



# California AFL-CIO News

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## Labor at the Legislature

From The Capitol Office  
Of The Executive Secretary

Officially, the California State Legislature adjourned its 1969 session at midnight August 8. Actually, the clock was stopped and the Assembly finished its deliberations shortly after 12:30 while the Senate labored until after 1:30. Both houses had begun their work early on the 8th. In fact, the Senate had worked until nearly 3:00 a.m. of the last day on the File of the 7th, then returned at 10:30 a.m. The Assembly worked into the night of the 7th and reconvened at 9:30 a.m. on August 8.

This was a long, hectic session. A large number of bills and programs affecting Labor were before the legislators. In addition to the weekly reports made through this medium, a comprehensive synopsis of Labor at the Legislature is now being prepared. It will take time to summarize the 215 days of action in the two houses, along with related committee activity.

The Senate and Assembly return to Sacramento on September 8, after a constitutional recess, for a brief session to consider veto messages from the Governor.

\* \* \*

Among the heavy volume of legislation given final passage was AB 473. Labor joined the principal author, Assemblyman John Quimby, (D-Rialto), in supporting this measure. If signed by the Governor, it will provide annual scholarships of up to \$1,500 a year and total scholarships up to \$6,000 for the higher education of dependents of peace officers who are killed in performance of their duty or die as the result of injuries so sustained.

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## Unruh, Powers Do a Great Job in Defeating SB 1192

Labor in California can thank Assemblyman Jesse Unruh (D-Inglewood) and Walter Powers (D-Sacramento) for legislative leadership in its campaign to defeat SB 1192 as the 1969 session drew to a close.

SB 1192, while it was aimed directly at workers in the printing trades, also would

have disastrously affected all labor organizations in California. It was actively fronted for by the California Newspaper Publishers Association but also drew support from other employer groups. It would have imposed government into collective bargaining on the side of the employers. SB 1192

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## Consumers Threatened By Pesticide Use

• A confidential government report has deplored the fact that the Food and Drug Administration, the nation's principal consumer protection agency, "has completely inadequate resources and statutory authority" to protect U.S. citizens from contaminated food, dangerous drugs, and other hazard-

ous products, citing the fact that the FDA is supposed to police 60,000 firms producing \$130 billion of consumer goods each year on a \$72 million budget and a staff of only 4,000.

• "Uncounted thousands of the nation's migrant farm workers, farmers, and suburban homeowners have been fatally overcome or seriously crippled," because over 50 million pounds of a pesticide that was first developed as a German nerve gas in World War II are being spread over farms and gardens throughout the United States, particularly by commercial food-crop growers in California, according to testimony presented earlier this month to the Senate Subcommittee on Migratory Labor by Jerome B. Gordon, president of Dephic Systems and Research, a research firm.

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## Youth Hiring Not Hurt By Fed. Standards

Federal child labor standards do not deter youth employment, U.S. Wage-Hour Administrator Robert D. Moran has stated, in responding to charges that child labor standards under the federal Fair Labor Standards Act

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## Two Federation Bills To Governor's Desk

As the 1969 session of the Legislature moved toward final adjournment, two California Labor Federation bills were given final passage by the State Senate on August 7 and sent to the Governor for consideration.

AB 271, by Assemblywoman Yvonne Brathwaite (D-Los Angeles), will exempt wages from attachment for an indebtedness prior to judgment. It was presented on the Senate floor by Senator James Q. Wedworth (D-Inglewood), and passed 21 to 6. AB 271 was returned to the Assembly for concurrence in amendments, which Mrs. Brathwaite secured on a 63 to 4 vote on the last day of the session.

AB 837, by Assemblyman John Miller (D-Oakland), will extend coverage under the Fair Employment Practice Act to agricultural workers. Presented to the Senate by Senator Lewis Sherman (R-Oakland), AB 837 was passed 22 to 8.

## House-Passed Tax Reform Bill Not Enough

The comprehensive tax reform bill passed by the House of Representatives last week,

while a major step forward, "does not go far enough," the Executive Council of the na-

tional AFL-CIO declared in issuing a statement on the need for stronger, more meaningful tax reform legislation.

The statement, adopted by the Executive Council at its meeting in New York last week, called upon the U.S. Senate to take action to improve and

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## Labor at the Legislature

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Considering the author's support of management-inspired social insurance and labor relations legislation for farm workers during the session, Labor should be alert to **HR 484** by Assemblyman William Ketchum (R-Bakersfield). Introduced late on August 7, **HR 484** asks interim study of the subject of "farm labor, including but not limited to labor management relations and the conditions of employment." The assemblyman's position on such legislation had to be strongly opposed by Labor during the session. If the resolution is implemented, a report of findings and recommendations would be made to the legislature not later than the fifth legislative day of the 1970 session.

\* \* \*

On the Senate side, Senator John Schmitz (R-Tustin), has introduced **SR 378**, relative to child labor laws. The resolution calls for an interim study of the subject. The tone is set by an introductory clause which notes that jobs for "boys and girls under 16 years of age" are sharply curtailed by the child labor laws of California "as presently written." The study would be directed toward revision of these laws. In view of the senator's well known anti-labor stand, illustrated by his sponsorship of "right to work" legislation, any study undertaken under terms of the resolution will be carefully followed by Labor.

### First U.S. Strike

The earliest authenticated strike of workers in the United States in a single trade occurred in 1786 when Philadelphia printers gained a minimum wage of \$6 a week.

### First 8-Hour Law

The first Federal 8-hour-day law was passed by Congress in 1868. It applied only to laborers, workmen, and mechanics employed by or on behalf of the United States Government.

# House Tax Reform Bill Not Enough

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strengthen the House-passed bill. At the same time, it warned, that "the Senate must guard against attempts by the lobbyists for special privilege to preserve and widen their special interest problems."

In its present form, the Executive Council said that the House-passed measure deserves commendation for the following reasons:

- "The working poor are relieved of any federal tax obligation"—a measure long sought by the AFL-CIO.

- Hard-working, tax-paying citizens in the low and middle-income brackets, "who have been forced to bear far more than their just share of the tax burden," would receive a "modicum of relief." This, the Executive Council said, is a move toward another AFL-CIO goal.

- The 7 percent investment credit given to business, the single most inflationary pressure in the economy, has been eliminated. The AFL-CIO has always opposed this device.

- Some loopholes and gimmicks in the tax structure that have benefited the very wealthy "have been trimmed although not eliminated."

The tax reform program as passed by the House of Representatives provides that in 1970 \$1.7 billion in tax relief would go to low income families and those who use the standard deduction. In 1971 the amount of individual tax relief would rise to \$6.7 billion, and in 1972 to \$8 billion, with tax cuts going to virtually all taxpayers.

Tax relief for middle-income families centers on a provision raising the standard deduction from 10 to 15 percent over three years and the maximum deduction from \$1,000 to \$2,000 over the same period.

In terms of tax reform the House-passed bill would partially close many loopholes and thus raise an additional \$5 billion for the federal treasury by 1970. However, some of the most glaring loopholes under present federal tax law would be only partially closed. For example, the bill provides that the present federal tax rate ceiling of 25 percent on capital gains

would be repealed and the period that assets would have to be held before profits of their sale were eligible for capital gains treatment under law would be extended from six months to one year. Left untouched, however, was the provision in present law that excludes one-half of all capital gains from taxation.

Likewise, the corporate tax rate on long-term capital gains would be increased 25 to 30 percent. However, corporations now pay a tax rate of 48 percent on their profits as well as a surtax. Corporate capital gains profits, therefore, would still be taxed at a much lesser rate than the profits from sales of their products.

In the case of the oil depletion allowance the House-passed bill reduces it from the present level of 27.5 percent to 20 percent. However, this change in the tax treatment of the nation's oil companies appears to be little more than token reform since it is difficult to justify any depletion allowance in the first place and, secondly, it is generally believed that the U.S. Senate will agree on a higher figure.

Moreover, in a number of other important fields, the House-passed bill does not represent the type of broad, sweeping reform called for by the AFL-CIO and other organizations.

With this in mind the AFL-CIO's Executive Council urged the Senate to take the following actions to improve the

House bill:

1. Strengthen the minimum tax provisions.
2. Eliminate the so-called maximum tax provisions.
3. Effectively close the farm shelter tax escape route.
4. Limit fast real estate depreciation write-offs to needed low and moderate-income housing.
5. Assure that accelerated depreciation on regulated industries is not allowed unless the tax benefits flow through to the consumer.
6. More effectively close the capital gains loophole.

The Executive Council also urged "the Senate to provide more substantive tax relief to those whose incomes are moderate and whose tax burdens are unnecessarily severe."

Thus, the battle for meaningful and lasting tax reform now shifts to the U.S. Senate. There, it is commonly recognized, the various special interest groups will wage an all-out effort to scuttle or drastically alter the House-passed bill, and thereby move even further away from the needed wholesale revamping of the law. For this reason it is particularly important for California trade unionists and all others concerned with tax justice to keep letter-writing campaigns going.

Letters calling for meaningful tax justice should be addressed to California's two U.S. Senators, Alan Cranston and George Murphy, Senate Office Building, Washington, D.C.

## Farm Pay Data Shows How Union Aids Farm Workers

What a difference a union makes is reflected in a study of farm worker wage rates released this week by the U.S. Department of Labor.

Despite increases in recent years in both hourly and piece work pay rates, the U.S.D.L. study shows that U.S. farm workers are still "among the lowest paid in the nation."

It found that the national average farm wage for 1968 was \$1.43 an hour without room and board, just 10 cents above 1967.

In contrast, the minimum

hourly wage for farm workers protected by union contracts negotiated by the AFL-CIO United Farm Workers Organizing Committee in California is \$2.00 this year and harvest piece rates for wine grape workers must average between \$3.50 and \$3.75 an hour this year, a UFWOC spokesman said.

The Labor Department study disclosed that the \$1.43 national average farm wage last year amounted to less than 50 per-

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# Consumers Are Threatened by Use of Pesticides

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Both of these recent news items tie directly into the AFL-CIO United Farm Workers' campaign to win effective and immediate curbs on the hazardous use of pesticides that imperil the consuming public as well as the farm workers themselves.

Last week, Al Caplan, labor consultant for a group of 11 Coachella Valley table grape growers who last month broke-off contract negotiations with the UFWOC, charged that the farm workers' union "had been preparing a program for two years to make it sound as though grapes are poisoned by pesticides" in an effort to "pressure growers into signing a union contract."

But UFWOC general counsel Jerome Cohen denounced the charge as a "lie." He pointed out that the union had offered to halt its campaign against pesticides if the growers got other growers to join in working out a ban on DDT "and in general to halt the use of poison pesticides on grapes."

He said "the growers demanded that we remain silent about harmful pesticides. We refused, and this broke up our negotiations."

A week earlier, on August 1, in testifying before the U.S. Senate Subcommittee on Migratory Labor, Cohen had explained that "the use of economic poisons by the grape industry was the issue over which the negotiations floundered."

He pointed out that Article 25 of the employers' contract proposals would have bound the union to agree not to "harass any employer regarding the use of pesticides so long as the employer agrees to abide by the regulations heretofore referred to. The union agrees that it will not embark upon any program regarding pesticides that can in any way be detrimental or harmful to the industry in which the employer belongs."

In contrast, Cohen noted that the UFWOC's proposal stated: "The company and the union recognize the need to supply the consumers with healthy grapes picked and handled under the most clean, sanitary, and healthful conditions possi-

ble. Furthermore, the company and the union recognize the need to conserve our natural resources and protect all forms of life from the serious dangers and damages caused by the improvident use of economic poisons..."

The union proposal went on at length on the pesticide issue calling for prohibitions against

the use of DDT, Aldrin, Dieldrin, and Endrin, as well as other chlorinated hydrocarbons or organic phosphate pesticides such as parathion without approval of a bipartisan health and safety committee.

The union proposal also called on the company to maintain and keep available extensive records of the use of pesti-

cides so that information would be available when needed to provide proper antidotes and other protections for workers suffering pesticide poisoning.

Clearly, the American consumer goes unprotected in many ways. The danger to consumers of DDT in grapes has existed for years the UFWOC points out. Yet, until the union alerted consumers to the danger, not a word had been said by government agencies whose job it is to shield consumers.

As the confidential FDA report said, "The American public's principal consumer protection is provided by the Food and Drug Administration and we are currently not equipped to cope with the challenge." The result? As the report says, "The consumer literally is surrounded by an arsenal of products which can kill or maim him."

So, be careful of what you eat and drink, and remember, in particular, don't eat grapes!

## Farm Pay Data Shows How Union Aids Farm Workers

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cent of the average wage earned by U.S. factory workers last year. The factory worker's average wage was \$3.01 an hour, 18 cents higher than in 1967.

Under amendments to the Fair Labor Standards Act won by organized labor in 1966 some 400,000 farm workers, about one-third of the annual average

number of hired farm workers in the nation, were brought under FLSA coverage. The Federal pay floor for covered farm workers rose to \$1.30 on February 1, 1969.

In California the hourly pay floor for farm workers covered by wage orders issued by the State Industrial Welfare Commission is \$1.35.

## Corman Seeks Profiteering Curbs on MD-Druggists

Legislation to bar doctors, with certain necessary exceptions, from owning pharmacies or drug manufacturing plants has been introduced in Congress by Rep. James C. Corman (D-Van Nuys).

Corman said the measure "aims to eradicate drug profiteering and overly enthusiastic prescriptioneering by doctors."

Pointing out that Congressional hearings have shown that the practice of letting doctors sell the drugs they prescribe "invariably leads to higher drug charges for patients," Corman said:

"Conflict of interest is as inappropriate in medicine as it is in government or business."

The measure would stop HEW drug payments to doctor-merchants and would also prohibit doctor ownership or participation in percentage leases of pharmaceutical and drug companies.

But the legislation would permit exceptions in unusual circumstances. For example, a doctor could dispense drugs in emergencies in single-dose units or if no pharmacy is available within 10 miles of the doctor's office. It would also permit doctors to continue to

dispense drugs to indigent patients.

Corman said the need for the legislation is indicated by the fact that "unscrupulous doctor-merchants have appeared on the scene, all too willing to write needless prescriptions simply to make a few extra dollars. This is not only unethical but is medically dangerous."

Noting that Congress has been investigating this field for five years, Corman said:

"Despite the publicity and despite an ethical ban by the American Medical Association, the number of doctor-owned drug companies has increased."

Pointing out that the nation "has been shocked by recent disclosures of fraud and greed in the medical profession," Corman said his bill would "go a long way toward improving ethical standards."

## 200,000 Elderly Aided

Nearly 200,000 needy older Americans have received employment assistance or job training under various U. S. Department of Labor manpower programs during the past six years.

## Join Caravan... To Aid Farm Union Aug. 23

If you want to do something you can be proud of for years to come, join the next food caravan to Delano on Saturday, August 23 to carry supplies to California farm workers who have been battling for nearly four years now just to win union recognition and collective bargaining rights—rights you have enjoyed for years.

Although the success of the grape boycott is already indicated by the growers' \$75 million damage suit, the workers still need your help.

You're invited to bring sleeping bags and stay over night at Filipino Hall so you may get to know personally some of the valiant men and women who have

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## Poverty Comparison

The 30 million Americans living below the poverty level is equal to the combined total population of Norway, Sweden, Finland, Denmark and Austria, according to the U. S. Labor Department.

# Unruh, Powers Do Great Job in Defeating SB 1192

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carried thinly veiled "right to work" provisions and anti-picketing curbs, along with other anti-labor proposals.

SB 1192 narrowly passed the Senate on July 16, heading for a showdown in the Assembly. The first issue was assignment to committee and the Speaker held the bill at the desk for nearly two weeks before deciding to send the bill to the Committee on Commerce & Public Utilities instead of to Labor Relations.

Labor legislation generally does not go to that committee and SB 1192 was reported out with a "do pass" recommendation to the floor.

On August 5, Assemblyman Powers offered extensive amendments to the bill. These would have written a prohibition against the use of professional strikebreakers into the measure. This provision, introduced early in the session as AB 119 by the California Labor Federation, had been held in the Labor Relations Committee where it was opposed by the CNPA.

Powers noted he had been criticized because AB 119 had not been passed out of committee. He stated his personal belief that government should not take sides in labor disputes but, with considerable vehemence, noted the maneuvers to sidetrack the professional strikebreaker issue while pushing for the pro-employer proposals of SB 1192.

Powers took a strong stand against legislative intervention in collective bargaining but offered his amendments to insure a compensating balance to the legislation.

He was given strong support by Assemblyman David Roberti (D-Los Angeles) author of AB 119. Roberti said he supported the amendments and that he would continue to seek a prohibition against the use of professional strikebreakers.

Adoption of the amendments was resisted by Assemblyman Robert Badham (R-Newport Beach) chairman of the Commerce & Public Utilities Committee.

In the midst of the debate, Assemblyman Unruh noted that

SB 1192 dealt with labor relations, that the amendments were pertinent to the Labor Code and that the committee with the greatest expert knowledge on the subject was obviously Labor Relations. He then moved the bill and the amendments be re-referred to that committee.

Before a vote was taken, Badham requested a Republican caucus in an attempt to make this a partisan issue. Apparently the majority party members did not go along with this maneuver. After the caucus, Assemblyman Unruh's motion to re-refer was adopted 41 to 28.

Acting in good faith, Powers requested a waiver of the three day notice rule so that the matter could be heard by the committee. Badham withheld consent and served notice that he would, next day, seek reconsideration to overturn the action. This blocked Powers' effort for a prompt hearing in committee.

On the next legislative day, Badham moved to have the reconsideration vote delayed another day and was successful in this on a 36 to 28 vote.

On August 7 the motion to reconsider failed by a 24 to 32 vote. Only then did Badham seek to have the three day rule waived so that Labor Relations could take up the matter on August 8, the final day of the session. This motion failed in a 39 to 26 tally, with 60 required for adoption.

In addition to offering the key motion on the bill, Assem-

blyman Unruh was floor manager throughout the several days of battle in support of Labor's position on SB 1192. His skill and vigilance through the many roll calls were instrumental in the final defeat of this anti-labor legislation.

When the Speaker brought down the gavel at the close of business August 8, SB 1192 was still awaiting hearing and action in the Labor Relations committee.

Labor should note with interest that the CNPA proclaims loudly and frequently about "freedom" with particular reference to "freedom of the press." The association's vigorous and determined support of SB 1192 certainly is a frontal attack upon the freedom of wage earners to organize, to collectively bargain and to use freedom of assembly and speech to champion their interests. On the surface, this seems to be an inconsistent and diluted support of "freedom." Surely Labor has always been in the forefront of the forces supporting the freedoms of the American people, including that of freedom of the press.

The overwhelming and effective united effort of the Labor movement in California in bringing about the defeat of SB 1192 could extend beyond the legislative arena. If the same concentration could be given to, for instance, the long standing Los Angeles Herald-Examiner dispute, rapid, favorable resolution of the bitter struggle could be achieved.

## Youth Hiring Not Hurt By Fed. Standards

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discourage the hiring of youths. "In May, 1969, 2.3 million youths aged 16 and 17 were employed," Moran said. He estimated that 95% of all occupations are open to 16 and 17 year olds, with only 5% of occupations prohibited to such minors under the 17 non-agricultural hazardous occupation orders.

Moran said, "Employers are interested in hiring youth for the summer, if the record number of requests for information on the child labor standards is any indicator."

The purpose of child labor standards is to safeguard minors against working in jobs that endanger their health and well-being and interfere with their educational opportunities, the Wage-Hour Administrator emphasized.

There are three general types of prohibited employment under the Federal child labor provisions, Moran said.

1. Children under 16 working in jobs for which a minimum age of 16 or 18 has been set; working longer than the hours allowed for children of that age; or working at times not permitted. (Hours of work are limited to eight a day and 40 a week during vacation time, and no work is permitted before 7 a.m. or after 9 p.m. from June through Labor Day.)

2. Employment of children 16 and 17 in nonagricultural jobs declared hazardous by the Secretary of Labor and for which a minimum age of 18 has been set.

3. Employment of children under 16 in agriculture during school hours or in hazardous agricultural jobs for which a 16-year minimum age has been set at any time.

"It is the very young who tend to be exploited, whose judgment is not fully developed, and who usually are not fully grown. Society has a responsibility to protect their health and well-being. There is no doubt that the Act does curtail job opportunities for the very young, and rightly so," the Administrator stated.

## Farm Union Caravan Aug. 23

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been in the front lines of the hot, dusty battle to bring economic security and dignity to California farm workers.

The caravan will start in two sections: the first leaving from 5648 - 47th St., Oakland (phone 655-3256 for information); and the second section leaving from 660 Howard St., San Francisco, (phone 647-7032 for information). Both sections will depart at 7:00 a.m. August 23.

You're also invited to bring along swimsuits for a dip in

Lake Wollomes. The embattled farm unionists particularly need flour, meat, canned fruit, oatmeal, dry cereals, dry pinto beans, rice and detergents. For more specific information on their needs call 655 3256 after 7:00 p.m. or between 8:00 and 9:00 a.m.

If you can't treat yourself to a memorable weekend, send a check, payable to the Delano Food Fund, to P.O. Box 130, Delano, California. And don't forget, such donations are tax deductible.