

# WEEKLY NEWS LETTER

FROM

## CALIFORNIA STATE FEDERATION OF LABOR

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SAN FRANCISCO,  
CALIFORNIA

March 23, 1949

### LEGISLATURE SETTLES DOWN TO STEADY GRIND

(CFLNL) SAN FRANCISCO.--The only significant action by the Assembly in the past week was the passage of AB 707 (Geddes et al), providing for permanent child care centers, with final passage of the measure obtained by a vote of 64 to 12. The debate on the floor of the lower house was ably handled by Ernest Geddes (Pomona).

#### AS WE GO TO PRESS...

Word has been received that the Assembly Committee on Finance and Insurance has given a "do-pass" recommendation to the following three Federation bills on workmen's compensation:

AB 123 (Maloney). Provides that an employee suffering both permanent and temporary disability may receive benefits on both accounts, and shall not have the temporary disability payments deducted.

AB 125 (Maloney). Increases the minimum weekly compensation to \$15 and the maximum weekly compensation to \$40.

AB 155 (Rosenthal and Bennett). Provides that when a temporary disability becomes permanent, the permanent disability payments may be computed or payable immediately following the 7 days after the injury.

The following assemblymen opposed the measure to the bitter end: Babbage (Riverside), Butters (Brawley), Clarke (Planada), Speaker S. L. Collins (Fullerton), Cramer (Chula Vista), Levering (Los Angeles, 60), Reagan (Pasadena), Sherwin (Piedmont), Silliman (Salinas), Smith (Glendale), Tomlinson (Santa Barbara), and Waters (Los Angeles, 58). Assemblyman Waters attempted to terminate the program "on or before June 30, 1950." This crippling amendment was refused adoption by a vote of 27 to 47.

Brady, Connolly and Gaffney of San Francisco, Burke, Hahn, Hinckley, Huyck, Lipscomb, Stanley and Stewart of Los Angeles County, as well as Crichton (Fresno), Dickey (Alameda), Dolwig (South San Francisco), Grunsky (Watsonville), Hagen (Hanford), Hoffman (Acampo), and Weber (Stockton), all supported the Waters' effort to materially shorten the life of the child care centers, despite their support of the Geddes-sponsored measure on final passage.

Assemblyman John Evans (Los Angeles, 65) withdrew his measure, AB 189, for author's amendments. On the face of it, this bill appears to be directed solely against malicious damage to railroad property, but it could be construed to apply to virtually any railroad labor-management controversy. Evans' revised piece of proposed legislation is still totally unacceptable. As amended, the bill would make any participant in a labor dispute guilty of a misdemeanor if any action were taken with the purpose of "obstructing or stopping the running or operation of any car," even if such an act were undertaken solely to inform other railroad employees of a strike in progress, and thus request the preservation of the integrity of a picket line in a bona fide existing endeavor of labor to enjoy its constitutional right to engage in collective bargaining.

AB 190, by the same author, which broadens a 1909 statute specifically charging anyone trespassing on or in the vicinity of a locomotive with having committed a misdemeanor, is undergoing a process of amendment at the suggestion of Lester Davis, assemblyman from Portola.

AB 304 (Waters and Dolwig), which would require a separate page for each of almost 400,000 entries required to qualify any initiative, referendum or recall petition, received a "do-pass" recommendation from the Assembly Elections and Reapportionment Committee and is now up for passage on the third reading file. Waters is chairman of this committee and Butters serves as vice-chairman. This measure represents an extreme curtailment of democratic rights, and nothing like it has ever been adopted in any section of the United States.

AB 204 (Sherwin and Lowrey), which prohibits the payment of retroactive wages to state civil service employees when a changed rate occurs, was met with such an avalanche of protests that the measure has been set over one week.

In spite of the fact that the CIO originally opposed the disability insurance plan now in effect, objecting to the voluntary basis policy with private carriers, a far-reaching proposal for industry-wide group coverage on a master voluntary plan, SB 1330 (Breed and O'Gara) has been introduced at the behest of the CIO. This deals with the central payroll system of the Waterfront Employers' Association, and has been granted a "do-pass" by the Senate Committee on Social Welfare.

Mr. T. H. Mugford, Deputy Director of the California Department of Employment, backed the arguments of the CIO representative in support of this measure, over the opposition of the Federation's legislative representatives. The members of the committee were, however, made fully aware of the precedent-setting implications of the passage of such a measure by the Federation representatives. An important principle in regard to disability insurance was sacrificed for the sole benefit of the longshoremen.

Senators George Miller (Richmond), Byrl Salsman (Palo Alto) and Harry Drobish (Bangor, Butte County) exerted their utmost efforts in the Senate Committee on Education to secure a thorough investigation into the State Department of Education's pronouncement that every credential candidate for a teaching certificate must be fingerprinted and carry a certificate of identification at all times. However, Senators Dilworth (Riverside), Donnelly (Turlock), Dorsey (Bakersfield) and Chairman Jespersen (Atascadero) seemed to favor any

iron-clad regulations which the State deems adequate to assure the policing of approximately 16,000 candidates each year in order to apprehend perhaps a dozen individuals who, at either some time in the past or in the future, might be involved in any case involving moral turpitude, even though no conviction had been or would be secured. Ostensibly concerned with "protecting" the high reputation of its teachers by any conceivable means, the educational profession does not seem to show any concern for extending civil rights. Senators Tenney (Los Angeles) and M. J. Burns (Eureka) were absent from the committee deliberations, attending hearings by the Senate Governmental Efficiency Committee on two Tenney-sponsored bills, SB 280 and SB 515, but will undoubtedly be present at the final consideration two weeks hence.

The statutory definition of communism which has been incorporated into SB 280 and SB 515, introduced on the basis of the long-standing activities of the Un-American Activities Fact-Finding Committee by Senator Tenney, was considered by the Governmental Efficiency Committee. The first measure would require annual loyalty oaths from state and county employees; the second measure, introducing a new Section 1106 into the Labor Code, would permit employers to prescribe any form of affidavits which would have to be filed by all job-seeking applicants to determine whether or not they are "subversive elements" or "communists," as specifically defined in the bill.

Due to the protests of Senator Hatfield at the hearing, Senator Tenney was prevailed upon to redefine his classification of what constitutes a communist to include anyone who advocates or practices communism as defined in these two bills. Labor vigorously opposed the measures at the hearing.

#### MEASURES SET FOR HEARING:

Senate Committee on Labor -- Thursday, 9 a.m., March 31, 1949:

SB 139 (O'Gara and Miller), Federation bill. Companion measure to AB 187 (Beck). Provides that in third party suits by the employee alone, the court shall determine the attorney's fee payable to the employee's attorney, which is to be deducted from the employer's portion.

SB 140 (O'Gara and Miller), Federation bill. Companion to AB 186 (Beck). Provides that in third party suits dealing with workmen's compensation by the employer alone, the attorney's fee shall not be deducted from the amount due the employee.

SB 141 (O'Gara and Miller), Federation bill. Companion measure to AB 185 (Beck). Requires the Industrial Accident Commission to add to the award for compensation a reasonable attorney's fee, etc.

AJR 17 (Condon et al). Requests Congress to pass a 75-cent an hour minimum wage law.

SB 265 (O'Gara). Makes requirements for inspection of boilers more comprehensive and effective; necessitates notification of unsafe conditions to Division of Labor Law Enforcement within 24 hours.

SB 266 (O'Gara). Dispenses with low \$3.00 inspection fee for tanks and boilers; substitutes sliding schedule varying from \$10.00 to \$25.00.

SB 1002 (Kraft). Provides for treatment by chiropodists under workmen's compensation.

SB 1001 (Kraft). Exempts all women engaged in pharmacy, clinical laboratory work, etc., from protection of labor code provisions regarding hours of work. This apparently would be a long step backwards under the pretext of equal rights for women.

SB 1110 (Rich et al). Directly attacks a union or closed shop in any and all public construction contracts. The intent of this measure is a clear attack on labor's rights. This proposed bill must be defeated. The Federation urges all trade union members to write to their state senators and particularly to the chairman of the committee, Senator H. R. Judah.

Assembly Committee on Industrial Relations -- Thursday, 8 p.m.,  
March 31, 1949:

AB 230 (Fleury and Moss), a Federation bill. Repeals 240-week limitation on disability payments; provides that payments may not exceed five times, rather than four times, an employee's average annual earnings.

AB 231 (Fleury and Moss), a Federation bill. Amends Workmen's Compensation Act to provide that average weekly earnings shall be set at \$45.16, rather than at the present assumed figure of \$32.61, for individuals under the age of twenty-one whose probable earnings cannot be reasonably determined.

AB 312 (McCollister), a Federation bill. Increases weekly unemployment benefits by \$5.00 for married applicant whose wife is dependent upon him for support; provides a further \$2.50 addition for each dependent child. No claims in excess of a total of \$10.00 for dependent children would be permitted.

AB 313 (McCollister), a Federation bill. Provides for payment of \$5.00 per week for each dependent in addition to Workmen's Compensation benefit for temporary or permanent disability.

AB 382 (Condon), a Federation bill. Extends statute of limitations in all workmen's compensation claims to a uniform three years.

AB 412 (Brown et al), a Federation bill. Extends the jurisdiction of the Industrial Accident Commission to embrace a five-year period, rather than the present 245 weeks.

AB 902 (Burkhalter and Fletcher). Increases maximum benefits in workmen's compensation cases to \$40.00 weekly.

AB 1371 (George D. Collins), a Federation bill. Adds agricultural workers, etc., to provisions of full coverage under workmen's compensation law.

AB 2341 (Dolwig). Necessitates the issuance of certified copies of awards solely by the Commission and thus excludes such action by any of its authorized agents. This appears to be an unnecessary impediment to the successful and prompt carrying out of the legitimate functions of the Commission created by statute to expedite all cases of workmen's compensation. AB 2623, by the same author, is an identical measure.

AB 2434 (Condon). Provides that benefits under workmen's compensation shall uniformly be set at  $66\frac{2}{3}$  of actual earnings.

AB 2435 (Condon). Increases penalty payments from 10 percent to 50 percent for unreasonable delays in payment of awards; makes above schedule applicable to employers erroneously filing petitions to terminate.

AB 2436 (Condon). Limits jurisdiction of Commission to amend awards.

AB 2646 (Condon). Takes steps to eliminate waiting periods under workmen's compensation.

AB 2648 (Condon). Seems to increase both the minimum and maximum workmen's compensation benefits.

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A T T E N T I O N      A L L      U N I O N S      ! !

Checks for the payment of the voluntary three-cents per member political contribution should be made out to the California Labor League for Political Education. Do not include these contributions with your regular per capita tax to the Federation.