

WEEKLY NEWS LETTER

FROM

CALIFORNIA STATE FEDERATION OF LABOR

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151



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CALIFORNIA

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ASSOCIATED FARMERS PUSH NEW ATTACK ON LABOR

(CFLNL) SAN FRANCISCO.--A new threat against labor union existence and a merciless slaughter of 18 AFL bills to liberalize the unemployment insurance law featured this week's legislative calendar at Sacramento.

With only one dissenting vote cast in the Senate Labor Committee, the Abshire open-shop bill, SB 1702, moved to the upper house floor for Senate debate.

Authored by Senator F. Presley Abshire (R. Sonoma), SB 1702 represents another Associated Farmers attempt to knife California labor during the national emergency.

Specifically, the Abshire bill amends Section 923 of the state Labor Code so as to prohibit existing peaceful and lawful activities of unions with respect to organization.

In a statement released last week to all Senators, the California State Federation of Labor recalled that previous schemes to use Section 923 as an open-shop instrument had been declared invalid by the courts, which held that the pertinent section was actually drawn to protect workers against coercive activities of employers by allowing organizational freedom to labor "because of the unequal position between employers and employees."

The AFL policy statement declared SB 1702 would forbid unions from "engaging in their primary purpose, namely, the peaceful organization of the unorganized."

Voting for SB 1702 in the Labor Committee were Senators Abshire, H. R. Judah (R. Santa Cruz), Fred Weybret (R. Monterey, San Benito),

and J. Howard Williams (R. Tulare). Voting against was Senator H. E. Dillinger (D. El Dorado, Amador, Alpine).

On the Assembly side of the capitol, the Finance and Insurance Committee voted May 7 with monotonous regularity to kill 18 measures presented by the state AFL to improve the unemployment insurance law.

Despite the fact that no one appeared against any of the AFL measures, every bill died by an 8 to 3 vote upon 18 separate motions to table by Assemblyman Charles W. Lyon (R. Beverly Hills).

Voting against labor were Richard J. Dolwig (R. South San Francisco), Ernest R. Geddes (R. Pomona), H. W. Kelly (R. Shafter), Frank Lanterman (R. La Canada), Harold K. Levering (R. Los Angeles), Glenard P. Lipscomb (R. Los Angeles), Charles W. Lyon (R. Beverly Hills), and G. Delbert Morris (R. Los Angeles).

Voting for labor were Francis Dunn, Jr. (D. Oakland), Thomas A. Maloney (R. San Francisco), and Charles W. Meyers (D. San Francisco).

The AFL bills sought to liberalize the unemployment insurance structure in the following ways:

(1) *AB 376 - Dunn (D. Oakland) - To extend coverage to employees of non-profit organizations;

(2) *AB 377 - Dunn - To extend coverage to agricultural employees;

(3) *AB 378 - Dunn - To extend coverage to those domestic workers now covered by Federal Social Security;

(4) *AB 391 - Condon (D. Walnut Creek) - To eliminate requirement that individual must "actively" seek employment in his own behalf;

(5) *AB 392 - Condon - (virtually the same as *AB 391);

(6) *AB 394 - Condon - To protect applicant from disqualification for refusal to accept job in industry or occupation not covered by unemployment insurance;

(7) *AB 396 - Condon - To repeal the "merit rating" plan under which employers with a constancy of employment may be exempt in part or whole from contributing to unemployment fund;

(8) *AB 397 - Condon - To repeal certain privileges granted employer accounts for "voluntary quits" and "discharges for misconduct";

(9) *AB 398 - Condon - To protect worker now disqualified for refusing to act as strike breaker;

(10) *AB 399 - Condon - To repeal punitive provisions relative to workers failing to report;

(11) *AB 400 - Condon - To reduce certain disqualifications sections;

(12) *AB 689 - Berry (D. San Francisco) - To provide that benefits be paid for first 7 days of unemployment, if unemployment lasts more than 7 days;

- (13) *AB 690 - Berry - To eliminate 7 day waiting period;
- (14) *AB 691 - Berry - To provide that a claimant is "available" for work if he is able, available, and will accept regular work;
- (15) *AB 920, *AB 921, *AB 923 - Hollibaugh (R. Huntington Park) - To provide for liberalization of administration of unemployment insurance law;
- (16) *AB 1946 - Brown (D. Modesto) - To cover seasonal workers.

The only AFL bill to escape annihilation before the committee was *AB 935, introduced by Assemblyman William Rosenthal (D. Los Angeles) which would deny an employer the merit rating privilege unless he notified the Department of Employment of job openings. Hearing of the Rosenthal bill was postponed for two weeks.

Taken off the committee hearing calendar and not reviewed at the May 7 meeting were a number of restrictive unemployment insurance bills opposed by the state AFL.

However, the committee did pass AB 2502, introduced by Assemblyman Richard J. Dolwig (R. South San Francisco) and strongly opposed by labor spokesmen. The Dolwig bill would erect new eligibility requirements for the unemployed and in the computation of benefits would virtually nullify wages earned prior to the filing of a valid claim and not used in the computation of the award, thus hitting the worker in the computing of any other award.

Voting for AB 2502 were Dolwig, Geddes, Kelly, Lanterman, Levering, Lipscomb, Lyon, and Morris. Voting for labor were Dunn and Maloney. Meyers was present, but did not vote.

(* indicates Federation-sponsored bills.)

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HATFIELD'S "HOT CARGO" BILL
ON INACTIVE LIST; SENATE PASSES
WORKMEN'S COMP MEASURE

(CFLNL) SAN FRANCISCO.--The Big Business assault to stampede "hot cargo" legislation through the California legislature slowed to a crawl last week when Senator George J. Hatfield (R. Madera, Merced) placed SB 1228 on the inactive list.

Over the protests of thousands of labor unionists throughout California, the Hatfield bill had passed the Senate Labor Committee

by a 5-2 vote. By his action, Hatfield has temporarily withdrawn the measure from a Senate floor test. However, the author may return the bill to active status at any time before legislative adjournment.

The Hatfield bill would deny labor the right to secondary strikes and boycotts and also abolish the freedoms to picket peacefully, write free contracts, and publish unfair listings.

In another vital action, the Senate, on May 7, passed a measure, *AB 263, to liberalize the present workmen's compensation law. Authored by Assemblyman Thomas A. Maloney (R. San Francisco), the bill was adopted in the upper house by a 30-0 vote. It had previously passed the Assembly by a unanimous vote and now goes to Governor Warren for signing.

Major features of the Maloney bill provide for increased weekly benefits from \$30 to \$35; boosts in death benefits from \$6,000 to \$7,000 where there is only a surviving widow, and from \$7,500 to \$8,750 where there are a widow and dependent children; liberal replacement provisions for dentures and eyeglasses damaged in industrial accidents; and compensation for laboratory fees reasonably necessarily incurred for the purpose of proving a contested claim.

(* indicates Federation-sponsored bill)

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MORE LEGISLATIVE HEARINGS ANNOUNCED

(CFLNL) SAN FRANCISCO.--Amid speculation the legislature would adjourn before mid-June, committee hearings took on new importance at Sacramento this week as more key bills were placed on the May schedule.

C. J. Haggerty, secretary-treasurer of the California State Federation of Labor, announced the following immediate hearings have been set for bills of interest to organized labor:

Senate Hearings (State Capitol)

Committee on Governmental Efficiency - Tuesday, May 15, 8pm - Room 3191

SB 1803 (Gibson) - GOOD. Amends Housing Authorities Law to meet present national defense needs: enlarges classes of eligible

tenants, extends durations of powers contained in the act, and authorizes their exercise during period of national emergency. Urgency measure.

Committee on Judiciary - Monday, May 14, 10 a.m. - Room 406

AB 980 (Maloney) - GOOD. Amends Section 6410 of the Labor Code to increase the penalty for failing to report an accident from \$10 to \$25.

SB 115 (Judah, et al) - BAD. Provides for chemical tests for intoxication.

AB 2459 (Lyon) - BAD. Gives right of eminent domain to non-profit hospitals; As amended up to 4/25/51: such hospitals must be already in existence; prohibits taking of property devoted to use for relief, care or treatment of spiritual, mental or physical illnesses; also property taken must be immediately adjacent to existing non-profit hospital.

Committee on Social Welfare - Friday, May 18, 3:30 p.m. - Room 414

AB 2196 (Levering) - BAD. Amends the aged and blind aid laws to provide that when a county hospital is receiving funds for the care of a needy person, and that person leaves and then reenters the hospital after a short absence during which the recipient has received no aid due to administrative delays, then the county (not the recipient) shall be entitled to reimbursement for the period in which the recipient was absent from the hospital.

Assembly Hearings (State Capitol)

Committee on Governmental Efficiency and Economy - Wednesday, May 16, 3 p.m.-Room 435

AB 2245 (Cloyed) - GOOD. Provides that plumbing in state buildings must conform to city or county standards.

****AB 2601** (Cooke) - GOOD. Requires any person who begins more than one structure during a year to be a contractor.

****AB 2638** (Maloney) - GOOD. Provides that the Contractors' State License Board shall include in addition to present members one public and one labor representative.

**** AB 3101** (Gaffney, et al) - GOOD. Provides that "sale" under the contractor's licensing law means any transfer of property for a consideration.

SB 609 (Desmond) - GOOD. In disciplinary proceedings for state civil service employees removes the presumption that the statement of cause is true.

Committee on Finance and Insurance - Monday, May 14, 8pm - Rm 3186 Annex

***AB 274** (Beck) - GOOD. Amends Section 4903 of the Labor Code relating to workmen's compensation to allow liens only against temporary disability benefits.

AB 1749 (Geo. D. Collins, et al) - WATCH. Amends Section 60 to provide that hospital benefits may be assigned to a hospital.

AB 1807 (Burkhalter) - WATCH. Provides that a disability insurance policy which has been in effect for 10 years may only be cancelled by the insurer for nonpayment or fraud.

AB 2089 (Rosenthal) - WATCH. Provides that local policemen and fire fighters may receive leave of absence with pay instead of workmen's compensation disability payments.

(* indicates Federation-sponsored bills - ** sponsored by Building Trades Council)