



# California AFL-CIO News

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## Minority Bars Action On 14b Bill

Minority rule made a mockery of the democratic process again this week when a 2½ week filibuster led by Senate Minority Leader Everett M. Dirksen (R-ILL.) denied the U.S. Senate its right to even debate the merits of a bill to repeal Section 14(b) of the Taft-Hartley Act and the issue was apparently shelved for the session.

On Tuesday a motion to limit debate on the normally routine procedural motion to call the House-approved repeal measure up for consideration—an action that is usually accomplished in about 30 seconds—fell 15 votes shy of the two-thirds majority required under Senate rules.

The vote was 51 for cloture, 48 against, indicating that a

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## Ad Case Suspect Faces Court Trial

George Ian Hermansen, 47, one of two suspects in an ad sales scheme believed to have defrauded California firms of thousands of dollars for ads in what appears to have been a non-existent paper called the "The State Labor News," was scheduled to be arraigned in Superior Court in San Jose

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## Fed's Stand on Jobless Pay In 'Lock-outs' Is Upheld

### Let's Look at Inflation Issue

Since John Q. Public is likely to be deluged with a lot of talk about "runaway inflation" during the forthcoming political campaigns, it might be worth while to salt away some pertinent facts on the issue. For example:

If you earned a dollar a year ago and set it aside, today it is worth just a shade less than 98 cents in terms

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## Plans To Press Farm Fight Aired

Determination to press "an all-out effort" to organize California's farm workers was voiced by key California labor officials at a meeting called by state AFL-CIO leader Thos. L. Pitts at the Hacienda Hotel in Fresno last Friday.

The day-long meeting, attended by officers of central labor and building trades councils, state and local councils of international unions and various international union representatives, reviewed problems of the state's farm workers and the Delano strike in particular.

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The California Supreme Court, acting on appeals from the California Labor Federation, AFL-CIO, and other labor organizations last week reversed a lower court decision that had denied unemployment insurance rights to locked out workers. State AFL-CIO leader Thos. L. Pitts hailed the decision concurred in by five of the seven justices saying:

"The high court's final action is a victory for every worker in California and for the public interest at large because it amounts to reinsurance that the fundamental purpose of our jobless insurance program is not going to be subverted by judicial decree.

"An adverse ruling in this critical case would almost undoubtedly have licensed a rash of arbitrary lockout actions by anti-labor employers and would have represented a severe blow to the basic concept of free collective bargaining.

"Justice Peek and the five concurring justices deserve a commendation for zeroing in on the crucial issue of whether a worker may be disqualified from receiving jobless pay benefits when an employer locks him out of the job in anticipation of a strike that hasn't even been called."

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## State's Jobless Rate Improves

California's jobless rate dropped three-tenths of a percentage point from 5.7 percent in December to 5.4 percent last month to score its most significant improvement in months. The 5.4 percent rate is the lowest level achieved since April, 1960.

It reflected a total of 458,000 jobless last month, some 62,000 less than a year ago when 520,000 were jobless. And the over-the-month increase of 47,000 from December was less than seasonal, the Department of Employment reported.

Total civilian employment, at 6,871,000 in January, was 306,000 or 4.7 percent, higher than a year ago—one of the largest job increases posted in recent years, Ernest B. Webb, Director of Industrial Relations said.

The report noted, however, that the gain is measured from a flood-depressed employment level a year earlier. Even al-

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## Ask Equal Air Time To Repudiate Falsities on 14b, Pitts Urges

To help offset some of the "misinformation" broadcast over California radio and TV stations on what the fight to repeal Section 14(b) of the Taft-Hartley Act is all about, state AFL-CIO leader Thos. L. Pitts called on all central bodies in the state this week to set up committees to monitor programs in their local communities and to demand equal time for rebuttal when appropriate under the Federal Communications Commission's "fairness doctrine."

"Only by making full use of the 'fairness doctrine' can the

labor movement hope at least partially to offset some of the misinformation and distortions being aired in connection with 14(b) or future critical issues," Pitts declared.

For example, he explained, the claim that repeal of Section 14(b) would impose union shop terms on workers in 19 states "is totally false."

"Repeal would merely let the workers and their employers decide democratically between themselves in free collective bar-

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## State Jobless Rate Improves

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lowing for this factor, however, the job growth margin continued to widen from the year earlier figure.

Excluding agriculture, lumber, construction and other industries most affected by last year's floods, the total January increase in other categories was between 275,000 to 280,000.

The state's civilian labor force, comprised of the employed and the unemployed seeking work, totaled 7,329,000 in January, compared with 7,085,000 a year earlier.

For the nation as a whole, unemployment fell to the 4.0 percent level, an interim goal set four years ago by the President's Council of Economic Advisors when the rate was in excess of six percent.

Secretary of Labor W. Willard Wirtz promptly set a new objective of 2 to 3 percent in line with the nation's declared objective to attain and maintain a full employment economy.

In January, 1965, the nation's jobless rate was 4.8 percent.

Among the more heartening signs of the improved picture nationally is that joblessness among non-whites has declined at a faster pace (22 percent) than joblessness among whites (19 percent).

In January, 1965, the jobless rate for whites was 4.3 percent while the jobless rate for non-whites more than doubled that at 9.0 percent. Last month the rate for whites was 3.5 percent, reflecting 2,612,000 jobless, while the rate for non-whites was 7.0 percent, reflecting 678,000 jobless.

Also notable is the fact that the jobless rate for teenagers of both sexes (14-19 year-olds) dropped more than 20 percent—from 15.2 percent in January, 1965, to 12.0 percent last month.

Impressive improvements were also scored nationally in long-term unemployment with a 20 percent over-the-year decline overall in those jobless 15 weeks and over.

When this is broken down into those jobless 15 to 26 weeks, where a 16 percent decline was registered, and those jobless 27 weeks and over,

## Fed's Stand on Jobless Pay for Workers in Lockouts Upheld

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The ruling handed down February 3 stems from a case involving the Butchers Union Local 563 of Huntington Park and the Coast Packing Company and other firms in the meat packing and processing industry.

### ISSUES RECALLED

In the fall of 1961, Butchers Union Local No. 563 was negotiating with Coast Packing Company for a new contract. The existing contract was to expire October 1, 1961. The union declined to assure Coast Packing of time to clear pens and coolers before calling a strike and initially rejected a company offer to extend the existing pact with any subsequent settlement to be retroactive to October 1, 1961.

The Coast Packing Company curtailed its operations on September 29, 1961. On September 30, union officials offered to extend the contract 10 days but the company refused. Coast Packing and other packaging houses closed October 2.

Sixteen days later an agreement was reached, but the company attempted to deny unemployment insurance payments to the workers for the period October 2 through October 18. The firm's attorneys cited Section 1262 of the State Unemployment Insurance Code which reads:

**"An individual is not eligible for unemployment compensation benefits . . . if he left work because of a trade dispute."**

However, the courts have held consistently since 1941

where a 24 percent drop was tallied, it's even more impressive inasmuch as it shows substantial improvement has been made in the long-term jobless picture.

Numerically, the nation's unemployed totaled 3,290,000 last month. Employment, on a seasonally adjusted basis, totaled 73,715,000 last month compared to 73,441,000 a month earlier.

The nation's total civilian labor force last month was 79,644,000 compared to 79,408,000 in December, 1965.

(Bodinson Mfg. Co. vs California Employment Commission) that workers are not disqualified from benefits unless they voluntarily left work because of a trade dispute.

Both the Unemployment Insurance Appeals Board and the Superior Court of Los Angeles had earlier denied the company's contention. But the District Court of Appeals had reversed their findings and ruled that employers could lock out employees without incurring liability for unemployment insurance payments.

The State Supreme Court action yesterday rejected the Appellate Court's decision.

Among other things, the nearly unanimous decision pointed out that:

**"If employees are to be denied benefits it is apparent that there must be some volitional conduct on their part which reasonably causes the work stoppage. There was no such conduct in the present case. It appears that the union only refused to give some assurance that it would not take such action. In that circumstance there was no volitional act which reasonably would warrant a work stoppage, and the workers cannot be held to have voluntarily left their work because of a trade dispute when the employer elected not to operate in the absence of the requested assurances."**

### EFFECT EXPLAINED

The high court also observed that the net effect of the ruling sought by the Coast Packing Company "would be to disqualify any employee because an employer closed his plant to avoid economic loss.

"This would surely defeat the very purpose of the scheme of unemployment insurance benefits, and justify almost every closure, including lockouts," the court declared.

The California Labor Federation's General Counsel submitted a friend of the court brief in the case and presented oral arguments to the Supreme Court following the adverse ruling from the District Court of Appeals.

## Let's Look at Inflation Issue

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of the goods and services it will buy.

But if you had set aside a dollar you earned in December, 1960, just before the present unprecedented six-year business upturn got under way, it would purchase 94 cents worth of goods and services today. This means that the purchasing power has only dropped six cents in five years, a stability that European countries envy.

While the administration has indicated that the consumer price index may rise two percent or more this year, the unreasoning fear of inflation that some politicians may seek to engender dissipates when you look at the record.

Just after the end of World War II, for example, when the black market prices of the war years became the public prices, living costs skyrocketed 18.1 percent in 1946 and another 9.1 percent in 1947.

The Korean war had a similar though more moderate effect when in 1950 the consumer price index rose 5.8 percent and the following year 5.9 percent.

In contrast, a look at the last 10 years reflects a fairly remarkable stability as the table below illustrates:

Year	Percentage Increase in Living Costs
1956	+2.9
1957	+3.0
1958	+1.7
1959	+1.5
1960	+1.6
1961	+0.6
1962	+1.2
1963	+1.7
1964	+1.1
1965	+2.0

Going back to 1953, one finds that during the eight years of the Eisenhower administration the consumer price index rose a total of 11.2 percent. During the five years of the Kennedy-Johnson administration the total rise has been 6.6 percent.

In short, recent history denies the title of anti-inflation champion to either of our major political parties. If anything it gives the Democrats, temporarily at least, an edge.

# Plans To Press Farm Fight Aired in Fresno

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In a move to better coordinate the labor movement's total effort, the consensus suggested that a small task force type committee be appointed by Pitts, secretary-treasurer of the California Labor Federation, AFL-CIO, to review problems pertinent to the activities of the Agricultural Workers Organizing Committee, including such activities as boycotts.

In addition, the participants called for the formation of a larger committee to consist of a broad cross section of the labor movement to consider the implementation of programs and recommendations developed by the smaller task force committee.

It was emphasized at the meeting that contributions for the farm workers should continue to be funneled through the Farm Workers' Organizing Assistance Fund in care of the California Labor Federation at 995 Market Street, San Francisco.

In other actions in the farm labor fight, the State Department of Employment rejected an attempt by Delano growers to invalidate the labor disputes existing at 15 Delano area vineyards since last Fall on the ploy that the harvest is over and the workers were hired for the harvest only.

On the contrary, the State Department of Employment held:

"The grape jobs which were left vacant because the former occupants are on strike in the course of the labor dispute are determined to include jobs in the harvesting, pruning and other agricultural employment such as tying, staking, irrigating, hoeing and shoveling, suckering, girdling, tipping, trimming, and leaf pulling.

Therefore, the Department said, workers may not be referred by the Department of Employment to any of the above jobs.

The 15 growers to whom the Department will not refer workers are:

Jake Cesare & Sons, Delano;  
Jack Radovich, Richgrove;

# Ask Equal Air Time To Rebut Falsities on 14b, Pitts Urges

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gaining what forms of union security clause they want in their contract," he said.

"The injustice that has been perpetrated for 19 years by Section 14(b) is that it has permitted states to interfere with free collective bargaining by imposing compulsory open shop terms on all workers in so-called 'right to work' states instead of letting the workers decide the issue for themselves.

"The fact that low wages, substandard working conditions and inadequate social insurance programs are the common lot of wage and salary earners in the vast majority of 'right to work' states should be proof enough that the compulsory open-shop statutes spawned by the continued existence of Section 14(b) are contrary to the public interest.

"After all, the wealthiest nation in the world certainly

Sandrini Bros., McFarland;  
Vincent Zaninovich & Sons,  
Delano;  
Bruno Disposto, Delano;  
Salvatore Ginmarra Vineyards  
Corp., Edison;  
Frank L. Lucich Co., Inc.  
Delano;  
A. & N. Zaninovich, Delano;  
M. Caratan, Delano;  
Marko Zaninovich, Earlimart;  
Louis Carik & Sons, Delano;  
DiGiorgio Fruit Corp., Delano;  
Schenley Industries, Inc., Ranch  
Division, Delano;  
J. D. Martin Ranch, Fresno.

Employment Department Director Albert B. Tieberg, also noted that in 16 other instances where labor disputes existed last Fall but no workers left their jobs because of the disputes, federal regulations provide that, although the public employment service may refer workers to such employers, they must give each worker referred a written notice of the existence of the labor dispute.

The determination was based on an investigation by the Department that found that both workers and employers interviewed indicated that it was "a common practice among vineyardists in the Delano area to hire workers in the harvest with the understanding that other work such as pruning, typing, etc. would be performed by the same workers."

needs no longer to profit through poverty by denying a fair day's wage for a fair day's work. Yet this is precisely what the continued existence of Section 14(b) encourages," Pitts asserted.

## FORM COMMITTEE

He called on each central labor body to set up a Communications Media Committee to monitor radio and TV programs and to demand rebuttal time when appropriate.

The state AFL-CIO leader emphasized that the "fairness doctrine" is not "a charity given by the stations but is an instrument of democracy that has been used by unions, civil rights groups, church organizations and others to bring a reasoned expression of all aspects of an issue to areas where a substantial degree of censorship by omission has existed.

"The managers of radio and TV stations operate under a government license to use the airwaves. The license does not entitle them to propagandize one side of an issue at will and to deny expression to other sides of the same issue. On the contrary, it imposes a responsibility upon the licensee to air all sides," Pitts emphasized.

## STEPS SPELLED OUT

In a letter dispatched this week to all central bodies, the state AFL-CIO leader also spelled out a five-step procedure for requesting rebuttal time and enclosed a list of nearly a dozen ultra-conservative programs broadcast in more than 60 communities in California that have or may be expected to propagandize against repeal of 14(b).

Included in the list were 11 stations in the Los Angeles area alone, five each in the Fresno, San Francisco and San Diego areas, four in San Jose and three each in Redding, Santa Barbara, and Bakersfield.

Among the right-wing programs listed were: Lifeline; Dan Smoot Reports; Manion Forum; The Twentieth Century Reformation Hour; Howard Kershner's Commentary on the News; and Billy James Hargis' Christian Crusade.

# Suspect in Ad Case Faces Court Trial

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today on charges of conspiracy to commit theft.

Hermansen was bound over to Superior Court last week following a preliminary hearing February 3 in the Sunnyvale Municipal Court which included testimony by a representative of the California Labor Federation, AFL-CIO, a Las Vegas printer and a number of merchants who said they paid for ads but never saw them published.

A second suspect, John Black, of 1135 North Ogden, Los Angeles, turned himself in to Sunnyvale police authorities Wednesday and faces a preliminary hearing on Feb. 24 at 10:30 a.m., in Sunnyvale's Municipal Court.

During the past three years the Federation has received numerous complaints about the State Labor News operation and has been cooperating with police and postal authorities in every way possible to locate those responsible for it.

A number of firms reported that ad solicitors for the State Labor News falsely claimed it was an AFL-CIO publication.

In an effort to unearth a copy of the publication, state AFL-CIO leader Thos. L. Pitts issued press releases prior to the Christmas Season in 1963, '64 and '65 to alert the state's labor and commercial press and business community to the fact that the publication was "not authorized, endorsed or sanctioned in any way" by the state AFL-CIO or any other legitimate labor organization in California.

Pitts asked any union member encountering a copy of the "State Labor News" to send it to the Federation's office in San Francisco. But no copy has ever been received.

Following a number of complaints during the past Christmas season, particularly in San Francisco, Santa Clara and San Mateo Counties, the Sunnyvale Police Department launched an investigation.

On January 13, warrants were

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# Minority Bloc Bars Acton on 14b Repealer

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clear majority of the U.S. Senate favors repeal.

The 44-word section in the Taft-Hartley Act has spawned dozens of bitter, costly and divisive election battles in dozens of states across the nation during the past 19 years.

California's senior Senator Thomas H. Kuchel and five other Republicans joined 45 Democrats in voting for cloture.

The State's junior Senator, Republican George Murphy aligned himself with 25 other conservative Republicans and 22 Democrats, mostly from southern states, in voting to deny the Senate its right to even consider the measure.

Declaring that "he was keenly disappointed" in Senator Murphy's refusal to reflect the clear mandate California voters gave him on this issue in 1958, Governor Edmund G. Brown wired Murphy Wednesday to urge him to change his vote saying:

**"As you know, the people of California have twice expressed themselves overwhelmingly against so-called**

**'right to work' legislation, most recently in 1958.**

**"At that time the vote against the measure was 3,-070,837 to 2,079,975, a margin of nearly one million votes.**

Essentially, repeal of Section 14(b) would serve to make the nation's labor law uniform throughout all 52 states and prevent states from enacting compulsory open-shop laws that presently deny employers and employees in 19 states, principally those in the South and Midwest, the freedom to decide independently for themselves what form of union security clause they want in their contracts.

In a second cloture move yesterday the vote was 50 to 48—16 votes shy of the two-thirds required. And it now appears that the Democratic Party will give up on platform pledges made in 1960 and 1964 to repeal the discriminatory section.

Comparing Tuesday's 51-48 vote with the vote taken to shut off debate on a similar filibuster last October when pro-repeal forces wound up on the low side of a 47-45 vote indicates that six of the seven additional

senators voting last Tuesday favored repeal.

A number of liberal senators including Senator Wayne Morse (D-Oregon) and 75-year-old Stephen M. Young (D-Ohio) expressed disappointment at the Senate Democratic leadership's failure to call for 24-hour-a-day, round-the-clock sessions.

## THE REAL STORY

Asserting that "the real story about 14(b) is that it has been distorted, misrepresented and lied about in the press, television, radio and other forums," Senator Morse declared.

"The people of this country have labored under the impression that this issue would be considered on its merits. They are entitled to have this subject considered on its merits. Therefore, I believe that the leadership of the Senate owes it to the country to use every parliamentary weapon at its command to help to break this filibuster.

"We cannot break it under the rules the Senate is presently trying. We can break it only by getting into session 24 hours of the day and night

for as many weeks as it takes to break the filibuster. It will not be broken by the Senate, but it will be broken by an aroused public opinion stirred up in this country, once the Senate starts sessions running 24 hours a day.

**"What will happen will be what happened when Lyndon B. Johnson sat in the majority leader's chair and broke filibuster after filibuster by 24-hour-a-day, round-the-clock sessions."**

And Senator Young declared: **"No one need fear my health will be impaired. People are only as old as their doubts, their lack of confidence, their fears and their despair. In that regard I feel at least 40 years younger than many of those who oppose repeal and yearn for the time of McKinley."**

For the record, here is the 51-48 roll call vote by which the Senate Tuesday was denied an opportunity to even consider the repeal bill:

### Democrats for (45):

Anderson, N.M.; Bartlett, Alaska; Bass, Tenn.; Bayh, Ind.; Brewster, Md.; Burdick, N.D.; Church, Ida.; Clark, Pa.; Dodd, Conn.; Douglas, Ill.; Gore, Tenn.; Gruening, Alaska; Harris, Okla.; Hart, Mich.; Hartke, Ind.  
Inouye, Hawaii; Jackson, Wash.; Kennedy, Mass.; Kennedy, New York; Long, Mo.; Long, La.; Magnuson, Wash.; Mansfield, Mont.; McCarthy, Minn.; McGee, Wyo.; McGovern, S.D.; McIntyre, N.H.; Metcalf, Mont.; Mondale, Minn.; Montoya, N.M.  
Morse, Ore.; Moss, Utah; Muskie, Me.; Nelson, Wis.; Neuberger, Ore.; Pastore, R.I.; Pell, R.I.; Proxmire, Wis.; Randolph, W. Va.; Ribicoff, Conn.; Symington, Mo.; Tydings, Md.; Williams, N.J.; Yarborough, Tex.; Young, Ohio.

### Republicans for (6):

Case, N.J.; Cooper, Ky.; Javits, N.Y.; Kuchel, Calif.; Scott, Pa.; Smith, Me.

### Democrats against (22):

Bible, Nev.; Byrd, Va.; Byrd, W. Va.; Cannon, Nev.; Eastland, Miss.; Ellender, La.; Ervin, N.C.; Fulbright, Ark.; Hayden, Ariz.; Hill, Ala.; Holland, Fla.; Jordan, N.C.; Lausche, Ohio; McClellan, Ark.; Monroney, Okla.; Robertson, Va.; Russell, S.C.; Russell, Ga.; Smathers, Fla.; Sparkman, Ala.; Stennis, Miss.; Talmadge, Ga.

### Republicans against (26):

Aiken, Vt.; Allott, Colo.; Bennett, Utah; Boggs, Del.; Carlson, Kan.; Cotton, N.H.; Curtis, Neb.; Dirksen, Ill.; Dominick, Colo.; Fannin, Ariz.; Fong, Hawaii; Hicklenlooper, Iowa; Hruska, Neb.; Jordan, Ida.; Miller, Iowa; Morotin, Ky.; Mundt, S.D.; Murphy, Calif.; Pearson, Kan.; Prouty, Vt.; Saltonstall, Mass.; Simpson, Wyo.; Thurmond, S.C.; Tower, Tex.; Williams, Del.; Young, N.D.

Not voting but announced as for cloture: McNamara (D-Mich.).

## Suspect in Ad Case Faces Court Trial

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issued for the arrest of Hermansen and Black on the basis of information uncovered by detective John Richlin of the Sunnyvale Police Department. Hermansen was arrested in Los Angeles on January 18.

The following day, on January 19, Herman Weier, of Allied Printers in Las Vegas said he was approached by a "nattily dressed" man who asked him to print a 16-page tabloid Christmas edition of the "State Labor News."

Weier said the man identified himself as John Ryan and asked Weier to print the paper with a December 22, 1965 date and to accept a check dated December 22, 1965 and give him a receipt with the same date.

Weier complied. But printing trade unionists in his shop, Weier said, refused to touch the copy on grounds that something must be wrong when a publica-

tion containing principally ads for San Mateo, Santa Clara and San Francisco firms goes out of state to find a printer.

Subsequently, Weier checked with the California Labor Federation which put him in touch with detective Richlin.

The fact that the first known attempt to publish the paper at all occurred after Hermansen's arrest, along with the backdating of the checks, are critical points in the prosecution's case.

Weier said that the man who contacted him stipulated that the paper should carry an identifying box reading "State Labor News, published in the interests of labor-management, Publisher Freda J. Green, advertising and promotion, J & G Advertising Company, San Francisco, Calif."

Police estimated that the bundle of ads presented to him represented somewhere in the neighborhood of \$20,000 in ad sales.

Richlin said that Hermansen and Black set up offices in Sunnyvale and San Mateo last December and hired telephone solicitors to sell ad space. He said they apparently called every business in the yellow pages of the telephone directory and, as soon as a sale was made, sent collectors out to get the money.

The investigator also disclosed that the two suspects had a bank account in Sunnyvale as well as accounts in banks in Arizona and Hollywood.

The date for Hermansen's Superior Court trial is expected to be set following his arraignment today.

The case is being prosecuted by Deputy District Attorney Richard Salle who said the suspects, if convicted, could face a prison sentence of up to 10 yrs.

The police report noted that Black had admitted using the name Ryan in dealing with Weier.