

# WEEKLY NEWS LETTER

FROM

## CALIFORNIA STATE FEDERATION OF LABOR

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SAN FRANCISCO,  
CALIFORNIA

January 14, 1948

### VICIOUS POSSIBILITIES OF TAFT-HARTLEY ACT DEMONSTRATED IN LOS ANGELES CASE

(CFLNL)SAN FRANCISCO.--The vicious possibilities of the Taft-Hartley Act came to light in proceedings brought by employers and the Labor Board for enforcement of the law in cases now pending in Los Angeles and involving the Printing Specialties and Paper Converters' Union, Local 388, AFL. The State Federation of Labor, through attorney Clarence E. Todd, is cooperating in the defense of this action.

Arguments presented by the National Labor Relations Board before the District Court were so far-reaching and destructive of the constitutional right of concerted action of the workers that they disclosed frankly and dangerously what the Act will mean to the unions.

The action developed when a complaint was filed by an employer stating that the union, which is on strike demanding that the same wages be paid by him which are paid throughout the industry in Southern California, was picketing and threatening to picket the products of the employer in the hands of certain carriers. The complaint was exactly the same as in the Blaney Case, in which the Supreme Court of California recently decided that a union had a constitutional right to picket the unfair products of the employer.

In this case, the complaint was filed under the provisions of the Taft-Hartley Act, and the U. S. District Court for the Southern District of California was asked to issue an injunction to prevent the picketing of the unfair products. When the motion for the injunction came up for argument, the attorneys for the Labor Board had not filed any points and authorities, or any legal arguments or statements whatever to support the petition for an injunction, although the rules of

court provide that points and authorities must be served and filed before the argument. Attorneys for the union were entirely in the dark as to the position of the Labor Board.

The Federation attorney presented to the Court the decisions of the Supreme Court of the United States holding definitely and in unmistakable language that peaceful picketing pursuant to a labor dispute is a constitutional right, and that while in certain instances picketing has been restrained where it did not arise out of a legitimate dispute or where the picketing went beyond the constitutional limitation, the rule is clear that picketing of an unfair product is definitely protected as a constitutional right.

The contentions of the Labor Board clearly stated the anti-labor theory based on the following points: That the Labor Board is determined to suppress picketing of an unfair product in spite of decisions of the highest courts that such picketing is proper and constitutional; and that it was the intent of Congress in passing the Taft-Hartley Bill, and is the intent of the Labor Board in enforcing the law, that no economic action of the workers will be recognized as lawful except where it is directed against the particular employer. The position of the Labor Board is very plain, and that is that no economic pressure can be exerted by a union in the protection of the rights of its members except against the employer of the particular employees who are making the demand. This was the intent and spirit of the "Hot Cargo" Act, which cost labor many years of struggle, and which ended in such a sweeping decision by the Supreme Court that the entire Act is unconstitutional.

This limitation of a labor conflict to an employer and his own employees, as stated by the Labor Board, is nothing but a throw-back to the old law in the old days prior to the recognition of the constitutional right of a union to carry on this conflict, which right has been recognized by our highest courts for ten years. Even as far back as 1921, Chief Justice Taft, in a momentous decision, held that the interest of a union in labor conditions extends to the entire industry.

More than once, the Supreme Court of the United States has had the contention placed before it that the workers must confine their economic pressure in a labor dispute to their own employer and no one else, and as many times the Supreme Court of the United States has held that this is not the law and that no legislation can thus cripple the rights of the workers to effective collective action.

The Court now has under advisement the arguments presented to it, and a decision will soon be handed down.

FEDERATION WARNS UNIONS AGAINST  
CALIFORNIA LEGISLATIVE CONFERENCE

(CFLNL)SAN FRANCISCO.--Upon a number of occasions, the California State Federation of Labor repudiated the so-called statewide People's Legislative Conference, now known as the California Legislative Conference, on the grounds that it was a move inspired by Communists and, wittingly and unwittingly, supported by a number of innocents.

At no time did this movement attract any representative groups of the American Federation of Labor in California. Now, with the organization of the Independent Progressive Party, which has endorsed Wallace for President on a third party ticket, those elements who have been taken in by this Conference and were not under Communist Party influence are threatening to break away. Reub Burroughs, one of the co-chairmen of the Legislative Conference, and many other members of the Conference, have definitely endorsed the Independent Progressive Party, and will undoubtedly seek to lead the whole organization into the third party camp.

With the crystallization of the third party movement, friction has developed within the California Legislative Conference and it has no longer a basis for existence as a so-called progressive movement.

The California State Federation of Labor, in line with the position taken by the American Federation of Labor, proposes to carry on its political activity independently and will not engage in any alliances which will compromise its position and which alliances emanate from the third party movement sponsored by the Communist elements.

All affiliated organizations are requested not to participate in any meetings called by this so-called California Legislative Conference, and in consideration of recent developments, it can be anticipated that this loosely formed organization, consisting of left-wing CIO unions, will disintegrate.

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#### LEGAL PROSECUTION OF DI GIORGIO STRIKERS INITIATED

(CFLNL)SAN FRANCISCO.--The entire government apparatus of Kern County has been turned against the National Farm Labor Union, AFL, and its 1100 striking Di Giorgio farm workers. Seven pickets were arrested last week, three of whom have been released, while four are still in the Kern County jail. Excessive bail has been set at the unheard-of amount of \$15,000 for a misdemeanor charge involving four men. Thirteen strikers and their families face eviction on Friday, January 16, following a court order.

Hank Hasiwar, Western Representative of the National Farm Labor Union, indignantly declared that "this serious misuse of the law enforcement agencies indicates that the big farmers control Kern County. Not one of the strikers who were arrested is even remotely connected with the crimes charged. We will press for a speedy trial in another county to avoid prejudice." Hasiwar went on to say that the arrests are intended to intimidate the pickets by frightening them off the picket line, as well as their families.

Concerted legal action is planned to tie up the union's funds and render the strike as ineffective as possible.

In spite of all the intimidation and persecution, the strikers are holding their picket line around the 20,000-acre Di Giorgio Ranch. This is the fourth month of the strike and the huge packing and shipping sheds are still closed down. Only a few crews of women and Mexican-American laborers work in the fields from sun-up to sun-down, pruning grape vines. There are 16,000 acres to be pruned by spring.

In the meantime, the National Farm Labor Union is conducting an organizational drive in the San Joaquin Valley in California, in the face of the bitter opposition of the Associated Farmers of California, the most vicious anti-labor organization in the state.

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#### EMPLOYMENT FIGURES FOR CALIFORNIA

(CFLNL)SAN FRANCISCO.--Manufacturing employment, excluding canning, which is subject to marked seasonal fluctuations, reached a new postwar peak level in November, according to the Department of Industrial Relations, Division of Labor Statistics and Research. With the inclusion of canning, employment dropped to 716,900 in November from 736,200 in October, but remained above the November levels of the last two years.

Wage- and salary-worker employment in the nondurable goods division was at the highest November level on record as all major sub-groups in the division, with the exception of the food and petroleum industries, reported the same or higher employment in November than in October.

In apparel, printing and publishing, employment continued the rise of the past several months, to reach new highs in November, while chemicals remained at the record peak set in October. The number of wage and salary workers in nondurable goods industries as a whole

In the durable goods division, employment increased to 388,500 in November, the highest level since May. Gains between October and November in shipbuilding, electrical machinery, furniture, nonferrous metals, and aircraft more than offset seasonal losses in lumber and timber and small declines in machinery, stone, clay and glass, and iron and steel. In all durable goods combined, the current employment level compares with 385,700 in the preceding month and 389,100 in November of last year.

Brother Minihan was for many years a member of Teamsters Local 85, of San Francisco. He joined the organizing staff of the American Federation of Labor in 1940, being assigned to California. His duties covered the general field of organizing activities, and in that capacity he was helpful to many of the affiliated organizations. Several years ago he was given the special assignment of coordinating the activities of all of the beet sugar workers activities in California. At the time of his death he occupied the position of Assistant President of the International Council of Sugar Workers and Allied Industries, in which field he achieved great success.

The organizing staff of the American Federation of Labor, and the labor movement of California in general, have lost a sincere, capable and vigorous fighter for trade union principles in the untimely passing of Richard P. Minihan.

Results of checks made throughout the state indicate that a disconcertingly large number of the members of our unions are not registered voters.

The planning of any program to improve the conditions of labor and to protect its interests becomes meaningless if the members of the trade unions are not registered so they can cast a vote in the election to bring this about.

There is no excuse whatsoever for any member of a trade union who is qualified to vote not to be a registered voter and not to exercise his electoral rights in the election.

The Federation calls upon every member of the affiliated organizations to make it his business to become a registered voter if he is not one already, and to see that the members of his family as well as his friends will also be able to vote.

**REGISTER AT ONCE IF YOU HAVE NOT ALREADY DONE SO !**