

THE BROADCAST WORLD

LEGISLATION



TECHNICAL



PERSONALITIES



PRODUCTION

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WORDS OF WISDOM

"There is nothing in our present emergency to justify making the workers of our nation toil for longer hours than now limited by statute. As more orders come in and as more work has to be done, tens of thousands of people, who are now unemployed, will receive employment.

"There is nothing in our present emergency to justify a lowering of the standards of employment. Minimum wages should not be reduced. It is my hope, indeed, that the now speed-up of production will cause many businesses which now pay below the minimum standards to bring their wages up.

"There is nothing in our present emergency to justify a breakdown of old age pensions, unemployment insurance, or a retreat from any of our social objectives — conservation of resources, assistance to agriculture, housing and help to the underprivileged.

"The policy and the laws providing for collective bargaining are still in force. And labor will be adequately represented in Washington in this defense program. This emergency demands that the consumers of America be protected so that our general cost of living can be maintained at a reasonable level.

"The soundest policy is for every employer in the country to help give useful employment to the millions who are unemployed. By giving to those millions an increased purchasing power, the prosperity of the whole country will rise to a much higher level." (from recent radio address of F.D.R. to the nation).

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For not reporting overtime, and because wage & hour records did not match the Log sheet entries, Akron's WJW became tangled-up with the Labor Dept's Wage-Hour Div. In Federal Court, WJW was required to pay 41 present & former employees \$4540 in back wages & overtime. Company's alibi involved use of "guest announcers" and "student announcers", working without pay.

Is this going on in your station? The Wage Law has no exemptions!

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News dispatches state the British seek American radio men, to serve in bombers and on the ground, who are qualified to use the international Morse code. Those over 35 years of age will get the ground posts. Those serving in planes will be eligible for commissions. American citizenship will not be lost, as allegiance to the King is not required.

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DON'T FORGET. Aug. 15 is the deadline for those FCC fingerprint Questionnaires!

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WE ARE ALL "ON WATCH"

There are three ideals: Liberty, Justice and Equality, which serve as the foundation for the greatest structure of government the world has ever known; a three-point antenna which towers over the present world and transmits, thru the fog and mist of doubt, the one great message of hope which History has transcribed: "Let us preserve the Union, for in union there is strength."

We, who are Americans, are steeped in that philosophy. We have been told by that same great Voice that "A house divided against itself must fall." We have heard similar messages from our recorded History uttered by the Framers of our Constitution, whereby Experience taught them the necessity of forming closer ties, of hanging together as it were, instead of hanging separately.

We have been told that the first settlers on these shores colonized; that they banded together in a common interest to protect themselves from every common danger. They know that there was safety in numbers, that those who stray from the flock are lost. Those early settlements soon became large communities: the communities grow into towns; the towns were incorporated into cities; the cities expanded into states and the states were forged into a nation. Society exists because men are by nature sociological; they are interdependent; they are creatures of organization.

Our forefathers were far sighted indeed when they sought to establish a more perfect union. It was the idea of collective bargaining for peace and security. Think of how unselfishly they expressed their desires: "Domestic tranquility, Common defense, General welfare, and, above all, the blessings of Liberty, the blessings which enable us, their posterity, to enjoy life and the pursuit of happiness.

We are Americans, not simply because we live in America, but because we are trained and steeped in American ideals. Anything that creeps into our system and tries to disrupt or disorganize our society, tends to destroy our way of living, to interfere with our liberties, and prevents our normal "Pursuit of Happiness."

Liberty, Justice and Equality are, without doubt, the three great focal points of our civilization, and ones upon which our entire structure of government is balanced. Destroy one and the whole tower of modern thought is destroyed. We are the ones who must constantly keep that tower in repair. We must guard it against the ravages of the passing storm. We must guard it against rust and neglect, the corrosive elements which tend to undermine it. We must keep it from hurtling down upon our heads and destroying the labor of generations. We can preserve these three ideals upon which our tower rests by realizing that liberty must be balanced by equality and justice, and that what is true of one is true of the others.

It follows therefore that in order to form a more perfect union and to keep our structure in perfect balance, we should recognize these facts: Liberty is manufactured out of tolerance; it means sharing freedom; it means giving the other fellow some advantages; it means giving him a chance to be heard and not

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onslaving him to your demands or to your way of thinking. Justice is made of a precious metal called "Fair dealing." It can only be moulded by honest men. It is a stern substance which promotes stern measures. It promotes a square deal all around. It compels you to do unto the boss as you would have him do unto you. It urges you to earn your money and to win the Company's respect.

Equality is an element which has nothing added to it and nothing taken away. It is of the earth from which all things spring and to which all things return. It is the common clay from which Announcers and Engineers are both made, creatures created for the same job, each in the same image, except one is ordained to open his mouth and the other to open his ears.

If we can preserve these ideals, we shall have a tower of strength indeed; a perfect symbol of Capital and Labor thru which we may transmit the splendid truths of Democracy.

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Adversity is the trial of principle. Without it,
a man hardly knows whether he is honest or not.

* * *

INCOMING MAIL

The NATIONAL ASSOCIATION of BROADCASTERS, over the signature of Mr. J. L. Miller, their Director of Press Relations, have written to assure The Broadcast World of that organization's complete impartiality with regard to the various labor unions in the Broadcast field; which would imply that some earlier deductions on our part were in error. We'll go further, and express the sincere hope that we were grossly in error. TIME is not only the Great Healer they say it is, but it is also a swell Referee. We'll await the old Boy's decision.

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Give me the liberty to know, to utter, and to argue freely
according to conscience, above all liberties. - Milton.

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CHURCH LEADER LOOKS AT ORGANIZED LABOR

That the organized labor movement has certain shortcomings and some faults no one will deny. But by and large its records of achievements for humanity has proved that it is a force for good. One has only to study its history (especially that on social legislation) to learn what it has meant to America and Americans.

To Rev. James Myers, industrial secretary of the Federal Council of the Churches of Christ in America, its value and true worth are well recognized. He accepts it as good with a capital "G". Let us quote from his article on "LABOR and DEMOCRACY," appearing in the magazine Social Action, which is published by the Council for Social Action of the Congregational and Christian Churches:

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"A careful reading of history will prove that organized labor has been a major factor in securing the enactment of humane and liberal laws.

Through resolutions adopted at local, State and national union meetings, through appearances of its representatives at hearings on proposed legislation, and by the potent influence of the ballot-box upon legislators desiring reelection, the interests of organized and unorganized workers, as well as those of the general public, have been advanced.

The record has been an impressive one, starting in the early days of American history with a successful agitation for free public schools, the abrogation of imprisonment for debt and the widening of the suffrage to all citizens. Today it is leading in the fight against the poll-tax payments in the South, which is disfranchising hundreds of thousands of our citizens of the right to vote.

In contrast to the achievements of organized labor it must be noted that unorganized labor has had no direct part in obtaining legislative reforms for working people. To the charge that organized labor is too 'class conscious,' the reply is sometimes made that unorganized labor 'isn't even conscious.' Nor have employer representation plans, company unions or 'independent unions' had any appreciable influence on public affairs. "

In view of the present state of affairs, both foreign and domestic, which is confronting us, this is a very important interpretation of the part that the organized labor movement is playing in the lives of every human being in America.

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IT MIGHT BE YOU

Starting July 6th, and continuing for 13 consecutive Saturday afternoons, the United States Dept. of Labor will present over the MUTUAL System's coast-to-coast network a new radio series, called "This Might Be You." It will acquaint employed people with the laws on collective bargaining, wages & hours, and other laws enacted for your protection. The time: 2:00 P.M. Eastern Daylight Time.

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Many persons might have attained to wisdom had they
not assumed that they already possessed it. -Seneca

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NORTH OF THE BORDER

Canada at war has granted her labor a new declaration of right & freedom. Collective bargaining, the right to organize into trade unions free from employer interference, fair & reasonable wages and working conditions, and recommendations against excessive lengthening of hours are all contained in a new Order in Council of the Canadian Government.

At a time when the nation is directing all its energy into the war effort, Canada has decided to give organized labor a more dignified status than ever before. It does so in the interest of the country's production efficiency. This is a revealing commentary on the opinion of those in the United States who believe that "for the sake of efficiency in our defense program" we should destroy our own guarantee of labor's rights, the National Labor Relations Act.

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JUDICIAL JOTTINGS

The Labor Board has by rulings prohibited employers from using informers to learn about union activities in their plants. It is a technical violation of the NLRA for an employer to receive information re the union activities of his workers, even if the informant offers voluntarily to tell him.

The Labor Board has ruled that an employer cannot bind his employees to bargain with him, by negotiating individual contracts with them. While the Wagner Act does not bar individual bargaining, employees may not contract away their rights to bargain collectively.

The owners of Station KGVO, in the first such proceeding by the Labor Department's Wage-Hour Division, were permanently enjoined from violating any provisions of the Fair Labor Standards Act. Briefly, the decree directed payment of restitution to 18 employees of the station, including salesmen, engineers and announcers. As intimated in our last issue, the Wage-Hour Law has pretty general coverage, and there are few exemptions in the broadcasting industry. A chief engineer, for instance, must satisfy either professional or executive requirements, and abstain from touching the controls or performing a tour of duty, to exempt him from the overtime and other provisions of the law. Incidentally, an announcer's stand-by time must be counted when figuring his aggregate working time for the week. It is stated that 'voluntary' workers, and 'students' are just as much under the Act as bona fide employees on the payroll; for the work 'employ,' in the Act, means "to suffer or permit to work."

Where a closed shop contract exists, prospective employees, whether union members or not, may not contact the employer direct in seeking information re employment. This applies particularly at this time of year to temporary, part time, vacation relief and other transients. Bargaining rights were dearly won for you; do not fritter them away piecemeal by petty off-the-record chiseling. Make your contacts thru your local union.

An employer, whose agent, in speaking to an applicant for employment, referred to "silly girls who joined the C.I.O.", was cited for engaging in interference, by reason of such statements being viewed by the Labor Board as anti-union.

Among the recent Orders & Decisions of the NLRB we noted the certification of the "Order of Repeaters & Testboardmen," an independent group of employees of the Pacific Tel. & Tel. at San Francisco. Plant employees in general are banded together in another unaffiliated union, the "United Brotherhood of Telephone Workers." Thus the spread of unionizing goes on apace among Communication workers. While better off than with no Union adherence at all, we opine they'll eventually swing to a progressive nation-wide organization like A.C.A., when they find that real protection and leadership can be had only from an experienced so-called 'outside' group.

Discharge, under the guise of a lay-off, in order to prevent the employee from exercising his right to arbitration under a contract, has been ruled to be an unfair labor practice.

Court decisions continue to line up in support of the Labor Board's power to require employers to PUT IN WRITING and SIGN any agreements reached with unions. Such a consensus of judicial opinion probably foreshadows a Labor Board victory when the Supreme Court ultimately decides the question.

Dear MR. ANNOUNCER

Mr. Announcer, we have always marvelled at the lack of knowledge displayed by the average radio listener. He knows only that somebody speaks into a microphone and that the voice comes out of his loudspeaker. Wise station management realizes that this bridge between the station and the listener is an important one. Therefore they make the most of it by publicizing, glamorizing and lionizing the announcer for "His Public."

This situation is unfortunate for you, Mr. Announcer, because the radio listener lives under the illusion that there must be gold behind all of your glitter. You, of course, know differently. You know that, on a national average, and on a station average, the announcer is paid considerably less than his follow-partner on the other side of the glass - the engineer.

Often, we have run across the announcer who works for a typical one-lunger, just for the glory of it. You, Mr. Announcer, know full well that you cannot live on glory, and that a suitable wage can pay your landlord far better than prestige. You know too, the manufactured reasons for dismissal: "Your voice has grown older;" "The sponsor thinks another voice might pop up the sales;" "Your voice has become too familiar on the station;" "We need new personalities." How can you sleep peacefully, man, when you know the high rate of job mortality which exists among Announcers in the radio industry?

It may be that you are of the opinion that a price tag cannot be put upon Art. There are some who contend they are artists, and as such must bear the consequences of the public's and the sponsor's judgement. They hold this opinion because they have been drugged by the glamour which opiates their profession. Fortunately, those who come out of this anaesthesia have awakened to the realization that the artists, more than anyone else, need job guarantees. The Actor's Equity is proof of that.

We believe that every program is a result of united effort on the part of engineer, announcer, script writer, musician and production staff. If one fails, the program fails. This conclusion is self-evident even to the front office. For that reason, we, who have earned ourselves better working conditions and higher wages, feel that we can not keep them unless we help you to win the same. We are vitally concerned about the welfare of all the employees in our industry. The welfare of all depends on the welfare of each.

Our organization, the A.C.A., is an industrial one. In some stations, we embody everyone into one group; the announcers, engineers, studio attendants, office employees, salesmen, and telephone operators. In others we have a strong nucleus in the engineers, a nucleus from which the whole industry will grow. It does not make any difference whether you wear a soup and fish to a remote - while we are hidden behind poles slaving in our short-sleeves. It does make a difference, however, if your earnings are not equal to ours. For ours might then be in danger. Honestly, Mr. Announcer, you can continue to take the credit; but how about a little cash?

Add your voice to a good cause, that we may all reap the benefits of a completely organized industry.

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x CROSSTALK x

The boys at WMCA will have to toe the line now that Bill Murtough is there for vacation relief. Darrel Massey over to WOR for the Summer. Bill Loifort plus a coat of tan back on watch at WNYF. Frank Borsody, Chief over there, assigns Lou Prossman to a regular tour and Sid Shore to the maintenance watch; said watch includes the privilege of riding around town in a red buggy with a siren on it.

Hartman of WCAM Camden now at WCAU. Gilbert of WFIL now back at KYW. Jos. H. Eichol, former assistant to 'RI' Louis Kearney at Philly, transferred to the FCC's New York field office. Harriot Baron became Mrs. Mort Borow, whom that WPEN ENGR middle-aided it during vacation. Ed. Myers, recently of WCAM, now toting grips for WFIL.

It is with sadness that we tell of the death of Johnny Long, Chief of Stromborg's WHAM, in Rochester, who was well-liked by all the boys in that area. Some of us oldsters remember John when at JZ, Bound Brook.

Arnold King leaves WOV, destination CBS, as a Bringer-Inner (TransAtlantic to you). There is heavy dough in the aluminum business; witness Dick Troxol turning down an assignment at WCAU! We know a certain MCR Engr who is going to be tagged for being off base. A certain local management should know that their Chf Engr is pro blitzkrieg and anti everything else! Walter Graham returns to WOV and a Knitter watch after a long illness.

The August "WCBM" Eckols have just added a new boy to the family. Martin Jones, WCAO Chief, on his vacation with Syd Bassford taking over. Mr. Francis Dico, announcer for The Voice of Baltimore, becomes Lieutenant Dico when on his vacation.

Deserved promotion dogged the footsteps of Ben MacDonald, altho he had to shift to another station to achieve it. From his post of star salesman with WFIL, "Mac" assumes the duties of Sales Manager at the reorganized KYW. What was that about one being "not without honor except in his own ballivick" ? !

Geo. Lonhart, formerly of WTBO Cumberland, now at WDAS Philly. Harold Bryson, formerly WIBG & WFIL, now design engineer at Radio Condenser. George Thomas has departed announcing chores at WCAU to assume similar ones at WFFG, the new station opening on Atlantic City's Steel Pier. B. Marlow formerly at WSNJ Bridgeton N.J. last heard from in Harrisburg. Chief Chot Coiso of WHAT drops a vacation card from Oxford Maryland. J.J. Handchotz quits WHAT for an opening at WFFG.

On the marriage docket recently were Leon Jason (WMCA), and Sanford Major of MBS; while WHOM feted Joseph Savalli, Chf Announcer and Ida Mortonghi, secretary to Manager Joe Lang. Bob Swarthout, WCAO Transmitter-man, to New Orleans on his Honymoon.

From Buffalo comes word that all is well, but please Mr. Albertson would you be a little more prompt with the mazuma? That wasn't Donald Duck announcing that ET show; the Op just forgot a little matter of changing turntable speed. Don't fret Gorry, we've all done it sometime.

Well, see you some more.

PROOF OF THE PUDDING

The most concrete accomplishment that any organization can show is what it has actually produced. We take exceptional pride in giving excerpts from two of the most outstanding contracts ever to be signed between a Union and an Employer. Each of these contracts have been in force for a period of over six months, and our membership working under these agreements have nothing but praise for the conditions resulting from same.

The first contract is, to our knowledge, the only contracts in force anywhere covering Salesmen. The station concerned is a full-time, 1000-watt, independently-owned, network affiliate. The following excerpts have been taken at random throughout the contract, and do not in any sense represent the entire agreement:-

1. Duties of Salesmen shall be to contact all advertising agencies and advertisers as assigned by the Sales Director after discussion with the Salesman, and to use their best efforts to improve and obtain business for the station on the terms specified by the management. For this purpose Salesman shall be available at the call of the Sales Director on all regular business hours as notified by the management, which shall however, not be before 9:00 AM or after 5:30 PM Monday to Fridays, exclusive of one hour for lunch, or after 12 noon on Saturdays, except if agreed to by the Salesman as necessary. In addition, any Salesman may be required to be available between 5:30 and 6:00 PM on a weekday other than Saturday if so notified prior to 5:30 PM on that day. The following days shall not be included as regular business days:- Sundays, and the following Holidays - New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.

2 . Employer agrees to pay Salesmen the following salaries as weekly wages:-

Jones (name fictitious)	\$90.00
Wolfe "	85.00
etc	

In addition, the Company agrees to pay to the Salesmen as a group, to be paid quarter-annually at the end of each quarter, and to be divided among the Salesmen as they may agree, additional compensation herein described as bonus, at the rate of one percent of the total net volume of business done by this station herein described as local and national spot business, which includes station time revenue from all sources except network revenue, after payment of advertising agencies, commissions, national representative commissions, and frequency and retroactive discounts.

3. Employer agrees that in the event a Salesman, included in this agreement, enters or serves with the armed forces of our Country in the case of a war or national emergency, his position shall be filled by a "temporary salesman." Upon discharge from military service he shall be returned to his position unless physically incapacitated for the performance of said work. This position shall be held open for the salesman thus absent, and the time of his absence shall be understood to add to his seniority, so that upon his return, his seniority will be counted as though his employment was continuous throughout the time spent in the Country's armed forces. (see next page)

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Although there are several contracts covering ANNOUNCERS in existonco, the following will prove of unusual interest to men now employed in the many indopondent stations:-

1. It is understood by the parties hereto that an Announcer's duties shall consist of the announcing and introduction or standby on all programs which are broadcast through the facilities of (call letters). In addition to the foregoing, an Announcer's duties shall consist of assisting in the preparation and production of programs. The participation by the Announcer on any Commercial program other than as an Announcer shall not be considered as part of the Announcer's regular duties.

2. Employed agrees to pay its Announcers not less than the following minimum salaries for a maximum of a forty hour, six day, work week:

Grant	(fictitious name)	\$52.00
Smith	"	50.00
Sharp	"	43.00
etc		

3/ Employer guarantees to each Announcer on a commercial program the following regular minimum fees:

\$1.00	per program for each	5-minute program
1.50	"	" 10 "
2.00	"	" 15 "
2.50	"	" 30 "
3.50	"	" 60 "

On June 1, 1940, the minimum salaries listed above shall be automatically increased \$1.50 per week, with further increases of \$1.00 per week each six months thereafter.

4. It is agreed that an Announcer employed by employer shall be permitted to make recordings, slide films, news reels, act in the capacity of Master of Ceremonies, sound effect demonstrations, providing said work as listed above is done outside of station and does not take place during scheduled working hours.

5. Schedules for Announcers shall not require for reporting for duty sooner than twelve (12) hours after previous termination of duty, except in the case of that Announcer who works the "day off" schedule. Overtime shall be paid for any time less than a twelve (12) hour interval of duty, at the rate of time and one-half.

In addition to the excerpts as outlined above, both contracts include two weeks vacation with pay, time and one-half overtime, six weeks sick leave, and seniority of lay-off. The Announcers' contract provides for 10% additional pay for time worked between 1 & 6 AM. We would appreciate hearing from our readers as to whether or not you desire continuation of the above article. Address all communications concerning contract agreements to L.E. Littlejohn, A.C.A., 1626 Arch St., Philadelphia, Pa.

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Supervisors who make anti-union statements & remarks are held to implicate their employers, altho an employer alleged they were merely stating their own views, the expression of which is protected by Constitutional guarantees of free speech. The NLRB ruled that "Freedom of speech & press does not sanction its use as a means of employing the economic superiority of an employer to interfere with employees rights. The Company cannot dissociate itself from its supervisors."

F.C.C. TO HIRE LICENSED OPERATORS

In view of the emergency, the FCC will accept applications from licensed commercial operators for appointment as radio operators in the field service, with the understanding that those selected will be given temporary employment for 90 days & examined during that time by the Civil Service Commission.

Successful applicants may express a preference for definite locations, as "West Coast", "Southeast", "Hawaii", etc. Positions pay \$1800 per annum, and when travelling in field cars subsistence of \$5.00 per diem is allowed.

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In a decision involving the Westinghouse Co. (vs UERM), the Labor Board ruled that a "bulletin board agreement", or statement of policy, is not a contract; nor does its posting satisfy an employer's duty to bargain, even though the statement of policy embodies changed agreed to after negotiations with a union having majority status. While the agreement in question was written, the union was not permitted to sign it, and was thus deprived of an equal status and dignity with the employer.

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To strengthen and make more definite certain prohibitions, the FCC has supplemented its "Rules Governing Commercial Radio Operators" with:

All licensed radio operators shall obey and carry out the lawful orders of the person lawfully in charge of the station at which they are employed.

No operator shall willfully damage, or cause or permit to be damaged, any apparatus or installation in any licensed station.

Unnecessary, unidentified, or superfluous communications or signals are prohibited; as also are communications containing obscene, indecent, or profane words, language or meaning.

No operator or other person shall attempt to obtain, or assist another to obtain, a license by fraudulent means.

Under these provisions the Commission clarifies its authority to prosecute as well as suspend licenses in cases of violation.

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A charge of inefficiency, where such alleged acts occurred a year before, are held untenable grounds for discharge.

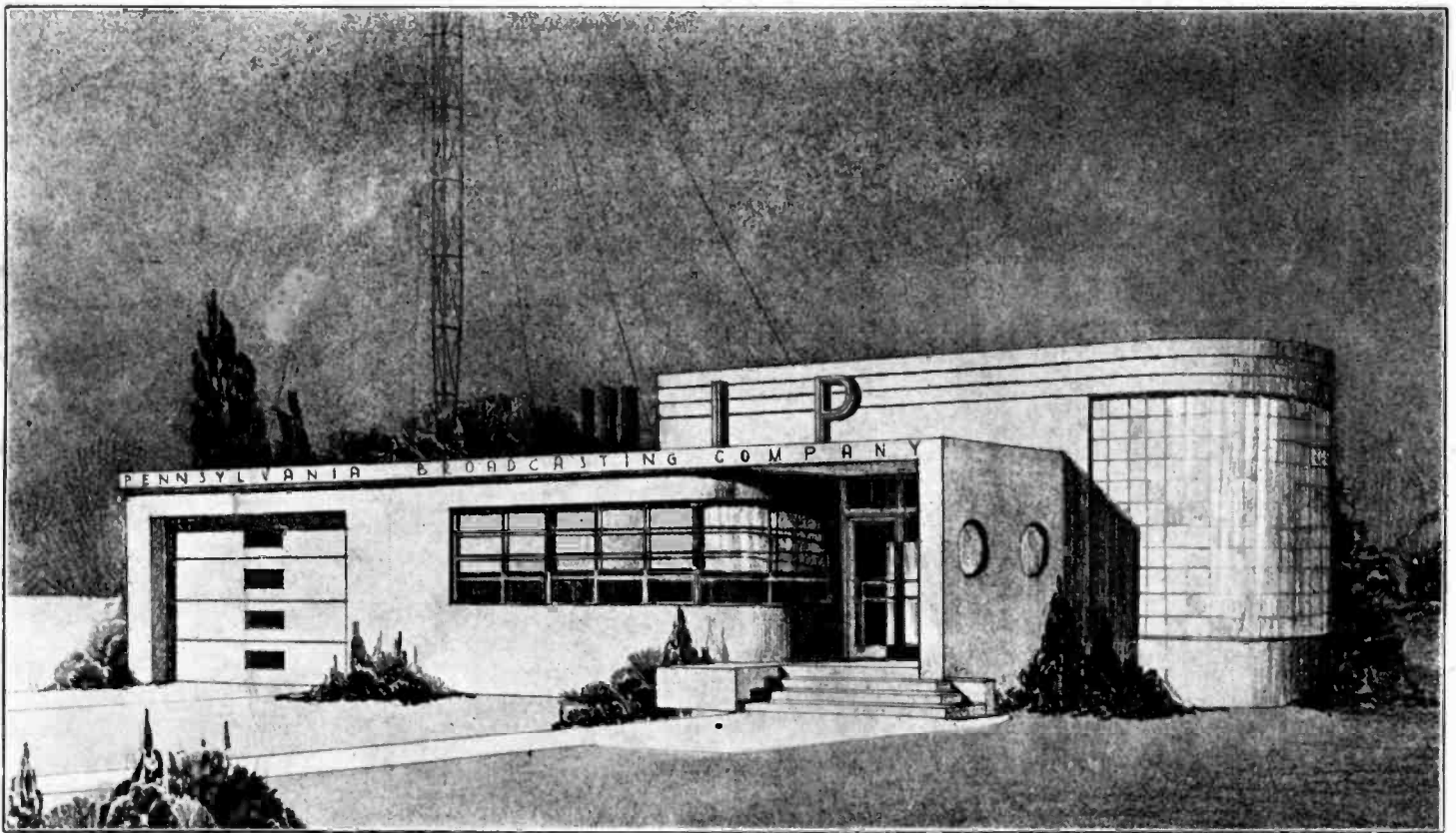
The transfer of a union employee to a disagreeable job is not discriminatory where the original job has disappeared; otherwise it may be discriminatory, and the employee so discriminated against has the choice of taking the disagreeable job and seeking retransfer from the Labor Board, or of refusing to take it and seeking reinstatement with back pay.

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WIBG received O.K. for 1 kw unlimited; WA AT gets similar grant; WHAT transfers to Phila Record ownership; Maryland Broadcasting Co. of Baltimore seeks now 250 watt on 1200 kc; KKW after license to jump their 10 kw to 50.

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Washington:- Following adoption of its usual resolutions, expressing opposition to all the things union conventions go on record for, the U.S. Chamber of Commerce requested scaling down of the income tax and estate & inheritance taxes, drastic amendment of the labor relations act, repeal of wage-hour law, passage of Walter-Logan bill, & return of relief to the states!



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