mandate to keep the special privilege initiative off the ballot on grounds that it violates both the state and federal constitutions.

State Attorney General Stanley Mosk joined Lewis' petition as a friend of the court, maintaining that the initiative would violate the U. S. constitution and would involve "unjustifiable costs and other irreparable injury to the state and the people of California."

The CREA initiative "would constitute state action encouraging racial discrimination while promoting residential segregation," Mosk asserted.

"In the deceptiveness of its language, the proposed amendment is a sophisticated means of discrimination. In its purpose, intent and effect, it is as brutally unsophisticated as a slammed door. It is a disastrous blow to the constitu-

## Parley to Map Plans in Fight For Fair Housing

A conference to lay the groundwork for an all-out grassroots effort to defeat the initiative constitutional amendment being pushed by the State realty interests to legalize bigotry in housing in California will be held in Los Angeles on Saturday, June 27.

The conference, called by William Norris, Chairman of the Southern California Steering Committee of Californians for Fair Housing, will be an all day affair extending from 9 a.m. to 4 p.m., to discuss the theme, strategy, structure and program for the campaign.

Interested groups are invited to send up to six representatives to the conference which will be held at the Hollywood-Beverly Christian Church at 1717 North Gramercy Boulevard (Gramercy at Hollywood Blvd.)

Names of representatives to the conference, which will entail a registration fee of \$2 per delegate including the price of a box lunch, must be submitted in advance to the Californians for Fair Housing Committee at 417 South Hill Street, Los Angeles 13. (Phone MA 6-5831). Registration forms may be obtained from the foregoing address, Norris said.

tion of California and an overt declaration of hostility to the federal policies which flow from the U. S. Constitution," the Attorney General said.

Mosk's participation in the suit was at the direction of the State Board of Education. The School Board acted after hearing experts testify that the campaign focusing on the CREA initiative would cause racial unrest in California's public schools.

Specifically, the testimony indicated that the campaign for the initiative was likely to result in pupil boycotts and other costly and disruptive demonstrations at the schools.

southern juries will not convict white violators.

Other amendments defeated Tuesday would have exempted businesses with fewer than 100 workers (rejected 63-34) and killed provisions allowing federal grants to colleges that train teachers to handle desegregation problems (rejected 56-40).

Senator Goldwater voted in favor of all four amendments.

The civil rights bill is aimed principally at eliminating discrimination in voting, schools, jobs, public places and publicly supported programs and to maximize equality of opportunity for the nation's citizens.

## Pitts Asks Congress To Hold Hearing On Valley Water Pact

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of the Irrigation and Reclamation Subcommittee of the Senate Committee on Interior and Insular Affairs, Pitts declared:

"Given the concentration of land ownership and the geology of the area, we honestly believe that evasion of reclamation law will be inevitable unless the dominant excess landholders in the service area are required to demonstrate that they will comply with the law prior to construction of the distribution facilities . . .

"The Department and the Westlands Water District maintain that the contract conforms with the law, but they have not justified their position in submitting the contract to the Congress.

"We therefore urgently request that your subcommittee hold public hearings on the Westlands contract in order to enable Congress to make an informed decision on the issue.

"We do not believe that either the Department or the Westlands Water District should have any objections to these hearings if they can produce evidence to demonstrate that the excess lands provisions will be effectively applied as intended by Congress," Pitts, Secretary-Treasurer of the California Labor Federation, AFL-CIO asserted.

Copies of the letter were also sent to the seven other members of the subcommittee.

The Westlands contract contains a clause that refers to the delivery of percolating water to ineligible lands as "unavoidable" and therefore exempt from the law's anti-monopoly provision.

If the contract is allowed to stand, "the owners of excess lands in the federal service area will in effect receive a subsidy of about \$360 million to which they are not entitled under the law. The Southern Pacific stands to benefit by a potential subsidy of \$120 million," Pitts pointed out in his earlier letter May 7.

## Senate Votes 71 to 29 To Invoke Cloture To Halt Filibuster On Civil Rights

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was taken the Senate began voting on proposed amendments and promptly defeated 59-40 a proposal by Senator Richard B. Russell that would have postponed the effective date of the public accommodations section until November 15, 1965.

On Tuesday the Senate accepted an amendment to guarantee jury trials in all criminal contempt cases arising from the bill except in voting cases but defeated efforts to kill or modify the measure's fair employment provisions.

Civil rights bill proponents expressed disappointment with the jury trial amendment because they feel some

## Apprenticeship Council To Meet

The third quarterly meeting of the California Apprenticeship Council will be held in Santa Monica July 23-25, Charles F. Hanna, Chief of the Division of Apprenticeship Standards and Secretary of the Council, has announced.

Joint Apprenticeship Committees in the Santa Monica area are particularly urged to plan to participate in the meeting, Hanna said. All apprenticeship council meetings are open to the public, he added.

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honored guests at the convention and will receive their scholarships at a special presentation ceremony.

Pitts said the scholarship winners were selected on the basis of a two-hour written examination held on May 8 with the cooperation of the high schools of the competing students.

The examination was designed to explore and evaluate the student's knowledge and understanding of labor and industrial problems and his ability to convey this knowledge. Demonstration of an understanding of past and present social and economic conditions that have affected labor-management relations was another important consideration used in grading the tests.

The examination papers were graded by competent university personnel who had no knowledge of the students' identities.

Serving on the judges committee for this year's scholarship examination were:

Frederick A. Breier, Ph.D., Professor of Economics, University of San Francisco, San Francisco; Leon F. Lee, Ph.D., Associate Professor, Department of Industrial Relations, San Jose State College, San Jose; and Benjamin Aaron, L.L.B., Director, Institute of Industrial Relations, University of California at Los Angeles.

The contest was open to all graduating seniors in all California high schools, both public and private. As of the application deadline on April 13 a record number of more than 925 students had qualified to enter the competition.

Of the eleven scholarships awarded this year, eight were made available through the direct cooperation of the following affiliates of the Federation:

The Los Angeles Building and Construction Trades Council (two scholarships, one of which is to be known as the "Lloyd A. Mashburn Memorial Scholarship"); the California Legislative Board of the Brotherhood of Railroad Trainmen; The California State Council of Carpenters; the Carpenters Ladies Auxiliary, California State Council; the California State Council of Culinary Workers, Bartenders and Hotel and Motel Service Employees; the Los Angeles County District Council of Carpenters; and the Painters' District Council 36 of Los Angeles. The Painters' scholarship is to be known as the "Roderick MacKenzie Scholarship Award."

Local central labor bodies, unions and school officials throughout the state cooperated with the Federation to encourage participation in the scholarship competition.

# High Court Ruling Spurs Restoration Of Political Rights To Public Employees

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of persons to fully participate in government . . . (and will have) a tremendous beneficial effect" on California politics.

Appended to the Fort case was a similar case involving a San Francisco Deputy Sheriff, William J. Kinnear, who was fired in 1959 after he ran for election against Sheriff Matthew Carberry.

## RIGHTS AFFECTED

In both cases the provisions at issue imposed "broad and vague" restrictions on employees' political activities which "substantially affect their constitutional rights," the Supreme Court decision said.

"The freedom of the individual to participate in political activity is a fundamental principle of a democratic society and is the premise upon which our form of government is based," the decision observed.

Bendich said that the decision rendered on May 28, means that "civil servants are free to participate fully in the political process just like other citizens."

And this means, he added, everything "from putting stickers on your car bumper to working on a campaign or running for office."

The decision made it clear, however, that civil servants cannot mix politics and their jobs by soliciting funds or engaging in other forms of political activity either on the job or in the uniform of their employment, press reports said.

## JOB OFFERED BACK

San Francisco County Sheriff Carberry announced following the decision that Kinnear's job as bailiff is his for the asking. The position had been left unfilled and the job's salary has been impounded since 1959 pending a decision on the case. Kinnear is entitled to \$33,929 in back pay, less any salary received elsewhere in the interim.

"He will be welcomed back without any adverse feelings," Carberry said.

In addition to upholding the political rights of at least 85,000 full time civil service employees in California's 11 chartered counties, the decision is also expected to help employees of the state's chartered cities and non-chartered counties where political activity has been prohibited by administrative order.

The impact of the Fort decision on the Danielson Act passed by the 1963 legislature is subject to legal interpretation and is still unclear. The Danielson Act established uniform restrictions on participation of county and municipal employees in local elections and repealed more restrictive legislation that had been previously applicable to most areas.

The status of the political rights of state employees is complicated by the highly restrictive federal Hatch Act

which prohibits participation in certain types of political activity by employees in state agencies supported by federal funds.

## HATCH ACT ANGLE

Although the Hatch Act was declared constitutional in 1946, a substantial body of legal opinion now believes it would be ruled unconstitutional if carried to the Supreme Court again, Bendich said.

The State Supreme Court pointed out in the Fort case that the constitutionality of the Hatch Act was based on a minority vote of the Supreme Court, he noted. Only seven Justices took part in the decision which was decided on a 4-3 basis although the court was comprised of nine justices, he explained.

Pointing out that the 1946 test case was based on the reasonable needs of the state, the Oakland attorney said some authorities who favor a second test of the Hatch Act's constitutionality maintain that a strong case against its constitutionality can be based on the position that, in the absence of any clear and present danger to the state, undue restrictions on the political activities of state or federal employees constitute an unwarranted infringement of their political rights as citizens.

# FTC Cracks Down on Phony Labor Paper

Two operators of a self-styled "labor paper," the Trade Union News, have been ordered to stop representing the publication to be endorsed by, affiliated with, or an official organ of a labor union by the Federal Trade Commission.

The FTC order directed Joseph Lash and Eugene Serels, co-partners in both Trade Union Advertising Associations, Inc., and the Trade Union News of New York City, to stop making "false, misleading and deceptive representation" to advertisers that the Trade Union News has labor sponsorship.

The FTC also charged that the publication was misrepresented as the winner of National Advertising and International editorial awards and that the respondents placed "unauthorized advertisements" in the publication and then sought "to exact payment from such alleged advertisers."

Specifically the FTC directed the co-partners to "cease and desist" from these activities.

The case was brought to the Commission's attention by the International Labor Press Association in an effort to protect the reputation of the legitimate labor press and to combat unscrupulous competition.

## Exec. Council Maps Convention Plans

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budget and special sessions concluded last month.

In other actions, the Council:

- Laid the groundwork, through its Union Label Committee, to expand union label activities in cooperation with local Union Label Committees.

- Discussed, within the Council's Civil Rights Committee, methods of improving working relationships with responsible minority and community groups to defeat the anti-fair housing initiative on the November ballot.

- Reluctantly accepted the resignation of Federation Vice President Newell J. Carman, who has assumed the duties of Secretary-Treasurer of the Operating Engineers International Union in Washington, D.C., and elected William G. Dowd, International Representative of the Operating Engineers and a member of Local No. 3 in San Francisco, to replace him in District 9 (D).

- Approved a report of its housing committee to explore ways and means of utilizing new instruments established by the AFL-CIO to substantially increase the flow of trade union funds into low and moderate income housing, and also to utilize the federal "below market interest" program for middle income housing.

The AFL-CIO General Board recently established a Mortgage Investment Trust to provide a medium for a mortgage investment program available to all affiliates and qualified Labor-Management Trust Funds. At the same time, the General Board voted to create an Auxiliary Corporation which would provide seed money to encourage and assist local non-profit sponsors with plans for the development of moderate income housing.

In reviewing the accomplishments of the budget and special sessions, Pitts cited enactment of the school financing bill and tax reform legislation as among the key achievements. He pointed out, however, that the long hassle over the Administration's budget wherein a minority bloc was able to force the budget session into a special session has revived serious discussion of annual legislative sessions.

Pitts said that although the legislature "was unable to come to grips realistically with the problem of lop-sided distribution of assessed values between school districts by means of a countywide equalization tax," the incentives contained in the school financing measure (AB 145) may result in some equalization of local tax burdens.

Passage of the tax reform measure (SB30) reduced or eliminated state income taxes for 1.1 million low-income Californians by raising the minimum income requirement for filing a return to \$2,000 in adjusted gross income for single persons and to \$4,000 for married

## State Jobless Rate Climbs Back to 5.9% As U.S. Rate Drops to 5.1% To Widen Gap

Unemployment in California took another step backward last month when the State's joblessness rose to a seasonally adjusted rate of 5.9 per cent despite the fact that joblessness in the nation as a whole dropped to 5.1 percent, its lowest point in more than four years.

President Johnson hailed the national report as indicating the \$11.6 billion tax cut enacted earlier this year was serving as "an economic stimulus" to create new jobs as he had hoped it would.

But in California further job cutbacks in such defense related areas as electronics, aircraft and missiles, coupled with seasonal losses in food processing and apparel, resulted in a 7,000 increase in the state's unemployment, bringing it to 401,000, the same as in May 1963, even though joblessness normally declines in the state in May.

**"This situation serves to underscore the urgent need for immediate expansion of coordinated federal-state programs to provide both individual workers and the communities affected by defense cutbacks not only with advance warning systems, retraining and relocation programs, but also massive**

couples. The measure, amounting to a tax cut of about \$2.75 million, will eliminate payment of any state income tax by 120,000 Californians in the lowest income range, he said.

Among other things he cited on the constructive side of the legislative ledger was the placement of a \$260 million school construction bond issue and a \$360 million State building bond issue on the November ballot despite strenuous efforts by an Assembly minority group to force the school bonds to a June vote. These issues, added to a \$150 million issue for beaches and parks previously approved for submission to the voters in November, raises to \$770 million the total bond authorization to be voted on at that time.

Among the shortcomings of the longest special session in the State's history, Pitts cited the legislature's failure to enact Governor Brown's modest proposal to create a state Office of Housing and Community Development and its failure to plug the special privilege tax loophole enjoyed by some insurance companies through the so-called "principal office" deduction. Lobbyists for banking, savings and loan and insurance interests succeeded in blocking this legislation, he said.

Following the Executive Council's meeting the Executive Board of the California Labor Council on Political Education met briefly, reviewed the primary election results and laid plans to call a pre-general election endorsement convention early in September in San Francisco. No date for this convention has yet been set.

public investment programs in areas of pressing social need to create new jobs," State AFL-CIO leader Thos. L. Pitts pointed out.

The U. S. jobless rate of 5.1 percent in May reflected a three-tenths of one percentage point decline from the 5.4 percent rate recorded a month earlier and was the lowest rate posted since mid-February 1960 when the rate was 4.9 percent.

### RESERVATION NOTED

Although Labor Department experts noted that the May figures appeared to be solid, they also pointed out that the principal reason for the sharp drop in joblessness was that the labor force didn't increase on a seasonally adjusted basis as it had in previous months. As a result all of the new jobs created during the period served to cut into the jobless rate.

They also cautioned that one month's figure shouldn't be relied on too heavily since it is possible that the jobless rate could climb substantially in June when teenagers flood the labor market looking for summer jobs.

Moreover neither the state or the national figures take into account the so-called "hidden unemployed" composed of those who have simply stopped looking for work. Reputable economists estimate that if the so-called "hidden unemployed" were counted the official rate would be substantially increased.

The Labor Department said unemployment amounted to 3,640,000 nationally in May, 281,000 below a month earlier and nearly 200,000 less than was expected for this time of year.

### EMPLOYMENT AT PEAK

Total U. S. employment, at 71,101,000, was up 1,224,000 from April and set an all-time record for any month. The increase was nearly evenly divided between farm and non-farm employment.

Non-farm employment was up 646,000 to 66,094,000, about 100,000 more than seasonal.

Total civilian employment in California was 6,593,000, 184,000 or 2.9 percent above May 1963. Between April and May, however, employment rose only 86,000, a less than seasonal increase. About two-thirds of these jobs occurred in agriculture.

The state's civilian labor force, composed of the employed and the unemployed available for and seeking work, was 6,994,000 in May, compared with 6,810,000 a year earlier.

The U. S. jobless rate for adult men dropped from 3.8 to 3.6 percent in April, the lowest since August 1957 when it was 3.4 percent. The unemployment rate for adult women fell from 5.4 to 5 percent. However, the teenagers' jobless rate at 15.9 percent in May was only slightly below the 16.2 percent posted in April.