

TECHNICIAN ENGINEER

AUGUST-SEPTEMBER, 1964

Published for the Employees of the Broadcasting, Recording and Related Industries

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS — AFL-CIO

THE BYRNES ANTI-STRIKEBREAKING ACT

Enacted June 24, 1936

Strikebreaking activities have plagued organized labor since there has been a union. Efforts to eliminate this inhuman practice have had varied success, chiefly on the national front. The American Federation of Labor for many years sought a Federal anti-strikebreaking law and spoke out strongly in its conventions.

A strong AFL convention resolution passed in 1935 said that labor spies had changed their tactics and were now (in 1935) forming company unions and "employee associations" whose only purpose "is

to make genuine collective bargaining impossible." Revelations following the AFL charges led to the preparation of a bill and eventual enactment of a law, effective in 1936, which made it a felony to recruit men for service as strikebreakers across state lines.

Labor has always encountered more success in curbing anti-union practices through Federal legislation than in the state assemblies. The Byrnes law is another example of this fact. Curbing strikebreakers, even though the law itself is not too well known, may be regarded as a landmark of labor.



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The INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

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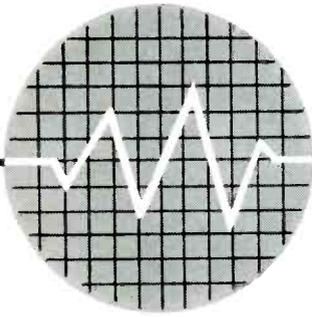
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TECHNICIAN ENGINEER



VOL. 13, NO. 8

ALBERT O. HARDY, Editor

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the cover *At the Las Vegas, Nev., Progress Meeting for 1964, delegates from broadcasting and recording local unions checked off milestones of progress. At the top left of the cover, Robert Van Cleave, Business Representative for Local 292, Minneapolis, Minn., talks to delegates. Facing him is Ralph Leigon, member of the International Executive Council, and below Mr. Leigon are Business Managers Ed Bird, Local 202, San Francisco, and Frank Green, Local 1200, Washington-Baltimore. Bottom views show delegate discussions and an audience attentive to a speaker.*

index *The Cost-of-Living Index, for local unions needing the information in negotiations and planning, stacks up as follows for recent months: June 1964—108.0; June 1963—106.7; July 1964—108.3; July 1963—107.2.*

commentary *With the changing of the legislative guard on Capitol Hill, November 3, one of the most effective Congresses since the founding of the country passes into history. Its record of achievement—one of the measures of the Kennedy-Johnson Administration—has been praised by Republicans and Democrats alike. Senator Everett M. Dirksen, speaking on “The AFL-CIO Reports to the People” radio program, listed the test ban treaty, the civil rights act, water and air pollution controls and anti-poverty measures among the high water marks of 1964 law. On the same program, Senate Majority Leader Mike Mansfield gave credit to the bipartisan support which made some of the bills possible. “On many occasions,” he said, “four, five, seven, eight, nine or 10 Republicans came over and joined the Democrats.” Much of this unity is directly traceable, of course, to the personal leadership of Lyndon B. Johnson. He has honed to a fine edge the tools of compromise, persuasion and political intercourse essential to legislative progress in democratic society. The 88th—and President Johnson—have set a lively pace for the 89th to follow. We wish them well.*

Published monthly by the International Brotherhood of Electrical Workers, AFL-CIO, 1200 Fifteenth St., N.W., Washington, D. C., for the employees of the broadcasting, recording, and related industries. Second class postage paid at Washington, D. C. Subscription, \$2 per year.



Division Director Albert O. Hardy opens the 1964 Radio, TV, and Recording Progress Meeting and prepares to introduce speakers of the opening session.

PROGRESS MEETING HIGHLIGHTS

BY any standard, the Progress Meeting in Las Vegas was a "howling success." The high point, as usual, was the formal address of IBEW General Counsel Louis Sherman. Following his formal remarks, a question and answer period further enlightened his audience.

The speech by Mr. John Hinkle, Business Manager of Television City, Inc. (WTAE), Pittsburgh, was also enjoyed by the audience of local union representatives. A digest of his remarks will be found elsewhere in this issue.

Brother Ralph Leigon represented his Local union, the City of Las Vegas and the International Executive Council, and radiated the good fellowship and sincere interest in Brotherhood affairs for which he is well known.

Last, but by no means least, the Agenda Committee is due extensive appreciation. The chairman of the committee, Rep. Taylor L. Blair, Jr., and the members—J. Frank Atwood, L. U. 1224; Walter L. Reed, L. U. 1259; John Tipping, L. U. 1987 and George Magdich, L. U. 1193—worked long and hard to make the meeting a success.

The next Progress Meeting is planned to be in New York City, on August 24, 25 and 26, at the invitation of Local Union 1212. All local unions should again plan to be represented.

Welcome to Las Vegas

*Address by Mr. Ralph A. Leigon
International Executive Council
Member, Seventh District*

I WANT to take this opportunity to welcome each and every one of you to Las Vegas. We are very happy to have you here, and hope the city doesn't cause you any real hard feelings. Of course, I think you can see that the most popular indoor sport here is also the thing the city lives upon. If it weren't for the tourists and groups coming in, I can assure you that the attractions and various entertainments found here would not be available.

I will only take a few moments of your time. I don't have a prepared speech; my wish is to talk to you informally for a short while. The first thing I wish to say is in the form of an apology for not having been here yesterday. I am sure that all of you have found, as I have, that when something is in your own home town it's pretty difficult to get out of the office. We are presently tied up in several negotiations and one Federal Mediation and Conciliation case, and you all know that Federal Mediation cases sometimes take precedence over your own desires.

I would also like to take a moment to tell you about the local union I have the privilege of representing here in Las Vegas. It's a mixed local and, incidentally, in the Ninth District, they call it one of the most mixed-up locals in the District. I've never really found out just how they mean that and I'm not going to question it too much. We have construction wiremen and linemen; two power companies; two telephone companies, including the telephone operators; we have neon signs, which quite obviously is a pretty good industry here;

Continued on page 16

An Employer Reviews His Union Relations

*An Address by John Hinkle,
General Manager WTAE, Pittsburgh*

GENTLEMEN, several weeks ago when I received a call from John Tipping, Business Manager of our local union, asking me if I would appear before you, I was quite taken aback and surprised that I was given such an honor. I mean that sincerely. I did ask John what he wanted me to talk about and he very simply put it, "Speak your mind and don't pull any punches." It is with this in mind that I am addressing you today. This sounds like I'm pining for a good argument and I'm ready to tell the union where to head in.

I do not have any problems in Pittsburgh—and I mean that. The relationship between management and the union representatives and the rank and file members, in my opinion, is excellent. It is difficult for me to pick one single point as a starting point. Maybe it's best told by an old theatrical story about two men who had been doing the same play for 30 years and they did it all over the world. In their 31st season, they were playing in a little town in Colorado and right in the middle of the second act both went blank and couldn't remember a single line. The Stage Manager, who hadn't seen the script for about 25 years, quickly dug it out of a trunk and the line was, "Which way did they go?" So the Stage Manager went to stage left and told them, "Which way did they go!" Still the actors didn't say anything and then the Stage Manager went around to stage right and yelled out "Which way did they go!" and still the men didn't speak. Finally, in desperation, the Stage Manager went down the center aisle to the orchestra pit and yelled as loudly as possible. "Which way did they go!" Finally, one of the actors looked down and said, "We know the line, but who says it?" And that's exactly the way I am. Therefore, I would like to present a viewpoint that I have for your consideration. There is one problem that you men as representatives of the union and I, as a representative of management, have in common; getting the individuals that you represent, our employees, to fight complacency in their jobs, to fight self-satisfaction and mediocrity in their day-to-day business. This business, in your union and in the industry, will never stand still. We can never let ourselves become stagnant. If we become self-satisfied, the accomplished competition in this business will pass us by and never even take the time to wave. We must not permit ourselves to stand still, we must always move ahead. We both have an obligation to fight this complacency. How do we go about tackling this problem? How do we go about improving our men from falling into a dull routine of button-pushing, camera-pushing and knob turning? In my opinion, we should encourage thinking, we should encourage ideas and give the men recognition for their accomplishments.

During our last contract negotiations with the IBEW, I asked the union for a clause, whatever way they wanted to word it, that would require the men within a two or three year period to try to obtain their FCC licenses; first or second class, preferably first class. It was a hard clause to write; it would look like a hammer if management had it, but this was not the intention I can assure. I will be quite frank with you. What we were attempting to do was to get the men to pick up their textbooks in electronics and again begin to study. In a majority of cases this would be just a review or refresher. We felt that if they once started this, it would whet their appetites for more knowledge and information and both we and they would benefit from this knowledge and information they would get. The suggestion of this requirement we felt would encourage the men to think in terms of improvements which made a No. 1 station a little better. If we could continue to develop this thirst, and encourage the men to read and study the latest developments in this business, they could be more and more familiar with what is going on and more valuable to us.

If I can digress for just a moment, I can tell you about a situation that developed in our station in Milwaukee wherein one of the union members, the shop steward, in fact, came upon

an idea that with a few inexpensive components, we could modify our equipment so that we could put inserts into our television screens. I think that the total expenditure amounted to \$25 or \$30. He brought in the drawings, the plans and the idea and asked if we could consider building it. Needless to say, he had our blessing and we bought the materials required. The idea was successful and with this innovation added to our program format for the news our sponsor was elated. I am sure that this special effect was one of the main reasons for the sponsor's renewing the show for another year. This is the type of thing that we are trying to encourage. First and foremost, we are in a competitive business and we need every mind in the station trying for one goal and that is to be the No. 1 station. After you obtain the No. 1 spot, the goal is to stay there—which is ever harder. I am pleased to say that this fight against complacency with other members of our staff, union and non-union, has been extremely successful for our station. Our stagehands are continually coming up with new innovations and ideas, our program department is continually striving and rehearsing for new and better ways in which we can improve our image. Our technicians likewise take their jobs seriously and they take great pride in what they do.

Gentlemen, I wish we had 200 people with this type of attitude, and I am sure you would want this type of person working beside you. Such a man has no problem with complacency, for he takes pride in his work. He is the type of man that I think that you and we must continue to develop. We must continually find ways to encourage these men to develop their minds and their abilities so that they as individuals become more responsible and valuable people to the station and more valuable to the union that represents them. It seems to me that what we both must do is encourage our men through classes, instructions and refresher courses to keep their minds active in striving for new knowledge. I might add that we have found in our station a way that works to great advantage for both sides. Periodically, we have a bull session with the individual men and our Chief Engineer. This is a private conversation and there are no holds barred. Our Chief Engineer rates these men on their capabilities in the various functions they must perform, at the same time the man rates himself and, in most cases, they concur wholeheartedly when their weak spots appear. Sometimes they even disagree with us when we compliment them on their good spots. What this really accomplishes is that it gives the man the individual right to speak his mind on our day-to-day operations and where he feels it could be improved, or where he feels he would like to have some improvement in his own performance and experience.



John Hinkle, general manager of WTAE, Pittsburgh, at the microphone, delivering the address printed above. Beside him are Executive Council Member Ralph Leigon and International Representative Taylor Blair.

Our men enjoy these discussions, to the best of my knowledge, and I can assure you that our Chief Engineer is elated with the response that he gets. It helps to point out trouble areas we may have, whether it be with the program department, the floormen or even his own coworkers; it helps us to improve. I sincerely hope that some of you will give some thought to this fight against complacency and routine, and encourage your men to put forth more effort in their own individual improvement. We at WTAE in Pittsburgh feel that we have an excellent technical staff and that they are constantly moving ahead.

I would like to read you a very short article I have about the growth of this business. Maybe you have heard these statistics before but it will show you how this business has grown. A few months after the war ended 6 stations, television stations,

were serving about 8000 homes; in 1948, seventeen stations in 12 cities served an estimated 175,000 families. Two years later, in 1950, there were 4 million homes with television sets; by 1955 there were 31 million, today there are over 56 million television sets in some 48 million homes! As a matter of fact, that comes to more than a set per house; that is 92% of all homes in America that have television sets. And only 85%, incidentally, have bathtubs. As one of our research men puts it, I don't know what that proves except a lot of dirty people are watching television.

Gentlemen, thank you for asking me, it was a great pleasure to be here to meet with you. I hope you will get all your relationships to be as successful and satisfactory as ours in Pittsburgh. Thank you very much.

TAFT-HARTLEY IN RETROSPECT

*An Address by Louis Sherman,
General Counsel, IBEW*



I WAS thinking this morning that it has been almost 17 years since the Taft-Hartley law went into effect. It was August 22; there was a controversy as to whether it should be the 22nd or the 23rd, and that was in 1947. I thought it may be helpful before going into the detailed discussions we will have about legal developments to look back on the situation as it existed then and what happened since. Not just for the purpose of reminiscence, but also for the purpose of seeing what we have learned so that the lessons of our experience with respect to that law may be kept in mind as we face future problems. And we do have future problems in law. Those of you who were active in the leadership of the labor movement at that time will remember the outpouring of emotions on the part of the labor movement when the Taft-Hartley law was enacted. It was accompanied by expressions and feelings pretty much along the lines of "How can they do it to us?" "It's un-American," and that sort of thing. There was quite a confusion of counsel as to what to do about it and there weren't any clear lines; there was real fear as to the possible disruption of the labor movement. I would like to discuss this matter under two headings.

First, with respect to the appropriate legislative approach and, secondly, with respect to the question of compliance. There were those who very sincerely but very emotionally, were talking about really drastic reactions. I remember talking in San Francisco with one important union leader, and he said, "The thing we need is a one-day strike that will bring Congress around and show them what's what!" And there were similar comments made by people who were in higher echelons in the labor movement. That course was not followed. But what did emerge was a vast cascade of sound in terms of a legislative approach which demanded repeal of the Act. That was a nice, simple slogan and if you were on this side of the fence as all of us were, what could be nicer than repeal, therefore we were for it. Now the IBEW and its leadership did not take that position. There was a realistic assessment of the situation from a legislative point of view. The basic factor in that legislative assess-

ment was the size of the vote, in both the House and the Senate, which as you all recall, overrode a Presidential veto. It became a matter of sheer arithmetic to determine whether a majority could be secured, in the foreseeable future, that would accomplish a complete reversal of the legislative process. I know that at that time I went around to various Progress Meetings and I thought the important thing was to state the situation as it existed in a completely cold blooded fashion—even though people didn't like to hear what was being said. We shaped our course on that realistic assessment of the situation.

Actually, at first, the AFL position was all out for repeal. Then as time went on, the AFL took a more sensible view of the situation. There were some in the labor movement, however, who intimated that those who favored amendment were, in a subtle sense, traitors to the labor movement because any amendment which sought to palliate the Taft-Hartley Act would have the effect of diminishing the total effect for repeal. What happened? We went along, and we ran into the question of the non-Communist affidavits. There were some who took the position that that Section of the Law was unconstitutional. It was a great insult and they were not going to comply with it.

The IBEW reviewed the situation and came to a contrary conclusion. We didn't know whether it was constitutional or unconstitutional, but I remember telling the then-President Dan Tracy that I certainly could not say that it would be declared unconstitutional but, on the contrary, I thought there was a fair chance the Supreme Court would uphold it and that, if we didn't file, the effect of our failure to file as an International would be to deprive the local unions of the facilities of the National Labor Relations Board when there would be others who would file and would affect our position adversely. Therefore, logic and the interest of the organization dictated, contrary to windy pronouncements that were being made elsewhere, the sensible policy to follow was to file the affidavit and take care of our hurt feelings some other way. That was done. And, we participated, as a matter of fact, in trying to diminish the scope

of the requirement. There was a case in this industry, *Northern Virginia Broadcasters*, 75 NLRB No. 11. We obtained a ruling from the NLRB that the top officers did not have to file; that is, the top officers of the Federation. The AFL officers by that time did, however, follow the advice that notwithstanding *Northern Virginia Broadcasters*, that they would file and they did file. But the CIO top officers did not file. The issue finally did come up in the *Highland Park* case, 341 U. S. 322—as to whether there was a duty on the part of the Federation officers to file, and the Supreme Court held there was such a duty. The effect of that ruling was to invalidate some 4000 agreements then held by the CIO and approximately 30 agreements in the AFL. The reason for the disparity was that the AFL had come into compliance early in the game whereas the CIO had not done so. What happened to the policy of repeal of the Taft-Hartley Act? Now they were in a position of great danger because at that time there was no No-Raid Agreement. Other organizations could cut through them like a knife through cheese. Well, they changed their policy. They went in just as quickly as anybody could get that amendment through, even though many of their leaders had argued earlier that anybody who was for amendments was wrong because it would diminish the total force for repeal. They made a compromise agreement with Senator Taft who was anxious at that time to get rid of the union authorization election provisions and in return for the elimination of the union authorization election provisions they got the amendment of 1951, which restored the validity of these 4000 agreements even though they had not filed the non-communist affidavits.

IBEW POSITION PROVED RIGHT

Now, it's one thing to talk about policies or courses of actions in prospect, the dim, foggy future that no one can control, and it's quite another to look back on them when the events have congealed into history, and in this case we are talking about history. This is what happened and I dare say there are very few people who know it. I make the evaluation for the purpose of recording it in terms of getting a guide for very complex problems that are going to be upon us. Basically, the IBEW position was right, as was proved by the hard facts. And, of course, once the others reached the point of going for an amendment that was vital to their future they changed their position, bit by bit, very slowly, very gradually. Finally, "repeal" became "substantial revision" and then it just sort of passed

out of sight altogether. Of course, this happened over a period of 17 years.

Now, I'm going to talk about compliance. There was the same confusion of counsel with respect to what do you do under the law. There were some whose response to the prohibition of the closed shop was, simply stated, defiance of the law. There were all kinds of demands made on employers by these forces to continue the previous arrangements and an adamant refusal to come into compliance in any way, form or shape. There were little postcards, some of you may remember, that were circulated throughout the country with rather strong language contained therein and, of course, it was like a little boy spitting in the wind. The IBEW, (and I mention this not because it was the only one but because that's the organization I know about and that I was close to) took a different approach. A careful analysis was made of the law and determinations were made with respect to what was the most appropriate procedure to protect our interests in compliance with the law. That didn't mean that we took the interpretations of the General Counsel of the Board, then Mr. Denham, nor did it mean that we took the interpretations of the Courts less than the Supreme Court. At first, we followed a so-called Amendment theory. As the years went by and that proved less effective, we then were faced with the problems in the *Mountain Pacific* case, 117 NLRB No. 1319, the *Brown-Olds* case 115 NLRB No. 594 which some of you are familiar with, and we developed the exclusive referral system which is now in operation in many of the locals which formerly had a closed shop. It is not a closed shop, and I don't say that with tongue in cheek—I say it sincerely. It is something new, it is legal, it has been upheld by the National Labor Relations Board and the courts and it accomplishes our objects without putting us in a position of trying to stand up against the law.

This short recital, I'm sure, sounds very simple and very easy. It sounds so certain and so obvious now, but there was nothing certain or obvious about it when decisions had to be made in terms of the future. There were those who were very, very angry and who preferred to be angry rather than do the best possible job. But this course was followed and we look back on it without any sense of smugness or satisfaction. Perhaps it could have been done better but then it was the right course. Looking back on it now, I think this was evident by two facts. First, in the year 1947 when the Taft-Hartley Act was put on the books with, I think, unquestionably the object of limiting, thwarting and reducing union organization, the



Delegates to the Las Vegas Meeting listen to the General Counsel's address.

IBEW had a membership of somewhere between 300,000 and 350,000; 17 years later, after full operation of this law and other legal restrictions it is my understanding that the membership is in the neighborhood of 850,000. I think that is some evidence that the course of conduct that was laid out then—and it was done deliberately with calculation, it was not accident—proved to be right. And, of course, the other item of evidence that many of the organizations who started off one way, either with respect to legislation or with respect to compliance, have sort of unconsciously fallen into the pattern established by the IBEW rather than following their own. I think this is a story worth telling and it certainly requires remembering and although it sounds easy looking back on it, when I get to some of the issues that are ahead of us, I think you're going to have the same choked-up feelings that many of the men had back in '47 when we were trying to decide what to do about the forthcoming years.

Now, I'd like to get into some of the detailed developments which have occurred under the Taft-Hartley Act which may be of interest to you. Then secondly, the Landrum-Griffin Act and third, the Civil Rights Act. I might say to those of you who have some relationship to construction that you might bear in mind that this same approach has been used in preparing the legislative program in the building and construction industry. We started off with a bill that asked for everything and then brought it down to more reasonable compass and, as a result just in the last couple of years, we have put the contract and work hours standards act on the books prescribing overtime requirements which did not exist before. And recently, the fringe benefits amendment of the Davis Bacon Act was carried through the House of Representatives by a vote of 357 to 50 which is one of the most overwhelming votes in favor of a controversial labor bill. It was fought very seriously all day long by the AEC, Chamber of Commerce and related institutions. When the final vote came up our opponents had only 50 people supporting their positions and there were seven times that many in the House who supported our position. Those of you who know the complexion of the House in terms of Republican representation and Conservative Democrats of both North and South will realize what an accomplishment that was. A lot of hard work went into it and a lot of sensible considerations as distinguished from anger, excitement and the like.

MAJOR ISSUES UNDER TAFT-HARTLEY

The developments under the Taft-Hartley Act are quite numerous, and I'm just going to try to select a number of major issues on which to talk. I might say preliminarily, I'm going to try to be as detailed as I can because I don't think generalities are very helpful. At the same time I do hope you realize that I am in no position, standing up here, to know exactly what kind of situation you may have in your minds when I'm talking about specific points. So, if you decide to do something you ought to have current legal advice when you do it. The principal reason for saying that is my inability to know what's going on in each of your minds but the second factor, which is constant in this area, is that the law never stands still. There's always a Board decision which gives it a little twist, there's a Court decision which gives it a little twist and you have to be right on top of the developments at the time you decide on a course of action. I'm just saying that if you do get any ideas from the discussion we're going to have this morning, before you act upon any of them you want to make a last-minute check when, as and if you decide to act.

We had a convention of the American Bar Association last week and received very full and extensive reports that had been made by committees of the Association on the various subjects which are of interest to labor lawyers. What I have done is to go through these reports with the idea of picking out the current developments which may be of interest to you. The question has been raised with respect to the scope of the Taft-Hartley Act in terms of what kind of radio and television stations are subject to its provisions so that you might seek to organize them, particularly by representation procedures, petitions for certification and the like. One of the questions that has been raised recently is the question of whether a non-profit

institution can be the subject of a representation petition. Unfortunately in this whole area you can't come up with a yes or no answer. What you can do is to take into account what the developments are so that you can try to push the ball over the goal line. Now I know that you may not be a very satisfactory rule for you and yet that's the only way you can do it. I have tried to indicate to you many times before that the impression of some people is that the law is in a book, and you turn to the right place in the index, turn to the right page in the book, and there's the answer. That isn't the case. Our whole system of law is different and we've got to live with our system of law and not some imaginary system. We have cases and decisions which point one way and the other way and what you have to do is wriggle and fight just as hard as you can to make a particular case come out the way you want.

A non-profit institution is subject to the Act, but the Board has administrative power to decline to assert jurisdiction. The question is what's the Board going to do and that, of course, requires an examination of what it has done. Now, here is a case known as *Wilco Oceanographic Institute*, 143 NLRB No. 60. The employer was engaged in basic research and a majority of the activity was financially underwritten by the Federal government through the medium of government contracts. The employer contended he was non-profitable, charitable, educational, did not engage in commercial activities and the Board should decline to assert jurisdiction. The Board said no, the corporation's non-profit status was not a controlling figure. Now, that certainly points in our direction and I think that we have an additional added argument that in these cases the radio and TV stations are really performing functions which are similar, in fact, they are identical with the functions performed by profit institutions and should be covered. Now, on the other hand, the Board has considered the cases of non-profit institutions such as the YMCA and has held they are not covered by the Act. So they have the power to decline to assert and my advice has been, and I will repeat here, that in that kind of a case we ought to try to get the Board to assert jurisdiction. On the question of whether we should file a petition and whether we should expend the effort to organize, the answer can be given, yes, although no man can predict that the Board will come through with the proper answer. That, of course, will depend in some part on how effectively we present our case.

EARLY PREEMPTION CASES CONSIDERED

In the area of preemption, which I am sure is a familiar term to you, this has become almost a labor word. It takes me back, and this may be of interest to you, that the first preemption case was not the *Garner* case, 346 U. S. 485, which got all the publicity. The first preemption case under the Taft-Hartley was an IBEW case—it was *LaCrosse Telephone Company*, 336 U. S. 18, where the union rival to the IBEW had organized a schism, had gotten a certification from a state agency and the Wisconsin Supreme Court had upheld the state Board's exercise of jurisdiction. At this point, the International took the case over and presented it to the Supreme Court of the U. S. Now, this case wasn't presented to the Supreme Court of the United States by the IBEW or its General Counsel just because there was a case. That case was taken up because it was realized how important it was to establish the rule that where the Federal government exercises such vast power in the Taft-Hartley Act that, therefore, state powers had been cut off because Federal jurisdiction is exclusive. The Supreme Court of the United States, in that case, so held. The principles of that decision were later applied in many other cases. I want to just make a comment on the side with respect to the preemption issue. It is sort of amusing to me to find some people—I'm talking about lawyers now—screaming about preemption as if it were labor's inalienable right. Actually it is a principle of government, it is a principle of court jurisdiction. The only reason why preemption has become of a nature akin to an inalienable right is because of the way it worked out in the Taft-Hartley Act and that, gentlemen, I must tell you was entirely accidental, in my judgment. I happened to be on the minority side when the Taft-Hartley Act was com-

TWO AT THE MIKE:

**Gorge Magdich, Business Manager
of Local Union No. 1193, Atlanta.**

**Robert Van Cleave, Assistant Business
Manager of Local 292, Min-
neapolis.**



ing up. I was on the administration side and I was pretty close to the writing of these reports. I know the people who drafted Taft-Hartley and I am positive that if they had anticipated what the courts would do to exercise of jurisdiction by state governments because of their efforts to pile on additional restrictions, they would most certainly have put a short provision in the Act that nothing in it was intended to prevent the states from exercising the power they had. But they didn't do it. One sentence was omitted and, as a result, all the court decisions have come out which have seriously limited the anti-labor power of the various states.

Something in support of what I am saying is to be found in the drafting of subsequent legislation. There is no inalienable principle of preemption. If you read the Landrum-Griffin Act you will find that they wrote the sections they left out of Taft-Hartley; Landrum-Griffin doesn't preempt anything. All the rights and remedies that a man may have with respect to the so-called Bill of Rights under state law continue in full force and effect, notwithstanding the Landrum-Griffin Act. The preemption area has been of great interest and importance and there has been a reaffirmation of its scope and principles in a case coming up out of Mississippi and the Hattiesburg Building Trades Council. There is also a case on the preemption issue coming up from Mobile involving Local 1264 and said local is maintaining an appeal from the Supreme Court of Alabama which is now pending before the Supreme Court of the United States.

Perhaps the most important decision that has been rendered on the preemption question had to do with agency shop cases. In the *Schermerhorn* case, 375 U. S. 96, before the Supreme Court the issue was whether 14(b) which, as you know, authorized state so-called "Right-to-Work" laws, also authorized the enactment of laws prohibiting agency shops. I'm not going to go into all the details of reasoning, I don't think it's necessary. The Supreme Court ruled in nice, clear language that if a state has power to strike down a union shop, it also has power to strike down an agency shop. The ruling of the Supreme Court is that 14(b) authorizes states to prohibit agency shop clauses as well as union shop clauses and, I might say, that was a result that could have been anticipated.

AN EXAMINATION OF 'AGENCY SHOP'

I'd like to return to the agency shop from the standpoint of what we are talking about here. I think you are all familiar with the union shop. That is the clause which requires an employee to become a member of the union within 30 days of such date. An agency shop clause does not require an employee to become a member of the Union, it does require him to pay money to support the collective bargaining agency, the union. In effect, he pays dues without being a member. Now, let us clear up any questions you might have as to where the agency shop is legal and where it is illegal. An agency shop is legal in all states which do not have "Right-to-Work" laws. As a matter of fact the IBEW established that rule in

Public Service Company of Colorado, 89 NLRB No. 418, in 1951. You'll recall that 14(b) of the Federal Act permits states to adopt laws which prohibit contracts which require membership as a condition of employment. The question is this *Schermerhorn* case was whether 14(b) authorizes the state not only to prohibit a contract requiring membership as a condition of employment but whether 14(b) also authorizes states to prohibit agency shop which, by definition, does not require membership as a condition of employment. The Supreme Court of the United States said the two things are almost identical and therefore the 14(b) authorization is broad enough. Now, in summary therefore, we come out with the following. (1) An Agency shop is always legal in a state which does not have a right-to-work law, (2) An agency shop may or may not be legal depending upon the language of a right-to-work law in a right-to-work state. So, if you are in a right-to-work state and the right-to-work law prohibits the agency shop it is illegal. If you're in a right-to-work law state like Indiana which says that its law does not make the agency shop illegal the agency shop is legal there. I can just tell you for all practical purposes, most right-to-work laws do prohibit the agency shop so that in the main, except for Indiana and a few other states, the question of legality is determined by whether you have a right-to-work law.

While we are talking about the right-to-work law, I think you will be interested in a case which President Freeman authorized challenging the validity of the Wyoming right-to-work law, which is the most recent law adopted by any state. The case is known as IBEW, et al v. Hanson. The basic reason why the suit was filed was that the Wyoming right-to-work law, unlike most right-to-work laws, specifically prohibited the exclusive referral system. We filed the test case on the principal ground that since the exclusive referral system is valid under Federal law, as held by the National Labor Relations Board and the Federal courts, the state had no power to prohibit it. You might say what about 14(b)? 14(b) prohibits contracts requiring membership as a condition of employment. The basic idea in the exclusive referral system is that it has nothing to do with membership and, you will recall, those of you who are familiar with it, that the basic structure of an exclusive referral system is that the referral of employees to employment opportunities is based on objective criteria other than union membership and the number of years worked under the collective bargaining agreement, passing an examination and the like.

We expanded the scope of that case because the Attorney General of Wyoming had ruled, before we filed the case, that the Wyoming right-to-work law prohibited a union from representing any employees who have not authorized the union to do so. In other words, he took the position in an opinion that it was an abridgement of an employee's right to work to let the union determine the condition of employment when the particular employee was not a member and did not otherwise authorize the union to represent him for collective bargaining purposes. So, we filed in this case an additional count to this effect: That the Attorney General was right and since the



Business managers and delegates at the Las Vegas Progress Meeting, as International Executive Council Member Ralph Leigon, who represents the Western Region, welcomed them to the city.

Taft-Hartley provides that a union is the representative of all employees in the bargaining unit and if it is the majority representative whether the employees are members of the union or not, therefore the entire Wyoming right-to-work law was invalid because it was in direct conflict with Section 9 of the National Labor Relations Act providing for majority representation. By this time, the Attorney General of Wyoming was getting the advice of the National Right-to-Work Committee. I don't know whether you are aware of this but there is such an organization, pretty well financed which operated not only to secure enactment of right-to-work laws but also participates in litigation involving the right-to-work acts. The chronology of this phase of the case may be stated as follows: The Attorney General made his ruling about the lack of authority for the union to act for anyone other than a member or someone who has authorized the union. We filed our pleadings which, in effect, stated that, "You're absolutely right, Mr. Attorney General, and your ruling makes your whole law invalid because it conflicts with the majority representation rule of the Federal act." At which point, he changed his opinion and said, "That as far as interstate commerce is concerned the union as the majority representative can represent everybody in the unit even though they may not be members or otherwise authorize." The position we took in court was that the Attorney General's first opinion was right, his second opinion was wrong and then he objected that we were trying to shove his opinion down his throat! There is a decision by the Supreme Court of Louisiana in a case known as *Pieqts v. Meat Cutters Union* (28 Labor Cases, para. 69, 242), involved a couple of butchers who were working 72 hours a week and there the Supreme Court of Louisiana held just the way the Attorney General first ruled; a union in a right-to-work state, said the court, could not represent anybody other than a member or somebody who directly authorized the union to do so. Well, you can see the importance of this point. Normally, of course, we have always argued for the most limited interpretation of an anti-labor law. Here we are arguing for the broadest interpretation. But the stakes are large. If we should prevail, not only would the Wyoming law go down, but substantially every other law would go down because they are pretty much similar in language. Well, first the lower court in Wyoming denied the motion to dismiss filed by the Attorney General and then, just two weeks ago, he took the unusual course of refusing to rule that the Wyoming law was constitutional. He did not rule that it was unconstitutional. What he did was to refer the important and difficult constitutional questions presented in the case to the Supreme Court of Wyoming for a decision. This is the power all courts have which they rarely use, where they certify questions to the top court for a decision. The case will come before the Supreme Court of Wyoming this Fall and it will make a ruling. This is a little sidelight which may be a little strange to you—if we lose we

can take the case up to the Supreme Court of the United States, but if we win then we can't. It would then be dependent upon the other side doing so and if the Supreme Court of Wyoming should rule for us, our opponents would have the option of taking our appeal or letting the matter rest. If the case reaches the Supreme Court of the United States it could have impact on all the right-to-work laws. I'm going into detail on this not to hold up any extravagant hopes; we don't know what's going to happen on this thing but since it is an IBEW case which may have repercussions on all industry, I thought you would probably like to know about it.

EMPLOYER'S DUTY TO BARGAIN

Another area of great interest in the National Labor Relations Act is the duty to bargain. You know that under the law the employer is under a duty to bargain with the duly authorized representative and over the years there has been more and more recognition of complex legal obligations. At the present time, the Board is operating under a rule which is frequently referred to as the *Fibreboard Paper Products* rule, 130 NLRB No. 161 or the *Town & Country* rule, 136 NLRB No. 111. And I think this rule has some significant implications for this industry. When an employer decides to subcontract work outside the bargaining unit, or decides to terminate his operation, or transfer his operation, he must first bargain with the union representing his employees. Now, there is quite a lot of controversy over the validity of this rule, its desirability, and all the rest of it. The way we plan, and I'm sure you have ascertained this from my earlier remarks, we try to prosecute our interests on the basis of the applicable law. If a rule is available that may serve to protect or advance that interest we are going to use it. I think that radio stations and television stations sometimes do transfer work out of the unit—they sometimes do subcontract. I think you should be aware of the fact that, at the present time, the NLRB view of it is that the employer must bargain before he does it. In some of these cases they have required the employer to restore the operations back to where they were before the subcontracting was accomplished. The *Fibreboard Paper Products* case, which involved the transfer of work from an in-plant union to a maintenance contract, was ruled on by the National Labor Relations Board and the decision was upheld by the Circuit Court of Appeals.

The case is now pending before the Supreme Court of the United States. Petition of certiorari has been granted and it will be heard this Fall and a decision promptly rendered in December or January. I'm not going to try to predict what the Court is going to say about it. All I want you to know now is between this day and such day as the Supreme Court of the United States may reverse, you have this rule available to use if you have appropriate circumstances which demand its appli-

cation. Frankly, there are some aspects of it that I am not too happy about, but that's neither here nor there. The fact is that from the standpoint of your interests you've got a rule that you can use. If the employer wants to turn some of the work out of the bargaining unit, he has to bargain with you before he does it. If he doesn't bargain, you can file an unfair labor practice charge with the National Labor Relations Board.

Another area of interest of the National Labor Relations Act is the so-called *Aiello* doctrine, 110 NLRB No. 1365, 114 NLRB No. 1185. The *Aiello* doctrine which has been followed many years by the Board can best be described as follows: Here is an employer with a union which actually represents a majority but the employer won't recognize the union. The union officials start scratching their heads to figure out what to do. They can file a refusal to bargain charge but that will take a long, long time to litigate or they can choose to go for an election on the assumption that if they should get certified, the employers will say, "Well, the game's not worth the candle and I will recognize the union." Now suppose they go for the election and lose because of improper practices on the part of the employer. The question was, can they now say our election strategy didn't work? We want our refusal to bargain charge processed. The Board ruled in the *Aiello* case that there was an inconsistency in all such tactics, that if the union was willing to go for an election, it should stand or fall on the basis of the election and the Board would not process the refusal to bargain charge. That doctrine has been reversed by the *Bernel Foam Products* case, 146 NLRB No. 161. The *Aiello* doctrine is no longer the law. In other words, at the present time you have that alternative. You say you've got a majority and demand bargaining and the employer refuses. You then go to an election. Now, I want to make this very clear—If you lose the election fair and square, meaning that you have no majority and the employer is not guilty of any unfair labor practice in connection with that election, then you're out because the election rules that you don't have a majority. But if you have objections in connection with that election which will permit the Board to set that election aside, you can then insist on the processing of your refusal to bargain charge.

We had a case involving the *Boilermakers* where regardless of what we thought about it, the Board did not feel that the employer had committed unfair labor practices or improper conduct in connection with the election. Under those circumstances the Board would not permit the processing of a refusal to bargain charge. But in a case where the election is unfair and where they are willing to set it aside, you can resume the unfair labor practice charge. Now, you might say, if the election was unfair and was set aside, why shouldn't we have another election? Well, the answer is that usually, once you have been beaten in an election, fair or unfair, to return immediately to another election is a lost cause. In other words, whatever is done will continue and a second election is most unlikely to produce a different result. Under those circumstances you are better off going back to the refusal to bargain charge. I think this is of some interest to you for there have been cases where a refusal to bargain charge has been used where the employer has unfairly refused to recognize a majority and where, in the final analysis, the employer was required to bargain that way rather than through an election.

Now, I want to turn to what we call the duty of fair representation. Some of these case names may be familiar to you and I think you should become aware of them. I am trying to pick subjects which are going to be of continuing interest to you in the year ahead. The Board had a case before it known as *Miranda Fuel*, 140 NLRB No. 7, 125 NLRB No. 454, and the question in this case was whether the employees who thought the bargaining representative had acted unfairly in terms of representing their interests with respect to their seniority could be made the subject of an unfair labor practice proceeding before the National Labor Relations Board. I think you are sufficiently familiar with the Board operation to know that most everything there is tied into anti-union motives or pro-union motives. Are you discriminating against a man because he is a member of the union or are you discriminating against a man because he is not a member of a union? There is no broad language in it which says you can't discriminate as such, for you

discriminate against a man because you don't like the way his hair is parted. It's not nice, but it doesn't sound like a violation of the National Labor Relations Act. Well, the Board in *Miranda* took the view that a discrimination with respect to the interests of employees in their labor relations contracts was in itself a violation of the Labor Relations Act. This caused a very widespread concern in that the extension of the scope of the jurisdiction of the National Labor Relations Act is self-evident. This doctrine throws the NLRB directly into the collective bargaining process. The case went up to the Second Circuit Court of Appeals which split three ways and, because of the three-way split, denied enforcement of the order. Notwithstanding the refusal of the Second Circuit Court of Appeals to enforce the order, the Board has continued with the *Miranda* doctrine. This may surprise you, but the Board doesn't get too excited about Circuit Court decisions. The Board makes the law and it is very clear that you can have three or four Circuit Court decisions and still have them not pay any attention to it. So far as the present situation is concerned, *Miranda* is the law right from the National Labor Relations Board itself, notwithstanding the Second Circuit Court's decision.

DISCRIMINATION AND CIVIL RIGHTS

Now you hear the word "discrimination" and you think, "How about that word, as far as discrimination because of race is concerned?" I know you are familiar with the fact that Congress has enacted the Civil Rights Act which I am going to get into later on. The very same day that the Congress enacted, or the President signed into law, July 2, the Civil Rights Act, the National Labor Relations Board came down with the decision known as the *Hughes Tool Company* and by a 3 to 2 vote they applied the *Miranda* doctrine to labor actions taken with respect to race. In this particular case, the union was an independent union and the *Hughes Tool Company*, 147 NLRB No. 166, had refused to process a grievance on the part of a colored member of an auxiliary local and the Board ruled that failure violated at least three sections of the National Labor Relations Act. Now the *Hughes Tool Company* case was decided after the Second Circuit Court of Appeals refused enforcement of *Miranda*, which is some indication of what the Board plans to do in this area. They are obviously applying *Miranda* to the full.

I think this is of interest to you as responsible leaders of local unions in terms of your problems with members. We've had cases arising in the courts on this so-called "duty of fair representation." The most important case in that connection is *Humphrey v. Moore* decided by the Supreme Court of the United States this year in a decision which wanders all over the lot in terms of differences of opinion stated by different judges. I had this subject up for discussion in the University of Chicago in an arbitration seminar and I think, if you will bear with me, there is a little excerpt from that discussion which I think I will state. There are three basic questions: (1) Is there a duty of fair representation? (2) Can this duty be legally enforced? (3) What is the measure of the duty? The answer to the first question is, I think, entirely clear. There is a duty. Whether that duty is to be drawn from a labor-management agreement, whether that duty is to be drawn from the National Labor Relations Act or one particular section of it is really of very small importance. The point is that there is such a duty and labor representatives must take it into account if you want to be on top of the ball instead of just somewhere off it. Secondly, can this duty be legally enforced? I think once again without going into the intricacies of preemption, whether it's the National Labor Relations Act, whether it's a suit under Section 301, or what have you, the answer to the second question is, "Yes, it can be enforced." So we come down to the question of "What is the measure of the duty?" I think that's the important thing. You can take any number of differing views with respect to the measure of the duty. I'm going to state mine, but I'm certainly not going to give you a guarantee that it is correct; I think it's correct. It is the duty that was stated in *Humphrey v. Moore*, 375 U. S. 335, 130 NLRB No. 1122, and that was not that the union must take up every grievance just because it is a grievance. On the other hand, it is not a situation in which the union can reject every grievance just because, let's

say, the agreement provides that the union shall handle the grievance. The answer here is, as always, somewhere in between. The union duty, I think, is to handle the cases in good faith. In other words, if the union representative is not dishonest or grossly reckless with the rights of the individual, then his action should govern. Now, let's get specific about what we are talking about. In comes a gentleman, who is a member of a union, with a grievance, armed with all this information about the duty of fair representation. Some union representatives might say, Why should I take any chances with this thing even when really it's ridiculous nonsense, let him go and arbitrate? But there are a lot of practical reasons why that is a wrong position in my judgment. First, there is the factor of cost. Second, there is the factor of the collective interest of all. I think the union must manage the grievance, not the individuals, because just as we in the law try to shape our cases in terms of setting up the right atmosphere, coming out with the best answers for the general interest, so, too, with grievances. You come up with a lot of silly cases and get a lot of adverse answers and you're hurting the interests of the whole. I think the union representative must take the responsibility. On the other hand, suppose a fellow comes in with a grievance that is just and proper and the union representative doesn't like him or feels like going fishing or something of that sort and refuses to handle that grievance. Then I think he's leaving himself open to difficulty. Whether those difficulties are going to be processed through the National Labor Relations Board or through a suit in court is immaterial at the time the decision must be made. Now, the same thing holds true on the question of settling grievances. Suppose you've taken a grievance through a number of stages and you reach a point where a reasonable settlement is a sensible thing to do, should you stand away from it in a state of fright and say well I have to be responsible for it, or should you settle it? I think the answer is, based on what I've said about the measure of the duty, that so long as you're acting in good faith that the courts and the Board will uphold you in terms of these key decisions: (1) Whether you will process the grievance and (2) Whether you will settle it. But this whole area is now the subject of much discussion and litigation and as time goes along we will probably have a clearer idea of what's involved.

DEVELOPMENTS IN PICKETING

I'd like to turn to the question of picketing because there have been rather important developments in that area. You will recall that in the amendments to the Landrum-Griffin Act, extensive work was done to close off the so-called loopholes and then there were certain things put in, like informational picketing and the rest of it, which was designed to open up the rights of the labor unions. In particular, a proviso was written in that nothing contained in the secondary boycott prohibitions "shall be construed to prohibit publicity, other than picketing, for the purpose of truthfully advising the public, including consumers and members of a labor organization, that a product or products produced by an employer with whom the labor organization has a primary dispute and are distributed by another employer, as long as such picketing does not have an effect of inducing any individual employed by any person other than the primary employer in the course of his employment to refuse to pick up, deliver or transport any goods, or not to perform any services, at the establishment of the employer engaged in such distribution." Now, there are all those long and weary words and what are we talking about? One of the concessions we got when this legislation was enacted was the recognition that, if the union handbilled a secondary employer for the purpose of inducing customers to support its cause, that would not be illegal, provided it was not used as a signal to cut off deliveries or stop work. We had a case, and I think you are familiar with this type of situation, where a particular company producing television sets was in difficulty. What the union wanted to do was stand in front of a department store (the department store was the secondary employer and there was no direct labor dispute with the department store), and pass out handbills saying that Packard Bell Television was unfair and what was wrong with its conduct. All those long words I was saying bear down on the

action on the street in front of the department store. And you can see how important that is in terms of affecting the outcome of the dispute with Packard Bell. It was entirely clear that the IBEW's action was legal. The Teamsters, the deliverers, kept on bringing in their goods; the Retail Clerks in the department store kept on working, but the handbills affected the sale of the products of the company with which there was a primary dispute. Now, of course, this has lessons for you gentlemen. You may be in dispute with a radio and television station and the question is, what you can do at the place where the company is using the radio and television service? Can you pass out these handbills at the XYZ department store because the XYZ department store is doing business with the radio and television station? You will notice in the case I gave you of the Packard Bell Television Company, the handbill did not say, "Down with the XYZ department store." The handbill was directed to the product which the department store was selling, and was all in connection with the primary labor dispute with Packard Bell. So here, too, if there's going to be any handbilling at the XYZ department store advertising on the radio and TV station, it will have to be in terms of stating what the dispute is with the radio and television station in front of this department store. Of course, as you know, we were directly involved in the writing of these sections and there was a reason why this particular ruling is of interest. The word "product" was used and that was actually to meet an illustration which President Eisenhower used on the radio and television in his famous speech about a furniture store that was selling the product of a furniture manufacturer that was on strike. Here the union was making trouble for the furniture store, so the legislators had the word "product" in mind. A representative of the National Association of Broadcasters was very much involved on the other side, of course, in this secondary boycott. The day that the law was passed he said to me he thought I had done a pretty good job for the building trades because they got quite a few provisions in the law. But he thought he'd come out fine in radio and television, because of that word "product." After all, said he, radio and television stations don't make a product, they render services. Well, the National Labor Relations Board rejected that argument and took the position that this permissible type of publicity was all right even when it involved a service. However, one of the Circuit Courts of Appeal took a different view and it wasn't until the decisions of the Supreme Court this term, in *Servette* and *Tree Fruits*, 32 *Law Week* 4361, 32 *Law Week* 4350, that we started to get a clarification. The Supreme Court took the position that notwithstanding the word "product," the scope of the proviso is as broad as the prohibition. Therefore, and this is called specifically to your attention, radio and television operations are within the scope of the proviso. Handbilling is perfectly proper even though the radio and television stations do not turn out a tangible product. Of course, I know you are mostly interested in the answer, but I thought you'd be a little amused by the background.

WELFARE PROGRAMS CONSIDERED

I'd like to go through just one more question under the Taft-Hartley Act. And that is with respect to some decisions that have come out of the Missouri Federal District Court on Health and Welfare funds. I think some of you have them, so you may be interested in the issue. In this case (the *Kroger* case, 225 *F. Supp.* 300), the court held that a jointly administered trust fund could not provide benefits for retired employees of contributing employers because they were not employees of the employer, within the meaning of Section 302 of the Act at the time they would receive benefits. The court held that a welfare program which is intended to benefit not only those employees now employed but also those who had retired was illegal because retired employees are not employees. Most plans obviously have that much compassion in them that if they've been set up they try to take care of the people who have retired as well as those who are currently employed, and they are not cut off when they retire. The court also held that union employees could not be beneficiaries under the trust because the union cannot be an employer under the Section of the Act. The reasoning behind this is that the employer is supposed to select

its trustees and the union is supposed to select its trustees. They say if the union employees are beneficiaries of the welfare fund, which is quite typical in these situations, everything gets all mixed up, because the union is now both the employer and the union. Therefore the trustees are all mixed up and therefore it's no good. The response of the plan's draftsmen was to revise the agreement to provide that the union waive its right to have anything to say about the trustees for the employers. The court said that's no good, either. These decisions which would probably invalidate most health and welfare funds are on appeal to the Circuit Court of Appeals. Although I'm mentioning these matters to you for your information, I might also say that lawyers have generally taken the view that they will not change their plans until an authoritative ruling is made by one of the higher courts.

SOME POINTS UNDER LANDRUM-GRIFFIN

I'd like to discuss a few points under Landrum-Griffin. A most important point in connection with Landrum-Griffin is the statistical report put out by the Department of Labor. If you take that statistical report of the cases that have arisen and compare the number of cases, the number of local unions, the number of officers, I think you almost get positive proof that, notwithstanding the dramatic and exciting adventures of some of our friends in the labor movement, the Congress legislated with respect to an almost non-existent problem. The bad boys could have been taken care of and have been taken care of by the application of laws that have nothing at all to do with Landrum-Griffin. In a number of cases that have arisen since 1959 such an infinitesimal portion of the available number of situations are involved that I think one can safely conclude that one of the greatest propaganda jobs in the history of America was really perpetrated. It's just amazing. On elections, and I am just citing them from memory now, there couldn't have been more than 100 out of 100,000 elections. Some 30-odd cases went into litigation. I think that anyone who looks at the figures can see what I'm indicating.

Actually, when we come to elections, perhaps the most important single issue is the proper interpretations of the exhaustion of the remedies Sections of the Act. You recall that if you have an election and somebody is unhappy about it you must first exhaust the remedies inside the union over a period of four months before you can complain to the Secretary. Now a question of interest is this. Suppose you elect a Business Manager and some fellow files an objection to the election on the ground that ballot boxes weren't properly sealed. The objection is considered and rejected. It then goes to the Secretary of Labor. He puts his sleuths on the job and they find the ballot boxes were properly sealed but as they rummage around they find something else. The question is, can the Secretary of Labor proceed with the something else? It has been the position of the labor union lawyers that he should not proceed with something else because if he proceeds with the something else, the effect of this is to nullify the Exhaustion of Remedies doctrine. The Exhaustion of Remedies doctrine is not just intended to establish a pleasant sounding formula of words. It is intended to leave the control of elections in the hands of the people who run the unions and then to provide a statutory procedure to make sure they do their job right. We do not consider that the four months is merely a waiting period during which the dissident has to sit still very impatiently and very edgily before he can carry through the case to the Secretary of Labor who can make all the investigation and find something. There haven't been any real decisions on it until recently. A decision involving Local 125 of the Laborers has been made by District Court for the Northern District of Ohio. That court ruled exactly the way I have tried to state the rule from the labor point of view. The court said that when an objection has been taken to a run-off election, that is all the Secretary of Labor can consider and struck down what he did, which was to investigate the main election itself. In other words, the court has accepted our view that the Secretary of Labor does not have a roving commission to do good or investigate elections. These elections are union affairs and they should be handled inside the union. If the union machinery breaks down and it does not handle

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objections properly, a correction should be made, but we are not opening up all unions' elections for all government investigators at all times. Of course, that's merely a District court decision and until there is a final ruling by the Supreme Court, I am sure the Department of Labor will not change its present tactics, which are to consider the entire area of the election open for review when the objection is made, even though the objection is made on a much more limited point.

The second stage of the elections provisions of the Act which you may want to take into account is that we are beginning to realize that they are not very effective from a timing point of view. The term of office of a Local Union Business Manager may be two years or three years. The amount of time required to process a case through the union procedures and through the Federal District Court trial and the rest of it may be a year and a half or more. The sole power in the Act is to set aside the particular election in issue. Therefore, by the time all this machinery unrolls, the term of office is about to expire. And that's actually what's been happening in many of these cases. Now, the Department of Labor lawyers, in at least one case, tried to set down the rule that if an election case arises in one year, the court should issue an injunction prohibiting violations in the future, which, of course, would be a very meaningful thing but completely nullifies the language of the statute. We took that up with them and they told us that was just a "one shot deal," and not really their policy. I don't want to make a lecture about it, I am sure all of you want to conduct your elections honorably and that's been the policy of the IBEW from the beginning. There's full and effective enforcement of the provisions of the Constitution for proceedings inside the union and, of course, the government procedures are available also, but I thought you ought to have these two little sidelights in order to know what's going on in elections.

THE RIGHT TO LIBEL UNION OFFICERS

I am sure you are all familiar with the case of *Salzhandler v. Caputo*, 47 Labor Cases No. 18,251. I just want to bring you up to date. That's the case where the individual member made libelous charges against an officer and was punished by union action. The Second Circuit Court of Appeals said he had a right to libel the union officer, which means he can tell a serious and dangerous lie about him, that the union officer's recourse was to file a suit against the man who published the libel, but he could not be punished by union procedures. Of course, that's a rather meaningless thing because in the usual situation, the man who is publishing the libel about the union officer doesn't have any assets. What difference does it make whether you sue, you can't punish him through union procedure. I thought that decision was wrong. I still do. But petition for the writ of certiorari was filed in the Supreme Court and was denied by the Court. That doesn't mean that the Supreme Court made a deci-

IBEW COUNSEL ELECTED

Louis Sherman, general counsel of both the International Brotherhood of Electrical Workers and the Building and Construction Trades Department of the AFL-CIO, was elected Chairman of the Labor Relations Law Section of the American Bar Association at its recent convention in New York. Sherman was a member of the Advisory Panel of the Senate Labor Committee to consider revisions of the Taft-Hartley Act in 1959 and has served as an Adjunct Professor at Georgetown Law School. Marion B. Plant of San Francisco was named vice-chairman and Prof. Frank J. Dugan of Georgetown Law School was named secretary of the Labor Relations Law Section of the ABA.



sion, it means the Supreme Court refused to review it. It is possible that decision may be reversed, but I think that for the immediate future, for example the next three years, you'll have to take that rule into account. I know it may shock a lot of you to realize that a man can tell a lie about an officer, saying he's a robber, a thief, or what have you, stole money from the local, sold out to the employer; everything's okay, you can't punish him through union procedure, what you can do is file a suit against him. This is one of the really difficult aspects of the Landrum-Griffin Act.

This leaves me with the subject of the Civil Rights Act. I want to take a moment to read a statement issued by President Freeman some time before this law was adopted. In September of 1963, President Freeman issued a whole series of material on the adoption of new apprenticeship standards and procedures in connection with Federal construction and other operations. This was sent to all IBEW locals and I think it has real meaning in terms of what's the correct approach in handling the problem. I think you will notice from the tone of his document that it is not written in any "do good" style. President Freeman said:

"The race issue is the constant subject of public attention in the newspapers, and on radio, television and other media of communication. The pressure of the civil rights groups in the field of employment has centered on apprenticeship in the building and construction industry and is spreading to other industries.

"Pressures are being exerted against craft unions, including the IBEW, in various localities of the United States, and a variety of solutions of different degrees of merit are being developed under the crisis atmosphere of these local pressures. It has been my opinion that under these circumstances it would be helpful and in the best interests of the IBEW, its locals and the membership to render guidance from the national level as to how to meet the problem."

Then he goes into a discussion of the meetings with the government people and the procedures which have been developed. Reading further from this statement:

"Some civil rights groups have publicly affirmed their support of a quota system as a method of dealing with the race discrimination problem. Initial proposals of the Federal agencies involved in the apprenticeship problem supported those views. As recently as September 24, 1963, the New Jersey Advisory Committee to the United States Commission on Civil Rights has advocated the quota system in employment and apprenticeship. We have vigorously opposed the quota system on the ground that it is in direct conflict with democratic principles and is inconsistent with the process of production based on individual qualifications and performances which has placed America at

the head of the world insofar as economic systems are concerned. We were pleased when the President of the United States took a similar position and expressed in clear and unmistakable terms his opposition to the quota system."

That was a reference to President Kennedy's statement which came some months after we had taken our position.

"We have also opposed and secured the elimination of Government proposals to violate the seniority principle in American industry, and, particularly, in the exclusive referral systems of the building and construction industry.

"In all of these efforts we have made it clear that we are opposed to any formula which would provide preference for minority groups. We have taken our basic stand on the principle that qualifications are the proper standard for selection of apprentices and that, although we are in complete agreement with the principle of non-discrimination because of race, creed, color or national origin, we are not willing to lower our standards of qualifications.

"We insist on maintaining our standards of qualification. Because we do so, we have worked with the C.I.J.C. to formulate a workable system and procedure of selection of apprentices which will accomplish this primary objective and satisfy the non-discrimination principle. The recommendations have been worked out in good faith and will assure equal opportunity for all regardless of race, creed, color or national origin to participate in the apprenticeship program provided they meet the necessary standards of qualifications. No Government officials have been consulted, or have participated in, the formulation of these recommendations.

"My basic objectives, as International President of the IBEW, in cooperating in the formulation of this program and recommending it to you for adoption, are the furtherance of the welfare of the IBEW, its local unions and the membership. It would be much easier for the International to stand aside and permit the local unions and their memberships to struggle with this complex problem and the powerful forces at work in the form of public opinion, state laws, the President's Executive Orders, Federal regulations now in process which contemplate the withdrawal of Federal contracts and blacklists as penalties for discrimination. That has *not* been the tradition of the International, and it is certainly *not* my policy.

"The International and your International President have sought, when any major issue has arisen, to render aid and assistance to our local unions without invading the appropriate limits of their autonomy.

"When the Taft-Hartley Law was enacted, the International assumed responsibility and provided information and guidance as to how to survive under the restrictions of this anti-labor legislation. When the onerous Brown-Olds doctrine was evolved by the National Labor Relations Board, the International, in cooperation with our employers, developed the exclusive referral system. We are now fighting in the courts to preserve that system against the State "Right-to-Work" Laws. When the unfair Landrum-Griffin Law was put on the books, the International again provided advice and information as to how to survive.

"The instant problem is somewhat different because we do subscribe to the principle of non-discrimination. We reject, however, any efforts to break down important values in our operations under the guise of effectuating the non-discrimination principle.

"In going forward and meeting the problem, we must recognize that ideas and methods must change in dealing with changing times. The IBEW, its local unions and the membership have increased their effectiveness by demonstrating a willingness to be practical and flexible in coping with new problems. This quality has proved to be more useful than adamant refusal to consider changes."

TAFT-HARTLEY CHANGES NECESSARY

The point of that paragraph, and going back over the history of 17 years, I think it can be said that no matter how strongly somebody feels that they are not going to make any changes, once a law is put on the books with the kind of pressure behind it that this one has, there will be changes. The point is that

we are faced with a serious legal problem and there is no disposition to run away from it. As you get into the provisions of the Act you will find that certain of the statements contained in this letter are now contained in the statute; those about the seniority system and the quota system, but on the other hand we are going to have to make changes. We had to make changes because of the closed shop prohibitions, we had to make a lot of changes because of Taft-Hartley, because of Landrum-Griffin. Those changes were made up to a point where it was necessary and out of it all the institution grew and flourished. Those people who enjoy screaming and yelling can do so, but I don't think they have the same record of accomplishment that the IBEW has. And that is the reason I said what I did this morning because it's much easier to see these things in terms of the past than the future, or to be calm and unexcited about something that's long since gone. This thing has not gone, this is something that is upon us and I am sure a lot of people have a lot of feelings about it. But I think, as President Freeman said, we have the history of the adjustment of the institution to these other laws and the necessity of recognizing the realities of the situation rather than engaging in a lot of empty blowhardism.

Turning to the law itself, we've gotten out a digest indicating what's in it and also we might spend a couple of minutes to see what is not in it. First, as far as the effective dates are concerned, I think that's important. These provisions of the bill do not become effective until one year after the date the law is enacted; so that actually the important provisions, which establish unlawful employment practices by employers, labor unions and employment agencies, that provide for legal enforcement proceedings, do not become effective until July 2, 1965. Thereafter, it will go into effect on the basis of the number of workers of an employer or the number of members of a union. For employers of less than 50 and unions of less than 50 members these sections of the Bill will be delayed four years from date of enactment. For employers of less than 75 and unions of less than 75, three years' delay. Employers and unions of less than 100, two years. However, unions with hiring halls or referral systems, which some of you may have, regardless of the number of members, become subject to the provisions of the law one year after enactment. Unions with less than 25 members not operating a hiring hall or referral system are not subject to the provisions of the bill at any time. Immediately effective are these provisions: First, establishment of an Equal Employment Opportunities Commission of five members. Second, posting by employers and labor unions of notices prescribed by the Commission and third, the convening of conferences by the President of the United States to acquaint leaders of groups affected by the law with the provisions of the Act. Actually, although we are now a month and two weeks from the date of enactment there has been no appointment to this Equal Opportunities Commission. I don't know when they are going to be appointed, but certainly until they are appointed nothing is going to happen.

CIVIL RIGHTS LAW ANALYSIS

Now we turn to the sections of the bill. Of course, this law is quite complicated and this is just a thumbnail digest, but I think it will give you a general picture of what's involved. The bill prohibits any discrimination because of race, color, religion, sex or national origin. It specifically prohibits the following acts by a labor union: (1) discriminatory exclusion or expulsion from membership; (2) discriminatory segregation or classification of membership or referral practices which tend to deprive an individual of employment opportunities or otherwise adversely affect employee status; (3) causing or attempting to cause an employer to discriminate. The unfair labor practices by an employer are: discriminatory failure or refusal to hire or discharge or other discrimination with respect to compensation, seniority, conditions or privileges of employment, and discriminatory segregation or classification of employees which tend to deprive an individual of employment opportunities or otherwise adversely affect employee status. The draftsmen of the bill came with the following language, which is a complete rejection of the Quota System and Racial Imbalance Theory. I read:

"Nothing contained in this Title shall be interpreted to require any employer, employment agency, labor organization or joint labor-management committee subject to this title to grant preferential treatment to any individual or group because of the race, color, religion, sex or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex or national origin employed by any employer, referred or classified for employment by any employment agency or labor organization, admitted to membership or classified by any labor organization, or admitted to, or employed in, any apprenticeship or other training program in comparison with the total number or percentage of persons of such race, color, religion, sex or national origin in any community, State, section, or other area." There are exceptions to this law with respect to Indians and that sort of thing which I am going to skip over because they are not too important. The enforcement procedures are important. "Adequate opportunity is given to State and local agencies under State and local anti-discrimination laws to work out complaints of discrimination before Federal action is taken. The Federal Equal Employment Opportunities Commission is empowered to investigate charges and to seek conciliation of discrimination cases when the State and local agencies have not been able to accomplish results." That's in cases where the State or local bodies have laws, and if they haven't any laws then the case goes to the Federal government in the first instance. "If conciliation fails . . . then the individual complainant may sue in the Federal courts." In other words, the government will not sue for him, the individual will sue. "The District judge may, in his discretion, appoint an attorney for the complainant and allow reasonable attorney's fees to the prevailing party in the case, except when the Federal Government itself prevails. In case of 'intentional' violation, the court may enjoin the violation and order hiring or reinstatement of employees with back pay." Now the commission comes back into the picture on the issue of contempt. "The Commission may institute proceedings to compel compliance after a judicial decree has been issued. The Attorney General also is empowered to step in and bring a civil action in the Federal Courts when he has 'reasonable cause' to believe that any person or group, including the labor unions, is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by this Title." That's very important. It means that in any significant case where there is a pattern of resistance, in other words where there is a broad picture of non-compliance, that it doesn't go through this individual procedure but the Attorney General himself may take action. Then they have provided, "In any criminal contempt proceeding, brought when a defendant is alleged to have violated a court decree, the accused shall have the right to a jury trial and the maximum penalty shall be \$1,000 fine or imprisonment for six months." There was a great deal of discussion about criminal contempt which is very interesting. That is different

Manpower Wanted!

We have inquiries on hand from our local unions, relative to the following openings—all with experience required:

Well-rounded Technician, TV, preferably with First-class license. Contact Bus. Mgr. Bernard Neher, L. U. 1286, 600 Seneca Ave., Louisville, Ky, 40209.

TV Technician, with experience in studio and field maintenance. Contact Bus. Mgr. Frank X. Green, L. U. 1200, 10513 Bucknell Drive, Silver Spring, Md. 20902.

Two TV Technicians, rounded experience, First-class license. Contact Bus. Mgr. Calvin J. Miller, L. U. 1295, 2080 Woodcliff Ave., S. E., Grand Rapids, Michigan.

from civil contempt. Civil contempt and criminal contempt are areas that are considered very technical but since they have such sharp and pointed meanings it might bear attention. Criminal contempt is the application of punishment. Somebody has violated a court decree and is going to be punished because he violated that decree. When that happens in this kind of situation, the penalties are limited as you see, \$1,000 fine or imprisonment for not more than six months. But civil contempt does not involve punishment. Civil contempt is where the court says, "You go to jail or you pay such and such an amount fine unless and until you comply with the order." I will tell you about a case that I was involved in which was civil contempt against the *West Texas Utilities Company, 23 Labor Cases No. 67,554*. We were supporting the National Labor Relations Board in that case and secured a rather unusual order in a refusal to bargain case. The President of this company had sworn up and down that he would never sign an agreement with a union. Well, we finally got down to the point where the court said the company will have to pay a fine of \$30,000, the President will have to pay \$15,000 and the company will have to pay \$1,000 a day and the President will pay \$500 a day for every day there is a refusal to bargain. Then the question came up on whether they were in violation. They were lucky because they signed the agreement before the decision was issued. All they had to pay was \$8,000 in costs to the National Labor Relations Board. If the opinion had issued before the contract was signed, they would have been penalized for upwards of a quarter-million dollars in fines plus other penalties. But you have to understand that this was not punishment. The idea of civil contempt is that you may be

put in jail and you stay there until you are ready to comply, but you always have the key to the door because all you have to do is say "I comply." The reason I am saying that is because people can have a wonderful time talking about criminal contempt, but to me the really effective weapon in terms of enforcement is civil contempt.

STATEMENT BY PRESIDENT FREEMAN

As President Freeman told the apprenticeship groups, "This International does not run away from problems, it does not leave the locals in a position to struggle with them alone, it has gotten out information and guidance." In fact this digest I am reading from was distributed to the various locals.

I want to say one other thing about the civil rights problem. Some people have the impression that under this law, you are going to have to write a non-discriminatory clause in your contracts. I am certainly not trying to discourage anybody from doing that. If they wish to do that, that is very nice, but there is nothing in the Act that requires the insertion of such a clause in a labor agreement. Now the apprenticeship regulations, as far as construction is concerned, or any other trade that has apprenticeship, do require the insertion of appropriate non-discriminatory clauses, but the Civil Rights Act does not.

As the years go by there will be numerous decisions and rules issued which will govern our operations in this area of law and government. I would suggest that if we continue to use the same methods which have been developed in past years we will be able to maintain and strengthen the institution we are all honored to represent.

WELCOME TO LAS VEGAS

Continued from page 4

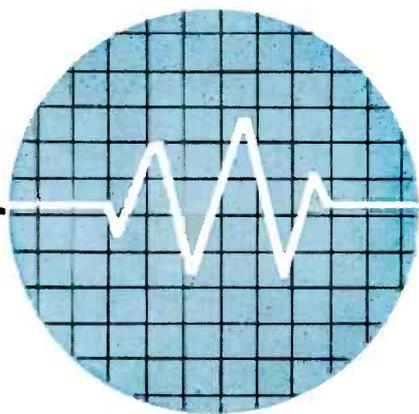
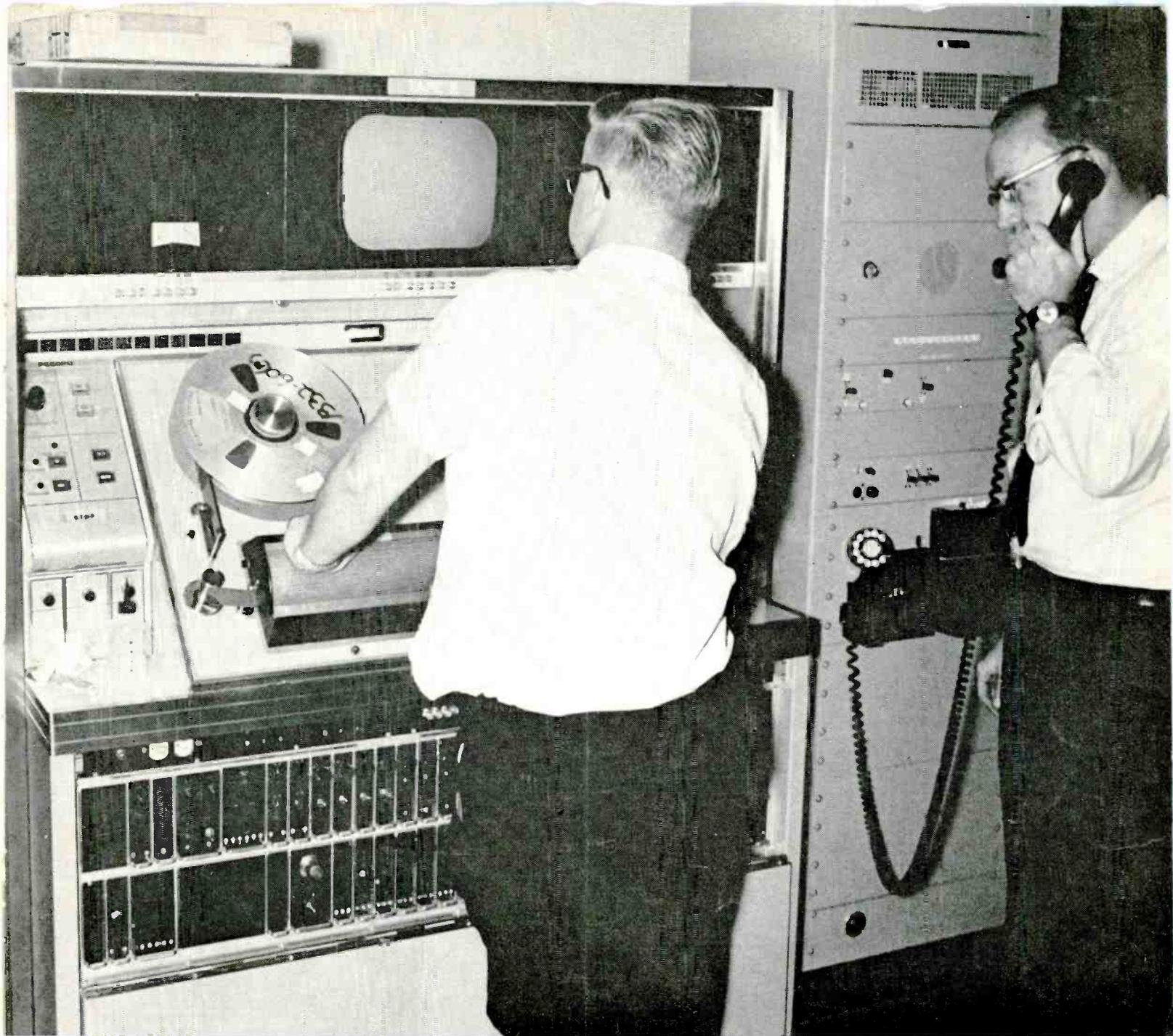
we have Civil Service employees at Boulder Dam; we have maintenance electricians in all of the major hotels; we have collective bargaining agreements with the hotels themselves, in fact, in the Stardust complex, we have 8 maintenance electricians working around the clock; we have motor shops. I suppose we represent every major branch of the electrical industry, with the exception of radio and television and recording companies. Not too long ago we organized a group of radiation monitors and laboratory technicians at the Atomic Energy test site, which is just 65 miles north of here. This is the test site where they are presently, and have for the last 12 years, been testing all of the atomic bombs and other atomic energy devices that they have come up with so far, including reactors for space flights. It has provided a great many employment opportunities for our people as well as others. In fact, the test site contributes a great deal to the economy of our area.

This group of monitors that we organized some time back is the group that we are presently in negotiations with and are having difficulties with and I will have to beg off again this morning in a short time to go back into those sessions. I did want you to know just part of the activities of the local. We have 16 regular meetings a month, including the Executive Board and the general meeting of the various groups we represent and it keeps us pretty well tied up at nights.

UTSIDE of what I have told you, I am on the Executive Council from the District that I represent, which includes the states of Washington, Oregon, California,

Nevada, Montana, Wyoming, Idaho, Utah, Alaska and Hawaii; it includes the Ninth District and the Eighth Vice Presidential District with the exception of the State of Colorado and, of course, this does give me an opportunity to travel around quite a bit to the different local unions when I can beg off from my own local union, which sometimes is also quite a problem. We were in Washington last week for a meeting of the Executive Council and they asked me to convey to you their fraternal best wishes for a successful meeting; Rex Fransway, the Chairman, and George Patterson, the Secretary, as well as the other Executive Council members who were in attendance. In talking to President Freeman, who had originally planned on being here and had not been able to rearrange his schedule, likewise through myself and Brother Hardy asked that we convey his fraternal best wishes and was very sorry that he was unable to be here with you.

If there is any way that I, or my local union, can be of any assistance to you, please feel free to call upon us. And my thanks to Director Hardy and Assistant, Mr. Cox for extending the invitation to me to be here and again from the International Officers and myself, we extend to you the very best wishes and greetings and for a very successful meeting. Thank you!

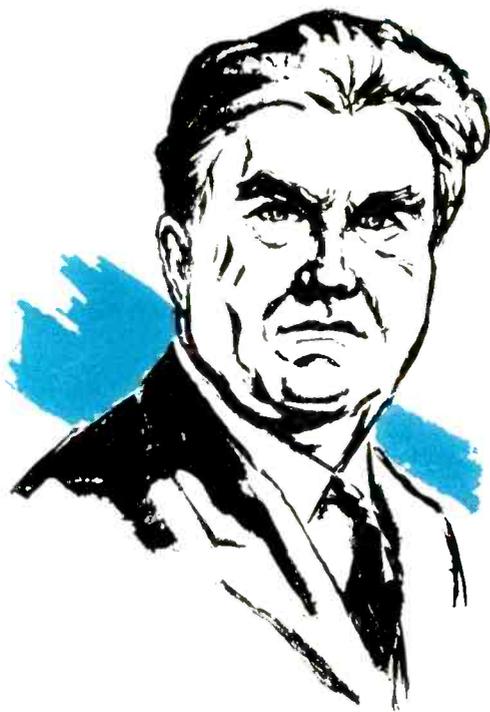


TECHNICIAN ENGINEER

JULY, 1964

Published for the Employees of the Broadcasting, Recording and Related Industries

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS — AFL-CIO



Rise of INDUSTRIAL UNIONISM

1935-1940

Industrial unionism is not a new practice in American labor history, but it appeared new enough to be labelled "dual unionism" when the Committee for Industrial Organization was formed November 9, 1935 with President John L. Lewis of the United Mine Workers as its chairman. Lewis is the towering figure of the early and colorful years of the CIO. He led the fight for industrial organization work in the AFL and in 1935 saw his cause defeated in the Federation convention 18,024 to 10,933.

Lewis was chairman and Charles P. Howard, ITU, was CIO secretary. Other union leaders joining included Sidney Hillman, Clothing Workers; David Dubinsky, ILGWU; Thomas F. McMahon, Textile Workers; Harvey C. Fremming, Oil, Gas & Refinery Workers; Max Zaritsky, Hat Workers and Thomas H. Brown, Mine, Mill & Smelter Workers.

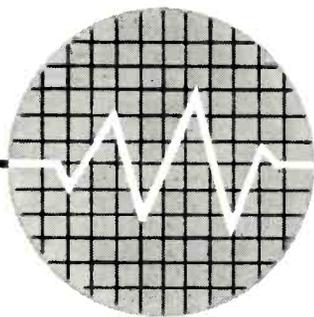
Productive mass industry organization efforts were undertaken in steel, autos, rubber and radio. By the end of '38 the CIO had organized more than 3.5 million. The bastions of steel and autos, long resistant to effective unionism, had fallen. The CIO (later, May 1938, called the Congress of Industrial Organizations) had sought to work within the AFL framework. The extreme bitterness between the craft union advocates and the industrial union disciples was so intense that such was impossible and the CIO group was expelled. A tragic split in union labor prevailed until December 1955 when the AFL and CIO merged.

In a hectic, and sometimes bloody, period industrial unionism established itself as a permanent part of the American labor movement; its force in unionizing in the mass industries, especially among the unskilled, is an important chapter in labor history. Industrial unionism was no passing fancy; it was a new, daring and necessary technique for organization and expansion and as such marked a major chapter in the long history of unions for the American working men and women.



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The INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS
 GORDON M. FREEMAN International President
 JOSEPH D. KEENAN International Secretary
 JEREMIAH P. SULLIVAN International Treasurer
 ALBERT O. HARDY Editor, Technician-Engineer



TECHNICIAN ENGINEER



VOL. 13, NO. 7
 ALBERT O. HARDY, Editor

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the cover *The CBS Network has opened new studio facilities in the nation's capital. A collection of pictures, beginning on Page 4, shows some of the installation work. On our front cover, Bill Gramling stands ready to start a TR-22 on a cue from Jack Lange.*

index *For the benefit of local unions needing such information in negotiations and planning, here are the latest figures for the cost-of-living index, compared with 1963 figures: May, 1964—107.8; May, 1963—106.3.*

commentary Rep. Carlton R. Sickles, Democrat of Maryland regularly mails what he titles *Congressional Digest* to his constituents. What he wrote last month is of interest nationally:

"Recent increases in hospital insurance rates has again called public attention to the problems of hospitals and hospital costs. On the positive side of this picture we in the House recently passed an extension and expansion of the Hill-Burton Act which means that the State of Maryland, along with the rest of the country, will continue to benefit from a program under which almost two billion dollars of Federal funds has been provided to aid in construction of hospitals and nursing homes since 1946.

"The high cost of maintaining good health is one of our nation's more serious problems, including, of course, the high cost of hospitalization. At the present time we have a shortage of hospital beds. Without the Hill-Burton funds, the shortage would have long since become disastrous. Even now, more needs to be done. The American Medical Association has termed 20 percent of our present hospital beds "unacceptable" by medical standards. Secretary of Health, Education and Welfare Celebrezze estimated recently that 133,000 more hospital beds are needed to meet our national requirements.

"Under the Hill-Burton Act the federal government pays one-third to two-thirds of the cost of construction of medical facilities. It was one of the earliest federal grant-in-aid programs to the States and local communities and is a striking example of how a successful grant-in-aid program can work. Basically, this program allows the federal government, because of its superior financial resources, to work with both the States and local communities in dealing with the problem of adequate medical facilities."

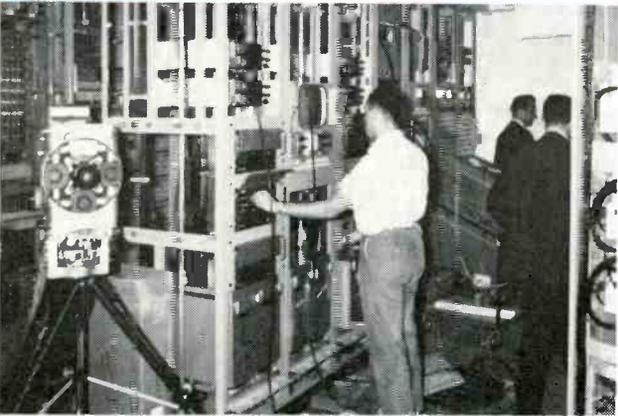
CBS WASHINGTON



ON June 1, CBS began operating from its new radio and television studios in Washington, D. C. This is the first all-CBS operation since the network sold its local facilities to WTOP in 1950.



Construction of the new studios began early this year and was sufficiently completed for operation by the June 1 target date, with much credit to the fine workmanship and efficiency of the building trades crews. Notable in this project was the excellent cooperation and comradeship of the electricians from Local Union 26 and the technicians from Local Union 1200.



The coverage of news in the nation's capital is never routine and often borders on the frantic. Schedules are made, revised and cancelled on very short notice. But the operation has settled down and the IBEW technicians have become accustomed to the fast pace of the ever-changing Washington scene and, at least for the most part, enjoy being a the source of news that affects both the nation and the world.



For the first time in some 15 years, the studios, executive offices and news departments are now under one roof. The expected efficiency of this move has now become a reality and the compact and shining new plant on Northwest M Street in downtown Washington is not only striking to see but comfortable to work in.

To paraphrase a common saying, "Welcome to Washington!"

THE PICTURES, TOP TO BOTTOM:

Central Control enters the final testing phase.

M. L. Murphy and E. Van Davender of L.U. 26 work on the final stages of two of the terminal boxes.

Frank Novak checks out a camera control unit before the camera is moved to the studio.

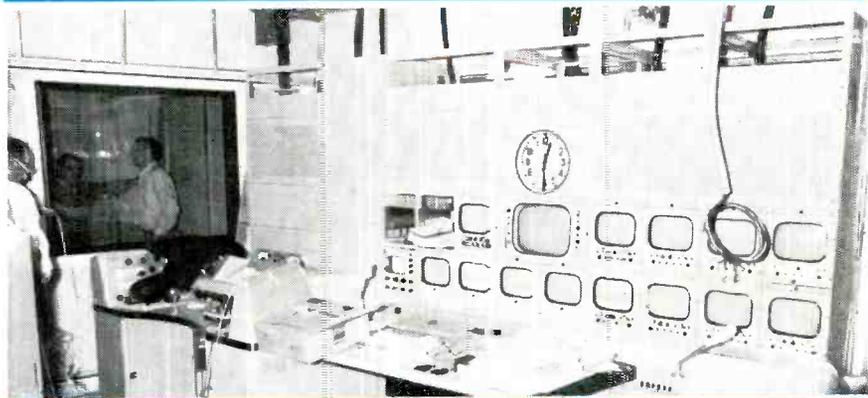
The Marconi cameras are unpacked. Frank Novak and Bob Johnson in the foreground, Joe Tier in the rear.

IN OPERATION

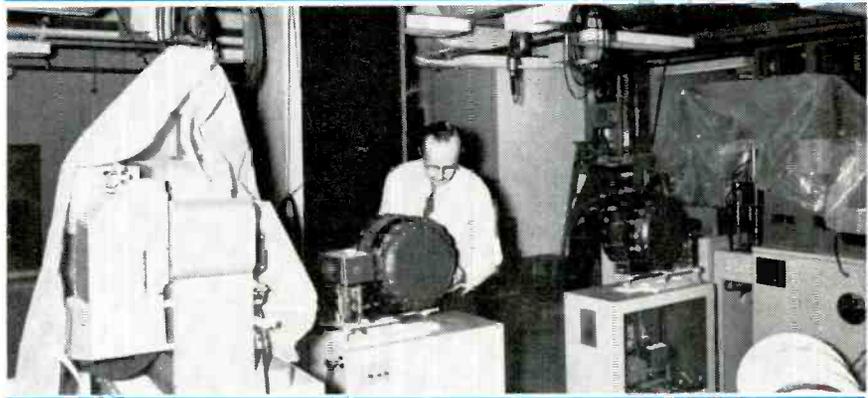
Emil Lamendola unpacks more equipment.



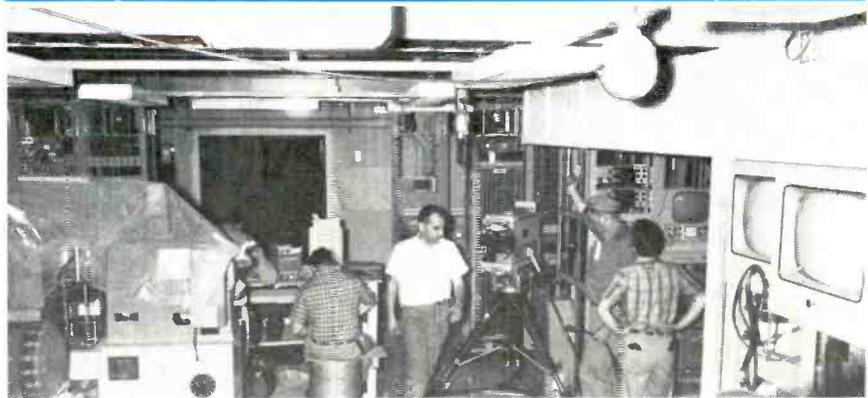
The TV studio control room needs a few finishing touches, as can be seen.



Jack Lange checks out a slide projector, with construction work going on all around him.



Electricians, technicians all work as a team.



More Views of The CBS Move In Washington, D. C.



ABOVE: The dust (and confusion) cleared away, CBS Radio is on the air. Don Herr is at the console.



RIGHT: The News Room begins operation. Equipped with cameras and intercom facilities, it serves as an adjunct studio at a moment's notice.



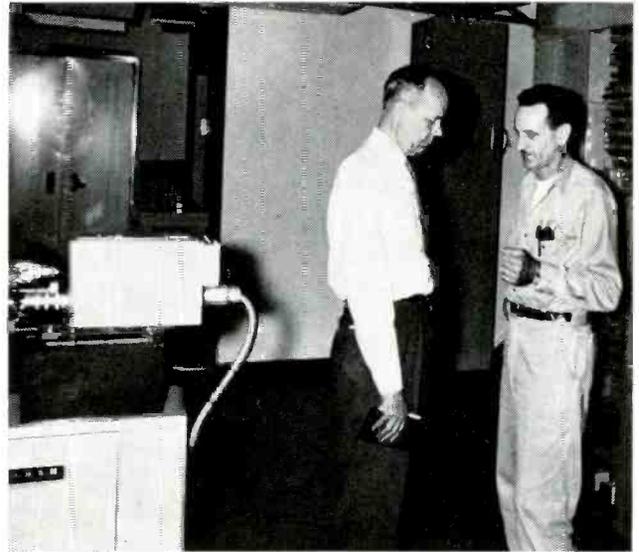
RIGHT: Operating equipment is in the studio before the construction work is concluded.



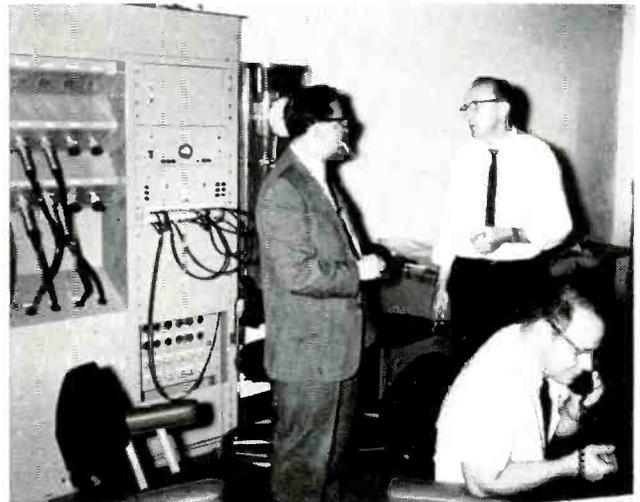
RIGHT: The big mobile unit moves into the garage before the studio construction work is completed.



ABOVE: Joe Tier reports to Jerry Conklin that everything is A-OK, it's just that the circuit breaker won't stay in because of a dead short!

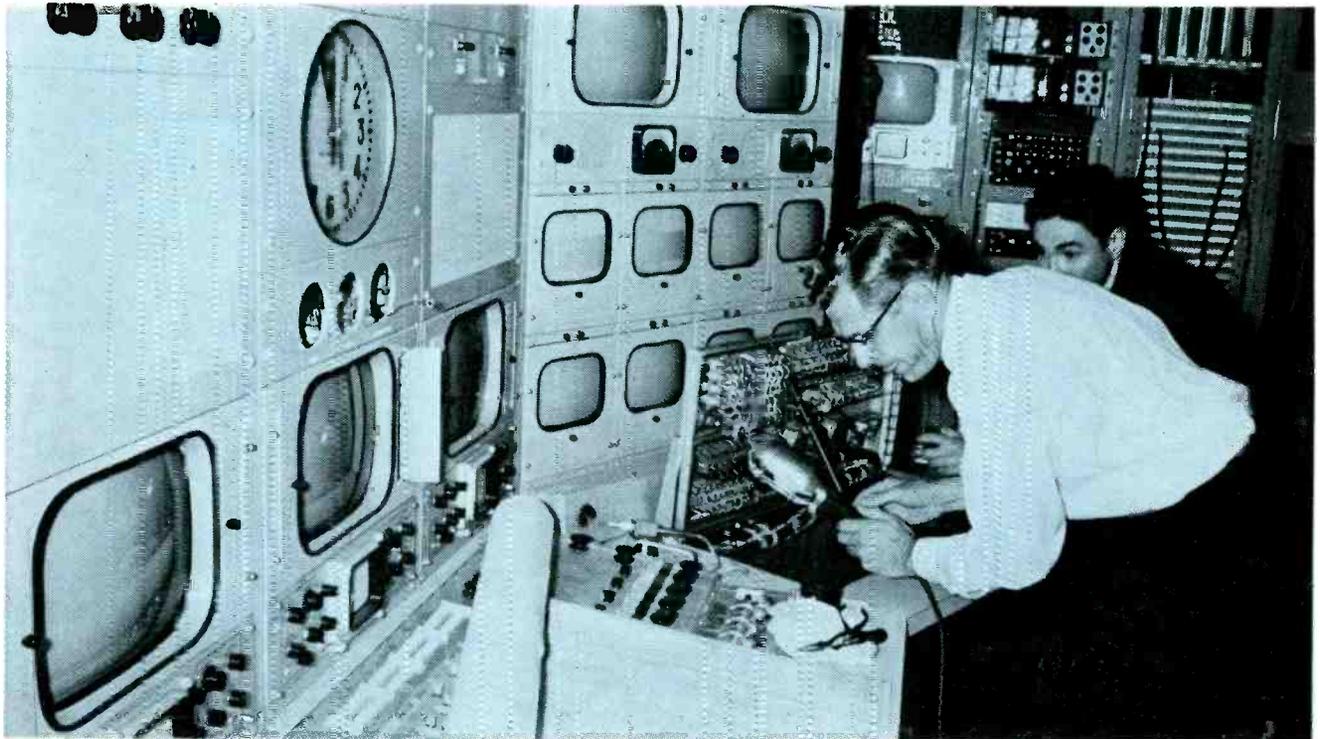


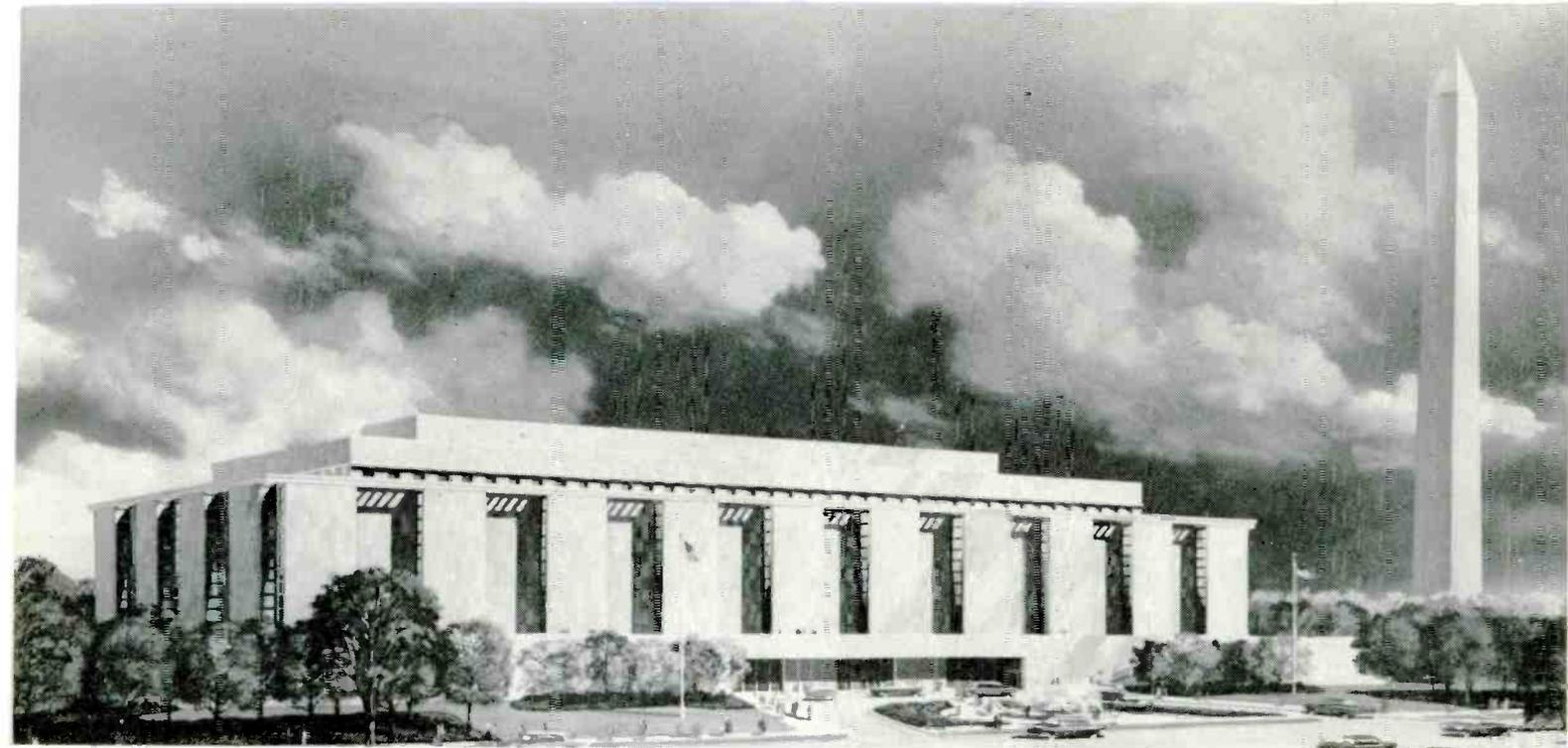
UPPER RIGHT: Bob Moaroe, Manager of Audio-Video Engineering, CTN, and "Doc" Steadman do a post-mortem of a big job.



RIGHT: Now, everyone's relaxed. Operations Mgr. Sid Kaufman, left, and Jack Lange confer in Central Control. Harry Remmers is on the telephone.

BELOW: Jerry Conklin and Irv Rosner look for a fault in the Central Control console.





Newest Museum In The Nation's Capital Emphasizes Electronic Communications

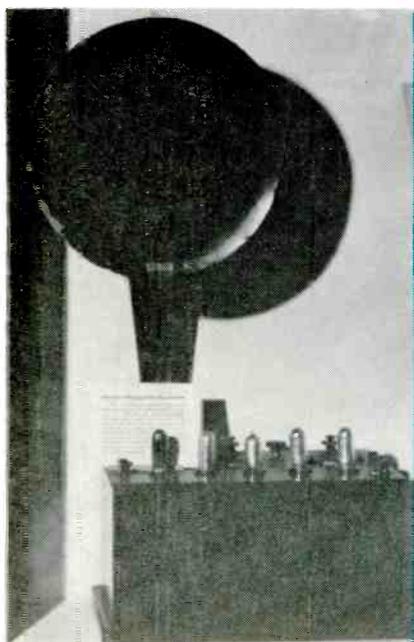
FROM an 1844 model telegraph key to the first RCA color television receivers, nearly every phase in the development of electronic communications is to be given special emphasis in the Smithsonian Institution's new Hall of Electricity.

For the first time in the history of the Smithsonian, electronics, and specifically communications, is being given an exhibition hall of its own.

Housing the new Hall of Electricity is the Smithsonian's newest building, the Museum of History and

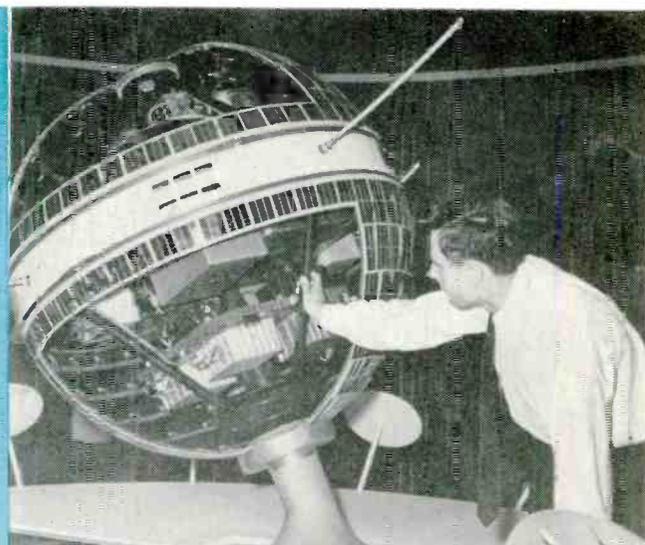
Technology, located on the Mall in Washington, D. C. The all-white, Tennessee marble structure, containing five floors and a basement, is expected to attract more than five million visitors a year. A total of \$36 million in funds was appropriated for the 753,667-square-foot building.

The first phase of the Hall of Electricity, a space communications exhibit, has already been completed. Featured in the display are the entire first generation of United States space satellites, samples of the new com-



LEFT: The Superheterodyne Receiver was developed by Edwin H. Armstrong in 1917. This model demonstrated the feasibility of a self-contained portable loud speaker receiver.

RIGHT: Examining a fully instrumented back up model of the Courier satellite is Dr. Bernard S. Finn, curator of the new Hall of Electricity in the Museum of History and Technology. The satellite, built by the Pfilco Radio Corporation of Palo Alto, California, was presented to the museum by the U. S. Army.



LEFT: Exterior view of the new Museum of History and Technology at the Smithsonian Institution is depicted in this artist's drawing. Located in downtown Washington, D. C., on Constitution Avenue, the \$36 million structure will attract an estimated five million visitors annually.

RIGHT: WDM, a typical radio station of the 1920's, soon will be on display in the new museum. Presently, it is located in the Smithsonian's Arts and Industries Building. The equipment shown, except for a pulpit microphone and a motor generator, comprised the entire broadcast transmitter for the station, first licensed in Washington, D. C., in 1921.



munications satellite company stock, and advanced communications devices. Near the end of the year, the second phase of the hall, dealing with telegraphs, motors, generators, and telephones, will be opened.

Plans call for the completion of the third stage in approximately two years. This stage will be devoted entirely to radio and television exhibits. Included will be examples of early radio and television devices, portions of the original equipment used in the Lee DeForest, E. H. Armstrong, and J. A. Fleming experiments, and a few of the early color television receivers.

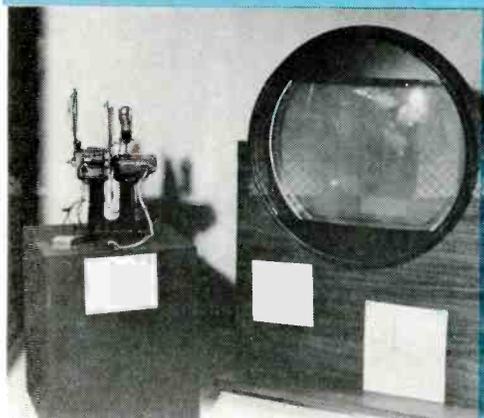
Presently, all radio and television exhibits are housed in one of the Smithsonian's older structures, the Arts and Industries Building. The majority of these exhibits will be transferred to the new building sometime next year.

To make the life of a visitor to the new museum a pleasant stay, a spacious cafeteria in the basement has been built, where visitors can eat delicious lunches while overlooking a sunken garden that faces the Washington Monument.

The elegant new building was designed with long-continuing use in mind. Wide, brightly lighted halls and spacious lounge areas are features of the air-conditioned structure. For extra exhibit space, specially designed ceilings, constructed of metal grids and drop-in panels, will provide economical changes in wall designs and lighting for the exhibits. Wide column spacing (50-foot) and non-load-bearing dividing walls also will give additional display space when needed.

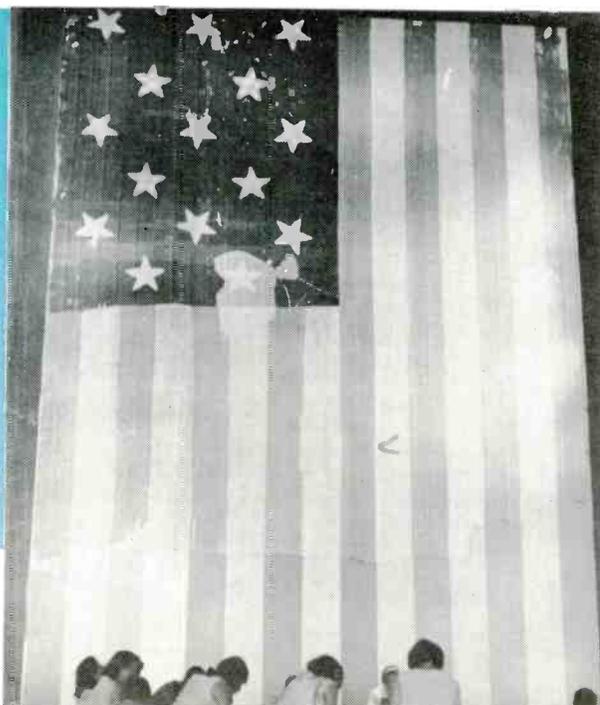
When the museum is filled to capacity with exhibits, there will be a total of 50 halls in the structure. Already on display in the new building are the original gowns of the First Ladies, early farm machinery, locomotives, carriages, a cable car, automobiles, clocks, phonographs, typewriters and hand and machine tools.

One of the nation's most cherished relics is also on display in the foyer of the museum. Covering the entire north wall of the foyer is the 42-foot American flag which flew over Fort McHenry during the bombardment by the British in 1814. Francis Scott Key, inspired by the sight of this flag flying amid all the ex-



LEFT: Model 202 of the See-All Television Receiver, left, and a color television of 1951 vintage, right, will be on display also in the new Hall of Electricity.

RIGHT: The original "Star-Spangled Banner" which inspired Francis Scott Key to write the American National Anthem covers the entire north wall of the main foyer in the new museum. The flag is 42 feet long.



plosions and terror of battle, wrote "The Star-Spangled Banner."

The Smithsonian Institution had quite a unique founding. A somewhat mysterious and vague English scientist, James Smithson, who died in 1829, willed his entire estate to a nephew with the provision that he must father children to collect the estate. The nephew did not have any children, and according to the will, the entire estate, worth more than half of a million dollars, went "to the United States of America to found at Washington, D. C., under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men."

Researchers never have been able to determine why a relatively unknown Englishman would leave his entire estate to the United States. Smithson apparently never had any connections with the U. S., never visited the country, and never corresponded with anyone in the U. S.

From the initial donation received from the Smithson

estate, the Smithsonian has grown into a vast complex, which now has an endowment of more than \$15 million.

Although the exhibiting of historical matter is an important part of the Smithsonian, it is only one aspect. Scientific research is conducted continually in the Smithsonian's many laboratories, library reading rooms, and study rooms. Each year Smithsonian scientists travel over the world to locate new facts and specimens to place in the ever growing displays.

The present Smithsonian complex includes buildings covering more than three city blocks. These include the Natural History Building, the Arts and Industries Building, the Air and Space Building, the Freer Gallery of Art, and the original Smithsonian Building. They are located on the mall between the Capitol and the Washington Monument.

Now, the new Museum of History and Technology has been added to the picturesque Smithsonian skyline, and another object of prime interest to Washington visitors has been created.

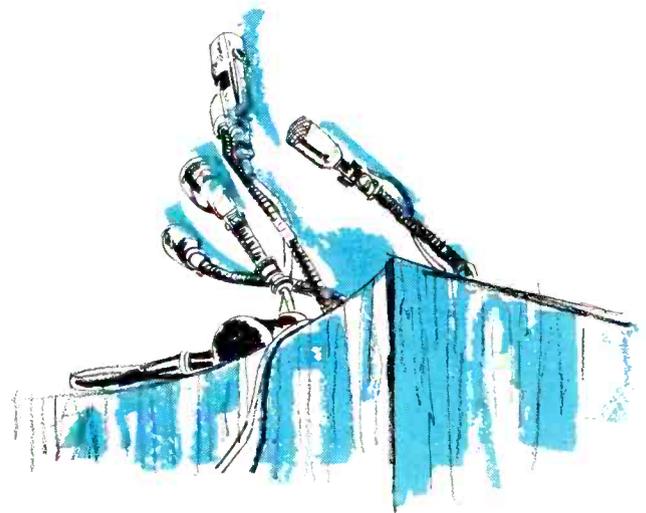
Westward Ho, Then Eastward We Go

*Thirty days hath September,
The rest I can't remember;
But the calendar on the wall
Keeps telling me, "Get on the ball."
There'll be schedules to meet and deadlines to beat,
And I'll be 18 hours on my poor feet.*

*To be more specific,
It's Republicans on the Pacific
And Democrats on the Atlantic
Who are sure to drive me frantic.
Because you see, it's convention time again,
And from the shadow of the tower of London's Big Ben,
From the Golden Gate to the Capitol Rotunda,
Even off in Far Australia way down undah,
They'll be waiting for the votes to tally,
Which means no time to dilly dally.*

*Once I learned that a decibel
Equal the square of PI FL;
But this kind of knowledge
I acquired at college,
Won't get me out of the cable ditch,
When I'm trying to find that missing switch.*

*In school I listened with rapt attention,
While they expounded the fourth dimension;
Physics and Math for me held no terror,
I could square the circle without any error;
Square roots, cube roots, the Boolean Theorem,
But that's no help when there's beepers to feed 'em.*

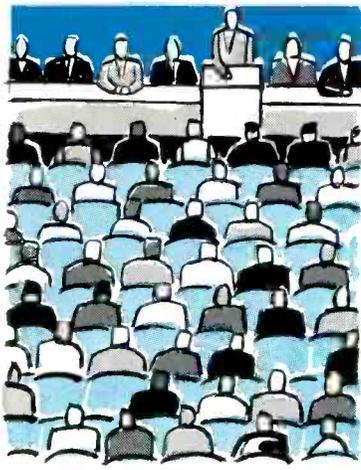


*There's bound to be SNAFU with wires all askew,
Like an oscilloscope tracing by Lissajous;
We'll save that for later discussions,
When the time comes 'round for repercussions.*

*Now that we're packed and ready to go,
Is there anything I've forgotten or need to know?
The panels are wired and the leads are cabled,
The boxes are ready and I think all labeled;
We've wrapped it, packed it, nailed it and glued it,
Didn't waste time because Tempus Fugit;
Now all we need is another decision,
To do it all over, there's been a revision.*

*Though NBC and ABC aren't always quite so MUTUAL,
But CBS and they, will certainly all agree,
The one thing they like best to see,
Which no one can improve on one little bitty,
On the boardwalk at Atlantic City;
Or the Golden Gate to Washington's Ellipse,
Is a long pair of leads with alligator clips.*

H. J. Lotier,
Local 1200.



Foot-Soldiers for COPE Are Needed To Achieve Election Year Potential

By **ALEXANDER E. BARKAN**

National Director, AFL-CIO Committee on Political Education

TENSION, excitement and suspense—these are staples in every election year, and this year is no different. Indeed, it may pale its predecessors, for everything that contributes to electrifying political drama is present:

- A President thrust unexpectedly into his role following a shattering national tragedy.
- An out-party with a free-for-all going for its presidential nomination and with a stepped-up program to capture votes in its traditional weak spots, the big cities.
- A group of liberal Senators—The Class of 1958—up for re-election.
- A House of Representatives needing only 20-25 more liberals to break out of the horse latitudes and achieve a legislative record of greatness.
- Accelerated political activity by the business and medical communities, and by right wing extremist groups.

These are the elements. Let's see how they shape up with roughly four months to go before election day, November 3.

THE PRESIDENT—All the professional polls show President Johnson running well ahead of any so-far mentioned Republican candidate. Month after month, the polls show 70 per cent or more of the people like the way the President is doing his job. Even in traditional GOP strongholds in the farm belt, President Johnson's popularity is striking. Recent polls in Iowa and the Dakotas reflected from 65-70 per cent approval among the people of Johnson's performance in office.

But he still has a long path to travel between now and election day, and the specter of 1948 is enough to haunt any candidate seemingly so favored. That was the year everyone had the people voting for Thomas E. Dewey—everyone but the people. They voted for Harry Truman.

Taking nothing for granted, President Johnson can be expected to wage a hard campaign for re-election. He has promised he will.

THE "OUTS"—A donnybrook is going on for the Republican presidential nomination. Inconclusive primaries have left several major contenders, any one of whom could still grab the nomination. And there is always the possibility of a dark horse candidate galloping late onto the scene to snatch the prize, as Wendell Willkie did in 1940.

To boost the chances of their presidential candidate—and congressional and senatorial candidates as well—Republicans are stepping up their activities in major industrial cities, heretofore their areas of greatest weakness. They're throwing \$9.5 million into a campaign in 10 big cities in states which control 220 of the 270 electoral votes required to elect a President.

In short, they are invading traditionally Democratic areas in hopes of siphoning off enough votes to supplement usually strong outstate Republican voting, and thereby to achieve victory.

THE SENATE—Thirty-five Senate seats are at stake, 26 held by Democrats, nine held by Republicans. The present split is 67-33 for the Democrats.

Of particular interest is the fate of members of the "Class of 1958," mostly liberals who, if re-elected, will acquire the seniority necessary to attain responsible committee leadership positions. It is committee chairmen who flash the "stop" or "go" signs on key legislation. The logical consequence of more liberal committee leaders is more liberal legislation.

THE HOUSE—The big stumbling block to progressive government is, and has been for years, the House of Representatives, where a conservative coalition has tripped up liberal legislation with frustrating regularity.

Democrats currently control the House, 255 to 178 (there were two vacancies at the time of writing). But all too often good proposals are thwarted by the coalition mustering enough votes to defeat the combined strength of liberal Democrats and Republicans.

The possibility exists, however, that enough additional liberals can be elected to break the strength of the coalition on key measures.

COPE—What about labor? What can we do in this election? Once again, there are no guarantees, and no prediction can be made without hedging it. But labor has a big political job to do, and in COPE an organization to do it.

It is generally agreed that only by adding some 20-25 new liberals—regardless of party—to the House of Representatives can we assure passage of progressive legislation needed to curtail unemployment, put steam into the economy, aid our elderly citizens, protect consumers, increase job security, build a better future for our children.

THE LABOR MANAGEMENT WHIRL

from Les Finnegan's
CAVIL-CADE, distributed
by Press Associates, Inc.

A COMPLETELY AUTOMATION GOOF!!

IN NEW YORK CITY, automation continues to louse things up for people all over the world, according to the magazine, Saturday Review. In a certain German city the power plant is operated by automation on weekends, the magazine reported. Finally one weekend it happened—the generator stopped and the juice failed.

According to the report, "As planned, an automatic telephone call immediately was made from the stalled power plant to the home of the engineer, and a taped voice reported that there was a malfunction. Unfortunately, the telephone was answered by another taped voice which said that the number had been changed and asked the caller to check Information for the new number. Apparently the taped voices passed the buck back and forth for hours before someone put the lights on again."

And once more, automation's prestige slipped a couple of notches.

LAWN MOWERS THAT SWIM

IN LONDON, ENGLAND, machinery, automation, chemistry, all the inventive genius of the 20th century were found useless to solve a seemingly simple problem that developed in the cooling pond of an electrical power plant. What happened was that suddenly the pond became clogged with a fast-growing and tenacious water weed which began to interfere with power production. Underwater lawn mowers were tried, electric scythes, explosives and chemicals, but none of them did a satisfactory job in getting rid of the pesky weeds.

Then an engineer's memory happened to ramble back to a practice that ancient history books reported in the 15th century. The result was that the power plant management sent a rush order to Hong Kong for 15,000 carp. The small fish arrived in plastic bags—ravenously hungry. Within three weeks where machinery, chemicals and dynamite had all failed, the finny grass-removers cleaned out the pond with 100 per cent efficiency.

SOME THINGS YOU JUST KNOW

IN BEIRUT, LEBANON, the original home of belly-dancing, local police were in a state of near-rebellion and threatening to join a union for the first time in the country's history. Reason for the revolt was a proposal by Interior Minister Kamal Jumblatt that all the cops take dancing lessons. Why? In order to tell a "permitted belly dance" from a "forbidden belly dance." The essence of the grievance: "We gotta take dancing lessons to know that?"

RIGHT COLORS—WRONG FLAG

IN WASHINGTON, D. C., the most embarrassed faces to appear in the Nation's Capital in many a moon were Government workers whose job it is to place hundreds of flags at strategic points around the city to greet foreign dignitaries. This time the dignitary was President Eamon de Valera, of Ireland.

Overnight, as is customary, the workers placed the flags along Pennsylvania Avenue between the White House and the Capitol and along other thoroughfares. The next day the fluttering orange-white-and-green flags were all set to wave a colorful welcome to the Irish President. Until, that is, barely an hour before de Valera arrived. Then a horrified Government official discovered that the flags did not represent Ireland at all but the Ivory Coast of Africa.

The mistake hadn't been difficult to make because both flags comprise three bars of identical colors, but while the order is green-white-orange in the Irish flag, it's orange-white-green for the Ivory Coast.

In a frantic last-minute replacement most, but not all, of the flags were exchanged before the Irish President drove down Pennsylvania Avenue. "And the worst of it is," said a perspiring supervisor, "that most of my men who put up the flags have names like Kelly, Scanlon, O'Connor and Roarty."

IBEW Employer Memorialized By Gift of UN Employees

Members of the Radio and Television Broadcast Engineers Union, Local 1212, IBEW, employed at the United Nations received an acknowledgment from Maurice Pate, Executive Director of the United Nations Children's Fund in recognition of a substantial monetary donation made to that organization in tribute to the memory of Benjamin Eichwald, chairman of the board of the electrical contracting firm of B. Eichwald and Company, Inc., New York City. Mr. Eichwald died at his home after a brief illness on Sunday, June 28.

For almost two decades—from the early days of the United Nations at Hunter College and Flushing Meadows, through the years at Lake Success, and finally at its permanent headquarters on the East Side of New York—the B. Eichwald Company serviced the expanding and complicated radio, television, sound operation and electrical service and maintenance needs with personnel from the ranks of both Radio and Television Broadcast Engineers Union Local 1212 and IBEW Local Union 3, of which Mr. Eichwald was himself a member.

Mr. Eichwald and his staff, in close association with United Nations executives in the Departments of Public Information and General Services, guided the catch-as-catch-can early activities into the competent network operations of audio and visual services now emanating from United Nations Headquarters, New York.

In his letter to the IBEW-represented staff, Mr. Pate said, in part, "Having rendered useful services so long, with your loyal support, his loss will be felt by the many persons who knew him."

—John J. O'Malley, *Treasurer, and*
George H. Ellis, *Executive Board, Local 1212*

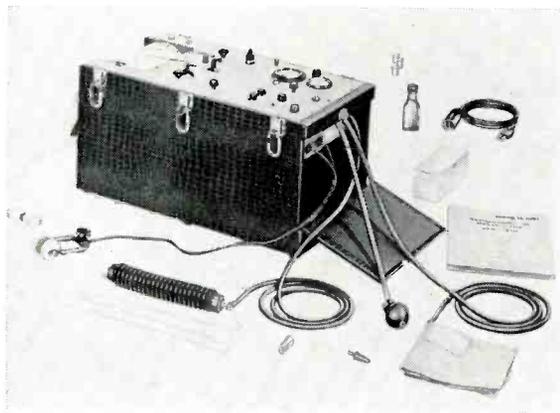
Beam of Light Drills Holes In New Laser Application

The Radio Corporation of America recently disclosed another unique application for the laser—drilling microscopic holes in metal as hard as tungsten.

RCA's Aerospace Systems Division, Burlington, Mass., has used the concentrated light from a ruby laser to drill in tungsten wire holes as small as one ten-thousandth of an inch in diameter—invisible to the naked eye. Burton Clay, project engineer for the device, said this unique laser drilling application could lead to extremely compact and fast micro-energy units for computers.

Mr. Clay explained that the key to compactness and low electrical energy requirements in these memories lies in drilling holes close to each other in magnetic wire.

The laser, set up on an optical bench which controls precisely the spot at which the microscopic hole will be drilled, is the only device which will efficiently drill such holes in metal, according to Mr. Clay. Metal drills a hundredth of an inch in diameter exist, but they are too big, very slow and are unsuited to drill through a substance as hard as tungsten, he added.



LIE DETECTIVES AND LIE DETECTORS

We are used to boasting that under our American system of justice that a man is innocent until proven guilty. This system, we have long insisted, recognizes the dignity of the individual and his moral worth and integrity. We even developed a constitutional right that protects the individual from self-incrimination.

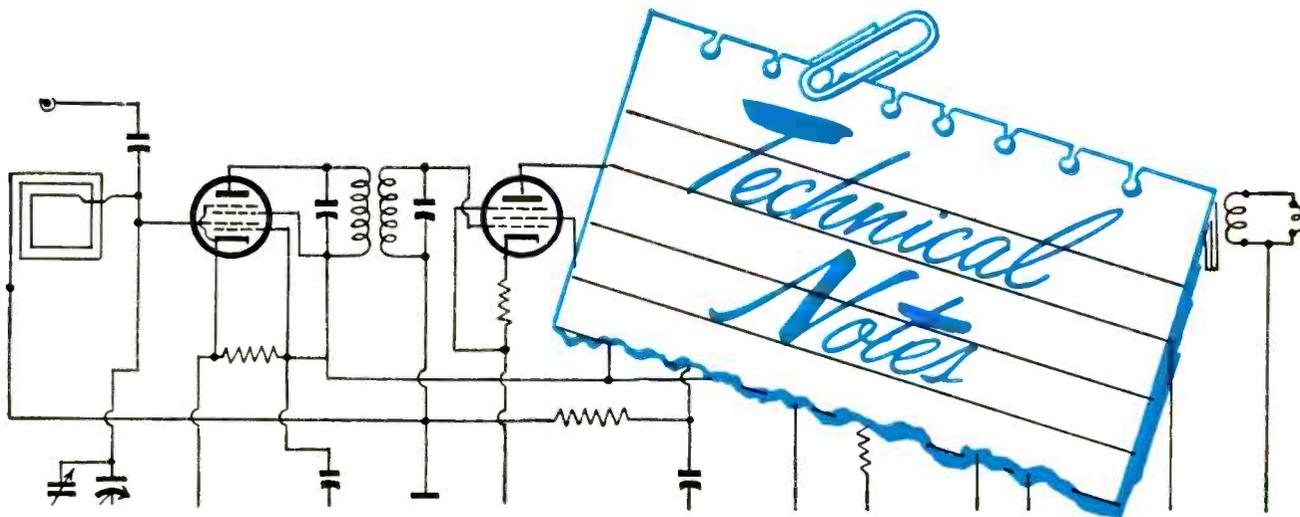
All this began to change when government secrecy, particularly in certain "sensitive" areas, became an accepted fact of life. Secrets had to be kept from friend and foe alike. Those who worked in these areas of secrecy, and those who worked near these areas of secrecy had to be checked on, and whole regiments of lie detectors were established. Each government agency developed its corps of investigators who went around to friends, neighbors, enemies, strangers, former employers of government workers to check on their answers to government questionnaires, to check on their loyalty, their patriotism and their status as "security risks."

Industries which produced secret government material—and even those that didn't produce secret material—established "security branches." Everybody investigating everybody else, it seems, is a requirement of our way of life.

Then the popularity of the so-called lie detectors developed. The machine showed its ugly head all over the lot. All kinds of enterprises not even remotely connected with government secrets have begun to "screen" their employees and job applicants with these lie-detector machines. And very useful is this device: you can screen out potential union supporters and you can even screen out any ambitious person who might develop into a real successor from somebody in low, middle or top management positions.

Congress is even now investigating the extent to which lie detectors are being used in federal agencies. One thing is certain—we have arrived at the Inquisitive Society. Our concern here is with the use of the lie detector in "normal" job situations. With increasing frequency, employers are demanding that all prospective employees take these tests.

I wouldn't want the following suggestion to develop into a regular union demand, nor would I want to see the average citizen insist on its use before he put money into a bank or savings and loan association. But what do you think would happen if unions demanded that employers take lie detector tests to determine whether they are honestly paying prevailing wages as required; whether they are paying overtime pay honestly; whether all withholding taxes are being sent to the Internal Revenue Service; whether all Social Security deductions were being paid into the Social Security Administration? What do you think would happen if the average American insisted that all bank presidents, vice presidents and managers take lie detector tests to determine whether they have ever embezzled any money, etc.? I'm just asking.
From "WALKING TOGETHER" by Albert K. Herling



CLEAR-CHANNEL CLEARANCE

The Federal Communications Commission intends to duplicate 13 of the 25 clear channel stations in the U. S. and will allow those holding non-duplicated clear channels to increase their output power from a previous maximum up to perhaps as much as 750 kw.

All the duplications scheduled are in the western states. Other stations in the market areas of the clears are fighting the proposal, stating it would put them in an inferior position relative to placement of national advertising.

It is reported that the Commission is interested in determining the economic impact, if any, that the higher powered stations would have on other outlets in their areas and whether or not there is a need for the service a higher powered station would provide. The commissioners seem to feel that only the actual experience of operating such stations can provide such information.

If the higher power authorizations are made, they would probably be for about three years. They would be the first such authorizations to be made since WLW, Cincinnati, operated with 500 kw. from 1935 to 1939.

ALL-TRANSISTORIZED TV

The Insider's Newsletter, a Cowles publication, reports that West German manufacturers are pushing the development of fully transistorized television sets and that they hope to have first models on the market late this year at prices close to those of conventional TV sets.

SOUND-OF-VOICE RECORDER

A voice-actuated, transistorized recorder, which starts instantly at the sound of a voice and stops automatically after the sound ceases, has been developed by a firm called the Miles Reproducer Company. Called the "Walkie-Recordall-64," it can tape from five to 10 hours, depending upon the model used. It is also able to record incoming and outgoing telephone conversations automatically.

THE SMOKE SCREEN

The television and radio industry is possibly facing a difficult decision. If the U. S. government opens up an expected campaign to encourage those who do not smoke not to take up the practice and to encourage those who do to cut down or quit in the interest of their health, the radio-TV media may be embarrassed.

Reason: There may be an advertisement for cigarettes back-to-back with a government plea against smoking them.

Meanwhile the fight goes on about the warning which the Federal Trade Commission has ordered the cigarette producers to place on all packages and advertisements, telling the potential consumer that the contents may be injurious to health.

Those who oppose it say that whiskey and other generally accepted products now on the shelves are also potentially injurious or deadly and there is no warning label on their containers. The FTC persists that it has the legal right to require such action. Opponents say it is a violation of the First Amendment to the Constitution.

THE MICE AT WORK

Two white mice recently played a vital role in a construction project, the National Geographic Society tells us. An electrician could not thread a cable through an 80-foot length of pipe which had four bends and was imbedded in concrete in a new building.

Inspired, he bought two white mice, one male, one female. The electrician tied a length of string to the male and stationed him at one end of the conduit, and placed the female at the other. The electrician squeezed the female, she squeaked, and the male raced through the pipe to find her, pulling the string behind him. The string was then used to draw the cable through.

A ferret saw similar service at a South Dakota air base, but he worked alone in a conduit without female incentive.

CONVENTION FEATURE

A revolutionary new television pickup tube has paved the way for development of a wireless television camera with studio quality features.

The new camera, the Minicam Mark II, will be utilized for the first time by CBS News in coverage of the Republican National Convention in San Francisco the week of July 13.

Packaged as a wireless remote unit capable of being operated by one man, the camera, transmitter pack, power supply and transmitter of the Minicam weigh an aggregate of less than 29 pounds. The camera weighs six and one-half pounds and measures 5x4x10 inches, including the lens.



CBS NEWSMAN Mike Wallace poses as a technician with the new portable camera unit developed by CBS for coverage of special events, like the current political conventions.

Use of the new camera will enable CBS Television Network cameramen and CBS News correspondents to broadcast live from hitherto inaccessible areas, under normal lighting conditions, on the convention floor and throughout the city of San Francisco as well.

Heart of the new camera is the revolutionary "Plumbicon" picture pick-up tube, developed by Philips of The Netherlands and marketed through North American Philips Company, Inc., New York. The new tube, far smaller than the standard studio image-orthicon tube, nonetheless meets the same operational standards and characteristics of the larger studio cameras. In addition, it possesses great stability, has high sensitivity and

provides better quality pictures, but does not "smear" as other small pickup tubes do.

Attempts in the past to develop portable wireless television cameras capable of producing acceptable studio quality have not succeeded because of shortcomings in available picture pickup tubes. The small vidicon tube, widely used in industrial and military applications, has failed to provide live pictures of broadcast quality. On the other hand, attempts have been made to employ an image-orthicon tube with miniaturized and transistorized equipment throughout the rest of the camera, but the result has been a camera too heavy and bulky to be effective as a portable wireless unit.

Use of the camera will result in intimate picture coverage of convention news. Because of the new sensitive "Plumbicon" pickup tube, the news will be seen wherever it happens.

WHO LISTENS AT NIGHT?

Who listens to nighttime radio? Interesting figures of a recent Nielsen survey include the fact that, at sundown, 1,500 of America's more than 4,000 radio stations shut down. At midnight, another 2,200 stop operations for the day, leaving about 300 to continue.

On listening habits, the survey showed that from 6 p.m. to midnight, 50.1 per cent of U. S. homes listen to radio a weekly average of almost 4 $\frac{1}{4}$ hours. From midnight to 6 a.m., 16 per cent listen a weekly average of just under 4 $\frac{3}{4}$ hours.

Another survey reported that women prefer the jingle-type commercial while men prefer the straight sales message. About 70 per cent of those interviewed considered themselves "active listeners" while almost 27 per cent said they used radio as a "background medium."

IMPORTED RECEIVERS

More than 13 million radio receivers and almost a half million TV sets were imported into the U. S. in 1963, mostly from Japan.

According to Department of Commerce figures, there were 7.2 million radios with three or more transistors, 3.9 million with fewer than three resistors and 2.1 tube radios. The total was 13.2 million, down only slightly from the 13.3 million in 1962. The dollar volume is estimated at about \$97.7 million for radio and \$22.6 million for TV.

1964 PROGRESS MEETING

•
Stardust Hotel, Las Vegas, Nevada

•
August 18, 19, 20

Be Sure to Send a Representative



STATION BREAKS

LET FREEDOM SWING

Last year, a letter was received at the headquarters of the Voice of America from a group in Italy who had formed a club called the Friends of Music, U.S.A. (a two-part jazz and popular music show on VOA emceed by Willis Conover and heard throughout the world six times a week). The formation of the club was announced officially on an April broadcast, with a response so overwhelming, that up to date, 982 applications to form similar clubs have been received from 82 countries. With the exception of China, Albania and Bulgaria, all the Communist bloc countries are represented. India leads the list of participating countries with nearly 200 clubs. Any group of 12 or more listeners (which usually consists of students) can become a chapter by submitting their names to Conover in Washington, D. C. Besides an individual membership card, and a charter certificate, Friends will receive autographed pictures of leading musicians, a monthly newsletter, a subscription to the music magazine, *Down Beat*, and lapel pins in the form of a music staff.

1964 PROGRESS MEETING, AUGUST 18, 19, 20

FANNY HILL AND THE PIRATES

Off the coast of Essex, England, a new "pirate" radio station has been set up. The head buccaneer is Screaming Lord Sutch and his pop band. Dressed mainly in leopard-skin outfits, this "musical" mob commandeered a tower on a bank appropriately called "Shivering Sands." This station not only features way-out pop music, but listeners occasionally get a late-night reading from the life of *Fanny Hill*.

1964 PROGRESS MEETING, AUGUST 18, 19, 20

SIGN-LANGUAGE TV

When the newspapers went on strike in Columbus, Ohio, WLWC-TV, which employs members of Local Union No. 1300, provided sign-language "translation" of news broadcasts for the benefit of deaf persons who ordinarily received their news from the printed word. A newscaster gave the program on audio while another, in the background, "signed" the news for the benefit of those unable to hear. The service was provided on two newscasts daily.

A PURPOSEFUL DESIGN

Very often, in architectural design, form does not always follow function. However, in the building of a television station, it generally does. In fact it must, because in the design of the building should lie the solution to the problems inherent in the medium.

An industry magazine, *Television*, featured in it's June, 1964, issue some of the stations which show how the form has come to follow the function in television station design. Of the 65 case histories discussed, 20 of the stations employ members of the I.B.E.W.

Listed by station, area, and local, they include: KRLD-TV, Dallas, Texas, L. U. 1257; KSTP-TV, St. Paul, Minn., L. U. 292; WANE-TV, Fort Wayne, Ind., L. U. 1225; WAVE-TV, Louisville, Ky., L. U. 1286; WBAL-TV, Baltimore, Md., L. U. 1200; WBAP-TV, Fort Worth, Texas, L. U. 1234; WCAU-TV, Philadelphia, Pa., L. U. 1241; WGN-TV, Chicago, Ill., L. U. 1220; WHBQ-TV, Memphis, Tenn., L. U. 1275; WHIO, Dayton, Ohio, L. U. 1266; WKJG-TV, Fort Wayne, Ind., L. U. 1225; WKRC-TV, Cincinnati, Ohio, L. U. 1224; WMAR-TV, Baltimore, Md., L. U. 1200; WOOD-TV, Grand Rapids, Mich., L. U. 1295; WOW-TV, Omaha, Nebr., L. U. 1221; WTOP-TV, Washington, D. C., L. U. 1200; WSB-TV, Atlanta, Ga., L. U. 1193; WSJS-TV, Winston-Salem, N. C., L. U. 1229; WTAE-TV, Pittsburgh, Pa., L. U. 1987; and WXYZ-TV, Detroit, Mich., L. U. 1218.



JACK M MC GILLAN
11573 HAMLIN ST
NO HOLLYWOOD CALIF
LU-111