



California AFL-CIO News

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Labor Steps Up Fight to Bar ERA Peril to Women

The National AFL-CIO this week urged stepped up efforts throughout the country to block ratification of the so-called Equal Rights Amendment to the U.S. Constitution on grounds that it will do more harm than good for women's rights.

Andrew J. Biemiller, director of the AFL-CIO's Department of Legislation, pointed out Monday that the proposed Amendment, which requires ratification by 38 states, has recently been rejected by a number of states.

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Labor's Joint Legislative Conference Set

California labor's annual Joint Legislative Conference will be held at the Woodlake Inn in Sacramento Monday, May 14, through Wednesday, May 16, this year, with registration opening Sunday, May 13.

The 1973 conference is being co-sponsored by the California Labor Federation, AFL-CIO, the State Building & Construction Trades Council of California, and the California State Council

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Senate Names Committees for 1973-74 Session

State Senator Alan Short (D-Stockton) has been reappointed as chairman of the seven-member Senate Industrial Relations Committee and Senator Randolph Collier (D-Yreka) will again head the Senate Finance Committee.

This was indicated late last week when Senator James R. Mills, Rules Committee chairman, announced the composition

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State Fed Seeks Action To Beef Up Safety Plan

Action to strengthen the occupational and safety health plan submitted by the State of California to the U.S. Labor Department is being sought by the California Labor Federation, AFL-CIO.

The plan, which should have been submitted and approved prior to December 28, 1972 un-

der terms of the 1970 U.S. Occupational Safety and Health Act, is supposed to bring California's safety program into compliance with the federal act.

Late last year, then Labor Secretary James D. Hodgson extended the December 28 deadline for six months but both the U.S. District Court and U.S.

Court of Appeals for the District of Columbia have since ruled in a suit brought by the AFL-CIO and the Steelworkers that Hodgson's action circumvented the intent of the federal Safety Act.

John F. Henning, executive officer of the AFL-CIO, wrote

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United Profs Union Bars State College Pay Scheme

"Implementation of a new California State University and Colleges (CSUC) faculty salary schedule that had provoked strong opposition on all 19 CSUC campuses has been successfully blocked," according to Dr. Arnold Mechanic, President of the AFL-CIO United Professors of California.

Mechanic, who credited Assembly Speaker Bob Moretti, Ways and Means Committee Chairman Willie L. Brown, Jr. and John F. Henning, executive officer of the California AFL-CIO, with playing a major role in halting its implementation, said that the new salary schedule would have cost the typical faculty member \$100,000 over 25 years and would have required as many as 17 faculty or administrative reviews to determine whether faculty members should be granted within-rank salary step increases.

Describing it as a "pet scheme" of Chancellor Glenn S. Dumke since the 1960s, Mechanic said:

"Nothing has better justified UPC's union dues than this successful effort on behalf of all of the 12,000 state university faculty."

Under the existing salary schedule, step increases are effective automatically although tenure or promotion between ranks is based on intensive merit reviews, he explained.

Noting that the 3,800-member UPC, the largest faculty organization in the CSUC, had learned that the State Department of Finance "was insisting that within-rank salary step increases be funded on a 50 percent basis under the new schedule as opposed to the 100 percent funding under the present schedule," Mechanic said:

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Fed Presses for Action Now on Span Approach

Legislative action to avert a three-year delay in widening Doyle Drive, an overburdened, accident-prone 1½ mile approach to the Golden Gate Bridge in San Francisco, will be sought during the 1973 session.

Plans for the introduction of legislation necessary to get the project started immediately instead of deferring it to the 1976-77 fiscal year were announced by State Senator Milton Marks (R-San Francisco) after the California AFL-CIO sent a letter last month to Robert W. Boles, executive secretary of the California Highway Commission, urging immediate action on the project.

John F. Henning, the California Labor Federation's executive officer, pointed out that this

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Calif. Labor Pitches In to Aid Filipino-Americans

Organized labor in California is pitching in to help one of California's almost invisible minority groups — the Filipino-Americans.

Formation of a non-profit organization to be known as Filipino Bayanihan, Inc., to set up a community service center for Filipino-Americans in Stockton,

was disclosed by John F. Henning executive secretary-treasurer of the California Labor Federation, AFL-CIO, this week. (Roughly translated, Filipino Bayanihan means Filipinos Working Together and is pronounced "Bay-yah-nee-hahn").

Initially, the organization will concentrate on meeting the

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Calif. Labor Pitches In To Help Filipino-Americans

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needs of hundreds of elderly Filipino men who were lured to the United States in the 1920s and '30s as a source of cheap farm labor and who now, due to language and other problems, face great difficulties in getting the services they need on their minimum social security benefits of \$84.50 per month.

Longer-range plans of the organization, which will be headed by Andy Imutan, a former vice president of the United Farm Workers National Union, include expansion of the community center's services to other groups in the Filipino community and the construction of retirement villages built on a studio apartment model with a cafeteria for meals.

The villages would include a health clinic and a community center for recreational and educational programs.

While the first retirement village is planned as a pilot project in Stockton, it is hoped that other similar villages may be built in Salinas and Delano and other places with large concentrations of elderly Filipinos, Imutan said.

The retirement villages would also provide work opportunities, such as vegetable gardening, to enable residents to keep physically active and earn credits against the cost of their room and board.

While the Board of Consultants of Filipino Bayanihan, Inc. is composed largely of labor representatives, it also includes Merlin J. Guilfoyle, Bishop of Stockton; James O. Bradford, Jr., Pastor of St. Marks United Methodist Church; and representatives of other church and

civic groups.

Major contributions to the organization to date have included: \$2,000 from the International Brotherhood of Painters; \$500 from the California State Council of Carpenters; and \$100 from Local 378 of the Iron Workers Union in Oakland.

Other labor representatives on the Board of Consultants in addition to Henning, who is chairman, Ramos, and Rafferty, are: William Kircher, director of the National AFL-CIO Department of Organization; Richard Groulx, executive secretary of the Alameda County Central Labor Council; James McLoughlin, secretary-treasurer of the Santa Clara County Central Labor Council; Walter Johnson, secretary of Department Store Employees' Local 1100; Sigmund Arywitz, executive secretary-treasurer of the Los Angeles

County Federation of Labor; Cornelius Wall, director of the Western States Region of the International Ladies Garment Workers Union; Bob MacDonald, business agent of Iron Workers Local 378; Vincent Fulco, secretary-treasurer of Automobile Salesmen's Union Local 1095; Dan Flanigan, western regional director of the AFL-CIO; Art Carter, secretary-treasurer of the Contra Costa County Central Labor Council; John Crowley, secretary-treasurer of the San Francisco Central Labor Council; and Irvin G. Stern, international vice president of the Amalgamated Meat Cutters and Butcher Workmen of North America.

Further information on the project may be obtained from Andrew Imutan, Filipino Bayanihan, Inc., 6 West Main St., Room 111, Stockton, California 95202 (phone [209] 948-1071).

Jessup Elected Natl. Chairman Of Frontlash

David Jessup, Western States Organizer for Frontlash, an AFL-CIO-supported program to encourage youths to become involved in constructive political action, has been elected National Chairman of the organization.

Jessup, who was elected by the organization's national Board of Directors recently, said he would continue as western states organizer while taking on the additional duties of national chairman.

Since its establishment in headquarters provided by the California Labor Federation early in 1970, Frontlash has established field offices in major cities throughout California and other western states. In the 1972 elections it succeeded in registering more than a million new voters in 22 states.

Will Nixon Pick 160-Acre Foe for Farm Job?

Robert W. Long, a senior vice president of the Bank of America in charge of agribusiness who is expected to be named Assistant Secretary of Agriculture by President Nixon shortly, played a key role in raising \$600,000 to block enforcement of a U.S. law designed to let as many people as possible benefit from publicly financed water projects.

While serving as a vice president of the Irvine Company, which owns nearly 9,000 acres in Imperial Valley and another 93,000 acres of agricultural and residential land in Orange County, Long helped to organize other large landowners in Imperial Valley to fight enforcement of provisions of the U.S. reclamation law that are designed to prevent large landowners and land speculators from reaping millions of dollars in windfall profits from the U.S. taxpayers' investment in projects to bring water to otherwise arid lands.

These provisions are the 160-acre limitation and the residency requirement of the 1902 Reclamation Act.

The U.S. reclamation law — which has been described as quite generous by a number of agrarian experts — permits landowners benefiting from rec-

lamation projects to receive water from such projects for all of their land for up to 10 years but requires them to agree to sell their excess land at the end of 10 years.

While it is seldom mentioned, it's perfectly legal for a family of four — man, wife, and two children — to retain 620 acres even after 10 years.

In the course of fighting to thwart enforcement of the law, Long has steadily championed the integrated corporate agricultural operations of firms like Tenneco, Inc., which according to water expert Paul Taylor of the University of California at Berkeley, may allow the corporations greater efficiency in controlling market prices but are not necessarily any more efficient in producing food than much smaller farm operations.

Dr. Ben Yellen, a Brawley physician who has long been incensed by the failure of U.S. Interior Department to enforce U.S. reclamation law against California's land barons, credited Long with leading the fight to thwart enforcement of the law.

"Long is the guy who came down here (in 1965) and organized Imperial (Resources) Associates to fight enforcement of reclamation law. When they entered the case, they put up the

little guys as fronts, but he started the whole thing," Yellen said.

Stephen Elmore, president of Imperial Resources Associates, said that the organization has raised \$600,000 for legal fees for the fight.

But Long was recently quoted in the Sacramento Bee as stating:

"My only role was to help get the landowners together in the early stages. I've had nothing to do with it for half a dozen years or so."

Long, who left the Irvine Company in 1967 to join the Bank of America, would have no responsibility for enforcement of reclamation law as assistant secretary of the U.S. Department of Agriculture but the USDA does make recommendations on the efficiency of farm units. And Long has stated that he regards the 160-acre limit as "petty political tyranny."

U.S. taxpayers, however, may still believe in the principle embodied in the U.S. Reclamation Act — that the expenditure of millions of dollars of the taxpayers' money should result in the greatest good to the greatest number of the nation's citizens, a principle that seems to be sharply at odds with Long's viewpoint.

Union Label

The Cigar Makers' Union is generally credited with invention of the union label in 1874, a white label on all cigars produced in union plants in Pacific Coast cities.

Publisher's Notice

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Labor Fights to Bar ERA Peril to Women

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"It is now clear that there is a real likelihood that the Equal Rights Amendment will not receive a sufficient number of ratifications by the states to become part of the Constitution."

He urged that state legislatures that have not ratified the measure be urged not to do so. He also reported that efforts may be made in some states that have ratified the ERA to rescind that action and urged support for such efforts.

To date, 26 states, including California, have ratified the Amendment. Ratification in California came after the California AFL-CIO led a vigorous and successful fight to extend the state's minimum wage law to men (AB 256-Warren) and also won the affirmative action of both houses of the State Legislature for a bill to extend working condition standards to men (AB 1710-Brown) only to have it vetoed by Governor Reagan.

The AFL-CIO's opposition to the ERA has set off howls of protest from professional women groups and representatives of employer interests who charge that labor is opposed to equal rights for women.

This hardly squares with the full support given by the AFL-CIO to the Equal Pay Act in

1963 and to the Civil Rights Act in 1964 and the AFL-CIO's ongoing fight to provide the Equal Employment Opportunity Commission with cease and desist powers similar to those vested in the National Labor Relations Board and other regulatory commissions.

The AFL-CIO, which represents 13.5 million union members about 20 percent of whom are women, is not opposed to equal rights for women but is opposed to the Equal Rights Amendment because:

1—The ERA could destroy more rights than it creates by attempting to create equality through "sameness"; and,

2—Many state labor standard laws on wages, hours, and other conditions of employment apply only to women. The practical effect of the amendment could be to destroy these laws for women rather than to accomplish their extension to men.

In testimony presented to Congress in April of 1971 in opposition to the ERA, Biemiller pointed out that President Kennedy's Commission on the Status of Women in its report dated October, 1963, categorically rejected the Equal Rights Amendment saying:

"Since the Commission is convinced that the U.S. Constitution now embodies equality of rights for men and women, we

conclude that a constitutional amendment need not now be sought in order to establish this principle."

He also pointed out that Title VII of the 1964 Civil Rights Act, which the AFL-CIO supported, contains provisions barring discrimination in employment based on sex, as well as on race, creed, color, or national origin.

But Biemiller also took issue with an administrative guideline issued by the EEOC on August 19, 1969 which held that state laws which "prohibit or limit" the employment of women are in conflict with Title VII. Specifically, the EEOC ruled against restrictive legislation dealing with maximum hours laws, laws prohibiting night work, laws setting maximums on weights to be lifted by women and laws barring women from certain types of occupations, usually bartending and coal mining.

The AFL-CIO took exception to the EEOC's ruling on grounds that it was "much too sweeping and makes no allowance for women who need protective laws the most, namely low-paid factory and service workers not covered by union contract or by alternative forms of labor standards legislation providing substitutes for the safeguards the Commission seeks to abolish."

MAY 14-16

Labor's Joint Legislative Conference Set

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of Carpenters.

Joint announcement of the conference was made this week by John F. Henning, executive secretary-treasurer of the Federation; James S. Lee, president, Building & Construction Trades Council of California, and Anthony Ramos, executive secretary-treasurer of the State Council of Carpenters.

All local unions and councils are urged to plan now to be adequately represented at the conference.

Delegates to the conference will review organized labor's legislative position on various bills and their progress through the legislature. Participants will also meet with assemblymen and state senators on a variety of issues affecting California workers.

The conference will also feature a dinner with the state's legislators.

Further information will be mailed to all affiliated organizations well in advance of the conference, Henning said, noting that advance publicity is being released at this time to minimize any conflict with the scheduling of other activities.

Senate Committees for 1973-74 Session Announced

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of Senate Committees.

The principal change in committees for the 1973-74 session is the merger of the Agriculture and Water Resources Committee into a single nine-member Agriculture and Water Resources Committee and the creation of a new five-member Public Employment and Retirement Committee to be chaired by Senator James E. Whetmore (R-Garden Grove).

In addition Senator Lawrence E. Walsh (D-Huntington Park) was named chairman of the Transportation Committee, filling the vacancy created by the death of Senator Tom Carrell last year.

With these two exceptions, all Senate committee chairmen were reappointed.

Here is a rundown on the composition of Senate standing

committees for the 1973-74 session:

AGRICULTURE AND WATER RESOURCES (9)—Way (R), Chairman; Zenovich (D), Vice Chairman; Bellenson (D); Berryhill (R); Coombs (R); Marler (R); Nejedly (R); Richardson (R); and Stiern (D).

BUSINESS AND PROFESSIONS (9)—Deukmejian (R), Chairman; Whetmore (R), Vice Chairman; Bellenson (D); Dymally (D); Marks (R); Roberti (D); Schrade (R); Short (D); and Song (D).

EDUCATION (11)—Rodda (D), Chairman; Richardson (R), Vice Chairman; Alquist (D); Dymally (D); Gregorio (D); Grunsky (R); Harmer (R); Marler (R); Moscone (D); Stiern (D); and one vacancy.

FINANCE (13)—Collier (D), Chairman; Grunsky (R), Vice Chairman; Alquist (D); Bellenson (D); Carpenter (R); Cusanovich (R); Holmdahl (D); Lagomarsino (R); Marler (R); Rodda (D); Short (D); Stiern (D); and Way (R).

GOVERNMENTAL ORGANIZATION (13)—Dills (D), Chairman; Kennick (D), Vice Chairman; Collier (D); Cusanovich (R); Deukmejian (R); Grunsky (R); Mills (D); Schrade (R); Stevens (R); Walsh (D); Way (R); Wedworth (D); and Zenovich (D).

HEALTH AND WELFARE (13)—Bellenson (D), Chairman; Dymally (D), Vice Chairman; Behr (R); Biddle (R); Dills (D); Harmer (R); Kennick (D); Marks (R); Moscone (D); Roberti (D); Schrade (R); Song (D); and Whetmore (R).

INDUSTRIAL RELATIONS (7)—Short (D), Chairman; Biddle (R), Vice Chairman; Moscone (D); Richardson (R); Roberti (D); Rodda (D); and one vacancy.

INSURANCE AND FINANCIAL INSTITUTIONS (9)—Bradley (R), Chairman; Wedworth (D), Vice Chairman; Carpenter (R); Collier (D); Harmer (R); Short (D); Stevens (R); Walsh (D); and Zenovich (D).

JUDICIARY (13)—Song (D), Chairman; Petris (D), Vice Chairman; Biddle (R); Bradley (R); Deukmejian (R); Grunsky (R); Holmdahl (D); Lagomarsino (R); Marler (R); Moscone (D); Roberti (D); Stevens (R); and Zenovich (D).

LOCAL GOVERNMENT (9)—Marks (R), Chairman; Gregorio (D), Vice Chairman; Behr (R); Bradley (R); Coombs (R); Nejedly (R); Petris (D); Rodda (D); and Song (D).

NATURAL RESOURCES AND WILDLIFE (9)—Nejedly (R), Chairman; Lagomarsino (R), Vice Chairman; Behr (R); Berryhill (R); Carpenter (R); Dills (D); Gregorio (D); Richardson (R); and

Wedworth (D).

PUBLIC EMPLOYMENT AND RETIREMENT (5)—Whetmore (R), Chairman; Berryhill (R), Vice Chairman; Kennick (D); Schrade (R); and Wedworth (D).

PUBLIC UTILITIES AND CORPORATIONS (7)—Alquist (D), Chairman; Behr (R), Vice Chairman; Cusanovich (R); Dills (D); Gregorio (D); Mills (D); and Walsh (D).

REVENUE AND TAXATION (9)—Stiern (D), Chairman; Holmdahl (D), Vice Chairman; Berryhill (R); Bradley (R); Coombs (R); Deukmejian (R); Petris (D); Wedworth (D); and one vacancy.

RULES (5)—Mills (D), Chairman; Stevens (R), Vice Chairman; Kennick (D); Lagomarsino (R); and Zenovich (D).

TRANSPORTATION (9)—Walsh (D), Chairman; Schrade (R), Vice Chairman; Biddle (R); Holmdahl (D); Kennick (D); Marks (R); Mills (D); Roberti (D); and Whetmore (R).

The Temporary Standing Committee on Elections and Reapportionment will continue to function with the following membership:

ELECTIONS AND REAPPORTIONMENT (9)—Temporary—Dymally (D), Chairman; Harmer (R), Vice Chairman; Alquist (D); Carpenter (R); Coombs (R); Moscone (D); Nejedly (R); Petris (D); and Zenovich (D).

United Prof's Union Blocks Salary Scheme

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"This would have cost the typical faculty member well in excess of \$100,000 over a 25-year period."

Mechanic pointed out that he took the problem up with Henning last month and that Henning immediately arranged meetings in Sacramento with other labor and legislative leaders to block implementation of Dumke's salary schedule.

"This important victory for the CSUC faculties would not have been possible without UPC's AFL-CIO affiliation," Mechanic said, adding that it represents a "graphic demonstration of how badly the faculties need the strength of our friends in organized labor."

The UPC is affiliated with the AFL-CIO American Federation of Teachers and with the California Labor Federation, AFL-CIO.

Late last month, Henning also wrote to the CSUC Board of Trustees to ask them to meet with a statewide committee of central labor council officials to resolve 10 non-cost items that are currently in dispute between the CSUC Board of Trustees and its faculty.

Among other things, the UPC is seeking:

- A return to the grievance and disciplinary action procedures in effect prior to 1969 when the trustees unilaterally imposed new procedures.

- A provision to assure that a faculty member facing negative personnel action is presented with a statement of reasons, based on academic grounds only, and is afforded the right to a hearing.

- Removal of restrictions on faculty members' off-the-job activities.

- A provision to require that when material of a derogatory nature is placed in an employee's personnel file, the employee shall be notified and provided with an opportunity to review it and provide a written reply to it that will also be placed in his personnel file.

- Extension of grievance and disciplinary action procedures to all faculty member, including part-time employees and academically related faculty members.

State Fed Seeks Action To Beef Up Safety Plan

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to Thomas Brown, director of federal and state operations of the Occupational Safety and Health Administration in the Department of Labor, on Jan. 31, to request a public hearing on the proposed California plan and submitted a series of recommendations to strengthen it.

Specifically, Henning called for:

- Shortening the up to six month time lag before the state meets federal standards that is contained in the California plan.

- Provision of civil penalties for public employers equal to those in the private sector. Henning pointed out that while public employees are covered in the plan there are no civil penalties for occupational safety and health violations by public employers.

- A once-only limit on the number of times a decision by the enforcement body (the Division of Industrial Safety of the State Department of Industrial Relations) can be appealed before court action may be initiated. The present proposed plan would permit a multiple number of appeals.

- A provision to assure that only a majority of the proposed Occupational Safety and Health Appeals Board can delay or stay the execution of a judgment. Under the proposed California plan, any member of that Board would be empowered to halt the carrying out of a judgment.

- Elimination of the language in the proposed plan regarding a four-day limit on the length of time a job can be shut down due to unsafe working conditions. "In the case of imminent job danger," Henning said, "there should be no limitation on the length of time a job can be shut down. A shut down should continue until the unsafe job condition is abated."

- Provision of a budget in the proposed California plan that reflects new functions and additional personnel and includes staffing patterns, operating expenses, and "substantial funds for educational programs."

- A provision to assure that

when an employee or an employee's representative takes part in a safety inspection or investigation he or she will not suffer any wage loss for the time involved.

- Staggering the terms of the members on the plan's Occupational and Health Standards Board.

- Elimination of a provision in the proposed plan that would require a worker discharged for exercising his rights to go to court to get reinstatement of back wages. "A worker should be able to be reinstated and receive back wages without having to resort to litigious procedures," Henning said.

He also called for reducing from 90 days to 30 days the time period allowed for the State Division of Labor Law Enforcement to make a determination in a case in which a worker files a complaint charging discrimination or other adverse employer actions because of reporting an unsafe job condition.

- Elimination of "loophole" language in the proposed California plan which might permit employers accused of "serious violations" to be let off the hook because of a phrase reading "... unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of a violation."

"Such language weakens the intent of a strong occupational safety and health program and is, in effect, a loophole," Henning said.

- Addition of a provision to allow any employee or employee's representative to seek relief through alternative means if the enforcement body fails to act in an imminently dangerous situation. The State AFL-CIO official suggested that such a provision should be patterned after Section 13(d) of the federal Occupational Safety and Health Act.

Organized labor has expressed fear that most of the more than 40 state and territorial plans under consideration by the federal Occupational Safety and Health Administration may be approved even though they fall

short of meeting federal standards.

OSHA has been clearing the safety plans just on the promise that state legislatures would approve the safety standards and appropriate funds for enforcement.

Join Welcome For POWs, Meany Asks

AFL-CIO President George Meany called on state and local central bodies to take part with local civic groups in welcoming the return of U.S. prisoners of war from Indochina.

"It is important to show labor's concern directly, as well as through civic groups," Meany said adding that he was "certain that the labor movement, on a state and local level, will be able to demonstrate the sincere gratitude of the nation."

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Fed Presses for Action Now on Span Approach

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short section of the state highway system carries "an extremely high volume of traffic" and "is antiquated and unsafe."

In his reply, Boles said that due to funding limitations it did not appear that the project could be advanced prior to the 1976-77 fiscal year.

Subsequently Senator Marks pointed out that there have been over 400 accidents including 17 fatalities on Doyle Drive in the past four years and noted that delaying the project would probably mean a \$5 million increase in construction costs.

Late last year, the San Francisco Building and Construction Trades Council unanimously adopted a resolution urging the State Highway Commission to authorize immediate funding and construction of the project, noting that such action has been sought repeatedly since 1965.