



# California AFL-CIO News

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Executive Secretary-Treasurer  
THOS. L. PITTS

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## ABILITY COUNTS

### San Mateo Girl Wins Essay Prize

Colleen Gandrau, a senior at Mercy High School in Burlingame, is young in years but much more aware than many twice her age that it's ability, not disabilities, that count.

She just proved it by writing the winning essay in the 1967 Statewide "Ability Counts" contest sponsored by the Governor's Committee for Employment of the Handicapped. Her selection as the winner was announced this week by Robert F. Girard, Chairman of the Governor's Committee.

As a result, Miss Gandrau, 18, of 511 Highland Avenue, San Mateo, wins the first place prize of \$100 from the Governor's Committee and a free trip to Washington, D.C., to compete with other statewide winners in the national writing contest sponsored by the President's Committee on Employment of the Handicapped which features a \$1,000 prize.

The California Labor Federation, AFL-CIO, provides the winner with first-class, round-trip air fare to Washington plus \$100 for expenses each year in the interest of promoting a greater awareness of the employment capabilities of many handicapped people, State AFL-CIO leader Thos. L. Pitts explained.

Miss Gandrau's essay not  
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### Reception to Honor John F. Henning

A no-host reception for John F. Henning, recently appointed U.S. Ambassador to New Zealand, will be held in the Pavilion Room of the Fairmont Hotel in San Francisco next Monday, March 27, from 5 to 6:30 p.m.

Henning, a native Californian,  
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## Jobless Pay For Fired Workers?

A bill to provide State-financed unemployment insurance benefits to State workers discharged as a result of Governor Ronald Reagan's "economy drive" was introduced in the Assembly last Friday in the wake of the Reagan Administration's announcement earlier last week of plans to eliminate nearly 3,000 State jobs.

*It's Got to Be This Or That*

Little more than six weeks ago, Governor Ronald Reagan submitted a bare-bones budget to the State Legislature charging that California "has been looted and drained of its financial resources in a manner unique in our history" and that the state hasn't faced such a bleak picture "since the dark days of the depression."

Surprisingly, however, no  
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The need for some such measure was underscored again on Tuesday when Reagan announced that an additional 1,224 jobs in the State Department of Public Works would be wiped out.

The initial job slashing announcement on March 14 was concentrated in the Department of Mental Hygiene, which is to suffer the loss of 2,632 of the total of 2,892 jobs to be eliminated. Other cutbacks announced at the same time include the elimination of 40 jobs in the Department of Industrial

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## Ruling Offers Way to Curb 'Profit' in Labor Law Delays

A National Labor Relations Board trial examiner has ruled that an employer who refused to come to the bargain table for nearly 18 months while he "tested" the law should be required to pay his employers for wage and benefit gains they would have achieved during the testing period.

### Two North State COPE Parleys Set

Organizational meetings for two new North State Committees on Political Education, one in the Marysville area and the other to encompass Butte and Glenn Counties, are scheduled next month.

The first, sponsored jointly by the Butte-Glenn Counties  
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Examiner Owsley Vose recommended the unique remedy for members of the Auto Workers at the Elwood, Ind., plant of the Ex-Cell-O Corp. because management refused to bargain after the union won an NLRB election in 1964 and was certified in 1965. Vose reaffirmed the validity of the election result and outlined a remedy to "take the profit out of refusing to bargain."

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## Opposition to Phone Rate Hike Mounts

Opposition to a record \$181 million phone rate increase being sought by the Pacific Telephone Company was voiced by city officials of both Los Angeles and San Francisco at a pre-hearing conference before the State Public Utilities Commission in San Francisco this week.

The biggest part of the proposed \$181 million rate boost would be raised by increasing 1-party rates from \$3.85 in Los Angeles and \$3.90 in San Francisco to \$5.75 and hiking business rates from \$4.05 in Los Angeles and \$3.90 in San Francisco to \$8.

The pre-hearing conference Wednesday was called to determine the position of all parties on the various issues and the

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## Fed Moves Into New Offices in Sacramento

The California Labor Federation, AFL-CIO, has just moved into a new suite of offices in the 11th and L Building at 1127 11th Street in Sacramento, State AFL-CIO leader Thos. L. Pitts announced this week.

The move, necessitated by lack of space in the temporary office the Federation had maintained in the Senator Hotel since the current legislative session got under way, was completed Wednesday. It puts the state AFL-CIO's Sacramento headquarters directly across the street from the State Capitol and just half a block away from the legislators' offices.

Mail directed to the Sacramento office should be addressed to the Federation at 1127 11th Street, Suite 216, Sacramento, California 95814. The new phone number is area code 916-444-3676.

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## Beverly Wins COPE Backing For Assembly

Robert G. Beverly, Mayor of Manhattan Beach and a candidate for the 46th Assembly District seat vacated by the death of Assemblyman Charles Chapel last month, has won the endorsement of the California Labor Council on Political Education, State AFL-CIO leader Thos. L. Pitts announced today.

The action by State COPE was taken on the recommendation of the Los Angeles County Committee on Political Education headed by Sigmund Arywitz, which recommended endorsement of Beverly at a meeting last Monday night.

In the special primary election scheduled April 11, Beverly will compete for the Republican nomination against five other Republican candidates. Five other candidates are vying for the Democratic nomination.

If none of the candidates in the special primary election win a majority of the total votes cast, a run-off election will be held on May 9.

Final registration figures in the district, which includes the communities of Manhattan Beach, Palos Verdes Estates, Redondo Beach and Torrance, are: 58,188 Republicans; 45,757 Democrats; and 3,793 miscellaneous and declined to state. This places total registration in the district at 107,738.

## Two North State COPE Parleys Set

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Central Labor Council and the California Labor Council on Political Education, will be held at 7:30 p.m. Wednesday, April 5, at the Building Trades Council Hall at 116 West Seventeenth Street in Chico.

The second, sponsored by the Marysville Central Labor Council and California Labor COPE will be held in the Operating Engineers Building at 1010 I Street in Marysville at 8 p.m. Wednesday, April 19.

Fred Smith, assistant State COPE director, will be on hand to assist with organizational problems at both meetings.

All local AFL-CIO unions are invited to send representatives to the meetings in their area.

## Ruling Offers Way to Curb 'Profit' in Labor Law Delays

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The examiner agreed with the union that long delays in such cases "place a premium on disobedience of the law." He ruled that the firm must bargain with the UAW and also compensate Elwood plant employees for the money value of the "minimum additional benefits" including wages which it is "reasonable to conclude that the union would have been able to attain through collective bargaining" except for management delays.

Additional hearings will be needed to compute the loss suffered by employees, Vose pointed out, because of the refusal of a company vice president to produce records of wage increases and fringe benefits granted Elwood employees since the union won bargaining rights. The examiner compared conditions other than wages at Elwood, as listed in a 1963 company handbook, with those at five other Ex-Cell-O plants where the UAW has contracts. He found superior conditions prevailing at the other plants—in Bluffton, Fostoria and Lima, O., Detroit and Traverse City, Mich.

### AMPLE PRECEDENT

There is ample precedent, Vose said, for ruling that the board has the power to fashion different remedies for unfair practices. The question in the Ex-Cell-O case, he said, was whether the union was justified in seeking a remedy other than what it called a "slap on the wrist" order to cease and desist.

It is possible for any employer to delay the start of bargaining sessions for up to two years while he "pursues the legal remedies available to him" in the law, the examiner noted. In the Ex-Cell-O case, he observed, more than two years have elapsed since the NLRB's original certification was issued, and another year or more could elapse before a Court of Appeals issues a decision on review.

During this period the employees, "frustrated in their efforts to obtain a contract,

and seeing that their employer by his own efforts can prevent the collective bargaining process from even getting started, lose interest in union representation," Vose wrote. When bargaining finally starts, he observed, union representatives are "bargaining from a position of weakness rather than the position they would have been in" had the employer promptly sat down for negotiations.

"Employers who promptly comply with their . . . obligations are placed at an economic disadvantage and flouters of the national policy . . . are financially rewarded for their conduct," he added.

### OPEN TO OTHERS

Assuming that Ex-Cell-O's refusal to bargain was not a deliberate maneuver to stall bargaining but an attempt to get a review of what the company regards as an erroneous ruling, Vose observed that the course it followed is open to all employers. This, he pointed out, includes those "who are opposed to collective bargaining . . . and who calculate that the cost of litigating is more than offset by the savings resulting from stalling the commencement of bargaining for possibly two years or more."

During this period, he noted, "assuming that the Court of Appeals ultimately sustains the board's actions in the representation case, the national policy with regard to collective bargaining has been wholly frustrated, and the employees have been deprived of the fruits of the bargaining process." He added:

"These results . . . are completely antithetical to the purposes of the (Taft-Hartley) Act and call for a remedy which will help restore the situation to that which would have existed but for the unfair labor practices."

Vose recommended that company payments should be retroactive to Oct. 25, 1965, the date on which management first refused the union's request for a bargaining meeting.

## It's Got to Be This Or That

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such ominous outlook is reflected in the Governor's economic report issued last week.

On the contrary, the Governor's report indicates that California's economy prospered in 1966 and is likely to do better this year. For example, it notes that during 1966:

- Personal income climbed 9 percent.
- Employment rose 5.1 percent.
- Retail sales increased 5.2 percent.
- Disposable income rose 7.7 percent.
- Cash farm receipts climbed 5 percent.
- And corporate profits rose 7.4 percent.

The report said that the ranks of the unemployed averaged an estimated 374,000 last year or about 5 percent of the work force compared with 428,000 or 5.9 percent in 1965.

While the report noted that employment in the construction industry had dropped 3.3 percent and "the number of workers in construction activities sagged to an average of 376,000 for the year—the lowest level since 1962 and 13,000 below the 1965 total—it declared that:

"Construction should pick up toward the end of the year as building levels improve but, for the year as a whole, construction employment is likely to average about the same as in 1966."

Although it indicated some uncertainty about the level of business activity after mid-year, the report said economic expansion is likely to continue through the end of the year.

All of this raises one key question:

How do you reconcile an economic report that finds California, for the most part, more prosperous than ever before in its history with a budget message that argues that necessary investments in education, mental health, highways, parks, and police protection must be scrapped or delayed?

## Expert Raps Cutback in Mental Care

Dr. Alfred Auerback, an expert on hospital staffing standards and a vice-president of the American Psychiatric Association, wrote a letter to Governor Reagan this week deploring the Governor's decision to slash the staff of the State Department of Mental Hygiene by more than 2600 employees.

"Your decision represents a major regressive step. Even at this time our State lags significantly behind many other states in the care we provide.

"I find it hard to believe that you expect the State hospitals and mental health services to function at their usual level with such a gross reduction in personnel," Dr. Auerback declared.

Dr. Auerback was one of the authors of the report of the California Commission for Staffing Standards released last month.

Among other things this report found that at one State hospital patients were getting only 68 percent of the acceptable standard of service for just basic ward care. Staff time for all other treatment functions stood at 19 percent of the standard, the study found.

Referring to the report, Dr. Auerback commented:

"Obviously the Governor hasn't read it."

"Our hospitals are going to stop being hospitals, that's all," Dr. Auerback added.

Additional opposition to the cutback in the Department of Mental Hygiene was registered by Dr. Richard Koch, President of the California Council for Retarded Children.

Koch said that the State's four hospitals for mentally retarded persons are now 24 percent overcrowded and, in the absence of proper financing for personnel and improvements, could become merely custodial institutions.

A hearing on the cutbacks has been scheduled by the Senate Business and Professions Committee on Tuesday, March 28, the day after the legislature reconvenes following the Easter recess this week.

## Alameda CLC to Pioneer Project to Help Dropouts

A new type of Neighborhood Youth Corps project aimed at helping 410 school dropouts will be pioneered by the Alameda County Central Labor Council, AFL-CIO, in Oakland.

The council will administer the 52 week project under a \$1,409,040 grant approved by Secretary of Labor W. Willard Wirtz.

The goal of the program is to provide the unemployed young men and women from Oakland's poverty target area with good work habits and basic job skills.

The project will differ from previous programs under the Labor Department's Neighborhood Youth Corps by providing extensive occupational counseling and job placement services when the youths finish training.

The county's three U.S. congressmen, Jeffrey Cohelan (D-7th District), George P. Miller (D-8th District) and Don Edwards (D-9th District), announced that the allocation was the first approved by the Secretary of Labor under the Neighborhood Youth Corps' new Experimental and Developmental program.

Total estimated cost of the project will be \$1,579,800 with the Central Labor Council making up the difference in donated staff time, transportation and meeting hall facilities.

In 1965, the Alameda County Central Council became the first local AFL-CIO central labor body in the nation to operate its own anti-poverty program under a grant from the U.S. Office of Economic Opportunity.

When these funds expired, additional financing was obtained for a regular Neighborhood Youth Corps project, which ended on September 2, 1966.

As in previous projects, the Central Labor Council will employ skilled craftsmen from unions in the area to supervise and instruct the young men and women in work experience and training activities, including clerical work, landscaping, remodeling, and various construction projects. Other

specific projects in the program involved the clearing of heavily wooded city and regional park areas to develop picnic and recreational areas.

The youths are also performing significant service to the community, as the work done is for non-profit charitable and public agencies.

Youths who perform satisfactorily in the work experience phase of the program will be selected for workshop training in marketable job skills, including welding, auto mechanics, carpentry and office machines and procedures.

Co-Directors of the project are J. W. Gaines, a member of Building Service Local No. 390 of the Building Service Employees International Union, and Robert Heffley of Oakland Carpenters' Local No. 36.

The youths will receive \$1.35 to \$1.60 an hour for 32 hours per week during training.

## World Book Is Still on Unfair List

The Union Label and Service Trades Dept., AFL-CIO, has warned that World Book Encyclopedia is still being produced in part at the struck plant of the Kingsport, Tenn., Press despite a claim by the publisher to the contrary.

The department said that, while a portion of World Book is being printed at another plant, an officer of Field Enterprises Educational Corp., the publisher, acknowledged that a "substantial part of the work is still being done at Kingsport Press."

The statement was in answer to letters circulated by a regional office of World Book to unions and school administrators in the St. Louis area that the "R. Donnelly Co. of Crawfordsville, Ind., has recently built a new plant . . . where our World Book Encyclopedia is now being printed." The Donnelly firm, one of the nation's largest printers of telephone books and other products, has operated non-union shops for many years, the department said.

## ABILITY COUNTS

## San Mateo Girl Wins Essay Prize

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only exhibited a flair for writing but reflected her own personal concern for handicapped and underprivileged individuals.

She has served as a teaching assistant in a special program for the mentally retarded in the Confraternity of Christian Doctrine at the Saint Catherine of Siena School in Burlingame and, as a senior girl scout, she plans to serve as a student counselor at a camp for underprivileged children this summer.

In her essay, she reviewed the success of a rehabilitation program for the handicapped initiated in San Mateo County in November 1965 in which a committee of personnel managers, labor representatives and doctors set out to try to get employers to hire the capped.

And she drove right to the heart of the major problem confronting disabled or handicapped people when she observed that:

"The major problem encountered in this program was not the education of the handicapped but the education of the employers. They wanted to help, but when it came down to really hiring someone handicapped they made excuses about why they could not hire them."

She also observed that:

"Even people whose handicap is mental retardation can be useful. They can be trained to do simple tasks that will help the physically handicapped."

And she cited an example to prove her point.

Miss Gandrau's father, Robert G. Gandrau, is a veteran member of Local 9490 of the AFL-CIO Communication Workers of America.

Plans for a special award presentation ceremony to be held at Mercy High School on Friday, April 14, are presently being made.

## Court Spikes Action Against County Workers

Embattled Sacramento County social workers who have been engaged in a strike against the county for decent wages and working conditions for 44 days, won a significant though only partial victory last week when a Sacramento appellate court ruled that prosecution of peaceful pickets under criminal law was "harsh, arbitrary and excessive."

"Far from fitting the crime, the punishment dwarfed it," the 3rd District Court of Appeals declared.

The union workers were further heartened last Tuesday when the Sacramento Central Labor Council sanctioned their strike.

The court's ruling wiped out criminal contempt charges lodged against four pickets and also appeared to apply to 73 other pickets arrested during the strike.

But the strikers, most of whom are members of Social Workers Local 535 of the Building Service Employees International Union, will still be subject to jail terms and fines under non-criminal contempt measures, Coleman Blease, the union's attorney, pointed out.

Sacramento County Counsel John B. Heinrich warned that the county would file civil contempt charges against strikers who attempted to induce county employees to walk off their jobs but said the county might ignore simple picketing because the Board of Supervisors has discharged all the strikers and "they're not employees of the county anymore."

But the appellate court ruling did not direct itself to the central issue raised by the union—whether the wording of the anti-strike order issued by Superior Court Judge Alvin F. Sheehy was in violation of constitutional guarantees of free speech and assembly.

Instead, it simply ruled that the county made the wrong choice when it tried to punish pickets by the more severe criminal rather than the more flexible civil contempt procedures.

## Jobless Pay For Fired Workers?

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Relations; 80 in the Department of General Services and 140 in the Corrections Department.

No specifics on precisely where within these agencies the cuts will be made have yet been disclosed.

Unlike the March 14 cut-back order which will involve some outright dismissals, Reagan said Tuesday that the elimination of the jobs in the Public Works Department would be carried out during the next six months through attrition—by simply not filling jobs that result from deaths, resignations, retirements and transfers.

### REAGAN'S DEFENSE

Reagan defended the cutback in the mental health field by noting that:

"In five years the mental hospital patients have declined from 214 to 140 per 100,000 population and they are rapidly on the way to 120."

This decline, he maintained, was due to improved hospital techniques, new drugs and more out-patient treatment.

But State Senator Stephen P. Teale (D-Calaveras County) deplored the Reagan Administration's action as a move "toward the snake pit conditions of the middle ages."

### CONTRADICTS STUDIES

And Assemblyman Robert Moretti (D-Los Angeles), who subsequently introduced the jobless benefits bill for discharged State employees, declared that the Reagan Administration's plan "is directly counter to the recommendations of two major independent studies conducted by the California Medical Association."

Moretti said that a 1965 CMA Study concluded "that even though the total number of patients in State mental hospitals were to decline as greater use was made of out-patient and private institutions, those remaining in the State hospitals are the most difficult cases to treat and require the extra care that had been denied them previously because of overcrowding in these hospitals."

And a more recent study by

the California Commission on Staffing Standards, Moretti said, described the State's treatment programs for the mentally ill as "seriously deficient because of lack of adequate professional staff."

Just as the State is finally beginning to improve its standards, Moretti charged, the new governor is returning the State to a custodial care rather than a treatment program.

### 'FALSE ECONOMY'

"What kind of false logic and false economy urges a governor to blindly sweep out a program so vital to our society in the name of good government?" he asked.

Backing up the charges that the Administration was using a "meat-axe" approach to staff cuts was the disclosure by the Governor's office that no figures were yet available on the specific reductions in the work force to be made at individual state mental hospitals.

"The reduction of 2,632 positions in the work force in the Department of Mental Hygiene was based on the Statewide figures of hospital population," a memo from the governor's office said.

It noted simply that "a reduction of 13,000 in the patient population permitted a parallel reduction of 2,632 positions in the work force."

"The work force of individual hospitals is based on the ratio of patients to staff and therefore it is impossible to give an individual breakdown for each hospital," it added.

### WAS NO STUDY MADE?

This suggests that no study of the individual staffing needs of the State's mental hospitals had been concluded prior to the announcement of the decision to eliminate the jobs.

Assemblyman Moretti's bill to provide jobless pay for discharged state workers, AB 1208, was co-authored by 27 other Democrats.

It would apply to any State worker discharged through January 1971, the end of Gover-

## Opposition to Phone Rate Hike Mounts

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degree of participation planned by each.

A spokesman for the California Labor Federation, AFL-CIO, informed the Commission that the Federation plans to participate as an "interested party."

Formal hearings will begin in San Francisco on April 19 and will continue into September of this year after which the Commission will make its decision.

Following the presentation of the Telephone Company's case, all participants will have an opportunity to cross-examine the phone company's proposals and present their own positions on pertinent issues.

## Reception to Honor John F. Henning

(Continued from Page 1)

nian, served as U.S. Undersecretary of Labor in both the Kennedy and Johnson Administrations and earlier had been State Director of the Department of Industrial Relations in Governor Brown's Administration.

The reception is sponsored by the California Labor Federation, AFL-CIO, which Henning served for years as Research Director and Administrative Assistant prior to becoming State Director of Industrial Relations in 1958.

Following his brief visit to the bay area, Henning is due to continue on to New Zealand.

nor Reagan's term of office. As presently drafted, funds to finance the benefits, which in private employment range up to \$65 a week for a maximum of 26 weeks, would come from the State's general funds.

The California Labor Federation has, in the past, opposed use of general fund revenues in this stop gap manner, believing it runs counter to the basic principle of social insurance. Instead, the Federation believes the better approach is to extend unemployment insurance coverage to all public employees.

# DIGEST OF BILLS

\*Sponsored by the California Labor Federation, AFL-CIO  
No bill may be taken up until 30 days after the date of introduction indicated in Digest, except by 3/4 vote.

## Key to Symbols

**CR** Civil Rights and Civil Liberties  
**DI** Disability Insurance  
**EA** Employment Agencies, Private  
**ED** Education  
**EL** Elections  
**HO** Housing  
**IN** Insurance (Incl. H & W)

**LC** Labor Code Changes, General  
**LI** Liens, Attachments & Writs  
**LS** Labor Unions, Individually  
**LU** Labor Unions, General  
**MI** Miscellaneous  
**PE** Public Employees  
**PH** Public Health

**RE** Recreation  
**S** Industrial Safety  
**SL** State & Local Government  
**TA** Taxation  
**TR** Training & Retraining  
**UI** Unemployment Insurance  
**WC** Workmen's Compensation  
**WP** Water and Power

## ASSEMBLY BILLS

**AB 716 Bagley** (Jud.) Codification to maintain the codes; makes no substantive change. Feb. 21. **UI—Watch**

**AB 729 Bagley** (G.E. & E.) Renames the State Fair Employment Practices Commission to Human Rights Commission.

Revises the coverage of the so-called Rumford Act to delete from the provisions thereof publicly assisted housing accommodation, and to redefine a multiple dwelling to mean a dwelling composed of five or more units, rather than three or more units. Includes in definition of multiple dwelling five or more housing accommodations under single ownership which are located on land which is contiguous, exclusive of city streets.

Requires that complaints of a violation of the Rumford Act be filed with the commission, rather than permitting such a filing. Permits respondent the right to have the proceeding removed to a superior court for a determination. Requires court to give proceeding precedence over all matters on the calendar and to hear proceeding not less than 5 days nor more than 10 days from date of filing.

Permits court to grant equitable remedies, including affirmative relief, or if the court determines no other equitable relief can be granted the payment of damages in an amount not less than \$500 as the court determines will be equitable and just.

States that it shall be a defense to a violation of act that complainant is not bona fide purchaser or renter of the housing accommodation and requires commission or court if this is case to dismiss complaint and require complainant to pay costs but not to exceed \$500.

Provides that if commission or court determines complainant acted in bad faith it must dismiss complaint and may require complainant to pay costs but not to exceed \$500. Defines "bad faith" as meaning complainant had neither actual belief nor reasonable cause to believe that an unlawful practice had been committed. Feb. 21. **CR—Bad**

**AB 733 Brathwaite** (Fin. & Ins.) Authorizes, in lieu of civil suit, employee whose employer has failed to secure payment of compensation to file application with Workmen's Compensation Appeals Board for compensation. Provides that hearing procedure for claimant's application shall be the same as for other claims and requires employer to pay award, or file bond in amount of award, made by appeals board.

Creates Uninsured Employers Fund, from which the claimant's award shall be paid when employer fails to do so. Creates a liquidated claim for damages against employer when award is paid from the fund. Authorizes Director of Industrial Relations to bring a civil action therefor and establishes special procedure for such actions.

Requires appeals board, in cases where such a claim is filed with the board against an uninsured employer, to file an affidavit with recorder in each county where employer has real or personal property and makes such affidavit a lien upon employer's real and personal property until settlement of the claim.

Requires appeals board to notify director and employer when claim is filed if employer has not secured payment of compensation; requires that such employer shall pay to the Uninsured Employers Fund a penalty measured by the premium applicable to his preceding 12-month payroll

had such employer been insured. Requires that a portion of such penalty in an amount equal to not more than six months premiums be credited against any award paid by the employer.

Establishes procedure for making assessment of penalty. Authorizes director to file with county clerk of any county in which the employer has property a certified copy of the assessment and requires clerk to enter assessment as a judgment for the state against the employer.

Requires appeals board to file certificate of amount of penalty due with county recorder of any county where the employer has property in any case in which employer has failed to secure payment of compensation, and makes such certificate a lien upon such employer's real and personal property located within such county.

Appropriates unspecified amount to Uninsured Employers Fund, which fund is declared to be continuously appropriated for above purposes. Feb. 22. **WC—Watch**

**AB 734 Brathwaite** (G.E. & E.) Deletes requirement that weighing or measuring device used in retail trade be positioned so that purchaser can observe weighing or measuring process, leaving only the requirement that it be positioned so that indicator can be accurately read. Eliminates provision for tolerances in quantity markings on textile goods, and makes other technical and clarifying changes. Feb. 22. **MI—Watch**

**AB 735 Brathwaite** (G.E. & E.) Eliminates provisions making it a misdemeanor to sell any commodity at greater than the true net weight, measure or count or less than the standard net weight, measure or count including tolerances.

Includes commingling and other acts regarding off-sale commodities or containers as unlawful prior to sealer's release. Feb. 22. **MI—Watch**

**AB 744 Miller** (Fin. & Ins.) Decreases from 49 to 7 days the period which, when hospitalization is not required, a temporary disability must last before an injured employee will receive benefits from the first day the employee leaves work under Workmen's Compensation. Feb. 22. **WC—Good**

**\*AB 747 Burton** (Ind.R.) Provides that employees of any local hospital district shall have the right to self-organization, to form, join, or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining or other mutual aid or protection and that whenever a majority of the employees employed by a district in a unit appropriate for collective bargaining indicate a desire to be represented by a labor organization, the district, upon determining that such labor organization represents the employees in the appropriate unit, shall enter into a written contract with the accredited representative of such employees governing wages, salaries, hours and working conditions.

Provides elections procedure under the State Conciliation Service for employees to select their employee representative.

Requires that hospital districts shall engage in collective bargaining and enter into agreements concerning working conditions with representative of their employees.

Provides for arbitration of disputes and establishes procedure therefor.

**PE/LS—Good**

INSTITUTE OF INDUSTRIAL  
RELATIONS FOR N.Y.

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## ASSEMBLY BILLS (Cont'd)

**AB 749 Burton** (Ind.R.) Provides for certification by State Conciliation Service, pursuant to prescribed procedures, of collective bargaining representatives to appropriate units of such workers. Requires an agricultural employer, upon request, to bargain with a representative so certified and, if any understanding is reached, to embody that understanding, upon request, in a signed agreement. Feb. 22. LC/SL—Bad

**AB 750 Burton** (Ind.R.) Provides that employees shall have the right of self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities, for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint or coercion of employees.

Provides that specified conduct by employers shall be an unfair labor practice.

Creates a State Labor Relations Board in the Department of Industrial Relations and empowers the board to investigate and take action to prevent unfair labor practices and to make various determinations and hold elections to enable employees to choose their collective bargaining representative.

Establishes procedures for enforcement proceedings and elections authorized, including judicial review. Feb. 22. LC/LU—Watch

**\*AB 751 Burton** (Ind.R.) Provides for certification by State Conciliation Service, pursuant to prescribed procedures, of collective bargaining representatives of appropriate units of such employees. Requires an employer, upon request, to bargain with a representative so certified and, if any understanding is reached, to embody that understanding, upon request, in a signed agreement. Feb. 22. LC—Good

**AB 754 Negri** (Fin. & Ins.) Repeals provisions excluding agricultural services from covered employment; requires, to establish valid claim, that if "agricultural wages," as defined, are included in base period wages, the claimant has been paid not less than \$100 in each of three calendar quarters of his base period, or \$1,000 in any one calendar quarter of his base period.

Provides that changes made by act shall be operative with respect to wages paid on and after the first day of the first complete calendar quarter beginning on or after the effective date of this act.

Specifies that any right or cause of action founded upon any provision amended or repealed by the act shall not be abolished or impaired by act. Feb. 22. UI—Watch

**AB 765 Stacey** (Rev. & Tax.) Imposes a new state tax of one-tenth of 1 percent of the market value of real property on the privilege of transferring such property. Requires the State Board of Equalization to administer the tax and specifies that the tax shall be paid by means of stamps, to be provided by the state board, to be affixed to documents of transfer.

Specifies that county treasurers shall collect the tax and remit the proceeds to the state board and prohibits county recorders from filing or recording documents of transfer, unless the appropriate stamps are affixed thereto. Requires the State Board of Equalization to contract with the board of supervisors of each county and pay the county a reasonable sum, not to exceed the actual and necessary expenses of the county attributable to the tax, for the county's services.

Provides that revenue derived from the tax shall be deposited in the Real Property Transfer Tax Fund to be used for the purposes of making refunds and for payments to counties for their services, with the balance being transferred to the State General Fund.

Makes it a felony to forge, alter, reuse or counterfeit real property transfer stamps or to utter such false stamps.

Establishes various other procedures to carry the tax into effect.

To take effect immediately, tax levy, but specifies that provisions shall be operative on and after 12:01 a.m. on January 1, 1968. Feb. 23. TA—Watch

**AB 766 Burton** (Fin. & Ins.) Prevents disqualification for unemployment benefits of an individual who is arrested by police where the charge against such individual is subsequently dismissed. Feb. 23. UI—Good

**\*AB 767 Burton** (Fin. & Ins.) Increases from \$7,400 to \$15,000 the remuneration upon which worker contributions are required. Feb. 23. UI—Good

**AB 768 Burton** (Fin. & Ins.) Provides disability insurance coverage for employees performing service for a nonprofit corporation in connection with the operation of a hospital, rather than for a nonprofit corporation organized and operated exclusively as a hospital. Feb. 23. DI—Watch

**\*AB 769 Burton** (Ind.R.) Includes janitorial work and services within definition of "public work" for purposes of determining wages, that is, subject to the prevailing rate provisions of the Labor Code. Feb. 23. LC—Good

**\*AB 770 Burton** (Fin. & Ins.) Prohibits the assignment of unemployment disability benefits directly to a hospital. Feb. 23. DI—Good

**\*AB 771 Burton** (Fin. & Ins.) Defines "disability" or "disabled" to include a pregnancy if a woman is confined to a hospital as a result of pregnancy pursuant to an order of her physician, for as long as she is confined to a hospital. To be operative October 1, 1967. Feb. 23. DI—Good

## SENATE CONSTITUTIONAL AMENDMENT

**SCA 19 Petris** (Rev. & Tax.) Authorizes Legislature to provide for assessment of single family dwellings on basis of residential use, such use to be further defined by the Legislature. Feb. 16. TA—Watch

**SCA 20 Petris** (Rev. & Tax.) Permits the Legislature to specify that a single-family dwelling, together with the land on which it is located as may be required for the convenient use and occupation of the dwelling, which is the principal place of residence of its owner on the lien date, shall be assessed on the basis of residential use, as defined by the Legislature. Feb. 16. TA—Watch

**SCA 22 Bradley** (Rls.) Limits regular sessions to 166 calendar days. Feb. 23. SL—Watch

**SCA 23 Bradley** (Elec.) Establishes procedure for preparing and filing initiative petitions (restores provisions deleted by Proposition 1-a of 1966 ballot). Feb. 23. SL—Watch

**SCA 25 Bradley** (Rls.) Permits legislative consideration of bills on 16th rather than 31st day after introduction. Feb. 23. SL—Bad

**SCA 26 Bradley** (Gov. Eff.) Limits the power of the Governor to make appointments to a court of appeal by providing that no person will be qualified unless he has served as a judge of a superior court for at least 10 years.

Limits the power of the Governor to make appointments regarding the Supreme Court by providing that no person will be qualified to be a justice unless he has served as a judge of a court of appeal for at least 5 years, and provides that Chief Justice must be appointed from among the justices of the Supreme Court. Feb. 23. SL—Bad

**SCA 27 Bradley** (Gov. Eff.) Reduces term of appointment from 16 to 10 years for all members appointed after January 1, 1969, to the Board of Regents of the University of California. Feb. 23. ED—Watch

**SCA 29 Cologne** (L.Gov.) Provides that no county, city, town, township, board of education, or school district shall incur any indebtedness or liability exceeding current yearly income and revenue, unless with the assent at an election of a majority of qualified electors rather than unless with the assent of two-thirds of all qualified electors thereof. Provides that no person shall be qualified to vote on a proposition described in this section unless, at the time of the election, he owns real property within the jurisdiction in which the election is held. Feb. 24. ED/TA—Bad

## SENATE CONCURRENT RESOLUTION

**SCR 20 Carrell** (Rls.) Requests Public Utilities Commission to deny application of Pacific Telephone Company for rate increase. Feb. 23. MI—Good