utility reporter

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AFL-CIO & CLC

TO ALL IBEW LOCAL UNIONS AND SYSTEM COUNCILS IN THE U.S.A. — July 31, 1972

Dear Sir and Brother:

The wage freeze last summer and "Phase II" of President Nixon's program of economic controls were put into effect under the authority granted by the Congress under the Economic Stabilization Act of 1970, as amended. Included in that Act, in Section 203(d), was a "substandard earnings" provision which stated that wage increases to certain individuals whose earnings were considered substandard would be exempt from any system of wage controls which the Executive Branch adopted under the Act. Although no precise figure was established in that section, there was legislative history indicating that the figure which Congress had in mind for the exemption was $3.35 per hour.

On January 29, 1972, however, the Cost of Living Council determined that only wages of $1.90 per hour and under were exempt under this provision. A suit was then filed in which certain unions and the AFL-CIO sought to declare unlawful the ruling of the COLC that only wages under $1.90 were exempt. In support of this suit, our General Counsel's office filed a brief on behalf of Congressman William F. Ryan (D., N.Y.) who was the principal sponsor of the exemption in Congress.

On July 14, 1972, the U.S. District Court for the District of Columbia upheld the Labor position that Congress intended to set the exemption higher than the $1.90 per hour figure and, therefore, declared unlawful the action of the COLC.

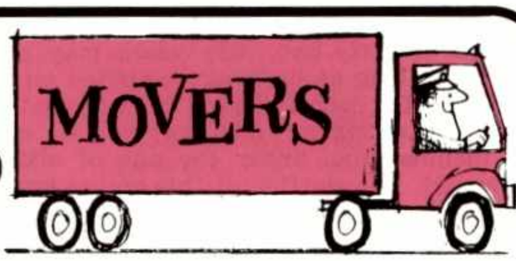
Following the Court action, the Cost of Living Council again considered the matter on July 25, 1972. Since the Court did not rule out the possibility that the Council could consider some downward adjustment in the $3.35 figure which was referred to in the legislative history of the Act, the Council re-examined the various factors which it had earlier considered. As a result of this reconsideration, the Council raised the exemption to apply to all workers earning less than $2.75 per hour. This means that we may seek increases for all employees making less than $2.75 per hour. It is lawful to seek to bring the new wage rate up to $2.75 per hour, plus the appropriate percentage increases above that figure which are permitted under Phase II. This upward revision by the COLC, which is a direct result of the lawsuit, includes approximately ten million additional workers within the exemption.

We are, of course, extremely pleased with the results of the Court decision and the revised ruling of the COLC. In addition to the broadening of the specific exemption involved in the Act, a related benefit is the official notice taken by the Court of the uneven treatment which has prevailed under the Nixon Administration's wage and price control program. Thus, one of the arguments raised by the COLC against this lawsuit was that an exemption set at $3.35 per hour would exempt from wage controls some 50% of the non-supervisory working force in the country. The Court noted, however, that this argument was not very convincing in view of the recent administrative exemption of small businesses by the COLC from all controls, even though the Act contains no such exemption. In other words, the Court decision will not only result in an exemption for low-wage workers more in line with what Congress intended, but may also help to insure a more even-handed application of the law than the Council and the Pay Board have practiced to date.

We are proud that the IBEW, through its General Counsel, has played a part in this significant legal and social victory and hope that the ruling may result in specific benefits for some of the employees you represent.

Fraternally yours,
Charles H. Pillard
International President

... HAVE YOU MOVED?



MY NEW ADDRESS IS:

NAME ____________________

STREET ____________________

CITY ____________ STATE ____________ ZIP ______

RETURN TO:

P.O. BOX 4790, WALNUT CREEK, CALIF. 94596

Shown above from left to right are Tony Lemos, Jone Lemos and Anthony V. Aiello. Jone was the winner of Local 1245's Annual Competitive Scholarship contest.

ADVISORY COUNCIL MEETS

by Ken Lohre

The highlight of the Aug. 5-6 ad council meeting was the tribute paid to Jone Lemos, Local 1245's scholarship award winner. During an interview with Miss Lemos, she indicated that she will be attending Sonoma State College this fall and will be majoring in English.

When asked about her first response to the news that she had won the contest, she replied: "I was really surprised to receive the award and of course I was very excited about it. I am planning to put myself through college, so this scholarship will really help."

Miss Lemos was the recipient of two other scholarship awards and has been working this summer as a waitress and cook at the Seagull Restaurant in Ft. Bragg. She hopes that with what she makes this summer, combined with her scholarships, she will not have to work during the school year and devote full time to her studies.

The topic of the contest was a natural for Jone as she is actively working on several committees in the field of ecology.

Jone is the daughter of Tony Lemos, a troubleman for PG&E in the Ft. Bragg area. You may recall seeing his name in the Utility Reporter last year when he was awarded the IBEW Life Saving Award.

Jone and her father expressed their appreciation to all of the members of Local 1245 and specifically to those who were present at the council meeting.

Bus. Mgr. Mitchell was very impressed with Miss Lemos, her sparkling smile, her personality, her attitude and her thoughts as expressed in her essay. He voiced his feeling of confidence in the future of our country as long as we have kids like Miss Lemos coming along to assume positions of leadership and responsibility.

Lee Thomas, President of Local 1245, had the pleasure of introducing the judge of the contest, Mr. Anthony V. Civello, Principal of St. Joseph's High School in Alameda, and President Thomas thanked Mr. Aiello on behalf of all the members of Local 1245 for participating in the contest as a judge.

Pay Board Approves PG&E Settlement

The Pay Board has notified Local 1245 and P.G.&E. that the negotiated wage increase for the P.G.&E. Physical & Clerical units has been approved. Three hundred and twenty-nine thousand, eight hundred and sixty-seven.

The settlement called for a 6% increase effective June 25, 1972 for both the Physical and Clerical Units and an additional 3¢ per hour applied to rates $233.20 and above per week in the Divisions and to the rates of $240.50 and above per week in General Construction as provided for in the **Physical** Unit wage settlement.

The settlement also called for another 6% increase for both the physical and clerical units in April of 1973. The term of the contract was extended to December 31, 1973.

The application of the new increase was put into effect on August 25, 1972. The retroactive pay will not be issued until November 6, 1972 due to computer programming.

Bargaining Roundup

City of Berkeley

Strike settled after three full weeks and returned to work on August 2. Settlement agreement provided for a one year term with a 4½% general increase effective July 1, 1972. In addition all classes below Journeyman level received an additional $11.55 per month.

The new Journeyman rates in Berkeley is $1,161 per month.

Other gains included modified agency shop, a formal grievance procedure culminating in final and binding arbitration in cases involving suspension or discharge, and other grievances. The arbitration decision would be advisory with a provision that the city would pay the full cost of arbitration if they do not accept the decision. The city is to provide raingear for emergency work in inclement weather and $25 a year allowance for replacement if employee provides tools.

In addition, the parties are to develop within the next three months an additional memorandum of understanding which will organize, define and explain wages, hours and working conditions applicable to electric division employees of the City of Berkeley.

Representing Local 1245 in the negotiating process under the direction of Business Manager L. L. Mitchell were negotiating committee members John C. Hall and Business Representative Jack McNally and Assistant Business Manager M. A. Walters.

City of Alameda

Negotiations on a wage reopener previously agreed to on a two-year agreement resulted in a line rate of $6.41 an hour effective July 1, 1972.

The Bureau of Electricity of the City of Alameda also agreed to pay the full cost of a dental care plan for employees and their dependents.

Representing the Union in the negotiations were committee members Ronald S. Wose and Clarence Vargas and Assistant Business Manager Mert Walters. Due to vacations during the negotiations, Ralph Murphy served as alternate during negotiations.

City of Lodi

The negotiating committee consisted of Business Representative Hank Lucas, John Schwelm and Steve Whiting. Results of the negotiations included a 7½% increase effective July 1 for all classes except groundsman and warehouseman which received 5%. The City of Lodi also agreed to contribute an additional $5.43 per month in order to maintain the current benefits of the hospital and medical insurance program.

City of Oakland

Negotiations between Local 1245 and the City of Oakland resulted in a 4% general increase effective July 1, establishing a junior rate of $1,241.00 per month.

Other gains obtained were: The City agreed to contribute an amount not to exceed $25 toward the cost of employee and dependent coverage in either Kaiser Foundation Health Plan or Hospital Service of California commencing July 1, 1972, and an additional amount of $8 per month effective Jan. 1, 1973, for the same purpose.

They also agreed that for employees with 10 or more years of service they would pay in cash one-third of the employees' accumulated sick leave upon termination or retirement from the City.

Provisions were established for paid rest periods following extended overtime and an advisory committee was created to assist in the development and implementation of a training program for electric helpers to prepare them for ad-

(Continued on Page Four)

Attention All "A" Members — Pension Plan Changes

ACTUARIAL VALUATION OF I.B.E.W. PENSION BENEFIT FUND

The International Executive Council received and reviewed the actuarial valuation report of the I.B.E.W. Pension Benefit Fund submitted by the actuaries of the Plan as of December 31, 1971. On that date the Members' Pension Plan had completed five full years of operation. The Plan has been valued annually since December 31, 1967. This series of valuations indicate that the program is operating in a condition of actuarial balance.

The Plan provides for qualified members a $2.00 monthly pension benefit per year of membership, a pre-retirement death benefit of $1,000 with an additional $1,000 payable in the event of accidental death, disability pensions, and vested rights after 20 years of membership. The monthly contribution required of "A" members is $10.

With reference to the current valuation, the actuaries' report says:

"As a result of our study, we again find the Members' Pension Plan to be in actuarial balance. In other words, the funds now on hand, together with interest earnings and the member contributions expected to be received in the future, will, in our judgment, be sufficient to provide all the benefits promised under the new Plan. The increase in the rate of required contribution last year is due primarily to the use of a more appropriate basis for disability costs. . . . Fully half the current annual cost of the Plan is represented by the interest requirement on the net actuarial deficiency for the Plan, which is a cost item relatively fixed in size and independent of the number of new members joining up. Thus, continued increases in the number of participating "A" members can result in a significant improvement in the Plan's financial condition. By the same token, a continuing effort must be made to persuade an adequate number of new participants to "join in" if the Plan is to continue in actuarial balance."

The reference in the above statement to the increase in the rate of required contribution last year pertains to the monthly contribution rate required in 1970 ($9.70) in relation to that of 1971 ($10.00).

The report shows that there were 39,247 regular retirements and 4,278 disability retirements payable as of December 31, 1971. The number of non-retired "A" members is shown as 292,117, down from 293,845 in 1970. Accidental death claims paid during 1971 amounted to $298,623, while other death benefits paid amounted to $2,607,976. For age retirement benefits the Fund paid out $10,754.52. The average annual benefit paid for regular retirement was $613, while that paid for disability retirement was $604.

In concluding, the actuaries' report says:

". . . We find the members' Pension Plan to be in sound condition and, if new members continue to enter the Plan in sufficient numbers in the future, the Pension Benefit Fund, together with interest earnings and future member contributions, should be fully capable of meeting all benefit expectations of all covered members, both active and retired."

AMENDMENTS TO ARTICLE XII OF THE I.B.E.W. CONSTITUTION

Whereas, Article XXIJ, Section 3 of the I.B.E.W. Constitution provides as follows:

"The International Executive Council is empowered to establish such rules and regulations as it deems appropriate and to modify same for the effectuation and administration of the provisions of Solution Number One relating to pension and death benefits as approved by the resolution adopted by the 28th Convention of the I.B.E.W. on September 22nd, 1966 and to prescribe the rights of members retired prior to the effective date of said resolution of September 22nd, 1966, providing that such retired members shall in no event receive less than the amount received by them currently from the I.B.E.W. Pension Trust Fund under the Employees Benefit Agreement and/or the I.B.E.W. Pension Benefit Fund respectively. The International Executive Council is further empowered to amend the I.B.E.W. Constitution to conform to the provisions of such rules and regulations including the deletion of Article XII, Section 1, the deletion of cancellation provisions in the last paragraph of Article XII, Section 2, and the waiver of per capita tax for retired members other than the amount owing to the E.W.B.A. or the I.B.E.W. Death Benefit Fund.

The International Executive Council is also empowered to direct the International Secretary in his compilation and editing of the new Constitution to make such changes as are necessary to correlate the subject matter," and

Whereas, the International Executive Council has issued the Rules and Regulations contemplated by the above quoted constitutional provision:

Now, THEREFORE, Article XII of the Constitution of the I.B.E.W. as amended effective January 1, 1967 is now further amended as follows, effective January 1, 1973:

(1) Add new Section 1(a)(2) Optional Early Retirement Pension as follows:

(a)(2) **Optional Early Retirement Pension.**

An "A" member of the I.B.E.W. in continuous good standing with twenty (20) or more years immediately preceding his application who has attained the age of sixty-two (62) years may elect to receive reduced pension benefits as long as he lives, computed on the basis of two dollars ($2.00) per month for each full year of such continuous "A" membership reduced by six decimal six six (6.66) per cent for each year or part thereof the said "A" member was under the age of sixty-five (65) at the date of his retirement. The election of this option must be made on a form prescribed by the I.S. and will become effective on the date he is placed on pension. The election of this option shall be irrevocable.

(2) Re-number Optional Spouse's Benefit and amend as follows:

(a)(3) **Optional Spouse's Benefit.** Each "A" member retired under Section 1(a)(1) or Section 1(a)(2) may, in lieu of payment of pensions as outlined above, elect to receive a reduced pension as long as he lives, with the provision that after his death one-half of such reduced pension shall continue to be paid to his spouse thereafter as long as such spouse survives him. The amount of such reduced pension payable under this election shall be actuarially equivalent to the pension otherwise payable. This election must be made on a form prescribed by the I.S. and will become effective on the date he is placed on pension or six (6) months following approval of the application by the I.E.C., whichever is the later date. The election of this option shall be irrevocable except that the election shall be void in the event of the spouse's death during such six-month period.

the utility reporter

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Growing use of court actions to seek redress

buyers' bailiwick

By Sidney Margolius, Consumer Expert for Utility Reporter

Consumers and their allies are going to court more often nowadays to secure redress for their grievances. This trend is shown in the summary of state consumer actions recently released by Virginia Knauer, the President's consumer adviser.

The report shows that three legal methods are increasingly being used by individual consumers and by groups of "classes" of consumers. These are:

1—**Court actions by state authorities on behalf of consumers.** This is called the doctrine of **parens patriae.** What it means is that the state sues on behalf of its citizens in general even though they are not individual parties to the lawsuit.

Thus, in Florida the state attorney general went to court to get an order directing the Public Service Commission to let the attorney general intervene on behalf of the consumers in a petition by the Florida Power Corp. for a rate increase. Similarly, in Kentucky the Citizens Commission for Consumer Protection, a state agency, invoked for the first time its authority to intervene in state rate-making proceedings, in this instance, in a proposed increase of 21.6% in auto insurance rates.

In one of the most unusual and potentially useful actions of this kind, the New York City Department of Consumer Affairs went to court to get a consent judgment enabling the department to set up a compulsory arbitration procedure for the Compact Electra Corp., which sells a vacuum cleaner system. Under the procedure, the department will notify the company of any complaint received and will suggest a resolution. If the company rejects it, the complaint goes before an arbitrator appointed by the American Arbitration Association. The party in error pays the arbitration fee.

2—**Class actions.** More states have enacted laws permitting class actions, according to the summary prepared by Betty Bay, Director of Federal-State Relations for the Consumer Affairs Office. In class actions, an individual or group sues on behalf of all consumers believed to be injured by a seller. One practical innovation is a new law in California that permits a consumer to seek a court injunction to stop a practice which he believes has wronged him. Class actions are allowed when it is shown that it would be impractical for all those who have been wronged to appear before the court.

In one of the most significant recent actions, also in California, the State Supreme Court ruled that consumers may join together in a class action lawsuit against both the company they allege defrauded them and a finance company which supplied the credit. The finance companies involved trotted out the old argument that the consumers could not sue them because the lenders were not part of any alleged fraud but simply bought the sales contracts from the retailer. But the Court noted that the lender usually investigates the credit of the buyer, and with a little additional zeal also could investigate the good faith of the seller.

Another interesting class action which has appeared in a number of states seeks damages from banks who figure their finance charges on the basis of a 360-day year instead of 365. On short-term loans banks get a little extra interest when calculating fees on the 360-day basis, Elizabeth M. Fowler pointed out in the **New York Times.**

A number of current class actions seek to require that retailers give credit for payments made that month on revolving credit accounts before calculating the amount of finance charge. Some retailers and bank charge-account plans do that anyway.

In another significant class action, Community Legal Services, Inc., of Philadelphia, initiated a class action suit against a number of car dealers and finance companies. The suit charged that the dealers helped the car buyers get cash loans for the amount of the cost of the cars rather than the normal auto loans at the lower rates regulated by the state.

3 — **Higher limits for small claims.** The Consumer Affairs Office reported that all states except Colorado and Nebraska now have small claims courts. The dollar limitations vary from \$50 to \$1,000. The recent trend has been to increase the limit for suits that can be handled in small claims courts. Thus, both California and New York recently increased the limits from \$300 to \$500.

But the small claims courts can be a two-edged sword. Sellers suing buyers also now can use small claims courts for larger amounts. Too, while the useful feature of small claims courts for consumers seeking redress is that you don't need a lawyer, sometimes consumers are surprised to find that the other party does have a lawyer, and a well-prepared case.

$ YOUR DUES DOLLARS by Bud Gray - Treasurer

QUESTION: What is the Energy Workers Center?

ANSWER: It is the building located in Walnut Creek at 1218 Boulevard Way that is normally called the "Union Office."

The Board of Directors is comprised of the Executive Board Members, Business Manager and Treasurer, all of whom have a vote and voice.

The Center has an inflow of rent money at this present time from three sources: 1) Highland Beauty Shop, 2) Highland Pharmacy, and 3) Local 1245.

This inflow of funds enables our Building Manager, Representative Roy D. Murray, to keep the property in top shape. I might add that his expertise in handling the Manager's position is of the greatest quality, and this is in addition to his regular duties.

I would like to remind the members of Local 1245 that every member is a property owner of the Center and has the right to help govern its quality.

Report of the Center's financial condition is made monthly to the Board of Directors, along with a list of improvements made and improvements needed. Both are originated and kept by our Manager. The property and building only are involved with the Energy Workers Center, Inc. The furnishings and equipment are property of Local 1245.

The Energy Workers Center, Inc. had its first meeting in November 1968 with Roland W. Fields sitting as the first President of the Center.

"Massive reforms" suggested for state workmen's compensation programs

(Continued from Page Eight)

This increase boosted California's workmen's compensation program so far as benefit levels were concerned to the fourth highest in the nation in terms of temporary benefits and 14th highest in terms of permanent benefits. According to the latest figures available from the State Department of Human Resourses Development, the state's weekly wage for May 1972 was \$168.84).

✓ Weekly cash benefits should be paid without arbitrary limits on the duration or the total amount of benefits.

✓ Coverage under state laws should be compulsory rather than elective and neither employers nor employees should have the right to reject coverage.

✓ No occupational group should be excluded from workmen's compensation laws and the laws should cover all employers with one or more employees. The report pointed out that barely half the states cover firms with one or more employees; about a third of the states cover farm workers and hardly any states extend coverage to domestic workers.

✓ There should be no limitation on the duration or the dollar amount of full medical care and physical rehabilitation.

✓ Free choice of physician by the injured worker.

✓ The waiting period for benefits should be no more than three days, with the retroactive period no more than 14 days.

✓ Death benefits should be paid to the widow or widower for life or until remarriage and the minimum weekly benefit in death cases should be at least 50 per cent of the state's average weekly wage.

The report noted that while medical care in cases of worker disability is generally adequate and prompt, there are "serious exceptions" found in most states which limit the duration or amount of medical care.

The commission also reported that in most states the maximum weekly benefits for a family of four are below the poverty level of income established by the federal government.

In underscoring the current inadequacy of benefit levels, the commission said:

"The inadequacies of benefits mean that too high a proportion of the burden of work-related disabilities is borne by workers and the taxpayer rather than by employers."

While the commission rejected proposals for a federal takeover of all workmen's compensation, it urged that the states move promptly to broaden coverage, liberalize benefits, and improve medical and rehabilitation services.

It also called for the establishment of a permanent National Workmen's Compensation Commission when the current commission expires 90 days hence.

In spelling out their "reservations" about some of the commission's recommendations, Commissioners Peevey and O'Brien questioned the need for such a permanent commission but said that if one is created it should be authorized by Congress and be required to report annually to the Congress and the general public on its activities.

At the outset of its report, the commission pointed out that some 10 million workers a year require medical treatment or at least temporarily suffer restricted activity because of work-related injuries according to the National Center for Health Statistics.

"The dollar cost of lost wages, medical treatment, lost production, damaged equipment, and other consequences of work related accidents for 1971 is estimated at \$9.3 billion," the report said.

The commission said the cost of implementing its "essential recommendations" in California, including its benefit level recommendations with a maximum weekly benefit of 100 per cent of the state's average weekly wage by 1975, would be 19.2 per cent.

—Los Angeles Citizen

Bargaining Roundup

(Continued from Page Two)
vancement to electricans.

Negotiating committee members were Shop Stewards Cecil Jackson, James L. Rowley and Assistant Business Manager M. A. Walters.

Plumas Sierra Electric Coop, Inc.

Effective July 1, 1972, Local Union 1245 members employed by Plumas Sierra received a 7% increase, or $6.24 an hour.

Wages were the only issue in the negotiations due to the fact that the current collective bargaining agreement between the parties is the best in the entire nation applicable to employees of a rural electricity cooperativee.

The Union's negotiating committee consisted of Hayward Hand Jr. and John Strall, Business Rep.

Truckee-Donner Public Utility Dist.

On June 7, 1972, the members of Local Union 1245 employed by the Truckee Donner Public Utility District voted to ratify the results of negotiations which brought a 5% general wage increase retroactive to May 1, 1972. In addition, a new title was inserted in the Memorandum providing for paid rest periods after extended overtime, supplemental benefits for industrial injury at 90% of employee's basic wage and for payment of the full premium costs for a long-time disability plan, 50% of the cost of the improved retirement plan and 50% of the premium cost for hospital and medical insurance for employees and their dependents.

Double time will be paid for all time worked in excess of 16 hours and for overtime worked Sundays and holidays.

Standby pay was increased from $4 to $5 a day for each day of a weekend or holiday.

Negotiating committee members were S/S Bruce N. Grow and Business Representative John Stralla.

City of Roseville

Shop Steward Paul Jefferson and Business Rep. Charles Robinson, with the assistance of Asst. Bus. Mgr. M. A. Walters, reached an agreement with the City of Roseville which resulted in a 5½% increase effective July 1, 1972, with an additional 2½% increase to be effective Jan. 1, 1973.

It was further agreed that the City would enter into an agreement with the Cooperative Personnel Services Division of the State Personnel Board to perform a position and classification and salary survey to be completed by Dec. 1, 1972.

Upon completion of the study, further negotiations may be entered into regarding any salary inequities which may be disclosed by the survey.

Additional gains were:

- Establishment of Columbus Day as a paid holiday.
- Increase in standby pay from $50 to $75 a week.
- Increase in call-back pay from one hour to two hours at the overtime rate.
- Establishing of annual bonus payments of $100 for employees with 20 years or more service, $150 for employees with 25 years or more, and $200 for 30 years or more.
- Established improved provisions for pay for work in a higher classification.
- Improvement in sick leave computation, accumulation and application.
- Establishment of a Journeyman apprentice committee for the electrical division.

A/C Transit District

A two-year agreement, effective July 1, 1972, provides for 5½% increases each year, with an additional 8 cents an hour, effective July 1, 1972 for Journeyman level classifications.

The agreement also contains a cost of living clause based on the June 1972 BLS index with adjustments to be made quarterly.

Other improvements included:

- Hospital insurance. District to pay full cost to maintain present benefits for employees and dependents. Effective Jan. 1, 1973, the District's cost will be increased from $35 to $47.13 per month.
- Dental insurance effective Sept. 1, 1972. District will pay $7.83 per month to maintain present benefits for employees and dependents. (The District now pays $2.50 per month to cover employees only). Effective July 1, 1973, the District will pay up to $12.50 per month to provide improved benefits.
- Employee's birthday is established as ninth paid holiday and provisions were made to fully guarantee all nine holidays.

Improvements were also made with respect to vacation entitlement, funeral leave and leave of absence for physical disability.

Negotiations were conducted on behalf of Local 1245 by S/S Ted Ewing and M. A. Walters, Assistant Business Manager.

Editorial

George McGovern is a "radical." He's so radical that he wants to end the war in Vietnam. He wants peace for the world but first he wants peace for the men, women and children of the United States of America.

McGovern is so radical that he proposes to spend some of the billions of dollars wasted yearly in Vietnam on creating a new life for many of the disadvantaged. He proposes to create jobs in industries that are keyed to rebuilding America. He proposes to create jobs which are geared to finding solutions to the problem of air, water and solid waste pollution.

Why he's even radical enough to propose a tax reform program that will call for the closing of loopholes which allow millionaires and corporations to pay either no taxes or a smaller and smaller percentage share of a bill the working men and women of the United States are paying today. Radical George McGovern has even stated that he would put an end to Nixon's wage and "price" freeze, the one where the wages are frozen but where the prices continue to rise, and if necessary he would replace it with one which would freeze profits, interest rates, and even prices no matter how it hurt the rich.

Yes, George McGovern is a radical. Who else but a radical thinks that the government should be honest and open with the people. Who else but a radical would say that the working people are smart enough to guide the politicians when given all of the facts.

McGovern's programs sound so radical he might even be accused of suggesting "taxation with representation." He might even turn out to be as radical as Patrick Henry, or John Hancock, or Paul Revere or even former President Franklin D. Roosevelt. His "give away" program and ideas for creating jobs to rebuild and strengthen the United States even sound a little like FDR's "New Deal." You know, the program that the Republicans said at the time would destroy America and turn it into a socialist welfare state.

George McGovern is so radical that, according to the AFL-CIO's COPE, he voted around 92% in favor of legislation sponsored by labor in the interests of the working men and women. We must assume that this is radical, because when President Nixon was in the House and Senate he voted against most of these measures.

Active Union members and Shop Stewards have been considered as "radicals" by many people in management for years.

The founding fathers of our country and most of those who brought about change to make the U.S. the great country it is today were all considered radical at one time and it is in this sense that George McGovern is a radical and long live this type of radical.

McGovern's Labor Voting Record

EDITOR'S NOTE: We stated in the July issue of the Utility Reporter that we would show McGovern's voting record as it related to issues affecting the working man. The article below appeared in another labor publication so we decided to make use of their research and also give you an idea of how another union rates voting records of candidates. McGovern rates about 92% right in his entire political career according to National AFL-CIO COPE—(Committee on Political Education.)

WASHINGTON—The International Association of Machinists & Aerospace Workers, AFL-CIO, reports that U.S. Senator George McGovern, Democratic nominee for President of the United States, has a batting average of .875 in the union's boxscore of key votes in Congress on trade union issues.

The Machinists Union keeps a Report Card on Congress covering the voting records of senators and representatives that is similar to the scorecard maintained by the AFL-CIO Committee on Political Education. (COPE). The Machinists Report Card on Congress does not cover foreign affairs, only domestic issues.

McGovern compiled his .875 batting average in four years as a congressman (1957-61) and nearly 10 years as a senator (1963-72).

A compilation by the Machinists shows that on 77 votes of major importance over the 14-year span, McGovern has been "right" from labor's viewpoint 63 times and "wrong" nine times. He did not vote on five of the key issues, three of them last year when he was out campaigning.

COPE's scorecard shows McGovern with 72 right votes and five wrong. The variance between the two is because COPE and the Machinists do not judge voting records on exactly the same issues.

In commenting on McGovern's labor voting record, The Machinist, which is the union's official newspaper, had this to say:

McGovern voted with the labor movement on fundamental labor principles. He has been consistently opposed to compulsory arbitration—in the 1966 airline strike, the 1967 railroad strike, the 1970 railroad strike and this year's West Coast dock strike.

He supported a higher federal minimum wage and extended unemployment benefits.

He voted repeatedly to provide jobs for the unemployed through public works and public service employment programs.

He voted for Medicare and mental health measures.

He voted for truth-in-lending and truth-in-packaging, the two big consumer measures of the last decade.

He voted to increase and improve Social Security.

He voted to raise and broaden the minimum wage.

McGovern helped sponsor food stamps and school lunch programs.

He has voted on civil rights bills and has supported tax reform.

McGovern opposes President Nixon's wage-price control programs. He was one of seven senators who voted last December against continuing it another year.

McGovern voted wrong from labor's viewpoint nine times.

He voted wrong twice on the anti-union Landrum-Griffin bill.

He voted against breaking a successful filibuster that blocked the repeal of Section 14(b) of the Taft-Hartley Act. Repeal would have legalized union security contracts now outlawed in 19 states.

He voted against federal standards for state unemployment compensation programs.

He voted against the SST, the Lockheed loan guarantee and the space shuttle.

He voted against closing a tax loophole that exempted from federal income tax interest from industrial development bonds used to entice industrial plants to move to low-wage areas.

On domestic issues, the record shows that McGovern has voted with the trade union movement most of the time.

—Oregon Labor Press

BUSINESS PROFITS HIT ALL-TIME HIGH!

By BILL SCHLEICHER

"U.S. business earned more money in the first quarter of 1972 than in any prior three-month period in its history." So said prestigious Business Week magazine, in a study of 880 "giants of U.S. business" that found after-tax profits averaging 15% above those of a year ago. The U.S. Commerce Department also called the first quarter an all-time record, and the Wall Street Journal headlined a recent article "Bulging Profits."

The Business Week study showed huge profit gains in "nearly every sector," with broadcasting (profits jumped 107% in a year), heavy machinery (66%), appliances (62%), building materials (51%) and trucking (42%) the runaway leaders. Other high gainers (over 20% increases in the year) were aerospace, autos, chemicals, electronics, finance, photo-optical, retail, savings and loan, service, tire and rubber. Relatively slower (with profits up "only" 15 to 20%) were drugs, computers, paper, personal care, publishing and railroads.

Did the profits "trickle down" to benefit any working people? Well, if the top men in giant corporations are considered workers, the answer is yes. James M. Roche, General Motors boss, got an astounding 219% raise—to $838,000 a year. Henry Ford II, boosted 37% to $702,000, didn't do quite that well, but Harold S. Geneen of I.T.T. (remember the merger scandal?) came close with $812,000. Relative paupers were the top men at General Electric and Westinghouse, with increases to $450,000 and $405,000 respectively.

What does this all mean for the rest of the economy? Here's what President Nixon said it would mean: "All Americans will benefit from more profits. More profits fuel the expansion that generates more jobs . . ."

Profits are the keystone of "Nixonomics," and with business racking up its highest profits ever, we should all relax and enjoy "our" prosperity —right?

Hardly. These enormous sums never reached the pockets of real working people. Another keystone of Nixonomics—wage controls—took care of that. By May 12, six months after the Phase II guideline of 5.5% had gone into effect, the Pay Board had approved raises for 8,350,000 workers. The average increase approved was only 4.3%, even below the publicly-stated guideline of 5.5%.

If those swollen profits didn't get into people's pocketbooks, did they help create new jobs? Nope. In fact, the only stability in the economy under President Nixon has been the steady unemployment, right around 6% for the last 18 months. The month of May was true to the Nixon pattern, with 5.9% out of work. In addition to the 5 million unemployed, the Labor Department admits to almost another million who want work but have given up looking. They are not counted in the official unemployed figures, and their number may be several times the admitted one, according to many economists. The Journal of Commerce politely called unemployment "still an unsolved problem."

The third big aim of Nixon's economic program was to end the inflation eating like acid into our every dollar, but inflation rages on. The May Wholesale Price Index rose at a 6% annual rate, again led by farm products. By April the cost of meats, poultry and fish in New York City had already risen 7.9% in a year. This might have hurt working families, but Secretary of Agriculture Earl Butz, representing the big-business farmers, said, "I don't want to see food prices go down." He's getting his way.

Worse still was the continuing rise in industrial commodities. The Wall Street Journal has said that the industrial raw materials price index is "historically proven to be a fairly reliable indicator of future trends in consumer prices." In other words, the so-called "catch-up" period after the Phase I freeze is over, and we still face big future price increases in consumer goods. This is all the proof we need to conclude that the freeze and the controls have not succeeded in breaking the inflationary cycle.

But we should not have expected any success from the controls program, and not only because profits were exempt and the price controls were not enforced. The program was a lie from the beginning, because it did not attack the main source of inflation—the war in Vietnam and the fat defense budget. And now President Nixon is escalating the war to what one writer has called "the level of total barbarism."

If the cost in lives isn't bad enough, consider the effect on an already inflational economy of the $3-$5 billions Defense Secretary Melvin Laird estimates the recent expanded Vietnam activity will add to the budget in the next fiscal year. Defense has already requested an $83.4 billion budget, and now the military is saying they will oppose the arms-control agreement with the Soviet Union unless they get a $1.2 billion increase for "offensive strategic forces." The vast costs (and profits) involved in these skyrocketing military outlays will only add more fuel to the fires of inflation.

It's no surprise that profits have hit an all-time high. Profits are Mr. Nixon's economic policy.

Public Employee Press

HELP! WE NEED SOME ADDRESSES

EDITOR'S NOTE: Listed below are the names of our members for whom we have no address. We are asking you to look for your division or employer group and then check to see if you find someone you know. If you find a familiar name, please contact the person and tell them to send us his or her address and please include their Social Security number. .

It is very important that we have a current address on all of the members so that when we send out urgent notices or ballots, each member will receive the necessary information. Communications with the membership is an area in which we are trying to make improvements, but we must have your address as a start.

We suggest that someone in each headquarters post this list of names on union's side of the bulletin board.

If you know of a person's address, but can't contact them to have them send in their new address, please send us the address yourself.

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A History of the IBEW

PART VII

New Horizons

In 1959, a full-time Director of Skill-Improvement Training was added to our I.O. staff. A complete course in Industrial Electronics was developed and by 1970 it was estimated that over 100,000 journeymen were taking, or had taken, skill improvement courses.

In June 1959, a Safety Department with a full-time Director was established at the International Office.

In the fall of 1961, our Brotherhood developed a course on "Industrial Atomic Energy Uses, Hazards and Controls," and an institute was conducted to train instructors in this field so important to the welfare of our members and the public. Additional institutes have since been conducted at several locations.

Delegates to our Twenty-Seventh Convention, held in Montreal, Quebec, in 1962, voted to raise our per capita tax from 90 cents to $1.50, thus putting the membership stamp of approval on plans for our future.

Our Diamond Jubilee Convention was held in September, 1966, in St. Louis, the city where the Brotherhood was born 75 years earlier. Delegates voted to create a strike assistance fund in addition to the legal defense fund. "A" member delegates voted to strengthen the IBEW Pension program by increasing payments to the Pension Fund and improving benefits. In its Diamond Jubilee year, the IBEW also began its Founders' Scholarship program by awarding eight scholarships in electrical engineering to IBEW journeymen electricians.

President Freeman told the 75th Anniversary Convention, "Our union stands tall today . . . the dream our founders had of bringing dignity and security to Electrical Workers is a staunch reality . . . We can take pride in how far we have come, but there is no time to rest on our laurels."

Two years after the St. Louis Anniversary Convention, President Freeman retired from office after 13 years of dedicated service in that position. The International Brotherhood of Electrical Workers is forever indebted to President Emeritus Freeman for his leadership as International President of this Brotherhood but, even more, for his total dedication and commitment to its continued well-being.

He was determined that the IBEW would remain strong and continue to grow after his leadership. Thus, at great personal sacrifice, he retired as President while still an active and effective leader to assure an orderly transfer of administration. This wise man knew that continuity of administration was in the best interest of his union's future. All members of the IBEW present and future have benefitted from this action by a truly great labor leader.

Charles H. Pillard, an Executive Council member, was appointed to succeed him on October 1, 1968. While a member of the International Executive Council, Brother Pillard proved he had ability, experience and exceptional talent for leadership. As business manager of Local Union 41, Buffalo, New York, he acquired through dedication and untiring efforts on his part an outstanding record in the trade union movement in his local area and in the State of New York.

His background and experience in the trade union movement and his knowledge of all the segments of the electrical industry has resulted in tremendous progress for the IBEW since he assumed the duties as President, and has proven his appointment to serve our great Brotherhood as its principal leader was a wise choice.

President Pillard has been elected a Vice President and is a member of the Executive Councils of the following AFL-CIO Departments: The Building and Construction Trades Department, AFL-CIO, the Metal Trades Department, AFL-CIO, and the Industrial Union Department, AFL-CIO.

Continuing President Emeritus Freeman's emphasis on growth, President Pillard has played an active role in the development of the Brotherhood and its achievements. His early recognition of the growing importance of residential construction showed great foresight. Among his many accomplishments are: the promotion of the CROP program, the organization of the construction industry, and the development of imaginative new programs to provide greater service to our members.

At the Twenty-Ninth Convention of our Brotherhood, held in Seattle, Washington, President Pillard, on the basis of his outstanding record, was unanimously elected International President.

The Convention's theme, "Exploring New Horizons in Electricity," constantly reflected the strides the IBEW had made under the progressive leadership of President Pillard. 101 new locals have been chartered since the convention of '66; over 45,000 members are now receiving pensions, and wages are increasing. IBEW members now enjoy better health and welfare coverage, improved pensions, longer vacations, and more holidays, as well as a shorter work week.

However, President Pillard is not content with the progress that has been made. In his keynote address to the Convention, he stated, "We cannot rest on our laurels; all of our efforts must be strengthened and we must approach the new roads of conquest with a true spirit of cooperation as we explore the new horizons of electricity."

He is also very much aware of the responsibilities of IBEW members not only to their union, but to their respective countries and the world as well. "We in the IBEW have, in the past and shall continue in the future, to accept our citizenship responsibilities and work for the attainment of social justice for all people. We will participate in our community, our state or province, and our nations to help accomplish the better way of life for all." Under his leadership, the IBEW is continuing to grow and move forward.

And what of our future? Today we stand over 950,000 strong with nearly 1700 local unions scattered the length and breadth of the United States and Canada. We are the fifth largest union in the world and our wages and working conditions are second to none in any comparable field. We stand where we are today because strong men and women, intelligent men and women, loyal men and women, created our union, protected and preserved it. They cared about what happened to them and to their children and they clung to the organization that gave them protection and strength.

Each era writes its own history. Our union heritage has been passed on to us vibrant and strong. Where we go from here depends upon our Brothers and Sisters of today.

HELP! WE NEED SOME ADDRESSES

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B. DOUGLAS WINGERT

GEN. CONSTR.-PG&E

DONALD M. WITT
THOMAS R. YEOMANS

MISCELLANEOUS

ARTHUR F. SCHOEN

UTILITY TREE SERVICE, INC.

KENNETH M. BALES

DAVEY TREE SURGERY CO.

FRED BARNES
RICHARD R. KINGSTON
DAVID A. PEAT
DAVE O. PEPPER
MICHAEL A. PRATKO
RICKE B. RAMAGE
ELISEO P. ROSALES
LUIS P. ROSALES
ROBT. L. TERRILL
ARMEN T. TORIAN
STEVEN W. WARD
ALFRED YORBA
ETHRON YOUNG II

SOHNER TREE SERVICE INC.

GERALD F. BERAMEK
SILVIE E. GOMES
DONALD H. HARVEY

PAC. TREE EXPERT CO.

DANIEL A. ATKINS
LARRY D. BICE
WALTER B. CLUNE
JOHN T. DUNN
LELAND B. ENDRES
JESSE GARZA JR.
ALLAN M. GRAVES
JOHN W. HAGINS
JAMES D. HARTMAN
HERBERT L. JAUREZ
GEORGE P. JOHNSON
DONALD A. KAHLMORGAN
HAROLD C. KECK
JOHN R. MYERS JR.
HAYDEN NAYLOR
MICHAEL J. PULLIAM
ALLEN O. SARGENT
MELVIN D. THOMASON
DENNIS W. WEBSTER
JEARLL L. WOOLVERTON

OUTSIDE LINE NECA

HENRY M. BENNETT
ADRIAN W. CARLTON
ERNIE W. CUNNINGHAM
WALTER H. DAVIS
PAUL G. DEL SOLDATO
MELVIN G. HAWN
FRANK A. MESZAROS
DAVID W. MILES
NEIL L. MILLER
MAURICE A. NELSEN
JOEL D. SMITH
DELBERT C. WELLS
A. M. ENCARNACION
ARMANDO ENCARNACION
M. J. GARCIA
WILLIE McCRAY
S. M. OLIVERI
W. W. ROBBINS

James A. Thacker

could have won $50.00 if he had noticed his Union membership card number in the June issue of the Utility Reporter. The number was not in the July issue due to an oversight. This month's number is hidden. Read your Utility Reporter.

LOOK FOR YOUR CARD NUMBER

The Safety Scene

"Massive reforms" suggested for state workmen's compensation programs

State workmen's compensation programs throughout the nation are generally "inadequate and inequitable" and "massive reforms" are "essential to the survival of the state workmen's compensation system."

That was the general conclusion of a report issued this week by the National Commission on State Workmen's Compensation, a 15-member panel appointed by President Nixon in June, 1971.

Following a year-long study, the commission cited 19 of its 80 recommendations as essential elements of a modern workmen's compensation program and said that seven "top priority" items were "imperative."

Despite unanimous agreement that workmen's compensation benefits should be liberalized, coverage broadened and medical and rehabilitative services improved, the commission majority held that the states should be allowed a three-year grace period within which to modernize their programs.

But three of the commissioners, including Michael R. Peevey, research director of the California Labor Federation, AFL-CIO, and James R. O'Brien, assistant director of the AFL-CIO Department of Social Security, voiced vigorous objections to any such delay and urged enactment by Congress now of a statute setting forth minimum federal standards to be met by all states.

Peevey and O'Brien said:

"We cannot agree, however, with the conclusion that the state should be given more time to improve their laws. They have had 60 years to act and, as the report indicates, far too often the states' legislatures have demonstrated they are unable or unwilling to do so.

"The commission majority recognized this, but failed to draw the only logical and rational conclusion: that the Congress should act now, not some time after July 1, 1975, if certain mandates remain unmet. All the reasons for congressional action after July 1, 1975, exist today. The passage of at least three more years will not change them."

They also voiced disagreement with the commission's majority recommendation that the Old Age, Survivors, Disability and Health Insurance program should continue to offset or reduce disability benefit payments of an individual who is simultaneously receiving disability benefits and workmen's compensation benefits.

"The nation's social security program," they said, "should provide the basic protection against loss of income due to disabling illness or injuries and it is improper to reduce these benefits because disability benefits are payable under other programs.

"Social security offset provisions, such as those recommended in this report, are inconsistent with the basic social security principle that recognizes benefits as a right based upon wage-related tax payments."

If problems of overlapping benefits arise, they said, it would be appropriate for the states to meet that problem through the administration and adjustment of their state workmen's compensation laws.

Peevey and O'Brien also faulted the majority report for failing to recommend that Congress provide some federal financial assistance, at least for a limited period, to speed up implementation of the commission's recommendations by the states.

While about 85 per cent of all employees are covered by workmen's compensation laws, the commission noted that those not covered usually are those "most in need of protection—the nonunion, low wage workers, such as farm help, domestics and employees of small firms."

Among the improvements unanimously held as "essential" by the commission were the following:

✓ Weekly cash benefits for temporary and permanent total disability cases should be no less than two-thirds of the worker's gross weekly wage. This would be subject to a maximum or cut off point of no less than two-thirds of the state's average weekly wage by next July. By July, 1975, the commission said, the maximum should be 100 per cent of the average weekly wage in each state.

(Legislation boosting maximum temporary disability benefits in California from \$87.50 to \$105 a week and permanent disability benefits of \$52.50 to \$70 a week was won by the California Labor Federation during the 1971 legislative session.

(Continued on Page Three)

First aid training pays off again

EDITOR'S NOTE: Although the accident related below did not involve Local 1245 members, two IBEW brothers from Local 47 in Southern California were working with a new piece of equipment and we thought the story about the accident would act as a warning to all of our members working with this new equipment. — Work Safely!

Two of our members based at the Ventura Service Center made accidental contact with energized 16 KV while both were working on a pole in the Saticoy area. The severity of the burns suffered by 5th Step Apprentice Jim Hall ranks the accident among the most severe in recent years. After a succession of amputations, the doctors finally had to remove both arms above the elbows.

His pole partner, Journeyman Don Jordan, made momentary contact with the 16 KV while coming to the aid of the stricken Jim Hall. Despite the contact he continued to aid Hall until he was lowered to the ground.

As unpleasant as it is to report on such painful and lasting injuries, it is important to examine what happened and how the accident occurred, in the hope that similar accidents may be avoided. The accident is the second in about 12 months in which electrical contact was made while using a hypress on energized 16 KV lines. The other accident involved Brother B. F. Rollins of the Construction Unit in 1971.

The accident involving Brothers Hall and Jordan occurred on July 5 when the crew they were working on was sent to Saticoy for a street widening job. The two men were assigned the task of cutting out a double deadend to make the line go straight through. All of this was being done with the line hot. They were using a UT 15 press on the outside phase when the accident happened. Brother Jordan was holding the press with a hotstick. Brother Hall, helping to guide the press into position, had the 110 volt switch that operates the press in one hand and made accidental contact with the energized press with the other hand. The contact was then across his body from hand to hand.

The jolt knocked Hall unconscious. He was not breathing and his body was stiff and rigid when Jordan got to him. Jordan in a "by the book" rescue, broke the rigidity of muscles by giving him a sharp hit on the chest and then proceeded to give him mouth to nose resuscitation. Within a minute Hall was breathing on his own. He was lowered to the ground and was on the way to the hospital three minutes later. This is another case in which First Aid and rescue training paid off. Brother Jordan and the other members of the crew are to be commended for their fast and efficient action which certainly saved the life of a fellow worker.

Brother Jordan has no apparent ill effects from his contact with the 16 KV on his left arm, but Brother Hall is still at the UCLA Medical Center undergoing treatment.

There is a repetition of circumstances in this case and the case of B. F. Rollins in 1971. Both men were pressing on an outside phase. Both were involved in leads that were brought up into the primary area from below.

The matter is being discussed at the present time by the Construction Joint Safety Committee. It appears that a hazard exists in this type of operation for which an adequate safeguard could be devised.

OSHA in sad shape

The first anniversary of the federal job safety act was no occasion for America's workers to celebrate because the Nixon Administration has compromised the goals of the law, the AFL-CIO Executive Council charged.

It cited the lack of adequate funds and enforcement, in addition to Administration efforts to turn the Occupational Safety and Health Act program over to the states.

"The President and the Secretary of Labor gave this program the highest priority in words, but then fed it a starvation budget," the council said.

And the highest priority from the outset, the council stressed, "has been to let the states do it—the states whose historical failure to protect the health and safety of workers on the job led Congress to pass the 1970 act."

Congress intended the act "to right the wrong suffered by generations of workers," the statement continued, but it now "is in the hands of an Administration which does not believe in the law's philosophy nor purpose—despite White House rhetoric. So workers continue to be needlessly killed, injured or made ill on the job."

George H. R. Taylor, secretary of the AFL-CIO Standing Committee on Safety and Occupational Health, said that Congress should increase the appropriations for the coming fiscal year to \$166 million—\$75 million more than the Admin. is requesting—to better protect the 57 million workers covered by the law.

Taylor illustrated the need for the increased appropriations by comparing the spending for job safety by two federal agencies in the 1972 fiscal year. The Bureau of Mines provides \$309.54 in enforcement dollars per worker, while the Labor Department allots 41 cents per worker, he pointed out.

The AFL-CIO proposal also calls for a \$60 million appropriation to the National Institute for Occupational Safety & Health, an increase of \$37.8 million over the Administration's budget.

Part of the increase would provide for at least tripling the number of criteria and recommended standards covering toxic substances that workers are exposed to on the job.

A major objective of labor's proposal to expand appropriations for occupational safety would be to enlarge the government's staff of compliance officers from the present 407 to 2,500 and to increase the number of industrial hygienists from 40 to 115 in the coming year.

—United Rubber Worker